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Elizabeth J. Kazinskas

**WARD 3 COUNCILLOR**  
Nathan R. Boudreau

**WARD 4 COUNCILLOR**  
Karen G. Hardern

**WARD 5 COUNCILLOR**  
Aleksander Dernalowicz, Esq.

**CITY OF GARDNER**  
**MASSACHUSETTS 01440-2630**

OFFICE OF THE  
CITY COUNCIL



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CITY CLERK'S OFFICE  
GARDNER, MA

July 24, 2020

**PUBLIC SAFETY COMMITTEE MEETING NOTICE**

**Date:** Wednesday, July 29, 2020  
**Time:** 4:00 p.m.  
**Location:** Remotely via Zoom/Broadcast on the City's YouTube Channel.

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

**ANNOUNCEMENT** - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Chair of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

- I. Review and Approval of the Minutes of the May 18, 2020 Meeting.
- II. Department Updates
  - Building Department
  - Public Health Department
  - Police Department and Animal Control
  - Fire Department and Ambulance
- III. #10295, An Application by Gardner Ten Pins, Inc., 560 West Broadway, for Renewal of a Bowling Alley License (*In City Council and Referred to Public Safety, 7/6/2020*).
- IV. Adjournment.

**NOTICE:** *The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

CITY COUNCIL OF GARDNER

*Craig R. Cormier*

COUNCILLOR CRAIG R. CORMIER  
Chairman, Public Safety Committee

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL PUBLIC SAFETY COMMITTEE  
MINUTES OF THE MEETING OF MAY 18, 2020

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Committee Chairman Councillor Craig Cormier called the Public Safety Committee meeting to order at 4:00 p.m. via Zoom. Committee members Councillors Karen Hardern and George Tyros were present.

Also present were Deputy Chief of Police James Trifiro and City Clerk Alan Agnelli.

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

**Minutes of Prior Meeting(s).**

On a motion by Councillor Karen Hardern and seconded by Councillor George Tyros, on call of the roll, it was voted to accept the Minutes of the February 24, 2020 Public Safety Committee Meeting, as printed.

**#10254, An Ordinance Amending the Code of the City of Gardner, Chapter 600 Thereof, Entitled "Vehicles and Traffic," Section 600-24, Parking Prohibited on Certain Streets, Nutting Street.**

Councillor Karen Hardern noted:

- Two to three constituents contacted her with their concerns.
- Most residents have off-street parking, but where will their visitors park.
- On-street parked vehicles slow down the traffic and protect children.
- The DPW never had a problem plowing the street with parked vehicles.
- Cannot support restricting parking on the street.

Councillor George Tyros noted:

- He was contacted by a few residents of Nutting Street.
- Observed that it is a tight fit with vehicles parked on the street.
- Questioned whether a one-way configuration and/or restricting parking on one side of the street were considered.

Deputy Chief James Trifiro noted:

- One-way configuration was discussed and Commission expressed opposition due to emergency response concerns of Fire, EMS, and Police – impacts response no matter which way is allowed.

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL PUBLIC SAFETY COMMITTEE  
MINUTES OF THE MEETING OF MAY 18, 2020

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Councillor Hardern noted:

- Was advised that the street has been in existence since 1870.
- Restricting parking would open up discussion for [restricting parking] on a lot of streets that are very narrow.
- The City has a winter parking ban.

Deputy Chief Trifiro noted:

- The Traffic Commission reacted to a complaint about on-street parking on Nutting Street.
- According to the City Code, the width of the street does not allow two-way travel. Code requires 28' width.
- The street is as narrow as 21' resulting in 7' of impassable distance. Road [travel] must be 10' wide to accommodate the average car and commercial vehicles.
- Only 1 reportable vehicle accident on Nutting Street was recorded in the last ten years.
- Only 11 traffic citations issued since July 1, 2007 and 10 of the 11 were for violations of the overnight parking ban.

Councillor Tyros questioned whether there are any other streets with similar characteristics.

Deputy Chief said that there are; however, the Commission responds to complaints and is not searching for them.

