



City of Gloucester City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930
Telephone 508-281-9722 Fax 508-281-8472

CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, April 5, 2010 – 6:30 PM
KYROUZ AUDITORIUM
City Hall, 9 Dale Avenue

AGENDA (Items May Be Taken Out Of Order)

CITY CLERK
GLOUCESTER, MA
10 APR - 1 AM 11:12

1. Unfinished Business:

- A) CC2010-010 (Verga) Amend GCO Sec. 22-269 "Stop Intersections" and/or Sec. 22-269.1 "Yield Intersections" re: Intersection of Hesperus Circle & Hesperus Avenue (Continued from 03/22/2010)
- B) CC2010-005 (McGeary) Amend GCO Sec. 22-287 re: one handicapped space in front of 12 Webster Street (Continued from 03/22/2010)
- C) Stormwater Utility Fee (Continued from 3/22/2010)
- D) "Friendly eminent domain taking" of parcel known as I4-C2 and Loan Authorization (Continued from 3/22/2010)
- E) CC2010-011 (Hardy) Order that the City Council review the current council Rules of Procedure in order to bring them up to date (Continued from 03/22/2010)
- F) CC2010-012 (Hardy) Order in accordance with Sec. 2.7(a) of the City Charter that the City Council review reappointment of the City Clerk (Continued from 03/22/2010)
- G) CC2010-019 (Verga/Whynott) City Council to investigate the possibility and procedure to consolidate polling locations (Continued from 3/15/2010)

2. New Appointments:

Abdullah Khambaty	EDIC	TTE 02/14/2013
Nancy E. Goodick	Historic District Commission	TTE 02/14/2011
Steven Phillips	Conservation Commission	TTE 02/14/2013
Reappointments:		
Mary John Boylan	Affordable Housing Trust	TTE 02/14/2012
Mary E. Cooke	Affordable Housing Trust	TTE 02/14/2012
George Sibley	Affordable Housing Trust	TTE 02/14/2012
Joseph Rosa	Board of Health	TTE 02/14/2013
Donald Fryklund	Capital Improvement Advisory Board	TTE 02/14/2013
Jill Buchanan	Clean Energy Commission	TTE 02/14/2012
Michelle Dyer	Clean Energy Commission	TTE 02/14/2012
Linda Stout-Saunders	Clean Energy Commission	TTE 02/14/2012
Daniel Morris	Community Preservation Committee	TTE 02/14/2013
Stacy Randell	Community Preservation Committee	TTE 02/14/2013
John Feener	Conservation Commission	TTE 02/14/2013
Ann Jo Jackson	Conservation Commission	TTE 02/14/2013
Irving (Hank) Camille	Council on Aging	TTE 02/14/2013
Kathie Gilson	Downtown Development Commission	TTE 02/14/2013
Tobe Shanok	Downtown Development Commission	TTE 02/14/2013

Appointments/Reappointments - Continued

Robert K, Whitmarsh, Jr.	Downtown Development Commission	TTE 02/14/2013
Paul Shea	Historic District Commission	TTE 02/14/2013
Ian Lane	Historical Commission	TTE 02/14/2013
Stephen Pardee	Historical Commission	TTE 02/14/2013
Russell Jacobs	Shellfish Advisory Commission	TTE 02/14/2013
Dan Malloy	Shellfish Advisory Commission	TTE 02/14/2013
Ann Jo Jackson	Shellfish Advisory Commission	TTE 02/14/2013
Debra Ryan	Tourism Commission	TTE 02/14/2013
Mona Faherty	Tourism Commission	TTE 02/14/2013
Anthony Bertolino	Traffic Commission	TTE 02/14/2013
Michael Mulcahey	Traffic Commission	TTE 02/14/2013
Michael Sanborn	Trust Fund Commission	TTE 02/14/2013
John Fleming	Trust Fund Commission	TTE 02/14/2013
Robert Stewart	Zoning Board of Appeals	TTE 02/14/2013

3. COM2010-018: Request from Wm. "Billy" Goulart to amend GCO Article II "Hawkers And Peddlers" regarding vendors
4. CC2010-013 (Mulcahey) Amend GCO Sec. 22-269 "Stop Intersections" re: Intersection of Smith St. and Maplewood Avenue
5. CC2010-014 (Mulcahey) Amend GCO Sec. 22-269 "Stop Intersections" re: Intersection of Shepherd and Maplewood Avenue
5. CC2010-015 (Ciolino/Mulcahey) Amend GCO Sec. 22-290 "Parking meter zone-Off Street Parking areas" re: Manuel F. Lewis Road
6. CC2010-017 (Hardy) Amend GCO Sec. 22-291 "Tow-away zone" re: Hickory Street
7. CC2010-018 (Hardy) Amend GCO Sec. 22-291 "Tow-away zone" re: Sawyer Avenue
8. Ad Hoc Census 2010 Committee Update
9. Other Business

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, Jim Duggan
Linda T. Lowe
Chief Michael Lane
Bob Ryan
Wm. "Billy" Goulart

10 APR - 1 AM 11:14
CITY CLERK
GLoucester, MA

ORDINANCES & ADMINISTRATION COMMITTEE
April 5, 2010

1. Unfinished Business

All items under unfinished business can be found on line at the City of Gloucester Website under Standing Committee agenda packets or on file at the City Clerk's office at City Hall.

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

March 18, 2010

Mr. Abdullah A. Khambaty
6 Flume Road
Gloucester, MA 01930

Dear Ab:

Thank you for your interest in serving on the EDIC. 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 to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

Your appointment will be forwarded to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified 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.

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
Rebecca Bernie, Chair-EDIC

Enclosure
CAK/c

EFFECTIVE MARCH 18, 2010

The City of Gloucester, Massachusetts

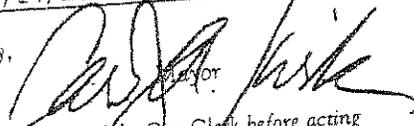
Dear Abdullah Khambaty, 6 Flume Road, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the EDIC _____ of the City of

Gloucester, Massachusetts _____

This is a 90-day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

RECEIVED

MAR 18 2010

Mayor's Office

6 Flume Road
Gloucester, MA 01930
March 18, 2010

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

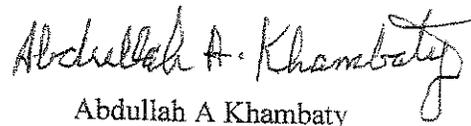
Dear Mayor Kirk;

This letter is written to request your consideration for an appointment to serve on a Gloucester City Committee. Because of my past experience of thirty-two years as a City Councilor and a member of its Standing Committees, I feel that I am uniquely qualified to contribute once again in some capacity.

As you are aware, I am presently appointed by the EDIC as its Treasurer, although I am not a member of that committee. Because I know the members and their work, my preference would be to serve on the EDIC at this time.

Attached is my resume outlining my service to the City and other organizations as well as my educational background and employment history. I'll appreciate your consideration for a chance to participate in government again.

Sincerely yours,


Abdullah A Khambaty

Encl.

ABDULLAH A. KHAMBATY
6 Flume Road, Gloucester, MA 01930

Objective: To be appointed to a Committee of the city of Gloucester

Government Experience:

- Gloucester City Council – 12 terms
 - President – 6 terms
 - Planning and Development Committee, Chairman
 - Budget and Finance Committee, Chairman
 - Ordinance and Administration Committee, Chairman
- Gloucester School Committee – 1 term, Vice Chairman
- Charter Commission of 1973, Vice Chairman
- Harbor Plan Committee, Chairman
- Harbor Plan Implementation Committee, Chairman
- Rose Baker Senior Center Planning and Fundraising Committee
- CSO Technical and Finance Committee

Other Experience

Beverly YMCA Board of Directors, President
Cape Ann Symphony Board of Directors
Magnolia Library Center, Incorporator and Treasurer

Education

Tufts University – BS in Mechanical Engineering
University of Rhode Island – Associate Degree in Electrical Engineering

Employment

Dynapert Division, Emhart Corp – Manager of Manufacturing and Director of Sourcing

Resident of Gloucester for 47 years

The General Laws of Massachusetts

[Search the Laws](#)

EDIC

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XVII. PUBLIC WELFARE

Go To: Next Section Previous Section Chapter Table of Contents MGL Search Page General Court Home Mass.gov
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CHAPTER 121C. ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATIONS

Chapter 121C: Section 3. Economic development and industrial corporation; authority to organize; consolidations; members of board of directors; surety bonds; compensation and reimbursements

Section 3. There is hereby authorized in each municipality in the commonwealth the organization of an economic development and industrial corporation, a public body politic and corporate, hereinafter referred to as the corporation. No such corporation, however, shall be organized, transact any business, employ any personnel or exercise any powers until the city council with the approval of the city manager, in a city having a Plan D or Plan E form of charter, or with the approval of the mayor in any other city, or a town at an annual town meeting or a special town meeting called for the purpose, shall by vote declare a need for such a corporation because unemployment or the threat thereof exists in the city or town or that security against future unemployment and lack of business opportunity is required and that attracting new industry into the municipality and substantially expanding existing industry through an economic development project or projects financed under this chapter and implemented by such a corporation would alleviate the unemployment and lack of business opportunity problems.

In the event that two or more municipalities wish to consolidate their economic development and industrial corporations, each such municipality desirous of such a consolidation shall so vote as a city or town in the manner hereinbefore described. Such a vote may be made at the same time as the vote to organize the corporation or may be made at a time subsequent thereto.

