I. CALL TO ORDER

II. CALL OF THE ROLL OF MEMBERS

III. OPENING PRAYER

IV. PLEDGE OF ALLEGIANCE

V. ANNOUNCEMENT OF OPEN MEETING RECORDINGS

Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.

VI. READING OF MINUTES OF PRIOR MEETING(S)

Reading and Approval of the Minutes of the Regular Meeting of March 4, 2019.

VII. PUBLIC HEARINGS

10062 – A Hearing on a Petition by National Grid and Verizon New England, Inc. for permission to install 1 JO Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street (Continued from 3/4/2019).

10070 – A Hearing on an Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street.

VIII. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

10071 – A Measure Confirming the Mayor’s Appointment of Paulette Burns to Member, Board of Assessors, for term expiring February 26, 2022 (Finance Committee).

10072 – A Measure Confirming the Mayor’s Appointment of Ludger Robichaud to Member, Cemetery Commission, for term expiring March 4, 2022 (Finance Committee).

10073 – A Measure Confirming the Mayor’s Appointment of Ludger Robichaud to Member, Municipal Grounds Commission, for term expiring March 4, 2022 (Finance Committee).
IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

X. REPORTS OF STANDING COMMITTEES

PUBLIC SERVICE COMMITTEE

10062 – A Petition by National Grid and Verizon New England, Inc. for permission to Install 1 JO Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street (In City Council and Referred to Public Service Committee, 2/19/2019).

PUBLIC SAFETY COMMITTEE

10069 – An Application by Osagi Enterprise, LLC, for a License to Buy and Sell Second Hand Motor Vehicles, Class 2, on Toby Street (In City Council and Referred to Public Safety Committee, 3/4/2019).

10070 – An Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street (In City Council and Referred to Public Safety Committee, 3/4/2019).

PUBLIC SERVICE COMMITTEE and PUBLIC SAFETY COMMITTEE

10053 – An Ordinance to Amend the Code of the City of Gardner, Chapter 312 Thereof, Entitled “Animals,” by Deleting and Repealing § 312-2F (In City Council and Referred to Public Safety, 2/4/2019; Referred to Public Service, 2/19/2019).

FINANCE COMMITTEE

10008 – A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events (Ref: #10007) (In City Council and Referred Jointly to Public Service and Finance Committees, 11/5/2018; Discharged from Public Service, 1/22/2019).

XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

10007 – An Ordinance to Amend the Code of the City of Gardner, Chapter 156 Thereof, Entitled “Municipal Grounds Commission, to Add Provisions Relating to a Community Bandstand Committee (In City Council and Referred to Public Service, 11/5/2018; Discharged from Service and Referred to Finance, 1/22/2019; Reported Favorably and Ordered to First Printing, 2/4/2019; Corrected and Ordered republished, 2/19/2019; First Printing, 2/25/2019; Postponed due to requisite 10-day moratorium between First Printing and Eligibility for Adoption, 3/4/2019).


XII. NEW BUSINESS

XIII. CLOSING PRAYER

XIV. ADJOURNMENT

Items listed on the Council Calendar are those reasonably anticipated by the Council President to 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.
Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, March 4, 2019.

**CALL TO ORDER**

Council President Scott Joseph Graves called the meeting to order at 7:30 o’clock p.m.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of Members. Seven (7) Councillors were present including President Scott Joseph Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, and James Walsh. Councillor Elizabeth Kazinskas arrived at 7:32 p.m. Councillors James Boone, Craig Cormier, and Christine Johnson were absent.

**OPENING PRAYER**

President Graves led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

President Graves led the Council in reciting the “Pledge of Allegiance”.

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Graves announced to the assembly that the Open Meeting Recording and Public Records Announcement is posted at the entrance to the Chamber, and that any person planning to record the meeting by any means should identify themselves.

**READING & ACCEPTANCE OF MINUTES**

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, seven (7) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, and James Walsh, to waive reading and to accept the Minutes of the Informal and Regular Meetings of February 19, 2019, as printed.

**PUBLIC HEARING**

#10062

President Graves opened the Public Hearing on the petition of NATIONAL GRID and Verizon New England, Inc. for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:
West Street – National Grid to install one (1) jointly-owned Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street and continuing approximately 15 feet in a northerly direction. National Grid to install new midline pole P88-50 (with anchor) between P88 and P89 for tap to new DG site.

