



REGULAR MEETING OF JANUARY 22, 2019

Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Tuesday evening, January 22, 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 Johnson, it was voted viva voce, eleven (11) yeas, 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, to waive reading and to accept the Minutes of the Regular Meeting of January 7, 2019.

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

#10043

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee voted to recommend that the City Council confirm the Mayor's appointment of Attorney Priya Gandbhir to the position of Assistant City Solicitor.

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Also reporting for the Finance Committee, Councillor James Walsh said that has had opportunities to interact with Attorney Gandbhir and described some of her legal work “as most impressive.”

Councillor Christine Johnson asked the Finance Committee if the position of Assistant City Solicitor is needed.

Councillor Ronald Cormier responded, saying that the Committee reviewed the reappointment and concluded that the position is needed.

Councillor James Walsh added that the position has existed since the mid 1980’s and that “the need for the position is greater than ever.”

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to confirm the following Appointment received from the Mayor:

PRIYA GANDBHIR to the position of Assistant City Solicitor for term expiring January 3, 2020.

#10044

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee voted to recommend that the City Council place the Notice on file, since the Appointment does not require Council confirmation. He said that there are only two appointees that do not require confirmation by the City Council – the City Solicitor and the Mayor’s Executive Secretary.

Councillor James Walsh added that City Charter dictates that the appointment of the City Solicitor’s position is solely the Mayor’s decision, while the position of Executive Secretary is not a department head and not provided for by the City Charter. The position, therefore is not confirmed by the Council, as the Council does not confirm other departmental secretarial positions.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to place on file Notice of the Mayor’s Appointment of John M. Flick to the position of City Solicitor for term expiring January 3, 2020.

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Worcester, ss.

February 4, 2019

Then personally appeared **JOHN M. FLICK** and made oath that he would faithfully and impartially perform the duties of City Solicitor according to law and the best of his abilities.

Before me,

/s/ John A. Olivari, Assistant City Clerk

#10045

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to place on file Notice of the Mayor's Appointment of Rachel Stephano to the position of Executive Secretary for term expiring January 3, 2020.

Worcester, ss.

January 23, 2019

Then personally appeared **RACHEL STEPHANO** and made oath that she would faithfully and impartially perform the duties of Executive Secretary according to law and the best of her abilities.

Before me,

/s/ Faith A. Glover, Assistant City Clerk

#10046

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee interviewed Sergeant Trifiro, reviewed his qualifications with the Chief of Police and the Mayor, and that the Committee was very satisfied with his background, experience, and qualifications. Therefore, the Committee voted unanimously to recommend confirmation by the City Council, he added.

Councillor Ronald Cormier moved to confirm the Appointment. Councillor James Walsh seconded the motion.

On the motion, Councillor Edward Gravel informed the Council that "the City is fortunate to have gentlemen coming up through the ranks in the GPD" and he "has known Mr. Trifiro for quite a long time, along with Chief Braks," and that he "is just so happy that we can promote from within because it shows that we have Police officers, firefighters, and other first responders in the City that are dedicated to this City."

Continuing, Councillor Gravel said that the Officers "put themselves out there to do the job that's really tough and a lot of people can't do these jobs. So, I admire this gentleman for

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stepping up, and he served in the Coast Guard; his dedication to this area has been long-term; so, I am over the top in favor of this appointment,” he added.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to confirm the following Appointment received from the Mayor:

JAMES F. TRIFIRO, JR. to the Position of Deputy Chief of Police, for term expiring January 20, 2022.

Worcester, ss.

January 22, 2019

Then personally appeared **JAMES F. TRIFIRO, JR.** and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

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

#10047

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee interviewed Officer Walter, reviewed his qualifications with the Chief of Police and the Mayor, and that the Committee was very satisfied with his qualifications. He added that Officer Walter is qualified through the Civil Service Commission; thus, the Committee voted unanimously to recommend confirmation by the City Council.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to confirm the following Appointment received from the Mayor:

LORIN A. WALTER to the Position of Police Sergeant, Permanent.

Worcester, ss.

January 22, 2019

Then personally appeared **LORIN A. WALTER** and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.

