



City of Gardner, Massachusetts
Office of the City Council

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CALENDAR FOR THE MEETING

of

MONDAY, JUNE 17, 2019

COUNCIL CHAMBER

7:30 P.M.

ORDER OF BUSINESS

**I. CALL TO ORDER**

**II. CALL OF THE ROLL OF MEMBERS**

**III. OPENING PRAYER**

**IV. PLEDGE OF ALLEGIANCE**

**V. 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.

**VI. READING OF MINUTES OF PRIOR MEETING(S)**

Reading and Approval of the Minutes of the June 3, 2019 Public Hearing and the June 3, 2019 Regular Meeting.

**VII. PUBLIC HEARING**

**10120**—A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306' west of the centerline of the intersection of Sherman Street.

**VIII. COMMUNICATIONS FROM THE MAYOR**

**ORDERS**

**10122**—An Order Transferring \$156,000.00 from Sewer Surplus to Sewer Department, AWWTP Contract Operations (*Finance Committee*).

**10123**—An Order Transferring \$175,000.00 from Sewer Department Maintenance Crew to Sewer Department, AWWTP Contract Operations (*Finance Committee*).

**10124**—An Order Transferring \$226,000.00 from Water Surplus to Water Department, AWWTP Contract Operations (*Finance Committee*).

**10125**—An Order Transferring \$145,000.00 from Water Department Maintenance Crew to Water Department, AWWTP Contract Operations (*Finance Committee*).

**10126**—An Order Appropriating \$201,000.00 from Free Cash to Public Works – Road Resurfacing (*Finance Committee*).

## VIII. COMMUNICATIONS FROM THE MAYOR

### ORDERS

**10127**—An Order Appropriating \$345,000.00 from Free Cash to Snow and Ice Removal (*Finance Committee*).

**10128**—An Order Appropriating \$100,000.00 from Golf Course Enterprise Fund to Golf Indirect Cost Expense (*Finance Committee*).

## IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

**10129**—A Communication from City Treasurer/Collector Charline Daigle Relative to Impending Retirement (*Finance Committee*).

**10130**—An Ordinance to Amend the Code of the City of Gardner, Chapter 275 Thereof, Entitled “Traffic Commission,” to Change Commission Membership (*Public Safety Committee*).

**10131**—An Ordinance to Amend the Code of the City of Gardner, Chapter 600 Thereof, Entitled “Vehicles and Traffic,” Article V. Parking Meters and Article VI. Stopping, Standing, and Parking (*Public Safety Committee*).

## X. REPORTS OF STANDING COMMITTEES

### PUBLIC SERVICE COMMITTEE

**10120**—A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306’ west of the centerline of the intersection of Sherman Street (*In City Council and Referred to Public Service, 6/3/2019*).

### PUBLIC WELFARE COMMITTEE

**10090**—An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishments (*In City Council and Referred to Public Welfare, 4/16/2019*).

### FINANCE COMMITTEE

**10093**—An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel,” to Change Compensation Schedule “Exhibit E – Non-Union Employees.” (*In City Council and Referred to Finance, 5/6/2019*).

**10094**—An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel,” to Change Compensation Schedule “Exhibit A – Mayor” & Exhibit B – City Council.” (*In City Council and Referred to Finance, 5/6/2019*).

### COMMITTEE OF THE WHOLE

**10106**—An Order to Raise and Appropriate \$11,532,413.00 for the Various Departments for the Salary & Labor Budgets for Fiscal Year 2020 (*In City Council and Referred to Committee of the Whole, 6/3/2019*).

## **X. REPORTS OF STANDING COMMITTEES**

### **COMMITTEE OF THE WHOLE**

- 10107** – An Order to Raise and Appropriate \$21,543,336.00 for the Various Departments for the Expense Budget for Fiscal Year 2020 (*In City Council and Referred to Committee of the Whole, 6/3/2019*).
- 10108** – An Order to Raise and Appropriate \$24,280,869.00 for the School Department Budget for Fiscal Year 2020 (*In City Council and Referred to Committee of the Whole, 6/3/2019*).
- 10109** – An Order Appropriating \$9,721,219.00 from Available Enterprise Funds – Receipts Reserved to FY2020 Sewer, Water, Golf, Landfill Closure, and Solid Waste Enterprise Funds (*In City Council and Referred to Committee of the Whole, 6/3/2019*).
- 10110** – An Order Appropriating \$177,316.00 from Available Funds – Cable Commission Fees Reserved to the Fiscal Year 2020 Cable Commission Budget (*In City Council and Referred to Committee of the Whole, 6/3/2019*).
- 10111** – An Order Appropriating \$110,550.00 from Available Funds – Parking Meter Receipts Reserved to Fiscal Year 2020 City Treasurer, Parking Meter Clerk Salary and Parking Meter Maintenance; DPW Parking Meter Maintenance; and, DPW Maintenance Crew Salary & Wages (*In City Council and Referred to Committee of the Whole, 6/3/2019*).
- 10112** – An Order Authorizing Fiscal Year 2020 Departmental Revolving Funds (*In City Council and Referred to Committee of the Whole, 6/3/2019*).

## **XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**

- 10090** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled “Zoning,” to Change Section 675-1070, Marijuana Establishments (*In City Council and Referred to the Public Welfare Committee, the Planning Board, and Ordered to Public Hearing, 4/16/2019; Joint Hearing, 6/3/2019; Planning Board Final Report pending*).
- 10119** – A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital (*In City Council and Referred to the Mayor for Consideration and Legal Opinion, 6/3/2019*).
- 10121** – An Ordinance to Amend the Code of the City of Gardner, Chapter 625 Thereof, Entitled “Water,” to Change Metered Water Rates (*In City Council and Referred to Committee of the Whole, 6/3/2019; Ordered to First Printing, 6/10/2019; First Printing, 6/14/2019*).

## **XII. NEW BUSINESS**

## **XIII. CLOSING PRAYER**

## **XIV. ADJOURNMENT**

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Items listed on the Council Calendar are those reasonably anticipated by the Council President 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.



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**JOINT PUBLIC HEARING OF JUNE 3, 2019**

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Monday evening, June 3, 2019. Joint Public Hearing of the City Council and Planning Board held in the City Council Chamber, Room 219, City Hall.

**CALL TO ORDER**

Council President Scott Graves called the Public Hearing to order at 7:00 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of City Councillors. Eleven (10) members were present, including President Scott Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

The City Clerk called the Roll of Planning Board Members. Four (4) members were present including, Robert Bettez, Sr., Laura Casker, Mark Schafron, and Robert Swartz.