There shall be seven members of the board of directors of the corporation who shall be appointed by the municipality. At least one member shall be experienced in industrial development, one in financial matters, one in real estate matters, one in municipal government, at least one member representative of low income people who shall be chosen from a list of three submitted by the regional or local community action agency or, where there is no such agency, from a list of three submitted by the department of housing and community development. The appointing municipality shall designate one of the seven members as chairman and another as vice-chairman. Each of the seven members shall be sworn to the faithful performance of his official duties as a director of the corporation. A majority of the seven directors shall constitute a quorum for the transaction of any business, but the action of a majority of the entire board shall be necessary for any transaction. For the purposes of section eleven A of chapter thirty A of the General Laws, the corporation shall be deemed to be an authority established by the general court to serve a public purpose in the commonwealth. Of the members of the corporation first appointed, two shall be appointed to serve for one year from the first day of July in the current year, two for two years from said date, and three for three years from said date. Upon the expiration of the term of office of any such member, or of any subsequent member, his successor shall be appointed in like manner for a term of three years. In the event of a vacancy in the office of a member, his successor shall be appointed in like manner to serve for the unexpired term. Unless reappointed, no member of the corporation shall hold office after the expiration of his term; and the appointment of a successor to any

person whose term has expired shall be for the remainder of the term which would have begun at such expiration if the successor had then been appointed.

Any member may be removed by the municipality for malfeasance, misfeasance, or wilful neglect of duty, but only after reasonable notice and a public hearing, unless the same are in writing expressly waived, and after approval by MOBD. For purposes of chapter two hundred sixty-eight A of the General Laws, the members of the corporation shall be deemed to be special municipal employees.

Before the issuance of any bonds under the provisions of this act, each member of the corporation shall execute a surety bond with a surety company authorized to transact business in this commonwealth as surety, in the penal sum of fifty thousand dollars conditioned upon the faithful performance of the duties of his office, each such surety bond to be approved by the legal counsel of the municipality and filed in the office of the state secretary. The members of the corporation shall receive no compensation for the performance of their duties hereunder, but each member shall be reimbursed for expenses actually incurred in the performance of his duties. Every such reimbursement shall be open to public inspection from and after the requisition therefor.

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

March 12, 2010

Ms. Nancy E. Goodick
21 Shore Hill Road
Gloucester, MA 01930

Dear Ms. Goodick:

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. You are being appointed to fill the position vacated by Dierdre Savage whose term was due to expire on February 14, 2011.

Your appointment will be forwarded to the City Council for their March 30, 2010 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,

Carolyn A. Kirk
Mayor

cc: ✓ Mayor's Report to City Council
David Porper, Chair-Historic District Commission
Enclosure
CAK/c

EFFECTIVE MARCH 16, 2010

The City of Gloucester, Massachusetts

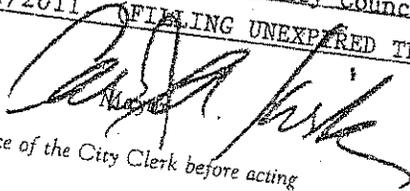
Dear Nancy E. Goodick, 21 Shore Hill Road, Gloucester, MA
It is my pleasure to inform you that I have this day appointed you

to the HISTORIC DISTRICT COMMISSION

Gloucester, Massachusetts _____ of the City of

This is a 90-day temporary appointment. After City Council approval, term to expire 2/14/2011. (FILLING UNEXPIRED TERM of Dierdre Savage.)

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: _____

RECEIVED

MAR - 2 2010

Mayor's Office

Nancy E. Goodick
21 Shore Hill Road
Gloucester, MA 01930

March 2, 2010

Mayor Carolyn Kirk
City Hall
Dale Avenue
Gloucester, MA 01930

Dear Mayor Kirk:

At the request of David Porper, I am enclosing a copy of my real estate resume for your review. He and Bob Burke had inquired if I would be interested in joining the Gloucester Historic District Commission (with the appropriate approvals), and I told him I would be.

As a life-long resident of Gloucester, I am very proud of the natural beauty of our city and the beautiful historic homes that grace our streets. I believe in maintaining the integrity of these lovely historical homes and areas of Gloucester to the best of our abilities. My mother's ancestors go back many generations to some of the earliest settlers of Gloucester and the first school master (at least - according to family legend).

As a real estate agent, I enjoy introducing people to this beautiful seaport and the many diverse areas of Gloucester.

Please feel free to contact me if you should have any questions - I am enclosing my business card for your convenience.

Sincerely,

Nancy E. Goodick
Nancy E. Goodick
Broker Associate



Name **NANCY GOODICK**
Position **Sales Associate**
Office **Gloucester**
Phone **978-281-8808**
Email **Nancy.Goodick@NEMoves.com**

I am a life-long resident of Cape Ann and have been selling real estate for the past 27 years. I am devoted to my clients and strive to make the sale or purchase of their home as smooth as possible. My knowledge and love of this beautiful area can be of great help to my clients seeking out the home of their dreams.

Business Experience

- 27+ Years of Real Estate Sales Experience in Cape Ann and North Shore
- Former Real Estate Sales Manager
- 27 years of Sales and Marketing Experience
- Highly Experienced in Contract Negotiation

Professional Achievement

- Multi Million Dollar Producer
- 2001 Coldwell Banker International President's Circle
- 1929 Club
- Coldwell Banker Diamond Society
- Broker Associate

Education & Certification

- Greater Boston Association of Realtors
- Managers As Leaders
- Massachusetts Association of Realtors

Community Involvement

- Life-long Resident of Gloucester
- Volunteering for hospital & youth programs

(Code 1970, § 2-331)

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

Sec. 16-34. Rules and regulations; penalty for violations thereof.

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, § I, 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.

State law reference(s)--Police generally, M.G.L.A. c. 147.

ARTICLE I. IN GENERAL

Sec. 17-1. Administration of waterways.

(a) *Police department.* [The following duties shall be the responsibility of the police department in the administration of waterways:]

(1) Enforce all Massachusetts Commonwealth laws while patrolling the city waterways.

(2) Operate, maintain and manage equipment and vessels assigned (Police boat/fire boat).

(3) Investigate, prosecute criminal activity on waterways and waterfront in

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

March 12, 2010

Mr. Steven Phillips
45 Leonard Street
Gloucester, MA 01930

Dear Mr. Phillips:

Thank you for your interest in serving on the **Conservation 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 30, 2010 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 Conservation Commission. I truly appreciate the hard work and dedication you and your colleagues on this important commission offer on behalf of the City of Gloucester.

Sincerely,



Carolyn A. Kirk
Mayor

cc: ✓ Mayor's Report to City Council
Robert Gulla, Chair-Conservation Commission
Sarah Garcia, Community Development Director

Enclosure
CAK/c

EFFECTIVE MARCH 16, 2010

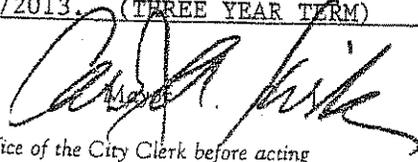
The City of Gloucester, Massachusetts

Dear Steven Phillips, 45 Leonard Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the Conservation Commission _____ of the City of
Gloucester, Massachusetts _____

This is a 90-day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

45 LEONARD STREET
GLOUCESTER, MA 01930
(978) 283-7665

March 9, 2010

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

RECEIVED

MAR 11 2010

Mayor's Office

Re: Conservation Commission

Dear Mayor Kirk:

I write to seek your consideration for appointment to the Conservation Commission. I think that the Commission's work is important, and I would like to help if I can.

My wife and I moved to Gloucester fulltime in June 2007, after spending more than twenty years as summer and weekend people. I have been looking for some time for an appropriate volunteer opportunity in which I could be useful to the City. A few months ago (after politely declining my offer to serve on the open space advisory committee), Sarah Garcia suggested that serving on the ConCom would be a useful contribution. After attending several meetings, I have decided I would like to give it a try.

Prior to retiring, I spent more than thirty years as a lawyer, principally working at Foley Hoag LLP in Boston. A copy of my professional CV is attached. I have little, if any, legal (or other) expertise directly relevant to the work of the ConCom, but for some reason people think that having a lawyer around might be useful. If appointed, I hope that I will not too quickly disabuse them of that belief.

If you or others have questions, please feel free to call me.

Thank you for your consideration.

STEVEN W. PHILLIPS
45 LEONARD STREET
GLOUCESTER, MA 01930
(978) 283-7665

Born New York, New York, February 19, 1949

Education

Haverford College BA 1970
University of Edinburgh
Yale Law School JD 1976

Military Service

Lieutenant, United States Naval Reserve
Active duty 1970-1973 USS INTREPID

Professional

Associate attorney, Hughes Hubbard and Reed, New York, New York
1976-1979, specializing in litigation

Associate attorney, Foley Hoag LLP, Boston, Massachusetts
1979-1984, specializing in litigation

Partner, Foley Hoag LLP, Boston Massachusetts
1984-2004

Litigation partner, specializing in complex commercial litigation and professional liability matters

Member, Executive Committee

Member, Finance and Billing Committee

Chair, Associate Review Committee

Firm Counsel

Assistant District Attorney, Middlesex County Massachusetts
2004-2007

Special Investigations Division and Appeals Bureau

~~State law reference(s)--Similar provisions, M.G.L.A. c. 41, § 70.~~

Sec. 16-20. Annual report.

~~The planning board shall annually make a written report of its activities to the mayor.~~

~~(Code 1970, § 15-18)~~

~~State law reference(s)--Similar provisions, M.G.L.A. c. 41, § 71.~~

Secs. 16-21-16-29. Reserved.

ARTICLE III. CONSERVATION COMMISSION*

*Cross reference(s)--Boards, commissions, councils and committees, § 2-400 et seq.; conservation commission to promulgate rules and regulations relating to marshlands, § 12-19.

Sec. 16-30. Created.

