

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF JANUARY 16, 2019

The Finance Committee meeting was called to order by President Scott Joseph Graves at 12:00 p.m. in the City Council Chamber, Room 219, City Hall.

Finance Committee Members present were Council President Scott Joseph Graves and Councillor Ronald Cormier. Councillor James Walsh was absent.

Others participating included Mayor Mark Hawke; Police Chief Richard Braks; Police Sergeant James Trifiro; Police Officer Lorin Walter; Assistant Director of Community Development and Planning Joshua Cormier; City Auditor John Richard; and, City Clerk Alan Agnelli.

President Graves asked if anyone present planned to record the meeting, in accordance with the requirements of the Open Meeting Law, as follows:

Any person may make a video or audio recording of the open session of this meeting so long as it does not interfere with the conduct of the meeting. All documents and exhibits used or referenced at this meeting shall be submitted in duplicate to the City Clerk, as they become part of the minutes of the meeting. Is there anyone present who will be recording this meeting?

No one responded.

1-1 Reading and Approval of Minutes of Prior Meeting.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to approve the Minutes of the December 12, 2018 Meeting, as printed.

2-1 #10008, A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events (In City Council and Referred to Finance, 11/05/2018).

President Graves opened the discussion by noting that the Municipal Grounds Commission still exists, so it is appropriate for the Public Service Committee to consider recommending that the role of the Bandstand Committee be incorporated under the Commission.

Councillor Ronald Cormier suggested that the Finance Committee vote to recommend adoption of the Gift Fund to correspond with the creation of the Bandstand Committee. He added that by authorizing the gift fund, the collection of donations and other fees would be legitimate.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council authorize acceptance of donations and gifts for use by the Community Bandstand Committee for musical concerts and other community entertainment events, said acceptance in accordance with the provisions of Chapter 44, Section 53A½ of the General Laws.

3-1 A Measure Confirming the Mayor's Appointment of Priya Gandbhir to the Position of Assistant City Solicitor for term expiring January 3, 2020 (Reappointment).

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council confirm the Mayor's Appointment of Priya Gandbhir to the Position of Assistant City Solicitor for term expiring January 3, 2020.

3-2 Notice of Appointment of John M. Flick to the Position of City Solicitor for term expiring January 3, 2020 (Confirmation not required).

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council place the Appointment on file.

3-3 Notice of Appointment of Rachel J. Stephano to the Position of Executive Secretary for term expiring January 3, 2020 (Confirmation not required).

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council place the Appointment on file.

3-4 A Measure Confirming the Mayor's Appointment of James F. Trifiro, Jr. to the position of Deputy Chief of Police for term expiring January 20, 2022.

Mayor Hawke and Chief of Police Richard Braks informed the Committee that the interview panel, comprised of the Mayor, the Chief of Police, and Human Resources Director, interviewed two internal candidates and that the panel agreed that Sergeant Trifiro possessed the qualifications for Deputy Chief of Police.

Sergeant Trifiro informed the Committee that he recently retired after serving for 31 years in the United States Coast Guard, both active duty and reserve.

President Graves questioned whether it is a critical factor to look from within the Department and promote from within, or to seek candidates from outside the Department.

Mayor Hawke responded, saying that there may be times when seeking candidates from outside the Department would be appropriate, but not in this situation. He said that it good for morale to promote from within, that the Department is running smoothly, and that Sergeant Trifiro is a good match, having served in the Department for 24 years. He added that his "learning curve" is related only to the position, since he is very familiar with the Department.

Councillor Ronald Cormier said that having Sergeant Trifiro as the Deputy Chief "is a benefit to our community."

President Graves added that Sergeant Trifiro "is ultra-professional and impressive, and that he "has never heard a bad word about him."

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On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council confirm the Mayor's Appointment of James F. Trifiro, Jr. to the position of Deputy Chief of Police for term expiring January 20, 2022.

3-5 A Measure Confirming the Mayor's Appointment of Lorin A. Walter to the position of Police Sergeant, Permanent.

Chief of Police Braks informed the Committee that the interview panel, comprised of he and three area Police Chiefs Mayor, interviewed internal candidates and that the panel agreed that Officer Walter possessed the ability and qualifications for the position. He said that Officer Walter for the leadership that he has exhibited in nearly seven years in the Department.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council confirm the Mayor's Appointment of Lorin A. Walter to the position of Police Sergeant, Permanent.

