

City of Gardner, *Executive Department*



Michael J. Nicholson, Mayor

June 17, 2022

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

RE: **SUPPLEMENTAL INFORMATION** – Item #10709: An Order Appropriating \$180,000 from Free Cash to the Maki Park- Expense Account

Dear Madam President and Councilors,

I have received some questions from Councilors regarding Item #10709: An Order Appropriating \$180,000 from Free Cash to the Maki Park- Expense Account.

The funding being requested for this project is solely for the construction of the project.

The design and plan for this project was presented and approved by unanimous vote of the City Council on Monday, August 2, 2021 as Item #10504 on the agenda that evening.

The design of this project was funded through Community Development Block Grant Funding, after the Council voted unanimously that evening to adopt the resolution stating that *"The City Council Supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens."* Which programs included the design of Maki Park that is included in your packet for consideration at the June 21, 2022 meeting.

The agenda, supplemental information, and minutes of the August 2, 2021 meeting are included with this correspondence for the information pertaining to this project.

Furthermore, the project was unanimously recommended by the CDBG Steering Committee at their meeting of Tuesday, July 22, 2021 on a motion made by the City Council's representative to that board. The minutes of this meeting are also included in this correspondence.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner



City of Gardner, Massachusetts
Office of the City Council

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CALENDAR FOR THE MEETING

of

MONDAY AUGUST 2, 2021

COUNCIL CHAMBER

7:30 P.M.

RECEIVED

2021 JUL 29 PM 3:53

OFFICE  
CITY CLERK

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)

Reading and Approval of the Minutes of June 7, 2021 Regular Meeting.

VII. APPOINTMENTS BY THE MAYOR

10485 – A Measure Confirming the Mayor's Appointments of Election Officers for 2021-2022 (*Finance Committee*).

10486 – A Measure Confirming the Mayor's Appointment of Kenneth Arsenault to the position of License Commission, for term expiring July 12, 2024. (*Finance Committee*).

10487 – A Measure Confirming the Mayor's Appointment of Alexandria Laderoute to the position of Police Officer of Gardner Police Department, permanent (*Finance Committee*).

10488 – A Measure Confirming the Mayor's Appointment of Kristen Salerno to the position of Senior Animal Control Officer, for term expiring July 21, 2022 (*Finance Committee*).



- 10489** – A Measure Confirming the Mayor’s Appointment of Cheryl Slack to the position of Animal Control Officer, for term expiring July 21, 2022 (*Finance Committee*).
- 10490** – A Measure Confirming the Mayor’s Appointment of Alana Meserve to the position of Animal Control Officer, for term expiring July 12, 2022. (*Finance Committee*).
- 10491** – A Measure Confirming the Mayor’s Appointment of Carla J. Wojtukiewicz to the position of Williams-Rockwell Educational Gift Fund Member, for term expiring July 12, 2024 (*Finance Committee*).
- 10492** – A Measure Confirming the Mayor’s Appointment of Robert Rice, Esq. to the position of Williams-Rockwell Educational Gift Fund Trustee, for term expiring July 21, 2024 (*Finance Committee*).
- 10493** – A Measure Confirming the Mayor’s Appointment of Trevor Beauregard to the position of Director of Community Development & Planning, for term expiring July 17, 2024 (*Finance Committee*).
- 10494** – A Measure Confirming the Mayor’s Appointment of Ronald Cormier to the position of Redevelopment Authority Member, for term expiring July 21, 2026 (*Finance Committee*).
- 10495** – A Measure Confirming the Mayor’s Appointment of Greg Dumas to the position of Conservation Commission Member, for term expiring July 21, 2024 (*Finance Committee*).
- 10496** – A Measure Confirming the Mayor’s Appointment of Michael Hermanson to the position of Conservation Commission Member, for term expiring July 21, 2024 (*Finance Committee*).
- 10497** – A Measure Confirming the Mayor’s Appointment of Neil Janssens to the position of Industrial Development Finance Authority Member, for term expiring September 10, 2024 (*Finance Committee*).
- 10498** – A Measure Confirming the Mayor’s Appointment of M. Paul Carlberg to the position of Industrial Development Finance Authority Member, for term expiring June 26, 2024 (*Finance Committee*).
- 10499** – A Measure Confirming the Mayor’s Appointment of Timothy Horrigan to the position of Industrial Development Finance Authority Member, for term expiring October 5, 2022 (*Finance Committee*).
- 10500** – A Measure Confirming the Mayor’s Appointment of Paul Tassone to the position of Industrial Development Finance Authority Member, for term expiring May 5, 2024 (*Finance Committee*).

