



REGULAR MEETING OF SEPTEMBER 17, 2018

Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, September 17, 2018.

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. 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 and 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 Ronald Cormier and seconded by Councillor James Walsh, 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, and Elizabeth Kazinskas, to waive reading and to accept the Minutes of the September 5, 2018 Regular Meeting, as printed.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

#9991

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, and



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Elizabeth Kazinskas, to confirm the Mayor's Appointment of Cheryl Bosse to Member, Cultural Council, for term expiring September 6, 2021.

Worcester, ss.

September 19, 2018

Then personally appeared CHERYL BOSSE and made oath that she would faithfully and impartially perform the duties of Member, Cultural Council, according to law and the best of her abilities.

Before me,

/s/ Faith A. Glover, Assistant City Clerk

#9992

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, and Elizabeth Kazinskas, to confirm the Mayor's Appointment of Rachel Stephano to Member, Cultural Council, for term expiring September 6, 2021.

Worcester, ss.

September 19, 2018

Then personally appeared RACHEL STEPHANO and made oath that she would faithfully and impartially perform the duties of Member, Cultural Council, according to law and the best of her abilities.

Before me,

/s/ Faith A. Glover, Assistant City Clerk

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

#9993

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, 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 refer *A Measure Authorizing Participation in the "Liabilities to Assets Project"* to the Planning Board for report and recommendation.

#9994

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, 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 adopt the following Measure:



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**DECLARING SURPLUS FOR PURPOSE OF DISPOSAL
LAND AND BUILDINGS AT 75-77 EMERALD STREET**

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 75-77 Emerald Street, further identified on the City of Gardner Assessor's Map as M22, Lot 25, Block 14, to establish as a minimum amount of \$1.00 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or a larger amount, and upon such other terms as the mayor shall consider proper in accordance with this Vote.

Presented to Mayor for Approval – September 18, 2018

Approved – September 18, 2018

MARK P. HAWKE, Mayor

REPORTS OF STANDING COMMITTEES**PUBLIC SERVICE COMMITTEE & PUBLIC WELFARE COMMITTEE****#9905**

Councillor Nathan Boudreau, Chairman of the Public Service Committee, informed the Council that at the last Council meeting, he reported that the Public Service Committee voted to recommend that the Ordinance be placed on file.

Councillor Christine Johnson moved to discharge from Committee *An Ordinance to Amend the Code of the City of Gardner by Adding a New Chapter to Be Entitled "Scenic Roads"* and to remove it from further consideration and from the Calendar.

Councillor James Walsh seconded the motion.

On the motion, Councillor Christine Johnson, Chairperson of the Public Welfare Committee, reported that the Committee plans to work with the City Solicitor to develop an Ordinance that would be more beneficial to the City, as opposed to the Ordinance amendment that was submitted.

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 discharge from Committee and to remove from further consideration and from the Calendar *An Ordinance to Amend the Code of the City of Gardner by Adding a New Chapter to Be Entitled "Scenic Roads."*

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PUBLIC SERVICE COMMITTEE & PUBLIC SAFETY COMMITTEE**#9987**

Councillor Nathan Boudreau, Chairman of the Public Service Committee, informed the Council that at the Committee voted favorably to recommend that AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600, ENTITLED "VEHICLES AND TRAFFIC," ARTICLE VI: STOPPING, STANDING, AND PARKING, SECTION 23: ALL-NIGHT PARKING be adopted. He said that "the Council is policy makers and not winter parking ban administrators," so then he "would like to leave it up to the professionals to do what they see fit." He added that the Ordinance was drafted to be "intentionally vague" and that it allows for the professionals to address the situation.

Councillor Nathan Boudreau moved to Order the Amendment to First Printing. Councillor Craig Cormier seconded the motion.

On the motion, Councillor James Johnson noted that the Ordinance was also referred to the Public Safety Committee, but that he did not want to delay a vote on the Ordinance, so he recommended that it be discharged from the Safety Committee and voted on.