On a motion by Councillor George Tyros and seconded by Councillor Karen Hardern, on call of the roll, it was voted to refer the Ordinance (below) back to the Traffic Commission for further public comment and to recommend its removal from the Council's Calendar.

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

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

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

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

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

**Applications for Licenses to Deal in Second Hand Articles**

On a motion by Councillor Karen Hardern and seconded by Councillor George Tyros, on call of the roll, it was voted to recommend to the City Council that the following Licenses be granted:

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL PUBLIC SAFETY COMMITTEE  
MINUTES OF THE MEETING OF MAY 18, 2020

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- An Application by Gardner Coins & Cards, Inc. for a License to Deal in Second-hand Articles at 13 Pleasant Street (Renewal).
- An Application by GameStop, Inc. for a License to Deal in Second-hand Articles at 376 Timpany Blvd. (Renewal).
- An Application by ecoATM, LLC for a License to Deal in Second-hand Articles at 677 Timpany Blvd. (Renewal).

**Adjournment.**

On a motion Councillor Karen Hardern and seconded by Councillor George Tyros, on call of the roll, it was voted to adjourn at 4:16 p.m.

## **Health Department Updates for 7/29 Public Safety Meeting**

### **COVID-19:**

We are still participating in two weekly calls with DPH and Covid Command Center for state updates. It will be important to hold a flu clinic this season and stress the importance of the flu vaccine to the community.

We continue to work with all businesses, groups, churches, sport leagues, etc. to offer guidance on latest COVID protocols and guidelines. There have been many cancelations of large city events due to COVID-19 and restrictions on gatherings.

Since Governor Baker announced tip line we have seen an increase in complaints that we have had to investigate. Sometimes we get complaints directly and other times they come through the Department of Labor Standards (DLS) or the AGO. The complaints have all been about local businesses. Complaints are investigated and we follow up with DLS and address the business as necessary.

Schools – Still no decision on going back to school. Three potential options: Either full in person with safety guidelines, hybrid (combination of in person and remote) or all remote. We will most likely not see a full in person return of students.

GPS Safety Committee – working on safety plans and precautions for fall. The group is looking at things such as PPE and PPE concerns, protective measures such as plexiglass and isolation room locations, air quality in the schools, reopening protocols, and trainings for staff.

New Travel Policy in MA- All visitors entering MA, including returning residents, who do not meet an exemption are required to complete a MA Travel Form prior to arrival, unless individual is visiting from a lower-risk state (CT, NH, RI, HI, NJ, VT, ME, NJ). Individuals must quarantine for 14 days or produce a negative COVID-19 test results that has been administered up to 72-hours prior to arrival in MA. If test is not received prior to arrival individuals must quarantine until they receive a negative test. Failure may result in a \$500 fine per day.

### **OTHER:**

Housing and food establishment inspections have ramped back up and we have resumed doing in home housing inspections with proper PPE.

Septic and percolation testing has increased due to the season.

The Waste Management Contract for curbside trash removal was renewed for a one year term. This is different from the usual 5 year term because we did not have a permanent mayor in place at time of contract renewal. Waste management is now fielding trash complaint calls.

We are taking a look at the solid waste ordinance 560-3 and will consult city solicitor on wording.

## **Police Department – July 29, 2020**

### **Public Safety Committee Report**

To Public Safety Committee,

First and foremost, I would like to thank and acknowledge the first responders who have continued to operate throughout an unprecedented time in the history of Gardner and our nation. Dispatchers, Firefighters, EMS personnel, Animal Control, Police and members of our civilian administrative support staff has endured great changes and ensured the efficient and safe operation of city departments.

All through the pandemic, these essential workers have taken the necessary precautions and successfully performed all the duties they have received during a national movement, pandemic, and call for defunding and reform. I am extremely proud of the men and women that I work with and alongside when I see the resolve they exhibit despite the daily changes, challenges, and pervasive demonization of a profession.

