

**REGULAR MEETING OF JULY 1, 2019**

Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, July 1, 2019.

CALL TO ORDER

Council President Scott Joseph 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. Ten (10) Councillors were present including President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh. Councillor James Boone was absent.

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 Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors 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 June 17, 2019 Regular Meeting and the June 24, 2019 Special Meeting, as printed.

REPORTS OF STANDING COMMITTEES**PUBLIC SAFETY COMMITTEE****#10130**

On a motion by Councillor James Johnson and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors 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:



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AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 275 THEREOF, ENTITLED "TRAFFIC COMMISSION," TO CHANGE COMMISSION MEMBERSHIP.

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

Section 1. Subsection B. of § 275-1 of the Code of the City of Gardner is hereby amended by inserting the words "Civil Enforcement Director" immediately following the words "Director of Community Development and Planning."

Section 2. Effective date.

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

FIRST PRINTING – JULY 8, 2019

#10131

Councillor James Johnson moved to divide the question, as follows:

Question 1.

Section 1.

Section 600-18 A. of Chapter 600, Three-Hour Parking Meters, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Knowlton Street	North	From Connors Street to Nichols Street (6 spaces)
Knowlton Street	South	From Connors Street to Nichols Street (4 spaces)
Connors Street	West	From the corner of Knowlton Street northerly for a distance of 238 feet (10 spaces).

Question 2.

Section 2.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by deleting and repealing the following:

Name of Street	Side	Location
Knowlton Street	North	Entire Length

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Knowlton Street	North	From Pleasant Street to Connors Street.



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Question 3.

Section 3.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Ash Street	West	From the southerly property line of 164 Ash Street migrating in a southerly direction to the intersection of West Street and Monadnock Street.

Councillor Nathan Boudreau seconded the motion.

On the motion, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to divide the question.

Councillor James Johnson, Chairman of the Public Safety Committee, reported that the Committee voted, two (2) in favor (Hardern and Gravel), one (1) opposed (Chairman Johnson), to not recommend adoption of Section 1.

For the purpose of placing the amendment before the Council for debate, Councillor James Johnson then moved to Order the first Question to First Printing, as follows:

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

Section 1.

Section 600-18 A. of Chapter 600, Three-Hour Parking Meters, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Knowlton Street	North	From Connors Street to Nichols Street (6 spaces)
Knowlton Street	South	From Connors Street to Nichols Street (4 spaces)
Connors Street	West	From the corner of Knowlton Street northerly for a distance of 238 feet (10 spaces).

Councillor James Walsh seconded the motion.

Councillor James Johnson explained that, in his letter, the Mayor sought to designate the street as a Two-Hour Parking zone. The Traffic Commission, however, noted that Two-Hour Parking zones were eliminated years ago, since two-hour parking restrictions are not enforceable. The Commission recommended that a parking meter zone be established for the streets.



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Councillor Edward Gravel, a member of the Public Safety Committee, stated that he opposed the effort to place parking meters in the area, noting that the same question was before the Council years ago and that it was opposed then.

Councillor Karen Hardern, a member of the Public Safety Committee, stated that the answer [to the problem] is not parking meters, questioning the ability to enforce the metered zone. She added that meters would be detrimental to the Hair Salon and to the Health center.

Councillor James Walsh remarked that it was the Hair Salon that requested parking relief and that “by not doing something, we [City Council] are not helping the Health Center or small businesses.”

Councillor James Johnson expressed agreement with Councillor Walsh’s remarks, adding that parking spaces are taken by employees of the Health Center.

Councillor James Johnson the moved to amend the motion by striking the following:

Name of Street	Side	Location
Knowlton Street	North	From Connors Street to Nichols Street (6 spaces)
Connors Street	West	From the corner of Knowlton Street northerly for a distance of 238 feet (10 spaces).

Councillor Christine Johnson seconded the motion.

On the motion to amend, Councillor James Johnson noted that, if passed, the parking metered zone would encompass only four spaces on the south side of Knowlton Street from Connors Street to Nichols Street, the side bordering the Hair Salon.

On the motion, Councillor Ronald Cormier suggested that it would be wise to refer the entire Ordinance back to the Traffic Commission for further study.

He then moved to refer the Ordinance back to the Traffic Commission for further study.

Councillor Nathan Boudreau seconded the motion.

On the motion, Councillor James Walsh expressed concerns about the proposed Ash Street parking amendment, citing whether there was a particular problem that generated the issue, as well as whether it was sufficiently investigated.

Councillor Nathan Boudreau suggested that the proposal “was rushed and haphazard in nature” and that more public input should be solicited.

Councillor Elizabeth Kazinskas concurred that more input from the residents of Ash Street should be sought.



