



City of Gardner, Massachusetts
Office of the City Council

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CALENDAR FOR THE MEETING

of

TUESDAY, APRIL 19, 2022  
CITY COUNCIL CHAMBER  
7:30 P.M.

ORDER OF BUSINESS

**I. CALL TO ORDER**

**II. CALL OF THE ROLL OF COUNCILLORS**

**III. OPENING PRAYER**

**IV. PLEDGE OF ALLEGIANCE**

**V. ANNOUNCEMENT OF OPEN MEETING RECORDINGS**

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 and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.

**VI. READING OF MINUTES OF PRIOR MEETING(S)**

- February 22, 2022 Regular Meeting
- March 7, 2022 Informal Meeting

**VII. PUBLIC HEARINGS**

**VIII. COMMUNICATIONS FROM THE MAYOR**

COMMUNICATIONS

**10654** – A Notification of Fire Department Appointments. (*Appointments Committee*)

**10657** – An Appointment Notification of Promotion at the Gardner Fire Department.  
(*Appointments Committee*)

**10658** – A Measure Relative to a Disclosure by a Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c. 268A, §20(d). (*Finance Committee*)

## **COMMUNICATIONS, continued**

- 10663** – A Measure Authorizing the City to Enter in Contract not-to-exceed 5 years for the following vendor(s) (*Finance Committee*)
- On-Call Tradesperson Contracts (Installation, Repair, and Maintenance) for HVAC, Electrical Services, Plumbing Services, and/or General Contracting
  - School Custodial Services
  - General Office and Janitorial Supplies

## **ORDERS**

- 10659** – A Measure Authorizing \$9,225.75 Payment of Prior Year Golf Maintenance Salary Expenditure. (*Finance Committee*)
- 10660** – An Order Appropriating \$10,000.00 from Solid Waste Surplus to Operating Expenses. (*Finance Committee*)
- 10661** – An Order Appropriating \$75,000.00 from Free Cash to Landfill Closure Expenditures. (*Finance Committee*)
- 10662** – An Order Authorizing the City to Borrow \$1,800,000.00 to Complete Paving Costs Project. (*Finance Committee*)

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

- 10655** – A petition by National Grid and Verizon New England Inc., Matthews Street - to install 2 Jointly Owned Poles on Matthews Street beginning at a point approximately 3,700 feet in a south direction. Install 2 Poles underneath transmission crossing. (*Public Service; Public Hearing Required*)
- 10656** – A petition by National Grid, Matthews Street – to install 5 Single Owned Poles on Matthews Street beginning at a point approximately 1400 feet west of the centerline of the intersection of Route 140 and continuing approximately 20 feet in a north direction. Install 5 poles to extend line for a new service. (*Public Service; Public Hearing Required*)

## **X. REPORTS OF STANDING COMMITTEES**

### **APPOINTMENTS COMMITTEE**

- 10632** – A Measure Confirming the Mayor’s Appointment of Philip Morrissey to the position of Airport Commission Member, for term expiring March 4, 2025. (*In the City Council and Referred to Appointments Committee 3/21/2022; More Time 4/4/2022*)

## **APPOINTMENT COMMITTEE, continued**

- 10633** – A Measure Confirming the Mayor’s Appointment of James Morrissey to the position of Airport Commission Member, for term expiring March 4, 2025. *(In the City Council and Referred to Appointments Committee 3/21/2022; More Time 4/4/2022)*
- 10634** – A Measure Confirming the Mayor’s Appointment of John Lavoie to the position of Airport Commission Member, for term expiring March 4, 2025. *(In the City Council and Referred to Appointments Committee 3/21/2022; More Time 4/4/2022)*
- 10635** – A Measure Confirming the Mayor’s Appointment of Andre Guertin to the position of Airport Commission Member, for term expiring March 3, 2025. *(In the City Council and Referred to Appointments Committee 3/21/2022; More Time 4/4/2022)*
- 10636** – A Measure Confirming the Mayor’s Appointment of Stephen Hirons to the position of Sealer of Weights and Measures, for term expiring March 23, 2023. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10637** – A Measure Confirming the Mayor’s Appointment of Ronald G. Darmetka to the position of Council on Aging Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10638** – A Measure Confirming the Mayor’s Appointment of David Orwig to the position of Conservation Commission Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10639** – A Measure Confirming the Mayor’s Appointment of Aleksander Dernalowicz to the position of Golf Commission Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10640** – A Measure Confirming the Mayor’s Appointment of David Noyes to the position of Golf Commission Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10641** – A Measure Confirming the Mayor’s Appointment of Jeffrey Gallant to the position of Golf Commission Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*

## **APPOINTMENT COMMITTEE, continued**

- 10642** – A Measure Confirming the Mayor’s Appointment of Michael Budwick to the position of Golf Commission Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10643** – A Measure Confirming the Mayor’s Appointment of Tina Sbrega to the position of Williams-Rockwell Educational Gift Fund Trustee, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10644** – A Measure Confirming the Mayor’s Appointment of Mark Monahan to the position of Bandstand Committee Member, for term expiring March 22, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10645** – A Measure Confirming the Mayor’s Appointment of George Ouellet to the position of Housing Authority Member, for term expiring March 22, 2027. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10646** – A Measure Confirming the Mayor’s Appointment of Stephen Hancock to the position of Housing Authority Member, for term expiring March 22, 2027. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10647** – A Measure Confirming the Mayor’s Appointment of Mario Guay to the position of Board of Registrars Member, for term expiring March 24, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10648** – A Measure Confirming the Mayor’s Appointment of Brian LaRoche to the position of Cemetery Commission Member, for term expiring March 29, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10649** – A Measure Confirming the Mayor’s Appointment of Denise Merriam to the position of Cemetery Commission Member, for term expiring March 30, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10650** – A Measure Confirming the Mayor’s Appointment of John Awdycki to the position of Cemetery Commission Member, for term expiring March 30, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*
- 10651** – A Measure Confirming the Mayor’s Appointment of Brian LaRoche to the position of Municipal Grounds Commission, for term expiring March 29, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*

## **APPOINTMENT COMMITTEE, continued**

**10652** – A Measure Confirming the Mayor’s Appointment of John Awdycki to the position of Municipal Grounds Commission, for term expiring March 30, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*

**10653** – A Measure Confirming the Mayor’s Appointment of Denise Merriam to the position of Municipal Grounds Commission, for term expiring March 30, 2025. *(In the City Council and Referred to Appointments Committee 4/4/2022)*

### **XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**

### **XII. NEW BUSINESS**

### **XIII. EXECUTIVE SESSION**

MGL C.30A, §22(f) – Review and Approval of the minutes of August 2, 2021 Executive Session **(NOT TO BE RELEASED)**.

*Exemption #3 To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (MGL c.30A, §21(3))*

- a. Scott Graves v. City of Gardner
- b. Zhong v. City of Gardner
- c. Lawrence Petricca v. City of Gardner
- d. RA Realty Trust v. City of Gardner

*Exemption #6 To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (MGL c.30A, §21(6)).*

### **XIV. CLOSING PRAYER**

### **XV. ADJOURNMENT**

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Items listed on the Council Calendar are those reasonably anticipated by the Council President to 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.

**REGULAR MEETING OF FEBRUARY 22, 2022**

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

**CALL TO ORDER**

City Clerk Titi Siriphan 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 was 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 on call of the roll, 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

REGULAR MEETING OF FEBRUARY 22, 2022

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from the 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;

REGULAR MEETING OF FEBRUARY 22, 2022

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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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REGULAR MEETING OF FEBRUARY 22, 2022

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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.

REGULAR MEETING OF FEBRUARY 22, 2022

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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."

REGULAR MEETING OF FEBRUARY 22, 2022

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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

REGULAR MEETING OF FEBRUARY 22, 2022

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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.

REGULAR MEETING OF FEBRUARY 22, 2022

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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:

REGULAR MEETING OF FEBRUARY 22, 2022

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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.*

REGULAR MEETING OF FEBRUARY 22, 2022

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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

REGULAR MEETING OF FEBRUARY 22, 2022

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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.

REGULAR MEETING OF FEBRUARY 22, 2022

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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*.



REGULAR MEETING OF FEBRUARY 22, 2022

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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 ORDINANCE 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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**REGULAR MEETING OF FEBRUARY 22, 2022**

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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:**



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**INFORMAL MEETING OF MARCH 7, 2022**

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Informal Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday, March 7, 2022.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 6:30 o'clock p.m.

**ATTENDANCE**

Eleven (11) Councillors were present including President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros and James Walsh.

Others attending were Mayor Michael Nicholson; Fire Chief Greg Lagoy; Building Commissioner Roland Jean.

**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.

President Kazinskas announced that the Informal Meeting was called regarding agenda items:

**10602** – An Ordinance to Amend the Code of the City of Gardner, Section 8, Chapter 390, Entitled “Fire Department Fee Schedule.” (*In City Council and referred to Committee of the Whole 2/7/2022; More Time 2/22/2022*)

**10603** – An Ordinance to Amend Sections of the Code of the City of Gardner, Chapter 390, Entitled “Fees.” (*In City Council and referred to Committee of the Whole 2/7/2022; More Time 2/22/2022*)

These items were posted publicly in the Finance Committee packet and City Council Regular Meeting packet one month ago on February 7, 2022 where the City council voted to meet as a Committee of the Whole on these items, which is our purpose for meeting this evening. City

INFORMAL MEETING OF MARCH 7, 2022

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Councillors and the public have had the opportunity to review, ask questions, and gather information regarding these items since they were posted on February 7<sup>th</sup>. A regular meeting will follow this meeting at 7:30 pm this evening which will give the Council the opportunity to vote on the items. Mayor Nicholson Fire Chief Greg Lagoy and Building Commissioner Roland Jean are here this evening and will be able to offer information and answer questions.

The following presentation was presented to the Council by Mayor Nicholson.

**Building and Fire Department Fees:**

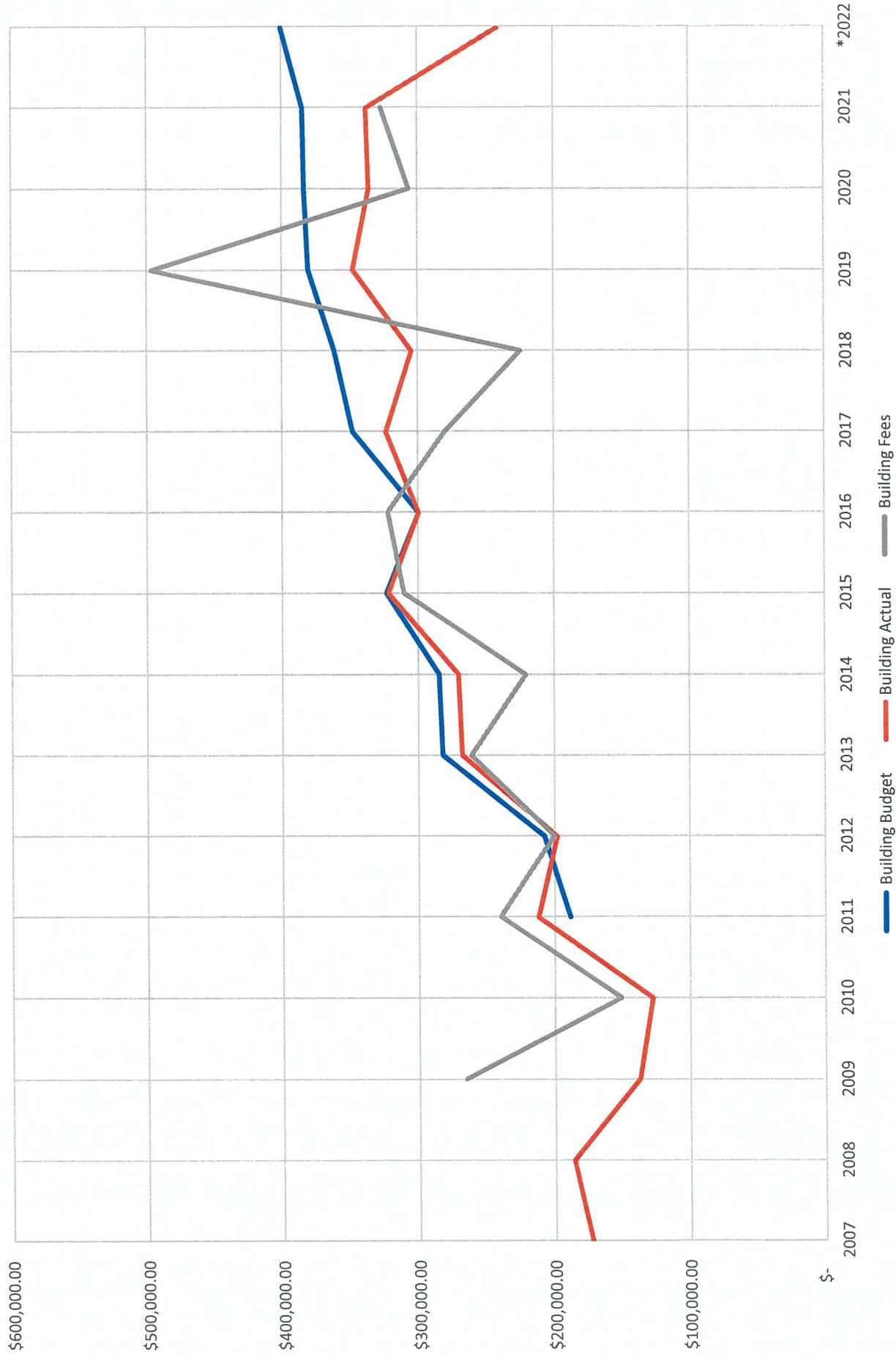
- The last time Building Department fees were addressed was 2007
- Fire Department fees have not been addressed since 2008
- Since then, there has been a 35.6% increase in inflation nationwide
- According to the Department of Labor Statistics at the Federal Government level, this is something we are trying to keep up to date with
- User based fees
- Fees are capped by state law (Division of Local Services)
- Increase in solar activity
- Seeing a lot of growth and development in the city
- It's good practice to review fees every five years

The Informal Meeting concluded at 6:52 p.m.