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



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PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10048**

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that Mr. Long holds a part-time summer recreation position, so in order to also perform part-time coaching, an Exemption is required.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to adopt the following Measure:

APPROVAL OF EXEMPTION PURSUANT TO G.L. C.268A, §20(b)
FINANCIAL INTEREST OF KYLE LONG
CONTRACT FOR SCHOOL DEPARTMENT COACHING SERVICES

VOTED: To approve an Exemption pursuant to G.L. C. 268A, §20(b) in the Matter of a Financial Interest of Kyle Long for a Contract for School Department Coaching Services.

Presented to Mayor for Approval – January 23, 2019

Approved – January 23, 2019

MARK P. HAWKE, Mayor

#10049

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee voted to recommend adoption of the Resolution after meeting with the Assistant Director of Community Development and Planning and the Committee. He said that the Committee was quite satisfied, adding that the Council President participated in the initial program planning.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted *vive voce*, eleven (11) yeas, 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, to adopt the following Measure:

FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT
Mini-Entitlement Plan

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



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- WHEREAS, the City council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2019 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and
- WHEREAS, the CDBG proposals seek funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, rehabilitation, design, and associated administrative costs; and
- WHEREAS, the activities proposed within the FY 2019 CDBG Mini-Entitlement Plan meet the priorities identified within the City's 2018-2021 Community Development Strategy, and the 2004 Community Development Plan; and
- WHEREAS, the City does not possess the bonding capacity or have the availability of funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required, and
- WHEREAS, the City Council supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City's FY 2019 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.

<u>Group</u>	<u>Project</u>	<u>CDBG \$'s</u>	<u>Non-CDBG \$'s</u>	<u>Total</u>
Community Development & Planning	Demolition. Demolish 20 Rock Street as it poses a public health and safety hazard.	\$395,200.00	\$0.00	\$395,200.00
MVOC	Veterans Housing Rehabilitation. Rehabilitation of LMI Veterans' Housing on Nichols Street. <i>(Repairs to the chimney, roof, and concrete wall).</i>	\$15,000.00	\$15,000.00	\$30,000.00
Sign & Façade Projects	Parker Street Façade Project. 42-50 & 52 Parker Street Development <i>(Only the exterior portions of the "Ryan Building" and the "Temptations Building."</i>	\$217,050.00	\$0.00	\$217,050.00
NewVue Communities	Small Business Technical Assistance Program. Small business assistance services for 15 LMI Gardner residents.	\$3,000.00	\$14,500.00	\$17,500.00
Community Development & Planning	Downtown Phase 2. Design of crosswalk, sidewalk, and lighting repair and upgrade.	\$41,000.00	\$0.00	\$41,000.00
B&G Club	Project Learn STEAM. Provide afterschool program for 30 LMI Gardner students at the Gardner Clubhouse.	\$10,000.00	\$85,500.00	\$95,500.00
CAC	Fuel Assistance Program. Fuel assistance to be provided to 15 LMI Households.	\$5,000.00	\$6,500.00	\$11,500.00



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GPSA	Gardner Public Schools Athletics. Provide financial assistance to LMI student athletes at Gardner High School and Gardner Middle School.	\$15,000.00	\$0.00	\$15,000.00
	Administrative & Delivery costs.	\$123,750.00	\$0.00	\$123,750.00
	Sub-total	\$825,000.00	\$121,500.00	\$946,500.00

Presented to Mayor for Approval – January 23, 2019

Approved – January 23, 2019

MARK P. HAWKE, Mayor

#11050

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Order would grant as Easement to the two utility companies for transmission purposes.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on recommendation of the Finance Committee, it was voted vive voce, eleven (11) yeas, 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, to grant the following Easement:

GRANT OF EASEMENT

The **CITY OF GARDNER**, a municipal corporation, having an address of 95 Pleasant Street, Gardner, Massachusetts 01440 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation, and **VERIZON NEW ENGLAND, INC.**, a New York corporation, having a local address of 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110 (hereinafter referred to as the Grantees) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, nine (9) poles, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the “OVERHEAD SYSTEM”) over, across, under and upon the Grantor’s land in Gardner, Worcester County, Massachusetts, to serve Grantor’s property and others.

