



REGULAR MEETING OF MAY 7, 2018

---

Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, May 7, 2018.

**CALL TO ORDER**

Council President Scott J. Graves 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 Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

**OPENING PRAYER**

President Graves led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

President Graves led the Council in reciting the "Pledge of Allegiance".

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Graves 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 Christine Johnson and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to accept the Minutes of the April 9, 2018 Public Hearings, April 17, 2018 Regular Meeting, and the April 23, 2018 Informal Meeting, as printed.

REGULAR MEETING OF MAY 7, 2018

---

COMMUNICATIONS FROM THE MAYORAPPOINTMENTS**#9917**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Finance Committee voted to recommend that the Council confirm the Mayor's appointment of Scott Marigliano to the position of Police Officer, Permanent.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the Mayor's Appointment of Scott Marigliano to the Position of Police Officer, Permanent.

Worcester, ss.

May 7, 2018

Then personally appeared SCOTT MARIGLIANO and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

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

**#9918**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Finance Committee voted to recommend that the Council confirm the Mayor's appointment of Lucas Paine to the position of Police Officer, Permanent.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the Mayor's Appointment of Lucas Paine to the Position of Police Officer, Permanent.

Worcester, ss.

May 7, 2018

Then personally appeared LUCAS PAINE and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

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



## REGULAR MEETING OF MAY 7, 2018

**#9919**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Finance Committee voted to recommend that the Council confirm the Mayor's appointment of Shawn Riggins to the position of Police Officer, Permanent.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the Mayor's Appointment of Shawn Riggins to the Position of Police Officer, Permanent.

Worcester, ss.

May 7, 2018

Then personally appeared SHAWN RIGGINS and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

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

**ORDERS****#9920**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that changes were made to the salaries of two employees but that the payments were not made on the employee time sheets; therefore, the Order would authorize payments to the employees.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted on call of the roll, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

AUTHORIZING PAYMENT OF PRIOR  
YEAR SALARY EXPENDITURE

**ORDERED:** To authorize payment of prior year DPW and City Hall Maintenance salary expenditures account for prior years, as follows:

FY2017	DPW Salary Account	\$795.35
FY2015-FY2017	City Hall Maint. Salary Account	\$323.85

REGULAR MEETING OF MAY 7, 2018

---

Presented to Mayor for Approval – May 8, 2018

Approved – May 15, 2018

MARK P. HAWKE, Mayor

**#9921**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Finance Committee voted to recommend the Order with reservations due the absence of a final dollar amount. He stated that the reason that the Finance Committee voted to recommend the Loan Order is because the issue has been before the City Council on three different occasions - approved in the Capital Improvement Plan; adopted a Loan Order for planning; and since paid through a Council appropriation from Free Cash. He noted that the project time line is critical because it encompasses an outdoor athletic facility and that there is a limited seasonal construction cycle. He said that the bidding process may take up to six weeks and the hope is that construction could begin by mid-June, with substantial completion by September. He added that the Mayor reported that he [Mayor] would like to have the project paid within five years through Bond Anticipation Notes or through a Bond.

He then moved to adopt the following Order:

CITY OF GARDNER, MASSACHUSETTS  
IN CITY COUNCIL

ORDER: That the City of Gardner appropriates the sum of THREE MILLION NINE HUNDRED THIRTY FOUR THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$3,934,750.00) to pay costs of renovating Watkin's Field, and paying costs incidental or related thereto; to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7(1), or any other enabling authority. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor James Walsh seconded the motion.

On the motion, Councillor Nathan Boudreau stated that he "is a little uneasy with the fact that he heard that there is no solicitation of donations." He said, "This is a field that is named after somebody. The Boosters and the City should have gone and tried to find monies for such renovations through other avenues other than straight-out borrowing."



---

**REGULAR MEETING OF MAY 7, 2018**

---

Councillor Ronald Cormier stated that he was informed that [fundraising] overtures were made.

Councillor James Boone said that when the Council “started talking about these loan orders for the engineering plans, at that time,” he “was in favor of having the engineering plans paid for by the City,” and “at that time” he expected that the City “would fundraise and [that] ‘none of which has happened’.”

