City of Gardner, Massachusetts  
Office of the City Council  

CALENDAR FOR THE MEETING  
of  
MONDAY, AUGUST 5, 2019  
COUNCIL CHAMBER  
7:30 P.M.  

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 June 10, 2019 Informal and Special Meeting Minutes; the June 24, 2019 Informal Meeting Minutes; and, the July 1, 2019 Regular Meeting Minutes.  

VII. PUBLIC HEARINGS  

VIII. COMMUNICATIONS FROM THE MAYOR  

APPOINTMENTS  

10133—A Measure Confirming the Mayor’s Appointment of M. Paul Carlberg to the position of Member, Redevelopment Authority, for term expiring June 26, 2024 (Finance Committee).  

10134—A Measure Confirming the Mayor’s Appointments of Election Officers for terms expiring August 31, 2020 (Finance Committee).  

10135—A Measure Confirming the Mayor’s Appointment of Sebazius Athame to the position of Member, Disability Commission, for term expiring July 18, 2022 (Finance Committee).  

10136—A Measure Confirming the Mayor’s Appointment of Jason Pelavin to the position of Member, Bandstand Committee, for term expiring July 16, 2020 (Finance Committee).  

10137—A Measure Confirming the Mayor’s Appointment of Donna Russo to the position of Member, Bandstand Committee, for term expiring July 16, 2022 (Finance Committee).
VIII. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

10138–A Measure Confirming the Mayor’s Appointment of Michael Zlotnik to the position of Member, Bandstand Committee, for term expiring July 16, 2021 (Finance Committee).

ORDERS

10139–An Order to Raise and Appropriate $454,290.00 for Fiscal Year 2020 School Department Budget (Finance Committee).

10140–An Order Rescinding Order No. 12879, An Order Appropriating $177,316.00 from Available Funds – Cable Commission Fees Reserved – to the FY2020 Cable Commission Budget (Ref: Calendar No. 10141) (Finance Committee).

10141–An Order Appropriating $177,316.00 from Available Funds – Cable Commission Fees Reserved – to the FY2020 Cable Commission Budget (Ref: Calendar No. 10140) (Finance Committee).


10143–An Order Appropriating $110,550.00 from Available Funds – Parking Meter Receipts Reserved – to Various Accounts for FY2020 (Ref: Calendar No. 10142) (Finance Committee).

ORDINANCES


IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

10146–A Measure Authorizing the Public Works Director to File Applications and Execute Agreements for Grant and/or Loan Assistance Relating to Water Pollution Abatement Projects (Finance Committee).

10147–A Measure Declaring Surplus for Purpose of Disposal Land and Buildings at 62 Lincoln Street (Finance Committee).

10148–A Petition to Lay Out James Street Extension as a Public Way (Public Service Committee and Planning Board).

10149–A Petition by National Grid for permission to construct a line of underground electric conduits on City Hall Avenue beginning at a point approximately 50’ east of the centerline of Pleasant Street for approximately 35’ in an easterly direction (Public Service Committee) (Public Hearing Required).
IX.   PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

10150 – A Petition by National Grid and Verizon New England, Inc. for permission to install four (4) JO poles on Clark Street beginning at a point approximately 200’ northwest of the centerline of the intersection of Century Way and Clark Street and continuing approximately 850’ in an northwesterly direction (Public Service Committee) (Public Hearing Required).

10151 – A Petition by National Grid and Verizon New England, Inc. for permission to install five (5) JO poles on Clark Street beginning at a point approximately 200’ northwest of the centerline of the intersection of Leo Drive and Clark Street and continuing approximately 1200’ in an northwesterly direction (Public Service Committee) (Public Hearing Required).

10152 – An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel,” to Change Compensation Schedule “Exhibit C – Appointed Positions” and “Exhibit E – Non-Union Employees.”

X.    REPORTS OF STANDING COMMITTEES

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).

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 Received, 6/19/2019).

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).


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.
Informal Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday, June 10, 2019.

CALL TO ORDER

The meeting came to order at 6:15 o’clock p.m.

ATTENDANCE

Nine (9) Councillors were present including Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier (arrived at 6:25 p.m.), Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh. President Scott Joseph Graves and Councillor Christine Johnson were absent.

DPW Director Dane Arnold and City Engineer Chris Coughlin were present.

Mr. Arnold informed the Council that [repayment of] the loan order is dependent on the proposed increase in the water rates. He noted that the plan is to replace 22,000 feet of water mains at various locations throughout the City over a three-year period. He said that the first Phase encompasses the Downtown area, as well as Acadia Road and Clark Street area. The design work has been completed and the bid date is July 11. The estimated cost for Phase I is $4.5M to $6M, depending on the bids. If the bids are around $5M, then he proposes to phase the projects around borrowing - $6M in the first year, $3M in the second year, and $2M in the third year.

City Engineer Chris Coughlin added that Phase II may encompass Central Street, Green Street, and the Woodland Avenue area.

Mr. Arnold explained that there were two major water main breaks over the winter where water entered the sewer system and caused damage downstream. He noted that 30% of the City’s streets are in bad shape, as well as 30% of the water mains. He added that he has compiled a list of water main replacements for the next 10 to 20 years.

Mr. Coughlin stated that Community Development has grants for new sidewalks, crosswalks, as well as new street lights, which are anticipated for construction in the fall.

Regarding the proposed increases in water rates, Mr. Arnold stated that in 2008, the City implemented a four-step rate increase over four years, which ended in 2012. The proposed rates are similar to the percentage increases from 2008 to 2012. Based on the projected revenues resulting from the proposed rate structure, the water enterprise system should be solvent for the next several years. He added that the sewer user rate is adequate for the next several years.
Mr. Coughlin said that a city and town user rate schedule was provided to the Council to compare Gardner’s rate and proposed user rates to other cities and towns in the area, as well as those with similar user characteristics.

Councillor James Walsh informed the Council that in November, 2018, the DPW Director provided the City Council with an update of all ongoing DPW Projects, including water main replacement projects. He said that the Director’s correspondence indicated that between $7M and $12M in water main projects are planned, but that no increase in water rates was necessary. “So,” he asked, “What changed since November, 2018, when no increases were necessary but now you are asking for what amounts to a 24% increase over three years?”

Mr. Arnold replied, saying that since then, after inspecting all of the facilities, Suez brought to his attention a number of items that should be on the City's capital plan, which were not considered at the time that his letter was written – replacement of the sand media filters at Crystal Lake ($75,000) and Snake Pond well ($25,000), which have to be replaced every seven years; Crystal Lake Treatment roof ($150,000); and other capital items at Snake Pond, all amounting to over two million dollars.

Walsh asked whether there has been some analysis from which Mr. Arnold concluded that the proposed rate increase would cover the costs of the loan and water department operations, as well as the recently-identified capital items.

Mr. Arnold stated that the water rate increase is needed only to pay for the $11M loan for water main replacements, and for replacing water meters ($85,000±).

Mr. Coughlin added that contingencies were included in the rate model to cover the additional capital items.

Councillor Walsh suggested that Mr. Arnold’s statements in his November, 2018 correspondence is accurate, that a rate increase is not necessary to address items other than the $11M water replacement loan.

Mr. Arnold added that if the City decides to not implement the water main replacement projects, then the water user rate increase is unnecessary.

Councillor Gravel questioned the $11M estimate.

Mr. Arnold said that he needs about $40M to replace the water mains “that need it,” but that he looked at the rates and adjusted them to be able to replace are sizeable portion of those mains. The projects listed on the handout “are hard estimates” from $4M to $6M.
Mr. Coughlin noted that the Loan is intended to pay for as many miles of water mains, as possible.

Councillor James Boone stated that the Service Committee favored the increase; however, he questioned whether the Finance Committee or others considered implementing the rate increase “in a tiered fashion.”

Councillor James Walsh replied, saying the question was not considered at a Finance Committee meeting, although the City Council has the ability to reduce the amount of the Loan Order.

Councillor Nathan Boudreau questioned “the least amount to do this project.”

Mr. Arnold replied 4.5M to $6M for Phase I.

Councillor Gravel suggested that perhaps the City implement only the Downtown water main project in order to reduce the Loan Order.

Councillor Ronald Cormier suggested that the Loan Order not be reduced to a point where the Downtown project could not be completed at one time. He added that it may be cost effective to bid all of the projects at the same time and not in phases.

Mr. Arnold stated that it is his intent to draw on the Loan over three years – $6M, $3M, and $2M.

Councillor James Johnson stated that he supports the projects and the $11M Order and questioned the available balance in the water enterprise surplus account.

Mr. Arnold replied, saying that in February, the water surplus had a balance of approximately $1M.

Commenting on the City’s infrastructure, Councillor Karen Hardern suggested that the Council “be proactive” and “not reactive.”

Councillor Elizabeth Kazinskas cited recent water main breaks in the Downtown as a reason why she supports the $11M Loan Order.

Councillor Craig Cormier added, “We are already being reactive in addressing these [water main] problems.”

Councillor James Walsh stated that what he is hearing is that the Council supports the $11M Order, even though the particulars of projects beyond Phase I are not known. He added that perhaps the Council would consider authorizing the Loan for $6½M to $7M.
Councillor Ronald Cormier added that there is nothing preventing the Council from returning at a later time to consider authorizing the balance of the [original] Loan.

Councillor Elizabeth Kazinskas questioned whether a reduced Loan Order would delay the project.

Mr. Arnold responded, saying that the smaller authorization of $7M would allow the City to implement Phase I, Downtown up Central to Maple Street, as well as Clark Street and Acadia Road.

On questioning, Mr. Arnold informed the Council that the rate increase is necessary to complete the water main replacements. The proposed rate increases may be adjusted [downward] if the Council authorizes less than $11M.

Mr. Coughlin added that if the water user rates are not increased to cover the next phases, then it will take a number of years to build-up the surplus to pay for other water main projects, so either increase the rates now or wait a number of years to be able to address more water main replacement projects.

The meeting concluded at 6:45 p.m.

Accepted by the City Council:
Special Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, June 10, 2019.

**CALL TO ORDER**

In the absence of Council President Scott Joseph Graves, City Clerk Alan Agnelli called the meeting to order at 6:45 o’clock p.m.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of Members. Nine (9) Councillors were present including Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh. President Scott Joseph Graves and Councillor Christine Johnson were absent.

**ELECTION OF PRESIDENT PRO TEMPORE**

On a motion by Councillor Edward Gravel and seconded by Councillor Elizabeth Kazinskas, it was voted viva voce, nine (9) yeas, Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to elect Councillor James Walsh President Pro Tempore.

#10113

President Pro Tempore Walsh read aloud the Order:

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.

Councillor Gravel moved to pass the Order. Councillor James Johnson seconded the motion.

On the motion, Councillor Gravel moved to amend the Order by asking that the City Council be aware of Phase 2 or Phase 3 of the water main project going forward.

President Pro Tempore Walsh ruled that the motion was out of order, since the proposed amendment is not appropriate for a Loan Order.

On the motion, on call of the roll, nine (9) yeas, Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, it was voted to adopt the following Order:
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.