Councillor James Walsh stated that he maintains concerns about the adequacy of notice to persons that would be affected by the provisions of the ban. He said that he is willing to try something new, but that there are no provisions in the Ordinance to address the issue [of lack of notice] if it doesn't work out well. He said that at the next Council meeting, he intends to offer an amendment before passage that would essentially impose a sunset clause, such that after a period of two years, the new Ordinance would expire and revert back to the current Ordinance, unless a new vote is taken to reauthorize it.

Councillor Ronald Cormier informed the Council that he would reluctantly support the motion to order the Ordinance to First Printing, but only with the promise that an amendment to institute a sunset clause is offered at the next meeting.

Councillor Nathan Boudreau stated, "Although seemingly there is a sunset clause on all Ordinances in front of the City Council and most laws, in general," then he "will support something to that affect as an amendment, a two year sunset clause at the next meeting."

Councillor Edward Gravel questioned whether the sunset clause "has to be two years."

Councillor James Walsh responded, saying that one year would be an insufficient amount of time to assess the impact of the change, whereas, two years is a reasonable opportunity for those implementing the change would be able to report back any feedback as to its success or failure.

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On a motion by Councillor Nathan Boudreau and seconded by Councillor Craig Cormier, on recommendation of the Public Service 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:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600, ENTITLED "VEHICLES AND TRAFFIC," ARTICLE VI: STOPPING, STANDING, AND PARKING, SECTION 23: ALL-NIGHT PARKING.

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

Section 1. Section 600-23(a) of the Code of the City of Gardner be repealed and replaced by the following:

§600-23(a): Parking Ban

- i. The Mayor, or designee, after consultation with the Police Department and the Department of Public Works, may order a parking ban to be put in place and enforced by the Gardner Police Department.
- ii. During the parking ban, no vehicles will be permitted to park on any public way, highway or parking lot under the control of the City between the hours of 11:00 pm and 7:00 am.
- iii. Notification to residents about the ban will occur by posting the information through social media, the City's emergency alert system, notification to the local newspaper and/or by any other technology deemed fit for this purpose.
- iv. The Parking Ban shall expire upon notice from the Mayor, or designee, stating the date and time that the ban will expire. The Mayor, or designee, may choose to issue this notice at a separate date and time from when the ban is declared.
- v. Fines issued by the Police Department by those in violation of this ordinance shall be set according to the provisions of Chapter 390 of the Code of the City of Gardner.

Section 2. Section 600-23(d) of the Code of the City of Gardner be amended by striking the following: "(November 15 to April 1)"

Section 3: Effective Date.

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

FIRST PRINTING – SEPTEMBER 21, 2018

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FINANCE COMMITTEE**#9988**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Committee met with City Assessor Sue Byrne earlier in the evening and was advised that changes to the PILOT Agreements would be forthcoming from the utilities. He said that the Agreements cite three Exhibits that are attached thereto; however, all three are blank and, one in particular, are the schedules of payments to be made to the City. The other two exhibits include the Plan (layout) and the Inventory of equipment.

Continuing, Councillor Walsh said that essentially, the Agreements would pay to the City an amount of money in-lieu-of personal property taxes, as there have been rulings by the Appellate Tax Board that, based on statutory provisions, a municipality cannot impose a personal property tax on the equipment of a solar installation. These payments, he said, are made “in- lieu” and with the anticipation that the particular [exemption] statute might be changed, so the companies and the City desire “to lock-in” such payments, and that such payments are to the City’s benefit; otherwise, no revenues could be generated from the solar equipment. He concluded by saying that since information that is supposed to be included within the Exhibits is missing, that the Committee is requesting more time.

There being no objections, the Finance Committee was granted more time to report on a Measure authorizing the Mayor execute a Solar Energy PILOT Agreement with **West Street Solar 1, LLC.**, pursuant to the provisions of Massachusetts General Law, Chapter 59, Section 38H, as negotiated by the Mayor.

