

**REGULAR MEETING OF MARCH 4, 2019**

Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, March 4, 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. Seven (7) Councillors were present including President Scott Joseph Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, and James Walsh. Councillor Elizabeth Kazinskas arrived at 7:32 p.m. Councillors James Boone, Craig Cormier, and Christine Johnson were absent.

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, seven (7) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, and James Walsh, to waive reading and to accept the Minutes of the Informal and Regular Meetings of February 19, 2019, as printed.

PUBLIC HEARING**#10062**

President Graves opened the Public Hearing on 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:



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West Street – National Grid to install one (1) jointly-owned Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street and continuing approximately 15 feet in a northerly direction. National Grid to install new midline pole P88-50 (with anchor) between P88 and P89 for tap to new DG site.

The President thrice called for persons wishing to testify in favor of the Petition.

There being none, the President thrice called for persons wishing to testify in opposition to the Petition.

There being none, President Graves informed the Council that since National Grid notified the City Council that no representative was available to attend the hearing and that they requested that the Hearing be continued, that he would continue the Hearing to March 18, 2019 at 7:30 p.m.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

#10063

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Appointment of Mr. Awdycki is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

JOHN AWDYCKI to the position of **Member, Cemetery Commission**, for term expiring February 15, 2022.

Worcester, ss.

March 8, 2019

Then personally appeared **JOHN AWDYCKI** and made oath that he would faithfully and impartially perform the duties of **Member, Cemetery Commission** according to law and the best of his abilities.

Before me,

/s/ John A. Olivari, Assistant City Clerk

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#10064

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. LaRoche is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

BRIAN LAROCHE to the position of **Member, Cemetery Commission**, for term expiring February 15, 2022.

#10065

Reporting for the Finance Committee, Councillor James Walsh informed the Council that the Appointment of Mr. Awdycki is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment. He added that the Mayor filed an Appointment Certificate for Ludger Robichaud to the Municipal Grounds Commission for the Council's consideration at the next meeting.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

JOHN AWDYCKI to the position of **Member, Municipal Grounds Commission**, for term expiring February 15, 2022.

Worcester, ss.

March 8, 2019

Then personally appeared **JOHN AWDYCKI** and made oath that he would faithfully and impartially perform the duties of **Member, Municipal Grounds Commission** according to law and the best of his abilities.

Before me,

/s/ John A. Olivari, Assistant City Clerk

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#10066

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. LaRoche is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

BRIAN LAROCHE to the position of **Member, Municipal Grounds Commission**, for term expiring February 15, 2022.

#10067

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Appointment of Mr. Hackett is a reappointment and that the Committee voted to recommend that the City Council confirm his appointment.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to confirm the following Appointment received from the Mayor:

DAVID HACKETT to the position of **Member, Disability Commission**, for term expiring February 15, 2022.

Worcester, ss.

March 4, 2019

Then personally appeared **DAVID HACKETT** and made oath that he would faithfully and impartially perform the duties of **Member, Disability Commission** according to law and the best of his abilities.

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

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10068**

Councillor James Johnson, Chairman of the Public Safety Committee, reported that both the Public Safety Committee and the Traffic Commission voted favorably to recommend that the Lafayette Square temporary traffic regulations be permanently implemented.

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Councillor Johnson moved that AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEDIENCE TO ISOLATED YIELD SIGNS be ordered to First Printing.

Councillor Karen Hardern seconded the motion.

On the motion, Councillor Johnson informed the Council that when the issue first arose, the Committee discussed a concern that the installation of a Yield sign at the lower end of the Island might create traffic "to back-up" to West Street, but that the Police reported that this particular concern has not materialized. Citing the Minutes of the recent Traffic Commission meeting, Councillor Johnson stated that only one incident occurred and that the temporary regulations should become permanent.

Councillor James Walsh offered clarification by saying that the temporary regulations that were recently adopted by the City Council that affect the traffic pattern at Lafayette Square – the intersections of West, Oak, Nichols, and Parker Streets – would now be made permanent.

Councillor James Johnson added that the change would designate Lafayette Square as a Traffic Island (from a Rotary) and also add two Yield signs.

On the motion, on recommendation of the Public Safety Committee, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to Order the following Ordinance to First Printing:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO CHANGE PROVISIONS RELATING TO ROTARY TRAFFIC, TRAFFIC ISLANDS, AND OBEDIENCE TO ISOLATED YIELD SIGNS.

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

Section 1.

The Code of the City of Gardner is hereby amended by striking from Article VII. One-Way Streets; Rotary Traffic. § 600-43. Rotary traffic, Lafayette Square: Parker Street, West Street and Oak Street.

Section 2.

The Code of the City of Gardner is further amended by changing Article XII. Traffic Islands, § 600-74. Location designated, to read as follows:



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D. Lafayette Square: Parker Street, West Street and Oak Street, where vehicular traffic shall move only in a counter clockwise direction, except when directed by an officer.

Section 3.

The Code of the City of Gardner is further amended by adding to Article VIII. Operation of Vehicles, § 600-55. Obedience to Isolated Yield Signs, the following:

Yield Street	Direction of Travel	For Traffic Entering
Oak Street	Eastbound	Parker Street
Parker Street	Westbound	West Street

Section 4.

This Ordinance shall take effect upon passage and publication as required by law.

