



City of Gardner, Massachusetts

Office of the City Council

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### CALENDAR FOR THE MEETING

of

MONDAY, FEBRUARY 5, 2018

COUNCIL CHAMBER

7:30 P.M.

### ORDER OF BUSINESS

#### I. CALL TO ORDER

#### II. CALL OF THE ROLL OF MEMBERS

#### III. OPENING PRAYER

#### IV. PLEDGE OF ALLEGIANCE

#### V. 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.

#### VI. READING OF MINUTES OF PRIOR MEETING(S)

Reading and Approval of the Minutes of the January 16, 2018 Regular Meeting.

#### VII. PUBLIC HEARING

**9883** – Public Hearing on a Petition by National Grid for Permission to Install One (1) Solely-owned Pole on Clark Street beginning at a point approximately 147' NW of the centerline of the intersection of Century Way (*Hearing Continued from January 16, 2018*).

#### VIII. COMMUNICATIONS FROM THE MAYOR

##### APPOINTMENT

**9890** – A Measure Confirming the Mayor's Appointment of Roland Jean, Jr. to the position of Building Commissioner for term expiring January 17, 2021 (*Finance Committee*).

##### ORDER

**9891** – An Order Appropriating \$41,000.00 from Free Cash to Fire Department – Pump for Engine No. 1 Account (*Finance Committee*).

#### IX. PETITIONS, APPLICATIONS, ETC.

**9892** – A Measure Authorizing Submittal of MSBA Statement of Interest for Gardner Middle School Roof Repairs (*Finance Committee*).

**9893** – A Resolution Relative to the FY2018 Community Development Block Grant Mini-Entitlement Plan (*Finance Committee*).

## **IX. PETITIONS, APPLICATIONS, ETC.**

**9894** – A Measure Authorizing the Mayor to Accept Funds under the LAND Grant Program and to Authorize the City to Borrow \$114,352.00 for the Purpose of Acquiring 93.5± Acres off Leo Drive (“Omealia Property”) for Conservation and Passive Recreation Purposes (*Finance Committee*).

**9895** – A Measure Authorizing the Mayor to Accept Funds under the PARC Grant Program and to Authorize the City to Borrow \$139,125.00 for the Purpose of Acquiring 28.8± Acres off Leo Drive (“Omealia Property”) for Active Recreation and Park Purposes (*Finance Committee*).

**9896** – A Communication from the Contributory Retirement Board Relative to a Meeting to Determine a Cost-of-Living Adjustment for Retirees.

## **X. REPORTS OF STANDING COMMITTEES**

### **PUBLIC SERVICE COMMITTEE**

**9883** – A Petition by National Grid for Permission to Install One (1) Solely-owned Pole on Clark Street beginning at a point approximately 147’ NW of the centerline of the intersection of Century Way (*In City Council and Referred to Public Service 12/18/2017*).

### **COMMITTEE OF THE WHOLE**

**9873** – An Order Appropriating \$245,000.00\* from Free Cash to Fire/EMT Department - New Vehicle Account (*In City Council, Charter Section 28 Objection 12/18/2017; Referred to Public Safety 1/2/2018; Reported Favorably and Referred to Committee of the Whole 1/16/2018; \*Original Order filed by the Mayor, Substitute Order for \$255,000.00 filed by the Mayor 1/16/2018, admission of substitute Order pending*).

## **XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**

**9885** – Biennial Appointment of a Member to the Montachusett Regional Vocational Technical School District Committee (*In City Council and Joint Convention Ordered 1/16/2018; Joint Convention Scheduled 2/5/2018 at 7:00 p.m.*).

## **XII. NEW BUSINESS**

## **XIII. CLOSING PRAYER**

## **XIV. ADJOURNMENT**

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Items listed on the Council Calendar are those reasonably anticipated by the Council President 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.

**REGULAR MEETING OF JANUARY 16, 2018**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Tuesday evening, January 16, 2018.

**CALL TO ORDER**

Council President Scott J. Graves called the meeting to order at 7:30 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of Members. Eleven (11) Councillors were present including President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

**OPENING PRAYER**

President Graves led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

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

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Graves announced to the assembly that the Open Meeting Recording and Public Records Announcement is posted at the entrance to the Chamber, and that any person planning to record the meeting by any means should identify themselves.

**READING & ACCEPTANCE OF MINUTES**

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to accept the Minutes of the January 2, 2018 Regular Meeting, as printed. It was further voted ten (10) yeas, President Scott Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh; one (1) abstention, Councillor James Boone,<sup>[1]</sup> to waive reading and to accept the Minutes of the January 1, 2018 Official Inaugural and the January 2, 2018 Ceremonial Inaugural, as printed.

<sup>[1]</sup> Councillor Boone abstained since he was not in attendance at the January 1, 2018 Official Inaugural and the January 2, 2018 Ceremonial Inaugural.

REGULAR MEETING OF JANUARY 16, 2018

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PUBLIC HEARING

President Graves opened the Public Hearing on #9883, *A Petition by National Grid for Permission to install one (1) solely-owned Pole on Clark Street beginning at a point approximately 147' NW of the centerline of the intersection of Century Way.*

The President called thrice for persons wishing to testify in favor of the Petition. There being none, the President called for persons wishing to testify in opposition to the Petition.

Sean Paradise, 370 Clark Street, Gardner, testified that he has a small toddler and that he doesn't want him to be too close to the power lines which would be situated close to his lawn. He added that the additional pole will not look very good in the neighborhood and that there are already power lines on one side of the road.

The President again called for persons wishing to testify in opposition to the Petition.

There being none, the President declared the public hearing closed at 7:34 p.m.

MEASURE TAKEN OUT OF ORDER**#9886**

President Scott Graves asked that *A Measure Confirming the Mayor's Appointment of Priya Gandbhir to the Position of Assistant City Solicitor* be taken out of order so that the Council could immediately act on the Appointment as a courtesy to Attorney Gandbhir, who was in attendance. There were no objections.

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee interviewed Attorney Gandbhir, reviewed her qualifications, and voted unanimously to recommend that the Council confirm her appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

**PRIYA GANDBHIR** to the position of **ASSISTANT CITY SOLICITOR** for term expiring January 7, 2019.

REGULAR MEETING OF JANUARY 16, 2018

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Worcester, ss.

January 16, 2018

Then personally appeared **PRIYA GANDBHIR** and made oath that she would faithfully and impartially perform the duties of **ASSISTANT CITY SOLICITOR** according to law and the best of her abilities.

Before me,  
/s/ Alan L. Agnelli, City Clerk

**PETITIONS, APPLICATIONS, ETC.**

**#9889**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee did not address the measure, but that approval of five-year contracts has been past practice. He said that the Finance Committee would support the Measure if the Public Safety Committee recommended its adoption.

Reporting for the Public Safety Committee, Committee Chairman Councillor James Johnson informed the Council that the Committee studied the measure at its recent meeting and voted to recommend its passage.

