

**CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE MEETING
Wednesday – May 1, 2019 – 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 Minutes of the April 10, 2019 Regular Meeting.

- 3-1 A Measure Confirming the Mayor’s Appointment of Claude Leger to Senior Citizens’ Director for term expiring April 9, 2021 *(Reappointment)*.

- 3-2 A Measure Confirming the Mayor’s Appointment of Jeff Nelson to Member, Council on Aging, for term expiring April 16, 2022 *(Reappointment)*.

- 3-3 A Measure Authorizing an Exemption for Craig A. Osowski under G.L. c. 268A, § 20(b), Financial Interest in a Municipal Contract, Non-elected Compensated Municipal Employee, General Landscaping and Lawn Mowing Services.

- 4-1 An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel,” to Change Compensation Schedule “Exhibit E – Non-Union Employees.”

- 4-2 An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel,” to Change Compensation Schedule “Exhibit A – Mayor” and Exhibit B – City Council.”

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.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

The Finance Committee meeting was called to order by President Scott Joseph Graves at 12:00 p.m. in the City Council Chamber, Room 219, City Hall.

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

Others participating: Mayor Mark Hawke; Sealer of Weights & Measures Stephen Hirons; Purchasing Director Jennifer Dymek; City Auditor John Richard; and, City Clerk Alan Agnelli.

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.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted to approve the Minutes of the March 27, 2019 Regular Meeting and the April 1, 2019 Special Meeting, as printed.

2-1 A Measure Authorizing Payment of \$336.00 for Prior Year Employee Compensation.

The Mayor informed the Committee that an out-of-town Police Officer worked a detail almost two years ago and only recently completed the necessary paperwork in order to be paid. He said that the funds to pay the officer will be drawn from the Police Department's Police Detail Account.

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 Measure ought to pass:

AUTHORIZING PAYMENT OF PRIOR YEAR'S COMPENSATION TO EMPLOYEE

VOTE: To authorize the City to pay compensation to an out of town officer for a detail performed in 2016 for an 8 hour shift at \$42.00 per hour for a total of \$336.00 from the Police Detail Account.

2-2 An Order Appropriating \$223,429.00 from Free Cash to Stabilization

The Mayor informed the Committee that the appropriation to the Stabilization Fund represents 15% of certified Free Cash, which is significantly greater than the percentage that he usually recommends. He noted that due to the withdrawal from the Fund of over \$600,000 to cover the FY2019 School Department operating budget deficit, he proposes to appropriate more this year to restore the fund.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

On an inquiry from Councillor Walsh, the Mayor stated that he has recommended that 5% be deposited into the account for the past 3 or 4 years.

Councillor Walsh stated that he is always cautious about the size and maintenance of the fund, noting that there are other needs such as road maintenance and paving. He cited a recent report by the DPW Director of tentative plans to convert paved roads to gravel roads due to the lack of road improvement funds.

President Graves expressed his support for regularly appropriating Free Cash to the Stabilization Fund which helps to improve and maintain the City's Bond rating.

Councillor Ronald Cormier added that he, too, is a strong proponent of building the Stabilization Fund and "to do what we can afford to do."

Councillor Walsh said that the proposed appropriation represents a 30% increase over the amounts that the City has annually appropriated in recent years. He suggested that an amount less than the proposed appropriation would be adequate for the City's purposes.

Mayor Hawke stated that the proposed amount is higher than in previous years because the City needed to use the fund to stabilize the School Department budget for the current Fiscal Year. He added that perhaps he might recommend that 4% be committed to the Fund in the next Fiscal Year and 5% thereafter.

Councillor Walsh noted that he would support the motion to recommend the Order, but reserves his right to seek an amendment on the Council floor.

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 STABILIZATION

ORDER: That there be and is hereby appropriated the sum of Two Hundred Twenty-Three Thousand Four Hundred Twenty Nine Dollars and No Cents (\$223,429.00) from Free Cash to Stabilization.