Presented to Mayor for Approval – June 11, 2019
Approved – June 11, 2019
MARK P. HAWKE, Mayor

#10121
Councillor Ronald Cormier moved to Order the following Ordinance to First Printing:

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.

Councillor Edward Gravel seconded the motion.

On the motion, Councillor Ronald Cormier suggested that before the Council acts on passing the Ordinance, that the Public Works Director recalculate the receipts that would be generated by the proposed water rates according to the various phases up to the $11M loan amount.
On the motion, Councillor Edward Gravel noted that because of the aging infrastructure, it is necessary to spend money to replace the water mains and that the Council is cognizant of the ratepayers’ pocketbooks.

On the motion, on call of the roll, it was voted eight (8) yeas, Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, and Elizabeth Kazinskas; one (1) nay, Councillor James Walsh, to Order the following Ordinance to First Printing:

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:

B. Metered Water Rates (quarterly).
   (2) 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.

FIRST PRINTING – JUNE 14, 2019

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by Councillor James Johnson, it was voted viva voce, nine (9) yeas, Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 6:54 p.m.

Accepted by the City Council:
Informal Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, June 24, 2019.

**CALL TO ORDER**

Council President Scott Joseph Graves called the meeting to order at 6:00 o’clock p.m.

**ATTENDANCE**

Eleven (11) Councillors were present including President Scott Joseph Graves and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

Also in attendance and participating was Mayor Mark Hawke.

President Graves announced that the Informal session was called to review the *Mayor’s FY2020 Budget Recommendations*.

**Mayor**

Administrative Assistant – The position will be filled in the new fiscal year. The position will continue to apply for and administer grants.

**Assessors**

Clerk/Assistant Salary & Wages – Full-time position salary split between Assessors and Golf Commission.

Temp Projects Salary & Wages – In-house measure and listings.

**City Treasurer**

Department Head Salary & Wages – Maintain Budgeted amount until hiring process is completed.

**Personnel (Human Resources)**

Department Head Salary & Wages – 4% increase budgeted to address School Department personnel responsibilities (included in the proposed FY2020 Compensation Schedule).

**Elections & Registrations**

New ballot scanners are needed to replace twenty-year old AccuVote ballot scanners, which are failing due to age and lack of replacement parts. Included in the Capital Improvement Plan.

**Conservation Commission**

Conservation Agent Salary & Wages – Full-time Agent salary split with Planning Board (Planning Agent),
Cable Commission – WGET fully-funded through Cable TV Access Fees.

Police Department
Parking Meter Maintenance – Meter revenues are used to pay for beat officer patrols in the Downtown area and to enforce metered parking. The Mayor added that the DPW is also funded from parking meter revenues to provide for Downtown cleanup.

Professional Services – For various equipment/maintenance no longer under warranty.

New Police Vehicles – Replacing 2 marked cruisers and 1 unmarked cruiser.

Building Repairs – Line item “zeroed out” by the Mayor. Monty Tech will provide most services (masonry) to erect new communications/radio building on Glazier Hill.

Fire Department
Overtime – Overtime necessary to fill shifts as the Department has a problem retaining firefighters. The City is required to hire candidates from the Statewide Civil Service list. Those living elsewhere tend to leave after opportunities arise in their own communities or for better-paying positions. The Mayor said that firefighters feel that Civil Service protection is vital, even though they have protections through their Union contract. Firefighter turnover has not affected Ambulance personnel.

Energy & Utilities – Energy savings not realized overall. Fire HQ same energy costs after gas conversion. No savings at South Gardner Station, since no energy-related efficiencies were performed. Plans to use a DPW bay for storage of a piece of apparatus stored in South Gardner.

New Fire Vehicles – Mayor reduced budget request to $0. $100,000 was committed from Free Cash to match the City’s share of a Federal grant to replace Engine 3. $75,272 balance sought for Car 2 replacement (“may be considered next FY through Free Cash”).

Ambulance Department
Professional Services – $300,000 budgeted – City splits revenues with Wood’s Ambulance for calls that require Advanced Life Support (ALS). Payments are made to Wood’s from this account. Budgeted amount based on prior year actual calls.

Dispatchers
The Mayor has no plans to pursue inter-municipal agreements with other communities for shared (regional) dispatching services, although the State Police are looking into another call center. EOPS provided the City with $500,000-$600,000 in grant funds to regionalize with Athol, but Athol withdrew from the Agreement.
Building Department
Shared services with Hubbardston – The City is currently paid $2,000 per month for building inspection services. The Building Commissioner provides one-half day per week, on average. Negotiations are underway for renewal of the Agreement.

Assistant Building Inspector Salary & Wages – Funds two Local Inspectors. Second position to perform multi-family house inspections. The position was recently filled, having been vacant for the past year.

Animal Control
Shared services agreement with Ashburnham, Hubbardston, and Westminster generates approximately $80,000 in annual revenues.

Civil Enforcement
Professional Services - $8,500 for Kelly and Ryan for collection services.

Survey Department
Department Head Salary & Wages – Salary divided among Survey (General Fund) at 50%; Water and Sewer, 25% each.

Health Department
Professional Services – For nuisance properties – tall grass, etc. Department responds to resident calls for vacant and other properties. Liens are attached to the properties to recover the City’s costs.

Greenwood Memorial Pool
Water Park is not operating at present and the diving board pedestal needs to be replaced.

The Pool building has been shuttered for years and the Mayor noted that it is estimated to cost $711,000 to demolish the building. It was also mentioned that bricks are loosening and may pose a safety hazard. The Building Commissioner will look into this.

Municipal Recreation
Department Head Salary & Wages – Salary is split between City and School Department. Dan Forte, the Athletic Director, serves as both the Municipal Recreation Director and the School Department’s Athletic Director.

Debt Service
Inside Debt, Principal and Interest – All budgeted debt has been authorized. Any unnecessary debt authorizations will be presented to the Council for rescission.
Contributory Retirement

Contributory Retirement Assessment – 80% of appropriation committed to unfunded pension liability. The City’s target date is 2032 to be fully-funded.

Employee Benefits

Health Insurance – The Mayor advised that the health insurance costs have remained stagnant for the last 3 to 4 years.

The meeting concluded at 7:00 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, July 1, 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. Ten (10) Councillors were present including President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh. Councillor James Boone was absent.

OPENING PRAYER
President Graves led the Council in reciting the Opening Prayer.

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

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

READING & ACCEPTANCE OF MINUTES
On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors 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 June 17, 2019 Regular Meeting and the June 24, 2019 Special Meeting, as printed.

REPORTS OF STANDING COMMITTEES
PUBLIC SAFETY COMMITTEE
#10130
On a motion by Councillor James Johnson and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to Order the following Ordinance to First Printing:
AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 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.”

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

FIRST PRINTING – JULY 8, 2019

#10131
Councillor James Johnson moved to divide the question, as follows:

**Question 1.**

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>

**Question 2.**

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 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>Knowlton Street</td>
<td>North</td>
<td>From Pleasant Street to Connors Street.</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>
</tbody>
</table>

Councillor Nathan Boudreau seconded the motion.

On the motion, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to divide the question.

Councillor James Johnson, Chairman of the Public Safety Committee, reported that the Committee voted, two (2) in favor (Hardern and Gravel), one (1) opposed (Chairman Johnson), to not recommend adoption of Section 1.

For the purpose of placing the amendment before the Council for debate, Councillor James Johnson then moved to Order the first Question to First Printing, as follows:

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>

Councillor James Walsh seconded the motion.

Councillor James Johnson explained that, in his letter, the Mayor sought to designate the street as a Two-Hour Parking zone. The Traffic Commission, however, noted that Two-Hour Parking zones were eliminated years ago, since two-hour parking restrictions are not enforceable. The Commission recommended that a parking meter zone be established for the streets.
Councillor Edward Gravel, a member of the Public Safety Committee, stated that he opposed the effort to place parking meters in the area, noting that the same question was before the Council years ago and that it was opposed then.

Councillor Karen Hardern, a member of the Public Safety Committee, stated that the answer [to the problem] is not parking meters, questioning the ability to enforce the metered zone. She added that meters would be detrimental to the Hair Salon and to the Health center.

Councillor James Walsh remarked that it was the Hair Salon that requested parking relief and that “by not doing something, we [City Council] are not helping the Health Center or small businesses.”

Councillor James Johnson expressed agreement with Councillor Walsh’s remarks, adding that parking spaces are taken by employees of the Health Center.

Councillor James Johnson the moved to amend the motion by striking 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>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>

Councillor Christine Johnson seconded the motion.

On the motion to amend, Councillor James Johnson noted that, if passed, the parking metered zone would encompass only four spaces on the south side of Knowlton Street from Connors Street to Nichols Street, the side bordering the Hair Salon.

On the motion, Councillor Ronald Cormier suggested that it would be wise to refer the entire Ordinance back to the Traffic Commission for further study.

He then moved to refer the Ordinance back to the Traffic Commission for further study.

Councillor Nathan Boudreau seconded the motion.

On the motion, Councillor James Walsh expressed concerns about the proposed Ash Street parking amendment, citing whether there was a particular problem that generated the issue, as well as whether it was sufficiently investigated.

Councillor Nathan Boudreau suggested that the proposal “was rushed and haphazard in nature” and that more public input should be solicited.

Councillor Elizabeth Kazinskas concurred that more input from the residents of Ash Street should be sought.
Councillor James Johnson objected, saying that he cannot support referring the entire Ordinance back to the Traffic Commission for further study.

Councillor Edward Gravel said that he wants a public hearing on Section 3 and that all residents of Ash Street be notified.

Councillor Christine Johnson expressed support for the motion and added that, in his letter, the Deputy Chief of Police stated that the width of the street is only 4 feet less than that which the City Code requires.

Councillor Boudreau concurred with Councillor Christine Johnson’s remarks.

Commenting on the remarks made by Councillors Christine Johnson and Nathan Boudreau, Councillor James Walsh stated, “That would be accomplished by just leaving it [Ordinance] alone.”

Councillor James Johnson informed the Council that a resident of Ash Street brought the issue to the attention of the Traffic Commission and that the width of the street does not meet the requirements of the Code.

On the motion, it was voted viva voce, nine (9) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, Elizabeth Kazinskas, and James Walsh; one (1) nay, Councillor James Johnson, to refer the Ordinance amendment back to the Traffic Commission for further study, as follows:

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:
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:

**Name of Street**  | **Side**  | **Location**
--- | --- | ---
Knowlton Street  | North  | Entire Length

Section 4.

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

**PUBLIC WELFARE COMMITTEE**

#10090

Councillor Christine Johnson, Chairperson of the Public Welfare Committee, reported that the Committee met to discuss the proposed amendment and that additional information was requested; however, the Committee had not yet received the information. Therefore, the Committee voted to request more time.

