ORDER OF BUSINESS

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 June 3, 2019 Public Hearing and the June 3, 2019 Regular Meeting.

VII. PUBLIC HEARING

10120 – A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306’ west of the centerline of the intersection of Sherman Street.

VIII. COMMUNICATIONS FROM THE MAYOR

ORDERS

10122 – An Order Transferring $156,000.00 from Sewer Surplus to Sewer Department, AWWTP Contract Operations (Finance Committee).

10123 – An Order Transferring $175,000.00 from Sewer Department Maintenance Crew to Sewer Department, AWWTP Contract Operations (Finance Committee).

10124 – An Order Transferring $226,000.00 from Water Surplus to Water Department, AWWTP Contract Operations (Finance Committee).

10125 – An Order Transferring $145,000.00 from Water Department Maintenance Crew to Water Department, AWWTP Contract Operations (Finance Committee).

10126 – An Order Appropriating $201,000.00 from Free Cash to Public Works – Road Resurfacing (Finance Committee).
VIII. COMMUNICATIONS FROM THE MAYOR

ORDERS

10127—An Order Appropriating $345,000.00 from Free Cash to Snow and Ice Removal (Finance Committee).

10128—An Order Appropriating $100,000.00 from Golf Course Enterprise Fund to Golf Indirect Cost Expense (Finance Committee).

IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

10129—A Communication from City Treasurer/Collector Charline Daigle Relative to Impending Retirement (Finance Committee).


10131—An Ordinance to Amend the Code of the City of Gardner, Chapter 600 Thereof, Entitled “Vehicles and Traffic,” Article V. Parking Meters and Article VI. Stopping, Standing, and Parking (Public Safety Committee).

X. REPORTS OF STANDING COMMITTEES

PUBLIC SERVICE COMMITTEE

10120—A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306’ west of the centerline of the intersection of Sherman Street (In City Council and Referred to Public Service, 6/3/2019).

PUBLIC WELFARE COMMITTEE

10090—An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishments (In City Council and Referred to Public Welfare, 4/16/2019).

FINANCE COMMITTEE


COMMITTEE OF THE WHOLE

10106—An Order to Raise and Appropriate $11,532,413.00 for the Various Departments for the Salary & Labor Budgets for Fiscal Year 2020 (In City Council and Referred to Committee of the Whole, 6/3/2019).
X. REPORTS OF STANDING COMMITTEES

COMMITTEE OF THE WHOLE

10107 – An Order to Raise and Appropriate $21,543,336.00 for the Various Departments for the Expense Budget for Fiscal Year 2020 (In City Council and Referred to Committee of the Whole, 6/3/2019).

10108 – An Order to Raise and Appropriate $24,280,869.00 for the School Department Budget for Fiscal Year 2020 (In City Council and Referred to Committee of the Whole, 6/3/2019).


10110 – An Order Appropriating $177,316.00 from Available Funds – Cable Commission Fees Reserved to the Fiscal Year 2020 Cable Commission Budget (In City Council and Referred to Committee of the Whole, 6/3/2019).

10111 – An Order Appropriating $110,550.00 from Available Funds – Parking Meter Receipts Reserved to Fiscal Year 2020 City Treasurer, Parking Meter Clerk Salary and Parking Meter Maintenance; DPW Parking Meter Maintenance; and, DPW Maintenance Crew Salary & Wages (In City Council and Referred to Committee of the Whole, 6/3/2019).

10112 – An Order Authorizing Fiscal Year 2020 Departmental Revolving Funds (In City Council and Referred to Committee of the Whole, 6/3/2019).

XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

10090 – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishments (In City Council and Referred to the Public Welfare Committee, the Planning Board, and Ordered to Public Hearing, 4/16/2019; Joint Hearing, 6/3/2019; Planning Board Final Report pending).

10119 – A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital (In City Council and Referred to the Mayor for Consideration and Legal Opinion, 6/3/2019).

10121 – An Ordinance to Amend the Code of the City of Gardner, Chapter 625 Thereof, Entitled “Water,” to Change Metered Water Rates (In City Council and Referred to Committee of the Whole, 6/3/2019; Ordered to First Printing, 6/10/2019; First Printing, 6/14/2019).

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.
Monday evening, June 3, 2019. Joint Public Hearing of the City Council and Planning Board held in the City Council Chamber, Room 219, City Hall.

CALL TO ORDER

Council President Scott Graves called the Public Hearing to order at 7:00 o'clock p.m.

CALL OF THE ROLL

City Clerk Alan Agnelli called the Roll of City Councillors. Eleven (10) members were present, including President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

The City Clerk called the Roll of Planning Board Members. Four (4) members were present including, Robert Bettez, Sr., Laura Casker, Mark Schafron, and Robert Swartz.

President Graves read aloud the Public Hearing Notice, as follows:

CITY OF GARDNER
NOTICE OF JOINT PUBLIC HEARING
MARIJUANA ESTABLISHMENTS ZONING AMENDMENT

Pursuant to G.L. c. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a Joint Public Hearing on Monday, June 3, 2019 at 7:00 P.M. in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675-1070 Marijuana Establishments, of the Code of the City of Gardner, by deleting and repealing Subsection C (3) (a) in its entirety and by deleting from Subsection C (9) (c) the words “shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and.” All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

ALAN L. AGNELLI
CITY CLERK

President Graves asked if any person in attendance wished to speak in favor of the proposed Ordinance amendment.

Community Development and Planning Director Trevor Beauregard, testifying on behalf of the Planning Board, stated that the Board found that Subsection C (3) (a), through every day use, was determined to be much too restrictive. He said that the clause was extracted from provisions of the Adult Entertainment Zoning District, citing non-conforming residential structures throughout the City that are within commercially and industrially-zoned areas.
The second amendment clarifies Subsection C (9) (c) in order to maintain consistency with State regulations by not preventing the conversion of qualified medical marijuana treatment centers to marijuana establishments.

There being no others asking to testify, President Graves declared the Hearing closed at 7:07 p.m.

Accepted by the City Council:
Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, June 3, 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. Eleven (11) Councillors were present including President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

**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, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to accept the Minutes of the May 1, 2019 Public Hearing; the May 6, 2019 Informal Meeting; and, the May 20, 2019 Regular Meeting, as printed.

**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENT**

#10105

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Committee voted favorably to recommend Mr. Cormier’s confirmation and noted Mr. Cormier’s decades of public service.

Also reporting for the Finance Committee, Councillor Ronald Cormier added that Steve Cormier formerly served on the Planning Board.
On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to confirm the following Appointment received from the Mayor:

**STEPHEN E. CORMIER** to the position of Member, Planning Board, for term expiring May 24, 2024.

Worcester, ss.                          June 3, 2019

Then personally appeared **STEPHEN E. CORMIER** and made oath that he would faithfully and impartially perform the duties of **MEMBER, PLANNING BOARD**, according to law and the best of his abilities.

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

**ORDERS**

#10106 – #10112
On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Orders to the Council as Committee of the Whole for study and report:

#10106
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE VARIOUS DEPARTMENTS FOR THE SALARY AND LABOR BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

**ORDER:** To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the various departments, Salary and Labor budgets, according to the detailed schedule hereto annexed and made a part of this money order in the amount of ELEVEN MILLION, FIVE HUNDRED THIRTY-TWO THOUSAND, FOUR HUNDRED THIRTEEN DOLLARS ($11,532,413.00).

#10107
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE VARIOUS DEPARTMENTS FOR THE EXPENSE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

**ORDER:** To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the various departments, other than what was presented to City Council in the Salary and Labor budget, according to the detailed schedule hereto annexed and made a part of this money order in the
amount of TWENTY-ONE MILLION, FIVE HUNDRED FORTY-THREE THOUSAND, THREE HUNDRED THIRTY-SIX DOLLARS ($21,543,336.00).

#10108
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE SCHOOL DEPARTMENT BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDER: To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the School Department according to the detailed schedule hereto annexed and made a part of this money order in the amount of TWENTY-FOUR MILLION, TWO HUNDRED EIGHTY THOUSAND, EIGHT HUNDRED SIXTY-NINE DOLLARS ($24,280,869.00).

#10109
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE ENTERPRISE FUNDS-VARIOUS RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDER: That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of NINE MILLION, SEVEN HUNDRED TWENTY ONE THOUSAND, TWO HUNDRED NINETEEN DOLLARS ($9,721,219.00) from Available Enterprise Funds- Receipts Reserved to the following accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Enterprise Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Dept</td>
<td>Enterprise Fund</td>
<td>$3,556,588.00</td>
</tr>
<tr>
<td>Water Dept</td>
<td>Enterprise Fund</td>
<td>$3,588,911.00</td>
</tr>
<tr>
<td>Golf Course</td>
<td>Enterprise Fund</td>
<td>$830,518.00</td>
</tr>
<tr>
<td>Landfill Closure</td>
<td>Enterprise Fund</td>
<td>$58,833.00</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>Enterprise Fund</td>
<td>$1,686,369.00</td>
</tr>
</tbody>
</table>

#10110
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS - CABLE COMMISSION FEES RESERVED - TO CABLE COMMISSION BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDER: That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of ONE HUNDRED SEVENTY-SEVEN THOUSAND, THREE HUNDRED SIXTEEN DOLLARS ($177,316) from Available Funds - Cable Commission Fees Reserved - to the Cable Commission budget.

#10111
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS - PARKING METER RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020

ORDER: That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of ONE HUNDRED TEN THOUSAND, FIVE HUNDRED FIFTY
DOLLARS ($110,550.00) from Available Funds - Parking Meter Receipts Reserved - to the following accounts:

- City Treasurer: Parking Meter Clerk Salary $12,730.00
- City Treasurer: Parking Meter Maintenance 25,000.00
- Police: Parking Meter Patrol 21,420.00
- Public Works: Parking Meter Maintenance 20,000.00
- Public Works: DPW Maint. Crew Sal & Wages 31,400.00

#10112

AUTHORIZING FY2020 REVOLVING FUNDS  
M.G.L. CH.44, S.53E½

ORDER: To authorize and direct the City Treasurer to establish the following revolving funds for the fiscal year beginning July 1, 2019 to June 30, 2020, in accordance with M.G.L. Chapter 44, section 53E½:

<table>
<thead>
<tr>
<th>Revolving Fund</th>
<th>Authorized to Expends</th>
<th>Revenue Source</th>
<th>Purpose of Fund</th>
<th>Spending Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Fuel</td>
<td>Airport Commission</td>
<td>Sale of airplane fuel</td>
<td>Purchase of fuel, airport programs, and improvements</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Community Development Projects</td>
<td>Community Development/Planning</td>
<td>Historic Housing Rehab Income</td>
<td>Salaries and expenses relating to Community Development Activities</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Wetland Protection</td>
<td>Conservation Commission</td>
<td>Local wetland filing fees</td>
<td>Costs associated with wetland protection activities</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Council on Aging Recreational Activities</td>
<td>Council on Aging Director</td>
<td>Recreation Fees</td>
<td>Salaries and expenses relating to recreational activities at Senior Center</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Gardner’s Summer Celebration</td>
<td>Mayor</td>
<td>Collections and donations</td>
<td>Costs associated with Gardner’s Summer Celebration</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Planning Board Publications</td>
<td>Planning Board</td>
<td>Sale of Planning Board publications</td>
<td>Preparation and production of Planning Board publications</td>
<td>Available balance or $3,000, whichever is less</td>
</tr>
<tr>
<td>Road Resurfacing</td>
<td>Public Works Director</td>
<td>Fees charged for cutting into newly paved roads</td>
<td>Costs associated with road resurfacing and road maintenance</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>High School Summer Football Camp</td>
<td>School Department</td>
<td>Camp fees and donations</td>
<td>Salaries and expenses for the High School Summer Football Camp</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Summer Basketball Camp</td>
<td>School Department</td>
<td>Camp fees and donations</td>
<td>Salaries and expenses for the Summer Basketball Camp</td>
<td>Available balance or $12,000, whichever is less</td>
</tr>
<tr>
<td>Transportation</td>
<td>School Department</td>
<td>Bus passes and fees for transportation</td>
<td>Salaries and expenses relating to school transportation</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
</tbody>
</table>

As per M.G.L., interest earned on these funds shall be treated as general fund revenue.
The person or persons authorized to expend from each fund shall report annually to the Mayor and City Council the total amount of receipts and expenditures for the prior fiscal year and for the current fiscal year through December 31st, along with any other information that City Council may by vote require.

In the event any fund is not reauthorized for the following fiscal year or the city changes the purpose of the revolving fund, the balance in the fund shall revert to surplus revenue, unless City Council and the Mayor vote to transfer the funds to another revolving fund established in accordance with M.G.L. Chapter 44, section 53E½.

