

CITY OF GARDNER, MASSACHUSETTS  
CITY COUNCIL FINANCE COMMITTEE  
MINUTES OF MEETING OF NOVEMBER 5, 2018

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The Finance Committee meeting was called to order by President Scott Joseph Graves at 7:00 p.m. in the City Council Chamber, Room 219, City Hall.

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

Others participating included City Assessor Susan Byrne; Assistant Director of Community Development and Planning Joshua Cormier; Conservation Agent Jeffrey Legros; Atty. Janet Morrison; and, City Clerk Alan Agnelli.

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

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

No one responded.

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

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to approve the Minutes of the October 15, 2018 Meeting, as printed.

**2-1 FY2019 Property Tax Classification Public Hearing Scheduling.**

City Assessor Susan Byrne informed the Committee that the Board of Assessors is prepared to recommend a Factor for the FY2019 Tax Classification. She requested that the City Council schedule the public hearing at its earliest convenience.

The Committee agreed to recommend that the Hearing be held on Monday, November 19, 2018 at 7:15 p.m.

**2-2 A Measure Authorizing a Community Development Activities Revolving Fund.**

Assistant Director of Community Development and Planning Joshua Cormier informed the Committee that following an audit, it was recommended that CDBG Program Income should be separated from Miscellaneous Income, as they originate from different processes. He added that Miscellaneous Income would then be removed from DHCD review and expended on local projects under the direction of the CDBG Steering Committee.

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

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COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT  
COMMUNITY DEVELOPMENT ACTIVITIES REVOLVING FUND  
M.G.L. CH.44, S.53E½

*VOTED:* To authorize and direct the City Treasurer to establish a revolving fund in accordance with M.G.L. Chapter 44, section 53E½ for salaries and expenses relating to Community Development activities within the Community Development and Planning Department.

Monies received from Miscellaneous Income related to historic housing rehab projects and other approved activities shall be credited to this fund. As per M.G.L. Chapter 44, section 53E ½, interest earned on this fund shall be treated as general fund revenue.

The Community Development and Planning Department is authorized to expend from this fund and is limited to a total amount not to exceed any available balance or twenty thousand dollars (\$20,000.00), whichever is less.

The Community Development & Planning Department shall report annually to the Mayor and City Council the total amount of receipts and expenditures for the prior fiscal year and for the current fiscal year through December 31<sup>st</sup>, along with any other information that City Council may by vote require.

In the event this fund is not reauthorized for the following fiscal year or the city changes the purpose of the revolving fund, the balance in the fund shall revert to surplus revenue, unless City Council and the Mayor vote to transfer the funds to another revolving fund established in accordance with M.G.L. Chapter 44, section 53E½.

**2-3 A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events.**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to refer *A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events* to the Public Service Committee and Finance Committee for study and report.

**3-1 A Measure Confirming the Mayor's Appointment of Anne Hurst to Member, Disability Commission, for term expiring 9/9/2021.**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Anne Hurst to Member, Disability Commission, for term expiring 9/9/2021.

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**3-2 Measure Confirming the Mayor's Appointment of Michael Budwick to Member, Golf Commission, for term expiring 5/1/2021.**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Michael Budwick to Member, Golf Commission, for term expiring 5/1/2021.

**3-3 A Measure Confirming the Mayor's Appointment of Jeffrey Gallant to Member, Golf Commission, for term expiring 5/1/2021.**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Jeffrey Gallant to Member, Golf Commission, for term expiring 5/1/2021.

**3-4 A Measure Confirming the Mayor's Appointment of David Noyes to Member, Golf Commission, for term expiring 5/1/2021.**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to confirm the Mayor's Appointment of David Noyes to Member, Golf Commission, for term expiring 5/1/2021.

**4-1 An Ordinance to Amend the Code of the City of Gardner, Chapter 156 Thereof, Entitled "Municipal Grounds Commission, to Add Various Provisions Relating to Duties (Ordinance Amendment originally filed under "Community Bandstand Committee") (Continued from 10/15/2018).**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to recommend to the City Council to refer to following Ordinance to the Public Service Committee for study and report:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 156 THEREOF, ENTITLED "MUNICIPAL GROUNDS COMMISSION," TO ADD PROVISIONS RELATING TO A COMMUNITY BANDSTAND COMMITTEE.

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

Section 1. Chapter 156-3 of the Code of the City of Gardner is hereby amended by adding the following:

B. There is hereby established under this Section the "Community Bandstand Committee" which shall exist and be operated hereunder for the purpose of implementing seasonal programs to be conducted in the City's parks including but not limited to summer musical concerts and other community entertainment events at the Bandstand located in Monument Park, as well as at the City's other parks, at the City's other municipal grounds and at other appropriate locations in the City. The Community Bandstand Committee shall consist of no less than three (3) members,

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one of whom shall be a member of the Municipal Grounds Commission, to carry out the purposes of this Section 156-3B. All members shall be appointed in accordance with Section 156-1A.

C. The Community Bandstand Committee may receive donations and gifts of property, both real and personal, in the name of the City to further the purposes as set forth in Section 156-3B. Upon receipt of any such donation or gift the Community Bandstand Committee shall provide each such gift or donation to the Treasurer, who shall deposit same into an account to be created and named the "Community Bandstand Committee Program Fund." All funds in such Community Bandstand Committee Program Fund shall be used for the purposes set forth in Section 156-3B.

D. Revise the former (present) 156-3B to 156-30.

Section 2. Effective date.

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

**6-1 A Measure Conveying a Parcel of Land on John Eaton Road (the "Cowee Lot") to the Gardner Conservation Commission and Authorizing Acceptance of Federal Grant Funds.**

Conservation Agent Jeffrey Legros informed the Committee that in 1983, the City Council did not vote to convey the land to the Conservation Commission; therefore, a new vote is needed in order to draft the Conveyance Deed. He added that the grant will cover the costs of the legal work.

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

CONVEYING A PARCEL OF LAND ON JOHN EATON ROAD, THE COWEE LOT,  
TO THE GARDNER CONSERVATION COMMISSION AND  
AUTHORIZING ACCEPTANCE OF FEDERAL GRANT FUNDS

*VOTE:* To authorize the Mayor of the City of Gardner (the *City*) to convey to the City of Gardner Conservation Commission, title to real estate owned by the City and located on John Eaton Road in Gardner, Massachusetts, totaling approximately 88 acres of land, shown as Gardner Assessor's Parcel M47/24/9 and known as the Cowee Lot (the *Property*), and to accept funds from the federal North American Wetlands Conservation Act (NAWCA), small grants program, in the amount of up to Twenty Eight Thousand and 00/100 Dollars (\$28,000.00), pursuant to a NAWCA Grant Award #F17AP00550 to Janet H. Morrison (the *Grantee*), dated March 15, 2018 and pursuant to a Memorandum of Agreement between the Grantee and the City dated April 10, 2018, for the purpose of paying for due diligence and grant prerequisites to the conveyance of said Property, which is Tract #11 in the NAWCA Gardner and Winchendon Wetlands Protection Project, and to authorize the City to enter any necessary contracts thereto, for the purpose of making this conveyance to the

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Conservation Commission, the Property to be permanently conserved under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts and to be held and managed by the Conservation Commission for conservation, passive recreation and water supply and protection purposes.

**ADJOURNMENT**

On a motion by Councillor Ronald Cormier and seconded by President Graves, it was voted to adjourn at 7:17 p.m.