There is hereby created a conservation commission under the authority of M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-328)

Sec. 16-31. Composition; appointment; terms of members.

The conservation commission shall consist of seven (7) members, all of whom shall be residents of the city and all of whom shall be appointed by the mayor, subject to approval of the city council, to staggered terms of three (3) years.

(Code 1970, § 2-329)

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

Sec. 16-32. Powers and duties.

The conservation commission shall have all the duties and powers given to conservation commissions by M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-330)

Sec. 16-33. Condemnation of land or water upon commission's request.

(a) For the purposes of this article, the city may, upon the written request of the conservation commission, take, by eminent domain under M.G.L.A. c. 79, the fee or any lesser interest in any land or waters located in the city, provided the taking has first been approved by two-thirds vote of the city council, which land and water shall thereupon be under the jurisdiction and control of the conservation commission.

(b) No action taken under this section shall affect the powers and duties of the state reclamation board or any mosquito control or other project operating under or authorized by M.G.L.A. c. 252, or restrict any established public access.

(c) Lands used for farming or agriculture, as defined in M.G.L.A. c. 128, § 1A shall not be taken by eminent domain under the authority of this section.

(Code 1970, § 2-331)

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

Sec. 16-34. Rules and regulations; penalty for violations thereof.

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

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 16, 2010

Mr. George Sibley
17 Rocky Neck Avenue
Gloucester, MA 01930

Dear George:

I am pleased to reappoint you to a two year term as Trustee of the **Affordable Housing Trust**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

The City of Gloucester, Massachusetts

Dear George Sibley, 17 Rocky Neck Avenue, Gloucester, MA

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

Trustee of the Affordable Housing Trust _____ of the City of
Gloucester, Massachusetts _____

This is a 90-day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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 16, 2010

Ms. Mary John Boylan
85 Mt. Pleasant Avenue
Gloucester, MA 01930

Dear Mary John:

I am pleased to reappoint you to a two year term as Trustee of the **Affordable Housing Trust**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

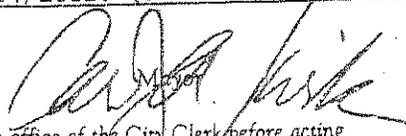
The City of Gloucester, Massachusetts

Dear Mary John Boylan, 85 Mt. Pleasant Avenue, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
Trustee of the Affordable Housing Trust _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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 16, 2010

Ms. Mary E. Cooke
5 Brier Road
Gloucester, MA 01930

Dear Betsy:

I am pleased to reappoint you to a two year term as Trustee of the **Affordable Housing Trust**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

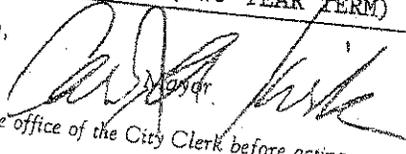
The City of Gloucester, Massachusetts

Dear Mary E. Cooke, 5 Brier Road, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
Trustee of the Affordable Housing Trust _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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: _____

An Ordinance Creating the Gloucester Affordable Housing Trust Fund
Article VI, Division 4, Sections 2-601 – 2-615

Sec. 2-601. Gloucester Affordable Housing Trust Fund - Purpose.

The Commonwealth of Massachusetts has recently enacted legislation clarifying the ability of municipalities to create Affordable Housing Trust funds by enacting Section 55C of Chapter 44 of the Massachusetts General Laws; and

due to the high cost of housing, it is becoming harder to maintain economic diversity in the housing stock of the City of Gloucester; and

this rising cost affects the ability of all ages of Gloucester residents to remain in Gloucester as well as affecting the ability of the City to attract new residents of all age ranges; and

the City of Gloucester is dedicated to providing diversity in housing, which diversity includes economic diversity; and

by adopting this Affordable Housing Trust Fund ordinance, it will allow flexibility in addressing the needs of the city in a regulatory and problematic fashion.

Section 2-602. Same - Policy of the City of Gloucester.

It is the policy of the City of Gloucester to support the creation, preservation and maintenance of affordable housing. In doing so, it is also the policy of the City of Gloucester to protect, preserve, and enhance the economic and social diversity of the City, to provide affordable rental and homeownership options for people of all ages and income levels, and to accommodate the changing housing needs of families and individuals. The Gloucester Affordable Housing Trust Fund is created to promote this policy.

Section 2-603. Same - Establishment of the Gloucester Affordable Housing Trust Fund.

There is hereby created the Gloucester Affordable Housing Trust Fund in accordance with Massachusetts General Laws Chapter 44, Section 55C, as now or hereafter amended or superseded. The Gloucester Affordable Housing Trust Fund shall hereinafter be known as the Trust.

Section 2-604. Same - Definition.

For the purposes of Sections 2-601 through and including 2-615, as well as for the Declaration of Trust for the Trust or any other documents, Board shall mean the Board of Trustees of the Trust. Board Members and Trustees shall both mean members of the Board of the Trust, which terms maybe used interchangeably.

Section 2-605. Same - Membership.

Acting under the authority of M.G.L. Chapter 44 Section 55C, there is hereby created a Board of Trustees for the Trust established pursuant to Sections 2.604 through 2.615 of the Code of Ordinances of the City of Gloucester, Massachusetts for the purposes set out in the M.G.L. Chapter 44, Section 55C. The Board shall include no fewer than five (5) Trustees, including the Mayor, ex officio, or his or her written designee, ex officio. The remaining Trustees shall be appointed by the Mayor and approved by the City Council for a term not to exceed two years.

The Board Members shall have knowledge or expertise in areas including, but not limited to, affordable housing, real estate, real estate finance, or housing construction. The Mayor, however, shall not be required to appoint Board Members from all of these areas of knowledge or expertise, but shall only be required to make his or her best effort to find persons that meet this requirement. In addition, the City of Gloucester Community Development Director shall serve as an ex officio Trustee.

Section 2-606. Same - Terms of the Board Members; Election of Officers.

- (A) The terms of the Board Members set out in Sections 2-605 and 2-606 shall be two (2) year terms; provided, however, that for the appointment of the initial Board Members, three (3) members shall be appointed for one (1) year, and the remaining Trustees for two (2) years. The Board Members shall serve until their successors have been appointed and qualified. The Mayor, however, shall serve for his or her entire term of office as Mayor. The Mayor's written designee shall serve for the term of his or her written designation, which may be amended or revoked at any time in writing. The Community Development Director shall serve for the entire term of his or her employment as Community Development Director.
- (B) Pursuant to Section 7.5 of the Charter of the City of Gloucester, Massachusetts, every appointment to the Trust shall begin on the fifteenth day of February for the term specified in this Article and shall continue until a successor is chosen and qualified as specified in this Article, but in no case longer than six (6) months when the office shall be declared vacant.
- (C) The Board shall, annually, elect a Chairman and Vice-Chairman of the Board at the first regularly scheduled meeting after February 15.

Section 2-607. Same - City Board.

The Trust is a board of the City for purposes of M.G.L. Chapter 30B (Uniform Procurement Act) and Section 15A of M.G.L. Chapter 40 (Transfers of Land); but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the City shall be exempt from said Chapter 30B.

Section 2-608. Same - Removal of Trustees.

Pursuant to Section 7.14 of the Charter of the City of Gloucester, Massachusetts, any Trustee may be removed from the Board and have his or her place declared vacant for the reasons set out in and under the procedures set out in said Section 7.14.

Section 2-609. Same - Meetings of the Trust; Notice; Quorum.

- (A) The Trust shall meet monthly as long as there is business requiring the attention of the Trust; provided, however, that the Trust shall meet at least on a quarterly basis. The meetings of the Trust shall be at such time and at such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, M.G.L. Chapter 39, Sections 23A, 23B and 23C.
- (B) A quorum at any meeting shall be a majority of the Trustees qualified and present in person.

Section 2-610. Same - Powers and Duties.

The Trust, acting through the Trustees, shall have the powers and duties set out in M.G.L. Chapter 44, Section 55C, as now or hereafter amended or superseded, which include but are not limited to the following:

(A) General Powers

- (1) with the approval of the City Council, to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation, grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or any other ordinance. Acceptance or receipt of funds shall require City Council approval pursuant to M.G.L. Chapter 44, Section 55C;
- (2) with the approval of the City Council to the extent required by ordinance and M.G.L. Chapter 30B, to purchase and retain real or personal property, including without restriction, investments that yield a high rate of income or no income;
- (3) with the approval of the City Council, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;
- (4) to employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
- (5) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- (6) with the approval of the City Council, to comprise, compromise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of M.G.L. Chapter 44, Section 55C, to continue to hold the same for such period of time as the Board may deem appropriate;

(B) Real Estate Related Powers:

- (1) with the approval of the City Council to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust; and
- (2) to own, manage or improve real property and, with the approval of the City Council, to sell or transfer any property which the Trustees determine not to be worth retaining;

(C) Financial Powers:

- (1) with the approval of the City Council, to disburse trust funds for the purpose of making loans or grants in furtherance of the creation or preservation of affordable housing in the City of Gloucester upon such terms as the Trustees shall deem most appropriate to carry out such purposes;
- (2) to incur debt;
- (3) to apportion receipts and charges between income and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

- (4) with the approval of the City Council, to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution, to vote any securities or certificates of interest, and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (5) with the approval of the City Council, to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board, with the approval of the City Council, may deem necessary and appropriate;
- (6) to carry property for accounting purposes other than acquisition date values;
- (7) with the approval the City Council, to borrow money on such terms and conditions and from such sources as the Trust deems advisable, and to mortgage and pledge trust assets as collateral;
- (8) to make distributions or divisions of principle in kind;
- (9) to hold all or part of the trust property uninvested for such purposes and for such time as the Board may deem appropriate; and
- (10) to extend the time for payment of any obligation to the Trust.

