

Ordinances & Administration Committee**Monday, July 6, 2026 – 6:00 p.m.****Kyrouz Auditorium****9 Dale Avenue****Gloucester, MA 01930****-Minutes-**

Present: Chair, Councilor Sean Nolan; Vice Chair, Councilor Frank Margiotta; Councilor Marjorie Grace

Other Councilors Present: Councilor Tony Gross; Councilor Dylan Benson; Councilor Jason Grow; Councilor Patti-Ann Page; Councilor Hannah Kimberley (remote)

Also Present: Mayor Paul Lundeberg; CAO Kelly Dolan (remote); General Counsel, Suzanne Egan; Sealer of Weights & Measures, Jake Taylor; Licensing Board Member, Melissa Teixeira Prince; Legislative Aide, Lynds Jones

This meeting was conducted in-person and remotely via ZOOM.

The meeting was called to order at 6:00 p.m.

1. Boards, Committees, and Commissions**New Appointments**

Summary of Discussion: Mayor Paul Lundeberg stated that he appreciated those who volunteered their time to working on the Boards, Committees, and Commissions of the City. He stated that the Mariners Medal Committee was being reinstated to award acts of heroism on the high seas, and a recent amendment to the City ordinance had removed a time limit for awarding these acts. He gave a brief overview of the makeup of the Committee, being three ship captains, the Mayor, and someone from the community.

Affordable Housing Trust**Mark T. Vadala****TTE 2/16/2028**

Summary of Discussion: Mark T. Vadala stated that he had been working in the City selling real estate since 2001. He stated he was very involved with the community, and was a Rotarian, as well as the president of the North Shore Association of Realtors.

Councilor Margiotta asked if **Mark T. Vadala** had any ideas on how to help with affordable housing. **Mark T. Vadala** stated that more housing inventory was important.

The committee thanked **Mark T. Vadala** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Mark T. Vadala to the Affordable Housing Trust, TTE 2/16/2028.

Board of Health**Thomas Markert (fulfilling an unexpired term)****TTE 2/16/2028**

Summary of Discussion: Thomas Markert stated that he had a fifty-year career in the pharmacy industry, and he wanted to bring his expertise to the Board of Health.

The committee thanked **Thomas Markert** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Grace, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Thomas Markert to the Board of Health, TTE 2/16/2028.

Open Space & Recreation Advisory Committee Christopher Leahy TTE 2/15/2029

Summary of Discussion: **Christopher Leahy** stated that he had been the Director of Conservation for several decades at the Mass Audubon Society. He stated that he had served previously on the Dogtown Preservation Commission, which had been subsumed into the Open Space & Recreation Advisory Committee.

The committee thanked **Christopher Leahy** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Grace, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Christopher Leahy to the Open Space & Recreation Advisory Committee, TTE 2/15/2029

Mariners Medal Committee Vito Giacalone TTE 2/14/2030

Summary of Discussion: **Vito Giacalone** stated he was a third-generation fisherman and City native. He stated he felt it was an honor to serve on the Committee.

The committee thanked **Vito Giacalone** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Vito Giacalone to the Mariners Medal Committee, TTE 2/14/2030

Mariners Medal Committee David Leveille TTE 2/14/2030

Summary of Discussion: **David Leveille** stated he was a former fisherman, and currently the Sector Manager for the majority of Boston and Gloucester fishing vessels.

The committee thanked **David Leveille** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Grace, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint David Leveille to the Mariners Medal Committee, TTE 2/14/2030

Mariners Medal Committee Joseph A. Orlando TTE 2/14/2029

Summary of Discussion: **Joseph A. Orlando** stated that he had been born in Sicily, came to the City when he was nine, attended Gloucester High School, and became an American citizen his senior year. He stated that he had been a fishing vessel captain for fifty-two years.

The committee thanked **Joseph A. Orlando** for his willingness to volunteer his time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph A. Orlando to the Mariners Medal Committee, TTE 2/14/2029

Mariners Medal Committee

Mary Fay “Miffy” Somers

TTE 2/14/2028

Summary of Discussion: **Mary Fay “Miffy” Somers** stated that she worked as an educator in the City, and had worked for a nonprofit that helped increase reading scores in high poverty areas of the State. She stated that she believed her skillset and knowledge about governmental processes would help the committee.

The committee thanked **Mary Fay “Miffy” Somers** for her willingness to volunteer her time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Mary Fay “Miffy” Somers to the Mariners Medal Committee, TTE 2/14/2028

There was a brief recess taken at 6:38 p.m.

