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CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



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2020 MAY 13 AM 8:48

CITY CLERK'S OFFICE
GARDNER, MA

May 13, 2020

PUBLIC SAFETY COMMITTEE MEETING NOTICE

Date: Monday, May 18, 2020
Time: 4:00 p.m.
Location: Remotely via ZOOM/Broadcast on the City's YouTube Channel.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Public Safety Committee will be conducted via remote participation. The audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting.

ANNOUNCEMENT - 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 referenced or used during the meeting must be submitted in duplicate to the Chair of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

- I. Review and Approval of the Minutes of the February 24, 2020 Meeting.
- II. #10254, An Ordinance Amending the Code of the City of Gardner, Chapter 600 Thereof, Entitled "Vehicles and Traffic," Section 600-24, Parking Prohibited on Certain Streets, Nutting Street.
- III. Applications for Licenses to Deal in Second Hand Articles
 - (a) An Application by Gardner Coins & Cards, Inc. for a License to Deal in Second-hand Articles at 13 Pleasant Street (Renewal).
 - (b) An Application by GameStop, Inc. for a License to Deal in Second-hand Articles at 376 Timpany Blvd. (Renewal).
 - (c) An Application by ecoATM, LLC for a License to Deal in Second-hand Articles at 677 Timpany Blvd. (Renewal).
- IV. Adjournment.

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman 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 COUNCIL OF GARDNER

Craig R. Cormier

COUNCILLOR CRAIG R. CORMIER
Chairman, Public Safety Committee

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL PUBLIC SAFETY COMMITTEE
MINUTES OF THE MEETING OF FEBRUARY 24, 2020

Committee Chairman Councillor Craig Cormier called the Public Safety Committee meeting to order at 4:30 p.m. in the City Council Chamber, Room 219, City Hall. Committee members Councillors Elizabeth Kazinskas and George Tyros were present.

Also present were Public Health Director Lauren Saunders and City Clerk Alan Agnelli.

Minutes of Prior Meeting(s).

On a motion by Councillor Elizabeth Kazinskas and seconded by Councillor George Tyros, it was voted to accept the Minutes of the January 28, 2020 Public Safety Committee Meeting, as printed.

#10216 - An Ordinance to Amend the Code of the City of Gardner, Chapter 560 Thereof, Entitled "Solid Waste," to Change Solid Waste Program Fees (In City Council and Referred to the Public Safety Committee, 12/02/2019).

Ms. Saunders informed the Committee that she consulted with the City Auditor and if the rate is increased by \$7.00 per quarter, then the City will have to increase the rate again sooner than with the proposed increase of \$10.00.

Councillor Craig Cormier suggested that an increase of \$7.00 per quarter would be more palatable at the present time, since sewer user rates were increased fairly recently and that the trash fees be adjusted incrementally by \$1.00 per quarter per year.

Councillor Elizabeth Kazinskas agreed, noting that the cost to operate the system are being passed along to the consumers.

Lauren Saunders noted that the last increase to the rates was in 2013.

On a motion Councillor Elizabeth Kazinskas and seconded by Councillor George Tyros, it was voted to recommend to the City Council that the following Ordinance ought to pass:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 560 THEREOF, ENTITLED "SOLID WASTE," TO CHANGE THE FEE FOR SOLID WASTE COLLECTION.

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

Section 1. Section 560-3 B. of the Code of the City of Gardner, is hereby amended by deleting and repealing the sentence: "The annual fee for the collection and handling of rubbish, garbage, ashes and source-separated materials is set at \$200 per apartment unit per building, effective July 1, 2013," and by inserting in place thereof, the following: "For the collection and handling of rubbish, garbage, ashes and source-separated materials, the annual fee for each household and each unit of apartment buildings containing eight or fewer units in the City shall be, as follows:

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL PUBLIC SAFETY COMMITTEE
MINUTES OF THE MEETING OF FEBRUARY 24, 2020

Effective July 1, 2020	\$228.00
Effective July 1, 2021	\$232.00
Effective July 1, 2022	\$236.00
Effective July 1, 2023	\$240.00

Section 2. Effective date.

This ordinance shall become effective upon passage and publication as required by law.

Adjournment.

On a motion Councillor Elizabeth Kazinskas and seconded by Councillor George Tyros, it was voted to adjourn at 4:50 p.m.

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC."

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

Section 1. Section 600-24 of Chapter 600, Vehicles and Traffic, Parking Prohibited on certain streets, is amended by adding the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Nutting Street	Both	Entire length

Section 2. This Ordinance shall take effect upon passage and publication as required by law.



