



City of Gardner, Massachusetts
Office of the City Council

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CALENDAR FOR THE MEETING  
of  
MONDAY, SEPTEMBER 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)
- VII. PUBLIC HEARINGS
- VIII. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

- 10788** – A Measure Confirming the Mayor's Appointment of Chuck LaHaye, to the position of Historical Commission Member, for term expiring September 13, 2025. (*Appointments Committee*)
- 10789** – A Measure Confirming the Mayor's Appointment of Scott Huntoon, to the position of Historical Commission Member, for term expiring September 13, 2025. (*Appointments Committee*)
- 10790** – A Measure Confirming the Mayor's Appointment of Alanna Toomey, to the position of Historical Commission Member, for term expiring September 13, 2025. (*Appointments Committee*)

**10791** – A Measure Confirming the Mayor's Appointment of Chris Pera, to the position of Historical Commission Member, for term expiring September 13, 2025. (*Appointments Committee*)

### **ORDERS**

**10792** – An Order Authorizing \$1,098.78 Payment of Prior Year Airport Operating Expenditure. (*Finance Committee*)

**10793** – An Order Authorizing \$32.01 Payment of Prior Year IT Operating Expenditure. (*Finance Committee*)

### **COMMUNICATIONS**

**10794** – A Measure Authorizing Acceptance of Donations and Gifts for Use by Park Bandstand. (*Finance Committee*)

**10795** – A Measure Declaring Surplus for Purpose of Disposal of Land and Buildings at 478 Chestnut Street. (*Finance Committee*)

**10796** – A Measure Authorizing Acceptance of Donation and Gifts for Use by Gardner Police K-9 Program. (*Finance Committee*)

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

**10797** – A Notification from Fire Chief Gregory Lagoy Regarding Appointment Certificates Filed for Benjamin Tucker and Brendan Byrne.

**10798** – A Petition Submitted by PrivateOversight, LLC, for an Ordinance to Amend the Code of the City of Gardner, Chapter 675, Entitled “Zoning,” per Zoning Act M.G.L. 40A.

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

### **FINANCE COMMITTEE**

**10782** – A Measure Authorizing an Increase in Allowable Funding Limit for Council on Aging Revolving Fund. (*In the City Council and Referred to Finance Committee 9/7/2022*)

### **APPOINTMENTS**

**10770** – A Measure Confirming the Mayor’s Appointment of Frances LeMieux to the position of Cultural Council Member, for term expiring August 30, 2025. (*In the City Council and Referred to Appointments Committee 9/7/2022*)

**10771** – A Measure Confirming the Mayor’s Appointment of Paulette Burns to the position of Cultural Council Member, for term expiring August 30, 2025. *(In the City Council and Referred to Appointments Committee 9/7/2022)*

**10772** – A Measure Confirming the Mayor’s Appointment of Kristina Singer to the position of Cultural Council Member, for term expiring August 30, 2025. *(In the City Council and Referred to Appointments Committee 9/7/2022)*

**10773** – A Measure Confirming the Mayor’s Appointment of Kathleen Deal to the position of Cultural Council Member, for term expiring August 30, 2025. *(In the City Council and Referred to Appointments Committee 9/7/2022)*

**PUBLIC SAFETY COMMITTEE**

**10784** – An Application by Gardner Ten Pins, Inc., located at 560 W Broadway, for a Bowling Alley License. *(In the City Council and Referred to the Safety Committee 9/7/2022)*

**10785** – An Application by Gardner Thrift Store, for a License to deal in Second-hand Articles at 280 Central Street. *(In the City Council and Referred to the Safety Committee 9/7/2022)*

**PUBLIC SERVICE COMMITTEE**

**10740** – A Petition by National Grid and Verizon New England, Inc., Keyes Road – To relocate 1 Jointly Owned Pole on Keyes Road beginning at a point approximately 700 feet southeast of the centerline of the intersection of West Street. Relocate Pole #2 across the street to accommodate for bridge construction and upgrade to a 45 foot class 2. *(In the City Council and Referred to Public Service Committee 7/5/2022; Public Hearing 8/1/2022; More Time 8/1/2022, 9/7/2022)*

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

**10779** – A Notification from the Mayor Regarding the Fire Department Operations Audit. *(In the City Council and Referred to Committee of the Whole 9/7/2022)*

**10781** – An Act Relative to Establish a Special Act Charter Drafting Committee. *(In the City Council and Referred to Committee of the Whole 9/7/2022)*

**XII. NEW BUSINESS**

**XIII. CLOSING PRAYER**

**XIV. ADJOURNMENT**

September 13, 2022

RECEIVED

2022 SEP 13 PM 1:41

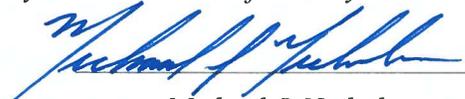
**Commonwealth of Massachusetts**

**Worcester County**

**City of Gardner**

**CERTIFICATE OF APPOINTMENT**

I appoint Charles LaHaye to the position of Member, Historical 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: September 13, 2025

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

Then personally appeared the above named Charles LaHaye and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Historical 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

September 13, 2022

2022 SEP 13 PM 1:4

**Commonwealth of Massachusetts**

CITY CLERK'S OFFICE  
**Worcester County**

**City of Gardner**

**CERTIFICATE OF APPOINTMENT**

I appoint **Scott Huntoon** to the position of **Member, Historical 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: September 13, 2025

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

Then personally appeared the above named Scott Huntoon and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Historical 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

September 13, 2022

2022 SEP 13 PM 1:4

Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Alanna Toomey to the position of Member, Historical 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

Expires: September 13, 2025

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

Then personally appeared the above named Alanna Toomey and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Historical 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

September 13, 2022

2022 SEP 13 PM Commonwealth of Massachusetts

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Chris Pera to the position of Member, Historical 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.

[Signature] Mayor Michael J. Nicholson

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

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

Expires: September 13, 2025 \_\_\_\_\_

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

Then personally appeared the above named Chris Pera and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Historical 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*  
Mayor Michael J. Nicholson

RECEIVED  
2022 SEP 12 AM 11:20  
CITY CLERK'S OFFICE  
GARDNER, MA

September 8, 2022

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

RE: Authorization of Payment of Previous Year Invoice- Airport Maintenance

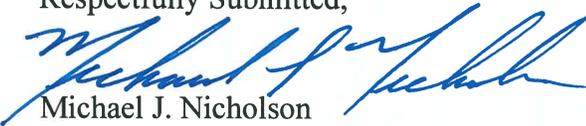
Dear Madam President and Councilors,

The attached invoice was received following the closing of Fiscal Year 2022 for services provided in the previous fiscal year.

This bill relates to the purchase of parts needed in the maintenance shed at the Gardner Airport.

As such, the payment of such bill must be approved by a nine-tenths (9/10ths) vote of the City Council in order for our finance departments to be able to process the invoice.

Respectfully Submitted,

  
Michael J. Nicholson  
Mayor, City of Gardner

## AUTHORIZING PAYMENT OF PRIOR YEAR OPERATING EXPENDITURE

*ORDERED:* To authorize payment of prior year AIRPORT operating expenditure account for prior year, as follows:

|        |                       |            |
|--------|-----------------------|------------|
| FY2022 | REPAIRS&MAINT EXPENSE | \$1,098.78 |
|--------|-----------------------|------------|

United Ag & Turf NE  
 700 Fort Pond Road  
 Lancaster, MA 01523  
 Phone: (978) 537-3356  
 Fax: (978) 534-4715  
 info@uatne.com



**PARTS INVOICE**

Invoice To Account No.: 188281

Deliver To Account No.: 188281

GARDNER MUNICIPAL AIRPORT  
 50 MANCA DR  
 GARDNER MA 01440  
 US  
  
 Bus Phone:  
 Home Phone:

GARDNER MUNICIPAL AIRPORT  
 50 MANCA DR  
 GARDNER MA 01440  
 US  
  
 Bus Phone:  
 Cell Phone: (978)852-1331

Invoice No: 9512196  
 Date: 6/24/2022  
 Page: 1 of 1  
 Payment Type: Account

| Supplied Quantity | Back Order Quantity | Part Number | Part Description         | Bin Loc | List Price | Net Price | Extended Price | Tax Ind |
|-------------------|---------------------|-------------|--------------------------|---------|------------|-----------|----------------|---------|
| 12.00             | 0.00                | 5BP0006585  | Spacer                   | D7C4    | 9.62       | 9.62      | \$115.44       | N       |
| 1.00              | 0.00                | 5BP502163B  | Elec. Connector Terminal |         | 22.11      | 22.11     | \$22.11        | N       |
| 1.00              | 0.00                | 5BP502164B  | Threaded Nipple          |         | 16.52      | 16.52     | \$16.52        | N       |
| 9.00              | 0.00                | 5BP0006845B | BLADE                    |         | 60.31      | 60.31     | \$542.79       | N       |
| 4.00              | 0.00                | 5BP0006923Y | Tire                     |         | 100.48     | 100.48    | \$401.92       | N       |

Invoice Notes:  
 978-230-3575

Please remit payment to United Ag & Turf, PO Box 767, Albany, NY, 12201-0767

Customer PO No: Jim Wood  
 Tax Exempt No: 046-001-389  
 Salesperson: JEFFREY CASTRO

Parts: \$1,098.78  
 Misc: \$0.00  
 Sales Tax: \$0.00  
 Deposit: \$0.00  
**Total: \$1,098.78**

\*\*\* DOCUMENT COPY \*\*\*

**TERMS AND CONDITIONS**

Terms net cash. All accounts not paid by the 10th of the month following purchase are subject to a Finance Charge at a monthly rate of 1.75%, which is an annual rate of 21%, applied to the previous balance without deducting current payments and/or credits.

**PARTS RETURN POLICY**

- Customers who did not provide their contact info at time of sale must provide original invoice.
- No returns on special ordered parts.
- No returns on electrical parts, fuel related parts or fabricated parts.
- Parts eligible for return must be in original, undamaged packaging and in clean, new, resalable condition.
- No returns after 30 days from invoice date.
- Invoiced parts left at dealership past 90 days from invoice date will be returned to stock
- Minimum 30% restocking fee will be applied to any eligible parts return.

Received by: ..... Date: .....



**City of Gardner - Executive Department**  
**Mayor Michael J. Nicholson**

RECEIVED  
2022 SEP 12 AM 11:20  
CITY CLERK'S OFFICE  
GARDNER, MA

September 8, 2022

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

RE: Authorization of Payment for Previous Fiscal Year Bill – IT Department

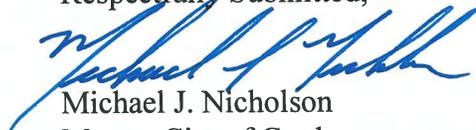
Dear Madam President and Councilors,

The attached invoice was received following the closing of Fiscal Year 2022 for services provided in the previous fiscal year.

This bill relates to services provided in repairing the main printer/copy machine in City Hall.

As such, the payment of such bill must be approved by a nine-tenths (9/10ths) vote of the City Council in order for our finance departments to be able to process the invoice.

Respectfully Submitted,

  
Michael J. Nicholson  
Mayor, City of Gardner

## AUTHORIZING PAYMENT OF PRIOR YEAR OPERATING EXPENDITURE

*ORDERED:* To authorize payment of prior year IT operating expenditure account for prior year, as follows:

|        |                        |         |
|--------|------------------------|---------|
| FY2022 | PRINTER/COPIER EXPENSE | \$32.01 |
|--------|------------------------|---------|



**CITY OF GARDNER**  
**IT Department**  
95 Pleasant St  
Gardner, MA 01440  
1-978-630-4019

September 7 2022

Dear Mayor Nicholson,

I have a matter that I request your assistance in bringing before the City Council. CBS Connecticut Business Solutions/Xerox just informed us that an invoice from April 2022 was not paid. The invoice date is 04/21/2022 and for \$32.01

This is a prior year invoice, and we will need City Council approval in order to pay it.

Respectfully,

Robert M. OKeefe



City of Gardner - *Executive Department*  
Mayor Michael J. Nicholson

RECEIVED  
2022 SEP 12 AM 11:20  
CITY CLERK'S OFFICE  
ELIZABETH

September 8, 2022

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

RE: Acceptance of Donation – Monument Park Bench – by the Family of Hugh and Gladys Hunter

Dear Madan President and Councilors,

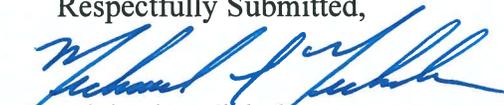
The family of the late Hugh and Gladys Hunter, through Mrs. Victoria Kazinskas, has donated \$1,600.00 to the Department of Public Works to purchase a new Monument Park bench in their memory.

The family noted how Mr. and Mrs. Hunter had often enjoyed spending their summer Saturday evenings attending the summer concert in the park series, and they wished to honor their loved ones in a way that helps those attending those concerts now.

Mr. and Mrs. Hunter were active members of the community, having previously owned Hunter Farm Ice Cream Stand on Chapel Street and Mr. Hunter having previously served on the City Council.

Per the requirements of Massachusetts General Law, I respectfully request that the City Council vote to authorize the acceptance of the donation.

Respectfully Submitted,

  
Michael J. Nicholson  
Mayor, City of Gardner

**ACCEPTANCE OF DONATIONS AND GIFTS****PARK BANDSTAND GIFT**

***VOTED:*** That the City of Gardner is authorized to accept certain donations and gifts for use by the Parks Department, said acceptance in accordance with the provisions of Chapter 44, Section 53A½ of the General Laws.