FIRST PRINTING - MARCH 8, 2019

#10069

On a motion by Councillor James Johnson and seconded by Councillor Karen Hardern, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer an *Application by Osagi Enterprise, LLC, for a License to Buy and Sell Second Hand Motor Vehicles, Class 2, on Toby Street* to the Public Safety Committee for study and report.

#10070

On a motion by Councillor James Johnson and seconded by Councillor Karen Hardern, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to refer an *Application by Osagi Enterprise, LLC, for a License to Deal in Motor Vehicle Junk, Class 3, on Toby Street* to the Public Safety Committee for study and report and to schedule a Public Hearing at the next regular meeting.

REPORTS OF STANDING COMMITTEES

PUBLIC SERVICE COMMITTEE

#10062

There being no objections, the Public Service Committee was granted more time to study and report on *A Petition by National Grid and Verizon New England, Inc. for permission to Install 1 JO Pole on West Street beginning at a point approximately 100' west of the centerline of the intersection of Bridge Street.*

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PUBLIC SERVICE COMMITTEE AND PUBLIC SAFETY COMMITTEE

#10053

There being no objections, the Public Service Committee and the Public Safety Committee were granted more time to study and report on AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED "ANIMALS," BY DELETING AND REPEALING § 312-2F.

FINANCE COMMITTEE

#10008

There being no objections, the Finance Committee was granted more time to report on *A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events.*

UNFINISHED BUSINESS

#10007

Councillor James Walsh informed the Council that due to the timing of the publication of First Printing (February 25) and the Charter requirement that 10 days must elapse between First Printing and passage, then the Council cannot take any action on the Ordinance at this time. Offering clarification, he said that since the Council held its meeting on a Tuesday due to Monday's holiday, there was insufficient time to submit the Ordinance [to *The Gardner News*] for publication and comply with the 10-day moratorium before tonight's meeting.

The Council postponed action on the following Ordinance until the next meeting:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 156 THEREOF, ENTITLED "MUNICIPAL GROUNDS COMMISSION," TO ADD PROVISIONS RELATING TO A COMMUNITY BANDSTAND COMMITTEE.

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

Section 1. Chapter 156-3 of the Code of the City of Gardner is hereby amended by adding the following:

B. There is hereby established under this Section the "Community Bandstand Committee" which shall exist and be operated hereunder for the purpose of implementing seasonal programs to be conducted in the City's parks including but not limited to summer musical concerts and other community entertainment events at the Bandstand located in Monument Park, as well as at the City's other parks, at the City's other municipal grounds and at other appropriate locations in the City. The Community Bandstand Committee shall consist of no less than three (3) members, one of whom shall be a member of the Municipal Grounds Commission, to carry out the purposes of this Section 156-3B. All members shall be appointed in accordance with Section 156-1A.



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C. The Community Bandstand Committee may receive donations and gifts of property, both real and personal, in the name of the City to further the purposes as set forth in Section 156-3B. Upon receipt of any such donation or gift the Community Bandstand Committee shall provide each such gift or donation to the Treasurer, who shall deposit same into an account to be created and named the "Community Bandstand Committee Program Fund." All funds in such Community Bandstand Committee Program Fund shall be used for the purposes set forth in Section 156-3B.

D. Revise the former (present) 156-3B to 156-30.

Section 2. Effective date.

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

FIRST PRINTING – FEBRUARY 25, 2019

NEW BUSINESS

On a motion by Councillor Edward Gravel and seconded by Councillor Nathan Boudreau, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to consider New Business.

ANNOUNCEMENTS and COMMENTARY

Gardner Rotary Club Auction

Councillor Nathan Boudreau informed the Council that he enjoyed participating in the recent Gardner Rotary Club TV Auction at MWCC, which raised almost \$20,000 for community programs.

Social Media Platforms

Councillor Nathan Boudreau informed the Council that all persons should treat each other with respect while utilizing social media platforms, particularly toward those that put their hearts and souls into serving the community.

Councillor Edward Gravel expressed similar concerns with the use of social media platforms, such as Facebook. He cited politicians and people in positions of power lashing out at citizens, which he added is rude and that the negativity makes the situation worse. He said that public officials and leaders must hold themselves to higher standards.

Councillor James Johnson stated that various social media pages (Facebook) operate covering various topics which result in good discussion, but that residents should follow up on their issues of concern with their City Councillors and other officials via e-mail; otherwise, "they're spinning their wheels."



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Councillor James Walsh stated that with his limited exposure to social media, he found that “too much of it constitutes an essential cesspool,” therefore, he does not participate.

Public Safety Dispatch

Councillor James Johnson commended Public Safety Dispatchers and the City’s first responders for their ongoing efforts. He noted that his appreciation for them has been elevated since he installed a Fire-Police scanner in his home.

Dexter Lison Remembrance

Councillor Karen Hardern remembered her friend, Dexter Lison, who recently passed away. She said that Dexter was a perennial candidate for public office, “who never won but always wanted to know what it was like to win just once.” She closed by expressing her sympathy to his family and offered him “Rest in Peace.”

President Scott Graves reminded Councillors that they are invited to the Grand Opening of HOPE’s New Retail and Program Space on Thursday, March 7 at 4:00 p.m.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Nathan Boudreau and seconded by Councillor Edward Gravel, it was voted viva voce, eight (8) yeas, President Scott Graves and Councillors Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, James Johnson, Elizabeth Kazinskas, and James Walsh, to adjourn at 7:55 p.m.

Accepted by the City Council: *March 18, 2019*