



GLOUCESTER CITY COUNCIL
9 Dale Avenue, Gloucester, MA 01930
Office (978) 281-9720 Fax (978) 282-3051

CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, September 17, 2012 – 6:00 p.m.
1st Fl. Council Conference Rm. – City Hall
AGENDA

12 SEP 13 PM 3:34
CITY CLERK
GLOUCESTER, MA

(Items May be taken out of order at the discretion of the Committee)

1. Continued Business:

- A) CC2012-039 (Hardy/Tobey/Theken/Cox/LeBlanc) Amend GCO Chapter 8, Art. II Fire Department, Sections 8-16, 8-17 & 8-18 (Cont'd from 07/16/12)
- B) CC2012-037 (Verga) Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicapped parking" re: Ocean Avenue #2 (Cont'd from 08/06/12)
- C) CC2012-041 (Cox/Whynott) Amend GCO Chapter 22, Sec. 22-280 "Fifteen Minute Parking" re: 242 Main Street (Cont'd from 08/06/12)
- D) CC2012-044 (McGeary) Amend GCO Sec. 22-287 "Disabled Veteran, handicapped parking" re: ADDING One space at Harrison Avenue #2 (Cont'd from 08/20/12)

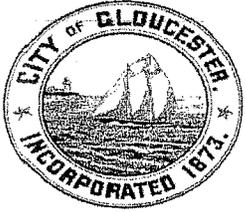
- 2. **New Appointment:** Gloucester Cultural Council TTE 02/14/15 Mary Rhinelanders McCarl
Director of Veterans' Services/Veterans Agent TTE 02/14/14 Richard E. Barbato
Chief of Gloucester Police Department TTE 09/30/15 Leonard Campanello
- 3. CC2012-048 (Whynott) Amend GCO Chapter 25, Article III, Division 1, Sec. 25-15, 25-57, Sec. 25-58(b)(c)(d)(e), Sec. 25-63 re: licensing taxicab operators
- 4. CC2012-049(Tobey/Verga) Council review of matter of self-storage service facilities and determine whether they should be restricted or regulated (TBC until O&A Committee receives recommendation from P&D Committee)
- 5. CC2012-050(Tobey) Request that City Council develops policy, rules or ordinance re: governing City Councilors Communications
- 6. CC2012-051(LeBlanc) Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" re: Summer Street #44 (TBC 10/01/12)
- 7. CC2012-052(LeBlanc) Amend GCO Sec. 22-270 "Parking Prohibited at all Times" re: Lincoln Avenue (TBC 10/01/12)

COMMITTEE
Councilor Sefatia Theken, Chair
Councilor Robert Whynott, Vice Chair
Councilor Steve LeBlanc, Jr.

Committee members – Please bring relevant documentation
Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk
Jim Duggan
Linda T. Lowe
Leonard Campanello

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



CITY OF GLOUCESTER 2012 CITY COUNCIL ORDER

ORDER: #CC2012-039
COUNCILLORS: Jackie Hardy, Bruce Tobey,
Sefatia Theken, Melissa Cox, Steve LeBlanc

DATE RECEIVED BY COUNCIL: 07/10/12
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 8 "Fire", Article II "Fire Department" Section 8-16 "Fire Chief", 8-17 "Selection of Fire Chief; qualifications, and 8-18 "Selection of Fire Chief; Manner of Appointment" be referred to the Ordinances and Administration Standing Committee for further review to consider amendments.

Jackie Hardy
Ward 4 Councillor

Bruce Tobey
Councillor At Large

Sefatia Theken
Councillor At Large

Melissa Cox
Ward 2 Councillor

Steve LeBlanc
Ward 3 Councillor

Sec. 8-16. - Fire chief.

- (a) The mayor shall appoint the fire chief who shall hold the office for a term of three years. The appointment of the fire chief shall be subject to confirmation by the city council as provided in Section 2-10 of the Charter. The fire chief is exempt from the provisions of M.G.L. c. 31.
- (b) Within 30 days of the position of the fire chief being declared vacant, the mayor shall appoint a temporary fire chief who shall serve until a permanent chief is selected in accordance with the provisions hereof.

(Ord. No. 11-2011)

Editor's note---

An ordinance adopted Jan. 11, 2011, repealed § 8-16 and enacted a new section as set out herein. The former § 8-16 pertained to composition of the fire department and derived from § 9-15 of the 1970 Code.

Sec. 8-17. - Selection of fire chief—Qualifications.

The fire chief shall be selected by the mayor and shall have the following minimum qualifications:

- (1) The fire chief shall be a fire safety professional with a minimum of 15 years experience in federal, state, county, municipal or military firefighting, no less than five of which shall be in a progressively responsible fire safety management and emergency medical services position;
- (2) The fire chief shall have an Associates Degree in fire sciences or related field and hold a minimum rank of deputy chief or higher for a minimum of three years in a fire fighting environment;
- (3) Preference shall be given to candidates who have experience with the following:
 - a. Certification from the National Fire Academy Executive Officer Program;
 - b. Financial management, innovations in fire operations, and information technology as it pertains to fire safety;
 - c. Labor relations, community relations, medication and facilitation skills; and including staff development and training.
- (4) Preference may also be given to candidates who have experience with the following:
 - a. In a multi-lingual and multi-cultural urban fire safety environment from municipalities with a population of 30,000 or more residents, possess managerial experience in a similar structure as the city fire department;
 - b. Bilingual, with the second language reflecting the linguistic diversity of the citizens of the city.

(Ord. No. 11-2011)

Editor's note---

An ordinance adopted Jan. 11, 2011, repealed § 8-17 and enacted a new section as set out herein. The former § 8-17 pertained to appointments of the fire department and derived from § 9-16 of the 1970 Code.

Sec. 8-18. - Same—Manner of appointment.

- (a) The candidates for fire chief shall be reviewed by a selection committee consisting of the following individuals:
- (1) The personnel director, who shall serve as the chair of the selection committee;
 - (2) One member of the city council to be appointed by the president of the city council;
 - (3) Two members of the general public to be appointed by the president of the city council, with at least one of said members being a representative of the city's socioeconomic and racial and ethnic segments;
 - (4) Two members of the general public to be appointed by the mayor with at least one of said members being a representative of the city's socioeconomic and racial and ethnic segments;
 - (5) Two sworn firefighters of the city fire department to be elected by the union representing members of the fire department;
 - (6) A public safety official appointed by the mayor, who shall be the emergency management director if such position exists at that time.

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

- (b) In consultation with the selection committee and the purchasing agent, the mayor shall select a qualified recruitment and assessment consultant to analyze candidates for fire chief. After consultation with members of the public at community meetings, the consultant shall develop selection criteria; recruit qualified candidates; and select the most qualified candidates which shall be no more than seven or less than three who shall be considered finalists and administer the selection process to these candidates. The process shall consist of, without limitation, a written exam, a professional assessment center and a psychological evaluation.
- (c) The selection committee shall hold public interviews of the finalists. The committee shall vote a list of no more than five and no less than three unranked qualified candidates for fire chief and shall submit such list to the mayor. All votes taken by the selection committee shall be by majority vote of those present. If the selection committee determines that there are fewer than three candidates for fire chief, the selection committee shall nonetheless send the names of the candidate(s) to the mayor. The mayor may choose to commence a new selection process if the selection committee submits a list of fewer than three candidates or for any other reason designated in writing.
- (d) The mayor shall appoint a candidate from the list, subject to confirmation of the city council. Prior to confirmation, the city council shall be provided with a copy of the contract negotiated with the candidate selected by the mayor. The contract may not be subsequently amended without the approval of the city council. The term of the contract shall be three years. The mayor may reappoint said chief for subsequent contractual terms of three years subject to city council confirmation.
- (e) Upon such time as the mayor shall become aware of a vacancy in the office of fire chief, the mayor shall within a reasonable period of time notify the city council that a vacancy has occurred. The mayor shall thereafter commence the process to fill the vacancy, in the manner prescribed herein.

