

**CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL FINANCE COMMITTEE MEETING  
Wednesday – January 11, 2017 – 12:00 PM  
City Council Chamber - City Hall**

**AGENDA**

**CALL TO ORDER**

**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.*

- 1-1 Review and Approval of the January 3, 2017 Meeting Minutes.
  
- 2-1 An Order Authorizing the City to Borrow \$409,550.00 to Acquire, for Conservation Purposes, a portion of the Alisaukas Property located within the City's boundaries.
  
- 3-1 A Measure Confirming the Mayor's Appointment of Neil C. Erickson to the Position of Chief of Police for term expiring January 3, 2020 (*Reappointment*).
  
- 3-2 A Measure Confirming the Mayor's Appointment of John A. Bernard to the Position of Deputy Chief of Police for term expiring January 3, 2020 (*Reappointment*).

**ADJOURNMENT**

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*Items listed on the Agenda are those reasonably anticipated by the Chair 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.*

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL FINANCE COMMITTEE  
MINUTES OF MEETING OF JANUARY 3, 2017

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Finance Committee Members Present: President James Walsh and Councillors Ronald Cormier and Marc Morgan.

Other Participants: Fire Chief Richard Ares and City Clerk Alan Agnelli.

The meeting was called to order by President Walsh at 7:00 p.m. in the City Council Chamber, City Hall.

President Walsh asked if anyone present planned to record the meeting, in accordance with the requirements of the Open Meeting Law, as follows:

*Any person may make a video or audio recording of the open session of this meeting so long as it does not interfere with the conduct of the meeting. All documents and exhibits used or referenced at this meeting shall be submitted in duplicate to the City Clerk, as they become part of the minutes of the meeting. Is there anyone present who will be recording this meeting?*

No one responded.

**1-1 Reading and Approval of Minutes of Prior Meeting(s).**

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to approve the Minutes of the Meeting of December 15, 2016, as printed.

**2-1 An Order Appropriating \$45,000.00 from Free Cash to Fire Department, New Vehicles.**

Fire Chief Richard Ares informed the Council that the Department's 2002 pickup truck needs in excess of \$3,000 for repairs in order to obtain an Inspection sticker. He cited many problems that are not worth fixing, since the truck is over fourteen years old and was purchased by the City as a used vehicle. He said that the truck is used for many purposes, such as transporting personnel to emergency locations, for transporting equipment and supplies, and for towing equipment trailers.

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO FIRE DEPARTMENT –  
NEW VEHICLE ACCOUNT.

ORDER: That there be and is hereby appropriated the sum of Forty-Five  
Thousand Dollars and No Cents (\$45,000.00) from Free Cash to the Fire  
Department – New Vehicle Account.

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL FINANCE COMMITTEE  
MINUTES OF MEETING OF JANUARY 3, 2017

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**3-1 Notice of Appointment of John Flick to the Position of City Solicitor for term expiring January 3, 2018 (Reappointment).**

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council that the Mayor's appointment of John Flick to the position of City Solicitor be placed on file.

**3-2 Notice of Appointment of Rachel Stephano to the Position of Executive Secretary for term expiring January 3, 2018 (Reappointment).**

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council that the Mayor's appointment of Rachel Stephano to the position of Executive Secretary be placed on file.

**3-3 A Measure Confirming the Mayor's Appointment of Jill Romer to the Position of Assistant City Solicitor for term expiring January 3, 2018 (Reappointment).**

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council to confirm the Mayor's appointment of Jill Romer to the position of Assistant City Solicitor for term expiring January 3, 2018.

**ADJOURNMENT**

On a motion by Councillor Marc Morgan and seconded by Councillor Ronald Cormier, it was voted to adjourn at 7:07 p.m.

CITY OF GARDNER, MASSACHUSETTS

IN CITY COUNCIL

ORDERED:

That the City of Gardner appropriates the sum of Four Hundred Nine Thousand Five Hundred Fifty Dollars (\$409,550) to pay costs of acquiring, for conservation purposes, the portion of the Alisaukas Property, so-called, located within the boundaries of the City, including the payment of all costs incidental and related thereto; that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7(1), or any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for, accept and expend any grants or gifts available the City to defray the costs of acquiring the Alisaukas Property, so-called, and the amount authorized to be borrowed by this order shall be reduced to the extent of any such funds received by the City.

