

Ordinances & Administration Committee
Monday, February 29, 2016 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan
Absent: None.

Also Present: Councilor Gilman; Councilor Cox; Councilor Ciolino; Jim Destino

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

1. A. New Appointments:

Clean City Commission	Eric Magers (TBC 04/04/16)	TTE 02/14/19
Community Preservation Committee	Ellen Preston	TTE 02/14/19

Ms. Preston reviewed her qualifications with the Committee noting that she had been a part of the Newell Stadium renewal project and had worked for the city in a variety of capacities over the years full and part time.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Ellen Preston to the Community Preservation Committee (At Large), TTE 02/14/19.

Council on Aging	Robert Quinn	TTE 02/14/19
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Mr. Quinn said he had volunteered for CATV for fourteen years, was a member of the Magnolia Lions Club with a 40 year career in sales and marketing. **Councilor Nolan** endorsed his appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Robert Quinn to the Community Preservation Committee, TTE 02/14/19.

Downtown Development Commission	Rosemary Lundberg	TTE 02/14/19
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Ms. Lundberg, noting she was a resident of Middle Street, placing her squarely in the downtown area, reviewed her background with the Committee noting she spent her working career with IBM in sales and marketing. Upon returning to Gloucester with her husband who was born and raised in Gloucester, they chose to live in the downtown which she said was very vibrant and that she could add value to the DDC. **Councilor LeBlanc** endorsed Ms. Lundberg’s appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Rosemary Lundberg to the Downtown Development Commission, TTE 02/14/19.

Stage Fort Park Advisory Committee	William Fonvielle	TTE 02/14/19
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Former City Councilor **Bill Fonvielle** reminded the Committee of his two years on the Council and in that time he had served as the Ward 5 representative to the newly-formed Stage Fort Park Advisory Committee. He said he would like to serve as an At Large member. He said as a segue to the city’s 400th anniversary he is pleased to make a contribution this way as a volunteer.

Councilor LeBlanc confirmed with Mr. Fonvielle that the SFPAC meets monthly with a quorum. The entire O&A Committee voiced their endorsement Mr. Fonvielle’s appointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint William Fonvielle to the Stage Fort Park Advisory Committee, TTE 02/14/19.

Waterways Board	Philip Cusumano (Fishing)	TTE 02/14/19
	Robert Alves (Economic Development)*	TTE 02/14/17
	<i>*Appointment to complete term of Robert Gillis who resigned</i>	

Mr. Cusumano reminded the Committee he had previously been a member of the Waterways Board. He said he was born and raised on the waterfront, and has a captain's license and has been to every port on the east Coast. He teaches boating courses, he noted.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Philip Cusamano to the Waterways Board (Fishing), TTE 02/14/19.

Mr. Alves reviewed his qualifications to be a member of the Waterways Board saying that he was being appointed to the remainder of Robert Gillis' term who served as the Board's Economic Development representative. He said he is a recreational boater and has been attended many Board meetings and was a member of the Mayor's Ad Hoc Recreational Boating Committee.

Councilor LeBlanc said that he highly recommended both appointees

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Robert Alves to the Waterways Board, TTE 02/14/17.

B. Reappointments:
Affordable Housing Trust: George Sibley TTE 02/14/18
Mary John Boylan (TBC 03/14/16)

Mr. Sibley said that he wished to continue with the Affordable Housing Trust noting that he's been on the Trust for two terms. He said they meet regularly when proposals for grants for affordable housing projects come forward and wished to continue to serve. He noted there are four original members of the Trust and they are a good team. He said they could use more proposals for review.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint George Sibley to the Affordable Housing Trust, TTE 02/14/18.

Board of Health: Joseph Rosa TTE 02/14/19

Mr. Rosa said that he's been on the board for some time, and brings a scientific background to it expressing his desire to continue to serve.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Joseph Rosa to the Board of Health, TTE 02/14/19.

