

Ordinances & Administration Committee
Monday, March 31, 2014 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Whynott; Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy
Absent: None.

Also Present: Councilor LeBlanc; Councilor McGeary; Councilor Cox

The meeting was called to order at 6:00 p.m. There was a quorum of the Council.

1. New Appointments:

Director of Veterans' Services/Veterans' Agent *TTE 02/14/16* *Adam Curcuru*

Adam Curcuru, Director of Veterans' Services/Veteran's Agent, informed the Committee of the following: He was raised in Gloucester and attended both St. Ann's School and St. John's Prep. Upon graduation he said he joined the Marine Corps. After tours of duty in Iraq Afghanistan, he attended Salem State University and received his bachelor's degree. He then interned with Richard Barbato, the city's former Director of Veterans' Services, who encouraged him to apply for the job of the Director of Veterans' Services/Veterans' Agent.

Mr. Curcuru said it is his desire to help veterans of all past wars who have been his inspiration and was why he joined the armed services, but in particular he wanted to help his peers for whom the transition returning to civilian live can be difficult.

Councilor Theken recounted that Mr. Curcuru, acting as the veterans' liaison, has worked with her in her professional capacity to ensure there is no duplicate funding of medical insurance support, ensuring the city's veterans are well served. She noted that Mr. Curcuru, for someone as young as he, is a very mature individual. She pointed out that Mr. Curcuru related to her he is happy to stay in Gloucester and has his roots here. She noted he wants to extend outreach programs to the city schools to educate students on the accomplishments of the city's veterans. She said he had also expressed to her that he wants to continue the work Mr. Barbato had started in terms of the broad outreach to Gloucester's veterans. She said she was pleased that Mr. Curcuru has obtained his position having observed him interacting with the city's veterans as an intern. She also noted Mr. Curcuru is fortunate that Lucia Amero has been with the Veterans' Office for some time and provides invaluable assistance to the Director and the city's veterans.

Councilor Hardy asked if Mr. Curcuru was familiar with the processes and documentation required by the state for the support program reimbursements. **Mr. Curcuru** said he was familiarized by Mr. Barbato with the processes as to keeping the confidential records during his internship. He noted he had been fortunate to have a few veterans allow him to sit in during their Chapter 115 benefits and compensation claims sessions so that he had an introduction into that process. He added he has already completed and submitted the March Chapter 115 documentation to the state. He assured the Committee he was well aware of the submittal deadlines for the state. He noted he has been pressing forward with some of the more difficult cases he has to handle. He said he has been working with the City Auditor and CFO on the city's portion of veterans' benefits. The City Auditor's office has offered to help him learn BudgetSense which he said he would take advantage of.

Councilor Whynott added his approbation of Mr. Curcuru's appointment.

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Adam Curcuru as the Director of Veterans' Services/Veterans' Agent, TTE 02/14/16.

Planning Board *TTE 02/14/19* *Douglas Cook (Cont'd from 3/17/14)*

Douglas Cook, 11 Oaks Avenue, and owner of 33 and 35 Main Street, said he has a background in city planning, architecture and landscape architecture. He said he owns and operates a design/built, landscape design practice on the North Shore. He said he has a keen appreciation for the city and admires everything about it. He wants to participate in the Planning Board as someone who could have good input in the constructive process of making good decisions for the city, he pointed out.

Councilor Hardy asked if Mr. Cook had a familiarity with the city's zoning ordinances. He said he has yet to delve deeply into the zoning ordinances, but he had observed several recent meetings and noted that Gregg Cademartori, Planning Director, does an excellent job preparing information for the Board. **Mr. Cook** assured he would read everything presented and if unfamiliar with any information would ask for clarification. He added that he is very interested also in aesthetics and processes, and that one of his strengths is land planning

Councilors Hardy and **Whynott** made several suggestions to Mr. Cook as how he might approach reviewing the zoning ordinances.

Councilor Theken confirmed with Mr. Cook that he had submitted his certification for the state ethics test. She discussed with Mr. Cook some of her concerns about the Planning Board process from a citizen's perspective briefly. She urged Mr. Cook to be his own person on the Board as did **Councilor Whynott**.

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Douglas Cook to the Planning Board, TTE 02/14/19.