On a motion by Councillor James Walsh and seconded by Councillor Karen Hardern, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Measure:

AUTHORIZING A FIVE-YEAR CONTRACT WITH  
SIGNET ELECTRONIC SYSTEMS, INC. FOR  
“GENETEC ADVANTAGE” SOFTWARE MAINTENANCE SERVICES  
FOR THE POLICE DEPARTMENT

*VOTED:* To authorize the City to enter into a contract not to exceed five (5) years with SIGNET Electronic Systems, Inc. for “Genetec Advantage” software maintenance services, pursuant to the provisions of Massachusetts General Law, Chapter 30B, section 12 and in accordance with the SIGNET Electronic Systems, Inc. Proposal dated November 13, 2017, attached and made a part hereto.

Presented to Mayor for Approval – January 17, 2018

Approved – January 17, 2018

MARK P. HAWKE, Mayor

REGULAR MEETING OF JANUARY 16, 2018

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REPORTS OF STANDING COMMITTEESPUBLIC SERVICE COMMITTEE

#9883

Councillor Nathan Boudreau, Chairman of the Public Service Committee, requested that the Committee be granted more time to report on *A Petition by National Grid for Permission to install one (1) Solely-owned Pole on Clark Street beginning at a point approximately 147' NW of the centerline of the intersection of Century Way.* There were no objections.

PUBLIC SAFETY COMMITTEE

#9873

Public Safety Committee Chairman Councillor James Johnson informed the Council that the Committee studied the measure at its recent meeting and voted to recommend passage of the Mayor's Substitute Order for \$255,000.00, reflecting an increase of \$10,000.00.

Councillor Ronald Cormier moved to refer the Order to the Finance Committee for further study and report. Councillor James Walsh seconded the motion.

On the motion to refer, Councillor Ronald Cormier informed the Council that the Finance Committee did not have an opportunity to study the matter since it was objected to at its first appearance on the Calendar, notwithstanding the Public Safety Committee's recommendation.

President Graves offered clarification, noting that the Measure had never been formally referred to the Finance Committee for study.

Councillor Ronald Cormier concurred.

Councillor Christine Johnson expressed agreement with the motion to refer the Order to the Finance Committee for several reasons. She said that further discussion should address bonding for the purchase, noting that several Councillors expressed disfavor with that approach since borrowing would incur interest charges. She suggested that the Finance Committee, during its deliberations, evaluate whether an appropriation from Free Cash could be considered to be "a loan" to the Ambulance Department, which would then repay the amount appropriated to a specialized Stabilization account to be used specifically for Fire Department vehicles. She added that a number of Fire vehicles are approaching their "end-of-life" in a few years and that a specialized account could be used to replace the vehicles.

Councillor Nathan Boudreau concurred with Councillor Christine Johnson's arguments; then offered an amendment that would refer the Order to the Council as Committee of the Whole.



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**REGULAR MEETING OF JANUARY 16, 2018**

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Councillor Ronald Cormier agreed to amend his motion to refer the Order to the Council as Committee of the Whole. Councillor Christine Johnson seconded the motion.

On the motion to refer, Councillor James Boone said that when the City Council was first approached about hiring Firefighters/EMTs, it was told that the Fire Department Overtime account would be greatly reduced, but as of December 7, about five months into the Budget, 81% of the Overtime had already been used. He continued, saying that if the Ambulance is dispatched to transport [patients] out-of-town, then there would be no ambulance in the City to support EMS and then [require] “bringing in people on overtime.” He added, “If we did not privatize, then we would not even be having the discussion.”

Concluding his remarks, Councillor Boone expressed agreement with some of his colleagues that the Ambulance service belongs in an Enterprise Fund, “which would allow the Council to see if the program is working,” and “agreed that the program is new and that time is needed to see it become profitable or break-even, or close to break-even.” He added that he “had a conversation with the Mayor, who seemed receptive to an Enterprise Fund.”

Councillor Edward Gravel stated that he “finds it really odd” and “[is] not happy” how the Order “came to the Council at the last meeting of the last session,” saying that he “thought for sure that it was referred back to Finance [in December] for report and study,” but “I could be wrong, I would have to look back in previous Minutes for December.” He said that the Ambulance “has been talked about for a year, and it has been in service for only 8 months,” adding, “if we’re bonding for it, we’re adding more to the tax levy. We’re penalizing the citizens of Gardner with another tax.” Continuing, he stated, “We’ve got the Free Cash, let’s stop putting up roadblocks, let’s get this done. The Fire Chief has given a report to this Council and to the Safety Committee at least twice.”

Concluding his remarks, Councillor Gravel said that the information provided to the Council “indicates that the Fire/EMS provided 111 transports, which is almost three calls per day,” adding, “the City has eight new Firefighters, as a result.” He said that he “is in favor of purchasing the Ambulance from Free Cash.”

President Graves reminded Councillors that the motion before the Council is to refer the Order to the Council as Committee of the Whole.

Councillor James Johnson stated that he is “in favor of taking the time to make sure that it’s done right; understanding that it will take up to six months for delivery from the time that it is ordered, so the longer that the Council delays, the date is pushed out further,” adding, “So, yes, we need to make sure we are doing the right thing, but we also must make sure that it’s done expeditiously.”

REGULAR MEETING OF JANUARY 16, 2018

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Councillor Karen Hardern expressed support for using Free Cash to purchase the Ambulance, saying “I think that the price could go up again if we keep pushing this out. I think it is a safety issue, as well.” Continuing, she said that the City purchased a used Ambulance for \$8,000 and that “it has only been 10 months and I’ve heard talk that this is a failure. How could you deem this a failure? It’s been ten months.” She remarked that it takes a business from 1, 3, to 5 years to get on its feet. “The longer we stall - which I feel that we are stalling it – for what reason, I don’t know,” she said.

Councillor James Walsh informed the Council that he “took issue with comments that were made that the Council is stalling.” “Due diligence is something that we [Council] are obligated to do, and wise to do, on a Money Order involving a quarter million dollars,” he said.

Continuing, Councillor Walsh stated that he believed “There is less of an issue on the Council about whether the Council should purchase a new ambulance, but how it should be done and what financial method could be used.” He added that “there are methods under these circumstances that do not involve the payment of any interest and that would not involve the use of Free Cash, which need to be explored.”

Councillor Craig Cormier, directing his question to the Public Safety Committee, asked if there is an expiration [period] on the existing [price] quote.

Councillor James Johnson responded, saying that the reason for the \$10,000 increase in price is “because it went into effect in the new calendar year and that there is nothing saying that it’s going to go up again.”

Councillor James Walsh informed the Council that the Ambulance is on a State Contract for one year, which became effective on January 1, 2018, and that he believes that the Contract price is in effect for the calendar year.

On the motion by Councillor Ronald Cormier, as seconded by Councillor James Johnson, it was voted viva voce, nine (9) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Christine Johnson, Elizabeth Kazinskas, and James Walsh; two (2) nays, Councillors Karen Hardern and James Johnson, to refer the following Order to the Council as Committee of the Whole for further study and report:

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



REGULAR MEETING OF JANUARY 16, 2018

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ORDER: That there be and is hereby appropriated the sum of Two Hundred Fifty-Five Thousand Dollars and No Cents (\$255,000.00) from Free Cash to the Fire/EMT Department – New Vehicle Account.