**Accepted by the City Council:**

|              | Building Budget | Building Actual | Building Fees |
|--------------|-----------------|-----------------|---------------|
| <b>2007</b>  |                 | \$ 172,553.47   |               |
| <b>2008</b>  |                 | \$ 186,063.22   |               |
| <b>2009</b>  |                 | \$ 137,130.58   | \$ 265,328.00 |
| <b>2010</b>  |                 | \$ 127,599.34   | \$ 150,671.00 |
| <b>2011</b>  | \$ 188,321.00   | \$ 211,739.14   | \$ 239,589.00 |
| <b>2012</b>  | \$ 207,168.00   | \$ 197,927.42   | \$ 199,990.00 |
| <b>2013</b>  | \$ 282,039.00   | \$ 267,681.55   | \$ 261,095.00 |
| <b>2014</b>  | \$ 284,639.00   | \$ 270,348.19   | \$ 220,551.00 |
| <b>2015</b>  | \$ 323,127.00   | \$ 321,761.66   | \$ 310,225.00 |
| <b>2016</b>  | \$ 299,396.00   | \$ 299,396.00   | \$ 322,017.00 |
| <b>2017</b>  | \$ 347,978.00   | \$ 323,329.83   | \$ 279,804.00 |
| <b>2018</b>  | \$ 361,264.00   | \$ 304,273.09   | \$ 224,052.00 |
| <b>2019</b>  | \$ 380,505.00   | \$ 347,508.02   | \$ 496,631.00 |
| <b>2020</b>  | \$ 383,353.00   | \$ 335,586.76   | \$ 306,158.50 |
| <b>2021</b>  | \$ 384,523.75   | \$ 337,636.00   | \$ 326,770.00 |
| <b>*2022</b> | \$ 400,691.19   | \$ 240,839.03   |               |

# Building Dept Financial Comparison



|             | Fire Budget |              | Fire Actuals |              | Fire Fees    |
|-------------|-------------|--------------|--------------|--------------|--------------|
| <b>2006</b> |             |              | \$           | 1,922,093.75 |              |
| <b>2007</b> | \$          | 2,076,998.00 | \$           | 2,096,272.77 |              |
| <b>2008</b> | \$          | 2,104,580.00 | \$           | 2,136,552.92 |              |
| <b>2009</b> | \$          | 2,060,952.00 | \$           | 2,013,576.53 | \$ 15,647.54 |
| <b>2010</b> | \$          | 1,878,938.00 | \$           | 1,992,345.74 | \$ 15,965.80 |
| <b>2011</b> | \$          | 2,023,615.00 | \$           | 2,150,525.25 | \$ 13,865.00 |
| <b>2012</b> | \$          | 2,189,683.00 | \$           | 2,244,176.64 | \$ 10,425.00 |
| <b>2013</b> | \$          | 2,171,855.00 | \$           | 2,193,680.95 | \$ 13,525.00 |
| <b>2014</b> | \$          | 2,333,495.00 | \$           | 2,377,338.07 | \$ 11,522.18 |
| <b>2015</b> | \$          | 2,397,759.00 | \$           | 2,662,454.98 | \$ 12,420.00 |
| <b>2016</b> | \$          | 2,395,951.00 | \$           | 2,809,444.65 | \$ 7,662.29  |
| <b>2017</b> | \$          | 2,794,277.00 | \$           | 3,109,215.38 | \$ 8,220.00  |
| <b>2018</b> | \$          | 2,449,839.00 | \$           | 2,761,264.56 | \$ 2,842.00  |
| <b>2019</b> | \$          | 2,510,793.00 | \$           | 2,586,276.97 | \$ 6,246.23  |
| <b>2020</b> | \$          | 2,668,159.00 | \$           | 2,963,365.22 | \$ 5,140.00  |
| <b>2021</b> | \$          | 2,865,675.65 | \$           | 3,235,520.81 | \$ 12,975.00 |
| <b>2022</b> | \$          | 2,940,007.66 | \$           | 1,989,066.15 |              |

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*Local Receipt Revenue  
Fiscal Years 2019-2021*

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|                                   | 2019<br>ACTUAL         | 2020<br>ACTUAL         | 2021<br>ACTUAL         |
|-----------------------------------|------------------------|------------------------|------------------------|
| MOTOR VEHICLE EXCISE              | \$ 2,169,335.89        | \$ 2,093,593.41        | \$ 2,306,113.38        |
| MARIJUANA EXCISE                  | \$ 50,330.46           | \$ 383,850.54          | \$ 306,969.74          |
| PENALTIES & INT ON TAXES          | \$ 367,684.34          | \$ 305,042.89          | \$ 417,998.27          |
| TAX TITLE COSTS & INTERES         | \$ 93,703.08           | \$ 39,216.41           | \$ 111,763.22          |
| IN LIEU OF TAXES                  | \$ 57,793.73           | \$ 55,532.08           | \$ 57,359.91           |
| AIRPORT FEES                      | \$ 26,965.00           | \$ 23,040.77           | \$ 23,964.62           |
| ASSESSOR'S FEES                   | \$ 180.00              | \$ 190.00              | \$ 90.00               |
| MOBILE HOME - FEES                | \$ 28,284.00           | \$ 29,340.00           | \$ 29,760.00           |
| DOG OFFICER FEES                  | \$ 25,805.00           | \$ 27,721.00           | \$ 22,015.60           |
| TREASURER'S FEES                  | \$ 867.50              | \$ 1,315.84            | \$ 550.03              |
| POLICE FEES                       | \$ 24,895.75           | \$ 18,830.38           | \$ 42,378.08           |
| POOL FEES                         | \$ 16,916.29           | \$ 10,783.00           | \$ 25,975.00           |
| CITY CLERK FEES                   | \$ 127,810.41          | \$ 104,808.29          | \$ 121,640.05          |
| CERT OF MUN LIENS - FEES          | \$ 34,100.00           | \$ 38,100.00           | \$ 47,550.00           |
| WEIGHTS & MEASURES - FEES         | \$ 6,285.00            | \$ 10,740.00           | \$ 9,080.00            |
| 10% OVERHEAD                      | \$ 26,144.08           | \$ 2,080.40            | \$ 40,683.32           |
| SURVEY FEES                       | \$ 150.00              | \$ 100.00              | \$ -                   |
| <b>ELECTRICAL FEES</b>            | <b>\$ 178,764.73</b>   | <b>\$ 145,994.90</b>   | <b>\$ 81,750.98</b>    |
| PUBLIC WORKS / FORESTRY FEES      | \$ 5,123.28            | \$ 6,239.00            | \$ 9,450.00            |
| VACANT/ABANDONED BLDG FEES        | \$ 18,250.00           | \$ 11,500.00           | \$ 4,750.00            |
| AMBULANCE DISPATCH FEES           | \$ 9,000.00            | \$ 12,000.00           | \$ 12,000.00           |
| MUNICIPAL AMBULANCE FEES          | \$ 871,136.79          | \$ 1,004,272.23        | \$ 1,184,798.25        |
| MARIJUANA HCA FEE                 | \$ 47,072.12           | \$ 118,394.64          | \$ 132,015.11          |
| E-RATE REV                        | \$ 73,876.06           | \$ 80,852.90           | \$ 12,539.90           |
| MISC - OTHER STATE REV            | \$ 226,815.07          | \$ 249,234.67          | \$ 199,482.54          |
| ROOM OCCUPANCY TAX                | \$ 137,722.86          | \$ 125,896.01          | \$ 80,765.93           |
| MUNICIPAL AGGREGATION             | \$ 43,858.16           | \$ 43,614.71           | \$ 44,325.87           |
| MEDICAID REIMB REVENUE            | \$ 398,231.91          | \$ 210,572.93          | \$ 190,139.47          |
| ALCOHOL BEVERAGE LICENSES         | \$ 36,975.00           | \$ 34,250.00           | \$ 13,725.00           |
| OTHER LICENSES                    | \$ 7,820.00            | \$ 7,400.00            | \$ 3,100.00            |
| <b>FIRE PERMITS</b>               | <b>\$ 6,246.23</b>     | <b>\$ 5,140.00</b>     | <b>\$ 12,975.00</b>    |
| <b>BUILDING PERMITS</b>           | <b>\$ 279,205.85</b>   | <b>\$ 127,728.56</b>   | <b>\$ 203,929.50</b>   |
| HEALTH PERMITS                    | \$ 32,100.00           | \$ 32,539.00           | \$ 33,384.00           |
| <b>GAS &amp; PLUMBING PERMITS</b> | <b>\$ 38,660.00</b>    | <b>\$ 32,435.00</b>    | <b>\$ 41,090.00</b>    |
| RENTALS (Solar Lease)             | \$ 67,375.00           | \$ 62,500.00           | \$ 62,500.00           |
| BUILDING RENTAL FEES              |                        | \$ 2,850.00            | \$ 2,200.00            |
| CEM ANN/MISC - DEPT'L             | \$ 33,000.00           | \$ 29,300.00           | \$ 34,025.00           |
| CONTRIB RETIREMENT REVENU         | \$ 77,377.00           | \$ 83,980.00           | \$ 88,070.00           |
| REGIONAL BUILDING INSP            | \$ 8,000.00            | \$ 26,100.00           | \$ 22,291.68           |
| ANIMAL CONTROL AGREE-DEPT REV     | \$ 79,392.00           | \$ 81,247.00           | \$ 83,278.00           |
| COURT FINES                       | \$ 73,264.40           | \$ 56,226.90           | \$ 44,003.43           |
| PARKING FINES                     | \$ 56,125.90           | \$ 53,463.10           | \$ 32,768.00           |
| HLTH PLCE FRE BLDG FINES          | \$ 2,925.00            | \$ 950.00              | \$ 3,380.00            |
| DOG FINES                         | \$ 11,475.00           | \$ 5,900.00            | \$ 12,963.00           |
| FIRE& POLICE FINES                | \$ 370.00              | \$ 2,475.00            | \$ 4,275.00            |
| EARNING ON INVESTMENTS            | \$ 87,963.28           | \$ 95,498.77           | \$ 45,452.30           |
| LEASE OF CITY PROPERTY            | \$ 8,790.00            | \$ 5,400.00            | \$ 6,270.00            |
|                                   | <b>\$ 5,974,166.17</b> | <b>\$ 5,898,240.33</b> | <b>\$ 6,265,589.18</b> |

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*Fire Inspection Reports*  
*2019-Present*

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## Inspection Analysis Report

### Filter Options

| Filter                  | Values                   |
|-------------------------|--------------------------|
| Inspection Status       | <ALL>                    |
| Inspection Type         | <ALL>                    |
| Final Disposition       | <ALL>                    |
| Inspector ID            | <ALL>                    |
| Groups                  | <ALL>                    |
| Companies               | <ALL>                    |
| Inspection Jurisdiction | <ALL>                    |
| Districts               | <ALL>                    |
| Sites                   | <ALL>                    |
| Street Numbers          | <ALL>                    |
| Street Name             | <ALL>                    |
| Location                | <ALL>                    |
| Completed Date          | 01/01/2022 to 03/01/2022 |
| Inspection Date         | <ALL>                    |
| Paid                    | <ALL>                    |
| Type of Report or Graph | I                        |

## Inspection Type Report

| Inspection Type                         | Number of Inspections | Total Fees | Violations | Resolutions |
|-----------------------------------------|-----------------------|------------|------------|-------------|
| AN-Annual                               | 0                     | 0          | 0          | 0           |
| BD-BDA Acceptance                       | 0                     | 0          | 0          | 0           |
| BF-Building Permit Smoke/CO Final       | 3                     | 0          | 0          | 0           |
| BL-Blasting                             | 0                     | 0          | 0          | 0           |
| BP-BURN PERMIT                          | 0                     | 0          | 0          | 0           |
| CE-Code Enforcement                     | 9                     | 0          | 0          | 0           |
| CK-Commercial Kitchen                   | 8                     | 0          | 0          | 0           |
| CM-Storage of Combustib                 | 0                     | 0          | 0          | 0           |
| CS-Children Safety                      | 0                     | 0          | 0          | 0           |
| EG-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| FA-Fire Alarm                           | 0                     | 0          | 0          | 0           |
| FD-Fire Drill                           | 0                     | 0          | 0          | 0           |
| FE-Fire Extinguishers                   | 0                     | 0          | 0          | 0           |
| FS-Flammable/Combustible Liquid Storage | 2                     | 50         | 0          | 0           |
| FT-Food Truck                           | 2                     | 0          | 0          | 0           |
| FU-Follow Up                            | 4                     | 0          | 0          | 0           |
| GE-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| GI-General Inspection                   | 7                     | 25         | 0          | 0           |
| GP-Gunpowder Ammo Storage               | 0                     | 0          | 0          | 0           |
| HC-Health Care                          | 7                     | 0          | 0          | 0           |

**Gardner Fire Department**  
**Inspection Analysis Report**

|                         |    |    |   |   |
|-------------------------|----|----|---|---|
| HW-Hot Work             | 3  | 50 | 0 | 0 |
| HZ-Hazardous Material   | 0  | 0  | 0 | 0 |
| LB-LOCK BOX             | 0  | 0  | 0 | 0 |
| LL-Liquor License (304) | 0  | 0  | 0 | 0 |
| LP-LP Tank Install      | 1  | 0  | 0 | 0 |
| MF-Occupancy (110)      | 7  | 0  | 0 | 0 |
| NH-Health Care          | 0  | 0  | 0 | 0 |
| OB-Oil Burner Install   | 10 | 25 | 0 | 0 |
| PA-Public Assembly      | 0  | 0  | 0 | 0 |
| PY-Pyrotechnic Display  | 0  | 0  | 0 | 0 |
| QT-QUARTERLY            | 0  | 0  | 0 | 0 |
| SC-Smoke & Carbon (26F) | 62 | 25 | 0 | 0 |
| SH-SALAMANDER HEATER    | 0  | 0  | 0 | 0 |
| SP-Sprinkler System     | 3  | 25 | 0 | 0 |
| TI-Oil Tank Install     | 11 | 0  | 0 | 0 |
| TK-TAR KETTLE           | 0  | 0  | 0 | 0 |
| TR-Oil Tank Removal     | 0  | 0  | 0 | 0 |
| TT-Tank Truck           | 0  | 0  | 0 | 0 |
| UR-UST Removal          | 0  | 0  | 0 | 0 |

## Inspection Analysis Report

### Filter Options

| Filter                  | Values                   |
|-------------------------|--------------------------|
| Inspection Status       | <ALL>                    |
| Inspection Type         | <ALL>                    |
| Final Disposition       | <ALL>                    |
| Inspector ID            | <ALL>                    |
| Groups                  | <ALL>                    |
| Companies               | <ALL>                    |
| Inspection Jurisdiction | <ALL>                    |
| Districts               | <ALL>                    |
| Sites                   | <ALL>                    |
| Street Numbers          | <ALL>                    |
| Street Name             | <ALL>                    |
| Location                | <ALL>                    |
| Completed Date          | 01/01/2021 to 12/31/2021 |
| Inspection Date         | <ALL>                    |
| Paid                    | <ALL>                    |
| Type of Report or Graph | I                        |

## Inspection Type Report

| Inspection Type                         | Number of Inspections | Total Fees | Violations | Resolutions |
|-----------------------------------------|-----------------------|------------|------------|-------------|
| AN-Annual                               | 23                    | 0          | 0          | 0           |
| BD-BDA Acceptance                       | 0                     | 0          | 0          | 0           |
| BF-Building Permit Smoke/CO Final       | 27                    | 0          | 0          | 0           |
| BL-Blasting                             | 0                     | 0          | 0          | 0           |
| BP-BURN PERMIT                          | 0                     | 0          | 0          | 0           |
| CE-Code Enforcement                     | 38                    | 0          | 0          | 0           |
| CK-Commercial Kitchen                   | 15                    | 0          | 0          | 0           |
| CM-Storage of Combustib                 | 1                     | 0          | 0          | 0           |
| CS-Children Safety                      | 0                     | 0          | 0          | 0           |
| EG-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| FA-Fire Alarm                           | 40                    | 0          | 0          | 0           |
| FD-Fire Drill                           | 41                    | 0          | 0          | 0           |
| FE-Fire Extinguishers                   | 0                     | 0          | 0          | 0           |
| FS-Flammable/Combustible Liquid Storage | 3                     | 25         | 0          | 0           |
| FT-Food Truck                           | 16                    | 0          | 0          | 0           |
| FU-Follow Up                            | 27                    | 0          | 0          | 0           |
| GE-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| GI-General Inspection                   | 17                    | 25         | 0          | 0           |
| GP-Gunpowder Ammo Storage               | 2                     | 0          | 0          | 0           |
| HC-Health Care                          | 24                    | 0          | 0          | 0           |