2. CC2014-012(Cox) Amend GCO Sec. 22-270 "Parking prohibited at all times" & Sec. 22-291 "Tow-away zone re: Prospect Street at its intersection with Railroad Avenue (Cont'd from 03/17/14)

Councilor Cox said the affected area referred to in the Council Order is from Railroad Avenue to the driveway entrance to Ben's Wallpaper and Paint Company at 6 Railroad Ave. She said this would not take away parking for the businesses surrounding the paint store as there is parking in the back of the building and on Railroad Avenue in the immediate vicinity. She pointed out this request didn't come just from that particular property owner, but also came from the Fire Department and Shaw's Supermarket. She said when vehicles are parked so near to the intersection of Railroad Ave. and Prospect St., vehicles are parked completely on the sidewalk or blocking the right-hand turn onto Prospect Street. For a large truck to make that turn under those conditions is nearly impossible. These amendments to the ordinances will remedy that situation, she said.

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council to Amend GCO Chapter 22, Sec. 22-270 "Parking prohibited at All Times" by ADDING "Prospect Street, northerly side, beginning at its intersection with Railroad Avenue for a distance of 115 feet in a westerly direction ending at the parking lot entrance behind #2-6 Railroad Avenue."

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 22, Sec. 22-291 "Tow Away Zone" by ADDING "Prospect Street, northerly side, beginning at its intersection with Railroad Avenue for a distance of 115 feet in a westerly direction ending at the parking lot entrance behind #2-6 Railroad Avenue."

These matters will be advertised for public hearing.

3. CC2014-013 (Cox) Amend GCO Chapter 22-280 "Fifteen-minute parking" re: Main Street #274 (Cont'd from 03/17/14)

Councilor Cox informed the Committee that Sage Floral Design, located at #274 Main Street, has asked for a 15-minute parking space in front of their business, versus a loading zone, which would continue to allow their customers a place to park, but to also allow their business to load and off-load their goods and receive deliveries. She said these changes will not negatively impact anyone else in that area.

The Committee discussed the matter with Councilor Cox briefly and voted as follows:

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 22, Sec. 22-280 "Fifteen-minute parking" by ADDING "Main Street, northerly side, one space in front of #274 Main Street (replacing meter #68).

This matter will be advertised for public hearing.

4. CC0214-014 (McGeary) Amend GCO Chapter 22, Art. II, Division 2 "Traffic Commission" by adding new section, Sec. 22-37 re: Commission's authority to reserve parking areas for handicapped persons and disabled veterans; Amending Sections 22-175 and 22-28 (Cont'd from 03/17/14)

Councilor McGeary explained that this is a proposal, after consultation with several Councilors and the Traffic Commission, is an effort to expedite the process of creating handicapped and disabled veterans' parking spaces. This, he pointed out, isn't an effort so much for the convenience of the Council, but it is more for the applicants who have to go to the Ward Councilor who forwards a Council Order that is referred to the Traffic Commission and the O&A Committee and then the Council, which is a lengthy process. He said the idea was to place this process in the hands of the Traffic Commission, letting them be the arbiter, and the list of created handicapped spaces would be incorporated into the ordinance by referencing the Traffic Commission's list as is done with other department regulations. **Councilor McGeary** noted that the Traffic Commission met March 27 and voted to support the ordinance amendment. He said that the Commission did raise a concern about conducting public hearings. Suzanne Egan, General Counsel, he said, informed him that she is fine with a public meeting on the matter of handicapped and disabled veterans' parking spaces rather than a public hearing. Whatever the Commission rules, he pointed out, would stand. He added that as ward councilors, it would be especially helpful to stay on top of the process.

Councilor Theken asked what happens should the Traffic Commission turn down an applicant's request, what would be the applicant's recourse. The Committee discussed several instances with handicapped spaces being denied, but **Councilor McGeary** pointed out it was not usual. **Councilor Theken** voiced the need for an appeal process.

Councilor Whynott said he agreed there should be an appeal process and suggested the appeal should come to the O&A Committee in case someone is aggrieved.

Councilor McGeary said the major part of this effort is to empower the Commission, which under the Code of Ordinance is only an advisory committee. The Commission would be able to deal with this one matter, and over time could be expanded over time to take up matters like the changing of a parking space to a 15 minute parking space. **Councilor Cox** added her approbation for such an expansion of Commission powers.

Councilor McGeary agreed with the **Councilors Whynott, Theken** and **Hardy** that if the Council was going to expand the Commissions powers to do more things by regulation it would be prudent to have an appeals process. The Committee also agreed that it would forward the matter to Council with placeholder language and that Councilor McGeary would obtain vetted language from General Counsel for Sec. 22-37 (c) prior to any public hearing.

MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend Gloucester Code of Ordinances, Chapter 22 "Traffic and Motor Vehicles" Article II, Division 2 "Traffic Commission" as follows:

By ADDING a new section 22-37:

Sec. 22-37. Commission's authority to reserve parking areas for handicapped persons and disabled veterans.

- (a) The Traffic Commission may, after holding a duly noticed public meeting, promulgate regulations to designate certain parking areas reserved for handicapped person and disabled veterans.
- (b) A request for a handicapped person and disabled veteran parking area shall be filed with the commission through the City Clerk's office. Each request shall be accompanied by proof of a handicapped plate or placard. As a part of the public meeting, the commission shall consider the recommendation of the director of the department of public works, police and fire chief. At the close of the public meeting, the commission may, by majority vote, reserve parking areas as reserved for handicapped persons and disabled veterans. All approved reserved areas shall be published as regulations known as the "List of Parking Areas Reserved for Handicapped Persons and Disabled Veterans in the City of Gloucester" and enforced when official signs are in place.
- (c) Appeals. Within 30 days of the Traffic Commission having ruled on a request to establish a handicapped or disabled veteran's parking space, any applicant aggrieved by the decision of the Traffic Commission may appeal the decision to the City Council Committee on Ordinances and Administration by filing notice of appeal with the City Clerk. The decision of the Committee on Ordinances and Administration shall be final.

By DELETING Sec. 22-175(a) in its entirety and ADDING the following:

Sec. 22-175. Parking for disabled veterans, handicapped persons.

(a) No person shall park a vehicle which does not bear the distinctive number plates or placard authorized by M.G.L. c. 90, §2 for disabled veterans and handicapped persons in any of the duly posted locations maintained in the regulations of the City Traffic Commission as its "List of Parking Areas Reserved for Handicapped Persons and Disabled Veterans in the City of Gloucester".

By DELETING Sec. 22-175(c) in its entirety and ADDING the following:

Sec. 22-175(c) When a handicapped parking space is no longer required at a specific address; the City Clerk shall be notified by the ward councilor or any other person. Upon verification that the handicapped person or disabled veteran no longer resides in the area or no longer requires the designated parking space, the City Clerk shall notify the Director of the Department of Public Works who will cause the sign to be removed. The regulations entitled List of Parking Areas Reserved for Handicapped Persons and Disabled Veterans in the City of Gloucester shall be updated accordingly.

By DELETING Sec. 22-287 "Disabled veteran, handicapped parking" in its entirety and ADDING the following:

Sec. 22-287 (Disabled veteran, handicapped parking)

The locations reserved as parking areas for handicapped persons and disabled veterans shall be those approved by the Traffic Commission in accordance with [sections 22-37 and 22-175](#) and published as the "List of Parking Areas Reserved for Handicapped Persons and Disabled Veterans in the City of Gloucester" and shall be enforced when official signs are in place giving notice thereof.

These matters will be advertised for public hearing.

Councilor Whynott, referring to the dog ordinance amendment language to be brought forward at the Committee's next regularly scheduled meeting for discussion, said he wanted to strongly request the Public Health Department's input on dogs on the beaches. **Councilor LeBlanc**, Chair of the Ad Hoc Dog Ordinance Committee, said that technically the Ad Hoc Committee never asked the Public Health Department for their opinion. The information received by the Ad Hoc Committee from the Public Health Department stemmed from an oral communication made by Phil Dench at a City Council meeting regarding dog feces on beaches and possible health hazards that may result. The Public Health Department forwarded to Mr. Dench and the Ad Hoc Committee some educational materials. He advised the Committee that he was going to meet with the Shellfish Constable, Dave Sargent, the following day to obtain his opinion.

Councilor Theken reminded the Committee that a previous city health nurse had done a great deal of research into the health ramifications of dog fecal matter on city beaches and possible health issues that might arise from it and advised that information should still be on file with the Public Health Department.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to strongly request that the Public Health Department submit its input and opinion regarding the proposed dog ordinance amendment, specifically to dogs on city beaches and any health issues that may be faced due to dog fecal matter by Thursday, April 10, 2014.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:40 p.m.

**Respectfully submitted,
Dana C. Jorgensson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.