**10501** – A Measure Confirming the Mayor’s Appointment of Ronald Cormier to the position of Industrial Development Finance Authority Member, for term expiring June 21, 2026 (*Finance Committee*).

**10502** – A Notification of Resignation of Irene Dubzinski from the Gardner Housing Authority Board (*Finance Committee*).

**10506** – A Notification of Fire Department Appointment (*Finance Committee*).

## **VIII. EXECUTIVE SESSION**

Entered under Exemption 3 of the Massachusetts Open Meeting Law: “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.” M.G.L. c.30A, §21(a)(3)

- For the purpose of discussing S. Graves et al. v. City of Gardner et al.

## **IX. COMMUNICATIONS FROM THE MAYOR**

### **ORDERS**

**10510** – An Order transferring \$81,075.00 from Mayors Unclassified Termination Leave Account – Mayor’s Unclassified S. Graves Versus Et Al Lawsuit Account (*Finance Committee*).

### **COMMUNICATIONS**

**10503** – Report from the Capital Improvement Plan Committee for Fiscal Year 2022 (*Finance Committee*).

**10504** – A Measure Authorizing the FY2021 Community Development Block Grant Mini-Entitlement Plan (*Finance Committee*).

**10505** – A Report from the Mayor regarding Paving Updates – August 2021 (*Finance Committee*).

**10507** – A Measure to Accept a Quitclaim Deed and Conveyance from American Legion Post 129 (*Finance Committee*).

**10508** – A Measure Designating the Health Department Prevention Coordinator as Special Municipal Employee (*Finance Committee*).

**10509** – A Measure Relative to a Disclosure by Special Public Employee of Financial Interest in Additional Legal or Professional Service Contract(s) with a Public Agency (*Finance Committee*).



## **ORDINANCES**

- 10511** – An Ordinance to Amend the Code of the City of Gardner, Chapter 171 thereof, Entitled “Personnel” to Change the Compensation Schedule, Exhibit E (*Finance Committee*).
- 10512** – An Ordinance to Amend Code of the City of Gardner, Section 8 of Chapter 312, Thereof, Entitled “Dog Control License Fees” (*Finance Committee*).
- 10513** – An Ordinance to Amend Code of the City of Gardner, Section 8 of Chapter 390, Thereof, Entitled “Fire Department Fee Schedule” (*Finance Committee*).
- 10514** - An Ordinance to Amend the Code of the City of Gardner, Chapter 390, Entitled “Fees” (*Finance Committee*).

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

- 10515** – A Measure Confirming the City Clerk’s Appointment of Faith Glover to the position of Assistant City Clerk, for term expiring July 14, 2024 (*Finance Committee*).
- 10516** – A Communication from the Traffic Commission relative to A Measure to Adopt M.G.L. Chapter 90, Section 17C Establishment of 25-Miles-Per-Hour Speed Limit in Thickly Settled Or Business District in City or Town (*Public Safety Committee*).
- 10517** – A Communication from the Traffic Commission relative to An Ordinance to Amend the Code of the City of Gardner Chapter 600, Section 54, Thereof, Entitled “Obedience to Isolated Stop Signs” (*Public Safety Committee*).

## **XI. REPORTS OF STANDING COMMITTEES**

### **FINANCE COMMITTEE**

- 10469** – An Ordinance to Amend Code of the City of Gardner, Chapter 171, Thereof, Entitled “Personnel” by Amending Section 14: Holidays Designated, Section 44: Compensation in Lieu of Paid Holidays, and Section 60: Holidays with Pay (*In the City Council and Referred to Finance Committee 6/7/2021; More Time 6/21/2021, 7/6/2021*).

