

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL PUBLIC SAFETY COMMITTEE
MINUTES OF THE MEETING OF MARCH 6, 2023

Committee Chairman Councillor Craig Cormier called the Public Safety Committee meeting to order at 8:30 a.m. in the Council Chamber, Room 219, City Hall. Committee members Councillors Karen Hardern and Paul Tassone were also present.

Also present was Mayor Michael Nicholson; Deputy Police Chief Nicholas Maroni; Fire Chief Greg Lagoy; and City Clerk Titi Siriphan.

I. Review and Approval of the Minutes Meeting.

On a motion made by Councillor Karen Hardern and seconded by Councillor Paul Tassone, it was voted viva voce to accept the Minutes of the Public Safety Committee as printed:

- May 26, 2022
- June 17, 2022
- July 29, 2022

II. Department Updates

Public Health Department

PREVENTION -

- Upcoming wellness fair coordinated by our prevention coordinator– Wednesday March 15, 2023, 5-8pm in Perry Auditorium. Focus is on overall health and wellness. Healthy eating, fitness, yoga, alternative health options, mental health and wellbeing. There will be live demonstrations, activities, raffles, resource tables, etc.
- Upcoming COVID/Shingles/Pneumonia vaccine clinic Monday 3/13 at Senior Center 12:30-5pm (MPHN Covid Response Team and CHC). Registration for Shingles/Pneumonia ends Monday the 6th, COVID walk ins are welcome.
- Recycling grant report submitted in February. Based on this report we get points and ultimately grant money for recycling initiatives.
- This month we will be increasing number of textile/shoe boxes at our transfer station to assist with more options for textile recycling.
 - BBBS pick ups last year (started in June) was 210 household pickups:
 - 3,360 pounds of clothing and 2,310 pounds of household items were collected.
 - On Friday March 3, 26 homes were visited.
- We have a current vacancy at the transfer station for our part time position. The job was posted recently and we also advertised at the transfer station. Should be reviewing applicants this week.

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- Landfill Pumps – Have an electrician coming out this week to do some troubleshooting and maintenance work. The following week we will be having a vac truck come in to remove sediment from the sumps as sediment build up has been negatively impacting the efficiency of the pumps.
- Changes were made to the MA Sanitary Code for housing inspections. Those changes go into effect April 2023. Director and Asst. Director recently attended training on those changes and updates.
- Experiencing some ongoing issues with a local food establishment, we have had to close for a day and have recently issued fines for repeat food safety violations that were not addressed.
- In the process of trying to hire an additional inspector for the department due to the increasing demand of housing and food inspections. HR working on the job description so we can get it posted. Food and/or housing based on candidates qualifications.
- With the litter and handbills ordinance that was passed recently we have been able to start cracking down on littering. \$250 ticket issued and paid last week. Also working on an illegal dumping hotline.

Police Department

1. Hiring process for 6 officers underway and in various stages
 - a. 1 new officer is academy trained and starting March 13
 - b. 1 officer graduating academy March 24
 - c. 2 in Holyoke starting April 3; others going to later academy
2. New Administrative clerk/New ACO; both started and in training
3. K9 finished drug school and back working (now dual certified)
4. Implementing a new scheduling software package
5. Community programs
 - a. Senior Citizen's Academy at 50 Pine in progress
 - b. Regular Citizen's program to start after
 - c. Handle with Care
 - d. DARE starting
6. Shannon Grant
 - a. Over \$49,000
 - b. Used to supplement gang, drug and youth violence

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Fire Department

PERSONNEL

- Two of the new Recruit Firefighters that were recently hired unfortunately had to withdraw from the Mass Fire Academy Recruit Training Program that began on January 16th. One suffered an injury, has since recovered and is scheduled to return to the Academy on March 27th. The second Recruit Firefighter had to resign due to personal reasons.
- The hiring process continues, and we have selected three new candidates, they are currently wrapping up pre-employment requirements. All three should be starting work within the next few weeks. They will complete in-house training prior to attending the Fire Academy Recruit Training Program over the summer, exact dates have not yet been determined.
- Another Firefighter resigned last month to accept a position with the Fitchburg Fire Department.
- Overtime continues to be high, mainly due to vacant Firefighter positions and the lengthy hiring process. There is also one Firefighter that continues to be on Modified Duty.

GRANTS UPDATE

- New hose and nozzles have been ordered with funds from the Massachusetts FY2023 Firefighter Safety Equipment Grant, replacing equipment currently in use that dates back to the late 1980s/early 1990s. We have already taken delivery of some of the hose, the remainder is expected within a couple months.
- The Fire Department submitted an application for the FY2022 FEMA Assistance to Firefighters Grant (AFG) program. The equipment requested to be funded is new fire-service rated portable radios to replace our existing 14 year old radios. The current radios are at the end of their life expectancy, hopefully grant funding will be secured to replace them.

FLEET UPDATE

- The new Fire apparatus purchased with ARPA funding remain scheduled for delivery of November 2023 for the Ambulance and May 2024 for the Engine and Heavy Rescue. Ordering of related new equipment for the trucks has commenced with funding approved by the Council last month.
- Combination 4 (2011 Sutphen 75' aerial ladder) has recently experienced a significant motor problem. It is currently out of service, and investigation continues by the

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dealer in Hartford. A determination will be made if it is feasible to repair the existing motor or attempt to locate a rebuilt replacement, which may have a lead time of several months.

HEADQUARTERS ROOF REPAIR

- Temporary repairs have been made. A long-term plan for the roof and/or the facility needs to be formulated.

