

**REGULAR MEETING OF FEBRUARY 22, 2022**

Regular Meeting of the City Council was held remotely on Tuesday evening, February 22, 2022.

CALL TO ORDER

Council President Elizabeth Kazinskas called the meeting to order at 7:30 o'clock p.m.

CALL OF THE ROLL

City Clerk Titi Siriphan called the Roll of Members. Ten (10) Councillors were present including Councillor James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, George Tyros, and James Walsh. Councillor Judy Mack were absent.

OPENING PRAYER

President Kazinskas led the Council in reciting the Opening Prayer.

PLEDGE OF ALLEGIANCE

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

OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT

President Kazinskas announced to the assembly that the Open Meeting Recording and Public Records Announcement. Any person may make a video or audio recording of an open session of a meeting or may transmit the meeting through any medium subject to reasonable requirements of the chair as to the number placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

READING & ACCEPTANCE OF MINUTES

On a motion made by Councillor James Walsh and seconded by Councillor Craig Cormier, it was voted viva voce, nine (9) yeas, President Kazinskas and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh to waive the reading and accept the minutes as printed of the January 3, 2022, Joint Convention – Administration of the Oath of Office, January 6, 2022 and January 18, 2022 Regular Meeting. Councillor Ronald Cormier abstained from the

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January 18, 2022 Meeting Minutes vote. He was not present. Councillor James Boone abstained for all meeting in January. He was not present for those meetings.

COMMUNICATIONS FROM THE MAYOR
ORDERS

#10612

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that #13009 from Free Cash to Police Department New Vehicle Account. The United States Department of the Treasury issued the Final Rule regarding the eligible uses for funded provided in the American Rescue Plan Act. It allowed uses of these funds to purchase emergency vehicles. In doing so, this would free up Free Cash that was appropriated for other uses by the City.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER RESCINDING ORDER No. 13009 APPROPRIATING A SUM OF MONEY FROM FREE CASH TO THE POLICE DEPARTMENT NEW VEHICLES ACCOUNT.

ORDERED: To rescind the vote taken on November 15, 2021, under Calendar Item #10561, ordering that the City of Gardner appropriates the sum of ONE HUNDRED TWENTY-ONE THOUSAND NINE HUNDRED FIVE DOLLARS (\$121,905.00) from Free Cash to Police Department New Vehicles Account.

#10613

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that there have been several issues with the Victorian trash cans that are spread throughout the downtown area. The barrels have no top, water getting into the barrels and weighing them down, difficult for crews to empty and animals getting into them. The new trash receptacles will alleviate these concerns.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas;

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Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM SOLID WASTE SURPLUS TO OPERATING EXPENSES.

ORDERED: That there be and is hereby appropriated the sum of Fifteen Thousand Dollars and 0/100 (\$15,000.00) from Solid Waste Surplus to Operating Expenses.

#10614

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that this appropriation is to conduct the final design procedures that have been deemed necessary by the Commonwealth for the project. This is a match grant received from the Massachusetts Department of Energy and Environmental Affairs Small Bridge and Culvert Replacement Grant Program.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO KEYES ROAD CULVERT REPLACEMENT PROJECT ACCOUNT

ORDERED: That there be and is hereby appropriated the sum of Nine Thousand Eight Hundred Dollars and No Cents (\$9,800.00) from Free Cash to the Keyes Road Culvert Replacement Project Account.

#10615

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the City's existing subdivision regulations were last updated in 2006. Best practice is to have these regulations updated every ten (10) years in order to make sure that existing regulations are in compliance with current state law. This appropriation request is to hire a consultant firm to work with Director Beauregard on updating our regulations that are overdue.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas;

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Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO SUBDIVISION REGULATION UPDATE PROJECT ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) from Free Cash to the Subdivision Regulation Update Project Account.

