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CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



March 7, 2019

PUBLIC SERVICE COMMITTEE MEETING

Date: Tuesday March 12, 2019
Time: 4:15 p.m.
Location: DPW Office, 50 Manca Drive

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 recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Clerk of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

AGENDA

- I. Review and Approval of the Minutes of the Prior Meeting.
- II. Department Updates:
 - Public Works/Sewer/Water – Dane Arnold, DPW Director
 - Survey/Engineering – Chris Coughlin, City Engineer
 - Conservation Commission – Jeffrey Legros, Conservation Agent
- III. Abatements Water/Sewer:
 - a. 119 Graham Street
 - b. 91 Regan Street
 - c. 63 Brook Lane
- IV. #10062 – A Petition by National Grid and Verizon New England, Inc. for permission to install IJO Pole on West Street beginning at a point approximately 100’ west of the centerline of the intersection of Bridge Street (In City Council, referred to Public Service, and Ordered to Public Hearing, 2/19/2109; Public Hearing opened on 3/4/2019 and continued to 3/18/2019).
- V. #10053 – An Ordinance to Amend the Code of the City of Gardner, Chapter 312 Thereof, Entitled “Animals,” by Deleting and Repealing § 312-2F (*In City Council and Referred to Public Safety, 2/4/2019; More time granted to Public Safety and Referred to Public Service, 2/19/2019*).
- VI. Adjournment

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may 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.

CITY COUNCIL OF GARDNER

Nathan R. Boudreau

Councillor Nathan R. Boudreau

Chairman, Public Service Committee

10062
REVISED

Questions contact – Ron Allen 508-860-6130

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Gardner, Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

West St - National Grid to install 1 JO Pole on West St beginning at a point approximately 100 feet west of the centerline of the intersection of Bridge St and continuing approximately 15 feet in a north direction. National Grid to install new midspan pole P88-50 (with anchor) between P88 and P89 for tap to new DG site.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – West St - Gardner - Massachusetts.

No. 23557728 March 4, 2019

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

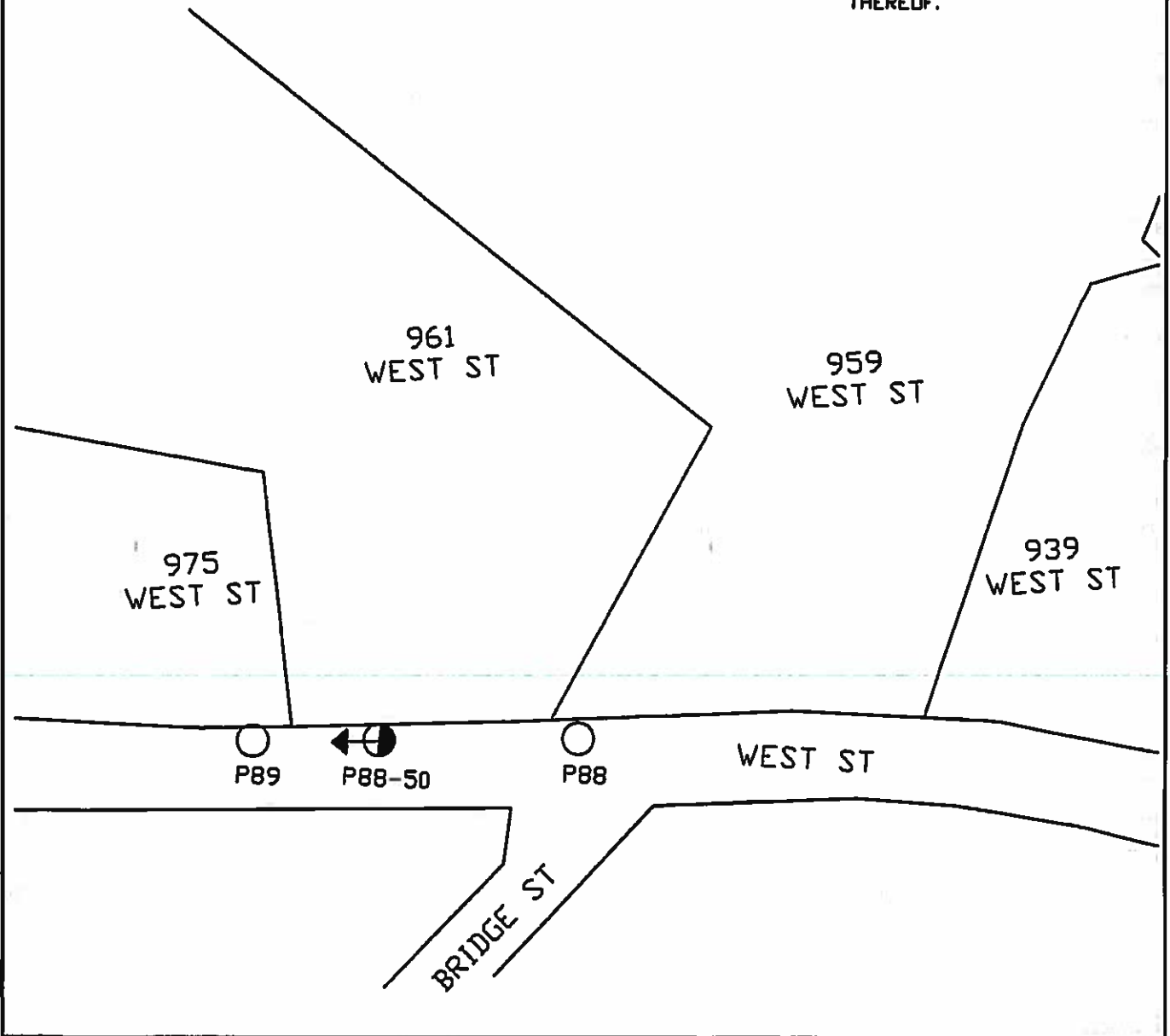
Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY Pat Lody
Engineering Department