(Ord. of 1-11-2011)

Enacted by...

An ordinance adopted Jan. 11, 2011, renumbered the former §§ 8-18—8-25 as §§ 8-21—8-28 and enacted new §§ 8-18—8-21 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER:	#CC2012-037
Councillor	Greg Verga

DATE RECEIVED BY COUNCIL:	06/26/12
REFERRED TO:	TC & O&A
FOR COUNCIL VOTE:	

ORDERED that the Gloucester Code of Ordinances Sec. 22-287 entitled "Disabled Veteran, handicapped parking" be amended by **ADDING**:

one handicapped space on the southerly side of Ocean Avenue at a point beginning 200' from Flume Road for a distance of 22' in a westerly direction in front of 2 Ocean Avenue

And further

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

Greg Verga
Ward 4 Councillor



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER: #CC2012-041
COUNCILLORS: Melissa Cox/Bob Whynott

DATE RECEIVED BY COUNCIL: 07/24/12
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the GCO Chapter 22, Sec. 22-280 "Fifteen Minute Parking" be amended by **ADDING** "in front of 242 Main Street on the northerly side of Main Street for a distance of 22 feet" and for the existing parking meter at this location to be changed or adjusted as needed; and further

ORDERED that this matter be referred to the Ordinances and Administration Committee for review and recommendations and to the Traffic Commission for their recommendation.

Melissa Cox
Ward 2 Councillor

Bob Whynott
Councillor at Large



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER:	#CC2012-044
Councillor	Paul McGeary

DATE RECEIVED BY COUNCIL:	08/14/12
REFERRED TO:	TC & O&A
FOR COUNCIL VOTE:	

ORDERED that the Gloucester Code of Ordinances Sec. 22-287 entitled "Disabled Veteran, handicapped parking" be amended by **ADDING:**

one (1) handicapped space in front of Harrison Avenue #2

And further

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

Paul McGeary
Ward 1 Councillor

**CITY OF GLOUCESTER
TRAFFIC COMMISSION**

**A meeting was held on Thursday August 23, 2012 at 6:00 p.m.
in the third floor conference room at Gloucester City Hall**

The meeting was opened at 6:01 p.m. by Chairman Robert B. Ryan. Also attending were members Larry Ingersoll and Anthony Bertolino and residents Ann Patten and Donna LeClaire.

AGENDA

The following were TABLED at our last meeting:

Order #CC2012-036 (Councilor LeBlanc) Ordered that the GCO sec 22 (traffic & MV's) sec 22-274 (Two Hour Parking between certain hours-generally) be amended by ADDING:

Washington Street, westerly side, from its intersection of Stone Court, 200 feet in a southerly direction, between the hours of 6am and 5pm Monday through Friday; AND

Washington Street, easterly side, from its intersection of Derby Street, in a northerly direction, to the entrance of Oak Grove Cemetery, between the hours of 6am and 5pm Monday through Friday.

*(July Meeting) After a discussion, this matter was **TABLED** until our next meeting. The TC would have liked to speak to Councilor LeBlanc about this order and the reasoning for the same. Member Ingersoll spoke to several residents of the area and they were against the change. They stated that most of the parking in the area is residents, not users of the train. Even as it is now, there is still parking during the day in the area and by adding a time limit, it will cause a hardship for the residents.*

NOTE: This order has now been withdrawn by Councilor LeBlanc. No action was taken on this matter.

Order #CC2012-037 (Councilor Verga) Ordered that the GCO sec 22-287 (Handicapped Parking) be amended by ADDING:

one handicapped space on the southerly side of Ocean Avenue at a point beginning 200 feet from Flume Road, for a distance of 22 feet, in a westerly direction, in front of #2 Ocean Avenue.

*(July Meeting) The requestor was not present so this matter was **TABLED** until our next meeting. Member Ingersoll did speak to an area resident who was not in favor of this order. The question was brought up that why can't the Condo Association make the resident a handicapped space on their property instead of the street.*

(August Meeting) After a discussion and speaking to the requestor, a MOTION was MADE, SECONDED and PASSED to APPROVE the order (Vote was 2-1 with member Ingersoll in the negative). The TC learned that there are 5 people with placards residing in the apartment (condo) complex and two handicapped spaces provided by management on the property. All other spaces are deeded to the resident owners. The TC was told that management "frowns" on moving or switching spaces. The requestor's deeded space is too far from her condo entrance as is the two spaces on the property. Member Ingersoll felt that the area is rural and has no current parking congestion. He felt that if this space is approved, then the other holders of placards in the complex could also request handicapped parking on the street. Also, an area resident he spoke to was against this order as he felt that it was not needed on this street.

Order #CC2012-041 (Councilors Cox & Whynott) Ordered that the GCO Ch. 22 Sec 22-280 (15 Minute Parking) be amended by ADDING:

In front of 242 Main Street on the northerly side of Main Street for a distance of 22 feet, and for the existing parking meter at this location to be changed or adjusted as needed.

*After a discussion, a MOTION was MADE, SECONDED and PASSED to **NOT RECOMMEND** the order. The TC felt that if this time restricted space is granted, then the other businesses in the area will also request spaces and that would severely affect the metered parking that all share. Also, the TC still feels that these short time parking restrictions are difficult to enforce by the police department. The TC also noted that the City Council from time to time asks for additional spaces that could be metered while also asking for meters to be removed for various reasons.*

Order #CC2012-044 (Councilor McGeary) Ordered that the GCO Sec. 22-287 (Handicapped Parking) be amended by ADDING:

One handicapped space in front of #2 Harrison Avenue

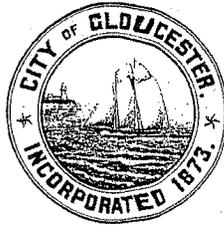
After a discussion and speaking to the requestor, a MOTION was MADE, SECONDED and PASSED to APPROVE the order as requested. The sign can be placed in front of the address.

The meeting was adjourned at 6:37 p.m.

ROBERT B. RYAN, Chairman

LARRY INGERSOLL, Secretary

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

August 21, 2012

Mrs. Mary Rhinelandier McCarl
28 Old Nugent Farm Road
Gloucester, MA 01930

Dear Mrs. McCarl:

Thank you for your interest in serving on the **Gloucester Cultural Council**. 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 August 28, 2012 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 Cultural Council. I truly appreciate the hard work and dedication you and your colleagues on this important committee offer on behalf of the City of Gloucester.

Sincerely,

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

Carolyn A. Kirk
Mayor

cc: Mayor's Report to the City Council
Martin Ray, Chair-Gloucester Cultural Council

Enclosure
CAK/c

EFFECTIVE AUGUST 21, 2012

The City of Gloucester, Massachusetts

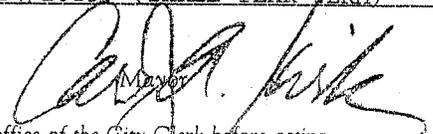
Dear Mary Rhinelander McCarl, 28 Old Nugent Farm Road

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

to the GLOUCESTER CULTURAL COUNCIL of the City of
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2015. (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: _____

MARY RHINELANDER McCARL
28 Old Nugent Farm Road
Gloucester, MA 01930-3167
978-281-5269
mrmccarl@post.harvard.edu

August 20, 2012

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

Dear Mayor Kirk:

I would like to be considered for a position on the Gloucester Cultural Council.

