



*City of Gloucester* CITY CLERK  
GLOUCESTER, MA  
*City Council* 11 MAR 10 AM 9:31

CITY HALL • GLOUCESTER • MASSACHUSETTS

CITY COUNCIL STANDING COMMITTEE  
**Ordinances & Administration**  
Monday, March 14, 2011 – 6:30 p.m.  
Kyrouz Auditorium – City Hall

AGENDA

1. *Old Business:*

- A) Legal Questions related to the Approval of Stormwater Utility Regulations under City Charter Sec. 7-16(a) (b) and GCO Sec. 23(1) through (23)(6) "The Stormwater Utility Ordinance" in general and Sec. 23-4(c) "Stormwater Utility Service Fees" (*referred from 03/08/11 City Council Meeting*)

2. *Continued Business:*

- A) CC2011-007 (Hardy) That O&A review the following City Ordinances: ARTICLE II. Chapter 8-16(b) FIRE DEPARTMENT and ARTICLE II. Chapter 17-16(b) POLICE DEPARTMENT (Cont'd from 02/28/11)  
B) CC2011-008 (Hardy) Creation of language for ballot question re: recently enacted Water Ordinance and pending Home Rule Petition related to same (Cont'd from 02/28/11)

3. *Re-appointments and Appointments:*

Re-Appointments Continued from 02/28/11 and forwarded 02/22/11 and 03/08/11 from City Council:

Affordable Housing Trust	TTE 02/14/13 Ruth Pino, Michael Luster (Cont'd)
Archives Committee	TTE 02/14/14 Sarah Dunlap, Jane Walsh, Stephanie Buck, Priscilla Kippen
Board of Health	TTE 02/14/14 Fred Cowan (Cont'd)
Cable TV Advisory Committee	TTE 02/14/14 Briggs Longbotham (Cont'd)
Clean Energy Commission	TTE 02/14/14 Sam Cleaves, John Moskal, Linda Brayton, Tom Balf
Community Preservation Committee	TTE 02/14/14 Karen Gallagher (Planning Board Representative) TTE 02/14/14 William Dugan (Gloucester Housing Authority) TTE 02/14/14 Scott Smith (At Large)
Conservation Commission	TTE 02/14/14 Arthur Socolow, Robert Gulla (Cont'd)
Historic District Commission	TTE 02/14/14 Nancy Goodick (Cont'd)
Mariners Medal Committee	TTE 02/14/14 Paul Frontierro (Cont'd)
Open Space Committee	TTE 02/14/14 Susan Hedman (Cont'd)
Tourism Commission	TTE 02/14/14 Lorre Anderson, William Samenfink (Cont'd)

Appointments:

Fisheries Commission	TTE 02/14/14 David Bergeron, Lawrence Ciulla, David Ellenton, Capt. Joseph Orlando
Historic Commission Representative	TTE 02/14/14 Thomas O'Keefe, III
Historic District Commission	TTE 02/14/14 Charles Nazarian

Zoning Board of Appeals

TTE 02/14/14 Leonard A. Gyllenhaal

4. *Memorandum to Council President Jackie Hardy requesting appointment of two City Councilors To the Fisheries Commission*
5. *CC2011-009 (Mulcahey) Amend GCO 22-287 (Disabled Veteran, handicapped parking) re: 6 Oak Street (TBC 04/04/11)*
6. *CC2011-010 (Hardy) Amend GCO Chapter 22, subsection 22-93 by adding new subsection 22-93(c) "Crosswalks" (TBC 04/04/11)*

COMMITTEE

Councilor Sefatia Theken, Chair  
Councilor Ann Mulcahey, Vice Chair  
Councilor Bruce Tobey

Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk

Jim Duggan

Linda T. Lowe

Suzanne Egan

Robert Ryan/Larry Ingersoll

Fire Chief Dench; Deputy Chief Stephen Aiello

**ORDINANCES & ADMINISTRATION COMMITTEE**  
**March 14, 2011**

**Agenda Item #2**

On the matter of documentation for the reappointments of:

Affordable Housing Trust	TTE 02/14/13	Ruth Pino, Michael Luster
Board of Health	TTE 02/14/14	Fred Cowan
Cable TV Advisory Committee	TTE 02/14/14	Briggs Longbotham
Clean Energy Commission	TTE 02/14/14	Sam Cleaves, John Moskal, Linda Brayton, Tom Balf
Conservation Commission	TTE 02/14/14	Arthur Socolow, Robert Gulla
Historic District Commission	TTE 02/14/14	Nancy Goodick
Mariners Medal Committee	TTE 02/14/14	Paul Frontierro
Open Space Committee	TTE 02/14/14	Susan Hedman
Tourism Commission	TTE 02/14/14	Lorre Anderson, William Samenfink

The back up documentation can be found in the February 28, 2011 Ordinances & Administration Agenda Packet either in the City Clerk's office or on line at the City of Gloucester Website under Ordinances & Administration Agenda Packets.



**PART I** ADMINISTRATION OF THE GOVERNMENT  
(Chapters 1 through 182)

**TITLE XIV** PUBLIC WAYS AND WORKS

**CHAPTER 83** SEWERS, DRAINS AND SIDEWALKS

**Section 16** Charge for use of sewers

Section 16. The aldermen of any city or the sewer commissioners, selectmen or road commissioners of a town, may from time to time establish just and equitable annual charges for the use of common sewers and main drains and related stormwater facilities, which shall be paid by every person who enters his particular sewer therein. The money so received may be applied to the payment of the cost of maintenance and repairs of such sewers or of any debt contracted for sewer purposes. In establishing quarterly or annual charges for the use of main drains and related stormwater facilities, the city, town, or district may either charge a uniform fee for residential properties and a separate uniform fee for commercial properties or establish an annual charge based upon a uniform unit method; but, the charge shall be assessed in a fair and equitable manner. The annual charge shall be calculated to supplement other available funds as may be necessary to plan, construct, operate and maintain stormwater facilities and to conduct stormwater programs. The city, town or district may grant credits against the amount of the quarterly or annual charge to those property owners who maintain on-site functioning retention/detention basins or other filtration structures as approved by the stormwater utility, conservation commission, or other governmental entity with appropriate authority.



**PART I** ADMINISTRATION OF THE GOVERNMENT  
(Chapters 1 through 182)

**TITLE XIV** PUBLIC WAYS AND WORKS

**CHAPTER 83** SEWERS, DRAINS AND SIDEWALKS

**Section 14** Authorization

Section 14. A person who enters his particular drain into a main drain or common sewer, or who by more remote means receives benefit thereby for draining his land or buildings, shall pay to the town a proportional part of the charge of making and repairing the same, and of the charge, not already assessed, of making and repairing other main drains and common sewers through which the same discharges, which shall be ascertained, assessed and certified by the aldermen, sewer commissioners, selectmen or road commissioners.



**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

**ORDER:** #CC2011-007  
**Councillor** Jackie Hardy

**DATE RECEIVED BY COUNCIL:** 02/15/11  
**REFERRED TO:** O&A  
**FOR COUNCIL VOTE:**

**ORDERED** so that the Council and Administration can review the time frame by which the Mayor will declare the vacancies in the positions of (interim) Fire Chief and (interim) Police Chief, I propose that O&A review the following City Ordinances and make a report back to the full Council.

**ARTICLE II. CHAPTER 8-16 (b) FIRE DEPARTMENT**

*Within thirty days of the position of the Chief of Police being declared vacant, the Mayor shall appoint a temporary Police Chief who shall serve until a permanent chief is selected in accordance with the provision hereof.*

**ARTICLE II. CHAPTER 17-16 (b) POLICE DEPARTMENT**

*Within thirty days of the position of the Fire Chief being declared vacant, the Mayor shall appoint a temporary Fire Chief who shall serve until a permanent chief is selected in accordance with the provisions hereof.*

O&A should not be limited in its review of Chapter 8 to only the above, and may expand their review to additional subsections thereof.

Jackie Hardy  
Councillor - Ward 4



**Gloucester City Council**  
**CERTIFICATE OF VOTE**  
**Certificate Number: 2010-207**

The Gloucester City Council, at a meeting held on, **Tuesday, September 28, 2010** at 7:00 p.m. in the Kryouz Auditorium, City Hall, voted to approve the following action: **IN CITY COUNCIL:**

**MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 8 in favor, 1 (Whynott) opposed to AMEND the Gloucester Code of Ordinances Chapter 17 POLICE, Article II POLICE DEPARTMENT in its entirety as follows:**

**Chapter 17 POLICE**  
**ARTICLE II. POLICE DEPARTMENT**

**17-16 Police Chief**

- a) The Mayor shall appoint the Police Chief who shall hold the office for a term of three years. The appointment of the Police Chief shall be subject to confirmation by the City Council; as provided in Section 2-10 of the Charter. The Police Chief is exempt from the Provisions of Chapter 31 of the General Laws.
- b) Within thirty days of the position of the Chief of Police being declared vacant, the Mayor shall appoint a temporary Police Chief who shall serve until a permanent chief is selected in accordance with the provision hereof.

**17-17 Selection of Police Chief; qualifications.**

The Chief of Police shall be selected by the Mayor and shall have the following minimum qualifications, in addition to those developed by the assessment process provided in Section 17-18(b):

- (a) The Chief of Police shall be a law enforcement professional with minimum of 15 years experience in federal, state, county, municipal or military policing, no less than five of which shall be in a progressively responsible law enforcement management position;
- (b) The Chief of Police shall have a master's degree in Police Science or related fields;
- (c) Preference shall be given to candidates who have experience with the following:
  - i) possess a minimum rank of lieutenant or higher for a minimum of three years in a policing environment;
  - ii) a nationally recognized police leadership program(s), such as the Senior Management Institute for Police, and the FBI National Academy;

- iii) financial management, innovations in police operations, and information technology as it pertains to law enforcement;
  - iv) labor relations, community relations, mediation and facilitation skills; and including staff development, training, community policing and use of crime data for deployment and decision-making.
- (d) Preference may also be given to candidates who have experience with the following:
- i) in a multi-lingual and multi-cultural urban law enforcement environment from municipalities with a population of 30,000 or more residents; possess managerial experience, as defined in paragraph (a), in the command structure of the Gloucester Police Department;
  - ii) bilingual, with the second language reflecting the linguistic diversity of the City of Gloucester.