Councillor Boone continued, saying, “As Councillor Boudreau pointed out, we have a field named after a billionaire and we’re not even getting a dime from this billionaire. I think that’s wrong, we should have went after some fundraising – we probably should have formed a committee that would start the fundraising for the project.” He continued, saying that “Monty Tech built a VetTech Center – 2 million dollars – all donations... not from the taxpayers,” adding “When AshWest built their fields several years ago, they did a fundraising effort. So, here we are, the schools are in dire need of staffing and money, but yet there was no effort to go out and try and fundraise for this particular field,” adding his “disappointment that this did not take place.” “Quite frankly, I am not in support of this,” he added.

Councillor Christine Johnson stated, “This renovation has been long, long overdue,” noting that “the bleachers were bad” when she was in high school back in the 1980’s. She continued by saying that “in 2009 or 2010, Jacques Cesaire donated a good amount of money – the NFL matched that money - and there was talk about using that money to put in outdoor restroom facilities.” She said that she is also disappointed with the level of fundraising, but noted that “there is time to fundraise since the project still has to go through the bidding process.” She concluded by saying that the project is overdue and that the bleachers have been unsafe for some time.

Councillor James Johnson concurred, saying that the project “is long overdue and is in need of a lot of work” and expressed concern “about the dollar amount – effectively \$4 million dollars to re-do the fields.” He noted that the Council “only received the amount tonight and after a brief glance, noted that the project calls for half-million dollars for a masonry building. He asked, “What is going into the building that costs a half-million dollars?” He said that he would like to take more time “to delve into the numbers.”

Referencing Councillor James Johnson’s comments, Councillor Edward Gravel stated that any City project is mandated to pay a rate which is set by the state, which could be the reason why the cost is so high for that building. Noting the four million dollar price tag, he said that the project is probably long overdue. He emphasized that he has 40 teachers [sitting] behind him and that want to know how they’re going to teach their kids next year



---

**REGULAR MEETING OF MAY 7, 2018**

---

because they're now looking for a 2½ override. "Putting money out for this, even if it is in a loan, it doesn't matter; we're still spending money on this. I am not in favor of doing this - my answer is going to be 'no' to this."

Councillor James Johnson moved to refer the Order to the Council as Committee of the Whole for further study.

Councillor Nathan Boudreau seconded the motion.

President Graves recognized Mayor Hawke.

Mayor Hawke requested that the meeting of the Committee of the Whole be scheduled fairly quickly since there is a very tight timeline and that the project has to go out to bid and the stands are unusable. He added that if the project is cut, "it will not affect the school budget because the project is to be funded through borrowing, paid through future dollars." He requested that any questions be directed to him or to Wayne Anderson, the Facilities Director, so that answers can be provided right away.

On the motion, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the Order to the Committee of the Whole.

President Graves announced that the Council would meet in Committee of the Whole on Tuesday, May 15, 2018 at 6:00 p.m. to discuss the Loan Order.

**PETITIONS, APPLICATIONS, ETC.**

**#9922**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Finance Committee report is favorable as it considered the Ordinance over a period of time and obtained an opinion and a response from the Law Department. He added that at the recent Finance Committee meeting, it was voted to recommend that the Ordinance be sent to a First Printing.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to Order the following Ordinance to First Printing:

REGULAR MEETING OF MAY 7, 2018

---

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 45 THEREOF, ENTITLED "CITY COUNCIL," TO ADD A NEW ARTICLE AND SECTION PROVIDING FOR LEGAL COUNSEL.

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

Section 1. Chapter 45 of the Code of the City of Gardner is hereby amended by adding thereto a new Article, to be Article II, and a new section 45-3, to read as follows:

§ 45-3. Legal counsel.

- A. The City Council shall have the authority to retain independent legal counsel of its own selection from time to time by majority vote, and legal counsel shall be a member of the Bar of the Commonwealth of Massachusetts in good standing.
- B. Legal counsel shall assist the City Council in the preparation and formulation of legislation and in the rendering of opinions concerning legal matters, either of a substantive or procedural nature, the provisions of § 140-2 of the Code of the City of Gardner notwithstanding.
- C. Any invoice or charge for payment from said legal counsel shall be paid from the City Council budget.