#9989

There being no objections, the Finance Committee was granted more time to report on a Measure authorizing the Mayor execute a Solar Energy PILOT Agreement with **978 Solar Development, LLC.**, pursuant to the provisions of Massachusetts General Law, Chapter 59, Section 38H, as negotiated by the Mayor.

#9990

There being no objections, the Finance Committee was granted more time to report on a Measure authorizing the Mayor execute a Solar Energy PILOT Agreement with **Otter River Road Solar, LLC.**, pursuant to the provisions of Massachusetts General Law, Chapter 59, Section 38H, as negotiated by the Mayor.

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COUNCIL AS COMMITTEE OF THE WHOLE

#9899

Councillor James Walsh recommended that the Committee of the Whole be granted more time and suggested that another Informal meeting be scheduled to review the proposed changes to the Zoning Code. He said that he submitted inquiries to the Consultant and is awaiting a response on a second inquiry, adding that since there is a question as to whether the Public Hearing has been closed, he suggested more time.

There being no objections, the Committee was granted more time to study and report 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."*

UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

#9909

Councillor Christine Johnson moved to reconsider Calendar #9909, AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," BY AMENDING THE ZONING MAP DESIGNATING CERTAIN PARCELS OF LAND SOUTHWESTERLY OF WEST STREET AS A LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT.

Councillor James Walsh seconded the motion.

On the motion to reconsider, Councillor Christine Johnson stated that new information was received today and believes that it should be addressed. She added that she would offer an amendment if reconsideration is passed.

On call of the roll, ten (10) yeas, President Scott Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh one (1) nay, Councillor James Boone, the motion to reconsider was adopted.

Councillor Christine Johnson moved to pass the Ordinance, as follows:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED "ZONING," BY AMENDING THE ZONING MAP DESIGNATING CERTAIN PARCELS OF LAND SOUTHWESTERLY OF WEST STREET AS A LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT.

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



REGULAR MEETING OF SEPTEMBER 17, 2018

Section 1. Chapter 675 of the Code of the City of Gardner, the Zoning Map, is hereby amended by designating the following parcels southwesterly of West Street as a Large-Scale Ground-Mounted Solar Photovoltaic Overlay District:

H27-7-3	H27-00019-00024	H27-00013-00051	H27-00023-00078
H27-7-6	H27-00019-00025	H27-00013-00052	H27-00023-00079
C32-14-18	H27-00019-00026	H27-00013-00053	H27-00024-00080
H27-00013-00106	H27-00024-00027	H27-00013-00054	H27-00024-00081
H27-00025-00001	H27-00024-00028	H27-00013-00055	H27-00024-00082
H27-00025-00002	H27-00023-00029	H27-00017-00056	H27-00024-00083
H27-00020-00022	H27-00023-00030	H27-00017-00057	H27-00024-00084
H27-00020-00021	H27-00023-00031	H27-00017-00058	H27-00019-00085
H27-00020-00020	H27-00018-00032	H27-00017-00059	H27-00019-00086
H27-00019-00006	H27-00018-00033	H27-00017-00060	H27-00019-00087
H27-00019-00007	H27-00018-00034	H27-00017-00061	H27-00020-00088
H27-00019-00008	H27-00013-00035	H27-00017-00062	H27-00025-00089
H27-00019-00009	H27-00018-00036	H27-00017-00063	H27-00025-00090
H27-00019-00010	H27-00018-00037	H27-00017-00064	H27-00025-00091
H27-00019-00011	H27-00018-00038	H27-00017-00065	H27-00025-00092
H27-00019-00012	H27-00018-00039	H27-00017-00066	H27-00025-00093
H27-00019-00013	H27-00023-00040	H27-00017-00067	H27-00025-00094
H27-00019-00014	H27-00023-00041	H27-00017-00068	H27-00025-00095
H27-00019-00015	H27-00022-00042	H27-00017-00069	H27-00025-00096
H27-00014-00016	H27-00017-00043	H27-00022-00070	H27-00025-00097
H27-00014-00017	H27-00017-00044	H27-00022-00071	H27-00025-00098
H27-00014-00018	H27-00017-00045	H27-00023-00072	H27-00025-00099
H27-00014-00019	H27-00017-00046	H27-00023-00073	H27-00014-00101
H27-00014-00020	H27-00017-00047	H27-00023-00074	H27-00014-00102
H27-00015-00021	H27-00013-00048	H27-00023-00075	H27-00015-00105
H27-00014-00022	H27-00013-00049	H27-00023-00076	
H27-00019-00023	H27-00013-00050	H27-00023-00077	

