

**REGULAR MEETING OF SEPTEMBER 19, 2016**

Regular Meeting of the City Council was held in the City Council Chamber, 2nd Floor, City Hall, on Monday evening, September 19, 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 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 waive reading and to accept the Minutes of the September 6, 2016 Regular Meeting, as printed.

COMMUNICATIONS FROM THE MAYOR**APPOINTMENT**

#9690

On a motion by Councillor Ronald Cormier and seconded by Councillor Marc Morgan, 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



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Johnson, Marc Morgan, Paul Tassone, and Matthew Vance, to confirm the following Appointment received from the Mayor:

IRENE DUBZINSKI to the position of Member, Housing Authority, for term expiring May 5, 2017.

Worcester, ss.

September 20, 2016

Then personally appeared **IRENE DUBZINSKI** and made oath that she would faithfully and impartially perform the duties of Member, Housing Authority, according to law and the best of her abilities.

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

ORDINANCE

#9691

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 the following Ordinance to the Public Safety Committee for study and report:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CODE 600-18-A TWO HOUR PARKING METERS AND CODE 600-19 THIRTY-MINUTE PARKING METERS.

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

Delete Code §600-19-A & B – Thirty minute parking meters.

A. No person shall park a vehicle for a period of time longer than 30 minutes between the hours of 9:00 a.m. and 6:00 p.m. at any metered location on the streets or portions thereof listed below. This restriction shall not apply on Sundays or during the hours of legal holidays during which business establishments are required by law to remain closed.

Name of Street	Location
City Hall Avenue	Between Pleasant Street and Nichols Street, unless otherwise posted.

B. The actual location of meters to be placed within the above locations shall be designated and may from time to time be changed by vote of the City Council Public Safety Committee.

AND

Amend Code §600-18 – Two-hour parking meters.



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No person shall park a vehicle for a period of time longer than two hours between the hours of 9:00 a.m. and 6:00 p.m. at any metered location on the streets or portions thereof listed below. This restriction shall not apply on Sundays or during the hours of legal holidays during which business establishments are required by law to remain closed.

Insert:

Name of Street	Side	Location
Connors Street	Easterly	From Knowlton Street 260 feet North.
Connors Street	Westerly	From Knowlton Street 400 feet North.

Delete:

On Thursdays, the limited parking time shall be from 9:00 a.m. to 9:00 p.m.

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

PETITIONS, APPLICATIONS, ETC.

#9692

On a motion by Councillor Paul Tassone and seconded by Councillor Matthew Vance, on recommendation of the Public Safety 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:

AUTHORIZING TRAFFIC RESTRICTIONS
2016 FABULOUS FALL FESTIVAL & CHAIR LUGE

VOTED: To restrict traffic on Saturday, September 24, 2016 from 9:00 a.m. until 6:00 p.m. for the 3rd Annual Fabulous Fall Festival and Chair Luge. During these hours, 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 the West Lynde Street South parking lot entrance.
- Central Street from 320 Central (The Yoga Tree) to 280 Central Street (Cruisers Malt Shoppe).
- Parker Street from 29 Parker Street (Bank of America) to 104 Parker Street (The Buffer Zone/Pampering Parlor) at Lafayette Square.
- West Street Parking Lot and West Street to Oak Street.

Presented to Mayor for Approval – September 20, 2016

Approved – September 20, 2016

MARK P. HAWKE, Mayor



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REPORTS OF STANDING COMMITTEESPUBLIC SAFETY COMMITTEE**#9629**

On a motion by Councillor Paul Tassone and seconded by Councillor Karen Hardern, on recommendation of the Public Safety 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 grant the Mayor's request for Leave to Withdraw 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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#9688

Councillor Paul Tassone, Chairman of the Public Safety Committee, reported that a Public Hearing is scheduled for Monday, October 3, 2016 at 7:30 p.m. on the amended license application and that the Fire Chief has not received any plans from the Applicant.

There being no objections, the Public Safety Committee was granted more time to report on 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 revoke the Class 2 Motor Vehicle Dealer License issued to Marco's Motorsports, 412 Main Street, in accordance with the request of the license holder.

COMMITTEE OF THE WHOLE**#9234**

President Walsh informed the Council that he expects that draft legislation incorporating the various revisions to the Charter, as agreed upon by the Council, would be ready for the Council for review by mid-October. There being no objections, the Committee of the Whole was granted more time.

#9686

President Walsh stated that the Council held an informal discussion earlier in the evening concerning the proposed upgrade to the dewatering equipment and pursuing a new and or expanded sludge landfill, adding that after some discussion, he is inclined to schedule a public hearing that would afford citizens an opportunity to ask questions, offer input, and to share information on the matter.

Councillor Paul Tassone offered to accept inquiries or comments from constituents on behalf of the Council.

President Walsh remarked that such a hearing would likely be scheduled for mid-October.

There being no objections, the Committee of the Whole was granted more time for study and report on the following Resolution:



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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.

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 Matthew Vance stated that at the Public Safety Committee meeting held prior to the Council meeting, the Committee was informed that the Board of Health will adopt two new regulations that affect the siting of donation boxes, as well as a ban on the sale of flavored tobacco at retail locations that cater to very young children. The permit fee for siting a donation box will be \$35.00, he added.

Councillor Nathan Boudreau stated that this is the first time that he "has heard of the flavored-tobacco deal." He questioned the reason that the matter did not come before the City Council. President Walsh commented that the Board of Health has regulatory authority independent of the City Council.

Councillor Paul Tassone encouraged everyone to attend the Fabulous Fall Festival and Chair Luge. Councillor Nathan Boudreau added that he will be a participant in the Chair Luge. Councillor James Johnson commented that he hoped that his "fellow Councillor wouldn't crash and burn. Councillor James Boone wished Councillor Boudreau "good luck!"



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Councillor Tassone informed the Council that 73 rain barrels were sold by the Board of Health in the past year.

Councillor Karen Hardern recognized Gardner native Oliver Drake, a pitcher of the Baltimore Orioles, expressing appreciation for his talent and “for making Gardner proud.”

Councillor James Boone agreed with Councillor Hardern’s sentiment, adding, however, that “it was good to see “Big Papi” (David Ortiz) hit a home run off of him.”

President James Walsh remarked that “Oliver is in the annals of Major League Baseball, not only as a native son of the City of Gardner, but also as having given up the [home] run [to David Ortiz] that surpassed Mickey Mantle’s [home run] position in the all-time home run records.”

President Walsh reminded Councillors to notify the Planning Office if they plan to attend the Robert Hubbard Conference Room Dedication Ceremony on Thursday, September 29 at 3:00 p.m.

CLOSING PRAYER

President Walsh led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Paul Tassone and seconded by Councillor Nathan Boudreau, 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 7:44 o’clock p.m.

Accepted by the City Council: *October 3, 2016*