Section 2. Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

Section 3. Effective date.

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

***FIRST PRINTING - MAY 11, 2018***

**#9923**

On a motion by Councillor James Walsh and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Ordinance to the Public Safety Committee for study and report:



## REGULAR MEETING OF MAY 7, 2018

---

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 600-24 of Chapter 600, Vehicles and Traffic, Parking Prohibited on certain streets, is amended by adding the following:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Sawyer Street	Both	From Dyer Street westerly for a distance of 665 feet

Section 2. This Ordinance shall take effect upon passage and publication as required by law.

### REPORTS OF STANDING COMMITTEES

#### PUBLIC SERVICE COMMITTEE & PUBLIC WELFARE COMMITTEE

##### **#9905**

Councillor Christine Johnson, Chairperson of the Public Welfare Committee, informed the Council that the Committee met on the matter on April 30 and decided to seek an opinion from the Law Department; therefore, she requested that the Council grant to the Committee more time to study the Measure. There being no objections, the Committee was granted more time.

Councillor Nathan Boudreau, Chairperson of the Public Service Committee, informed the Council that the Committee met on the matter earlier in the evening and also decided to seek an opinion from the Law Department; therefore, he requested that the Council grant to the Committee more time to study the Measure. There being no objections, the Committee was granted more time.

#### PUBLIC WELFARE COMMITTEE

##### **#9909**

Councillor Christine Johnson, Chairperson of the Public Welfare Committee, informed the Council that the Committee met on the matter on April 30 and received a presentation by Cedar Hills, the proponent of the solar overlay. Citing the scope of the project, the Committee voted to recommend that the Ordinance be referred to the Council as Committee of the Whole for further study.

On a motion by Councillor Christine Johnson and seconded by Councillor Edward Gravel, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine



---

**REGULAR MEETING OF MAY 7, 2018**

---

Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer *A Petition by Cedar Hills Solar Portfolio to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled "Zoning," to Expand the West Street Solar Photovoltaic Overlay District* to the Council as Committee of the Whole for further study and report.

Councillor James Walsh suggested that a meeting of the Committee of the Whole be scheduled after the Joint Public Hearing.

President Graves informed the Council that the Joint Public Hearing with the Planning Board will be held on Monday, June 4, 2018 at 6:00 P.M., noting that a majority of the members of the Planning Board indicated that they would be in attendance.

**COUNCIL AS COMMITTEE OF THE WHOLE****#9898**

President Graves informed the Council that a meeting of the Committee of the Whole will be scheduled toward the end of May on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled "Zoning," by Adding a Solar Photovoltaic Overlay District off Lovewell Street*. The Committee of the Whole was granted more time.

**#9899**

President Graves informed the Council that a meeting of the Committee of the Whole will be scheduled toward the end of May on *An Ordinance to Amend the Code of the City of Gardner by Deleting and Repealing Chapter 675 Thereof, "Zoning," and Replacing it With a New Chapter 675, to be Entitled "Zoning."* The Committee of the Whole was granted more time.

**MEASURE TAKEN OUT OF ORDER****#9912**

For the purpose of admitting the measure for discussion, Councillor James Walsh moved informal consideration of the following Order:

**SPECIAL ELECTION ORDER****JUNE 12, 2018**

**ORDER:** That meetings of the citizens of this City qualified to vote shall be held on TUESDAY, the TWELFTH DAY of JUNE, 2018 for the purpose of casting their votes in response to the following Question:

Shall the City of Gardner be allowed to assess an additional \$700,000.00 in real estate and personal property taxes for the purposes of funding the School Department for the fiscal year beginning July 1, 2018?

REGULAR MEETING OF MAY 7, 2018

---

Yes ●

No ●

Councillor Christine Johnson seconded the motion.

On the motion, Councillor Christine Johnson informed the Council that she “identified at least \$108,000 worth of line item cuts that could have been made before ... teachers or paraprofessionals that could be cut,” therefore, is not in favor of a special election for a Proposition 2½ Override.