#10113
Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Committee discussed the Order and noted that since it entails a substantial project, then the entire Council should review the Order. He added that the project’s approval (Loan Order) would also require increasing (metered) water rates, thus an Ordinance amendment would be necessary.

Councillor Nathan Boudreau, Chairman of the Public Service Committee, reported that the Service Committee reviewed the project and is supportive of the project.

On inquiry by Councillor Gravel, Councillor Walsh suggested that the Council should meet within a week to discuss the Loan Order and Project, since portions of the project are ready for bidding.

Councillor Ronald Cormier added that it would be wise for the Council to address the issue quickly, since Downtown roads are already under construction and the additional work would continue to affect the merchants.

Councillor Christine Johnson noted that she attended a planning meeting years ago and is fully supportive of the project.

President Graves informed the Council that an Informal Meeting and a Special Meeting may be scheduled for Monday, June 10 in order to expedite the project.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Order to the Council as Committee of the Whole for study and report:

CITY OF GARDNER, MASSACHUSETTS
IN CITY COUNCIL

ORDERED: That the City of Gardner appropriates the sum of Eleven Million Dollars ($11,000,000) to pay costs of replacing water mains throughout the City, and paying all costs incidental or related thereto; to meet said appropriation the Treasurer, with the
approval of the Mayor, is authorized to borrow said sum under M.G.L. c. 44, §8, or any other enabling authority. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

#10114

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that Committee voted favorably to recommend adoption of the Loan Order. He said that the Loan would not affect the sewer rate and that the project involves relocating sewer lines in the Downtown and to replace the Willis Road sewer pump station on Chapel Street. He added that the pump station is thirty years old and services NCCI and approximately 60 residences in the area.

Councillor Edward Gravel questioned whether the State has any matching funds to help offset the cost to the City.

Councillor Ronald Cormier responded, saying that the State paid to construct the Pump Station and the City took ownership, per the [1986] Agreement. He added that there is a proviso in the Agreement that if NCCI exceeded its capacity, per the Agreement, then the State would be required to contribute toward the cost of the new Pump Station.

Councillor James Walsh, a member of the Finance Committee, reported that NCCI accounts for 98% of the sewer user fees and that the sewer [enterprise] system [revenue] funds the maintenance and upgrades of the system.

Council President Scott Graves, Chairman of the Finance Committee, reported that DPW Director Dane Arnold is negotiating with the State for financial support for the upgrade.

Councillor Edward Gravel suggested that the annual [Host Community] Mitigation payments should have offset the cost.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yea, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

CITY OF GARDNER, MASSACHUSETTS
IN CITY COUNCIL

ORDERED: That the City of Gardner appropriates the sum of One Million Seven Hundred Fifty Thousand Dollars ($1,750,000) to pay costs of sewer main installation and sewer pump
station upgrades, and paying all costs incidental or related thereto; to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. c. 44, §7 or 8, or any other enabling authority. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Presented to Mayor for Approval – June 4, 2019
Approved – June 4, 2019
MARK P. HAWKE, Mayor

#10115
Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Order provides for the Sewer Department’s share of the first payment (P&I) toward the Loan for the new DPW buildings. He said that the City Treasurer recommended that the first payments be made in the current Fiscal Year in order to save interest over the term of the loan. He added that the Committee’s report also addresses the Order under #10116.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yea, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER DEPARTMENT – INSIDE PRINCIPAL AND INTEREST EXPENSE.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Three Thousand Nine Hundred Eight Dollars and No Cents ($93,908.00) from Sewer Surplus to Sewer Department – Inside Principal and Interest Expense.

Presented to Mayor for Approval – June 4, 2019
Approved – June 4, 2019
MARK P. HAWKE, Mayor

#10116
On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yea, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:
AN ORDER APPROPRIATING FROM WATER SURPLUS TO WATER DEPARTMENT – INSIDE PRINCIPAL AND INTEREST EXPENSE.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Three Thousand Nine Hundred Eight Dollars and No Cents ($93,908.00) from Water Surplus to Water Department – Inside Principal and Interest Expense.

Presented to Mayor for Approval – June 4, 2019
Approved – June 4, 2019
MARK P. HAWKE, Mayor

#10117
Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the DPW performed repairs to the sewer force main with in-house staff and that the funding would pay to repave the road.

On a motion by Councillor Ronald Cormier seconded by Councillor James Walsh, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yea, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO DPW DEPARTMENT – REPAIRS TO MAINS.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Twenty-five Thousand Dollars and No Cents ($125,000.00) from Sewer Surplus to DPW Department – Repairs to Mains.

Presented to Mayor for Approval – June 4, 2019
Approved – June 4, 2019
MARK P. HAWKE, Mayor

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

#10118
Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the parcel has an easement passing through it and that it is not suitable for building; therefore, the listed low [minimum] bid price.

Councillor James Boone questioned the minimum bid price, suggesting whether the $20,000 assessment of the property is wrong.

Councillor Ronald Cormier noted that the parcel is not buildable due to its topography and the existence of an easement. He added that the assessment is based on the square footage of the parcel and likely that an abutter probably will bid on the parcel.
On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Measure:

DECLARING SURPLUS FOR PURPOSE OF DISPOSAL
LAND ON CATHERINE STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land on Catherine Street, further identified on the City of Gardner Assessor’s Map R-27-20-15, to establish as a minimum amount of $500.00 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or a larger amount, and upon such other terms as the mayor shall consider proper in accordance with this Vote.

Presented to Mayor for Approval – June 4, 2019
Approved – June 4, 2019
MARK P. HAWKE, Mayor

#10119
Reporting for the Finance Committee, Councillor James Walsh informed the Council that the correspondence [from Heywood Hospital] was directed to the City Council and not to the Mayor and that the Mayor had not seen the request. He said that the Committee recommends that the Lease Amendment be referred to the Law Department for an opinion; however, since City Solicitor John Flick is a member of the Board of Trustees of Heywood Hospital and the Assistant City Solicitor is employed by Flick Law Group, there is a conflict. Accordingly, he said, the Law Department will have to hire outside counsel to render an opinion and added that funds are available in the Law Department’s Budget to bear the cost for a legal opinion.

Councillor James Boone questioned whether the Hospital has made any payments to the City for the lease.

Councillor James Walsh responded, saying that the topic of the payments did not arise; however, the issue relates to a revision to prior amendments and noted that one of the prior amendments was unsigned.

Councillor Edward Gravel suggested that the City Council “take a real good hard look” and said that he is curious what is involved with the Lease.

Councillor Nathan Boudreau expressed agreement with sending the Lease Amendment to the Mayor for consideration and added, “[And] we brag about being a pro-business community.”

Councillor James Walsh added that it is the City Council’s job to make sure business is run well.
On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital to the Mayor for consideration and legal opinion.

#10120
On a motion by Councillor Nathan Boudreau and seconded by Councillor James Boone, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306’ west of the centerline of the intersection of Sherman Street to the Public Service Committee and to schedule a Public Hearing for the next regular meeting.

#10121
On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Ordinance to the Council as Committee of the Whole for study and report:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 625 THEREOF, ENTITLED “WATER,” TO CHANGE METERED WATER RATES.

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

Section 1. Chapter 625 of the Code of the City of Gardner is hereby amended to change Subsection A(1) of § 625-8, Water Rates, to read as follows:

A. Metered Water Rates (quarterly).
   (1) Uniform rate per 100 cubic feet of metered use:
      a. $5.72 effective July 1, 2019
      b. $6.00 effective July 1, 2020
      c. $6.26 effective July 1, 2021
      d. $6.50 effective July 1, 2022

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
REPORTS OF STANDING COMMITTEES
PUBLIC WELFARE COMMITTEE

#10090
There being no objections, the Public Welfare Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED “ZONING,” TO CHANGE VARIOUS PROVISIONS RELATING TO MARIJUANA ESTABLISHMENTS.

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

Section 1. Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting and repealing Subsection C (3) (a) in its entirety.

Section 2. Subsection C (9) (c) of Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting the words “shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and”.

Section 3. This Ordinance shall become effective upon passage and publication as required by law. Any claims of invalidity by reason of any defect in the procedure of adoption may only be made ninety days after the posting or the second publication.

FINANCE COMMITTEE

#10093
There being no objections, the Finance Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED “PERSONNEL” TO CHANGE COMPENSATION SCHEDULE EXHIBIT E.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit E and inserting in place thereof, the following:

Exhibit E
Non-Union Employees
Effective Date: 07/01/2019

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Commissioner</td>
<td>G-10</td>
<td>$78,151.60</td>
<td>$1,502.92</td>
</tr>
<tr>
<td>Chief of Police</td>
<td>G-13</td>
<td>$103,219.64</td>
<td>$1,984.99</td>
</tr>
<tr>
<td>City Assessor</td>
<td>G-9</td>
<td>$73,137.78</td>
<td>$1,406.50</td>
</tr>
<tr>
<td>City Auditor</td>
<td>G-10</td>
<td>$81,275.75</td>
<td></td>
</tr>
</tbody>
</table>
### B. Non-Union Direct and Supervisory Staff Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Secretary</td>
<td>G-4</td>
<td>$47,553.41</td>
<td>$914.49</td>
<td>$24.72</td>
</tr>
<tr>
<td>Assistant City Clerk</td>
<td>G-3</td>
<td>$42,765.62</td>
<td>$822.42</td>
<td>$22.23</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$43,620.93</td>
<td>$838.86</td>
<td>$22.67</td>
</tr>
</tbody>
</table>

---

**Regular Meeting of June 3, 2019**

- **City Clerk**
  - G-10
  - Total Compensation: $79,714.63
- **City Collector/Treasurer**
  - G-10
  - Total Compensation: $84,118.88
- **City Engineer**
  - G-11
  - Total Compensation: $85,175.44
- **City Solicitor**
  - G-10
  - Total Compensation: $80,632.20
- **Council on Aging Director**
  - G-6
  - Total Compensation: $57,587.68
- **Director of Community Development & Planning**
  - G-10
  - Total Compensation: $65,838.94
- **Director of Local Origination & Educational Planning**
  - G-6
  - Total Compensation: $64,468.75
- **Director of Public Health**
  - G-10
  - Total Compensation: $70,358.09
  - Step 1: $78,476.33
  - Step 2: $1,509.16
- **Fire Chief**
  - G-12
  - Total Compensation: $94,698.74
- **Golf Course Driving Range/Superintendent**
  - G-9
  - Total Compensation: $76,571.97
- **Human Resources Director**
  - G-11
  - Total Compensation: $88,582.77
- **Information Technology Director**
  - G-11
  - Total Compensation: $47,956.30
- **Library Director**
  - G-9
  - Total Compensation: $75,411.22
- **Public Works Director**
  - G-12
  - Total Compensation: $100,093.31
- **Purchasing Agent/Civil Enforcement Director**
  - G-10
  - Total Compensation: $77,008.55
  - MGL c. 148A, §5
  - Total Compensation: $2,500.00
- **Veterans’ Director**
  - G-6
  - Total Compensation: $58,008.62

---

Page 12 of 16
### CITY OF GARDNER  
### IN CITY COUNCIL  
### REGULAR MEETING OF JUNE 3, 2019

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual</th>
<th>Monthly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant City Engineer</td>
<td>$67,103.22</td>
<td>$1,290.45</td>
<td></td>
</tr>
<tr>
<td>Assistant City Solicitor</td>
<td>$44,569.21</td>
<td>$857.10</td>
<td></td>
</tr>
<tr>
<td>Assistant City Treasurer/Collector</td>
<td>$53,370.84</td>
<td>$1,026.36</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Community</td>
<td>$66,856.11</td>
<td>$1,285.69</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Public Health</td>
<td>$53,370.84</td>
<td>$1,026.36</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Public Works</td>
<td>$73,137.78</td>
<td>$1,406.50</td>
<td></td>
</tr>
<tr>
<td>Assistant Library Director</td>
<td>$58,421.21</td>
<td>$1,123.48</td>
<td></td>
</tr>
<tr>
<td>Deputy Chief of Police</td>
<td>$89,434.53</td>
<td>$1,719.89</td>
<td></td>
</tr>
<tr>
<td>Conservation/Planning Agent</td>
<td>$59,012.30</td>
<td>$1,134.85</td>
<td></td>
</tr>
<tr>
<td>Director of Public Safety</td>
<td>$59,160.00</td>
<td>$1,137.69</td>
<td></td>
</tr>
<tr>
<td>Regional Dispatch Center</td>
<td>$74,284.56</td>
<td>$1,428.55</td>
<td></td>
</tr>
<tr>
<td>Economic Development Coordinator**</td>
<td>$58,262.40</td>
<td>$1,120.43</td>
<td></td>
</tr>
<tr>
<td>GIS/Energy Analyst</td>
<td>$59,160.00</td>
<td>$1,137.69</td>
<td></td>
</tr>
<tr>
<td>Golf Professional</td>
<td>$1,281.30 Weekly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Pro Manager</td>
<td>$1,104.08 Weekly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Inspector</td>
<td>$60,329.20</td>
<td>$1,160.18</td>
<td></td>
</tr>
<tr>
<td>Producer</td>
<td>$48,385.40</td>
<td>$930.49</td>
<td></td>
</tr>
<tr>
<td>Senior Animal Control Officer</td>
<td>$40,606.04</td>
<td>$780.89</td>
<td></td>
</tr>
<tr>
<td>Systems Manager</td>
<td>$63,809.37</td>
<td>$1,227.10</td>
<td></td>
</tr>
<tr>
<td>Electrical Inspector</td>
<td>$1,281.30 Weekly</td>
<td></td>
<td>$31.35</td>
</tr>
<tr>
<td>Plumbing Inspector</td>
<td>$1,104.08 Weekly</td>
<td></td>
<td>$31.35</td>
</tr>
<tr>
<td>Transfer Station Supervisor</td>
<td></td>
<td></td>
<td>$22.17</td>
</tr>
<tr>
<td>Executive Aide</td>
<td></td>
<td></td>
<td>$17.06</td>
</tr>
<tr>
<td>Civil Defense Director</td>
<td>$9,171.88</td>
<td>$764.32</td>
<td></td>
</tr>
<tr>
<td>Sealer of Weights &amp; Measures</td>
<td>$9,341.37</td>
<td>$778.45</td>
<td></td>
</tr>
</tbody>
</table>

