

**REGULAR MEETING OF MAY 15, 2023**

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Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Monday evening, May 15, 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, Judy Mack, Paul Tassone, and James Walsh. Councillor George Tyros 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**

On a motion made by Councillor Ronald Cormier 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, Judy Mack, Paul Tassone, and James Walsh to waive the reading and accept the MINUTES of March 20, 2023 Regular Meeting.

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COMMUNICATIONS FROM THE MAYOR  
COMMUNICATIONS**#10995**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, 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, Judy Mack, Paul Tassone, and James Walsh *PLACE ON FILE A Notification from the Mayor Regarding City Electrical Aggregation Rates.*

**#10996**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *A Memorandum from Mayor Nicholson Regarding the FY2024 City Budget* to the Committee of the Whole and to the respective standing committees for further study and report.

COMMUNICATIONS FROM THE MAYOR  
ORDERS**#10997**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *A Measure Authorizing FY2024 Revolving Funds for the City pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½* to the Committee of the Whole and to the respective standing committees for further study and report.

**#10998**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order to Raise and Appropriate the sum of \$27,880,707.10 for the Various Departments of the City for the Expense Budget for the Fiscal Year Beginning July 1, 2023 to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

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**#10999**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order to Raise and Appropriate the sum of \$13,499,627.36 for the Various Departments of the City for the Salary and Labor Budget for the Fiscal Year Beginning on July 1, 2023 to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11000**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order Appropriating the sum of \$31,319,046.00 for the School Department Budget for the Fiscal Year Beginning July 1, 2023 to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11001**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order Appropriating the sum of \$197,220.22 from Available Funds- Cable Commission Fees Reserved to Cable Commission Budget for the Fiscal Year Beginning July 1, 2023 to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11002**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order Appropriating the sum of \$10,391,444.00 from Available Enterprise Funds – Various Receipts Reserved to Various Enterprise Accounts for the Fiscal Year Beginning July 1, 2023, to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

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**#11003**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order appropriating the sum of \$400,000 from Available Funds- Bond Proceeds Reserved to Interest-Outside Debt for the Fiscal Year Beginning July 1, 2023 to June 30, 2024* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11004**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order Authorizing a Transfer of the sum of \$212,349.74 from Sewer Retained Earnings/Surplus to Fund the FY2024 Revenue Budget* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11005**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order authorizing the transfer of the sum of \$68,712.11 from Solid Waste Retained Earnings/Surplus to fund the FY2024 Revenue Budget* to the Committee of the Whole and to the respective standing committees for further study and report.

**#11006**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Order authorizing the transfer of the sum of \$96,725.00 from Landfill Retained Earnings/Surplus to fund the FY2024 Revenue Budget* to the Committee of the Whole and to the respective standing committees for further study and report.

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COMMUNICATIONS FROM THE MAYOR  
ORDINANCE**#11007**

On a motion made by Councillor James Walsh 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, Judy Mack, Paul Tassone, and James Walsh to refer *An Ordinance to Amend the Code of the City of Gardner, Chapter 171, thereof entitled "Personnel" to Change the Compensation Schedule, Exhibit E- Non-Union Personnel* to the Committee of the Whole and to the respective standing committees for further study and report.

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10993**

On a motion made by Councillor James Walsh and seconded by Councillor Aleksander Dernalowicz, 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, Judy Mack, Paul Tassone, and James Walsh to refer *A Petition by National Grid and Verizon New England Inc., Elm Street – to install 1, Remove 1 and Relocate 1 Jointly Owned Pole on Elm Street beginning at a point approximately 360 feet southeast of the centerline of the intersection of Elm Street and Cross Street and continuing approximately 500 feet in a south direction. P6-80 Replace and Relocate +/- 30' West. Install anchor guy on West of Pole. P7-99 is being removed. P10-99 is installing Push Brace on West side of P10* to the Public Service Committee for further study and report.