2. **CC#2026-013 (Grow/Benson): Amend GCO Ch. 9 “Trash, Recycling and Litter” by adding a new Article V “Prohibition on the Sale of Miniature Single-Use Alcohol Containers,” Sec. 9-26 “Purpose and Intent,” Sec. 9-27 “Definitions,” Sec. 9-28 “The Sale of Miniature Single-Use Alcohol Containers is Prohibited,” Sec. 9-29 “Administration and Enforcement,” & Sec. 9-30 “Severability; Effective Date.”**

•**Speaking in Favor: Councilor Benson** stated that the reason that he and **Councilor Grow** were bringing this amendment forward was to decrease litter. He stated that he had received many complaints from residents, neighborhood groups, and cleanup crews, that there were a large number of nip bottles littered throughout the City. He stated that nip bottles could be found in the water, on the beaches, and in wetlands. He stated that he was open to alternatives other than a full ban of nip bottles, such as a redemption plan run by the liquor stores themselves. He stated that the City had previously banned plastic bags, polystyrene containers, and plastic straws to reduce litter.

Councilor Grow stated that the proposed ordinance was to decrease litter in the City. He stated that the State has had a Bottle Bill stalled in the State House for twelve years that would increase the bottle redemption and expand bottles eligible for redemption. He stated that after an initial ordinance had been drafted by himself and **Councilor Benson** they had reached out and met with liquor store owners. He stated that they had initially proposed a redemption plan, but were informed that the City had no legal standing to enforce such a plan. He stated that the liquor stores would have to voluntarily agree to a redemption plan, and the City itself could only put forward a full ban on nip bottles. He stated that nip bottles are non-recyclable and they leach microplastics into the environment. He stated that this was another incremental change on reducing litter in the City. He stated that they had reached out to eleven other communities that had banned nip bottles, and all of them reported them as successful. He stated that the communities reported that no liquor stores had gone out of business and that there had been a reduction in litter and medical emergencies. He stated that Chelsea considered the ban being transformative, drastically reducing litter and public drunkenness. He stated that he felt that the best option would be a redemption program, similar to the one in Wellfleet, which had cost one

store owner \$1,000 over the course of two years after having received 10,000 nip bottles. He stated the store owner had started the program after a nip bottle ban had failed, and he had not raised the prices of nip bottles.

Barnaby Prendergast, 61 Fernald Street stated he had formally served on the Clean City Commission. He stated that there had been a Bottle Bill that would allow for the redemption of nip bottles in the State Senate but it had been stalled for years. He stated that the City did have a litter problem, and the nip bottles were part of that problem. He stated that more trash barrels could help solve the problem, but they are often filled with household trash. He stated that enforcement was also difficult.

•**Speaking in Opposition: Wayne Campbell, Owner of the Liquor Locker, 287 Main Street**, stated that he was representing the liquor store owners. He stated that the nip bottle ban was a bad idea. He stated that he and other store owners had received a letter from **Councilor Benson** and **Councilor Grow** in February, stating that they wanted to come up with solutions to minimize nip bottle litter, and try to come up with solutions without an outright ban. He stated that they had an initial meeting with the Councilors in April, and then one in May, where the Councilors had stated they would be moving forward with a ban on nip bottles. He stated that the store owners had presented some of their ideas on a solution to the litter problem, but the Councilors elected to move the ban forward. He stated that one solution was a community clean up day, which the store owners organized and held on June 13th. He stated that most of the trash picked up was water bottles and Gatorade bottles, and very few nip bottles. He stated that the store owners were happy to discuss implementing a deposit system. He stated that he and other stores had gathered signatures of residents against the nip bottle ban. He stated that there were multiple reasons why individuals bought nips, from using them for cooking, to consumption control. He stated that if individuals couldn't purchase nips, then the next smallest bottle was a pint, which may cause more public safety issues. He stated that some communities that had banned nips had seen an increase in DUIs and surrounding towns nip sales went up. He stated that this could affect the business of liquor stores with a decrease in sales between 20% and 30%. He stated that the he went on a walk after the July 3rd celebrations and saw no nip bottle litter. He stated that the liquor store owners had hired legal counsel, who had drafted a memorandum stating that the proposed nips bottle ban violated both Federal and State law, and would be struck down in a court of law.

Mary Ann Boucher, 93 Mount Pleasant Avenue, stated that if individuals did not have access to nip bottles of alcohol they would go for the next smallest bottle of alcohol, pint bottles. She stated this would increase alcohol consumption and cause public safety issues. She stated that when she has done volunteer cleanup there were many more vape cartridges than nip bottles. She stated that other forms of litter were far more prevalent.

Louis Linquata, 51 Riverside Avenue, stated that he had formerly owned several liquor stores and had served on several boards and commissions for the City. He stated that if nip bottles were banned then it would decrease the revenue of liquor stores. He stated that there should be more enforcement for littering.

Dan Graham, 1 Bickford Way, stated that one type of litter should not be discriminated against, and litter as a whole should be tackled. He stated that nips were a form of consumption control for those who wanted to drink in a healthy manner. He stated that educational advertisements could help reduce nip bottle litter.

Wayne Campbell Sr, Owner of the Liquor Locker, 287 Main Street, stated that if nip bottles were banned then there would be more public drunkenness and public safety issues, due to individuals drinking larger amounts of alcohol. He stated that banning the sale of nip bottles would take away 25% to 30% of the liquor stores revenue.