**17-18 Selection of Police Chief; manner of appointment.**

(a) The candidates for Chief of Police shall be reviewed by a Selection Committee consisting of the following individuals:

- (1) The Personnel Director, who shall serve as the Chair of the Selection Committee;
- (2) One member of the City Council to be appointed by the President of the City Council;
- (3) Two members of the general public to be appointed by the President of the City Council, with at least one of said members being a representative of the City's socio-economic and racial and ethnic segments; and,
- (4) Two members of the general public to be appointed by the Mayor, with at least one of said members being a representative of the City's socio-economic and racial and ethnic segments; and,
- (5) Two sworn officers of the Gloucester Police Department, one of whom shall be a member of the union representing patrol officers, elected by that body; and one of whom shall be a member of the union representing superior officers, elected by that body;
- (6) A public safety official appointed by the Mayor, who shall be the Emergency Management Director, if such position shall exist at that time.

The Mayor may appoint appropriate support personnel to facilitate operations of the Selection Committee.

(b) In consultation with the Selection Committee and the Purchasing Agent, the Mayor shall select a qualified recruitment and assessment consultant to analyze candidates for Chief of Police. After consultation with members of the public at community meetings, the consultant shall develop selection criteria; recruit qualified candidates; select the most qualified candidates which shall be no more than seven or less than three who shall be considered finalists and administer the selection process to these candidates. The process shall consist of, without limitation, a written examination, a professional assessment center and a psychological evaluation.

(c) The Selection Committee shall hold public interviews of the finalists. The Committee shall vote a list of no more than five and no less than three unranked qualified candidates for Chief of Police

and shall submit such list to the Mayor. All votes taken by the Selection Committee shall be by majority vote of those present. If the Selection Committee determines that there are fewer than three candidates for Chief of Police, the Selection Committee shall nonetheless send the names of the candidate(s) to the Mayor. The Mayor may choose to commence a new selection process if the Selection Committee submits a list of fewer than three candidates or for any other reason designated in writing.

(d) The Mayor shall appoint a candidate from the list, subject to confirmation of the City Council. Prior to confirmation, the City Council shall be provided with a copy of the contract negotiated with the candidate selected by the Mayor. The contract may not be subsequently amended without the approval of the City Council. The term of the contract shall be three (3) years. The Mayor may reappoint said Chief for subsequent contractual terms of three (3) years subject to City Council confirmation.

(e) Upon such time as the Mayor shall become aware of a vacancy in the office of Chief of Police, the Mayor shall within a reasonable period of time notify the City Council that a vacancy has occurred. The Mayor shall thereafter commence the process to fill the vacancy, in the manner prescribed herein.

#### **17-19 Powers and duties of Police Chief**

The Police Chief shall manage the Police Department. He/she shall be responsible for the discipline and efficiency of the department. The Police Chief shall act as the City Marshal. He/she shall have control of the department, its officers and members, the care of the police station, the care and custody of all the property of the department and shall keep a record of its business.

#### **17-20 Appointment and removal of Officers**

The Mayor shall have the power to appoint all police officers and patrolmen who shall hold their office at the discretion of the Mayor subject to the laws pertaining to civil service and to the collective bargaining agreement. The Chief of Police is exempt from civil laws and the terms of the collective bargaining agreement. All police officers are required to be citizens of the United States and within nine months of his/her appointment, to reside within 15 miles of the limits of the City of Gloucester as required by Chapter 41, Section 99A of the General Laws.

#### **17-21 Composition**

The Police Department shall consist of the Police Chief, and as many lieutenants, sergeants and patrolmen as may be deemed necessary. The department shall also include supporting administrative staff.

Consecutively renumber the remainder of Article II Police Department as follows:

- 17-22 Unlawful use of insignia, etc.
- 17-23 Firefighters appointed as police officers
- 17-24 Chief of Police to act as dog constable
- 17-25 Chief to receive complaints and prosecute
- 17-26 Records of persons arrested and disposal of cases
- 17-27 Powers and duties of police officers
- 17-28 Acceptance of gifts, etc., by officers
- 17-29 Officers acting as bail or surety
- 17-30 Return of City property when member leaves office
- 17-31 Suspension of police officers
- 17-32 Mutual aid program



Linda T. Lowe, City Clerk

Date: September 30, 2010

APPROVED BY THE MAYOR

  
\_\_\_\_\_  
Carolyn A. Kirk, Mayor

VETOED BY THE MAYOR

\_\_\_\_\_  
Carolyn A. Kirk, Mayor

SIGNED THIS 1 DAY OF Oct, 2010

*All Ordinances shall become effective 31 days after passage except:  
Emergency Orders shall become Effective Next Day  
Zoning Changes shall be Effective Next Day*



**Gloucester City Council**  
**CERTIFICATE OF VOTE**  
**Certificate Number: 2011-009**

The Gloucester City Council, at a meeting held on **Tuesday, January 11, 2011** at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following actions:

**IN CITY COUNCIL:**

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the City Council voted BY ROLL CALL 7 in favor, 1 (Theken) opposed to Amend the Gloucester Code of Ordinances, "Article II. Fire Department, Chapter 8 Fire Department, Article II Fire Department" as follows:

Chapter 8 FIRE

ARTICLE II. FIRE DEPARTMENT

Amend Article II Fire Department as follows:

Delete sections:

8-16 Composition  
8-17 Appointments

Add new Section 8-16 a-b as follows:

8-16 Fire Chief

- a) The Mayor shall appoint the Fire Chief who shall hold the office for a term of three years. The appointment of the Fire Chief shall be subject to confirmation by the City Council as provided in section 2-10 of the charter. The Fire Chief is exempt from the provisions of chapter 31 of the General Laws.
- b) Within thirty days of the position of the Fire Chief being declared vacant, the Mayor shall appoint a temporary Fire Chief who shall serve until a permanent chief is selected in accordance with the provisions hereof.

Add new: Section 8-17 Selection of Fire Chief; qualifications.

The Fire Chief shall be selected by the Mayor and shall have the following minimum qualifications:

- (a) The Fire Chief shall be a fire safety professional with a minimum of 15 years experience in federal, state, county, municipal or military firefighting, no less than five of which shall be in a progressively responsible fire safety management and emergency medical services position;
- (b) The Fire Chief shall have an Associates Degree in Fire Sciences or related field and hold a minimum rank of Deputy Chief or higher for a minimum of three years in a fire fighting environment;

(c) Preference shall be given to candidates who have experience with the following:

- i) certification from the National Fire Academy Executive Officer Program;
- ii) financial management, innovations in fire operations, and information technology as it pertains to fire safety;
- iii) labor relations, community relations, mediation and facilitation skills; and including staff development and training.

(d) Preference may also be given to candidates who have experience with the following:

- i) in a multi-lingual and multi-cultural urban fire safety environment from municipalities with a population of 30,000 or more residents, possess managerial experience in a similar structure as the Gloucester Fire Department,
- ii) bilingual, with the second language reflecting the linguistic diversity of the citizens of Gloucester.

[Subsections 8-18 (b) and (c) shall remain in effect and be renumbered as 8-21 (b) and (c).]

Delete section 8-18(a) and add new 8-18 (a) – (e):

8-18 Selection of Fire Chief; Manner of Appointment.

(a) The candidates for Fire Chief shall be reviewed by a selection committee consisting of the following individuals:

- (i) The Personnel Director, who shall serve as the Chair of the Selection Committee;
- (ii) One member of the City Council to be appointed by the President of the City Council;
- (iii) Two members of the general public to be appointed by the President of the City Council, with at least one of said members being a representative of the city's socioeconomic and racial and ethnic segments;
- (iv) Two members of the general public to be appointed by the Mayor with at least one of said members being a representative of the City's socioeconomic and racial and ethnic segments;
- (v) Two sworn firefighters of the Gloucester Fire Department to be elected by the union representing members of the Fire Department.
- (vi) A public safety official appointed by the Mayor, who shall be the Emergency Management Director if such position exists at that time.

The Mayor may appoint appropriate support personnel to facilitate the operations of the selection committee.

(b) In consultation with the selection committee and the purchasing agent, the Mayor shall select a qualified recruitment and assessment consultant to analyze candidates for Fire Chief. After consultation with members of the public at community meetings, the consultant shall develop selection criteria; recruit qualified candidates; and select the most qualified candidates which shall be no more than seven or less than three who shall be considered finalists and administer the selection process to these candidates. The process shall consist of, without limitation, a written exam, a professional assessment center and a psychological evaluation.

(c) The Selection Committee shall hold public interviews of the finalists. The Committee shall vote a list of no more than five and no less than three unranked qualified candidates for Fire Chief and shall submit such list to the Mayor. All votes taken by the Selection Committee shall be by majority vote of those present. If the Selection Committee determines that there are fewer than three candidates for Fire Chief, the Selection

Committee shall nonetheless send the names of the candidate(s) to the Mayor. The Mayor may choose to commence a new selection process if the Selection Committee submits a list of fewer than three candidates or for any other reason designated in writing.

(d) The Mayor shall appoint a candidate from the list, subject to confirmation of the City Council. Prior to confirmation, the City Council shall be provided with a copy of the contract negotiated with the candidate selected by the Mayor. The contract may not be subsequently amended without the approval of the City Council. The term of the contract shall be three years. The Mayor may reappoint said Chief for subsequent contractual terms of three (3) years subject to City Council confirmation.

(e) Upon such time as the Mayor shall become aware of a vacancy in the office of Fire Chief, the Mayor shall within a reasonable period of time notify the City Council that a vacancy has occurred. The Mayor shall thereafter commence the process to fill the vacancy, in the manner prescribed herein.

Add new section: 8-19 Powers and duties of Fire Chief

The Fire Chief shall manage the Fire Department. He/she shall be responsible for the discipline and efficiency of the department. He/she shall have control of the department, its officers and members, the care of the fire stations, the care and custody of all the property of the department and shall keep a record of its business.

Add new: 8-20 Composition

The Fire Department shall consist of the Fire Chief, who is not subject to the civil service laws, and as many deputy Fire Chiefs, captains, mechanics, inspectors and firefighters subject to the civil service laws in such numbers as are provided by contract and approved by the City Council. The department may also include supporting administrative staff.

Delete subsection 8-18(a) and add new: section 8-21 Qualifications and appointment of firefighters

(a) The Mayor shall have the power to appoint all firefighters who shall hold their office at the discretion of the Mayor subject to the laws pertaining to civil service and to the collective bargaining agreement. The Fire Chief is exempt from civil service laws and the terms of the collective bargaining agreement. All firefighters are required to be citizens of the United States and within nine months of his/her appointment, to reside within 15 miles of the limits of the City of Gloucester as required by chapter 41 section 99A of the General Laws.