Section 2-611. Same - Funds Paid into the Trust.

Pursuant to M.G.L., Chapter 44, 55C.(d), and notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with the Gloucester Zoning Ordinance, exaction fee, or private contributions shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and these funds need not be further appropriated to be expended. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within one year of the date they were appropriated into the Trust, remain Trust property.

Section 2-612. Same - Custodian of the Funds.

The City Treasurer will be the custodian of the funds.

Section 2-613. Same - Taxes.

The Trust is exempt from M.G.L. Chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereto.

Section. 2-614. Same - Governmental Body.

The Trust is a governmental body for purposes of Sections 23A, 23B and 23C of M.G.L. Chapter 39.

Section 2-615. Same - Reports to the Mayor and City Council; Annual Audits.

- (A) The Trust shall, on a quarterly basis, provide written reports to the Mayor and City Council on each and every aspect of the business conducted by the Trust. The reports shall be provided on or before the 15th day of the month following the first day of a calendar quarter.

- (B) Pursuant to M.G.L. Chapter 44, Section 55C.(h), the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities. The Trust shall forward a copy of the audit to both the City Council and the Mayor. The auditor shall work for the City Treasurer. However, the costs of the audit shall be paid from the Trust.

Secs. 2-616 - 2-649. Reserved.

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 16, 2010

Mr. Joseph Rosa
26 Fort Hill Avenue
Gloucester, MA 01930

Dear Joe:

I am pleased to reappoint you to a three year term on the **Board of Health**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
Jack Vondras, Director of Public Health

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

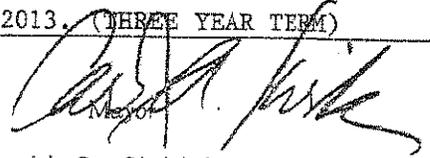
Dear Joseph Rosa, 26 Fort Hill Avenue, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the BOARD OF HEALTH _____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval term to expire 2/14/2013. (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: _____

(Code 1970, § 2-187)

State law reference(s)--Selection of board chairman, M.G.L.A. c. 41, § 24.

Sec. 2-417. Duties of secretary.

The secretary of the board of assessors shall keep a full and complete record of the doings of the board, and shall have in his custody the official records to be kept by assessors and he likewise shall perform the duties required of a secretary of a board of assessors by law or as may be required by the commissioner of the department of revenue of the commonwealth.

(Code 1970, § 2-188)

State law reference(s)--Selection of secretary, M.G.L.A. c. 41, § 24.

Sec. 2-418. Books and records.

The board of assessors shall cause to be carefully protected and preserved all books, records and papers belonging to the assessor's department and a detailed and accurate record in permanent form shall be kept relating to all the official acts of the board of assessors.

(Code 1970, § 2-189)

Secs. 2-419--2-424. Reserved.

DIVISION 3. BOARD OF HEALTH*

***State law reference(s)**--City and town boards of health generally, M.G.L.A. c. 111, §§ 26--32.

Sec. 2-425. Composition; appointment, term and removal of members.

The board of health shall consist of five (5) members all of whom shall be appointed by the mayor, subject to the approval of the city council, staggered terms of three (3) years each.

(Code 1970, § 2-297; Ord. No. 4-1991, § I, 2-26-91)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 26.

Sec. 2-426. Members not compensated.

Members of the board of health shall receive no compensation for their services.

(Code 1970, § 2-298)

State law reference(s)--Members of board of health to receive such compensation as council determines, M.G.L.A. c. 111, § 26.

Sec. 2-427. Selection of chairman.

The board of health shall organize annually by the selection of one (1) of its members as chairman.

(Code 1970, § 2-299)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Sec. 2-428. Rules and regulations.

The board of health may make rules and regulations for its own government and for the government of its officers, agents, and assistants.

(Code 1970, § 2-303)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Sec. 2-429. Appointment of physician to take and examine cultures and school physician.

The board of health may appoint a physician to the board, who shall take and examine all cultures, and shall appoint a school physician, neither of whom shall be a member of the board. Such physicians shall hold their offices according to the provisions of the civil service laws and regulations governing such offices.

(Code 1970, § 2-300)

Cross reference(s)--Duty of school physician relative to vaccination of pupils, § 18-4.

State law reference(s)--Appointment of physician to board, M.G.L.A. c. 111, § 27; appointment of school physician, M.G.L.A. c. 71, § 53.

Sec. 2-430. Employment of clerk and other assistants.

The board of health may appoint a clerk according to the provisions of the civil service laws and regulations governing such an office, which clerk shall not be a member of the board. The board may also employ the necessary officers, agents and assistants to execute the health laws and the board's regulations.

(Code 1970, § 2-301)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Sec. 2-431. Compensation of clerk and assistants.

The board of health may fix the salaries or compensation of its clerk and other agents and assistants.

(Code 1970, § 2-302)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Secs. 2-432--2-439. Reserved.

DIVISION 4. COUNCIL FOR THE AGING**Sec. 2-440. Established; composition; appointment and terms of members.**

There is hereby established a council for the aging consisting of the director of public works, the chairman of the board of health, or their respective representatives, and not less than three (3) nor more than seven (7) additional members appointed by the mayor from the voters and residents of the city. Appointees shall serve staggered terms of three (3) years, commencing at the date of the appointment.

(Code 1970, § 2-343; Ord. of 2-22-77, § 1; Ord. of 5-27-86, § 1)

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 17, 2010

Mr. Donald Fryklund
240 Concord Street
Gloucester, MA 01930

Dear Don:

I am pleased to reappoint you to a three year term on the **Capital Improvement Advisory Board**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

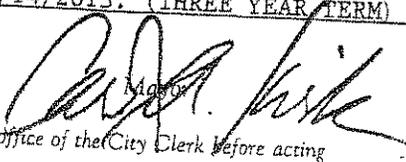
The City of Gloucester, Massachusetts

Dear Donald Fryklund, 240 Concord Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CAPITAL IMPROVEMENT ADVISORY BOARD _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

CIAB

Sec. 2-585. Annual planning; capital improvements advisory board established.

A long range plan to serve as guidelines for capital improvements in the city shall be prepared each year in writing by the mayor subject to approval by the city council. Development of the plan shall take into account the recommendations made by a capital improvements advisory board, which is hereby established.

(Code 1970, § 2-18)

Sec. 2-586. Capital improvements advisory board--Function, composition, appointment, terms of office.

(a) The capital improvements advisory board shall consist of seven (7) members appointed by the mayor from the community at large with due care for providing an optimum mix of background and expertise, whose terms of three (3) years shall be staggered. The mayor shall designate a chairman of the board, who shall serve for a term of one (1) year and may be reappointed. All the members of the board shall elect a vice chairman from the membership, again on a yearly basis. No member of the city council shall serve as a member of the board.

(b) The board shall be appraised of the preparation of the ten-year capital improvements program developed by the community development department on a continuing basis, shall review the final ten-year program and shall submit a report on its review to the mayor.

(c) Minutes of each meeting of the capital improvements advisory shall be forwarded forthwith to each member of the city council.

(Code 1970, § 2-21; Ord. of 8-6-85, § I; Ord. No. 6-1991, § I, 2-26-91)

Sec. 2-587. Capital improvement plan.

(a) The capital improvement plan shall be concerned with physical facilities, such as land, buildings or other structures, or pieces of equipment, which require a relatively large investment and have a relatively long useful life.

(b) The capital improvement plan shall specify a detailed program of capital expenditures over a period of ten (10) fiscal years from the date on which it becomes effective and shall specify the methods of financing the proposed capital improvements.

(c) Guidelines for the planning process, specifying minimum cost and useful life of capital improvements to be considered in the capital improvement plan, the maximum proportion of total budget to be devoted to capital improvements, and any restrictions on methods of financing, shall be established on recommendation of the mayor and approval by the city council.

(d) The capital improvement plan shall be submitted by the mayor to the city council no later than ninety (90) days before the first day of the fiscal year in which it is to take effect. The plan shall be updated annually during the time it is in effect.

(Code 1970, §§ 2-19, 2-20; Ord. No. 6-1991, § I, 2-26-91)

Sec. 2-588. Scope of division.

Nothing in this division shall be construed as preempting or diminishing the statutory prerogatives of the city council or the mayor.

(Code 1970, § 2-22)

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

March 17, 2010

Ms. Michelle Dyer
288 Essex Avenue
Gloucester, MA 01930

Dear Michelle:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

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

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Michelle Dyer, 288 Essex Avenue, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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 17, 2010

Ms. Linda Stout-Saunders
52 Bennett Street
Gloucester, MA 01930

Dear Linda:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

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

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Linda Stout-Saunders, 52 Bennett Street, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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

March 17, 2010

Ms. Jill Buchanan
21R Stanwood Avenue
Gloucester, MA 01930

Dear Jill:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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 cursive script, appearing to read "Carolyn A. Kirk".

Carolyn A. Kirk
Mayor

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

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

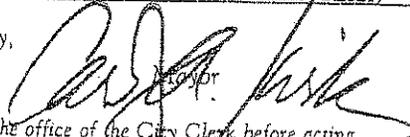
The City of Gloucester, Massachusetts

Dear Jill Buchanan, 21R Stanwood Avenue, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2012. (TWO 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: _____

DIVISION 11

SECTION 2-514 CLEAN ENERGY COMMISSION

Be it enacted by the City Council assembled and by the authority of the same as follows:

Sec. 2-514 The Gloucester Clean Energy Commission is created to promote clean energy options in Gloucester, including energy efficiency, conservation and the development of clean and renewable energy.