5-2

# CITY OF GARDNER

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## CONSERVATION COMMISSION



RECEIVED

2016 DEC 13 AM 11 20

CITY CLERK'S OFFICE  
GARDNER, MA

Mayor Mark P. Hawke  
City of Gardner  
95 Pleasant Street – Room 125  
Gardner, MA 01440

November 23, 2016

Re: Bailey Brook Land Conservation Project – Alisaukas Purchase

Dear Mr. Mayor:

Last May the Conservation Commission requested your support and sought your recommendation to City Council for the Gardner and Winchendon Landscape Connection Project. Funds for this project have since been awarded to the project partners by the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs, Landscape Partnership grant program, in the amount of \$575,325 for the Conservation of approximately 900 acres of land between Gardner and Winchendon. On June 6, 2016, It was ordered by the City Council that the sum of \$75,000 be appropriated for the Bailey Brook Land Conservation Project to cover the City's net cost of acquiring the Alisaukas property.

The Commission seeks your recommendation to City Council for their continued support of this project and for the allocation of the full amount funds, reimbursable expenses and final net cost, in the amount of \$409,550.00, required for the acquisition of the Alisaukas property. Under the Landscape Partnership Grant the City will be eligible for reimbursement of the full purchase price (\$330,000) and \$13,525 (50%) of associated due diligence and reporting costs.

For your review, I am including with this letter, a draft Petition and Order, and an updated project map, budget, and timeline prepared by Ms. Janet Morrison, land conservation consultant. According to Ms. Morrison's budget the grant will provide a reimbursement of \$334,525 resulting in a final net expenditure of \$66,025 by the City of Gardner for the acquisition of the Alisaukas property for conservation purposes. As an expression of their continued willingness, intent and good faith in support of this project, the Conservation Commission voted at their public meeting on November 14, 2016 to allocate up to \$3,000 of Conservation Funds to cover the cost of the required appraisal of the Alisaukas Property, a non-reimbursable expense.

This project will permanently conserve approximately 900 acres of land in Gardner and Winchendon, including at least 203 acres of land in Gardner. An award letter, Contract and Project Agreement have been issued by the Massachusetts Executive Office of Energy and Environmental Affairs and awaits your signature and the allocation of funds by City Council. The Commission firmly believes that the numerous public benefits, values, and opportunities associated with this property will be well-worth the limited costs of this prime land and encourages and thanks you for your continued support.

Sincerely,  
On behalf of the Conservation Commission,

A handwritten signature in blue ink, appearing to read "Jeffrey D. Legros".

Jeffrey D. Legros  
Conservation Agent, City of Gardner

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF GARDNER**

**Ladies and Gentlemen:**

**The undersigned Petitions your Honorable Body**

To authorize the Mayor of the City of Gardner (1) to accept funds awarded by the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of up to \$343,525 for the purpose of (a) purchasing certain parcels of land located in the City of Gardner and the Town of Winchendon owned by Alisuaskas Realty Trust, Stanley H. Alisauskas, Trustee, shown as Gardner Assessor's Parcel H42/11/2 and as Winchendon Assessor's Map 14, Parcels 2,3,4,18 and 20, totaling approximately 246 acres of open land located on Howard Street in Gardner and Mellen Road in Winchendon, and; (b) performing due diligence and incurring reasonable and necessary costs associated with said purchase; (2) to borrow and appropriate funds up to the amount of \$409,550 for the purpose of purchasing said Alisauskas land at a bargain sale price as set forth in the attached project budget, and to pay for due diligence and other reasonable and necessary costs associated with said purchase; (3) to place said Alisuaskas land under the care, control, supervision and management of the Conservation Commission for conservation purposes, pursuant to M.G.L. chapter 40, Section 8C and Article 97 of the Amendments to the Massachusetts Constitution, and; (4) to enter into all agreements and execute any and all contracts and instruments on behalf of City of Gardner as necessary to accept funds awarded by and to request reimbursements from the Massachusetts Executive Office of Energy and Environmental Affairs, and; (5) to execute all recordable documents and other instruments as may be necessary on behalf of City of Gardner to effect said land purchase and to pay all necessary and reasonable costs associated with said purchase.