CITY OF GARDNER POLICE DEPARTMENT

200 Main Street, Suite 214
Gardner, Massachusetts 01440

Phone: (978) 632-5600
Fax: (978) 630-4027

10254



James F. Trifiro Jr.
Deputy Chief of Police
Email: JTrifiro@gardner-ma.gov

March 10th, 2020

Gardner City Council Members,

In September of 2019, the members of the Traffic Commission discussed concerns received from a resident of South Gardner related to roadside parking complaints on Nutting Street. This information generated a dialogue that questioned if motor vehicles were legally parking or, could roadside parking create obstructions and conceivably affect the safe transit of motor vehicles along the travel route. According to Gardner City Code(s) 567-8/Specifications, in combination with 600-21/General Prohibitions, roadways shall have a width of not less than 28 feet and parking of a motor vehicle should leave a clear and unobstructed lane at least 10 feet wide for passing traffic. Given that the configuration of Nutting Street has a two way traffic pattern, and designated parking spots are required to be 8 feet wide it would be most relevant to have 28 feet in roadway width to meet the Gardner City Code(s) specifications and sanction roadway (one side) parking. An extensive survey was launched and measurements of Nutting Street had been conducted in joint venture with the Department of Public Works Director along with myself. The results of this survey determined that the width of the roadway ranged from approximately 21 feet in width near the vicinity of the Prospect Street intersection, funneling to a span of approximately 29 feet in width near the vicinity of the Union Street intersection. In addition, the span identified as being approximately 29 feet in width only extended for approximately 50 feet from the intersection and this dimension combined with the fact that motor vehicles are not permitted to park within 20 feet of an intersection (Gardner City Code 600/21) significantly restricted the availability of sanctioned roadside parking down to approximately 30 feet. In summary, our analysis showed that the bulk of Nutting Street predominantly did not appear to have the approved conditions permissible for roadside parking and was considered under width according to Gardner City Code.

On February 14th, 2020 at the quarterly Traffic Commission Meeting these survey items and talking points were brought forward for any additional discussion. After an examination regarding the factors as documented in City Code, in combination with the data gathered from the dimensions obtained on Nutting Street, a unanimous decision from the commission members was affirmed to recommend the following ordinance amendment in Gardner City Code:

600-24/Parking prohibited on certain streets – Nutting Street/Both Sides/Entire Length

In summary and on behalf of the Traffic Commission, we believe that this change meets the guidelines as documented in roadway guidance by Gardner City Code, acts in the best interest of public safety and would formally address any parking concerns generated from citizens in the area.

Your favorable consideration in our recommendation would be greatly appreciated.

James F. Trifiro Jr.
Deputy Chief of Police
City of Gardner Police Department



**CITY OF GARDNER
MASSACHUSETTS 01440**

95 PLEASANT STREET - ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

COLLECTOR LICENSE APPLICATION FEE - \$30.00
DEALER LICENSE APPLICATION FEE - \$100.00

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GARDNER, MA

DO NOT WRITE IN THIS BOX

**APPLICATION FOR LICENSE TO COLLECT
OR DEAL IN SECOND HAND ARTICLES**

New Renewal Change of Location

APPLICANT INFORMATION

Applicant / Licensee Name: ecoATM, LLC

Applicant / Licensee Address: Mailing: 10121 Barnes Canyon Rd, San Diego, CA 92121

Applicant / Licensee phone number(s): 858-766-7244

Applicant / Licensee E-mail: hunter.bjorkman@ecoatm.com

Social Security number: _____ **OR** Business FID number 26-3879952

ESTABLISHMENT INFORMATION

Establishment Name: ecoATM, LLC

Establishment address (Current): 677 Timpany Blvd, Gardner, MA 01440 (Kiosk inside Walmart2155)

Establishment address (New, if applicable): n/a

Establishment Phone: 858-766-7244

On-Site manager / contact person: Hunter Bjorkman

For which type of license(s) are you applying? Junk Dealer

Check all that apply to this Application:

- SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c.140, § 56.
- SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Self-automated kiosk that purchases used cell phones, mp3 players, and tablets. No sales made; purchase only.

Where at the licensed address will the articles be stored, displayed, etc? Items are stored inside machine, not visible to the public.

Massachusetts Sales & Use Tax Registration number: n/a

(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)

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. I FURTHER CERTIFY 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.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, §§202-205 AND CHAPTER 450 OF THE CODE OF THE CITY OF GARDNER GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.



DATE SIGNED 4/3/2020

INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

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 MAY REQUIRE 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.