#10616

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that this appropriation is the City's matching portion of the Mass Trail Grant. This project prepares the design, engineering, and permitting of a proposed 2.1 mile long, 12' wide paved shared-use path connecting downtown Gardner to Winchendon's center

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO MASS TRAIL GRANT MATCH ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Forty Thousand Dollars and No Cents (\$40,000.00) from Free Cash to the Mass Trail Grant Match Account.

#10617

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the City Council voted to approve a transfer request of \$15,000.00 from the City's Termination Leave Account to the Scott Graves v. City of Gardner Lawsuit Account, since the City did not have certified free cash at the time to cover the expenses. This appropriation is to reimburse the Termination Leave account for the money that was transferred out of it.

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On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE UNCLASSIFIED TERMINATION LEAVE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) from Free Cash to the Unclassified Termination Leave Account.

#10618

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that at the August 2, 2021 meeting of the Gardner City Council, the Council voted to transfer the sum of \$15,000.00 for the City to defend itself in court. Those funds are now fully expended. This appropriation is to help cover the cost of the outstanding bills received to cover the cost of our representation moving forward. At this point, the state has been served as of October 2021 and they will be part of bearing the costs.

Councillor James Boone said that former Councillor Graves offered to drop the lawsuit if the requested documents were provided. He wanted the public to know that this is what this lawsuit is about. He said "This particular question in place involves the coils that have been damaged by questionably city water and a lot of residents have experienced this problem but yet there's been zero information as to why that happened. You guys represent the citizens and why doesn't anybody question why we don't have answers as to why these coils happen. I own buildings that have had this happen and talked to plumbers, talked to Wheelen Supply, which is no longer in business, I talked to the different plumbing supply houses, they refuse to actually give coils to people because they know there was a problem. Former Councillor Graves is just asking for the information for the people for the people of Gardner Massachusetts. With that said I know the city needs to defend itself against allegations but secondly, I don't understand why we are paying an outside counsel to have to defend this and it's surprising to me that you guys don't agree. You're representing the citizens of Gardner, Massachusetts."

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On a motion made by Councillor James Boone, seconded by Councillor Karen Hardern, to request written documentation from the City Solicitor as to why there is a conflict of interest for the City Solicitor to represent the City of Gardner in this lawsuit and use outside counsel.

It was voted on call of the roll, four (4) yeas, Councillors James Boone, Nathan Boudreau, Karen Hardern, and Dana Heath; six (6) nays, President Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, George Tyros, and James Walsh. This motion was defeated.

Councillor James Walsh spoke in opposition of this motion. He stated that this matter was addressed and discussed when the \$15,000.00 appropriation was first passed last fall and he thinks it was adequately discussed to his satisfaction. The lawsuit names the City Solicitor as a party defendant.

Councillor George also spoke in opposition of the motion and supports Councillor James Walsh's reason. He would like to point out that we have packets full of information that are delivered before each meeting because it is our responsibility to make informed decisions sitting in these seats. He wanted to clear up any confusion that we are not voting on just numbers. There are real descriptions included.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, six (6) yeas, President Elizabeth Kazinskas, Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, George Tyros, and James Walsh; four (4) nays, Councillors James Boone, Nathan Boudreau, Karen Hardern, and Dana Heath; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE S. GRAVES V
CITY ET AL LAWSUIT ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Five
Thousand Dollars and No Cents (\$5,000.00) from Free Cash to the S. Graves et
al Lawsuit Account.

#10619

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that that a few members of the City Council requested that the Administration look into an audit of the operations of the City's ambulance services since it had been five (5) years since initial

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creation. Councillor Ronald Cormier was one of the Councillors who requested this audit and was happy to see the work and effort Chief Lagoy presented to the Committee.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE AUDITING PROFESSIONAL SERVICES ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Nine Thousand Dollars and No Cents (\$9,000.00) from Free Cash to the Auditing Professional Services Account.

#10620

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that this order is for the School Department Athletic Field Improvement Account. The Committee requested that this item be referred back to the Finance Committee for further study and report.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order be referred back to Finance Committee for further study and report:

AN ORDER APPROPRIATING FROM FREE CASH TO SCHOOL ATHLETIC FIELD IMPROVEMENTS ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Twenty-One Thousand Nine Hundred Five Dollars and No Cents (\$121,905.00) from Free Cash to the School Athletic Field Improvements Account.