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.
**UNFINISHED BUSINESS**

#10090
President Graves announced that the Public Welfare Committee’s report is pending on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishment.*

#10093
On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to pass 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**

**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>Total Compensation:</td>
<td></td>
<td>$84,275.75</td>
<td>$1,620.69</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>$3,500.00</td>
<td></td>
</tr>
<tr>
<td>Registrar of Voters</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>$81,118.88</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>$65,838.94</td>
<td></td>
</tr>
<tr>
<td>Development &amp; Planning</td>
<td>G-10</td>
<td>$22,250.47</td>
<td>$4,636.05</td>
</tr>
<tr>
<td>City:</td>
<td></td>
<td>$22,250.47</td>
<td>$4,636.05</td>
</tr>
<tr>
<td>GRA:</td>
<td></td>
<td>$22,250.47</td>
<td>$4,636.05</td>
</tr>
<tr>
<td>CDBG:</td>
<td></td>
<td>$22,250.47</td>
<td>$4,636.05</td>
</tr>
</tbody>
</table>
Total Compensation: $ 92,725.46 $1,783.18

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Local Origination &amp; Educational Planning</td>
<td>G-6</td>
<td>$64,468.75</td>
<td>$1,239.78</td>
<td></td>
</tr>
<tr>
<td>Director of Public Health</td>
<td>G-10</td>
<td>Step 1</td>
<td>$70,358.09</td>
<td>$1,353.04</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 2</td>
<td>$78,476.33</td>
<td>$1,509.16</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>G-12</td>
<td></td>
<td>$94,698.74</td>
<td>$1,821.13</td>
</tr>
<tr>
<td>Golf Course Driving</td>
<td>G-9</td>
<td></td>
<td>$76,571.97</td>
<td>$1,472.54</td>
</tr>
<tr>
<td>Human Resources Director</td>
<td>G-11</td>
<td></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>$47,956.30</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>School</td>
<td>$47,956.30</td>
<td></td>
</tr>
<tr>
<td>Library Director</td>
<td>G-9</td>
<td></td>
<td>$75,411.22</td>
<td>$1,450.22</td>
</tr>
<tr>
<td>Public Works Director</td>
<td>G-12</td>
<td></td>
<td>$100,093.31</td>
<td>$1,924.87</td>
</tr>
<tr>
<td>Purchasing Agent/Civil Enforcement Director</td>
<td>G-10</td>
<td></td>
<td>$77,008.55</td>
<td></td>
</tr>
<tr>
<td>Veterans’ Director</td>
<td>G-6</td>
<td></td>
<td>$58,008.62</td>
<td>$1,115.55</td>
</tr>
</tbody>
</table>

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>Step 1</td>
<td>$42,765.62</td>
<td>$822.42</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 2 (5 Yrs)</td>
<td>$43,620.93</td>
<td>$838.86</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Step 3 (10Yrs)</td>
<td>$44,493.35</td>
<td>$855.64</td>
</tr>
<tr>
<td>Assistant City Engineer</td>
<td>G-8</td>
<td></td>
<td>$67,103.22</td>
<td>$1,290.45</td>
</tr>
<tr>
<td>Assistant City Solicitor</td>
<td>G-3</td>
<td></td>
<td>$44,569.21</td>
<td>$857.10</td>
</tr>
<tr>
<td>Assistant City Treasurer/Collector</td>
<td>G-5</td>
<td></td>
<td>$53,370.84</td>
<td>$1,026.36</td>
</tr>
<tr>
<td>Assistant Director of Community Development**</td>
<td>G-7</td>
<td>City</td>
<td>$3,342.81</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>CDBG</td>
<td>$63,513.30</td>
<td></td>
</tr>
<tr>
<td>Assistant Director of Public Health</td>
<td>G-5</td>
<td></td>
<td>$53,370.84</td>
<td>$1,026.36</td>
</tr>
<tr>
<td>Assistant Director of Public Works</td>
<td>G-9</td>
<td></td>
<td>$73,137.78</td>
<td>$1,406.50</td>
</tr>
<tr>
<td>Assistant Library Director</td>
<td>G-6</td>
<td></td>
<td>$58,421.21</td>
<td>$1,123.48</td>
</tr>
<tr>
<td>Conservation/Planning Agent</td>
<td>G-6</td>
<td></td>
<td>$59,012.30</td>
<td>$1,134.85</td>
</tr>
<tr>
<td>Deputy Chief of Police</td>
<td>G-11</td>
<td></td>
<td>$89,434.53</td>
<td>$1,719.89</td>
</tr>
<tr>
<td>Director of Public Safety Regional Dispatch Center</td>
<td>G-9</td>
<td></td>
<td>$74,284.56</td>
<td>$1,428.55</td>
</tr>
<tr>
<td>Economic Development Coordinator**</td>
<td>G-7</td>
<td></td>
<td>$58,262.40</td>
<td>$1,120.43</td>
</tr>
<tr>
<td>Executive Secretary</td>
<td>G-4</td>
<td></td>
<td>$47,553.41</td>
<td>$914.49</td>
</tr>
<tr>
<td>GIS/Energy Analyst</td>
<td>G-5</td>
<td></td>
<td>$59,160.00</td>
<td>$1,137.69</td>
</tr>
<tr>
<td>Golf Professional</td>
<td>G-6</td>
<td></td>
<td>$59,160.00</td>
<td>$1,137.69</td>
</tr>
<tr>
<td>Golf Pro Manager</td>
<td>G-6</td>
<td></td>
<td>$60,329.20</td>
<td>$1,160.18</td>
</tr>
<tr>
<td>Local Inspector</td>
<td>G-6</td>
<td></td>
<td>$48,386.40</td>
<td>$930.51</td>
</tr>
<tr>
<td>Producer</td>
<td>G-2</td>
<td></td>
<td>$48,386.40</td>
<td>$930.51</td>
</tr>
</tbody>
</table>
### Regular Meeting of July 1, 2019

**Senior Animal Control Officer**
- G-2: $40,606.04 \( \text{Ann} \), $780.89 \( \text{M} \)

**Systems Manager**
- G-6: $63,809.37 \( \text{Ann} \), $1,227.10 \( \text{M} \)

**Electrical Inspector**
- G-6: $31.35 \( \text{Ann} \), $31.35 \( \text{M} \)

**Plumbing Inspector**
- G-6: $31.35 \( \text{Ann} \), $31.35 \( \text{M} \)

**Transfer Station Supervisor**
- G-3: $22.17 \( \text{Ann} \), $27.06 \( \text{M} \)

**Civil Defense Director**
- Annual: $9,171.88, Monthly: $764.32

**Sealer of Weights & Measures**
- Annual: $9,341.37, Monthly: $778.45

### Non-Union Staff Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control Officer</td>
<td>G-1 Step 1</td>
<td>$33,555.40</td>
<td>$645.30</td>
</tr>
<tr>
<td></td>
<td>Step 2 (5 Years)</td>
<td>$34,226.51</td>
<td>$658.20</td>
</tr>
<tr>
<td></td>
<td>Step 3 (10 Years)</td>
<td>$34,911.04</td>
<td>$671.37</td>
</tr>
</tbody>
</table>

| Administrative Assistant      | $14.89       | $17.27       | $18.81       |
| Administrative Coordinator    | $14.12       | $16.63       | $19.14       |
| Administrative Clerk          | $13.67       | $15.89       | $18.11       |

| Animal Shelter Attendant      | $12.50       | $13.00       | $13.00       |
| Budget/Project Manager** City| $1.09        | $1.09        | $1.09        |
| GRA                           | $0.65        | $0.65        | $0.65        |
| CDBG                          | $22.85       | $22.85       | $22.85       |

| Total Compensation: Building Maintenance | $24.89 | $24.89 | $24.89 |
| Craftsman                        | $18.09 | $20.41 | $22.74 |
| Building Maintenance Man        | $16.54 | $18.79 | $21.03 |
| Council on Aging Coordinator    | $13.00 | $13.00 | $13.00 |
| Financial Administrator         | $15.08 | $17.98 | $21.21 |
| Financial Clerk                 | $13.85 | $16.29 | $19.01 |

### Golf Course Positions

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</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>$20.35</td>
<td>$20.35</td>
<td>$20.35</td>
</tr>
<tr>
<td>Working Foreman – Motor</td>
<td>$20.35</td>
<td>$20.35</td>
<td>$20.35</td>
</tr>
</tbody>
</table>

Page 9 of 12
Library Department Positions

Staff Librarian $21.85
Senior Library Technician $19.91
Library Technician $18.78
Library Clerical Staff $13.14 $13.40
Head Lifeguard $15.30 $16.73
Parking Meter Clerk $16.65
Production Assistant $14.77
Transfer Station Monitor $12.50 $13.00

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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pro Shop Assistant</td>
<td>GC-4</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Golf Course Groundsman</td>
<td>GC-5</td>
<td>$14.51</td>
<td></td>
</tr>
<tr>
<td>Golf Course Ranger</td>
<td>GC-6</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Lifeguard</td>
<td>S-6</td>
<td>$12.50</td>
<td>$13.00</td>
</tr>
<tr>
<td>Temporary Seasonal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td>T-6</td>
<td>$14.36</td>
<td></td>
</tr>
<tr>
<td>Election Clerk</td>
<td>N/A</td>
<td>$13.00</td>
<td>$13.75</td>
</tr>
<tr>
<td>Election Inspector</td>
<td>N/A</td>
<td>$12.00</td>
<td>$12.75</td>
</tr>
<tr>
<td>Election Warden</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></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supervisor</td>
<td>T-5</td>
<td>$15.30</td>
<td>$16.73</td>
</tr>
<tr>
<td>Recreational Support Staff</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%.

In City Council – May 6, 2019
Ordered Printed – June 17, 2019
First Printing – June 21, 2019
Ordinance Passed – July 1, 2019
Presented to Mayor for Approval – July 2, 2019
Approved – July 8, 2019
MARK P. HAWKE, Mayor
FINAL PRINTING – July 12, 2019
#10119
President Graves announced that the Council has not received a response from the Mayor concerning *A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital*; therefore, the matter will be continued.

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors 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

Many Councillors expressed Happy Independence Day to all. Councillor Ronald Cormier also wished our Canadian neighbors “Happy Canada Day” (July 1).

Councillors Boudreau and Gravel reminded people that fireworks are illegal in Massachusetts.

Councillor Christine Johnson informed the Council that she received good responses for her suggestion to install speed humps at various locations in the City, especially in school zones.

Council President Scott Graves told the Council, “We have a priceless pamphlet, “Common Sense,” by Thomas Paine.”

#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.

Councillor Edward Gravel moved to set up a public hearing to address Ash Street parking concerns. Councillor Karen Gravel seconded the motion.

On the motion, Councillor Nathan Boudreau suggested that the Council should wait until after the Traffic Commission and Service Committee have reviewed it, adding he “knows the answers from Traffic.”

Councillor James Walsh stated that he does not believe that holding the hearing now is appropriate, but better if the Public Safety Committee would conduct the hearing. Therefore, he would not support the motion, he added.

Councillor Ronald Cormier suggested that the Traffic Commission and Ward Councillor “do their due diligence, first.”
Councillor James Johnson stated that he does not support the motion, noting that the Ward Councillor “went door-to-door” on Ash Street to alert the residents and that four residents appeared at the recent Public Safety Committee meeting and offered input. He added that the City should “either enforce the Ordinance or ignore it, as written.”

Councillor Craig Cormier concurred with the reasons offered by Councillor Boudreau, Walsh, and James Johnson.

On viva voce vote, two (2) yeas, Councillor Karen Hardern and Edward Gravel, eight (8) nays, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, the motion to hold a public hearing was defeated.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Christine Johnson and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:09 p.m.