Respectfully submitted by:



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Mark P. Hawke, Mayor  
City of Gardner

# ORDER City of Gardner

In City Council this \_\_\_\_ day of \_\_\_\_\_ 2016

## **ORDERED:**

RESOLUTION and ORDER this \_\_\_\_ day of \_\_\_\_\_ 2016 authorizing the City of Gardner (1) to accept funds awarded by the Massachusetts Executive Office of Energy and Environmental Affairs in the amount of up to \$343,525 for the purpose of (a) purchasing certain parcels of land located in the City of Gardner and the Town of Winchendon owned by Alisuaskas Realty Trust, Stanley H. Alisaukas, Trustee, shown as Gardner Assessor's Parcel H42/11/2 and as Winchendon Assessor's Map 14, Parcels 2,3,4,18 and 20, and; (b) performing due diligence and incurring reasonable and necessary costs associated with said purchase; (2) to borrow and appropriate funds up to the amount of \$409,550 for the purpose of purchasing said Alisaukas land at a bargain sale price as set forth in the attached project budget, and to pay for due diligence and other reasonable and necessary costs associated with said purchase; (3) to place said Alisuaskas land under the care, control, supervision and management of the Conservation Commission, and; (4) to authorize the Mayor to carry out the intent and purposes of this Order by signing contracts, recordable instruments and any other instrument in the name of and on behalf of the City of Gardner to carry out these purposes.

**NOW THEREFORE BE IT RESOLVED and ORDERED** that the City of Gardner accepts the above referenced funds awarded by Massachusetts Executive Office of Energy and Environmental Affairs in the amount of up to \$343,525, and; (2) appropriates and authorizes the expenditure of revenues up to \$409,550 for the purpose of purchasing the above described Alisuaskas land and paying reasonable and necessary costs associated with said purchase; and it is further,

**ORDERED** that the Alisaukas land purchased pursuant to this order shall be subject to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts as open space for conservation purposes and that this land shall be placed under the care, control, supervision and management of the Conservation Commission; and it is further,

**ORDERED** that the Mayor of the City of Gardner is hereby authorized to accept funds from the Massachusetts Executive Office of Energy and Environmental Affairs in connection with the purchase of the Alisuaskas land, to execute contracts, recordable instruments and any other instrument as he, in his discretion, shall determine necessary or helpful for carrying out this Order. Third parties may rely upon the representation of

the Mayor as to his authority to execute any such instrument in the name of the City of Gardner.

**VOTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GARDNER** this \_\_\_\_ day of \_\_\_\_\_, 2016 at Gardner, Massachusetts.