**Gardner Fire Department**  
**Inspection Analysis Report**

|                         |     |      |   |   |
|-------------------------|-----|------|---|---|
| HW-Hot Work             | 10  | 25   | 0 | 0 |
| HZ-Hazardous Material   | 0   | 0    | 0 | 0 |
| LB-LOCK BOX             | 0   | 0    | 0 | 0 |
| LL-Liquor License (304) | 30  | 0    | 0 | 0 |
| LP-LP Tank Install      | 25  | 75   | 0 | 0 |
| MF-Occupancy (110)      | 17  | 0    | 0 | 0 |
| NH-Health Care          | 0   | 0    | 0 | 0 |
| OB-Oil Burner Install   | 26  | 425  | 0 | 0 |
| PA-Public Assembly      | 0   | 0    | 0 | 0 |
| PY-Pyrotechnic Display  | 0   | 0    | 0 | 0 |
| QT-QUARTERLY            | 0   | 0    | 0 | 0 |
| SC-Smoke & Carbon (26F) | 579 | 2475 | 0 | 0 |
| SH-SALAMANDER HEATER    | 0   | 0    | 0 | 0 |
| SP-Sprinkler System     | 19  | 0    | 0 | 0 |
| TI-Oil Tank Install     | 26  | 100  | 0 | 0 |
| TK-TAR KETTLE           | 0   | 0    | 0 | 0 |
| TR-Oil Tank Removal     | 5   | 0    | 0 | 0 |
| TT-Tank Truck           | 0   | 0    | 0 | 0 |
| UR-UST Removal          | 2   | 0    | 0 | 0 |

## Inspection Analysis Report

### Filter Options

| Filter                  | Values                   |
|-------------------------|--------------------------|
| Inspection Status       | <ALL>                    |
| Inspection Type         | <ALL>                    |
| Final Disposition       | <ALL>                    |
| Inspector ID            | <ALL>                    |
| Groups                  | <ALL>                    |
| Companies               | <ALL>                    |
| Inspection Jurisdiction | <ALL>                    |
| Districts               | <ALL>                    |
| Sites                   | <ALL>                    |
| Street Numbers          | <ALL>                    |
| Street Name             | <ALL>                    |
| Location                | <ALL>                    |
| Completed Date          | 01/01/2020 to 12/31/2020 |
| Inspection Date         | <ALL>                    |
| Paid                    | <ALL>                    |
| Type of Report or Graph | I                        |

## Inspection Type Report

| Inspection Type                         | Number of Inspections | Total Fees | Violations | Resolutions |
|-----------------------------------------|-----------------------|------------|------------|-------------|
| AN-Annual                               | 43                    | 0          | 0          | 0           |
| BD-BDA Acceptance                       | 1                     | 0          | 0          | 0           |
| BF-Building Permit Smoke/CO Final       | 0                     | 0          | 0          | 0           |
| BL-Blasting                             | 0                     | 0          | 0          | 0           |
| BP-BURN PERMIT                          | 0                     | 0          | 0          | 0           |
| CE-Code Enforcement                     | 33                    | 0          | 0          | 0           |
| CK-Commercial Kitchen                   | 17                    | 0          | 0          | 0           |
| CM-Storage of Combustib                 | 1                     | 25         | 0          | 0           |
| CS-Children Safety                      | 0                     | 0          | 0          | 0           |
| EG-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| FA-Fire Alarm                           | 14                    | 0          | 0          | 0           |
| FD-Fire Drill                           | 29                    | 0          | 0          | 0           |
| FE-Fire Extinguishers                   | 2                     | 0          | 0          | 0           |
| FS-Flammable/Combustible Liquid Storage | 0                     | 0          | 0          | 0           |
| FT-Food Truck                           | 4                     | 0          | 0          | 0           |
| FU-Follow Up                            | 52                    | 0          | 0          | 0           |
| GE-Exterior Generator                   | 2                     | 25         | 0          | 0           |
| GI-General Inspection                   | 0                     | 0          | 0          | 0           |
| GP-Gunpowder Ammo Storage               | 1                     | 0          | 0          | 0           |
| HC-Health Care                          | 1                     | 0          | 0          | 0           |

**Gardner Fire Department**  
**Inspection Analysis Report**

|                         |     |      |   |   |
|-------------------------|-----|------|---|---|
| HW-Hot Work             | 8   | 0    | 0 | 0 |
| HZ-Hazardous Material   | 0   | 0    | 0 | 0 |
| LB-LOCK BOX             | 0   | 0    | 0 | 0 |
| LL-Liquor License (304) | 27  | 0    | 0 | 0 |
| LP-LP Tank Install      | 12  | 50   | 0 | 0 |
| MF-Occupancy (110)      | 2   | 0    | 0 | 0 |
| NH-Health Care          | 13  | 0    | 0 | 0 |
| OB-Oil Burner Install   | 16  | 25   | 0 | 0 |
| PA-Public Assembly      | 1   | 0    | 0 | 0 |
| PY-Pyrotechnic Display  | 0   | 0    | 0 | 0 |
| QT-QUARTERLY            | 2   | 0    | 0 | 0 |
| SC-Smoke & Carbon (26F) | 461 | 2025 | 0 | 0 |
| SH-SALAMANDER HEATER    | 0   | 0    | 0 | 0 |
| SP-Sprinkler System     | 24  | 0    | 0 | 0 |
| TI-Oil Tank Install     | 20  | 0    | 0 | 0 |
| TK-TAR KETTLE           | 0   | 0    | 0 | 0 |
| TR-Oil Tank Removal     | 11  | 200  | 0 | 0 |
| TT-Tank Truck           | 0   | 0    | 0 | 0 |
| UR-UST Removal          | 0   | 0    | 0 | 0 |

## Inspection Analysis Report

### Filter Options

| Filter                  | Values                   |
|-------------------------|--------------------------|
| Inspection Status       | <ALL>                    |
| Inspection Type         | <ALL>                    |
| Final Disposition       | <ALL>                    |
| Inspector ID            | <ALL>                    |
| Groups                  | <ALL>                    |
| Companies               | <ALL>                    |
| Inspection Jurisdiction | <ALL>                    |
| Districts               | <ALL>                    |
| Sites                   | <ALL>                    |
| Street Numbers          | <ALL>                    |
| Street Name             | <ALL>                    |
| Location                | <ALL>                    |
| Completed Date          | 01/01/2019 to 12/31/2019 |
| Inspection Date         | <ALL>                    |
| Paid                    | <ALL>                    |
| Type of Report or Graph | I                        |

## Inspection Type Report

| Inspection Type                         | Number of Inspections | Total Fees | Violations | Resolutions |
|-----------------------------------------|-----------------------|------------|------------|-------------|
| AN-Annual                               | 48                    | 0          | 0          | 0           |
| BD-BDA Acceptance                       | 0                     | 0          | 0          | 0           |
| BF-Building Permit Smoke/CO Final       | 0                     | 0          | 0          | 0           |
| BL-Blasting                             | 0                     | 0          | 0          | 0           |
| BP-BURN PERMIT                          | 0                     | 0          | 0          | 0           |
| CE-Code Enforcement                     | 1                     | 0          | 0          | 0           |
| CK-Commercial Kitchen                   | 10                    | 0          | 0          | 0           |
| CM-Storage of Combustib                 | 5                     | 0          | 0          | 0           |
| CS-Children Safety                      | 0                     | 0          | 0          | 0           |
| EG-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| FA-Fire Alarm                           | 54                    | 0          | 3          | 0           |
| FD-Fire Drill                           | 28                    | 0          | 0          | 0           |
| FE-Fire Extinguishers                   | 1                     | 0          | 0          | 0           |
| FS-Flammable/Combustible Liquid Storage | 0                     | 0          | 0          | 0           |
| FT-Food Truck                           | 5                     | 0          | 0          | 0           |
| FU-Follow Up                            | 7                     | 0          | 0          | 0           |
| GE-Exterior Generator                   | 0                     | 0          | 0          | 0           |
| GI-General Inspection                   | 0                     | 0          | 0          | 0           |
| GP-Gunpowder Ammo Storage               | 0                     | 0          | 0          | 0           |
| HC-Health Care                          | 0                     | 0          | 0          | 0           |

**Gardner Fire Department**  
**Inspection Analysis Report**

|                         |     |      |   |   |
|-------------------------|-----|------|---|---|
| HW-Hot Work             | 5   | 50   | 0 | 0 |
| HZ-Hazardous Material   | 0   | 0    | 0 | 0 |
| LB-LOCK BOX             | 0   | 0    | 0 | 0 |
| LL-Liquor License (304) | 29  | 0    | 0 | 0 |
| LP-LP Tank Install      | 15  | 200  | 0 | 0 |
| MF-Occupancy (110)      | 55  | 0    | 0 | 0 |
| NH-Health Care          | 26  | 0    | 0 | 0 |
| OB-Oil Burner Install   | 16  | 250  | 0 | 0 |
| PA-Public Assembly      | 3   | 0    | 0 | 0 |
| PY-Pyrotechnic Display  | 0   | 0    | 0 | 0 |
| QT-QUARTERLY            | 0   | 0    | 0 | 0 |
| SC-Smoke & Carbon (26F) | 485 | 6851 | 0 | 0 |
| SH-SALAMANDER HEATER    | 1   | 0    | 0 | 0 |
| SP-Sprinkler System     | 11  | 0    | 0 | 0 |
| TI-Oil Tank Install     | 15  | 200  | 0 | 0 |
| TK-TAR KETTLE           | 0   | 0    | 0 | 0 |
| TR-Oil Tank Removal     | 14  | 350  | 0 | 0 |
| TT-Tank Truck           | 4   | 75   | 0 | 0 |
| UR-UST Removal          | 0   | 0    | 0 | 0 |

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*Building Dept Inspection  
Reports  
2019-Present*

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**City of Gardner**  
 Department of Inspectional Services  
 115 Pleasant Street, Gardner, MA 01440  
 Tel. (978) 630-4007 Fax: (978) 632-3313  
 www.gardner-ma.gov

To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean Jr., C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: Calendar year 2019 Annual Report from the Gardner Building/Inspectional Services Department

Major notable projects within the City include the following: GFA Expansion, 99 Restaurant, Family Dollar Relocation, Tractor Supply Store.

**Estimated cost of construction value:** ..... \$ 19,510,504.00

- New residential ..... \$2,123,000.00
- New commercial ..... \$1,390,218.00
- Additions/Renovation ..... \$15,997,286.00

**Building Permits:**

- |                                             |                                          |
|---------------------------------------------|------------------------------------------|
| ➤ 15 ... Single Family Dwellings            | ➤ 25... signs                            |
| ➤ 7... pools (7 AG pools, 0 in ground pool) | ➤ 15... solid Fuel Stoves                |
| ➤ 4 ... accessory Structures                | ➤ 96... windows/doors/siding             |
| ➤ 1 ... commercial new(1)/additions(0)      | ➤ 1... large ground mounted Photovoltaic |
| ➤ 4 ... residential additions               | ➤ 59... misc.                            |
| ➤ 164... decks                              | ➤ 17... demolition                       |
| ➤ 34... commercial renovations              | ➤ 4 ... foundations                      |
| ➤ 131...residential renovations             | ➤ 41... solar PV/wind                    |
| ➤ 159... roofs                              | ❖ 135... stretch code projects           |
| ➤ 10 ... sheet metal                        |                                          |

**Revenues**

907 Building Permits / # of Inspections- 1061..... \$173,546.00  
 579 Electrical Permits/ # of Inspections - 365..... \$100,818.00  
 469 Plumbing / Gas Permits # of Inspections - 287..... \$39,105.00  
 85 Vacant & Abandoned Bldg. Registrations..... \$14,375.00  
 125 Requests for Annual Inspections..... \$12,655.00

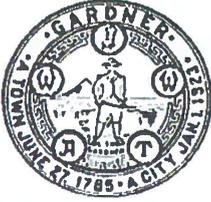
Inspectional Department Revenues TOTAL ..... \$340,499.00

Respectfully Submitted,

Roland Jean Jr., C.B.O.  
 Building Commissioner  
 Zoning Enforcement Officer

**Mission Statement**

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances



# City of Gardner

Department of Inspectional Services  
115 Pleasant Street, Gardner, MA 01440  
Tel. (978) 630-4007 Fax: (978) 632-3313  
www.gardner-ma.gov

To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean, C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: Calendar year 2020 Annual Report from the Gardner Building/Inspectional Services Department

Major notable projects within the City include the following: Williams Building and Jendith Building

**Estimated cost of construction value:** ..... \$ 75,793,425.00

- New residential ..... \$2,275,000.00
- New commercial ..... \$63,821,153.00
- Additions/Renovation ..... \$9,697,272.00

**Building Permits:**

- |                                               |                                          |
|-----------------------------------------------|------------------------------------------|
| ➤ 13 ... Single Family Dwellings              | ➤ 19... signs                            |
| ➤ 11... pools (11 AG pools, 0 in ground pool) | ➤ 15... solid Fuel Stoves                |
| ➤ 7 ... accessory Structures                  | ➤ 104... windows/doors/siding            |
| ➤ 5 ... commercial new(3)/additions(2)        | ➤ 1... large ground mounted Photovoltaic |
| ➤ 6 ... residential additions                 | ➤ 28... misc.                            |
| ➤ 49... decks                                 | ➤ 20... demolition                       |
| ➤ 40... commercial renovations                | ➤ 1 ... foundations                      |
| ➤ 78...residential renovations                | ➤ 59... solar PV/wind                    |
| ➤ 181... roofs                                | ➤ 9 ... General Inspection               |
| ➤ 13 ... sheet metal                          |                                          |

**Revenues**

|                                                        |                     |
|--------------------------------------------------------|---------------------|
| 822 Building Permits / # of Inspections- 841.....      | \$133,994.00        |
| 88 Vacant & Abandoned Bldg. Registrations.....         | \$8,250.00          |
| 69 Requests for Annual Inspections.....                | \$4,545.00          |
| 507 Electrical Permits/ # of Inspections - 497.....    | \$143,723.00        |
| 416 Plumbing / Gas Permits # of Inspections - 410..... | \$34,415.00         |
| Hubbardston Payments .....                             | \$24,196.00         |
| <b>Inspectional Department Revenues TOTAL .....</b>    | <b>\$349,123.00</b> |

Respectfully Submitted,

Roland Jean, C.B.O.  
Building Commissioner  
Zoning Enforcement Officer

**Mission Statement**

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances



**City of Gardner**  
**Department of Inspectional Services**  
 115 Pleasant Street, Gardner, MA 01440  
 Tel. (978) 630-4007 Fax: (978) 632-3313  
 www.gardner-ma.gov

To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean, C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: **Calendar year 2021 Annual Report from the Gardner Building/Inspectional Services Department**

Major notable projects within the City include the following: New Elementary School, CHC Medical Building, Starbucks, and Demolition of 177 West St.