Accepted by the City Council:
Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

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

Mark P. Hawke

Mayor

Confirmed by City Council

______________________________

City Clerk

______________________________

Alan L. Agnelli

Expires: June 26, 2024

______________________________

Worcester, ss.

Then personally appeared the above named M. Paul Carlberg and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Redevelopment Authority according to law and the best of his/her abilities.

Before me,

______________________________

City Clerk

Chapter 303 Acts of 1975

and

Chapter 409 Acts of 1983

Received

______________________________
 COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

I appoint the following to the position of Election Officers, Ward 1, Precinct A as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council ________________

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

<table>
<thead>
<tr>
<th>WARD 1A</th>
<th>Warden</th>
<th>Clerk</th>
<th>Inspector</th>
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<td>H. Beauregard</td>
<td>D. Mailloux, Jr.</td>
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<td>Q. Harshorn</td>
<td>M. Kraskouskas</td>
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</table>

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

WORCESTER COUNTY  CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 1, Precinct B as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

[Signature]
Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

[Signature]
Alan L. Agnelli, City Clerk

WARD 1B

<table>
<thead>
<tr>
<th>Warden</th>
<th>Lynn</th>
<th>M. Roux</th>
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<td>Fournier</td>
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<td>A. LaBonte</td>
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<td>Valerie</td>
<td>D. Spar</td>
<td>20 Plymouth Street</td>
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<td>Inspector</td>
<td>Marjorie</td>
<td>J. Whittemore</td>
<td>47 Lake Street, A606</td>
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</table>
COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 2, Precinct A as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 2A

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<th>Warden</th>
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<td>47 Lake Street, A207</td>
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</table>
COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 2, Precinct B as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council ______________

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 2B

<table>
<thead>
<tr>
<th>Warden Clerk</th>
<th>Donald</th>
<th>J. Cosentino</th>
<th>131 Lovewell Street</th>
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<td>Aline</td>
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<td>J. Proulx</td>
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<td>Marcia</td>
<td>J. White</td>
<td>92 Ryan Street</td>
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</table>
COMMONWEALTH OF MASSACHUSETTS
WORCESTER COUNTY

I appoint the following to the position of Election Officers, Ward 3, Precinct A as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council ________________

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 3A

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<thead>
<tr>
<th>Warden</th>
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<td>Gloria</td>
<td>Toby</td>
<td>Marcel</td>
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<td>R. Girouard</td>
<td>M. Cormier</td>
<td>I. Blais</td>
<td>M. Boudreau</td>
<td>V. Hales</td>
<td>E. Hales</td>
<td>M. Landry</td>
<td>P. LaRoche</td>
<td>Martin</td>
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<tr>
<td>52 Draper Road</td>
<td>116 Sand Street</td>
<td>25 Way Street</td>
<td>8 Jackson Park</td>
<td>61 Waterford Street</td>
<td>61 Waterford Street</td>
<td>458 Pearl Street</td>
<td>83 Murray Road</td>
<td>62 Ash Street</td>
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</tbody>
</table>

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

WORCESTER COUNTY               CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 3, Precinct B as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 3B

Warden     Thomas      H. Patterson  132 Pinewood Drive  Gardner
Clerk      Paulette    A. Burns     5 Travers Street   Gardner
Inspector  Gayle       M. Jailet    35 Wickman Drive   Gardner
Inspector  Christoph   A. Knoll     238 Greenwood Street  Gardner
Inspector  Odette     R. Racette  44 Jean Street  Gardner
Inspector  Ernie      J. Richard   50 Jean Street  Gardner
Inspector  Juliette   L. Richard   50 Jean Street  Gardner
Inspector  Dorothy    M. Ronn     145 Prospect Street  Gardner
Inspector  Paul       W. Ronn     145 Prospect Street  Gardner
COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 4, Precinct A as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 4A

<table>
<thead>
<tr>
<th>Warden</th>
<th>Robert</th>
<th>J. Swartz</th>
<th>53 Racette Avenue</th>
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<td>Janice</td>
<td>Magiacane</td>
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<td>A. King</td>
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<td>Gardner</td>
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<td>Inspector</td>
<td>Dianne</td>
<td>M. LeBlanc</td>
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<td>Inspector</td>
<td>Judith</td>
<td>Roy</td>
<td>51 Pinewood Drive</td>
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<tr>
<td>Inspector</td>
<td>Ronald</td>
<td>J. Roy</td>
<td>51 Pinewood Drive</td>
<td>Gardner</td>
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</tbody>
</table>
COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

I appoint the following to the position of Election Officers, Ward 4, Precinct B as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

<table>
<thead>
<tr>
<th>WARD 4B</th>
<th>First Name</th>
<th>Last Name</th>
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<tr>
<td>Warden</td>
<td>Marjorie</td>
<td>E. Tetzloff</td>
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<tr>
<td>Clerk</td>
<td>David</td>
<td>E. Tetzloff</td>
<td>317 Pine Street</td>
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<tr>
<td>Inspector</td>
<td>Ann</td>
<td>Chandler</td>
<td>133 Pleasant Street, #2</td>
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<tr>
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<td>Brian</td>
<td>J. Dickens</td>
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<td>Susan</td>
<td>Greninger</td>
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<td>Inspector</td>
<td>Theresa</td>
<td>H. Hillman</td>
<td>155 Champagne Road</td>
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<tr>
<td>Inspector</td>
<td>Diane</td>
<td>R. Jasielwicz</td>
<td>36 Robillard Street</td>
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<td>M. LaPrade</td>
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<td>Charlene</td>
<td>A. Wilson</td>
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COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 5, Precinct A as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

**WARD 5A**

<table>
<thead>
<tr>
<th>Warden Clerk</th>
<th>Warden Clerk</th>
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<tr>
<td>Paul Barbara</td>
<td>A. Spano</td>
<td>33 Adams Street</td>
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<td>D. LeBlanc</td>
<td>37 Bayberry Drive</td>
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<tr>
<td>Sandra Barton</td>
<td>J. Barton</td>
<td>331 High Street</td>
<td>Gardner</td>
</tr>
<tr>
<td>Carole Baublis</td>
<td>T. Collette</td>
<td>47 Kendall Street</td>
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<tr>
<td>Judith Claire M. Lagasse</td>
<td>131 Champagne Road</td>
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<tr>
<td>Charles R. LeBlanc</td>
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<tr>
<td>Gloria M. O'Malley</td>
<td>80 Kendall Pond Rd West</td>
<td>Gardner</td>
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</table>
COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY

CITY OF GARDNER

I appoint the following to the position of Election Officers, Ward 5, Precinct B as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

Mark P. Hawke, Mayor

Confirmed by City Council

for terms expiring August 31, 2020

Alan L. Agnelli, City Clerk

WARD 5B

<table>
<thead>
<tr>
<th>Warden</th>
<th>Marcelle</th>
<th>S. Cormier</th>
<th>55 Wickman Drive</th>
<th>Gardner</th>
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<tr>
<td>Clerk</td>
<td>Barbara</td>
<td>A. Yablonski</td>
<td>195 Sherman Street</td>
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<tr>
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<td>Patricia</td>
<td>L. Cormier</td>
<td>365 Pearl Street</td>
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<td>Inspector</td>
<td>Stephen</td>
<td>E. Cormier</td>
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<td>E. Edwards</td>
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<td>M. Roy</td>
<td>49 Temple Street</td>
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<tr>
<td>Inspector</td>
<td>Doris</td>
<td>H. St. John</td>
<td>204 Willis Road</td>
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<tr>
<td>Inspector</td>
<td>Marcia</td>
<td>A. Stone</td>
<td>185 Bridge Street</td>
<td>Gardner</td>
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<tr>
<td>Inspector</td>
<td>Mary</td>
<td>Ann Suchocki</td>
<td>154 Sand Street</td>
<td>Gardner</td>
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<tr>
<td>Inspector</td>
<td>Edward</td>
<td>S. Yablonski</td>
<td>195 Sherman Street</td>
<td>Gardner</td>
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</tbody>
</table>
July 18, 2019

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Sabazius Athame to the position of Member, Disability Commission, and I certify
125 Connors Street, Apt. 718, Gardner, MA
that in my opinion he/she is a person specially fitted by education, training, or experience to perform the
duties of said office, and that I make the appointment solely in the interests of the City.

Mark P. Hawke
Mayor

Confirmed by City Council __________________________

______________________________ City Clerk
Alan L. Agnelli

Expires: July 18, 2022 __________________________

Worcester, ss., __________________________

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

Before me,

______________________________ City Clerk

Chapter 303 Acts of 1975
and
Chapter 499 Acts of 1983

Received __________________________
July 16, 2019

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

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

Mark P. Hawke
Mayor

Confirmed by City Council

__________________________

City Clerk

__________________________

Alan L. Agnelli

Expires: July 16, 2020

Worcester, ss., ________________

Then personally appeared the above named Jason Pelavin and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Bandstand Committee according to law and the best of his/her abilities.

Before me.

__________________________

City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received ____________________
CERTIFICATE OF APPOINTMENT

I appoint **Donna Russo** to the position of **Member, Bandstand Committee** and I certify
128 Lovewell Street, Gardner, MA
that in my opinion he/she is a person specially fitted by education, training, or experience to perform the
duties of said office, and that I make the appointment solely in the interests of the City.

______________________________ Mayor
Mark P. Hawke

Confirmed by City Council ________________________________

______________________________ City Clerk
Alan L. Agnelli

Expires: July 16, 2022 ________________

Worcester, ss. ________________________________

Then personally appeared the above named **Donna Russo** and made oath that he/she
would faithfully and impartially perform the duties of the office of **Member, Bandstand Committee**
according to law and the best of his/her abilities.

Before me,

______________________________ City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received __________________________
CERTIFICATE OF APPOINTMENT

I appoint Michael Zlotnik to the position of Member, Bandstand Committee and I certify 86 Chelsea Street, Gardner, MA that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Mark P. Hawke
Mayor

Confirmed by City Council ____________________________

____________________________City Clerk

Alan L. Agnelli

Expires: July 16, 2021 ____________________________

Worcester, ss., ____________________________

Then personally appeared the above named Michael Zlotnik and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Bandstand Committee according to law and the best of his/her abilities.

Before me,

____________________________City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received ____________________________
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 below for the expenditures of the School Department in the amount of FOUR HUNDRED FIFTY FOUR THOUSAND TWO HUNDRED NINETY DOLLARS ($454,290)

| School | School Expenses | $454,290 |
July 24, 2019

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

RE: Raise and Appropriate School Department

Dear President Graves and Councilors,

Now that the State has finished their budget process, the Chapter 70 funding amount has increased dramatically. The FY20 City Budget relied on the House numbers for funding. The State has heard the cries of the cities, towns and school districts regarding the inequities of the funding formula and has made giant steps forward in fixing it.

The attached Order represents the difference in Chapter 70 funding the City will receive from the budgeted amount to the final actual amount. These funds will need to be appropriated to the School Department.