**City of Gardner - Executive Department**  
**Mayor Michael J. Nicholson**

September 13, 2022

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

RE: Declaration of Surplus – 478 Chestnut Street

Dear Madam President and Councilors,

On September 8, 2022, the Massachusetts Land Court notified the City that it had foreclosed on the tax title loan and entered a final judgment on August 24, 2022 in Case # 17 TL 000863 filed against Ray Allen Verjes and Maria D. Verjes covering the property at 478 Chestnut Street (Assessors' Map R22, Block 23, Plot 19) to the City of Gardner.

I respectfully request the City Council vote to declare this property surplus so that the City can sell the property, as is, to get the property back on the tax rolls.

I am requesting that the City Council vote to approve the minimum sale price at the amount that the property owed in back taxes - \$42,000.

In usual course, I have used either a formal appraisal done on a property, or the assessed value of the property from the assessor's office to set the minimum sale price in requests I have sent to the City Council. However, since this property has two active tenants, whose use of the property goes along with the sale, I am requesting that the Council vote to set the price solely at the amount of taxes owed, in order to avoid the City from becoming a landlord.

While the City does have the ability to evict the tenants of the property, the City would be responsible for all relocations costs and temporary housing costs for at least thirty (30) days, and I do not believe such would be in the best financial interest of the City to do so.

Since the City has the ability to sell the property, as is, with all tenants and contents currently in the property, I am advising that this be the option that the City pursue.

Respectfully Submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

RECEIVED  
 2022 SEP 13 PM 1:28  
 CITY CLERK'S OFFICE  
 GARDNER, MA

**DECLARING SURPLUS FOR PURPOSE OF DISPOSAL OF  
LAND AND BUILDINGS AT 478 CHESTNUT STREET**

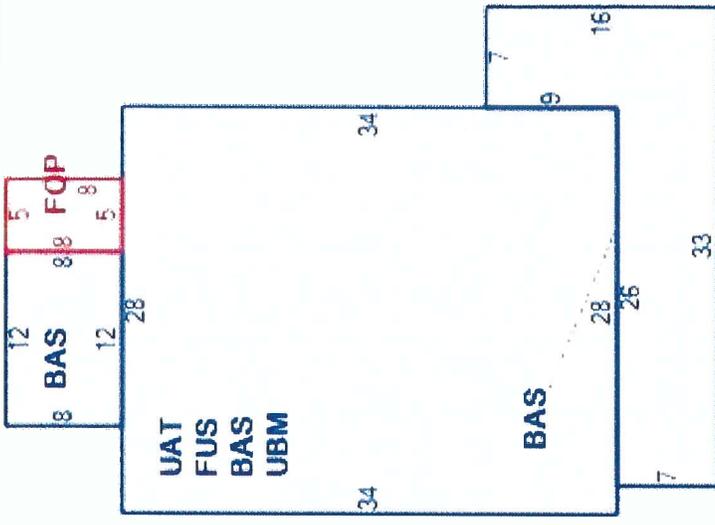
***VOTED:*** To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 478 Chestnut Street, further identified on the City of Gardner Assessor's Map as R22\23\19, to establish as a minimum amount of \$42,000.00 to be paid for any conveyance 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.



| CONSTRUCTION DETAIL |    | CONSTRUCTION DETAIL (CONTINUED) |                 |
|---------------------|----|---------------------------------|-----------------|
| Element             | Cd | Element                         | Description     |
| Style:              | 06 |                                 | Conventional    |
| Model               | 01 |                                 | Residential     |
| Grade:              | 03 |                                 | Average         |
| Stories:            | 2  |                                 | 2 Stories       |
| Occupancy           | 1  |                                 |                 |
| Exterior Wall 1     | 26 |                                 | Aluminum Siding |
| Exterior Wall 2     | 25 |                                 | Vinyl Siding    |
| Roof Structure:     | 03 |                                 | Gable/Hip       |
| Roof Cover          | 11 |                                 | Slate           |
| Interior Wall 1     | 05 |                                 | Drywall/Sheet   |
| Interior Wall 2     | 03 |                                 | Plastered       |
| Interior Fir 1      | 12 |                                 | Hardwood        |
| Interior Fir 2      | 20 |                                 | Pergo           |
| Heat Fuel           | 02 |                                 | Oil             |
| Heat Type:          | 05 |                                 | Hot Water       |
| AC Type:            | 01 |                                 | None            |
| Total Bedrooms      | 04 |                                 | 4 Bedrooms      |
| Total Bthrms:       | 2  |                                 |                 |
| Total Half Baths    | 0  |                                 |                 |
| Total Xtra Fixtrs   | 8  |                                 |                 |
| Total Rooms:        | 02 |                                 | Average         |
| Bath Style:         | 01 |                                 | Old Style       |
| Kitchen Style:      |    |                                 |                 |

| OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B) |             |
|--------------------------------------------------------------------|-------------|
| Code                                                               | Description |
| RCN                                                                | 310,454     |
| Year Built                                                         | 1920        |
| Effective Year Built                                               | 1978        |
| Depreciation Code                                                  | A           |
| Remodel Rating                                                     | 03          |
| Year Remodeled                                                     | 2010        |
| Depreciation %                                                     | 42          |
| Functional Obsol                                                   | 0           |
| Economic Obsol                                                     | 5           |
| Trend Factor                                                       | 1           |
| Condition                                                          |             |
| Condition %                                                        | 53          |
| Percent Good                                                       | 164,500     |
| RCNLD                                                              |             |
| Dep % Ovr                                                          |             |
| Misc Imp Ovr                                                       |             |
| Misc Imp Ovr Comment                                               |             |
| Cost to Cure Ovr                                                   |             |
| Cost to Cure Ovr Comment                                           |             |

| BUILDING SUB-AREA SUMMARY SECTION |                       |             |            |          |           |                |
|-----------------------------------|-----------------------|-------------|------------|----------|-----------|----------------|
| Code                              | Description           | Living Area | Floor Area | Eff Area | Unit Cost | Undeprec Value |
| BAS                               | First Floor           | 1,342       | 1,342      | 1,342    | 116.14    | 155,860        |
| FOP                               | Porch, Open, Finished | 0           | 40         | 8        | 23.23     | 929            |
| FUS                               | Upper Story, Finished | 952         | 952        | 952      | 116.14    | 110,565        |
| UAT                               | Attic, Unfinished     | 0           | 952        | 95       | 11.59     | 11,033         |
| UBM                               | Basement, Unfinished  | 0           | 952        | 190      | 23.18     | 22,067         |
| Ttl Gross Liv / Lease Area        |                       | 2,294       | 4,238      | 2,587    | 10,000.00 | 300,454        |





City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

September 14, 2022

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

RE: Acceptance of Donation – Tender Heart Veterinary Services

Dear Madam President and Councilors,

Tender Heart Veterinary Services, located at 7 Pearson Boulevard in Gardner, has notified the Gardner Police Department that they will be donating all veterinary services for K-9 Rocky and, if needed, provide a 30% discount on all procedures he may need in the future.

Per the General Laws of the Commonwealth, I ask that the City Council vote to accept this donation. Furthermore, I would like to thank Dr. Jennifer Wood and everyone at Tender Heart for this generous gift to the City and the Police Department.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

RECEIVED  
2022 SEP 15 AM 9:51  
CITY MANAGER'S OFFICE  
GARDNER, MA

**ACCEPTANCE OF DONATIONS AND GIFTS**

**K-9 PROGRAM GIFT**

***VOTED:*** That the City of Gardner is authorized to accept certain donations and gifts for use by the Police Department in their K-9 Program, said acceptance in accordance with the provisions of Chapter 44, Section 53A½ of the General Laws.



## CITY OF GARDNER POLICE DEPARTMENT

200 Main Street  
Gardner, Massachusetts 01440  
Phone: (978) 632-5600  
Fax: (978) 632-9045



Eric P. McAvene  
Chief of Police

September 13, 2022

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

Re: Acceptance of a donation from Tender Heart Veterinary Care for Gardner Police K-9 Program

Dear Mayor,

Tender Heart Veterinary Care informed Officer Joshua Willis that they will be donating care services to our new K-9 Program. Tender Heart Veterinary Care is located at 7 Pearson Boulevard in the city. They have graciously agreed to waive fees on all K-9 Rocky's checkups and other office visits. They have further offered treatments, surgeries, and other procedures at a 30% discount.

This type of community support is essential to a successful K-9 Program. I would like to thank the owner of Tender Heart Veterinary Care, Dr. Jennifer Wood, for this gift and support for our new program. I am asking that this donation be accepted by the City as gifts, as required by law.

Very truly yours,

Eric P. McAvene  
Chief of Police

**CITY OF GARDNER**

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

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

RECEIVED  
2022 SEP 13 PM 1:41  
CITY CLERK'S OFFICE  
GARDNER, MA

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

August 31, 2022

RE: Fire Department Appointments

Dear Mayor Nicholson,

I am writing to notify you of two additional newly hired Firefighters at the Gardner Fire Department. Benjamin Tucker and Brendan Byrne were both appointed to the Department on March 7, 2022. They have completed in-house training, and both recently graduated the Massachusetts Fire Academy's 10-week Career Firefighter Training Program.

They are now working as full-fledged members of the Firefighting Force, with Firefighter Tucker assigned to Group 2 and Firefighter Byrne assigned to Group 3.

Respectfully,

A handwritten signature in black ink, appearing to read "G. F. Lagoy".

Gregory F. Lagoy  
Fire Chief

RECEIVED  
2022 SEP -6 PM 8:00  
OFFICE OF THE CLERK  
CITY OF GARDNER, MA

Effective September 19, 2022

**Commonwealth of Massachusetts**

*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Brendan Byrne**, 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*

Confirmed by City Council: Not Required

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

Expires: Permanent.

Worcester, ss., September 19, 2022

Then personally appeared the above named **Brendan Byrne** 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 \_\_\_\_\_

RECEIVED

Effective September 19, 2022

2022 SEP -6 PM 7:30

Commonwealth of Massachusetts

CITY & COUNTY OFFICE

Worcester County

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Benjamin Tucker, 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.

[Signature] Fire Chief
Gregory F. Lagoy

Confirmed by City Council: Not Required

[Signature] City Clerk
Titi Siriphan

Expires: Permanent.

Worcester, ss., September 19, 2022

Then personally appeared the above named Benjamin Tucker 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,
[Signature] City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received [Signature]



# Christine Tree Legal

Christine M. Tree  
[ctree@christinetreelegal.com](mailto:ctree@christinetreelegal.com)  
 Anthony Zarrella, Of Counsel  
[azarrella@christinetreelegal.com](mailto:azarrella@christinetreelegal.com)

September 14, 2022

Elizabeth J. Kazinskas, Gardner City Council President  
 c/o Titi Siriphan, City Clerk  
 City Hall  
 Gardner, MA 01440

Re: Petition to Amend Gardner Zoning Map, Ward 3, West Broadway

Dear President Kazinskas:

Please be advised that I represent PrivateOversight, LLC, managed by Joanne Tavano, which owns property off West Broadway and more particularly three parcels on West Broadway with the property ID's H17-7-1, H17-12-2, and H17-13-9. As permitted by M.G.L. c. 40A §5, and after consultation with the Building Department, the Planning Department, and informal presentation to the Planning Board, I am submitting the enclosed Petition on behalf of the property owner for amendment of the Gardner Zoning Map on the westerly side of West Broadway in Ward 3. PrivateOversight's lots lie in two different zoning districts for Gardner, C2 and R2, and a corner lies in Templeton. My client is requesting a change in the zoning designation for these lots and the surrounding area to GR3, which would be substantially more suitable for the company's planned residential development as well as for the existing residential uses on the surrounding parcels.

Under the Zoning Ordinance the C2 Zoning District does not permit residential development, not even single family homes, without a variance. Currently, only 7 of the 28 occupied parcels in this section of the C2 district are conforming (most parcels are not being used in conformity with zoning), and a map showing the parcels proposed to be changed to a GR3 designation is enclosed with a list. My client has also conducted a traffic study concerning her proposed residential development, which is enclosed herewith for informational purposes.

A change in the zoning would be beneficial not only for my client, but for the other parcels in this district. Most of the properties on West Broadway west of Kendall Pond are residential uses, but are located in C2, a commercial zone. These are either preexisting nonconforming residences, or allowed by a use variance such as the cul-de-sac neighborhood on Deer Hill Road. All residential uses,

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 OFFICE OF THE CITY CLERK  
 GARDNER, MA

including single-family homes, are prohibited in C2, and are therefore treated as a nonconforming use for zoning purposes. This means the use is subject to more limitations. As an example, if any single family home is vacant for two or more years, it can be deemed abandoned and will lose its right to be used as a single family home. Additions, extensions or modifications may require zoning relief. In short, the C2 zoning does not match the actual use of the land in this area.

By contrast, the property uses allowed in C2 are likely to cause detriment to the surrounding residents. A retail store, bank, car salesroom, or restaurant could operate by right. A marijuana retailer could open by special permit. Disruptive commercial uses could lead to problems with the surrounding residents due to the hours of operation, delivery trucks, noise and general incompatibility of the use.

For these reasons, we believe that the proposed zoning map amendment would be beneficial to the City and the surrounding neighborhood. My client and I would welcome a chance to meet with you or with any member of the City Council and go through the proposal to answer any questions or concerns. I am also happy to go through the history of this project with the City.