3-6 A Measure Approving an Exemption under G.L. Ch. 268A, § 20(b), Financial Interest of Kyle Long, Contract for School Department Coaching Services.

Mayor Hawke informed the Committee that Mr. Long works part-time during the summer and the exemption would permit him to also work as a part-time basketball coach.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council approve an Exemption pursuant to G.L. C. 268A, §20(b) in the Matter of a Financial Interest of Kyle Long for a Contract for School Department Coaching Services.

5-1 A Resolution Relative to the FY2019 Community Development Block Grant Mini-Entitlement Plan.

Joshua Cormier, Assistant Director of Community Development and Planning, presented the following projects list:

<u>Group</u>	<u>Project</u>	<u>CDBG \$'s</u>	<u>Non-CDBG \$'s</u>	<u>Total</u>
Community Development & Planning	Demolition. Demolish 20 Rock Street as it poses a public health and safety hazard.	\$395,200.00	\$0.00	\$395,200.00
MVOC	Veterans Housing Rehabilitation. Rehabilitation of LMI Veterans' Housing on Nichols Street. <i>(Repairs to the chimney, roof, and concrete wall).</i>	\$15,000.00	\$15,000.00	\$30,000.00

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Sign & Façade Projects	Parker Street Façade Project. 42-50 & 52 Parker Street Development <i>(Only the exterior portions of the "Ryan Building" and the "Temptations Building.")</i>	\$217,050.00	\$0.00	\$217,050.00
NewVue Communities	Small Business Technical Assistance Program. Small business assistance services for 15 LMI Gardner residents.	\$3,000.00	\$14,500.00	\$17,500.00
Community Development & Planning	Downtown Phase 2. Design of crosswalk, sidewalk, and lighting repair and upgrade.	\$41,000.00	\$0.00	\$41,000.00
B&G Club	Project Learn STEAM. Provide afterschool program for 30 LMI Gardner students at the Gardner Clubhouse.	\$10,000.00	\$85,500.00	\$95,500.00
CAC	Fuel Assistance Program. Fuel assistance to be provided to 15 LMI Households.	\$5,000.00	\$6,500.00	\$11,500.00
GPSA	Gardner Public Schools Athletics. Provide financial assistance to LMI student athletes at Gardner High School and Gardner Middle School.	\$15,000.00	\$0.00	\$15,000.00
	Administrative & Delivery costs.	\$123,750.00	\$0.00	\$123,750.00
	Sub-total	\$825,000.00	\$121,500.00	\$946,500.00

Mr. Cormier noted that two public hearings were conducted in October and that the Steering Committee utilized National Objectives to develop the plan. Non-CDBG funds are provided by the organizations.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council adopt the following Resolution:

FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT
Mini-Entitlement Plan

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

WHEREAS, the City council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2019 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and

WHEREAS, the CDBG proposals seek funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, rehabilitation, design, and associated administrative costs; and

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WHEREAS, the activities proposed within the FY 2019 CDBG Mini-Entitlement Plan meet the priorities identified within the City’s 2018-2021 Community Development Strategy, and the 2004 Community Development Plan; and

WHEREAS, the City does not possess the bonding capacity or have the availability of funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required, and

WHEREAS, the City Council supports each of the activities as being consistent with the City’s goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City’s FY 2019 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.

8-1 Adoption of Finance Committee Regular Meeting Schedule for 2019.

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to adopt the following Regular Meeting schedule:

COMMITTEE MEETING DATE	DAY	TIME	MEETING TYPE	CITY COUNCIL MEETING DATE
1/16/2019	Wednesday	12:00 p.m.	Regular	1/22/2019
1/30/2019	Wednesday	12:00 p.m.	Regular	2/4/2019
2/13/2019	Wednesday	12:00 p.m.	Regular	2/19/2019
2/27/2019	Wednesday	12:00 p.m.	Regular	3/4/2019
3/13/2019	Wednesday	12:00 p.m.	Regular	3/18/2019
3/27/2019	Wednesday	12:00 p.m.	Regular	4/1/2018
4/10/2019	Wednesday	12:00 p.m.	Regular	4/16/2019
5/1/2019	Wednesday	12:00 p.m.	Regular	5/6/2019
5/15/2019	Wednesday	12:00 p.m.	Regular	5/20/2019
5/29/2019	Wednesday	12:00 p.m.	Regular	6/3/2019
6/12/2019	Wednesday	12:00 p.m.	Regular	6/17/2019
6/26/2019	Wednesday	12:00 p.m.	Regular	7/1/2019
7/31/2019	Wednesday	12:00 p.m.	Regular	8/5/2019
8/28/2019	Wednesday	12:00 p.m.	Regular	9/3/2019
9/11/2019	Wednesday	12:00 p.m.	Regular	9/16/2019
10/2/2019	Wednesday	12:00 p.m.	Regular	10/7/2019
10/16/2019	Wednesday	12:00 p.m.	Regular	10/21/2019