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Councillor James Johnson objected, saying that he cannot support referring the entire Ordinance back to the Traffic Commission for further study.

Councillor Edward Gravel said that he wants a public hearing on Section 3 and that all residents of Ash Street be notified.

Councillor Christine Johnson expressed support for the motion and added that, in his letter, the Deputy Chief of Police stated that the width of the street is only 4 feet less than that which the City Code requires.

Councillor Boudreau concurred with Councillor Christine Johnson's remarks.

Commenting on the remarks made by Councillors Christine Johnson and Nathan Boudreau, Councillor James Walsh stated, "That would be accomplished by just leaving it [Ordinance] alone."

Councillor James Johnson informed the Council that a resident of Ash Street brought the issue to the attention of the Traffic Commission and that the [width of the] street does not meet the requirements of the Code.

On the motion, it was voted viva voce, nine (9) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, Elizabeth Kazinskis, and James Walsh; one (1) nay, Councillor James Johnson, to refer the Ordinance amendment back to the Traffic Commission for further study, as follows:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," ARTICLE V. PARKING METERS AND ARTICLE VI. STOPPING, STANDING AND PARKING.

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

Section 1.

Section 600-18 A. of Chapter 600, Three-Hour Parking Meters, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Knowlton Street	North	From Connors Street to Nichols Street (6 spaces)
Knowlton Street	South	From Connors Street to Nichols Street (4 spaces)
Connors Street	West	From the corner of Knowlton Street northerly for a distance of 238 feet (10 spaces).

Section 2.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by deleting and repealing the following:



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Name of Street	Side	Location
Knowlton Street	North	Entire Length

Section 3.

Section 600-24 of Chapter 600, Parking Prohibited on Certain Streets, of the Code of the City of Gardner, is hereby amended by adding the following:

Name of Street	Side	Location
Ash Street	West	From the southerly property line of 164 Ash Street migrating in a southerly direction to the intersection of West Street and Monadnock Street.
Knowlton Street	North	From Pleasant Street to Connors Street.

Section 4.

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

PUBLIC WELFARE COMMITTEE

#10090

Councillor Christine Johnson, Chairperson of the Public Welfare Committee, reported that the Committee met to discuss the proposed amendment and that additional information was requested; however, the Committee had not yet received the information. Therefore, the Committee voted to request more time.

There being no objections, the Public Welfare Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," TO CHANGE VARIOUS PROVISIONS RELATING TO MARIJUANA ESTABLISHMENTS.

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

Section 1. Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting and repealing Subsection C (3) (a) in its entirety.

Section 2. Subsection C (9) (c) of Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting the words "shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and".

Section 3. This Ordinance shall become effective upon passage and publication as required by law. Any claims of invalidity by reason of any defect in the procedure of adoption may only be made ninety days after the posting or the second publication.



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UNFINISHED BUSINESS

#10090

President Graves announced that the Public Welfare Committee’s report is pending on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishment.*

#10093

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to pass the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED “PERSONNEL” TO CHANGE COMPENSATION SCHEDULE EXHIBIT E.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit E and inserting in place thereof, the following:

Exhibit E
Non-Union Employees
Effective Date: 07/01/2019

Department Heads

<u>Position</u>	<u>Grade</u>		<u>Annual</u>	<u>Weekly</u>
Building Commissioner	G-10		\$ 78,151.60	\$1,502.92
Chief of Police	G-13		\$103,219.64	\$1,984.99
City Assessor	G-9		\$ 73,137.78	\$1,406.50
City Auditor	G-10		\$ 81,275.75	
Retirement Board (ex officio)			<u>\$ 3,000.00</u>	
		Total Compensation:	\$ 84,275.75	\$1,620.69
City Clerk	G-10		\$ 79,714.63	
Clerk of the City Council		MGL c. 41, §19F	\$ 3,500.00	
Registrar of Voters		MGL c. 41, §19G	<u>\$ 550.00</u>	
		Total Compensation:	\$ 83,764.63	\$1,610.86
City Treasurer/Collector	G-10		\$ 84,118.88	
		MGL c. 32, §20(6)	<u>\$ 300.00</u>	
		Total Compensation:	\$ 84,418.88	\$1,623.44
City Engineer	G-11		\$ 85,175.44	\$1,637.99
City Solicitor	G-10		\$ 80,632.20	\$1,550.62
Council on Aging Director	G-6		\$ 57,587.68	\$1,107.46
Director of Community Development & Planning	G-10	City:	\$ 65,838.94	
		GRA:	\$ 22,250.47	
		CDBG:	<u>\$ 4,636.05</u>	



