



REGULAR MEETING OF AUGUST 1, 2016

Regular Meeting of the City Council was held in the City Council Chamber, 2nd Floor, City Hall, on Monday evening, August 1, 2016.

CALL TO ORDER

President James Walsh 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. Ten (10) Councillors were present including President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance. Councillor James Johnson was absent.

OPENING PRAYER

President Walsh led the Council in reciting the Opening Prayer.

PLEDGE OF ALLEGIANCE

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

OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT

President Walsh 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 Paul Tassone, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to waive reading and to accept the Minutes of the July 5, 2016 Regular Meeting, as printed.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

#9672

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald



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Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Election Officer Appointments received from the Mayor:

Robert W. Nevard	61 Bickford Hill Road	Gardner
Ruth Anne Nevard	61 Bickford Hill Road	Gardner
Pan Greenwood	99 Main Street, #1	Gardner

#9673

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

KIM LANDRY to the position of Animal Control Officer for term expiring June 20, 2017.

Worcester, ss.

August 19, 2016

Then personally appeared **KIM LANDRY** and made oath that she would faithfully and impartially perform the duties of Animal Control Officer according to law and the best of her abilities.

Before me,
/s/ Titi Siriphan, Assistant City Clerk

#9674

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

CHERYL SLACK to the position of Animal Control Officer for term expiring June 20, 2017.

Worcester, ss.

August 2, 2016

Then personally appeared **CHERYL SLACK** and made oath that she would faithfully and impartially perform the duties of Animal Control Officer according to law and the best of her abilities.

Before me,
/s/ Titi Siriphan, Assistant City Clerk



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#9675

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

ROBYN INNIS to the position of Animal Control Officer for term expiring June 20, 2017.

Worcester, ss.

August 3, 2016

Then personally appeared **ROBYN INNIS** and made oath that she would faithfully and impartially perform the duties of Animal Control Officer according to law and the best of her abilities.

Before me,
/s/ Titi Siriphan, Assistant City Clerk

PETITIONS, APPLICATIONS, ETC.

#9676

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to adopt the following Order:

STATE PRIMARY ORDER
SEPTEMBER 8, 2016

VOTED: That meetings of the citizens of this City qualified to vote in the State be held on THURSDAY, THE EIGHTH DAY OF SEPTEMBER, 2016, FROM 7:00 A.M. TO 8:00 P.M. for the purpose of casting their votes in the State Primaries for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS.....THIRD DISTRICT
COUNCILLOR.....SEVENTH DISTRICT
SENATOR IN GENERAL COURT.....WORCESTER & MIDDLESEX DISTRICT
REPRESENTATIVE IN GENERAL COUR.....SECOND WORCESTER DISTRICT
SHERIFF.....WORCESTER COUNTY

It is further ordered that the following polling places are designated by the City Council:

WARD 1, PRECINCT A – Elk’s Home, 31 Park Street
WARD 1, PRECINCT B – Elk’s Home, 31 Park Street

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WARD 2, PRECINCT A – Levi Heywood Memorial Library, 55 West Lynde Street
WARD 2, PRECINCT B – Levi Heywood Memorial Library, 55 West Lynde Street
WARD 3, PRECINCT A – Acadien Social Club, 193 Parker Street
WARD 3, PRECINCT B – High Rise Community Room, 104 Church Street
WARD 4, PRECINCT A – Police Headquarters, 200 Main Street
WARD 4, PRECINCT B – Police Headquarters, 200 Main Street
WARD 5, PRECINCT A – Knights of Columbus, 110 South Main Street
WARD 5, PRECINCT B – Knights of Columbus, 110 South Main Street

Presented to Mayor for Approval – August 2, 2016

Approved – August 8, 2016

MARK P. HAWKE, Mayor

#9677

On a motion by Councillor Paul Tassone and seconded by Councillor Matthew Vance, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to adopt the following Measure:

VOTED: To restrict traffic on Friday August 5 from 8:00 a.m. to 7:00 p.m. and Saturday, August 6 from 8:00 a.m. to 5:00 p.m. for the Annual Experience Gardner Festival & Sidewalk Sale. During these periods, vehicle traffic shall be prohibited in the following areas:

- Main Street beginning at 46 Main Street (Paramount Café) to 4 Main Street (Priscilla Candy Shop).
- Pleasant Street beginning at 39 Pleasant Street (Suzette's Breakfast & Lunch Shop) to 2 Parker Street.
- West Lynde Street from 4 Main Street (Priscilla Candy Shop) to 10 West Lynde Street (Synergy Hair Salon).
- Parker Street from 29 Parker Street (Bank of America) through the traffic lights at Parker Street and Connors Street to the end of the building at 57-67 Parker Street (Maki Block), both sides of street.
- Parker Street from 60 Parker Street (PYCA Thrift Shop) to 104 Parker Street (The Buffer Zone/Pampering Parlor) at Lafayette Square.

Presented to Mayor for Approval – August 2, 2016

Approved – August 8, 2016

MARK P. HAWKE, Mayor



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REPORTS OF STANDING COMMITTEES

PUBLIC SAFETY COMMITTEE

#9629

There being no objections, the Public Safety Committee was granted more time to study and to report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC."