I would be remiss not to acknowledge the support of the other city departments, and particularly Acting Mayor James Walsh, Acting Mayor Elizabeth Kazinskas and Executive Assistant to the Mayor Rachel Stephano for their understanding and support during unparalleled times. Each have and continue to commit countless hours throughout these challenges as new changes unfold. I have great confidence, as I've observed a seamless transition, and would additionally like to thank Mayor Michael Nicholson for reaching out on day 1, and many more times since. Mayor Nicholson has provided a clear direction that we need and appreciate as we continue to meet the needs of the community together.

#### **Police Department –**

Officer Alexa Morgan graduated the 31<sup>st</sup> ROC Recruit Officers Course in Reading on July 2 and is now in field training with an FTO Field Training Officer to ensure her knowledge of the city.

Recruit Anthony Webb is currently in the 11<sup>th</sup> ROC in Randolph completing week 6 of 20 and is scheduled to graduate in November 2020.

The police department has two additional officer vacancies from FY20 that need to be staffed.

The Police Department applied for and was awarded a JAG Grant dedicated to reimbursable costs for Law Enforcement relative to responding to the coronavirus (\$50,933).

In comparison to 2019: Accidents down 26.48%, Offense Calls down 3.24%, Arrests are up 3.8%

The police department has operated within the appropriated budget for FY20.

## **Police Department – July 29, 2020**

### **Public Safety Committee Report** (page2)

#### **Dispatch –**

Laurie Lyons retired from the Communications Director position, effective June 30<sup>th</sup> and the process of filling this position is in the final stages. 29 applicants, narrowed to 4 interviews.

Our current Dispatch Personnel are well trained and particularly capable multi-taskers who are constantly seeking out the best methods to incorporate, train and excel in ensuring call safety. Despite the vacancy of 2 positions, the center has performed at an exceptionally high level of efficiency. Interviews for the 2 open positions will occur asap.

#### **Animal Control Officers/ Shelter –**

Animal Control was also a department that continued to respond to related calls, provided care for animals in shelter and ensured an often overlooked area of public concern was addressed within our community. The ACO's also cover the towns of Ashburnham, Hubbardston and Westminster.

ACO Alanna Meserve was hired in the position of Animal Control Officer in May 2020.

The shelter has required several updated in FY20 and will receive a new epoxy finish on the floor and walls of the kennel area in late August 2020.

#### **Civil Defense –**

Emergency Management Director Paul Topolski has been an invaluable asset to departments within the city throughout the pandemic. As the primary liaison with FEMA and MEMA, Paul scheduled and ran multi-agency pandemic update meetings for city departments and originally secured the necessary PPE that was distributed to first responders. As the liaison between outside agencies, Heywood Health Care and City Departments, Paul ensured vital updates were relayed to all departments as well as opportunities to secure depleting PPE supplies. Paul met with city departments to discuss the process for offsetting costs with MEMA and FEMA.

Report to the Safety Committee July 29, 2020

As with every aspect of life, the COVID-19 pandemic has had an effect on fire operations. The station has been closed to the public since March 16<sup>th</sup>. Other than vacant buildings or safety concerns, routine inspections were suspended until June 23<sup>rd</sup>. A great deal of effort was put in to procure Personal Protective Equipment (PPE). I put into place several General Orders and Standard Operating Guidelines (SOGs) to provide for the safest operations possible. Daily cleaning procedures were upgraded. Personnel are screened twice per day for symptoms. I am happy to report that due to these requirements, and buy -in by the Firefighters, that we have not had a single case of virus infection in our staff. It is my sincere hope that we will continue that trend.

Since resuming inspections, the acting Fire Prevention Officer has been very busy catching up on inspections that were allowed to be deferred by the State.

We did have one Firefighter resign on May 23<sup>rd</sup> to take a job with another fire department. We also still have our Fire Prevention Lieutenant out on extended injury leave. He is in the process of medically retiring but that also has been delayed due to the virus. I am hoping he is able to complete his documentation soon so we can move forward replacing both his position and the other open firefighter position.