Catherine McCarthy, 40 Rocky Neck Avenue, stated that the loss of 25% of revenue would be unsustainable for liquor stores. She stated that she cleaned the beach on Rocky Neck weekly, and nip bottles were not a large part of the litter there. She stated that banning one form of litter was not effective.

Sefatia Romeo Theken, 287 Magnolia Avenue, stated that while she does not like nips, she did not agree with banning them and had helped represent the liquor store owners. She stated that rather than pushing for a local ban, the City should be pushing for the State Bottle Bill to be passed. She stated that the City should hire more DPW workers to clean litter. She stated that during the COVID pandemic, liquor stores were considered essential businesses, and should not be targeted through the ban of nip bottles.

Anthony Saputo, 13 Ferry Street, stated that the nip bottle ban would hurt the ability of liquor stores to contribute to charitable causes. He stated that cigarette butts, water bottles, and Gatorade bottles, were far more prevalent forms of litter.

Jeff Surratt, 40 Rocky Neck Avenue, stated that he would clean the beaches near his home for the annual Rocky Neck Plunge event, and nip bottles were not a prevalent form of trash.

Brian Hamilton, 6 Lawrence Mountain Road, stated that litter was a problem within the City, however, a ban on nip bottles would not make a meaningful dent in the problem. He stated that in 2020 there had been a Statewide ban on menthol cigarettes, and they still showed up as litter.

Sam Bevis, CEO of Greater Cape Ann Chamber of Commerce, 24 Harbor Loop, stated that while litter is a problem within the City, banning nip bottles was not a solution.

Summary of Discussion: **Councilor Margiotta** thanked those in attendance for coming and making their voice heard.

Councilor Grace thanked those in attendance for being part of the civic process.

Councilor Nolan asked if **Councilor Benson** and **Councilor Grow** had any closing remarks.

Councilor Benson stated that he would be open to a redemption program and asked if the liquor store owners would be open as well.

Wayne Campbell stated that they would be but the details would need to be worked out so it would be fair to all the owners and to determine if it was legal.

Louis Linquata stated that he believed the owners would be able to work together, and he believed the proposed ordinance amendment should be withdrawn.

Councilor Grow stated that that he had spoken with individuals in communities who had enacted nip bottle bans, and the worst-case scenarios had not materialized. He stated that a liquor store in Wellfleet had enacted a successful redemption program for nip bottles. He stated that nip bottle litter was a problem, and enforcement through either cameras or patrol officers was not realistic due to the lack of staff and budget for such solutions.

Councilor Grow read a statement from former **Police Chief Edward Conley**,

“From an operational standpoint, the sale and consumption of nips has been a recurring quality-of-life issue for the Department. In particular, increased public drinking and related litter on the east end of Main Street has been a consistent source of complaints from nearby business owners and residents. Officers routinely encounter discarded nip bottles in doorways, planters, sidewalks, and parking areas, as well as individuals consuming them openly. These conditions create enforcement challenges, contribute to public disorder complaints, and negatively affect the commercial environment. While enforcement tools exist, the volume and ease of access to nips tends to perpetuate the problem rather than deter it. I appreciate that you are examining both effectiveness and unintended consequences. From a public safety and quality-of-life

perspective, any measure that meaningfully reduces public consumption and litter in concentrated commercial areas would likely be welcomed by affected businesses and residents.”

Councilor Grow stated that restaurants were having issues with individuals bringing in nip bottles so as to not have to buy alcoholic drinks in the restaurants. He stated that alcohol was a substance that caused harm, and the City Council had an obligation to investigate ways to mitigate that harm.

This matter was continued to the July 20, 2026 Ordinance & Administration Meeting.

MOTION TO ADJOURN: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to adjourn the meeting at 7:53 p.m.

Submitted by: Lynds Jones, Legislative Aide

Documents submitted at the meeting: None.

Matters appearing on the agenda that are to be continued:

1. CC#2026-010 (Margiotta): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-270 “Parking prohibited at all times,” and Sec. 22-291 “Tow-away Zones” by ADDING “Wheeler Street, both sides, from its intersection with Shore Hill Road to its intersection with Howard Road.” (cont. to August 3, 2026)
2. CC#2026-011 (Benson): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-284 “Service or Loading Zones” by DELETING “Main Street, northerly side, in front of #134, one space, 30 minutes limit,” and ADDING “Main Street, northerly side, in front of #124, one space, commercial vehicles only, 8:00 a.m. to 5:00 p.m., 30 Minutes Limit.” (cont. to August 3, 2026)
3. CC#2026-014 (Memhard): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-292 “Fire Lanes” by DELETING “Rackliffe Street, westerly side from its intersection with Fremont Street in a southerly direction for its entire length to dead end” and ADDING “Rackliffe Street, both sides from its intersection with Fremont Street in a southerly direction for its entire length to dead end.” (cont. to August 3, 2026)

Meeting Recording: <https://www.gloucester-ma.gov/1097/Past-Remote-Public-Meetings>