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Scott Joseph Graves, Esq.

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Ronald F. Cormier
Edward A. Gravel
Scott J. Graves, Esq.
Christine A. Johnson

WARD 1 COUNCILLOR
James M. Walsh, Esq.

WARD 2 COUNCILLOR
Elizabeth J. Kazinskas

WARD 3 COUNCILLOR
Nathan R. Boudreau

WARD 4 COUNCILLOR
Karen G. Hardern

WARD 5 COUNCILLOR
James D. Johnson

CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



April 10, 2019

PUBLIC SAFETY COMMITTEE MEETING NOTICE

Date: Tuesday, April 16, 2019
Time: 7:00 p.m.
Location: Mayor's Conference, Room 128, 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 of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

- I. Review and Approval of the Minutes of the March 18, 2019 Meeting.
- II. #10069, An Application by Osagi Enterprise, LLC, for a License to Buy and Sell Second Hand Motor Vehicles, Class 2, on Toby Street (*In City Council and Referred to Public Safety, 3/4/2019*).

#10070, An Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street (*In City Council, Referred to Public Safety, and Ordered to Public Hearing, 3/4/2019; Public Hearing scheduled for Monday, 3/18/2019 @ 7:30 p.m.*).
- III. Other Business.
- IV. Adjournment.

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
James D. Johnson
COUNCILLOR JAMES D. JOHNSON
Chairman, Public Safety Committee

**CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL PUBLIC SAFETY COMMITTEE
MINUTES OF THE MEETING OF MARCH 18, 2019**

Committee Chairman Councillor James Johnson called the Public Safety Committee meeting to order at 6:30 p.m. in the Mayor's Conference Room, City Hall. Committee member Councillor Karen Hardern was also present. Councillor Edward Gravel was absent.

Other Officials present and/or participating were Council President Scott Graves; Councillor Christine Johnson; Chief of Police Richard Braks; Building Commissioner Roland Jean; and, City Clerk Alan Agnelli.

I. Minutes of Prior Meeting(s).

On a motion by Councillor Karen Hardern and seconded by Chairman James Johnson, it was voted to accept the Minutes of February 19, 2019 Public Safety Committee Meeting, as printed.

II. #10053, An Ordinance to Amend the Code of the City of Gardner, Chapter 312 Thereof, Entitled "Animals," by Deleting and Repealing § 312-2F (In City Council and Referred to Public Safety, 2/4/2019).

Chairman Johnson reported that the Public Service Committee voted to recommend that only Pulaski Park be designated for dogs and suggested that the Public Safety Committee follow suit and recommend that same course of action.

On a motion by Councillor Karen Hardern and seconded by Chairman James Johnson, it was voted to recommend that only Pulaski Park be designated for dogs and that the following Ordinance be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED "ANIMALS," BY DELETING AND REPEALING § 312-2F.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED "ANIMALS," TO CHANGE A PROVISION RELATING TO RESPONSIBILITIES OF OWNERS OR KEEPERS.

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

Section 1. Subsection F of Section 312-2 of Chapter 312, Animals, of the Code of the City of Gardner, is hereby amended to read, as follows:

F. No animals shall be allowed in any City cemetery or playground, except in designated areas of Pulaski Park.

Section 2. Effective date.

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

III. #10069, An Application by Osagi Enterprise, LLC, for a License to Buy and Sell Second Hand Motor Vehicles, Class 2, on Toby Street (In City Council and Referred to Public Safety, 3/4/2019).

Chief of Police Braks opened the discussion by saying that not more than one license, all classes, may be issued on the same property. He noted that once the new licensee takes possession, then the current license holder's license(s) must be revoked.

**CITY OF GARDNER, MASSACHUSETTS
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Joshua Hall, 61 Hill Street, an abutter, informed the Committee that the Michael Rahaim, the current license holder, has been an amazing neighbor and keeps them informed when he will be performing noisy tasks. He is concerned that under a new license holder, trucks may be passing all hours of the day.

Debra Anctil, 61 Hill Street, an abutter, said that because the property is zoned R2, Joshua cannot operate a landscaping business from his home because of the restriction.

President Graves questioned whether the business is “grandfathered” and if any conditions were applied to the licenses, such as hours of operation.

The City Clerk indicated that he would research the history of the license holders to determine whether the business was operating prior to the implementation of zoning and whether any conditions were attached to the licenses.

The Committee postponed action until the next meeting.

#10070, An Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street (In City Council, Referred to Public Safety, and Ordered to Public Hearing, 3/4/2019; Public Hearing scheduled for Monday, 3/18/2019 @ 7:30 p.m.).

The Committee postponed action until the next meeting.

IV. Other Business.

None

VI. Adjournment.

On a motion Councillor Karen Hardern and seconded by Chairman James Johnson, it was voted to adjourn at 6:50 p.m.