### C. NON-UNION STAFF POSITIONS

<table>
<thead>
<tr>
<th>Position</th>
<th>07/01/19</th>
<th>07/01/19</th>
<th>01/01/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control Officer</td>
<td></td>
<td>$33,555.40</td>
<td>$645.30</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$34,226.51</td>
<td>$658.20</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$34,911.04</td>
<td>$671.37</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Administrative Staff

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4 (5 Yrs)</th>
<th>Step 5 (10 Yrs)</th>
<th>Step 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Assistant</td>
<td>$14.89</td>
<td>$17.27</td>
<td>$20.81</td>
<td>$21.23</td>
<td>$21.65</td>
<td></td>
</tr>
<tr>
<td>Administrative Clerk</td>
<td>$13.67</td>
<td>$15.89</td>
<td>$18.11</td>
<td>$18.47</td>
<td>$18.83</td>
<td></td>
</tr>
<tr>
<td>Animal Shelter Attendant</td>
<td>$12.50</td>
<td></td>
<td></td>
<td>$13.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Budget/Project Manager**
City
GRA: $0.65
CDBG: $22.85
Total Compensation: $24.59

### Building Maintenance

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Craftsman</td>
<td>$18.09</td>
<td>$20.41</td>
<td>$22.74</td>
</tr>
<tr>
<td>Building Maintenance Man</td>
<td>$16.54</td>
<td>$18.79</td>
<td>$21.03</td>
</tr>
<tr>
<td>Council on Aging Coordinator</td>
<td>$13.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Administrator</td>
<td>$15.08</td>
<td>$17.98</td>
<td>$21.21</td>
</tr>
<tr>
<td>Financial Clerk</td>
<td>$13.85</td>
<td>$16.29</td>
<td>$19.01</td>
</tr>
</tbody>
</table>

### Golf Course Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Pro Shop Supervisor</td>
<td>$14.08</td>
<td>$14.62</td>
<td>$15.16</td>
</tr>
<tr>
<td>Grounds Maintenance Man GC-8</td>
<td>$16.56</td>
<td>$18.22</td>
<td>$20.16</td>
</tr>
<tr>
<td>Motor Equipment Repairman GC-8</td>
<td>$16.56</td>
<td>$18.22</td>
<td>$20.16</td>
</tr>
<tr>
<td>Working Foreman - Grounds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Man GC-9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Working Foreman - Motor Equipment Repairman GC-9</td>
<td>$20.35</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Library Department Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Librarian</td>
<td>$21.85</td>
<td></td>
</tr>
<tr>
<td>Senior Library Technician</td>
<td>$19.91</td>
<td></td>
</tr>
<tr>
<td>Library Technician</td>
<td>$18.78</td>
<td></td>
</tr>
<tr>
<td>Library Clerical Staff</td>
<td>$13.14</td>
<td>$13.40</td>
</tr>
<tr>
<td>Head Life Guard</td>
<td>$15.30</td>
<td>$16.73</td>
</tr>
<tr>
<td>Parking Meter Clerk</td>
<td>$16.65</td>
<td></td>
</tr>
<tr>
<td>Production Assistant</td>
<td>$14.77</td>
<td></td>
</tr>
<tr>
<td>Transfer Station Monitor</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
</tbody>
</table>

### D. NON-UNION STAFF; TEMPORARY, SEASONAL AND INTERMITTENT POSITIONS

<table>
<thead>
<tr>
<th>Position</th>
<th>07/01/19</th>
<th>07/01/20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternate Animal Control Officer</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Certified Pool Operator S-4</td>
<td>$22.11</td>
<td>$22.11</td>
</tr>
</tbody>
</table>
There being no objections, the Finance Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED “PERSONNEL” TO CHANGE COMPENSATION SCHEDULE EXHIBITS A AND B.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit A and inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Effective 1-2-2018</th>
<th>Effective 1-6-2020</th>
<th>Effective 1-4-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>$92,196.00</td>
<td>$94,040.00</td>
<td>$95,921.00</td>
</tr>
</tbody>
</table>

Section 2. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit B and inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Effective 1-2-2018</th>
<th>Effective 1-6-2020</th>
<th>Effective 1-4-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>$10,707.00</td>
<td>$10,921.00</td>
<td>$11,139.00</td>
</tr>
<tr>
<td>Councillor</td>
<td>$7,326.00</td>
<td>$7,473.00</td>
<td>$7,622.00</td>
</tr>
</tbody>
</table>

Section 3. Effective date.

This ordinance shall become effective on passage and publication as required by law.
UNFINISHED BUSINESS

#10090
President Graves announced that the Joint Public Hearing with the Planning Board was held prior to the Council Meeting and that the Council is awaiting the Final Report of the Planning Board and the Report of the Public Welfare Committee before it takes action on An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishments.

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

ANNOUNCEMENTS and COMMENTARY

Councillors announced approaching community events such as the Relay for Life; Food Truck Festival; and, Movies and Concerts in the Park.

Councillor James Johnson praised the DPW and Engineering Departments for working to correct problems.

Commenting on Calendar #10113, President Graves noted that the $11M Loan Order would address only a small number of miles of water lines that need to be replaced and noted the effect that the Loan would have on the City’s water rates.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor James Walsh and seconded by Councillor Edward Gravel, it was voted viva voce, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:11 p.m.

Accepted by the City Council:
CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY CLERK
Room 121, City Hall
Tel (978) 630-4058
Fax (978) 630-2589

CITY OF GARDNER
NOTICE TO ABUTTERS

June 4, 2019

TO INTERESTED PARTIES:

Pursuant to the provisions of M.G.L.A., c.166, §22, you are hereby notified that a Public Hearing will be conducted on Monday, June 17, 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:

MAIN STREET - National Grid to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306’ west of the centerline of the intersection of Sherman Street. National Grid to install 40 foot CL2 JO wood pole and anchor/guy for upgraded customer service.

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

CITY COUNCIL OF GARDNER

By: Alan L. Agnelli

Alan L. Agnelli
City Clerk
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.
AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER
DEPARTMENT - AWWTP CONTRACT OPERATIONS.

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Fifty-Six
Thousand Dollars and No Cents ($156,000.00) from Sewer Surplus to Sewer Department,
AWWTP Contract Operations.
CITY OF GARDNER
Department of Public Works

Highway
Water
Sewer
Forestry
Parks/Playgrounds
Cemeteries

Dane E. Arnold, Director
416 West Broadway
Gardner, MA 01440-2687
Telephone (978) 632-7661
Fax (978) 630-4029
darnold@gardner-ma.gov

Mayor Mark P. Hawke
City Hall
95 Pleasant Street
Gardner, MA 01440

RE: Suez Contract Shortfall

June 4, 2019

Dear Mayor Hawke:

I am requesting $156,000 from available Sewer Surplus to cover a budgetary shortfall for the AWWTP Contract Operations 61440 - 52359 (Suez). This amount was not budgeted in the Sewer Budget due to an extended (not anticipated) period of continuance of the Original Suez Contract. This amount also includes funds necessary for increased chemical, electrical, and maintenance costs that were not covered in the extension of the contract in order to retain Suez's services from November to June 30, 2019.

In addition to this request, I am asking to transfer $175,000 from 61440 - 51014 Sewer Maintenance Crew to 61440 - 52360 AWWTP Contract Operations. This is a transfer of funds out of a salary line item to the contract operations line item that needs City Council authorization.

As you are aware the City was planning on taking back the Water Distribution and Sewer Collection Systems in November of 2018. Due to the extended negotiations between the City, the Gardner Public Works Employee Association, and Suez, this was not able to be completed in November as planned. We are hopeful it will be completed by July 1, 2019.

When the original Sewer Budget for the Suez Contract was completed in February 2018, it was anticipated that 4 months (July 1st – October 30th) of the FY2019 budget was going to be at the full contract lump sum amount, and 8 months (November 1st – June 30th) of the contract would be at a reduced scope of services amount. This was because we were going to be taking back the water and sewer systems under the City's control, but still have the facilities operated and maintained by Suez.
When the original budget was completed, we anticipated paying for staffing, chemicals, electrical, vehicle repairs and maintenance for 8 months of the year (November 1st – June 30th). The anticipated funds that would have been incorporated in the original Suez full year lump sum Contract were distributed in various line items in the Sewer Budget.

This letter incorporates both the shortfall in the Contract Operations budget due to the delay and the transfer out of the Maintenance Crew line item.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Dane E. Arnold, Director
Department of Public Works

PC: Public Service Committee
    John Richard, City Auditor
    Chris Coughlin, City Engineer
AN ORDER TRANSFERRING FROM SEWER MAINTENANCE CREW TO AWWTP CONTRACT OPERATIONS.

ORDERED:

That there be and is hereby a transfer for the sum of One Hundred Seventy-five Thousand Dollars and No Cents ($175,000.00) from Sewer Maintenance Crew to AWWTP Contract Operations.
Mayor Mark P. Hawke  
City Hall  
95 Pleasant Street  
Gardner, MA 01440  

RE: Suez Contract Shortfall  

June 4, 2019  

Dear Mayor Hawke:  

I am requesting $156,000 from available Sewer Surplus to cover a budgetary shortfall for the AWWTP Contract Operations 61440 - 52359 (Suez). This amount was not budgeted in the Sewer Budget due to an extended (not anticipated) period of continuance of the Original Suez Contract. This amount also includes funds necessary for increased chemical, electrical, and maintenance costs that were not covered in the extension of the contract in order to retain Suez’s services from November to June 30, 2019.

In addition to this request, I am asking to transfer $175,000 from 61440 - 51014 Sewer Maintenance Crew to 61440 - 52360 AWWTP Contract Operations. This is a transfer of funds out of a salary line item to the contract operations line item that needs City Council authorization.

As you are aware the City was planning on taking back the Water Distribution and Sewer Collection Systems in November of 2018. Due to the extended negotiations between the City, the Gardner Public Works Employee Association, and Suez, this was not able to be completed in November as planned. We are hopeful it will be completed by July 1, 2019.

When the original Sewer Budget for the Suez Contract was completed in February 2018, it was anticipated that 4 months (July 1st – October 30th) of the FY2019 budget was going to be at the full contract lump sum amount, and 8 months (November 1st – June 30th) of the contract would be at a reduced scope of services amount. This was because we were going to be taking back the water and sewer systems under the City’s control, but still have the facilities operated and maintained by Suez.
When the original budget was completed, we anticipated paying for staffing, chemicals, electrical, vehicle repairs and maintenance for 8 months of the year (November 1st – June 30th). The anticipated funds that would have been incorporated in the original Suez full year lump sum Contract were distributed in various line items in the Sewer Budget.

This letter incorporates both the shortfall in the Contract Operations budget due to the delay and the transfer out of the Maintenance Crew line item.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Dane E. Arnold, Director
Department of Public Works

PC: Public Service Committee
    John Richard, City Auditor
    Chris Coughlin, City Engineer
AN ORDER APPROPRIATING FROM WATER SURPLUS TO AWWTP CONTRACT OPERATIONS.