**FINANCE COMMITTEE****#9872**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee studied the matter following receipt of additional documentation relating to the proposed scope of work and found that the additional work would complete the Auditorium project, adding that the Committee voted to recommend passage of the Order.

Councillor Ronald Cormier moved to adopt the following Order:

AN ORDER APPROPRIATING FROM FREE CASH TO CITY HALL IMPROVEMENT CAPITAL.

ORDER: That there be and is hereby appropriated the sum of Two Hundred Forty-Seven Thousand Two Hundred Dollars and No Cents (\$247,200.00) from Free Cash to City Hall Improvement Capital.

Councillor James Walsh seconded the motion.

Councillor James Johnson questioned the consequences, if any, if the Council did not approve the additional funding, asking “Would the job still be completed?”

Councillor Ronald Cormier responded, saying that the job would not be completed, since the additional funds are needed to provide heating in order to protect the sprinkler system in another part of the Auditorium.

Councillor James Boone informed the Council that he questioned the Mayor about the cost to heat the Auditorium and that the Mayor reported that he estimates that the annual cost would be approximately \$10,000. Mr. Boone said that in the beginning, he has been opposed to the additional appropriation because he “doesn’t see Perry Auditorium being used all that often and spending this kind of money for something that will be rarely used.” Continuing, he stated, “If it was not heated, let’s see if we’ll be able to use it during the summer months, the warmer months. But, that hasn’t happened while we have had it open for several years since it has been cleared of storage.” Concluding, he said, “Personally, I don’t see the return on investment; however, I would hate to see the money that we spent already be destroyed if the sprinklers did not work. So if, in fact, that is the case, I guess I have no choice but to support it. If that is not the case, then I will not support it.”

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Councillor Edward Gravel expressed agreement with Councillor Boone. He said that since 2011, he has been a member of the City's Youth Commission and constantly asked the Mayor if the Youth Commission could use the Auditorium for Movies in the Park when they're rained out, or for the Band concerts, of which he is Chairman of the Bandstand Committee, as well, adding "There's a lot going on in the City and when it rains, they reschedule them for the following week." Continuing, Councillor Gravel stated that he was also concerned about the added cost of the Auditorium project, saying that "reading the newspapers and watching Councillors, I thought that the cost was contained at \$600,000.00." "While I am reluctant to give them the extra money that the need to protect our investment from any water damage or anything like that, my only concern is that I am hoping that they don't come back to us again and say, 'we need more money.' I think that we really need to emphasize that to the Mayor and his team that are trying to finish up this project." He concluded his remarks saying, "I think that we can utilize Perry Auditorium much better if it's properly heated during the winter months and [that] school dances and other events could be held during the winter – a great space that we could really utilize."

On the motion by Councillor Ronald Cormier, as seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted on call of the roll, seven (7) yeas, President Scott Graves and Councillors Craig Cormier, Ronald Cormier, Karen Hardern, Christine Johnson, Elizabeth Kazinskas, and James Walsh; four (4) nays, Councillors James Boone, Nathan Boudreau, Edward Gravel, and James Johnson, to adopt the following Order:

AN ORDER APPROPRIATING FROM FREE CASH TO CITY HALL IMPROVEMENT CAPITAL.

ORDERED: That there be and is hereby appropriated the sum of Two Hundred Forty-Seven Thousand Two Hundred Dollars and No Cents (\$247,200.00) from Free Cash to City Hall Improvement Capital.

Presented to Mayor for Approval – January 17, 2018

Approved – January 17, 2018

MARK P. HAWKE, Mayor

**#9875**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee met with officials from the Johnny Appleseed Trail Association ("JATA") and was informed that the Rooms Tax generates from \$120,000 to \$130,000 each year for the City and that the North Central Massachusetts region competes with other parts of the State for tourism dollars. He added that the City's Membership in JATA should be included in the City's annual budget.

REGULAR MEETING OF JANUARY 16, 2018

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Councillor Ronald Cormier moved to adopt the following Order:

AN ORDER APPROPRIATING FROM FREE CASH TO THE ROOM TAX MAYOR'S DEPT.  
– PROFESSIONAL FEES.

ORDER: That there be and is hereby appropriated the sum of Five Thousand Five Hundred Dollars and No Cents (\$5,500.00) from Free Cash to the Room Tax Mayor's Dept. - Professional Fees.

Councillor James Walsh seconded the motion.

On the motion, Councillor Edward Gravel stated that the measure before the Council relates to the Bandstand Committee and the Youth Commission's activities. He said that the Committee places an ad in JATA's publication every year through the City, which attracts people from around the region and that this "is a great way to promote the City."

Councillor Christine Johnson noted that the City has some businesses that benefit [from JATA's publication], citing advertising by *The Gardner Ale House* and *The Velvet Goose*. She said that the Room Tax should be used to attract tourism to the area, and is pleased that JATA advertising has also benefitted the Movies in the Park and the Concerts in the Park.

Councillor Nathan Boudreau informed the Council that he really enjoys reading the Johnny Appleseed magazine; therefore, he will be voting in favor of the Order.

Councillor James Walsh reported that he shared the Mayor's questioning of whether an investment with the Johnny Appleseed project benefits the City directly, noting that the Mayor was skeptical that the data provided by JATA was inadequate to show a direct connection between advertising with the Johnny Appleseed Association and a return to the City of Gardner. Mr. Walsh said that the Mayor indicated that he would include JATA Membership dues in his Budget.

Councillor James Johnson informed the Council that the City would not become a [new] member of JATA [with passage of the Order], because it has been a member, with prior year funding from the Gardner Redevelopment Authority. The City would now be paying the membership fee, he added.

On the motion by Councillor Ronald Cormier, as seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted on call of the roll, ten (10) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, and James Walsh; one (1) abstention, Councillor Elizabeth Kazinskas <sup>[2]</sup> to adopt the following Order:



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**REGULAR MEETING OF JANUARY 16, 2018**

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AN ORDER APPROPRIATING FROM FREE CASH TO THE ROOM TAX MAYOR'S DEPT.  
– PROFESSIONAL FEES.

ORDERED: That there be and is hereby appropriated the sum of Five Thousand Five Hundred Dollars and No Cents (\$5,500.00) from Free Cash to the Room Tax Mayor's Dept. - Professional Fees.

Presented to Mayor for Approval – January 17, 2018

Approved – January 17, 2018

MARK P. HAWKE, Mayor

*[2] Councillor Kazinskas abstained from voting on the Order due to her affiliation with Moon Hill Brewing Company.*

**UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**

**#9883**

Councillor Nathan Boudreau, Chairman of the Public Service Committee, stated, “After some consideration and talking with the other members of the [Service] Committee, I personally feel that it would be inappropriate to hold a permit that would help a future homeowner because a National Grid representative that usually says the same thing – I guess they’re in favor because it’s their pole – was late for a public hearing, and a former Committee had reviewed this.” “So,” he continued, “I’d like to know if it is possible to 1) either reopen that public hearing because a contractor that was working on the home is here and can explain the pole, or 2) just recommend it favorably. That is my question.”