2-3 An Order Appropriating \$14,895.00 from Free Cash to OPEB Liability Trust Fund.

Citing his letter, the Mayor noted that the City has deposited 1% of its Certified Free Cash to the OPEB Liability Trust Fund for the past few years and that the City's OPEB liability is approximately \$92,000,000.00. He added that regular deposits to the Fund reflects favorably on the City's Bonding agency.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

On a motion by Councillor James Walsh 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 THE OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

ORDER: That there be and is hereby appropriated the sum of Fourteen Thousand Eight Hundred Ninety Six Dollars and No Cents (\$14,896.00) from Free Cash to the Other Post-Employment Benefits Liability Trust Fund.

2-4 An Order Appropriating \$73,876.00 from Free Cash to School E-Rate Expenses Account.

The Mayor cited his letter which states that the Federal reimbursement amount fell to Free Cash and needs to be restored to the School Department's Budget. He said that this is the last year that this will occur, since an adjustment will be made to the Budget to account for the Federal revenue and its corresponding expenditure.

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 THE SCHOOL E-RATE EXPENSES ACCOUNT.

ORDER: That there be and is hereby appropriated the sum of Seventy Three Thousand Eight Hundred Seventy-Six Dollars and No Cents (\$73,876.00) from Free Cash to the School E-Rate Expenses Account.

2-5 An Order Appropriating \$75,000.00 from Free Cash to Landfill Closure Budget.

The Mayor stated that the City is obligated to maintain and monitor the former Landfill on West Street for thirty years following its closure. He said that \$75,000.00 is needed to perform routine maintenance such as grass mowing and flare testing and inspections.

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 LANDFILL CLOSURE BUDGET

ORDER: That there be and is hereby appropriated the sum of Seventy-five Thousand Dollars and No Cents (\$75,000.00) from Free Cash to Landfill Closure Budget.

2-6 An Order Appropriating \$115,000.00 from Free Cash to New School Land Acquisition.

The Mayor informed the Committee that the School Committee unanimously endorsed the Pearl Street site the new elementary school.

Councillor Walsh questioned whether the purpose for the land purchase is only for the new school.

The Mayor replied that it is only for the school.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

Councillor Walsh questioned the reason that the City would purchase the property instead of agreeing to an option to buy.

The Mayor said that the MSBA requires that the City have absolute site control before the City could proceed to the next module (step) in the process.

Noting that there are some options for generating revenues to pay for the additional debt service for a new school, the Mayor cited the possibility of accepting statutory provisions for a local meals tax, as well as increasing the local share of the hotel/motel tax. He added that future revenue projections do not include any tax revenues generated by marijuana sales or Host Community Agreements. He added that his suggestion "is only a plan" at this point.

Councillor Ronald Cormier moved to recommend to the City Council that the following Order ought to pass, subject to a positive report by the Consultant:

AN ORDER APPROPRIATING FROM FREE CASH TO NEW SCHOOL LAND ACQUISITION.

ORDER: That there be and is hereby appropriated the sum of One Hundred Fifteen Thousand Dollars and No Cents (\$115,000.00) from Free Cash to New School Land Acquisition.

Councillor James Walsh seconded the motion, adding that he reserves his decision to support the Order until he is satisfied with the Consultant's Report.

President Graves stated that there has been a lot of discussion in the community about the property, but that he defers to the experts and, if satisfactory, then he would support purchasing the property for the new school.

Councillor Walsh requested that the Mayor provide the City Council with some evidence from the MSBA that states that the property must be in the control of the City before the project could move ahead.

The Mayor stated that he would provide the Council with the MSBA requirement.

President Graves questioned whether the parcel is "buildable."

The Mayor stated that soil borings were performed and wetland areas were flagged, and that of the 17 acre parcel, 10 acres is buildable.

President Graves questioned the appraisal.