[Consecutively renumber sections 8-19 to 8-25 of Chapter 8, Article II Fire Department as follows:]

- 8-22 Physical examination of firefighters (old sec. 8-19)
- 8-23 Appointees must signify willingness to obey rules (old sec. 8-20)
- 8-24 Firefighters to have motor vehicle license (old sec. 8-21)
- 8-25 Military substitutes (old sec. 8-22)
- 8-26 Fire chief to act as forest warden (old sec. 8-23)
- 8-27 Aid to other cities, towns or fire districts (old sec. 8-24)
- 8-28 Destruction of building to prevent spread of fire (old sec. 8-25)

*Linda T. Lowe*

Linda T. Lowe, City Clerk

Date:

JAN 21 2011

APPROVED BY THE MAYOR

VETOED BY THE MAYOR

*Carolyn A. Kirk*  
\_\_\_\_\_  
Carolyn A. Kirk, Mayor

\_\_\_\_\_  
Carolyn A. Kirk, Mayor

SIGNED THIS 24 DAY OF Jan, 2011

All Ordinances shall become effective 31 days after passage except:  
Emergency Orders and Zoning Amendments shall become Effective Next Day



# CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER

<b>ORDER:</b>	#CC2011-008
Councillor	Jackie Hardy

<b>DATE RECEIVED BY COUNCIL:</b>	02/15/11
<b>REFERRED TO:</b>	O&A
<b>FOR COUNCIL VOTE:</b>	

**ORDERED** that O&A take up the matter of creating language for a ballot question to appear on our next municipal ballot reflective of the recently enacted Water Ordinance and the pending Home Rule Petition related to same that has been fostered through the Council with the assistance of WHO DECIDES.

Jackie Hardy  
Councillor - Ward 4

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**From:** Teetshorn, Erin (SEN) [mailto:Erin.Teetshorn@masenate.gov]  
**Sent:** Friday, February 11, 2011 10:14 AM  
**To:** Linda Lowe  
**Subject:** RE: City of Gloucester Proposed Special Legislation for Charter Amendment on Water System

Dear Ms. Lowe,

The filing and co-sponsorship period just ended last Friday, so all of the bills are still working their way to committee and thus do not have bill numbers yet. It is currently Senate Docket (SD) 182, and should be assigned to a committee and given a bill number in the next two weeks. Please let me know if I can help with anything else!

Erin

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**From:** Linda Lowe [mailto:llowe@gloucester-ma.gov]  
**Sent:** Thursday, February 10, 2011 4:30 PM  
**To:** 'Bruce Tarr'  
**Cc:** Teetshorn, Erin (SEN); 'jackie hardy'  
**Subject:** City of Gloucester Proposed Special Legislation for Charter Amendment on Water System

Senator Tarr and Representative Ferrante, on behalf of the Gloucester City Council I am checking on the status of the proposed special legislation which we forwarded to you on January 14, 2011 which would amend the Gloucester Home Rule Charter to require a referendum on the question of a sale of the public water system. Could you please advise us of the bill number(s) assigned to this proposed legislation and whether the legislation has been assigned to committee(s). As always, thank you for your assistance.

Linda Thomas Lowe  
City Clerk  
City of Gloucester  
City Hall  
Gloucester, MA. 01930      978 281 9720

2/11/2011

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 17, 2011

Ms. Sarah Dunlap  
3 Mason Square  
Gloucester, MA 01930

Dear Sarah:

I am pleased to reappoint you to a three year term on the Archives Committee. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is written in a cursive style and is positioned above the printed name.

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

**The City of Gloucester, Massachusetts**

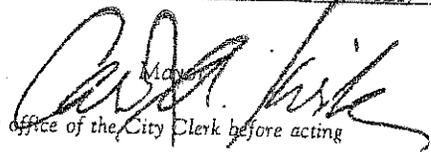
Dear Sarah Dunlap, 3 Mason Square, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you

to the ARCHIVES COMMITTEE \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,

  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

EFFECTIVE FEBRUARY 14, 2011

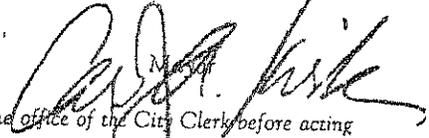
**The City of Gloucester, Massachusetts**

Dear Jane Walsh, 439 Western Avenue, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the ARCHIVES COMMITTEE \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 17, 2011

Ms. Jane Walsh  
439 Western Avenue  
Gloucester, MA 01930

Dear Jane:

I am pleased to reappoint you to a three year term on the Archives Committee. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

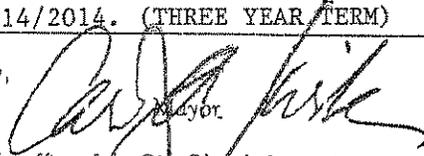
**The City of Gloucester, Massachusetts**

Dear Stephanie Buck, 3 Church Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the ARCHIVES COMMITTEE \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

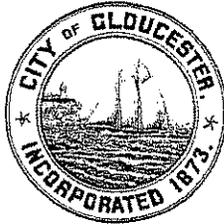
Respectfully,

  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 17, 2011

Ms. Stephanie Buck  
3 Church Street  
Gloucester, MA 01930

Dear Stephanie:

I am pleased to reappoint you to a three year term on the Archives Committee. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Enclosure  
CAK/c

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
CITY CLERK ckirk@gloucester-ma.gov  
GLOUCESTER, MA

MAR -7 PM 3: 11

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

### MEMORANDUM

**TO: Council President Jackie Hardy**  
**FR: Mayor Kirk** *C. Kirk*  
**RE: Priscilla Kippen - Archives Committee Reappointment**  
**DT: March 7, 2011**

---

We have just been informed by Sarah Dunlap, Co-Chair of the Archives Committee, that Ms. Priscilla Kippen does not reside in the City of Gloucester any longer.

Consequently, we are withdrawing her name from the reappointment list submitted to City Council for the Archives Committee.

Thank you.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 17, 2011

Ms. Priscilla Kippen  
13 Hawthorne Road  
Gloucester, MA 01930

Dear Ms. Kippen:

I am pleased to reappoint you to a three year term on the Archives Committee. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

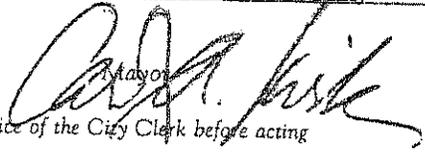
**The City of Gloucester, Massachusetts**

Dear Priscilla Kippen, 13 Hawthorne Road, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the ARCHIVES COMMITTEE of the City of  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,

  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

- e) implement retention and disposition schedules (see Sec.2-756, 757);
- f) receive from City agencies for permanent archival storage records scheduled for permanent retention and those records which have an enduring historical value, when those records are no longer necessary for conducting current business;
- g) plan, establish and operate an archives repository in order to store, secure, process and conserve said records and to make them available for governmental reference and public use;
- h) in consultation with agencies having custody, identify the records most vital to the operation of the City, which records shall be preserved in protected storage in order to survive disaster;
- i) prepare plans and schedules relative to the retention, disposition and preservation of records, and insure the compliance with Commonwealth regulations governing them;
- j) prepare inventories, indexes, guides and other resource aids to facilitate the use of the public records of the City;
- k) establish procedures for identifying the authoritative copy of record of documents, reflecting all amendments made during the approval process and identifying the office responsible for retaining the copy of record.

In order to carry out the above duties and procedures, the City Clerk may request advice from the Records Management Advisory Board and/or the Archives Committee.

**Sec. 2-753. Archivist; appointment; duties.**

- a) There shall be within the office of the City Clerk, an archives and records clerk, appointed by the City Clerk, and hereinafter called the Archivist. Said Archivist shall oversee the City Clerk's program (see Sec. 2-752) for the administration and preservation of the records of the City of Gloucester under the provisions of M.G.L.A. c. 66.
- b) The Archivist shall be the liaison between the City Clerk and the various agencies of the City regarding the safekeeping and administration of City records.
- c) The City Clerk may employ, within budget constraints, temporary professional and technical assistance to the Archivist as may be required in the performance of the duties of that office.

**Sec. 2-754. Archives Committee; appointment; duties.**

- a) Members of the Archives Committee shall be appointed by the Mayor for three-year terms (or the unexpired portion thereof) expiring on February 15, such appointments to be confirmed by the City Council.
- b) The Committee shall assist the City Clerk and the departments in the performance of such tasks as are mutually agreeable to the Committee, the City Clerk and the departments as applicable. The Committee shall have no independent authority.
- c) One member of the Committee may be appointed to serve also on the Records Management Advisory Board.

- d) All members of the Committee shall serve without compensation. They shall be deemed special municipal employees under the Code of Ordinances, Section 2-44 for the purposes of M.G.L.A. c. 268a.

**Sec. 2-755. Records Management Advisory Board established; appointments; duties.**

- a) In order to promote adequate assurance of the long-term storage, security, preservation and accessibility of all records held by the City of Gloucester, there shall be in the City of Gloucester a Records Management Advisory Board hereinafter called the Board.
- b) The Board shall consist of seven (7) persons, one of whom may be a member of the Archives Committee, appointed by the Mayor and confirmed by the City Council. Members shall be appointed for three-year terms (or the unexpired portion thereof) expiring on February 15. In making such appointments the Mayor shall give preference to persons with broad management experience and familiarity with the care and custody of records and with the use of archival materials.
- c) The chairperson, vice-chairperson and recorder shall be elected by the members of the Board. The City Clerk shall serve as a non-voting consultant. Department representatives may be invited as consultants when needed. Minutes of meetings of the Board shall be submitted to the office of the City Clerk on a regular basis.
- d) All members of the Board shall serve without compensation. They shall be deemed special municipal employees under the Code of Ordinances, Section 2-44 for the purposes of M.G.L.A. c. 268a.
- e) The Board shall continually review and assess the records storage and preservation systems of the City and advise the Administration, the City Council and the City Clerk about records management issues. The Board shall render annually to the Mayor and City Council a report regarding the development and status of municipal archives and records management and the adequacy of planning therefor.
- f) The Board shall, at intervals chosen by the members, review its mission and suggest changes in the ordinances that govern its actions.