President Graves read aloud the Public Hearing Notice, as follows:

CITY OF GARDNER  
NOTICE OF JOINT PUBLIC HEARING  
MARIJUANA ESTABLISHMENTS ZONING AMENDMENT

Pursuant to G.L. c. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a **Joint Public Hearing** on **Monday, June 3, 2019 at 7:00 P.M.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675-1070 Marijuana Establishments, of the Code of the City of Gardner, by deleting and repealing Subsection C (3) (a) in its entirety and by deleting from Subsection C (9) (c) the words "shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and." All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

ALAN L. AGNELLI  
CITY CLERK

President Graves asked if any person in attendance wished to speak in favor of the proposed Ordinance amendment.

Community Development and Planning Director Trevor Beauregard, testifying on behalf of the Planning Board, stated that the Board found that Subsection C (3) (a), through every day use, was determined to be much too restrictive. He said that the clause was extracted from provisions of the Adult Entertainment Zoning District, citing non-conforming residential structures throughout the City that are within commercially and industrially-zoned areas.



JOINT PUBLIC HEARING OF JUNE 3, 2019

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The second amendment clarifies Subsection C (9) (c) in order to maintain consistency with State regulations by not preventing the conversion of qualified medical marijuana treatment centers to marijuana establishments.

There being no others asking to testify, President Graves declared the Hearing closed at 7:07 p.m.

Accepted by the City Council:

UNACCEPTED/UNCORRECTED PROOF

**REGULAR MEETING OF JUNE 3, 2019**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, June 3, 2019.

**CALL TO ORDER**

Council President Scott Joseph Graves called the meeting to order at 7:30 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Alan Agnelli called the Roll of Members. Eleven (11) Councillors were present including President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh.

**OPENING PRAYER**

President Graves led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

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

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Graves announced to the assembly that the Open Meeting Recording and Public Records Announcement is posted at the entrance to the Chamber, and that any person planning to record the meeting by any means should identify themselves.

**READING & ACCEPTANCE OF MINUTES**

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to accept the Minutes of the May 1, 2019 Public Hearing; the May 6, 2019 Informal Meeting; and, the May 20, 2019 Regular Meeting, as printed.

**COMMUNICATIONS FROM THE MAYOR****APPOINTMENT****#10105**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Committee voted favorably to recommend Mr. Cormier's confirmation and noted Mr. Cormier's decades of public service.

Also reporting for the Finance Committee, Councillor Ronald Cormier added that Steve Cormier formerly served on the Planning Board.

REGULAR MEETING OF JUNE 3, 2019

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On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to waive reading and to confirm the following Appointment received from the Mayor:

**STEPHEN E. CORMIER** to the position of Member, Planning Board, for term expiring May 24, 2024.

Worcester, ss.

June 3, 2019

Then personally appeared **STEPHEN E. CORMIER** and made oath that he would faithfully and impartially perform the duties of **MEMBER, PLANNING BOARD**, according to law and the best of his abilities.

Before me,  
/s/ Alan L. Agnelli, City Clerk

### ORDERS

#### **#10106 – #10112**

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Orders to the Council as Committee of the Whole for study and report:

#### **#10106**

AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE VARIOUS DEPARTMENTS FOR THE SALARY AND LABOR BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

*ORDER:* To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the various departments, Salary and Labor budgets, according to the detailed schedule hereto annexed and made a part of this money order in the amount of ELEVEN MILLION, FIVE HUNDRED THIRTY-TWO THOUSAND, FOUR HUNDRED THIRTEEN DOLLARS (\$11,532,413.00).

#### **#10107**

AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE VARIOUS DEPARTMENTS FOR THE EXPENSE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

*ORDER:* To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the various departments, other than what was presented to City Council in the Salary and Labor budget, according to the detailed schedule hereto annexed and made a part of this money order in the



## REGULAR MEETING OF JUNE 3, 2019

amount of TWENTY-ONE MILLION, FIVE HUNDRED FORTY-THREE THOUSAND, THREE HUNDRED THIRTY-SIX DOLLARS (\$21,543,336.00).

**#10108**

AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE SCHOOL DEPARTMENT BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

*ORDER:* To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2019 to June 30, 2020 sums as designated for the expenditures of the School Department according to the detailed schedule hereto annexed and made a part of this money order in the amount of TWENTY-FOUR MILLION, TWO HUNDRED EIGHTY THOUSAND, EIGHT HUNDRED SIXTY-NINE DOLLARS (\$24,280,869.00).

**#10109**

AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE ENTERPRISE FUNDS-VARIOUS RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FICAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

*ORDER:* That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of NINE MILLION, SEVEN HUNDRED TWENTY ONE THOUSAND, TWO HUNDRED NINETEEN DOLLARS (\$9,721,219.00) from Available Enterprise Funds-Receipts Reserved to the following accounts:

|                  |                 |                |
|------------------|-----------------|----------------|
| Sewer Dept       | Enterprise Fund | \$3,556,588.00 |
| Water Dept       | Enterprise Fund | 3,588,911.00   |
| Golf Course      | Enterprise Fund | 830,518.00     |
| Landfill Closure | Enterprise Fund | 58,833.00      |
| Solid Waste      | Enterprise Fund | 1,686,369.00   |

**#10110**

AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS - CABLE COMMISSION FEES RESERVED - TO CABLE COMMISSION BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020.

*ORDER:* That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of ONE HUNDRED SEVENTY-SEVEN THOUSAND, THREE HUNDRED SIXTEEN DOLLARS (\$177,316) from Available Funds - Cable Commission Fees Reserved - to the Cable Commission budget.

**#10111**

AN ORDER APPROPRIATING A SUM OF MONEY FROM AVAILABLE FUNDS -PARKING METER RECEIPTS RESERVED TO VARIOUS ACCOUNTS FOR THE FICAL YEAR BEGINNING JULY 1, 2019 TO JUNE 30, 2020

*ORDER:* That there be and is hereby appropriated for the Fiscal Year beginning July 1, 2019 to June 30, 2020 the sum of ONE HUNDRED TEN THOUSAND, FIVE HUNDRED FIFTY





## REGULAR MEETING OF JUNE 3, 2019

DOLLARS (\$110,550.00) from Available Funds - Parking Meter Receipts Reserved - to the following accounts:

|                |                             |             |
|----------------|-----------------------------|-------------|
| City Treasurer | Parking Meter Clerk Salary  | \$12,730.00 |
| City Treasurer | Parking Meter Maintenance   | 25,000.00   |
| Police         | Parking Meter Patrol        | 21,420.00   |
| Public Works   | Parking Meter Maintenance   | 20,000.00   |
| Public Works   | DPW Maint. Crew Sal & Wages | 31,400.00   |