The Mayor noted that the property was listed for sale at \$295,000, has been appraised

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

at \$115,000, and that the City cannot pay more than the average assessed value over the previous three years. He said that the property owner agreed to sell the land for \$115,000 and that the Law Department has a budget line item to pay for the closing costs.

On the motion by Councillor Ronald Cormier and as 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 NEW SCHOOL LAND ACQUISITION.

ORDER: That there be and is hereby appropriated the sum of One Hundred Fifteen Thousand Dollars and No Cents (\$115,000.00) from Free Cash to New School Land Acquisition.

2-7 **A Notice from the Gardner Contributory Retirement Board Relative to a Cost-of-living Adjustment for Retirees and Beneficiaries for FY2020.**

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted to recommend that the City Council place on file a *Notice from the Gardner Contributory Retirement Board Relative to a Cost-of-living Adjustment for Retirees and Beneficiaries for FY2020.*

4-1 **An Ordinance to Amend the Code of the City of Gardner, Chapter 390 Thereof, Entitled "Fees," to Change the Sealer of Weights and Measures Fee Schedule.**

Stephen Hirons, Sealer of Weights & Measures, informed the Committee that the proposed schedule of annual fees is based on a survey of established fees from area communities and that Gardner's current schedule reflects the lowest fees charged in the study area. He cited the cities of Fitchburg and Leominster, as well as the towns of Ashburnham, Westminster, and Winchendon, by comparison. He added that the Fee Schedule was last revised 11 years ago and that few locals now operate the businesses that utilize weights and measures, such as grocery stores and gas and convenience stores.

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

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 390 THEREOF, ENTITLED "FEES," TO CHANGE THE SEALER OF WEIGHTS AND MEASURES FEE SCHEDULE.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. Section 390-9 of Chapter 390, Fees, of the Code of the City of Gardner, is

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

hereby amended to change the fee schedule to read, as follows:

A. Scales.	
Pounds	Fee
Over 10,000	\$200
5,000 to 10,000	\$100
1,000 to 5,000	\$100
100 to 1,000	\$75
10 to 100	\$30
10 or less	\$30
B. Weights.	
(1) Avoirdupois:	\$15
(2) Metric:	\$15
(3) Apothecary:	\$15
(4) Troy:	\$15
C. Capacity.	
(1) Vehicle tanks:	\$60
(2) Any at 100 gallons or less:	\$30
D. Liquid measuring meters.	
(1) Oil and grease:	\$20
(2) Gasoline:	\$30
(3) Vehicle tank pump:	\$60
(4) Vehicle tank gravity:	---
(5) Bulk storage:	\$75
E.	
(1) Taxi meter:	\$30
(2) Fabric meter:	\$30
(3) Yard stick:	\$30
(4) Adjustments:	\$15
(5) Retest:	\$20
(6) Scanner test:	
(a) Under five:	\$100
(b) Under 10:	\$375
(c) Over 10:	\$375
F. Reverse Vending	\$30

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

5-1 **A Measure Authorizing Contracts Not-to-exceed Five (5) Years for Airport Consulting and Engineering Services, Generator Maintenance, Office and Janitorial Supplies, and Parking Ticket Processing.**

Purchasing Director Jennifer Dymek informed the Committee that all of the existing contracts for the proposed services have expired and that she plans to re-bid each contract in the same fashion. She added that some of the contracts are for three years with two 1-year options.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted to recommend that the City Council *Authorize the City to enter into contracts not to exceed five (5) years for Airport Consulting and Engineering Services, Generator Maintenance, Office and Janitorial Supplies, and Parking Ticket Processing, pursuant to the provisions of Massachusetts General Law, Chapter 30B, section 12 and under the terms outlined in the Purchasing Agent's April 3, 2019 Memorandum.*

6-1 **An Order of Taking for a Parcel of Land on Pearl Street for a New Elementary School.**

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 of Taking be adopted, with reservations until fee ownership is confirmed with the MSBA:

THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

CITY OF GARDNER, MASSACHUSETTS
ORDER OF TAKING

WHEREAS, the City of Gardner, a municipality organized and incorporated under the laws of Massachusetts, with a usual place of business located at 95 Pleasant Street, Gardner, MA is authorized to take land by eminent domain for any municipal purpose pursuant to Section 36, of the City of Gardner Charter as amended to November 8, 1989 and M.G.L. c. 79, as amended and Chapter 121B; and

WHEREAS, the City of Gardner, has realized a need for the construction of a new elementary school and that construction of said elementary school (the "Project") on land located in the proximity of its middle and high school; and

WHEREAS, the City of Gardner has voted and appropriated monies to be used to acquire property to construct a new elementary school; and

WHEREAS, the Mayor Mark P. Hawke has approved the construction of a new elementary school and the acquisition of land for said construction and recommended to the City Council an order of taking; and

WHEREAS sufficient funds have been appropriated to compensate the property owners for the property rights taken hereby

NOW THEREFORE, BE IT ORDERED THAT:

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 10, 2019

Acting pursuant to the powers set forth in M.G.L. c. 79, as amended, and Chapter 121B, as amended, and of any and every power and authority available to the City of Gardner, granted or implied, the City of Gardner hereby takes for itself in fee simple by eminent domain, for the purposes associated with the Project, the property known as land on Pearl Street in Gardner, MA, consisting for 17.34 acres, more or less, as more fully described in a deed recorded at Worcester South Registry of Deeds, Book 16852, Page 237, which is attached hereto as Exhibit A.

The taking is made in fee simple, and, except as provided herein, is made together with any and all easements and rights appurtenant to the property, including trees, buildings and other structures standing upon or affixed thereto, air rights, subsurface rights and including the interests of the supposed owners, if any, in all private ways and public streets, highways or in the land lying in the bed of any street or highway, public or private within or adjacent to the Property.

The City Council of said City of Gardner, does hereby decree that public necessity and convenience require the City to obtain by eminent domain for the purposes of constructing a new elementary school on the above described parcel.

The City Council hereby awards damages sustained by persons in their property by reasons of this taking as follows:

<u>OWNER</u>	<u>PROPERTY ADDRESS</u>	<u>AWARD</u>
Kymalainen Realty Trust Alice M. Kymalainen	Off Pearl Street Gardner, Worcester County, MA	\$115,000.00

The City Council does direct and authorize the Mayor to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in the Order of Taking so that the same shall be payable within sixty (60) days after the rights to damages become vested in the persons entitled to damages. The Mayor is further requested to direct the City Solicitor for and on behalf of the City Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of General Laws Chapter 79, Sections 7B, 7C, 7F, 77G, 8A, and 8B.

8-1 Executive Session Minutes Review Follow-up (Unreleased Minutes).

President Graves informed the Committee that at the previous meeting, he neglected to report to the Committee and to the Council there are two sets of Executive Session minutes that were not recommended for release (September 8, 2015 and December 18, 2017). He said that the Council likely will have to enter into Executive Session in order to discuss the contents of the Minutes and to address the legal justification for not releasing them, as well as disclosing the reasons why that they cannot be released at this time.

ADJOURNMENT

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted to adjourn at 12:51 p.m.

April 9, 2019

2019 APR 11 10:11 AM
CITY OF GARDNER

Commonwealth of Massachusetts

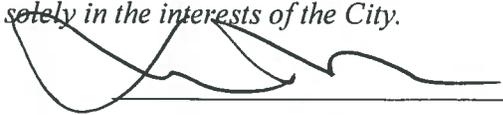
Worcester County
CITY OF GARDNER

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Claude Leger to the position of Senior Citizens' Director and I certify
34 Coburn Ave. , Gardner, 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: April 9, 2021

Worcester, ss., _____

Then personally appeared the above named Claude Leger and made oath that he/she would faithfully and impartially perform the duties of the office of Senior Citizens' Director 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 _____

RECEIVED

April 16, 2019

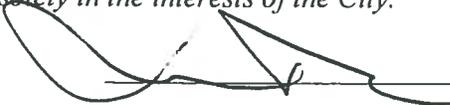
2019 APR 16 AM 4:5 **Commonwealth of Massachusetts**

CITY CLERK'S OFFICE
Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Jeff Nelson to the position of Member, Council on Aging, and I certify
85 Ridgewood Lane, Gardner, 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.