Councillor James Walsh does support the appropriation but would like to see the sources of the full funding will be coming from and what grants are being used.

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#10621

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that the Building Department currently uses a 2006 Ford Escape vehicle when traveling to different locations for inspectional services. The vehicle has come into disrepair and the foreman mechanic stated that the price of the repairs would be over the valuation of the vehicle. It will most likely not pass state inspection.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO THE BUILDING INSPECTOR. – NEW VEHICLE EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Forty Thousand Dollars and No Cents (\$40,000.00) from Free Cash to the Building Inspector New Vehicle Expense Account.

COMMUNICATIONS FROM THE MAYOR
ORDINANCES

#10622

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Ordinance be referred to the Finance Committee for further study and report:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, SECTION 44 OF CHAPTER 171, ENTITLED "COMPENSATION IN LIEU OF PAID HOLIDAYS"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER THAT:

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SECTION 1: Section 44(A) of Chapter 171 of the Code of the City of Gardner, entitled “Compensation in Lieu of Paid Holidays: Police Department,” be amended by deleting the words “Civilian Systems Manager,” from the provisions of this section.

SECTION 2: Section 44(A) of Chapter 171 of the Code of the City of Gardner, entitled “Compensation in Lieu of Paid Holidays: Police Department,” be amended by deleting the word “Captain” from the provisions of this section.

SECTION 3: Section 44(B) of Chapter 171 of the Code of the City of Gardner, entitled “Compensation in Lieu of Paid Holidays: Fire Department,” be amended by deleting the words “Fire Alarm Superintendent” from the provisions of this section.

SECTION 4: This ordinance shall take effect upon passage and publication as required by law.

#10623

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Ordinance be referred to the Public Safety Committee for further study and report, *An Ordinance to Amend the Code of The City of Gardner by Deleting Chapter 357, Entitled “Vacant and Abandoned Buildings,” and Chapter 493, Entitled “Nuisances,” and Adding a New Chapter 500 to be Entitled, “Blighted, Nuisance, Vacant, and Abandoned Properties,” Which Chapter Provides for Public Safety Measures for Blighted, Nuisance, Vacant, and Abandoned Properties, Prohibitions, and Penalties for Violation of the Chapter.*

#10624

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Ordinance be referred to the Public Safety Committee for further study and report, *An Ordinance to Amend the Code of the City of Gardner by adding a New Chapter 501 to be Entitled “Outdoor Restaurant Seating and Services,” Which Chapter Provides for Definition of Outdoor Dining Services, Licensing Procedures, and Hours of Operations.*

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#10625

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Ordinance be referred to the Public Safety Committee for further study and report, *An Ordinance to Amend Chapter 312 of the Code of the City of Gardner, Entitled "Animals."*

#10626

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; that the following Ordinance be referred to the Public Safety Committee for further study and report, *An Ordinance to Amend the Code of the City of Gardner by Deleting Chapter 318, Entitled Arcades*

COMMUNICATIONS FROM THE MAYOR
COMMUNICATIONS

#10627

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the City took ownership of the property located at 177 West Street through the tax title process. The building was in danger of collapsing.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh that the following Measure ought to pass:

DECLARING SURPLUS FOR PURPOSE OF DISPOSAL OF
LAND AND BUILDINGS AT 177 WEST STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 177 West Street, further identified on the City of Gardner Assessor's Map as M27-00023-00023, to establish as a minimum amount of \$43,200 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 larger

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amount, and upon such other terms as the Mayor shall consider proper in accordance with this Vote.