#10112

AUTHORIZING FY2020 REVOLVING FUNDS  
M.G.L. CH.44, S.53E½

**ORDER:** To authorize and direct the City Treasurer to establish the following revolving funds for the fiscal year beginning July 1, 2019 to June 30, 2020, in accordance with M.G.L. Chapter 44, section 53E½:

| Revolving Fund                           | Authorized to Expend            | Revenue Source                                  | Purpose of Fund                                                            | Spending Limit                                   |
|------------------------------------------|---------------------------------|-------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------|
| Airport Fuel                             | Airport Commission              | Sale of airplane fuel                           | Purchase of fuel, airport programs, and improvements                       | Available balance or \$20,000, whichever is less |
| Community Development Projects           | Community Development/ Planning | Historic Housing Rehab Income                   | Salaries and expenses relating to Community Development Activities         | Available balance or \$20,000, whichever is less |
| Wetland Protection                       | Conservation Commission         | Local wetland filing fees                       | Costs associated with wetland protection activities                        | Available balance or \$20,000, whichever is less |
| Council on Aging Recreational Activities | Council on Aging Director       | Recreation Fees                                 | Salaries and expenses relating to recreational activities at Senior Center | Available balance or \$20,000, whichever is less |
| Gardner's Summer Celebration             | Mayor                           | Collections and donations                       | Costs associated with Gardner's Summer Celebration                         | Available balance or \$20,000, whichever is less |
| Planning Board Publications              | Planning Board                  | Sale of Planning Board publications             | Preparation and production of Planning Board publications                  | Available balance or \$3,000, whichever is less  |
| Road Resurfacing                         | Public Works Director           | Fees charged for cutting into newly paved roads | Costs associated with road resurfacing and road maintenance                | Available balance or \$20,000, whichever is less |
| High School Summer Football Camp         | School Department               | Camp fees and donations                         | Salaries and expenses for the High School Summer Football Camp             | Available balance or \$20,000, whichever is less |
| Summer Basketball Camp                   | School Department               | Camp fees and donations                         | Salaries and expenses for the Summer Basketball Camp                       | Available balance or \$12,000, whichever is less |
| Transportation                           | School Department               | Bus passes and fees for transportation          | Salaries and expenses relating to school transportation                    | Available balance or \$20,000, whichever is less |

As per M.G.L., interest earned on these funds shall be treated as general fund revenue.

REGULAR MEETING OF JUNE 3, 2019

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The person or persons authorized to expend from each fund shall report annually to the Mayor and City Council the total amount of receipts and expenditures for the prior fiscal year and for the current fiscal year through December 31<sup>st</sup>, along with any other information that City Council may by vote require.

In the event any fund is not reauthorized for the following fiscal year or the city changes the purpose of the revolving fund, the balance in the fund shall revert to surplus revenue, unless City Council and the Mayor vote to transfer the funds to another revolving fund established in accordance with M.G.L. Chapter 44, section 53E½.

**#10113**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Committee discussed the Order and noted that since it entails a substantial project, then the entire Council should review the Order. He added that the project's approval (Loan Order) would also require increasing (metered) water rates, thus an Ordinance amendment would be necessary.

Councillor Nathan Boudreau, Chairman of the Public Service Committee, reported that the Service Committee reviewed the project and is supportive of the project.

On inquiry by Councillor Gravel, Councillor Walsh suggested that the Council should meet within a week to discuss the Loan Order and Project, since portions of the project are ready for bidding.

Councillor Ronald Cormier added that it would be wise for the Council to address the issue quickly, since Downtown roads are already under construction and the additional work would continue to affect the merchants.

Councillor Christine Johnson noted that she attended a planning meeting years ago and is fully supportive of the project.

President Graves informed the Council that an Informal Meeting and a Special Meeting may be scheduled for Monday, June 10 in order to expedite the project.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Order to the Council as Committee of the Whole for study and report:

CITY OF GARDNER, MASSACHUSETTS  
IN CITY COUNCIL

ORDERED: That the City of Gardner appropriates the sum of Eleven Million Dollars (\$11,000,000) to pay costs of replacing water mains throughout the City, and paying all costs incidental or related thereto; to meet said appropriation the Treasurer, with the

REGULAR MEETING OF JUNE 3, 2019

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approval of the Mayor, is authorized to borrow said sum under M.G.L. c. 44, §8, or any other enabling authority. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**#10114**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that Committee voted favorably to recommend adoption of the Loan Order. He said that the Loan would not affect the sewer rate and that the project involves relocating sewer lines in the Downtown and to replace the Willis Road sewer pump station on Chapel Street. He added that the pump station is thirty years old and services NCCI and approximately 60 residences in the area.

Councillor Edward Gravel questioned whether the State has any matching funds to help offset the cost to the City.

Councillor Ronald Cormier responded, saying that the State paid to construct the Pump Station and the City took ownership, per the [1986] Agreement. He added that there is a proviso in the Agreement that if NCCI exceeded its capacity, per the Agreement, then the State would be required to contribute toward the cost of the new Pump Station.

Councillor James Walsh, a member of the Finance Committee, reported that NCCI accounts for 98% of the sewer user fees and that the sewer [enterprise] system [revenue] funds the maintenance and upgrades of the system.

Council President Scott Graves, Chairman of the Finance Committee, reported that DPW Director Dane Arnold is negotiating with the State for financial support for the upgrade.

Councillor Edward Gravel suggested that the annual [Host Community] Mitigation payments should have offset the cost.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

CITY OF GARDNER, MASSACHUSETTS  
IN CITY COUNCIL

ORDERED: That the City of Gardner appropriates the sum of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) to pay costs of sewer main installation and sewer pump

REGULAR MEETING OF JUNE 3, 2019

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station upgrades, and paying all costs incidental or related thereto; to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. c. 44, §7 or 8, or any other enabling authority. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Presented to Mayor for Approval – June 4, 2019

Approved – June 4, 2019

MARK P. HAWKE, Mayor

**#10115**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Order provides for the Sewer Department's share of the first payment (P&I) toward the Loan for the new DPW buildings. He said that the City Treasurer recommended that the first payments be made in the current Fiscal Year in order to save interest over the term of the loan. He added that the Committee's report also addresses the Order under #10116.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER DEPARTMENT – INSIDE PRINCIPAL AND INTEREST EXPENSE.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Three Thousand Nine Hundred Eight Dollars and No Cents (\$93,908.00) from Sewer Surplus to Sewer Department – Inside Principal and Interest Expense.

