

**REGULAR MEETING OF MARCH 20, 2023**

Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Monday evening, March 20, 2023.

CALL TO ORDER

Council President Elizabeth Kazinskas called the meeting to order at 7:30 o'clock p.m.

CALL OF THE ROLL

City Clerk Titi Siriphan called the Roll of Members. Nine (9) Councillors were present including Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Elizabeth Kazinskas, Judy Mack, Paul Tassone, and James Walsh. Two (2) Councillors were absent, Councillors Karen Hardern and George Tyros.

OPENING PRAYER

President Kazinskas led the Council in reciting the Opening Prayer.

PLEDGE OF ALLEGIANCE

President Kazinskas led the Council in reciting the "Pledge of Allegiance".

OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT

President Elizabeth Kazinskas announced to the assembly that the Open Meeting Recording and Public Records 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 recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

READING & ACCEPTANCE OF MINUTES

On a motion made by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted on call of the roll, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to waive the reading and accept the MINUTES of:

- December 5, 2022, Regular Meeting
- December 19, 2022, Regular Meeting
- January 3, 2023, Regular Meeting

REGULAR MEETING OF MARCH 20, 2023

- January 10, 2023, Special Meeting
- January 17, 2023, Regular Meeting
- February 6, 2023, Regular Meeting
- February 21, 2023, Informal Meeting
- February 21, 2023, Regular Meeting

COMMUNICATIONS FROM THE MAYOR
COMMUNICATIONS

#10944

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to place on file, *A Notification from the Mayor Regarding FY2024 Chapter 90 Funding*.

#10945

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to place on file, *A Notification from the Mayor Regarding Preliminary Cherry Sheet Figures for FY2024*.

#10946

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to refer this item to Finance Committee for further study and report:

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF GARDNER AND THE TOWN OF ASHBURNHAM FOR WASTEWATER COLLECTION, TREATMENT AND DISPOSAL

VOTED: To authorize the Mayor of the City of Gardner to enter into an Inter-Municipal with the Town of Ashburnham for the purpose of providing wastewater collection, treatment and disposal among the two communities, under such terms and conditions as the

REGULAR MEETING OF MARCH 20, 2023

Mayor deems appropriate and in accordance with the provisions of Section 4A of Chapter 40 of General Laws.

#10947

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to APPROVE the authorization:

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF GARDNER AND THE TOWN OF HUBBARDSTON FOR ANIMAL CONTROL SERVICES

VOTED: To authorize the Mayor of the City of Gardner to enter into an Inter-Municipal with the Town of Hubbardston for the purpose of providing Animal Control services among the two communities, under such terms and conditions as the Mayor deems appropriate and in accordance with the provisions of Section 4A of Chapter 40 of General Laws.

COMMUNICATIONS FROM THE MAYOR
APPOINTMENTS

#10949

On a motion made by Councillor James Walsh and seconded by Councillor Judy Mack, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to refer *A Measure Confirming the Mayor's Appointment of Bryant Powlowski to the position of Permanent Police Officer*, to the Appointment's Committee for further study and report.

#10950

On a motion made by Councillor James Walsh and seconded by Councillor Judy Mack, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to refer *A Measure Confirming the Mayor's Appointment of Angel Estrada to the position of Permanent Police Officer*, to the Appointment's Committee for further study and report.

REGULAR MEETING OF MARCH 20, 2023

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10951**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to ACCEPT and APPROVE the letter submitted by the Law Department (filled with the proper information and dates) in response to *An Open Meeting Law Complaint Filed by Paul DeMeo Regarding City Council Meeting Minutes*.

REPORTS OF STANDING COMMITTEESSAFETY COMMITTEE**#10861**

Councillor Craig Cormier requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 600, Entitled "Vehicles and Traffic," Section 42, Entitled "One Way Street."* He spoke with the Police Chief and stated that they will be conducting a 60-day trial period and that it will not happen until April 1st because of the recent snowstorm.