10069

License Application
Processing Fee - \$200.00



CITY OF GARDNER, MASSACHUSETTS
City Hall - Room 121 - 95 Pleasant Street
Gardner, MA 01440-2630
Tel: 978-630-4058 Fax: 978-630-2589

Date Received
2019 FEB 26 AM 10:32
CITY CLERK'S OFFICE
GARDNER, MA

APPLICATION FOR LICENSE TO BUY AND SELL SECOND HAND MOTOR VEHICLES

New ___ Renewal ___ Class 1 - Class 2 - Class 3 (Circle all that apply to this Application)

- Legal Name of Business: OSAGI ENTERPRISE LLC.
(Name as registered with the Secretary of the Commonwealth's Corporations Division. If individual or partnerships enter names)
- Doing Business As: _____
(If conducted under any name other than the Applicant's Legal Name. An active Business Certificate must be on file with the City Clerk)
- Business Address: 43 x 0 TOBY ST. GARDNER MA 01440
(Complete street address where business will be conducted and P.O. Box, if any)
- Business Tel: 5087146591 Cellular 7036498634 Fax _____ E-Mail OSAGYEF01A@HOTMAIL.COM
- Is the business an Individual partnership, association or corporation? _____
- If an individual, state full name and residential address: KWAME NTERUMAH
27 TOWLE DR HOLDEN MA 01520
- If a partnership, state full names and residential addresses of all partners: _____
- If an association or corporation, state full names of the principal officers:
President _____
Secretary _____
Treasurer _____
- Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? YES
 - If so, is your principal business the sale of new motor vehicles? NO
 - Is your principal business the buying and selling or exchanging of second hand motor vehicles? YES
 - Is your principal business that of a motor vehicle junk dealer? SECONDARY
 - Is your principal business that of a "Repairs"? NO
 - Is your principal business that of "Repossession"? NO
- Provide a complete description of all the premises to be used for the purpose of carrying on the business:
SEE ATTACH
- Are you a recognized agent of a motor vehicle manufacturer? YES _____ NO NO
If yes, state the name of the manufacturer: _____

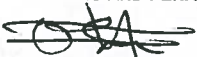
11. Do you have a signed contract as required by Section 58, Class I? YES _____ NO NO
12. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES _____ NO NO
 If yes, in what city or town? _____
 Did you receive a license? YES _____ NO NO For what year? _____
13. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES _____ NO NO If yes, please explain: _____

Provide the following items/documentation with the completed Application form:

- Applicable License Application Processing Fee(s)**, check payable to **"City of Gardner"**
- Surety Bond** in the amount of **\$25,000** executed by a surety company authorized to transact business in Massachusetts, or other equivalent proof of financial responsibility satisfactory to the municipal licensing authority. A separate bond shall be required for each different name under which the dealer conducts his business. (Applies only to Class 2 Dealers).
- State and Federal Tax Certification Affidavit**
- City of Gardner **PERMIT/APPLICATION GOOD STANDING CERTIFICATE**
- Criminal Offender Record Information (CORI) Authorization form.**
- Workers Compensation Insurance Affidavit: General Businesses**
- Parking Plan** (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Zoning Opinion** from the Building Commissioner.
- Planning Board and/or Board of Appeals Decisions (*if applicable*).

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. APPLICANT FURTHER CERTIFIES THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZES THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.



DATE SIGNED 2/20/19

INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE



OR



License Fee must be submitted with this form. Make check payable to *City of Gardner*. Mail completed Application Form, along with all required documentation and check to: *City Clerk, 95 Pleasant Street, Room 121, Gardner, MA 01440.*

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 requires the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, **shall be sufficient cause for the denial of the License application.**

License Application
Processing Fee - \$200.00



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Gardner, MA 01440-2630
Tel: 978-630-4058 Fax: 978-630-2589

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(Name as registered with the Secretary of the Commonwealth's Corporations Division. If individual or partnerships enter names)
2. Doing Business As: _____
(If conducted under any name other than the Applicant's Legal Name. An active Business Certificate must be on file with the City Clerk)
3. Business Address: 43 X 0 TOBY ST GARDNER MA 01440
(Complete street address where business will be conducted and P.O. Box, if any)
4. Business Tel. 508 7146591 Cellular 703 6498634 Fax _____ E-Mail OSAGI@FDAC.HOTMAIL.COM
5. Is the business an individual, partnership, association or corporation? INDIVIDUAL
6. If an individual, state full name and residential address: KWAME NKURUMAH
27 TOWLE DR HOLDEN MA 01520
7. If a partnership, state full names and residential addresses of all partners: _____
8. If an association or corporation, state full names of the principal officers:
President _____
Secretary _____
Treasurer _____
9. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? YES
 - a. If so, is your principal business the sale of new motor vehicles? NO
 - b. Is your principal business the buying and selling or exchanging of second hand motor vehicles? YES
 - c. Is your principal business that of a motor vehicle junk dealer? SECONDARY
 - d. Is your principal business that of a "Repairs"? NO
 - e. Is your principal business that of "Repossession"? NO
9. Provide a complete description of all the premises to be used for the purpose of carrying on the business:

10. Are you a recognized agent of a motor vehicle manufacturer? YES _____ NO NO
If yes, state the name of the manufacturer: _____


11. Do you have a signed contract as required by Section 58, Class I? YES _____ NO NO
12. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES _____ NO NO
 If yes, in what city or town? _____
 Did you receive a license? YES _____ NO NO For what year? _____
13. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES _____ NO NO If yes, please explain: _____

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SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

 DATE SIGNED 2/20/19
 INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT _____
 _____ OR _____

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