Presented to Mayor for Approval – June 4, 2019

Approved – June 4, 2019

MARK P. HAWKE, Mayor

**#10116**

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

REGULAR MEETING OF JUNE 3, 2019

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AN ORDER APPROPRIATING FROM WATER SURPLUS TO WATER DEPARTMENT –  
INSIDE PRINCIPAL AND INTEREST EXPENSE.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Three Thousand Nine Hundred Eight Dollars and No Cents (\$93,908.00) from Water Surplus to Water Department – Inside Principal and Interest Expense.

Presented to Mayor for Approval – June 4, 2019

Approved – June 4, 2019

MARK P. HAWKE, Mayor

**#10117**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the DPW performed repairs to the sewer force main with in-house staff and that the funding would pay to repave the road.

On a motion by Councillor Ronald Cormier seconded by Councillor James Walsh, on recommendation of the Finance Committee and on call of the roll, it was voted eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Order:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO DPW DEPARTMENT –  
REPAIRS TO MAINS.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Twenty-five Thousand Dollars and No Cents (\$125,000.00) from Sewer Surplus to DPW Department – Repairs to Mains.

Presented to Mayor for Approval – June 4, 2019

Approved – June 4, 2019

MARK P. HAWKE, Mayor

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#10118**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the parcel has an easement passing through it and that it is not suitable for building; therefore, the listed low [minimum] bid price.

Councillor James Boone questioned the minimum bid price, suggesting whether the \$20,000 assessment of the property is wrong.

Councillor Ronald Cormier noted that the parcel is not buildable due to its topography and the existence of an easement. He added that the assessment is based on the square footage of the parcel and likely that an abutter probably will bid on the parcel.

REGULAR MEETING OF JUNE 3, 2019

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On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adopt the following Measure:

DECLARING SURPLUS FOR PURPOSE OF DISPOSAL  
LAND ON CATHERINE STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land on Catherine Street, further identified on the City of Gardner Assessor's Map R-27-20-15, to establish as a minimum amount of \$500.00 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or a larger amount, and upon such other terms as the mayor shall consider proper in accordance with this Vote.

Presented to Mayor for Approval – June 4, 2019

Approved – June 4, 2019

MARK P. HAWKE, Mayor

**#10119**

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the correspondence [from Heywood Hospital] was directed to the City Council and not to the Mayor and that the Mayor had not seen the request. He said that the Committee recommends that the Lease Amendment be referred to the Law Department for an opinion; however, since City Solicitor John Flick is a member of the Board of Trustees of Heywood Hospital and the Assistant City Solicitor is employed by Flick Law Group, there is a conflict. Accordingly, he said, the Law Department will have to hire outside counsel to render an opinion and added that funds are available in the Law Department's Budget to bear the cost for a legal opinion.

Councillor James Boone questioned whether the Hospital has made any payments to the City for the lease.

Councillor James Walsh responded, saying that the topic of the payments did not arise; however, the issue relates to a revision to prior amendments and noted that one of the prior amendments was unsigned.

Councillor Edward Gravel suggested that the City Council "take a real good hard look" and said that he is curious what is involved with the Lease.

Councillor Nathan Boudreau expressed agreement with sending the Lease Amendment to the Mayor for consideration and added, "[And] we brag about being a pro-business community."

Councillor James Walsh added that it is the City Council's job to make sure business is run well.





## REGULAR MEETING OF JUNE 3, 2019

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer *A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital* to the Mayor for consideration and legal opinion.

**#10120**

On a motion by Councillor Nathan Boudreau and seconded by Councillor James Boone, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer *A Petition by National Grid and Verizon New England, Inc. to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306' west of the centerline of the intersection of Sherman Street* to the Public Service Committee and to schedule a Public Hearing for the next regular meeting.

**#10121**

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer the following Ordinance to the Council as Committee of the Whole for study and report:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 625 THEREOF, ENTITLED "WATER," TO CHANGE METERED WATER RATES.

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

Section 1. Chapter 625 of the Code of the City of Gardner is hereby amended to change Subsection A(1) of § 625-8, Water Rates, to read as follows:

A. Metered Water Rates (quarterly).

(1) Uniform rate per 100 cubic feet of metered use:

- a. \$5.72 effective July 1, 2019
- b. \$6.00 effective July 1, 2020
- c. \$6.26 effective July 1, 2021
- d. \$6.50 effective July 1, 2022

Section 2. Effective date.

This ordinance shall become effective on passage and publication as required by law.



REGULAR MEETING OF JUNE 3, 2019

**REPORTS OF STANDING COMMITTEES**

**PUBLIC WELFARE COMMITTEE**

**#10090**

There being no objections, the Public Welfare Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 675 THEREOF, ENTITLED “ZONING,” TO CHANGE VARIOUS PROVISIONS RELATING TO MARIJUANA ESTABLISHMENTS.

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

Section 1. Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting and repealing Subsection C (3) (a) in its entirety.

Section 2. Subsection C (9) (c) of Chapter 675-1070 Marijuana Establishments, is hereby amended by deleting the words “shall not exceed the number of registered medical marijuana treatment centers in Gardner engaged in the same type of activity and”.

Section 3. This Ordinance shall become effective upon passage and publication as required by law. Any claims of invalidity by reason of any defect in the procedure of adoption may only be made ninety days after the posting or the second publication.

**FINANCE COMMITTEE**

**#10093**

There being no objections, the Finance Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED “PERSONNEL” TO CHANGE COMPENSATION SCHEDULE EXHIBIT E.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit E and inserting in place thereof, the following:

**Exhibit E**  
**Non-Union Employees**  
**Effective Date: 07/01/2019**

**A. DEPARTMENT HEADS**

| Position              | Grade | 07/01/19     |            |
|-----------------------|-------|--------------|------------|
|                       |       | Annual       | Weekly     |
| Building Commissioner | G-10  | \$78,151.60  | \$1,502.92 |
| Chief of Police       | G-13  | \$103,219.64 | \$1,984.99 |
| City Assessor         | G-9   | \$73,137.78  | \$1,406.50 |
| City Auditor          | G-10  | \$81,275.75  |            |