Board of Registrars Judith Peterson TTE 02/14/19

Ms. Peterson very briefly reviewed with the Committee that she was retired from a staff position with the City Clerk's Department for 25 years and was also a member of the Archives Committee. **Linda T. Lowe**, City Clerk, said that Ms. Peterson is an excellent volunteer and makes an enormous difference in her office.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Judith Peterson to the Board of Registrars, TTE 02/14/19.

City Hall Restoration Commission Maggie Rosa, Steven Dexter, David "J.J." Bell
Mary Rhineland McCarrl, Bill Sanborn, Jim Hafey TTE 02/14/19

Janis Bell (Cont'd to 4/4)

TTE 02/14/19

Councilor LeBlanc noted that the Commission members were dedicated and their work is greatly appreciated. **Mr. Dexter** said that the Commission has been working together since 2004. It was noted by the Committee that although Mr. Bell wasn't present due to sudden circumstances, knowing his commitment as a city volunteer the Committee would move his reappointment forward to the Council.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Maggie Rosa to the City Hall Restoration Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Steven Dexter to the to the City Hall Restoration Commission , TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David "J.J." Bell to the City Hall Restoration Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mary Rhinelander McCarl to the City Hall Restoration Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Bill Sanborn to the City Hall Restoration Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Jim Hafey to the City Hall Restoration Commission, TTE 02/14/19.

Clean Energy Commission

Tom Kiely (TBC 4/18/16)
Linda Stout-Saunders (TBC 3/14/16)
Candace Wheeler

TTE 02/14/18

Ms. Wheeler advised the Committee she wished to continue her volunteer tenure with the Clean City Commission. She said she joined the Commission in 2010 after stepping down as Town Administrator in Hamilton and brought her municipal experience to the Commission. She noted there is a great deal of expertise within the Commission. She said she was a part of the Committee that worked to certify Gloucester as a Green Community which opened the city up to important state grant opportunities. Those grants have helped to build the city's electric vehicle fleet and convert the city's streetlights to LED lights. She briefly touched upon future projects of the Commission. **Councilor Nolan** expressed his appreciation for Ms. Wheeler's work with the Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Candace Wheeler to the Clean Energy Commission, TTE 02/14/18.

Conservation Commission

Ann-Jo Jackson (TBC 3/14/16)
Helene Shaw-Kwasie

TTE 02/14/19

Ms. Shaw-Kwasie said that this will be her second term with the Conservation Commission (ConCom) and is a protector of land but pointed out that there is a balance to be struck between protection and development. She said she worked for the Town of Manchester since 1991 in Planning and Conservation and the Historic District.

Councilor LeBlanc said that people need help when they come before ConCom and asked that the members help guide applicants that go through the process. **Ms. Shaw-Kwasie** said some do require help, and the ConCom

members are there to assist. She said that ConCom is a cohesive group and works well together, and lauded their Chair, Rob Gulla.

Councilor O'Hara said he echoed the sentiments of Councilor LeBlanc.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Helen Shaw-Kwasie to the Conservation Commission, TTE 02/14/19.

Council on Aging

Hank Camille

TTE 02/14/19

Note: Mr. Camille had indicated he would appear at the O&A Committee meeting. Although he was not present, the Committee moved his reappointment forward in deference to his many years of commitment to the Council on Aging as a volunteer member.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Hank Camille to the Council on Aging, TTE 02/14/19.

Cultural Council

Karl Pulkkinen, Caroline Haines, Rose Sheehan

TTE 02/14/19

Mr. Pulkkinen indicated that for him, Ms. Haines and Ms. Sheehan it is their third term. He indicated he is active with the city's performing arts community. **Ms. Sheehan** said she also wished to continue to serve on the city's Cultural Council and is also involved with the performing arts.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Karl Pulkkinen to the Cultural Council, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Caroline Haines to the Cultural Council, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Rose Sheehan to the Cultural Council, TTE 02/14/19.

Downtown Development Commission

Alan DeLorenzo**

TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Alan DeLorenzo from the Downtown Development Commission.