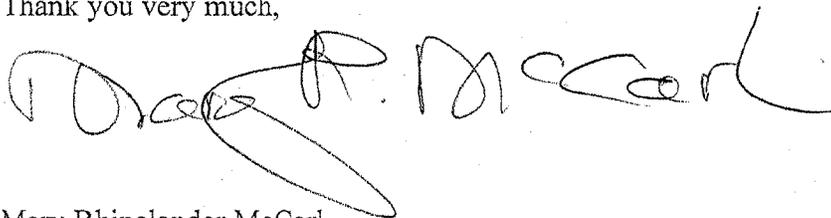
I have served the city for many years as a volunteer—I am currently on the City Hall Restoration Commission and the Records Management Advisory Board. I have previously served on the Historical Commission.

I am actively involved in the cultural community of Cape Ann. I am a member of the Rocky Neck Gallery and a regular lecturer on the history of the city for the Cape Ann Museum.

I have experience in writing and administering grants and I would enjoy helping make the decision on which programs should receive the grant money from the Arts Lottery.

I have met with members of the Cultural Council and they recommended that I apply for this position.

Thank you very much,

A handwritten signature in black ink, appearing to read "Mary Rhinelanders McCarl". The signature is fluid and cursive, with a large loop at the end.

Mary Rhinelanders McCarl



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

TITLE II EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE
COMMONWEALTH

CHAPTER 10 DEPARTMENT OF THE STATE TREASURER

Section 58 Local and regional cultural councils

Section 58. Any city or town may establish a local cultural council and any consortium of cities and towns, with the approval of the council, may establish a regional cultural council. Local cultural councils shall consist of at least five and not more than twenty-two members to be appointed by the mayor of a city, the city manager in a city having a Plan D or E form of government, the board of selectmen of a town or the executive officer in a town having a town council form of government.

Regional cultural councils shall consist of an equal number of members to be appointed from each city or town within the consortium in the manner herein described. The regional cultural council may adopt, at its option, a proportional membership consistent with the population of each municipality; provided, however, that each municipality shall have at least one member; and provided, further, that the adoption of such option shall be by a two-thirds vote of the regional cultural council. Notwithstanding any provisions to the contrary, if the council deems it necessary or desirable in order to carry out the purposes of this section and sections fifty-six and fifty-seven, the council may certify for payment in accordance with the provisions of section fifty-six those applications for funds received from any local or regional cultural councils whose composition is determined by the council as not complying with the provisions of this section, provided that upon notice of such noncompliance, such local or regional cultural council, or its appointing authority, as the case may be, either cures such noncompliance or provides certification satisfactory to the council of town and by when such compliance will be achieved.

Members of the local and regional cultural council shall be appointed for staggered terms of three years and any such member shall not be appointed to more than two consecutive terms. Members shall have demonstrated scholarship or creativity in, or distinguished service to, the arts, humanities, or interpretive sciences.

Upon a vacancy, for any reason, the member's successor, if any, shall be appointed for a term of three years, and shall serve until the qualification of such member's successor. Members shall not be elected public officials. Members shall be considered to be special municipal employees for the purposes of chapter two hundred and sixty-eight A. For purposes of chapter two hundred and sixty-eight A, any local or regional cultural council member who is authorized thereby to make disclosure to such member's city or town clerk or appointing authority, or to request a determination from such member's appointing authority, or to seek approval from the local legislative body may in lieu thereof, disclose to, or seek such approval from the council, and the council is authorized to receive such disclosure and approve such exemptions. Local and regional cultural council members shall be classified as officers for purposes of section thirteen of chapter two hundred and fifty-eight. Members shall serve without compensation but shall be reimbursed

or their expenses actually and necessarily incurred in the discharge of their duties. Local and regional cultural councils shall annually elect a chairman, secretary and treasurer.

Local and regional cultural councils may establish administrative units, but no such cultural council shall utilize more than five percent of the monies received from the State Arts Lottery Fund for administrative purposes, including member expenses.

Subject to rules, regulations, rulings or guidelines of the council, such local or regional cultural councils may decide the distribution of arts lottery funds or other funds that may be allocable to them, may also conduct other activities to promote and encourage the arts, may enter into contracts, subject to approval of own counsel or city solicitor as to form, and may do and perform any and all acts which may be necessary or desirable to carry out such powers and the purposes of sections fifty-six to fifty-eight, inclusive. Nothing in the provisions of section twenty-seven of chapter ten shall prevent a local or regional cultural council or its arts organization, or their agents or employees, from encouraging the sale of lottery tickets for the arts or from being licensed as agents to sell lottery tickets for the arts. Notwithstanding the provisions of section fifty-three A of chapter forty-four, local and regional cultural councils may accept grants, contributions, gifts, bequests, devises, and other donations from all sources, including governmental bodies and shall deposit such monies and any other revenues, including revenues derived from local or regional cultural councils activities, in the revolving fund established under the provisions of this section. Funds received from sources other than the arts lottery fund may be disbursed at the discretion of the local or regional cultural council for the same purposes as arts lottery funds, including administrative expenses, provided, however, that the council may by rule, regulation, ruling or guideline establish further clarification of such purposes as well as procedures to assure that such funds are so used.

Notwithstanding the provisions of section fifty-three of chapter forty-four, any city, town or consortium of cities and towns otherwise pursuant to the provisions of section four A of chapter forty, shall establish in the city or town treasury, or in one of the cities or towns in the consortium a revolving account which shall be kept separate and apart from all other monies by the treasurer and in which shall be deposited all receipts from the state arts lottery fund, distributed under the provisions of section fifty-six, and any other receipts or donations to the local or regional cultural council authorized by law. A treasurer of a city, town or regional consortium as custodian may invest such portion of cash as deemed not required until such funds are to be expended and in such investments as are authorized under the provisions of section fifty-five of chapter forty-four. All such funds, including interest earned thereon, may be expended at the direction of the local or regional cultural council, without further appropriation, and such council may establish a subcommittee of no less than two members and may delegate thereto its authority to approve all payrolls, bills, requests for payment, or accounts prior to submission to the accountant, auditor or official performing similar functions; provided, however, that such subcommittee shall make available to such council at its next meeting, a record of such actions of such subcommittee; and provided further, however, that such funds as shall not have been expended twelve months after receipt shall be segregated and subject to further appropriation by the mayor, city council, city manager, board of selectmen or town manager for the purposes provided in sections fifty-six to fifty-eight inclusive. The city auditor, town accountant, or officer having similar duties, shall submit annually a report of said, revolving fund to the

mayor, city council, city manager, board of selectmen, or town manager for their review and a copy of said report shall be submitted to the director of the bureau of accounts and the council.

CITY OF GLOUCESTER

Job Description

Title: Veterans Agent

Supervisor: Chief Administrative Officer

Grade: M4

Civil Service: Provisional

Union: GMAA

Supervision Exercised: Senior Clerk and volunteers

Responsibilities:

This position is responsible for providing assistance to local veterans under the provisions and directions of the State Department of Veteran Services (Ch. 115), U.S. Title Code 38 and Federal GI Bill of Rights. As Department Head, assumes direct responsibility for department results, reporting requirements and develops department goals, objectives and budget.