Respectfully,

Mark Hawke
Mayor, City of Gardner
Alan,

The School Budget has this information. The budget was explained that about $450k would be taken from the School Choice Revolving Fund. The Superintendent repeatedly stated that this was not a preferred scenario, but that he believed the state would begin to fund Chapter 70 more appropriately. His belief came true and this funding will negate the need to draw down the School Choice Revolving Fund so dramatically.

Mark Hawke  
Mayor, City of Gardner

On Jul 30, 2019, at 12:18 PM, Alan Agnelli <aagnelli@gardner-ma.gov> wrote:

Mayor Hawke and Superintendent Pellegrino:

The Finance Committee is requesting a summary of anticipated expenditures for the $454,290 FY2020 Supplemental Budget Order. The Committee realizes that the School Committee determines the budget line items, but perhaps you could provide some categories or priorities for the additional Chapter 70 Aid. The Committee would like to have this information prior to Monday's City Council meeting.

Thank you for your time and attention in this matter.

Regards,

Alan

Alan L. Agnelli  
City Clerk  
95 Pleasant Street, Room 121  
Gardner, MA 01440  
Tel 978-630-4058  
Fax 978-630-2589

When writing or responding, please remember that the MA Secretary of State's Office has determined that email is a public record and therefore subject to public access under the Mass Public Records Law. M.G.L.c.66§10.
Hi Alan,

The mayor is correct, we intended to increase salary payments from school choice in order to balance the budget. This is not good money management as we are spending more than we receive from school choice annually. (On salaries, we currently spend $749,478 from school choice while taking in a little over $500,000.) With the House 1 number, we intended to increase spending of school choice funds by an additional $450,000 on salaries to balance the budget. The House 2 number increased our Chapter 70 by $61,495, cutting the amount we would need to fund from school choice to $395,261—essentially we intended to spend a total of $1,144,739 from school choice while taking in only $500,000. This was a strategic decision, as we have been hopeful that the state would increase the funding of Chapter 70 by FY21. The money coming a year early puts us in a much better situation.

With the additional Chapter 70 aid of $454,290 from the Senate, we will not have to take $395,261 of additional funds out of school choice, keeping salary payments from school choice at a total of $749,478. We will still be spending more on salaries than we take in, but the account will still last another 4 or 5 years before being totally depleted. As I’ve stated, my goal is to change that trend by funding more in salaries from the local side as opposed to using choice funds. Ultimately, we should be spending less from the school choice account than we take in.

With the remaining $59,029 of the $454,290 increase, we hope to hire an additional maintenance person. As you saw during my budget presentation, we have been underfunding facilities and maintenance by over $1 million annually according to the foundation budget review commission. Several citizens, city councillors, parents, students, teachers, and school committee members have pointed out maintenance needs that go neglected because we are so short-staffed in that department. We need even more, but an additional maintenance person will help tremendously. This was our next most important addition to the budget when we presented to school committee.

I hope I made this clear. This was difficult to write, as it sounds much more confusing than it is. Feel free to call me at (978) 632-1000 if you have questions or concerns. Unfortunately, I will be doing college visits with my daughter next week in NY and DC, so will be unable to attend the meeting, but will be happy to attend any other meetings to answer questions you may have. Just let me know.

Thank you,
Mark

Mark J. Pellegrino
Superintendent, Gardner Public Schools
July 24, 2019

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

RE: Vote to Rescind and Replace Council Items #10110 and #10111

Dear President Graves and Councilors,

Please find attached votes to rescind Council Items #10110 and #10111 which appropriated funds from Cable Commission Fees Reserved and Parking Meter Receipts Reserved for the FY20 Budget, as well as replacement Appropriation Orders for the same. The only difference between the Appropriations previously voted and these new Appropriations is the last sentence stating “Any unused funds will revert back to the (Cable Commission Fees Reserved/Parking Meter Receipts Reserved) Fund at year end.”

This language allows any unused money to be returned to the Fund from which it was appropriated. This will assist greatly in ensuring that the Parking Meter and Cable Commission Funds remain healthy for a long period of time. Currently, any unused appropriation must fall to Free Cash. When we tried to return unused money to the appropriate fund, we were told by the Department of Revenue and our outside Auditor that we cannot unless the Appropriation language stated that we could.

By way of example, if we budget for $10,000 in Parking Meter Maintenance, but only end up using $7,000, the remaining $3,000 must fall to Free Cash because the money was appropriated from the Reserve Fund to the General Fund. With the additional language, that same $3,000 would revert back to the Parking Meter Fund for future appropriation.

While this will slightly diminish our Free Cash in future years, it will ensure that Parking Meter and Cable Commission money is spent only for its intended purpose and will serve to increase the longevity of these funds.

Respectfully,

Mark Hawke
Mayor, City of Gardner
AN ORDER RESCINDING CITY COUNCIL ORDER NO. 10110
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS –
CABLE COMMISSION FEES RESERVED

ORDERED:

To rescind the vote taken on June 17, 2019 under Calendar Item #10110 ordering
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 - 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.
TO THE MAYOR FOR APPROVAL.

POUR OF THE GENERAL LAWS ARE NOT PRESENTED
UNLESS SECTIOIN THIRTY-TWO OF CHAPTER FORTY-
CHARTER, APPROPRIATIONS BY THE CITY COUNCIL
IN ACCORDANCE WITH SECTION 30 OF THE CITY

IN CHARGE WITH SECTIOIN 30 OF THE CITY

Order No. 10797

Order Passed - June 24, 2019

In City Council - June 3, 2019
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. Any unused funds will revert back to the Cable Commission Fees Reserved Fund at year end.
Here is the three year breakdown of what has fallen to free cash.

### PARKING METER RESERVE EXP BUDGET 3 YR HISTORY

<table>
<thead>
<tr>
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<tbody>
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<td>1114</td>
<td>501018</td>
<td>PARKING METER CLERK</td>
<td>$ 11,252.00</td>
<td>$ 10,183.68</td>
<td>$ 1,070.32</td>
<td>$ 12,490.00</td>
<td>$ 10,794.00</td>
<td>$ 2,184.00</td>
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<td>$ 2,334.02</td>
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<td>$ 2,591.41</td>
<td>$ 25,000.00</td>
<td>$ 13,300.00</td>
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<td>$ -</td>
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<td>$ -</td>
<td>$ -</td>
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<td>PARKING METER MAINTENANCE</td>
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<td>$ 2,747.04</td>
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<td>$ 3,000.00</td>
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<td>$ 5,000.00</td>
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<td>$ 2,024.04</td>
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<td>550376</td>
<td>ENC PARKING METER MAINTENANCE</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>5441</td>
<td>550118</td>
<td>PARKING METER MAINTENANCE</td>
<td>$ 20,000.00</td>
<td>$ 411.38</td>
<td>$ 19,588.72</td>
<td>$ 37,000.00</td>
<td>$ 7,516.10</td>
<td>$ 5,480.84</td>
<td>$ 25,827.09</td>
<td>$ 8,916.16</td>
<td>$ 20,110.93</td>
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<td>5441</td>
<td>550119</td>
<td>ENC PARKING METER MAINTENANCE</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td>$ 74,075.10</td>
<td>$ 53,418.74</td>
<td>$ 21,154.36</td>
<td>$ 67,590.93</td>
<td>$ 48,179.31</td>
<td>$ 15,413.72</td>
<td>$ 133,028.54</td>
<td>$ 105,482.62</td>
<td>$ 31,548.03</td>
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<tr>
<td>ENCUMBERED TO THE FOLLOWING YEAR</td>
<td></td>
<td></td>
<td>$ (19,588.72)</td>
<td>$ (16,571.13)</td>
<td>$ (19,588.72)</td>
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<tr>
<td>FALL TO FREE CASH</td>
<td></td>
<td></td>
<td>$ 1,580.71</td>
<td>$ 2,837.57</td>
<td>$ 4,158.06</td>
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**FY2019** | **FY2016** | **FY2017**

### CABLE COMMISSION RESERVE EXP BUDGET 3 YR HISTORY

<table>
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</thead>
<tbody>
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<td>1214</td>
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<td>CABLE COMMISSION EXP</td>
<td>$ 187,231.23</td>
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<td>$ 33,464.94</td>
<td>$ 179,232.00</td>
<td>$ 140,373.46</td>
<td>$ 38,732.54</td>
<td>$ 179,504.00</td>
<td>$ 131,443.76</td>
<td>$ 47,060.24</td>
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<td></td>
<td></td>
<td>ENCUMBERED TO THE FOLLOWING YEAR</td>
<td>$ (19,868.33)</td>
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<td>$ (29,952.28)</td>
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<td>$ (19,912.91)</td>
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<tr>
<td>FALL TO FREE CASH</td>
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<td></td>
<td>$ 26,493.31</td>
<td></td>
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<td>$ 9,600.26</td>
<td></td>
<td></td>
<td></td>
<td>$ 6,727.33</td>
<td></td>
</tr>
</tbody>
</table>

**FY2019** | **FY2018** | **FY2017**

John Richard
City Auditor
61 Renaissance Street, Room 114
Axion, MA 02449
978-832-1800 ext 8020
AN ORDER RESCINDING CITY COUNCIL ORDER NO. 10111
AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS – PARKING METER RECEIPTS RESERVED

ORDERED:

To rescind the vote taken on June 17, 2019 under Calendar Item #10111 ordering 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
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>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>
TO THE MAYOR FOR APPROVAL.

Present for the General Laws Are Not Presented

Under Section Thirty-Two of Charter Provisions

Charter Appropriations By the City Council

In accordance with Section 30 of the City

Order

[Signature]

11 years, 0 days

Order Passed - June 24, 2019

In City Council - June 3, 2019

Order No. 12860.
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>City Treasurer</th>
<th>Parking Meter Clerk Salary</th>
<th>$ 12,730.00</th>
</tr>
</thead>
<tbody>
<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>

Any unused funds will revert back to the Parking Meter Receipts Reserved Fund at year end.
Hi Jim,

Here is the three year breakdown of what has fallen to free cash.