Building Department

Mayor Michael Nicholson gave an update regarding the building department:

- Currently working with an interim commissioner who is helping the city on a temporary basis.
- Mr. Cook was the city's former building commissioner is filling anything that needs zoning determinations and any required signatures.
- Rick and Tony are doing all the inspections.
- They are looking for someone who can work more hours because Mr. Cook is also a full-time inspector for the Town of Orange.
- The position has been posted and will close in two weeks.
- They are hoping to fill the position by the end of the month.

III. **#10861 - An Ordinance to Amend the Code of the City of Gardner, Chapter 600, Entitled "Vehicles and Traffic," Section 42, Entitled "One Way Street."**

On a motion made by Councillor Paul Tassone and seconded by Councillor Karen Hardern, it was voted to recommend to the City Council to have a temporary 60 day traffic change, one-way on Regan Street, with the approval from the Police Chief and additionally, a permanent "no parking" zones at the corners.

IV. **10906 – An Ordinance to Amend the Code of the City of Gardner, by adding a new Chapter 502, to be entitled "Mobile Food Operations," which Chapter Provides for the Regulations for Operating Food Truck Services in the City**

Mayor Nicholson informed the Committee that the City has seen an increase in Food Truck activity, particularly in the Downtown. Annual food permits, the City Code does not regulate how these facilities can operate, registration with the City, traffic enforcement or other issues that have come to light from the past year. As a way to address these issues, prepare for future growth in the City, and prevent further issues from occurring, the attached ordinance proposal is being presented.

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On a motion made by Councillor Paul Tassone and seconded by Councillor Karen Hardern, it was voted to recommend to the City Council that the following ORDINANCE ought to pass:

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER BY
ADDING A NEW CHAPTER 502 TO BE ENTITLED “MOBILE FOOD
OPERATIONS,” WHICH CHAPTER PROVIDES FOR THE REGULATIONS FOR
OPERATING FOOD TRUCK SERVICES IN THE CITY**

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

SECTION 1: The Code of the City of Gardner be amended by creating a new Chapter 502 to be entitled “Mobile Food Operations” as follows:

**Chapter 502
Mobile Food Operations**

- § 502-1. Definitions.**
- § 502-2. Operation in Residential Districts.**
- § 502-3. Operation in Non-Residential Districts**
- §502-4. Registration With Police Department**
- §502-5. Registration With Health Department**
- §502-5. Severability**

§502-1 Definitions.

MOBILE FOOD OPERATION

A food service operation that is operated from a moveable vehicle; has the capability of changing location, and does not remain at any one location for more than forty consecutive days will all licenses under applicable law.

§ 500-2. Operation in Residential Districts.

- A. Mobile Food Operations, as defined herein, are permitted to operate in all Residential Zoning Districts by Special Permit of the Zoning Board of Appeals per the requirements of the Zoning Ordinance, and licenses under applicable law.
- B. Special Permit from the Zoning Board of Appeals is not required for Mobile Food Operations permitted to operate on property owned by the City of Gardner. Mobile

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Food Operations are permitted to operate in City Parks with a permit granted by the Director of Public Works or their designee, and licenses under applicable law.

- C. Mobile Food Operations may operate for one day in Residential Districts, per month, without a Special Permit from the Zoning Board of Appeals, with licenses under applicable law.

§ 500-3. Operation in Non-Residential Districts.

- A. Mobile Food Operations are permitted to operate in all other non-residential zoning districts, with a special permit granted by the Zoning Board of Appeals, and licenses under applicable law, In order to insure that the ability to maintain compliance with parking, safety and accessibility requirements of the principal uses on the site is maintained.
- B. Mobile Food Operations are permitted to operate in City of Gardner Parks with a permit granted by the Director of Public Works or their designee, with licenses under applicable law.
- C. Mobile Food Operations are permitted to operate on privately owned land if evidence of ownership, lease, or special permission from the property owner is provided to the Building Commissioner, following the issuance of a Special Permit as required by the provisions of this Chapter of the City Code.
- D. Mobile Food Operations may be authorized to operate on all other publicly owned land by permission of the Office of the Building Commissioner and Mayor, so long as they hold all licenses under applicable law.

§502-4. Registration With Police Department

- A. All Mobile Food Operations, operating within the City of Gardner will be required to obtain a City of Gardner Hawkers and Peddlers License, per Chapter 428 of the Code of the City of Gardner
- B. Mobile Food Operations participating in City Festivals may operate without a City of Gardner Hawkers and Peddlers License if they have obtained a Hawker – Peddler License from the Commonwealth and provide a copy of this to the Chief of Police at least thirty (30) days before the event.

§502-5. Registration With Health Department

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- A. All Mobile Food Operations, operating within the City of Gardner for any period of time will be required to register with the Gardner Department of Public Health, subject to the provisions of the General Laws of the Commonwealth.

§502-6. Severability

- A. All provisions of this article are severable. If for any reason any provision of this article is held to be invalid, the validity of the remainder of the article shall not be affected.

SECTION 2: This ordinance shall take effect upon passage and publication as required by law.

V. **New Business**

Mayor Nicholson informed the Committee that there will be some free cash appropriations for a new vehicle in the Health Department. Also a new food/housing inspector hired for that department in order to meet the growth

Another appropriation request that is related to this committee would be for a grants writer position.

Adjournment

On a motion Councillor Paul Tassone, and seconded by Councillor Karen Hardern, it was voted viva voce to adjourn at 9:02 a.m.