Duties:

- ◆ Assists veterans and dependents in filing for benefits through the Department of Veterans Affairs. Assists with appeals of adverse decisions.
- ◆ Interviews and performs needs assessment of all applicants for veteran's benefits.
- ◆ Refers veterans to other agencies and institutions for assistance. Responds appropriately to other agencies.
- ◆ Communicates verbally or in writing veterans rights and benefits to individuals or groups of veterans.
- ◆ Performs regular outreach to educate the veterans and their families on available benefits.
- ◆ Performs home visits when needed.
- ◆ Assists veterans in job placement, housing, education and re-training programs.
- ◆ Prepares, screens, and monitors grants, prepares budget, annual report, and all financial transactions of department. Prepares/supervises payroll and payments.
- ◆ Attend all applicable Veteran's related meetings, conferences and training.
- ◆ Ensures all reimbursement due to city through timely reporting to state on all benefits paid.
- ◆ Participates in and advises Gloucester United Veterans Council on Memorial Day, Veterans Day, and other ceremonies and observances pertaining to veterans. Advocates for appropriate recognition of service.
- ◆ Monitors maintenance and upkeep of War and Veterans' Memorials city-wide. Advises administration if work is needed.
- ◆ Oversees usage and maintenance of Veterans' Center building, office and grounds.
- ◆ Supervises office staff and volunteers.
- ◆ Coordinates Veterans' Honor Flag weekly display.
- ◆ Ensures all veterans receive proper burials and grave markers. Maintains all records of veteran's graves in the city.
- ◆ Ensures all grave sites are decorated appropriately for Memorial Day and Veterans Day.
- ◆ Interacts with other community organizations, i.e. Chamber of Commerce, Rotary, etc., as spokesperson for veterans issues

Qualifications:

- ◆ Bachelor's Degree plus a minimum of three year's related experience in human relations, social work or related field. Prior experience in Veterans benefits administration preferred or any equivalent combination of education and experience.
- ◆ Supervisory ability.
- ◆ Considerable knowledge of Federal and State laws, regulations and codes pertaining to veterans services.
- ◆ Excellent oral and written communication skills
- ◆ Computer literacy.
- ◆ Strong skills in accounting and budgeting.
- ◆ Ability to deal with diverse groups of people and individuals and assumes a leadership role with community and government agencies.
- ◆ Must be flexible and able to function independently in a busy small office atmosphere.
- ◆ Training courses in veterans services conducted on State and/or Federal levels must be undertaken as required to update knowledge of law.
- ◆ Honorably Discharged Veteran of wartime service.
- ◆ Valid Massachusetts driver's license required.

RICHARD BARBATO

OBJECTIVE - To obtain a position that will effectively utilize my leadership experience and skill in management, program development, and communication

EDUCATION

High School Diploma	Valley Forge Military Academy	Wayne, PA	1994-1997
Associates Degree (Liberal Arts)	Valley Forge Military College	Wayne, PA	1997-1999
Bachelors Degree (History)	Bradford College	Haverhill, MA	1999-2001
Graduate	U.S. Army Chemical Officers Course	FT. Leonard Wood, MO	2001

COMPUTER LITERACY

Proficient in all Microsoft Office applications: Powerpoint, Word, Excel, Outlook

SERVICE TO COUNTRY

Inactive Reserve - United States Army - 1997-2001

Active Duty Branch - United States Army - 2001-2006 (Rank at completion of active service - Captain)

CHRONOLOGY OF SERVICE

May 1997-May 1999	Army ROTC (Commissioned 2nd Lieutenant)	Wayne, PA
May 1999-May 2001	Inactive Ready Reserve (Degree Completion)	Bradford, MA
May 2001-October 2001	Chemical Officer's Basic Course	FT. Leonard Wood, MO
October 2001-October 2003	Battalion Chemical Officer, 3-325, 82nd, ABN	FT. Bragg, NC
October 2003-October 2004	Div. Chemical Logistics Officer, 82nd, ABN	FT. Bragg, NC
October 2004-December 2005	Div. Artillery Chemical Officer, 82nd ABN	FT. Bragg, NC

DUTIES/RESPONSIBILITIES

- * Directed the training of 800 paratroopers in Chemical, Biological, Radiological, Nuclear and Explosive subjects
- * Led the design of new CBRNE training programs to better prepare the paratroopers of the 82nd Airborne Div.
- * Managed requisition, accountability and maintenance of Division level chemical defense equipment
- * Served as Task Force Chemical Defense Officer, trained soldiers in handling of hazardous materials and Nuclear, Biological and Chemical (NBC) defense
- * Worked with the Center for Disease Control and Federal Bureau of Investigation in support of Homeland Defense
- * Wrote the Division Artillery CBRNE Standard Operating Procedure manual for the 82nd Airborne Div.
- * Led teams in search for weapons of mass destruction at nine different sites in Iraq
- * Worked with Special Operations forces to detect and apprehend, or destroy, high value targets
- * Assisted in planning several Brigade level missions that led to the elimination of threat groups to coalition forces
- * Led combat patrols routinely to ensure civil / military stability and security in Iraq

MEDALS/COMMENDATIONS

The Bronze Star Medal, The Army Commendation Medal (2 Awards), The National Defense Service Medal, The War on Terror Expeditionary Medal, The War on Terror Service Medal, The Iraq Campaign Medal, The Army Service Ribbon, The U.S. Army Parachutist Badge, The Honduran Army Parachutist Badge, The German Armed Forces Efficiency Badge, The Presidential Unit Citation, The Eagle Scout Award

SECURITY CLEARANCE

SECRET (Currently Inactive)

RICHARD BARBATO

CIVILIAN WORK EXPERIENCE

Operations Manager **Connecticut Shellfish Company, Branford, CT** **2006-2011**

- * Managed 11 drivers and 10 warehouse workers, as well as the daily fleet of 12 delivery vehicles
- * Coordinated accurate accountability of over 2 million dollars of fresh and frozen seafood
- * Responsible for building and grounds maintenance owned and utilized by the Connecticut Shellfish Company
- * In charge of all security for company property, including the warehouse and offices
- * Managed compliance with all state and federal regulations (FDA, EPA, Health Department, DEP)

Tactical Officer **Valley Forge Military College, Wayne, PA** **2005 - 2006**

- * Tactical Officer for India Company, comprised of 90 college freshman and sophomores
- * Responsible for the discipline, health, and welfare of all cadets assigned to India Company
- * Responsible for the administration, command and control of the college summer school program
- * Primary instructor for the honor code, drill, and military customs, during the summer leadership program

HOBBIES/INTERESTS

Military history, military memorabilia, hiking, kayaking, fly-fishing, knowledge of conversational Spanish

***References available upon request**



Gloucester City Council
CERTIFICATE OF VOTE
Certificate Number: 2012-158

The Gloucester City Council, at a meeting held on Tuesday, July 24, 2012 at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following:

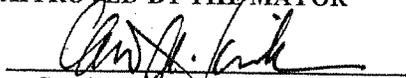
IN CITY COUNCIL:

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 absent, to AMEND GCO Chapter 2, Article IV, Division 4, "Department of Veterans' Services" Sec. 2-291 "Appointment qualifications and general powers and duties of director" by ADDING after "approved by the city council" "for a term of two (2) years."