Sec. 2-515 The Commission shall pursue the following tasks:

- a) Propose and develop strategies to reduce energy costs of city-owned facilities and vehicles through energy conservation, efficiency and renewable energy measures. The strategies may include electricity, vehicle fuel, natural gas and oil conservation and may identify innovative cost-saving measures.
- b) Recommend city-wide programs including participation in federal or state-wide energy initiatives, such as the Green Communities Program, to promote and facilitate smart energy strategies for Gloucester citizens on both public and private real property.
- c) Work with appropriate city departments to track energy usage and costs associated with key assets and operations of the City.
- d) Identify climate adaptation and mitigation issues and strategies to safeguard the long-term economic and cultural vitality of the City.
- e) Follow emerging federal and state mandates, as well as initiatives and funding opportunities for energy conservation, renewable energy, or climate adaptation and mitigation strategies. Recommend strategies to comply with applicable mandatory or voluntary standards.
- f) Provide guidance, in the form of education or information, to the Mayor, City Council and key city departments and personnel, to support their decision-making on recommended strategies and clean energy opportunities.
- g) Serve as a communications and information resource on clean energy issues and city initiatives for the public through:
 - i) Meetings and sponsored events;
 - ii) Maintenance of an active web site;
 - iii) Regular communications to interested parties; and
 - iv) Public/private partnerships.

Sec. 2-516

a) The Commission shall consist of seven (7) members. Members shall be appointed by the Mayor and approved by the City Council, subject to the provisions of the City Charter. Appointees shall serve staggered terms of two years beginning at the date of appointment and ending on February 14 as required by the city charter. Commission members shall be Gloucester residents and may include representation by appropriate city employees as determined by the Mayor. Members will be selected based on relevant experience and knowledge in energy management strategies, renewable and alternate energies, energy efficiency and/or community sustainability. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

b) The terms of the members shall be staggered, as such, the initial members shall be for the following terms:

- i. Three members for one year;
- ii. Four members for two years.

c) The Commission shall:

- i. Meet on a monthly basis and retain meeting minutes;
- ii. Report to the Mayor on a quarterly basis; and
- iii. Beginning six months after its initial formation, the Commission shall submit to the Council on a semi-annual basis a report of its activities and its progress in achieving its mission.

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 16, 2010

Ms. Stacy Randell
8 Haven Terrace
Gloucester, MA 01930

Dear Stacy:

I am pleased to reappoint you to a three year term on the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

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

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

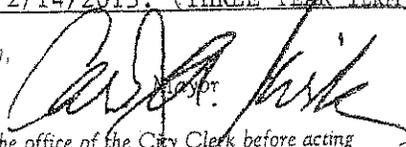
Dear Stacy Randell, 8 Haven Terrace, Gloucester, MA 01930

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 2/14/2013. (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

March 16, 2010

Mr. Daniel Morris
363 Essex Avenue
Gloucester, MA 01930

Dear Dan:

I am pleased to reappoint you to a three year term on the **Community Preservation Committee**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

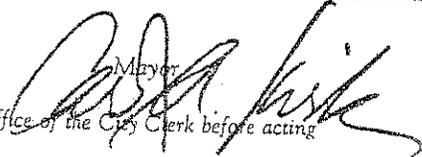
The City of Gloucester, Massachusetts

Dear Daniel Morris, 363 Essex Avenue, 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 2/14/2013. (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: _____

**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 1st 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 1st 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



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

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

March 18, 2010

Ms. Ann Jo Jackson
21 Salt Island Road
Gloucester, MA 01930

Dear Ms. Jackson:

I am pleased to reappoint you to a three year term on the **Conservation Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

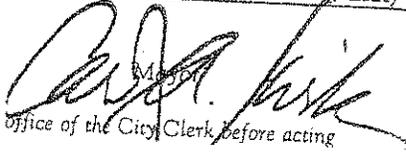
The City of Gloucester, Massachusetts

Dear Ann Jo Jackson, 21 Salt Island Road, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,

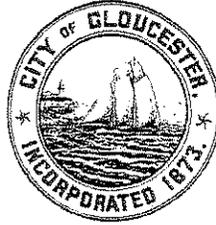


Mayor

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

March 18, 2010

Mr. John Feener
45B Warner Street
Gloucester, MA 01930

Dear John:

I am pleased to reappoint you to a three year term on the **Conservation Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

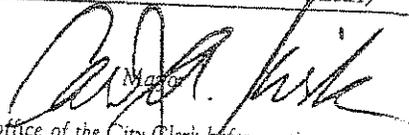
The City of Gloucester, Massachusetts

Dear John Feener, 45B Warner Street, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,


Carol A. 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: _____

~~State law reference(s)--Similar provisions, M.G.L.A. c. 41, § 70.~~

Sec. 16-20. Annual report.

The planning board shall annually make a written report of its activities to the mayor.

(Code 1970, § 15-18)

~~State law reference(s)--Similar provisions, M.G.L.A. c. 41, § 71.~~

Secs. 16-21--16-29. Reserved.

ARTICLE III. CONSERVATION COMMISSION*

*Cross reference(s)--Boards, commissions, councils and committees, § 2-400 et seq.; conservation commission to promulgate rules and regulations relating to marshlands, § 12-19.

Sec. 16-30. Created.

There is hereby created a conservation commission under the authority of M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-328)

Sec. 16-31. Composition; appointment; terms of members.

The conservation commission shall consist of seven (7) members, all of whom shall be residents of the city and all of whom shall be appointed by the mayor, subject to approval of the city council, to staggered terms of three (3) years.

(Code 1970, § 2-329)

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

Sec. 16-32. Powers and duties.

The conservation commission shall have all the duties and powers given to conservation commissions by M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-330)

Sec. 16-33. Condemnation of land or water upon commission's request.

(a) For the purposes of this article, the city may, upon the written request of the conservation commission, take, by eminent domain under M.G.L.A. c. 79, the fee or any lesser interest in any land or waters located in the city, provided the taking has first been approved by two-thirds vote of the city council, which land and water shall thereupon be under the jurisdiction and control of the conservation commission.

(b) No action taken under this section shall affect the powers and duties of the state reclamation board or any mosquito control or other project operating under or authorized by M.G.L.A. c. 252, or restrict any established public access.

(c) Lands used for farming or agriculture, as defined in M.G.L.A. c. 128, § 1A shall not be taken by eminent domain under the authority of this section.

(Code 1970, § 2-331)

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

Sec. 16-34. Rules and regulations; penalty for violations thereof.

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

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

March 18, 2010

Mr. Irving (Hank) Camille
23 Langsford Street
Gloucester, MA 01930

Dear Hank:

I am pleased to reappoint you to a three year term on the **Council on Aging**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Jay Gustafarro, Chair-Council on Aging

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Irving (Hank) Camille, 23 Langsford Street, Gloucester

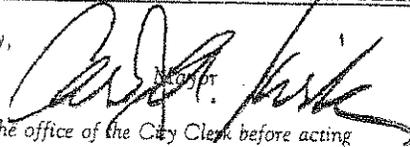
It is my pleasure to inform you that I have this day appointed you

to the COUNCIL ON AGING _____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 18, 2010

Ms. Helen Lima
33 Maplewood Avenue #31
Gloucester, MA 01930

Dear Helen:

I am pleased to reappoint you to a three year term on the **Council on Aging**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

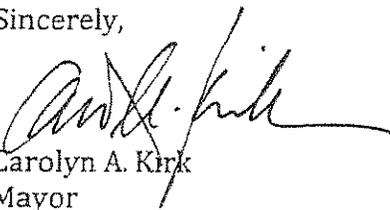
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy 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
Jay Gustaferra, Chair-Council on Aging

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

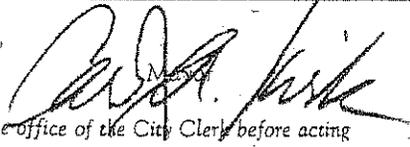
Dear Helen Lima, 33 Maplewood Avenue #31, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the COUNCIL ON AGING _____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

Sec. 2-428. Rules and regulations.

The board of health may make rules and regulations for its own government and for the government of its officers, agents, and assistants.

(Code 1970, § 2-303)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Sec. 2-429. Appointment of physician to take and examine cultures and school physician.

The board of health may appoint a physician to the board, who shall take and examine all cultures, and shall appoint a school physician, neither of whom shall be a member of the board. Such physicians shall hold their offices according to the provisions of the civil service laws and regulations governing such offices.

(Code 1970, § 2-300)

Cross reference(s)--Duty of school physician relative to vaccination of pupils, § 18-4.

State law reference(s)--Appointment of physician to board, M.G.L.A. c. 111, § 27; appointment of school physician, M.G.L.A. c. 71, § 53.

Sec. 2-430. Employment of clerk and other assistants.

The board of health may appoint a clerk according to the provisions of the civil service laws and regulations governing such an office, which clerk shall not be a member of the board. The board may also employ the necessary officers, agents and assistants to execute the health laws and the board's regulations.

(Code 1970, § 2-301)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Sec. 2-431. Compensation of clerk and assistants.

The board of health may fix the salaries or compensation of its clerk and other agents and assistants.

(Code 1970, § 2-302)

State law reference(s)--Similar provisions, M.G.L.A. c. 111, § 27.

Secs. 2-432--2-439. Reserved.

DIVISION 4 COUNCIL FOR THE AGING**Sec. 2-440. Established; composition; appointment and terms of members.**

There is hereby established a council for the aging consisting of the director of public works, the chairman of the board of health, or their respective representatives, and not less than three (3) nor more than seven (7) additional members appointed by the mayor from the voters and residents of the city. Appointees shall serve staggered terms of three (3) years, commencing at the date of the appointment.