There was no objection. More time was granted.

REPORTS OF STANDING COMMITTEESSERVICE COMMITTEE**#10909**

Councillor James Walsh requested MORE TIME on *A Petition by National Grid and Verizon New England, Inc. – Cross Street – to install 4 jointly owned poles on Cross Street beginning at a point approximately 15 feet north of the centerline of the intersection of Lawrence Street and Cross Street and continuing approximately 800 feet in a west direction. Install 4 new poles on Cross Street.* The Service Committee is awaiting for additional information from National Grid.

There was no objection. More time was granted.

REGULAR MEETING OF MARCH 20, 2023

REPORTS OF STANDING COMMITTEES
WELFARE COMMITTEE**#10891**

Councillor Judy Mack requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, entitled "Zoning," to Change the Classification of Certain Parcels of Land Along Route 140.* Councillor Mack informed the Council that the Planning Board were not able to meet for their March 14th meeting due to the inclement weather. The Planning Board plans to meet on March 22nd and that the Joint Public Hearing with the City Council has been rescheduled to April 3rd at 6:30 PM.

There was no objection. More time was granted.

#10892

Councillor Judy Mack requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to add "Sports Betting" to the Zoning Table of Uses.* Councillor Mack informed the Council that the Planning Board were not able to meet for their March 14th meeting due to the inclement weather. The Planning Board plans to meet on March 22nd and that the Joint Public Hearing with the City Council has been rescheduled to April 3rd at 6:30 PM.

There was no objection. More time was granted.

#10893

Councillor Judy Mack requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to Amend Section 1070 thereof, entitled, "Marijuana Establishments" to increase the quota allowed by the Code of the City of Gardner.* Councillor Mack informed the Council that the Planning Board were not able to meet for their March 14th meeting due to the inclement weather. The Planning Board plans to meet on March 22nd and that the Joint Public Hearing with the City Council has been rescheduled to April 3rd at 6:30 PM.

There was no objection. More time was granted.



REGULAR MEETING OF MARCH 20, 2023

UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

#10885

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to APPROVE and send to second and FINAL PRINTING the following ordinance:

AN ORDINANCE TO AMEND SECTION 68 OF THE CHAPTER 171 OF THE CODE OF THE CITY OF GARDNER, ENTITLED PERSONNEL COMPENSATION SCHEDULE, EXHIBITS A, B, AND D

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

SECTION 1: Exhibits A, B, and D, of Section 68 of Chapter 171 of the Code of the City of Gardner entitled Personnel Compensation Schedule, be amended by deleting the current Exhibits A, B, and D, and inserting the following in place thereof:

Exhibit A

Mayor

Position	Annual Salary (Effective 1/1/2024)	Annual Salary (Effective 1/1/2025)	Weekly Salary (Effective 1/1/2024)	Weekly Salary (Effective 1/1/2025)
Mayor	\$105,904.22	\$108,022.31		
Acting Mayor in the event of a Mayoral Vacancy (Based on 75% of Mayor's Salary)			\$1,527.47	\$1,558.01

Exhibit B

City Council

Position	Annual Salary (Effective 1/1/2024)	Annual Salary (Effective 1/1/2025)



REGULAR MEETING OF MARCH 20, 2023

City Council President	\$12,298.98	\$12,544.96
City Councilor	\$8,415.27	\$8,583.58

Exhibit D
School Committee

Position	Annual Salary (Effective 1/1/2024)	Annual Salary (Effective 1/1/2025)
School committee members (excluding Chairperson)	\$5,743.43	\$5,858.30

SECTION 2: This ordinance shall become effective on January 1, 2024 following passage and publication as required by law.

CLOSING PRAYER

President Elizabeth Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion made by Councillor James Boone and seconded by Councillor Judy Mack, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to adjourn at 8:03 p.m.

Accepted by the City Council: May 15, 2023