Linda T. Lowe, City Clerk

Date: JUL 26 2012

APPROVED BY THE MAYOR


Carolyn A. Kirk, Mayor

VETOED BY THE MAYOR

Carolyn A. Kirk, Mayor

SIGNED THIS 26 DAY OF July, 2012

All Ordinances shall become effective 31 days after passage except:
Emergency Orders and Zoning Amendments shall become effective the next day.

- (13) Perform such other duties as the city council may by ordinance from time to time direct.

(Code 1970, §§ 2-204, 2-205(a), 2-206)

Cross reference(s)--Buildings and building regulations, Ch. 5; cemeteries, Ch. 6; trash, recycling, and litter, Ch. 9; parks and recreation, Ch. 15; streets, sidewalks and other public places, Ch. 21; vegetation, Ch. 24.

Sec. 2-284. City motor pool.

(a) A city motor pool is hereby established which shall consist of all city-owned or leased regulatory and other vehicles assigned to the department of public works and its divisions. The director of public works shall be responsible for the supervision, management, control and regulation of the city motor pool.

(b) City motor pool vehicles shall be used only for official municipal purposes. Official municipal purposes do not include, among other things, transportation between domiciles and places of employment or other personal use, except as authorized on an emergency basis by the director of public works. No municipal employee shall take a city motor pool vehicle to his domicile on a regular or routine basis, at noontime, overnight or on any other non-emergency occasion without the written authorization of the director of public works.

(c) City motor pool vehicles, when not being used in conjunction with official purposes, shall be parked at secure locations as designated by the director of public works.

(Ord. of 6-7-83, § 1)

Secs. 2-285--2-289. Reserved.

DIVISION 4. DEPARTMENT OF VETERANS' SERVICES*

***State law reference(s)**--Veterans' benefits generally, M.G.L.A. c. 115, § 1 et seq.

Sec. 2-290. Established; purpose.

The department of veterans' services is hereby established to carry out what is required to be done by the city for servicemen under M.G.L.A. c. 115, and for the purpose of furnishing such information, advice and assistance to veterans as may be necessary to enable them to procure the benefits to which they are, or may be, entitled, and for the purpose of keeping records of veterans' services and photostating and recording their discharges.

(Code 1970, § 26-12)

State law reference(s)--Requirement to establish local department of veterans' services, M.G.L.A. c. 115, § 10.

Sec. 2-291. Appointment, qualifications and general powers and duties of director.

The department of veterans' services shall be administered by a director who shall have all the powers and duties of the veterans' benefits agent and of the director of veterans' services, and who shall be a veteran and shall be appointed by the mayor and approved by the city council.

(Code 1970, § 26-13)

Sec. 2-292. Clerks.

The director of the department of veterans' services shall be assisted by such clerks, either regular or temporary, as the city council shall, from time to time determine.

(Code 1970, § 26-14)

Sec. 2-293. Duties.

The director and employees of the department of veterans' services shall advise and assist persons who have enlisted or have been inducted or entered into the armed forces of the United States and who shall be veterans of the armed forces, and the dependents of all such persons, concerning their rights and privileges under federal, state and local laws. They shall also advise and assist such veterans in obtaining employment, training and retraining for any employment, in obtaining opportunities for further education, and in obtaining medical treatment and assistance. The department shall further keep informed as to the programs or facilities of any organization, whether public or private, of service to or of interest to veterans and their dependents and in general shall carry on its activities for the purpose of extending aid, other than soldiers' relief and state and military aid disbursed under M.G.L.A. c. 115, to members of the armed forces and their families, or veterans and their families.

(Code 1970, § 26-15)

Secs. 2-294--2-399. Reserved.

ARTICLE V. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES*

***Charter reference(s)**--Council committee on budget and finance, section 2-9; council committee on ordinances and administration, section 2-8; council committee on planning and development, section 2-9; school committee, section 4-1 et seq.; designer selection committee, section 5-4; city building committee, section 5-5; procedures governing the conduct of multi-member bodies, section 10-6.

Cross reference(s)--Board of registrars of voters, § 7-1; recreation committee, § 15-15 et seq.; planning board, § 16-15 et seq.; conservation commission, § 16-30 et seq.; provisions relating to historic district commission, § 16-62 et seq.; school committee, § 18-20 et seq.; shellfish advisory commission, § 20-2; traffic commission, § 22-80 et seq.

DIVISION 1. GENERALLY

Secs. 2-400--2-409. Reserved.

DIVISION 2. BOARD OF ASSESSORS*

***State law reference(s)**--City assessors generally, M.G.L.A. c. 41, § 24 et seq.; assessment of local taxes, M.G.L.A. c. 59.

Sec. 2-410. Composition; appointment and terms of members; organization.

The board of assessors shall consist of three (3) members to be appointed by the mayor and approved by the city council for a three (3) year term. The board shall meet and organize in the manner

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

TO: City Council
FROM: Carolyn A. Kirk, Mayor
DATE: September 11, 2012
RE: Addendum to Mayor's Report for the September 11, 2012 City Council Meeting

12 SEP 11 PM 3:31
CITY CLERK
GLOUCESTER, MA

Councilors:

Pursuant to the results of the vote by the residents of the City of Gloucester on November 4, 2008, as to the question: "Shall the City of Gloucester accept sections 3 to 7 inclusive of Chapter 44B of the General Laws, as approved by its legislative body", I am pleased to submit the appointment of Leonard Campanello, currently the Assistant Chief of Police in Saugus, Massachusetts, as Chief of the Gloucester Police Department. Lt. Campanello has been selected after a comprehensive search for a new Police Chief to lead the department.

Please join me in thanking the Search Committee for their diligence in the search and for bringing the best candidates forward. Each finalist brought different strengths, and Leonard Campanello's education, experience and overall performance in the comprehensive and objective assessment center were the determining factors in the final selection.

During his tenure as Assistant Chief, Lt. Campanello has been responsible for all internal police matters and has oversight over the day to day operations of the department, including all major criminal investigations.

Lt. Campanello brings a wealth of experience and a distinguished record of service to Gloucester, and I look forward to the City and the Police Department warmly welcoming him to our City.

Included as **Enclosure 1** is a copy of Mr. Campanello's resume. The negotiated contract is being finalized and will be submitted within the next 48 hours. Councilor Sefatia Romeo Theken, Chair of the Ordinance and Administration subcommittee, and Councilor Paul McGeary, Chair of the Budget and Finance subcommittee, will place the matter on the next agenda for the O&A and B&F meetings, and the contract will be sent to City Council well in advance of the B&F and O&A meetings.

*Please refer this matter to the **Budget and Finance** and **Ordinance and Administration** and subcommittee for review and approval.*

ENCLOSURE 1

Leonard Campanello

EDUCATION

BOSTON UNIVERSITY, Boston, MA - 2005
Master of Science Degree - Criminal Justice
GPA: 3.93

NORTHEASTERN UNIVERSITY, Boston, MA - 1995
Bachelor of Science - Criminal Justice
Summa Cum Laude Graduate - Highest Honors
GPA: 3.89

MASSACHUSETTS CRIMINAL JUSTICE TRAINING COUNCIL, Needham, MA - 1990
Graduate of Registry of Motor Vehicles Police Academy

EXPERIENCE

SAUGUS POLICE DEPARTMENT – 1990 to present
Saugus, MA

Assistant Chief of Police (08/2009-present)

Solely responsible for all internal personnel matters. Oversee all day to day operations of department. Responsible for all media relations including departmental press conferences and statements. Direct collaboration in policy making, budget preparation and implementation, and risk management assessment and solutions. Development and implementation of Neighborhood Watch Program, Civilian Police Academy Program, College Intern Program, and Saugus PD Safe Watch Program. Departmental Control Officer. Management of all grants received by department. Acting Chief of Police in all Police Chief absences.