Said “OVERHEAD SYSTEM” is to be installed on Grantor’s property, which is located on the northerly side of Pearl Street a/k/a Route 101, to originate from Pole P.29, which is located partly on the northerly side of Pearl Street a/k/a Route 101 and the southeasterly side of Grantor’s property, then proceed in a northeasterly direction over, across and upon Grantor’s land to Poles P.29-50, P.30, P.31, P.32, P.33, P.34, P.34-1, and P.35, to become established by and upon the final installation thereof by the Grantees.

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Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said "OVERHEAD SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantees, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantees, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM".

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantees, their successors and assigns, and that the Grantees, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantees, for themselves, their successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" may not be changed or modified without the written consent of the Grantees, their successors and assigns, which consent may be withheld by the Grantees in their sole discretion. The rights and easement herein granted are over, across and upon a certain parcel being more particularly described in two deeds dated May 19, 1913, recorded with the Worcester South District Registry of Deeds in Book 2027, Page 289, and Book 2027, Page 298.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "**Exhibit A**"; nationalgrid; **Sketch to accompany the Easement for the installation of 1 JO Pole.; Distances are Approximate Exhibit A Not to Scale; Drawn By: Michael Fraser; Date: 12/17/2018; Actrix Drawing Number; 27102349**", a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantees herein, but the final definitive locations of said "OVERHEAD SYSTEM" shall become established by and upon the installation and erection thereof by the Grantees.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within a portion of the Grantor's land an "OVERHEAD SYSTEM" for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "OVERHEAD SYSTEM".

For Grantor's title, see deeds dated May 19, 1913, recorded with the Worcester South District Registry of Deeds in Book 2027, Page 289 and in Book 2027, Page 298.

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Presented to Mayor for Approval – January 23, 2019

Approved – January 23, 2019

MARK P. HAWKE, Mayor

#10051

Leading to a motion, Councillor James Boone informed the Council that he found it odd that an entire section of the City's parking could be changed, affecting numerous people and businesses, where the Council as a whole has no say. He said that he agrees with past practice to refer [measures] to one or more subcommittees for study and report. He added that, in his opinion, this should be voted on by the Council as a whole.

Councillor Boone moved 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," ARTICLE V, PARKING METERS.

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

Section 1. Section 600-18 of Chapter 600, Vehicles and Traffic, of the Code of the City of Gardner is hereby amended by striking the words "Public Safety Committee," from Subsection B.

Section 2. This ordinance shall become effective upon passage and publication as required by law.

Councillor James Johnson seconded the motion.

On the motion, Councillor James Johnson, Chairman of the Public Safety Committee, reported that the Committee discussed the Ordinance at a recent meeting and that the Committee voted, by majority, to reject the Ordinance amendment.

Councillor Boudreau stated that he, too, found it odd that a Committee could make a substantial change, but that he is opposed to changing large substantive policy without a meeting of the Committee of the Whole. He moved to refer the Ordinance to the Council as Committee of the Whole for further study. Councillor James Walsh seconded the motion.

On the motion to refer, Councillor Christine Johnson stated that she is not in favor of referral, noting that the change, just like everything else, would be referred to committee for study and report and then the whole Council would vote on the change for the parking meters. She added that she has enough information to vote at this time.

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Councillor Nathan Boudreau remarked that former Councillor Paul Tassone told him that the Public Safety Committee could take certain actions involving parking meters without returning to the City Council “for a secondary vote.”

In response to Councillor Boudreau’s comment, Councillor James Johnson said that siting of parking meters is decided by the Public Safety Committee and that the Ordinance presently before the Council would grant the decision-making authority to the full Council.

Councillor Edward Gravel stated that the reason for handling matters at the subcommittee level “is to deal with minutiae,” and that “if a meeting of the Committee of the Whole is held for every little budgetary issue that the Council deals with, we would be here 365 days a year, 24-7.” He said that he has a lot of faith in the subcommittees to do their jobs, “who rely on the department heads to report to the committees on their operations and budgets.” “For the Safety Committee to report what they’re doing with the parking meters,” he said, “I’m not in favor of parking meters, but that they are here.”

Continuing, Councillor Gravel said that he “is not in favor at this point because it was already discussed in Safety Committee and would be redundant to hold the Council as a Whole after the Safety Committee already made its decision,” adding “the [Safety] Committee already reports back to the Council following its meetings. “I am under the assumption that if it ain’t broke, don’t fix it,” he added.