#10628

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that in November of 2021 the City took ownership of the property located at 20 Rock Street through the tax title process. It was an old factory that was in a very dangerous situation. This property was taken down using CDBG Block Grant funds, so it wasn't directly funded by the city.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Karen Hardern, George Tyros, and James Walsh that the following Measure ought to pass:

DECLARING SURPLUS FOR PURPOSE OF DISPOSAL OF
LAND AND BUILDINGS AT 20 ROCK STREET

VOTED: To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 20 Rock Street, further identified on the City of Gardner Assessor's Map as M22-00001-00021, to establish as a minimum amount of \$49,200 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.

#10629

On a motion made by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted on viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, Karen Hardern, George Tyros, and James Walsh that the following Communication be placed on file, *American Rescue Plan Act ("ARPA") Funding Memo*.

Councillor James Walsh would like to commend the Mayor for providing this information and breakdown of the funding received as well as the expenditures to date. He looks forward to seeing updates as time goes by.

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#10630

On a motion made by Councillor Craig Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted on viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh that the following Communication be placed on file, *A Communication from the Mayor regarding Fee Comparisons*.

Councillor James Boone would like to apologize to the Mayor and Councillor Judy Mack that the numbers were there before and after. He must have missed them scrolling through.

REPORTS OF STANDING COMMITTEES**PUBLIC SAFETY****#10609**

Reporting for the Public Safety Committee Councillor Craig Cormier informed the Council that this application had no issues with the Police Department, Building Commissioner or the City Clerk's Office.

On a motion made by Councillor Craig Cormier and seconded by Councillor James Boone, it was voted viva voce, ten (10) yeas, President Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to Grant a License *by The Witches Wardrobe, for a License to Deal in Second Hand Articles located at 314 Central Street*.

#10610

Reporting for the Public Safety Committee Councillor Craig Cormier informed the Council that this application had no issues with the Police Department, Building Commissioner or the City Clerk's Office. He also said that this will be the City's first fortune teller's license issued.

On a motion made by Councillor Craig Cormier and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros and James Walsh to Grant a License *by The Witches Wardrobe, for a Fortune Teller License located at 314 Central Street*.



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COUNCIL AS COMMITTEE OF THE WHOLE

#10602

President Elizabeth Kazinskas informed the Council that there will be an informal meeting in March regarding this ordinance. More time was granted

An Ordinance to Amend the Code of the City of Gardner, Section 8, Chapter 390, Entitled "Fire Department Fee Schedule."

#10603

President Elizabeth Kazinskas informed the Council that there will be an informal meeting in March regarding this ordinance. More time was granted

An Ordinance to Amend Sections of the Code of the City of Gardner, Chapter 390, Entitled "Fees."

UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

#10604

Reporting from the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that this ordinance will assist in helping to keep the downtown area accessible and safe for the public following winter weather events.

On a motion made by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Dana Heath, George Tyros, and James Walsh that the following Ordinance be sent to be approved and sent to final printing:

AN ORIDANCE TO AMEND CHAPTER 567 OF THE CODE OF THE CITY OF GARDNER, ENTITLED STREETS AND SIDEWALKS

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



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SECTION 1: Section 31(C) of Chapter 567 of the Code of the City of Gardner, entitled Enforcement; Violations and Penalties, be amended by striking out items (1) and (2) out of said section of the Code and inserting in place thereof the following:

- (1) First Offense: \$100
- (2) Second Offense: \$200
- (3) Third and subsequent offenses: \$300

SECTION 2: Section 31(e) of Chapter 567 of the Code of the City of Gardner, entitled Enforcement; Violations and Penalties, be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

E. Any violation of §567-30 shall result in a fine of \$300

SECTION 3: This ordinance shall become effective upon passage and publication as required by law.

NEW BUSINESS

Councillor Dana Heath would like to recognize the passing of a student of his, Kyle Berger whom he has known and reached out to. He expresses his condolences to the family.

Councillor Nathan Boudreau would also like to recognize the passing of Mike Crowley, a former Gardner High English teacher.

CLOSING PRAYER

President Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Craig Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh to adjourn at 8:17 p.m.

Accepted by the City Council: *April 19, 2022*