Captain Lagoy was injured at an accident at his home in May. He required knee surgery and so is currently out on extended sick leave as well. I have moved the senior Lieutenant to the position of Acting Captain until Captain Lagoy is able to come back. Right now he is expecting to be able to return to administrative office duties only, sometime toward the end of August or September. He is expecting to be back to full duty before the end of the year.

All of these openings have once again created overtime to fill vacant positions. I have moved people and filled acting positions to minimize the need for overtime at the pay rate of Lieutenants.

I have been in contact with HR regarding the hiring of firefighters but unfortunately the Civil Service process is time consuming.

I have applied for two FEMA grants, one for self-contained breathing apparatus (SCBA) and another that is restricted to COVID related items. I am attempting to get face mask respirators on that grant. I have not received notification on either grant yet.

Tower 1 had to have extensive repairs to the hydraulic system, as well as brakes and springs. This approximately \$11,500.00 repair was essential to the continued safe operation of the truck.

Our ambulance service continues to be successful. The City Auditor shows \$102,525.62 in revenue after all expenses have been paid. This shows we are providing the ambulance service and 8 Firefighter/EMTs to the City at no cost to the taxpayers.

I have provided a breakdown of our incidents for January 1 through June 30, 2020 with this report.

Respectfully Submitted,

Richard Ares  
Fire Chief

## Incident Type

<u>Incident Type</u>	<u>Occurrences</u>	<u>Percentage</u>
Fire, other	2	0.1
Building fire	6	0.2
Fires in structure other than in a building	1	0.0
Cooking fire, confined to container	54	2.2
Chimney or flue fire, confined to chimney or flue	2	0.1
Fuel burner/boiler malfunction, fire confined	8	0.3
Trash or rubbish fire, contained	1	0.0
Mobile property (vehicle) fire, other	1	0.0
Passenger vehicle fire	2	0.1
Natural vegetation fire, other	1	0.0
Forest, woods or wildland fire	5	0.2
Brush or brush-and-grass mixture fire	3	0.1
Grass fire	2	0.1
Outside rubbish fire, other	1	0.0
Outside rubbish, trash or waste fire	1	0.0
Special outside fire, other	4	0.2
Overpressure rupture of steam pipe or pipeline	1	0.0
Excessive heat, scorch burns with no ignition	3	0.1
Rescue, EMS incident, other	2	0.1
Medical assist, assist EMS crew	3	0.1
EMS call, excluding vehicle accident with injury	1663	67.9
Motor vehicle accident with injuries	24	1.0
Motor vehicle/pedestrian accident (MV Ped)	2	0.1
Motor vehicle accident with no injuries.	39	1.6
Removal of victim(s) from stalled elevator	14	0.6
High-angle rescue	1	0.0
Gasoline or other flammable liquid spill	3	0.1
Gas leak (natural gas or LPG)	9	0.4
Oil or other combustible liquid spill	13	0.5
Chemical hazard (no spill or leak)	1	0.0
Carbon monoxide incident	3	0.1
Electrical wiring/equipment problem, other	3	0.1
Heat from short circuit (wiring), defective/worn	2	0.1
Overheated motor	1	0.0
Power line down	6	0.2
Arcing, shorted electrical equipment	6	0.2
Building or structure weakened or collapsed	1	0.0
Service Call, other	13	0.5
Lock-out	37	1.5
Water problem, other	7	0.3
Water evacuation	3	0.1
Water or steam leak	6	0.2
Smoke or odor removal	3	0.1
Animal problem	1	0.0
Public service assistance, other	2	0.1
Assist police or other governmental agency	19	0.8
Police matter	2	0.1
Public service	10	0.4
Assist invalid	79	3.2
Defective elevator, no occupants	6	0.2
Unauthorized burning	22	0.9
Cover assignment, standby, moveup	3	0.1
Good intent call, other	14	0.6
Dispatched & canceled en route	30	1.2
Wrong location	1	0.0
No incident found on arrival at dispatch address	23	0.9
Authorized controlled burning	6	0.2
Smoke scare, odor of smoke	10	0.4

