

**REGULAR MEETING OF SEPTEMBER 6, 2016**

Regular Meeting of the City Council was held in the City Council Chamber, 2nd Floor, City Hall, on Tuesday evening, September 6, 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. Eleven (11) Councillors were present including President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance.

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, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to waive reading and to accept the Minutes of the August 1, 2016 Regular Meeting, as printed.

COMMUNICATIONS FROM THE MAYOR**APPOINTMENTS****#9680**

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier,

REGULAR MEETING OF SEPTEMBER 6, 2016

Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

PHILIP MORRISSEY to the position of Member, Airport Commission, for term expiring July 25, 2019.

Worcester, ss.

September 16, 2016

Then personally appeared **PHILIP MORRISSEY** and made oath that he would faithfully and impartially perform the duties of Member, Airport Commission, according to law and the best of his abilities.

Before me,
/s/ Alan L. Agnelli, City Clerk

#9681

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

KRISTIN EDSON-SHOUSE to the position of Member, Youth Commission, for term expiring August 10, 2019.

#9682

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

MICHAEL McGRATH to the position of Member, Youth Commission, for term expiring August 10, 2019.

Worcester, ss.

September 13, 2016

Then personally appeared **MICHAEL McGRATH** and made oath that he would faithfully and impartially perform the duties of Member, Youth Commission, according to law and the best of his abilities.

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

REGULAR MEETING OF SEPTEMBER 6, 2016

#9683

On a motion by Councillor Ronald Cormier and seconded by Councillor Scott Graves, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, James Johnson, and Marc Morgan; three (3) nays, Councillors Karen Hardern, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

EDWARD GRAVEL to the position of Member, Youth Commission, for term expiring August 10, 2019.

Worcester, ss.

September 12, 2016

Then personally appeared **EDWARD GRAVEL** and made oath that he would faithfully and impartially perform the duties of Member, Youth Commission, according to law and the best of his abilities.

Before me,
/s/ Alan L. Agnelli, City Clerk

#9684

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

DARLENE MORRILLY to the position of Member, Board of Registrars of Voters, for term expiring April 1, 2018.

Worcester, ss.

September 8, 2016

Then personally appeared **DARLENE MORRILLY** and made oath that she would faithfully and impartially perform the duties of Member, Board of Registrars of Voters, according to law and the best of her abilities.

Before me,
/s/ Alan L. Agnelli, City Clerk

#9685

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

LAURIE DRAKE to the position of Election Officer for term expiring September 1, 2017.

REGULAR MEETING OF SEPTEMBER 6, 2016

PETITIONS, APPLICATIONS, ETC.**#9686**

On a motion by Councillor Marc Morgan and seconded by Councillor Scott Graves, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to refer the following Resolution to the Council as Committee of the Whole for study and report:

RESOLUTION ENDORSING THE DEPARTMENT OF PUBLIC WORKS
PLAN TO UPGRADE THE DEWATERING EQUIPMENT
AND PURSUIT OF A NEW/EXPANDED SLUDGE LANDFILL

VOTE: The City Council of Gardner wishes to endorse the Department of Public Works Plan to upgrade the dewatering equipment and pursue a new/expanded sludge landfill.

The plan will include improving the technology, replacing the pumps, repairing the 30 year old facility, and pursuing a new/expanded sludge landfill. The City has performed a comprehensive study looking at several alternatives for the disposal of the City's sludge. These options included composting, anaerobic digestion, off-site disposal by a private hauler, and upgrading and continuing our current operations.

Based on the evaluations, the most cost effective long term solution was deemed to be upgrading the present dewatering equipment and disposing of the sludge at a City owned sludge landfill.

President James Walsh informed the Council that an Informal Meeting would be scheduled prior to the next Regular Meeting to hear a presentation on the proposal.

#9687

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to adopt the following Measure:

ACCEPTANCE OF M.G.L. CHAPTER 54, SECTION 16A
ABSENT ELECTION OFFICER APPOINTMENTS

REGULAR MEETING OF SEPTEMBER 6, 2016

VOTE: To accept the provisions of Section 16A of Chapter 54 of the General Laws, empowering the City Clerk to appoint a warden, clerk or inspector, or the deputy of any such officer, if any is not present at the opening of the polls.

Presented to Mayor for Approval – September 7, 2016

Approved – September 7, 2016

MARK P. HAWKE, Mayor

#9688

On a motion by Councillor Paul Tassone and seconded by Councillor Karen Hardern, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to Order to Public Hearing and to refer to the Public Safety Committee for study and report the *Application by Paul L. Roy, 55 Corey Hill Road, Ashburnham, for an Amended License to Store 200,000 Gallons of Petroleum Products in Aboveground Storage Tanks at 211 Colony Lane, Gardner.*

#9689

On a motion by Councillor Paul Tassone and seconded by Councillor Karen Hardern, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to refer to the Public Safety Committee for study and report the *Notice of Cancellation of the Motor Vehicle Class 2 Dealer Surety Bond Relative to Marco's Motorsports, 412 Main Street.*

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, as it awaits feedback from the Traffic Commission:

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:



REGULAR MEETING OF SEPTEMBER 6, 2016

| | | |
|------------------|-------|--|
| City Hall Avenue | North | Beginning 33 feet from the corner of Connors Street easterly for a distance of 115 feet (10 spaces). |
|------------------|-------|--|

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. |
|------------------|-------|---|

Section 5. This Ordinance shall take effect upon passage and publication as required by law.

COMMITTEE OF THE WHOLE

#9234

President Walsh informed the Council that the City Solicitor submitted his report in response to the Council’s request for language addressing the creation and filling of vacancies, and added that he requested that the City Clerk prepare draft legislation based upon various revisions agreed to by the Council. He said that when the draft is completed, he would then schedule a meeting of the Committee of the Whole to review the legislation, perhaps at the Council’s second meeting in October. There being no objections, the Committee of the Whole was granted more time.

REGULAR MEETING OF SEPTEMBER 6, 2016

#9661

On a motion by Councillor Marc Morgan and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to grant the Mayor's request for Leave to Withdraw the following Order:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER DESIGN OF THE DEWATERING.

ORDER: That there be and is hereby appropriated the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) from Sewer Surplus to Sewer Design of the Dewatering.

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Scott Graves, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to consider New Business.

ANNOUNCEMENTS

Councillor Paul Tassone informed the Council that local businesses were represented at a recent weekend event that he attended at the Red Apple Farm in Phillipston.

Councillor Craig Cormier wished students and teachers a happy new school year.

Councillor Nathan Boudreau noted successful local events that were held in August, citing the Sidewalk Sale, Salvadore's Festival, and Movies and Concerts in the Park.

Councillor James Boone noted the impressive uniform worn by a City Councillor (Boudreau) during the recent Experience Gardner Summer Festival and Sidewalk Sale.

CLOSING PRAYER

President Walsh led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Scott Graves and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, Karen Hardern, James Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to adjourn at 7:45 o'clock p.m.

Accepted by the City Council: *September 19, 2016*