

**INFORMAL MEETING OF MARCH 30, 2020**

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Informal Meeting of the City Council was held Monday evening, March 30, 2020. Council President James Walsh and City Clerk Alan Agnelli were present in the City Council Chamber, Room 219, City Hall, while all other Councillors participated remotely.

**CALL TO ORDER**

Council President James Walsh called the meeting to order at 6:00 o'clock p.m.

**ATTENDANCE**

Eleven (11) Councillors participated including President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, Elizabeth Kazinskas, and George Tyros.

**INFORMAL MEETING NOTICE**

Council President James Walsh announced that the Informal meeting was called to provide the Council with the opportunity to confer with the City Clerk as local election official and with the Acting Mayor as Chief Operating Officer to discuss the feasibility and logistics of postponing the April 7, 2020 Special City Preliminary Election and the May 5, 2020 Special City Election to new dates, as provided for under Section 1 of *Chapter 45 of the Acts of 2020*, adopted in response to the COVID-19 pandemic. He said that he would suggest that the Council take up only the question of postponement and consider re-scheduling to dates specific at a later meeting, following a vote to postpone. He added that the Preliminary election and the final Election are 4 weeks apart and new election dates must be held on or before June 30, 2020 for those already scheduled on or before May 30, 2020.

The City Clerk, as the designated local election official, informed the Council that the City Clerk's Office is prepared for any election dates that the Council chooses. He noted the following:

- Early voting by mail, the first time offered for a municipal election, as well as absentee voting.
- The April 7, 2020 Ballots used for absentee voting will be used and are valid for any re-scheduled date for the Preliminary election.
- Notices will be mailed to all registered voters along with an Early Ballot Application form, to be completed and returned to the Clerk's Office.

Council President James Walsh suggested postponement, citing the stay-at-home advisory by the Governor and the rise of COVID cases, so conducting an election in a week is out of the question. He suggested the Council vote tonight to postpone and then vote to set new dates as early as the next Council meeting. If the Council chooses May 5<sup>th</sup> for the Preliminary, it may

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be too soon, but the final election must be scheduled four weeks apart, so June 2, and then the vote to certify the election cannot occur until ten days following the election.

Continuing, he said that on June 12, we would have a newly-elected Mayor which would allow only a few weeks to assemble a budget for the new Fiscal Year. If the election is scheduled beyond May 5, the City then finds itself approaching the June 30 deadline, the end of the Fiscal Year. He added that the statute authorizes the postponement of elections that are scheduled on or before May 30, so there may be a problem having to re-schedule the election again.

Councillor Ronald Cormier agreed with postponing the election and for the Council to decide soon thereafter on new election dates.

Councillor Elizabeth Kazinskas concurred with the recommendation to postpone.

Councillor Craig Cormier expressed agreement, noting that the Federal Government has issued new guidelines concerning practicing social distancing for the month of April.

Councillor George Tyros also supported postponing the elections, citing data that shows that mid-April will be the peak of hospital resource demand in Massachusetts, as well as for the health and welfare of the community.

Councillor Judy Mack agreed, saying that postponement is not only for the citizens' health but for due process, and added that the May 5<sup>th</sup> date is questionable.

President Walsh stated that Councillor Graves will not participate as he has been advised to abstain from participating in the discussion although he is listening in.

Councillor James Boone expressed support for postponement and asked if the decision to postpone could be broadcast on the City's CodeRED alert system.

Council President Walsh said that it is an option and the City would plans to provide an alert.

Councillor Aleksander Dernalowicz concurred, expressing support for postponement.

Councillor Nathan Boudreau concurred, expressing support for postponement.

Councillor Karen Hardern concurred, expressing support for postponement.

On straw poll, Councillors unanimously agreed to postpone the election at this time and to delay setting new dates until another meeting.

President Walsh read aloud the proposed Order for the ensuing Special Meeting, as follows:



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*ORDER:* Pursuant to section 1 of chapter 45 of the Acts of 2020 and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the Special City Preliminary Election scheduled for April 7, 2020 and the Special City Election scheduled for May 5, 2020 are hereby postponed.

