



# CITY OF GARDNER MASSACHUSETTS

ALAN L. AGNELLI  
CITY CLERK

## 2019 ANNUAL REPORT OF THE CITY CLERK

To the Honorable Mayor Mark P. Hawke and Honorable City Councillors:

I am pleased to submit the 2019 Annual Report of the City Clerk.

The City Clerk was capably supported by Assistant City Clerk John Olivari and Assistant City Clerk Faith Glover.

The function of the City Clerk is to not only administer vital records and provide the public and municipal officers with a host of essential services, but to provide administrative support to the City Council, its standing committees, and to the Board of Registrars of Voters.

The Clerk's Office wishes to acknowledge the invaluable support of the Mayor, the City Council, the Board of Registrars of Voters – Registrar Patricia Darby, Registrar Darlene Morrilly, Registrar Mario Guay, Assistant Registrar Calvin Brooks and Assistant Registrar Neil Janssens – and the many dedicated Election Officers who efficiently administer the voting process at the City's ten polling precincts.

In summary, the entire team contributed to a very productive year for all three divisions; and fittingly, I express my grateful appreciation.

Respectfully,

City Clerk

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### VITAL RECORDS

The process of creating, registering, reporting, issuing, amending and maintaining vital records forms an important part of the City Clerk's responsibilities.

#### BIRTHS

In 2019, the City Clerk's Office recorded 487 births. Of these, 126 babies were born in Gardner to residents of Gardner; 98 babies were born elsewhere in Massachusetts to Gardner residents; and, 263 babies were born in Gardner to non-Gardner residents. In addition, 3,632 certified birth certificates were issued, representing an increase of 308 over 2018, or 9%.

#### DEATHS

In 2019, the City Clerk's Office recorded 342 deaths. Of these, 151 were Gardner residents who died in Gardner; 60 were Gardner residents who died elsewhere in Massachusetts; and, 131 were non-residents who died in Gardner. In addition, 1,594 certified death certificates were issued.

#### MARRIAGES

In 2019, Marriage Intentions were filed by 130 couples and 118 Marriage Licenses were recorded. Of these, 39 couples residing in Gardner were married in Gardner; 51 couples residing in Gardner were married elsewhere in Massachusetts; and, 28 couples not residing in Gardner were married in Gardner. In addition, 659 certified marriage certificates were issued, an increase of 183 over 2018, or 38%.

### CITY COUNCIL

Elected by the City Council, the City Clerk also serves as Clerk of the Council. In this capacity, the City Clerk provided information and research assistance to enable the City Council to fulfill its legislative responsibilities. The Clerk prepared and distributed the Council Calendar for each meeting, attended and transcribed the proceedings of 22 Regular meetings, 6 Informal meetings, 3 Special meetings, 4 Public Hearings; and, 23 Finance Committee meetings. Assistant City Clerks John Olivari and Faith Glover provided meeting transcription support to the Public Safety and Public Welfare Committees, while Ms. Denise Merriam, Administrative Assistant to the Director of Public Works, provided transcription services to the Public Service Committee.

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ELECTIONS

As Chief Election Official, the City Clerk is responsible for directing all elections conducted in the City of Gardner. The City Clerk contracts for polling facilities; supervises the arrangement of each polling site for election day; oversees the printing of municipal election ballots; tests voting equipment; procures election supplies; and, certifies election results.

In 2019, the City’s voters cast their ballots at the following polling sites:

- WARD 1, PRECINCTS A & B..... Elk’s Home, 31 Park Street
- WARD 2, PRECINCTS A & B..... Levi Heywood Memorial Library, 55 W. Lynde Street
- WARD 3, PRECINCT A ..... Acadien Social Club, 193 Parker Street
- WARD 3, PRECINCT B ..... High Rise Community Room, 104 Church Street
- WARD 4, PRECINCTS A & B ..... Gardner Police Headquarters, 200 Main Street
- WARD 5, PRECINCTS A & B ..... Knights of Columbus, 110 South Main Street

In 2019, the City Clerk’s Office certified the signatures of 1,503 registered voters on the nomination papers of 25 candidates for municipal offices.

In 2019, the City Clerk supervised the October 8, 2019 City Preliminary and the November 5, 2019 City Election. In addition to planning and supervising elections, the City Clerk provides year-round election and voter information to media, political parties, candidates, and residents.

The City Clerk’s Office disseminated voter lists and voter history data to candidates, political parties and others, and provided candidates and political party organizations with campaign finance reporting materials. The Clerk administered all Office of Campaign and Political Finance filings for candidates for the City Council and School Committee.

The Clerk’s responsibilities also include hiring, training and supervising poll officials comprising Wardens, Clerks, and Inspectors for ten voting precincts. Election day typically begins as early as 5:00 a.m. for many poll workers and may end late into the evening; accordingly, the City is extremely grateful to them for their tireless dedication and commitment to the fair and impartial administration of our elections.