## **PUBLIC SAFETY COMMITTEE**

- 10471** – A Communication from the Traffic Commission relative to An Ordinance to Amend Code of the City of Gardner, Chapter 600, Section 24, Thereof, Entitled “Parking Prohibited on Certain Streets.” *(In the City Council and Referred Public Safety Committee 6/7/2021; More Time 6/21/2021, 7/6/2021).*
- 14074** – An Application by Auto Mart, 182 West Street, for a License to Buy & Sell Secondhand Motor Vehicles, Class 2 *(In the City Council and Referred to Public Safety Committee 6/7/2021; More Time 6/21/2021, 7/6/2021).*
- 10478** – An Application by Gardner Ten Pins, Inc., 560 W Broadway, for a Bowling Alley License *(In the City Council and Referred to Public Safety Committee 6/21/2021; More Time 7/6/2021).*

## **COMMITTEE OF THE WHOLE**

- 10484** – A Measure Authorizing a Solar Energy PILOT Agreement with BCC Solar Energy Advantage *(In the City Council and Referred to Committee of the Whole 7/6/2021; Informal Meeting 8/2/2021).*

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

- 10426** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675, Section 530, Entitled “Development Overlay District 1” to add a subsection “H” *(In the City Council and Referred to Planning Board for Report and Study 5/3/2021; 7/6/2021 Joint Public Hearing).*

## **XIII. NEW BUSINESS**

## **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 AUGUST 2, 2021

Mack, George Tyros and James Walsh to place the Report from the Capital Improvement Plan Committee for Fiscal Year 2022 on file.

**#10504**

Reporting from the Finance Committee, Councillor James Walsh informed the Council that the Committee voted favorably to recommend the following Resolution. The Mini Entitlement Plan requires approval on an annual basis for the submission of their application for funding.

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, it was voted viva voce, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to adopt the following Resolution:

**RESOLUTION****FY2021 COMMUNITY DEVELOPMENT BLOCK GRANT****Mini-Entitlement Plan**

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

WHEREAS, the City Council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2021 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and

WHEREAS, the CDBG proposals seeking funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, rehabilitation, planning and design, and associated administrative costs; and

WHEREAS, the activities proposed within the FY 2021 CDBG Mini-Entitlement Plan meet the priorities identified within the City's 2018-2022 Community Development Strategy, and the 2004 Community Development Plan; and

WHEREAS, the City does not possess the bonding capacity or have the availability to funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required; and

WHEREAS, the City Council supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens;

REGULAR MEETING OF AUGUST 2, 2021

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NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City's FY 2021 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.

**#10505**

Reporting from the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee voted favorably to place the Report from the Mayor on file.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to place A Report from the Mayor regarding Paving Updates – August 2021 to be placed on file.

**#10507**

Reporting from the Finance Committee, Councillor James Walsh informed the Council that the Committee voted favorably to accept a Quitclaim Deed and Conveyance from American Legion Post 129. The city must accept a portion of land owned by American Legion Post 129 at the corner of Pearl Street and Elm Street in order to begin construction of the re-design of the Uptown Rotary.

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted viva voce, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros and James Walsh to accept the following Measure:

A MEASURE TO ACCEPT A QUITCLAIM DEED AND CONVEYANCE FROM  
AMERICAN LEGION POST 129

VOTE: To accept the Quitclaim Deed and conveyance from the American Legion Post 129, containing approximately 3,684 square feet of land at the intersection of Elm Street and Pearl Street, said land conveyed for the purpose of improvements to the intersection.

**#10508**

Reporting from the Finance Committee, Councillor Ronald Cormier informed the Council that the Committee that they had some questions regarding A Measure Relative to a



City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor



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2021 JUL 20 AM 8:46

OFFICE

July 19, 2021

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

RE: Resolution to accept the FY2021 Community Development Block Grant Mini-Entitlement Program

Dear Madam President and Councilors,

Attached, please find the Mini-Entitlement Plan that has been submitted to my office by the Community Development Block Grant ("CDBG") Steering Committee.

These programs are voted upon annually by the CDBG Steering Committee and are required to be ratified by the City Council.

Please note that while we are in FY2022 for the City, CDBG funding is typically awarded for projects that happen in the following year. That is why the resolution is dated as FY2021, since the funding was awarded in the previous fiscal year for projects and expenditures that take place this year under the State's guidelines and timeline.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**RESOLUTION**

**FY 2021 COMMUNITY DEVELOPMENT BLOCK GRANT  
Mini-Entitlement Plan**

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

WHEREAS, the City Council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2021 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and

WHEREAS, the CDBG proposals seeking funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, rehabilitation, planning and design, and associated administrative costs; and

WHEREAS, the activities proposed within the FY 2021 CDBG Mini-Entitlement Plan meet the priorities identified within the City's 2018-2022 Community Development Strategy, and the 2004 Community Development Plan; and

WHEREAS, the City does not possess the bonding capacity or have the availability of funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required; and

WHEREAS, the City Council supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City's FY 2021 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.