I expect this petition will be referred and pass through a review process with the Planning Board and with the Council. We are happy to respond to any requests for additional information.

Thank you for your time and consideration of the Petition.

**Sincerely,**

**Christine M. Tree**

Enclosures  
CMT/jjr

## TO THE HONOURABLE CITY COUNCIL OF THE CITY OF GARDNER

Ladies and Gentlemen:

The undersigned PrivateOversight LLC Petition your Honorable Body to:

Amend the Gardner Zoning Map by changing the zoning district designation for the following listed parcels, lying at the westerly end of West Broadway to the Templeton municipal boundary, from the Commercial 2 Zoning District and the Rural Residential 2 Zoning District to the General Residential 3 Zoning District, as follows:

| <b>Assessor's Map/Lot/Block</b> | <b>Property Address</b> | <b>Current Zoning District</b> | <b>Proposed Zoning District</b> |
|---------------------------------|-------------------------|--------------------------------|---------------------------------|
| H17-72-1                        | West Broadway           | COM2                           | GR3                             |
| H17-7-1                         | West Broadway           | COM2 & RR2                     | GR3                             |
| H17-12-2                        | West Broadway           | COM2 & RR2                     | GR3                             |
| H17-13-9                        | Airport Road            | RR2                            | GR3                             |
| H17-7-8                         | 1022 West Broadway      | COM2                           | GR3                             |
| H17-7-7                         | 9 Deer Hill Road        | COM2                           | GR3                             |
| H17-7-6                         | 17 Deer Hill Road       | COM2                           | GR3                             |
| H17-7-5                         | 25 Deer Hill Road       | COM2                           | GR3                             |
| H17-12-9                        | 33 Deer Hill Road       | COM2 & RR2                     | GR3                             |
| H17-12-4                        | 41 Deer Hill Road       | COM2 & RR2                     | GR3                             |
| H17-7-4                         | 30 Deer Hill Road       | COM2 & RR2                     | GR3                             |
| H17-7-3                         | 22 Deer Hill Road       | COM2                           | GR3                             |
| H17-7-2                         | 14 Deer Hill Road       | COM2                           | GR3                             |
| H17-7-10                        | 6 Deer Hill Road        | COM2                           | GR3                             |
| H17-3-9                         | 985 West Broadway       | COM2                           | GR3                             |
| H17-8-13A                       | 950 West Broadway       | COM2                           | GR3                             |
| H17-8-16                        | 957 West Broadway       | COM2                           | GR3                             |
| H17-8-13                        | 940 West Broadway       | RR2                            | GR3                             |
| H17-8-15                        | 945 West Broadway       | COM2                           | GR3                             |
| H17-3-1                         | 935 West Broadway       | COM2                           | GR3                             |

The proposed amendment to the zoning map will bring the zoning district for these parcels into better conformity with their current actual use for residential purposes, while still allowing for the possibility of home occupations accessory to the primary residential use. This will also eliminate parcels falling across two zones, and nonconformities in the neighborhood, and is in furtherance of declared purpose of the Zoning Ordinance “to encourage the most appropriate use of land throughout the City.”

No new lot boundaries are created by this proposed amendment, merely the reclassification of existing parcels.

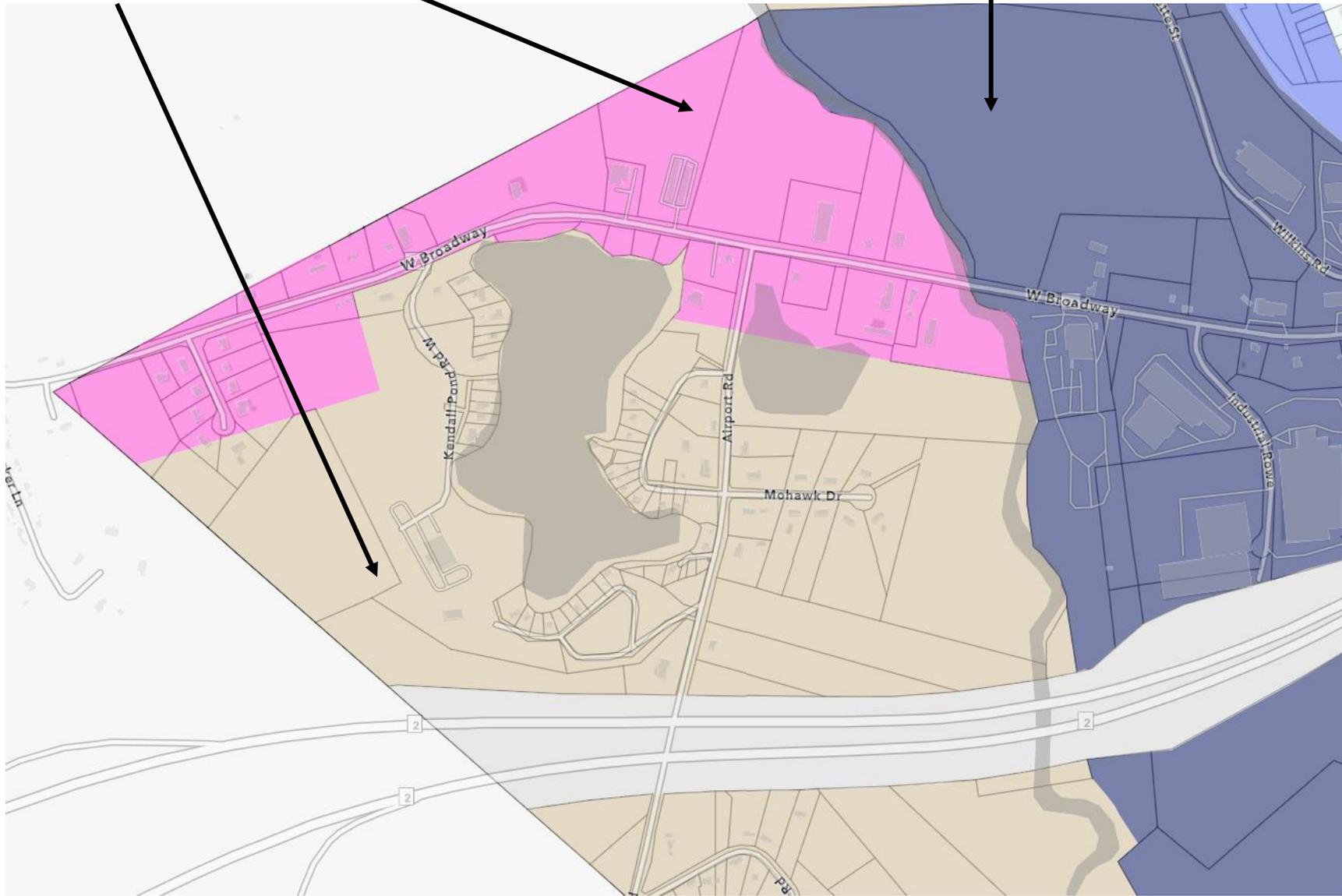
The Petitioner PrivateOversight, LLC, by Joanne M. Tavano, Member/Manager, is the owner of Parcels H17-7-1, H17-12-2 and H17-13-9, which are parcels to be affected by the zoning map amendment pursuant to M.G.L. c. 40A §5, and is therefore eligible to Petition for this zoning map amendment.