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### VOTER REGISTRATION

The City Clerk's Office serves as the administrative office for the Board of Registrars of Voters to assist them in meeting their responsibilities to register new voters and to maintain the resident, voter, and street list. The City Clerk serves as a full voting member and Clerk of the Board of Registrars of Voters, overseeing the day-to-day registration of voters.

In 2019, the Clerk's Office processed voter registration transactions affecting 4,495 voters. Voter registration transactions included registering new voters, changes of address, names, party affiliations, voter status, and voter history. The Commonwealth provides numerous options for citizens to register to vote, including registering to vote in person at the City Clerk's Office, by mail, at the Registry of Motor Vehicles, at various State agencies, or online through the Secretary of the Commonwealth's website.

### ANNUAL STREET LISTING

Massachusetts General Law and Federal laws require each city and town to gather certain information and maintain certain lists. This includes street listings, numbered resident files, the annual register, and voter lists. The street listing process is the foundation for the State's compliance with the *National Voter Registration Act of 1993* (NVRA). The NVRA requires states to conduct a "general program" which makes a reasonable effort to remove ineligible voters from the lists of registered voters. 42 U.S.C. 1973gg *et seq.*

Massachusetts General Law requires that cities and towns conduct an annual census of its residents as of January 1 of each year.

The Street List is the primary tool used by all municipalities to:

- ✓ Respond to requests for information from the Jury Commissioner. The information is used to establish the annual Prospective Juror List.
- ✓ Make changes to address information and inactive voters and thereafter delete such voters.
- ✓ Aid in school enrollment projections and notify parents or guardians of educational requirements for children under age 16.
- ✓ Provide data to officials in order to assess public safety and senior citizens' needs and for certain privileges such as veterans' benefits (e.g. Welcome Home Bonus) and proof of residency for colleges and universities.
- ✓ The census information does not register anyone to vote, but failure to answer the census may result in a voter's name being removed from the voter's list.

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In 2019, the City Clerk's Office mailed over 10,835 street list forms to heads of households or current residents. One product of the Street Listing process is the publication of the Annual Street List, which is available for purchase in the Clerk's Office or free from the City's website.

In June, in compliance with the *National Voter Registration Act of 1993* ("NVRA") and State Law, 2,869 Voter Confirmation Notices were mailed to registered voters whose status was changed to "inactive" due to the failure of the "Head of Household" to return the 2019 Annual Street List form. Voters were requested to return the Confirmation card to verify their address for voting purposes.

### LICENSING AND PERMITTING

In 2019, the City Clerk's Office issued 24 Bazaar and Raffle Permits; 68 Business Certificates (new and renewal); 2,079 Dog Licenses; and, 17 Flammable & Explosive Storage Annual Registrations.

As City Council administrator, the Clerk received and processed license applications for 2 bowling alleys; 22 new and used motor vehicle dealers (Classes 1 and 2); 2 motor vehicle junkyard (Class 3); 5 second-hand article dealers and 7 public utility orders (National Grid and Verizon).

The City Clerk serves as the City's Administrator for the Department of Revenue's Annual License Information filing. Annually, the City furnishes DOR with a report of all licenses issued or renewed by the City during the preceding calendar year. All licenses issued by the City Council, the Chief of Police, License Commission, and Board of Health are filed by the City Clerk.

### PUBLIC MEETINGS

The City Clerk's Office receives and posts all public hearing and meeting notices from municipal, education, and regional government agencies on the official "notice board," as well as on the City's website. In 2019, the City Clerk's Office processed 347 public meeting notices.

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### PUBLIC OFFICIAL

The City Clerk, as Clerk of the City of Gardner, a Municipal Corporation, is charged with custody and maintenance of the Charter of the City of Gardner, the Code of the City of Gardner, and the City Seal.

In 2019, the sixth annual supplement of the Code of the City of Gardner was introduced, integrating every Ordinance adopted by the City Council during the period July 1, 2018 through June 30, 2019. Incorporated into the Code were Ordinance Nos. 1613 through 1621. The Code is available for viewing on the City's web site and the Official Version is maintained in the City Clerk's Office.

The City Clerk, as Keeper of the City Seal, certifies hundreds of official documents, including Appointments, Easements, Land Takings, Loan Orders, Resolutions, and other acts by the City Council or the Mayor.

The City Clerk received all *Certificates of Appointment* from the Mayor for presentment to the City Council and are recorded and indexed.

The City Clerk and Assistant City Clerks administer oaths of office to officials upon election or appointment, including the Mayor, City Councillors, School Committee members, department heads, members of boards and committees, as well as Police Officers and Constables. The Office maintains permanent records of these actions.

The City Clerk and Assistant City Clerks are commissioned Notaries Public who provide notarial services for official City purposes and to the general public. In 2019, the Clerk's Office staff notarized documents for 405 persons, 122 of which were non-Gardner residents.