### Parking Meter Reserve Exp Budget 3 Yr History

<table>
<thead>
<tr>
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<td>31205</td>
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<td>$-</td>
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<td>$-</td>
<td>$-</td>
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<tr>
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<td>$453.57</td>
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<td>ENC PARKING METER MAINTENANCE</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
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<td>$-</td>
<td>$-</td>
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<tr>
<td>54221</td>
<td>520203</td>
<td>PARKING METER MAINTENANCE</td>
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<td>$30,000.00</td>
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<td>$19,568.73</td>
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<td>$7,516.16</td>
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<td>520303</td>
<td>ENC PARKING METER MAINTENANCE</td>
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<td>$16,574.15</td>
<td>$-</td>
<td>$26,110.31</td>
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<td>$7,090.31</td>
<td>$7,311.45</td>
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**TOTAL**

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<td>$100,443.92</td>
<td>$52,568.02</td>
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**ENCUMBRED TO THE FOLLOWING YEAR**

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<tr>
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<td>($19,568.73)</td>
<td>($16,526.10)</td>
<td>($16,526.10)</td>
<td>($19,568.73)</td>
<td>($16,526.10)</td>
<td>($16,526.10)</td>
<td>($19,568.73)</td>
<td>($16,526.10)</td>
<td>($16,526.10)</td>
</tr>
</tbody>
</table>

**FALL TO FREE CASH**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
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<td>$26,926.74</td>
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### Cable Commission Reserve Exp Budget 3 Yr History

<table>
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<tbody>
<tr>
<td>31205</td>
<td>512013</td>
<td>CABLE COMMISSION EXP</td>
<td>$187,130.13</td>
<td>$133,887.09</td>
<td>$53,243.04</td>
<td>$179,322.05</td>
<td>$129,539.48</td>
<td>$49,782.56</td>
<td>$176,508.26</td>
<td>$121,044.08</td>
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<td>31205</td>
<td>512023</td>
<td>ENCUMBRED TO THE FOLLOWING YEAR</td>
<td>$12,888.22</td>
<td>$12,888.22</td>
<td>$-</td>
<td>$12,888.22</td>
<td>$12,888.22</td>
<td>$-</td>
<td>$12,888.22</td>
<td>$12,888.22</td>
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<td>54221</td>
<td>512013</td>
<td>CABLE COMMISSION EXP</td>
<td>$29,099.93</td>
<td>$29,099.93</td>
<td>$-</td>
<td>$9,000.28</td>
<td>$9,000.28</td>
<td>$-</td>
<td>$9,000.28</td>
<td>$9,000.28</td>
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</tr>
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</table>

**FALL TO FREE CASH**

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
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<td>$128,231.21</td>
<td>$128,231.21</td>
<td>$128,231.21</td>
<td>$160,433.82</td>
<td>$160,433.82</td>
<td>$160,433.82</td>
<td>$160,433.82</td>
<td>$160,433.82</td>
<td>$160,433.82</td>
</tr>
</tbody>
</table>

John Richard  
City Auditor  

55 Peet Street, Room 114  
Gardner, MA 01440  
978-632-1900 ext 8020
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED "PERSONNEL" TO CHANGE COMPENSATION SCHEDULE EXHIBIT 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 B and inserting in place thereof, the following:

| Exhibit B |
| City Council |

<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 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
July 16, 2019

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

RF: Yearly Salaries

Dear President Graves and Councilors,

Please find attached a proposed yearly salary ordinance change for the positions of City Council President and City Council.

At a recent Council meeting a similar ordinance failed as a result of a tie vote with one member absent. The question was sought to be divided, which also failed to gain a majority vote. I have divided the question for the Council.

In FY19 a 2% cost of living allowance was passed by the City Council for all non-union personnel. In FY20 a 2% cost of living allowance was passed by the City Council for all non-union personnel.

The funds are already in the approved FY20 Budget that was passed unanimously by the City Council at the end of June.

Respectfully,

Mark Hawke
Mayor, City of Gardner
ORDINANCE

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

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:

Exhibit A
Mayor

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

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.
July 16, 2019

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

RE: Yearly Salaries

Dear President Graves and Councilors,

Please find attached a proposed yearly salary ordinance change for the position of Mayor.

At a recent Council meeting a similar ordinance failed as a result of a tie vote with one member absent. The question was sought to be divided, which also failed to gain a majority vote. I have divided the question for the Council.

In FY19 a 2% cost of living allowance was passed by the City Council for all non-union personnel. In FY20 a 2% cost of living allowance was passed by the City Council for all 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. The proposed salary schedule would keep the Mayor’s salary on pace (albeit 1 year behind) all non-union employees salary.

Currently, the Mayor has six (6) direct reports whose salary is higher than the Mayor. This gap will continue to grow, again, unless salaries are increased accordingly.

The funds are already in the approved FY20 Budget that was passed unanimously by the City Council at the end of June.

Respectfully,

Mark Hawke
Mayor, City of Gardner
AUTHORITY TO FILE

Whereas the City of Gardner after thorough investigation, has determined that the work activity consisting of: Water/Sewer/Stormwater Infrastructure Asset Management is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the Department of Environmental Protection (MassDEP) and the Massachusetts Clean Water Trust (the Trust) of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth ("Chapter 21" and "Chapter 29C") are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and

Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

1. That Dane Arnold, the Director of Public Works, is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application;

2. That the purpose of said grant(s) and/or loan(s), if awarded, shall be to fund construction activities.

3. That if said award is made the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost.
CITY OF GARDNER  
Department of Public Works

Mayor Mark Hawke and City Council Members
City Hall
95 Pleasant Street
Gardner, MA 01440

RE: Authority to File

July 29, 2019

Dear Mayor Hawke and City Council Members:

The City of Gardner has been awarded a grant by DEP to update the hydraulic models of the water and sewer systems and create a hydraulic model for the drainage systems. The breakdown of the grant is the overall cost of the project is $235,000, of which $141,000 is covered by the grant and $94,000 will be paid for by the Water, Sewer, and City Departments.

In order to receive the State Funds, we must have an Authorized Representative for the project. That person will be in charge of running the project, signing documents, invoices, budgeting, and making decisions about the project. In order to do this, DEP/SRF requires the City Council's vote giving the Authorized Representative (me) Authority to File.

The following is verbiage of what is required for this procedure:

Authorized Representative - List the name, title, complete address, e-mail address, and telephone and fax numbers of the authorized representative. The application must contain a resolution or authorization designating by title the official (Mayor, City or Town Manager, Chairman of the Board of Water Commissioners, Board of Selectmen, etc.) to act as the representative of the applicant to sign for, accept, and take whatever action is necessary relative to the project. In the city form of government, the City Council will generally name the authorized representative. If the community is governed by Town Meeting, then the Town Meeting action will name the appropriate group, such as the Board of Selectmen or Board of Public Works. The appropriate governing body will then name the authorized representative. If the authority to file statement names an office, then a certified statement is required specifically identifying the individual currently holding that office. For wastewater districts, provide the requisite authorization of the governing board.
The Authority to File statement must be certified. This is accomplished by either a certification at the bottom of the authority to file or by submitting a separate certifying statement. Suggested forms for Authority to File and Certifying Authority to File are included in Appendix A. In the event the authorized official is replaced while the project is still active, a certified statement naming the new incumbent and the effective date of appointment must be submitted. On occasion, an authorized representative may desire to delegate the authority to act on their behalf in processing paperwork during the implementation of the project. This is accomplished by having the authorized representative submit a letter advising MassDEP of this delegation.

If you have any questions, please feel free to contact my office.

Sincerely,

[Signature]

Dane E. Arnold, Director
Department of Public Works

Chris Coughlin, City Engineer
Rob Oliva, Assistant Director of Public Works
DECLARING SURPLUS FOR PURPOSE OF DISPOSAL
LAND AND BUILDINGS AT LINCOLN STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 62 Lincoln Street, further identified on the City of Gardner Assessor’s Map as R22-00002-00007, to establish as a minimum amount of $40,000.00 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.
June 30, 2019

To: Mayor Mark Hawke  
City Auditor  
Board of Assessors

Fr: Charline M. Daigle, Treasurer/Collector

Re: 62 Lincoln Street  
Parcel ID# R22-00002-00007

The Land Court has issued the final decree on January 28, 2019 foreclosing the tax title in the City's tax lien foreclosure case against the above property. The decree was recorded with the Worcester Registry of Deeds on April 9, 2019 Book 60249 page 325. The total tax due excluding Treasurer’s interest and costs is $33,377.98 in Tax Title and FY 19 Taxes are $4,027.32.

My recommendation is to declare the property surplus so the property can be put out to bid and returned to the tax roll as soon as possible.

The Building Inspector has been notified of the foreclosing and property liability insurance has been purchased.

cc: Building Inspector
COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 18 TL 000813

JUDGMENT IN TAX LIEN CASE

City of Gardner

vs.

Darlene E. Teken

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Gardner in Worcester County and said Commonwealth:

<table>
<thead>
<tr>
<th>Land Type</th>
<th>Tax Taking Date</th>
<th>Book No.</th>
<th>Page No.</th>
<th>Document No.</th>
<th>Certificate of Title No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recorded</td>
<td>06/19/2015</td>
<td>53992</td>
<td>180</td>
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</tr>
</tbody>
</table>

By the Court: Deborah J. Patterson

Attest: Deborah J. Patterson
Recorder

Entered: January 28, 2019
**Property Location:** 62 LINCOLN ST  
**Account #:** Map ID: R22/2/7/1  
**Bldg # 1:**  
**Sec # 1 of 1:** Card # 1 of 1  
**State Use:** 1010

### CURRENT ASSESSMENT

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Assessed</th>
<th>Assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDNL</td>
<td>1010</td>
<td>206,700</td>
<td>206,700</td>
</tr>
<tr>
<td>RES LAND</td>
<td>1010</td>
<td>40,900</td>
<td>40,900</td>
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</table>

### SUPPLEMENTAL DATA

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<tr>
<th>All Prod</th>
<th>Sub-Dir</th>
<th>Key</th>
<th>Photo</th>
<th>Ward</th>
<th>Prec.</th>
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<tr>
<td>2019 JUL 16</td>
<td>GARDNER, MA</td>
<td>01440</td>
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### GIS ID: M_159821_925174  
**Assoc Pld#**

### RECORD OF OWNERSHIP

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<tr>
<th>BK-Vol/Page</th>
<th>Sale Date</th>
<th>QU VI</th>
<th>SALE PRICE</th>
<th>VC</th>
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<tr>
<td>58078 0396</td>
<td>11-22-2017</td>
<td>U I</td>
<td>1</td>
<td>1A</td>
</tr>
<tr>
<td>53983 0315</td>
<td>07-09-2015</td>
<td>U I</td>
<td>1</td>
<td>1F</td>
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<tr>
<td>49085 0319</td>
<td>06-06-2012</td>
<td>U</td>
<td>64,075</td>
<td>L</td>
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<tr>
<td>18400 0179</td>
<td>11-14-1996</td>
<td>Q</td>
<td>96,000</td>
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### EXEMPTIONS

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<tr>
<th>Year</th>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
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### OTHER ASSESSMENTS

- Appraised Bldg. Value (Card): 206,700
- Appraised Bldg. Value (Bldg): 0
- Appraised Ob (Bldg): 0
- Appraised Land Value (Bldg): 40,900
- Special Land Value: 0

### NOTES

- NEW HEAT SYS 1ST FLR
- YELLOW IG
- CHANGED FROM 4 APTS TO 1 FAMIY - 06
- UC = GUT/RENO (FIRE) - 06 = 100% - 07
- NOT CAPPED FY 2008

### BUILDING PERMIT RECORD

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<tr>
<th>Permit Id</th>
<th>Issue Date</th>
<th>Type</th>
<th>Description</th>
<th>Amount</th>
<th>Imp Date</th>
<th>% Comp</th>
<th>Date Comp</th>
<th>Comments</th>
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### LAND LINE VALUATION SECTION