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			Total Compensation: \$ 92,725.46	\$1,783.18
Director of Local Origination & Educational Planning	G-6		\$64,468.75	\$1,239.78
Director of Public Health	G-10	Step 1	\$70,358.09	\$1,353.04
		Step 2	\$78,476.33	\$1,509.16
Fire Chief	G-12		\$94,698.74	\$1,821.13
Golf Course Driving Range/Superintendent	G-9		\$76,571.97	\$1,472.54
Human Resources Director	G-11		\$88,582.77	\$1,703.51
Information Technology Director	G-11	City	\$47,956.30	
		School	\$47,956.30	
		Total Compensation:	\$95,912.60	\$1,844.47
Library Director	G-9		\$75,411.22	\$1,450.22
Public Works Director	G-12		\$100,093.31	\$1,924.87
Purchasing Agent/Civil Enforcement Director	G-10	MGL c. 148A, §5	\$ 2,500.00	
		Total Compensation:	\$79,508.55	\$1,529.01
Veterans' Director	G-6		\$58,008.62	\$1,115.55

Non-Union Direct and Supervisory Staff

Position	Grade		Annual	Weekly	Hourly
Assistant City Clerk	G-3	Step 1	\$42,765.62	\$ 822.42	\$22.23
		Step 2 (5 Yrs)	\$43,620.93	\$ 838.86	\$22.67
		Step 3 (10Yrs)	\$44,493.35	\$ 855.64	\$23.13
Assistant City Engineer	G-8		\$67,103.22	\$1,290.45	
Assistant City Solicitor	G-3		\$44,569.21	\$ 857.10	
Assistant City Treasurer/ Collector	G-5		\$53,370.84	\$1,026.36	
Assistant Director of Community Development**	G-7	City	\$ 3,342.81		
		CDBG	\$63,513.30		
		Total Compensation:	\$66,856.11	\$1,285.69	
Assistant Director of Public Health	G-5		\$53,370.84	\$1,026.36	
Assistant Director of Public Works	G-9		\$73,137.78	\$1,406.50	
Assistant Library Director	G-6		\$58,421.21	\$1,123.48	
Conservation/Planning Agent	G-6		\$59,012.30	\$1,134.85	
Deputy Chief of Police	G-11		\$89,434.53	\$1,719.89	
Director of Public Safety Regional Dispatch Center	G-9		\$74,284.56	\$1,428.55	
Economic Development Coordinator**	G-7		\$58,262.40	\$1,120.43	
Executive Secretary	G-4		\$47,553.41	\$ 914.49	\$24.72
GIS/Energy Analyst	G-5		\$59,160.00	\$1,137.69	
Golf Professional	G-6			\$1,281.30	
Golf Pro Manager	G-6			\$1,104.08	
Local Inspector	G-6		\$60,329.20	\$1,160.18	
Producer	G-2		\$48,386.40	\$ 930.51	



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Senior Animal Control Officer	G-2	\$40,606.04	\$ 780.89	
Systems Manager	G-6	\$63,809.37	\$1,227.10	
Electrical Inspector	G-6			\$31.35
Plumbing Inspector	G-6			\$31.35
Transfer Station Supervisor	G-3			\$22.17
Executive Aide				\$27.06

		<u>Annual</u>	<u>Monthly</u>
Civil Defense Director		\$9,171.88	\$ 764.32
Sealer of Weights & Measures		\$9,341.37	\$ 778.45

Non-Union Staff Positions

			<u>Annual</u>	<u>Weekly</u>	<u>Hourly</u>
Animal Control Officer	G-1	Step 1	\$33,555.40	\$645.30	\$16.13
		Step 2 (5 Years)	\$34,226.51	\$658.20	\$16.46
		Step 3 (10 Years)	\$34,911.04	\$671.37	\$16.78

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4 (5 Yrs)</u>	<u>Step 5 (10 Yrs)</u>
Administrative Assistant	\$14.89	\$17.27	\$20.81	\$21.23	\$21.65
Administrative Coordinator	\$14.12	\$16.63	\$19.14	\$19.52	\$19.90
Administrative Clerk	\$13.67	\$15.89	\$18.11	\$18.47	\$18.83

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>1/1/2020</u>
				(5 Yrs)	(10 Yrs)	Step 1
Animal Shelter Attendant	\$12.50					\$13.00

Budget/Project Manager** City	\$ 1.09
GRA	\$.65
CDBG	<u>\$22.85</u>

Total Compensation:	\$24.89		
Building Maintenance Craftsman	\$18.09	\$20.41	\$22.74
Building Maintenance Man	\$16.54	\$18.79	\$21.03
Council on Aging Coordinator	\$13.00		
Financial Administrator	\$15.08	\$17.98	\$21.21
Financial Clerk	\$13.85	\$16.29	\$19.01