Detective Lieutenant/Chief of Detectives (08/2008-08/2009)

Commanding Officer of Bureau of Criminal Investigation, Drug Enforcement Unit and K-9 Division. Responsible for the direction and coordination of all major criminal investigations, undercover and plainclothes operations, and K-9 deployments. Responsible for budget preparation and allocation for respective units. Create policy and procedure as necessary. Schedule and oversee training within divisions. Liaison between Chief of Police and Patrol Division, Internal Affairs and Town Officials. Coordinator of Operations Manager. Public Relations with various media outlets as needed.

Sergeant, Patrol Supervisor (02/2001-04/2001) (02/2007-08/2008)

Responsible for the divisional first line supervision of patrol officers. Role included scheduling, command decision-making, disciplinary action when needed, and handling of complaints.

Instructor, Massachusetts Criminal Justice Training Council (02/2003)

In service police trainer in the area of Drug Recognition for the MCJTC Reading Police Academy

Detective Sergeant (04/2001-02/2007)

Sergeant-in-charge of Bureau of Criminal Investigation (Detective division) and of Drug Enforcement Unit. Duties include assigning and monitoring investigations, and reporting progress to Lieutenant Detective. Established well-respected working relationships with Federal, State and Local law enforcement agencies and prosecution and parole teams in order to streamline investigations. Co-developed advanced communication system between agencies to ensure vital information is shared in a timelier manner.

Leonard Campanello
Page 2

Detective, Drug Enforcement Unit (03/1999-02/2001)

Handpicked for implementation of new Drug Unit created in 1999. Duties include drug-related investigations, intelligence gathering, search warrant executions, multi-agency cooperative efforts, community awareness programs, and police instruction. Authored 16-page statistical report presented to Massachusetts House of Representatives Ways and Means Committee. This report was instrumental in obtaining state grant for continuation of Drug Unit. Developed Drug Awareness and Recognition Program for schools and other law enforcement agencies. Developed Designer Drug training module presented to law enforcement agencies in area.

Director, Civilian Police Academy (04/1998- 03/2009)

Implemented ten-week program designed to improve and foster community relations between the Police Department and Saugus residents by presenting a series of classes to familiarize residents with their Police Department. Co-developed entire curriculum of this highly successful program. Invited to present curriculum and acting as consultant to area police departments who wish to start a similar program.

Certified Massachusetts Crime Prevention Officer (09/1997-present)

This community policing related field requires instructing the public and retail community on a variety of subjects from neighborhood watch and residential security to shoplifting investigations. Speaker to a variety of retail organizations on employee misconduct, larceny and security issues.

Patrol Officer/Motorcycle Officer (06/1990-03/1999)

Service to the community in an order-maintenance position.

SPECIALIZED TRAINING/CERTIFICATIONS

- Public Records Law Training – February 2012
- Internal Affairs Training – April 2011
- Designated Infectious Disease Control Officer Certification – May 2010
- Media Relations Training – June 2010
- Missing and Exploited Children Chief Executive Officer Seminar – June 2009
- ICS 100,200,300 Certification – September 2007
- FEMA IS-00200 – Local Government Incident Response – June 2006
- FEMA IS-700 Homeland Security Preparedness – May 2005
- Incident Response to Terrorist Bomb Threats – June 2004
- State and Local Anti-Terrorism Training, NESPIN - March 2002
- Crime Scene Investigation School, FBI - June 2001
- Responding to Missing and Abducted Children Training, NCMEC - March 2001
- DEA Narcotics Investigation Certification - February 2001
- Internet Safety for Children Conference, Greater Boston Police Council - January 2001
- Sexual Exploitation of Children Training, NCMEC - October 2000
- Attorney General's Office Search and Seizure School - February 2000
- Drug Enforcement Agency Advanced Narcotics Training - October 1999
- University of N. Florida Citizens Police Academy School - February 1999
- FBI Interview and Interrogation School - January 1999
- MCJTC Instructor Development Program - February 1998
- Crime Prevention Officers School - September 1997
- Emergency 911 Certification - January 1996
- Police Motorcycle Operator Certification - August 1994

RECOGNITIONS/ACTIVITIES

- Finalist – Town of Topsfield Police Chief Position in February 2007
- International Narcotic Enforcement Officers Association President's Award for Outstanding Achievement in the Area of Narcotic Investigations
- Departmental Citation for over 100 drug related arrests in one year
- Numerous letters of commendation
- Past Saugus Police Superior Officers Association Treasurer
- Past Saugus Police Relief Association Secretary
- Massachusetts Crime Prevention Officers Association Member
- Massachusetts Police Association Member
- High Technology Crime Investigation Association Member
- Midwest Gang Investigators Association Member
- International Narcotic Enforcement Officers Association Member
- National Institute of Justice On-Line Member
- National Criminal Justice Research Center Member

SPECIALIZED SKILLS

- Departmental instructor
- Frequent speaker at civic, law enforcement and military venues
- Board of Probation Clearance
- Criminal Offender Records Information (CORI) Clearance
- New England State Police Information System (NESPIN) Clearance
- Drug Enforcement Agency Deputization
- Essex County Deputy Sheriff

PERSONAL

- Proven leadership ability
 - Able to work with and manage diverse groups
 - Graduate of the top Criminal Justice programs in the nation
 - Effective and adaptable Public Speaker and Instructor
 - Excellent organizational and motivational skills
 - Dedicated, hard-working, and highly motivated
-

CITY CLERK
GLOUCESTER, MA

CITY CLERK
GLOUCESTER, MA

POLICE CHIEF EMPLOYMENT CONTRACT BY AND BETWEEN THE CITY OF
GLOUCESTER AND LEONARD CAMPANELLO
12 SEP 12 PM 2:13

Agreement made this 30th day of September, 2012, by and between the City of Gloucester, (hereinafter the "City/") and Leonard Campanello of Ipswich, Massachusetts (hereinafter the "Chief" or "Chief of Police").

WHEREAS, the City is desirous of securing the services of the Chief in the administration of the Police Department; and

WHEREAS, the Chief is willing to perform the duties of the position of Chief of Police according to the job description and the terms and conditions of this Contract; and shall furnish the Mayor with evidence of professional training accomplishments and maintain such qualifications as may be required by the Commonwealth of Massachusetts and/or Mayor to hold the position of Chief.

NOW, THEREFORE, the City and the Chief hereby agree, subject to confirmation by the City Council, that the following terms and conditions shall govern the salary and fringe benefits payable under this contract to which said Chief shall be entitled as Chief of Police.

1. DUTIES

Under the direction of the Mayor, the administrative control of the Police Department for the City shall be the responsibility of the Chief.

The Chief's duties shall include and be carried out in consultation with and consistent with the lawful direction of the Mayor, but not be limited to the following:

- A. Supervision of the daily operation of the Police Department.
- B. Supervision of all departmental personnel.
- C. Preparation and submission of the Police Department budget.
- C. Management of the department within the established budget.
- D. Submission of reports to the City either orally or in writing when requested or required in order to ensure the proper communication between the administration, the city council and the Police Department.

E. Being responsible for all departmental expenditures, as well as the receipt of funds and property in the custody of the Department.