VERIZON NEW ENGLAND, INC.
BY Des
Manager / Right of Way



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
- ← PROPOSED JO ANCHOR
- EXISTING JO POLE

WEST ST

Date: 2/27/2019

Designer: KRULLO

WR:23557728

GARDNER

MA

nationalgrid

City of Gardner, *Executive Department*

Mark Hawke, Mayor

January 28, 2019

Attorney Scott J. Graves, President
And City Councilors
95 Pleasant Street
Gardner, MA 01440

RE: Dog Control

Dear President Graves and Councilors,

Chapter 312 of the City Code is relative to Dog Control. 312-2, A. contains the City's "leash law" provisions and 312-2 E. contains the City's "pooper scooper" provisions.

An issue arises with 312-2 F. which states "No animals are allowed in any City cemetery or playground, including Pulaski Park." I am not aware of the genesis of this ordinance, but it does pose a problem as Pulaski Park is the new home of the City's Dog Park.

I have attached an Ordinance for your consideration to remedy the matter.

Respectfully,



Mark Hawke
Mayor, City of Gardner

10053



RECEIVED

2019 JAN 28 PM 4:18

CITY CLERK'S OFFICE
GARDNER, MA

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 312 THEREOF, ENTITLED "ANIMALS," BY DELETING AND REPEALING § 312-2F.

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 deleting and repealing Subsection F of § 312-2, Responsibilities of owner or keeper, of Chapter 312, Animals.

Section 2. Effective date.

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

City of Gardner, MA
Wednesday, January 30, 2019

Chapter 312. Animals

Article I. Dog Control

§ 312-2. Responsibilities of owner or keeper.

- A. No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to run at large within the City of Gardner, except that a dog may, for the purpose of sporting events such as hunting, field trials or training purposes, be exempt from the restraining order during such period of time as the dog is actually engaged in the event or sport. Dogs may be taken from the owner's premises, provided that such dogs are on a leash and under the control of the owner or keeper.
- B. No person shall own or keep within the City of Gardner any dog which is a nuisance by reason of vicious disposition, excessive barking, or other cause of disturbance.
[Added 12-17-1990 by Ord. No. 1063]
- C. No owner of any dog shall fail to provide such dog with a sufficient quantity of wholesome, nutritious food and potable water; adequate shelter from inclement weather; a humane means of exercise; and the necessary veterinary care upon sickness, disease or injury.
[Added 12-17-1990 by Ord. No. 1063]
- D. No person shall torture, torment, deprive of necessary sustenance, or cruelly beat, mutilate or kill any dog.
[Added 12-17-1990 by Ord. No. 1063]
- E. The owner, keeper or any person in control of a dog shall be responsible for the prompt removal and proper disposal of any feces deposited by such dog upon any public ways, such as streets, roads, avenues, lanes, circles, highways, paths, sidewalks, trails, etc., or upon any public land within 10 feet of such public ways, or upon any public land designated as parks, playgrounds, cemeteries, school yards, or golf courses, or upon the grounds of any other municipal or government building, all within the boundaries of the City of Gardner.
[Added 7-6-1998 by Ord. No. 1276]
- F. No animals are allowed in any City cemetery or playground, including Pulaski Park.
[Added 6-5-2006 by Ord. No. 1429]