**Estimated cost of construction value:** ..... \$ 12,523,192.00

- New residential ..... \$2,369,000.00
- New commercial ..... \$1,553,250.00
- Additions/Renovation ..... \$8,600,942.00

**Building Permits:**

|                                             |                                         |                           |
|---------------------------------------------|-----------------------------------------|---------------------------|
| 20 ... Single Family Dwellings              | 21... signs                             | 8 ... Finished Basement   |
| 20... pools (19 AG pools, 1 in ground pool) | 16... solid Fuel Stoves                 | 31 ... General Repairs    |
| 8 ... accessory Structures                  | 104... windows/doors/siding             | 2 ... Hot Tub             |
| 7 ... commercial                            | 0 ... large ground mounted Photovoltaic | 170 ... Weatherization    |
| new(4)/additions(3)                         | 22 ... misc.                            | 23 ... Smoke / Fire Alarm |
| 5 ... residential additions                 | 29 ... demolition                       | 9 ... Sprinkler           |
| 44 ... decks                                | 2 ... foundations                       | 9 ... Tent                |
| 18 ... commercial renovations               | 90 ... solar PV/wind                    | 2 ... Temporary Structure |
| 84 ...residential renovations               | 12 ... Chimney                          | 4 ... Temporary Storage   |
| 200 ... roofs                               | 43 ... Fence                            | 85 ... General Inspection |
| 1 ... sheet metal                           | 3 ... Fire Suppression                  |                           |

**Revenues**

|                                                        |                          |
|--------------------------------------------------------|--------------------------|
| 1093 Building Permits / # of Inspections- 1107.....    | \$213,108.00             |
| 23 Vacant & Abandoned Bldg. Registrations.....         | \$3,125.00               |
| 76 Requests for Annual Inspections.....                | \$6,835.00               |
| 601 Electrical Permits/ # of Inspections - 701.....    | \$101,203.00             |
| 464 Plumbing / Gas Permits # of Inspections - 591..... | \$42,645.00              |
| Inspectional Department Revenues                       | TOTAL ..... \$366,916.00 |

Respectfully Submitted,

Roland Jean, C.B.O.  
 Building Commissioner  
 Zoning Enforcement Officer

**Mission Statement**

To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances



# CITY OF GARDNER

**FIRE DEPARTMENT**  
70 CITY HALL AVENUE  
GARDNER, MA 01440-2671

**OFFICE OF FIRE CHIEF**  
**GREGORY F. LAGOY**

**(978) 632-1616 Ext. 5**  
**FAX (978) 630-4028**

April 11, 2022

RE: Fire Department Appointments

Dear Mayor Nicholson,

I am writing to notify you of two newly hired Firefighters at the Gardner Fire Department. They are Patrick Swensen and Stenio Pereira. Probationary Firefighter Swensen was hired in August of 2021, and Probationary Firefighter Pereira was hired in October of 2021. Both recently successfully completed the Massachusetts Fire Academy Career Recruit Training Program, graduating on March 4, 2022.

They completed in-house training prior to attending the Academy, and immediately after graduation began working as full-fledged members of the City's Firefighting Force. Firefighter Swensen has been assigned to Group 4 and Firefighter Pereira has been assigned to Group 3.

Respectfully,

Gregory F. Lagoy  
Fire Chief

RECEIVED

2022 APR 14 AM 10:58

CITY CLERK'S OFFICE  
GARDNER, MA

Worcester County

Effective July 19, 2021

Commonwealth of Massachusetts

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Stenio Pereira, to the position of Firefighter, of the Gardner Fire Department and I certify that in my opinion he is a person specially fitted by education, training, or experience to perform the duties of said office and that I make the appointment solely in the interests of the City.

 Fire Chief  
Gregory F. Lagoy

Confirmed by City Council: Not Required

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: Permanent.

Worcester, ss., October 4, 2021

Then personally appeared the above named Stenio Pereira 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,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

Effective July 19, 2021

RECEIVED

2022 APR 14 AM 10:58

Commonwealth of Massachusetts

Worcester County OFFICE  
CITY CLERK  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Patrick Swensen, to the position of Firefighter, of the Gardner Fire Department and I certify that in my opinion he is a person specially fitted by education, training, or experience to perform the duties of said office and that I make the appointment solely in the interests of the City.

Gregory F. Lagoy Fire Chief  
Gregory F. Lagoy

Confirmed by City Council: Not Required

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: Permanent.

Worcester, ss., August 9, 2021

Then personally appeared the above named Patrick Swensen 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,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

**CITY OF GARDNER**

**FIRE DEPARTMENT  
70 CITY HALL AVENUE  
GARDNER, MA 01440-2671**

RECEIVED

2022 APR 14 AM 10:57

CITY CLERK'S OFFICE  
GARDNER, MA

**OFFICE OF FIRE CHIEF  
GREGORY F. LAGOY**

**(978) 632-1616 Ext. 5  
FAX (978) 630-4028**

April 14, 2022

Dear Mayor Nicholson,

I would like to provide you with an update on an upcoming promotion at the Gardner Fire Department.

Firefighter Matthew Moniz will be promoted to the rank of Permanent Lieutenant effective April 17, 2022. Matt was hired by the Fire Department on April 10, 2017. He will be assigned to the "Group Floater" Shift Commander position, covering other Lieutenants that are on vacation. When not covering as Shift Commander, he will be assigned to the Fire Prevention Office.

Respectfully,

Gregory F. Lagoy  
Chief

RECEIVED

2022 APR 14 AM 10:57

CITY CLERK'S OFFICE  
GARDNER, MA  
Worcester County

Effective July 19, 2021

Commonwealth of Massachusetts

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Matthew Moniz, to the position of Lieutenant, of the Gardner Fire Department and I certify that in my opinion he is a person specially fitted by education, training, or experience to perform the duties of said office and that I make the appointment solely in the interests of the City.

Gregory F. Lagoy Fire Chief  
Gregory F. Lagoy

Confirmed by City Council: Not Required

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: Permanent.

Worcester, ss., April 17, 2022

Then personally appeared the above named Matthew Moniz 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,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED

2022 APR 14 PM 12:33

CITY CLERK'S OFFICE  
GARDNER, MA



April 14, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors

Gardner City Hall, Rm 121  
95 Pleasant St.  
Gardner, MA 01440

RE: Conflict of Interest Disclosure Approval

Dear Madam President and Councilors,

As you are aware, the Uptown Rotary Improvement Project is set to go out to bid this fall (likely in September), with construction beginning sometime next Spring (likely in April, depending on the weather).

The City received notice from the Massachusetts Department of Transportation (MassDOT) last week regarding additional title work that it is requiring for this project. A copy of the map they have provided us is attached.

While exempt from formal procurement laws, the City reached out to different Title Examiner Firms as to whether they would work on the project. Following this process, the City has been unable to find a firm that was either willing to take the project or lacked the resources and qualifications necessary to perform the work needed on this project. This project involves deeds that go back to the late 1800s, so the work is rather intensive.

However, until this work is completed, the City cannot move forward with obtaining the necessary appraisals needed for the permanent and temporary easements that are required for the project to begin.

Attorney Robert Charland has agreed to perform the work – limited to this project only-, however, this would require a legislative approval of a conflict of interest disclosure as he is currently an employee of Flick Law Group.

Again, as stated above, this would solely be limited to the work related to these specific deeds and not involving any long-term relationship or agreement with the City.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



**FEE AGREEMENT**  
**REAL ESTATE TITLE WORK**

I, Michael Nicholson, Mayor of the City of Gardner, by and on behalf of the City, with a business address of 95 Pleasant Street, Gardner, MA 01440, the "Client", hereby agree to retain FLICK LAW GROUP, P.C., ("FLG") to provide title services for real property purchases by the City of Gardner on the following terms and conditions.

WHEREAS, the City is engaged in a public works project which will require the permanent and temporary taking of various parcels of land around the uptown rotary;

WHEREAS, the project requires the City to obtain title examinations of City owned property which requires examination of titles dating into the 1800's, and several parcels which are currently owner unknown; and

WHEREAS, the title examiner used by the City's Law Department is unwilling to perform such titles;

NOW THEREFORE, the City and FLG agree as follows:

Given the complexity of the titles to be examined, FLG shall be paid hourly for all work performed to complete such title examinations at the hourly rate of \$200.00 an hour. All work will be performed by FLG's title counsel, Attorney Robert Charland. Work performed by paralegals employed by FLG will be compensated at a rate of \$125.00 per hour.

All title work to be performed by FLG pursuant to this Agreement shall be limited to the following parcels as shown on Exhibit A:

- E-9
- TE-02
- Owner Unknown, 28 Green Street
- E-6
- TE-08

In addition, FLG shall be entitled to reimbursement for all reasonable out of pocket costs including but not limited to title insurance premiums, recording fees, tax stamps, and overnight or wire fees, if any.

All services provided shall be in accordance with this Agreement. FLG agrees to provide legal services in connection with the above matter and to keep the Client fully informed of all significant developments, and to send copies of relevant documents necessary to achieve that purpose.

Please note these fees do not include work necessary to resolve potential title issues, which may appear during a title search of the property. Should the title report indicate items that need to be resolved in order to provide the City with a "clean title", the responsibility of performing such work shall be the seller or donor's responsibility. If the City elects to assist with the resolution of title, such work will be performed by the City's Law Department. The City agrees to pay for all other costs incurred and out-of-pocket disbursements made by FLG, to clear any title issues, including, but not limited to, ordering certified/notarized documents, recording fees, and postage/next day delivery fees.

If the Client discharges the FLG, or in the event the FLG decides to terminate the representation of the Client, the FLG shall be paid for all work performed to the point of termination of services, and this payment shall include all services which have been completed, as well as reimbursement of costs expended up to the time of termination of the relationship.

NOTE: John M. Flick, Esq., the Principal shareholder of FLG also serves as City Solicitor of the City of Gardner. In this capacity, by classification of his position with the City, Attorney Flick is permitted to have private employment during normal business hours.

This Agreement is subject to the City Council approving a Disclosure of Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c. 268A, § 20(d).

We, the City and the FLG, have read this Agreement on this \_\_\_\_ day of April 2022 and understand its terms and both have signed it as our free act and deed.

FLICK LAW GROUP, P.C.



Robert Charland, Esq., Of Counsel

The Client acknowledges receipt of a copy of this agreement.

THE CITY OF GARDNER

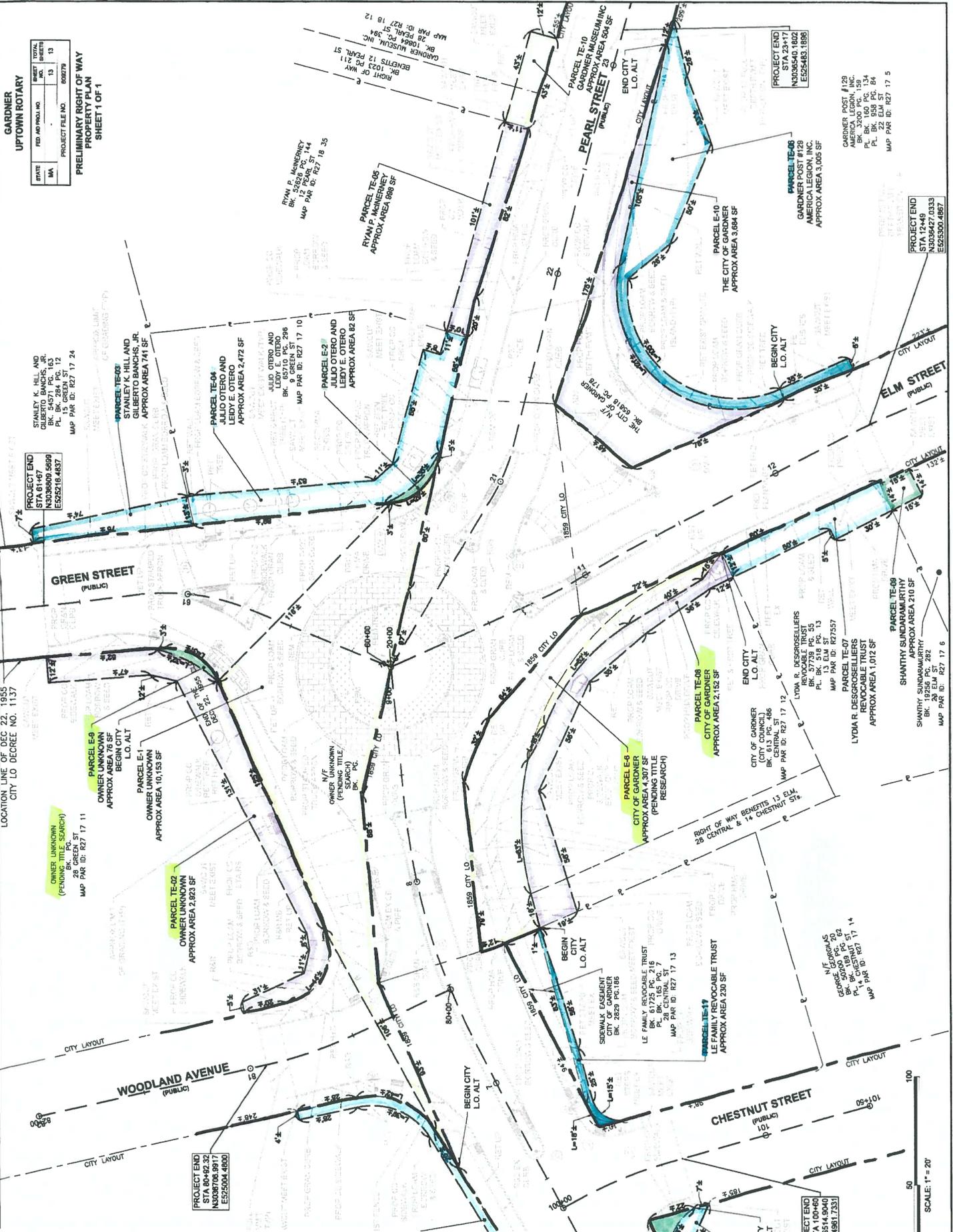
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By: Michael Nicholson  
Its: Mayor

000279\_JM(FWP) DWG Printed on 10-Feb-2022 3:15 PM

|                       |       |
|-----------------------|-------|
| GARDNER UPTOWN ROTARY |       |
| STATE                 | MA    |
| FED AID PROJ NO.      |       |
| MAP FILE NO.          | 00279 |
| PROJECT FILE NO.      | 00279 |
| DATE                  | 13    |
| TOTAL SHEETS          | 13    |

PRELIMINARY RIGHT OF WAY PROPERTY PLAN SHEET 1 OF 1



PROJECT END  
STA 61+67  
N3038600.8699  
E525216.4657

LOCATION LINE OF DEC 22, 1955  
CITY LO DECREE NO. 1137

OWNER UNKNOWN  
(PENDING TITLE SEARCH)  
28 GREEN ST  
MAP PAR ID: R27 17 11

PARCEL TE-02  
OWNER UNKNOWN  
APPROX AREA 2,923 SF

PROJECT END  
STA 100+00  
N3038708.8917  
E525004.4800

RYAN P. McNERNEY  
BK. 52628  
PL. 144  
MAP PAR ID: R27 18 35

PARCEL TE-05  
RYAN P. McNERNEY  
APPROX AREA 888 SF

STANLEY K. HILL AND  
GILBERTO BANCHS, JR.  
BK. 54571  
PL. 163  
PL. 15 GREEN ST  
MAP PAR ID: R27 17 24

PARCEL TE-03  
STANLEY K. HILL AND  
GILBERTO BANCHS, JR.  
APPROX AREA 741 SF

PARCEL TE-04  
JULIO OTERO AND  
LEIDY E. OTERO  
APPROX AREA 2,472 SF

PARCEL E-02  
JULIO OTERO AND  
LEIDY E. OTERO  
BK. 85710  
PL. 298  
MAP PAR ID: R27 17 10

OWNER UNKNOWN  
(PENDING TITLE SEARCH)  
BK. PC.