The President thrice called for persons wishing to testify in favor of the Petition.

There being none, the President thrice called for persons wishing to testify in opposition to the Petition.

There being none, President Graves informed the Council that since National Grid notified the City Council that no representative was available to attend the hearing and that they requested that the Hearing be continued, that he would continue the Hearing to March 18, 2019 at 7:30 p.m.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

#10063
Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Appointment of Mr. Awdycki is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

JOHN AWDYCKI to the position of Member, Cemetery Commission, for term expiring February 15, 2022.

Worcester, ss. March 8, 2019

Then personally appeared JOHN AWDYCKI and made oath that he would faithfully and impartially perform the duties of Member, Cemetery Commission according to law and the best of his abilities.

Before me,
/s/ John A. Olivari, Assistant City Clerk
Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. LaRoche is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

**BRIAN LAROCHE** to the position of **Member, Cemetery Commission**, for term expiring February 15, 2022.

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Appointment of Mr. Awdycki is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment. He added that the Mayor filed an Appointment Certificate for Ludger Robichaud to the Municipal Grounds Commission for the Council’s consideration at the next meeting.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

**JOHN AWDYCKI** to the position of **Member, Municipal Grounds Commission**, for term expiring February 15, 2022.

Worcester, ss. March 8, 2019

Then personally appeared **JOHN AWDYCKI** and made oath that he would faithfully and impartially perform the duties of **Member, Municipal Grounds Commission** according to law and the best of his abilities.

Before me,

/s/ John A. Olivari, Assistant City Clerk
#10066
Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. LaRoche is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

**BRIAN LAROCHE** to the position of **Member, Municipal Grounds Commission**, for term expiring February 15, 2022.

#10067
Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. Hackett is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

**DAVID HACKETT** to the position of **Member, Disability Commission**, for term expiring February 15, 2022.

Worcester, ss. March 4, 2019

Then personally appeared **DAVID HACKETT** and made oath that he would faithfully and impartially perform the duties of **Member, Disability Commission** according to law and the best of his abilities.

Before me,
/s/ Alan L. Agnelli, City Clerk

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**

#10068
Councillor James Johnson, Chairman of the Public Safety Committee, reported that both the Public Safety Committee and the Traffic Commission voted favorably to recommend that the Lafayette Square temporary traffic regulations be permanently implemented.
Councillor Johnson moved that **AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED “VEHICLES AND TRAFFIC,” TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEDIENCE TO ISOLATED YIELD SIGNS** be ordered to First Printing.

Councillor Karen Hardern seconded the motion.

On the motion, Councillor Johnson informed the Council that when the issue first arose, the Committee discussed a concern that the installation of a Yield sign at the lower end of the Island might create traffic “to back-up” to West Street, but that the Police reported that this particular concern has not materialized. Citing the Minutes of the recent Traffic Commission meeting, Councillor Johnson stated that only one incident occurred and that the temporary regulations should become permanent.

Councillor James Walsh offered clarification by saying that the temporary regulations that were recently adopted by the City Council that affect the traffic pattern at Lafayette Square – the intersections of West, Oak, Nichols, and Parker Streets – would now be made permanent.

Councillor James Johnson added that the change would designate Lafayette Square as a Traffic Island (from a Rotary) and also add two Yield signs.

On the motion, on recommendation of the Public Safety Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to Order the following Ordinance to First Printing:

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED “VEHICLES AND TRAFFIC,” TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEDIENCE TO ISOLATED YIELD SIGNS.**

Be it ordained by the City Council of the City of Gardner as follows:

**Section 1.**

The Code of the City of Gardner is hereby amended by striking from Article VII. One-Way Streets; Rotary Traffic. § 600-43. Rotary traffic, Lafayette Square: Parker Street, West Street and Oak Street.

**Section 2.**

The Code of the City of Gardner is further amended by changing Article XII. Traffic Islands, § 600-74. Location designated, to read as follows:
D. Lafayette Square: Parker Street, West Street and Oak Street, where vehicular traffic shall move only in a counter clockwise direction, except when directed by an officer.

Section 3.