F. Supervision and control of all Department equipment and motor vehicles belonging to or used by the Police Department.

G. Establishing weapons, ammunition, uniforms, equipment and vehicle specifications for the Police Department.

H. Being in charge of all special, auxiliary and/or reserve police officers, if any.

I. Supervision and control of all training programs for department personnel and the assignment of personnel to such programs.

J. Maintaining the discipline of department personnel; the issuing of orders, rules, regulations, policies and procedures; and the assignment to shifts and duties of all departmental personnel.

K. Being available for hearings before any board or commission of the City at which the Police Department is required to appear and before the City Council when necessary.

L. Being responsible for planning, organizing, directing, staffing and coordinating police operations, including so-called "paid details", mutual aid, regional task force or similar enforcement efforts, and coordination with the State Police where the Chief deems it appropriate.

M. Being responsible for communications with the public, including the media, on matters related to crime, police operations and department policy.

N. Representing the City in a professional and ethical manner and informing the Mayor of all policies and plans of the department.

O. And any such additional duties consistent as the Mayor from time to time may legally assign the Chief.

2. HOURS OF WORK

A. The Chief agrees to devote that amount of time and energy which is reasonably necessary for the Chief to faithfully perform the duties of Chief of

Police under this Contract. The Chief shall account for all hours worked consistent with the payroll procedures as determined by the policy of the City.

B. It is recognized that the Chief must devote a great deal of time outside the normal office hours to the business of the city, and to that end, the Chief shall be allowed to take compensatory time off. With the approval of the Mayor, he may schedule compensatory time off for the hours cumulated and reflected in the payroll records of the City. The Chief shall account for all compensatory time taken.

C. The City reserves the right to pay the Chief for any accrued compensatory time.

3. INDEMNIFICATION

The City agrees that it shall defend, save harmless and indemnify the Chief against any tort, professional liability claim or demand or other civil or criminal legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Chief's duties.

4. INSURANCE

A. Professional Liability

The City agrees to furnish at its expense professional liability insurance for the Chief with liability limits of no less than One Million (\$1,000,000.00) Dollars.

B. Health and Life Insurance

The Chief shall be eligible for all health and life insurance benefits for which other non-bargaining unit, general government employees are eligible.

C. Injured on Duty

As a sworn police officer, the Chief shall be entitled to injured-on-duty benefits as provided in Chapter 41, Section 111F of the Massachusetts General Laws.

5. AUTOMOBILE

The City shall provide a vehicle for the use by the Chief. The vehicle shall be maintained through the City's vehicle maintenance program. In acknowledgement that the Chief is on call at all times in the event of an emergency, the vehicle may be used by the Chief at all times, including vacation, except for periods during which the Chief would not be reasonably expected to respond to an incident.

6. COMPENSATION

The city agrees as follows:

- A. To pay the Chief an annual salary of \$118,736.72 payable bi-weekly in accordance with the M-12 step 11 classification on the City's salary classification scale.
- B. The Police Chief's salary may be adjusted annually in accordance with the parameters specified for any merit pay increase or cost of living increase applicable for other City Managers/Department Heads.
- C. The Chief shall receive at least the same number of sick days, vacation days, personal days, bereavement days, holiday pay, longevity pay, uniform and cleaning allowance, health and life insurance, and all other benefits as do all Department Heads of the City.
- 9/12/12
CME*
- ⓐ 9/12/12*
- D. The City agrees that it shall not at any time during the term of this Contract reduce the salary, compensation, or other benefits of the Chief, except to the extent that such reduction is evenly applied across-the-board for all employees of the City.

7. BENEFITS

The City agrees that the Chief shall receive any and all benefits generally available to full-time, non-union employees under the same terms and conditions unless specifically modified under the terms of this Agreement

- a. Sick leave shall leave accrue one and a half days per month, for an annual total of twelve (18) days. Upon termination of this contract by mutual agreement, without the Chief having exhausted accumulated sick leave, the Chief shall be paid sixty-five (\$65) Dollars per day for each day of unused accumulated sick leave up to 54 days.
 - b. Personal Days - three days of sick time accrued may be used as personal days each calendar year.
 - .c Funeral Leave shall be consistent with those described in the GMAA contract
- B. Consistent with current practice for Police Chief, the following benefits applicable to the Gloucester Superior Officers Association shall be provided in accordance with the same terms:
- a. Clothing and Uniform Cleaning Allowance shall be consistent with the Gloucester Superiors Officers Association.
 - b. Holiday Pay shall be consistent with the Gloucester Superior Officers Holiday Pay benefits.
 - c. The Chief will be shall be entitled to twenty eight days of paid vacation leave. Vacation days shall accrue on January 1 of each year. Vacation leave shall be taken at such times as is compatible with the work schedule of the Chief and the business needs of the City. At least 24-hours notice

must be given to the Mayor prior to taking a vacation day. The Chief may carry 20 days forward from one year to the following year.

C. Additional Fringe Benefits

- a. Understanding that it is necessary for the Chief to be available for telephone access at all times and therefore the City shall issue and pay for a cellular telephone for the Chief's use.
- b. The City shall provide the Chief with an initial uniform stipend for one dress uniform, a regular uniform and one winter coat.
- c. The City shall issue a lap top computer to the Chief for his professional use.

8. PROFESSIONAL DEVELOPMENT

Subject to available funding, with prior approval of the Mayor, which will not be reasonably withheld, the Chief may attend conferences, continuing education courses, and training and other professional development courses with expenses to be paid by the City.

9. DUES AND SUBSCRIPTIONS

Subject to funding, the City agrees to budget and to pay for the professional dues and subscriptions of the Chief for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional growth and advancement, and for the good of the City, including but not limited to the International Association of Chiefs of Police, the Police Executive Research Forum, the New England Police Chiefs Association, the Massachusetts Chief of Police Association, and the applicable regional police chiefs association(s).

10. DEATH DURING TERM OF EMPLOYMENT

If the Chief dies during the term of his/her employment, the City/ shall pay to the Chief's estate all the compensation which would otherwise be payable to the Chief up to the date of the Chief's death, including, but not limited to, payment for any unused leave days.

11. LENGTH OF CONTRACT

- A. The term of this employment agreement shall be three (3) years, commencing on September 30, 2012 through September 30, 2015, however, this contract may be extended as provided by its terms.
- B. In the event that the Mayor wishes to extend or renew the agreement for an additional term, the Mayor shall on or before June 30, 2014, notify the Police Chief, in writing, as to whether or not she wishes to commence negotiations for a successor agreement. Failure of the Mayor to give such notice shall be considered the same as notice by the Mayor that she does not wish to commence negotiations for a successor agreement. In such event, this agreement shall terminate, as herein before provided, on June 30, 2015, and as of such date the Police Chief's employment shall terminate.
- C. In the event both the Police Chief and the Mayor give notice indicating their desire to commence negotiations for a successor agreement, the parties hereto shall meet and shall attempt to conclude negotiations by April 30, 2015.
- D. Notwithstanding anything contained herein to the contrary, this three year agreement will automatically terminate on September 30, 2015 and the Police Chief's employment shall terminate at such time unless otherwise agreed upon in writing by the parties herein.

- E. If the decision is to renew, then either the Chief or the Mayor may request that the provisions be renegotiated. It is expressly understood and agreed by the parties that a decision not to renew is not to be construed as a dismissal.
- F. If the Chief desires to terminate this agreement before the end of the term of service shall have expired, the Chief may do so by giving the Mayor ninety days notice of such intention.