**#11008**

On a motion made by Councillor Judy Mack and seconded by Councillor Dana Heath, 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, Judy Mack, Paul Tassone, and James Walsh to PLACE ON FILE *A Notification of Monty Tech Budget Plan*.

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**REPORTS OF STANDING COMMITTEES**  
**FINANCE COMMITTEE****#10977**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE PERSONNEL DEPARTMENT –WORKER COMPENSATION EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Nine Thousand Dollars and No Cents (\$99,000.00) from Free Cash to the Personnel Dept. – Worker Compensation Expense Account.

**#10978**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE DPW DEPARTMENT –SNOW & ICE REMOVAL EXPENSES ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Seven Hundred One Thousand Seven Hundred Dollars and No Cents (\$701,700.00) from Free Cash to the DPW Department – Snow & Ice Removal Expenses Account.

**#10979**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:



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AN ORDER APPROPRIATING FROM FREE CASH TO THE TREASURER'S DEPARTMENT –PROFESSIONAL SERVICES EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Ten Thousand Dollars and No Cents (\$10,000.00) from Free Cash to the Treasurer's Dept. – Professional Services Expense Account.

**#10980**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE LAW DEPARTMENT – OUTSIDE COUNSEL EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Three Thousand Three Hundred Twelve Dollars and No Cents (\$3,312.00) from Free Cash to the Law Dept. – Outside Counsel Expense Account.

**#10981**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE LAW DEPARTMENT – DEPOSITION AND DISCOVERY EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Five Hundred Dollars and No Cents (\$500.00) from Free Cash to the Law Dept. – Deposition and Discovery Expense Account.



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**#10982**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE LAW DEPARTMENT – PROFESSIONAL DEVELOPMENT AND TRAVEL EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Eight Hundred Seventy-Nine Dollars and No Cents (\$879.00) from Free Cash to the Law Dept. – Professional Development and Travel Expense Account.

**#10983**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE PERSONNEL DEPARTMENT –MEDICAL EXAMS EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) from Free Cash to the Personnel Dept. –Medical Exam Expense Account.

**#10984**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, 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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE MAYOR’S UNCLASSIFIED – ENERGY AND UTILITIES CITY OWNED PROPERTIES EXPENSE ACCOUNT.



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ORDERED: That there be and is hereby appropriated the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00) from Free Cash to the Mayor's Unclassified – Energy and Utilities City Owned Properties Expense Account.

**#10985**

Councillor James Boone spoke in opposition of this appropriation. He said that the City has two full time lawyers that refuse to handle this case. Another \$25,000.00 of taxpayer's money for outside counsel to fight this lawsuit. He would just like the truth. He would like to know if the City knew about the city's water or did we hide it from the people?

Councillor James Walsh stated that the reason the City hired outside counsel is because the Plaintiff has named the City Solicitor as defendant in the case and that it is a conflict of interest.

Councillor Judy Mack also mentioned that this is the result of another lawsuit that is still pending in litigation and that is why information has not been released because it could affect the original lawsuit against the city.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, nine (9) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, and James Walsh; one (1) nay, Councillor James Boone, that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE MAYOR'S UNCLASSIFIED – S. GRAVES VS CITY LAWSUIT EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) from Free Cash to the Mayor's Unclassified – S. Graves vs City Lawsuit Expense Account.

**#10986**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

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AN ORDER APPROPRIATING FROM FREE CASH TO THE CITY HALL REPAIRS & MAINTENANCE EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Ten Thousand Dollars and No Cents (\$10,000.00) from Free Cash to the City Hall Repairs & Maintenance Expense Account.

**#10987**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE DPW – STREET LIGHTING EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) from Free Cash to the DPW – Street Lighting Expense Account.

**#10988**

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, Judy Mack, Paul Tassone, and James Walsh that the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE POOL FILTRATION SYSTEM EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Thirty-Two Thousand Dollars and No Cents (\$32,000.00) from Free Cash to the Pool Filtration System Expense Account.