Councillor James Walsh stated that he “sees two parts to this analysis.” “One,” he said, “Is there a need for additional funding for the School Department for Fiscal 2019?” adding that he “believes that the case has been made that additional funding is necessary.” The second part, he said, is “Whether it should be funded through a Proposition 2½ Override?” “I don’t believe the case has been made for that for a variety of reasons,” he said.

Continuing, Councillor Walsh stated, “One is that there is no certainty that money would be available ... depending on how the vote turns out. Secondly, there is a lot of information that the Council does not yet have that it should have in order to make an informed and responsible decision.” He cited the lack of a municipal budget for FY2019 which, he said “is still being formulated by the Mayor,” adding that the Council needs the Budget in order to determine “where money is being proposed to be spent and whether there may be funds available in the proposed Budget.” Continuing, he stated that the third reason is that he “does not believe that it is a good idea to have a special election for this because it would occur at the beginning of the summer and [during] people’s vacations. Special elections are always lower [voter] turnout.”

Concluding his remarks, Councillor Walsh stated that there are options, noting that the Council does not know what the State Budget will look like - such as Chapter 70 funding - as well as “other uncertainties that would warrant a permanent increase in the property tax levy.” Consequently, he said, he provided a substitute Order to replace the Order that was filed by the Mayor.

Councillor Walsh moved to substitute and to pass the following Order:

*ORDER:* That the following Question be placed on the November 6, 2018 State Election Ballot:

Shall the City of Gardner be allowed to assess an additional \$700,000.00 in real estate and personal property taxes for the

REGULAR MEETING OF MAY 7, 2018

---

purposes of funding the School Department for the fiscal year beginning July 1, 2019?

Yes

No

Councillor Ronald Cormier seconded the motion.

On the motion, Councillor Walsh stated that “If passed, [it] would achieve what I believe would be a fair resolution of this matter and do this with the expectation that we would have before us, in the very near future, an Order from the Mayor appropriating additional funds for the Fiscal 2019 School year in the amount of \$700,000, or whatever amount [that] he thinks is appropriate.”

Continuing, he said, “The Mayor would see fit to appropriate funds from other sources within the Budget, Stabilization, Free Cash, or other sources that are available. He cited approximately “\$1.5 million in Free Cash, about \$2.5 million in Stabilization, [which are] funds which have already been taken from taxpayers and we are holding,” adding that in his opinion, “would fund a special circumstance” and “would accomplish certainty for at least the next fiscal year for the School Department. “They would get that money, and not be dependent on a vote of the people,” he said. Secondly, he said, the question would be placed on a State Election ballot which would likely experience a larger voter turnout, “a wider representation of opinion” on “whether a permanent tax override is needed.”

Concluding, Councillor Walsh stated that in the interim, the Council and [the] people would have the information that it needs in order to make an informed decision – the City Budget, Chapter 70 Aid, and other sources of funding, [thus] allowing for a better analysis.

Councillor Ronald Cormier noted that the Council held a recent informal meeting to discuss this idea in which he had addressed with the Mayor. He said that he supports the proposed override on the State Election [ballot], allowing persons on both sides of the issue to prepare a case – for or against. He added that the override question on the State ballot would save the City the cost of a special election, about \$17,000. He noted that the Mayor “indicated some interest” that the School budget shortfall for FY19 could be funded [now] with the election held at a later date, adding “the Mayor did not express great disfavor.”

Councillor Christine Johnson stated that she “fully supports” the measure and recalled that the Mayor mentioned that he would be willing to do this [fund the shortfall] if the Council was willing to place the question on the November ballot. She noted that by proceeding in

REGULAR MEETING OF MAY 7, 2018

---

this manner, “it does a couple of things. She said, “It provides the City Council with the ability to continue its investigation, wait for the Audit to arrive – one that DESE has yet to receive from Melanson-Heath.” Secondly, she said, “We have a great Superintendent [of Schools] – he is all ‘heart and soul Gardner’ and he wants us to thrive and we need to give him the tools in order to do that.” She continued, saying that she would like an Audit to be conducted, particularly with a new School Business Administrator starting. “We need to give him the tools to succeed, because if we don’t, we will continue to run into this year after year after year,” she said, adding “Should the override question not pass, it would give teachers more than a month to find a new job.”