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<tr>
<th>Use Code</th>
<th>Description</th>
<th>Zone</th>
<th>Land Type</th>
<th>Land Units</th>
<th>Unit Price</th>
<th>Size Adj.</th>
<th>Site Index</th>
<th>Cond.</th>
<th>Nbhd</th>
<th>Nbhd. Adj.</th>
<th>Notes</th>
<th>Location Adjustment</th>
<th>Adj Unit Price</th>
<th>Land Value</th>
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<tbody>
<tr>
<td>1010</td>
<td>Single Fam MDL</td>
<td>R1</td>
<td>SF</td>
<td>11,240</td>
<td>3.64</td>
<td>3.64</td>
<td>1.00000</td>
<td>5</td>
<td>1.00</td>
<td>1.000</td>
<td>1.000</td>
<td>3.64</td>
<td>40,900</td>
<td>40,900</td>
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### Total Card Land Units: 0.258 | AC  
**Parcel Total Land Area:** 0.2580
### Construction Detail

<table>
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<tr>
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<th>Cd</th>
<th>Description</th>
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<tr>
<td>Style</td>
<td>06</td>
<td>Conventional</td>
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<tr>
<td>Model</td>
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<td>Residential</td>
</tr>
<tr>
<td>Grade</td>
<td>04</td>
<td>Average +10</td>
</tr>
<tr>
<td>Stories</td>
<td>2</td>
<td>2 Stories</td>
</tr>
<tr>
<td>Occupancy</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Exterior Wall 1</td>
<td>25</td>
<td>Vinyl Siding</td>
</tr>
<tr>
<td>Exterior Wall 2</td>
<td>03</td>
<td>Gable/Hip</td>
</tr>
<tr>
<td>Roof Structure</td>
<td>03</td>
<td>Asph/F Gls/Cmp</td>
</tr>
<tr>
<td>Roof Cover</td>
<td>03</td>
<td></td>
</tr>
<tr>
<td>Interior Wall 1</td>
<td>03</td>
<td>Plastered</td>
</tr>
<tr>
<td>Interior Wall 2</td>
<td>05</td>
<td>Vinyl</td>
</tr>
<tr>
<td>Interior Fl 1</td>
<td>14</td>
<td>Carpet</td>
</tr>
<tr>
<td>Interior Fl 2</td>
<td>03</td>
<td>Gas</td>
</tr>
<tr>
<td>Heat Type</td>
<td>05</td>
<td>Hot Water</td>
</tr>
<tr>
<td>AC Type</td>
<td>01</td>
<td>None</td>
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<tr>
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<td>7 Bedrooms</td>
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<tr>
<td>Total Baths</td>
<td>04</td>
<td></td>
</tr>
<tr>
<td>Total Half Baths</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total Xtra Fixts</td>
<td>20</td>
<td>20 Rooms</td>
</tr>
<tr>
<td>Bath Style</td>
<td>02</td>
<td>Average</td>
</tr>
<tr>
<td>Kitchen Style</td>
<td>02</td>
<td>Average</td>
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</table>

### Mixed Use

<table>
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<th>Description</th>
<th>Percentage</th>
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</thead>
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<td>Single Fam</td>
<td>100</td>
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</table>

### Cost / Market Valuation

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<th>Description</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>RCN</td>
<td></td>
<td>317,979</td>
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### Building Summary Section

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<tr>
<th>Code</th>
<th>Description</th>
<th>Living Area</th>
<th>Floor Area</th>
<th>Eff Area</th>
<th>Unit Cost</th>
<th>Undeprec Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS</td>
<td>First Floor</td>
<td></td>
<td>1,363</td>
<td>1,363</td>
<td>1,363</td>
<td>85.00</td>
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<tr>
<td>EAF</td>
<td>Attic, Expansion, Finished</td>
<td>324</td>
<td>720</td>
<td>324</td>
<td>38.25</td>
<td>13,090</td>
</tr>
<tr>
<td>FAT</td>
<td>Attic, Finished</td>
<td>154</td>
<td>616</td>
<td>154</td>
<td>21.25</td>
<td>13,090</td>
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<tr>
<td>FOP</td>
<td>Porch, Open, Finished</td>
<td>0</td>
<td>316</td>
<td>63</td>
<td>16.95</td>
<td>5,355</td>
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<tr>
<td>FUS</td>
<td>Upper Story, Finished</td>
<td>1,363</td>
<td>1,363</td>
<td>1,363</td>
<td>85.00</td>
<td>115,851</td>
</tr>
<tr>
<td>UBM</td>
<td>Basement, Unfinished</td>
<td>0</td>
<td>1,336</td>
<td>267</td>
<td>16.99</td>
<td>22,694</td>
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</table>

### OB - Outbuilding & Yard Items

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>L/B</th>
<th>Units</th>
<th>Unit Price</th>
<th>Yr Bld</th>
<th>Cond.</th>
<th>% Cd</th>
<th>Grade</th>
<th>Grade Adj.</th>
<th>Appr. Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>BRN3</td>
<td>Barn T St w Li</td>
<td>L</td>
<td>720</td>
<td>19.00</td>
<td>1985</td>
<td>25</td>
<td>0.00</td>
<td>0</td>
<td>3,400</td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM

To: Mayor Hawke  
From: Chris Coughlin & Dane Arnold  
Date: July 12, 2019  

Subject: Proposed Street Acceptance of James Street

The purpose of this memo is to offer our support for the acceptance / creation of an extension of James Street. This portion of James Street is currently deeded to the City of Gardner at the Worcester District Registry of Deeds Book 12751, Page 253. Functionally the roadway is operated and maintained as a City Street but lacks official status.

Sincerely,

Chris Coughlin  
City Engineer

Dane Arnold  
DPW Director
Questions contact – Donna Langlais  781-907-3506

Petition of the NATIONAL GRID
OF NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the City Council of Gardner, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – City Hall Avenue - Gardner – Massachusetts.

The following are the streets and highways referred to: Plan number # 20137418
City Hall Avenue - National Grid to install beginning at a point approximately 50 feet east of the centerline of the intersection of Pleasant St and continuing approximately 35' feet in an east direction. National Grid to install 2-3” conduits from existing vault # 2 to new heavy duty handhole in sidewalk to service street light cabinet.

Location approximately as shown on plan attached

NATIONAL GRID
BY __________________________
Pat Cody
Engineering Department

Dated:  July 16, 2019
SCOPE:
- INSTALL NEW HEAVY DUTY HAND HOLE
- INSTALL 35' OF 2-3' CONCRETE ENCASED CONDUIT FROM EXISTING VAULT #2 TO NEW HEAVY DUTY HAND HOLE,
- REPLACE EXISTING VAULT FRAME, RING AND COVER

LEGEND
- CUST. SERV CABINET
- HDHH 2-3' CONDUIT
- VAULT EXISTING CONDUIT

MAIN & PLEASANT STREET PETITION SKETCH
25 MAIN STREET GARDNER, MA

Date: 07/11/19
Designer: AMARAM
Ver.: 20137418

nationalgrid
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:

Clark St - National Grid to install 4 JO Poles on Clark St beginning at a point approximately 200 feet northwest of the centerline of the intersection of Century Way & Clark St and continuing approximately 850 feet in a northwest direction. National Grid to install 4 new poles between P33 and P36 on Clark St.

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 - Clark Street - Gardner - Massachusetts.

28039394 May 24, 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
Pat Cody
Engineering Department

VERIZON NEW ENGLAND, INC.
BY
Manager / Right of Way
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:

Clark St - National Grid to install 5 JO Poles on Clark St beginning at a point approximately 200 feet northwest of the centerline of the intersection of Leo Dr & Clark St and continuing approximately 1200 feet in a northwest direction. National Grid to install 5 new poles between P37 and P41 on Clark St.

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 – Clark Street - Gardner - Massachusetts.

28039394 May 24, 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
Pat Cody
Engineering Department

VERIZON NEW ENGLAND, INC.
BY
Manager / Right of Way
The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.
ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED "PERSONNEL" TO CHANGE COMPENSATION SCHEDULE EXHIBITS C AND 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 striking from Compensation Schedule "Exhibit C", the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Stipend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement Board</td>
<td></td>
</tr>
<tr>
<td>Member [MGL c. 32, §20(6)]</td>
<td>$ 3,000.00</td>
</tr>
</tbody>
</table>

And inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Stipend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement Board</td>
<td></td>
</tr>
<tr>
<td>Member [MGL c. 32, §20(6)]</td>
<td>$ 3,500.00 (Effective 7/1/2019)</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 striking from Compensation Schedule "Exhibit E", the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Treasurer/Collector</td>
<td>G-10</td>
<td>$ 84,118.88</td>
<td>$1,623.44</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MGL c. 32, §20(6)</td>
<td>$ 300.00</td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$ 84,418.88</td>
<td></td>
</tr>
</tbody>
</table>

And inserting in place thereof, the following:

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Treasurer/Collector</td>
<td>G-10</td>
<td>$ 84,118.88</td>
<td>$1,629.21 (Effective 7/1/2019)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MGL c. 32, §20(6)</td>
<td>$ 600.00</td>
</tr>
<tr>
<td>Total Compensation:</td>
<td></td>
<td>$ 84,718.88</td>
<td></td>
</tr>
</tbody>
</table>

Section 3. Effective date.

This ordinance shall become effective on passage and publication as required by law.
July 25, 2019

The City of Gardner
City Council, Finance Committee
Gardner City Hall
Gardner, MA 01440

Dear Finance Committee:

At the City Council meeting held on July 12, 2019, the Mayor’s FY2020 Budget was approved. This budget included a yearly increase to the Retirement Board’s stipend by $500.00 (for each board member) and an increase of $300.00 for the City’s Treasurer’s stipend. This increase would be effective July 1, 2019.

Due to the passing of this budget, the Retirement Board is requesting a change to Code 171, attachment 1, exhibit C to reflect the $500.00 increase per board member, and $300.00 increase to the City Treasurer.

If you have any questions or require further information, please call the retirement board office at (978) 630-4006 or e-mail.