**Sec. 2-756. Agencies of the City; custody and preservation of records.**

Unless otherwise provided for by law, records shall be kept in the custody of the manager of each City agency, or his/her designee. The manager of each City agency shall:

- a) make and preserve public records containing proper documentation of its organization, functions, policies and procedures;
- b) establish and maintain effective controls over the creation, maintenance and use of records and guard against the loss or the unauthorized or unlawful removal of City records;
- c) apply the provision of approved records retention schedules to execute the orderly disposition of records including transfer to the City's records center or archives repository of noncurrent or inactive records;
- d) designate a liaison between the agency and the City Clerk on all matters relating to the department's records and record-keeping practices; and

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 22, 2011

Ms. Karen Gallagher  
34 Atlantic Street  
Gloucester, MA 01930

Dear Karen:

I am pleased to reappoint you to a three year term as the Planning Board's representative on the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Sarah Garcia, Community Development Director

Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

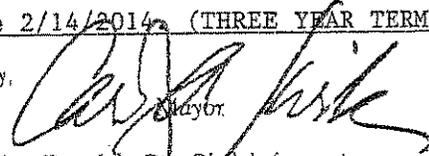
**The City of Gloucester, Massachusetts**

Dear Karen Gallagher, 34 Atlantic Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the COMMUNITY PRESERVATION COMMITTEE of the City of  
(PLANNING BOARD REPRESENTATIVE)  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

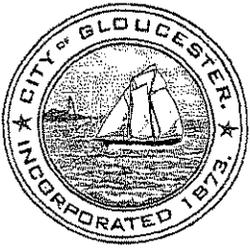
Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_



# CITY OF GLOUCESTER

## PLANNING BOARD

3 Pond Road, Gloucester

Richard Noonan, Chair

**Date:** February 28, 2011  
**To:** Mayor Carolyn Kirk  
**From:** Planning Board  
**RE:** Re-Appointment of Karen Gallagher to the Community Preservation Committee

At a regularly scheduled meeting of the Gloucester Planning Board held on February 3, 2011, the Planning Board voted unanimously (4-0) to recommend the re-appointment of Karen Gallagher as the Planning Board representative to the Community Preservation Committee for a three (3) year term.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 17, 2011

Mr. William Dugan  
15 Cherry Street  
Gloucester, MA 01930

Dear Bill:

I am pleased to reappoint you to a three year term as the Gloucester Housing Authority's representative on the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Sarah Garcia, Community Development Director

Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

*The City of Gloucester, Massachusetts*

Dear William Dugan, 15 Cherry Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the COMMUNITY PRESERVATION COMMITTEE of the City of  
(GLOUCESTER HOUSING AUTHORITY REPRESENTATIVE)  
Gloucester, Massachusetts

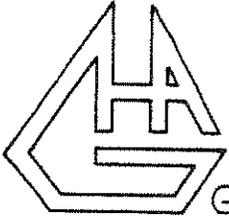
This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,

*Carol Kirk*  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_



Gloucester Housing Authority

P.O. Box 1599, Gloucester, MA 01931-1599 (978) 281-4770  
FAX 281-6945

January 21, 2011

Mayor Carolyn Kirk  
Gloucester City Hall  
9 Dale Avenue  
Gloucester, MA 01930

Dear Mayor Kirk,

This is to inform you that the Gloucester Housing Authority Board of Commissioner's voted at their September 8<sup>th</sup>, 2010 Regular Meeting to re-appoint William F. Dugan of 15 Cherry Street, Gloucester to be the Housing Authority's Representative on the Community Preservation Committee.

The GHA Board strongly supports Mr. Dugan's nomination and believes that he is the individual best prepared to represent the Housing Authority on the CPC. If you have any questions, please feel free to give me a call. Contact me at the GHA Office ~ 978-281-4770.

Thank You.

Yours Truly

GLOUCESTER HOUSING AUTHORITY

David S. Houlden  
Executive Director

WFD:MSK

CC: Mr. Matt Lustig  
Mr. William Dugan

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 17, 2011

Mr. Scott Smith  
12 Grapevine Road  
Gloucester, MA 01930

Dear Scott:

I am pleased to reappoint you to a three term on the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2011, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (copy enclosed) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Sarah Garcia, Community Development Director

Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

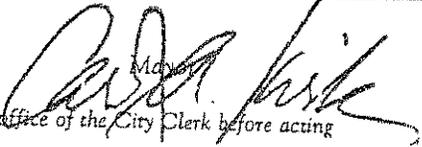
**The City of Gloucester, Massachusetts**

Dear Scott Smith, 12 Grapevine Road, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the COMMUNITY PRESERVATION COMMITTEE of the City of  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

# COMMUNITY PRESERVATION COMMITTEE

## Chapter XXXX City of Gloucester Community Preservation Act

Section X	Establishment
Section XX	Membership and Terms
Section XXX	Terms of Office
Section XXXX	Authority, Duties and Responsibility
Section XXXXX	Quorum and Voting
Section XXXXXX	Severability

### Section X Establishment

There shall be a Community Preservation Committee ("Committee"), in accordance with Chapter 267 of the Acts of 2000, Massachusetts Community Preservation Act, MGL chapter 44B, §1, et seq., which shall consist of nine (9) members as follows:

### Section XX Membership and Terms

The community preservation committee shall consist of nine (9) members, all of whom shall be residents of the city. Committee members shall be appointed by the Mayor and confirmed by the city council for a period of three years expiring on February 15. Committee shall be composed of the following:

- 1) Four members shall be members of the boards and commission as required by the Community Preservation Act, GL c. 44B section 5 and appointed by the Mayor subject to confirmation of the City Council. If a statutory board or commission no longer functions or exists within the city then the Mayor shall appoint a member from the general public who has expertise or performs like duties as the board or commission. Each board or commission shall submit the name of one of its members to sit on the committee within 45 days of a vacancy of the statutory membership. The statute directs that a member from each of the following shall be designated as a member of the committee:
  - a) one member of the Conservation Commission as designated by the Commission.
  - b) one member of the Historical Commission as designated by the Commission.
  - c) one member of the Planning Board as designated by the Board.
  - d) one member of the Parks and Recreation Department.
  - e) one member of the Housing Authority as designated by the Authority.
- 2) There shall be four members of the general public not currently holding elected or appointed office, as appointed by the Mayor.
  - a) The At-Large members shall include at least one citizen who has expertise or demonstrated interest in open space, at least one citizen who has expertise or

demonstrated interest in recreation, at least one citizen who has expertise or demonstrated interest in historic preservation and at least one citizen who has expertise or demonstrated interest in affordable housing.

- b) To the extent possible the members of the committee will be selected so that the five wards are fairly represented.

The commission and boards which may designate a member for appointment shall do so within 45 days of the effective date of this ordinance and shall forward the names to the Mayor. Should a commission or board fail to designate a member for appointment within 45 days, the Mayor shall appoint the member from the general public.

Should a member from a designated commission or board be no longer able to serve on the Preservation Committee, the Mayor shall appoint a successor member.

### Section XXX            Terms of Office

- 1) The term of office for each member of the Committee shall be three years. No member shall serve more than two terms.
- 2) In order to stagger the terms of the members, the terms of the initial appointments shall be as follows:
  - a. the Historic Commission member, the Conservation Commission member, two At-Large member appointed by the Mayor shall serve for three (3) years;
  - b. the Housing Authority member, the Planning Board member and one At-Large member appointed by the Mayor shall serve for two (2) years;
  - c. the Parks and Recreation Member and one At-Large member appointed by the Mayor shall serve for one (1) year.
  - d. For purposes of this clause, the initial one (1) and two (2) year appointments shall be deemed not to constitute full terms.

### Officers:

- 1) The committee shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations and establish any subcommittees as it deems appropriate.
- 2) A Committee member may serve as chairperson for 2 consecutive years, after which he/she shall not be eligible to be nominated for the same position. However, a two-thirds (2/3) vote of the Committee can waive this provision.

**Vacancies:**

Any vacancy shall be filled by the respective Board, Commission, Authority or Mayor for the remainder of the unexpired time.

- 1) In the event that a Committee member is unable for any reason to complete serving a term, whether by failure of reappointment to his or her underlying board, commission or authority, or otherwise, the board, commission or authority responsible for designating said committee member shall forthwith designate another of its members to complete the remainder of the term.
- 2) All committee members shall serve on the committee without compensation.

**Section XXXX Authority, Duties and Responsibility**

- 1) The Community Preservation Committee shall study the needs, possibilities and resources of the city regarding community preservation. The committee shall consult with the Mayor, the City Council, the Community Development Director, the Housing Authority Director, the Conservation Commission, the Historical Commission, the Zoning Board, the Parks and Recreation Director, the Chair of the Gloucester Housing Trust, Grants Director, Public Works Director and any persons acting in those capacities or performing like duties when conducting such studies.
- 2) As part of its study, the Committee shall hold one or more public information hearings annually on the needs, possibilities and resources of the City regarding the community preservation possibilities and resources, notice of which shall be posted publicly and published for each of the two weeks preceding a hearing in a newspaper of general circulation in the City and published electronically on the city's web site.
- 3) The Committee shall meet as necessary to carry out its duties, but in any fiscal year shall hold no fewer than three (3) meetings.
- 4) On or before November 1<sup>st</sup> of each year, the Committee shall make recommendations to the City Council for:
  - a. the acquisition, creation and preservation of open space;
  - b. the acquisition, preservation, rehabilitation and restoration of historic resources;
  - c. the acquisition, creation, preservation and support of community housing;
  - d. the acquisition, creation and preservation of land for recreational use; and
  - e. the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in this section.
- 5) With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
- 6) The Committee may include in its proposal to the City Council, a recommendation to set aside

for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund or to set aside for later spending funds for general purposes that are consistent with community preservation.

- 7) The Committee may recommend the issuance of general obligation bonds or notes, in accordance with the provisions of M.G.L., Chapter 44B, § 11, in anticipation of revenues to be raised pursuant to M.G.L., Chapter 44B, § 3, the proceeds of which shall be deposited in the Community Preservation Fund.
- 8) In every fiscal year, the Committee shall recommend that the City Council either spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for each of the following:
  - a. open space (not including land for recreational use);
  - b. historic resources
  - c. community housing
- 9) All recommendations and proposals submitted by the Committee to the City Council shall include the anticipated costs thereof.
- 10) No appropriation shall be made from the Community Preservation Fund without the approval of the City Council.
- 11) The Committee shall submit to the City Council, by March 1<sup>st</sup> of each year, an annual administrative and operating budget for the Committee for the next fiscal year, which shall not exceed five (5%) percent of that year's estimated annual Community Preservation Fund revenues.

**Section XXXXX Quorum and Voting**

- 1) Five (5) members shall constitute a quorum for the purpose of convening a meeting and of conducting the business of the Committee.
- 2) The Committee shall approve its actions by a majority vote of the quorum.

