

**City of Gardner, Massachusetts**  
**City Council Public Safety Committee**  
**Minutes of the Meeting of April 17, 2018**

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Chairman James Johnson called the Public Safety Committee meeting to order at 6:00 p.m. in the Mayor's Conference Room, City Hall. Committee members Councillors Karen Hardern and Edward Gravel were present, as well as ex-officio member Council President Scott Graves and City Clerk Alan Agnelli.

Other officials present and/or participating were Public Health Director Jen Susen-Roy, Building Commissioner Roland Jean, and Fire Captain Greg Lagoy.

**I. Minutes of Prior Meeting(s).**

On a motion by Councillor Edward Gravel and seconded by Councillor Karen Hardern, it was voted to accept the Minutes of the January 11, 2018 Public Safety Committee Meeting, as printed.

**II. Department Head Reports.**

**Health Director Jennifer Susen-Roy**

- 142 Pleasant Street – property reported to AGO under Housing Initiative – a blighted property – potential for receivership – lengthy process – search warrants obtained through Court. Property owner (Alfred Fraumeni, Trustee) convinced Judge to delay – paid \$19,000 to City – lien removed – owner working on the property for the past 16 years. Owner promised the Judge to fix property – Status update hearing scheduled for April 25 in Worcester.
- Septic Systems/Perc Tests starting.
- Department busy with housing code violations - Jen Daigle spending a lot of time in Housing Court. Judge Muirhead requiring legal counsel to be present when municipal officials appear in Court – can be costly to cities and towns to have Counsel appear each time. Roland Jean mentioned that 90% of cases are continued. Council President Graves questioned how the City Solicitor's presence in Court is costly to the City since the Solicitor and Assistant Solicitor are salaried employees. Ms. Susen-Roy said that City of Leominster pays its Solicitor by the hour (Kopelman & Paige).
- Director Susen-Roy provided copies of the State Sanitary Code and City Code, Chapter 493, Nuisances to the Committee members.
- Curbside trash/recycling pickup – Waste Management is improving with curbside pickup. She noted that China no longer accepts recyclables from the U.S. Gardner has not been flagged for any contaminated items among its recyclables (styrofoam and #4 - plastic bags, six-pack rings, tubing). Waste Management's contract expires in 2020 – was renewed before the previous Health Director retired.

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**Fire Captain Greg Lagoy (Fire/Ambulance)**

*Chief Ares' Report to the Safety Committee - April 17, 2018*

**Firefighters** – “Two of our new firefighters have completed their PT Orientation at the MA Fire Academy in preparation of their class that starts in June. The other two new Firefighters will be doing their PT Orientation on May 30<sup>th</sup> for the July class.”

**Engine 1** – “We should be getting Engine 1 back from the pump upgrade either later this week or next week. Several serious problems were found while the work was being done. The most serious was a severely rusted frame, causing a rear spring mount to separate from the frame. The fuel tank was also found to be seeping, about to spring a leak. There were also some brake problems and wheel bearing problems discovered. The good news is that the pump work came in less than we thought so we were able to get these other repairs done without additional appropriation.”

Councillor Johnson questioned whether there were any problems responding to calls with Engine 1 out of service.

Captain Lagoy said that Engine 2 was used as the front line piece and mutual aid was called for any major incidents. He added that the Department has not experienced any major issues with any other vehicle.

Councillor Johnson commented that he read in the Chief's Report that Engine 3 is “not up to Fire protection standards because it is uncovered.”

Captain Lagoy said that Engine 3 does not meet current standards, noting several “out-of-date” standards. Engine 3 is a 1989 piece, has only lap belt seat belts, the jump seats in the backside of the cab are open to the elements - not fully enclosed. He said that safety is a concern with only lap seat belts. The truck has not had major mechanical issues and has been running “okay” but that it is approaching 30 years old. The Chief has been pursuing funds to replace the Engine through a FEMA Grant program. If the grant application is unsuccessful, the Chief will seek funding through the City.

**Fire Department Organizational Restructuring** – “I have provided you with copies of a document I recently submitted to the Mayor regarding restructuring the Fire Department. I submitted this as a place to start discussions about this topic. Our rank structure hasn't changed for 50 or 60 years. We are a much different department today than we were then. I believe it is in the best interest of the department and our mission to look at this topic.”

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Captain Lagoy said that the Fire Chief submitted a preliminary proposal to the Mayor that would update and restructure the Fire Department command. He noted:

- The Department has operated with the same number of command staff for many, many years.
- Staffing levels have fluctuated, but the number of incidents has increased.
- Only 1 officer, a Lieutenant, has functioned as the Shift Commander on each shift and is on duty at all times.
- Fire Dispatch will soon operate from the Police Dispatch center, freeing one Firefighter to be assigned to apparatus responding to calls (about August).
- Places the Shift Commander in charge of 8 personnel and indirectly supervises up to 4 MedStar EMTs, or private contract employees (Fire HQ and So. Gardner backup).
- Shift commanders are “almost overwhelmed” with their daily duties and the number of employees that they are required to supervise.
- The Chief proposes to add a second supervisor to each shift. Proposal is to upgrade the shift commanders to Captains and the Lieutenants would be assigned to an Engine Company. The Captains would handle personnel issues and major incidents while the Lieutenants would handle minor incidents.
- Number of Firefighters supervised by Lieutenants exceeds span of control under Incident Command model – typically between 3 and 7, optimally 5.
- With current workload, many duties “are pushed aside” such as training.
- Chief recommends that the payscale of the proposed Lieutenant be adjusted to fall between the current pay of a Firefighter and current Lieutenant.
- Proposal for shift commanders would not require more employees.
- An additional position of Deputy Chief is recommended – non-Civil Service and non-Union.