12. TERMINATION

- A. This employment agreement may be terminated by written notice from the City before the expiration of the three year term as follows:
 - a. Incapacity (inability to perform duties due to physical or mental impairment) of the Police Chief to perform his duties for a continuous period of over ninety(90) calendar days (subject to compliance with the Family and Medical Leave Act, the Americans with Disabilities Act and the corresponding or other provisions of the Massachusetts Anti-Discrimination law GL c. 151B); or as determined by medical documentation pursuant to the provisions of Sec. 5-4, Appendix C in the Gloucester Code of Ordinances; or
 - b. Material breach by the Police Chief of any provisions of this employment agreement; or
 - c. For just cause as determined by the Mayor, after due process including notice, hearing at which the Chief may be represented by counsel, and the ability of the Chief to present and cross-examine witnesses.
 - d. In the event of the suspension or discharge of the Chief of Police, if the committee of arbitrators or a court shall reverse or modify a suspension or discharge, the Chief of Police shall be entitled to back pay, benefits limited to the duration of this agreement.

- B. The Police Chief may terminate this employment agreement by giving ninety days prior written notice to the Mayor, and upon such termination all rights and obligations under this employment agreement shall cease, including any rights to the severance pay as set forth in section 3 of this agreement.
- C. The City may terminate this employment agreement by giving one (1) month prior written notice to the Police Chief, however, if the Police Chief is terminated for any reason other than for material breach of this agreement, just cause or incapacity, prior to June 30, 2015, then the City shall pay the Police Chief severance pay in an amount equal to the lesser of either; the amount equivalent to one year annual base salary or the amount that he would have received for the remainder of the agreement. The City shall pay the severance benefit to Chief in a lump sum within thirty days of the effective date of termination.

13. DISCIPLINE OR DISCHARGE

The Mayor may suspend and/or discharge the Chief under the terms and conditions of this agreement and in accordance with Massachusetts General Laws and the City of Gloucester Code of Ordinances. Any dismissal shall terminate this agreement, unless it has been reversed or modified on appeal.

14. DISPUTES ARISING OUT OF THIS AGREEMENT

For any dispute arising out of this agreement, including any appeal, regarding termination for just cause or material breach of the terms of employment, the parties agree to submit the dispute to mediation. The parties shall propose and agree upon a neutral and otherwise qualified mediator. In the event that the Parties fail to agree upon a mediator either Party may request the American Arbitration Association (the "AAA") to appoint a mediator. In the event that the dispute is not resolved through mediation, the parties agree to submit the dispute to final binding arbitration to the American Arbitration Association.

15. MODIFICATION

No change or modification of this Contract shall be valid unless it shall be in writing and signed by both of the parties.

16. LAW GOVERNING

This contract shall be construed and governed by the Laws of the Commonwealth of Massachusetts.

17. SEVERABILITY OF PROVISIONS

If any clause or provision of this contract shall be determined to be illegal by a court of competent jurisdiction, the remainder of this contract shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals to this instrument the date and year first above written.

FOR THE CITY

By its Mayor

THE CHIEF OF POLICE



Carolyn A. Kirk

9/12/12

Date

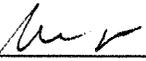


Leonard Campanello

9/12/12

Date

APPROVED AS TO FORM:



City Solicitor



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER: CC#2012-048
COUNCILLOR: Bob Whynott

DATE RECEIVED BY COUNCIL: 08/28/12
REFERRED TO: O&A and Police Chief
FOR COUNCIL VOTE:

ORDERED that in the interests of protecting the public as customers of taxi cabs and modernizing the process of licensing taxi cab drivers, the Code of Ordinances, Chapter 25, Article II, Division 1 should be amended as follows:

ADD new definition "CORI" BY adding in Sec. 25.15 "Definitions" as follows:
"CORI" shall mean an official report obtained from the Mass Criminal Offender Record Information System and shall be a confidential report as required by state law. A CORI report received for the purposes of Chapter 25 shall not be disseminated beyond the authorized requestor and the City Police chief or his designee."

DELETE in its entirety Section 25-57 "Same to be reviewed by Chief of Police" and **ADD** new Section 25-57 "Application to Require a CORI Report" as follows:
"No license shall be issued under this division until the City Clerk, on behalf of the Licensing Commission, and as an authorized CORI representative, has requested and received a satisfactory state CORI report on the applicant. If there is any question as to whether the CORI report is satisfactory, the Clerk shall refer the CORI to the Chief of Police or his designee for a determination of whether the CORI report is satisfactory. The decision of the Chief shall be final and shall determine if a license shall be approved or denied.

DELETE Sections 25-58(b), 25-58(c), 25-58(d) and 25-58(e) "Qualifications of the Applicant" in their entirety and **ADD** new subsection 25-58(b) as follows: No license shall be issued to the applicant who has been denied and that they may, within 3 business days of such notice, request in writing a hearing before the Licensing Commission, or otherwise the denial shall be final."

AMEND Section 25-63 "Licensee's identification card" by **DELETING** in 25-63(b) "the City Manager, the inspector of motor vehicles"; and further

ORDERED that this matter be referred to the Ordinances and Administration Committee for its recommendation and review.

Bob Whynott
Councillor At Large



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER: CC#2012-049
COUNCILLOR: Bruce Tobey and Greg Verga

DATE RECEIVED BY COUNCIL: 08/28/12
REFERRED TO: O&A, P&D and Building Inspector
FOR COUNCIL VOTE:

ORDERED that the Council review the matter of self-storage service facilities to determine whether such facilities should be restricted or regulated in any way for reasons of public health and safety; and further

ORDERED that this matter be referred to the Ordinances and Administration, Planning and Development Standing Committees and the Building Inspector for review and recommendation.

Bruce Tobey
Councillor at Large

Greg Verga
Ward 5 Councillor



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

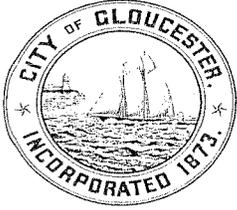
ORDER: CC#2012-050
COUNCILLOR: Bruce Tobey

DATE RECEIVED BY COUNCIL: 09/11/12
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the City Council develop a policy, rules, or an ordinance to govern all written, electronic, or digital communications made or received by City Councillors, regardless of medium used, which are concerned with matters that are before the City Council or that are reasonably anticipated to come before the council, regardless of the method or medium of communication used, so that communications and records of City of Gloucester Councillors comply with all applicable laws including laws governing Open Meetings, Public Records and Zoning; and further

ORDERED that this matter be referred to the Ordinances and Administration Committee for discussion, review and recommendation.

Bruce Tobey
Councillor at Large



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER: CC#2012-051
COUNCILLOR: Steven LeBlanc

DATE RECEIVED BY COUNCIL: 09/11/12
REFERRED TO: O&A and TC
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Sec. 22-287 entitled "Disabled Veteran, handicapped parking" be amended by **ADDING:**

one (1) handicapped space in front of Summer Street #44

And further

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

Steve LeBlanc
Ward 3 Councillor



**CITY OF GLOUCESTER 2012
CITY COUNCIL ORDER**

ORDER: CC#2012-052
COUNCILLOR: Steven LeBlanc

DATE RECEIVED BY COUNCIL: 09/11/12
REFERRED TO: O&A and TC
FOR COUNCIL VOTE:

ORDERED that the City Council amend the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles" Section 22-270 "Parking Prohibited at all Times" to **ADD** Lincoln Avenue from its intersection with Blynman Avenue on the westerly side to a point across from #15 Lincoln Avenue; and further

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

Steven LeBlanc
Ward 3 Councillor