Mark P. Hawke
Mayor

Confirmed by City Council _____

Alan L. Agnelli
City Clerk

Expires: April 16, 2022

Worcester, ss., _____

Then personally appeared the above named Jeff Nelson and made oath that he/she would
faithfully and impartially perform the duties of the office of Member, Council on Aging
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 _____

APPROVAL OF EXEMPTION PURSUANT TO G.L. C.268A, §20(b)
FINANCIAL INTEREST OF CRAIG A. OSOWSKI
CONTRACT FOR LANDSCAPING AND LAWN MOWING SERVICES

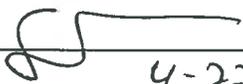
VOTE: To approve an Exemption pursuant to G.L. C. 268A, §20(b) in the Matter of a Financial Interest by Craig A. Osowski for a Contract for Landscaping and Lawn Mowing Services.

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

2019 APR 25 PM 4:01

MUNICIPAL EMPLOYEE INFORMATION	
Name of municipal employee:	Craig A. Osowski
Title/ Position	Fire Lieutenant
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization. C & D Landscapes, 34 Morgan Road, Hubbardston, MA 01452
Agency/ Department	City of Gardner - Fire Department
Agency Address	70 City Hall Avenue, Street, Gardner, MA 01440
Office phone:	(978) 630-4051
Office e-mail:	
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a municipal employee.	10/10/1999
BOX # 1 Select either STATEMENT #1 or STATEMENT #2. Write an X beside your financial interest.	ELECTED MUNICIPAL EMPLOYEE I am an elected municipal employee. <input type="checkbox"/> STATEMENT #1: I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. OR <input type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency. My financial interest in a municipal contract is: <input type="checkbox"/> I have a non-elected, compensated municipal employee position. <input type="checkbox"/> A municipal agency has a contract with me. <input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization. <input type="checkbox"/> I work for a company or organization that 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 city or town has contracted for my services in particular.
BOX # 2 Select either STATEMENT #1 or STATEMENT #2.	NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE I am a non-elected municipal employee. <input type="checkbox"/> STATEMENT # 1: I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.

<p>Write an X beside your financial interest.</p>	<p>My financial interest in a municipal contract is:</p> <p><input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p>-- OR --</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 municipal contract is:</p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input checked="" type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that 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 city or town has contracted for my services in particular.</p>
<p>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</p>	
<p>Name and address of municipal agency that made the contract</p>	<p>City of Gardner 95 Pleasant Street Gardner, MA 01440</p>
<p>Please put in an X to confirm these facts.</p>	<p>"My Municipal Agency" is the municipal agency that I serve as a municipal employee.</p> <p>The "contracting agency" is the municipal agency that made the contract.</p> <p><input type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<p>FILL IN THIS BOX OR THE BOX BELOW</p>	<p>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</p> <p>- Please explain what the contract is for.</p> <p>General landscaping and lawn mowing work.</p>
<p>FILL IN THIS BOX OR THE BOX ABOVE</p>	<p>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</p> <p>- Please identify the person or entity that has the contract with the municipal agency.</p> <p>- What is your relationship to the person or entity?</p> <p>- What is the contract for?</p>

What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. I will receive compensation for the provision of landscaping and, specifically, lawn mowing services of various City of Gardner owned properties. All services will be conducted during my non-working hours as a Fire Lieutenant.
Date when you acquired a financial interest	Spring of 2019.
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. None.
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	FOR A CONTRACT FOR PERSONAL SERVICES – Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency). I will have a contract with a municipal agency to provide personal services. <input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee. <input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee. <input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.
Employee signature:	
Date:	4-22-19

Attach additional pages if necessary.