Councillor Nathan Boudreau said, “We’ve all driven around this City - shoddy patchwork doesn’t work. And now we are going to take our philosophy on the roads and do that to our teachers? Quality educators are hard to find and these people deserve a permanent fix - and a permanent fix that is going to be there soon.” Continuing, he stated, “I’m still interested in sending this to the people and to hear what they have to say. A special election is a lower turnout election and is usually an election that will favor progression and change.” “So,” he said, “to push this off, and ‘kick the can down the road’ and to push it off until next year is too long ... and there are many of us sitting here at the table that know what it is like to not know if you’re not going to have a job and that’s one of the worst feelings out there. Give it a chance now for the long term.”

Councillor James Boone stated that he fully supports “trying to make our schools successful again.” “As Councillor Johnson pointed out,” he said, “we have a great Superintendent that is really starting to turn the tide for Gardner, to prosper again, to keep kids in our system. And, we do need to support what he is trying to do. I think many of us are in agreement that we want to try to do some kind of fix for today.”

Continuing, Councillor Boone said, “There was discussion about possibly using the Stabilization Fund” and that he “is not a big fan of taking money away from the Stabilization Fund.” “I think the Mayor has done a great job of building that up and giving the City a good bond rating so we can save money for when we need to borrow money. But I also consider that fund as an emergency fund. And, I think right now with the number of proposed staff cuts – this is an emergency,” he said.

Continuing, Councillor Boone said that he “is hesitant to not have the election today,” citing “the groundswell of support in the Chamber,” and noted that the proposal to have the question placed on the November ballot would save \$18,000. Concluding, he stated, “I am hoping that if we do vote, which I probably will support placing the question on the

REGULAR MEETING OF MAY 7, 2018

---

November ballot, that we will still have the support and we can build up the strength and try to educate the rest of the voters to be able to support the budget for the next fiscal year. He added that delaying the ballot question provides the Council with more time to educate everybody and to try to make it happen.”

Councillor Nathan Boudreau said, “That just doesn’t sit right with me. We have to figure out what matters more – a \$60 million budget - \$18,000 – or 18 lives, 18 meals, 18 beds to sleep in at night.”

Councillor James Walsh remarked, “Councillor Boudreau’s argument raises a false choice to me. If this goes on the November ballot, then the turnout for people voting is likely to be larger so the sentiment of the electorate will be heard. An appropriation now for Fiscal 2019 provides certainty for the next budget. They [teachers] will not have to wait until June to find out if they are going to have a job or not – the money will be there for them.” Continuing, Councillor Walsh said, “Then there will be a decision for the next fiscal year with the Proposition 2½ Override ... we are not ‘kicking the can down the road.’ My proposition provides certainty for funding in the next Fiscal Year and gives the electorate the opportunity to vote on it for the following fiscal year and thereafter.”

Councillor Elizabeth Kazinskas expressed concern that if funds are drawn from the Stabilization Fund for the School Budget and the override fails in November, then the City will not have the money to replace the Stabilization funds. She said that it is worth spending the money now to pursue the override at a Special Election “in just a few weeks” since the issue “is hot and there is a lot of talk about it.” “Either way,” she said, she “I want an override to pass ... and if the override fails in November, the School Department will have to hire new teachers down the road and cost a lot of money, as well.”

Continuing, Councillor Kazinskas said, “Finding good teachers is tough, keeping them is tougher.” She said that she understands that the Council does not have the FY2019 City Budget and the Audit, but that she does not believe that it is realistic to delay the election until November.

Councillor Christine Johnson stated that it is important for people to understand the reason that she does not support a Special Election in June, suggesting that if the override question fails [at a special election], “then the 18 to 20 school employees will have only weeks to find a new job.” “By agreeing to a November ballot override question and with the Mayor’s agreement to fund the shortfall from Stabilization, then if the override question fails in November, the affected school employees will have many months to find new jobs,” she said.