PARCEL E-6  
CITY OF GARDNER  
APPROX AREA 4,307 SF  
(PENDING TITLE RESEARCH)

PARCEL TE-08  
CITY OF GARDNER  
APPROX AREA 2,152 SF

PROJECT END  
STA 124+49  
N3039427.0333  
E525500.4867

PARCEL TE-10  
GARDNER MUSEUM, INC  
APPROX AREA 904 SF

PARCEL TE-06  
GARDNER POST #220  
AMERICA LEGION, INC  
APPROX AREA 3,005 SF

PARCEL E-40  
THE CITY OF GARDNER  
APPROX AREA 3,884 SF

PARCEL TE-09  
GARDNER POST #199  
AMERICA LEGION, INC  
BK. 32000  
PL. 139  
PL. BK. 959  
PL. 84  
MAP PAR ID: R27 17 5

PARCEL TE-07  
LYDIA R. DESROSELLERS  
REVOCABLE TRUST  
BK. 518  
PL. 13  
MAP PAR ID: R27357

PARCEL TE-05  
LYDIA R. DESROSELLERS  
REVOCABLE TRUST  
APPROX AREA 1,012 SF

PARCEL TE-09  
SHANTHY SUNDARAMURTHY  
APPROX AREA 210 SF

PARCEL TE-17  
LE FAMILY REVOCABLE TRUST  
APPROX AREA 230 SF

PROJECT END  
STA 100+00  
N3038708.8917  
E525004.4800

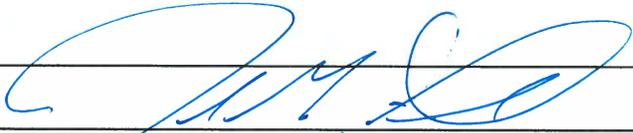
SCALE: 1" = 20'

| Parcel No. | Plan Sheet No. | Titleholder                                                                 | Title Reference |          |         | Area (S.F. +/-) |            |       |               |      | Total Property Area | Frontage on ROW Plan (ft.) | Property Address | Grading                         |
|------------|----------------|-----------------------------------------------------------------------------|-----------------|----------|---------|-----------------|------------|-------|---------------|------|---------------------|----------------------------|------------------|---------------------------------|
|            |                |                                                                             | Deed Bk         | Page No. | LCC No. | Cert. No.       | Taken City | State | Easement Type | Area |                     |                            |                  |                                 |
| TE-01      | 13             | REX STARK                                                                   | 15971           | 65       |         |                 |            |       |               |      | 790                 | 451                        | 16 WOODLAND AVE  | GRADING                         |
| E-9        | 12, 13         | OWNER UNKNOWN                                                               | -               | -        |         |                 |            |       |               |      | 76                  | -                          | 28 GREEN ST      | SIDEWALK AND W                  |
| TE-02      | 13             | OWNER UNKNOWN                                                               | -               | -        |         |                 |            |       |               |      | 2,923               |                            |                  | GRADING AND COI                 |
| E-1        | 12, 13         | OWNER UNKNOWN                                                               | -               | -        |         |                 |            |       |               |      | 10,153              | 250                        | 28 GREEN ST      | ROADWAY, ROUNI DRAINAGE         |
| TE-03      | 13             | STANLEY K. HILL AND GILBERTO BANCHS, JR.                                    | 54571           | 163      |         |                 |            |       |               |      | 741                 | 88                         | 15 GREEN ST      | GRADING, SIDEWA                 |
| E-2        | 12, 13         | JULIO OTERO AND LEIDY E. OTERO                                              | 65710           | 297      |         |                 |            |       |               |      | 82                  | 181                        | GREEN ST         | SIDEWALK                        |
| TE-04      | 13             | JULIO OTERO AND LEIDY E. OTERO                                              | 65710           | 297      |         |                 |            |       |               |      | 2,472               |                            |                  | GRADING, DRIVEN TREE PROTECTION |
| TE-05      | 13             | RYAN P. McINERNEY                                                           | 52626           | 144      |         |                 |            |       |               |      | 998                 | 102                        | 12 PEARL ST      | GRADING, DRIVEN SIDEWALK        |
| TE-10      | 13             | GARDNER MUSEUM, INC.                                                        | 10864           | 394      |         |                 |            |       |               |      | 504                 | 98                         | 28 PEARL ST      | GRADING, DRIVEN                 |
| TE-06      | 13             | GARDNER POST #129 AMERICA LEGION, INC.                                      | 3200            | 159      |         |                 |            |       |               |      | 3,005               | 569                        | 22 ELM ST        | GRADING, DRIVEN                 |
| TE-09      | 13             | SHANTHY SUNDARAMURTHY                                                       | 19256           | 282      |         |                 |            |       |               |      | 210                 | 147                        | 23 ELM ST        | GRADING                         |
| TE-07      | 13             | LYDIA R. DESGROSELLIERS REVOCABLE TRUST<br>LYDIA R. DESGROSELLIERS, TRUSTEE | 57739           | 55       |         |                 |            |       |               |      | 1,011               | 80                         | 13 ELM ST        | GRADING, DRIVEN                 |
| E-6        | 12, 13         | CITY OF GARDNER (CITY COUNCIL)                                              | 613             | 486      |         |                 |            |       |               |      | 4,307               | 259                        | CENTRAL ST       | ROADWAY, SIDEW                  |
| TE-08      | 13             | CITY OF GARDNER (CITY COUNCIL)                                              | 613             | 486      |         |                 |            |       |               |      | 2,153               |                            |                  | GRADING, DRIVEN PROTECTION      |
| TE-11      | 13             | LE FAMILY REVOCABLE TRUST<br>HUONG QUYNH LE, TRUSTEE                        | 61725           | 216      |         |                 |            |       |               |      | 943                 | 230                        | 28 CENTRAL       | SIDEWALK CONSTR                 |
| E-8        | 12, 13         | GARDNER MASONIC CHARITY & EDUCATIONAL SOCIETY                               | 3544            | 265      |         |                 |            |       |               |      | 149                 | 370                        | 42 CENTRAL ST    | PROPOSED SIDEWA RAMP            |
| TE-9       | 13             | GARDNER MASONIC CHARITY & EDUCATIONAL SOCIETY                               | 3544            | 265      |         |                 |            |       |               |      | 253                 |                            |                  | GRADING                         |
| E-10       | 12, 13         | CITY OF GARDNER (CITY COUNCIL)                                              | 65818           | 178      |         |                 |            |       |               |      | 3,684               | 299                        | CENTRAL ST       | ROADWAY, SIDEWA                 |

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(d)**

| <b>SPECIAL MUNICIPAL EMPLOYEE INFORMATION</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name of special municipal employee:</b>            | John M. Flick                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Put an X beside one statement.                        | <p>I am a <b>special municipal employee</b> because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input checked="" type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p style="padding-left: 40px;"><input type="checkbox"/> I serve in a municipal position for which <b>no compensation</b> is provided, or</p> <p style="padding-left: 40px;"><input type="checkbox"/> I earned <b>compensation for fewer than 800 hours</b> in the preceding 365-day period, or</p> <p style="padding-left: 40px;"><input checked="" type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am <b>permitted to have personal or private employment during normal business hours.</b></p> <p><input checked="" type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a <b>"key employee"</b> because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the <b>contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</b></p> |
| <b>Title/ Position</b>                                | City Solicitor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Fill in this box if it applies to you.</b>         | If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Municipal Agency/ Department:</b>                  | This is "my Municipal Agency."<br>Law Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Agency Address:</b>                                | 95 Pleasant Street<br>Gardner, MA 01440                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Office phone:</b>                                  | (978) 632-7948                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Office e-mail:</b>                                 | jflick@flicklawgroup.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                       | <b>Check one:</b> <input type="checkbox"/> <b>Elected</b> or <input checked="" type="checkbox"/> <b>Non-elected</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Starting date as a special municipal employee.</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>BOX # 1</b></p> <p>Select either<br/><b>STATEMENT #1</b> or<br/><b>STATEMENT #2.</b></p> <p><b>Write an X<br/>by your financial<br/>interest.</b></p> | <p><b>ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am an <b>elected special municipal employee.</b></p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency <b>before</b> I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> <b>STATEMENT #2:</b> I will have a <b>new</b> financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>BOX #2</b></p> <p>Select either<br/><b>STATEMENT #1</b> or<br/><b>STATEMENT #2.</b></p> <p><b>Write an X<br/>by your financial<br/>interest.</b></p>  | <p><b>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</b></p> <p>I am a <b>non-elected special municipal employee</b> (compensated or uncompensated).</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had a financial interest in a contract made by a municipal agency, other than an employment contract, <b>before</b> I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A contract between a municipal agency and myself, but not an employment contract.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><b>OR</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a <b>new</b> financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a contract made by a municipal agency is:</b></p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input checked="" type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p> |
| <p>Name and address of municipal agency that made the contract</p>                                                                                          | <p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p> <p>This is the "contracting agency."</p> <p><b>City of Gardner, Executive Office<br/>95 Pleasant Street<br/>Gardner, MA 01440</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Write an X to confirm this statement.</p>                                                                                                                | <p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I <b>participate in or have official responsibility for activities of the contracting agency.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FILL IN THIS BOX OR THE NEXT BOX</b>                         | <b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</b><br>- Please explain what the contract is for.                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                 | <b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</b><br>- Please identify the person or entity that has the contract with the municipal agency.<br>- What is your relationship to the person or entity?<br>- What is the contract for?<br>-<br>The Contract is between the City and Flick Law Group, P.C., of which I am its principal shareholder. All work by FLG related to this contract will be performed by Attorney Robert Charland who is an employee of FLG. |
| What is your financial interest in the municipal contract?      | - Please explain the financial interest and include the dollar amount if you know it.<br>The Contract is between the City and Flick Law Group, P.C., of which I am its principal shareholder. All work by FLG related to this contract will be performed by Attorney Robert Charland who is a W-2 compensated employee of FLG. FLG will bill hourly for title searches and certifications to be provided as per the agreement.                                                                                                        |
| Date when you acquired the financial interest                   | April 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| What is the financial interest of your immediate family?        | - Please explain the financial interest and include the dollar amount if you know it.<br>None                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Date when your immediate family acquired the financial interest |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Employee signature:                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Date:                                                           | 4/14/2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**SEE NEXT PAGE FOR APPROVAL  
BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN, TOWN COUNCIL,  
OR DISTRICT PRUDENTIAL COMMITTEE**

**APPROVAL OF EXEMPTION  
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,  
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

|                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name:                                                              | <b>Elizabeth Kazinskas</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Name of approving body:<br><br><b>Write an X by one selection.</b> | <input checked="" type="checkbox"/> <b>City Council</b><br><br><input type="checkbox"/> <b>Board of Aldermen</b><br><br><input type="checkbox"/> <b>Board of Selectmen</b><br><br><input type="checkbox"/> <b>Town Council</b><br><br><input type="checkbox"/> <b>District Prudential Committee</b>                                                                                                                                                                                        |
| Title/ Position                                                    | <b>City Council President</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Agency Address:                                                    | <b>Gardner City Council<br/>95 Pleasant Street<br/>Gardner, MA 01440</b>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Office phone:                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>APPROVAL OF § 20(d) EXEMPTION</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                    | We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee. |
| Signature:                                                         | On behalf of the Council, Board or Committee identified above, I sign this approval.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Date:                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**Attach additional pages if necessary.**

**File your completed, signed, approved Disclosure with the city or town clerk.**

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED

2022 APR -4 AM 9:31

CITY CLERK'S OFFICE  
GARDNER, MA



March 24, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St  
Gardner, MA 01440

RE: Request for five (5) year contracts

Dear Madam President and Councilors,

Chapter 30B of the General Laws requires that any contract over the period of three (3) years receive approval by the Legislative Body of the municipality in order to extend to a longer term.

As we have done in the past, the Administration is requesting that the Council vote to allow the City to enter into agreements for up to five (5) years for the services outlined in the attached memorandum from Director Joshua Cormier for the City's Purchasing Department.

By allowing the City to enter into these contracts for five (5) years, rather than three (3), the City is able to obtain more competitive responses when the requests are put out for companies to bid on.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

CITY OF GARDNER  
PURCHASING DEPARTMENT

Room 217 - City Hall  
95 Pleasant Street  
Gardner, MA 01440-2687



Joshua Cormier, Director  
jcormier@gardner-ma.gov  
Telephone (978) 632-0426

TO: Gardner City Council  
Mayor Michael J. Nicholson

FROM: Joshua Cormier, Purchasing Agent

DATE: March 1, 2022

SUBJECT: Request for 5-year contracts

According to MGL c 30B, any contract that exceeds three years must be approved by a majority vote by the City Council.

I respectfully request permission from the Gardner City Council to seek up to a five-year contract (including renewals) for the below listed projects. Following compliance with procurement requirements, all such contracts will continue only if the contracted vendor(s) is in good standing.

- On-Call Tradesperson Contracts (Installation, Repair and Maintenance) for HVAC, Electrical Services, Plumbing Services, and/or General Contracting
- School Custodial Services
- General Office and Janitorial Supplies

My intention to seek a longer-term contract is to attract more competitive rates from vendors and to conduct more effective contract management.

If you have any questions or concerns, please feel free to contact me for additional details.

# City of Gardner, *Executive Department*

**RECEIVED**

Michael J. Nicholson, Mayor

2022 APR -4 AM 9:31

CITY CLERK'S OFFICE  
GARDNER, MA

March 24, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St  
Gardner, MA 01440

RE: Correction in Compensation

Dear Madam President and Councilors,

During a recent review of employee compensation, it was noticed that one of our Golf Department Employees did not receive a longevity step that they were due to receive back in 2019.

The City is legally obligated to pay this employee the retroactive difference in what the employee should have received had the step been given as it should have and what the employee has already received at the lower step for the past two fiscal years.