ORDERED:

That there be and is hereby appropriated the sum of Two Hundred Twenty-Six Thousand Dollars and No Cents ($226,000.00) from Water Surplus to AWWTP Contract Operations.
Mayor Mark P. Hawke  
City Hall  
95 Pleasant Street  
Gardner, MA 01440

RE: Suez Contract Shortfall

June 4, 2019

Dear Mayor Hawke:

I am requesting $226,000 from available Water Surplus to cover a budgetary shortfall for the AWWTP Contract Operations 62450 - 52359 (Suez). This amount was not budgeted in the Water Budget due to an extended (not anticipated) period of continuance of the Original Suez Contract. This amount also includes funds necessary for increased chemical, electrical, and maintenance costs that were not covered in the extension of the contract in order to retain Suez's services from November to June 30, 2019.

In addition to this request, I am asking to transfer $145,000 from 62450 - 51014 Water Maintenance Crew to 62450 - 52359 AWWTP Contract Operations. This is a transfer of funds out of a salary line item to the contract operations line item that needs City Council authorization.

As you are aware the City was planning on taking back the Water Distribution and Sewer Collection Systems in November of 2018. Due to the extended negotiations between the City, the Gardner Public Works Employee Association, and Suez, this was not able to be completed in November as planned. We are hopeful it will be completed by July 1, 2019.

When the original Water Budget for the Suez Contract was completed in February 2018, it was anticipated that 4 months (July 1st – October 30th) of the FY2019 budget was going to be at the full contract lump sum amount, and 8 months (November 1st – June 30th) of the contract would be at a reduced scope of services amount. This was because we were going to be taking back the water and sewer systems under the City's control, but still have the facilities operated and maintained by Suez.
When the original budget was completed, we anticipated paying for staffing, chemicals, electrical, vehicle repairs and maintenance for 8 months of the year (November 1st – June 30th). The anticipated funds that would have been incorporated in the original Suez full year lump sum Contract were distributed in various line items in the Water Budget. This letter incorporates both the shortfall in the Contract Operations budget due to the delay and the transfer out of the Maintenance Crew line item.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

[Signature]

Dane E. Arnold, Director
Department of Public Works

PC: Public Service Committee
    John Richard, City Auditor
    Chris Coughlin, City Engineer
AN ORDER TRANSFERRING FROM WATER MAINTENANCE CREW TO
AWWTP CONTRACT OPERATIONS.

ORDERED:

That there be and is hereby a transfer for the sum of One Hundred Forty-five
Thousand Dollars and No Cents ($145,000.00) from Water Maintenance Crew to
AWWTP Contract Operations.
Mayor Mark P. Hawke
City Hall
95 Pleasant Street
Gardner, MA 01440

RE: Suez Contract Shortfall

June 4, 2019

Dear Mayor Hawke:

I am requesting $226,000 from available Water Surplus to cover a budgetary shortfall for the AWWTP Contract Operations 62450 - 52359 (Suez). This amount was not budgeted in the Water Budget due to an extended (not anticipated) period of continuance of the Original Suez Contract. This amount also includes funds necessary for increased chemical, electrical, and maintenance costs that were not covered in the extension of the contract in order to retain Suez's services from November to June 30, 2019.

In addition to this request, I am asking to transfer $145,000 from 62450 - 51014 Water Maintenance Crew to 62450 - 52359 AWWTP Contract Operations. This is a transfer of funds out of a salary line item to the contract operations line item that needs City Council authorization.

As you are aware the City was planning on taking back the Water Distribution and Sewer Collection Systems in November of 2018. Due to the extended negotiations between the City, the Gardner Public Works Employee Association, and Suez, this was not able to be completed in November as planned. We are hopeful it will be completed by July 1, 2019.

When the original Water Budget for the Suez Contract was completed in February 2018, it was anticipated that 4 months (July 1st – October 30th) of the FY2019 budget was going to be at the full contract lump sum amount, and 8 months (November 1st – June 30th) of the contract would be at a reduced scope of services amount. This was because we were going to be taking back the water and sewer systems under the City’s control, but still have the facilities operated and maintained by Suez.
When the original budget was completed, we anticipated paying for staffing, chemicals, electrical, vehicle repairs and maintenance for 8 months of the year (November 1st – June 30th). The anticipated funds that would have been incorporated in the original Suez full year lump sum Contract were distributed in various line items in the Water Budget. This letter incorporates both the shortfall in the Contract Operations budget due to the delay and the transfer out of the Maintenance Crew line item.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Dane E. Arnold, Director
Department of Public Works

PC: Public Service Committee
    John Richard, City Auditor
    Chris Coughlin, City Engineer
AN ORDER APPROPRIATING A SUM OF MONEY FROM FREE CASH TO
PUBLIC WORKS DEPARTMENT – ROAD RESURFACING

ORDERED:

That there be and is hereby appropriated the sum of Two Hundred One Thousand
Dollars and No Cents ($201,000.00) from Free Cash to Public Works – Road
Resurfacing.
To: City Council

Re: Money Orders for consideration on June 13, 2019

Listed below are balances in various ledger accounts that pertain to Money Order transfers for your consideration.

These balances are as of June 10th, 2019

<table>
<thead>
<tr>
<th>Money Order</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>10000-35400</td>
<td>$546,629.00</td>
</tr>
<tr>
<td>14421-52210</td>
<td>$281,629.00</td>
</tr>
<tr>
<td>14421-58502</td>
<td>$629.00</td>
</tr>
</tbody>
</table>

The Snow & Ice account currently has available ($344,435.83)
14421-52210

Sincerely

John Richard
City Auditor

Copies: Mayor
City Clerk
AN ORDER APPROPRIATING FROM FREE CASH TO SNOW AND ICE REMOVAL.

ORDERED:

That there be and is hereby appropriated the sum of Three Hundred Forty-Five Thousand Dollars and No Cents ($345,000.00) from Free Cash to Snow and Ice Removal.
To: City Council

Re: Money Orders for consideration on June 13, 2019

Listed below are balances in various ledger accounts that pertain to Money Order transfers for your consideration:

These balances are as of June 10th 2019

<table>
<thead>
<tr>
<th>Money Order</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>10000-35400</td>
<td>$546,629.00</td>
</tr>
<tr>
<td>1421-522'0</td>
<td>$201,629.00</td>
</tr>
<tr>
<td>14-21-58602</td>
<td>$529.00</td>
</tr>
</tbody>
</table>

The Snow & Ice account currently has available ($344,435.83)
14421-52210

Sincerely

John Richard
City Auditor
AN ORDER APPROPRIATING A SUM OF MONEY FROM GOLF ENTERPRISE FUND ACCOUNT TO GOLF INDIRECT COST EXPENSE

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Thousand Dollars and No Cents ($100,000.00) from Golf Enterprise Fund to Golf Indirect Cost Expense.
CITY OF GARDNER
GOLF COURSE COMMISSION

Golf Commission Office:
Gardner City Hall
95 Pleasant Street, Rm 226
Gardner, MA 01440
(978) 630-4004
c Kumar@gardner-ma.gov
www.gardner-ma.gov

William Frank, Superintendent:
100 Eaton St., Gardner, MA 01440
Daniel Berry, Golf Pro Manager
152 Eaton St., Gardner, MA 01440
(978) 632-9703
www.gardnergolfcourse.com

June 12, 2019

The Honorable Mark Hawke
Mayor of the City of Gardner
95 Pleasant Street
Gardner, MA 01440

Dear Mayor Mark Hawke:

The Golf Commission is requesting a transfer from our certified cash reserve of $100,000.00 to Account # 52240 Golf Course Supplies.

Thank you for your consideration in this matter and if you have any questions, please contact me.

Respectfully submitted,

Jeffrey J. Gallant, Chairman

Cc: William Frank, Golf Course Superintendent
To: City Council

Re: Money Orders for consideration on June 12, 2019

Listed below are balances in various ledger accounts that pertain to Money Order transfers for your consideration.

These balances are as of June 12, 2019:

<table>
<thead>
<tr>
<th>Money Order</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Enterprise Fund</td>
<td>$124,250</td>
</tr>
<tr>
<td>63000-31500 to Golf Indirect Cost Expense</td>
<td>$100,000</td>
</tr>
<tr>
<td>63999-59996</td>
<td>$24,250</td>
</tr>
<tr>
<td></td>
<td>$24,250</td>
</tr>
</tbody>
</table>

The Snow & Ice account currently has available ($345,537.69)
14421-52210

Sincerely

John Richard
City Auditor

copies: Mayor
City Clerk
June 10, 2019

The Honorable Scott J. Graves
Council President and
Gardner City Councilors
95 Pleasant Street
Gardner, MA 01440

President Graves,

This letter is to notify you that I will be retiring from my position as Treasurer/Collector on August 16, 2019. Leaving my position comes with mixed emotions. I love my job but feel the need to spend more time with my family and do the things I’ve wanted to do but never had the time.

I am very grateful for the opportunity I have been given to serve the City for the last 29 years and will be there to make the transition as easy as possible.

Sincerely,

Charline M. Daigle

cc. Mark Hawke, Mayor
Debra Pond, Human Resources
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 275 THEREOF, ENTITLED "TRAFFIC COMMISSION," TO CHANGE COMMISSION MEMBERSHIP.

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

Section 1. Subsection B. of § 275-1 of the Code of the City of Gardner is hereby amended by inserting the words "Civil Enforcement Director" immediately following the words "Director of Community Development and Planning."

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
June 12th, 2019

Gardner City Council Members,

Good day, since the beginning of this calendar year members of the Traffic Commission have convened on two separate occasions to discuss prospective public safety roadway concerns, traffic related issues, motor vehicle complaints, major project proposals and ideas for street improvements. During this time frame it was brought to our attention that an extensive range on Ash Street was described to be under specification (width less than 28 feet) which could conceivably affect the safe transit of motor vehicles in the area where roadside parking was taking place. In addition, we also received information on extended or long term roadside parking concerns in the vicinity of Knowlton Street, which was reported to impact local business in the area by restricting the availability of open spaces to customer parking. And finally, it was identified during a review of our City Codes there was a potential lack of membership in the construct of the Traffic Commission. After wide-ranging surveys, assessments and dialogue regarding this subject matter, we as a Traffic Commission would like to recommend conducting amendments to the subsequent City Codes:

600-24/Parking prohibited on certain street – west side of Ash Street starting at the southerly property line of address #164/ traveling in a southerly direction terminating at the intersections of West and Monadnock Street’s.

600-24/Parking prohibited on certain street – repeal no parking north side of Knowlton Street entire length and amend to no parking north side between Pleasant and Connors Street’s.

600-18/Three-hour parking meters – north side (6 spots) and south side (4 spots) of Knowlton Street between Nichols and Connors Street’s.

600-18/Three-hour parking meters – West side of Connors Street starting at the Knowlton Street intersection and traveling in a northerly direction for a distance of 238 feet (10 spots).

275-I/Commission established; member – insert Civil Enforcement Director as member.

In summary, we believe these changes would be in the best interest of public safety, of great assistance in filtering parking complaints, and will formally increase the professional dynamics of the Traffic Commission.

Your favorable consideration in our recommendations would be greatly appreciated.

James F. Trifiro Jr.
Deputy Chief of Police
City of Gardner Police Department
Chapter 275. Traffic Commission

[HISTORY: Adopted by the City Council of the City of Gardner 10-3-1988 by Ord. No. 981. Amendments noted where applicable.]

GENERAL REFERENCES
Parking — See Ch. 512.
Vehicles and traffic — See Ch. 600.

§ 275-1. Commission established; membership.

A. There shall be established in the City of Gardner a Traffic Commission.

B. Members shall consist of the Chief of Police or his designee, as Chairperson, a member of the Council's Public Safety Committee as designated by the Chairperson of that Committee, the City Engineer, the Director of Public Works, and the Director of Community Development and Planning, all whom shall serve ex officio.
[Amended 11-18-2013 by Ord. No. 1563]

§ 275-2. Placement of official traffic signs and signals.

[Amended 11-18-2013 by Ord. No. 1563]
The Director of Public Works, under supervision of the Traffic Commission, is hereby authorized and it shall be his duty to place and maintain or cause to be placed and maintained all official traffic signs and signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Highway Division of the Massachusetts Department of Transportation.

§ 275-3. Meetings; duties.

A. The Traffic Commission shall meet regularly, not less often than quarterly.

B. Among its duties the Traffic Commission shall:

(1) Make recommendations to the City Council, supported by engineering studies and reports when necessary, regarding changes required to the Chapter 600, Vehicles and Traffic, of this Code.

(2) Monitor all traffic-related issues, from signs to major project proposals.

(3) Actively pursue state or federal grants for street improvements (including curbing, pedestrian crossings, and signalization).

(4) Improve traffic on a regional basis, working with and supporting endeavors of the Montachusett Regional Planning Commission (MRPC), with an active member (appointed by Mayor for a three-year term) to be part of the MRPC.
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," ARTICLE V. PARKING METERS AND ARTICLE VI. STOPPING, STANDING AND PARKING.

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

Section 1.

