

**CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE MEETING
Tuesday – February 20, 2018 – 7:15 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 31, 2018 Meeting Minutes.

ADJOURNMENT

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.

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Finance Committee Members present were Council President Scott Graves and Councillors Ronald Cormier and James Walsh.

City Officials Attending: Mayor Mark Hawke; Fire Chief Richard Ares; Superintendent of Schools Mark Pellegrino; School Business Administrator Robert Detweiler; School Committee Vice Chairman Robert Swartz; Assistant Director of Community Development & Planning Joshua Cormier; Conservation Agent Jeffrey Legros; and, City Clerk Alan Agnelli.

Others Participating: Atty. Janet H. Morrison, Land Conservation Consultant, Ashburnham;

The meeting was called to order by Council President Scott Graves at 2:00 p.m. in the City Council Chamber, City Hall.

President Graves 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 Ronald Cormier and seconded by Councillor James Walsh, it was voted to approve the Minutes of the Meeting of January 10, 2018, as printed.

2-1 An Order Appropriating \$41,000.00 from Free Cash to Fire Department – Pump for Engine No. 1 Account.

Fire Chief Richard Ares informed the Committee that Engine 1 is 22 years old and that the Engine's pump is the original.

Councillor James Walsh questioned the status of the Department's application for a grant to fund the cost of a new vehicle to replace Engine 1.

Chief Ares stated that the current application is the third or fourth year that the City has applied and, that according to the FEMA Representative, the City's application was competitive last year. He added that the fact the City applied for a grant last year does not elevate the City's position in the present grant application round. Concerning Engine 1, the Chief said that considerable work has been performed on the vehicle and that a replacement pump will take about 2 months to arrive after the order is submitted and that installation of the pump will take about 2 weeks, at which time Engine 1 will not be in service.

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President Scott Graves commented on the condition of Engine 3, suggesting that the City cannot avoid replacing the vehicle for much longer.

Chief Ares stated that if Engine 3 is replaced, then Engine 1 would “serve as a decent backup,” and that Engine 1 might have from 5 to 7 years life remaining “as a back-up vehicle.”

Councillor Walsh remarked that if the City does not receive the grant to replace Engine 3, then Engine 1 will serve as the City’s principal response vehicle.

Chief Ares noted that if the grant is not awarded this year, then the City will have to seek another source of funding to replace Engine 3, the cost of which is approximately \$500,000.00.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, 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 – PUMP FOR ENGINE NO. 1 ACCOUNT.

ORDER: 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 Department – Pump for Engine No. 1 Account.

3-1 A Measure Confirming the Mayor’s Appointment of Roland Jean, Jr. to the Position of Building Commissioner for term expiring January 17, 2021.

Mayor Hawke informed the Committee that Roland Jean has served as the City’s Local Inspector for over 2 years, has obtained all required Certifications, and has been Acting Building Commissioner since Jeffrey Cooke left. He said that notwithstanding Mr. Jean’s out-of-town residency, responds to emergencies almost immediately, citing a recent water incident and damage to the Annex.

President Graves questioned the advertising procedure for the vacancy.

The Mayor stated that the vacancy was advertised in the MMA Bulletin and in *The Gardner News*. He added that non-department head-level positions are advertised only in *The Gardner News*.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council that it confirm the Mayor’s Appointment of Roland Jean, Jr. to the position of Building Commissioner for term expiring January 17, 2021.

5-1 **A Measure Authorizing Submittal of MSBA Statement of Interest for Gardner Middle School Roof Repairs.**

Superintendent of Schools Mark Pellegrino and School Business Administrator Robert Detweiler appeared before the Committee.

Mr. Pellegrino informed the Committee that the Middle School roof conditions were identified several years ago and noted that the roof is original to the building, having been constructed over 20 years ago. The Statement of Interest (“SOI”), he added, is required in order for the School Department to apply for MSBA funding.

The Mayor noted that MSBA funding has been utilized by the City on many occasions, adding that the City is eligible for nearly 80% cost-reimbursement.

Councillor Walsh asked if the scope of the work has been identified.

Mr. Pellegrino responded, saying that the cause of the deterioration was identified as “airborne caustic materials,” and that a replacement could be coated with a rust inhibitor.

President Graves questioned if a cost estimate has been determined.

Mr. Pellegrino stated that the estimate is from \$336,000.00 to \$420,000.00, of which about 80% is reimbursable.

President Graves questioned the “February 14, 2018” date that is written on the SOI.

Mr. Pellegrino stated that the SOI will be submitted to the MSBA on the 14th.