CURRENT ZONING MAP

COMMERCIAL 2 DISTRICT

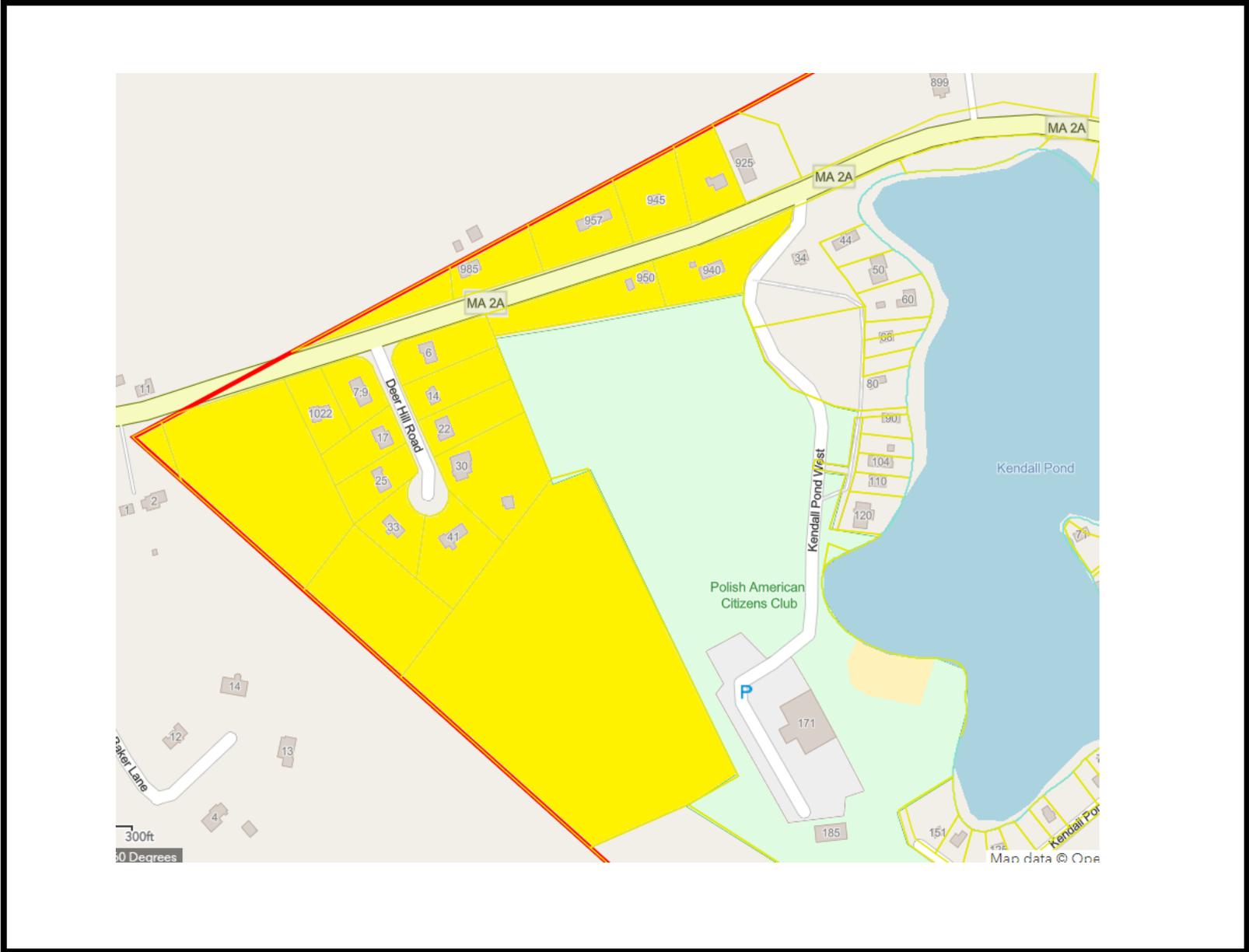
RURAL RESIDENTIAL 2 DISTRICT

INDUSTRIAL 2 DISTRICT

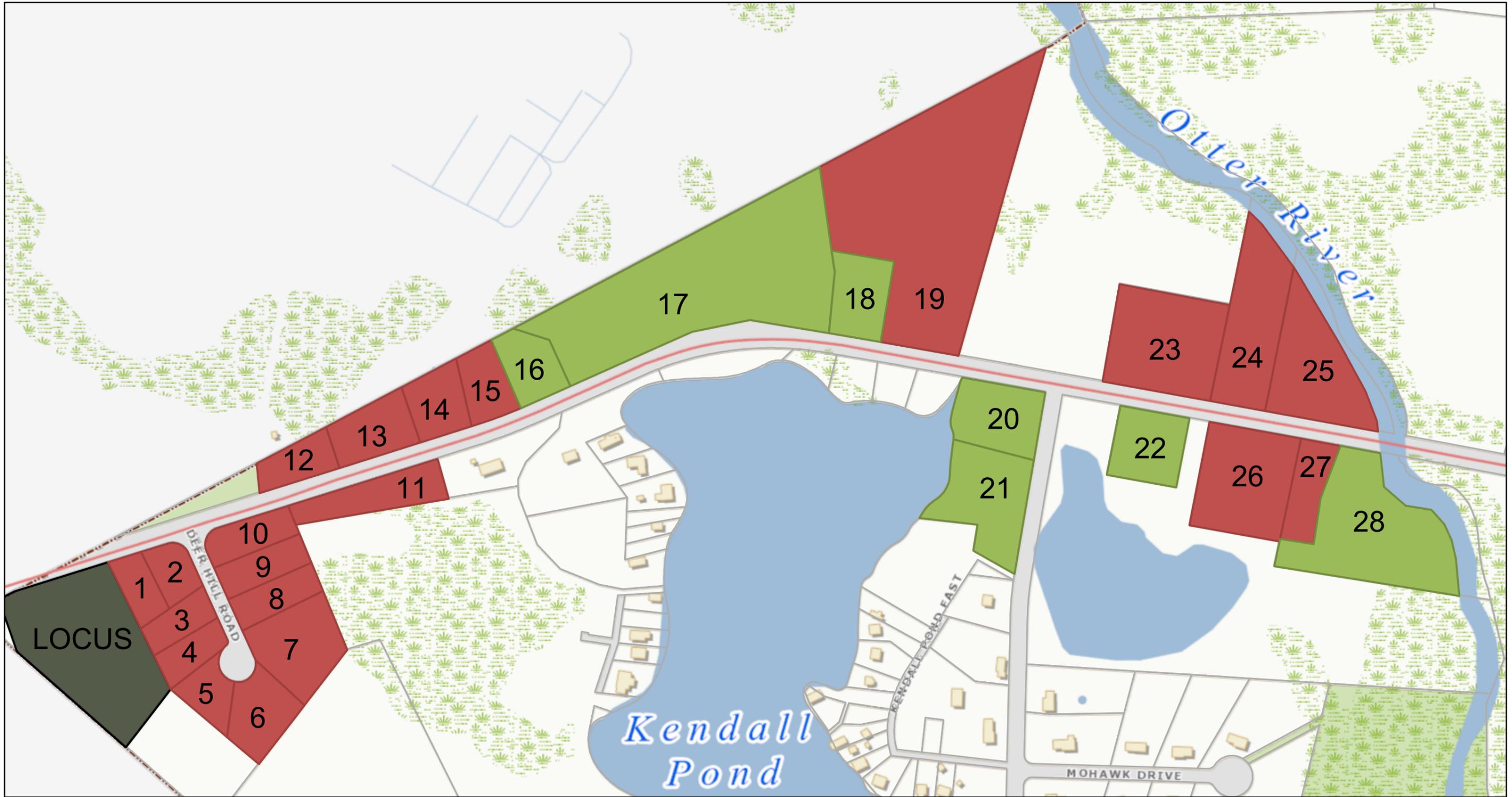


# Proposed Zoning Map Amendment

## Parcels to be designated as General Residential 3 Zoning District



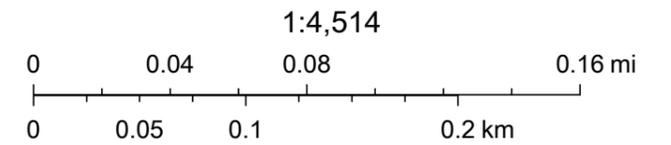
# Gardner- Conformity Parcels



7/16/2021, 1:11:01 PM

### Areas

-  Override 1
-  Override 2
-  Override 3
-  Parcels (2020)



City of Gardner GIS

| <b>TABLE OF NONCONFORMING USES</b> |                   |                                                |                    |                    |
|------------------------------------|-------------------|------------------------------------------------|--------------------|--------------------|
| <b>Parcel No.</b>                  | <b>Address</b>    | <b>Owner</b>                                   | <b>Use</b>         | <b>Conforming?</b> |
| 1                                  | 1022 W. Broadway  | Charles Lemos                                  | Single Family      | NO                 |
| 2                                  | 9 Deer Hill Road  | Bryan & Nicole Keith                           | Single Family      | NO                 |
| 3                                  | 17 Deer Hill Road | Thomas & Dianne Lupaczyk                       | Single Family      | NO                 |
| 4                                  | 25 Deer Hill Road | Linda Daniels                                  | Single Family      | NO                 |
| 5                                  | 33 Deer Hill Road | Becky Cooper-Glenz                             | Single Family      | NO                 |
| 6                                  | 41 Deer Hill Road | Cornerstone Church of the<br>Assemblies of God | Rectory            | NO                 |
| 7                                  | 30 Deer Hill Road | Jeanne Kia                                     | Single Family      | NO                 |
| 8                                  | 22 Deer Hill Road | Louise, Daniel,<br>& Christopher Caissie       | Single Family      | NO                 |
| 9                                  | 14 Deer Hill Road | Monique Aviles                                 | Single Family      | NO                 |
| 10                                 | 6 Deer Hill Road  | Thurston Silva                                 | Single Family      | NO                 |
| 11                                 | 950 W. Broadway   | Deborah G. Leabman<br>Revocable Trust          | Single Family      | NO                 |
| 12                                 | 985 W. Broadway   | Joseph Kiarie                                  | Single Family      | NO                 |
| 13                                 | 957 W. Broadway   | Barbara & Lee Forgues                          | Single Family      | NO                 |
| 14                                 | 945 W. Broadway   | Mark & Susan Harty                             | Single Family      | NO                 |
| 15                                 | 935 W. Broadway   | N/A                                            | Single Family?     | NO                 |
| 16                                 | 925 W. Broadway   | Global Investments 1, Inc.                     | Office             | YES                |
| 17                                 | 899 W. Broadway   | City of Gardner                                | Animal Control     | YES                |
| 18                                 | 871 W. Broadway   | Christine Caron, Trustee                       | Gym                | YES                |
| 19                                 | 855 W. Broadway   | D & A Holdings, Inc.                           | Self Storage       | NO                 |
| 20                                 | 838 W. Broadway   | Grove Street Realty Trust                      | Daycare            | YES                |
| 21                                 | 23 Airport Road   | Lithuanian Outing Assoc., Inc.                 | Fraternal Org.     | YES                |
| 22                                 | 800 W. Broadway   | Eric Hill                                      | Auto Repair        | YES                |
| 23                                 | 795 W. Broadway   | Anthony Manca, Trustee                         | Truck Terminal     | NO                 |
| 24                                 | 771 W. Broadway   | Anthony Manca, Trustee                         | Warehouse          | NO                 |
| 25                                 | 765 W. Broadway   | Garrick Contract Carriers, Inc.                | Truck Terminal     | NO                 |
| 26                                 | 766 W. Broadway   | Charles Manca                                  | Warehouse          | NO                 |
| 27                                 | 758 W. Broadway   | Charles Bachelder                              | Three Family       | NO                 |
| 28                                 | 750 W. Broadway   | City Electric Supply Company                   | Retail < 10,000 SF | YES                |

**ON MAP: GREEN= CONFORMING; RED=NONCONFORMING**



August 12, 2022

Joanne Tavano  
Privateoversight, LLC  
21 B West Hill Dr  
Westminster, MA 01473

Re: Traffic Review  
West Broadway Condos, Gardner, MA  
Fuss & O'Neill Reference No. 20220691.A10

Dear Ms. Tavano,

Fuss & O'Neill, Inc. (F&O) has completed a traffic review for the proposed condominium development on West Broadway in the Town of Gardner, MA. The following sections are a summary of the traffic related findings.

### **Existing Traffic Conditions**

A site visit was conducted on Tuesday, July 27, 2022, to observe the existing traffic conditions in the vicinity of the site. The observation was performed during the anticipated AM peak hours, between 8:15 AM and 9:15 AM. Over the course of this hour 265 vehicles were recorded, with 110 going westbound and 155 going eastbound. Photos 1 and 2 show the existing conditions at the site and depict the existing visibility in both roadway directions from the proposed driveway.



Photo 1: West Broadway at Proposed Driveway (looking east)

1550 Main Street  
Suite 400  
Springfield, MA  
01103  
t 413.452.0445  
800.286.2469  
f 413.846.0497

[www.fando.com](http://www.fando.com)

California  
Connecticut  
Maine  
Massachusetts  
New Hampshire  
Rhode Island  
Vermont



Joanne Tavano  
August 12, 2022  
Page 2



Photo 2: West Broadway at Proposed Driveway (looking west)

Speed data adjacent to the proposed site was gathered using radar. The 85<sup>th</sup> percentile of speeds during this one-hour interval are 43 mph westbound and 49 mph eastbound with a combined 85<sup>th</sup> percentile speed of 46 mph. The roadway posted speed limit is 40 mph at the Templeton town line.

Intersection sight distance (ISD) and stopping sight distance (SSD) were measured and evaluated at the proposed site driveway location in accordance with criteria set forth by the American Association of State Highway and Transportation Officials (AASHTO). Intersection sight distance accounts for the perception time and reaction time needed to identify an appropriate gap in oncoming traffic that allows the vehicle to safely turn onto a roadway and accelerate without undue speed differential conflicts with vehicles already on the roadway, measured using a line of sight across the corners of the intersection. The target used for sighting the proposed driveway was placed in the grassed area approximately 16 feet from the shoulder of the road to represent the location of the driver's eye.

Stopping sight distance ensures that vehicles will have sufficient visibility to safely stop for another stopped vehicle on the roadway particularly at an intersection where the situation is likely to occur, measured using a line of sight along the major roadway centerline. Stopping sight distance is generally considered the absolute minimum visibility criteria, while intersection sight distance is recommended where feasible and readily achievable.

The SSD on the westbound approach of West Broadway was measured as being greater than 900 feet. The road follows a near straight trajectory for over 900 feet heading towards the intersection



Joanne Tavano  
 August 12, 2022  
 Page 3

with no visual obstructions. The recommended SSD was calculated to be 350 feet based on the prevailing operating speed of 46 mph on a 5% grade. The existing SSD meets the requirement.

The SSD on the eastbound approach of West Broadway was measured as 400 feet. The vertical and horizontal curvature of the roadway impede vision of the intersection. The recommended SSD was calculated to be 295 feet based on the prevailing operating speed of 46 mph on 2% grade. The existing SSD meets the requirement.

The ISD was measured for the westbound approach of West Broadway (looking east from proposed site). An available ISD of 525 feet was measured. The recommended ISD was calculated to be 510 feet based off *Case B1, Left Turn from stop on minor street*, which uses a time gap of 7.5 seconds for passenger cars. The obstruction was trees and vegetation along the south side of West Broadway. The recommended ISD was calculated using the prevailing operating speed of 46 mph. The available distance meets the recommended distance. Table 1 summarizes the sight distance analysis.

The ISD was measured for the eastbound approach of West Broadway (looking west from proposed site driveway). An available ISD of 444 feet was measured. The recommended ISD was calculated to be 440 feet based off *Case B2: Right Turn from stop on Minor Street* which uses a time gap of 6.5 seconds for passenger cars. The obstruction was the vertical curvature of West Broadway heading towards the intersection and the tree line that spans the southern portion of the West Broadway. The recommended ISD was calculated using the prevailing operating speed of 46 mph. The available distance meets the recommended distance. Table 1 summarizes the sight distance analysis.

| TABLE 1<br>SIGHT DISTANCE MEASUREMENTS<br>West Broadway Condominiums - West Broadway, Gardner, MA |                     |                |                         |          |                             |          |
|---------------------------------------------------------------------------------------------------|---------------------|----------------|-------------------------|----------|-----------------------------|----------|
| Location                                                                                          | Direction of Travel | Observed Speed | Stopping Sight Distance |          | Intersection Sight Distance |          |
|                                                                                                   |                     |                | Recommended             | Existing | Recommended                 | Existing |
| <b>West Broadway at Proposed Driveway</b>                                                         |                     |                |                         |          |                             |          |
|                                                                                                   | Westbound           | 46 mph         | 350 ft                  | > 900 ft | 510 ft                      | 525 ft   |
|                                                                                                   | Eastbound           | 46 mph         | 385 ft                  | 400 ft   | 440 ft                      | 444 ft   |

Notes:

Source: American Association of State Highway and Transportation Officials (AASHTO). 2011. *A Policy on Geometric Design of Highways and Streets*



Joanne Tavano  
August 12, 2022  
Page 4

### Safety Analysis

State published vehicle crash history between 2018 and 2021, the most recent verified available years, was analyzed on West Broadway adjacent to the proposed site. Only one crash was reported over the 3-year period, indicating no predominant safety deficiency or concern.

### Site Generated Traffic

The expected site generated traffic volume was calculated using existing empirical data from the Institute of Transportation Engineers (ITE) Trip Generation Web-based App. This publication is an industry-accepted resource for determining trip generation.

Trip generation for the proposed development was estimated based on a fully occupied facility. The land use chosen for this analysis is LUC 215: Single-Family Attached Housing as this category most closely matches the proposed use of the site. A total of 43 occupied dwelling units was used based on information from the applicant. Based on ITE Fitted Curve Equations, the proposed development is estimated to produce 25 trips during the weekday morning peak hour and 29 trips will be generated during the weekday afternoon peak hour. All of these trips will be new trips added to adjacent roadways. Table 2 presents the daily and peak hour trip generation estimates.

| <b>LUC: 215 - Single-Family Attached Housing<br/>(43 housing units)</b> | <b>Enter<br/>(vpd)</b> | <b>Exit<br/>(vpd)</b> | <b>Total<br/>(vpd)</b> |
|-------------------------------------------------------------------------|------------------------|-----------------------|------------------------|
| AM Peak Hour of Generator                                               | 6                      | 19                    | 25                     |
| PM Peak Hour of Generator                                               | 18                     | 11                    | 29                     |
| Weekday 24-Hour                                                         | 155                    | 155                   | 310                    |

### Recommendations

Fuss & O'Neill recommends installing standard 30"x30" W2-2 intersection advanced warning signs 175' in advance of the site driveway on the eastbound approach to inform drivers of the driveway location.





Joanne Tavano  
August 12, 2022  
Page 5

Based on the field observations, site trip estimates and results relating to traffic safety, and with implementation of the recommended improvements, it is the professional opinion of Fuss & O'Neill, Inc. that the proposed West Broadway Condos will not have a significant impact to vehicular movements at the proposed driveway nor exacerbate any pre-existing safety concerns.

Sincerely,

Stephen J. Savaria, PE, PTOE  
Senior Project Manager



City of Gardner - *Executive Department*  
Mayor Michael J. Nicholson

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2022 SEP -1 PM 2:15  
CITY CLERK'S OFFICE  
GARDNER, MA

August 25, 2022

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

RE: Authorization for Increase in allowable funding limit for Council on Aging Revolving Fund

Dear Madam President and Councilors,

Massachusetts General Law requires that the City Council must vote to set the total amount of funding that can be deposited into revolving accounts that are overseen by different City Departments.

Due to increased revenue sources for programming at the Senior Center, I am requesting that the City Council vote to increase the funding limit for the Gardner Senior Center Revolving Account (Account No. 21541) to \$40,000.

The current limit on the account is \$20,000.00

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

COUNCIL ON AGING DEPARTMENT  
RECREATIONAL ACTIVITIES  
REVOLVING FUND M.G.L. CH.44., S.53E ½

VOTED: To authorize and direct the City Treasurer to establish a revolving fund in accordance with M.G.L. Chapter 44, section 53E ½ for salaries and expenses relating to recreational activities at the Senior Center.

Monies received from recreation fees at the Senior Center shall be credited to this fund. As per M.G.L., interest earned on this fund shall be treated as general fund revenue.

The Council on Aging Department is authorized to expend from this fund and is limited to a total amount not to exceed any available balance of forty thousand dollars (\$40,000.00), whichever is less.

The Council on Aging Department shall report annually to the Mayor and City Council the total amount of receipts and expenditures for the prior fiscal year and for the current fiscal year through December 31<sup>st</sup>, along with any other information that City Council may by vote require.

In the event this fund is not reauthorized for the following fiscal year, or the city changes the purpose of the revolving fund, the balance in the fund shall revert to surplus revenue, unless City Council and the Mayor vote to transfer the funds to another revolving fund established in accordance with M.G.L. Chapter 44, section 53E ½

## CITY OF GARDNER

MASSACHUSETTS 01440

## COUNCIL ON AGING

---

Charles P. McKean Building  
294 Pleasant Street



---

T: (978) 630-4067  
F: (978) 632-5965

July 26, 2022

Mayor Michael Nicholson  
City of Gardner  
95 Pleasant Street  
Gardner, MA 01440

Dear Mayor Nicholson

The Gardner Council on Aging/Gardner Senior Center respectfully requests the City of Gardner to increase our maximum allowable funding limit for our Revolving Fund, Account 21541 be increased to \$40,000.

Changes in funding sources, increased revenues from programs, and limits in expenses during Covid has resulted in higher balances in this account at the close of the Fiscal Year. We have been very conservative in incurring expenses to provide for additional resources for larger scale projects at our Center. As a result, we would like to increase the amount allowable for carry-over in this account.

As always, should you have any questions or need any additional information, please feel free to reach out to me at 978-630-4067, or by email to [mellis@gardner-ma.gov](mailto:mellis@gardner-ma.gov).

Thank you for all you do to support our Senior Center.

Sincerely,

Michael F. Ellis  
Director

Cc: John Richard, Auditor  
Nathan Boudreau, Chair, Welfare Committee  
Ron Darmetka, Chair, Council on Aging

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August 30, 2022

2022 AUG 30 10:11 AM CITY CLERK'S OFFICE GARDNER, MA  
**Commonwealth of Massachusetts**

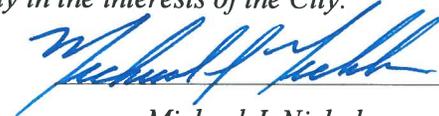
*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint Frances LeMieux to the position of Member, Cultural Council, 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: August 30, 2025

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

Then personally appeared the above named Frances LeMieux and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Cultural Council 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 \_\_\_\_\_

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August 30, 2022

2022 AUG 30 10:51

**Commonwealth of Massachusetts**

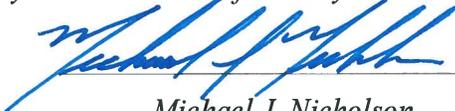
*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Paulette Burns** to the position of **Member, Cultural Council**, 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: August 30, 2025

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

Then personally appeared the above named **Paulette Burns** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Cultural Council** 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

August 30, 2022

2022 AUG 30 AM 11:01

# Commonwealth of Massachusetts

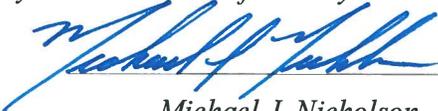
Worcester County

City of Gardner

## CERTIFICATE OF APPOINTMENT

I appoint Kristina Singer to the position of Member, Cultural Council, 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: August 30, 2025

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

Then personally appeared the above named Kristina Singer and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Cultural Council 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

August 30, 2022

2022 AUG 30 AM

**Commonwealth of Massachusetts**

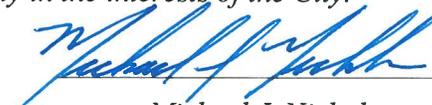
*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Kathleen Deal** to the position of **Member, Cultural Council,** 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: August 30, 2025

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

Then personally appeared the above named **Kathleen Deal** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Cultural Council** 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 \_\_\_\_\_

BOWLING ALLEY FEE - \$30.00 FOR 1<sup>ST</sup> LANE + \$15.00 FOR EACH ADDITIONAL LANE  
 BILLIARD TABLE FEE - \$30.00 FOR 1<sup>ST</sup> TABLE + \$15.00 FOR EACH ADDITIONAL TABLE



**CITY OF GARDNER**  
**MASSACHUSETTS 01440**  
 95 PLEASANT STREET - ROOM 121  
 TELEPHONE (978) 630-4058  
 FACSIMILE (978) 630-2589

RECEIVED  
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 2022 AUG -1 PM 2:41  
 CITY CLERK'S OFFICE  
 GARDNER, MA  
 DO NOT WRITE IN THIS BOX

**APPLICATION FOR BILLIARD TABLE AND/OR BOWLING ALLEY LICENSE**

**APPLICANT INFORMATION**

Applicant / Licensee Name: MICHAEL S BUDWICK  
 Applicant / Licensee Address: 63 BROOK LANE GARDNER, MA 01440  
 Applicant / Licensee phone number(s): 978-695-3367 Applicant / Licensee E-mail: GARDNER TEN PINS @GMAIL.COM  
 Social Security Number \_\_\_\_\_ OR FEIN 04-2443117

**ESTABLISHMENT INFORMATION**

Establishment Name: GARDNER TEN PINS, INC.  
 Establishment address: 560 W. BROADWAY Establishment Phone: 978-632-0010  
 On-Site manager / contact person: MICHAEL BUDWICK  
 License(s) applied for? BOWLING ALLEY No. of lanes? 24 No. of billiard tables? 0

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §177 AND §§ 201-205.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.  
Michael S Budwick DATE SIGNED 4/12/22  
 INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO CITY OF GARDNER. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.**

**BILLIARD TABLE AND BOWLING ALLEY LICENSES EXPIRE ON APRIL 30<sup>TH</sup> ANNUALLY**

COLLECTOR LICENSE APPLICATION FEE - \$30.00  
DEALER LICENSE APPLICATION FEE - \$100.00



# CITY OF GARDNER MASSACHUSETTS 01440

95 PLEASANT STREET - ROOM 121  
TELEPHONE (978) 630-4058  
FACSIMILE (978) 630-2589

RECEIVED  
2022 AUG 31 AM 9:57  
CITY OF GARDNER OFFICE  
DO NOT WRITE IN THIS BOX  
*Paid Cash*

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

### APPLICANT INFORMATION

Applicant / Licensee Name: Daniel Quinlan  
Applicant / Licensee Address: 275 Central St apt #6  
Applicant / Licensee phone number(s): 978-467-3427  
Applicant / Licensee E-mail: Quinlandan@yahoo.com  
Social Security number: ~~XXXXXXXXXX~~ XXXXXXXXXX OR Business FID number \_\_\_\_\_

### ESTABLISHMENT INFORMATION

Establishment Name: Gardner Thrift Store  
Establishment address: 280 Central St  
Establishment Phone: 978-467-3427  
On-Site manager / contact person: Daniel Quinlan  
For which type of license(s) are you applying? Secondhand Dealer

**Check all that apply to this Application:**

- SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c. 140, § 56.
- SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Clothing, nick-nacks, jewelry, electronics, furniture, household goods

Where at the licensed address will the articles be stored, displayed, etc? Within the store, on ~~shelf~~ shelves and Glass display cassess and on hanger racks

Massachusetts Sales & Use Tax Registration number: \_\_\_\_\_  
(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, 202-205 AND CITY OF GARDNER ORDINANCE No. 32 GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

*Darnell O'Connell*

*8-129/2022*  
DATE SIGNED

INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE  
OFFICER OR APPLICANT

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. c.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO CITY OF GARDNER. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.**

**JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES  
EXPIRE ON APRIL 30<sup>TH</sup> ANNUALLY.**



**CITY OF GARDNER**  
**MASSACHUSETTS 01440-2630**

OFFICE OF THE  
**CITY CLERK**

Room 121, City Hall  
Tel (978) 630-4058  
Fax (978) 630-2589

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**NOTICE TO ABUTTERS**

July 13, 2022

TO ABUTTERS AND OTHER INTERESTED PARTIES:

Pursuant to the provisions of M.G.L., c. 166, §22, you are hereby notified that a Public Hearing will be conducted on **MONDAY, AUGUST 1, 2022 at 7:30 o'clock P.M.** in the City Council Chamber, 2<sup>nd</sup> Floor, City Hall, 95 Pleasant Street, Gardner, Massachusetts, upon the petition of Massachusetts Electric Company, d/b/a NATIONAL GRID and Verizon New England, Inc. for permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, under along and across the following public way:

**KEYES ROAD** – To relocate 1 Jointly Owned Pole on Keyes Road beginning at a point approximately 700 feet southeast of the centerline of the intersection of West Street. Relocate Pole #2 across the street to accommodate for bridge construction and upgrade to a 45-foot class 2.

A sketch of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

By: TITI SIRIPHAN  
City Clerk



10740  
**ENGINEERING DEPARTMENT**  
**CITY OF GARDNER**  
50 Manca Drive, Gardner MA 01440

Robert E. Oliva, City Engineer  
Telephone (978) 630-8195  
roliva@gardner-ma.gov

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**PROJECT REVIEW MEMORANDUM**

**To:** Public Service Committee  
**Cc:** Dane Arnold, DPW Director  
Christine Harty, DPW Administrative Asst.  
Titi Siriphan, City Clerk  
**From:** Robert Oliva – City Engineer  
**Date:** July 20, 2022  
**Project:** National Grid Pole Petition - City Council Item #10740

National Grid has submitted a pole petition to relocate two poles on Keyes Road. The following work is proposed:

- Pole #2 will be moved from its current location on the west side of the road to a new location on the east side of the road with a new guy, all within the City right of way.
- Pole #3 will be moved from the City right of way to be located on private property at 26 Keyes Road. National Grid has conveyed to me that the owner of 26 Keyes Road has agreed to an easement with them, and the easement is in the works.

This work is necessary to accommodate the construction of the proposed Keyes Road culvert replacement. I have reviewed the petition application, inspected the proposed locations, and have no comment on the petition at this time.

**nationalgrid**

RECEIVED

2022 JUN 27 AM 9:52

CITY CLERK'S OFFICE  
GARDNER, MA

June 23, 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,

*Pat Cody*

Patrick Cody  
Supervisor, Distribution Design

Enclosures

Questions contact – Will Fontaine 978-725-1392

RECEIVED

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS JUN 27 AM 9:53

North Andover, Massachusetts

CITY CLERK'S OFFICE  
GARDNER, MA

To the City Council  
Of Gardner, Massachusetts

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

Keyes Rd - National Grid to relocate 1 JO Pole on Keyes Rd beginning at a point approximately 700 feet southeast of the centerline of the intersection of West St. Relocate Pole # 2 across the street to accommodate for bridge construction and upgrade to a 45 foot class 2.

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 – Keyes Rd - Gardner - Massachusetts.

No. 30562003 May 23, 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 \_\_\_\_\_  
Engineering Department *Pat Cody*

VERIZON NEW ENGLAND, INC.

BY \_\_\_\_\_  
Manager / Right of Way

**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 23rd day of May, 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 – Keyes Rd - Gardner - Massachusetts..

**No. 30562003** Dated May 24, 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:

Keyes Rd - National Grid to relocate 1 JO Pole on Keyes Rd beginning at a point approximately 700 feet southeast of the centerline of the intersection of West St. Relocate Pole # 2 across the street to accommodate for bridge construction and upgrade to a 45 foot class 2.

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

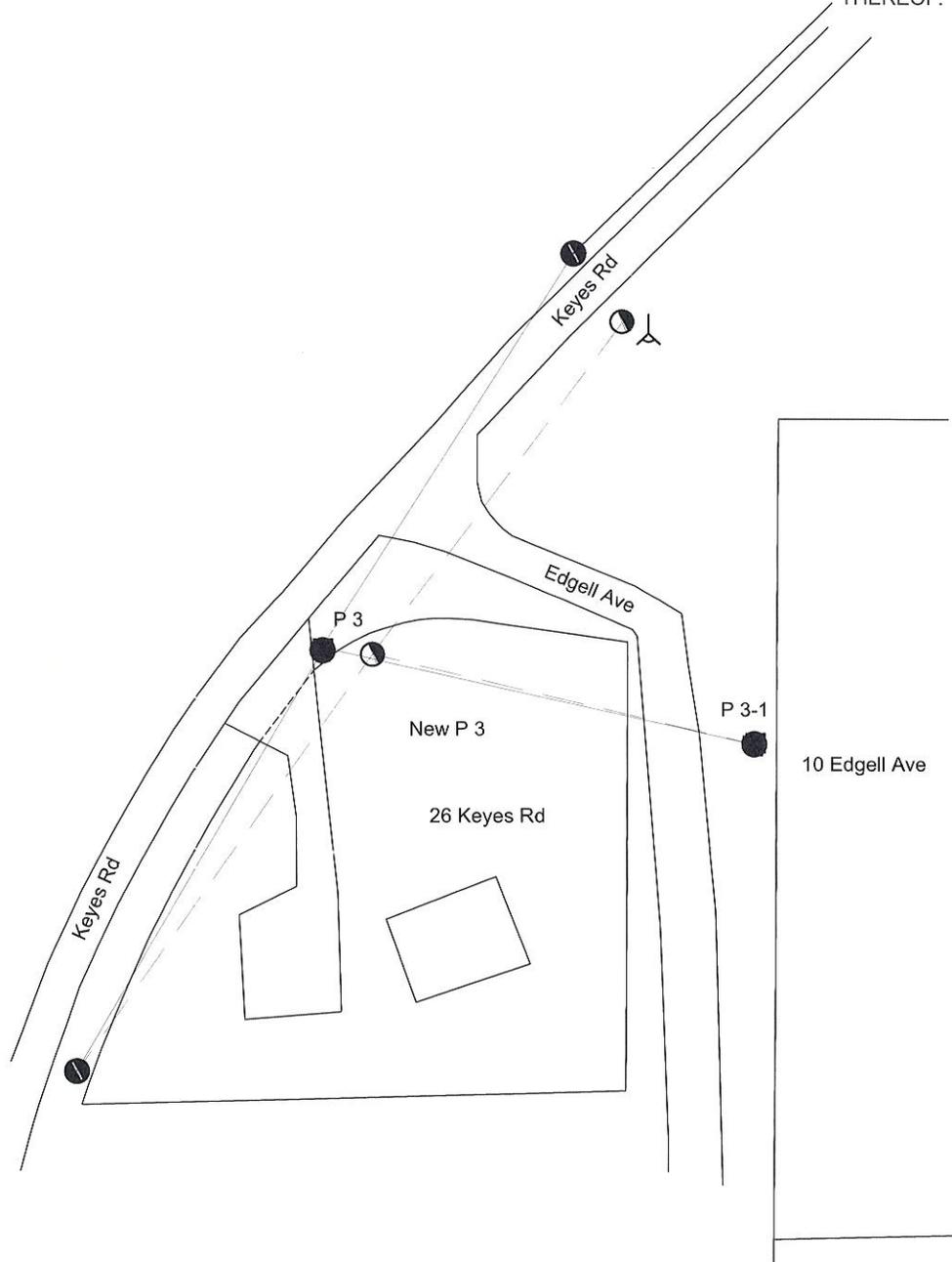
I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded with the  
records of location orders of the said City, Book \_\_\_\_\_, 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

DO NOT USE THIS SPACE  
TOWN USE ONLY

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

- J/O POLE
- PROPOSED POLE
- Proposed OH Wire
- OH Wire
- ⋈ ANCHOR/GUY

EASEMENT

26 Keyes RD GARDNER, MA  
SKETCH TO ACCOMPANY EASEMENT:  
Moving Poles 2&3 for roadwork

Date: 5/19/22  
Designer: Will Fontaine  
W/R: 30562003





City of Gardner - *Executive Department*  
Mayor Michael J. Nicholson

---

August 25, 2022

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

RE: Fire Department Operations Audit

Dear Madam President and Councilors,

Attached, please find the Operations Audit of the Gardner Fire and Ambulance Departments conducted by John Parow Consulting & Associates.

Ret. Chief Parow has stated that if the Council wishes, he would gladly present his findings to the City Council in a meeting as well.

The report outlines the current financial surplus generated by the City Ambulance Service, the positive outcomes of our agreement with Woods Ambulance, civil service, staffing level, facilities conditions, and other topics related to the operations of these departments.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

CC: Finance Committee  
Public Safety Committee

# City of Gardner Fire Department

Emergency Medical System Review

Overview of Facility Needs

Civil Service - Pros and Cons

Review Current Staffing Model

Conducted By:

**John Parow Consulting & Associates**

32 School Street

Chelmsford, MA. 01863

978.490.4736

[John.Parow@comcast.net](mailto:John.Parow@comcast.net)

Parowconsulting.com

July 2022

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## Project Overview

### Scope of Work

1. Conduct an overview of the Emergency Medical Response system at the 5-year mark
2. Examine the department facilities and needs
3. Review how the MA Civil Service System works for the department and if improvements can be made
4. Review the current department staffing model against industry standards and comparison departments in the Commonwealth of MA.

### Methodology

1. Conducted multiple site visits to become familiar with operations of the Gardner Fire Department and the Community included:
  - a. Fire/EMS operations
  - b. Department's organizational structure
  - c. Current staffing model
  - d. Deployment patterns
  - e. Review of Facilities
  - f. Future needs
  - g. Community demographics, etc.
2. Multiple requests for supporting information from the Fire Department via
  - a. Email
  - b. Phone Conversations
3. Gathered statistical department data to determine current and trending activity
  - a. This data requested and provided by the department and/or City
    - i. Fire/EMS statistics over the last five years
    - ii. EMS Collections – City Auditor
    - iii. Past studies or reports
    - iv. Civil Service history
4. Gather statistical data from comparison departments
  - a. Electronic Surveys
  - b. Phone Conversations
5. Review and Compare National Fire and Emergency Medical Services Best Practices

## **Emergency Medical System Review**

### **The Edward Collins Center Study 2015**

The Edward Collins Center completed a study, in early 2015, regarding the Gardner Fire Department running 1 Basic Life Support (BLS) for the City of Gardner. The study had the following projections and advantages of Gardner Fire Department staffing an in-house BLS ambulance:

1. One Gardner Fire Department BLS ambulance would transport an estimated 75% of all emergency medical patients;
2. Additional staffing at fires and emergency situations (“more boots on the ground”);
3. Additional funding to offset costs of maintaining a busy fire department;
4. Additional services to residents, property owners and businesses with no increase in taxes.

### **General Overview of the Current Fire/Ambulance System**

#### **Moving forward with Gardner Fire Department BLS Ambulance in 2016**

In 2016 the city decided to move forward with the fire based in-house BLS ambulance service. They hired an additional seven dual role firefighter/EMTs in October of 2016. The purpose of the dual role Firefighter/EMTs is to staff the ambulance and/or respond to fires or emergency calls (“more boots on the ground”). The concept of a dual role firefighter/EMT is that when they are not out on an ambulance call they are available to supplement the fire and emergency response staffing in the City. In the Fire Service this system of dual role responsibilities has proven to be a very efficient use of personnel.

In order to get the BLS ambulance system off the ground, the Fire Department needed to acquire a fully equipped ambulance. They purchased a used 2007 ambulance from the Town of Westminster for \$8,000.00, Rescue 2. In 2018 the department purchase a new 2018, state of the art, ambulance to run as the primary ambulance for \$235,000.00, Rescue 3, and retired Rescue 2 to the position of the reserve or back-up ambulance.

#### **Relationship with Wood’s Ambulance**

Gardner Fire Department has a very interesting relationship with Wood’s Ambulance Company. Wood’s Ambulance provides two ALS ambulances to the city on a 24/7 basis and operates out of Gardner Fire Department Headquarters, Station 2. The interesting part of this relationship is that when the Gardner Fire Department ambulance is tied up on a call, Wood’s will respond to all secondary calls. Additionally, Wood’s provides for all the Advance Life Support (ALS) needs in support of the Gardner Fire Department BLS ambulance.

An example of how an ALS call would be handled, Gardner Fire Department Rescue 3 and one of Wood’s ambulances would respond to a call deemed “ALS” by the response matrix. When they arrive on scene, and if it is further determined the patient’s needs is “ALS” the Gardner Fire Department Rescue 3 would transport the patient to the hospital with the Wood’s Paramedic and the Gardner Fire Department EMT providing care to the patient in the back of the ambulance.

The other advantage of having Wood’s Ambulance providing secondary coverage for the city, is that it fully supports the dual role firefighter/EMT model. For example, if Gardner Fire Department receives a

call for a fire in the city the two firefighter/EMTs assigned to the ambulance respond immediately to the fire call. This provides two additional firefighters on the fireground that were not available prior to Gardner Fire Department running the BLS ambulance system. In these situations, Wood's two ambulances would provide primary ambulance coverage for the city.

(Note that the first 18 months of the program were with Med-Star and the arrangement was different with Gardner Fire Department only transporting BLS patients)

### **Cost for the Additional Dual/Role Firefighter/EMTs**

Gardner Fire Department has a very unique budgeting system for their fire and ambulance operations. While most fire departments would include all firefighter costs in a single budget, Gardner Fire Department separates the two and has all ambulance related expenses, including personnel, broken out in a separate budget area. The advantage of this type of budgeting is that it makes it very easy to monitor the ambulance service, and to assure that it is paying for itself and what additional revenue are being generated for the city.

### **Evaluate the Current Ambulance System over the last Five Years and Against the Original Edward Collins Center Study:**

#### **1. One Gardner Fire BLS ambulance would transport an estimated 75% of all emergency medical patients in the City.**

It was difficult to pull this data because neither Gardner Fire Department's or Wood's Ambulance's reporting software specifically track this data. However, after the data was pulled manually, we were able to compile a 21-month period of data ranging between June 2020 through February 2022 which was sufficient to make this evaluation.

During this 21-month period there were a total of 4,840 ambulance transports, 3,692 were transported by Gardner Fire Department and 1,148 transported by Wood's Ambulance.

| Total Transports | Trans GFD | Trans Wood's |
|------------------|-----------|--------------|
| 4840             | 3,692     | 1,148        |
| Percent          | 76%       | 24%          |

Figure 1

As noted in Figure 1 above Gardner Fire Department transported 76% of the emergency medical patients and Wood's transported 24%. Over this 21-month period Gardner Fire Department met and slightly exceeded the estimate in the Collin's Study of 75%. A number we were not able to capture was mutual aid and 3<sup>rd</sup> or 4<sup>th</sup> ambulance calls.

Moving forward, we feel that this data should be collected on an annual basis and reviewed to ensure this benchmark is being met or exceeded.

#### **2. Additional staffing at fires and emergency situations ("more boots on the ground")**

Bringing the Ambulance in-house has increased the staffing of Gardner Fire Department by 33%. This is based on simple math, before the in-house system six firefighters were assign to each shift, after the in-house system, eight firefighters are assigned to each shift. The additional two dual role firefighter/EMTs,

per shift, are available to respond to non-related ambulance calls (fires and other emergencies) when not out on an ambulance call.

We did an analysis to see what percentage of the time the dual role firefighter/EMTs were unavailable on ambulance calls and what their availability was to work in a firefighter role. The analysis first took the number of transports the Gardner Fire Department ambulance did per year and divided that by 365 to get the average number of times they were out on an ambulance call per day. We then calculated the average time they were committed on the call. This included response time to the call, time on scene and the time of transport to the hospital and until back in service. The primary hospital is Heywood, and there are very few secondary destinations. We used the average of the response and return time to Haywood based on the data, response to the incident and average time on scene. It breaks out to a 4-minute response to the call, 20 minutes on scene and 45 minutes to and from the hospital and back in service. This gives us an approximate of 1 hour and 10 minutes per ambulance call.

|       | Transports/yr | Transports/day | Hours/day tied up on Amb | Hours/day for non Amb calls |
|-------|---------------|----------------|--------------------------|-----------------------------|
| FY/18 | 1,509         | 4              | 4 hrs, 40 minutes        | 19 hrs, 20 minutes          |
| FY/19 | 2,187         | 6              | 7 hrs                    | 17 hrs                      |
| FY/20 | 2,112         | 6              | 7 hrs                    | 17 hrs                      |
| FY/21 | 2,091         | 6              | 7 hrs                    | 17 hrs                      |
| FY/22 | 2,164         | 6              | 7 hrs                    | 17 hrs                      |

Figure 2

If we look at the high side of this data, in Figure 2, we can see that the dual role firefighter/EMTs are tied up performing ambulance duties 7 hours per day, on average, using the average of 1 hour and 10 minutes of time being tied up on each ambulance call. This gives the city the availability of the firefighter/EMT for fire and other non-ambulance calls an average of 17 hours per day, "more boots on the ground".

### 3. Additional funding to offset costs of maintaining a busy fire department.

#### Ambulance Activity, Cost and Revenues

Gardner Fire Department BLS ambulance bills for all its ambulance transports to the hospital at 2.5 times the Medicare rate. Additionally, Gardner Fire Department bills when they transport ALS patients with Wood's Ambulance paramedic onboard providing the ALS level of care. The revenue collect from these calls are split 50/50 between Gardner Fire Department and Woods Ambulance.

On the very rare occasion that Gardner Fire Department's ambulance and the two Wood's ambulances are tied up at the same time and another medical call comes in a Woods backup ambulance from their base on Main Street would respond.

Gardner Fire Department, contracts with Coastal Billing, an ambulance billing Company, to do the actual billing for its ambulance services. Coastal Billing charges a fee of 3% for all revenue collected as per the contract negotiated with the City (this figure has been reduce to 2.5% starting in FY/23). Using a third-party billing company is very typical with municipal fire/EMS departments across the Commonwealth. Additionally, Gardner Fire Department uses First Financial Resources to pursue unpaid bills.