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

Section 1. Section 600-28 of Chapter 600, Vehicles and Traffic, Parking Time Limited in Designated Spaces, of the Code of the City of Gardner, is amended by adding the following:

D. Two Hour Parking. No person shall park a vehicle for a period of time longer than two hours on the following described streets or parts thereof between the hours of 9:00 a.m. and 6:00 p.m., except on Sundays and holidays:

City Hall Avenue	North	Beginning 33 feet from the corner of Connors Street easterly for a distance of 115 feet (10 spaces).
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Section 2. The Code of the City of Gardner is hereby amended by deleting and repealing § 600-29 (B), Police Vehicle Parking Only.

Section 3. Section 600-32 of Chapter 600, Vehicles and Traffic, Angle Parking, of the Code of the City of Gardner, is hereby amended by deleting and repealing the following:

Name of Street	Side	Location
City Hall Avenue	North	Beginning 33 feet from the corner of Connors Street easterly for a distance of 115 feet (10 parking spaces), in front of the police station for police cruiser and official business only.
City Hall Avenue	South	151.5 feet from Pleasant Street a distance of 42 feet (4 angle spaces) (police business only).

Section 4. Section 600-32 of Chapter 600, Vehicles and Traffic, Angle Parking, of the Code of the City of Gardner, is amended by adding thereto the following:

City Hall Avenue	South	130 feet from Pleasant Street, a distance of 63 feet (6 spaces). Vehicles shall not remain in spaces longer than 12 hours.
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Section 5. This Ordinance shall take effect upon passage and publication as required by law.

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COMMITTEE OF THE WHOLE**#9234**

President Walsh informed the Council that he is awaiting a response from the City Solicitor regarding language that addresses the creation and filling of vacancies, adding that he plans to contact him for a response prior to the next Council meeting. There being no objections, the Committee of the Whole was granted more time.

#9661

President Walsh informed the Council that the measure involves the sludge treatment facility. He said that the Mayor recently indicated to him that the money order is moot since it is an appropriation from the prior fiscal year; therefore, the Council could anticipate that the Mayor will seek leave to withdraw the Order and to submit a Resolution concerning the topic and that the Committee of the Whole would meet to address the issue. There being no objections, the Committee of the Whole was granted more time.

NEW BUSINESS

On a motion by Councillor Scott Graves and seconded by Councillor Nathan Boudreau, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to consider New Business.

#9678

On a motion by Councillor Marc Morgan and seconded by Councillor Nathan Boudreau, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier*, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone*, and Matthew Vance, to adopt the following Order:

AUTHORIZING THE CITY OF GARDNER
TO PURCHASE 32 PARKER STREET
FROM THE GARDNER REDEVELOPMENT AUTHORITY

VOTED: To authorize the Mayor to purchase 32 Parker Street further identified on the City of Gardner Assessor's Map as MAP ID: M22/5/24 for the amount of \$1.00, from the Gardner Redevelopment Authority and upon such terms as the Mayor shall consider proper in accordance with this Vote.

Presented to Mayor for Approval – August 2, 2016

Approved – August 8, 2016

MARK P. HAWKE, Mayor



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** Councillors Ronald Cormier and Paul Tassone are also members of the Gardner Redevelopment Authority and each has filed a Disclosure of Appearance of Conflict of Interest with the Office of the City Clerk.*

#9679

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Auditor informed the Committee that the payment to DOR represents an obligation under the Affordable Care Act.

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to adopt the following Measure:

AUTHORIZING PAYMENT OF PRIOR YEAR
PATIENT CENTER OUTCOMES RESEARCH FEES
TO THE MASSACHUSETTS DEPARTMENT OF REVENUE

VOTED: To authorize payment of Patient Center Outcomes Research Fees to the Department of Revenue from the Employee Health Benefit Insurance Account for prior years FY2014 and FY2015, as follows:

FY2014	\$ 1,485.00
<u>FY2015</u>	<u>\$ 1,980.00</u>
TOTAL	<u>\$ 3,465.00</u>

Presented to Mayor for Approval – August 2, 2016

Approved – August 8, 2016

MARK P. HAWKE, Mayor

Commentary

Councillor Paul Tassone encouraged residents to attend the Annual Experience Gardner Festival & Sidewalk Sale on Friday and Saturday.

Councillor Scott Graves announced that he continues to maintain his law practice in South Gardner, with the same telephone and fax numbers, and e-mail addresses.

Councillor Nathan Boudreau encouraged residents to attend the CAC-sponsored Gardner National Night Out event on Tuesday, August 2 at Monument Park.

Councillor Nathan Boudreau congratulated Councillor Matthew Vance on his recent marriage to Kassandra Norcross.



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Councillor James Boone expressed his appreciation to the PACC for its successful fireworks display held on Saturday, July 31.

Councillor Marc Morgan recognized the services of Gardner and Templeton EMS crews that assisted his mother during a recent medical emergency.

Councillor Ronald Cormier recognized Council President James Walsh and his wife, Kim, on the occasion of their 34th Wedding Anniversary.

CLOSING PRAYER

President Walsh led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Nathan Boudreau and seconded by Councillor James Boone, it was voted viva voce, ten (10) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, Marc Morgan, Paul Tassone, and Matthew Vance, to adjourn at 7:44 o'clock p.m.

Accepted by the City Council: *September 6, 2016*