President Graves informed the Council that the National Grid Representative left the Chamber.

Councillor Boudreau said that there is someone in attendance that will speak favorably upon the pole. “If not,” he said, “I would like to change my recommendation to favorable action.”

President Graves informed the Council that he dismissed the National Grid Representative, acknowledging that he showed up late, and informed him that the City Council would revisit the Petition at the next Council meeting. So, if the Council proceeds to reopen the hearing, then it would not give National Grid the opportunity to speak in favor of the Petition. Mr. Graves continued, saying that he understands Councillor Boudreau’s position that there is someone present who will speak in favor, but that National Grid has the right to speak at the Hearing; therefore, he would not reopen the Hearing.

Councillor Boudreau then moved to grant to National Grid permission to install one (1) solely-owned pole on Clark Street beginning at a point approximately 147’ NW of the centerline of the intersection of Century Way.

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Councillor James Boone seconded the motion.

Councillor James Walsh called for Point of Order.

President Graves recognized Councillor Walsh.

Councillor Walsh stated that he believed that the measure must be discharged from Committee before it can be acted on [by the Council].

President Graves entertained a motion that the Measure be discharged from the Public Service Committee.

Councillor Nathan Boudreau moved to discharge from the Public Service Committee *A Petition by National Grid for permission to install one (1) solely-owned pole on Clark Street beginning at a point approximately 147' NW of the centerline of the intersection of Century Way.*

Councillor James Johnson seconded the motion.

On the motion, Councillor Edward Gravel stated that a gentleman was present from 370 Clark Street who objected [to the pole]. He then asked if the Council “is taking his right away to talk about why he does not want this? “Are we not allowing the other party to have their say on this topic?”

President Graves offered a Point of Clarification, suggesting that Councillor Gravel’s point is that the person present who supports the Petition has not had the right to speak.

Council Gravel asked, “If the Council moves forward and discharges the measure from Committee and places the matter on the floor for action, does that mean that the Council is reopening the Public Hearing?”

President Graves responded, “No,” adding that the Council had a public hearing and that the person who spoke in opposition “had his peace.”

Councillor Walsh informed the Council that he would vote against the motion to discharge, “since the Public Service Committee, to whom the Measure the referred to for study and report, apparently did not meet.” He said that the public hearing “was limited to the person that was present; and that there were two people that arrived late that did not have the opportunity to be heard.” “I would hope that at the next meeting, that another hearing be held so that those people would have an opportunity to be heard or, in the alternative, that at a Service Committee meeting, [so] those people would be invited to participate in a way that they would have an opportunity to express their support or opposition,” he said.



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Councillor Boudreau said, "Correct me if I'm wrong, but I believe that this was on our last meeting of last year of the former Service Committee for review."

On the motion, three (3) yeas, Councillors James Boone, Nathan Boudreau, and Elizabeth Kazinskas; eight (8) nays, President Scott Graves and Councillors Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, and James Walsh, the motion to discharge the measure from the Public Service Committee did not pass.

On a motion by Councillor James Walsh and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to schedule a continuance of the Public Hearing at the next regular Council meeting.

**#9885**

President Scott Graves informed the Council that the Joint Convention with the Gardner School Committee to appoint a member to the Montachusett Regional Vocational Technical School District Committee is tentatively scheduled for February 5, 2018, immediately prior to the next Regular Council meeting.

**NEW BUSINESS**

On a motion by Councillor Nathan Boudreau and seconded by Councillor James Boone, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

**ANNOUNCEMENTS AND COMMENTS****Perry Auditorium**

Councillor Craig Cormier expressed pleasure with the passage of the additional funding to complete Perry Auditorium, saying that it will provide an affordable option for Community Theater.

President Graves commented on the history and prior uses of Perry Auditorium, noting his pleasure that the Council continued to support its refurbishment. He added that "rarely does a project come within budget."

**Fire/EMS/Ambulance**

Addressing the EMS-Ambulance Service, Councillor James Boone stated that the Council should work to make the ambulance operation successful and should discuss all financing



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options. He said that he has had questions from his constituents about the problem with the City's current ambulance and apologized that he "has not received a 100% answer." He said that he had a brief conversation with Councillor James Johnson who advised him that he thought the problem was with the main chassis. "So, the question is how much does it cost to replace the main chassis? So, instead of spending \$250,000, could we spend maybe \$30,000.00? So, hopefully the Council will get these answers and then move expeditiously."

**"Relay for Life" and "Food Truck Festival"**

Councillor Christine Johnson commented about good events happening in the City, notably the "Relay for Life" and the "Food Truck Festival." She cited the longtime success of the "Relay for Life" and its standing among other "Relays for Life" in Massachusetts, New England, and across the nation. She raised concerns that the "Relay for Life" organizers are having difficulty securing food trucks for the Relay on Saturday, since the "Food Truck Festival" is scheduled for Saturday, as well. She asked that the Mayor's Office look into the situation, since "it would be a shame if the Relay could not secure sufficient food trucks for Saturday evening." She suggested that the "Food Truck Festival" could be re-scheduled to another day or to perhaps another location.

Councillor Edward Gravel informed the Council that the Bandstand Committee moved the band concerts from June into July so as not to conflict or interfere with the "Relay for Life" or the Gardner High School graduation program. He said that "there are other reasons why the food trucks are not going up to the Relay and I think it's monetary." He continued, saying "There are things that the Relay requires from the food trucks, so maybe that's the reason, but I'm not sure. So, having it on the same day, an hour overlap, I believe, and I am concerned, and everybody is really concerned, that it is taking away from the Relay. I'm not sure that it is." He said that he thinks that "it is a great thing to have – it was phenomenal last year," adding "I believe that any event that we promote, that we should be conscious of other programs that are happening, but all during the summer, there's something going on a Saturday and we still get 200 to 400 people out to see a concert on a Saturday night from 6 to 8." I think people adjust to the situation at hand." Concluding his comments, Mr. Gravel said, "And my hope is that people that support the Relay continue to do so because that is a vital program. I do agree that maybe the Mayor can take a look at holding it on a different day during the summer. I'm not sure what his reasoning is. I just hope that we all can just get along."

**Fire Hydrant/Snow Cleanup**

Councillor Edward Gravel informed the Council that following the most recent snowstorm, he received a number of complaints about sidewalk snow removal in the Downtown. He said



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**REGULAR MEETING OF JANUARY 16, 2018**

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that he thought that there was a designated DPW worker who was assigned to clean up the sidewalks and to maintain the Downtown area, adding that he is checking into it.

Continuing, Councillor Gravel stated, “The fire hydrants are a big deal; we need to make sure we clear them out,” adding that he “came Downtown and couldn’t find one because they weren’t flagged.” “So,” he said he “jammed his shovel into snowbanks trying to find the hydrants Downtown,” noting that “our Downtown is vital.” He said he cleared out the hydrant by *The Ale House*, by *The Gardner News*, and in front of City Hall, by the barber shop, and the *Colonial Bank*, noting that “no flags on any of these fire hydrants,” and added that he “does not understand – the Water Department or the DPW – was supposed to be taking care of them.”

**Youth Commission/Bandstand Committee Activities**

Councillor Edward Gravel informed the Council that he has served on the Youth Commission since 2011 and has been its Chairman for the last three years. By City Charter, he said, he cannot be a City Councillor and Commission Chairman [at the same time]; therefore, he would be stepping down as Commission Chairman. He said that he hopes that “the City Council will grace him with the privilege of serving as the Council’s designee in the near future.”

Councillor Gravel continued, saying “We do not do a lot in the City, but we do free movies for the kids and the families in the City that cannot afford to go to the regular movie theater to see these movies.” He said that the City pays a license fee to BMI to be able to show the movies in the Park, along with the Bandstand. He said that he is not stepping down from his position as Chairman of the Bandstand Committee, which “doesn’t have anything to do with the City,” which is the reason that he is able to stay [on the Committee] as the Chair.

**Specialized Stabilization Accounts/Fire Department Equipment**

Councillor James Johnson, Chairman of the Public Safety Committee, informed the Council that at its recent meeting, the Committee discussed the possibility of establishing special stabilization accounts for Fire equipment. He cited the need for large pieces – Engine 3, which is in need of replacement, and Engine 1, which needs a new pump at an estimated cost of \$40,000.00. He said that it would cost \$490,000.00 to replace Engine 3 and that the Department has applied for a grant for the past two years to fund the replacement, but that the applications were unsuccessful. He added that the Department applied again this year and should be notified by September.

**Pine Street Structure Fire**

Councillor Karen Hardern expressed appreciation to the Fire Department for its quick action to contain a structure fire on Pine Street.





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**REGULAR MEETING OF JANUARY 16, 2018**

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**Acknowledgement**

Councillor James Walsh informed the Council that he “learned tonight” that one of its members is a member of the Bandstand Committee and the Youth Commission. He commended Councillor Edward Gravel for his service to the City.

Councillor Nathan Boudreau said to “enjoy the snow” and to stay out of the way and allow the plows to do their work, and added “Go Patriots!”

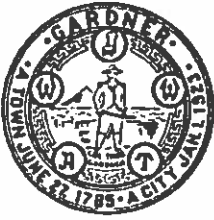
**CLOSING PRAYER**

President Graves led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion by Councillor James Johnson and seconded by Councillor Christine Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:26 o'clock p.m.

**Accepted by the City Council:**



**CITY OF GARDNER  
MASSACHUSETTS 01440-2630**

OFFICE OF THE  
**CITY CLERK**

Room 121, City Hall  
Tel (978) 630-4058  
Fax (978) 630-2589

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**CITY OF GARDNER  
NOTICE TO ABUTTERS**

**PUBLIC HEARING CONTINUANCE**

January 18, 2018

TO INTERESTED PARTIES:

Pursuant to the provisions of M.G.L., c.166, §22, you are hereby notified that a continuance of the Public Hearing will be conducted on **MONDAY, FEBRUARY 5, 2018** at **7:30 p.m.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, Massachusetts, upon the petition of **NATIONAL GRID** for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:

**CLARK STREET** - National Grid to install one (1) solely-owned pole on Clark Street beginning at a point approximately 147' northwest of the centerline of the intersection of Century Way. National Grid to install a new solely-owned pole number 33-1 approximately 147' northwest of Century Way and 460' southeast of Brookside Drive for new customer located at 300 Clark Street.

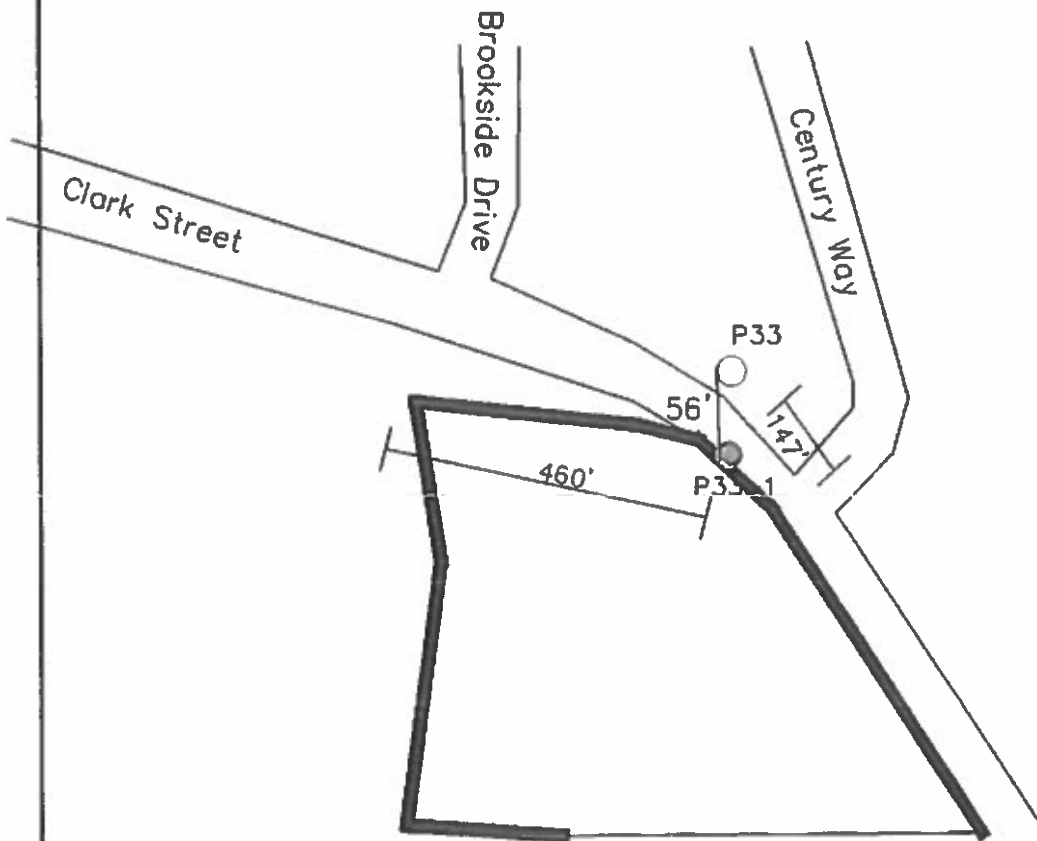
A diagram of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

By: *Alonzo Aguiar*  
City Clerk



EXHIBIT 'A' NOT TO SCALE  
THE EXACT LOCATION OF  
SAID FACILITIES TO BE  
ESTABLISHED BY AND UPON  
THE INSTALLATION AND  
ERECTION OF THE FACILITIES  
THEREOF.