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10/30/2019	Wednesday	12:00 p.m.	Regular	11/4/2019
11/13/2019	Wednesday	12:00 p.m.	Regular	11/18/2019
11/27/2019	Wednesday	12:00 p.m.	Regular	12/2/2019
12/11/2019	Wednesday	12:00 p.m.	Regular	12/16/2019

8-2 Request for Declaration of Surplus Property (old parking meters and domes).

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to authorize the City Treasurer to dispose of or sell approximately 150 parking meters and domes. The City’s Purchasing Department will handle the sale or disposal of the meters

9-1 Free Cash

The Mayor informed the Committee that the City’s Free Cash for FY2019 was certified at \$1,482,830.00 and noted that the amount was lower than FY2018, since “more money was squeezed” to provide for the School Department Budget shortfall. He said that Retained Earnings balances for all Enterprise Funds were positive, but that the Landfill Closure Enterprise Fund has a balance of only \$856.00. He suggested that the Landfill Closure Fund could be consolidated with the Solid Waste Enterprise Fund in order to continue maintaining the closed landfill for 3 to 5 more years. The City will still be required to mow the grass and maintain the methane burner and related testing.

NEW BUSINESS

A Measure to Grant an Easement to Massachusetts Electric Company and Verizon New England, Inc. for transmission purposes for land off Pearl Street (Stump Pond)

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend that the City Council grant the following Easement:

GRANT OF EASEMENT

The **CITY OF GARDNER**, a municipal corporation, having an address of 95 Pleasant Street, Gardner, Massachusetts 01440 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation, and **VERIZON NEW ENGLAND, INC.**, a New York corporation, having a local address of 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110 (hereinafter referred to as the Grantees) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, nine (9) poles,

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(which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") over, across, under and upon the Grantor's land in Gardner, Worcester County, Massachusetts, to serve Grantor's property and others.

Said "OVERHEAD SYSTEM" is to be installed on Grantor's property, which is located on the northerly side of Pearl Street a/k/a Route 101, to originate from Pole P.29, which is located partly on the northerly side of Pearl Street a/k/a Route 101 and the southeasterly side of Grantor's property, then proceed in a northeasterly direction over, across and upon Grantor's land to Poles P.29-50, P.30, P.31, P.32, P.33, P.34, P.34-1, and P.35, to become established by and upon the final installation thereof by the Grantees.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said "OVERHEAD SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantees, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantees, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM".

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantees, their successors and assigns, and that the Grantees, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantees, for themselves, their successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" may not be changed or modified without the written consent of the Grantees, their successors and assigns, which consent may be withheld by the Grantees in their sole discretion. The rights and easement herein granted are over, across and upon a certain parcel being more particularly described in two deeds dated May 19, 1913, recorded with the Worcester South District Registry of Deeds in Book 2027, Page 289, and Book 2027, Page 298.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: **"Exhibit A"; nationalgrid; Sketch to accompany the Easement for the installation of 1 JO Pole.; Distances are Approximate Exhibit A Not to Scale; Drawn By: Michael Fraser; Date: 12/17/2018; Actrix Drawing**

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Number; 27102349”, a reduced copy of said sketch is attached hereto as “Exhibit A”, copies of which are in the possession of the Grantor and Grantees herein, but the final definitive locations of said “OVERHEAD SYSTEM” shall become established by and upon the installation and erection thereof by the Grantees.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within a portion of the Grantor’s land an “OVERHEAD SYSTEM” for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said “OVERHEAD SYSTEM”.

For Grantor’s title, see deeds dated May 19, 1913, recorded with the Worcester South District Registry of Deeds in Book 2027, Page 289 and in Book 2027, Page 298.

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to adjourn at 12:28 p.m.