

Gardner Historical Commission Rules and Regulations

Adopted May 20, 2025

Section 1. Introduction and Purpose

The Gardner Historical Commission, hereinafter called “the Commission,” is established under MGL c. 40, §8D, as adopted by the City Council on March 4, 1974 by Ordinance No. 554. In accordance with the statutory provisions, the Commission’s purpose is to preserve, promote, and develop the City’s historical assets and, to achieve its mission, shall carry out the following duties and responsibilities:

- 1) The Commission shall conduct researches for places of historic value and shall seek to co-ordinate 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.
- 2) For the purpose of protecting and preserving such places, the Commission may make such recommendation to the City Council as it deems necessary, and, subject to the approval of the City Council, to the Massachusetts Historical Commission, that any such place be certified as an historic landmark.
- 3) The Commission may:
 - a. Hold hearings;
 - b. Enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program;
 - c. Enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program;
 - d. 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;
 - e. May make and sign any agreements, and:
 - f. Do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section.
- 4) The Commission shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town report.
- 5) The Commission may appoint such clerks and other employees as it may from time to time require.
- 6) The Commission shall consist of not less than three nor more than seven members.
- 7) The members shall be appointed by the Mayor, subject to confirmation by the City Council.
- 8) When the 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.

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- 9) Any member of a Commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority.
- 10) A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.
- 11) The Commission may acquire in the name of the City by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property significant historical value and may manage the same.

Section 2. Officers and other Positions

The officers shall consist of a Chair, a Vice-Chair, and a Clerk. The Commission shall elect officers at its March meeting, or at another meeting if necessary to fill a vacancy. The term of service of the officers shall begin on April 1 and shall be for one year. The Mayor and the City Clerk shall be notified of the slate of officers. Except as otherwise provided by law, officers shall hold office until their successors are elected.

1. **Chair** - The principal duties of the Chair are:
 - a. To preside at all meetings and hearings
 - b. To ensure that rules and procedures are followed
 - c. To prepare meeting agendas with input from members
 - d. To serve as spokesperson unless delegated to one or more members
 - e. To receive, process, and execute on behalf of the Commission, petitions, applications for certificates and other official correspondence.
2. **Vice-Chair** - The principal duties of the Vice-Chair are to preside at meetings in the Chair's absence and to assist the Chair.
3. **Clerk** - The principal duties of the Clerk are:
 - a. To record, distribute and file minutes of all meetings as required.
 - b. To file all incoming and outgoing correspondence.
 - c. To maintain the files and records of the Commission
 - d. To post to the Commission's official webpage electronic copies of minutes, agendas, applications, decisions, and related documents.

Section 3. Membership and Related Rules

Membership provides an opportunity for residents to aid in the preservation of the City's historic assets.

1. **Appointment.** Members are appointed by the Mayor, subject to confirmation by the City Council, and non-voting Associate Members may be appointed by a majority of the full Commission.
2. **Qualifications.** Residents interested in serving on the Commission should:

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- a) Possess an interest in the history of Gardner and the preservation of its historic homes, structures, places, sites and surrounding setting.
 - b) Be able to attend monthly and special meetings and to contribute the time necessary to provide for the effective operation of the Commission.
 - c) Perform assigned tasks in a timely fashion;
 - d) Where viable, commission members should be appointed from among professionals in the disciplines of historic preservation, architecture, history, architectural history, planning, or archaeology, provided that these interests also include historic preservation.
3. **Resignation.** If a Commissioner is unable to maintain regular attendance or cannot actively contribute to the work of the Commission, the member will advise the Chair and will submit a resignation letter to the Mayor, copying the Commission Chair and the City Clerk. The absence of more than three meetings in a row without justification may be regarded as a voluntary resignation from the Commission and may be referred to the Mayor.
4. **Ethics.** All members shall abide by the provisions of c. 268A of the General Laws, and other conflict of interest and ethics laws and guidelines.

Section 4. Meetings

The following rules and procedures govern the type, timing, notice, topics, participation, and recording of GHC meetings.

1. **Regular Meetings.** Regular Meetings are scheduled for the third Tuesday of the month.
2. **Special Meetings.** Special meetings may be called at the request of the Chair or by two or more Commissioners.
3. **Public Hearings.** Public hearings shall be held when required and may be held in conjunction with a regular or during special meeting. Public hearings will be conducted as provided below.
4. **Notice.** Notices for all meetings and hearings shall be provided as required by these Rules and Regulations, the Code of the City of Gardner, and the Open Meeting Law.
5. **Agendas.** The agenda will be determined by the Chair with advice from the Clerk; however, any Commissioner may suggest a topic for the agenda by informing the Chair and the Clerk.
6. **Minutes.** The meeting minutes shall be transcribed by the Clerk, or such other Commissioner as appointed by the Chair in the Clerk's absence, and shall include the date, time and place, the members present or absent, names of others who participated in the meeting, a summary of the discussion on each subject, a list of documents and other exhibits used at the meeting, and a summary of the decisions made and the actions taken, including the record of all votes. Minutes will be distributed to

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- members at least one week before the meeting at which they will be reviewed. Once approved, the minutes will be posted on the GHC website.
7. **Participation by Associate Members.** Associate Members may participate in discussions, but shall have no vote in the proceedings.
 8. **Open Meeting Law.** All meetings and hearings shall be conducted in accordance in accordance with MGL c. 30A, §§18 - 25, commonly referred to as the Open Meeting Law (OML).
 9. **Absence of Chair.** In the event that the Chair is absent from a meeting, or is disqualified, or otherwise designates, the Vice Chair shall serve as the Chair. If both the Chair and Vice-Chair are absent from a meeting (or otherwise disqualified), another member may be elected to serve as Chair Pro-tem.
 10. **Quorum.** A quorum shall consist of a majority of the full membership. In the absence of a quorum, the Chair cannot convene a meeting. If during the course of a meeting, a Commissioner must leave, the Chair must adjourn the meeting. If a Commissioner is disqualified from participating in an agenda item and there is no longer a quorum, the item cannot be considered.
 11. **Decisions.** Decisions require a majority of the members who are present, but not less than a majority of the entire membership.
 12. **Cancelling Meetings.** If there is no business to conduct, the Chair may cancel a meeting by giving notice to all Commissioners, and by posting a notice of the cancellation at least 48 hours prior to the scheduled time.

Section 5. Modification

1. **Rules.** The Commission may amend these Rules by simple majority vote of the Commission. Any Member of the Commission may propose an amendment to the Rules.
2. **Records.** A written copy of these Rules and Regulations shall be kept on file with the City Clerk and made available to the public upon request.
3. **Adoption of Additional Rules.** The Commission may adopt additional Rules relating to other proceedings before it or its general operations, as the Commission deems necessary.