

PRESIDENT
Elizabeth J. Kazinskas

COUNCILLORS AT LARGE
James S. Boone
Craig R. Cormier
Ronald F. Cormier
Scott Joseph Graves, Esq.
Judy A. Mack
George C. Tyros

CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



RECEIVED
2021 JAN 21 PM 11:58
CITY COUNCIL OFFICE
800 STATE ST. 1A

WARD 1 COUNCILLOR
James M. Walsh, Esq.

WARD 2 COUNCILLOR
Elizabeth J. Kazinskas

WARD 3 COUNCILLOR
Nathan R. Boudreau

WARD 4 COUNCILLOR
Karen G. Hardern

WARD 5 COUNCILLOR
Aleks Dernalowicz, Esq.

January 21, 2021

FINANCE COMMITTEE MEETING NOTICE

Date: Tuesday, January 26, 2021
Time: 8:00 A.M.
Location: Remotely via Zoom/Broadcast on Gardner YouTube Channel

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Chair, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

SCHEDULE OF BUSINESS
(Agenda attached)

1. Acceptance/Corrections to Minutes of Prior Meeting(s).
2. Budget and Orders (Money orders, loan orders, revolving funds, other financial).
3. Appointments, vacancies and other personnel matters.
4. Ordinances and Acceptance of General Laws and Special Acts.
5. Authorizations Required by Statute (Contracts, Election Orders, Grants, etc.).
6. Land Acceptance, Disposal, Easements, etc.
7. Claims, Legal, Rules and Salaries.
8. Departmental Management and organizational matters.
9. Report from the Mayor on the State of the City.

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY COUNCIL OF GARDNER
Elizabeth J. Kazinskas
ELIZABETH J. KAZINSKAS
Chair, Finance Committee

**Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Finance Committee will be conducted via remote participation. The audio recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting.*

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE MEETING
Tuesday – January 26, 2021 – 8:00 AM
Remotely via Zoom

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GARDNER, MA

AGENDA

CALL TO ORDER

ANNOUNCEMENT OF OPEN MEETING RECORDINGS

Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.

- 1-1 Review and Approval of the Meeting Minutes of January 12, 2021 and January 19, 2021.
- 2-1 An Order Appropriating \$155,000.00 from Free Cash to Downtown Infrastructure Project Phase II Account.
- 2-2 An Order Appropriating \$200,000.00 from Free Cash to Complete Street Expense Account.
- 2-3 An Order Appropriating \$145,000.00 from Free Cash to Mass Trail Improvement Expense Account.

ADJOURNMENT

Items listed on the Agenda are those reasonably anticipated by the Chair to be discussed at the meeting. Not all Items listed may in fact be discussed and other Items not listed may also be brought up for discussion to the extent permitted by law.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF JANUARY 12, 2021

The Finance Committee meeting was called to order remotely by Council President Elizabeth Kazinskas at 8:00 a.m. Finance Committee Members Councillors Ronald Cormier and James Walsh were also present via Zoom.

President Kazinskas announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Finance Committee will be conducted via remote participation on Zoom. The audio recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting and the meeting is being broadcast live on Gardner's YouTube Channel.

Also participating remotely were Mayor Michael Nicholson; Assistant Community Development and Planning Director Jeff Legros; Building Commissioner Roland Jean; and, City Clerk Titi Siriphan.

1-1 Reading and Approval of Minutes of Prior Meetings.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on call of the roll, it was voted to accept the Finance Committee Meeting Minutes of August 27, 2020, September 30, 2020 and December 15, as printed.

2-2 A Measure Authorizing payment of prior year expenditure City Treasurer's Professional Fee.

Mayor Nicholson informed the Committee why this bill was missed. It was sent to the former Treasurer Daigle's email address and missed by the current Treasurer Dymek. Since the bill was dated for the previous fiscal year the payment will be made from the current fiscal year. Appropriations for this budget will require Council approval to approve this vote. They have contacted the company to update their information so this doesn't happen again. This happened during the transition of the new Treasurer.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on call of the roll, it was voted to recommend to the City Council that the following Order ought to pass:

AUTHORIZING PAYMENT OF PRIOR YEAR EXPENDITURE

VOTE: To authorize payment of prior year expenditure.

Account for prior years, as follows:

FY2020	City Treasurer's Prof. Fee	\$49.21
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3-1 A Measure Confirming the Mayor's Appointment of Ethan Kolodny to the position of Assistant City Solicitor, for term expiring 1/3/2022.