Since these expenses were incurred in previous fiscal years, this correction requires approval of the City Council.

These funds are coming from the Golf Enterprise Budget that has already been appropriated, and no additional appropriation is anticipated to be needed in order to cover this cost.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AUTHORIZING PAYMENT OF PRIOR  
YEAR SALARY EXPENDITURE

**VOTED:** To authorize payment of prior year Golf Maint Salary Expenditure.  
Account for prior years, as follows:

-

FY2019-FY2021

Golf Maint. Salary Expense \$9,225.75



**City of Gardner  
Department of Human Resources**

**95 Pleasant Street, Rm. 226**

**Gardner, MA 01440**

**(978) 630-4001 • Fax (978) 630-4025**

TO: Gardner Municipal Golf Course Commission

FROM: Debra A. Pond, Director of Human Resources 

DATE: March 25, 2022

SUBJECT: Wesley Murphy

A recent review of the Golf Course personnel and their respective pay rates brought an oversight to both mine and Golf Superintendent, William Frank's attention. Wesley Murphy has been employed by the Golf Course as a Motor Equipment Repairman since September 21, 2017. Pursuant to City ordinance, Mr. Murphy received a pay increase on March 21, 2018 (six (6) months after his date of hire) and was moved to Step 2 of the compensation schedule. Mr. Murphy should have received another pay increase on March 21, 2019 and been moved to Step 3 of the compensation schedule. As of the date of our review he had not been moved to Step 3 of the compensation schedule. As such, please note the following rate changes that need to be implemented for Mr. Murphy:

| <u>Date</u>    | <u>New Rate</u> |
|----------------|-----------------|
| March 21, 2019 | \$19.76         |
| July 1, 2019   | \$20.16         |
| July 1, 2020   | \$20.56         |
| July 1, 2021   | \$21.07         |

Mr. Murphy has been moved to the appropriate step 3 rate as of this week. We will process a retro-payment for him totaling \$3,083.06 back to July 1, 2021 in next week's payroll. The remaining retro pay for 2019 and 2020 totals \$9,225.75 and requires City Council approval as it covers two previous fiscal periods. Pursuant to my discussion with the City Auditor, John Richard, the retro-compensation will have to be paid out of the Golf Course enterprise fund.

Attached is a copy of the pay change forms for Mr. Murphy with the attached retro calculations which I believe you will want to discuss at your next Golf Commission meeting and prior to our submission to the City Council.

*Human Resources Department*

Gardner Municipal Golf Course Commission

March 17, 2022

Page | 2

Please contact me if you have any questions regarding this matter.

c: Michael Nicholson, Mayor  
John Richard, City Auditor

Enclosure

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor



RECEIVED

2022 APR -4 AM 9:31

CITY CLERK'S OFFICE  
GARDNER, MA

March 24, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St.  
Gardner, MA 01440

RE: Request for Retained Earnings- Supplemental Request Downtown Trash Receptacles

Dear Madam President and Councilors,

Due to the increases in prices as a result of the Russian invasion of Ukraine on raw materials, such as steel, the Department of Corrections has increased in price of the trash receptacles funding was approved for at the February 22, 2022 meeting.

Director Saunders from the Department of Public Health and Director Arnold from the Department of Public Works have gone through the Downtown to see if there were any locations that could be eliminated from the total count if there were several receptacles close to each other, however, even with that reduction the attached appropriation request is still required in order to cover the cost of the project.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM SOLID WASTE SURPLUS TO OPERATING EXPENSES.

ORDERED:

That there be and is hereby appropriated the sum of Ten Thousand Dollars and 0/100 (\$10,000.00) from Solid Waste Surplus to Operating Expenses.



# CITY OF GARDNER



OFFICE OF THE  
**BOARD OF HEALTH ROOM 29, CITY HALL**  
GARDNER, MASSACHUSETTS 01440  
(978) 630-4013  
FAX (978) 632-4682

---

**To:** The Honorable Michael J. Nicholson, Mayor, City of Gardner  
**From:** Lauren Saunders, Director of Public Health  
**Date:** 3/21/2022  
**Re:** Finance Committee Request

---

I am requesting \$10,000 out of the Health Department's retained earnings to give us the amount needed to purchase new trash barrels for the downtown area. Additional funds are needed as the cost of metal has significantly increased since the last quote we obtained from MassCor for the construction of the barrels.

Please let me know if you have any questions or need any additional information.

City of Gardner, *Executive Department*

RECEIVED



Michael J. Nicholson, Mayor

2022 APR -4 AM 9:31

CITY CLERK'S OFFICE  
GARDNER, MA

March 24, 2022

Hon. Elizabeth J. Kazinskas, President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St  
Gardner, MA 01440

RE: Free Cash Appropriation Request- Landfill Closure

Dear Madam President and Councilors,

The City is obligated to maintain and monitor the former West Street Landfill for a period of thirty (30) years from the date of closure. The West Street Landfill closed in 2005.

The fund that was previously set up to maintain and monitor the former landfill will be all but exhausted by the end of the fiscal year. In order to maintain and monitor the landfill going forward, I am requesting the transfer of \$75,000 from Free Cash to the Landfill Closure Fund.

I anticipate this will be an annual request to replenish the account. We anticipate the cost to maintain and monitor the former landfill will be approximately \$50,000 a year. By adding \$75,000 a year for the next twelve (12) years, we anticipate we will be able to re-establish a small cushion for the fund. I've included a sample spreadsheet to show the anticipated appropriations and expenses.

Respectfully,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO LANDFILL CLOSURE EXPENDITURES.

ORDERED:

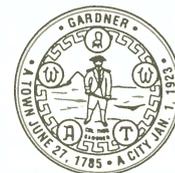
That there be and is hereby appropriated the sum of Seventy-five Thousand Dollars and No Cents (\$75,000.00) from Free Cash to Landfill Closure Expenditures.

| <b>Fiscal<br/>Year</b> | <b>Appropriation</b> | <b>Expenses*</b> | <b>End of Year<br/>Balance</b> |
|------------------------|----------------------|------------------|--------------------------------|
| 2019                   | 0                    | \$ 50,000        | \$ 856                         |
| 2020                   | \$ 75,000            | \$ 50,000        | \$ 25,856                      |
| 2021                   | \$ 75,000            | \$ 51,250        | \$ 49,606                      |
| 2022                   | \$ 75,000            | \$ 52,531        | \$ 72,075                      |
| 2023                   | \$ 75,000            | \$ 53,845        | \$ 93,230                      |
| 2024                   | \$ 75,000            | \$ 55,191        | \$ 113,040                     |
| 2025                   | \$ 75,000            | \$ 56,570        | \$ 131,469                     |
| 2026                   | \$ 75,000            | \$ 57,985        | \$ 148,484                     |
| 2027                   | \$ 75,000            | \$ 59,434        | \$ 164,050                     |
| 2028                   | \$ 75,000            | \$ 60,920        | \$ 178,130                     |
| 2029                   | \$ 75,000            | \$ 62,443        | \$ 190,687                     |
| 2030                   | \$ 75,000            | \$ 64,004        | \$ 201,683                     |
| 2031                   | \$ 75,000            | \$ 65,604        | \$ 211,078                     |
| 2032                   | \$ 75,000            | \$ 67,244        | \$ 218,834                     |
| 2033                   | \$ 50,000            | \$ 68,926        | \$ 199,908                     |
| 2034                   | \$ 25,000            | \$ 70,649        | \$ 154,260                     |
| 2035                   | \$ -                 | \$ 72,415        | \$ 81,845                      |

\*2 1/2% annual increase

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor



RECEIVED

2022 APR -4 AM 9:31

CITY CLERK'S OFFICE  
GARDNER, MA

March 24, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St  
Gardner, MA 01440

RE: Water Enterprise Loan – Paving Costs

Dear Madam President and Councilors,

As you are aware, the City did a lot last year in terms of repairing and improving our water infrastructure throughout the City in replacing old pipes, main lines, and valves that were installed between 1880 and 1930.

Part of the original loan that was taken from the water enterprise account was to be used to pave all of the streets where work was done. This is an approved use of enterprise funds by the Department of Revenue, due to its direct relation with the work being done underneath the surface of the streets.

However, due to the large increases in the cost of asphalt due to the pandemic and the Russian invasion of Ukraine, the original loan is not sufficient to cover these costs.

Attached is a request for an additional \$1.8 million to be borrowed from the water enterprise account in order to complete this project.

This is still within our debt limit for the enterprise account and will not require any rate changes for those utilizing City water services.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

CITY OF GARDNER  
LOAN ORDER

(Repaving Project)

ORDERED:

That the City appropriates One Million Eight Hundred Thousand Dollars (\$1,800,000) to pay costs of paving streets effected by the Water Main Replacement Program, as follows:

| Street            | From             | To                |
|-------------------|------------------|-------------------|
| Central Street    | Maple St         | Green Street      |
| Woodland Ave      | Central St.      | Green Street      |
| Warwick Road      | Jackson Hill Rd  | West Broadway     |
| West Lynde Street | Main Street      | Pine Street       |
| Robillard Street  | Bates Road       | Douglas Rd        |
| Wickman Drive     | Pond Street      | Douglas Rd        |
| Pond Street       | Robillard Street | Wickman Drive     |
| Myrtle Road       | Douglas Rd       | End               |
| Douglas Road      | Coleman Street   | Myrtle Rd         |
| Draper Road       | Douglas Rd       | West Street       |
| Wasa Street       | Wickman Drive    | Robillard Street  |
| Monadnock Street  | West Street      | Way Street        |
| Green Street      | Rotary           | 200' North        |
| Elm Street        | Rotary           | 200' South        |
| Robillard Street  | Pond Street      | Parker Street     |
| Pearl Street      | Pearly Lane      | Betty Spring Road |
| Connors Street    | Parker Street    | City Hall Ave     |
| Parker Street     | Main Street      | Jean Street       |
| West Street       | Parker Street    | Monadnock Street  |

and for the payment of all other costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the City therefor.

**CITY OF GARDNER**  
**Department of Public Works**



Highway  
 Water  
 Sewer  
 Forestry  
 Parks/Playgrounds  
 Cemeteries

Dane E. Arnold, Director  
 50 Manca Drive  
 Gardner, MA 01440-2687  
 Telephone (978) 630-8195  
 Fax (978) 630-4029  
 darnold@gardner-ma.gov

Michael J. Nicholson  
 City Hall  
 95 Pleasant Street  
 Gardner, MA 01440

RE: Water Main Paving Loan Order

March 14, 2022

Dear Mayor Nicholson:

The **Water Department** is requesting a **\$1,800,000 Loan Order** for Paving of streets that were affected by the Water Main Replacement Program. As you are aware, the City is nearing completion of replacing \$11 million dollars of water mains throughout the City. There are several streets that have trenches remaining after the water work and are in pretty dire need of resurfacing. The funds from this loan will be used to resurface the following streets:

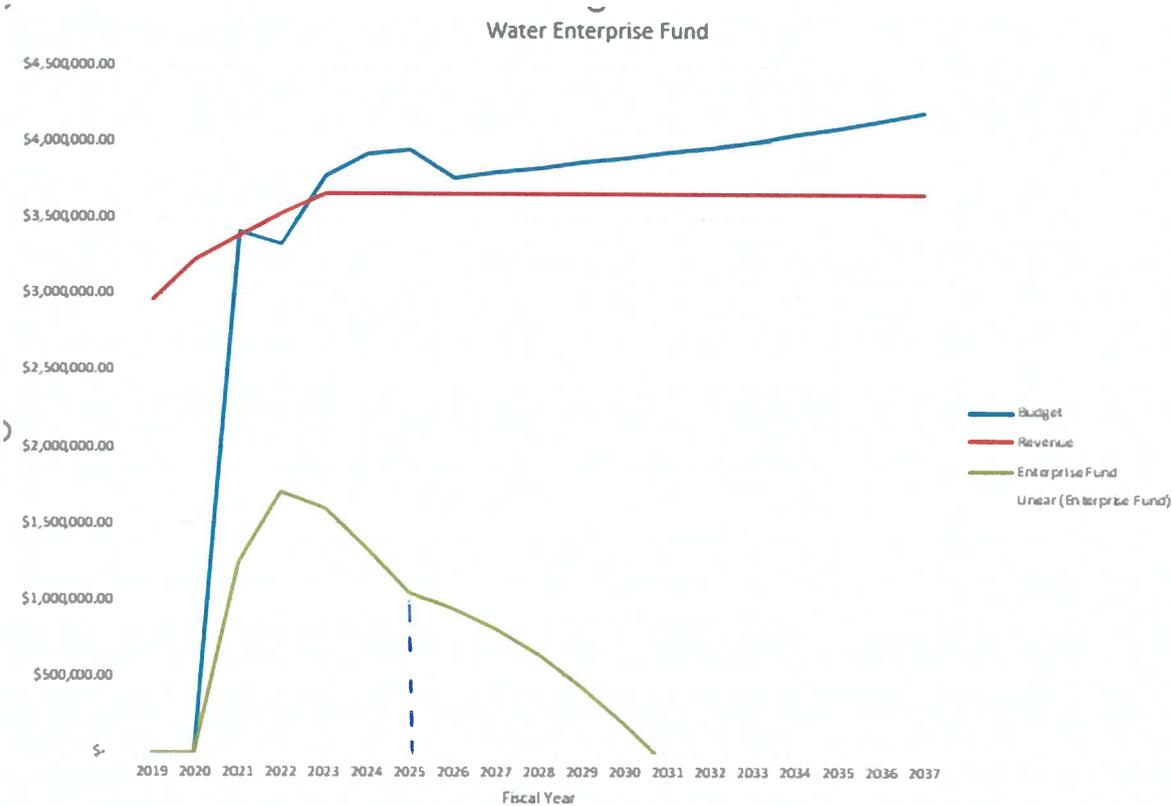
| Street            | From             | To                |
|-------------------|------------------|-------------------|
| Central Street    | Maple St         | Green Street      |
| Woodland Ave      | Central St.      | Green Street      |
| Warwick Road      | Jackson Hill Rd  | West Broadway     |
| West Lynde Street | Main Street      | Pine Street       |
| Robillard Street  | Bates Road       | Douglas Rd        |
| Wickman Drive     | Pond Street      | Douglas Rd        |
| Pond Street       | Robillard Street | Wickman Drive     |
| Myrtle Road       | Douglas Rd       | End               |
| Douglas Road      | Coleman Street   | Myrtle Rd         |
| Draper Road       | Douglas Rd       | West Street       |
| Wasa Street       | Wickman Drive    | Robillard Street  |
| Monadnock Street  | West Street      | Way Street        |
| Green Street      | Rotary           | 200' North        |
| Elm Street        | Rotary           | 200' South        |
| Robillard Street  | Pond Street      | Parker Street     |
| Pearl Street      | Pearly Lane      | Betty Spring Road |
| Connors Street    | Parker Street    | City Hall Ave     |
| Parker Street     | Main Street      | Jean Street       |
| West Street       | Parker Street    | Monadnock Street  |

**Rates**

The current Rate Structure will be able to repay this loan request without raising the rates at this time.