The Code of the City of Gardner is further amended by adding to Article VIII. Operation of Vehicles, § 600-55. Obedience to Isolated Yield Signs, the following:

<table>
<thead>
<tr>
<th>Yield Street</th>
<th>Direction of Travel</th>
<th>For Traffic Entering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oak Street</td>
<td>Eastbound</td>
<td>Parker Street</td>
</tr>
<tr>
<td>Parker Street</td>
<td>Westbound</td>
<td>West Street</td>
</tr>
</tbody>
</table>

Section 4.

This Ordinance shall take effect upon passage and publication as required by law.

FIRST PRINTING - MARCH 8, 2019

#10069
On a motion by Councillor James Johnson and seconded by Councillor Karen Hardern, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer an Application by Osagi Enterprise, LLC, for a License to Buy and Sell Second Hand Motor Vehicles, Class 2, on Toby Street to the Public Safety Committee for study and report.

#10070
On a motion by Councillor James Johnson and seconded by Councillor Karen Hardern, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer an Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street to the Public Safety Committee for study and report and to schedule a Public Hearing at the next regular meeting.

REPORTS OF STANDING COMMITTEES

PUBLIC SERVICE COMMITTEE

#10062
There being no objections, the Public Service Committee was granted more time to study and report on A Petition by National Grid and Verizon New England, Inc. for permission to Install 1 JO Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street.
PUBLIC SERVICE COMMITTEE AND PUBLIC SAFETY COMMITTEE

#10053
There being no objections, the Public Service Committee and the Public Safety Committee were granted more time to study and report on AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED “ANIMALS,” BY DELETING AND REPEALING § 312-2F.

FINANCE COMMITTEE

#10008
There being no objections, the Finance Committee was granted more time to report on A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events.

UNFINISHED BUSINESS

#10007
Councillor James Walsh informed the Council that due to the timing of the publication of First Printing (February 25) and the Charter requirement that 10 days must elapse between First Printing and passage, then the Council cannot take any action on the Ordinance at this time. Offering clarification, he said that since the Council held its meeting on a Tuesday due to Monday’s holiday, there was insufficient time to submit the Ordinance [to The Gardner News] for publication and comply with the 10-day moratorium before tonight’s meeting.

The Council postponed action on the following Ordinance until the next meeting:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 156 THEREOF, ENTITLED “MUNICIPAL GROUNDS COMMISSION,” TO ADD PROVISIONS RELATING TO A COMMUNITY BANDSTAND COMMITTEE.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. Chapter 156-3 of the Code of the City of Gardner is hereby amended by adding the following:

B. There is hereby established under this Section the "Community Bandstand Committee" which shall exist and be operated hereunder for the purpose of implementing seasonal programs to be conducted in the City's parks including but not limited to summer musical concerts and other community entertainment events at the Bandstand located in Monument Park, as well as at the City's other parks, at the City's other municipal grounds and at other appropriate locations in the City. The Community Bandstand Committee shall consist of no less than three (3) members, one of whom shall be a member of the Municipal Grounds Commission, to carry out the purposes of this Section 156-3B. All members shall be appointed in accordance with Section 156-1A.
C. The Community Bandstand Committee may receive donations and gifts of property, both real and personal, in the name of the City to further the purposes as set forth in Section 156-3B. Upon receipt of any such donation or gift the Community Bandstand Committee shall provide each such gift or donation to the Treasurer, who shall deposit same into an account to be created and named the "Community Bandstand Committee Program Fund." All funds in such Community Bandstand Committee Program Fund shall be used for the purposes set forth in Section 156-3B.

D. Revise the former (present) 156-3B to 156-30.

Section 2. Effective date.
This ordinance shall become effective on passage and publication as required by law.

FIRST PRINTING – FEBRUARY 25, 2019

NEW BUSINESS

On a motion by Councillor Edward Gravel and seconded by Councillor Nathan Boudreau, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

ANNOUNCEMENTS and COMMENTARY

Gardner Rotary Club Auction
Councillor Nathan Boudreau informed the Council that he enjoyed participating in the recent Gardner Rotary Club TV Auction at MWCC, which raised almost $20,000 for community programs.

Social Media Platforms
Councillor Nathan Boudreau informed the Council that all persons should treat each other with respect while utilizing social media platforms, particularly toward those that put their hearts and souls into serving the community.
Councillor Edward Gravel expressed similar concerns with the use of social media platforms, such as Facebook. He cited politicians and people in positions of power lashing out at citizens, which he added is rude and that the negativity makes the situation worse. He said that public officials and leaders must hold themselves to higher standards.