Councillor Walsh stated that he was impressed with Mr. Kolodny's work and in favor of recommending his appointment to the Council.

President Kazinskas also stated that she has had great experience working with the law department, they are thorough, patient, has the best interest of the city and supports the appointment of Mr. Kolodny.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on call of the roll, it was voted to recommend that the City Council confirm the Mayor's Appointment of Ethan Kolodny to the position of Assistant City Solicitor.

3-2 A Measure Confirming the Mayor's Appointment of Roland Jean Jr. to the position of Building Commissioner, for term expiring 1/17/2024.

Mayor Nicholson informed the Committee that Mr. Jean has great communication with the Mayor's office.

- Dedicated to the city
- Willing to work with the individuals who come into his office
- Knows zoning codes well
- Impressed with his work since he has been in office for the past six months

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on call of the roll, it was voted to recommend that the City Council confirm the Mayor's Appointment of Roland Jean to the position of Building Commissioner.

5-1 A Measure Authorizing the Mayor to Execute Community Development Housing Rehabilitation Program Subordination for Case #11-293.

Mayor Nicholson informed the Committee that this is part of Part of Community Development Block Grant Program for Housing rehabilitation lien process. Assistant Community Development Director Jeff Legros oversees this project. This lien on property requires Council approval and Mayor's signature.

Councillor Ronald Cormier stated that they receive a number of these to improve properties in the city.

Jeff Legros stated the Community Development Block Grant housing rehabilitation lien process routinely places a mortgage on a property to secure the amount of the deferred payment loan. The property owner is in the process of refinancing their property. The property owner and Mortgage Company are in compliance with our subordination policy and conditions.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on call of the roll, it was voted to recommend that the City Council to pass the resolution authorizing the Mayor to Execute Community Development Housing Rehabilitation Program Subordination for Case #11-293.

RESOLUTION

WHEREAS, in the opinion of the City Council of the City of Gardner that the intent and purpose of the Community Development Housing Rehabilitation Program is to maintain safe, affordable housing units for low to moderate income families by financially assisting owners of such properties, it is therefore resolved that:

The Mayor is duly authorized to execute the Subordination for case #11-293 in amount of

\$26,000.00 subject to review and approval as to form by the City Solicitor. The term of the loan is 15 years expiring on November 13th, 2028.

New Business

Mayor Nicholson informed the Committee that this item was brought to his attention by the Building Commissioner and the Treasurer's Department regarding a commercial building located at 177 West Street. He is requesting and appropriation of \$265,000.00 from Free Cash to Mayor's Unclassified Building Demo Account:

- The roof has collapsed
- The conditions of the building is dangerous
- Property has been on the tax title list
- An appropriation request is needed for when the city has ownership of the property, it will need to be demolished.
- The building has been deemed unsafe, and they are trying to avoid building from falling onto business next door or onto West Street.

Building Commissioner Jean mentioned that he has received one estimate for the demolition so far and is waiting on two more.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF JANUARY 12, 2021

Councillor Walsh stated that this is a lot of money to tear down a building that could be contaminated. He is not in favor of the appropriation. He questions the urgency of the demolition.

Councillor Walsh recommends a Finance Committee meeting to be scheduled before the next City Council Meeting on Tuesday, January 19, 2021, until more information is received regarding the Tax Title and demo and lien process.

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on call of the roll, it was voted to adjourn at 8:37 a.m.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF JANUARY 19, 2021

The Finance Committee meeting was called to order remotely by Council President Elizabeth Kazinskas at 8:00 a.m. Finance Committee Members Councillors Ronald Cormier and James Walsh were also present via Zoom.

President Kazinskas announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Finance Committee will be conducted via remote participation on Zoom. The audio recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting and the meeting is being broadcast live on Gardner's YouTube Channel.

Also participating remotely were Mayor Michael Nicholson; and, City Clerk Titi Siriphan.

2-1 An Order Appropriating \$265,000.00 from Free Cash to Mayor's Unclassified Building Demo Account.