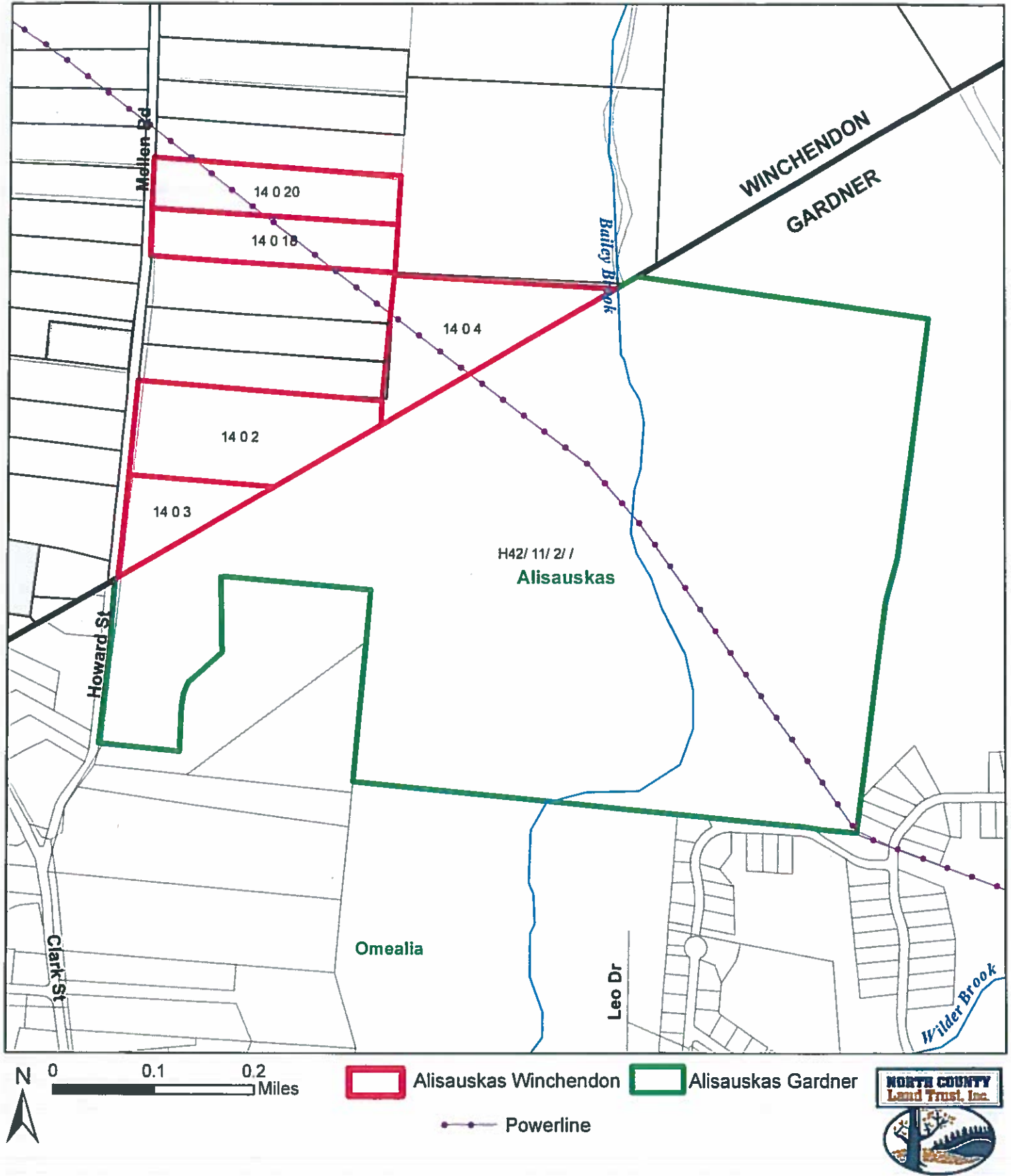
A TRUE COPY ATTEST: \_\_\_\_\_  
Alan L. Agnelli, City Clerk





<b>Gardner &amp; Winchendon</b>	<b>Landscape Connection</b>	<b>Project Timeline</b>
<b><i>Parcel 1</i></b>	<b><i>Alisaukas Property</i></b>	<u>Date</u>
<u>Grant Application Award</u>		4/20/16
<u>State Contract</u>		
Review Budget	Mayor & Comm. Dev. Plan	April/May 2016
Vote Accepting Property	Conservation Commission	May 2016
Vote Approving Expenditure	City Council	November 2016
Sign Contract	Mayor	November 2016
<u>Conservation Land Tax Credit</u>	CLTC	
Application Filed		May 2016
Part 1 Approval		June 2016
Appraisal Complete		August 2016
Funds obligated for 2018		September 2016
<u>Appraisal</u>		
Accept Proposal		November 2016
Appraisal Completed		January 2017
<u>Title</u>		
Request for Proposals		November 2016
Accept Proposal		December 2016
Title Complete		January 2017
<u>Baseline Report/Management Plan</u>		
Accept Proposal		December 2016
Report/Plan Complete		January 2016
<u>Survey</u>		
Request for Proposals		January 2016
Accept Proposal		February 2016
Survey Complete		April 2017
<u>Property Conveyed</u>		May 2017
<u>City Reimbursement</u>		
Reimbursement Request	EOEEA	June 2017
Reimbursement Received		August 2017

# Gardner & Winchendon Landscape Connection Project



January 3, 2017

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Neil Erickson, to the position of Chief of Police, Gardner Police Department and I certify that in my opinion he 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.

[Signature] Mayor
Mark P. Hawke

Confirmed by City Council

[Signature] City Clerk
Alan L. Agnelli

Expires January 3, 2020

Worcester, ss., 2017

Then personally appeared the above named Neil Erickson and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

Before me,
[Signature] City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received

January 3, 2017

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint John Bernard, to the position of Deputy Chief of Police, Gardner Police Department and I certify that in my opinion he 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 January 3, 2020

Worcester, ss., \_\_\_\_\_ 2017

Then personally appeared the above named John Bernard and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_