Section 600-18 A. of Chapter 600, Three-Hour Parking Meters, of the Code of the City of Gardner, is hereby amended by adding the following:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knowlton Street</td>
<td>North</td>
<td>From Connors Street to Nichols Street (6 spaces)</td>
</tr>
<tr>
<td>Knowlton Street</td>
<td>South</td>
<td>From Connors Street to Nichols Street (4 spaces)</td>
</tr>
<tr>
<td>Connors Street</td>
<td>West</td>
<td>From the corner of Knowlton Street northerly for a distance of 238 feet (10 spaces).</td>
</tr>
</tbody>
</table>

Section 2.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by deleting and repealing the following:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knowlton Street</td>
<td>North</td>
<td>Entire Length</td>
</tr>
</tbody>
</table>

Section 3.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by adding the following:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ash Street</td>
<td>West</td>
<td>From the southerly property line of 164 Ash Street migrating in a southerly direction to the intersection of West Street and Monadnock Street.</td>
</tr>
<tr>
<td>Knowlton Street</td>
<td>North</td>
<td>From Pleasant Street to Connors Street.</td>
</tr>
</tbody>
</table>

Section 4.

This ordinance shall become effective upon passage and publication as required by law.
June 12th, 2019

Gardner City Council Members,

Good day, since the beginning of this calendar year members of the Traffic Commission have convened on two separate occasions to discuss prospective public safety roadway concerns, traffic related issues, motor vehicle complaints, major project proposals and ideas for street improvements. During this time frame it was brought to our attention that an extensive range on Ash Street was described to be under specification (width less than 28 feet) which could conceivably affect the safe transit of motor vehicles in the area where roadside parking was taking place. In addition, we also received information on extended or long term roadside parking concerns in the vicinity of Knowlton Street, which was reported to impact local business in the area by restricting the availability of open spaces to customer parking. And finally, it was identified during a review of our City Codes there was a potential lack of membership in the construct of the Traffic Commission. After wide-ranging surveys, assessments and dialogue regarding this subject matter, we as a Traffic Commission would like to recommend conducting amendments to the subsequent City Codes:

600-24/Parking prohibited on certain street – west side of Ash Street starting at the southerly property line of address #164/ traveling in a southerly direction terminating at the intersections of West and Monadnock Street’s.

600-24/Parking prohibited on certain street – repeal no parking north side of Knowlton Street entire length and amend to no parking north side between Pleasant and Connors Street’s.

600-18/Three-hour parking meters – north side (6 spots) and south side (4 spots) of Knowlton Street between Nichols and Connors Street’s.

600-18/Three-hour parking meters – West side of Connors Street starting at the Knowlton Street intersection and traveling in a northerly direction for a distance of 238 feet (10 spots).

275-1/Commission established; member – insert Civil Enforcement Director as member.

In summary, we believe these changes would be in the best interest of public safety, of great assistance in filtering parking complaints, and will formally increase the professional dynamics of the Traffic Commission.

Your favorable consideration in our recommendations would be greatly appreciated.

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

Main Street - National Grid to install 1 JO Pole on Main Street beginning at a point approximately 306 feet west of the centerline of the intersection of Sherman St. National Grid to install 40' CL2 JO wood pole and anchor/guy for upgraded customer service.

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 – Main Street - Gardner - Massachusetts.

No. 26756256 April 16, 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
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED “PERSONNEL” TO CHANGE COMPENSATION SCHEDULE EXHIBIT E.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit E and inserting in place thereof, the following:

Exhibit E
Non-Union Employees
Effective Date: 07/01/2019

Department Heads

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Commissioner</td>
<td>G-10</td>
<td>$78,151.60</td>
<td>$1,502.92</td>
</tr>
<tr>
<td>Chief of Police</td>
<td>G-13</td>
<td>$103,219.64</td>
<td>$1,984.99</td>
</tr>
<tr>
<td>City Assessor</td>
<td>G-9</td>
<td>$73,137.78</td>
<td>$1,406.50</td>
</tr>
<tr>
<td>City Auditor</td>
<td>G-10</td>
<td>$81,275.75</td>
<td></td>
</tr>
<tr>
<td>Retirement Board (ex officio)</td>
<td></td>
<td>$3,000.00</td>
<td></td>
</tr>
<tr>
<td>City Clerk</td>
<td>G-10</td>
<td>$79,714.63</td>
<td></td>
</tr>
<tr>
<td>Clerk of the City Council</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registrar of Voters</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MGL c. 41, §19F</td>
<td></td>
<td>$3,500.00</td>
<td></td>
</tr>
<tr>
<td>MGL c. 41, §19G</td>
<td></td>
<td>$550.00</td>
<td></td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$83,764.63</td>
<td>$1,610.86</td>
</tr>
<tr>
<td>City Treasurer/Collector</td>
<td>G-10</td>
<td>$84,118.88</td>
<td></td>
</tr>
<tr>
<td>MGL c. 32, §20(6)</td>
<td></td>
<td>$300.00</td>
<td></td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$84,418.88</td>
<td>$1,623.44</td>
</tr>
<tr>
<td>City Engineer</td>
<td>G-11</td>
<td>$85,175.44</td>
<td>$1,637.99</td>
</tr>
<tr>
<td>City Solicitor</td>
<td>G-10</td>
<td>$80,632.20</td>
<td>$1,550.62</td>
</tr>
<tr>
<td>Council on Aging Director</td>
<td>G-6</td>
<td>$57,587.68</td>
<td>$1,107.46</td>
</tr>
<tr>
<td>Director of Community</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development &amp; Planning</td>
<td>G-10</td>
<td>$65,838.94</td>
<td></td>
</tr>
<tr>
<td>City:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GRA:</td>
<td></td>
<td>$22,250.47</td>
<td></td>
</tr>
<tr>
<td>CDBG:</td>
<td></td>
<td>$4,636.05</td>
<td></td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$92,725.46</td>
<td>$1,783.18</td>
</tr>
<tr>
<td>Director of Local Origination</td>
<td>G-6</td>
<td>$64,468.75</td>
<td>$1,239.78</td>
</tr>
<tr>
<td>&amp; Educational Planning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Director of Public Health</td>
<td>G-10</td>
<td>Step 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$70,358.09</td>
<td>$1,353.04</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$78,476.33</td>
<td>$1,509.16</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>G-12</td>
<td>$94,698.74</td>
<td>$1,821.13</td>
</tr>
<tr>
<td>Golf Course Driving Range/Superintendent</td>
<td>G-9</td>
<td>$76,571.97</td>
<td>$1,472.54</td>
</tr>
<tr>
<td>Human Resources Director</td>
<td>G-11</td>
<td>$88,582.77</td>
<td>$1,703.51</td>
</tr>
<tr>
<td>Information Technology Director</td>
<td>G-11</td>
<td>City</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>School</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$47,956.30</td>
<td>$47,956.30</td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$95,912.60</td>
<td>$1,844.47</td>
</tr>
<tr>
<td>Library Director</td>
<td>G-9</td>
<td>$75,411.22</td>
<td>$1,450.22</td>
</tr>
<tr>
<td>Public Works Director</td>
<td>G-12</td>
<td>$100,093.31</td>
<td>$1,924.87</td>
</tr>
<tr>
<td>Purchasing Agent/Civil Enforcement</td>
<td>G-10</td>
<td>MGL c. 148A, §5</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Director</td>
<td></td>
<td>$77,008.55</td>
<td>$1,529.01</td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$79,508.55</td>
<td>$1,529.01</td>
</tr>
<tr>
<td>Veterans’ Director</td>
<td>G-6</td>
<td>$58,008.62</td>
<td>$1,115.55</td>
</tr>
</tbody>
</table>

2020 Compensation Ordinance
## ORDINANCE

### Non-Union Direct and Supervisory Staff

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant City Clerk</td>
<td>G-3</td>
<td>$42,765.62</td>
<td>$822.42</td>
<td>$22.23</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$43,620.93</td>
<td>$838.86</td>
<td>$22.67</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 2 (5 Yrs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$44,493.35</td>
<td>$855.64</td>
<td>$23.13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 3 (10Yrs)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant City Engineer</td>
<td>G-8</td>
<td>$67,103.22</td>
<td>$1,290.45</td>
<td></td>
</tr>
<tr>
<td>Assistant City Solicitor</td>
<td>G-3</td>
<td>$44,569.21</td>
<td>$857.10</td>
<td></td>
</tr>
<tr>
<td>Assistant City Treasurer/Collector</td>
<td>G-5</td>
<td>$53,370.84</td>
<td>$1,026.36</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Community Development**</td>
<td>G-7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>City $3,342.81</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>CDBG $63,513.30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Compensation</td>
<td></td>
<td>$66,856.11</td>
<td>$1,285.69</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Public Health</td>
<td>G-5</td>
<td>$53,370.84</td>
<td>$1,026.36</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Public Works</td>
<td>G-9</td>
<td>$73,137.78</td>
<td>$1,406.50</td>
<td></td>
</tr>
<tr>
<td>Assistant Library Director</td>
<td>G-6</td>
<td>$58,421.21</td>
<td>$1,123.48</td>
<td></td>
</tr>
<tr>
<td>Conservation/Planning Agent</td>
<td>G-6</td>
<td>$59,012.30</td>
<td>$1,134.85</td>
<td></td>
</tr>
<tr>
<td>Deputy Chief of Police</td>
<td>G-11</td>
<td>$89,434.53</td>
<td>$1,719.89</td>
<td></td>
</tr>
<tr>
<td>Director of Public Safety</td>
<td>G-9</td>
<td>$74,284.56</td>
<td>$1,428.55</td>
<td></td>
</tr>
<tr>
<td>Regional Dispatch Center</td>
<td>G-9</td>
<td>$74,284.56</td>
<td>$1,428.55</td>
<td></td>
</tr>
<tr>
<td>Economic Development Coordinator**</td>
<td>G-7</td>
<td>$58,262.40</td>
<td>$1,120.43</td>
<td>$24.72</td>
</tr>
<tr>
<td>Executive Secretary</td>
<td>G-4</td>
<td>$47,553.41</td>
<td>$914.49</td>
<td></td>
</tr>
<tr>
<td>GIS/Energy Analyst</td>
<td>G-5</td>
<td>$59,160.00</td>
<td>$1,137.69</td>
<td></td>
</tr>
<tr>
<td>Golf Professional</td>
<td>G-6</td>
<td>$1,281.30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Pro Manager</td>
<td>G-6</td>
<td>$1,104.08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Inspector</td>
<td>G-6</td>
<td>$60,329.20</td>
<td>$1,160.18</td>
<td></td>
</tr>
<tr>
<td>Producer</td>
<td>G-2</td>
<td>$48,386.40</td>
<td>$930.51</td>
<td></td>
</tr>
<tr>
<td>Senior Animal Control Officer</td>
<td>G-2</td>
<td>$40,606.04</td>
<td>$780.89</td>
<td></td>
</tr>
<tr>
<td>Systems Manager</td>
<td>G-6</td>
<td>$63,809.37</td>
<td>$1,227.10</td>
<td></td>
</tr>
<tr>
<td>Electrical Inspector</td>
<td>G-6</td>
<td></td>
<td>$31.35</td>
<td></td>
</tr>
<tr>
<td>Plumbing Inspector</td>
<td>G-6</td>
<td></td>
<td>$31.35</td>
<td></td>
</tr>
<tr>
<td>Transfer Station Supervisor</td>
<td>G-3</td>
<td></td>
<td>$22.17</td>
<td></td>
</tr>
<tr>
<td>Executive Aide</td>
<td></td>
<td></td>
<td>$27.06</td>
<td></td>
</tr>
<tr>
<td>Civil Defense Director</td>
<td></td>
<td>$9,171.88</td>
<td>$764.32</td>
<td></td>
</tr>
<tr>
<td>Sealer of Weights &amp; Measures</td>
<td></td>
<td>$9,341.37</td>
<td>$778.45</td>
<td></td>
</tr>
</tbody>
</table>
## ORDINANCE

### Non-Union Staff Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4 (5 Yrs)</th>
<th>Step 5 (10 Yrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control Officer</td>
<td>G-1</td>
<td>$14.89</td>
<td>$17.27</td>
<td>$20.81</td>
<td>$21.23</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$17.27</td>
<td>$20.81</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Clerk</td>
<td>$13.67</td>
<td>$15.89</td>
<td>$18.11</td>
<td>$18.47</td>
<td>$18.83</td>
</tr>
</tbody>
</table>

### Golf Course Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4 (5 Yrs)</th>
<th>Step 5 (10 Yrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Pro Shop Supervisor</td>
<td>$14.08</td>
<td>$14.62</td>
<td>$15.16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grounds Maintenance Man GC-8</td>
<td>$16.56</td>
<td>$18.22</td>
<td>$20.16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Equipment Repairman GC-8</td>
<td>$16.56</td>
<td>$18.22</td>
<td>$20.16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Working Foreman – Grounds</td>
<td>$16.56</td>
<td>$18.22</td>
<td>$20.16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Man GC-9</td>
<td>$20.35</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Working Foreman – Motor Equipment Repairman GC-9</td>
<td>$20.35</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Library Department Positions