| <u>Group</u>                           | <u>Project</u>                                                                                                                                          | <u>CDBG \$'s</u>    | <u>Non-CDBG \$'s</u> | <u>Total</u>          |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|-----------------------|
| 6B<br>Community Development & Planning | <b>Downtown Phase 3.</b> Monuent Park (Central Street, Park Street). Construction of crosswalk, sidewalk, and lighting repair and upgrade.              | \$619,000.00        | \$0.00               | \$619,000.00          |
| 6K<br>Community Development & Planning | <b>Downtown Phase 4.</b> West/Oak/Parker/Nichols Street Intersection - Design of crosswalk, sidewalk, and lighting repair and upgrade.                  | \$31,250.00         | \$0.00               | \$31,250.00           |
| 6K<br>Community Development & Planning | <b>Maki Park.</b> 57-67 Parker Street. Design of park and public seating area for public amenities and downtown events.                                 | \$16,000.00         | \$0.00               | \$16,000.00           |
| 8B<br>Boys & Girls Club                | <b>Project Learn STEAM.</b> Provide after school and summer program to 100 LMI Gardner Students.                                                        | \$10,000.00         | \$170,500.00         | \$180,500.00          |
| 8B<br>VOT                              | <b>Domestic Violence Prevention.</b> Provide services for 75 LMI Gardner residents affected by domestic violence.                                       | \$10,000.00         | \$0.00               | \$10,000.00           |
| 8B<br>GHAAMHA                          | <b>Drug Abuse Recovery Supportive Housing.</b> Provide financial assistance for supportive housing first month costs for 20 LMI Gardner residents.      | \$5,000.00          | \$5,000.00           | \$10,000.00           |
| 8B<br>GPSA                             | <b>Gardner Public Schools Athletics.</b> Provide financial assistance to 140-150 LMI student athletes at Gardner High School and Gardner Middle School. | \$10,000.00         | \$0.00               | \$10,000.00           |
|                                        | <b>Administrative &amp; Delivery costs.</b>                                                                                                             | \$123,750.00        | \$0.00               | \$123,750.00          |
|                                        | <b>Sub-total</b>                                                                                                                                        | <b>\$825,000.00</b> | <b>\$175,500.00</b>  | <b>\$1,000,500.00</b> |

## **CDBG STEERING COMMITTEE MEETING**

### **MINUTES**

**Tuesday, July 22, 2021**

**Manca Annex Hubbard meeting Room 202  
08:30 A.M.**

**Committee Members present:** Lyndsy Butler, Lauren Saunders, Roland Jean, Scott Graves, Trevor Beauregard and Laura Cassidy

**Committee Members absent:** Rick Rossi, Rick Germano, Tracy Hutchinson, and Sandy Mullins

**Others Present:** Jessica Deroy

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Lyndsy Butler opened the meeting at 8:33 am.

**1. Acceptance of Minute:**

*Motion to accept minutes of June 22, 2021. L. Saunders moves to approve. R. Jean seconded.*

*All in favor: motion carried, none opposed*

**2. Old Business:**

None

**3. New Business:**

Approval of FY21 CDBG projects:

- Downtown Phase 3 –Construction
- Downtown Phase 4 – Design
- Maki Park – Design
- Project Learn STEAM
- Domestic Violence Prevention
- Drug Abuse Recovery Supportive Housing
- Gardner Public Schools Athletics

*Motion made to accept the FY21 CDBG projects made by S. Graves and seconded by T. Beauregard*

*All in favor: motion carried, none opposed*

Application for Commercial Sign Assistance for Gardner Ale House: Proposed by Jessica Deroy, Gardner Ale House is seeking approval to receive the maximum amount allowed of \$2,500 for the façade program. An estimate received for said sign is \$2,620.94. Gardner Ale House fully understands and acknowledges should request be approved, they are responsible for the balance.



*Motion made to accept the application by S. Graves and seconded by R. Jean. All in favor: motion carried, none opposed*

**4. Announcements and Recognitions**

Next meeting: TBD

**5. Adjournment**

*T. Beauregard motioned to adjourn. R. Jean seconded. All in favor.*

Meeting adjourned at 08:44 a.m.

**DOCUMENTS**

Minutes from meeting of June 22, 2021

FY21 CDBG project summary

Application for commercial Sign (Gardner Ale House)

Meeting notes taken by L. Cassady

All documents are filed in the Office of Community Development and Planning, 115 Pleasant Street, Room 202, Gardner, MA 01440.