Very truly yours,

Denise M. Merriam
Board Chairperson

Cc: Mayor, Mark Hawke
# ORDINANCE

- **License Commission**
  - Chairperson: $1,000.00
  - Members (2): $750.00

- **Municipal Grounds Commission**
  - Chairperson: $1,000.00
  - Members: $750.00

- **Planning Board**
  - Chairperson: $1,000.00
  - Members: $750.00

- **Registrar of Voters**
  - Chairperson: $1,000.00
  - Members (2): $750.00

- **Retirement Board**
  - Member [MGL c. 32, §20(6)]: $3,000.00

- **Zoning Board of Appeals**
  - Chairperson: $1,000.00
  - Members: $750.00
  - Alternate Members: $200.00

## Exhibit D

**School Committee**

Effective Date: 01/02/2018

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Committee Members (excluding Chairperson)</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

## Exhibit E

**Non-Union Employees**

Effective Date: 07/01/2017

### Department Heads

<table>
<thead>
<tr>
<th>Position</th>
<th>Grade</th>
<th>Annual</th>
<th>Weekly</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Commissioner</td>
<td>G-10</td>
<td>$76,619.22</td>
<td>$1,473.45</td>
<td></td>
</tr>
<tr>
<td>Chief of Police</td>
<td>G-13</td>
<td>$99,211.50</td>
<td>$1,907.91</td>
<td></td>
</tr>
<tr>
<td>City Assessor</td>
<td>G-9</td>
<td>$70,297.75</td>
<td>$1,351.88</td>
<td></td>
</tr>
<tr>
<td>City Auditor</td>
<td>G-10</td>
<td>$78,119.72</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement Board (ex officio)</td>
<td></td>
<td>$3,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Compensation:</strong></td>
<td></td>
<td>$81,119.72</td>
<td>$1,559.99</td>
<td></td>
</tr>
<tr>
<td>City Clerk</td>
<td>G-10</td>
<td>$76,619.22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clerk of the City Council</td>
<td></td>
<td>$3,500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registrar of Voters</td>
<td></td>
<td>$550.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Compensation:</strong></td>
<td></td>
<td>$80,669.22</td>
<td>$1,551.33</td>
<td></td>
</tr>
<tr>
<td>City Engineer</td>
<td>G-11</td>
<td>$81,867.97</td>
<td>$1,574.38</td>
<td></td>
</tr>
<tr>
<td>City Solicitor</td>
<td>G-10</td>
<td>$77,501.16</td>
<td>$1,490.41</td>
<td></td>
</tr>
<tr>
<td>City Treasurer/Collector</td>
<td>G-10</td>
<td>$80,852.44</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>MGL c. 32, §20(6)</strong></td>
<td></td>
<td>$300.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Compensation:</strong></td>
<td></td>
<td>$81,152.44</td>
<td>$1,560.62</td>
<td></td>
</tr>
<tr>
<td>Council on Aging Director</td>
<td>G-6</td>
<td>$54,287.03</td>
<td>$1,043.98</td>
<td></td>
</tr>
<tr>
<td>Director of Community</td>
<td></td>
<td>$63,282.33</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development &amp; Planning</td>
<td>G-10</td>
<td>$21,386.46</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CDBG: $4,456.03</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Compensation:</strong></td>
<td></td>
<td>$89,124.82</td>
<td>$1,713.94</td>
<td></td>
</tr>
<tr>
<td>Director of Local Origination &amp; Educational Planning</td>
<td>G-6</td>
<td>$61,363.74</td>
<td>$1,180.07</td>
<td></td>
</tr>
</tbody>
</table>
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:

<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>$1,620.69</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>MGL c. 41, §19F</td>
<td>$3,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MGL c. 41, §19G</td>
<td>$550.00</td>
</tr>
<tr>
<td>City Treasurer/Collector</td>
<td>G-10</td>
<td>$84,118.88</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>MGL c. 32, §20(6)</td>
<td>$300.00</td>
</tr>
<tr>
<td>City Engineer</td>
<td>G-11</td>
<td>$85,175.44</td>
<td></td>
</tr>
<tr>
<td>City Solicitor</td>
<td>G-10</td>
<td>$80,632.20</td>
<td></td>
</tr>
<tr>
<td>Council on Aging Director</td>
<td>G-6</td>
<td>$57,587.68</td>
<td></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>Director of Local Origination &amp; Educational Planning</td>
<td>G-6</td>
<td>$64,468.75</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>Step 2</td>
<td></td>
</tr>
<tr>
<td>Fire Chief</td>
<td>G-12</td>
<td>$94,698.74</td>
<td></td>
</tr>
<tr>
<td>Golf Course Driving Range/Superintendent</td>
<td>G-9</td>
<td>$76,571.97</td>
<td></td>
</tr>
<tr>
<td>Human Resources Director</td>
<td>G-11</td>
<td>$88,582.77</td>
<td></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>Library Director</td>
<td>G-9</td>
<td>$75,411.22</td>
<td></td>
</tr>
<tr>
<td>Public Works Director</td>
<td>G-12</td>
<td>$100,093.31</td>
<td></td>
</tr>
<tr>
<td>Purchasing Agent/Civil</td>
<td></td>
<td>$77,008.55</td>
<td></td>
</tr>
<tr>
<td>Enforcement Director</td>
<td>G-10</td>
<td>MGL c. 148A, §5</td>
<td>$2,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Compensation:</td>
<td>$79,508.55</td>
</tr>
<tr>
<td>Veterans' Director</td>
<td>G-6</td>
<td>$58,008.62</td>
<td></td>
</tr>
</tbody>
</table>

2020 Compensation Ordinance-Adopted
<table>
<thead>
<tr>
<th>Code</th>
<th>Code</th>
<th>Description</th>
<th>2018 Actual</th>
<th>2019 Orig Bud</th>
<th>2020 Department</th>
<th>2020 Mayor</th>
<th>2020 City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>672</td>
<td>18810</td>
<td>AIR POLLUTION ASSESSMENT</td>
<td>$4,566.00</td>
<td>$4,671.00</td>
<td>$4,747.00</td>
<td>$4,747.00</td>
<td>$4,747.00</td>
</tr>
<tr>
<td>673</td>
<td>18810</td>
<td>MONT RTA ASSESSMENT</td>
<td>$233,279.00</td>
<td>$258,010.00</td>
<td>$219,666.00</td>
<td>$219,666.00</td>
<td>$219,666.00</td>
</tr>
<tr>
<td>674</td>
<td>18810</td>
<td>SPECIAL EDUCATION ASSESS</td>
<td>$-</td>
<td>$9,054.00</td>
<td>$3,329.00</td>
<td>$3,329.00</td>
<td>$3,329.00</td>
</tr>
<tr>
<td>675</td>
<td>18810</td>
<td>CHARTER SCHOOL TUITION ASSESSM</td>
<td>$273,301.00</td>
<td>$260,412.00</td>
<td>$313,044.00</td>
<td>$313,044.00</td>
<td>$313,044.00</td>
</tr>
<tr>
<td>676</td>
<td>18810</td>
<td>SCHOOL CHOICE ASSESSMENT</td>
<td>$1,769,986.00</td>
<td>$1,782,712.00</td>
<td>$1,774,590.00</td>
<td>$1,774,590.00</td>
<td>$1,774,590.00</td>
</tr>
<tr>
<td>677</td>
<td></td>
<td>TOTAL STATE &amp; COUNTY ASSESSM</td>
<td>$2,381,591.00</td>
<td>$2,417,414.00</td>
<td>$2,420,394.00</td>
<td>$2,420,394.00</td>
<td>$2,420,394.00</td>
</tr>
<tr>
<td>680</td>
<td>19910</td>
<td>CONTRIBUTORY RETIREMENT</td>
<td>$53,686.79</td>
<td>$58,366.00</td>
<td>$62,500.00</td>
<td>$62,500.00</td>
<td>$62,500.00</td>
</tr>
<tr>
<td>681</td>
<td>19910</td>
<td>BOARD ADMINISTR SAL &amp; WAGES</td>
<td>$15,300.00</td>
<td>$15,300.00</td>
<td>$18,100.00</td>
<td>$18,100.00</td>
<td>$18,100.00</td>
</tr>
<tr>
<td>682</td>
<td>19910</td>
<td>BOARD &amp; COMM SAL &amp; WAGES</td>
<td>$483.00</td>
<td>$8,000.00</td>
<td>$8,000.00</td>
<td>$8,000.00</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>683</td>
<td>19910</td>
<td>TEMP SALARY &amp; WAGES</td>
<td>$150.00</td>
<td>$150.00</td>
<td>$180.00</td>
<td>$180.00</td>
<td>$180.00</td>
</tr>
<tr>
<td>685</td>
<td>19910</td>
<td>TERMINATION LEAVE</td>
<td>$20,999.92</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>686</td>
<td>19910</td>
<td>CONTRIB RETIRE ASSESSMENT</td>
<td>$3,686,232.00</td>
<td>$3,900,753.00</td>
<td>$4,074,610.00</td>
<td>$4,074,610.00</td>
<td>$4,074,610.00</td>
</tr>
<tr>
<td>687</td>
<td></td>
<td>TOTAL CONTRIBUTORY RETIREMEN</td>
<td>$3,776,701.71</td>
<td>$3,982,569.00</td>
<td>$4,163,390.00</td>
<td>$4,163,390.00</td>
<td>$4,163,390.00</td>
</tr>
<tr>
<td>690</td>
<td>19914</td>
<td>EMPLOYEE BENEFITS</td>
<td>$6,100.00</td>
<td>$6,600.00</td>
<td>$7,000.00</td>
<td>$7,000.00</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>691</td>
<td>19914</td>
<td>111F CLAIMS REVIEW</td>
<td>$200,150.00</td>
<td>$205,000.00</td>
<td>$215,000.00</td>
<td>$215,000.00</td>
<td>$215,000.00</td>
</tr>
<tr>
<td>693</td>
<td>19914</td>
<td>WORKER'S COMPENSATION</td>
<td>$58,563.99</td>
<td>$75,000.00</td>
<td>$65,000.00</td>
<td>$65,000.00</td>
<td>$65,000.00</td>
</tr>
<tr>
<td>694</td>
<td>19914</td>
<td>UNEMPLOYMENT COMPENSATION</td>
<td>$100,820.22</td>
<td>$120,000.00</td>
<td>$100,000.00</td>
<td>$100,000.00</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>695</td>
<td>19914</td>
<td>MEDICARE</td>
<td>$156,144.43</td>
<td>$170,000.00</td>
<td>$175,000.00</td>
<td>$175,000.00</td>
<td>$175,000.00</td>
</tr>
<tr>
<td>696</td>
<td>19914</td>
<td>MEDICARE-SCHOOL</td>
<td>$264,256.61</td>
<td>$275,000.00</td>
<td>$280,000.00</td>
<td>$280,000.00</td>
<td>$280,000.00</td>
</tr>
<tr>
<td>697</td>
<td>19914</td>
<td>LIFE INSURANCE</td>
<td>$25,841.10</td>
<td>$26,337.38</td>
<td>$60,000.00</td>
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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.
June 19, 2019

President Scott J. Graves, Esq.
C/o Alan Agnelli, City Clerk
City Hall
Gardner, MA 01440

Re: Proposed Amendment to Section 675-1070 Marijuana Establishments, C (3)(a); and C (9) (c) of the City of Gardner ZONING CODE – Final Report

Dear President Graves:

Based on the information presented at the Joint Public Hearing of the City Council and Planning Board held on Monday, June 3, 2019, and the discussion pursuant thereto, the Planning Board voted unanimously (4-0) at its June 18, 2019 meeting to recommend that the City Council amend 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. Since there were no objections or proposed changes noted at the public hearing, the Planning Board respectfully requests that the City Council move forward with approving the originally submitted zoning change as noted above. Please contact Trevor Beauregard if you have any questions or need additional information.

Sincerely,

[Signature]

Robert Bettez, Vice Chairman
CITY OF GARDNER
DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING
April 10, 2019

President Scott J. Graves, Esq.
C/o Alan Agnelli, City Clerk
City Hall
Gardner, MA 01440

Re: Proposed Amendment to Section 675-1070 Marijuana Establishments, C (3) (a); and C (9) (c) of the City of Gardner ZONING CODE

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
§ 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 3(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;

Page 111 of 116
ORDINANCE

(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.
AMENDMENT TO LEASE BETWEEN CITY OF GARDNER
AND HENRY HEYWOOD MEMORIAL HOSPITAL

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.
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,

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 1 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 58824, 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.  

5/10/19, 2019

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,

[Signature]

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

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.  

5/10/19, 2019

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,

[Signature]

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