<table>
<thead>
<tr>
<th>Position</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>$13.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Librarian</td>
<td>$21.85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Library Technician</td>
<td>$19.91</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library Technician</td>
<td>$18.78</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library Clerical Staff</td>
<td>$13.14</td>
<td>$13.40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Head Lifeguard</td>
<td>$15.30</td>
<td>$16.73</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Meter Clerk</td>
<td>$16.65</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production Assistant</td>
<td>$14.77</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer Station Monitor</td>
<td>$12.50</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## 2020 Compensation Ordinance
## ORDINANCE

### Non-Union Staff: Temporary, Seasonal, and Intermittent Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>7/01/2019</th>
<th>1/01/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternate Animal Control Officer</td>
<td>N/A</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Certified Pool Operator</td>
<td>S-4</td>
<td>$22.11</td>
<td></td>
</tr>
<tr>
<td>Golf Course Laborer/</td>
<td>GC-4</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Pro Shop Assistant</td>
<td>GC-5</td>
<td>$14.51</td>
<td></td>
</tr>
<tr>
<td>Golf Course Groundsman</td>
<td>GC-6</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Golf Course Ranger</td>
<td>S-6</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Lifeguard</td>
<td>T-6</td>
<td>$14.36</td>
<td></td>
</tr>
<tr>
<td>Temporary Seasonal Technical</td>
<td>N/A</td>
<td>$13.00</td>
<td>$13.75</td>
</tr>
<tr>
<td>Election Clerk</td>
<td>N/A</td>
<td>$12.00</td>
<td>$12.75</td>
</tr>
<tr>
<td>Election Inspector</td>
<td>N/A</td>
<td>$14.00</td>
<td>$14.75</td>
</tr>
<tr>
<td>Special Detail Police Officer</td>
<td>N/A</td>
<td>$49.00</td>
<td></td>
</tr>
<tr>
<td>Temporary Seasonal Laborer</td>
<td>T-4</td>
<td>$12.50</td>
<td>$13.77</td>
</tr>
<tr>
<td>Recreational Playground</td>
<td>T-5</td>
<td>$15.30</td>
<td>$16.73</td>
</tr>
<tr>
<td>Supervisor</td>
<td>N/A</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
</tbody>
</table>

**Compensation increase contingent upon positive evaluation of oversight commission, Board or individual (Mayor or City Council) with the approval of the Mayor.**

%%Community Development & Planning Administrative Coordinator wages paid for by City, CDBG and GRA in the following approximate percentages: City – 84.5%, GRA – 10.5%, CDBG- 5%.**
City of Gardner, Executive Department

Mark Hawke, Mayor

April 29, 2019

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

RE: Classification and Compensation Schedule

Dear President Graves and Councilors,

In advance of the FY 2020 Budget, I hereby submit a revised Classification and Compensation Schedule.

The Classification and Compensation Schedule contains a 2% cost of living allowance increase for all positions, as well as the following additional changes:

1. Council on Aging Director, additional 2% increase. The additional increase is due to the fact that this Department Head position was well below the mid-range salary suggested by the HRS Consulting report. While the additional 2% increase does not raise the salary to the mid-range, it gets it very close. The Director has also done an admirable job in increasing visitation to the Senior Center as well as the addition of new programs.

2. Human Resources Director, additional 2% increase. The additional increase is due to the fact that the Director never received any additional compensation when the Pool was added to her duties. The Director has also taken over the personnel records for the School Department.

3. Deputy Police Chief, additional 3% increase. This increase was recommended by the Police Chief. The increase allows for the Deputy Police Chief to be compensated at a rate of 10% above the top step Lieutenant’s rate.

4. Animal Control Officer, implementation of longevity steps at five (5) and ten (10) years with a 2% step increase.

5. Grade change to the IT Director. The IT Director salary is already above the G-10 top. Given the vast duties and education required, I recommend changing the Grade to a G-11. No salary change is required.

6. Grade change to the Deputy Police Chief. The current and proposed salary for the Deputy Police Chief is above the current Grade of G-9. The Police Chief is a Grade G-13. I am recommending changing the Grade to a G-11.

7. Grade change to the Director of Public Safety Regional Dispatch Center. The current salary is already above the Grade G-8 range. I recommend changing the Grade to a G-9. No additional salary change is required.

Respectfully,

Mark Hawke
Mayor, City of Gardner

City Hall, 95 Pleasant Street, Room 125, Gardner, Massachusetts 01440
Telephone: (978) 630-1490 • Facsimile (978) 630-3778 • Email: mayor@gardner-ma.gov
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED "PERSONNEL" TO CHANGE COMPENSATION SCHEDULE EXHIBITS A AND B.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit A and inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Exhibit A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
</tr>
<tr>
<td>Effective 1-2-2018</td>
</tr>
<tr>
<td>$92,196.00</td>
</tr>
</tbody>
</table>

Section 2. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit B and inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Exhibit B</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Position</th>
<th>Effective 1-2-2018</th>
<th>Effective 1-6-2020</th>
<th>Effective 1-4-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>$10,707.00</td>
<td>$10,921.00</td>
<td>$11,139.00</td>
</tr>
<tr>
<td>Councillor</td>
<td>$7,326.00</td>
<td>$7,473.00</td>
<td>$7,622.00</td>
</tr>
</tbody>
</table>

Section 3. Effective date.

This ordinance shall become effective on passage and publication as required by law.
April 29, 2019

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

RF: Yearly Salaries

Dear President Graves and Councilors,

City Code Chapter 171-66 states:
“The yearly salaries for the Mayor, Council President, City Councilors and various other positions shall be as set forth in Schedule 1 included at the end of this chapter. On or after January 1 of each odd-numbered year beginning in 2007, the Finance Committee of the City Council shall report to the Council, as a Committee of the Whole, its recommendations for adjustment, if any, to the salaries of the Mayor and City Councilors.”

In fiscal year 2019 all non-union personnel received a 2% cost of living allowance. For fiscal year 2020 there will also be a 2% cost of living allowance for non-union personnel.

In accordance with the salary study performed by HRS Consulting, the Mayor’s salary should, at least, keep pace with any increases allotted to non-union personnel. I am proposing a 2% cost of living allowance for fiscal year 2020 and a 2% cost of living allowance for 2021.

Rather than a lump sum 4% cost of living increase to keep pace with non-union personnel, the Mayor and City Council increases will lag a full year behind all the other increases. This lag will allow the Council time to react and make changes to the Mayor and Council yearly salaries should any corrections to non-union personnel compensation occur at any time.

Respectfully,

Mark Hawke
Mayor, City of Gardner
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE
VARIOUS DEPARTMENTS FOR THE SALARY AND LABOR BUDGET FOR THE
FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDERED:

To raise and appropriate for the expense of the City of Gardner for the Fiscal Year
beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the
various departments, Salary and Labor budgets, according to the detailed schedule hereto
annexed and made a part of this money order in the amount of ELEVEN MILLION,
FIVE HUNDRED THIRTY-TWO THOUSAND, FOUR HUNDRED THIRTEEN
DOLLARS ($11,532,413.00)
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE VARIOUS DEPARTMENTS FOR THE EXPENSE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDERED:

To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the various departments, other than what was presented to City Council in the Salary and Labor budget, according to the detailed schedule hereto annexed and made a part of this money order in the amount of TWENTY-ONE MILLION, FIVE HUNDRED FOURTY-THREE THOUSAND, THREE HUNDRED THIRTY-SIX DOLLARS ($21,543,336.00)
AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE SCHOOL DEPARTMENT BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

ORDERED:

To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the School Department according to the detailed schedule hereto annexed and made a part of this money order in the amount of TWENTY-FOUR MILLION, TWO HUNDRED EIGHTY THOUSAND, EIGHT HUNDRED SIXTY-NINE DOLLARS ($24,280,869.00)
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE ENTERPRISE FUNDS-VARIOUS RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020

ORDERED:

That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of NINE MILLION, SEVEN HUNDRED TWENTY-ONE THOUSAND, TWO HUNDRED NINETEEN DOLLARS ($9,721,219.00) from Available Enterprise Funds-Receipts Reserved to the following accounts:

| Sewer Dept | Enterprise Fund | $3,556,588.00 |
| Water Dept | Enterprise Fund | 3,588,911.00  |
| Golf Course| Enterprise Fund | 830,518.00    |
| Landfill Closure| Enterprise Fund | 58,833.00 |
| Solid Waste | Enterprise Fund | 1,686,369.00 |
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS-
CABLE COMMISSION FEES RESERVED TO CABLE COMMISSION BUDGET
FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020

ORDERED:

That there be and is hereby appropriated for the Fiscal Year beginning July 1,
2019 to June 30, 2020 the sum of ONE HUNDRED SEVENTY-SEVEN THOUSAND,
THREE HUNDRED SIXTEEN DOLLARS ($177,316) from Available Funds-Cable
Commission Fees Reserved to the Cable Commission budget.
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS-PARKING METER RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020

ORDERED:

That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of ONE HUNDRED TEN THOUSAND, FIVE HUNDRED FIFTY DOLLARS ($110,550.00) from Available Funds-Parking Meter Receipts Reserved to the following accounts:

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Treasurer</td>
<td>Parking Meter Clerk Salary</td>
<td>$12,730.00</td>
</tr>
<tr>
<td>City Treasurer</td>
<td>Parking Meter Maintenance</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>Police</td>
<td>Parking Meter Patrol</td>
<td>$21,420.00</td>
</tr>
<tr>
<td>Public Works</td>
<td>Parking Meter Maintenance</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Public Works</td>
<td>DPW Maint. Crew Sal &amp; Wages</td>
<td>$31,400.00</td>
</tr>
</tbody>
</table>
AUTHORIZING FY2020 REVOLVING FUNDS  
M.G.L. CH.44, S.53E½

**ORDER:** To authorize and direct the City Treasurer to establish the following revolving funds for the fiscal year beginning July 1, 2019 to June 30, 2020 in accordance with M.G.L. Chapter 44, section 53E½:

<table>
<thead>
<tr>
<th>Revolving Fund</th>
<th>Authorized to Expend</th>
<th>Revenue Source</th>
<th>Purpose of Fund</th>
<th>Spending Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Fuel</td>
<td>Airport Commission</td>
<td>Sale of airplane fuel</td>
<td>Purchase of fuel, airport programs, and improvements</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Community Development Projects</td>
<td>Community Development/Planning</td>
<td>Historic Housing Rehab Income</td>
<td>Salaries and expenses relating to Community Development Activities</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Wetland Protection</td>
<td>Conservation Commission</td>
<td>Local wetland filing fees</td>
<td>Costs associated with wetland protection activities</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Council on Aging Recreational Activities</td>
<td>Council on Aging Director</td>
<td>Recreation Fees</td>
<td>Salaries and expenses relating to recreational activities at Senior Center</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Gardner’s Summer Celebration</td>
<td>Mayor</td>
<td>Collections and donations</td>
<td>Costs associated with Gardner’s Summer Celebration</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Planning Board Publications</td>
<td>Planning Board</td>
<td>Sale of Planning Board publications</td>
<td>Preparation and production of Planning Board publications</td>
<td>Available balance or $3,000, whichever is less</td>
</tr>
<tr>
<td>Road Resurfacing</td>
<td>Public Works Director</td>
<td>Fees charged for cutting into newly paved roads</td>
<td>Costs associated with road resurfacing and road maintenance</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>High School Summer Football Camp</td>
<td>School Department</td>
<td>Camp fees and donations</td>
<td>Salaries and expenses for the High School Summer Football Camp</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
<tr>
<td>Summer Basketball Camp</td>
<td>School Department</td>
<td>Camp fees and donations</td>
<td>Salaries and expenses for the Summer Basketball Camp</td>
<td>Available balance or $12,000, whichever is less</td>
</tr>
<tr>
<td>Transportation</td>
<td>School Department</td>
<td>Bus passes and fees for transportation</td>
<td>Salaries and expenses relating to school transportation</td>
<td>Available balance or $20,000, whichever is less</td>
</tr>
</tbody>
</table>

As per M.G.L., interest earned on these funds shall be treated as general fund revenue.

The person or persons authorized to expend from each fund shall report annually to the Mayor and City Council the total amount of receipts and expenditures for the prior fiscal year and for the current fiscal year through December 31st, along with any other information that City Council may by vote require.

In the event any fund is not reauthorized for the following fiscal year or the city changes the purpose of the revolving fund, the balance in the fund shall revert to surplus revenue, unless City Council and the Mayor vote to transfer the funds to another revolving fund established in accordance with M.G.L. Chapter 44, section 53E½.
AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," TO CHANGE VARIOUS PROVISIONS RELATING TO MARIJUANA ESTABLISHMENTS.