|              |        |                |              |
|--------------|--------|----------------|--------------|
| July 1, 2019 | \$5.72 | 8.7% increase  | \$0.0076 gal |
| July 1, 2020 | \$6.00 | 4.9% increase  | \$0.0080 gal |
| July 1, 2021 | \$6.26 | 4.3% increase  | \$0.0084 gal |
| July 1, 2022 | \$6.50 | 3.8 % increase | \$0.0087 gal |

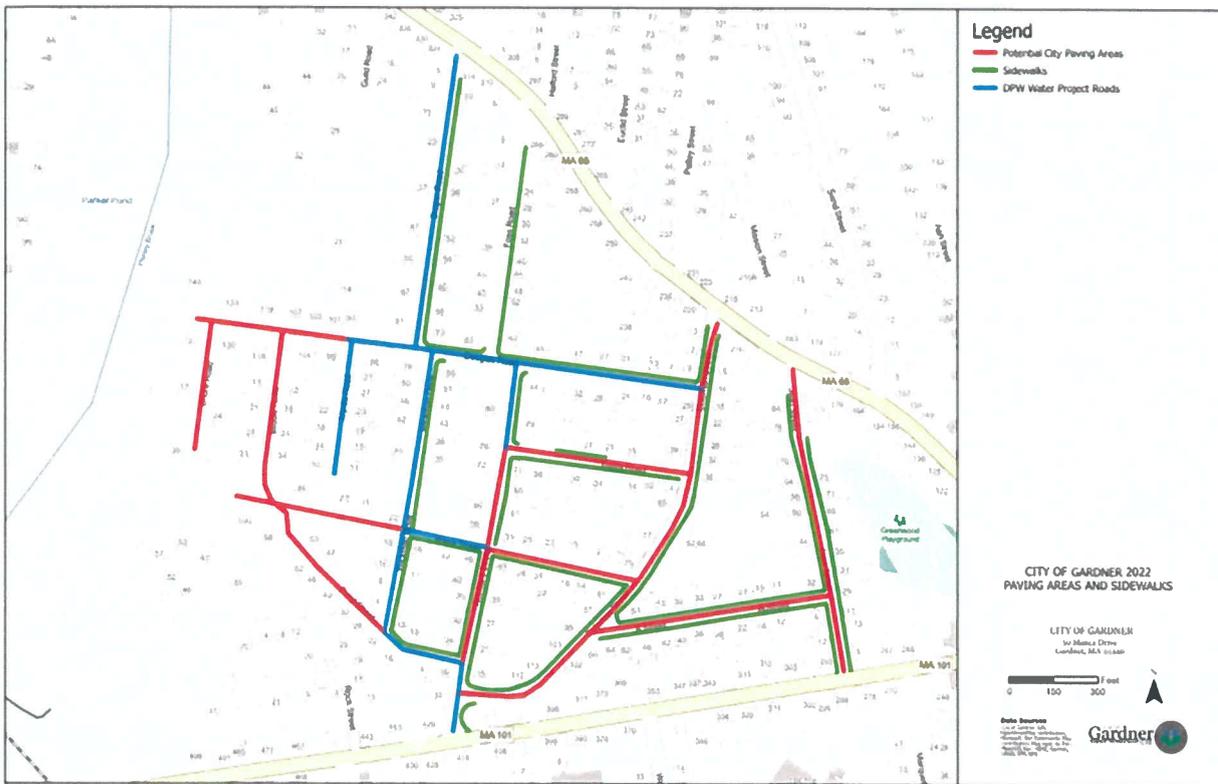
Given the current Rate Structure, we are anticipating rates will not have to be increased until approximately FY2025 *unless other projects are undertaken*. We have created a spreadsheet and graph of the water and sewer systems. The spreadsheets include all know costs to the Enterprise Systems and estimated loan repayment schedules. There are several water and sewer projects that we anticipate will need to be completed within the next 5-7 years that will impact the rate structure in the future. These projects are NOT shown on the graph below.



If this loan is approved, it will still leave several streets in the Wickman/Robillard area that will not be resurfaced by Water Department funds. Below is a plan of the Robillard/Wickman area. The streets with the blue lines will be resurfaced by the Water Department. The streets with the red lines will need to be resurfaced with City/Chapter 90 funds. The green lines are sidewalks that will also need to be paid for by the City/Chapter 90.

I will be working with the Mayor and City Council to acquire the nearly \$1.3 million in funding for the remaining portion of this project shown with the red lines and adjacent sidewalks.

It should be noted that asphalt costs will most likely increase making paving estimates very difficult in this volatile market.



If you have any questions, please feel free to contact my office.

Sincerely,

Dane E. Arnold, Director  
Department of Public Works

PC: Public Service Committee  
Chris Coughlin, City Engineer  
John Richard, City Auditor



April 1, 2022

City of Gardner

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID VERIZON pole location(s)

If you have any questions regarding this permit please contact:

Please notify National Grid's Vincent LoGuidice of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845. Phone 978-725-1392.

Very truly yours,

Patrick Cody  
Supervisor, Distribution Design

Enclosures

RECEIVED  
2022 APR -4 AM 9:26  
CITY CLERK'S OFFICE  
GARDNER, MA



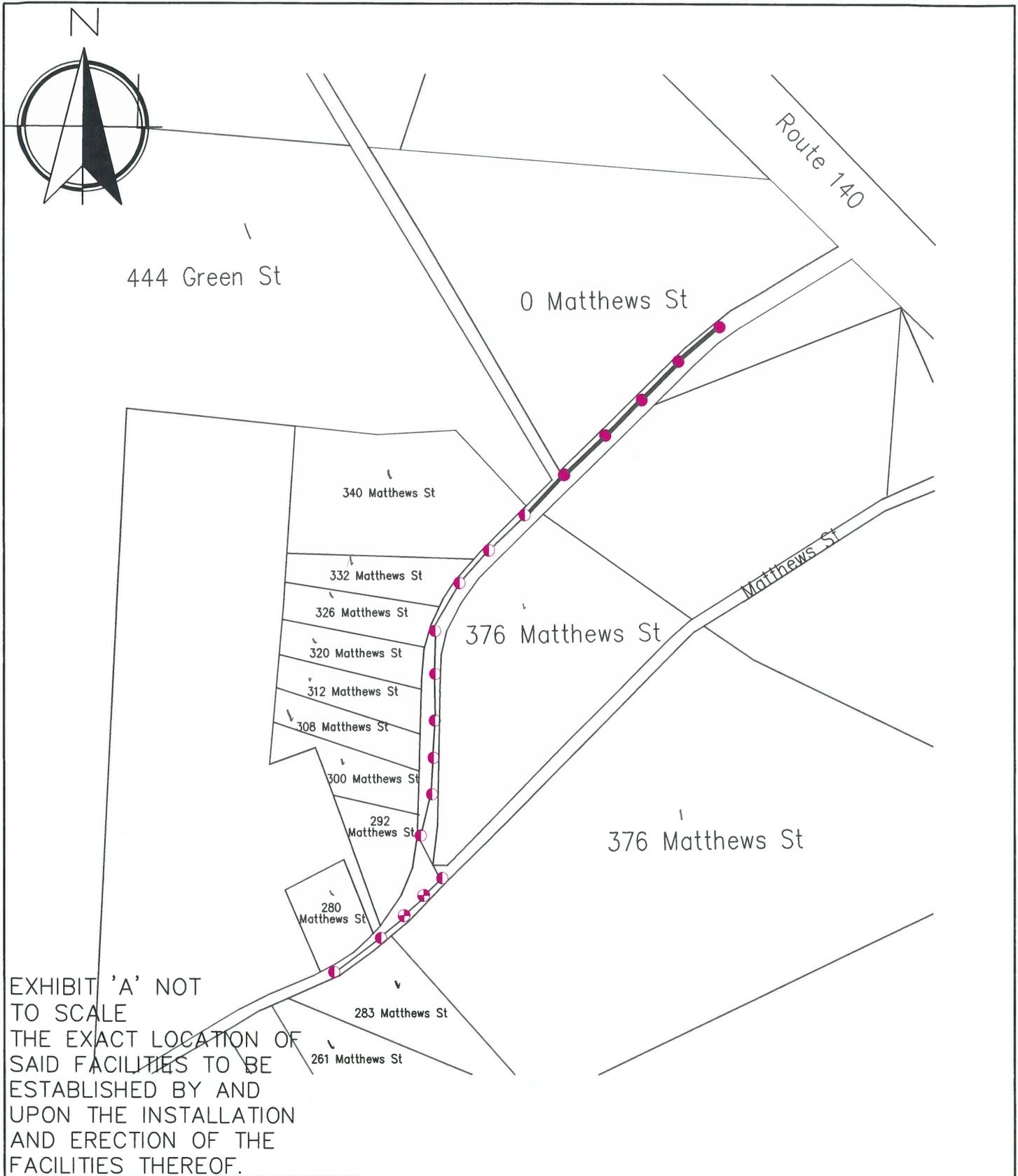


EXHIBIT 'A' NOT TO SCALE  
 THE EXACT LOCATION OF SAID FACILITIES TO BE ESTABLISHED BY AND UPON THE INSTALLATION AND ERECTION OF THE FACILITIES THEREOF.

|                                                                                                                                                     |  |                                                                         |  |                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------|--|----------------------------------------------------------------------|
| <p><b>LEGEND</b></p> <p>— Proposed OH Wire      ◐ Existing JO Poles</p> <p>— Existing OH Wire      ● Proposed SO Pole</p> <p>◑ Proposed JO Pole</p> |  | <p><b>Petition Sketch</b></p> <p>0 Matthews Street      Gardner, MA</p> |  | <p>Date: 12/30/2021</p> <p>Designer: REYNOC3</p> <p>WR: 30529057</p> |
|                                                                                                                                                     |  |                                                                         |  |                                                                      |

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of March, 2022.

All construction under this order shall be in accordance with the following conditions:  
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner - Massachusetts.

**No. 30529057** Dated March 3, 2022. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Matthews St - National Grid to install 2 JO Poles on Matthews St beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green St and continuing approximately 20 feet in a south direction. Install 2 Poles underneath transmission crossing.

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.

I hereby certify that the foregoing order was adopted at a meeting of the  
of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ .

Massachusetts

City/Town Clerk.  
20\_\_ .

Received and entered in the records of location orders of the City/Town of  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and  
that we mailed at least seven days before said hearing a written notice of the time and place of said  
hearing to each of the owners of real estate (as determined by the last preceding assessment for  
taxation) along the ways or parts of ways upon which the Company is permitted to erect  
poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_  
Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded with the  
records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy  
is made under the provisions of Chapter 166 of General Laws and any additions thereto or  
amendments thereof.

Attest:  
City/Town Clerk

**nationalgrid**

April 1, 2022

City of Gardner

RECEIVED  
2022 APR -1 AM 10: 26  
CITY CLERK'S OFFICE  
GARDNER, MA

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Please notify National Grid's Vincent LoGuidice of the hearing date / time.

If this petition meets with your approval, please return an executed copy to:

National Grid Contact Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845

Phone number 978-725-1392.

Very truly yours,

*Pat Cody*

Patrick Cody  
Supervisor, Distribution Design

Enclosures

Questions contact – Connor Reynolds 774-312-0350

**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Gardner, Massachusetts

Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Matthews St - National Grid to install 5 SO Poles on Matthews St beginning at a point approximately 1400' feet west of the centerline of the intersection of Route 140 and continuing approximately 20 feet in a north direction. Install 5 poles to extend line for a new service.

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 – Matthews St - Gardner – Massachusetts.

No.# 30529057 March 3, 2022

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.

Massachusetts Electric Company d/b/a National Grid  
BY Pat Cody  
Engineering Department



444 Green St

0 Matthews St

Route 140

340 Matthews St

332 Matthews St

326 Matthews St

320 Matthews St

312 Matthews St

308 Matthews St

300 Matthews St

292 Matthews St

280 Matthews St

283 Matthews St

261 Matthews St

376 Matthews St

Matthews St

376 Matthews St

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 OH Wire
- Existing OH Wire
- Existing JO Poles
- Proposed SO Pole
- Proposed JO Pole

Petition Sketch

0 Matthews Street

Gardner, MA

Date: 12/30/2021

Designer: REYNOC3

WR: 30529057



**ORDER FOR POLE AND WIRE LOCATIONS**

In the City of Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 3rd day of March, 2022.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner – Massachusetts

No.# 30529057 Dated: March 3, 2022. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Matthews St - National Grid to install 5 SO Poles on Matthews St beginning at a point approximately 1400' feet west of the centerline of the intersection of Route 140 and continuing approximately 20 feet in a north direction. Install 5 poles to extend line for a new service.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20\_\_.

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
\_\_\_\_\_  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

Massachusetts Electric Company d/b/a National Grid

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_ Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded with the records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof

Attest:  
City/Town Clerk

## Faith Glover

---

**Subject:** FW: Appointments Committee Comments

**From:** Mayor <[Mayor@gardner-ma.gov](mailto:Mayor@gardner-ma.gov)>

**Sent:** Friday, April 8, 2022 3:54 PM

**To:** Elizabeth Kazinskas <[ekazinskas@gardner-ma.gov](mailto:ekazinskas@gardner-ma.gov)>; George Tyros <[gtyros@gardner-ma.gov](mailto:gtyros@gardner-ma.gov)>; James M. Walsh <[jwalsh@gardner-ma.gov](mailto:jwalsh@gardner-ma.gov)>; Judy Mack <[jmack@gardner-ma.gov](mailto:jmack@gardner-ma.gov)>; Titi Siriphan <[tsiriphan@gardner-ma.gov](mailto:tsiriphan@gardner-ma.gov)>

**Subject:** Appointments Committee Comments

Dear Madam President, Mr Chairman, and Councilors,

My apologies in the delay is sending this correspondence. I have been in Washington, D.C. this passed week meeting with members of the President's cabinet regarding the new grant and funding opportunities that the Biden Administration will be releasing this and next year as part of the yet unreleased ARPA funds and the bipartisan infrastructure bill.

Below are my comments on the appointees-designate that I have submitted to the City Council for confirmation.

Respectfully Submitted,

Mike Nicholson

### **Casey Bradshaw- Alternate Plumbing and Gas Inspector (New Appointment)**

- Mr Bradshaw is the current full time Plumbing Inspector for the Town of Orange. He has all of his certifications from the Commonwealth and has been performing work in this field for quite sometime. This is an as needed position but per the Commonwealth's Building Code, must still have an active appointment in order to have the authority to issue citations or inspection certifications. This came following the resignation of or previous Alternate Inspector Edward Tonet. This appointment comes at the recommendation of Commission Jean who would be the Department Head overseeing this work. This is an hourly paid, Unbenefited position.

### **Airport Commission (Re-Appointments)**

- **Philip Morrissey, James Morrissey, John LaVoie, Andre Guertin**

- These are all reappointment sod individuals who have served in their capacities as Airport Commissioners for a few decades. They have continued to have interests in seeing the airport succeed, particularly with the new several million dollar grant the airport just received from the FAA as part of the Infrastructure Bill competitive funding.