**Section XXXXXX Severability**

In the event any part of this Ordinance is for any reason declared invalid or unconstitutional by any court, the remainder of this Article shall continue in full force and effect.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 28, 2011

Mr. David Bergeron  
33 Beacon Street  
Gloucester, MA 01930

Dear David:

Thank you for your interest in serving on the City of Gloucester's **Fisheries Commission**. I have issued you a 90-day temporary appointment to serve on this committee. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Fisheries Commission. I truly appreciate the hard work and dedication you and your colleagues on the revived Commission will offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

---

cc: Mayor's Report to the City Council  
Enclosure  
CAK/c

EFFECTIVE MARCH 1, 2011

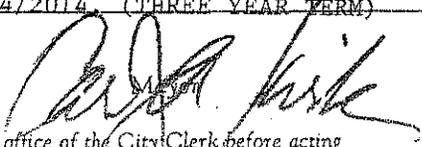
**The City of Gloucester, Massachusetts**

Dear David Bergeron, 33 Beacon Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the FISHERIES COMMISSION \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

~~This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)~~

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

David Bergeron  
33 Beacon Street  
Gloucester, MA 01930

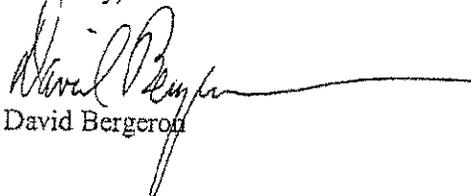
December 3, 2010

Carolyn A. Kirk, Mayor  
City of Gloucester  
City Hall  
9 Dale Avenue  
Gloucester, MA 01930

Dear Mayor Kirk:

I write in response to your letter of November 23, 2010. I would be honored and pleased to serve as a member of the Gloucester Fisheries Commission. A revived Commission could do a great deal to help the City develop creative new ways to promote the economic vitality of our working harbor's fishing industry and community. I would serve this goal to the best of my ability.

Sincerely,

  
David Bergeron

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 28, 2011

Mr. Lawrence Ciulla  
Gloucester Seafood Display Auction  
27-29 Harbor Loop  
Gloucester, MA 01930

Dear Larry:

Thank you for your interest in serving on the City of Gloucester's **Fisheries Commission**. I have issued you a 90-day temporary appointment to serve on this committee. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Fisheries Commission. I truly appreciate the hard work and dedication you and your colleagues on the revived Commission will offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to the City Council  
Enclosure  
CAK/c

EFFECTIVE MARCH 1, 2011

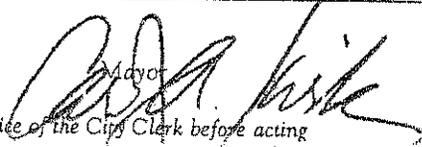
*The City of Gloucester, Massachusetts*

Dear Lawrence Ciulla, 27-29 Harbor Loop, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the FISHERIES COMMISSION \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,

*Mayor*  


N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

GLOUCESTER SEAFOOD DISPLAY AUCTION

27-29 Harbor Loop

Gloucester, MA 01930

Tel: 978-281-1544

Fax 978-283-3765

Email: [gsdauction@verizon.net](mailto:gsdauction@verizon.net)

December 30, 2010

Mayor Carolyn Kirk  
City of Gloucester  
Dale Ave  
Gloucester, MA 01930

Dear Mayor Kirk:

This letter is to inform you that I am very interested in having a position on the Gloucester Fisheries Commission that you will be reinstating.

As a life long resident and business owner of the Gloucester Seafood Display Auction I bring over 40 years of strong knowledge of Gloucester's fishing industry.

Please consider me as one of your candidates for the Gloucester Fisheries Commission.

Sincerely,

Lawrence Ciulla, President  
Gloucester Seafood Display Auction

11  
==

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY CLERK  
GLOUCESTER, MA  
11 MAR -8 AM 8:42

**MEMORANDUM**

**TO: Council President Jackie Hardy**  
**FR: Mayor Kirk**  
**RE: Dave Ellenton - Fisheries Commission Appointment**  
**DT: March 8, 2011**

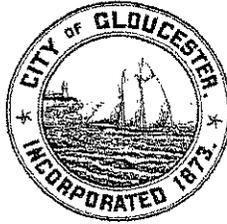
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Mr. Ellenton has withdrawn his application to serve on the Gloucester Fisheries Commission.

Consequently, we are withdrawing his name from the appointment list submitted to City Council for the Fisheries Commission.

Thank you.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 28, 2011

Mr. Dave Ellenton  
Cape Seafoods, Inc.  
3 State Pier  
Gloucester, MA 01930

Dear Dave:

Thank you for your interest in serving on the City of Gloucester's **Fisheries Commission**. I have issued you a 90-day temporary appointment to serve on this committee. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Fisheries Commission. I truly appreciate the hard work and dedication you and your colleagues on the revived Commission will offer on behalf of the City of Gloucester.

Sincerely,

Carolyn A. Kirk  
Mayor

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cc: Mayor's Report to the City Council  
Enclosure  
CAK/c

EFFECTIVE MARCH 1, 2011

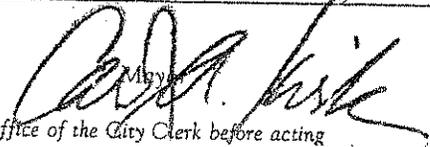
**The City of Gloucester, Massachusetts**

Dear Dave Ellenton, 3 State Pier, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you  
to the FISHERIES COMMISSION \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

CAPE SEAFOODS, INC.  
3 STATE PIER  
GLOUCESTER, MA 01930, USA  
Tel: 978-283-8522; Fax: 978-283-3133  
email: [dave@capeseafoods.com](mailto:dave@capeseafoods.com)

November 24, 2010

Office of the Mayor  
City Hall Gloucester MA 01930

Dear Mayor Kirk,

In response to your letter dated November 23<sup>rd</sup> asking my interest in serving on the Gloucester Fisheries Commission, I can tell you that I am very interested.

I was very disappointed when the Commission was dissolved a number of years ago, and I am pleased to hear of the reinstatement of the Fisheries Commission.

For many years I have been the Chairman of the New England Fisheries Management Council's herring industry advisory panel, a member of the Mid Atlantic Fisheries Management Council's mackerel industry panel, and I am the Chairman of the Atlantic States Marine Fisheries Commission's herring industry panel.

The previous Gloucester Fisheries Commission was held in great respect by the Management Councils and also by NMFS. Gloucester needs to speak with one voice whenever possible on the various fisheries, and future decisions within the City's fisheries and I would be extremely pleased to be part of the Commission.

Thank you for considering me.

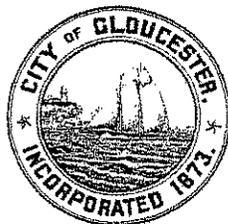
Yours Sincerely



---

Dave Ellenton

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 28, 2011

Captain Joseph Orlando  
7 Birch Grove Heights  
Gloucester, MA 01930

Dear Joe:

Thank you for your interest in serving on the City of Gloucester's **Fisheries Commission**. I have issued you a 90-day temporary appointment to serve on this committee. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Fisheries Commission. I truly appreciate the hard work and dedication you and your colleagues on the revived Commission will offer on behalf of the City of Gloucester.

Sincerely,

Carolyn A. Kirk  
Mayor

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cc: Mayor's Report to the City Council  
Enclosure  
CAK/c

EFFECTIVE MARCH 1, 2011

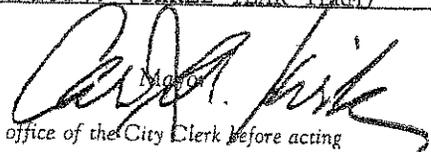
*The City of Gloucester, Massachusetts*

Dear Joseph Orlando, 7 Birch Grove Heights, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the FISHERIES COMMISSION of the City of  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,

  
Carol A. Kisk  
Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

Captain Joseph Orlando  
7 Birch Grove Heights  
Gloucester, MA 01930

December 9, 2010

Honorable Carolyn A. Kirk  
City Hall  
9 Dale Avenue  
Gloucester, MA 01930

Dear Mayor Kirk,

I am responding to your letter dated November 23<sup>rd</sup> regarding my interest in serving on the Gloucester Fisheries Commission.

I am extremely interested in serving on the Fisheries Commission and would consider it an honor to be appointed.

As a long time fisherman and Captain of the F/V Padre Pio, I believe a revived Fisheries Commission can do a lot to help the City's fishing industry.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph Orlando', written in a cursive style.

Joseph Orlando

1956  
AN ACT INCORPORATING THE GLOUCESTER FISHERIES COM-  
MISSION. Chap. 260

*Be it enacted, etc., as follows:*

SECTION 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this act and shall have an official seal as determined by the original membership of the commission.

SECTION 2. Said Gloucester Fisheries Commission shall be set up and sponsored by the city of Gloucester to investigate, advocate and recommend measures for the promotion, preservation and protection of the Gloucester fishing industry.

SECTION 3. Members of this commission shall be appointed by the mayor for a term concurrent with that of the mayor and shall be the mayor who shall be chairman, three members of the city council and five persons who are actively connected with the production, processing or employment phases of the industry.

SECTION 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding three thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 5. This act shall take effect upon its passage.  
Approved April 11, 1956.

62  
Chap. 631. AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION AND INCREASING THE AMOUNT OF MONEY THAT THE CITY OF GLOUCESTER MAY APPROPRIATE FOR SAID COMMISSION.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3 and inserting in place thereof the following section:—*Section 3.* The commission shall consist of the mayor and twelve persons to be appointed by him, of whom two shall be members of the city council and five shall be connected with the production, processing or employment phases of the industry. Each member shall serve for a term concurrent with that of the mayor, who shall be chairman thereof.

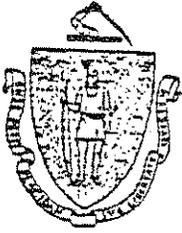
SECTION 2. Said chapter 260 is hereby further amended by inserting after section 3 the following section:—

*Section 3A.* The city manager may appoint a permanent secretary to said commission upon its recommendation. Said secretary shall have no vote and shall receive such compensation as may be determined by the city manager with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4 and inserting in place thereof the following section:—

*Section 4.* The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding twenty thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 4. This act shall take effect upon its acceptance by the city of Gloucester.  
Approved July 5, 1962.



The Commonwealth of Massachusetts

1970

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY.

AN ACT

CODIFYING AND AMENDING THE ACTS OF 1956, CHAPTER 260 AND OF 1962, CHAPTER 631 RELATIVE TO THE INCORPORATION OF, MEMBERSHIP IN, AND MONIES TO BE APPROPRIATED BY THE CITY OF GLOUCESTER FOR THE BENEFIT OF, THE GLOUCESTER FISHERIES COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 are hereby amended by striking out, in their entirety, said Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 and inserting in place thereof the following codified and amended version:

Section 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this Act and shall have an official seal as determined by the original membership of the Commission.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-eight

AN ACT RELATIVE TO THE GLOUCESTER FISHERIES COMMISSION.

BA  
Gloucester

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 620 of the acts of 1956 is hereby amended by striking out section 3, as amended by section 1 of chapter 631 of the acts of 1962, and inserting in place thereof the following section:-

Section 3. There shall be nine members of the commission one of whom shall be the mayor of the city of Gloucester who shall be the chairman and eight persons to be appointed by said mayor, in accordance with the city charter, three of whom shall be members of the city council of said city and five of whom shall be actively connected with the production, processing or employment phases of the fishing industry.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, inserted by section 2 of said chapter 631, and inserting in place thereof the following section:-

Section 3A. The mayor may appoint an executive secretary to said commission upon its recommendation. Said executive secretary shall have no vote and shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4, as amended by section 3 of said chapter 631, and inserting in place thereof the following two sections:-

Section 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding sixty thousand dollars for the purposes of said commission.

Section 4A. Said commission may accept and expend gifts, bequests or devises of personal property or interests in real property for the purposes of said commission in the name of said city or of said commission subject to the approval of the mayor and the city council of said city as provided in section fifty-three A of chapter forty-four of the General Laws.

SECTION 4. This act shall take effect upon its passage.

1980

AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 519 of the acts of 1978, and inserting in place thereof the following section:-

Section 3. The commission shall consist of thirteen members, as follows: (a) the mayor or his designee, shall be the chairman and (b) twelve persons to be appointed by the said mayor, seven of whom shall be heads of organizations within the city relating to the fishing industry and four of whom shall be other persons residing in the city.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, as amended by section 2 of said chapter 519, and inserting in place thereof the following section:-

Section 3A. The mayor upon the recommendation of the commission may appoint an executive director who shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, June 20, 1980.

Passed to be enacted, George Luvician, Speaker.

In Senate, June 23, 1980.

William D. Bulger, President.

Passed to be enacted, July 13, 1980.

Approved, at 1 o'clock and 37 minutes, A. M.

Edward J. King, Governor.

THE COMMONWEALTH OF MASSACHUSETTS  
ADVANCE COPY 1984 ACTS AND RESOLVES  
MICHAEL JOSEPH CONNOLLY, SECRETARY OF STATE

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1984

Chap. 338. AN ACT RELATIVE TO THE MEMBERSHIP OF  
THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted, etc., as follows:

~~Chapter 260 of the acts of 1956~~ is hereby amended by striking  
out section 3, as most recently amended by section 1 of chapter  
~~361 of the acts of 1980~~ and inserting in place thereof the follow-  
ing section:-

Section 3. The commission shall consist of thirteen members,  
one of whom shall be the mayor or his designee, and twelve  
persons to be appointed by the mayor, seven of whom shall be  
elected officers of organizations within the city, whose primary  
concern is the fishing industry and four of whom shall be other  
persons residing in the city and one of whom shall be a lay  
person. The chairman of the commission shall be elected by a  
vote of the majority of the members present and voting thereon.

Approved December 17, 1984:

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City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

February 17, 2011

Mr. Thomas O'Keefe, III  
31 Leonard Street  
Gloucester, MA 01930

Dear Mr. O'Keefe:

I am pleased to appoint you to a three term as the Historical Commission's representative to the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 8, 2011. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment. Please report to the City Clerk's office to pick up your appointment card (copy enclosed) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to City Council  
Sarah Garcia, Community Development Director

Enclosure  
CAK/c

EFFECTIVE FEBRUARY 14, 2011

**The City of Gloucester, Massachusetts**

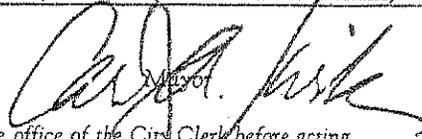
Dear Thomas O'Keefe, III, 31 Leonard Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you

to the COMMUNITY PRESERVATION COMMITTEE of the City of  
(HISTORICAL COMMISSION REPRESENTATIVE)  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

March 1, 2011

Mr. Charles L. Nazarian  
956 Washington Street  
Gloucester, MA 01930

Dear Mr. Nazarian:

Thank you for your interest in serving on the **Historic District Commission**. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Historic District Commission. I truly appreciate the hard work and dedication you and your colleagues on this important committee offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk".

Carolyn A. Kirk  
Mayor

cc: Mayor's Report to the City Council  
David Porper, Chair-Historic District Commission

Enclosure  
CAK/c

EFFECTIVE MARCH 1, 2011

**The City of Gloucester, Massachusetts**

Dear Charles Nazarian, 956 Washington Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the HISTORIC DISTRICT COMMISSION of the City of  
Gloucester, Massachusetts

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

**Charles L. Nazarian, "The Hired Pen"**  
**Historically Informed Cape Ann Architecture**  
956 Washington Street, Gloucester, Massachusetts 01930  
Vox 978-281-5150 Fax 978-281-8569 E-mail [chasnaz@earthlink.net](mailto:chasnaz@earthlink.net)

Her Honor, Carolyn Kirk  
Office of the Mayor, City Hall  
9 Dale Avenue  
Gloucester, MA 01930

RECEIVED

FEB 23 2011

Mayor's Office

February 22<sup>nd</sup> 2011

Dear Mayor Kirk:

Pursuant to an invitation from David Porper, Chair, I would be pleased to serve on Gloucester's Historic District Commission. Please find attached my curriculum vitae.

As a person deeply involved with the preservation of the Universalist Meeting House and concerned about the conservation and restoration of Gloucester's historic houses and buildings, I welcome the opportunity to review applications to alter structures in the Historic District. My hands-on experience in renovating old buildings and design of new homes in period styles appropriate to Gloucester have taught me many practical lessons. I would apply that experience to my work on the Commission, seeking reasonable paths to conserve the beauty of our City within the ability of property owners.

I have appeared many times before the Gloucester Zoning Board of Appeals for my residential clients and have earned the respect of the members for design solutions that respect vernacular styles in Gloucester's historic neighborhoods. I have also been a successful petitioner before the HDC and CPA Grant Committee, which has taught me how it feels to file a request seeking an even-handed response from the City. Current participation as a presenter of a schematic design for the I4-C2 project has heightened my sensitivity to the need for balance in seeking ways to preserve the architectural heritage of the City, consonant with economic realities of our time.

For the reasons noted above I hope you will approve my request to serve on Gloucester's Historic District Commission.

Sincerely,



Charles L. Nazarian

Cc: David Porper

**Charles L. Nazarian, "The Hired Pen"**  
**Historically Informed Cape Ann Architecture**  
956 Washington Street, Gloucester, Massachusetts 01930  
Vox 978-281-5150 Fax 978-281-8569 E-mail [chasnaz@earthlink.net](mailto:chasnaz@earthlink.net)

**Curriculum Vitae 02-22-11**

- Born:** Cambridge, Massachusetts October 23<sup>rd</sup>, 1951
- Parents:** Charles Krikor Nazarian, jeweler, master diamond setter, designer  
Hripsime (Levonian), homemaker, apparel designer, vocal soloist
- Early Ed.:** Public schools, Watertown, MA, grades K-10  
Interests: piano studies, age 9-18; scale model-making;  
Jr. & Sr. choirs, Armenian Memorial Church
- High School:** The Brown & Nichols School, Cambridge, MA, grades 11 & 12  
Graduated summa cum laude, 1969  
Interests: debating team; crew; wrestling; theatre
- College:** Trinity College, Hartford, CT, graduated cum laude, 1973  
Primary major, BA English  
Completed second major, BS Psychology  
Interests: Concert Choir
- Grad. School:** Boston University School of Law, 1973-4
- Organ Study:** Pipe organ performance with teachers:  
Robert Gronquist, Trinity College, Hartford, CT  
Phillip Isaacson, Trinity Episcopal Church, Hartford, CT  
Lenora McCroskey, The Memorial Church, Harvard University
- Apprentice Organ Builder:**  
1974-1979 at C.B. Fisk, Inc., Gloucester, MA: all phases of the craft with  
special interest in external organ design, scale modeling & architectural  
preparations. Significant case designs under Charles Fisk during training:
- University of Vermont, Organ Recital Hall, Burlington, VT**  
~~**Wellesley College, Houghton Chapel, Wellesley, MA**~~  
**House of Hope Presbyterian Church, St. Paul, MN**
- Liturgical Artisan:**  
President of Charles L. Nazarian, Inc., 1979-1995:  
Liturgical design, furniture making, scale modeling, lighting &  
architectural project management. Representative projects:

**The House of Hope Presbyterian Church**, St. Paul, MN, 1980-1988, Ralph Adams Cram, architect, incl: Adaptive restoration of sanctuary & chapel with swallow's nest pulpit, carved tryptic baptistry (Morgan Faulds Pike, sculptor), limestone window traceries, pictorial stained glass (Rowan LeCompte, window designer), wrought iron chandeliers and accessories (Peter Happny, blacksmith), wine-glass pulpit, carved Ambo (triangular aisle lectern, epistle & gospel desks; CLN, sculptor).

**Trinity College**, Hartford, CT, 1985-1992, Philip Frohman, architect, incl: carved organ case (Austin Organ Co., 1972) in French Classic Style under western rose window, polychromed wrought iron and glass Bishop Gray Memorial Vestibule (Peter Happny, blacksmith), carved Funston Sedilia (13<sup>th</sup> Century Gothic Style; M.F. Pike & David Calvo, sculptors).

**St. Paul's Episcopal Church**, Delray Beach, FL, 1988-90, incl: sanctuary & chancel renovation architectural planning, lighting, carved liturgical furnishings (M.F. Pike, sculptor).

**Stetson University**, Elizabeth Hall, DeLand, FL, 1990-92, incl: Carved & polychromed pipe organ case (M.F. Pike, sculptor) for restored Rudolph von Beckerath organ (1961).

**Organ Design Consultant:**

Free-lance pipe-organ designer for C.B. Fisk, Inc. including concept sketches, organ case exterior design, scale modeling, liaison with architects, engineers, & lighting professionals, 1979 to present.

Representative organ design projects:

**Christ United Methodist Church**, Greensboro, NC

**Downtown United Presbyterian Church**, Rochester, NY

**Stanford University**, The Memorial Church, Stanford, CA

**Columbia University**, St. Paul's Chapel (rendering), New York, NY

**The Parish of St. Matthew**, Pacific Palisades, CA, (Charles Moore, arch.)

**The First Presbyterian Church**, New Bern, NC

**Church of the Transfiguration**, New York, NY

**First Presbyterian Church**, Evansville, IN

**Palmer Memorial Episc. Church**, Houston, TX (W.W. Watkins, arch.)

**Meyerson Symphony Center**, Dallas, TX (I.M. Pei, arch.)

**Southern Methodist University**, Caruth Auditorium, Dallas, TX

**The Parish of All Saints**, Ashmont, Boston, MA (R.A. Cram, arch.)

**Rice University**, Shepard School, Houston, TX (Ricardo Bofill, arch.)

**T.R.Y 90 Concert Hall**, Yokohama, Japan

**First Unitarian Church**, Pasadena, CA, Craftsman Style organ case (for George Bozeman & Co.)

**Oberlin College**, Finney Chapel, Oberlin, OH (Cass Gilbert, arch.)

**La Cathédrale de Lausanne** (*concept*), Lausanne, Switzerland  
**First Presbyterian Church**, Gainesville, FL  
**Kobe International University**, Chapel, Kobe, Japan  
**Furman University**, Greenville, SC  
**Orange County Perf. Arts Centr.**, Costa Mesa, CA (Cesar Pelli arch.)  
**First Presbyterian Church**, Santa Fe, NM (John Gaw Meem, arch.)  
**Indiana University**, Auer Hall, Bloomington, Indiana  
**St. Paul's Episcopal Church**, Charlotte, NC  
**First Presbyterian Church**, Incheon, South Korea  
**Harvard University**, The Memorial Church, (Shepley-Bulfinch arch.),  
Cambridge, MA (*ongoing*)

Architectural Designer:

Residential architectural work began as a concept design service called "*The Hired Pen*" featuring hand perspective drawings and construction advice. Full architectural services now include comprehensive design packages, CAD drawing sets for construction, consultation with zoning attorneys, structural engineers & specialty suppliers including full project management, 1995 to present. Current office staff includes registered architect John R. Kasten III, AIA. Representative home projects:

**Greeley Residence**, Shingle Style, 3,500 sq. ft., Gloucester, MA  
**McLeod Residence**, Queen Anne Style, 4,000 sq. ft., Gloucester, MA  
**Morris Residence**, 1740's Gambrel Style, 3,200 sq. ft., Rockport, MA  
**Hiltz Residence**, Georgian Revival Style, 5,000 sq. ft., Gloucester, MA  
**Friend Residence**, Cape Style, 4,000 sq. ft., Annisquam, MA  
**Andresen Residence**, Federal Style, 3,300 sq. ft., Gloucester, MA  
**Nelson Residence**, Finnish Modern Style, 2,200 sq. ft., Gloucester, MA  
**Trepp Residence**, Shingle Style, 2,300 sq. ft., Annisquam, MA  
**Bradley-Golding Residence**, Stick Style, 3,300 sq. ft., Gloucester, MA  
**The Captain's House B&B**, Nantucket Style, 7,500 sq. ft., Rockport, MA  
**Greenberg Residence**, 1960's Style, renovation, Gloucester, MA  
**Ebeling Residence**, Prairie Style, 3,200 sq. ft., Annisquam, MA  
**Bresnan-Sherry Residence**, Cape Style, 4,500 sq. ft., Gloucester, MA  
**Zarella Residence**, Carriage House, 2,200 sq. ft., Gloucester, MA  
**Lawrence Residence**, 1760's Gambrel Style, 3,750 sq. ft., Annisquam, MA  
**Gloucester Inn by-the-Sea**, hotel & condominium development,  
Gloucester, MA (*ongoing*)

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Residential work of the office is augmented with liturgical architecture & sacred space design services, specializing in period design with hand drawings, CAD shop drawings, & scale models, project coordination & production oversight, 1995 to present. Representative sacred space projects:

**Temple Shir Tikvah**, Winchester, MA, Arts & Crafts Style bema,  
**St. Thomas Church**, NYC, Exterior Wrought Iron Gates (Peter Happny,  
blacksmith)

**Redeemer Presbyterian Church**, Austin, TX, 12<sup>th</sup> century Romanesque  
Style (new) church and campus, building concepts, site planning &  
detailing (limestone masonry, woodwork, lighting), design integration of  
Fisk Opus 46 (formerly in The Memorial Church, Harvard U.), wrought  
iron circle cross with carved & polychromed wood symbols (*ongoing*)

Church Life: Member of the First Universalist Meeting House (1806); Team Designer  
for Gallery Restoration Project & ADA Access Project; Choir (bass).

Recreation: Boating; gardening; architecture; cats; swimming; all things musical  
especially the Boston Symphony Orchestra; maintaining my 1862  
converted barn/home overlooking Ipswich Bay; reading; travel; restoring a  
1956 Lincoln Continental Mark II and an 1868 George Stevens pipe organ  
for my music room.

The conservation commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties, not exceeding a fine of one hundred dollars (\$100.00), for any violation thereof.

(Code 1970, § 2-332)

State law reference(s)—Similar provisions, M.G.L.A. c. 40, § 8C.

Secs. 16-35—16-44. Reserved.

#### ARTICLE IV. RESERVED\*

\*Editor's note—An ordinance of May 27, 1986, § 1, repealed Art. IV, §§ 16-45—16-48, pertaining to the downtown development commission, as derived from Code 1970, §§ 2-414—2-417.

Secs. 16-45—16-59. Reserved.

#### ARTICLE V. HISTORIC DISTRICT\*

\*State law reference(s)—Historic districts, M.G.L.A. c. 40C.

##### Sec. 16-60. Purpose.

The purpose of this article is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history or architecture of the city, and through the maintenance and improvement of settings for such buildings and places and the encouragement of designs compatible therewith.

(Ord. of 5-24-77, § 2)

State law reference(s)—Similar provisions, M.G.L.A. c. 40C, § 2.

##### Sec. 16-61. Created.

There is hereby established under the provisions of M.G.L.A. a historic district to be known as the Gloucester Historic District, which district shall include the area as shown on the plan on file in the city clerk's office.

(Ord. of 5-24-77, § 3)

State law reference(s)—Municipal authority to establish historic districts, M.G.L.A. c. 40C, § 3.

Sec. 16-62. ~~Historic district commission~~—Established; membership; term of office; office.

(a) There is hereby established, under M.G.L.A. c. 40C, a historic district commission with all the powers and duties of a historic district commission specified in M.G.L.A. c. 40C.

(b) The historic district commission shall consist of seven (7) regular members and two (2) alternate members, appointed by the mayor, subject to confirmation by the city council who shall serve staggered terms of three (3) years. The commission shall include one (1) regular member appointed from two (2) nominees submitted by the Cape Ann Historical Association, one (1) regular member appointed from two (2) nominees submitted by the Boston chapter of the American Institute of Architects and one (1) regular member appointed from two (2) nominees submitted by the Cape Ann Board of Realtors. Two (2) regular members of the commission shall be owners of property within a historic district in the city. All members of the commission, with the exception of that member nominated by the Boston chapter of the American Institute of Architects, shall be residents of the city. Vacancies shall be filled by appointment for the unexpired term. In case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairman. Each member and alternate shall continue in office after the expiration of his term until his successor is duly appointed and qualified. All members shall serve without compensation.

(c) The historic district commission shall elect annually a chairman and vice-chairman from its own number and a secretary from within or without its number.

(Ord. of 5-24-77, § 4)

Cross reference(s)--Boards, commissions, councils and committees, § 2-400 et seq.

State law reference(s)--Municipal authority to establish historic district commission, M.G.L.A. c. 40C, § 4.

**Sec. 16-63. Same--Duties.**

(a) In passing upon matters before it, the historic district commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures, the commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable Code section, ordinance or by-law. The commission shall not consider interior arrangements or architectural features not subject to public view.

(b) ~~The historic district commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the historic district.~~

(Ord. of 5-24-77, § 5)

State law reference(s)--Similar provisions, M.G.L.A. c. 40C, § 7.

**Sec. 16-64. Same--Limitations on authority.**

(a) Notwithstanding any contrary provision of this article, the authority of the historic district commission shall not extend to control of the following categories of buildings, structures, or exterior architectural features:

- (1) Terraces, walks, driveways, sidewalks, and other similar structures, provided the structure is at grade level;
- (2) Storm doors and windows, screen doors and windows, window air conditioners, lighting fixtures, antennas, and similar appurtenances;
- (3) The color of paint;
- (4) Temporary signs and structures, provided, however, that the commission shall have authority to define "temporary signs" and "temporary structures;"
- (5) The repair or reconstruction of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm, or other disaster, provided that: the exterior design is found by the commission to be substantially similar to the original and the repair or reconstruction is begun within one (1) year after the damage occurred and is carried on with due diligence.

(b) The authority of the historic district commission shall, however, extend to parking areas used by three (3) or more vehicles, provided any such area is visible from any public or private way within the district.

(Ord. of 5-24-77, § 7; Ord. of 1-22-80, § 1; Ord. of 2-21-84, § 1)

State law reference(s)--Similar provisions, M.G.L.A. c. 40C, § 8.

**Sec. 16-65. Appeals from determinations of historic district commission.**

Any applicant aggrieved by a determination of the historic district commission may, within twenty (20) days after the filing of the notice of the determination contested with the city clerk, file a written request with the commission for a review by a person of competence and experience in such matters, designated by the Metropolitan Area Planning Council. The finding of the person or persons making such review shall be filed with the city clerk within forty-five (45) days after the filing of the request and shall be binding on the applicant and on the commission, unless an appeal is sought in court as provided in M.G.L.A. c. 40C, § 12A.

(Ord. of 5-24-77, § 6)

State law reference(s)--Similar provisions, M.G.L.A. c. 40, § 12.

**Chapter 17 POLICE\***

\*Cross reference(s)--Offenses generally, § 14-1 et seq.; alarm systems, § 14-26 et seq.; Ch. 14; traffic and motor vehicles, Ch. 22.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 22, 2011

Mr. Leonard A. Gyllenhaal  
32 Rockport Road  
Gloucester, MA 01930

Dear Mr. Gyllenhaal:

Thank you for your interest in serving on the **Zoning Board of Appeals**. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their March 8, 2011 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Zoning Board of Appeals. I truly appreciate the hard work and dedication you and your colleagues on this important committee offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk".

