

**REGULAR MEETING OF OCTOBER 17, 2016**

Regular Meeting of the City Council was held in the City Council Chamber, 2nd Floor, City Hall, on Monday evening, October 17, 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.

ADDRESS BY THE MAYOR

President Walsh recognized Mayor Mark Hawke, who asked to address the Council concerning Calendar No. 9686, A Resolution Endorsing the DPW Plan to Upgrade the Dewatering Equipment and Pursuit of a New/Expanded Sludge Landfill (Note: The Mayor did not have the opportunity to address the Council during the Public Hearing that preceded the Regular Meeting).

Mayor Hawke opened his remarks by stating that he submitted a Resolution and accompanying letter to the City Council on August 9, 2016, seeking the Council's support to expand the City's Sludge Landfill.

Referencing comments made by Mr. Lison during the Public Hearing, the Mayor said that Mr. Lison's statement relating to the cost of the new Police Station was incorrect, but that the actual cost was below \$14 million. He noted that no additional [property] taxes were required to be raised, since the City retired a significant amount of debt prior to borrowing for the new police facility.



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Mayor Hawke cited Mr. Paul Spano's many years of employment with the Massachusetts Department of Environmental Protection. (Mr. Spano testified at the Public Hearing held earlier in the evening).

Referencing Mr. Tom Cook's remarks at the Hearing, the Mayor stated that the Smith-Rodecki property was purchased with approximately \$75,000 of City funds, in addition to various grants. The property, he said, added hundreds of acres of conservation and that over one-third of City of Gardner land "is protected open space."

With respect to earlier comments concerning water/sewer charges, the Mayor stated that the City must take into account water/sewer usage charges when it decides to proceed with any disposal option, since many residents are on fixed incomes.

The Mayor continued, noting that Robert Sims stated that "this is the least offensive alternative." "All these [options] are offensive," the Mayor stated. He said that he believed that expanding the sludge landfill is the best option, but that it might be possible to pursue a hybrid solution, "with some hauling and some landfill."

The Mayor continued, saying that the properties along Bridge Street are all served by private wells and septic systems. The landfill, he noted, is only half-lined and the sludge landfill is [fully] lined. He suggested that through the centrifuge process, "the cake is drier" and emits fewer odors.

With respect to earlier comments about Hubbardston's experience, unlike Hubbardston, Gardner will not be importing sludge from outside the City, but addressing its own waste.

The Mayor concluded his remarks by saying that the City would likely be seeking additional funding for a new school, subject to MSBA approval, and perhaps in the form of a "Proposition 2½ Debt Exclusion." He noted, however, that only users of the sewer system would pay for the cost of the sludge landfill.

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 October 3, 2016 Regular Meeting, as printed.

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COMMUNICATIONS FROM THE MAYORAPPOINTMENTS

#9697

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:

CAROLE BAUBLIS to the position of Member, Council on Aging, for term expiring September 29, 2019.

Worcester, ss.

October 20, 2016

Then personally appeared **CAROLE BAUBLIS** and made oath that she would faithfully and impartially perform the duties of Member, Council on Aging according to law and the best of her abilities.

Before me,

/s/ Titi Siriphan, Assistant City Clerk

#9698

On a motion by Councillor Marc Morgan and seconded by Councillor James Boone, 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:

MARCELLE CORMIER to the position of Member, Council on Aging, for term expiring September 29, 2019.

Worcester, ss.

October 18, 2016

Then personally appeared **MARCELLE CORMIER** and made oath that she would faithfully and impartially perform the duties of Member, Council on Aging according to law and the best of her abilities.

Before me,

/s/ Alan L. Agnelli, City Clerk

#9699

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:



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SOPHIE DEGRACE to the position of Member, Council on Aging, for term expiring September 29, 2019.

Worcester, ss.

October 17, 2016

Then personally appeared **SOPHIE DEGRACE** and made oath that she would faithfully and impartially perform the duties of Member, Council on Aging according to law and the best of her abilities.

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

#9700

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:

JEFFREY NELSON to the position of Member, Council on Aging, for term expiring September 29, 2019.

Worcester, ss.

October 17, 2016

Then personally appeared **JEFFREY NELSON** and made oath that he would faithfully and impartially perform the duties of Member, Council on Aging according to law and the best of his abilities.

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

#9701

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 Mayor's appointment of the following Election Officers for terms expiring September 1, 2017:

Anita Boudreau	8 Jackson Park	Gardner
Stephanie S. Samsia-Nji	317 Pleasant Street, #3	Gardner

#9702

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,



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and Matthew Vance, to confirm the City's Clerks Appointment of Titi Siriphan to the position of Assistant City Clerk for the term expiring November 1, 2019.

Worcester, ss.

October 18, 2016

Then personally appeared **TITI SIRIPHAN** and made oath that she would faithfully and impartially perform the duties of Assistant City Clerk according to law and the best of her abilities.

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

REPORTS OF STANDING COMMITTEES

PUBLIC SAFETY COMMITTEE

#9688

Councillor Paul Tassone, Chairman of the Public Safety Committee, reported that the Committee met with the Fire Chief and that he endorsed the License Application with conditions. The Committee then voted to recommend that the amended License application be granted.

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 approve the application of *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.*

#9691

Councillor Paul Tassone, Chairman of the Public Safety Committee, reported that the Public Safety Committee met and voted to recommend that the Mayor's substitute version of the Ordinance, as received by the City Council on October 17, 2016, be ordered to First Printing.