REGULAR MEETING OF JUNE 3, 2019

|                                                      |      |                   |              |            |
|------------------------------------------------------|------|-------------------|--------------|------------|
|                                                      |      | MGL c. 32, §20(6) | \$3,000.00   |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$84,275.75  | \$1,620.69 |
| City Clerk                                           | G-10 |                   | \$79,714.63  |            |
|                                                      |      | MGL c. 41, §19F   | \$3,500.00   |            |
|                                                      |      | MGL c. 41, §19G   | \$550.00     |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$83,764.63  | \$1,610.86 |
| City Collector/Treasurer                             | G-10 |                   | \$84,118.88  |            |
|                                                      |      | MGL c. 32, §20    | \$300.00     |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$84,418.88  | \$1,623.44 |
| City Engineer                                        | G-11 |                   | \$85,175.44  | \$1,637.99 |
| City Solicitor                                       | G-10 |                   | \$80,632.20  | \$1,550.62 |
| Council on Aging Director                            | G-6  |                   | \$57,587.68  | \$1,107.46 |
| Director of Community Development & Planning         | G-10 | City              | \$65,838.94  |            |
|                                                      |      | GRA               | \$22,250.47  |            |
|                                                      |      | CDBG              | \$4,636.05   |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$92,725.46  | \$1,783.18 |
| Director of Local Origination & Educational Planning | G-6  |                   | \$64,468.75  | \$1,239.78 |
| Director of Public Health                            | G-10 | Step 1            | \$70,358.09  | \$1,353.04 |
|                                                      |      | Step 2            | \$78,476.33  | \$1,509.16 |
| Fire Chief                                           | G-12 |                   | \$94,698.74  | \$1,821.13 |
| Golf Course Driving Range/Superintendent             | G-9  |                   | \$76,571.97  | \$1,472.54 |
| Human Resources Director                             | G-11 |                   | \$88,582.77  | \$1,703.51 |
| Information Technology Director                      | G-11 | City              | \$47,956.30  |            |
|                                                      |      | School            | \$47,956.30  |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$95,912.60  | \$1,844.47 |
| Library Director                                     | G-9  |                   | \$75,411.22  | \$1,450.22 |
| Public Works Director                                | G-12 |                   | \$100,093.31 | \$1,924.87 |
| Purchasing Agent/Civil Enforcement Director          | G-10 |                   | \$77,008.55  |            |
|                                                      |      | MGL c. 148A, §5   | \$2,500.00   |            |
|                                                      |      | Total             |              |            |
|                                                      |      | Compensation      | \$79,508.55  | \$1,529.01 |
| Veterans' Director                                   | G-6  |                   | \$58,008.62  | \$1,115.55 |

**B. NON-UNION DIRECT AND SUPERVISORY STAFF POSITIONS**

| Position             | Grade | 07/01/19       |             |          |         |
|----------------------|-------|----------------|-------------|----------|---------|
|                      |       | Annual         | Weekly      | Hourly   |         |
| Executive Secretary  | G-4   | \$47,553.41    | \$914.49    | \$24.72  |         |
| Assistant City Clerk | G-3   | \$42,765.62    | \$822.42    | \$22.23  |         |
|                      |       | Step 2 (5 Yrs) | \$43,620.93 | \$838.86 | \$22.67 |



REGULAR MEETING OF JUNE 3, 2019

|                                                    |      |                    |             |            |         |
|----------------------------------------------------|------|--------------------|-------------|------------|---------|
|                                                    |      | Step 3 (10 Yrs)    | \$44,493.35 | \$855.64   | \$23.13 |
| Assistant City Engineer                            | G-8  |                    | \$67,103.22 | \$1,290.45 |         |
| Assistant City Solicitor                           | G-3  |                    | \$44,569.21 | \$857.10   |         |
| Assistant City Treasurer/Collector                 | G-5  |                    | \$53,370.84 | \$1,026.36 |         |
| Assistant Director of Community Development**      | G-7  | City               | \$3,342.81  |            |         |
|                                                    |      | CDBG               | \$63,513.30 |            |         |
|                                                    |      | Total Compensation | \$66,856.11 | \$1,285.69 |         |
| Assistant Director of Public Health                | G-5  |                    | \$53,370.84 | \$1,026.36 |         |
| Assistant Director of Public Works                 | G-9  |                    | \$73,137.78 | \$1,406.50 |         |
| Assistant Library Director                         | G-6  |                    | \$58,421.21 | \$1,123.48 |         |
| Deputy Chief of Police                             | G-11 |                    | \$89,434.53 | \$1,719.89 |         |
| Conservation/Planning Agent                        | G-6  |                    | \$59,012.30 | \$1,134.85 |         |
| Director of Public Safety Regional Dispatch Center | G-9  |                    | \$74,284.56 | \$1,428.55 |         |
| Economic Development Coordinator**                 | G-7  |                    | \$58,262.40 | \$1,120.43 |         |
| GIS/Energy Analyst                                 | G-5  |                    | \$59,160.00 | \$1,137.69 |         |
| Golf Professional                                  | G-6  |                    | \$1,281.30  | Weekly     |         |
| Golf Pro Manager                                   | G-6  |                    | \$1,104.08  | Weekly     |         |
| Local Inspector                                    | G-6  |                    | \$60,329.20 | \$1,160.18 |         |
| Producer                                           | G-2  |                    | \$48,385.40 | \$930.49   |         |
| Senior Animal Control Officer                      | G-2  |                    | \$40,606.04 | \$780.89   |         |
| Systems Manager                                    | G-6  |                    | \$63,809.37 | \$1,227.10 |         |
| Electrical Inspector                               | G-6  |                    |             |            | \$31.35 |
| Plumbing Inspector                                 | G-6  |                    |             |            | \$31.35 |
| Transfer Station Supervisor                        | G-3  |                    |             |            | \$22.17 |
| Executive Aide                                     |      |                    |             |            | \$17.06 |

| Annual | Monthly |
|--------|---------|
|--------|---------|

|                              |            |          |
|------------------------------|------------|----------|
| Civil Defense Director       | \$9,171.88 | \$764.32 |
| Sealer of Weights & Measures | \$9,341.37 | \$778.45 |

C. NON-UNION STAFF POSITIONS

| Position               | 07/01/19 |                   |             |          |         |
|------------------------|----------|-------------------|-------------|----------|---------|
|                        | Annual   | Weekly            | Hourly      |          |         |
| Animal Control Officer | G-1      | Step 1            | \$33,555.40 | \$645.30 | \$16.13 |
|                        |          | Step 2 (5 Years)  | \$34,226.51 | \$658.20 | \$16.46 |
|                        |          | Step 3 (10 Years) | \$34,911.04 | \$671.37 | \$16.78 |

|          |          |
|----------|----------|
| 07/01/19 | 01/01/20 |
|----------|----------|