(Code 1970, § 2-343; Ord. of 2-22-77, § 1; Ord. of 5-27-86, § 1)

State law reference(s)--Municipal authority to establish council for the aging, M.G.L.A. c. 40, § 8B.

Sec. 2-441. Members not compensated.

The members of the council for the aging shall serve without compensation.

(Code 1970, § 2-344)

Sec. 2-442. Designation of chairman.

The chairman of the council for the aging shall be elected for a two-year term by vote of the membership.

(Code 1970, § 2-345; Ord. No. 25-1996, § J, 4-18-95)

Sec. 2-443. Supervision.

The council for the aging shall be under the administrative supervision of the mayor.

(Code 1970, § 2-346)

Sec. 2-444. Duties.

It shall be the duty of the council for the aging to carry out programs designed to meet problems of the aging in coordination with programs of the council for the aging established under M.G.L.A. c. 6, § 73.

(Code 1970, § 2-347)

Secs. 2-445--2-449. Reserved.

DIVISION 5. MARINERS MEDAL COMMITTEE

Sec. 2-450. Created.

There is hereby created and established a committee to be known as the mariners medal committee.

(Code 1970, § 2-385)

Sec. 2-451. Composition; appointment and terms of members.

The mariners medal committee shall consist of five (5) members, one to be the mayor and the other four (4) to be residents of the city appointed by the mayor to serve staggered terms of four (4) years. The mayor in office shall continue his membership on the committee for the term for which he is elected.

(Code 1970, § 2-386)

Sec. 2-452. Qualifications of members; city officers not eligible.

(a) At least three (3) of the appointed members of the mariners medal committee shall have had experience on the high seas as master of some commercial vessel.

(b) None of the four (4) appointed members of the mariners medal committee shall hold any elective or appointive office within the government of the city when appointed, and should they

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

March 18, 2010

Ms. Kathie Gilson
3 Becker Circle
Gloucester, MA 01930

Dear Ms. Gilson:

I am pleased to reappoint you to a three year term on the **Downtown Development Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

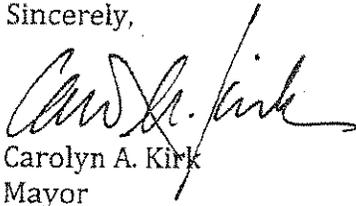
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy 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
John Orlando, Chair-Downtown Development Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

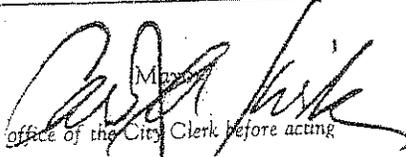
The City of Gloucester, Massachusetts

Dear Kathie Gilson, 3 Becker Circle, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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 18, 2010

Ms. Tobe Shanok
33 Maplewood Avenue
Gloucester, MA 01930

Dear Ms. Shanok:

I am pleased to reappoint you to a three year term on the **Downtown Development Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
John Orlando, Chair-Downtown Development Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

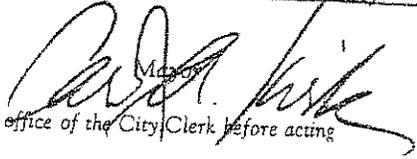
The City of Gloucester, Massachusetts

Dear Tobe Shanok, 33 Maplewood Avenue, Gloucester, MA 01930

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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, 2010

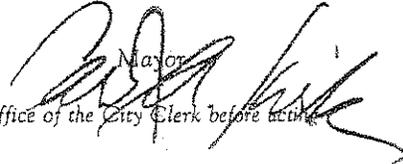
The City of Gloucester, Massachusetts

Dear Robert K. Whitmarsh, Jr., 2 Blueberry Lane, Gloucester, M

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

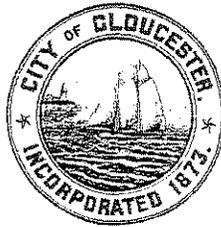
Respectfully,

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

March 18, 2010

Mr. Robert K. Whitmarsh, Jr.
2 Blueberry Lane
Gloucester, MA 01930

Dear Mr. Whitmarsh:

I am pleased to reappoint you to a three year term on the **Downtown Development Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
John Orlando, Chair-Downtown Development Commission

Enclosure
CAK/c



CERTIFICATE OF VOTE

The Gloucester City Council, at a meeting held on, **TUESDAY, September 04, 2007**, at 7:00 p.m. In the Fred J. Kyrouz Auditorium, City Hall voted to approve the following action:

IN CITY COUNCIL:

MOTION: On motion of Councilor Tobey, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed that Division 7, entitled "Downtown Development Commission", Section 2-492, entitled "Created; membership; terms" be amended by **DELETING:** (a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of seven (7) members, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council and by **ADDING:** (a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of nine (9) members, one (1) member shall be a City Councilor, who shall serve ex officio, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council.

Robert D. Whynott

Robert D. Whynott, City Clerk

APPROVAL OF THE MAYOR

John P. Bell
John P. Bell, Mayor

VETOED BY THE MAYOR

John P. Bell, Mayor

SIGNED THIS 6 DAY OF Sept, 2007

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

purpose of filling a vacancy for any other reason, the appointment of the unexpired term immediately shall be made by the mayor and forwarded to the city council for their approval.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-475. Assistance of city officials, boards and employees.

The commission shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation and review responsibilities on behalf of the commission. Further, the commission may request the services and assistance of any of the officials, boards; and through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advice of such officials, boards and employees in the performance of its duties.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-476. Semi-annual reports.

The tourism commission shall submit semi-annually a report to the mayor and the city council of its activities.

(Ord. No. 21-1991, 6-18-91)

Secs. 2-477--2-490. Reserved.

DIVISION 7. DOWNTOWN DEVELOPMENT COMMISSION*

*Editor's note--Inasmuch as Ord. No. 28-1991, adopted July 7, 1991, did not specify manner of codification, inclusion herein as Division 7, §§ 2-491--2-495, was at the discretion of the editor.

Sec. 2-491. Purpose.

In recognition of the continuing need for preservation, revitalization and improvement of Gloucester's central business district and its environs, a downtown development commission is hereby recreated and reestablished.

(Ord. No. 28-1991, 7-7-91)

Sec. 2-492. Created; membership; terms.

(a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of seven (7) members, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council. Upon the establishment of this commission the mayor shall appoint three (3) members for three (3) years; two (2) members for two (2) years; and two (2) members for one (1) year; and as each term expires the mayor in like manner shall appoint members to serve for three (3) years.

(b) In the case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment for the unexpired term shall immediately be made by the mayor.

(Ord. No. 28-1991, 7-7-91)

Sec. 2-493. Mission.

It shall be the mission of the downtown development commission to encourage economic revitalization within a context of historic preservation, community involvement and activities, a strong identity and tourism. The commission shall undertake, but not be limited to, the following activities:

- (1) Examine and evaluate conditions on an on-going basis.
- (2) Propose and promote physical improvements.
- (3) Coordinate public and private efforts.
- (4) Encourage, in cooperation with the Cape Ann Chamber of Commerce, a creative marketing plan, coordinated advertising, promotions and special events.
- (5) Promote the establishment of new businesses.
- (6) Encourage the establishment of special committees, composed of municipal officials, bankers, merchants, industrialists, preservationists, chamber of commerce officials, downtown residents, design professionals, developers, real estate brokers, and others concerned with downtown.
- (7) Promote and encourage the proper mix of goods, services, housing, recreation and entertainment.
- (8) Coordinate, through the community development department, the activities related to downtown of the historical commission, the historic district commission, the waterways commission, the planning board, the tourism commission, the economic development and industrial corporation, the redevelopment authority, and the housing authority.

(Ord. No. 28-1991, 7-7-91)

Sec. 2-494. Assistance of city officials, boards and employees.

The commission shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation and review responsibilities on behalf of the commission. Further, the commission may request the services and assistance of any of the officials, boards and, through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advise of such officials, boards and employees in the performance of its duties.

(Ord. No. 28-1991, 7-7-91)

Sec. 2-495. Annual report.

The downtown development commission shall submit an annual report of its activities to the city council.

(Ord. No. 28-1991, 7-7-91)

DIVISION 8. HUMAN RIGHTS COMMISSION**Sec. 2-496. Policy.**

It is hereby declared to be the public policy of the city, including its employees, agents and officials, to protect and promote the constitutional, civil and human rights of all people within the city. Further, the city asserts that:

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

March 18, 2010

Mr. Ian Lane
7 Leverett Street
Gloucester, MA 01930

Dear Ian:

I am pleased to reappoint you to a three year term on the **Historical Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
David Rhinelander, Chair-Historical Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

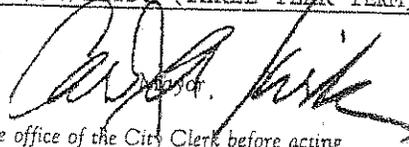
The City of Gloucester, Massachusetts

Dear Ian Lane, 7 Leverett Street, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

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

March 18, 2010

Mr. Stephen Pardee
17 Holly Street
Gloucester, MA 01930

Dear Steve:

I am pleased to reappoint you to a three year term on the **Historical Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

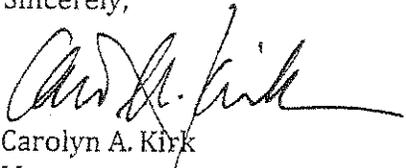
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy 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
David Rhineland, Chair-Historical Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Stephen Pardee, 17 Holly Street, Gloucester

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

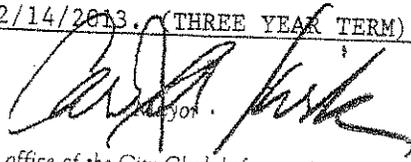
to the HISTORICAL COMMISSION

_____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council approval, term to expire 2/14/2013. (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: _____

The General Laws of Massachusetts

HISTORICAL COMMISSION

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS

PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY

Go To:
Next Section
Previous Section
Chapter Table of Contents
MGL Search Page
General Court Home
Mass.gov

Chapter 40: Section 8D. Historical commission; establishment; powers and duties

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. When a commission is first established, the terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for terms of three years each. Any member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

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 22, 2010

Mr. Paul Shea
7 Revere Street
Gloucester, MA 01930

Dear Mr. Shea:

I am pleased to reappoint you to a three year term on the **Historic District Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
David Porper, Chair-Historic District Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Paul Shea, 7 Revere Street, Gloucester, MA 01930

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 2/14/2013. (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: _____

HISTORIC DISTRICT COMMISSION

(Code 1970, § 2-331)

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

Sec. 16-34. Rules and regulations; penalty for violations thereof.

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.

State law reference(s)--Police generally, M.G.L.A. c. 147.

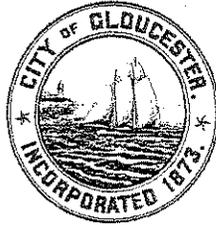
ARTICLE I. IN GENERAL

Sec. 17-1. Administration of waterways.

(a) *Police department.* [The following duties shall be the responsibility of the police department in the administration of waterways:]

- (1) Enforce all Massachusetts Commonwealth laws while patrolling the city waterways.
- (2) Operate, maintain and manage equipment and vessels assigned (Police boat/fire boat).
- (3) Investigate, prosecute criminal activity on waterways and waterfront in

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

March 22, 2010

Mr. Russell Jacobs
52 Fernald Street
Gloucester, MA 01930

Dear Mr. Jacobs:

I am pleased to reappoint you to a three year term on the **Shellfish Advisory Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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

EFFECTIVE FEBRUARY 14, 2010

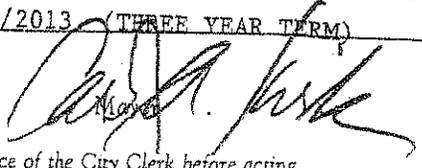
The City of Gloucester, Massachusetts

Dear Russell Jacobs, 52 Fernald Street, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 22, 2010

Mr. Dan Malloy
38 Fort Square
Gloucester, MA 01930

Dear Mr. Malloy:

I am pleased to reappoint you to a three year term on the **Shellfish Advisory Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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, 2010

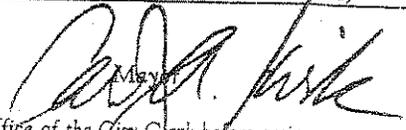
The City of Gloucester, Massachusetts

Dear Dan Malloy, 38 Fort Square, Gloucester, MA 01930

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 22, 2010

Ms. Ann Jo Jackson
21 Salt Island Road
Gloucester, MA 01930

Dear Ms. Jackson:

I am pleased to reappoint you to a three year term as the Conservation Commission's representative to the **Shellfish Advisory Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Ann Jo Jackson, 21 Salt Island Road, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
as the Conservation Commission's representative of the City of
to the SHELLFISH ADVISORY COMMISSION.
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,

Carol A. 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: _____

State law reference(s)--Shellfish constables, M.G.L.A. c. 130, § 98.

Sec. 20-2. Shellfish advisory commission.

- (a) *Created; membership; appointment; compensation.* There is hereby created and established in the city a commission to be known as the shellfish advisory commission. The commission shall consist of five (5) members of all whom shall be citizens of the city and shall be appointed by the mayor, subject to confirmation by the city council, and shall be unpaid.
- (b) *Terms of members; chairman.* All members of the shellfish advisory commission shall be appointed for three (3) year terms. The commission shall choose one (1) of their members to be chairman.
- (c) *Compensation of commission.* The shellfish advisory commission shall consist of three (3) persons from the shellfish industry, the chairman of the conservation commission or his designee and a marine biologist, if available.
- (d) *Duties:* The shellfish advisory commission shall advise the mayor and city council on all matters pertaining to shellfish, seaworms and eels. The commission may establish, subject to approval by the city council, a management plan with rules and regulations relating to the issuance of permits and taking of shellfish, seaworms and eels.

(Ord. No. 49-95, § 1, 12-29-95)

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

Sec. 20-3. Definitions.

Bushel: A unit of measure, equivalent to four (4) pecks or sixty (60) pounds.

City: City of Gloucester.

Commonwealth: Commonwealth of Massachusetts.

Full-time student: A student submitting proof of full-time student status, providing school transcript showing full course load, proof of age and parental consent if under age of seventeen (17).

Private grant: A time limited lease of a specified shellfish growing area to one or more individuals.

Resident: A person whose primary residence is the City of Gloucester.

Seaworm: Invertebrate animals belonging to the Phylum Annelida. Specifically, sea worms, sometimes called blood worms or clam worms.

Seed clam: Juvenile shellfish.

Shellfish: Invertebrate animals belonging to the Phylum Mollusca. Specifically, soft shell clam, blue mussel, horse mussel, quahog, ocean quahog, oyster, razor clam, surf clam, bay scallop, sea scallop.

Shellfish industry: Activities involving the cultivation, harvest, processing, selling of shellfish.

Temporary resident: A person who owns real estate in the City of Gloucester or possesses a year-round lease on real estate in the City of Gloucester and who occupies that real estate on at least a seasonal basis.

(Ord. No. 49-95, § 1, 12-19-95; Ord. No. 11-96, § 1, 4-2-96)

Sec. 20-4. Area set aside for noncommercial taking of shellfish.

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

March 18, 2010

Ms. Mona Faherty
32 Highland Street
Gloucester, MA 01930

Dear Mona:

I am pleased to reappoint you to a three year term on the **Tourism Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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".

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Peter Jenner, Chair-Tourism Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

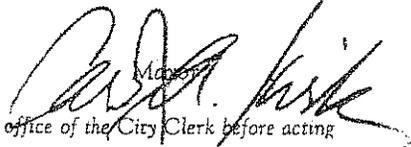
The City of Gloucester, Massachusetts

Dear Mona Faherty, 32 Highland Street, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 18, 2010

Ms. Debra Ryan
3 Blake Court
Gloucester, MA 01930

Dear Deb:

I am pleased to reappoint you to a three year term on the **Tourism Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

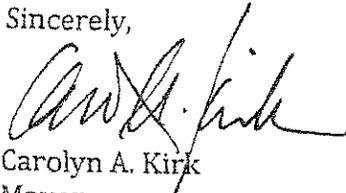
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy 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
Peter Jenner, Chair-Tourism Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Debra Ryan, 3 Blake Court, Gloucester, MA

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

to the TOURISM COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90-day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

(Ord. No. 16-1993, § I, 12-14-93)

Secs. 2-460--2-470. Reserved.

DIVISION 6A. TOURISM COMMISSION*

*Editor's note--Inasmuch as Ord. No. 21-1991, adopted June 18, 1991, did not specify manner of codification, inclusion herein as Division 6A, §§ 2-471--2-476, was at the editor's discretion.

Sec. 2-471. Purpose.

In recognition of the continuing need for tourism in the City of Gloucester as a means to encourage economic revitalization and the promotion of history, culture and recreation, a tourism commission is hereby recreated and reestablished.

It shall be the purpose of the tourism commission to encourage and promote tourism throughout the year and throughout the city. The commission shall undertake but not be limited to the following activities:

- (1) Recommend an overall coordinated tourism program that is related to the city's community and economic development activities, historical resources, recreational opportunities and natural and scenic attractions.
- (2) Recommend the organization, creation and maintenance of tourist attractions.
- (3) Recommend and implement an advertising program for the city.
- (4) Coordinate public and private efforts.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-472. Tenure; composition.

The tourism commission shall consist of seven (7) members, all of whom shall be appointed by the mayor of the city for the terms listed below, and shall be confirmed by the Gloucester City Council.

- (1) One (1) member for one (1) year;
- (2) Three (3) members for two (2) years;
- (3) Three (3) members for three (3) years.

(Ord. No. 21-1991, 6-18-91; Ord. No. 18-1996, § J, 6-25-96)

Sec. 2-473. Requirements.

- (a) *Residency requirements.* All members shall be residents of the City of Gloucester.
- (b) *Membership requirement.* One (1) member of the commission shall be a member of the Cape Ann Chamber of Commerce.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-474. Vacancies.

In case of resignation, death or disqualification of any member of the commission, or for the

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 22, 2010

Mr. John Fleming
38 Harriet Road
Gloucester, MA 01930

Dear Mr. Fleming:

I am pleased to reappoint you to a three term as a member of the **Trust Fund Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

I have issued you a 90 day temporary appointment, effective February 14, 2010. 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
Jeffrey Towne, Chief Financial Officer

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

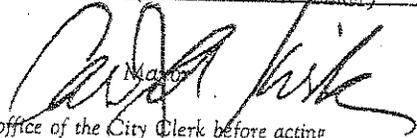
Dear John Fleming, 38 Harriet Road, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the TRUST FUND COMMISSION _____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 22, 2010

Mr. Michael Sanborn
P. O. Box 696
Gloucester, MA 01930

Dear Mr. Sanborn:

I am pleased to reappoint you to a three term as a member of the **Trust Fund Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

I have issued you a 90 day temporary appointment, effective February 14, 2010. 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
Jeffrey Towne, Chief Financial Officer

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

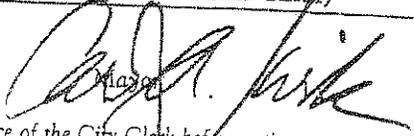
The City of Gloucester, Massachusetts

Dear Michael Sanborn, P.O. Box 696, Gloucester, MA 01930

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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

March 22, 2010

Mr. Anthony Bertolino
132 Bass Avenue
Gloucester, MA 01930

Dear Mr. Bertolino:

I am pleased to reappoint you to a three year term on the **Traffic Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
Robert Ryan, Chair-Traffic Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

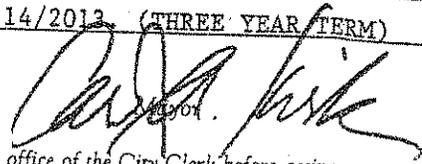
The City of Gloucester, Massachusetts

Dear Anthony Bertolino, 132 Bass Avenue, Gloucester, MA 01930

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

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

March 22, 2010

Mr. Michael Mulcahey
15 Commonwealth Avenue
Gloucester, MA 01930

Dear Mr. Mulcahey:

I am pleased to reappoint you to a three year term on the **Traffic Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
Robert Ryan, Chair-Traffic Commission

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Michael Mulcahey, 15 Commonwealth Avenue, Gloucester, MA

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

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (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: _____

required to be accomplished in the interest of public betterment.

(c) Whenever signs are in place giving notice that any street or highway has been closed pursuant to this section, it shall be unlawful for any person to drive any vehicle on any such closed street or highway.

(Code 1970, § 21-4; Ord. No. 4-96, § 1, 2-20-96)

Cross reference(s)--Streets, sidewalks and other public places, Ch. 21.

Sec. 22-23. Experimental regulations.

For purposes of trial, the city vehicle may make temporary rules regulating traffic. No such experimental rule regulating traffic shall remain in effect for a period of time longer than thirty (30) days.

(Code 1970, § 21-5)

Secs. 22-24--22-29. Reserved.

DIVISION 2 TRAFFIC COMMISSION*

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

Sec. 22-30. Created; purpose.

As a continuation of planning board work and for the purpose of promoting the health, safety, convenience and general welfare of the inhabitants of the city, to lessen congestion and confusion in the streets, to lessen the danger from fire and assist the fighting of it and to facilitate the creation of more adequate provision for transportation and parking, there is hereby created a traffic commission. The commission shall have as its primary purpose the making of studies and presenting of recommendations to the mayor in the matter of regulating traffic and parking in the city.

(Code 1970, § 21-22)

Sec. 22-31. To act in official capacity under control of mayor.

The traffic commission shall act in an official capacity for the city and shall be under the over-all control and authority of the mayor.

(Code 1970, § 21-25)

Sec. 22-32. Composition; appointment; terms of members.

The traffic commission shall consist of five (5) members appointed by the mayor and confirmed by the city council. Appointments to the commission shall be for terms of three (3) years. In case of the resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, an appointment for the unexpired term shall immediately be made by the mayor.

(Code 1970, § 21-23)

Sec. 22-33. Organization meeting; officers.

As soon as possible after the membership of the traffic commission is determined in each year, the commission shall meet and elect from its own membership a chairman and secretary-treasurer to

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 22, 2010

Mr. Robert Stewart
20 Leonard Street, Unit 1
Gloucester, MA 01930

Dear Mr. Stewart:

I am pleased to reappoint you to a three year term on the **Zoning Board of Appeals**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. 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, 2010, 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
James Movalli, Chair-Zoning Board of Appeals

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Robert Stewart, 20 Leonard St., Unit 1, 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 _____

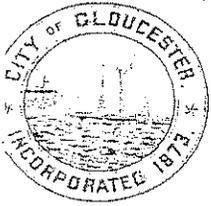
This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,

[Handwritten Signature]
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 CITY COUNCIL 2010

COMMUNICATION

RECEIVED: 03/24/10

NUMBER: COM2010-018

NUMBER OF PAGES: 3

SUBJECT: Request from Wm. "Billy" Goulart to amend GCO Article II "Hawkers
And Peddlers" regarding vendors

ACTION: O&A

*TO: Gloucester City Council
City Hall, Dale Avenue
Gloucester, MA 01930*

23 Mar '10

Councilors:

*I respectfully request that the Ordinance regarding "Vendors"
within the city limits be updated and changed as needed.*

Respectfully,

*Wm "Billy" Goulart
P.O. Box 3089
Gloucester, MA 01931*

10 MAR 24 AM 10:58
CITY CLERK
GLOUCESTER, MA

*Attachment: My recommended changes
Invitation to Bid #99112
Fixed Vendor Locations*

City Of Gloucester
Office of the Purchasing Agent

Invitation for Bid #99112
Fixed Vendor Locations

Article II . Hawkers & Peddlers

*change Sec 11-3 (b) to (c) and make (b) read:

“Residents of the city of Gloucester shall be given preference in the bidding process for fixed locations.”

**Please explain Sec 11-11. Permit Required Fee.

“Permits will be issued to approved fixed vendors within the restricted areas of special events by the licensing commission. Fee for permit issued shall not exceed one hundred dollars (\$100.00). Permits shall be issued for the event/parade date and/or rain date only in each calendar year. Permits shall be issued for one vendor in one location and cannot be duplicated or transferred.”

--Does this mean those committees that a vendor pays a fee for (i.e., Fiesta Committee) to a fixed location during that event cannot exceed \$100.00?

Sec 11-12. Special Event Permit Fees for Fixed Vending Locations

(7) Hawkers, peddlers, and transient vendors shall provide suitable receptacles for the placement of any trash and litter that may be expected to result from the sale of their wares and shall remove said trash and litter.

-- Shouldn't this apply to those vendors at the “Farmer’s Market” and those at the “Downtown Block Parties”?

Sec 11-5. Fixed Vending; site specific locations (6)

1. Washington Street – corner of Poplar Street
2. Rogers Street 10 feet from its intersection with Commercial & Washington Streets (with the exception of St. Peter’s Fiesta)
3. Washington Street – water side of Plum Cove Beach

4. Western Avenue (Boulevard) (2) – water side between the intersection with Middle Street and the Public Landing east of Middle Street
5. (same as above)
6. Gentile Bandstand, Stage Fort Park, summers concerts & performances only, one (1) hour prior to and one (1) hour after each performance with equipment removed after each event.

** Request adding a fixed vending spot on the western side of the cut bridge (Western Avenue) in front of the tennis courts.

** Request that (6) above allow vendor to setup at will as no one can afford to setup for a short time.(1 hour prior to concert) Also, the vendor is not competing with any other establishment.

ARTICLE II. HAWKERS & PEDDLERS

Sec 11-3. Local license/permit requirement for fixed locations; procedure to obtain.

**Request that all vendors apply for an individual permit (not one umbrella as in the case of the Waterfront Festival)...Permits can be given for 1, 2, & 5 day events.

**Request that "ALL" vendors for the Waterfront Festival obtain a vending permit, and those with propane tanks obtain (individually) a permit from the Gloucester Fire Department.

**Request the council consider any other prominent location suitable for fixed vendor location.

also, redefine parking areas (measurements & markings)

[# 5]

[# 4]

Western Ave

Middle St

AVENUE



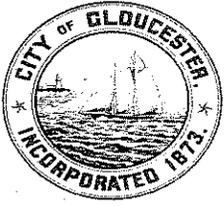
**CITY OF GLOUCESTER 2010
CITY COUNCIL ORDER**

ORDER: #CC2010-013
COUNCILLOR: Ann Mulcahey

DATE RECEIVED BY COUNCIL: 03/30/2010
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

Ordered that the GCO Sec. 22.269 "Stop Intersections" be amended by adding
Intersection of Smith Street and Maplewood Avenue

Councillor Ann Mulcahey



**CITY OF GLOUCESTER 2010
CITY COUNCIL ORDER**

ORDER: #CC2010-014
COUNCILLOR: Ann Mulcahey

DATE RECEIVED BY COUNCIL: 03/30/2010
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

Ordered that the GCO Sec. 22.269 "Stop Intersections" be amended by adding
Intersection of Shepherd Street and Maplewood Avenue

Councillor Ann Mulcahey



**CITY OF GLOUCESTER 2010
CITY COUNCIL ORDER**

ORDER: #CC2010-015
COUNCILLOR: Ciolino/Mulcahey

DATE RECEIVED BY COUNCIL: 03/30/2010
REFERRED TO: O&A, TC & Police Dept.
FOR COUNCIL VOTE:

Ordered that Section 22-290 "Parking meter zone--Off street parking areas of the Code of Ordinances be amending by adding:

That the meters on Manuel F. Lewis Road be designated for Senior Citizen's use from 9:00 am to 3:00 pm Monday through Friday. Senior Citizens with Senior Beach Parking Stickers can park without feeding the meters on Manuel F. Lewis Road. Parking will be on a first come first serve basis.

Councillor Joe Ciolino
Councillor Ann Mulcahey



**CITY OF GLOUCESTER 2010
CITY COUNCIL ORDER**

**ORDER: #CC2010-017
COUNCILLOR: Jackie Hardy**

**DATE RECEIVED BY COUNCIL: 03/30/2010
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:**

Ordered that the following City Ordinance be AMENDED by: DELETING: Sec 22-291 (Tow-away zone) Hickory Street, both sides, beginning at a point 100 feet from its intersection with Sawyer Avenue for a distance of 260 feet in a southerly direction.

AND ADDING: Sec.22-291 (Tow-away zone) Hickory Street, both sides, beginning at its intersection with High Street its entire length in a southerly direction.

Councillor Jackie Hardy



**CITY OF GLOUCESTER 2010
CITY COUNCIL ORDER**

ORDER: #CC2010-018
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 03/30/2010
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

Ordered that Sec. 22-291 (Tow-away zone) of the Gloucester City Ordinance be AMENDED by ADDING: Sawyer Avenue, from its intersection with Hickory Street, both sides, its entire length in an **westerly** direction.

Councillor Jackie Hardy