Councillor Ronald Cormier expressed support for the motion to refer the Ordinance, noting that there are other elements to be considered, such as the impact that parking has on traffic flow, which would then involve the Traffic Commission. Additionally, he said, parking meters and revenues are within the jurisdiction of the City Treasurer, whose office falls within the purview of the Finance Committee. Before proceeding, certain others need to be included in the discussion, he said.

Councillor James Walsh expressed support for the motion to refer, citing issues raised by Councillors, as well as soliciting input from the other municipal entities.

Continuing, Councillor Walsh queried Councillor Boone, the proponent of the Ordinance, to offer the merits of his proposal and to indicate whether there has been problems with the administration of the parking meter locations, which then prompted the need for the Ordinance change.

In response, Councillor Boone stated that Councillor [Ronald] Cormier “raised a point that sometimes the parking meters are part of Finance and sometimes part of Public Safety and



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Public Welfare and businesses and people. That is part of my argument; that the Council should be voting on it as a whole.”

Councillor Boudreau stated, “This is opening the door to trashing the whole subcommittee system.” He noted that in the Public Service Committee, of which he serves as Chairman, the Committee handles water and sewer abatements, “some of which could be tens of thousands of dollars, which is a large financial burden.” “So,” he said, “if the parking meters cannot be decided at the committee level, then how can such decisions as significant as granting a sewer abatement, [then to] be considered at the committee level. I could go either way – some food for thought.”

Councillor Karen Hardern informed the Council that as a member of the Public Safety Committee, she was one of the two Committee members who voted against the proposed Ordinance. She said that she concurs with Councillor Boudreau’s concerns that other subcommittees make decisions that the entire Council does not, but “You’re diving into something that seems to work,” so, she expressed her opposition to the Ordinance.

On a motion, on show of hands, it was voted seven (7) yeas, President Scott Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Elizabeth Kazinskas, and James Walsh; four (4) nays, Councillors James Boone, Karen Hardern, Christine Johnson, and James Johnson, to refer the Ordinance to the Council as Committee of the Whole for study and report.

REPORTS OF STANDING COMMITTEES

PUBLIC SERVICE COMMITTEE

#10007

Councillor Nathan Boudreau, Chairman of the Public Service Committee, reported that over the past few months, there was confusion over the existence of the Municipal Grounds Commission and “who was being paid for certain duties and [with] the Municipal Grounds Commission claiming that they were not the Municipal Grounds Commission.” He suggested and anyone wanting a more in-depth report of what the Committee did at its meeting, [that] there was a good article in *The Gardner News*.

Continuing, Councillor Boudreau said that the three members of the Public Service Committee decided to not report favorably on #10007, but that it does report favorably on #10008 “because the Committee is under the belief that the issues involving the Municipal Grounds Commission need to be figured out before we can place a subset of the Municipal Grounds Commission under them.” He added that “#10008 will allow the Bandstand Committee, in its current fashion, to continue raising funds.”

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Councillor James Walsh stated that he believes that there has to be some formality to the [Bandstand] organization in order for it to be [legally] protected from its use of the land and acceptance of funds which, he added, “goes hand in hand with #10008.” Concluding, Councillor Walsh stated that “it is worthwhile to get to the bottom of the organizational aspects of the committee and to formalize the group in some manner.”

Councillor James Walsh then moved to refer to the Finance Committee for study and report *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.*

Councillor Ronald Cormier seconded the motion.

On the motion to refer, Councillor Edward Gravel stated that he spoke with the Mayor, who he said gave him the impression that the Municipal Grounds Commission “was never deleted from the Ordinances” and “the Municipal Grounds Commission has to be in effect because the City has a Cemetery Commission.” Continuing, Councillor Gravel said that the Mayor told him that the Cemetery Commission does not get paid but that the Municipal Grounds Commission does, so “the three members on the Cemetery Commission still get a stipend as members of the Municipal Grounds Commission, so they cover both.”

Concluding, Councillor Gravel said the [Bandstand] “is a great program” and that he “has run the program for the last 7 or 8 years, which is an all-volunteer group.” He encouraged the process to be completed soon so that the 2019 season could get underway.