**Gardner Fire Department**  
**Incident Analysis**  
**From 01/01/2020 Thru 06/30/2020**

Steam, vapor, fog or dust thought to be smoke	3	0.1
Smoke from barbecue, tar kettle	1	0.0
EMS call, party transported by non-fire agency	3	0.1
HazMat release investigation w/no HazMat	10	0.4
False alarm or false call, other	1	0.0
Malicious, mischievous false call, other	1	0.0
Municipal alarm system, malicious false alarm	3	0.1
Central station, malicious false alarm	1	0.0
Local alarm system, malicious false alarm	1	0.0
System malfunction, other	2	0.1
Sprinkler activation due to malfunction	6	0.2
Smoke detector activation due to malfunction	57	2.3
Heat detector activation due to malfunction	3	0.1
Alarm system sounded due to malfunction	35	1.4
CO detector activation due to malfunction	15	0.6
Unintentional transmission of alarm, other	5	0.2
Sprinkler activation, no fire - unintentional	2	0.1
Smoke detector activation, no fire - unintentional	36	1.5
Detector activation, no fire - unintentional	5	0.2
Alarm system activation, no fire - unintentional	46	1.9
Carbon monoxide detector activation, no CO	8	0.3
Flood assessment	3	0.1
Wind storm, tornado/hurricane assessment	2	0.1
Lightning strike (no fire)	1	0.0
Citizen complaint	7	0.3
<b>TOTAL</b>	<b>2448</b>	<b>100.0</b>

For Districts: All

For Situations: 460, 223, 135, 462, 745, 735, 541, 540, 542, 445, 554, 551, 481, 480, 631, 672, 451, 751, 242, 811, 440, 370, 371, 320, 321, 661, 251, 240, 471, 742, 732, 351, 357, 352, 350, 700, 121, 120, 122, 123, 100, 112, 243, 241, 140, 622, 138, 413, 162, 163, 164, 150, 151, 155, 161, 442, 220, 210, 221, 222, 212, 211, 200, 131, 510, 552, 444, 900, 731, 741, 213, 650, 652, 364, 363, 361, 730, 713, 482, 420, 372, 118, 354, 561, 740, 463, 641, 360, 521, 522, 520,

For Jurisdictions: All

For Street(s): All

For Location: All

10295

BOWLING ALLEY FEE - \$30.00 FOR 1<sup>ST</sup> LANE + \$15.00 FOR EACH ADDITIONAL LANE  
BILLIARD TABLE FEE - \$30.00 FOR 1<sup>ST</sup> TABLE + \$15.00 FOR EACH ADDITIONAL TABLE



**CITY OF GARDNER**  
**MASSACHUSETTS 01440**  
95 PLEASANT STREET - ROOM 121  
TELEPHONE (978) 630-4058  
FACSIMILE (978) 630-2589

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DO NOT WRITE IN THIS BOX

**APPLICATION FOR BILLIARD TABLE AND/OR BOWLING ALLEY LICENSE**

**APPLICANT INFORMATION**

Applicant / Licensee Name: GARDNER TEN PINS, INC / MICHAEL BUSWICK  
Applicant / Licensee Address: 560 W. BROADWAY / 63 BROOK LN  
Applicant / Licensee phone number(s): 978-632-0010 Applicant / Licensee E-mail: GARDNER@TENPINS.GMAIL.COM  
Social Security Number \_\_\_\_\_ OR FEIN 04-244317

**ESTABLISHMENT INFORMATION**

Establishment Name: GARDNER TEN PINS  
Establishment address: 560 W. BROADWAY Establishment Phone: 978-632-0010  
On-Site manager / contact person: MICHAEL BUSWICK  
License(s) applied for? BOWLING ALLEY No. of lanes? 24 No. of billiard tables? 1

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

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §177 AND §§ 201-205.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

Michael S Buswick DATE SIGNED 5/1/20  
INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

NOTICE: THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. c.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

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

BILLIARD TABLE AND BOWLING ALLEY LICENSES EXPIRE ON APRIL 30<sup>TH</sup> ANNUALLY