Section 2. 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.

Councillor James Johnson seconded the motion.

Councillor Christine Johnson said that she explained to ERM that which she would consider appropriate for the area, adding that ERM sent an e-mail to all Councillors. She cited Councillor James Johnson’s attempt at the last meeting to strike parcels C32-14-18 and, that she requested that Map H27-7-3, comprising 18 acres of land at St. Joseph’s Cemetery, be stricken. She noted that one parcel of wetlands would remain in order for the overlay’s parcels to be contiguous and that the solar array be proposed only for the Cedar Hills parcels.



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Councillor Christine Johnson moved to amend the Ordinance by striking Map C32, Parcel 14-18 and Map H27, Parcel 7-3 and to pass the Ordinance, as amended, as follows:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED “ZONING,” BY AMENDING THE ZONING MAP DESIGNATING CERTAIN PARCELS OF LAND SOUTHWESTERLY OF WEST STREET AS A LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT.

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

Section 1. Chapter 675 of the Code of the City of Gardner, the Zoning Map, is hereby amended by designating the following parcels southwesterly of West Street as a Large-Scale Ground-Mounted Solar Photovoltaic Overlay District:

H27-00007-00006	H27-00019-00026	H27-00013-00053	H27-00024-00080
H27-00013-00106	H27-00024-00027	H27-00013-00054	H27-00024-00081
H27-00025-00001	H27-00024-00028	H27-00013-00055	H27-00024-00082
H27-00025-00002	H27-00023-00029	H27-00017-00056	H27-00024-00083
H27-00020-00022	H27-00023-00030	H27-00017-00057	H27-00024-00084
H27-00020-00021	H27-00023-00031	H27-00017-00058	H27-00019-00085
H27-00020-00020	H27-00018-00032	H27-00017-00059	H27-00019-00086
H27-00019-00006	H27-00018-00033	H27-00017-00060	H27-00019-00087
H27-00019-00007	H27-00018-00034	H27-00017-00061	H27-00020-00088
H27-00019-00008	H27-00013-00035	H27-00017-00062	H27-00025-00089
H27-00019-00009	H27-00018-00036	H27-00017-00063	H27-00025-00090
H27-00019-00010	H27-00018-00037	H27-00017-00064	H27-00025-00091
H27-00019-00011	H27-00018-00038	H27-00017-00065	H27-00025-00092
H27-00019-00012	H27-00018-00039	H27-00017-00066	H27-00025-00093
H27-00019-00013	H27-00023-00040	H27-00017-00067	H27-00025-00094
H27-00019-00014	H27-00023-00041	H27-00017-00068	H27-00025-00095
H27-00019-00015	H27-00022-00042	H27-00017-00069	H27-00025-00096
H27-00014-00016	H27-00017-00043	H27-00022-00070	H27-00025-00097
H27-00014-00017	H27-00017-00044	H27-00022-00071	H27-00025-00098
H27-00014-00018	H27-00017-00045	H27-00023-00072	H27-00025-00099
H27-00014-00019	H27-00017-00046	H27-00023-00073	H27-00014-00101
H27-00014-00020	H27-00017-00047	H27-00023-00074	H27-00014-00102
H27-00015-00021	H27-00013-00048	H27-00023-00075	H27-00015-00105
H27-00014-00022	H27-00013-00049	H27-00023-00076	
H27-00019-00023	H27-00013-00050	H27-00023-00077	
H27-00019-00024	H27-00013-00051	H27-00023-00078	
H27-00019-00025	H27-00013-00052	H27-00023-00079	



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Section 2. 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.