Councillor James Johnson stated that various social media pages (Facebook) operate covering various topics which result in good discussion, but that residents should follow up on their issues of concern with their City Councillors and other officials via e-mail; otherwise, “they’re spinning their wheels.”
Councillor James Walsh stated that with his limited exposure to social media, he found that “too much of it constitutes an essential cesspool,” therefore, he does not participate.

**Public Safety Dispatch**
Councillor James Johnson commended Public Safety Dispatchers and the City’s first responders for their ongoing efforts. He noted that his appreciation for them has been elevated since he installed a Fire-Police scanner in his home.

**Dexter Lison Remembrance**
Councillor Karen Hardern remembered her friend, Dexter Lison, who recently passed away. She said that Dexter was a perennial candidate for public office, “who never won but always wanted to know what it was like to win just once.” She closed by expressing her sympathy to his family and offered him “Rest in Peace.”

President Scott Graves reminded Councillors that they are invited to the Grand Opening of HOPE’s New Retail and Program Space on Thursday, March 7 at 4:00 p.m.

**CLOSING PRAYER**
President Graves led the Council in the Closing Prayer.

**ADJOURNMENT**
On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 7:55 p.m.

**Accepted by the City Council:**
March 5, 2019

TO INTERESTED PARTIES:

Pursuant to the provisions of M.G.L.A., c.166, §22, you are hereby notified that a continued Public Hearing will be conducted on Monday, March 18, 2019 at 7:30 o'clock P.M. in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, Massachusetts, upon the petition of NATIONAL GRID and Verizon New England, Inc., for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:

WEST STREET – National Grid to install one (1) jointly-owned Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street and continuing approximately 15 feet in a northerly direction. National Grid to install new midline pole P88-50 (with “anchor”) between P88 and P89 for tap to new DG site.

A diagram of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

By: [Signature]

ALAN L. AGNELLI
City Clerk
ABUTTERS NOTICE OF PUBLIC HEARING

Pursuant to the provisions of G.L. c. 140, §§ 58, 59, and Chapter 606 of The Code of the City of Gardner, notice is hereby given that the City Council will conduct a Public Hearing on Monday, March 18, 2019 at 7:30 p.m. in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, Massachusetts, on an application by Osagi Enterprises, LLC for a License to Deal in Motor Vehicle Junk, Class 3, at 0 and 43 Toby Street.

Persons interested in this matter are encouraged to attend and to offer testimony.

CITY COUNCIL OF GARDNER
Alan L. Agnelli, City Clerk
APPLICATION FOR LICENSE TO BUY AND SELL SECOND HAND MOTOR VEHICLES

New __ Renewal __ Class 1 - Class 2 - Class 3 (Circle all that apply to this Application)

1. Legal Name of Business: OSAKI ENTERPRISE LLC

2. Doing Business As: (Name as registered with the Secretary of the Commonwealth's Corporations Division. If individual or partnerships enter names)

3. Business Address: 43 x 0 TORY ST GARDNER MA 01440

4. Business Tel: 508 714 6591 Cellular 708 649 6274 Fax __________________ E-Mail OSAKIYEA@HOTMAIL.COM

5. Is the business an individual, partnership, association or corporation? INDIVIDUAL

6. If an individual, state full name and residential address: KIWAME NKAUMA H 27 TOWLE DR HOLDEN MA 01520

7. If a partnership, state full names and residential addresses of all partners:

8. If an association or corporation, state full names of the principal officers:
   President ______________________________
   Secretary ______________________________
   Treasurer ______________________________

9. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? YES
   a. If so, is your principal business the sale of new motor vehicles? NO
   b. Is your principal business the buying and selling or exchanging of second hand motor vehicles? YES
   c. Is your principal business that of a motor vehicle junk dealer? SECONDARY
   d. Is your principal business that of a "Repairs"? NO
   e. Is your principal business that of a "Repossession"? NO

9. Provide a complete description of all the premises to be used for the purpose of carrying on the business:

________________________________________________________________________

________________________________________________________________________

10. Are you a recognized agent of a motor vehicle manufacturer? YES ____________ NO ____________

If yes, state the name of the manufacturer: ________________________________
11. Do you have a signed contract as required by Section 58, Class I? YES ________ NO ________

12. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES ________ NO ________

If yes, in what city or town?________________________________________________________

Did you receive a license? YES ________ NO ________ For what year? ______________________

13. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES ________ NO ________ If yes, please explain:________________________________________________________

---

Provide the following items/documentation with the completed Application form:

☐ Applicable License Application Processing Fee(s), check payable to “City of Gardner”

☐ Surety Bond in the amount of $25,000 executed by a surety company authorized to transact business in Massachusetts, or other equivalent proof of financial responsibility satisfactory to the municipal licensing authority. A separate bond shall be required for each different name under which the dealer conducts his business. (Applies only to Class 2 Dealers).

☐ State and Federal Tax Certification Affidavit

☐ City of Gardner PERMIT/APPLICATION GOOD STANDING CERTIFICATE

☐ Criminal Offender Record Information (CORI) Authorization form.

☐ Workers Compensation Insurance Affidavit: General Businesses

☐ Parking Plan (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".

☐ Site Plan (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".

☐ Zoning Opinion from the Building Commissioner.

☐ Planning Board and/or Board of Appeals Decisions (if applicable).

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. APPLICANT FURTHER CERTIFIES THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

[Signature]_________ DATE SIGNED 2/20/19

INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

OR

License Fee must be submitted with this form. Make check payable to City of Gardner. Mail completed Application Form, along with all required documentation and check to: City Clerk, 95 Pleasant Street, Room 121, Gardner, MA 01440.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 requires the filing of a Workers’ Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.
February 26, 2019

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint **Paulette Burns** to the position of **Member, Board of Assessors**, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Mark P. Hawke

Mayor

Confirmed by City Council

______________________________

City Clerk

Alan L. Agnelli

Expires: February 26, 2022

Worcester, ss., ____________________________

Then personally appeared the above named **Paulette Burns** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Board of Assessors** according to law and the best of his/her abilities.

Before me,

______________________________

City Clerk

Chapter 303 Acts of 1975

and

Chapter 409 Acts of 1983

Received __________________________
March 4, 2019

Commonwealth of Massachusetts

Worcester County

CERTIFICATE OF APPOINTMENT

I appoint Ludger Robichaud to the position of Member, Cemetery Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Mark P. Hawke
Mayor

Confirmed by City Council __________________________

_____________________________ City Clerk
Alan L. Agnelli

Expires: March 4, 2022 __________________________

Worcester, ss., __________________________

Then personally appeared the above named Ludger Robichaud and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Cemetery Commission according to law and the best of his/her abilities.

Before me, __________________________ City Clerk

Chapter 303 Acts of 1975 and
Chapter 409 Acts of 1983

Received __________________________
March 4, 2019

Commonwealth of Massachusetts
City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Ludger Robichaud to the position of Member, Municipal Grounds Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Mark P. Hawke
Mayor

Confirmed by City Council

______________________________

City Clerk

Alan L. Agnelli

Expires: March 4, 2022

Worcester, ss.

Then personally appeared the above named Ludger Robichaud and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Municipal Grounds Commission according to law and the best of his/her abilities.

Before me.

______________________________

City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received _____________________
Questions contact – Ron Allen 508-860-6130

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Gardner, Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

West St - National Grid to install 1 JO Pole on West St beginning at a point approximately 100 feet west of the centerline of the intersection of Bridge St and continuing approximately 15 feet in a north direction. National Grid to install new midspan pole P88-50 (with anchor) between P88 and P89 for tap to new DG site.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – West St - Gardner - Massachusetts.

No. 23557728 March 4, 2019

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY
Engineering Department

VERIZON NEW ENGLAND, INC.
BY
Manager / Right of Way
EXHIBIT 'A' NOT TO SCALE

THE EXACT LOCATION OF
SAID FACILITIES TO BE
ESTABLISHED BY AND UPON
THE INSTALLATION AND
ERECTION OF THE FACILITIES
THEREOF.