Mayor Nicholson informed the Committee that he has met with all the department heads involved with the property located at 177 West Street and has decided to leave to withdraw this appropriation:

- Commissioner Jean informed those present that the inspection report that was sent by his office to the owner of record was returned to his office in an envelope with no return address and a hand written note on the report stating that the intended recipient passed away in 2019
- Law Department performed a search on the parties that were listed on record for the property and found that Mr. David Cosentino, the original owner, passed away in 2011. Prior to his death, his wife, Ms. Patricia Rosenfield Cosentino, filed for divorce, but there was never a judgement in this matter as Mr. Cosentino passed away before a judgement could be issued.
- Neither the estate of Mr. David Cosentino, nor the estate of Ms. Patricia Rosenfield Cosentino were ever probated, leaving uncertainty as to who the heirs to the property are
- Because of this notice, any tax title proceedings or lien process proceedings must wait until an heir to the property is found or a judge allows for notification through publication

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on call of the roll, it was voted to adjourn at 6:36 p.m.

City of Gardner, *Executive Department*



Michael J. Nicholson, Mayor

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GARDNER, MA

January 21, 2021

Hon. Elizabeth J. Kazinskas, President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant Street
Gardner, MA 01440

RE: Downtown Infrastructure Improvement Project – Phase II

Dear Madam President and Councilors,

Attached please find an appropriation request for the City's matching portion of Phase II for the Downtown Infrastructure Improvement Project.

The full cost of this project is \$868,150 with the remaining portion of the projected being funded with \$613,150 coming from Community Development Block Grant ("CDBG") funding and \$100,000 coming from the Water Infrastructure Project that was previously approved by the Council.

This project includes new crosswalks, lighting fixtures, sidewalks, and other smaller improvements on the Parker Street side of Downtown.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO DOWNTOWN
INFRASTRUCTURE PROJECT PHASE II ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Fifty-Five
Thousand Dollars and No Cents (\$155,000.00) from Free Cash to Downtown
Infrastructure Project Phase II Account.

City of Gardner, Executive Department

Michael J. Nicholson, Mayor

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GARDNER, MA

January 21, 2021

Hon. Elizabeth J. Kazinskas, President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant Street
Gardner, MA 01440

RE: Complete Street Grant Match

Dear Madam President and Councilors,

Attached please find an appropriation request for the City's matching portion of the Complete Streets Grant that we have received from the Commonwealth.

The City received \$327,949.00 from the Commonwealth for this project and the City has already expended \$28,753.50 of that to date.

Our complete street project will extend bike lanes and smaller infrastructure improvements from the area of Mount Wachusett Community College, through the downtown, ending at the Hubbardston border.

This project must be completed by June 30, 2021 per the regulations that have been set forth by the Commonwealth for this project.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO COMPLETE STREET EXPENSE ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of Two Hundred Thousand Dollars and No Cents (\$200,000.00) from Free Cash to Complete Street Expense Account.

City of Gardner, *Executive Department*

RECEIVED

Michael J. Nicholson, Mayor

2021 JAN 21 AM 11:55

CITY CLERK'S OFFICE
GARDNER, MA

January 21, 2021

Hon. Elizabeth J. Kazinskas, President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant Street
Gardner, MA 01440

RE: Mass Trail Grant Match

Dear Madam President and Councilors,

Attached please find an appropriation request for the City's matching portion of the MassTrail Grant that we have received from the Commonwealth.

The Grant from the Commonwealth is for \$300,000, and this request is for the City's portion on top of that funding.

This project is for the design of the North Central Bike Trail Connector from the old Park Street Substation site to Route 140 through the old National Grid right of way.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO MASS TRAIL
IMPROVEMENT EXPENSE ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Forty Five
Thousand Five Hundred Dollars and No Cents (\$145,500.00) from Free Cash to Mass
Trail Improvement Expense Account.



CITY of GARDNER
Office of the City Auditor

John Richard, City Auditor
95 Pleasant Street, Room 126
Gardner, MA 01440

Phone: 978-632-1900 ext. 8020 • Fax: 978-630-3778
Email: jrichard@gardner-ma.gov

To: City Council

Re: Money Orders for consideration on January 26, 2021

Listed below are balances in various ledger accounts that pertain to Money Order transfers for your consideration.

These balances are as of January 21, 2021:

		<u>Money Order</u>	<u>Balance</u>
Free Cash	10000-35400		\$1,796,141.00
to Comm. Dev for Downtown Infr Proj Phase II City's Portion	38182-58101	155,000.00	\$1,641,141.00
to Misc Capital Proj for Completed Street Imp. City's Portion	38140-58613	200,000.00	\$1,441,141.00
to Comm Dev for Gardner Trail Improvement Proj City's Portion	38182-58981	145,500.00	\$1,295,641.00
			\$1,295,641.00

The Snow & Ice account currently has available \$42,655.63
14421-52210

Sincerely

John Richard
City Auditor

copies: Mayor
City Clerk