REGULAR MEETING OF JUNE 3, 2019

|                                             | Step 1  | Step 2  | Step 3  | Step 4 (5 Yrs) | Step 5(10 Yrs) | Step 1  |
|---------------------------------------------|---------|---------|---------|----------------|----------------|---------|
| Administrative Assistant                    | \$14.89 | \$17.27 | \$20.81 | \$21.23        | \$21.65        |         |
| Administrative Coordinator                  | \$14.12 | \$16.63 | \$19.14 | \$19.52        | \$19.90        |         |
| Administrative Clerk                        | \$13.67 | \$15.89 | \$18.11 | \$18.47        | \$18.83        |         |
| Animal Shelter Attendant                    | \$12.50 |         |         |                |                | \$13.00 |
| Budget/Project Manager**                    |         |         |         |                |                |         |
| City                                        | \$1.09  |         |         |                |                |         |
| GRA                                         | \$0.65  |         |         |                |                |         |
| CDBG                                        | \$22.85 |         |         |                |                |         |
| Total Compensation                          | \$24.59 |         |         |                |                |         |
| Building Maintenance                        |         |         |         |                |                |         |
| Craftsman                                   | \$18.09 | \$20.41 | \$22.74 |                |                |         |
| Building Maintenance Man                    | \$16.54 | \$18.79 | \$21.03 |                |                |         |
| Council on Aging Coordinator                | \$13.00 |         |         |                |                |         |
| Financial Administrator                     | \$15.08 | \$17.98 | \$21.21 |                |                |         |
| Financial Clerk                             | \$13.85 | \$16.29 | \$19.01 |                |                |         |
| <b><u>Golf Course Positions</u></b>         |         |         |         |                |                |         |
| Golf Pro Shop Supervisor                    | \$14.08 | \$14.62 | \$15.16 |                |                |         |
| Grounds Maintenance Man                     | GC-8    | \$16.56 | \$18.22 | \$20.16        |                |         |
| Motor Equipment Repairman                   | GC-8    | \$16.56 | \$18.22 | \$20.16        |                |         |
| Working Foreman - Grounds Maintenance Man   | GC-9    | \$20.35 |         |                |                |         |
| Working Foreman - Motor Equipment Repairman | GC-9    | \$20.35 |         |                |                |         |
| <b><u>Library Department Positions</u></b>  |         |         |         |                |                |         |
| Staff Librarian                             | \$21.85 |         |         |                |                |         |
| Senior Library Technician                   | \$19.91 |         |         |                |                |         |
| Library Technician                          | \$18.78 |         |         |                |                |         |
| Library Clerical Staff                      | \$13.14 | \$13.40 |         |                |                |         |
| Head Life Guard                             | \$15.30 | \$16.73 |         |                |                |         |
| Parking Meter Clerk                         | \$16.65 |         |         |                |                |         |
| Production Assistant                        | \$14.77 |         |         |                |                |         |
| Transfer Station Monitor                    | \$12.50 |         |         |                |                | \$13.00 |

**D. NON-UNION STAFF: TEMPORARY, SEASONAL AND INTERMITTENT POSITIONS**

| Position                         |     | 07/01/19 |        |        | 07/01/20 |        |        |
|----------------------------------|-----|----------|--------|--------|----------|--------|--------|
|                                  |     | Step 1   | Step 2 | Step 3 | Step 1   | Step 2 | Step 3 |
| Alternate Animal Control Officer |     | \$12.50  |        |        | \$13.00  |        |        |
| Certified Pool Operator          | S-4 | \$22.11  |        |        |          |        |        |



REGULAR MEETING OF JUNE 3, 2019

|                                          |      |         |         |         |         |         |         |
|------------------------------------------|------|---------|---------|---------|---------|---------|---------|
| Golf Course Laborer/Pro Shop Assistant   | GC-4 | \$12.50 |         |         | \$13.00 |         |         |
| Golf Course Groundsman                   | GC-5 | \$14.51 |         |         |         |         |         |
| Golf Course Ranger                       | GC-6 | \$12.50 |         |         | \$13.00 |         |         |
| Lifeguard                                | S-6  | \$12.50 |         |         | \$13.00 |         |         |
| Temporary Seasonal Technical             | T-6  | \$14.36 |         |         |         |         |         |
| Election Warden                          |      | \$14.00 |         |         |         |         |         |
| Election Inspector                       |      | \$12.00 |         |         |         |         |         |
| Election Clerk                           |      | \$13.00 |         |         |         |         |         |
| Special Detail Police Officer            |      | \$49.00 |         |         |         |         |         |
| Temporary Seasonal Laborer (T-4)         |      | \$12.50 | \$13.77 | \$15.30 | \$13.00 | \$13.77 | \$15.30 |
| Recreational Playground Supervisor (T-5) |      | \$15.30 | \$16.73 |         |         |         |         |
| Recreational Support Staff               |      | \$12.50 |         |         | \$13.00 |         |         |

**#10094**

There being no objections, the Finance Committee was granted more time to study and report on the following Ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 171 THEREOF, ENTITLED "PERSONNEL" TO CHANGE COMPENSATION SCHEDULE EXHIBITS A AND B.

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

Section 1. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit A and inserting in place thereof, the following:

Exhibit A  
Mayor

| Effective 1-2-2018 | Effective 1-6-2020 | Effective 1-4-2021 |
|--------------------|--------------------|--------------------|
| \$92,196.00        | \$94,040.00        | \$95,921.00        |

Section 2. Section 171-68 of Chapter 171, Personnel, of the Code of the City of Gardner is hereby amended by deleting and repealing Compensation Schedule Exhibit B and inserting in place thereof, the following:

Exhibit B  
City Council

| Position   | Effective 1-2-2018 | Effective 1-6-2020 | Effective 1-4-2021 |
|------------|--------------------|--------------------|--------------------|
| President  | \$ 10,707.00       | \$ 10,921.00       | \$ 11,139.00       |
| Councillor | \$ 7,326.00        | \$ 7,473.00        | \$ 7,622.00        |

Section 3. Effective date.

This ordinance shall become effective on passage and publication as required by law.

REGULAR MEETING OF JUNE 3, 2019

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UNFINISHED BUSINESS**#10090**

President Graves announced that the Joint Public Hearing with the Planning Board was held prior to the Council Meeting and that the Council is awaiting the **Final Report** of the Planning Board and the Report of the Public Welfare Committee before it takes action on *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled "Zoning," to Change Section 675-1070, Marijuana Establishments.*

NEW BUSINESS

On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

ANNOUNCEMENTS and COMMENTARY

Councillors announced approaching community events such as the Relay for Life; Food Truck Festival; and, Movies and Concerts in the Park.

Councillor James Johnson praised the DPW and Engineering Departments for working to correct problems.

Commenting on Calendar #10113, President Graves noted that the \$11M Loan Order would address only a small number of miles of water lines that need to be replaced and noted the effect that the Loan would have on the City's water rates.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor James Walsh and seconded by Councillor Edward Gravel, it was voted viva voce, eleven (11) yeas, President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 8:11 p.m.