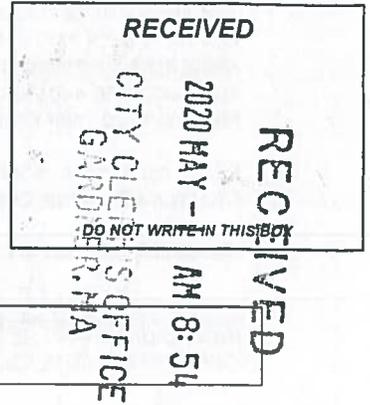
LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO CITY OF GARDNER. MAIL COMPLETED APPLICATION FORMS AND THE WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.

**JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES
EXPIRE ON APRIL 30TH ANNUALLY.**



CITY OF GARDNER MASSACHUSETTS 01440

95 PLEASANT STREET - ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589



APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

New Renewal Change of Location

APPLICANT INFORMATION

Applicant / Licensee Name: GAMESTOP, INC.
Applicant / Licensee Address: 625 Westport Pkwy, Grapevine, TX 76051
Applicant / Licensee phone number(s): 817-424-200
Applicant / Licensee E-mail: Licesningandsalestax@gamestop.com
Social Security number: _____ OR Business FID number 41-1609563

ESTABLISHMENT INFORMATION

Establishment Name: GAMESTOP #3725
Establishment address (Current): 376 Timany Blvd., Gardner, MA 01440
Establishment address (New, if applicable): _____
Establishment Phone: 978-630-0282
On-Site manager / contact person: Secondhand Dealer
For which type of license(s) are you applying? _____

Check all that apply to this Application:

- SECONDHAND COLLECTOR has the same meaning as the term "junk collector" in MGL c.140, § 56.
- SECONDHAND DEALER has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Retail sales of
new/used video games, consoles, electronics & accessories

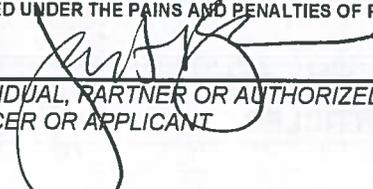
Where at the licensed address will the articles be stored, displayed, etc? _____

Massachusetts Sales & Use Tax Registration number: 1890082816
(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)

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. I FURTHER CERTIFY 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.

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SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.



INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE
OFFICER OR APPLICANT

DATE SIGNED 4-15-20

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 MAY REQUIRE 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.

LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO CITY OF GARDNER. MAIL COMPLETED APPLICATION FORMS AND THE WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.

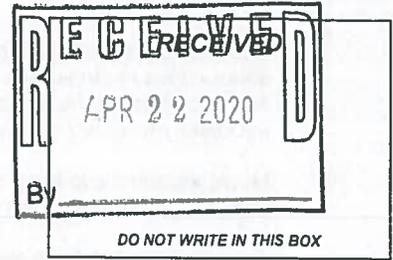
**JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES
EXPIRE ON APRIL 30TH ANNUALLY.**



**CITY OF GARDNER
MASSACHUSETTS 01440**

95 PLEASANT STREET - ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

COLLECTOR LICENSE APPLICATION FEE - \$30.00
DEALER LICENSE APPLICATION FEE - \$100.00



**APPLICATION FOR LICENSE TO COLLECT
OR DEAL IN SECOND HAND ARTICLES**

New Renewal Change of Location

APPLICANT INFORMATION

Applicant / Licensee Name: Joseph Valardi
Applicant / Licensee Address: 36 Donovan Rd, N. Brookfield, MA
Applicant / Licensee phone number(s): 978-990-0307
Applicant / Licensee E-mail: gardner cc@yahoo.com
Social Security number: _____ **OR** Business FID numb

ESTABLISHMENT INFORMATION

Establishment Name: Gardner Coins & Cards Inc
Establishment address (Current): 13 Pleasant St, Gardner, MA
Establishment address (New, if applicable): _____
Establishment Phone: 978-632-7123
On-Site manager / contact person: Joseph Valardi
For which type of license(s) are you applying? Secondhand dealer

Check all that apply to this Application:

- SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c.140, § 56.
 SECONDHAND DEALER has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Precious Metals, Antiques, Sports Memorabilia, & Collectibles

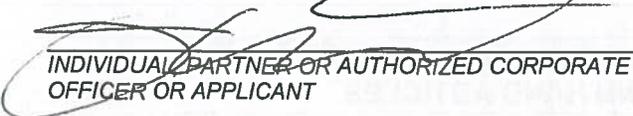
Where at the licensed address will the articles be stored, displayed, etc? Stored and displayed throughout location.

Massachusetts Sales & Use Tax Registration number:
(Attach a copy of your Massachusetts Sales & Use T

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OFFICER OR APPLICANT

DATE SIGNED 4/15/2020

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