Councillor James Walsh seconded the motion.

On the motion, Councillor James Boone stated that a very important decision is being made and that it is wrong to make a decision without properly studying the new changes, so then he would not support the amendment.

Councillor Christine Johnson stated that the parcel on which the solar array is proposed would “require very little cutting, just cleaning it up and filling in very huge holes.” Citing the map that was submitted with the e-mail, she noted that the green shading along Parker’s Pond is not going to be developed and “left wooded,” and a buffer zone sited near the residences. She added that all other conditions would remain, such as road paving and well testing. She said that she was satisfied with the Consultant’s answers and for these reasons; she decided to bring the matter to the Council for reconsideration.

Councillor Edward Gravel expressed agreement with Councillor Boone, noting that the information is new to him, as well. He said, “This is a big decision,” and “will affect 102 residents in that area.” He said that he was just informed that “there will be probably 200 union electricians working on this project if the Ordinance passes [and] there will probably be an additional 100 union carpenters. I happen to be a union carpenter, by trade. Every union is reaching out to me to understand by view on this.” Continuing, he said, “I am elected by the people to represent the people for the people. I have to take their issues and their concerns and their feelings of their neighborhood into consideration.”

He moved to take more time to study the changes proposed by the amendment.

President Graves informed Councillor Gravel that since there is no item on the Agenda; then there is not an item to cite for more time.

Councillor James Walsh suggested that a motion to table until the next meeting would be in order; however, he added that he is not suggesting that he would support it.

Councillor Gravel moved to table the measure [“postpone”] until the next meeting. Council Boone seconded the motion.

On viva voce vote, two (2) yeas, Councillors James Boone and Edward Gravel; nine (9) nays, President Scott Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, the motion was defeated.



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Councillor Nathan Boudreau stated that he would support passage, but noted that “the games and politics and the backroom stuff is absolutely hideous.” He added that it would benefit the City tremendously.

On the motion, on call of the roll, eight (8) yeas, Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh; three (3) nays, President Scott Graves and Councillors James Boone and Edward Gravel, it was voted to pass the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED “ZONING,” BY AMENDING THE ZONING MAP DESIGNATING CERTAIN PARCELS OF LAND SOUTHWESTERLY OF WEST STREET AS A LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC OVERLAY DISTRICT.

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

Section 1. Chapter 675 of the Code of the City of Gardner, the Zoning Map, is hereby amended by designating the following parcels southwesterly of West Street as a Large-Scale Ground-Mounted Solar Photovoltaic Overlay District:

H27-00007-00006	H27-00019-00026	H27-00013-00053	H27-00024-00080
H27-00013-00106	H27-00024-00027	H27-00013-00054	H27-00024-00081
H27-00025-00001	H27-00024-00028	H27-00013-00055	H27-00024-00082
H27-00025-00002	H27-00023-00029	H27-00017-00056	H27-00024-00083
H27-00020-00022	H27-00023-00030	H27-00017-00057	H27-00024-00084
H27-00020-00021	H27-00023-00031	H27-00017-00058	H27-00019-00085
H27-00020-00020	H27-00018-00032	H27-00017-00059	H27-00019-00086
H27-00019-00006	H27-00018-00033	H27-00017-00060	H27-00019-00087
H27-00019-00007	H27-00018-00034	H27-00017-00061	H27-00020-00088
H27-00019-00008	H27-00013-00035	H27-00017-00062	H27-00025-00089
H27-00019-00009	H27-00018-00036	H27-00017-00063	H27-00025-00090
H27-00019-00010	H27-00018-00037	H27-00017-00064	H27-00025-00091
H27-00019-00011	H27-00018-00038	H27-00017-00065	H27-00025-00092
H27-00019-00012	H27-00018-00039	H27-00017-00066	H27-00025-00093
H27-00019-00013	H27-00023-00040	H27-00017-00067	H27-00025-00094
H27-00019-00014	H27-00023-00041	H27-00017-00068	H27-00025-00095
H27-00019-00015	H27-00022-00042	H27-00017-00069	H27-00025-00096
H27-00014-00016	H27-00017-00043	H27-00022-00070	H27-00025-00097
H27-00014-00017	H27-00017-00044	H27-00022-00071	H27-00025-00098
H27-00014-00018	H27-00017-00045	H27-00023-00072	H27-00025-00099
H27-00014-00019	H27-00017-00046	H27-00023-00073	H27-00014-00101
H27-00014-00020	H27-00017-00047	H27-00023-00074	H27-00014-00102
H27-00015-00021	H27-00013-00048	H27-00023-00075	H27-00015-00105
H27-00014-00022	H27-00013-00049	H27-00023-00076	