LEGEND

PROPOSED JD POLE
PROPOSED JD ANCHOR
EXISTING JD POLE

2/27/2019
GARDNER
W:23557728

nationalgrid
APPLICATION FOR LICENSE TO BUY AND SELL SECOND HAND MOTOR VEHICLES

New __ Renewal __ Class 1 - Class 2 - Class 3 (Circle all that apply to this Application)

1. Legal Name of Business: OSA 9 ENTERPRISE LLC
   (Name as registered with the Secretary of the Commonwealth's Corporations Division. If individual or partnerships enter names)

2. Doing Business As: 
   (If conducted under any name other than the Applicant's Legal Name. An active Business Certificate must be on file with the City Clerk)

3. Business Address: 48 O TOBY ST. GARDNER MA 01440
   (Complete street address where business will be conducted and P.O. Box, if any)

4. Business Tel: 508746591 Cellular 7036498674 Fax E-Mail OSA9EFOA@hotmail.com

5. Is the business an Individual, partnership, association or corporation?

6. If an individual, state full name and residential address: KWAME NKRUMAH
   27 TOWLE DR HOLDEN MA 01520

7. If a partnership, state full names and residential addresses of all partners:

8. If an association or corporation, state full names of the principal officers:

   President

   Secretary

   Treasurer

9. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? YES
   a. If so, is your principal business the sale of new motor vehicles? NO
   b. Is your principal business the buying and selling or exchanging of second hand motor vehicles? YES
   c. Is your principal business that of a motor vehicle junk dealer? SECONDARY
   d. Is your principal business that of a "Repairs"? NO
   e. Is your principal business that of "Repossession"? NO

9. Provide a complete description of all the premises to be used for the purpose of carrying on the business:

   SEE ATTACH

10. Are you a recognized agent of a motor vehicle manufacturer? YES __________ NO NO

    If yes, state the name of the manufacturer:
11. Do you have a signed contract as required by Section 58, Class I? YES _______ NO _______ NO

12. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES _____ NO _____ NO
If yes, in what city or town? ________________________________________________________________

Did you receive a license? YES _____ NO _____ NO For what year? ______________________________________

13. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES _____ NO _____ NO If yes, please explain: ________________________________________________________________

Provide the following items/documentation with the completed Application form:

- Applicable License Application Processing Fee(s), check payable to "City of Gardner"
- Surety Bond in the amount of $25,000 executed by a surety company authorized to transact business in Massachusetts, or other equivalent proof of financial responsibility satisfactory to the municipal licensing authority. A separate bond shall be required for each different name under which the dealer conducts his business. (Applies only to Class 2 Dealers).
- State and Federal Tax Certification Affidavit
- City of Gardner PERMIT/APPLICATION GOOD STANDING CERTIFICATE
- Criminal Offender Record Information (CORI) Authorization form.
- Workers Compensation Insurance Affidavit: General Businesses
- Parking Plan (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Zoning Opinion from the Building Commissioner.
- Planning Board and/or Board of Appeals Decisions (if applicable).

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. APPLICANT FURTHER CERTIFIES THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZES THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

[Signature]

DATE SIGNED 2/20/19

INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

OR

License Fee must be submitted with this form. Make check payable to City of Gardner. Mail completed Application Form, along with all required documentation and check to: City Clerk, 95 Pleasant Street, Room 121, Gardner, MA 01440.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 requires the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.
APPLICATION FOR LICENSE TO BUY AND SELL SECOND HAND MOTOR VEHICLES

New ___ Renewal ___ Class 1 - Class 2 - Class 3 (Circle all that apply to this Application)

1. Legal Name of Business: OSA MCI ENTERPRISE LLC
   (Name as registered with the Secretary of the Commonwealth's Corporations Division. If individual or partnerships enter names)

2. Doing Business As: ________________________________________________________________
   (If conducted under any name other than the Applicant's Legal Name. An active Business Certificate must be on file with the City Clerk)

3. Business Address: 43 TOBY ST GARDNER MA 01440
   (Complete street address where business will be conducted and P.O. Box, if any)

4. Business Tel: 508-714-6591 Cellular: 978-649-6394 Fax: ___________________________
   E-Mail: __________________________

5. Is the business an individual, partnership, association or corporation? __ INDIVIDUAL __

6. If an individual, state full name and residential address: KWA ME NKRAM A H
   27 TOW LE DR HOL DEN MA 0 1 S 2 0

7. If a partnership, state full names and residential addresses of all partners: _________________________________________________________
   _________________________________________________________
   _________________________________________________________

8. If an association or corporation, state full names of the principal officers:
   President _________________________________________________________
   Secretary _________________________________________________________
   Treasurer _________________________________________________________

9. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? __ YES __
a. If so, is your principal business the sale of new motor vehicles? __ NO __
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   c. Is your principal business that of a motor vehicle junk dealer? __ SECONDARY
   d. Is your principal business that of a "Repairs"? __ NO
   e. Is your principal business that of "Repossession"? __ NO

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   _________________________________________________________
   _________________________________________________________
   _________________________________________________________
   _________________________________________________________
   _________________________________________________________
   _________________________________________________________

10. Are you a recognized agent of a motor vehicle manufacturer? __ YES ________ NO ________
    If yes, state the name of the manufacturer: ___________________________________________
11. Do you have a signed contract as required by Section 58, Class I? YES ________ NO _____

12. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES ___ NO __

If yes, in what city or town? ________________________________

Did you receive a license? YES ___ NO ___ For what year? ________________________________

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Provide the following items/documentation with the completed Application form:

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THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. APPLICANT FURTHER CERTIFIES THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZES THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

[Signature]

DATE SIGNED 2/20/19

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January 28, 2019

Attorney Scott J. Graves, President
And City Councilors
95 Pleasant Street
Gardner, MA 01440

RE: Dog Control

Dear President Graves and Councilors,

Chapter 312 of the City Code is relative to Dog Control. 312-2, A. contains the City’s “leash law” provisions and 312-2 E. contains the City’s “pooper scooper” provisions.

An issue arises with 312-2 F. which states “No animals are allowed in any City cemetery or playground, including Pulaski Park.” I am not aware of the genesis of this ordinance, but it does pose a problem as Pulaski Park is the new home of the City’s Dog Park.

I have attached an Ordinance for your consideration to remedy the matter.

Respectfully,

Mark Hawke
Mayor, City of Gardner
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED "ANIMALS," BY DELETING AND REPEALING § 312-2F.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. The Code of the City of Gardner is hereby amended by deleting and repealing Subsection F of § 312-2, Responsibilities of owner or keeper, of Chapter 312, Animals.

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
Chapter 312. Animals

Article I. Dog Control

§ 312-2. Responsibilities of owner or keeper.

A. No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to run at large within the City of Gardner, except that a dog may, for the purpose of sporting events such as hunting, field trials or training purposes, be exempt from the restraining order during such period of time as the dog is actually engaged in the event or sport. Dogs may be taken from the owner's premises, provided that such dogs are on a leash and under the control of the owner or keeper.

B. No person shall own or keep within the City of Gardner any dog which is a nuisance by reason of vicious disposition, excessive barking, or other cause of disturbance.
[Added 12-17-1990 by Ord. No. 1063]

C. No owner of any dog shall fail to provide such dog with a sufficient quantity of wholesome, nutritious food and potable water; adequate shelter from inclement weather; a humane means of exercise; and the necessary veterinary care upon sickness, disease or injury.
[Added 12-17-1990 by Ord. No. 1063]

D. No person shall torture, torment, deprive of necessary sustenance, or cruelly beat, mutilate or kill any dog.
[Added 12-17-1990 by Ord. No. 1063]

E. The owner, keeper or any person in control of a dog shall be responsible for the prompt removal and proper disposal of any feces deposited by such dog upon any public ways, such as streets, roads, avenues, lanes, circles, highways, paths, sidewalks, trails, etc., or upon any public land within 10 feet of such public ways, or upon any public land designated as parks, playgrounds, cemeteries, school yards, or golf courses, or upon the grounds of any other municipal or government building, all within the boundaries of the City of Gardner.
[Added 7-6-1998 by Ord. No. 1276]

F. No animals are allowed in any City cemetery or playground, including Pulaski Park.
[Added 6-5-2006 by Ord. No. 1429]
ACCEPTANCE OF DONATIONS AND GIFTS
COMMUNITY BANDSTAND CONCERTS AND EVENTS

VOTE: That the City of Gardner is authorized to accept donations and gifts for use by the Community Bandstand Committee for musical concerts and other community entertainment events, said acceptance in accordance with the provisions of Chapter 44, Section 53A½ of the General laws.
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 156 THEREOF, ENTITLED "MUNICIPAL GROUNDS COMMISSION," TO ADD PROVISIONS RELATING TO A COMMUNITY BANDSTAND COMMITTEE.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. Chapter 156-3 of the Code of the City of Gardner is hereby amended by adding the following:

B. There is hereby established under this Section the "Community Bandstand Committee" which shall exist and be operated hereunder for the purpose of implementing seasonal programs to be conducted in the City's parks including but not limited to summer musical concerts and other community entertainment events at the Bandstand located in Monument Park, as well as at the City's other parks, at the City's other municipal grounds and at other appropriate locations in the City. The Community Bandstand Committee shall consist of no less than three (3) members, one of whom shall be a member of the Municipal Grounds Commission, to carry out the purposes of this Section 156-3B. All members shall be appointed in accordance with Section 156-1A.

