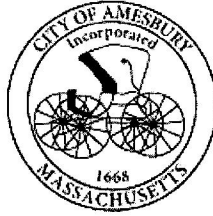


2016-004

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AMESBURY CITY CLERK



CITY OF AMESBURY

BONNIJO KITCHIN
CITY CLERK

62 FRIEND STREET
AMESBURY MA 01913
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December 23, 2015

Amesbury City Council
62 Friend Street
Amesbury, MA 01913

Dear Councilors:

The Housing Authority has a vacancy because of failure to elect. The write-in candidate who received the highest number of votes, Patrick Simpson, has declined the write-in position.

Under Part IV, Section 4-7 Vacancy in Elected Offices: "If a vacancy occurs in the membership of the school committee, planning board, board of library trustees, or housing authority, whether by failure to elect or otherwise, the remaining members of said board shall notify the president of the city council who will declare such vacancy to exist. The council president shall within thirty days following the date such vacancy is declared to exist, call a joint meeting of the city council and the remaining members of the board or committee on which such vacancy exists for the purpose of filling said vacancy. At any such joint meeting a majority of those present and voting shall choose the unelected candidate who received the highest number of votes, if any, at the last regular city election immediately preceding the date of the vacancy for the seat declared vacant, provided however, that the unelected candidate shall have received at least thirty (30) percent of the total votes cast for that office. Should more than one unelected candidate meet the criterion as described above, the vote of the affected board or committee and the council shall include all such candidates.

If there is no eligible candidate for said office, or the said candidate declines to be sworn into office within ten days or has removed from the city, or is otherwise unable to serve, the city council and such other board or committee will choose from among the voters entitled to vote for such office. Said vacancy shall be posted for a minimum of thirty days, and the council and the affected board shall meet at a special council meeting called for the purpose or at a regularly scheduled council meeting where such candidates will be granted equal time to speak. At the same meeting, or the next following meeting, the council and the affected board or committee shall vote to fill the vacancy from among the announced candidates. The council and the affected board or committee shall act in this matter as a committee of the whole, requiring a majority of the full council membership and remaining members of the affected board or committee, to choose a candidate to fill the vacancy.

Any person so chosen shall take the oath of office and commence to serve forthwith. No vacancy shall be filled, in the manner herein provided, if a regular city election is to be held within 120 days following the date the vacancy is declared to exist. If a vacancy is filled under this section, the term of office which shall continue beyond the next regular election, the person chosen to fill said vacancy shall only serve until such next regular election. At such regular election the voters shall fill the unexpired balance of the term of office.

Should the remaining members of the school committee, planning board, board of library trustees or housing authority fail to declare a vacancy, the city council shall be the sole judge of whether a vacancy exists in the office of any elected office under this section and may declare any such elected office vacant by a majority vote of the council.

There was no unelected candidate who received thirty percent of the vote for this seat.

Once the vacancy is declared, a joint meeting of the boards must be scheduled. A notice of the vacancy will be sent to the local paper and placed on the website.

Sincerely,

Bonniyo Kitchin
Bonniyo Kitchin
City Clerk

February 9, 2016 Joint Mtg - City Council - Housing Authority

*Motion by Councilor Lavoie to appoint Kendra Amaral
2nd Councilor McMillen*

*Motion by Councilor Stangarelli to appoint Jane Thivierge
2nd Councilor McClure*

*ROLL CALL
Einson, - KA, Lavoie - KA, McClure KA, McMillen - KA, Sherwood - KA,
Sukoreg - KA, Stangarelli - JT, Bartley - KA, Scorzoni - JT
Ralph Noon - KA, David Hildt - KA, Philip Danduraut - KA
10 - Kendra Amaral, 2 times Thivierge*