

**REGULAR MEETING OF JULY 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, July 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. Seven (7) Councillors were present including Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, George Tyros, and James Walsh; Four (4) absent, Councillors James Boone, Craig Cormier, Judy Mack, and Paul Tassone.

**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 Karen Hardern and seconded by Councillor Dana Heath it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to waive the reading and accept the MINUTES of:

- May 1, 2023, Regular Meeting
- May 15, 2023, Informal Meeting

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- May 15, 2023, Regular Meeting
- June 5, 2023, Informal Meeting
- June 5, 2023, Regular Meeting

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#11026**

On a motion made by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to refer *A Petition by National Grid, Manca Drive – to install 1 Single Owned Pole on Manca Drive beginning at a point approximately 640' feet west of the centerline of the intersection of W Broadway and Manca Drive. Install 1 Single Owned Pole to bring 3 ph power to new EV charging stations at Car dealership*, to the Public Service Committee for further study and report.

**#11027**

Councillor George Tyros informed the Council that these meeting minutes were approved at tonight's meeting. He made a motion to allow the Council President to respond to the complaint with a note that the council minutes are in unapproved status, often completed by the clerk ahead of the regularly scheduled meetings and require a council vote to be approved. He mentioned that meeting minutes can be requested from the City Clerk's office.

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to allow the Council President to respond to *An Open Meeting Law Complaint Filed by Paul DeMeo Regarding Meeting Minutes*.

**#11028**

Councillor Aleksander Dernalowicz informed the Council that this request is for the Charter Committee and not for the City Council.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to allow the Council President to respond accordingly to *An Open*

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*Meeting Law Complaint Filed by Paul DeMeo Regarding the Charter Review Committee Proposal and Meeting Minutes.*

**REPORTS OF STANDING COMMITTEES**  
**APPOINTMENTS COMMITTEE**

**#11022**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to confirm the Mayor's Appointment:

A Measure Confirming the Mayor's Appointment of **Paul Crowley** to the position of Council on Aging Member, for term expiring June 7, 2026

**REPORTS OF STANDING COMMITTEES**  
**PUBLIC SERVICE COMMITTEE**

**#10993**

Councillor James Walsh informed the Council that the plan submitted to the Committee was not a plan submitted by National Grid. It involves the Massachusetts Department of Transportation Safe Sidewalk Initiative Project who had engineering firm, Tighe & Bond create the plan. The Service Committee met to resolve concerns during the public hearing. Mass DOT will be preparing two alternate plans to address the concerns raised.

Councillor James Walsh Requested more time on *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.*

There were no objections. More time was granted.

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REPORTS OF STANDING COMMITTEES  
COMMITTEE OF THE WHOLE**#11023**

President Elizabeth Kazinskas that this item was referred to Committee of the Whole and Law Department at the previous meeting. She anticipates an informal meeting in July, followed by a special meeting.

The President requested more time on, *Charter Review Committee Final Review Recommendations*.

There were no objections. More time was granted.

**#11024**

President Elizabeth Kazinskas that this item was referred to Committee of the Whole at the previous meeting. She anticipates an informal meeting in July, followed by a special meeting.

The President requested more time on, *A Communication from the Community Development & Planning Director Relative to an Update to the Open Space and Recreation Plan*:

There were no objections. More time was granted.

## RESOLUTION

OPEN SPACE AND RECREATION PLAN  
2022 UPDATE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

WHEREAS, the City Council has reviewed the proposals prepared by the Open Space and Recreation Committee for inclusion within the Open Space and Recreation Plan (OSRP) 2022 Update: and

WHEREAS, the OSRP proposal docs not seek nor require funding directly, but simply makes recommendations for preservation, maintenance, and for expansion of open space and recreation activity within City boundaries; and

WHEREAS, the Open Space and Recreation Committee performed or reviewed all



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matters relating to the OSRP update at numerous publicly posted meetings, and further sponsored a city-wide survey and conducted two advertised public meetings for the primary purpose of soliciting public input regarding matters appropriate to the OSRP: and

WHEREAS, the OSRP has been developed and updated in accordance with requirements of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services; and

WHEREAS, the City Council supports the activity as being consistent with the City's goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support and endorses the City's Open Space and Recreation Plan 2022 Update to be submitted to the Commonwealth of Massachusetts, Division of Conservation Services.

**COUNCIL COMMENTS AND REMARKS**

Councillor Ronald Cormier would like to wish everyone a safe Happy 4<sup>th</sup> of July holiday.

**CLOSING PRAYER**

President Elizabeth Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, seven (7) yeas, President Elizabeth Kazinskas and Councillors Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to adjourn at 7:42 p.m.

Accepted by the City Council: August 7, 2023