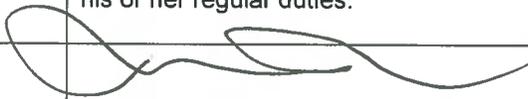
NOT A PERSONAL SERVICES CONTRACT -- File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

FOR CONTRACTS FOR PERSONAL SERVICES ONLY:

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

CERTIFICATION BY HEAD OF CONTRACTING AGENCY

INFORMATION ABOUT HEAD OF CONTRACTING AGENCY	
Name:	Mark Hawke
Title/ Position	Mayor
Municipal Agency:	City of Gardner
Agency Address:	95 Pleasant Street, Gardner, MA 01440
Office Phone:	(978) 632-1900
CERTIFICATION	
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	
Date:	4-22-19

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,
BOARD OF SELECTMEN OR TOWN COUNCIL**

INFORMATION ABOUT APPROVING BODY	
Name:	Scott J. Graves, Esq.
Title/ Position	President, Gardner City Council
Agency Address:	95 Pleasant Street Gardner, MA 01440
Office Phone:	(978) 632-1000
APPROVAL	
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

Attach additional pages if necessary.
File disclosure, Certification and Approval with the city or town clerk.

4-1

City of Gardner, *Executive Department*

Mark Hawke, Mayor



2019 APR 29 AM 9:41

April 29, 2019

Attorney Scott J. Graves, President
And City Councilors
95 Pleasant Street
Gardner, MA 01440

RE: Classification and Compensation Schedule

Dear President Graves and Councilors,

In advance of the FY 2020 Budget, I hereby submit a revised Classification and Compensation Schedule.

The Classification and Compensation Schedule contains a 2% cost of living allowance increase for all positions, as well as the following additional changes:

1. Council on Aging Director, additional 2% increase. The additional increase is due to the fact that this Department Head position was well below the mid-range salary suggested by the HRS Consulting report. While the additional 2% increase does not raise the salary to the mid-range, it gets it very close. The Director has also done an admirable job in increasing visitation to the Senior Center as well as the addition of new programs.
2. Human Resources Director, additional 2% increase. The additional increase is due to the fact that the Director never received any additional compensation when the Pool was added to her duties. The Director has also taken over the personnel records for the School Department.
3. Deputy Police Chief, additional 3% increase. This increase was recommended by the Police Chief. The increase allows for the Deputy Police Chief to be compensated at a rate of 10% above the top step Lieutenant's rate.
4. Animal Control Officer, implementation of longevity steps at five (5) and ten (10) years with a 2% step increase.
5. Grade change to the IT Director. The IT Director salary is already above the G-10 top. Given the vast duties and education required, I recommend changing the Grade to a G-11. No salary change is required.
6. Grade change to the Deputy Police Chief. The current and proposed salary for the Deputy Police Chief is above the current Grade of G-9. The Police Chief is a Grade G-13. I am recommending changing the Grade to a G-11.
7. Grade change to the Director of Public Safety Regional Dispatch Center. The current salary is already above the Grade G-8 range. I recommend changing the Grade to a G-9. No additional salary change is required.