The Informal Meeting concluded at 6:18 p.m.

Accepted by the City Council: *May 18, 2020*

**PRESIDENT**  
James M. Walsh, Esq.  
**COUNCILLORS AT LARGE**  
James S. Boone  
Craig R. Cormier  
Ronald F. Cormier  
Scott Joseph Graves, Esq.  
Judy A. Mack  
George C. Tyros

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

OFFICE OF THE  
CITY COUNCIL



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CITY CLERK'S OFFICE  
GARDNER, MA

**WARD 1 COUNCILLOR**  
James M. Walsh, Esq.

**WARD 2 COUNCILLOR**  
Elizabeth J. Kazinskas

**WARD 3 COUNCILLOR**  
Nathan R. Boudreau

**WARD 4 COUNCILLOR**  
Karen G. Hardern

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

March 26, 2020

**CITY COUNCIL INFORMAL AND SPECIAL MEETINGS**

**Date:** Monday, March 30, 2020  
**Time:** 6:00 P.M.  
**Location:** City Council Chamber, Room 219, City Hall

*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 City Clerk, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.*

The City Council will meet informally on Monday, March 30, 2020 beginning at 6:00 p.m. to provide the Council with the opportunity to confer with the City Clerk as local election official and with the Acting Mayor as Chief Operating Officer to discuss the feasibility and logistics of postponing the April 7, 2020 Special City Preliminary Election and the May 5, 2020 Special City Election to new dates.

At the conclusion of the Informal Meeting, the City Council will convene a Special Meeting at which the Agenda items would be a vote to postpone the elections and if that prevails, another vote to re-schedule to particular dates.

CITY COUNCIL OF GARDNER

*James M. Walsh Esq.*

JAMES M. WALSH, ESQ.  
Council President

*NOTICE: The listing of Agenda items are those reasonably anticipated by the Chair 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.*

**SPECIAL MEETING OF MARCH 30, 2020**

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Special Meeting of the City Council was held remotely on Monday evening, March 30, 2020.

**CALL TO ORDER**

Council President James Walsh called the meeting to order at 6:18 o'clock p.m., immediately following the conclusion of the Informal Meeting.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of Members. Eleven (11) Councillors participated including President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Elizabeth Kazinskas, Judy Mack, and George Tyros.

**#10256**

On a motion by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, on call of the roll, it was voted eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, Elizabeth Kazinskas, and George Tyros, to adopt the following Order:

**AN ORDER POSTPONING THE APRIL 7, 2020 SPECIAL CITY PRELIMINARY  
AND THE MAY 5, 2020 SPECIAL CITY ELECTION**

**ORDERED:** Pursuant to section 1 of chapter 45 of the Acts of 2020 and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the Special City Preliminary Election scheduled for April 7, 2020 and the Special City Election scheduled for May 5, 2020 are hereby postponed.

Presented to the Acting Mayor for Approval – March 31, 2020

Approved – March 31, 2020

JAMES M. WALSH, Acting Mayor

On a motion by Councillor Judy Mack and seconded by Councillor Nathan Boudreau, on call of the roll, it was voted eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, Elizabeth Kazinskas, and George Tyros, to delay rescheduling the Special Preliminary Election and the Special Election until the April 6, 2020 Regular City Council Meeting.



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ADJOURNMENT

On a motion by Councillor James Boone and seconded by Councillor Nathan Boudreau, on call of the roll, it was voted eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, Elizabeth Kazinskas, and George Tyros, to adjourn at 6:23 p.m.

Accepted by the City Council: *May 18, 2020*

**PRESIDENT**  
James M. Walsh, Esq.  
**COUNCILLORS AT LARGE**  
James S. Boone  
Craig R. Cormier  
Ronald F. Cormier  
Scott Joseph Graves, Esq.  
Judy A. Mack  
George C. Tyros

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**WARD 4 COUNCILLOR**  
Karen G. Hardern

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

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CITY COUNCIL OF GARDNER

*James M. Walsh Esq.*

JAMES M. WALSH, ESQ.  
Council President

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