LEGEND

- Proposed Pole 33-1
- Existing Pole 33

Petition  
City of Gardner

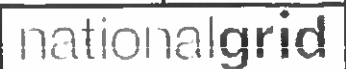
300 Clark Street Gardner, MA

Install new pole to extend  
primary for new customer

Date: 12/04/17

Designer: Kim Tey

W/R 24156457



RECEIVED

January 16, 2018

2018 JAN 17 AM 8:51  
CITY CLERK'S OFFICE  
GARDNER, MA


Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Roland Jean, Jr. to the position of Building Commissioner, and I certify  
13 Daniel Shays Highway, New Salem, MA  
that in my opinion he/she 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 17, 2021

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

Then personally appeared the above named Roland Jean, Jr. and made oath that he/she  
would faithfully and impartially perform the duties of the office of Building Commissioner  
according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

9891

AN ORDER APPROPRIATING FROM FREE CASH TO FIRE DEPARTMENT  
– PUMP FOR ENGINE NO. 1 ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of Forty-One Thousand Dollars and No Cents (\$41,000.00) from Free Cash to the Fire – Pump for Engine No. 1 Account.

RECEIVED

2018 JAN 18 PM 12:01

CITY CLERK'S OFFICE  
SANDHURST, NJ

RECEIVED

2018 JAN 18 AM 11:25

CITY CLERK'S OFFICE  
GARDNER, MA



9891

## CITY OF GARDNER

FIRE HEADQUARTERS  
70 CITY HALL AVENUE  
GARDNER, MA 01440-2671

OFFICE OF FIRE CHIEF  
Richard P. Ares

Telephone (978) 630-4051  
Fax (978) 630-4028

January 11, 2018

Hon. Mark Hawke, Mayor  
Gardner City Hall  
95 Pleasant Street  
Gardner, MA 01440

Dear Mayor Hawke,

As we have discussed, the pump on Engine 1 is in need of replacement. This pump has had twenty one years of service. It is now leaking water into the gear box and through the pump packing. This leak has caused damage to a bearing and the Engine has had to be placed out of service. Mr. Wayne Perkins of W.D. Perkins Company, our pump certification and repair supplier, has told us a catastrophic failure of the gear box could occur if we continue to use the truck. Also it is highly unlikely the pump could pick up draft, preventing us from pumping from a static source, such as a pond or river.

I recommend a complete pump replacement, rather than an attempt at a piecemeal repair. This would provide us with a new pump, gear box, and valves. The cost estimate to do this work is \$40,960.79. In the past two years we have replaced the rear brakes, had a new alternator installed, replaced the exhaust system, had new front springs installed and considerable body work done.

Engine 1 is currently our primary pumper. It will have to remain out of service until this work is done. It is my intention to apply once again this year for a federal grant to replace Engine 3. If we are successful, the new engine would become our primary pumper and Engine 1 would become our reserve pumper. With a new pump installed, it is my opinion that Engine 1 could serve in that capacity for many years. If we are unsuccessful again for a grant, the City should seriously consider replacing Engine 3.

Thank you.

Sincerely

Richard P. Ares  
Fire Chief

Ref: 9891



**CITY of GARDNER**

**Office of the City Auditor**

John Richard, City Auditor

95 Pleasant Street, Room 126

Gardner, MA 01440

Phone: 978-632-1900 ext. 8020 • Fax: 978-630-3778

Email: jrichard@gardner-ma.gov

To: City Council

Re: Money Orders for consideration on January 31,  
2018

Listed below are balances in various ledger accounts that pertain to Money Order transfers  
for your consideration.

These balances are as of January 29, 2018:

|                                  |             | <u>Money<br/>Order</u> | <u>Balance</u> |
|----------------------------------|-------------|------------------------|----------------|
| Free Cash                        | 10000-35400 |                        | \$1,732,992.00 |
| to Fire/EMT Dept for New Vehicle | 12231-55090 | 255,000.00             | \$1,477,992.00 |
| To Fire Dept for Pump Eng #1     | 38194-58313 | 41,000.00              | \$1,436,992.00 |
|                                  |             |                        | \$1,436,992.00 |

The Snow & Ice account currently has available \$22,834.58  
14421-52210

Sincerely

John Richard  
City Auditor

copies: Mayor  
City Clerk

MASSACHUSETTS SCHOOL BUILDING AUTHORITY  
ACCELERATED REPAIR PROGRAM  
STATEMENT OF INTEREST  
GARDNER MIDDLE SCHOOL  
(ROOF REPAIRS)

**VOTE:** To authorize the Superintendent to submit to the Massachusetts School Building Authority a Statement of Interest dated February 14, 2018 for Gardner Middle School, located at 297 Catherine Street, Gardner, MA 01440, which describes and explains the following deficiencies and the priority category(ies) for which Gardner Public Schools may be invited to apply to the Massachusetts School Building Authority in the future:

- Priority Category:

Priority # 5- Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility;

- Description of Deficiencies:

The Gardner Middle School opened in 1997. The roof is original to the building and has been maintained as leaks have occurred, however new leaks continue to occur at an increased pace, recently above the library and computer lab, and three assessments by different outside companies in the past three years have recommended repair or replacement;

The Gardner City Council hereby further specifically acknowledges that by submitting this statement of interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant, or any other funding commitment from the Massachusetts School Building Authority or commits the Gardner Public Schools to filing an application for funding with the Massachusetts School Building Authority.



9892

**Alan Agnelli**

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**From:** Detweiler, Robert <detweilerr@gardnerk12.org>  
**Sent:** Wednesday, January 24, 2018 11:42 AM  
**To:** Alan Agnelli  
**Cc:** Pellegrino, Mark  
**Subject:** City Council vote on MA SOI

Good Morning Alan,

The roof at the Gardner Middle School leaks and is in need of resurfacing or replacement. This project may be eligible for MSBA funding support through their Accelerated Repair Program. The window for submitting a Statement of Interest (SOI) for the coming year is now open and the filing period closes February 16. As I am sure you know, both the School Committee and the City Council must vote to authorize the Superintendent to submit the SOI.

At their regularly scheduled meetings last week, both the Facilities Subcommittee and the Finance Subcommittee of the School Committee voted unanimously to recommend to the full School Committee that the Superintendent be authorized to submit the SOI. With four of the seven members of the School Committee sitting on these subcommittees, we can expect that the motion will be approved.

I would think that the City Council would like to see the School Committee take action before taking this matter up themselves. However here's the rub: the next School Committee meeting is scheduled for February 12 which does not provide time for the next City Council meeting to take place before the filing deadline.

The next meeting of the City Council is February 5<sup>th</sup>. I hope that they would vote this motion on the strength of the subcommittee votes so we can get both before the deadline. How would you advise proceeding with this?