---

**REGULAR MEETING OF MAY 7, 2018**

---

Councillor Craig Cormier noted that support has been expressed for an override for the School Budget, but that there appears that be a lack of support for a Special Election; however, there is support to get the override question on the November State ballot. Thus, he said, the compromise could be the Council's best chance to do the best for the schools in the long run.

President Graves recognized Mayor Hawke.

Mayor Hawke stated that he addressed the projected shortfall with the Superintendent of Schools and noted that the City is almost \$1.1 million above or 3.3% over Net School Spending and "only for the past three years." He said that the City is investing in its schools – not only in its people, but also in its buildings – and citing progress in plans to build a new elementary school and \$10 million to \$12 million [invested] in existing facilities, such as the new science labs at Gardner High School, new boilers, windows, doors, roofs, and notable improvements to Elm Street School. He noted that these were things that the City needed to do – to catch up on deferred maintenance that was put off year after year after year, also citing the unusable bleachers at Watkins Field. "That is why we are trying to stem School Choice," which "is not all about academics," he said. The Mayor cited the City's goal to have a first class public school system and that "we cannot cut our way to success." "We need to invest, and that is what we have been doing and need to keep doing," he added.

Continuing, the Mayor stated that the City has many needs, such as paving, and that the City cannot use Free Cash "to solve this problem," noting that Free Cash "expires on June 30" and that it cannot be encumbered. He added that much of the Free Cash will be committed to the snow and ice deficit. Concerning the City Budget, the Mayor stated that the City Council has never seen the Budget [Mayor's Recommendations] until late May or early June.

Continuing, the Mayor said that if it is the Council's wish, then he will work with the Superintendent to come up with an adequate number and to file with the Council an Order from the Stabilization Fund. He said that he will check with DOR to ascertain whether the appropriation can be made in the current Fiscal Year, or whether it has to occur after July 1, 2018. He said that he hesitated knowing that if the City [with]drew 20% from the Stabilization Fund, then what would be the impact to the City, citing a \$2 Million capital bond "to be floated shortly," and "up to \$4 Million for Watkins Field." He said that it doesn't look good to be using Stabilization funds, but the situation "could be considered an emergency," and noted that after ten years, the Stabilization Fund "is almost at an appropriate level."




---

 REGULAR MEETING OF MAY 7, 2018
 

---

On the motion, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to pass the following Order:

RELATIVE TO A PROPOSITION 2½ QUESTION  
TO BE PLACED ON THE  
NOVEMBER 6, 2018 STATE ELECTION BALLOT

*ORDERED:*

That the following Question be placed on the November 6, 2018 State Election Ballot:

Shall the City of Gardner be allowed to assess an additional \$700,000.00 in real estate and personal property taxes for the purposes of funding the School Department for the fiscal year beginning July 1, 2019?

Yes ●  
No ●

Presented to Mayor for Approval – May 8, 2018  
Request for Reconsideration Filed – May 16, 2018  
MARK P. HAWKE, Mayor

### #9910

On a motion by Councillor James Walsh and seconded by Councillor Christine Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to remove the following Order from the Calendar:

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, WAGES.

ORDER: That there be and is hereby appropriated the sum of Fourteen Thousand One Hundred Fifty Dollars and No Cents (\$14,150.00) from Free Cash to Elections and Registrations, Wages.

### #9911

On a motion by Councillor James Walsh and seconded by Councillor Christine Johnson, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to remove the following Order from the Calendar:



**REGULAR MEETING OF MAY 7, 2018**

---

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, EXPENSES.

ORDER: That there be and is hereby appropriated the sum of Four Thousand Two Hundred Fourteen Dollars and No Cents (\$4,214.00) from Free Cash to Elections and Registrations, Expenses, detailed below:

Communications	\$ 445.00
Professional Services	3,369.00
Office Supplies	400.00

**UNFINISHED BUSINESS**

**#9899**

There being no objections, the Planning Board was granted more time to issue its Report and Recommendation concerning *An Ordinance to Amend the Code of the City of Gardner by Deleting and Repealing Chapter 675 Thereof, "Zoning," and Replacing it With a New Chapter 675, to be Entitled "Zoning."*

**NEW BUSINESS**

On a motion by Councillor Christine Johnson and seconded by Councillor Nathan Boudreau, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

**ANNOUNCEMENTS AND COMMENTARY**

**Proposition 2½ Override/School Department Budget**

Councillor James Boone expressed his appreciation to the people that were in the audience in support of the Schools and encouraged them to work toward the passage of the override "to support our schools."

