

**REGULAR MEETING OF APRIL 3, 2023**

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Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Monday evening, April 3, 2023.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 7:30 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. Ten (10) Councillors were present including Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, Paul Tassone, George Tyros, and James Walsh. Councillor Judy Mack was absent.

**OPENING PRAYER**

President Kazinskas led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

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

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Elizabeth Kazinskas announced to the assembly that the Open Meeting Recording and Public Records 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 recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

**READING & ACCEPTANCE OF MINUTES**

No minutes were present.

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**COMMUNICATIONS FROM THE MAYOR**  
**ORDERS****#10952**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh that the following order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE IT SOFTWARE SERVICE LICENSE RENEWAL ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Twenty-Three Thousand Ninety-One Dollars and No Cents (\$23,091.00) from Free Cash to the IT Software Service License Renewal Account.

**#10953**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh that the following order ought to pass:

AN ORDER APPROPRIATING FROM WATER SURPLUS TO REPAIRS TO MAINS.

ORDERED: That there be and is hereby appropriated the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) from Water Surplus to Repairs to Mains.

**#10954**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh that the following order ought to pass:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO REPAIRS TO MAINS.



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ORDERED: That there be and is hereby appropriated the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) from Sewer Surplus to Repairs to Mains.

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF GARDNER AND THE TOWN OF ASHBURNHAM FOR WASTEWATER COLLECTION, TREATMENT AND DISPOSAL

**#10955**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh that the following order ought to pass:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO REPAIRS TO MAINS.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00) from Sewer Surplus to Repairs to Mains.

**REPORTS OF STANDING COMMITTEES**  
**FINANCE COMMITTEE**

**#10946**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh to approve the authorization of the following measure:

AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF GARDNER AND THE TOWN OF ASHBURNHAM FOR WASTEWATER COLLECTION, TREATMENT AND DISPOSAL

VOTED: To authorize the Mayor of the City of Gardner to enter into an Inter-Municipal with the Town of Ashburnham for the purpose of providing wastewater collection, treatment and disposal among the two communities, under such terms and conditions as the Mayor deems appropriate and in accordance with the provisions of Section 4A of Chapter 40 of General Laws.

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COMMUNICATIONS FROM THE MAYOR  
APPOINTMENTS**#10949**

On a motion made by Councillor George Tyros and seconded by Councillor James Walsh, it was voted viva voce ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh to confirm the Mayor's Appointment:

A Measure Confirming the Mayor's Appointment of **Bryant Powlowski** to the position of Permanent Police Officer.

**#10950**

On a motion made by Councillor George Tyros and seconded by Councillor James Walsh, it was voted viva voce ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh to confirm the Mayor's Appointment:

A Measure Confirming the Mayor's Appointment of **Angel Espada** to the position of Permanent Police Officer.

REPORTS OF STANDING COMMITTEES  
SAFETY COMMITTEE**#10861**

Councillor Craig Cormier requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 600, Entitled "Vehicles and Traffic," Section 42, Entitled "One Way Street."* He spoke with the Police Chief and stated that they will be enacting the one way on a 60-day trial on April 10<sup>th</sup>. They have reached out to the residents in that area about the change and will wait to get feedback.

There was no objection. More time was granted.

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**REPORTS OF STANDING COMMITTEES**  
**SERVICE COMMITTEE****#10909**

Councillor James Walsh requested MORE TIME on *A Petition by National Grid and Verizon New England, Inc. – Cross Street – to install 4 jointly owned poles on Cross Street beginning at a point approximately 15 feet north of the centerline of the intersection of Lawrence Street and Cross Street and continuing approximately 800 feet in a west direction. Install 4 new poles on Cross Street.* Councillor James Walsh has informed the Council that the Service Committee has been in contact with Eric Fontaine of National Grid. Mr. Fontaine was present and able to answer questions associated with this project. The Committee is waiting for additional information.

There was no objection. More time was granted.

**REPORTS OF STANDING COMMITTEES**  
**WELFARE COMMITTEE****#10891**

President Kazinskas requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, entitled “Zoning,” to Change the Classification of Certain Parcels of Land Along Route 140.* President Elizabeth Kazinskas informed the Council that this item requires a final recommendation from the Planning Board before the Council can vote on the item.

There was no objection. More time was granted.

**#10892**

President Kazinskas requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to add “Sports Betting” to the Zoning Table of Uses.* President Elizabeth Kazinskas informed the Council that this item requires a final recommendation from the Planning Board before the Council can vote on the item.

There was no objection. More time was granted.

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**#10893**

President Kazinskas requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to Amend Section 1070 thereof, entitled, "Marijuana Establishments" to increase the quota allowed by the Code of the City of Gardner* President Elizabeth Kazinskas informed the Council that this item requires a final recommendation from the Planning Board before the Council can vote on the item.

There was no objection. More time was granted.

**NEW BUSINESS**

Councillor Dana Heath mentioned "Happy National Autism Month."

Councillor Paul Tassone would like to reiterate Councillor Craig Cormier's comment regarding Reagan Street temporary one-way will begin on April 10<sup>th</sup>. He also wanted to note that "no parking" signs were put up at the intersection and it appears that the residents have been abiding by the signs.

Councillor Karen Hardern would like to wish everyone a Happy Easter.

Councillor James Walsh was happy to see a discussion and debate regarding the zoning amendments. It is nice to see the public engaged on an interesting and important topic.

**EXECUTIVE SESSION**

On a motion made by Councillor James Walsh and seconded by Councillor George Tyros, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros and James Walsh to go into executive session.

The City Council went into executive session at 8:16 PM.

**CLOSING PRAYER**

President Elizabeth Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion made by Councillor Craig Cormier and seconded by Councillor Paul Tassone, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone,



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Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, George Tyros, and James Walsh to adjourn at 8:24 p.m.

**Accepted by the City Council: June 5, 2023**