Downtown Development Commission

Robert Whitmarsh (TBC 04/04/16)

TTE 02/14/19

Fisheries Commission

Scott O. Swicker (TBC 04/04/16)

TTE 02/14/19

Historic District Commission

Paul Shea (TBC 05/02/16)

TTE 02/14/19

Open Space & Recreation Committee

John McElhenny

TTE 02/14/19

Mr. McElhenny expressed to the Committee he wished to continue to serve as a member of the Open Space & Recreation Committee. He noted he lives on Allen Street with three children and has been a member of the Committee for about six years now. He said it has been an honor to serve and that the Committee has done great things, among which is opening up more areas of the city for public access.

Councilor LeBlanc offered his approbation of Mr. McElhenny's work with the city. **Councilor Cox** added that Mr. McElhenny was an enormous help and great connection during the rehabilitation of Burnham's Field. **Councilor Ciolino** also offered his approval for Mr. McElhenny's reappointment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint John McElhenny to the Open Space & Recreation Committee, TTE 02/14/19.

Planting Committee

William Taylor, Susan Kelly**
Bonnie Angus (TBC 05/02/16)

TTE 02/14/19

Mr. Taylor noted that Ms. Kelly had to tender her resignation because she has a non-profit organization she heads that is in conflict with the Planting Committee. He said that the Planting Committee coordinates all the planting spaces around the city and are very active. He advised they don't have any replacement yet for Ms. Kelly. **Councilor O'Hara** thanked Mr. Taylor for the Committee's hard work in beautifying the city.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Taylor to the Planting Committee, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Susan Kelly from the Planting Committee.

Shellfish Advisory Commission

Dan Molloy, Ann-Jo Jackson (ConCom Rep.)

TTE 02/14/19

Mr. Molloy said he's been on the Commission for 16 years and things are going great with the city's 300 year old industry. There was a big seeding last winter and things are looking very good for shellfish on Cape Ann, he reported.

Councilor LeBlanc said that the Commission runs a tight ship, and noted that he personally visits the flats, and expressed his commendation for the work of the Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Dan Molloy to the Shellfish Advisory Committee, TTE 02/14/19.

Traffic Commission

Bob Ryan, Anthony Bertolino, Michael Mulcahey

TTE 02/14/19

Councilor Nolan said the Traffic Commission does a great job. **Mr. Ryan** recognized Mr. Bertolino's service on the Commission for 40 years, noting that the Commission's membership is a great cross-section with former firefighters and police officers. **Mr. Mulcahey** is in the computer industry and he said his expertise is very helpful.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Robert Ryan to the Traffic Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Anthony Bertolino to the Traffic Commission, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Michael Mulcahey to the Traffic Commission, TTE 02/14/19.

Trust Fund Commission

Michael Sanborn** & John Fleming**

TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Michael Sanborn from the Trust Fund Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of John Fleming from the Trust Fund Commission.

Waterways Board

James Bordinaro (Fishing) Mark Lacey (Recreation)

TTE 02/14/19

Councilor LeBlanc said he is the Council liaison to the Board and that Mr. Bordinaro and Mr. Lacey do a great job and run subcommittees of the Board. They are excellent members, he said.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint James Bordinaro (Fishing) to the Waterways Board, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mark Lacey to the Waterways Board (Recreation), TTE 02/14/19.

** Resigned prior to reappointment

2. CC2016- 001 (Cox) Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets (Cont'd from 02/01/16)

Councilor Cox noted that this Council Order came out of a request from a few neighbors. She said that at the Feb. 25 Traffic Commission meeting the Order was voted down based on the inability for a complete stop at Mt. Vernon and for the sharp turn going up Perkins Street. There have been a few close calls, she said, noting she travels the road daily. This matter was not recommended by the Traffic Commission upon further review at its Feb. 25 meeting, she said.

Francis Tarr, 59 Perkins Street, said that Perkins Street is not the best maintained area in the winter and is difficult to come up Perkins Street and stop which he described and was opposed to the stop signs being installed.

Councilor LeBlanc said that he knew there were people whom Councilor Cox represented who wanted the stop sign, but said he would not support this action to amend the ordinance.

Mr. Ryan, Chair of the Traffic Commission at the request of **Councilor Nolan** explained that the Commission did a site visit and that to do the stop and turn is about a 40 degree turn, and with icy conditions going down trying to stop is unsafe. The Commission didn't recommend the Order for safety reasons, he added.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 0 in favor, 3 opposed, to recommend that the City Council to Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets.

This matter will be advertised for public hearing.

3. CC2016-004 (Gilman) Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street

Councilor Gilman asked that her Council Order should be withdrawn because this was simply a matter of proper signage being erected in the immediate affected area which was discussed with the Traffic Commission's Feb. 25 meeting. A Request to the Mayor was put in by her on Friday, Feb. 26 asking for the signage to be placed.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-004 (Gilman) Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street without prejudice.

4. *To consider forwarding to General Counsel and Public Works Director the matter of an informal review of the Litter Ordinance, GCO Chapter 9 “Trash, Recycling and Litter” with an eye to its possible amendment*

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor O’Hara voted 3 in favor, 0 opposed to forward the matter of a review of Chapter 9 “Trash, Recycling and Litter” to General Counsel and the DPW Director and that they provide the O&A Committee with their recommendations for possible amendment to the ordinance for its update and clarification.

5. *CC2016-005 (LeBlanc, O’Hara) Whether there should be further amendments to GCO c. 4 Animals, Sections 4-15 through 4-22 related to dogs and whether or not to form an Ad Hoc Committee to study any possible amendments*

Councilor LeBlanc advised that he has had numerous discussions with the Police Chief and Animal Control who expressed they don’t want changes made just yet to the dog ordinances until they can compile more data as it’s only been barely a year since the Council amended the ordinance. He noted he is a responsible dog owner whose dog is voiced controlled and takes his pet to the beach. Noting that former Councilor Stewart did a thorough review of the dog ordinance, and offered sweeping amendments, that effort didn’t gain any traction with the most recent Council. Enforcement is a key to the ordinance, he pointed out. He said the leash law is to not only protect people and dogs as well. He didn’t recommend any further off-leash areas be instituted at this time which he said was from the perspective as the former Ad Hoc Dog Ordinance Committee Chair. He suggested that they consider look at areas in each ward moving forward for possible off leash areas for dogs. He said an Ad Hoc Committee, if formed, should look at certain sections of the city where dogs can be off leash, for instance in Magnolia, East Gloucester.

Councilor O’Hara said the Committee needs to start a process of reviewing the ordinance immediately because it is an important issue. He said the ordinance as it is currently is too rigid. He said while being respectful of the Chief of Police, signage at the beaches isn’t clear and Animal Control officers patrolling at night is not appropriate. He described different situations with dogs off leash where they got loose and said that there doesn’t need to be active pursuit of dogs and their owners, and that this is not a revenue stream for the city. He pointed out that New York City has a simpler ordinance than Gloucester. This needs to be friendlier for the taxpayers and that process needs to start immediately, he said.

Councilor Nolan said he’d like to see designated areas in each ward. There are irresponsible dog owners but they are penalizing the good dog owners.

Councilor LeBlanc said that Councilor Stewart went through the ordinance line by line. Dog licensure and fines are not a revenue source, and it is plain what dog owners have to do based on the ordinance and to be a responsible dog owners. He said the signage at Good Harbor Beach is plain, easy to see and read, clearly posted at both ends of the beaches. He said O&A doesn’t need a line-by-line ordinance review.

Councilor Ciolino offered that he didn’t see that there would be an issue of putting together a small ad hoc committee to come up with a one-page ordinance amendment and that the recommendation could come back to the O&A Committee. It is informational, he pointed out, and the Council would have the last word on it. He said there is so much minutia that it needs simplification. He said one page is all they need. He said it needs to be posted on the city’s website and that information is always good.

Councilor LeBlanc said he is in favor of looking at the ordinance but not line by line. He asked that they continue the matter so that the O&A Committee can set the parameters of an Ad Hoc Committee. He discussed the process of the development of an Ad Hoc Committee with Councilor Ciolino and the Committee briefly.

Councilor Gilman offered that she would be willing to serve as the Ad Hoc Dog Ordinance Committee Council Liaison saying that the Councilors owe it to the citizens of Gloucester to look at both sides of the issue.

The Committee asked that a notice to the public be published in the Gloucester Daily Times “Goings On” section for an Ad Hoc Dog Ordinance Review Committee. O&A Committee will solicit for five members to it. They determined that the deadline for applications will be March 25, with the matter returning to review those applications to set the Ad Hoc Dog Ordinance Review Committee for April 4.

Joy Hennessey, 5 Hillside Road, asked if the Committee can look at non-resident use of the city’s beaches, because on a nice day she said she can’t walk the beach because it’s so crowded with dogs. **Councilor LeBlanc** addressed Ms. Hennessey’s concern and said that banning dog walkers from out of town would be unenforceable and briefly describing why. He expressed his appreciation for Ms. Hennessey’s coming forward with her concern.

Bob McGowan, 1085 Washington Street, asked what data Animal Control wants to bring forward as they don’t even have the number of calls involving dogs available. **Councilor LeBlanc** said that he couldn’t speak to that matter.

This matter is continued to April 4.

6. CC2016-006 (O'Hara) Request O&A review the ordinance governing removal of snow & ice from sidewalks, Sec. 21-20 to determine if it is an enforceable ordinance or whether it should be amended

Councilor O'Hara explained that the city has been rebuilding sidewalks with city money, and they are owned by the city. Some sidewalks are plowed, some are not, not done regularly, he said. The onus is on the property owner to shovel a city sidewalk, he said, and where is the line drawn. He said there is a need to review the ordinance and expressed his view that snow removal is selective. He mentioned liability as a concern with city property. This should be looked at realistically, he said as the city owns the sidewalks.

Ms. Lowe pointed out the ordinance is based on state laws which say that the homeowner that abuts the public sidewalk is responsible and state law supersedes ordinance. She said that while the Council could slightly tweak or add to the ordinance, but the Council can't just exclusively say there is no responsibility to the homeowner.

Councilor Ciolino suggested a workshop could be held for Councilors on local ordinance based on state law.

Councilor LeBlanc said enforcement is an issue. **Mr. Destino** said that as far as removing snow from sidewalks is not done selectively. He advised that snow is cleared around the schools, the Senior Center; buildings requiring public access, municipal offices – those sidewalks are done first after the streets are safely cleared. It is a financial issue, he said, and that it is an unrealistic expectation for the city to clean all sidewalks because of it. There needs to be a realistic goal set with the funds available to the city, which he said that they do and do a good job of snow removal. Reminding the Committee of Ms. Lowe's statement, he said it is the responsibility of the homeowner to clear the sidewalks which he said wasn't unrealistic to ask homeowners to do. He said he has made the call with the DPW Director on school sidewalks and that is a priority. He gave the example of East Gloucester Elementary School where Chapel and Davis Streets' sidewalks were never cleared and now in conjunction with the DPW it is a priority, but a costly one at \$3,000. There is a program for municipal snow clearing, he said. He added that it's nice to say the city should pick up the tab, but it is unrealistic-- sidewalk clearing can't be done without residents' help. He added that the city doesn't enforce the ordinance per se but may warn a homeowner and ask that they help out. The only people that can write tickets at this time are the Police. There are 170 square miles of roads in the city, he pointed out.

Councilor LeBlanc said he knew that city contractors are paid \$100 per hour to clear sidewalks making it a costly endeavor just clearing all the city school areas, and all municipal buildings to make their surrounds safe as well as key areas such as around the hospital. **Mr. Destino** confirmed that most of the snow removal is contracted out.

Councilor Ciolino said that everyone is responsible to shovel their sidewalk. In 25 years being a businessman downtown, he said that many times when there is an empty storefront and no one is coming in to shovel, an officer will be called upon to contact the property owner to shovel, and he gave an example of one such situation. They do rely on the city when it gets to the point that it is overwhelming.

Councilor LeBlanc said it is not picking and choosing or slighting a particular part of the city over another, but rather it is more of education of what the guidelines are. He said he knew that the City Clerk had put such information on the city's website. Expressing he understood some of the frustration about the matter; he said that there is only so much that can be done by the city. He said it is a matter of education rather than an ordinance amendment. He advised the Committee he wouldn't recommend that this matter be continued. **Mr. Destino** pointed out that the city can't be responsible for every sidewalk, and that residents need to step forward and clear their sidewalks as do local businesses.

Councilor LeBlanc asked Councilor O'Hara to withdraw his Council Order as he was not able to support moving forward to which Councilor O'Hara acquiesced.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-006 Request O&A review the ordinance governing removal of snow & ice from sidewalks, Sec. 21-20 to determine if it is an enforceable ordinance or whether it should be amended without prejudice.

7. CC2016-007 (O'Hara) Request O&A review the matter of "private roads" & determine the basis for plowing or not plowing and creation of an ordinance

Councilor O'Hara said that this is a similar issue as the one just discussed, and noted he's spoken to Mr. Destino about this matter. There are many private ways, some are plowed others are not, and that there are roads maintained by the city historically and there is a threat that people live with that a private road will no longer be plowed by the city, he said. He added that if a developer is cutting a new road, the developer owns that road for a five year period. **Mr. Destino** said it happens with many subdivisions. He noted that 60 percent of the city's roads are private. **Councilor O'Hara** said it should be all or nothing with plowing the city's roadways. **Mr. Destino** said subdivisions go before the Planning Board and the builders say that they will take care of plowing and then renege once the subdivision is built. The Committee, with Mr. Destino's input, touched on paving of private roads which was noted to be a much different and separate issue.

Councilor LeBlanc said he spoke with Mr. Hale that there is an ordinance which roads are plowed. **Councilor Ciolino** said there is a list of emergency roads that are published for snow removal, roads that lead to the hospital, emergency services, schools, etc. He said it wouldn't hurt to get a list of roads that are plowed and that aren't so that if there are questions the Councilors can refer to that list and that they can then inquire as to why they aren't plowed.

Councilor Nolan said there is a list and he has seen it which he would forward to the Council.

The Committee asked that the Clerk of Committees submit a Request to the Mayor through the DPW Director for the list of roads to be plowed in the city.

This matter is closed.

8. CC2016-008 (O'Hara) Request O&A study the matter of whether there should be a "Magnolia Pier Advisory Committee & amend the GCO accordingly

Councilor LeBlanc explained that he spoke with Tony Gross, Waterways Board Chair and he asked what are they trying to do if the goal was to raise money to rebuild and improve the pier or is this to be the creation of a new Committee because otherwise the matter should be directed to the Waterways Board.

Councilor Nolan, whom **Councilor O'Hara** acknowledged brought the issue forward originally, explained there were many issues regarding the Magnolia Pier. He and several other concerned residents met with Mr. Gross who had suggested that something could be done much much like what was done with the Lanesville Fish Shack Committee, find private funds and solutions to ultimately rebuild the Magnolia Pier. He said they need a committee to do that.

Councilor LeBlanc said with a committee formed with private citizens to raise funds that would be outside of the O&A Committee or the Waterways Board purview. **Mr. Destino** said there is no objection by the Administration for the formation of an advisory committee to the Waterways Board to make recommendations about the pier. It is a neighborhood committee that can put ideas together for creative solutions, he said.

Councilor Gilman said she's been to the Fish Shack meetings and that is a building committee that should be decommissioned. She said she'll recommend a motion to abolish the Fish Shack Building Committee. She explained that group now works through the Waterways Board for any matters related to budgets. It is something that falls under the purview of the city, she pointed out.

Councilor Ciolino said he agreed with Mr. Destino and pointed out that Stage Fort Park was in a similar situation. He said a pier committee can look for CPA funds and grants to work with the Waterways Board.

The Committee discussed whether there should be an advisory committee codified by ordinance or an ad hoc committee. It was the decision of the Committee to move forward with an advisory committee codified by ordinance.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 2-258 by DELETING the section in its entirety and ADDING the following sentence to Section 2-256(b) as a new subsection (7):

"The Committee shall receive regular support and assistance from the department of public works."

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO by ADDING a new subsection entitled "Division 15(a), Sec. 2-258 Magnolia Pier Advisory Committee" as follows:

“Recognizing the Magnolia Pier’s need for oversight in the city’s ownership, operation, and maintenance so its recreational utilization can be realized, the Magnolia Pier Advisory Committee is hereby created. The Committee shall:

- (a) Review and recommend plans for proposed maintenance of or capital improvements to any of the facilities;
- (b) Consist of three members appointed by the Mayor, plus the director of public works or designee and the Ward 5 Councilor; initial appointments shall be one member for one year, one member for two years and one member for three years;
- (c) Successor appointments shall be for a term of three years;
- (d) The three appointed members shall represent the following interests: the neighborhood abutting the Magnolia Pier; a Magnolia resident at large; and a representative of the community at large.

This matter will be advertised for public hearing.

9. *CC2016-008 (O’Hara) Request O&A charge an Ad Hoc Committee to study possible solutions to alleviate the traffic problems caused by excess beach traffic & report recommendations to Council*

Councilor O’Hara said as visitors begin to return to the city, traffic issues will increase. He said he is looking forward for the long term to make improvements to keep emergency services access and traffic moving. Councilor LeBlanc mentioned a Request to the Mayor on this matter. **Mr. Destino** said they will put signage to direct traffic to Stage Fort Park when beaches are full, and to hire more reserve police officers. There are smaller things they’d like to do and try, as well as utilizing a shuttle this year and are examining logistics, he advised.

Councilor O’Hara said there have been ideas put forward to him to move traffic along. He said the big culprits are Wingersheek and Good Harbor beaches. They want people to come into the city, but they need to handle them a bit better. The Mayor and with Mr. Destino’s help have made improvements, he said. He said Mr. Russell and people like him are very frustrated.

Rob Russell, 40 Rockport Road, said he’s been at this family location for 63 years. He pointed out they can’t get out of their area on the weekends. The visitor who waits two and a half hours to get into the beach parking lot isn’t rushing out to spend money in the city. There is a hard opening at 8 a.m. and there is a line-up of cars. He said there should be a soft opening which would help alleviate the back-ups. He also suggested kiosks be installed at Good Harbor Beach to have traffic move. The system for paying for park is a cash system and doesn’t work, he pointed out and there is no way to use a credit card swipe system in place. He said there should be apps with reservations which could bring in more money to the city. He said it should be a better system and hasn’t had substantial changes made for improvements in some time. He urged a soft opening earlier though advertising 8 a.m. as the hard opening time. People who live near the beaches don’t spend money in the downtown and other areas of the city on the weekends because they can’t get there due to the traffic or have given up trying.

Councilor LeBlanc mentioned a connector road and pointed out that it isn’t possible.

Councilor O’Hara said that Mr. Destino is opened to new ideas. **Mr. Destino** added that the parking lots are full every day. He advised the Committee there was an audit done of both Good Harbor and Wingersheek Beach cash system for beach parking, and that by 10:00 a.m. at Wingersheek Beach \$8,000 in cash was taken in and that the reconciliation was off by only \$10. He pointed out that in the same timeframe Good Harbor Beach took in \$12,000 and was spot on.

Councilor O’Hara suggested a process should be started. **Councilor LeBlanc** suggested the formation of an Ad Hoc Committee for Summer Traffic Relief in the City. The matter would be advertised in the Gloucester Daily Times “Goings On” and that they would report back to O&A Committee who would then report the information to the Council.

MOTION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to form an Ad Hoc Committee to study beach traffic and visitor traffic to all areas of Gloucester during the summer season and report back to the O&A Committee with their recommendations. There are to be five members of the Committee. The Committee’s deadline for applications will be March 24.

This matter is continued April 4.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:56 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

DRAFT