City Clerk Alan Agnelli and Assistant City Clerks John Olivari and Faith Glover are commissioned *Commissioners to Qualify Public Officers*. The Commissioners administer oaths of office that are required by the Massachusetts Constitution to public officers appointed by the Governor. Upon administering oaths, the Commissioners make returns to the Secretary of the Commonwealth. In 2019, the Commissioners administered oaths to 47 persons appointed as Notaries Public; 2 persons appointed as Justices of the Peace; and, one person appointed by the Commonwealth to a State Board.

The City Clerk serves as the City's System Administrator for the Department of Revenue's Division of Local Services Gateway Portal.

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**Filings, Recordings & Registrations**

Under State Law, the City Clerk is responsible for filing, recording, and registering the following:

Architect Certificate of Registration (if suspended/revoked/annulled (c.112,§60H))	Recording
Assignment for Benefit of Creditors (c.203, §41)	Recording
Assignment of Wages (c.154, §§1,2,3,5,6)	Recording
Beverage Vessel "Registered Brand" Registration (c.110,§17)	Registration
Blasting Bond (c.148, §19)	Filing
Campaign Finance Reports for Local Candidates & Local Ballot Questions (c.55, §24)	Filing
Certificate of Need by Department Head, Special Municipal Employ. (c.268A, §§17,18)	Filing
Claims and Actions Against the City (c.223, §37)	Filing
Claims for Injury Due to Defects in Public Ways (c.84, §§15,18,19,20)	Filing
Conflict of Interest Disclosure Statement (c.268A)	Filing
Conflict of Interest Legal Opinions Rendered for Public employees/officials (c.268A)	Filing
Constable Bond (c. 41, §§ 92, 93)	Filing
Corporate Merger Articles of Amendment (c.156, §46A)	Filing
Dairy Product Cans (Milk/Cream) "Registered Brand" Registration (c.110,§21)	Registration
Declaration of Trust (c.182, §2)	Filing
Electrologist License (c.112,§87HHH)	Recording
Financial Interest Disclosure Statement (c.268A, §§19,20,24)	Filing
Fireworks Bond (c.148, §42)	Filing
Flammables & Explosives Storage (AST/UST) Registrations (c.148,§13)	Registration
Garments/Linens Laundered for Rent/Lease Under "Registered Brand" (c.110,§25a)	Registration
Homestead Declarations for Manufactured Homes only (c.188, §2)	Recording
Legal Counsel Opinions Relating to Conduct of Public Officials and Employees (c.268A).	Filing
Local Boards of Conciliation Decisions (Labor Disputes) (c.150, §5)	Filing
Notice of Suspension of Official/Employee for Misconduct in Office (c.268A,§25)	Filing
Optometrist Certificate of Registration (c.112,§§70,71)	Recording
Physician Certificate of Registration (c.112,§8)	Recording
Planning Board Decisions (c.41,§81U)	Filing
Podiatrist Certificate of Registration (c.112,§21)	Recording
Political Committee Organization (c.52, §§2,4,5,6)	Filing
Pond Measurement Determination by DEP (c.131, §46)	Recording
Public Meeting Notices (c.39, §23B)	Filing
Public Official Bonds (c.41, §§13A,46; c.60,§13)	Filing
Public Official Resignations (c.41, §109)	Filing
Shooting Gallery Bond (c.140, §56A)	Filing
Stallion for Breeding Purposes Certificate of Registration (c.140, §176)	Filing
Wildlife Sanctuary, Div. of Fisheries & Wildlife Order of Establishment (c.131,§9)	Filing
Zoning Board of Appeals Decisions (c.40A)	Filing

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<b>QTY</b>	<b>2019 CITY CLERK DEPARTMENTAL RECEIPTS</b>	<b>TOTAL</b>
9	Approval Not Required (“ANR”) Filing (Subdivision)	1,725.00
3,632	Birth Certificates, certified	36,320.00
5	Book – “Gardner: A Portrait of Its Past”	50.00
2	Bowling Alley Licenses	600.00
67	Business Certificates (new and renewal)	2,680.00
1	Business Certificate (change)	10.00
5	Dealers in Second Hand Articles Licenses (“Junk Dealers”)	500.00
1,594	Death Certificates, certified	15,940.00
2,079	Dog Licenses	23,765.00
304	Dog Licenses Late Fees	3,040.00
1	Fortune Teller License	15.00
1	Going-out-of Business Permit	58.00
587	Mailing Fees (Vital record online orders)	587.00
659	Marriage Certificates, certified	6,590.00
130	Marriage Intentions Filed	3,250.00
13	Miscellaneous (photocopies, non-certified vital records)	171.00
24	Motor Vehicle Dealer & Junkyard Licenses, Classes 1, 2, 3	4,800.00
17	Petroleum Storage Annual Registration Fees	250.00
24	Raffle & Bazaar Permits	480.00
8	Site Plan Review	12,004.75
3	Special Permits (ZBA)	3,599.20
35	Street Lists	525.00
7	Utility Pole Location Hearing & Recording Fees	527.84
20	Vital Record Corrections (Births, Deaths, Marriages)	495.00
5	Zoning Variance Application Fees	2,325.00
	<b>TOTAL</b>	<b>120,307.79</b>