Mr. Detweiler added that the SOI draft language is prescribed by the MSBA.

Mayor Hawke stated that if the SOI is accepted, the City Council will then be required to approve a Loan Order to fund the cost of the replacement.

Citing the report from Tremco, President Graves said that the Report concluded that “the rusting is due to caustic materials” or “that panels were damaged during installation.” He then questioned how caustic materials “could be vented onto the roof.”

Mr. Pellegrino remarked that to Report does not specify that caustic materials are being vented from [inside] the school.

Mr. Swartz added that the caustic materials are likely form acid rain.

Councillor Walsh added, “Exposure to the air.”

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Mr. Pellegrino added, "Air pollution."

President Graves questioned whether the School building will face the same causes of roof damage in the future.

Mr. Pellegrino suggested that the solution to protecting the roof from caustic materials is an application of a protective coating.

Mr. Detweiler noted that the MSBA will provide further diagnostic analyses.

Following up on an earlier comment, President Graves again cited the Report which stated "...or damage done during installation."

Mr. Detweiler responded, saying that the roof warranty has expired and that the company that installed the roof is out-of-business.

Mr. Pellegrino noted that roofing materials have improved since then.

President Graves cited the Report that concerns the condition of the roof's flat portion.

Mr. Swartz stated that the flat roof was covered with a membrane that insulates the roof from the vibrations from the cafeteria/kitchen mechanical units.

Mr. Pellegrino remarked that a complete Scope of Work is required before the MSBA would award any funds for the roof's replacement.

Councillor Walsh added that the Scope of Work and related information will be necessary in order for the City Council to approve a Loan Order for the project.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted to recommend to the City Council that it adopt the following Measure:

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:

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- 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.

5-2 A Resolution Relative to the FY2018 Community Development Block Grant Mini-Entitlement Plan.

Assistant Director of Community Development & Planning Joshua Cormier outlined the proposed CDBG Mini-Entitlement Plan, as follows:

- **Demolition** – Demolish select parcels in the Target areas. CDBG Funding \$106,250.00.
- **Downtown Phase I** – Design and construction of crosswalks, sidewalks, and lighting repairs and upgrades. CDBG Funding \$548,750.00.
- **Small Business Technical Assistance Program** – Small business assistance services for 15 LMI Gardner residents. CDBG Funding \$7,500.00.
- **Domestic Violence Services** – Provide counseling for 40 LMI at-risk men, women, and children. CDBG Funding \$12,000.00.
- **Veterans Community Integration Initiative** – Provide health and well-being courses for 150 LMI veterans and civilians. CDBG Funding \$16,750.00.
- **Gardner Public School Athletics** – Provide financial assistance for LMI student athletes at Gardner High School and Gardner Middle School. CDBG Funding \$10,000.00.
- **Administrative and Delivery Costs** - \$123,750.00.

Mr. Cormier stated that Gardner Public School Athletics concept was offered by the Mayor and would pay for athletic user fees for LMI students (under LMI Guidelines).

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Mr. Cormier stated that the Veterans Community Integration Initiative is a joint effort with MVOC, with each paying half the cost of the first year of the program. He said that the initiative would offer health and well-being courses (yoga, meditation) for 150 LMI veterans and civilians. He said that the plan would be to contract with local businesses for these services.

Mr. Cormier stated that the Domestic Violence Services Initiative would be provided by *Voices of Truth* and would provide counseling for 40 LMI at-risk men, women, and children.

Mr. Cormier stated that the Downtown Phase I Initiative includes design and construction of crosswalks, sidewalks, and lighting repairs and upgrades. He said that many of the crosswalks and sidewalks in the Downtown are not ADA-compliant and that lighting in certain areas is insufficient.

Mr. Cormier stated that the Demolition Initiative would find the demolition of select parcels in the Target areas. He said that the Department would evaluate the conditions of various buildings that pose danger. He cited the building located at 20 Rock Street as a City-owned blighted building which, he noted, was taken under Tax Title. He said that the City is seeking a scope of work from Fuss & O'Neill that addresses hazardous materials.

Councillor Walsh noted that the parcel is not located within the Target area.

Mr. Cormier stated that the site would be classified under "Slum and Blight." He added that there are other buildings outside the target area that should be targeted for demolition.

Mayor Hawke noted that the house at 143 Pleasant Street has been targeted under the Attorney General's Receivership Program.