REGULAR MEETING OF SEPTEMBER 17, 2018

H27-00019-00023	H27-00013-00050	H27-00023-00077
H27-00019-00024	H27-00013-00051	H27-00023-00078
H27-00019-00025	H27-00013-00052	H27-00023-00079

Section 2. 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.

In City Council – April 2, 2018
 Ordered Printed – August 6, 2018
 First Printing – August 13, 2018
 Ordinance Passed – September 17, 2018
 Presented to Mayor for Approval – September 18, 2018
 Approved – September 18, 2018
 MARK P. HAWKE, Mayor
 FINAL PRINTING – September 24, 2018

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Elizabeth Kazinskas, 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.

#9995

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, 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 adopt the following Measure:

DECLARING SURPLUS FOR PURPOSE OF DISPOSAL
 LAND AND BUILDINGS AT 27 WINTER STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 27 Winter Street, further identified on the City of Gardner Assessor’s Map as R17, Block 17, Lot 6, to establish as a minimum amount of \$45,000.00 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or a larger amount, and upon such other terms as the mayor shall consider proper in accordance with this Vote.

**REGULAR MEETING OF SEPTEMBER 17, 2018**

Presented to Mayor for Approval – September 18, 2018

Approved – September 18, 2018

MARK P. HAWKE, Mayor

ANNOUNCEMENTS and COMMENTARY

Councillor Craig Cormier announced that the City received notice that the Massachusetts Clean Water Trust forgave over one million dollars from the Sludge Dewatering Replacement Project Loan.

Councillor Nathan Boudreau expressed thanks to “everyone for putting up with the nonsense in his Ward associated with the Hannaford’s closure and Baker Street.” He added that “there is some craziness going on but will all be to better the area.”

Councillor Christine Johnson stated that for years, the City has had problems with trains on West Broadway, stopping on the tracks while connecting cars and creating problems for traffic. She said that yesterday, a gentleman decided to climb over the train and got his foot stuck and that Jennifer Ringuette came along to assist him and dislodged his foot and helped him from the train. She praised Ms. Ringuette for risking her own safety to help another.

Continuing, Councillor Johnson said that she contacted State Representative Jon Zlotnik and State Senator Dean Tran for assistance about the CSX trains and that she also filed a complaint against them. She added that if the City cannot do something about the trains, then the State legislators need to do something.

Councillor Edward Gravel congratulated Woods Ambulance for being the new ambulance for the City of Gardner.

Councillor Ronald Cormier announced that the City was awarded a grant for a new Fire engine to replace Engine 3. He commended the Fire Chief for his efforts in securing the grant.

Councillor Ronald Cormier also announced that the work being performed on the gas mains along Main Street and the Exit 22 Rotary is pre-work related to the Pleasant Street Bridge project, as the State is relocating gas lines.



REGULAR MEETING OF SEPTEMBER 17, 2018

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor James Walsh 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 Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:08 p.m.

Accepted by the City Council: *October 1, 2018*