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

Section 1. Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting and repealing Subsection C (3) (a) in its entirety.

Section 2. Subsection C (9) (c) of Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting the words "shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and".

Section 3. This Ordinance shall become effective upon passage and publication as required by law. Any claims of invalidity by reason of any defect in the procedure of adoption may only be made ninety days after the posting or the second publication.
Dear President Graves:

At its meeting on April 9, 2019, The Planning Board voted unanimously (4-0) to recommend that the City Council consider amending the Zoning Code as follows:

Section 675-1070 Marijuana Establishments, C (3) (a). Delete in its entirety. The clause is too restrictive and does not allow for reasonable site selection process for this type of use given the overabundance of nonconforming residential structures within the City.

Section 675-1070 Marijuana Establishments, C (9) (c). Delete "shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and." In its current state the clause is ambiguous. The proposed amendment clarifies the clause while maintaining consistency with state regulations by not preventing the conversion of a qualified medical marijuana treatment center to a marijuana establishment. The final clause should read as follows:

*The number of Marijuana Establishments shall not prevent the conversion of a medical marijuana treatment center licensed or registered no later than July 1, 2017 to a marijuana establishment engaged in the same type of activity.*

The Planning Board determined that the proposed amendment is beneficial to the present and future inhabitants of the City of Gardner, and is in accordance with the provisions of Massachusetts General Laws Chapter 40A.

The Planning Board looks forward to joining the City Council at a public hearing scheduled at your earliest convenience. Please contact Trevor Beauregard if you have any questions or need additional information.

Sincerely,

Allen Gross, Chairman

City Hall Annex, 115 Pleasant Street, Room 201, Gardner, Massachusetts 01440
Telephone: (978) 630-4011  Facsimile: (978) 632-1905  CDBG (978) 632-3800
ORDINANCE

§ 675-1070 Marijuana Establishments.
A. Purpose

(1) To provide for the placement of marijuana establishment in appropriate places and under conditions in accordance with the provisions of Massachusetts General Law Chapter 94G

(2) To minimize the adverse impacts of marijuana establishments on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other sensitive land uses potentially incompatible with said establishments.

(3) To regulate the siting, design, placement, security, safety, monitoring, modification, and discontinuance of marijuana establishments.

B. Applicability

(1) No marijuana establishment shall be established except in compliance with the provisions of § 675-410 (Schedule of Use Regulations) and this § 675-1070 (Marijuana Establishments)

(2) Nothing in this section shall be construed to supersede federal and state laws governing the sale and distribution of Class 1 Controlled Substances.

(3) If any provision of this section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this section are severable.

C. General requirements and conditions for all marijuana establishments.

(1) All marijuana establishments shall be contained within a building or structure.

(2) The hours of operation of marijuana establishments shall be set by the special permit granting authority

(3) No marijuana establishment property line shall be located within 500 linear feet of a lot line where the following districts, activity, or uses occur:

   (a) A nonconforming residential dwelling that has not been abandoned or unoccupied for a period of two years;

   (b) Any church, public or private school or child-care facility; or place where minors frequent (e.g., a library, ball field, park, sports or family recreation facility, religious facility or the like);

   (c) Any other marijuana establishment;

   (d) Any drug or alcohol rehabilitation facility; or

   (e) Any correctional facility, half-way house or similar facility.

(5) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a marijuana establishment.
ORDINANCE

(6) No marijuana establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

(7) Marijuana establishments shall provide the Gardner Police and Fire Departments, Building Commissioner, Board of Health, and the special permit granting authority with the names, phone numbers and e-mail addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.

(8) The City shall have access at any time to inspect the premises of the marijuana establishment to ensure compliance with local and state regulations, excluding client health information protected under the Health Insurance Portability and Accountability Act of 1996.

(9) Pursuant to Massachusetts General Laws Chapter 94G, Section 9(a) (2)(i)-(iii) the maximum number of Licensed Marijuana Establishments in the City shall be consistent with the following provisions:

a) Shall not prohibit one or more types of Marijuana Establishment;
b) The number of marijuana retail establishments, shall not exceed 20% of liquor licenses issued for retail sale of alcohol not consumed on the premises in the City of Gardner. Said number to be rounded up to the next whole number;
c) The number of Marijuana Establishments shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and shall not prevent the conversion of a medical marijuana treatment center licensed or registered no later than July 1, 2017 to a marijuana establishment engaged in the same type of activity.

D. Special permit requirements.

Special Permit Requirements

(1) No special permit for any marijuana establishment shall be issued without site plan approval first having been obtained from the Planning Board, § 675-1020. Site plan review, of this chapter. In addition to the standards set forth within, the site plan must meet all dimensional, parking, landscaping, and signage requirements within this chapter.

(2) A marijuana establishment shall only be allowed by special permit from the Gardner Planning Board in accordance with MGL c. 40A, § 9, subject to the following statements, regulations, requirements, conditions and limitations.

(3) A special permit for a marijuana establishment shall be limited to one or more of the following uses that shall be specified by the special permit granting authority:

(a) Marijuana cultivator;

(b) Marijuana product manufacturer;

(c) Marijuana retailer;

(d) Marijuana testing facility;
(e) Marijuana transportation or distribution facility; and

(f) Any other type of licensed marijuana-related business

(4) In addition to the application requirements set forth above, a special permit application for a marijuana establishment shall include the following:

(a) The name and address of each owner of the establishment;

(b) Copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts Cannabis Control Commission and any of its other agencies for the establishment;

(c) Evidence of the applicant's right to use the site of the establishment for the establishment, such as a purchase and sale agreement, deed, owner's authorization, or lease;

(d) Proposed security measures for the marijuana establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft. A letter from the City of Gardner Police Chief, or designee, acknowledging review and approval of the marijuana establishment security plan is required. To the extent allowed by law, all such documents shall be confidential.

(5) Mandatory findings. The special permit granting authority shall not issue a special permit for a marijuana establishment unless it finds that:

(a) The establishment is designed to minimize any adverse impacts on abutters and other parties in interest, as defined in MGL c. 40A, § 11.

(b) The establishment demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable state laws and regulations; and

(c) The applicant has satisfied all the conditions and requirements set forth herein.

(6) A special permit granted under this section shall have a term limited to the duration of the applicant's ownership or leasehold of the premises as a marijuana establishment. A special permit may be transferred only with the approval of the special permit granting authority in the form of an amendment to the special permit with all information required in this § 675-1070.

E. Abandonment or discontinuance of use.

(1) A special permit shall lapse if not exercised within one year of issuance.

(2) A marijuana establishment shall be required to remove all personal property including but not limited to all material, plants, equipment, accessories, paraphernalia, and any other property no later than the earliest of: a) prior to surrendering its state issued licenses or permits; or b) within six months of ceasing operations.
VOTED: That the City of Gardner, acting through its Mayor and its Director of Public Works, amend its lease with Henry Heywood Memorial Hospital dated April 9, 1968, and recorded in Worcester District Registry of Deeds, Book 4869, Page 185, to correct and confirm the land description subject to the Lease, the same being shown on a plan titled “Easement Plan of Land in Gardner, Massachusetts” which is attached hereto and recorded herewith; and

To further authorize the Mayor and the Director of Public Works, as successor to the rights, privileges, duties and liabilities of its former Public Works Board to further to sign, seal and deliver an agreement or amendment to said lease and to do any other thing deemed necessary or advisable to give full effect to this vote, his signature on such instrument to be conclusive that its execution is within the authority conferred by this vote.
June 4, 2019

Hon. Mark P. Hawke, Mayor
95 Pleasant Street, Room 125
Gardner, MA 01440

Re: Calendar No. 10119, Amendment to Lease Between the City of Gardner and Henry Heywood Memorial Hospital

Dear Mayor Hawke:

At the Regular Meeting of June 3, 2019, the City Council voted to refer the enclosed correspondence from Win Brown, President and CEO of Heywood Hospital and the Amendment to Lease Between the City of Gardner and Henry Heywood Memorial Hospital to you for your consideration and for a legal opinion.

Please feel free to contact me with any questions.

Very truly yours,

[Signature]

Alan L. Agnelli
City Clerk

Enclosures
May 20, 2019

VIA HAND DELIVERY

Scott J. Graves, Esq., President
City of Gardner
City Council
95 Pleasant St.
Gardner, MA 01440

Re: Green Street Parking Lot Land Lease

Dear Council President Graves:

Heywood Hospital has been working to address certain easement issues related to the installation of the solar array in our northern parking lot. This project has been delayed due to the transfer of ownership of the solar array, and the discovery of a National Grid easement which must be relocated in order to accommodate the installation of the solar panels. Our representatives have been working with National Grid to develop a suitable location for the new easement.

As you know the land on which the solar panels are installed consists primarily of land leased by the Hospital from the City of Gardner. The National Grid easement which needs to be relocated is across a portion of this land. Prior to addressing the relocation of this easement, there are some issues pertaining to the lease with the City that need to be resolved.

In 1968 the City entered into a Lease with Henry Heywood Memorial Hospital for the land on which this parking lot exists. The original leased land was comprised of the current parking area and the wooded hillside down to a location near the current bike path. During our review of this matter with the City, two unrecorded Amendments to the Hospital’s lease with the City of Gardner were discovered; one from 1986 which also appears to be unsigned, and one from 1998. The unrecorded 1998 lease Amendment is undated but has a notation that it was signed in January 1998. Copies of both unrecorded Amendments are enclosed. The 1998 Amendment appears to have significantly reduced the land area which Heywood was leasing. The purpose of the 1998 Amendment as set forth in the recitals, was to protect the City’s watershed by removing from the leased land the wooded hillside below the ridgeline. The description in that Amendment appears to have also reduced the leased beyond the removal of the wooded hillside from the land description, by eliminating almost half of the land currently used for the northern parking lot. The description reduced the leased land to approximately 2.16 acres.

In 2007, however, Heywood Hospital applied for and obtained from the City of Gardner a Special Permit to expand the northern parking lot to the configuration that exists today. This expansion includes the land which made up the original leased area (with the exception of the
slope from the ridgeline down the wooded hillside) and includes the norther portion of land that was omitted from the revised 1998 Amendment description, approximately 3.13 acres. It appears that the City's grant of the Special Permit in 2007 relied on the leased land description from the original 1968 lease, less the wooded hillside. For these reasons we believe that the land description in the 1998 Amendment was in error in that it reduced the leased land area more than the City and Hospital had intended. We asked our engineer to prepare a new plan with a proposed relocation of the National Grid easement, and a revised description of the leased area consistent with the land area that is subject to the 2007 Special Permit. The definitive leased area is depicted on a new plan that also identifies the relocated easement. This plan will be recorded together with an eighth amendment to the lease to confirm the description of the leased land. Note that there are currently five recorded lease Amendments and two unrecorded Amendments. The approval of this Eighth Amendment to the lease will resolve the discrepancy between the lease land description and the current layout of Heywood's north Green Street parking lot.

Enclosed you will find the following:

- The proposed easement plan; and
- A proposed Eighth Amendment to the Lease dated April 9, 1968;

In order for Heywood Hospital to move forward with the completion of the solar project, we are submitting these documents to the City and hereby petition the City Council to approve the Eighth Amendment to the Lease correcting and confirming the land description subject to the Lease.

Once this step is complete, we will then complete the easement relocation with National Grid. Once that is done, we will submit additional documents to the City Council for consideration which will seek the abandonment and relocation of the existing easement. We hope that this entire process will be completed by the end of June 2019.

Thank you for your consideration of this request.

Very truly yours,

Winfield S. Brown
President & CEO
RETURN TO:
City of Gardner
95 Pleasant Street
Gardner, MA 01440

EIGHTH AMENDMENT TO LEASE

THIS EIGHTH AMENDMENT TO LEASE made this ___day of _________, 2019
by and between the CITY OF GARDNER, a municipal corporation duly organized and existing
under the laws of the Commonwealth of Massachusetts, acting by and through its Mayor and by
and through its Director of Public Works, successor to the rights, privileges, duties and liabilities
of its former Public Works Board (the “City” or “Lessor”) and HENRY HEYWOOD
MEMORIAL HOSPITAL, a charitable corporation organized under the laws of the
Commonwealth of Massachusetts and having a principal office at 242 Green Street, Gardner,
Massachusetts 01440 (the “Hospital” or “Lessee”).