### **Stephen Hirons- Sealer of Weights and Measurers (Re-Appointment)**

- Mr Hirons has worked in this position for over a decade and his father held the position prior to him. This position goes around annually to all stores that have scales and ensures that they are all accurately calibrated. This includes everything from gallons of gas at a gas pump or a vegetable scale at a grocery store. He has done quite well in this position. Per the General Laws, this is an annual appointment. This is a stipended position.

### **Ronald Darmetka, Council on Aging (Re-appointment)**

- Mr Darmetka currently serves as the Chair of the Council on Aging and has for approximately a year now. He has been very active in the Senior Center and had helped coordinate many events that the Center has put on. This is a volunteer, unpaid position.

**David Orwig - Conservation Commission (Re-Appointment)**

- Mr Orwig has served on the Conservation Commission for quite some time. He comes highly recommended by Chairman Dumas and has been an active member in the Commission’s meetings. This position receives an annual stipend of \$750

**Golf Commission (All Re-Appointments)**

- **Aleksander Dernalowicz, David Noyes, Jeffrey Gallant, Michael Budwick**

- All of the Golf Commission Appointments are re-appointments of individuals who are interested in continuing their service on the Commission. Their current chair is Mr Jeffrey Gallant. Per §152-2(B) of the Code of the City of Gardner, these positions are unpaid and compensated by an annual free family membership to the Golf Course, subject to taxation under the Internal Revenue Code.

**Tina Sbrega- Williams-Rockwell Educational Gift Fund Trustee (NEW appointment)**

- This is a new appointment in order to fill the vacancy created following the passing of Mr Andrew Boucher. Ms Sbrega is no stranger to the City of Gardner, having worked as the President and CEO of GFA Federal Credit Union for quite sometime. She has a substantial background in business and financial matters and would be an excellent addition to this board. Under Tina’s leadership at GFA, she created a Student Advisory Council for the Credit Union in which she was able to hear first hand from our students what they believed the needs of their generation and our schools are. This is an unpaid, volunteer position.

**Mark Monahan- Bandstand Committee (NEW appointment)**

- Mr Monahan has worked as a Financial Advisor for Advent Financial Planners since 2015. Following the birth of his son last year, Mr Monahan was looking at ways to give back to the City to help make it a good home for his new family. This is an unpaid position and the volunteers on this board help create the concert schedule and obtain sponsors for the annual Concerts in the Park series.

**Gardner Housing Authority (Re-Appointments)**

- Stephen Hancock and George Oulette

- Mr Hancock and Mr Oulette have served for several years on the Board of the Gardner Housing Authority. They come highly recommended by Ms Sandy Mullins, former director of the GHA, and their background and experiences on the Board will certainly be helpful during the transition with the new Executive Director who will be starting at the facility imminently. These are unpaid, volunteer positions.

**Mario Guay- Board of Registrars (Re-Appointment)**

Per the General Laws, the number of Registrars on the Board of Registrars of Voters is set by population and must be an equal amount of Democrats and Republicans in its make up. The City Clerk serves as an ex officio member of the Board and votes in instances of a tie.

Mr Guay has served for just over a decade in this position and is one of the Republican members of the Board.

This position receives an annual stipend of \$750.

**Municipal Grounds/Cemetery Commission**

- **Brian LaRoche and John Awdycki** have both served for about a decade and a half in these roles

- **Denise Merriam** was appointed following the passing of Commissioner Ludger Robichaud.

- This commission advises the Director of Public Works in the financial aspects and operations regarding City owned lands and the cemeteries and both commissions are required for us to have per our City Ordinances.

- members of the Municipal Grounds Committee receive an annual stipend of \$750

- positions on the Cemetery Commission are unpaid, volunteer positions.

Michael J Nicholson  
Mayor, City of Gardner, MA

March 4, 2022

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2022 MAR 10 AM 9:19

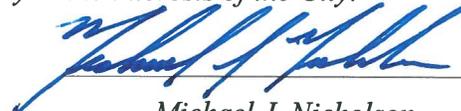
Commonwealth of Massachusetts

Worcester County OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Philip Morrissey to the position of Member, Airport Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

 City Clerk  
Titi Siriphan

Expires: March 4, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Phillip Morrissey and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Airport Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 4, 2022

2022 MAR 10 AM 9:00  
Commonwealth of Massachusetts

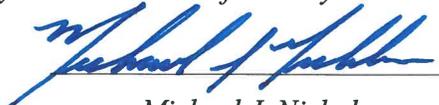
CITY CLERK'S OFFICE  
Worcester County

City of Gardner

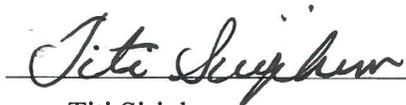
**CERTIFICATE OF APPOINTMENT**

I appoint James Morrissey to the position of Member, Airport Commission, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

 City Clerk  
Titi Siriphan

Expires: March 4, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named James Morrissey and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Airport Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 4, 2022

2022 MAR 10 AM 9:19

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint John Lavoie to the position of Member, Airport Commission, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

*Michael J. Nicholson* Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

*Titi Siriphan* City Clerk  
Titi Siriphan

Expires: March 4, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named John Lavoie and made oath that he/she

would faithfully and impartially perform the duties of the office of Member, Airport Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 3, 2022

2022 MAR -8 Commonwealth of Massachusetts

Worcester County CITY CLERK'S OFFICE GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Andre Guertin to the position of Member, Airport Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Gardner, MA

Michael J. Nicholson Mayor

Confirmed by City Council \_\_\_\_\_

Titi Siriphan City Clerk

Expires: March 3, 2025 \_\_\_\_\_

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Andre Guertin and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Airport Commission according to law and the best of his/her abilities.

Before me, \_\_\_\_\_ City Clerk

Chapter 303 Acts of 1975 and Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 23, 2022

RECEIVED

2022 MAR 30 AM 11:36

Commonwealth of Massachusetts

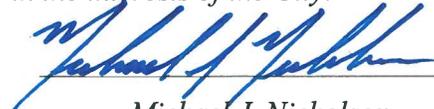
Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Stephen Hirons to the position of Sealer of Weights and Measures and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 23, 2023

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Stephen Hirons and made oath that he/she would faithfully and impartially perform the duties of the office of Sealer of Weights and Measures according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 22, 2022

RECEIVED

Commonwealth of Massachusetts

2022 MAR 30 AM 11:36

Worcester County

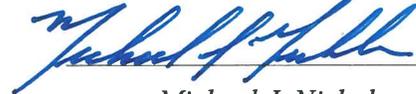
City of Gardner

CITY CLERK'S OFFICE  
GARDNER, MA

CERTIFICATE OF APPOINTMENT

I appoint Ronald G. Darmetka to the position of Member, Council on Aging, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Ronald G. Darmetka and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Council on Aging according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

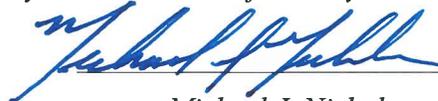
2022 MAR 30 10 11 AM  
Commonwealth of Massachusetts

CITY CLERK'S OFFICE  
WORCESTER, MA  
Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint David Orwig to the position of Member, Conservation Commission and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named David Orwig and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Conservation Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

2022 MAR 30 **Commonwealth of Massachusetts**

Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

**CERTIFICATE OF APPOINTMENT**

I appoint Aleksander Dernalowicz to the position of Member, Golf Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Aleksander Dernalowicz and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Golf Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

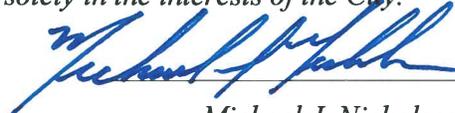
2022 MAR 30  
**Commonwealth of Massachusetts**

Worcester County  
NICHOLSON'S OFFICE  
GARDNER, MA

City of Gardner

**CERTIFICATE OF APPOINTMENT**

I appoint David Noyes to the position of Member, Golf Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named David Noyes and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Golf Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

2022 MAR 30 AM 11:35

Commonwealth of Massachusetts

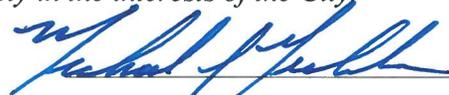
Worcester County

CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Jeffrey Gallant to the position of Member, Golf Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City,

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Jeffrey Gallant and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Golf Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

2022 MAR 30 11:53

Commonwealth of Massachusetts

Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Michael Budwick to the position of Member, Golf Commission, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
Michael J. Nicholson Mayor

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Michael Budwick and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Golf Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

2022 MAR 30 AM 11:35

Commonwealth of Massachusetts

CITY CLERK'S OFFICE  
GARDNER, MA

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Tina Sbrega to the position of Trustee, Williams-Rockwell Educational Gift Fund, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Tina Sbrega and made oath that he/she would faithfully and impartially perform the duties of the office of Trustee, Williams-Rockwell Educational Gift Fund according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 22, 2022

2022 MAR 30 AM 10:25

Commonwealth of Massachusetts

CITY CLERK'S OFFICE  
Worcester County MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Mark Monahan to the position of Member, Bandstand Committee, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Mark Monahan and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Bandstand Committee according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 22, 2022

RECEIVED

Commonwealth of Massachusetts

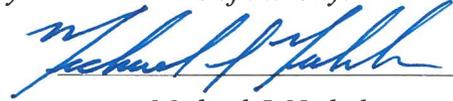
Worcester County

2022 MAR 30 AM 11:35  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint George Ouellet to the position of Member, Housing Authority, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 22, 2027

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named George Ouellet and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Housing Authority according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 30, 2022

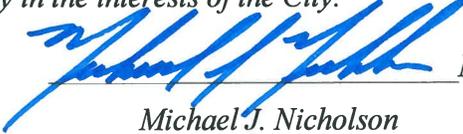
# Commonwealth of Massachusetts

*Worcester County*

*City of Gardner*

## CERTIFICATE OF APPOINTMENT

*I appoint **Stephen Hancock** to the position of **Member, Housing Authority**, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

  
\_\_\_\_\_  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 30, 2027

*Worcester, ss.,* \_\_\_\_\_

*Then personally appeared the above named **Stephen Hancock** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Housing Authority** according to law and the best of his/her abilities.*

*Before me,*  
\_\_\_\_\_  
City Clerk

*Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983*

*Received* \_\_\_\_\_

RECEIVED

March 24, 2022

2022 MAR 30 11:35

Commonwealth of Massachusetts

Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Mario Guay to the position of Member, Board of Registrars, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 24, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Mario Guay and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Board of Registrars according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 29, 2022

RECEIVED

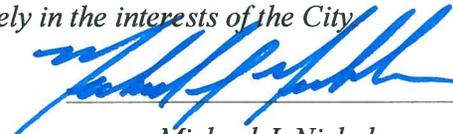
2022 MAR 30 AM 11:34  
**Commonwealth of Massachusetts**

Worcester County  
CLERK'S OFFICE  
GARDNER, MA

City of Gardner

**CERTIFICATE OF APPOINTMENT**

I appoint **Brian LaRoche** to the position of **Member, Cemetery Commission** and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City

  
\_\_\_\_\_  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 29, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named **Brian LaRoche** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Cemetery Commission** according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 30, 2022

RECEIVED

2022 MAR 30 AM 11:34

Commonwealth of Massachusetts

Worcester County CITY CLERK'S OFFICE GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Denise Merriam to the position of Member, Cemetery Commission and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Michael J. Nicholson Mayor

Confirmed by City Council \_\_\_\_\_

Titi Siriphan City Clerk

Expires: March 30, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Denise Merriam and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Cemetery Commission according to law and the best of his/her abilities.

Before me, \_\_\_\_\_ City Clerk

Chapter 303 Acts of 1975 and Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 30, 2022

2022 MAR 30 AM 11:3

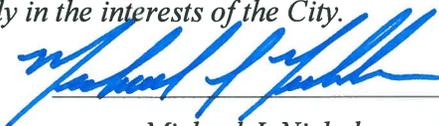
Commonwealth of Massachusetts

CITY CLERK'S OFFICE  
Worcester County  
GARDNER

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint John Awdycki to the position of Member, Cemetery Commission and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Michael J. Nicholson  
Mayor

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 30, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named John Awdycki and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Cemetery Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 29, 2022

2022 MAR 30 AM 11:04

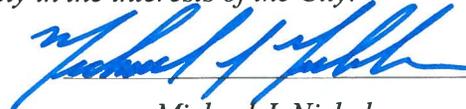
*Commonwealth of Massachusetts*

*Worcester County*  
CITY CLERK'S OFFICE  
GARDNER, MA

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Brian LaRoche** to the position of **Member, Municipal Grounds Commission** and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Mayor  
Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
City Clerk  
Titi Siriphan

Expires: March 29, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named **Brian LaRoche** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Municipal Grounds Commission** according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

RECEIVED

March 30, 2022

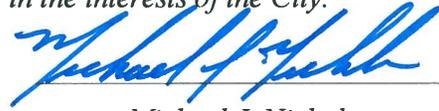
2022 MAR 30 AM 11:21  
Commonwealth of Massachusetts

CITY CLERK'S OFFICE  
Worcester County  
Worcester, MA

City of Gardner

**CERTIFICATE OF APPOINTMENT**

I appoint John Awdycki to the position of Member, Municipal Grounds Commission and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Michael J. Nicholson  
Mayor

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 30, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named John Awdycki and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Municipal Grounds Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

10653

RECEIVED

March 30, 2022

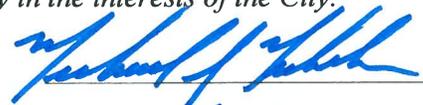
2022 MAR 30 AM 11:04  
CITY CLERK'S OFFICE  
Worcester County

**Commonwealth of Massachusetts**

**City of Gardner**

**CERTIFICATE OF APPOINTMENT**

I appoint Denise Merriam to the position of Member, Municipal Grounds Commission and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

  
\_\_\_\_\_  
Michael J. Nicholson  
Mayor

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_  
Titi Siriphan  
City Clerk

Expires: March 30, 2025

Worcester, ss., \_\_\_\_\_

Then personally appeared the above named Denise Merriam and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Municipal Grounds Commission according to law and the best of his/her abilities.

Before me,  
\_\_\_\_\_  
City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

City of Gardner, *Executive Department* RECEIVED

Michael J. Nicholson, Mayor



2022 APR 13 PM 2:20

CITY CLERK'S OFFICE  
GARDNER, MA

March 24, 2022

Hon. Elizabeth J. Kazinskas, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant St.  
Gardner, MA 01440

RE: Request for Executive Sessions, Reasons 3 and 6

Dear Madam President and Councilors,

Section 25 of the Charter of the City of Gardner states "*The mayor at any time may attend and address the city council in person, or through the head of a department or a member of a board, upon any subject.*"

I am requesting that the City Council hold an executive session at the April 19<sup>th</sup> Regular Meeting under the following exemptions to the Open Meeting Law:

*3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (MGL c.30A, §21(3))*

- a. Scott Graves v. City of Gardner
- b. Zhong v. City of Gardner
- c. Lawrence Petricca v. City of Gardner
- d. RA Reatly Trust v. City of Gardner

*6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (MGL c.30A, §21(6))*

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner