

Ordinances & Administration Committee
Monday, December 4, 2017 – 6:00 p.m.
1st Fl. Council Conference Room – City Hall
-Minutes-

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

Also Present: Councilor Lundberg; Councilor Gilman; Joanne Senos; Jim Destino; Donna Leete; Jonathan Pope; Mike Hale; Dr. Richard Safier; Harbormaster T.J. Ciarametaro

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

1. *Appointments:*

Animal Advisory Committee	Dianne Corliss (At Large Member)	TTE 02/14/20
	Beth Klinefelter (Amendment from At Large Member to Ward 3 representative member)	TTE 02/14/20

It was noted by **Councilor LeBlanc** that in order for the appointment of Dianne Corliss as Member at Large to move forward because she lives in Ward 4 and there’s already a Ward 4 representative to the Animal Advisory Committee, Beth Klinefelter is being appointed as that Committee’s Ward 3 representative member moving from the At Large position -- Ms. Klinefelter is a resident of Ward 3. This then makes room for Ms. Corliss to be appointed as an At Large 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 Beth Klinefelter be appointed to the Animal Advisory Committee (Ward 3 Representative), TTE 02/14/20.

Ms. Corliss was recently employed as one of the city’s two Animal Control Officers, and as an Animal Inspector with the Public Health Department and is well known to the O&A Committee Councilors it was noted. **Jim Destino**, CAO, endorsed Ms. Corliss’ appointment saying she did a “terrific” job as an Animal Control Officer during her tenure with 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 Dianne Corliss is appointed to the Animal Advisory Committee (Member at Large), TTE 02/14/20.

Planning Board	Jane M. Remsen (Fulfilling unexpired term of Kenneth Hecht)	TTE 02/14/20
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Mr. Destino said the Administration is pleased to put Ms. Remsen forward as a member of the Planning Board. Ken Hecht resigned immediately upon being elected as a Councilor, and he recounted Ms. Remsen’s experience (resume on file), pointing out the need for a strong woman on the Board helping to create a more diverse membership. Responding to a question by **Councilor LeBlanc**, **Ms. Remsen** recounted her experience as a 12-year member of the Dover, Mass. Planning Board, a town of about 6,000 people where the residents are attuned to maintaining open space, whereas Gloucester is much larger and is concerned about managing development and demographic changes. She expressed enthusiasm to learn more about the city’s planning needs.

Councilor Lundberg offered to the Committee that he’s known Ms. Remsen for some time and served with her on another committee, saying she possessed two important qualities -- attentiveness to details and does her homework which he said is needed on the Board. He recommended Ms. Remsen’s appointment to the Committee.

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 Jane M. Remsen be appointed to the Planning Board, TTE 02/14/20.

2. *Memorandum from HR Director re: amendment to the Harbormaster’s Department Reorganization Plan*

Donna Leete, Human Resources Director explained that prior to her returning to the city as the Human Resources Director the Harbormaster's Department was approved by vote of the Council to be reorganized in May 2016. Now there is a need to amend that reorganization as there is a structural change being recommended to "maximize an efficient use" of city resources on the water. The position of Shellfish Warden would report administratively to the Harbormaster. She suggested this plan will greatly enhance the city's on-the-water resources, both for conservation efforts and enforcement of laws in shellfish management and waterways, making an impactful team. She gave the example that if the Harbormaster and his Assistant Harbormasters see something that is impacting the shellfish beds, they will call the Shellfish Warden and visa versa. By merging city resources, **Ms. Leete** suggested it would be very cost effective and effective administratively. In the past the Shellfish Warden was self-governing, she cited, and noted the position is an AFSME Grade 7 position as opposed to a department head. She said it is important to ensure enforcement of city policies and consistency, expressing confidence that the Harbormaster will be able to provide appropriate administrative structure. She cited that at the same time they'll preserve the independence of the Shellfish Warden in terms of the Shellfish Advisory Commission policy decisions which is "separate and distinct." She said this change has great potential for the city to put the two water-dependent resources together and move forward from there.

Councilor LeBlanc said this is a change that was overdue. **Mr. Destino** said moving forward this creates better oversight through the Harbormaster with city policies, and coordination of eyes on the water and city shellfish flats. He added that the new Shellfish Warden is great. **Harbormaster T.J. Ciarametaro** said that there are logistical issues that will be solved by having the Shellfish Warden under his department, pointing out that now the boat will be kept at Harbor Loop along with his department's boats and she'll work out of the department's offices there. **Councilor LeBlanc** asked what will now happen to the revenue generated by the shellfish permits. **Mr. Destino** said that will remain autonomous. The two budgets will remain separate, and that this amendment to the Harbormaster's Department is more of the administration, he confirmed. He reminded the Committee that when they approved changes to the Personnel Ordinances for terms of appointments that the City Engineer, for instance, no longer is an appointed position, like the Purchasing Agent, and the Shellfish Warden is another such position and that will fall under a department head's supervision.

Joanne Senos, City Clerk, noted that the annual commercial and resident shellfish licenses along with one-day clamming licenses are sold through the City Clerk's office and asked if that would change. The Harbormaster advised that for now things will remain the same, but moving forward his department might be able to encompass those permits using an on-line method of application, payment and issuance -- eventually they will want to permit everything under their auspices. **Ms. Senos** discussed this matter briefly with the Harbormaster.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, in connection with the Harbormaster's Department Reorganization Plan, to recommend that the City Council accept the amended Harbormaster's position job description and that of the Shellfish Warden's position job description as presented to the City Council on November 28, 2017.

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 accept the amended Harbormaster Department Reorganization Plan based on the chart as submitted to the City Council November 28, 2017 in accordance with the City Charter Sec. 7-2.

This matter will be advertised for public hearing.

3. CC2017-049 (Nolan/Lundberg) Amend GCO Ch. 22, Sec. 22-276 "One-way streets-Generally" re: Concord Street (Cont'd from 11/20/17)

Jonathan Pope, Chair of the School Committee advised that there were 57 students identified who are eligible for free bus passes but their families haven't actually requested it and aren't bused. The School Department is in the process of contacting those students' families to determine why they aren't utilizing this free service as part of working towards a solution to student pick-ups by parents after school.

Reviewing the traffic situation at the close of school each day, **Mr. Pope** said there are cars parking on Concord Street, Landing Way and onto Essex Avenue. Those vehicles are left there and parents' then walk up to the school and pick up their student(s) as a "walker. As a result there is a 15 minutes period of a highly dangerous traffic situation with buses are leaving, students trying to cross Essex Avenue with their parents, cars travelling down Concord Street

and cars trying to turn into the school to get into the pick-up queue. He said they've witnessed this many times, and last Tuesday Interim Police Chief McCarthy viewed the situation with them and agreed with their assessment.

The School Department recognizes that there are number of students who don't take the bus that live within the catchment area where they'd be required to pay a bus fee but where there are no sidewalks. He said they've contacted these families and offered free bus service for the rest of the school year. They've also instructed the principle to send notices to all the West Parish parents stating that if they're going to pick up a child in a car they must line up in a queue, he said. They will be notifying parents that if they try to pick up their children as walkers and don't get into the queue, their student will not be released as a walker.

Mr. Pope then described the queue as working very well for those vehicles who line up; about 50 to 54 cars on average each day line up the driveway out by the ballfield to the front of the school. He explained how the queue (live parked) works -- teachers are there supervising the students with eight to 10 cars picking up students at a time for which there is adequate room at the front of the school as buses pull in off to the left. It was noted that one criteria of the school's design was that no student would be crossing moving traffic and that was accomplished with this system. Students can't leave if parents are half way down the driveway. Once the queue starts moving at 3:00 p.m. it is completely gone by 3:10 p.m. A problem was highlighted that 20 to 30 cars park illegally on the street, which causes tremendous difficulty with traffic in that compacted period of time.

The School Department is also exploring the issue of 43 West Parish inter-district choice students who don't live in the West Parish catchment area and aren't provided bus transportation as they're not eligible. It was noted that some of these students live on edge on Centennial Avenue and can get on the buses there, and that drop-off to the school isn't an issue. The School Department is also going to explore the possibility that only on dismissal, the bus that runs to Magnolia on Essex Avenue has excess capacity; and the plan is to ask the Student Choice parents to consider picking their students up at the Boudreau Little League Field which is considered a better option than the Stage Fort Park parking lot by the School Department's bus supervisor.

It was noted that Councilors Nolan and Lundberg met with State Rep. Ann Margaret Ferrante and asked about what could be done about signs on Essex Avenue and requested replacement of the old yellow signs with the new high visibility green signs -- signage is adequate but difficult to see.

Mr. Pope explained that the request from the School Department as a result of a public hearing at West Parish School is that for the half hour a day at school dismissal when school is in session from 2:45 p.m. to 3:15 p.m., that Concord Street be made one way towards Essex Avenue from the entrance to West Parish School (#10 Concord Street and less than 100 yards) which would force parents to get into the queue by coming around on Route 128 and being on the right side of the road making a right turn into the school driveway rather than a left turn across traffic when people are leaving the school. He said it would require some supervision, and the School Department will put crossing guards at the intersection of Concord Street and Essex Avenue with moveable directional assist devices there.

Superintendent Dr. Richard Safier confirmed for Councilor LeBlanc that the Interim Police Chief is satisfied with this current solution. He said the major issue is the illegal parking on the streets surrounding West Parish School which obstructs traffic flow of the live pick up and for any car coming down from Essex Avenue, adding to the issue. This issue is only on the days during the school year during dismissal. There are occasional half days, it was noted which would need adjustment to account for the shortened school days.

Councilor Nolan confirmed it is a bad situation driving onto Concord Street from Essex Avenue as it is a blind corner and described briefly the snarled traffic situation at pick up as Mr. Pope had characterized. He pointed out that what is proposed isn't a long-term solution, but is something to get them through until a permanent solution is found. He said he hoped some of the busing being offered will take care of much of this problem and that they may find by this time next year this won't be an issue. They'll work together to find a solution with the community to make it safer for the students, he assured.

Councilor LeBlanc said that there is a two mile circle around the school from which no student is picked up by a bus. **Mr. Pope** said they have 53 students who pay a fee to ride the bus that live less than two miles from the school. He pointed out that the sidewalk on Essex Avenue goes from Kent Road to Beechbrook Cemetery and is all there is and then down to the school from Essex Avenue.

Councilor Lundberg, co-sponsor of the Council Order, said that with the one-way at the top end of Concord Street onto Essex Avenue and permitting parking with the driver in the vehicle if the queue comes out of the driveway onto Concord Street it solves the illegal parking. With the things that the schools are going to do -- surveys of the families that are entitled to take the bus for free or aren't taking advantage of it and waiving bus fees for those who live to the school will eliminate cars, and as this evolves the problem may go away, with the queue of cars ending up being completely accommodated on school property. Right now, this will allow them to get the cars off of Essex Avenue and stop illegal parking. The queue clearly works, he said.

Councilor LeBlanc asked if there was a crossing guard stationed at Route 133 and Concord Street. **Mr. Pope** said they will add that safety precaution.

After a discussion of process between the Committee, Mr. Pope, Dr. Safier, the City Clerk and Clerk of Committees it was highlighted the Council Order was entirely different from the now proposed temporary solution and it was suggested that CC2017-049 should be withdrawn and a new Council Order with appropriate amended language be put through in the next Council Consent Agenda. **Mike Hale**, Public Works Director, offered to the Committee that his department can make temporary parking and traffic movements without Council authorization which will assist in giving them more time to fully flesh out their ordinance amendment.

Councilor Gilman expressed concern how queuing would affect the no-idling policy which was touched on briefly.

Councilor Nolan moved and Councilor O'Hara seconded to permit the withdrawal of CC2017-049 (Nolan/Lundberg) Amend GCO Ch. 22, Sec. 22-276 "One-way streets-Generally" re: Concord Street without prejudice.

DISCUSSION:

Councilor Nolan briefly discussed particulars as to how the proposal for amending GCO Ch. 22, Sec. 22-276 "One-way streets-Generally" would come forward for the new Council Order. **Mr. Pope** reiterated that the School Department will move forward with their efforts as previously enumerated. **Councilor Lundberg** clarified that there is no parking allowed on Essex Avenue which **Mr. Pope** agreed with adding that those cars aren't impactful in this matter.

COMMITTEE RECOMMENDATION: 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 permit the withdrawal of CC2017-049 (Nolan/Lundberg) Amend GCO Ch. 22, Sec. 22-276 "One-way streets-Generally" re: Concord Street without prejudice.

4. *CC2017-016 (Memhard/O'Hara) Request that the city adopt the Commonwealth of Mass DEP Noise Regulation (310 CMR 7.10) and after adoption amend GCO Ch. 13 "Noise" (Cont'd from 08/14/17)*

Councilor LeBlanc reported that Councilor Memhard will be meeting with the Administration this week.

This matter is continued to January 2, 2018.

5. *CC2017-013 (O'Hara) Request that O&A & the Traffic Commission review the beach no parking areas for possible expansion; and that Sec. 22-176 "Penalties for parking violations" "Prohibited area (beach district)" be amended to increase the penalty to the maximum penalty permissible by law (Cont'd from 11/20/17)*

Councilor O'Hara asked to continue this matter as he has a meeting Thursday with Councilor Memhard and Robert Ryan, Traffic Commission Chair on this matter.

This matter is continued to January 2, 2018.

6. *CC2017-055 (Orlando/Nolan) Amend GCO Ch. 9 "Trash, Recycling and Litter" re: Closed-topped recycling receptacles*

Mike Hale, Public Works Director, said the issue is that recycling "flies" out of the open containers that the DPW provides. He suggested that's not in every neighborhood of the city, that many neighborhoods find way to manage their recyclables. He acknowledged litter is a city-wide issue, but it's more problematic in some areas than others. He recounted that the ordinance requires the city to provide a recycling tote to every resident which are the 18-gallon open topped bins. He said his department buys 500 totes annually costing between \$18 and \$20/bin wholesale, for which they charge a \$5 offset fee. He described the totes as convenient, fitting people's pantries and closets, but agreed they don't do a good job in protecting recyclables from the elements. He said he has a 35 gallon wheel toter he purchased at a local hardware store for his family's recycling at a cost of about \$80. He pointed out that if the city were to provide such a recycling conveyance, it would be at a huge capital cost of \$500,000 to \$600,000 to purchase 14,000 of them in

order to provide them for residents with some backups. He explained people don't like large, bulky containers, and will have a hard time managing that, pointing out the DPW can't be in the business of providing options. The DPW, he noted, provides free recycling decals that people can put on regular (lidded) trash barrels which many people do and use for their recyclables. He highlighted a provision under GCO Ch. 9, Sec. 9-2(b) that requires homeowners and tenants to clean up immediately all trash, recyclables thrown on the ground due to torn bags and overturned containers which he said is exactly the same as the wind blowing it around. He pointed out that it is very difficult to enforce. They also require people put trash out no earlier than 4:00 p.m. the day before their trash pick-up day which he said is "awfully early." He said his trash goes out the day of pick up before he heads off to work, as do most people. He cited that it would be a challenge to more directly protect their recycling than the current ordinance, and didn't need to be a fixed top, just covered.

Referring back to a covered recycling tote, **Mr. Hale** said were there a small pilot program he could purchase 35 gallon covered totes with wheels at \$33.50/unit. If 14,000 units were purchased it would be at a cost of \$30/unit (about \$420,000 not including a standby supply for replacements). He suggested that the larger covered totes would be problematic as well as a costly investment and that constituents don't want them. He said that fine tuning the ordinance for the day of pick up, not night before would be helpful.

Mr. Hale responding to an observation of **Councilor O'Hara** about trash strewn about Hartz Street and Bass Avenue on a weekend said the popularity of Airbnb is causing trash to be put out on any day of the week by users of that service and the trash isn't picked up for a week. He pointed out that he doesn't have enforcement personnel and letters to homeowners don't seem to be impactful. Without enforcement staff it is extremely difficult, he said. **Mr. Destino** said aside from the capital outlay and was the city to supply everyone with the larger covered containers that if the containers were worn or damaged people won't want to pay for a new covered tote because it's too expensive. He suggested this is an educational outreach situation to the residents of the city.

Councilor LeBlanc briefly touched upon scavenging of trash by people, which **Mr. Destino** pointed out is illegal. **Mr. Hale** said Main Street has a bigger problem with that issue. **Mr. Destino** said he sees that in his neighborhood also. **Mr. Hale** added that the city's recycling used to see money returned to the city, but that the recycling market is flat and now is at zero cost.

Ainsley Smith, Clean City Commission Chair, 14 Pine Street, said that the Commission has looked into this issue and advised that there are grants through the State Department of Environmental Protection (MDEP). **Councilor LeBlanc** said the point is that if the bins are damaged, stolen or worn that residents won't spend the money to replace the covered totes from the city. **Mr. Hale** conveyed that the grants through the MDEP are but small bites over time (\$20,000 to \$30,000), and they're talking about the whole city.

Councilor Gilman recalled the issues with coyotes being attracted to recyclables that aren't well cleaned being left out the night before trash day. She also mentioned that education might help such as letting people know about the free recycling stickers that can be placed on a covered trash barrel, and asked if perhaps local hardware stores could provide a discount for certain covered bins so that residents might purchase them on their own. **Councilor LeBlanc** expressed concern about asking a business to give a discount to Gloucester residents. **Mr. Destino** said they can always ask, but pointed out that many people don't have the room in their home for large 35 gallon totes.

Councilor Nolan suggested there could be a pilot program, and that they'll have to work on this. He said he didn't want to rush into something now and suggested to bring this matter back at the beginning of February so there is time to work on some possible solutions.

This matter is continued to February 5, 2018.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:03 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **"West Parish Elementary School Dismissal Situation: Action Steps Going Forward" submitted by Jonathan Pope, School Committee Chair**