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CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



March 28, 2019

FINANCE COMMITTEE SPECIAL MEETING NOTICE

Date: Monday, April 1, 2019
Time: 7:00 p.m.
Location: City Council Chamber, Room 219, City Hall

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Chair, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

AGENDA

#10074 - A Measure Authorizing an Exemption for Michael Budwick under G.L. c. 268A, § 20(b), Financial Interest in a Municipal Contract, Non-elected Compensated Special Municipal Employee, Leasing and Operating the Gardner Municipal Golf Course Restaurant.

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may 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 COUNCIL OF GARDNER
Scott Joseph Graves, Esq.
PRESIDENT SCOTT JOSEPH GRAVES, ESQ.
Chairman, Finance Committee

10074

APPROVAL OF EXEMPTION BY THE CITY COUNCIL
DISCLOSURE BY MICHAEL BUDWICK, SPECIAL MUNICIPAL EMPLOYEE,
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G.L. c. 268A, § 20(d)

VOTE: To approve an Exemption pursuant to G.L. c. 268A, § 20(d) in the Matter of a Financial Interest of Golf Commissioner Michael Budwick for a Contract to Lease and Operate the Restaurant at the Gardner Municipal Golf Course.

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(d)**

RECEIVED

2019 MAR 26 AM 10:49
CITY CLERK'S OFFICE
GARDNER, MA

SPECIAL MUNICIPAL EMPLOYEE INFORMATION	
Name of special municipal employee:	MICHAEL BUDWICK
Put an X beside one statement.	<p>I am a special municipal employee because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input type="checkbox"/> I serve in a municipal position for which no compensation is provided, or</p> <p><input checked="" type="checkbox"/> I earned compensation for fewer than 800 hours in the preceding 365-day period, or</p> <p><input type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am permitted to have personal or private employment during normal business hours.</p> <p><input checked="" type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</p>
Title/ Position	GOLF COMMISSION
Fill in this box if it applies to you.	<p>If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.</p> <p>WINDSOR CAFE, INC</p>
Municipal Agency/ Department:	This is "my Municipal Agency." GARDNER GOLF COMMISSION
Agency Address:	95 PLEASANT ST
Office phone:	
Office e-mail:	
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a special municipal employee.	10/2014

<p>BOX # 1</p> <p>Select either STATEMENT #1 or STATEMENT #2.</p> <p>Write an X by your financial interest.</p>	<p>ELECTED SPECIAL MUNICIPAL EMPLOYEE</p> <p>I am an elected special municipal employee.</p> <p><input type="checkbox"/> STATEMENT #1: I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>BOX #2</p> <p>Select either STATEMENT #1 or STATEMENT #2.</p> <p>Write an X by your financial interest.</p>	<p>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</p> <p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p><input type="checkbox"/> STATEMENT #1: I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p><input type="checkbox"/> A contract between a municipal agency and myself, but not an employment contract.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>OR</p> <p><input checked="" type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input checked="" type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>Name and address of municipal agency that made the contract</p>	<p>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</p> <p>This is the "contracting agency."</p> <p><i>GOLF COMMISSION</i></p>
<p>Write an X to confirm this statement.</p>	<p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>

<p>FILL IN THIS BOX OR THE NEXT BOX</p>	<p>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</p> <ul style="list-style-type: none"> - Please explain what the contract is for. <p>FOOD + BEVERAGE AT THE CARPENTER MUNICIPAL GOLF COURSE</p>
	<p>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</p> <ul style="list-style-type: none"> - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for? <p>- WINDSOR CAFE, INC. - OWNER - FOOD + BEVERAGE AT THE GOLF COURSE</p>
<p>What is your financial interest in the municipal contract?</p>	<ul style="list-style-type: none"> - Please explain the financial interest and include the dollar amount if you know it. <p>THE RESTAURANT IS A FOR PROFIT BUSINESS</p>
<p>Date when you acquired the financial interest</p>	<p>5/1/19</p>
<p>What is the financial interest of your immediate family?</p>	<ul style="list-style-type: none"> - Please explain the financial interest and include the dollar amount if you know it. <p>MY BROTHER IS HALF OWNER OF WINDSOR CAFE.</p>
<p>Date when your immediate family acquired the financial interest</p>	<p>5/1</p>
<p>Employee signature:</p>	<p>Michael S Belner</p>
<p>Date:</p>	<p>3/26/19</p>

SEE NEXT PAGE FOR APPROVAL
 BY CITY COUNCIL, BOARD OF ALDERMEN,
 BOARD OF SELECTMEN, TOWN COUNCIL,
 OR DISTRICT PRUDENTIAL COMMITTEE

**APPROVAL OF EXEMPTION
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body:	<input type="checkbox"/> City Council
Write an X by one selection.	<input type="checkbox"/> Board of Aldermen
	<input type="checkbox"/> Board of Selectmen
	<input type="checkbox"/> Town Council
	<input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
	APPROVAL OF § 20(d) EXEMPTION
	We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

File your completed, signed, approved Disclosure with the city or town clerk.