

**REGULAR MEETING OF APRIL 18, 2023**

Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Tuesday evening, April 18, 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, Karen Hardern, Elizabeth Kazinskas, Judy Mack (via telephone conference) George Tyros, and James Walsh. Councillors Dana Heath and Paul Tassone were absent.

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 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 Councillor James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh, to waive reading and accept the Minutes of March 6, 2023 Regular Meeting

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COMMUNICATIONS FROM THE MAYOR
COMMUNICATIONS**#10956**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to GRANT the Authorization:

ACCEPTANCE OF RETIREMENT BOARD'S COLA INCREASE

VOTE: To accept the recommendation of the Retirement Board in accordance with M.G.L. Chapter 32, Section 103(i) for a 3% COLA increase effective July 1, 2023, from \$13,000.00 to \$14,000.00.

#10957

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to APPROVE the Authorization:

ACCEPTANCE OF DONATIONS AND GIFTS
TO THE COUNCIL ON AGING

VOTED: That the City of Gardner is authorized to accept certain donations and gifts for use by the Council on Aging, said acceptance in accordance with the provisions of Chapter 44, Section 53A ½ of the General Laws.

COMMUNICATIONS FROM THE MAYOR
ORDERS**#10958**

Councillor Aleksander Dernalowicz informed the Council that the Finance Committee had a few questions regarding this appropriation that weren't able to be answered tonight.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz,

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Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Order Authorizing \$5,109.19 Payment of Prior Year Operating Expenditure for Various Departments*, back to Finance Committee for further study and report.

#10959

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh that the following order ought to pass:

AN ORDER TRANSFERRING APPROPRIATIONS FROM BUILDING INSPECTOR DEPT, DEPT HEAD SALARIES TO PROFESSIONAL SERVICES EXPENDITURES.

ORDERED: That there be and is hereby transferred the appropriations sum of Three Thousand Five Hundred and Thirty Dollars and No Cents (\$3,530.00) from Building Inspector Department, Department Head Salaries to Professional Services Expenditures.

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10960**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Application by Brian's Bowlaway, for a Bowling Alley License located at 123 Main Street*, to the Safety Committee for further study and report.

#10961

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Application by The Witched Wardrobe, for a Fortune Tellers License located at 314 Central Street*, to the Safety Committee for further study and report.

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#10962

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Application by GameStop, Inc. #3725 for a License to deal in Second-hand Articles at 376 Timpany Blvd*, to the Safety Committee for further study and report.

#10963

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Application by Gardner Coins & Cards, Inc., for a License to deal in Second-hand Articles at 18 Parker Street*, to the Safety Committee for further study and report.

#10964

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *An Application by House of Peace and Education, Inc., d/b/a HOPEful Boutique, for a License to Deal in Second-hand Articles at 29 Pleasant Street*, to the Safety Committee for further study and report.

REPORTS OF STANDING COMMITTEES
SAFETY COMMITTEE

#10861

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to LEAVE TO WITHDRAW *An Ordinance to Amend the Code of the City of Gardner, Chapter 600, Entitled "Vehicles and Traffic," Section 42, Entitled "One Way Street."*

#10892

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and

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Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to LEAVE TO WITHDRAW *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.*

#10893

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to LEAVE TO WITHDRAW *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.*

NEW BUSINESS**#10965**

On a motion made by Councillor James Walsh and seconded by Councillor George Tyros, it was voted on call of the roll nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to refer *A Measure for Dedication Vote for the Uptown Rotary Reconstruction Project*, to the Public Service Committee for further study and report.

CLOSING PRAYER

President Elizabeth Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor James Boone, it was voted on call of the roll, nine (9) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros, and James Walsh to adjourn at 7:46 p.m.

Accepted by the City Council: June 20, 2023