**Accepted by the City Council:**



**CITY OF GARDNER  
MASSACHUSETTS 01440-2630**

**OFFICE OF THE  
CITY CLERK**

Room 121, City Hall  
Tel (978) 630-4058  
Fax (978) 630-2589

**CITY OF GARDNER  
NOTICE TO ABUTTERS**

June 4, 2019

**TO INTERESTED PARTIES:**

Pursuant to the provisions of M.G.L.A., c.166, §22, you are hereby notified that a Public Hearing will be conducted on **Monday, June 17, 2019 at 7:30 o'clock P.M.** in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, Massachusetts, upon the petition of **National Grid and Verizon New England, Inc.** for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:

**MAIN STREET** - National Grid to install one (1) jointly-owned pole on Main Street beginning at a point approximately 306' west of the centerline of the intersection of Sherman Street. National Grid to install 40 foot CL2 JO wood pole and anchor/guy for upgraded customer service.

A diagram of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

By: *Alan L. Agnelli*  
Alan L. Agnelli  
City Clerk

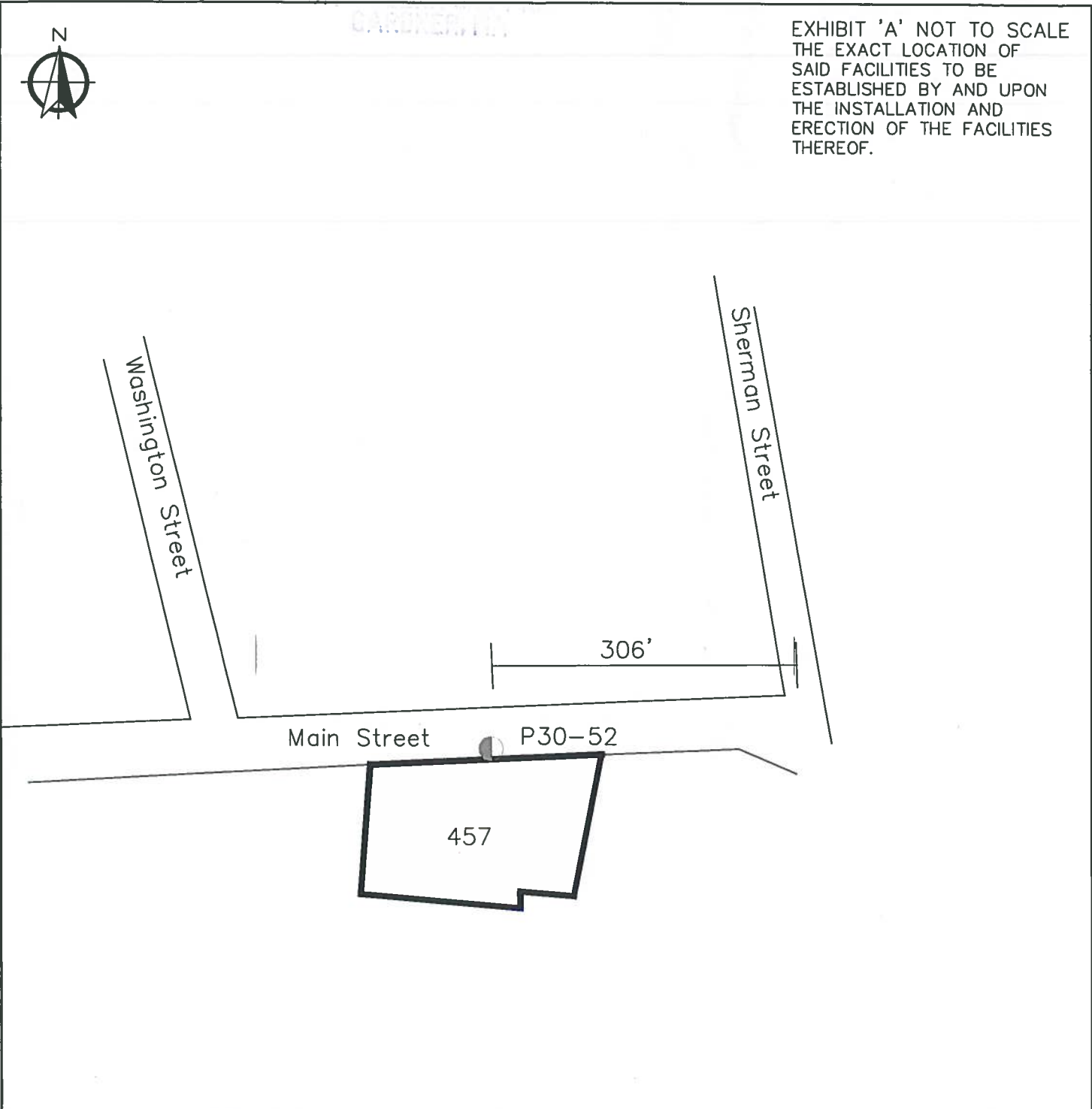
RECEIVED

2019 MAY 28 AM 9:40

CITY OF GARDNER, MA



EXHIBIT 'A' NOT TO SCALE  
THE EXACT LOCATION OF  
SAID FACILITIES TO BE  
ESTABLISHED BY AND UPON  
THE INSTALLATION AND  
ERECTION OF THE FACILITIES  
THEREOF.