Respectfully,

Mark Hawke
Mayor, City of Gardner

**Amendment to City Code
Chapter 171: Personnel
Article XVI: Classification and Compensation
§171-68
Compensation Schedule**

An amendment to §171-68 Compensation Schedule, 171b Schedule 2

A classification plan is hereby established for offices and positions in the service of the City, and establishing compensation grades thereof

All appointive officers and all positions in the City of Gardner, except those filled by popular election and those under the direction and control of the School Committee, shall be classified into positions, groups, and grades according to their duties pertaining to each as herein provided

CLASSIFICATION CLASS TITLE

<u>Pay Grade</u>	<u>Class/Title</u>
S-4	Certified Pool Operator (Seasonal)
S-5	Head Lifeguard (Seasonal)
S-6	Lifeguard (Seasonal)
T-4	Temporary Seasonal Employees (Department of Public Works)
T-5	Temporary Seasonal Recreational Playground Supervisor
T-6	Temporary Seasonal Technical
GC-4	Golf Course Laborers/Pro-Shop Assistants - Temporary Seasonal Employment
GC-5	Golf Course Groundsman
GC-6	Golf Course Ranger
GC-8	Grounds Maintenance Man or Motor Equipment Repairman
GC-9	Working Foreman Grounds Maintenance Man or Working Foreman Motor Equipment Repairman

The officers, positions, and classifications are hereby allocated and fixed into salary grades in accordance with the following schedule:

COMPENSATION SCHEDULE

A. DEPARTMENT HEADS

Position	Grade	07/01/19	
		Annual	Weekly
Building Commissioner	G-10	\$78,151.60	\$1,502.92
Chief of Police	G-13	\$103,219.64	\$1,984.99
City Assessor	G-9	\$73,137.78	\$1,406.50
City Auditor	G-10	\$81,275.75	
		MGL c. 32, §20(6)	\$3,000.00
		Total Compensation	\$84,275.75 \$1,620.69
City Clerk	G-10	\$79,714.63	
		MGL c. 41, §19F	\$3,500.00
		MGL c. 41, §19G	\$550.00
		Total Compensation	\$83,764.63 \$1,610.86
City Collector/Treasurer	G-10	\$84,118.88	
		MGL c. 32, §20	\$300.00
		Total Compensation	\$84,418.88 \$1,623.44
City Engineer	G-11	\$85,175.44	\$1,637.99
City Solicitor	G-10	\$80,632.20	\$1,550.62
Council on Aging Director	G-6	\$57,587.68	\$1,107.46
Director of Community Development & Planning	G-10		
		City	\$65,838.94
		GRA	\$22,250.47
		CDBG	\$4,636.05
		Total	\$92,725.46 \$1,783.18
Director of Local Origination & Educational Planning	G-6	\$64,468.75	\$1,239.78
Director of Public Health	G-10		
		Step 1	\$70,358.09 \$1,353.04
		Step 2	\$78,476.33 \$1,509.16
Fire Chief	G-12	\$94,698.74	\$1,821.13

C. NON-UNION STAFF POSITIONS (Cont.)

	07/01/19					01/01/20
	Step 1	Step 2	Step 3	Step 4 (5 Yrs)	Step 5(10 Yrs)	Step 1
Administrative Assistant	\$14.89	\$17.27	\$20.81	\$21.23	\$21.65	
Administrative Coordinator	\$14.12	\$16.63	\$19.14	\$19.52	\$19.90	
Administrative Clerk	\$13.67	\$15.89	\$18.11	\$18.47	\$18.83	
Animal Shelter Attendant	\$12.50					\$13.00
Budget/Project Manager**	\$1.09					
City	\$0.65					
GRA	\$22.85					
CDBG	\$24.59					
Total Compensation	\$18.09	\$20.41	\$22.74			
Building Maintenance Craftsman	\$16.54	\$18.79	\$21.03			
Building Maintenance Man	\$13.00					
Council on Aging Coordinator	\$15.08	\$17.98	\$21.21			
Financial Administrator	\$13.85	\$16.29	\$19.01			
Financial Clerk						

Golf Course Positions

Golf Pro Shop Supervisor		\$14.08	\$14.62	\$15.16		
Grounds Maintenance Man	GC-8	\$16.56	\$18.22	\$20.16		
Motor Equipment Repairman	GC-8	\$16.56	\$18.22	\$20.16		
Working Foreman - Grounds Maintenance Man	GC-9	\$20.35				
Working Foreman - Motor Equipment Repairman	GC-9	\$20.35				

Library Department Positions

Staff Librarian		\$21.85				
Senior Library Technician		\$19.91				
Library Technician		\$18.78				
Library Clerical Staff		\$13.14	\$13.40			
Head Life Guard		\$15.30	\$16.73			
Parking Meter Clerk		\$16.65				
Production Assistant		\$14.77				
Transfer Station Monitor		\$12.50				\$13.00

D. NON-UNION STAFF: TEMPORARY, SEASONAL AND INTERMITTENT POSITIONS

Position		07/01/19			07/01/20		
		Step 1	Step 2	Step 3	Step 1	Step 2	Step 3
Alternate Animal Control Officer		\$12.50			\$13.00		
Certified Pool Operator	S-4	\$22.11					
Golf Course Laborer/Pro Shop Assistant	GC-4	\$12.50			\$13.00		
Golf Course Groundsman	GC-5	\$14.51					
Golf Course Ranger	GC-6	\$12.50			\$13.00		
Lifeguard	S-6	\$12.50			\$13.00		
Temporary Seasonal Technical	T-6	\$14.36					
Election Warden		\$14.00					
Election Inspector		\$12.00					
Election Clerk		\$13.00					
Special Detail Police Officer		\$49.00					
Temporary Seasonal Laborer (T-4)		\$12.50	\$13.77	\$15.30	\$13.00	\$13.77	\$15.30
Recreational Playground Supervisor (T-5)		\$15.30	\$16.73				
Recreational Support Staff		\$12.50			\$13.00		

**Compensation increase contingent upon positive evaluation of oversight commission, Board or individual (Mayor or City Council) with the approval of the Mayor.

%Community Development & Planning Administrative Coordinator Wages paid for by City, CDBG and GRA in the following approximate percentages: City - 84.5%, GRA 10.5% and CDBG 5%

City of Gardner, *Executive Department*

Mark Hawke, Mayor



2019 APR 29 AM 9:41

April 29, 2019

Attorney Scott J. Graves, President
And City Councilors
95 Pleasant Street
Gardner, MA 01440

RE: Yearly Salaries

Dear President Graves and Councilors,

City Code Chapter 171-66 states:

“The yearly salaries for the Mayor, Council President, City Councilors and various other positions shall be as set forth in Schedule 1 included at the end of this chapter. On or after January 1 of each odd-numbered year beginning in 2007, the Finance Committee of the City Council shall report to the Council, as a Committee of the Whole, its recommendations for adjustment, if any, to the salaries of the Mayor and City Councilors.”

In fiscal year 2019 all non-union personnel received a 2% cost of living allowance. For fiscal year 2020 there will also be a 2% cost of living allowance for non-union personnel.

In accordance with the salary study performed by HRS Consulting, the Mayor's salary should, at least, keep pace with any increases allotted to non-union personnel. I am proposing a 2% cost of living allowance for fiscal year 2020 and a 2% cost of living allowance for 2021.

Rather than a lump sum 4% cost of living increase to keep pace with non-union personnel, the Mayor and City Council increases will lag a full year behind all the other increases. This lag will allow the Council time to react and make changes to the Mayor and Council yearly salaries should any corrections to non-union personnel compensation occur at any time.

Respectfully,

Mark Hawke
Mayor, City of Gardner

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED "PERSONNEL," TO CHANGE THE COMPENSATION OF SCHEDULE 1, YEARLY SALARIES< MAYOR AND CITY COUNCILORS.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended to change the salaries of the Mayor and City Councilors, as follows:

Position	Effective 1/4/2016 Current	Effective 1/6/2020	Effective 1/4/2021
Mayor	\$88,650	\$94,040	\$95,921
Council President	\$10,707	\$10,921	\$11,139
City Councilors	\$7,326	\$7,473	\$7,622

Section 2. This ordinance shall become effective upon passage and publication as required by law.