**#10989**

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,

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Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, and James Walsh the following ORDER ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE ZONING DEPT COMMUNICATIONS EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of One Thousand Ninety One Dollars and No Cents (\$1,091.00) from Free Cash to the Zoning Department Communications Expense Account.

**#10990**

Councillor Paul Tassone questioned if leasing the copy machine was an option.

Councillor Aleksander Dernalowicz responded that during the Finance Committee meeting, IT requested to purchase a new copy machine. The option to lease was not brought up for discussion.

Councillor Judy Mack mentioned that the copy machines at the schools were leased and that they are switched out frequently to upgrade. She agrees that this is an option that should be looked into.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to refer *An Order Appropriating \$14,925.00 from Free Cash to the IT Department City Hall Copy Machine Account*, back to the Finance Committee for further study and report.

**REPORTS OF STANDING COMMITTEES**  
**SAFETY COMMITTEE**

**#10861**

Councillor Craig Cormier informed the Council that they are 35 days into the 60-day trial period that the Chief of Police put in place on Regan Street. The feedback has been generally positive.

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

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Boone, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, and James Walsh to send to FIRST PRINTING *An Ordinance to Amend the Code of the City of Gardner, Chapter 600, Entitled "Vehicles and Traffic," Section 42, Entitled "One Way Street."*

**#10971**

Councillor Criag Cormier requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner, Chapter 306, thereof, entitled "Alcoholic Beverages," to add a new section 5 thereof, entitled, "Marijuana Retail Establishments" to Increase the Quota Allowed and Change the Method for Amending the Quota Allowed by the Code of the City of Gardner.* The Committee has not met on this item yet.

There were no objections. More time was granted.

**#10991**

Councillor Criag Cormier requested MORE TIME on *An Application by Gardner Ten Pins, Inc, for a Bowling Alley License located at 560 West Broadway,* to the Public Safety Committee for further study and report. The Committee has not met on this item yet.

There were no objections. More time was granted.

**UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION****#10972**

On a motion made by Councillor Karen Hardern and seconded by Councillor Paul Tassone, 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, Judy Mack, Paul Tassone, and James Walsh to remove from the Council calendar and authorize the President to work with the Law Department to draft a self-report to the Attorney General's Office 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.*

**#10973**

On a motion made by Councillor Karen Hardern and seconded by Councillor Paul Tassone, 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, Judy Mack, Paul Tassone, and James Walsh to remove from the Council calendar and authorize the President to work with the Law Department to draft a self-report to the

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Attorney General's Office 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.*

**#10974**

On a motion made by Councillor Karen Hardern and seconded by Councillor Paul Tassone, 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, Judy Mack, Paul Tassone, and James Walsh to remove from the Council calendar and authorize the President to work with the Law Department to draft a self-report to the Attorney General's Office 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.*

**#10992**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Paul Tassone, 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, Judy Mack, Paul Tassone, and James Walsh to PLACE ON FILE *A Notification Regarding New Business.*

**#10992**

Councillor James Walsh mentioned that items discussed under New Business should be items that consider a vote or anticipate a vote.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Paul Tassone, 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, Judy Mack, Paul Tassone, and James Walsh to amend the Council Rules and add a new order of business on the Council Calendar, after New Business called "Council Comments and Remarks."

**#10994**

On a motion made by Councillor James Walsh and seconded by Councillor Aleksander Dernalowicz, 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, Judy Mack, Paul Tassone, and James Walsh APPROVE the response



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provided by the Law Department to the open meeting law complaint filed by Mr. Paul Demeo.

**CLOSING PRAYER**

President Elizabeth Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion made by Councillor Paul Tassone and seconded by Councillor Judy Mack, 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, Judy Mack, Paul Tassone, and James Walsh to adjourn at 8:13 p.m.

**Accepted by the City Council: July 3, 2023**