Figure 3 shows activity and collections for FY/18 through FY/22:

|       | Calls | Transports | Collections | Collection/Expense | Net<br>Income |
|-------|-------|------------|-------------|--------------------|---------------|
| FY/18 | 2278  | 1509       | 572574      | 54375              | 518199        |
| FY/19 | 2961  | 2187       | 871137      | 203764             | 667372        |
| FY/20 | 2751  | 2112       | 1004272     | 308789             | 695483        |
| FY/21 | 2715  | 2091       | 1184798     | 306901             | 877897        |
| FY/22 | 2858  | 2164       | 1265787     | 289029             | 976758        |

Figure 3

Calls = total emergency medical calls for the fiscal year.  
 Transports = total transports by GFD Ambulance  
 Collections = total money collected by Coastal Billing  
 Collections Expense = total cost for collections  
 Net Income = total income for the fiscal year after other costs

For FY/21 and FY/22 Gardner Fire Department participated in the Medicare CPE Reimbursement Program. The program was instituted by the Commonwealth up to help Cities and Towns offset the very low Medicare and Medicaid reimbursement currently allowed. Gardner Fire Department has successfully applied for this reimbursement over the last two years:

FY/21 - \$210,026.00 received 6/30/2021

FY/22 - \$234,407.00 project to be received 6/30/2022

It is recommended that Gardner Fire Department continues to apply for these offset revenues, from the Commonwealth, on an annual basis.

### Ambulance Costs

The cost for running the ambulance service has been broken out in the Gardner Fire Department budget, this is a practice that should continue and makes it very easy to monitor the direct budget costs. The cost breakdown FY/18 through FY/22 are as follows:

#### 12231 Ambulance

|                           | FY/18     | FY/19     | FY/20     | FY/21     | FY/22    |
|---------------------------|-----------|-----------|-----------|-----------|----------|
| 51013 Salaries/wages      | 311674.19 | 330153.15 | 353284.97 | 365327.75 | 360096.4 |
| 51030 Overtime            | 83847.55  | 76623.64  | 102317.94 | 112894.53 | 107106.5 |
| 51050 Holiday Pay         | 29434.77  | 29173.38  | 33761.52  | 38876.02  | 38839.81 |
| 51090 Clothing/Uniforms   | 9000      | 9000      | 7875      | 9000      | 9000     |
| 51101 College Credits     | 0         | 2000      | 0         | 0         | 0        |
| 51102 Collateral jobs     | 23721.63  | 35283.09  | 39989.2   | 37134.27  | 40225.01 |
| 51103 Education incentive | 0         | 0         | 112.34    | 0         | 0        |
| 51415 AMB Service Stipend | 16929     | 17025     | 17396     | 17667     | 17469.52 |
| 52030 Repair and Maint    | 9606.79   | 9566.8    | 4452.27   | 14979.39  | 6465.92  |
| 52037 AMB Supplies        | 11546.81  | 19293.89  | 14975.81  | 21109.89  | 16670.78 |
| 52040 Information Tech    | 0         | 0         | 5855.13   | 2730.99   | 6500     |
| 52041 Lic Renewals/Fees   | 5729.86   | 3291.8    | 6381.83   | 5622.69   | 6940.32  |
| 52050 Minor Equipment     | 1683.01   | 3303      | 0         | 0         | 0        |

|       |                    |           |           |           |           |          |
|-------|--------------------|-----------|-----------|-----------|-----------|----------|
| 52151 | Telecommunications | 979.47    | 1280.33   | 1620.61   | 2518.01   | 2645.85  |
| 52170 | Prof. Dev & Travel | 320.4     | 413.7     | 3334.25   | 3619.68   | 2764.23  |
| 52190 | Prof. Services     | 54375.19  | 203764.45 | 308788.81 | 306901.25 | 289382.4 |
| 52230 | Office Supplies    | 0         | 0         | 368.46    | 471.38    | 243.75   |
| 52240 | Vehicle Supplies   | 741.71    | 2512.6    | 2709.1    | 1846.22   | 3542.01  |
| 55090 | New Vehicle        | 254997.53 | 0         | 0         | 0         |          |
|       | Total Ambulance    | 814587.91 | 742684.83 | 903223.24 | 940699.07 | 907892.4 |
|       |                    | FY/18     | FY/19     | FY/20     | FY/21     | FY/22    |

Figure 4

On the budget sheet, most of the line items are self-explanatory. Professional services are also included in Figure 2 and are the cost for the billing company and the Private split with Wood's Ambulance.

As we look at total expenses versus revenues for FY/18 through FY/22 we see the following:

|       | Collections | Medicare CPE | Budget cost | Revenue +/- |                     |
|-------|-------------|--------------|-------------|-------------|---------------------|
| FY/18 | 572,574     |              | 814,588     | -242,014    | ** new Amb purchase |
| FY/19 | 871,137     |              | 742,685     | 128,452     |                     |
| FY/20 | 1,004,272   |              | 903,223     | 101,049     |                     |
| FY/21 | 974,772     | 210,026      | 940,699     | 244,099     |                     |
| FY/22 | 1,031,391   | 234,407      | 907,892     | 357,906     |                     |

Figure 5

In the first full year of operation, FY/18, the ambulance budget ran a deficit of \$242,014.00. This deficit was directly related to the purchase of a new ambulance in the amount of \$254,998.00. In the following years, FY/19 through FY/22 a significant amount of revenue was generated, FY/19 \$128,452.00, FY/20 \$101,049.00, FY/21 \$244,099.00 and FY/22 \$357,906.00.

It is clear, that the current ambulance system with the Medicare CPE reimbursement is now generating significant revenues back into the City's general fund beyond the cost of maintaining the ambulance service and additional firefighters.

### Ambulance Replacement

Gardner Fire Department should continue to keep two ambulances available for service, one as the primary response ambulance (currently Rescue 3, a Ford F550/Horton) and a reserve or back-up ambulance (currently Rescue 2, a Ford F350/Horton). What this system allows for is the newer and most up-to-date ambulance, Rescue 3, to respond to calls on a routine basis and the reserve ambulance, Rescue 2, to be put in service whenever Rescue 3 is out of service for routine maintenance, service, or inspections.

An ambulance replacement schedule should be put in place to assure reliability of the BLS service and reasonable maintenance costs over the life of the ambulances. The life expectancy of the primary Gardner Fire Department ambulance is five years. This is based on the current level of use and past history.

The reserve or back-up ambulance will have a total life of ten years, five as the primary ambulance and five as the reserve or back-up. By creating this ten-year cycle it makes the cost of an ambulance very reasonable over its life span. For example, Rescue 3 was purchased, in 2018, for \$255,000.00. Over ten years the annual cost for the ambulance is \$25,500.00, similar to the cost of a police cruiser.

A five-year replacement plan for Gardner Fire Department would look like this.

#### GDF Ambulance 5/yr Capital Replacement Plan

|                                    | 2019 | 2020 | 2021 | 2022 | 2023                             | 2024 | 2025 | 2026 | 2027 | 2028                             |
|------------------------------------|------|------|------|------|----------------------------------|------|------|------|------|----------------------------------|
| Primary Ambulance<br>Rescue 3 2018 |      |      |      |      | Replace<br>New Rescue 2          |      |      |      |      | Replace<br>New Rescue 3          |
| Reserve Ambulance<br>Rescue 2 2007 |      |      |      |      | Re assign<br>Rescue 3 to Reserve |      |      |      |      | Re assign<br>Rescue 2 to Reserve |

Figure 6

Gardner Fire Department is in the process of ordering a new ambulance with a replacement cost of \$290,500.00, which will be paid for with ARPA\*\* funds, no cost to the city. This replacement will keep the primary ambulance on a five-year replacement schedule. The current ambulance, Rescue 3 will go into a reserve or back-up status for the next five years.

\*\* Under the American Rescue Plan Act, passed by the federal government in March 2021. State, county, tribal and local entities will receive federal aid to respond to the public health and economic impacts of the public health emergency created by the COVID-19 pandemic.

#### 4. Additional services to residents, property owners and businesses with no increase in taxes

The additional Fire Department services realized by the current ambulance system to the city, with no increase in taxes, mostly revolves around the addition of two firefighters on duty to respond to emergency calls throughout the city. As noted earlier, the dual role firefighter/EMT is available an average of 17 hours per day to respond to these "other" emergencies. In general terms, this figure to approximately a 25% increase in response capabilities to these "other" emergencies at no additional cost to the city. In fact, and as shown above, the ambulance system, with 2 firefighter/EMTs, generates a positive revenue source for the city and provides revenues to offset fire department costs.

#### Recommendations:

1. Stay with the hybrid system of having GFD provide the primary BLS with Wood's (or some private) to provide both back-up and ALS services.
2. GFD should continue to apply for offset revenues, from the Medicare CPE Reimbursement Program, on an annual basis.
3. GFD should continue to keep two ambulances available for service, a primary and a reserve and follow a five-year replacement plan to assure reliability and reduce unnecessary maintenance costs.
4. Budget for the capital expense of a new ambulance every five years. With inflation it is assumed a new ambulance in 2028 will cost around \$350,000.00. Putting aside \$70,000.00 from the revenues each year would cover this capital expense in 2028.
5. The ratio of transport, Gardner Fire Department/Wood's Ambulance should be collected on an annual basis and reviewed to ensure this benchmark is being met or exceeded.

## **Overview and Recommendations for Gardner Fire Department Facilities**

A fire station supports the needs of the fire department and the community in which it is located. It must accommodate extremely diverse functions, including housing, recreation, administration, training, community education, equipment and vehicle storage, equipment and vehicle maintenance, and hazardous materials storage. While it is usually only occupied by trained personnel, the facility may also need to accommodate the general public for community education or outreach programs.

Major fire station functional areas include the following:

- Apparatus bay(s): This is where the firefighting and emergency response vehicles are stored.
- Apparatus bay support and vehicle maintenance: These industrial spaces are where the vehicles and other firefighting equipment are cleaned, maintained, and stored.
- Administrative and training areas: These include offices, dispatch facilities, and training and conference rooms.
- Residential areas: These include the dorm rooms, day room/kitchen, and residential support areas such as bathrooms and fitness spaces.

### **Apparatus Bays**

Sizing the apparatus bay is critical, and it should be designed to accommodate variable vehicle sizes. Typically, the entire room is sized based on the bay size for the largest vehicle in the fleet or the largest anticipated vehicle. Bays also include vehicle exhaust removal systems, compressed air and power drop lines, and hot and cold-water connections. Bay doors must also accommodate the largest vehicle and include a manual means to open in case of power failure. Ideally, the site will accommodate drive-through bays.

### **Apparatus Bay Support and Vehicle Maintenance**

Apparatus bay support functions include cleaning and maintenance areas for the firefighter's self-contained breathing apparatus (SCBA), protective clothing, fire extinguishers, and other equipment. It also includes storage areas for firefighting gear and equipment and secure storage for medical supplies. Some of these areas are specialized spaces for disinfecting protective equipment and for maintaining and recharging the SCBA in a clean environment.

Agent storage including gasoline, degreasers, pure oxygen, and other potentially dangerous materials are typically stored in a single-story structure separate from the fire station building. It should be located along the driveway leading into the Apparatus Bay for ease of loading and unloading of firefighting agents. In some cases, it may be attached to the main structure.

A vehicle maintenance bay may also be included in a fire station. It is a dedicated maintenance area for the firefighting apparatus and includes a heavy-duty lift and all utility connections required for large vehicle maintenance.

### **Administrative and Training Areas**

Administrative areas include standard offices and conference and training rooms. The area will also likely include additional specialized spaces such as the chief's office and computer training/testing facilities for firefighter continuing education. Some stations may include a highly specialized dispatch room for receiving emergency calls from the public.

## Residential Areas

Fire stations are occupied 24 hours a day, seven days a week by personnel in continuous 24-hour shifts. Therefore, ensuring a comfortable living environment for the firefighters is paramount.

The day room accommodates kitchen, dining, and living/recreation functions. It is often separated into subspaces for these three functions, but an open design may also be effective to encourage interaction between the spaces. The dining space may also double as training or meeting space and might include provisions for audiovisual equipment.

Dorm room design can vary widely and provide each firefighter with a place to sleep, work, and store personal items. Typically, each room is shared between firefighters of different crews/shifts so that the room is never occupied simultaneously. Individual lockers are provided for each firefighter. A bed, nightstand, and desk are shared.

Other residential areas include a laundry room, a physical fitness room, bathrooms and showers.

## Maintain a Safe and Healthy Environment

Due to the continuous occupation of the facility by firefighters and the presence of hazardous materials, special attention must be given to designing the facility to accommodate equipment and operational strategies to both protect the occupants and maintain a healthy environment. Consider the following critical elements:

- Provide a secure facility for both personnel and materials such as controlled medical supplies and hazardous fire suppression agents.
- Ensure good indoor air quality and abundant natural light in the residential and administrative areas.
- Ensure good ventilation of industrial areas such as the apparatus bay and prevent contamination of clean spaces such as the SCBA maintenance areas.

Garner Fire Department facilities consist of 3 buildings:

Station 1, built in 1935 and located at East Broadway and Prospect Street is used for reserve apparatus and equipment storage.



Station 2, built in 1978 located at 70 City Hall Avenue serves a Fire Headquarter in which all operations of the department are located.