Councillor Walsh suggested that the Mr. Cormier attend Monday's Informal Council meeting in order to provide Councillors with an overview of the proposed CDBG Mini-Entitlement Plan.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted to recommend to the City Council that it adopt the following Resolution:

RESOLUTION

FY 2018 COMMUNITY DEVELOPMENT BLOCK GRANT
Mini-Entitlement Plan

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

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WHEREAS, the City council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2018 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and

WHEREAS, the CDBG proposals seek funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, and associated administrative costs; and

WHEREAS, the activities proposed within the FY 2018 CDBG Mini-Entitlement Plan meet the priorities identified within the City's 2018 Community Development Strategy, and the 2004 Community Development Plan; and

WHEREAS, the City does not possess the bonding capacity or have the availability of funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required, and

WHEREAS, the City Council supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City's FY 2018 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.

NEW BUSINESS

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.

Conservation Agent Jeffrey Legros and Atty. Janet H. Morrison, Land Conservation Consultant, appeared before the Committee.

Mr. Legros informed the Committee that the City Council approved the Order previously; however, the prior Order cited the PARC Grant contingency. Since the PARC Grant has been awarded, EOEA requires that the Order address the funding, as approved. He noted that the LAND Grant portion of the project addresses conservation and passive recreation purposes, while the PARC Grant project addresses active recreation and park purposes.

President Graves questioned the history of the parcels, asking whether any portions were previously developed or that they have always been "vacant land."

Mr. Legros responded, saying that to the best of his knowledge, the land has never been developed.

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President Graves said that the Project Budget lists \$1,500.00 for a Tax Title Examination, noting that it appears to be expensive for vacant land.

Attorney Janet Morrison responded, saying that there are stringent requirements for the Tax Title Examination and that “it is unusual for such an examination under these circumstances that would cost less than \$1,500.00.”

Mayor Hawke informed the Committee that the City’s share of the cost was previously appropriated from Free Cash.

On questioning from President Graves, Attorney Morrison stated that the Grant programs are “reimbursable programs,” so the City must pay the full costs and then seek reimbursements; therefore, the City must authorize the total cost of the acquisition.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted to recommend to the City Council that it adopt the following Order:

AN ORDER AUTHORIZING THE CITY TO ACCEPT LAND GRANT FUNDS,
TO BORROW, AND TO TAKE OTHER ACTIONS RELATING TO THE
ACQUISITION OF THE “OMEALIA PROPERTY”

ORDER: To authorize the Mayor of the City of Gardner to accept grant funds in the amount of up to Seventy One Thousand Thirty Eight and 00/100 Dollars (\$71,038.00) awarded to the City under the LAND Grant program, 301 CMR 5:00, and enter any necessary contracts thereto, for the purpose of purchasing approximately 93.5^{+/-} acres of land on Leo Drive, known as the Omealia Property, described below, to be held and managed by the Conservation Commission for conservation and passive recreation, pursuant to M.G.L. Chapter 40, Section 8C, and to borrow, appropriate and expend up to One Hundred Fourteen Thousand Five Hundred and 00/100 Dollars (\$114,352), pursuant to M.G.L. Chapter 44, Section 7, for the purchase of said land in fee, in accordance with the attached **Budget**, being a portion of Assessors Parcel *H37/23/35*, located on Leo Drive, shown as **Parcel B** on the attached Map, the property to be permanently conserved under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

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.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted to recommend to the City Council that it adopt the following Order:

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AN ORDER AUTHORIZING THE CITY TO ACCEPT PARC GRANT FUNDS,
TO BORROW, AND TO TAKE OTHER ACTIONS RELATING TO THE
ACQUISITION OF THE "OMEALIA PROPERTY"

ORDER: To authorize the Mayor of the City of Gardner to accept grant funds in the amount of up to Ninety Seven Thousand Three Hundred Eighty Eight and 00/100 Dollars (\$97,388.00) awarded to the City under the PARC Grant program, 301 CMR 5:00, and enter any necessary contracts thereto, for the purpose of purchasing approximately 28.8^{+/-} acres of land on Leo Drive, known as the Omealia Property, described below, to be held and managed by the Department of Public Works, Parks and Recreation for active recreation and park purposes, pursuant to M.G.L. Chapter 45, Section 3, and to borrow, appropriate and expend up to One Hundred Thirty Nine Thousand One Hundred Twenty Five and 00/100 Dollars (\$139,125.00), pursuant to M.G.L. Chapter 44, Section 7, for the purchase of said land in fee, in accordance with the attached **Budget**, being a portion of Assessors Parcel *H37/23/35*, located on Leo Drive, shown as **Parcel A** on the attached Map, the property to be permanently conserved under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted to adjourn at 2:41 p.m.