**Building Commissioner Roland Jean**

- The Building Department has been responding to reports of unsafe buildings and egresses – assisted by the Health Department. Oak Street “is a hot spot!”
- Greenwood Memorial (indoor) Pool - recent break-in - minor damage to the interior. Building has been secured.
- City Hall Annex water damage – \$59,000 from insurance company received for January water damage to the second floor. Proceeds to pay from repairs to the damage to the offices and the Hubbard Conference Room.
- Personnel Update – Three new department hires going through HR for vetting. Building Maintenance, Local Inspector, and Gas/Plumbing Inspector – Mike Guida left for Salem to take a full-time position.
- Maki Building – Demolition and clearing nearly completed.

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- Nichols Street property was permitted today.
- 20 Rock Street (Former factory) – Asbestos survey being conducted. 55 gallon drums (paint thinner?) to be disposed of.
- 5 East Broadway – No permits have been issued yet. Owner is going through site review.
- A citizen requested a list of all vacant and abandoned buildings in the City. He said that it is a public record and that he has to release the information, but expressed serious concern that if the information is distributed, he fears that persons looking to squat or to steal copper piping will have a roadmap.
- Marijuana Regulations – President Graves questioned the Department’s role with marijuana regulation. Mr. Jean said only through special permitting through the Planning Board. Director Susen-Roy added that she anticipates major concerns with these businesses.

**III. Annual License Renewals**

On a motion by Councillor Edward Gravel and seconded by Councillor Karen Hardern, it was voted to recommend that the City Council grant the following licenses:

- (1) #9906, An Application by ecoATM, LLC for Renewal of a License to Deal in Second Hand Articles at 677 Timpany Boulevard *(In City Council and Referred to Public Safety 4/2/2018)*.
- (2) #9907, An Application by Gardner Coins & Cards, Inc. for Renewal of a License to Deal in Second Hand Articles at 13 Pleasant Street *(In City Council and Referred to Public Safety 4/2/2018)*.
- (3) #9908, An Application by Gardner Ten Pins, Inc., 560 West Broadway, for Renewal of a Bowling Alley License. *(In City Council and Referred to Public Safety 4/2/2018)*.
- (4) An Application by GameStop, Inc. for Renewal of a License to Deal in Second Hand Articles at 376 Timpany Boulevard *(First appearing on the Council Calendar 4/17/2018)*.
- (5) An Application by The Salvation Army for a License to Deal in Second Hand Articles at 8 Union Square. *(First appearing on the Council Calendar 4/17/2018)*.
- (6) An Application by HOPEful Boutique for Renewal of a License to Deal in Second Hand Articles at 33 Parker Street. *(First appearing on the Council Calendar 4/17/2018)*.
- (7) An Application by Brian’s Bowlaway, Inc., 123 Main Street, for Renewal of a Bowling Alley License. *(First appearing on the Council Calendar 4/17/2018)*.

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**IV. An Ordinance to Amend the Code of the City of Gardner, Chapter 600 Thereof, Entitled "Vehicles and Traffic," Section 23, All Night Parking.**

The Committee postponed discussion until it can meet with the Police Chief of Deputy Chief. A meeting will be scheduled in the near future. Chairman Johnson suggested that a temporary change to the Ordinance may be an option to test the effectiveness of a new requirement.

**V. Commercial Safety Bollard/Barrier Discussion.**

Chairman James Johnson stated that the issue of installing bollards at various commercial locations within the City was brought to the attention of the Safety Committee by a citizen.

Building Commissioner Roland Jean stated that there are no regulations in the State Building Code requiring the installation of bollards, except for propane tanks. He noted that the "drive-through" that occurred at Rite Aid Pharmacy resulted from a vehicle driving over the median and added that it "was hit several times." He said that the time to insist on the installation of bollards or barriers is during the site review process and that the City has no authority unless such a requirement is added to the State Building Code.

Chairman Johnson suggested that the legislature could pass a law and add such a requirement to the Building Code.

Mr. Jean said that the new Building Code went into effect in January, 2018. He added that the ICC officially issues a new edition every three years, but 6 years in reality.

Chairman Johnson said that the LaFayette Square Shell Station is a particular concern.

**Adjournment.**

On a motion Councillor Edward Gravel and seconded by Karen Hardern, it was voted to adjourn at 6:57 p.m.