Councillor Paul Tassone moved to Order to First Printing, as seconded by Councillor Karen Hardern, the following Ordinance:

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.



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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.

No person shall park a vehicle for a period of time longer than two hours between the hours of 9:00a.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
Connors Street	From Knowlton Street to Parker Street
City Hall Avenue	From Pleasant Street to Connors Street.

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.

On the motion, Councillor Scott Graves stated opposition to any parking meters in the City.

Councillor Nathan Boudreau concurred, saying that the City should remove all Downtown parking meters.

Councillor James Johnson expressed support for changing the thirty-minute restriction to a two hour restriction, but that adding more parking meters does not make sense. He asked if the question could be divided and addressed separately.

President Walsh called to the floor for an amendment to the Ordinance, as moved.

Councillor James Boone noted that the substituted Ordinance was filed only a few hours earlier and that the Council has not had adequate time to study the proposal; ergo, he said that he would not support the motion.

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Councillor Ronald Cormier then moved to recommit the substituted Ordinance to the Public Safety Committee for further study and report. Councillor Marc Morgan seconded the motion.

President Walsh recognized Mayor Hawke, who wished to address the Council.

Citing the plan that accompanied the substitute Ordinance, Mayor Hawke informed the Council that areas highlighted in green represent existing metered parking, while yellow-highlighted areas represent existing 30-minute parking; however, those meters are programmed for up to two hours. The proposed change would then mirror the current practice. The Mayor added that the section of Connors Street from Parker Street to City Hall Avenue is metered, but not referenced in the City Code. The area highlighted in red behind City Hall would be designated non-metered parking for only Postal employees, he said.

The Mayor continued, stating that the City Council designates the parking metered zones and the Public Safety Committee designates the locations of the meters. He said that the purpose for parking meters is to create vehicle turnover, as discussed and recommended almost annually by Square Two. He added that the City seeks to upgrade all of its meters so that would each would accept both cash and credit/debit cards for payment.

The Mayor closed his remarks by saying that if the City eliminates parking meters, then it will have to seek other sources to replace the lost revenue from the meters. He said that parking meter revenues cover expenses associated with snow removal and improvements to the Downtown area.

On the motion to recommit the Ordinance to the Public Safety Committee, Councillor Matthew Vance expressed opposition to recommitting the measure, since the Committee already voted to recommend its adoption. He then offered that the question be divided, allowing separate votes on each part – one for Connors Street and the second for City Hall Avenue.

President Walsh informed the Council that the motion to recommit is a priority motion and must first be acted on.

On the motion, it was voted nine (9) yeas, President James Walsh and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Scott Graves, James Johnson, Marc Morgan, and Paul Tassone; two (2) nays, Councillors Karen Hardern and Matthew Vance, to recommit the measure to the Safety Committee for further study and report.



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COMMITTEE OF THE WHOLE**#9234**

President Walsh informed the Council that he would schedule an Informal Meeting on November 21, 2016 to review the draft legislation that incorporates the various revisions to the Charter, as agreed upon by the Council. There being no objections, the Committee of the Whole was granted more time.

#9686

President Walsh stated that a several Councillors indicated that additional time would be necessary to study the matter, adding that the Conservation Commission submitted a letter containing four questions for the Consultant for a response. There being no objections, the Committee of the Whole was granted more time for study and report.

NEW BUSINESS

On a motion by Councillor Scott Graves 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 consider New Business.

ANNOUNCEMENTS

Councillor Matthew Vance clarified comments that he made at the previous meeting, stating that the boxes to be regulated by the Board of Health include clothing and accessory donation boxes that are situated across the City. He also announced the Board of Health's Public Hearing concerning Flavored Tobacco Regulations would be held on October 24, 2016.

Councillor Paul Tassone expressed his appreciation to the public for their input on the sludge landfill expansion. He also wished his daughter, Abigail, a Happy 18th Birthday!

#9703

Councillor Scott Graves recognized the recent passing of Robin Strazdas, former Assistant City Clerk.

On a motion by Councillor Scott Graves 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 send a letter of condolence to the family of Robin Strazdas.



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Commenting on the proposed Sludge Landfill Expansion (#9686), Councillor Scott Graves remarked that at these times as a Councillor, it is difficult to be responsible to the people when it is the Council's job to try to save the taxpayer money. He added that the Council has to cost-out the various plans and to consider those residents that would be affected by an expansion.

Councillor James Boone concurred, saying that the decision focuses on the cost of the project versus the odors affecting the residents.

Councillor Marc Morgan remarked that residents need to contact their elected representatives whenever they have a concern about the landfill.

Councillor Ronald Cormier remarked that the hearing conducted earlier in the evening was refreshing, as the tone and manner was respectful.

President James Walsh commented that when the Mayor addressed the Council at the Public Hearing, he took a public position on the sludge landfill expansion issue and correctly did so when he transmitted the Resolution to the City Council. President Walsh suggested that when the Resolution comes before the Council for a final vote, that it be amended to add the words "on recommendation of the Mayor."

Councillor Graves informed the Council that he travelled to the Norman Rockwell Museum in Stockbridge where he observed the "Willie Gillis" painting.

Councillor Nathan Boudreau thanked the Governor and the State Representative for assistance in procuring funds for the demolition of the former Gardner Cinema on Parker Street.

CLOSING PRAYER

President Walsh led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Matthew Vance 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 adjourn at 8:12 o'clock p.m.

Accepted by the City Council: *November 7, 2016*