Recitals

WHEREAS the City is the Lessor and the Hospital is the Lessee of a certain parcel of
land situated on the westerly side of Green Street in Gardner, as further described in a Lease
Agreement dated April 9, 1968, and recorded in Worcester District Registry of Deeds, Book
4869, Page 185, (the “Lease”), as amended by: 1) instrument dated October 21, 1980 recorded in
said Registry in Book 7135, Page 310 (Amendment to Lease), 2) instrument dated October
December 2, 1980 recorded in said Registry in Book 7135, Page 314, (Amendment to Lease), 3)
by an agreement between the parties dated January 3, 1986 (an unrecorded amendment to the
Lease), 4) by an agreement between the parties dated January 26, 1998 (an unrecorded
amendment to the Lease), 5) by instrument dated May 11, 2000 (so called “Second Amendment
To Lease”) and recorded in said Registry in Book 22705 Page 320, 6) by instrument dated July
25, 2016 (so called “Third Amendment To Lease”) and recorded in said Registry in Book 55817
Page 392, and by 7) instrument dated September 13, 2017 (so called “Fourth Amendment To
Lease”) and recorded in said Registry in Book 57862 Page 98;

WHEREAS the January 26, 1998 Amendment to the lease (being unrecorded) revised
Article I of said Lease whereby the Hospital released to the City a portion of the land described
in the Lease dated April 9, 1968;

WHEREAS said revision of land allegedly reduced the leased area of land to a parcel
described as containing 2.16 acres, more or less;

WHEREAS, in 2007 the City granted a Special Permit to the Hospital, dated October 9,
2007 and recorded in the said Registry in Book 42418, Page 1, to expand its parking lot on the
leased premises to include a total of 3.13 acres, more or less; and
WHEREAS, the Parties now desire to resolve the discrepancy between the Fourth Amendment to the Lease and the Special Permit granted to the Hospital;

NOW THEREFORE, in exchange for the mutual promises contained herein, and other good and valuable consideration, the sufficiency of which the Parties affirm, the City and Hospital agree as follows:

Article 1 of the Lease Agreement dated April 9, 1968 be amended to read as follows:

1. The Lessor leases to the Lessee the premises in the City of Gardner, County of Worcester, Commonwealth of Massachusetts, described as follows:

A certain parcel of land situated in the City of Gardner, County of Worcester, Commonwealth of Massachusetts bounded and described as follows:

BEGINNING at a point on the westerly sideline of Green Street at the northeasterly corner of land now or formerly of Henry Heywood Memorial Hospital;

THENCE S69°06'14"W by land of said Henry Heywood Memorial Hospital one hundred eighty and 09/100 (180.09') feet to a point;

THENCE Northerly over land of the City of Gardner along a curve concave to the east having a radius of eight hundred twelve and 50/100 (812.50') feet, an arc length of three hundred sixteen and 37/100 (316.37') feet to a point;

THENCE N03°01’05”E over land of the City of Gardner two hundred twenty six and 86/100 (226.86') feet to a point;

THENCE northerly over land of the City of Gardner along a curve concave to the west having a radius of one thousand seven hundred eighty-seven and 50/100 (1,787.50') feet, an arc length of two hundred thirty-eight and 84/100 (238.84') feet to a point;

THENCE N85°21’45”E over land of the City of Gardner one hundred eighty and 00/100 (180.00') feet to a Worcester County highway bound on the westerly sideline of Green Street;

THENCE Southerly by the westerly sideline of Green Street along a curve concave to the west having a radius of one thousand nine hundred sixty-seven and 50/100 (1,967.50') feet, an arc length of two hundred sixty-two and 89/100 (262.89') feet to a Worcester County highway bound;

THENCE S03°01’05”W by the westerly sideline of Green Street two hundred twenty six and 86/100 (226.86') feet to a point;

THENCE southeasterly by the westerly sideline of Green Street along a curve concave to the east having a radius of six hundred thirty-two and 50/100 (632.50') feet, an arc length of two hundred forty-one and 24/100 (241.24') feet to the point of beginning.

CONTAINING 3.13 Acres.
The remaining land in PARCEL ONE, as previously described in Article 1 of the April 9, 1968 Agreement, is released by the Lessee to the full ownership and control of the city of Gardner (Lessor).

This description of the leased area set forth herein shall be binding on the parties notwithstanding any prior revisions, agreements, or amendments to the Lease.

All other terms of the original Lease agreement, as amended from time to time, shall remain in full force and effect until the end of the original lease term, which remains April 8, 2067.

See Vote of the City Council attached hereto as Exhibit A.

EXECUTED in Gardner, Massachusetts as a sealed instrument the date first above written.

CITY OF GARDNER

By: ____________________________
Mark P. Hawke, Mayor

HENRY HEYWOOD MEMORIAL HOSPITAL

By: ____________________________
Winfield S. Brown, CEO/President
Robert Crosby, CEO
As auth. (See Book S8824, Page 305)

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss. _____________, 2019

Then personally appeared the above named, Mark P. Hawke, Mayor, duly authorized, and declared that he executed the foregoing instrument as the free act and deed of the City of Gardner, before me,

___________________________
Notary Public
My Commission Expires:
COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.  

Then personally appeared the above named, Winfield S. Brown, President of Henry Heywood Memorial Hospital, duly authorized, and declared that he executed the foregoing instrument as the free act and deed of the City of Gardner, before me,

SHARON L. BONNEAU
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
March 19, 2021

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.  

Then personally appeared the above named, Robert Crosby, CFO, duly authorized, and declared that he executed the foregoing instrument as the free act and deed of the City of Gardner, before me,

SHARON L. BONNEAU
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
March 19, 2021
AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 625 THEREOF, ENTITLED "WATER," TO CHANGE METERED WATER RATES.

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

Section 1. Chapter 625 of the Code of the City of Gardner is hereby amended to change Subsection A(1) of § 625-8, Water Rates, to read as follows:

A. Metered Water Rates (quarterly).

(1) Uniform rate per 100 cubic feet of metered use:
   a. $5.72 effective July 1, 2019
   b. $6.00 effective July 1, 2020
   c. $6.26 effective July 1, 2021
   d. $6.50 effective July 1, 2022

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
# 2019 Gardner DPW Water Rate Study

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Billing Frequency</th>
<th>Service Charge</th>
<th>Min. Charge</th>
<th>Rate per 100 CF</th>
<th>Equivalent Rate</th>
<th>Quarterly Charge</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Templeton</td>
<td>quarterly</td>
<td>$ 60.00</td>
<td>$ 6.43</td>
<td>$ 13.93</td>
<td>$ 111.44</td>
<td></td>
<td>Tiered rate 12500 [8.60/1000 gal], 25000, over 25000 Gallons</td>
</tr>
<tr>
<td>Acton</td>
<td>quarterly</td>
<td>$ 68.00</td>
<td>$ 4.50</td>
<td>$ 13.00</td>
<td>$ 104.00</td>
<td></td>
<td>Tiered rate 1500, 3000, 4500, over 6000 CF with seasonal adjustment</td>
</tr>
<tr>
<td>Ashburnham</td>
<td>quarterly</td>
<td>$ 35.20</td>
<td>$ 79.20</td>
<td>$ 3.08</td>
<td>$ 11.06</td>
<td>$ 88.44</td>
<td>Flat rate of $44 first 500 CF then tiered rate 2500, 4500, over 4500 CF</td>
</tr>
<tr>
<td>Holden</td>
<td>monthly</td>
<td>$ 23.57</td>
<td>$1.66/$1.99</td>
<td>$ 10.64</td>
<td>$ 85.15</td>
<td></td>
<td>Tiered rate 450 [$1.66], 1500 [$1.99], 3000, 4500, over 4500 CF</td>
</tr>
<tr>
<td>Barre</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 70.00</td>
<td>$ 7.00</td>
<td>$ 8.75</td>
<td>$ 70.00</td>
<td>Min. charge $70 includes 1000 CF then $7/1000CF</td>
</tr>
<tr>
<td>Middleborough</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 57.25</td>
<td>$ 3.69</td>
<td>$ 8.54</td>
<td>$ 68.32</td>
<td>Min. charge based on 3/4&quot; meter and includes 500 CF. Tiered rate 2500, 25000, over 25000 CF</td>
</tr>
<tr>
<td>Westminster</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 29.26</td>
<td>$ 7.29</td>
<td>$ 7.30</td>
<td>$ 58.42</td>
<td>Min. charge $29.26 includes 3,000 gallons (400 CF) per quarter then $9.75 per 1000 gallons</td>
</tr>
<tr>
<td>Marblehead</td>
<td>quarterly</td>
<td>$ 16.25</td>
<td>$ 4.85</td>
<td>$ 6.88</td>
<td>$ 55.05</td>
<td></td>
<td>Tiered rate 3000, over 3000 CF</td>
</tr>
<tr>
<td>Westford</td>
<td>quarterly</td>
<td>$ 19.28</td>
<td>$ -</td>
<td>$ 4.19</td>
<td>$ 6.60</td>
<td>$ 52.80</td>
<td>Service charge based on 5/8&quot; meter. Tiered rate 2500, 10000, over 10000 CF</td>
</tr>
<tr>
<td><strong>Gardner (2023)</strong></td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 48.75</td>
<td>$ 6.50</td>
<td>$ 6.50</td>
<td>$ 52.00</td>
<td>3.5% increase to previous year's rate</td>
</tr>
<tr>
<td>Norton</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 46.95</td>
<td>$ 6.26</td>
<td>$ 6.26</td>
<td>$ 50.08</td>
<td>Admin charge of 25% of water charge. Tiered rate 400, 2000, over 2000 CF. 0-400 CF is $28.</td>
</tr>
<tr>
<td><strong>Gardner (2021)</strong></td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 45.00</td>
<td>$ 6.00</td>
<td>$ 6.00</td>
<td>$ 48.00</td>
<td>4.50% increase to previous year's rate</td>
</tr>
<tr>
<td>Mansfield</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 5.85</td>
<td>$ 5.85</td>
<td>$ 46.80</td>
<td>Tiered rate 2400, 3900, 6000, over 6000 CF</td>
</tr>
<tr>
<td><strong>Gardner (2020)</strong></td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 42.90</td>
<td>$ 5.72</td>
<td>$ 5.72</td>
<td>$ 45.76</td>
<td>6.70% increase to previous year's rate</td>
</tr>
<tr>
<td>Winchendon</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 5.27</td>
<td>$ 5.27</td>
<td>$ 42.16</td>
<td></td>
</tr>
<tr>
<td><strong>Gardner (current)</strong></td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 39.45</td>
<td>$ 5.26</td>
<td>$ 5.26</td>
<td>$ 42.08</td>
<td></td>
</tr>
<tr>
<td>Canton</td>
<td>quarterly</td>
<td>$ 12.50</td>
<td>$ -</td>
<td>$ 3.54</td>
<td>$ 5.10</td>
<td>$ 40.82</td>
<td>Tiered rate 1500, 4000, 10000, over 10000</td>
</tr>
<tr>
<td>Athol</td>
<td>quarterly</td>
<td>$ 6.25</td>
<td>$ -</td>
<td>$ 4.28</td>
<td>$ 5.06</td>
<td>$ 40.49</td>
<td></td>
</tr>
<tr>
<td>Easton</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ 16.00</td>
<td>$ 2.46</td>
<td>$ 4.46</td>
<td>$ 35.68</td>
<td>Service charge based on 3/4&quot; meter. Tiered rate 20000 [$3.29/1000 gal], 50000, over 50000 Gallons</td>
</tr>
<tr>
<td>Fitchburg</td>
<td>monthly</td>
<td>$ -</td>
<td>$ 7.09</td>
<td>$ 4.20</td>
<td>$ 4.20</td>
<td>$ 33.60</td>
<td>Min. charge based on 3/4&quot; meter. Tiered rate 14000, 2800, 5000, 15000, over 15000 CF</td>
</tr>
<tr>
<td>Hudson</td>
<td>quarterly</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 4.16</td>
<td>$ 4.16</td>
<td>$ 33.28</td>
<td>Tiered rate 14000, 2800, 5000, 15000, over 15000 CF</td>
</tr>
<tr>
<td>Wilmington</td>
<td>- -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 3.82</td>
<td>$ 3.82</td>
<td>$ 30.56</td>
<td>Tiered rate 1000, 2000, 3000, over 3000 CF. Separate commercial, industrial, and municipal rates</td>
</tr>
<tr>
<td>Leominster</td>
<td>- -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 3.78</td>
<td>$ 3.78</td>
<td>$ 30.24</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 625. Water

Article I. General Regulations

§ 625-8. Water rates.


A. Metered water rates (quarterly).

(1) Uniform rate per 100 cubic feet of metered use: $5.26 effective July 1, 2012.

(2) Minimum usage: 750 cubic feet (quarterly).

B. Penalty charge is 1.10% per month ($1 minimum) for unpaid water and sewer balances.

C. The Public Works Director has the authority to raise water rates with the passage of an ordinance change by the City Council.

D. The rate increases will be publicized in the local newspaper 30 days prior to the effective date of the increase.