LEGEND

● Proposed JO Pole

City of Gardner  
Pole Petition Request

Date: 04/16/19

Designer: Kim Tav

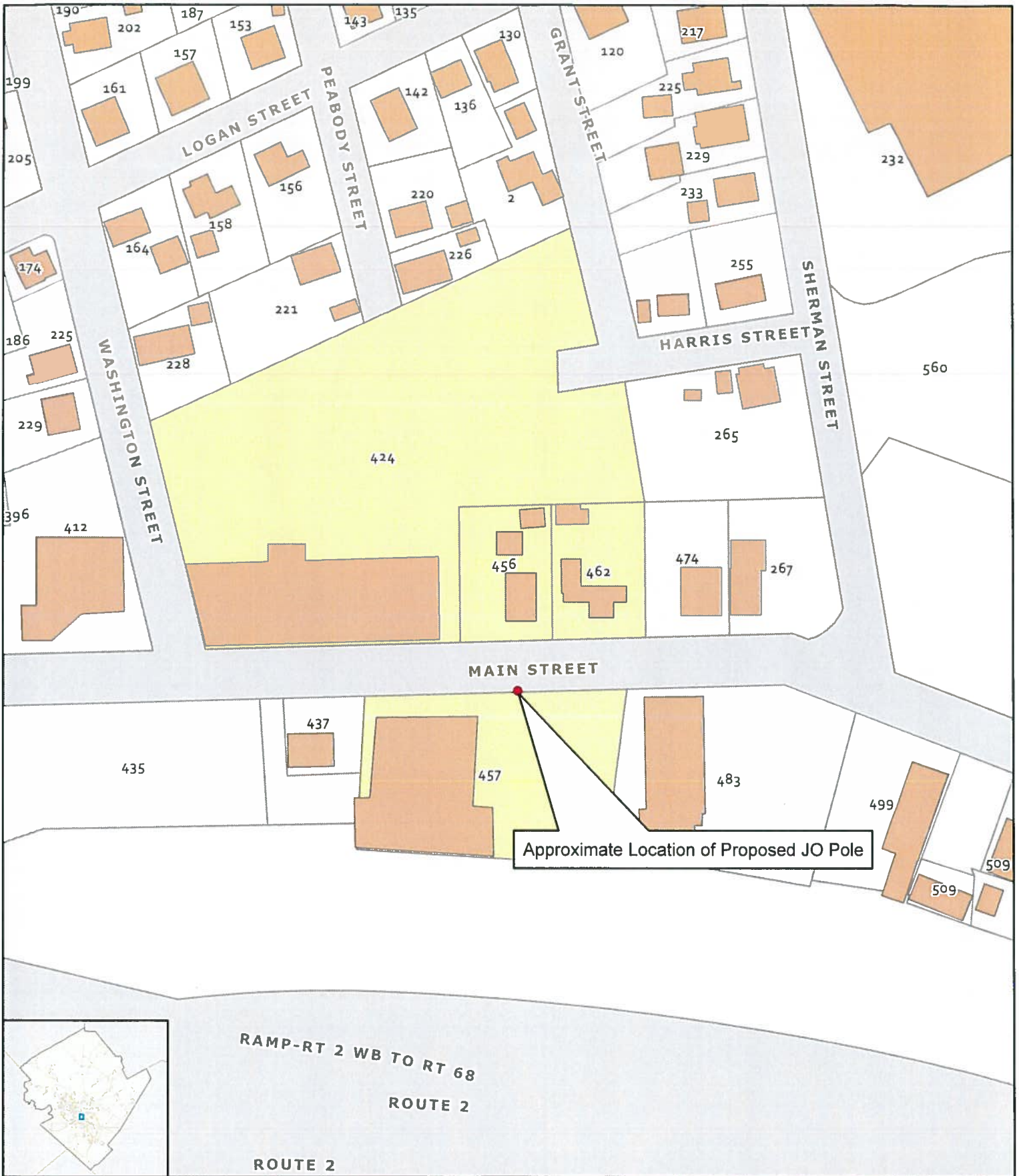
457 Main Street Gardner, MA

W/R: 26756256

Proposed JO Pole for Customer Upgrade







Approximate Location of Proposed JO Pole



- Abutters
- Proposed JO Pole
- Parcels

**ABUTTER'S LIST (POLE)**  
**MAIN STREET**

---


**CITY OF GARDNER**  
 95 Pleasant Street  
 Gardner, MA 01440

0      62.5      125  
 \_\_\_\_\_ Feet

↑

**Data Sources**  
 City of Gardner Engineering,  
 Office of Geographic and  
 Environmental Information (MassGIS),  
 Commonwealth of Massachusetts, EOEA

**City of Gardner**  
 Geographic Information Systems GIS





10122

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER DEPARTMENT - AWWTP CONTRACT OPERATIONS.

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Fifty-Six Thousand Dollars and No Cents (\$156,000.00) from Sewer Surplus to Sewer Department, AWWTP Contract Operations.

RECEIVED  
2019 JUN 12 AM 9:38  
CITY CLERK'S OFFICE  
GARDNER, MA

10122

CITY OF GARDNER  
Department of Public Works

RECEIVED

2019 JUN -7 PM 12:04

CITY OF GARDNER  
GARDNER, MA

Highway  
Water  
Sewer  
Forestry  
Parks/Playgrounds  
Cemeteries



Dane E. Arnold, Director  
416 West Broadway  
Gardner, MA 01440-2687  
Telephone (978) 632-7661  
Fax (978) 630-4029  
darnold@gardner-ma.gov

Mayor Mark P. Hawke  
City Hall  
95 Pleasant Street  
Gardner, MA 01440

RE: Suez Contract Shortfall

June 4, 2019

Dear Mayor Hawke:

I am requesting **\$156,000** from available **Sewer Surplus** to cover a budgetary shortfall for the **AWWTP Contract Operations 61440 – 52359 (Suez)**. This amount was not budgeted in the Sewer Budget due to an extended (not anticipated) period of continuance of the Original Suez Contract. This amount also includes funds necessary for increased chemical, electrical, and maintenance costs that were not covered in the extension of the contract in order to retain Suez's services from November to June 30, 2019.

In addition to this request, I am asking to **transfer \$175,000** from **61440 - 51014 Sewer Maintenance Crew** to **61440 - 52360 AWWTP Contract Operations**. This is a transfer of funds out of a salary line item to the contract operations line item that needs City Council authorization.

As you are aware the City was planning on taking back the Water Distribution and Sewer Collection Systems in November of 2018. Due to the extended negotiations between the City, the Gardner Public Works Employee Association, and Suez, this was not able to be completed in November as planned. We are hopeful it will be completed by July 1, 2019.

When the original Sewer Budget for the Suez Contract was completed in February 2018, it was anticipated that 4 months (July 1<sup>st</sup> – October 30<sup>th</sup>) of the FY2019 budget was going to be at the full contract lump sum amount, and 8 months (November 1<sup>st</sup> – June 30<sup>th</sup>) of the contract would be at a reduced scope of services amount. This was because we were going to be taking back the water and sewer systems under the City's control, but still have the facilities operated and maintained by Suez.

When the original budget was completed, we anticipated paying for staffing, chemicals, electrical, vehicle repairs and maintenance for 8 months of the year (November 1<sup>st</sup> – June 30<sup>th</sup>). The anticipated funds that would have been incorporated in the original Suez full year lump sum Contract were distributed in various line items in the Sewer Budget.

This letter incorporates both the shortfall in the Contract Operations budget due to the delay and the transfer out of the Maintenance Crew line item.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dane E. Arnold". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dane E. Arnold, Director  
Department of Public Works

PC:                   Public Service Committee  
                          John Richard, City Auditor  
                          Chris Coughlin, City Engineer