Thanks,

Rob

--

Rob Detweiler M.B.A.  
Business Manager

# Gardner Public Schools

Gardner, Massachusetts

## FACILITIES ASSESSMENT



DRAFT REPORT

March 26, 2015

Architect

**Flansburgh** Architects

Gardner High School

Health and Safety

- New Water Service / Fire
- Building Sprinkler System
- Replace HVAC controls
- Convert Boilers to Gas
- Replace domestic hot water
- Emergency electrical distribution

Code Compliance

- Electrical testing study
- Electrical service replacement

Handicap-accessibility

- HC accessible routes (site)
- HC accessible plumbing fixtures
- HC accessible doors and hardware
- HC accessible furniture and equipment
- HC accessible circulation

Energy Savings

- Replace unit ventilators
- Replace air handlers
- Replace windows
- Replace Caulking / Sealants
- Lighting / controls upgrades

Gardner Middle School

Health and Safety

- Janitors closet connections
- Replace insulation at ADA lavatories
- Repair concrete walks and stairs

Code Compliance

- None

Handicap-accessibility

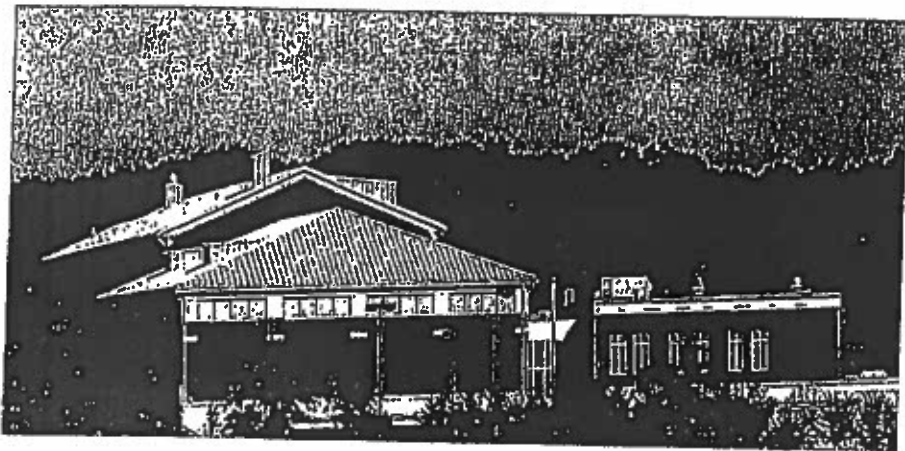
- HC accessible roots (site)

Energy Savings

- Replace flat membrane roof
  - Re-coat & repair metal roof
  - Replace Caulking / Sealants
-

**GARDNER MIDDLE SCHOOL  
PATCH AND REPAIR RECAP**

**GARDNER MIDDLE SCHOOL  
297 CATHERINE STREET  
GARDNER, MA 01440  
978-632-1000**



**Prepared for: Robert P. O'Brien  
Director of Facilities & Maintenance  
297 Catherine Street  
Gardner, MA 01440**

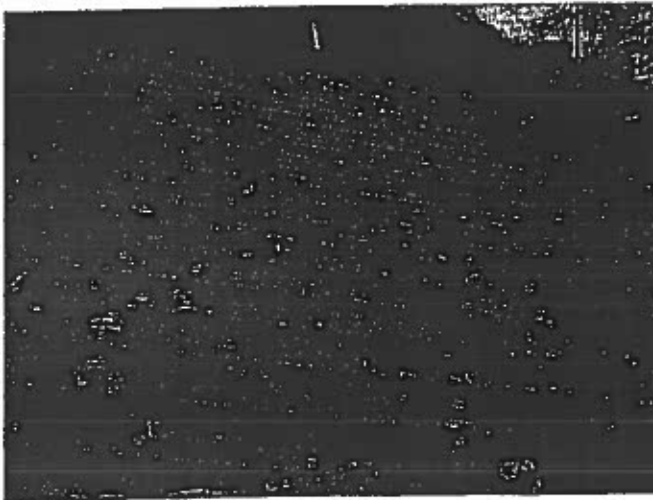
**Prepared By: Matthew Nolan  
662 Main Street  
Bolton, MA 01740  
[mnolan@tremcoinc.com](mailto:mnolan@tremcoinc.com)**

**MARCH 2016**

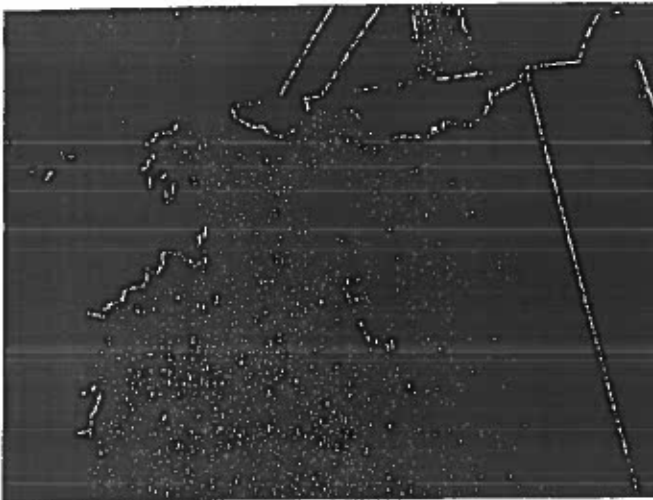
**TREMCO**

**wti**  
Weatherproofing Technologies Inc.

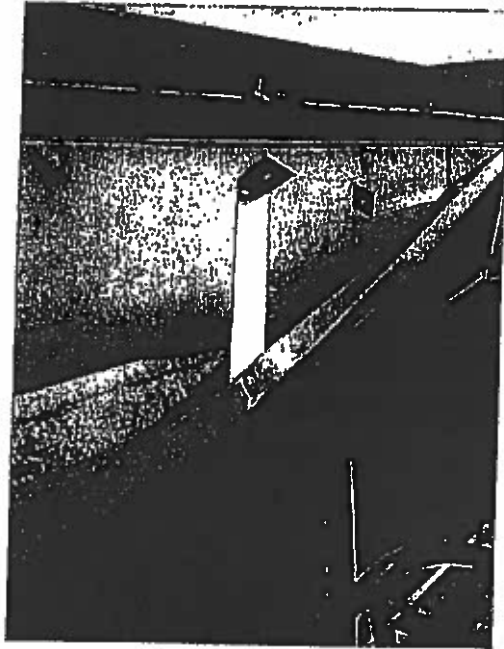
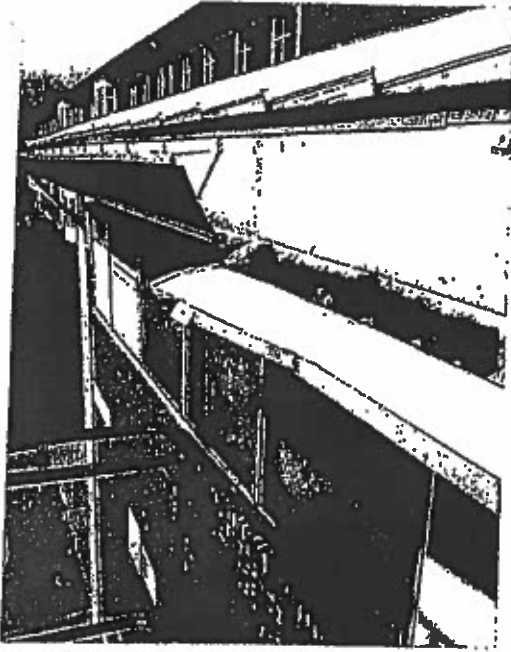
**PHOTOS**