Carolyn A. Kirk  
Mayor

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cc: Mayor's Report to the City Council  
James Movalli, Chair-Zoning Board of Appeals  
William Sanborn, Inspector of Buildings

Enclosure  
CAK/c

EFFECTIVE FEBRUARY 22, 2011

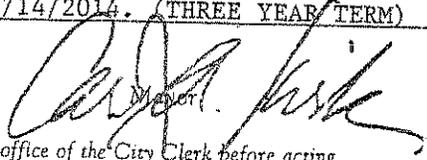
**The City of Gloucester, Massachusetts**

Dear Leonard A. Gyllenhaal, 32 Rockport Road, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you  
to the ZONING BOARD OF APPEALS \_\_\_\_\_ of the City of  
Gloucester, Massachusetts \_\_\_\_\_

This is a 90-day temporary appointment. After City Council  
approval, term to expire 2/14/2014. (THREE YEAR TERM)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting  
under this appointment.

Sworn in \_\_\_\_\_ By: \_\_\_\_\_

Mayor Carolyn Kirk  
City of Gloucester  
9 Dale Avenue  
Gloucester, MA 01930

2/1/11

Dear Mayor Kirk,

It has come to my attention that there is a vacancy on the Zoning Board of Appeals. I would like to volunteer to fill that position.

My wife, Marcie, and I have been full time residents of Gloucester since May of 2009. Marcie and her family had been summer residents here since the mid 1950's. I have been a summer visitor since 1967 the year Marcie and I were married. We purchased the cottage from her parents in 1978. In late 2006 we were granted variances by the ZBA to rebuild our cottage into a retirement home.

Prior to moving to Gloucester we lived near Philadelphia. From about 1980 to 1985 I served as a member of the Bryn Athyn Borough Council. In early 2000 I became a member of the Zoning Board of Appeals and served as Chairman from 2005 until we left for Gloucester.

Since we arrived, Marcie and I have supported local causes here in a small way. We have contributed to and attended events at the Gloucester Stage Company, the Cape Ann Symphony, and Ladies Night Out . We have supported the farmers market, the fireworks fund, and of course the many wonderful restaurants in Gloucester.

It is time to step into a more important role. I have enclosed my résumé for your consideration.

Sincerely,



Leonard A. Gyllenhaal  
32 Rockport Road  
Gloucester, MA 01930-1942

215-219-5851 C

# Leonard A. Gyllenhaal

32 Rockport Road Gloucester, MA 01930

This resume is intended to communicate the scope of my experience in the investment business. My primary source of income was sales. However, important responsibilities have included financial analysis, management of people, and technological innovation.

## Experience

5/06 – 2/10 Jefferies & Co

Moved to Boston Office 5/1/09

Boston, MA

Opened a Philadelphia office for Los Angeles based Jefferies.

Philadelphia, PA

1/05 – 5/06

FTN Financial (Goldman sold division to FTN)

Philadelphia, PA

6/99 – 1/05

Spear, Leeds & Kellogg / Goldman, Sachs – Vice Pres.

### CORPORATE BOND SALES

Helped develop a computer driven real time swap model. Did extensive yield curve and credit curve analysis. Sold this product to total return fixed income accounts – mostly index funds and ETFs.

11/98 – 6/99

Tucker Anthony

Philadelphia, PA

### CORPORATE BOND SALES

Career change to eliminate commute to NYC.

Developed a client list from previous contacts and experiences.

8/95 – 11/98

Cowen & Co.

New York, NY

### CORPORATE BOND TRADER – Senior Vice President

Traded 144a private placements, worked with institutional salespeople.

Trading line \$10 million

6/92 – 8/95

PaineWebber

New York, NY

### CORPORATE BOND TRADER – Vice President

Financial analysis of investment banking clients. Traded the firm's position

in private placements. Assisted salespeople selling securities.

Trading line \$50 million

4/90 – 6/92

Cowen & Co.

New York, NY

### RETAIL BOND TRADER/DEPARTMENT HEAD – Vice President

Organized retail corporate bond department. Traded retail position.

Increased revenues from zero to \$4 million annually with 170 salesmen

in 5 branch offices.

Trading line \$5 million

6/74 - 4/90

Janney Montgomery Scott

Philadelphia, PA

MANAGER CORPORATE BOND DEPARTMENT - Vice President

Sold bonds back to issuing corporations for sinking fund requirements.

Organized retail bond department. Increased revenues from zero to \$6 million annually with 30 salespeople in 27 branch offices.

**Education**

1963 Academy of the New Church Boys School Bryn Athyn, PA  
1967 Lehigh University Bethlehem, PA  
B.S., Business Administration

**Past Charitable, Civic and Professional activities**

Corporate Bond Trades Club of New York  
Lehigh University Alumni Assn - Fund raising committee  
Bryn Athyn Borough Council  
Bryn Athyn Borough Zoning Board of Appeals - Chairman  
Civic & Social Club - Board  
Cairn Homeowners Association - Treasurer

**Current activities**

Bryn Athyn College - Trustee  
New Church Investment Fund - Vice Chairman





**PART I ADMINISTRATION OF THE GOVERNMENT**  
(Chapters 1 through 182)

**TITLE VII CITIES, TOWNS AND DISTRICTS**

**CHAPTER 40A ZONING**

**Section 12** Boards of appeal; membership; rules

Section 12. Zoning ordinances or by-laws shall provide for a zoning board of appeals, according to the provisions of this section, unless otherwise provided by charter. The mayor subject to confirmation of the city council, or board of selectmen shall appoint members of the board of appeals within three months of the adoption of the ordinance or by-law. Pending appointment of the members of the board of appeals, the city council or board of selectmen shall act as the board of appeals. Any board of appeals established hereunder shall consist of three or five members who, unless otherwise provided by charter, shall be appointed by the mayor, subject to the confirmation by the city council, or by the selectmen, for terms of such length and so arranged that the term of one member shall expire each year. Each zoning board of appeals shall elect annually a chairman from its own number and a clerk, and may, subject to appropriation, employ experts and clerical and other assistants. Any member may be removed for cause by the appointing authority upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. Zoning ordinances or by-laws may provide for the appointments in like manner of associate members of the board of appeals; and if provision for associate members has been made the chairman of the board may designate any such associate member to sit on the board in case of absence, inability to act or conflict of interest on the part of any member thereof, or in the event of a vacancy on the board until said vacancy is filled in the manner provided in this section.

The board of appeals shall adopt rules, not inconsistent with the provisions of the zoning ordinance or by-law for the conduct of its business and for purposes of this chapter and shall file a copy of said rules with the city or town clerk. In the event that a board of appeals has appointed a zoning administrator in accordance with section thirteen said rules shall set forth the fact of such appointment, the identity of the persons from time to time appointed to such position, the powers and duties delegated to such individual and any limitations thereon.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TEL 978-281-9700  
FAX 978-281-9738  
ckirk@gloucester-ma.gov

### MEMORANDUM

**TO: Council President Jackie Hardy**  
**FR: Mayor Kirk**   
**RE: Fisheries Commission**  
**DT: February 24, 2011**

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As you may know, one of the goals of my Administration is to revive the defunct City of Gloucester Fisheries Commission.

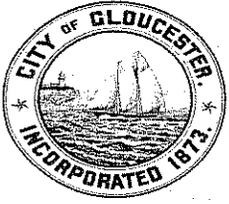
In addition, the City's consultants, Mt. Auburn Associates, in their final draft Harbor Economic Development Plan, recommend the reinstatement of the Fisheries Commission as a way to strengthen the economic position of Gloucester's fishing industry. It is a recommendation with which I wholeheartedly agree.

To that end, I am respectfully requesting the you appoint two members of the Gloucester City Council to serve on the Fisheries Commission.

Under separate cover, we are forwarding the names of four appointees to the City Council for review and approval. Our outreach continues to find additional members for this important commission.

Thank you for your timely consideration of this request.

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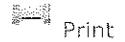
**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2011-010</b>
<b>Councillor</b>	<b>Jackie Hardy</b>

<b>DATE RECEIVED BY COUNCIL:</b>	<b>03/08/11</b>
<b>REFERRED TO:</b>	<b>O&amp;A</b>
<b>FOR COUNCIL VOTE:</b>	

**ORDERED** that the Gloucester Code of Ordinances, Chapter 22 subsection 22-93 be amended by adding a new subsection 22-93(c) "Crosswalks". The City Council, together with the Traffic Commission and after consultation with DPW, shall establish the process by which the City shall designate the location of crosswalks in public ways. All crosswalks shall comply with state requirements of Mass DOT.

Councillor Jackie Hardy  
Ward 4



**PART I** ADMINISTRATION OF THE GOVERNMENT  
(Chapters 1 through 182)

**TITLE XIV** PUBLIC WAYS AND WORKS

**CHAPTER 89** LAW OF THE ROAD

**Section 11** Marked crosswalks; yielding right of way to pedestrians; penalty

Section 11. When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a crosswalk marked in accordance with standards established by the department of highways if the pedestrian is on that half of the traveled part of the way on which the vehicle is traveling or if the pedestrian approaches from the opposite half of the traveled part of the way to within 10 feet of that half of the traveled part of the way on which said vehicle is traveling.

No driver of a vehicle shall pass any other vehicle which has stopped at a marked crosswalk to permit a pedestrian to cross, nor shall any such operator enter a marked crosswalk while a pedestrian is crossing or until there is a sufficient space beyond the crosswalk to accommodate the vehicle he is operating, notwithstanding that a traffic control signal may indicate that vehicles may proceed.

Whoever violates any provision of this section shall be punished by a fine of not more than \$200.

Whenever a pedestrian is injured by a motor vehicle in a marked crosswalk, the department of state police or the municipal police department with jurisdiction of the street, in consultation with department of state police if deemed appropriate, shall conduct an investigation into the cause of the injury and any violation of this section or other law or ordinance and shall issue the appropriate civil or criminal citation or file an application for the appropriate criminal complaint, if any. This section shall not limit the ability of a district attorney or the attorney general to seek an indictment in connection with the operation of a motor vehicle which causes injury or death and which violates this section.



**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

**ORDER:** #CC2011-009  
**Councillor** Ann Mulcahey

**DATE RECEIVED BY COUNCIL:** 03/08/11  
**REFERRED TO:** O&A  
**FOR COUNCIL VOTE:**

**ORDERED** that the GCO Sec. 22-287 entitled "Disabled veteran, handicapped parking" be amended by adding:

one (1) handicapped parking space in front of Oak Street #6

And further

Ordered that this matter be referred to the Traffic Commission and the Ordinances and Administration Committee for review, recommendation and measurements.

Councillor Ann Mulcahey  
Ward 2

Note: Handicapped Placard on file.