

**Ordinances & Administration Committee**  
Monday, May 19, 2014 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
**-Minutes-**

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

**Also Present: Councilor Fonvielle; Councilor LeBlanc; Suzanne Egan, Linda T. Lowe**

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

**1. *Continued Business from 05/05/14:***

- A) CC2014-016 (Whynott) Whether the City Council should vote to consolidate the polling places for Wards 3 and 5

**Councilor Whynott** expressed he would now be in favor of supporting moving both precinct polling places for Ward 5 to the High School. **Councilor Fonvielle** said that he did not agree that Ward 5 polling places under any circumstances should move to the High School for the primary reason that it is a location that is completely out of the ward, even though it is an adjacent ward and allowable. **Linda T. Lowe**, City Clerk, said that if the Committee takes a vote to move Ward 5, Precinct 2 to the High School because of the West Parish School construction, the Committee could qualify its vote by specifying the time period which could be two to three years. She said this would also give the city an opportunity to look at this as a trial period to see how it this kind of move would work out, and then if there was general consensus the polling place could be left at the High School or moved into the new West Parish School.

**Councilor LeBlanc**, speaking to the possible consolidation of the Ward 3, Precincts 1 and 2 consolidation, said there was a well advertised ward meeting on the subject and that no one attended. He added that no one in Ward 3 has reached out to him either on the matter. **Councilor Whynott** pointed out that the Baptist Church may not be fully handicapped accessible and so this move is appropriate. **Ms. Lowe** noted that she has spoken with Superintendent of Schools, Dr. Safier, and that he told her that the city has permission to use the high school as a polling place. **Ms. Lowe** at the request of the Committee would get that permission from Dr. Safier in writing.

**Councilor Hardy** and **Councilor Whynott** briefly discussed two alternate locations in West Gloucester – the Trinitarian Congregational Church at 488 Essex Avenue and the Wellspring House Education Center classroom site at 302 Essex Avenue. Both Councilors voiced their concern for pedestrian safety crossing a state highway to get to a polling place.

**Councilor Theken** added that a Wellspring House at 302 Essex Avenue was not too bad a choice in that it has more parking available than is discernable from the street. **Councilor Fonvielle** said the Police Chief expressed to him a willingness to post detail, a police officer, there during an election. He said that there could be parking at the Water Treatment Plant. **Ms. Lowe** said that he DPW Director has made clear there is no parking allowed at the water treatment plant because it is a “closed” treatment plant which would exclude public parking. She pointed out that in the case of a presidential election which typically draws a high voter turnout, parking on the side of Essex Avenue would be difficult at Wellspring House. She also pointed out that the Police Chief had expressed his concern to her about the parking conditions for Wellspring House as well. **Councilor Theken** noted that the Essex Avenue location of Wellspring House is not a well used site anymore, and residents don’t park there. **Ms. Lowe** reminded the Committee that whatever place is chosen as an alternate polling location for Ward 5, that neither site is city-owned site, and that the owners of those properties must grant their permission in writing in addition to the city designating the location. Under the General Laws of the state, that designation by vote of the Council, a letter along with other specific information relating to polling place consolidation from the City Clerk’s office must be submitted to the office of the Secretary of State, Elections Division by July 22 in order to place the change into effect by the primary election in September 2014, and additionally in order to allow for the mandatory notice of the change to every household with voters.

The Committee asked that the Chief of Police and the Chair of the Traffic Commission submit to the Committee by May 29 their written opinions on the two proposed alternative polling places located at Wellspring House, 302 Essex Avenue, and the Trinitarian Congregational Church, 488 Essex Avenue, related directly to the days designated for voting – a primary September 9 and a general election held on November 4. They should note that

poll workers are at the polls starting at 5:45 a.m. and depart the polling locations between 9 and 10 p.m. In addition to the traffic generated by the voting public the Chief and Mr. Ryan were asked to respond to:

- 1) Did they consider the locations a hazard to voter pedestrian traffic day and night, and is street lighting adequate;
- 2) Is parking adequate for the eight poll workers and as many as 1,800 persons voting; and
- 3) Comment on safety under adverse weather conditions re: rain, sleet, low visibility due to fog, etc.

The Committee also asked that Bill Sanborn, Building Inspector, provide the Committee with his opinion by May 29 in writing as to the American with Disabilities Act (ADA) accessibility for voting purposes, keeping in mind that a busy election in Ward 5-2 has as many as 1,800 people voting from 7:00 a.m. to 8:00 p.m. Accessibility should include adequate handicap parking for voters and should consider that the large "handicap" voting machines must be placed with no obstructions around them for several feet. Locations under consideration are: Wellspring House at 302 Essex Avenue, and West Gloucester Trinitarian Congregational Church at 488 Essex Avenue.

**MOTION: On motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council pursuant to MGL c. 54, §24 and City Charter Sec. 8-6 relocate the polling place for Ward 3, Precinct 1, at the Veteran's Center, 3 Emerson Avenue, and Ward 3, Precinct 2 at the First Baptist Church, 38 Gloucester Avenue, to Gloucester High School at 36 Leslie O. Johnson Road so that Ward 3 polling places shall be consolidated to one location beginning with the State Primary Election to be held on September 9, 2014.**

**The matter of the consolidation of polling places for Ward 5 Precincts 1 and 2 and or moving Ward 5-2, which must be moved, is continued to June 2, 2014.**

- B) CC2014-017 (Verga/Cox) Request the O &A Standing Committee review an ordinance for Council Enactment re: that the City shall lease no property or structure unless funding is approved by a 2/3<sup>rd</sup> Majority of the members of the City Council

**This matter was continued to June 2, 2014 at the request of Councilor Verga.**

### **3. Memorandum from General Counsel to City Council re: Water debt service charges**

**Suzanne Egan**, General Counsel, explained that as a part of the Mayor's budget memorandum it was suggested that the Council consider a shift of the water debt service charges. This memorandum sets out the process by which the Council may shift the water debt service charges from the water enterprise account to the tax rate. The Council can do so by voting to accept the provisions of Chapter 59, §21C (n) as it relates to the water debt service charges. This vote can take place at a regularly scheduled City Council meeting as a recommendation from the O&A and B&F Committees under the Council's Committee Reports. A public hearing is not required. **Councilor Theken** said this is akin to the debt shift to the Combined Sewer Outfall (CSO). She noted that the B&F Committee would determine the percentage of the shift.

The Committee discussed briefly the four scenarios for the shift of the water debt shift. **Ms. Egan**, at the request of the Committee would see that the members received information specific to the property tax implications for a water debt shift for their review prior to the City Council meeting of May 27.

**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 accept the provisions of Massachusetts General Law Chapter 59, §21C(n) by shifting a percent portion or all of the water debt service charges.**

**Meredith Fine**, attorney for Cape Pond Ice, said that with the city's current water rate is driving some fishermen to go to Boston to buy their ice rather than buying locally because it is cheaper due to that city's lower water rates.

### **4. CC2041-021 (Hardy) Amend GCO Chapter 22, Sec. 22-269 "Stop intersections" re: intersection of River Road and Leonard Street (TBC 06/02/14)**

5. *CC2014-022 (Verga/Lundberg/LeBlanc) Amend GCO Chapter 15, by Deleting Sections 15-15 and 15-16 and Adding new Sections 15-1, 15-2, and 15-3 creating a State Fort Park Advisory Committee*

**This matter was continued to June 2, 2014 at the request of Councilor Verga.**

**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.**