C. The Community Bandstand Committee may receive donations and gifts of property, both real and personal, in the name of the City to further the purposes as set forth in Section 156-3B. Upon receipt of any such donation or gift the Community Bandstand Committee shall provide each such gift or donation to the Treasurer, who shall deposit same into an account to be created and named the "Community Bandstand Committee Program Fund." All funds in such Community Bandstand Committee Program Fund shall be used for the purposes set forth in Section 156-3B.

D. Revise the former (present) 156-3B to 156-30.

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
AN ORDINANCE TO AMEND THE CODE OF THE CITY OF
GARDNER, CHAPTER 156 THEREOF, ENTITLED "MUNICI-
PAL GROUNDS COMMISSION," TO ADD PROVISIONS RE-
LATING TO A COMMUNITY BANDSTAND COMMITTEE.
Be it ordained by the City Council of the City of Gardner as
follows:
Section 1. Chapter 156-3 of the Code of the City of Gardner is
hereby amended by adding the following:
B. There is hereby established under this Section the "Com-
munity Bandstand Committee" which shall exist and be op-
erated hereunder for the purpose of implementing seasonal
programs to be conducted in the City's parks including but
not limited to summer musical concerts and other communi-
ty entertainment events at the Bandstand located in Monu-
ment Park, as well as at the City's other parks, at the City's
other municipal grounds and at other appropriate locations
in the City. The Community Bandstand Committee shall con-
sist of no less than three (3) members, one of whom shall be a
member of the Municipal Grounds Commission, to carry out
the purposes of this Section 156-3B. All members shall be ap-
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tions and gifts of property, both real and personal, in the
name of the City to further the purposes as set forth in Sec-
tion 156-3B. Upon receipt of any such donation or gift the
Community Bandstand Committee shall provide each such
gift or donation to the Treasurer, who shall deposit same in-
to an account to be created and named the "Community
Bandstand Committee Program Fund." All funds in such
Community Bandstand Committee Program Fund shall be
used for the purposes set forth in Section 156-3B.
D. Revise the former (present) 156-3B to 156-30.

Section 2. Effective date.
This ordinance shall become effective on passage and publi-
cation as required by law.
A TRUE COPY, ATTEST:
ALAN L. AGNELLI, CITY CLERK

Feb 25 (t)
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEEDIENCE TO ISOLATED YIELD SIGNS.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1.

The Code of the City of Gardner is hereby amended by striking from Article VII. One-Way Streets; Rotary Traffic. § 600-43. Rotary traffic, Lafayette Square: Parker Street, West Street and Oak Street.

Section 2.

The Code of the City of Gardner is further amended by changing Article XII. Traffic Islands, § 600-74. Location designated, to read as follows:

D. Lafayette Square: Parker Street, West Street and Oak Street, where vehicular traffic shall move only in a counter clockwise direction, except when directed by an officer.

Section 3.

The Code of the City of Gardner is further amended by adding to Article VIII. Operation of Vehicles, § 600-55. Obedience to Isolated Yield Signs, the following:

<table>
<thead>
<tr>
<th>Yield Street</th>
<th>Direction of Travel</th>
<th>For Traffic Entering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oak Street</td>
<td>Eastbound</td>
<td>Parker Street</td>
</tr>
<tr>
<td>Parker Street</td>
<td>Westbound</td>
<td>West Street</td>
</tr>
</tbody>
</table>

Section 4.

This Ordinance shall take effect upon passage and publication as required by law.
AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEEDIENCE TO ISOLATED YIELD SIGNS.

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Section 4.
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A TRUE COPY, ATTEST:
ALAN L. AGNELLI, CITY CLERK

Mar 8 (1t)