Councillor Nathan Boudreau stated that he "is happy these fine people get to keep their jobs for next year but, as I had stated before, we have created a patch job this evening." "And," he said, "in a higher turnout election, a Prop 2½ is going to be much more challenging and the people that have been here for years and years know that. So, that's one of the main reasons that this was the way this went. So, I'm happy for you today - best of luck in the November - I am rooting for you."



---

**REGULAR MEETING OF MAY 7, 2018**

---

Councillor Christine Johnson, citing disagreement with statements made by Councillor Boudreau, stated that she does not think that the Council's approach "is a patch job," but that the Councillors are elected to do what the people elected them to do, to obtain all information, and to make informed decisions, noting that this decision [delaying the override] is based on information that the Council doesn't yet have."

Councillor James Johnson recognized the public participation at the meeting and encouraged the public to attend the various hearings and meetings so that their voices are heard.

Commenting on the Council's vote to schedule an override on the State Election ballot, Councillor James Walsh said, "The idea that we should calculate when we are going to put it on the ballot in order to skew the result I think is offensive to me. I think what we should strive to do is [to] maximize the participation in important decisions like this, and to the extent that we would have a greater turnout in a November election and therefore, greater participation in this decision, rather than at a special election, [which] I think is undemocratic."

Councillor Ronald Cormier stated, "Having respect for the voters of Gardner and the intelligence that they have, I feel that we made a proper decision this evening. The outcome will be determined by the voters." He recognized the Mayor for considering utilizing Stabilization funds or other funds, and suggested that a [override] vote in November is something that can ensure the teachers [of their positions] in the following [fiscal] year.

Continuing, Councillor Ronald Cormier recognized Superintendent Mark Pellegrino for 'one of the words that he left with the Council' – "culture." "We have to change the culture of our school system," he said, and remarked that "the City has lost a lot of students through School Choice," [and] "not always for adequate reasons - but because of perception." He continued, saying the Superintendent is doing all that he can, along with a dedicated staff and marvelous School Committee, to change this culture. "And, we should be glad and supportive of this, and I hope that the voters of Gardner in November will stand up and be counted... and we have to pay for a good educational system," he stated.

Council President Scott Graves stated that his role as President is to remain neutral as much as possible, and noted that the Council resolved the issue. The good news, he said, is that the Mayor and Superintendent Pellegrino convinced most that the schools need more money. In other communities, he said, the word is 'too bad, work with what you have.' "In Gardner, at least we're in agreement that we have to give the schools some money," he added. Continuing, President Graves cited Councillors Walsh's approach as "something of a hybrid

**REGULAR MEETING OF MAY 7, 2018**

---

approach,” with “job security for the teachers now and faith that the Mayor will figure it out.” He noted that changing the school culture is critical to success, “going hand in hand with perception.” He concluded by saying that the approach by the Council and Mayor “was a wise choice.”

**Gardner Music Boosters**

Councillor Christine Johnson announced that the Gardner Music Boosters are hosting the 15<sup>th</sup> Theme Basket Extravaganza on May 12 from 9 AM until 1 PM at the Gardner High School Cafeteria.

**Recent Passing of Ellen Daly**

Councillor James Johnson acknowledged the recent passing of his Aunt and longtime resident Ellen Daly. He cited her participation in the Save Our Schools initiative back in the 1970’s, as well as her role in the building of the High School and her Trustee role at Mount Wachusett Community College.

**CLOSING PRAYER**

President Graves led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion by Councillor Edward Gravel and seconded by Councillor Nathan Boudreau, it was voted viva voce, eleven (11) yeas, President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:33 o’clock p.m.

Accepted by the City Council: *May 21, 2018*