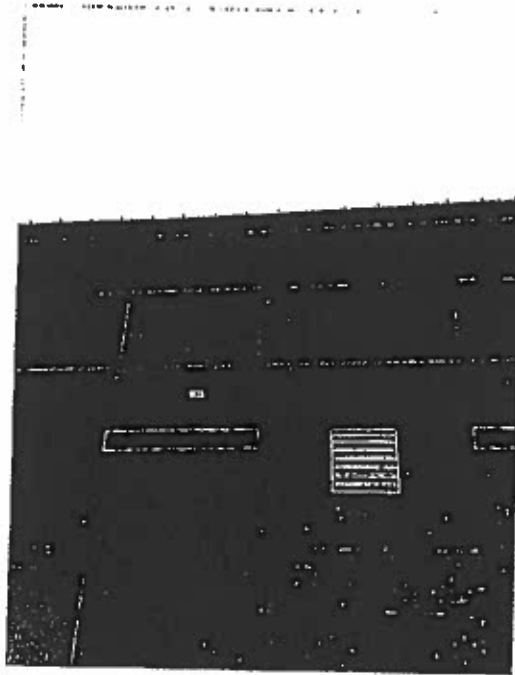
The deterioration of the kynar coated metal panels is uniform over the entire 42,000 sq. ft. of metal roofing.

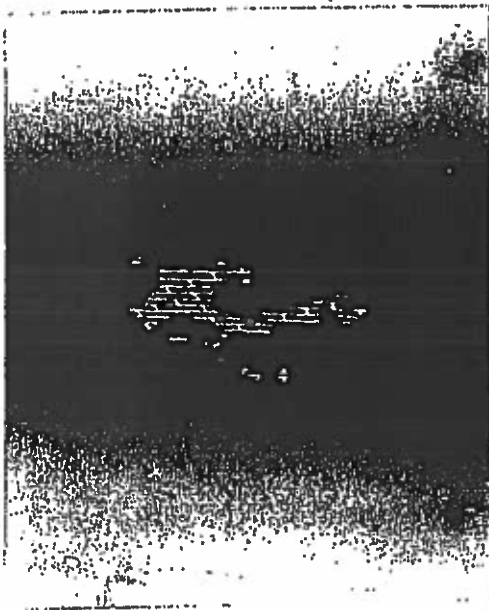


A scratch test was performed by Peterson Aluminum and Valspar Co. The report stated the uniform deterioration was being caused by caustic material in the air.

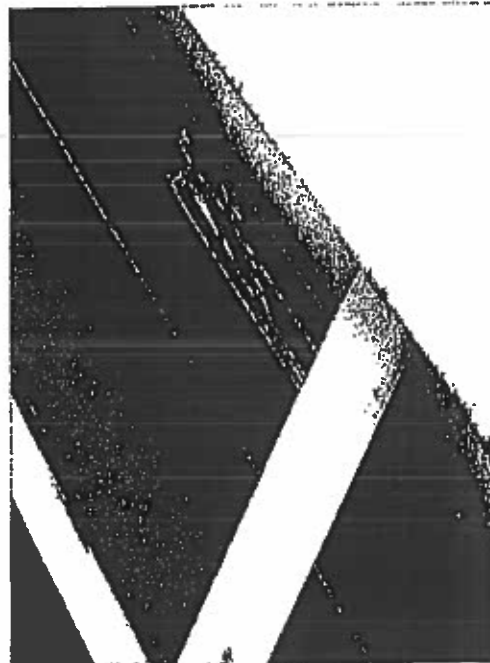


The badly damaged gutter on the west side of the facility was re-attached and repaired. The missing downspouts found on site were reinstalled during the project.





The badly deteriorated gutters were repaired (temporary) with a combination of new metal and rubber seal and stick material. Full replacement of the gutter system is recommended.



GARDNER MIDDLE SCHOOL  
297 Catherine Street, Gardner, MA

2015



### SUMMARY

- Approximately 42,000 sq. ft. of the Middle School is covered with a standing seam, single lock metal roof system. The roof was installed approximately 18 years ago and is thought to be treated with a Valspar, fluoropon coating.
- The roof has severe, spot rusting occurring over the entire roof surface.
- Members of Petersen Aluminum and Valspar Corp. inspected the roof approximately three years ago. The report concluded the rusting is due to caustic material being vented onto the roof, or by damage done to the panels during installation.
- The back section of the facility is covered with single ply, EPDM roof system.
- The front canopy is covered with a white single ply membrane.
- The flat roof sections were not inspected but is recommended.

### SCOPE OF WORK

1. Power wash roof with minimum 3,000-p.s.i. washer.
2. Properly treat the metal substrate with rust inhibitor and/or primer at specified application rate.
3. Seal all fasteners heads, horizontal seams, and open flashings in three course of highly elastomeric seam sealer and reinforcing fabric.
4. Coat roof with specified, elastomeric roof restoration system per manufactures specification.
5. 12 Year Labor and Material Warranty.

*FULL SPECIFICATION AND SCOPE OF WORK TO BE COMPLETED AFTER ADDITIONAL DIAGNOSTICS COMPLETED*

APPROX. 42,000 SQ. FT.

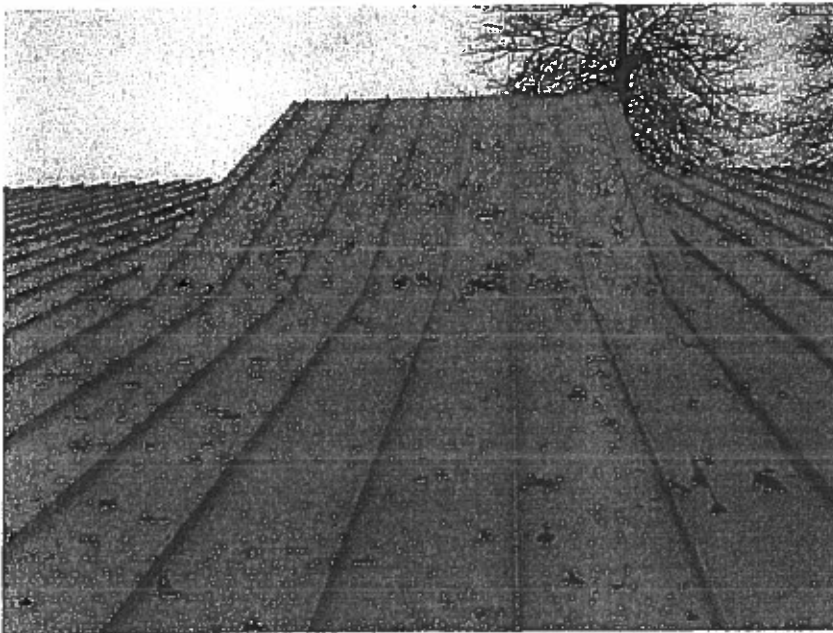
\$8-10 per sq. ft.

\$336,000-420,000





The spot rusting needs to be addressed prior to a full roof replacement being necessary.



Both sides of the roof are being effected by the rusting.