Councillor Nathan Boudreau stated that “nobody is doubting the greatness of the Bandstand program, but when two of the three members of the Commission tell you that they are not the Commission and that they do not want the duties, it is hard to say ‘No, you’re the Commission, and here is the duty.’” Continuing, he stated, “That is not to say we are against the Committee, but that the way we are restructuring the committee may need revamping,” and added, “The Commission hasn’t held a meeting in 6-plus years.

Councillor Boone added that the [Service] Committee came to an understanding that the donations are being deposited by the DPW into a separate account, thus accounted for.

Addressing the Council as Chairman of the Finance Committee, President Graves informed the Council that the Finance Committee is aware that the fees were deposited into a DPW Account, but that these receipts require a designated gift fund. He said that the Executive is the governmental body that appoints members of commissions; that appointees are not appointed for life; and, appointees are not required to remain on the commission if they choose not to.



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On the motion, it was voted vive voce, eleven (11) yeas, 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, to refer to the Finance Committee for study and report *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.*

PUBLIC SERVICE COMMITTEE AND FINANCE COMMITTEE**#10008**

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted vive voce, eleven (11) yeas, 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, to discharge *A Measure Authorizing Acceptance of Donations and Gifts for Use by the Community Bandstand Committee for Musical Concerts and Other Entertainment Events* from the Public Service Committee.

NEW BUSINESS

On a motion by Councillor Edward Gravel and seconded by Councillor Nathan Boudreau, it was voted viva voce, eleven (11) yeas, 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, to consider New Business.

ANNOUNCEMENTS and COMMENTARY

Councillors extended congratulations and best wishes to Deputy Chief of Police James Trifiro and Sergeant Lorin Walter.

Councillor Nathan Boudreau commended the Fire Department for its efforts to contain a structure fire on Greenwood Street on that morning.

Councillor Nathan Boudreau congratulated Mayor Mark Hawke for a successful term as President of the Massachusetts Municipal Association.

Commenting on the effectiveness of the new parking ban during recent snow storms, Councillor Christine Johnson informed the Council that she listens to a scanner and is amazed by the number of calls that are made by the Police Department seeking to locate owners of cars parked on City streets. She said that if people would enroll in the City's CodeRed Alert system (text, cell/home number, and e-mail), then they would be aware that they need to remove their vehicles from the streets and public parking lots, in order for the DPW to do its job efficiently and also would free the Police to handle their other duties.



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Councillor Edward Gravel recognized long-serving officers who were recently promoted in the Police Department, citing their commitment. He also acknowledged the vital role that the Mayor's Executive Secretary, Rachel Stephano, plays in handling Executive Office functions, as well as numerous others. "She is more than just an Executive Secretary," he said.

Councillor Karen Hardern recognized the recent opening of Sanctuary Medicinals on Pearson Boulevard and said that she was lucky to have been invited to tour the facility. She added that "their security is phenomenal" and that security personnel "can focus cameras to look into the gas station across the street."

Summarizing the recent presentation and subsequent articles written concerning plans for a new elementary school, Councillor James Walsh said that October 2019 is the date established by the [project] Timeline for termination of the City's input for funding its portion of the project which, he added, is "from \$35 million to \$40 million," and "not subject to [State] reimbursement."

Continuing, Councillor Walsh said, "What I haven't heard is how the [School Building] Committee, or the Mayor, or the School Committee proposes that the City's share be funded, or what the sources of funding would be." He questioned whether [through] borrowing, as the City authorized for the Middle School following defeat of an override vote; or whether a portion would be funded through an override. Concluding, Councillor Walsh expressed eagerness to hear from the Mayor and the Committee as to how the "huge project" would be funded, especially soon since the Committee is looking at October for a decision to be made.

President Graves reminded Councillors that the Open House for recently-retired Chief of Police Neil Erickson is scheduled for February 10 and added that the City is fortunate that former Chief Erickson is available to the Department, as he has a wealth of knowledge and experience that the new Chief of Police may draw upon.

CLOSING PRAYER

President Graves led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Edward Gravel and seconded by Councillor James Johnson, it was voted viva voce, eleven (11) yeas, 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, to adjourn at 8:17 p.m.

Accepted by the City Council: *February 4, 2019*