Golf Course Positions

Golf Pro Shop Supervisor	\$14.08	\$14.62	\$15.16
Grounds Maintenance Man GC-8	\$16.56	\$18.22	\$20.16
Motor Equipment Repairman GC-8		\$16.56	\$18.22 \$20.16
Working Foreman – Grounds Maintenance Man GC-9	\$20.35		
Working Foreman – Motor Equipment Repairman GC-9	\$20.35		



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Library Department Positions

Staff Librarian	\$21.85		
Senior Library Technician	\$19.91		
Library Technician	\$18.78		
Library Clerical Staff	\$13.14	\$13.40	
Head Lifeguard	\$15.30	\$16.73	
Parking Meter Clerk	\$16.65		
Production Assistant	\$14.77		
Transfer Station Monitor	\$12.50		\$13.00

Non-Union Staff: Temporary, Seasonal, and Intermittent Positions

<u>Position</u>	<u>Grade</u>	7/01/2019			1/01/2020		
		<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>
Alternate Animal Control Officer	N/A	\$12.50			\$13.00		
Certified Pool Operator	S-4	\$22.11					
Golf Course Laborer/ Pro Shop Assistant	GC-4	\$12.50			\$13.00		
Golf Course Groundsman	GC-5	\$14.51					
Golf Course Ranger	GC-6	\$12.50			\$13.00		
Lifeguard	S-6	\$12.50			\$13.00		
Temporary Seasonal Technical	T-6	\$14.36					
Election Clerk	N/A	\$13.00			\$13.75		
Election Inspector	N/A	\$12.00			\$12.75		
Election Warden	N/A	\$14.00			\$14.75		
Special Detail Police Officer	N/A	\$49.00					
Temporary Seasonal Laborer Recreational Playground Supervisor	T-4	\$12.50	\$13.77	\$15.30	\$13.00	\$13.77	\$15.30
Recreational Support Staff	T-5	\$15.30	\$16.73				
	N/A	\$12.50			\$13.00		

**Compensation increase contingent upon positive evaluation of oversight commission, Board or individual (Mayor or City Council) with the approval of the Mayor.

%Community Development & Planning Administrative Coordinator wages paid for by City, CDBG and GRA in the following approximate percentages: City – 84.5%, GRA – 10.5%, CDBG- 5%.

In City Council – May 6, 2019
 Ordered Printed – June 17, 2019
 First Printing – June 21, 2019
 Ordinance Passed – July 1, 2019
 Presented to Mayor for Approval – July 2, 2019
 Approved – July 8, 2019
 MARK P. HAWKE, Mayor
 FINAL PRINTING – July 12, 2019



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#10119

President Graves announced that the Council has not received a response from the Mayor concerning *A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital*; therefore, the matter will be continued.

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors 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

Many Councillors expressed Happy Independence Day to all. Councillor Ronald Cormier also wished our Canadian neighbors “Happy Canada Day” (July 1).

Councillors Boudreau and Gravel reminded people that fireworks are illegal in Massachusetts.

Councillor Christine Johnson informed the Council that she received good responses for her suggestion to install speed humps at various locations in the City, especially in school zones.

Council President Scott Graves told the Council, “We have a priceless pamphlet, “Common Sense,” by Thomas Paine.”

#10131, AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," ARTICLE V. PARKING METERS AND ARTICLE VI. STOPPING, STANDING AND PARKING.

Councillor Edward Gravel moved to set up a public hearing to address Ash Street parking concerns. Councillor Karen Gravel seconded the motion.

On the motion, Councillor Nathan Boudreau suggested that the Council should wait until after the Traffic Commission and Service Committee have reviewed it, adding he “knows the answers from Traffic.”

Councillor James Walsh stated that he does not believe that holding the hearing now is appropriate, but better if the Public Safety Committee would conduct the hearing. Therefore, he would not support the motion, he added.

Councillor Ronald Cormier suggested that the Traffic Commission and Ward Councillor “do their due diligence, first.”



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Councillor James Johnson stated that he does not support the motion, noting that the Ward Councillor “went door-to-door” on Ash Street to alert the residents and that four residents appeared at the recent Public Safety Committee meeting and offered input. He added that the City should “either enforce the Ordinance or ignore it, as written.”

Councillor Craig Cormier concurred with the reasons offered by Councillor Boudreau, Walsh, and James Johnson.

On viva voce vote, two (2) yeas, Councillor Karen Hardern and Edward Gravel, eight (8) nays, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, the motion to hold a public hearing was defeated.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Christine Johnson and seconded by Councillor Edward Gravel, it was voted viva voce, ten (10) yeas, President Scott Joseph Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:09 p.m.

Accepted by the City Council: *August 5, 2019*