Annex Building, located next to Fire Headquarters is used to store the Reserve Ambulance and some equipment.



During a site visit we noted many limitations that these facilities present to Fire Department operations and current needs of the department. The top tier issues are as follows:

1. There is a major roof leak both at the front and rear of the apparatus bay running the entire length of the bays. This leak has damaged the sheetrock covering the ceiling and has saturated the roof insulation. It seems to be related to an interior roof gutter system and should be repaired as soon as possible.



2. Lack of space for apparatus. Currently the front-line apparatus and the 2 ambulances from Wood's Ambulance occupy the entire apparatus floor area. The Reserve Engine and Reserve Ambulance are housed in Station 1 and the Annex Building, respectfully. Additionally, response trailers are stored outside and exposed to the elements. Storing and housing apparatus and trailers in this manner does not meet the needs of the Fire Department.



3. When Station 2 was built there was no consideration given to mixed gender use of facilities. There is only 1 bathroom and gang shower facility for both male and female members to use. Additionally, the 2 sleeping areas are open dorm style, giving little privacy between genders. Adding an additional bathroom and shower room in the current footprint of Headquarters is most likely not possible. Providing private sleeping rooms in the 2 current dorm rooms is a possibility in the current layout.



4. There is a lack of adequate lockers/storage/proper ventilation for turnout gear. Research, testing and evaluation of PPE tells us that there are several things that can have an adverse impact on the life cycle of firefighting PPE, particularly the integrity of the PPE fabric, including deteriorating UV light and surface contamination.

Over the past decade, the Fire Service has become more active regarding the storage of our PPE. This is based on science and studies regarding firefighters and their exposure to toxic materials and carcinogens during structural firefighting activities. Furthermore, this contamination can be brought back to the fire station and spread throughout the station by "off gassing". Because of this, in modern

fire stations, all structural firefighting gear is prohibited from living areas of the building and all gear is stored in a properly vented structural firefighter gear storage room. At Headquarters firefighters are forced to store their second set of structural firefighting gear on the 2<sup>nd</sup> floor living area (picture bottom right). Although this gear is required to be cleaned and bagged before it is brought to the 2<sup>nd</sup> floor hallway area it is not a good practice. The size and configuration of the building give fire department management no real option for proper storage.



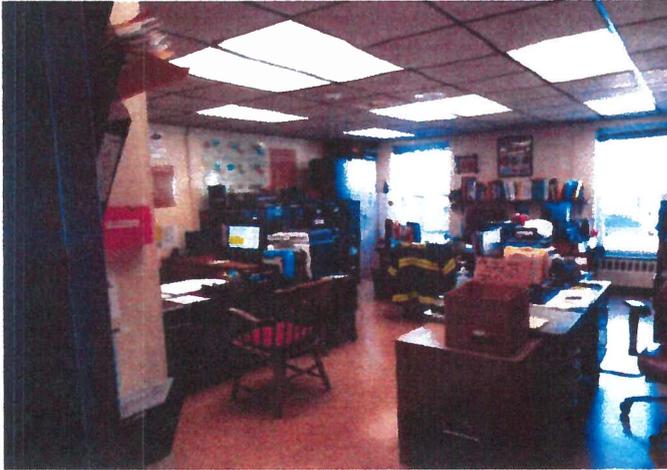
5. There is no dedicated decontamination area for Fire & EMS equipment.

6. Fire Headquarters needs a proper building air handling system for ventilation and air purification. This is needed to keep the contaminants created and stored in the apparatus bay area of the station out of the residential side of the building.

7. There is an absence of adequate storage space at headquarters. Currently, apparatus, equipment and gear are stored between 3 buildings of which only 1 is occupied. Currently the Reserve Ambulance is stored in the Annex Building. This Reserve Ambulance, Rescue 2, will be replaced by the current front-line ambulance, Rescue 3, in the next year when a new ambulance is purchased. Rescue 3 (when it becomes the Reserve) will not fit in the Annex Building.

Additionally, in the administrative area there is very limited room for department files and records storage and the department has been forced to store these in the stairwells of the fire station. The need for adequate firefighting gear and locker storage has been addressed above in Item 4.

8. Office space is very limited and does not meet the current needs of the department. In today's fire service office space is needed for Administration, Administration Support, Fire Prevention, EMS Officer, Training Officer, Apparatus/equipment maintenance person and 4 Shift Officers.



9. Similar to the lack of gender specific bathrooms and showers, separate locker rooms, for male and female are needed. However, under the current footprint of the building this is not possible.

10. Training is the backbone of any fire department. Hands on training produces well-prepared firefighters that through repetitive basic training increases the speed of an operation and enhances proper execution while reducing injuries. Although GFD has an area to use for classroom training it does not have an area, facilities or props dedicated to hands on training as pictured below.



The 10 issues addressed above are not uncommon for a fire facility that was built 44 years ago. However, the operations and services of today's fire service have changed dramatically.

**Recommendations:**

1. The city should investigate the needs for a new or substantially remodeled Fire Headquarters to meet current and future needs.

### **Review of the Civil Service system and if improvements can be made in hiring Firefighter/EMTs**

Civil Service, as a government agency, was designed to provide fairness in the public sector, in entry level hiring, promotions, (including bypass in rank), demotions, (layoffs) and discipline (which includes suspensions and terminations). The Civil Service website under Mass.gov states that Civil Service strives to recruit a qualified diverse labor force and evaluate current and potential employees desiring a career in public safety, to fill jobs in agencies and municipalities across the Commonwealth.

The Commonwealth is made up of 39 cities and 312 towns. Out of these 351 cities and towns, 103 Fire Departments are currently under Civil Service, and 11 have opted out of Civil Service in recent years: Acushnet, Athol, Franklin, Greenfield, Mansfield, Marlborough, North Attleborough, Plainville, Swampscott, Wellesley, and Westwood.

The remainder of Fire Departments in the Commonwealth are not under Civil Service.

Some Civil Service key points on hiring and promoting:

- Children of firefighters killed in the line of duty go to the top of the Civil Service eligibility list.
- Children of firefighters permanently disabled in the line of duty go to the top of the Civil Service eligibility list.
- Disabled Veterans and Veterans with residence preference are next on the Civil Service eligibility list. Military personnel deployed at the time the test is scheduled, can make up the test at another time.
- People with residency can have preference if the city or town requests (Civil Service requires a person to have lived 1 year in a city or town they claim residency in).
- Civil Service provides for all testing both entry and promotions. Tests are generically written with the same questions Statewide.
- Hiring candidates through the civil service system is designed to remove Nepotism within the department and collusion with applicants.
- If a candidate is bypassed for employment or promotion, Civil Service provides a means for that applicant appeal the bypass and has a right to a hearing on why they were not hired.
- Civil Service allows for cities and towns to request a selective certification under Personnel Administration Rule (PAR).08, i.e., a selective certification based on gender, a specific language fluency or EMT can be requested.
- Civil Service protects firefighters that are laid off, with those officers being placed on a Lay Off List and have preference to work for another Civil Service city or town that has an opening in their department. The individual laid off has the first right to the job they were laid off from when or if it becomes open.

Recently, many police agencies and 9 fire agencies have chosen to leave Civil Service. Additionally, and over the past 30 years or so, many cities and towns have decided to take their police chiefs and fire chiefs out of Civil Service.

The communities that have left Civil Service have cited many of the following reason and or advantages in their decision to leave:

- Their minimal entrance and promotional standards are a high school education or GED, Mass driver's license.
- Absolute preferences are given to disabled veterans, veterans and children of deceased or severely injured officers.
- Leaving Civil Service allows for greater flexibility within the hiring and promotional process.
- Departments would not be required to hire from an existing lay off list.
- The department can determine the expiration date of the hiring and promotional lists.
- The police/fire department can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels.
- The department can determine what hiring preferences they want to acknowledge (residency, military experience, Paramedic/EMT certifications, language proficiency, prior academy training).
- Instead of the candidate ratio of (2N+1) departments would have a much larger candidate pool to select from.
- Departments can diversify their workforce without jumping through the hurdles Civil Service presents when asking for a specialized certification.
- Flexibility to hire lateral transfers or reinstatements.
- Ability to incorporate community and department specific criteria into promotional exams.
  - Ability to offer promotional exams that more accurately gauge an officer's suitability to become a supervisor.
  - Attributes beyond test score, such as work productivity, contribution to the community and performance evaluations would factor into promotions.
  - Ability to mandate a probationary period for promotions.

**As with any hiring or promotional system there are Pros and Cons.**

First and foremost, there are collective bargaining issues with the Firefighters' Union that will need to be overcome if you leave Civil Service. Many of the key points under Civil Service offer various levels of protection for Union members. Furthermore, they view the independent Civil Service system as testing on an even playing field which can help to keep local politics and favoritism to a minimum.

The Civil Service testing system is independent of the city or town and requires little effort for the community in the process. They develop the tests for both entry and promotion and administer them. When you need to fill a vacancy or position, they send you a list of eligible candidates based on the established ratio of 2N+1 (2 names for every open position plus 1 additional candidate). For example, if you have 1 opening you get 2 names plus 1 for a total of 3, if you have 2 openings you get 4 names plus 1 for a total of 5.

The argument against using this system, on the management side, is that the test(s) is based on statewide questions and not unique to the specific community and that you are very limited to the candidate pool you can choose from. Additionally, Civil Service sets minimal entrance and promotional standards, only requiring a high school education or GED and a Massachusetts driver's license.

When a city or town leaves Civil Service, the entrance testing and promotional process now becomes the responsibility of the community. Depending how the city or town chooses to develop and administer the testing and promotional process there could be an additional cost. The positive side to a city or town when conducting its own testing process is they can develop it specifically for the needs of that community. There are many companies and consultants in Massachusetts that provide entrance exam testing and promotional services, but it is typically at a cost to the community.

In recent years, fire departments trying to hire certified Emergency Medical Technicians (EMT) and Paramedics off the civil service "new hire" list have been very disappointed because the "new hire" list with this type of candidate is exhausted very quickly, leaving the city or town with no candidates to hire until the next civil service entrance exam is given. Recently, civil service has changed its entrance testing cycle from once every two years to once every year. It is not known at this time if this change will improve the number of available candidates in the EMT or Paramedic pool.

#### **Recent experience at Gardner Fire Department**

The City of Gardner only hires off the civil service EMT list. Recently, Chief Lagoy tried to hire four firefighter/EMTs. He was sent a list with 180 names, 11 signed the list, 6 came for an interview, 3 withdrew when they found out they had to live within 10 miles of the city (a Civil Service requirement), 1 did not pass the background check, leaving Chief Lagoy with 2 candidates, which he hired. At this point the fire department must wait for the next Civil Service entrance exam before they can fill the two vacant positions. This can lead to additional overtime cost and potentially fatigue to department members. It is our understanding that Chief Lagoy is experiencing these difficulties, once again, with his most recent round of hiring.

If the fire department is looking to hire trained and certified firefighter/EMTs from other communities, under Civil Service, you are restricted to hire from only other Civil Service departments. This greatly reduces the pool of potential candidates, especially in the Gardner area where many of the area fire departments are non-Civil Service.

As originally stated, there are Pros and Cons in being a Civil Service department or not. The Gardner Police Department has partitioned the State to leave Civil Service and to our understanding was recently granted permission the leave. We would suggest that if remaining in the Civil Service system is inhibiting the fire department from meeting its mission, leaving Civil Service should be explored.

In either case, we believe that there are ways to increase the pool for potential local candidates. Reaching out to the local high school is a great resource for potential candidates by participating in career days and/or offering internships. Additionally, working with the schools to provide CPR and first aid classes can give the fire department an opportunity to reach the student population. Teenagers are making decisions about what their adult lives might be like and can process substantial information about a possible career in the fire service. Firefighters can talk honestly with this group about what it is really like to be a firefighter and what opportunities exist.

Marketing local colleges are also a good resource for potential candidates. Two very local colleges, Quinsigamond Community College, and Anna Maria College both offer fire science programs, including Emergency Medical Technician training.

The use of media outreach, and social media, is a particularly helpful tool to make potential candidates aware of job openings and dates of upcoming Civil Service entrance exams and can include information on how to register for these exams.

**Recommendations:**

1. Review the success of the upcoming hiring process to see if it yields sufficient qualified firefighter/EMT candidates. If it does not meet these needs and it is clear that remaining in the Civil Service system is inhibiting the fire department from meeting its mission, leaving Civil Service should be explored.
2. Whether the fire department remains in or leaves Civil Service, we would recommend that a proactive recruitment program be established to assist in providing qualified firefighter/EMT candidates for the Gardner Fire Department, into the future.

### Review the current department staffing model against industry standards and comparison departments in the Commonwealth of Massachusetts

Fire Departments across the Commonwealth vary greatly in size and scope due to size, economics, incident volume, traditions and needs of the communities they serve. No matter the size or community served, all successful fire departments share certain principles of organization for effective and safe function. These performance principles include:

- **Chain of command.** An established command hierarchy from the lowest to the highest department level, ensuring that each subordinate reports to one supervisor. The chain of command not only establishes accountability, it lays out a company's lines of authority and decision-making power. This chain of command is used for organizational day to day functions and for emergency incidents.
- **Supervisory limits or span of control.** This refers to the number of individuals or resources that one supervisor can manage effectively in emergency and non-emergency situations. Although the number can vary according to circumstance the Fire Chief's Handbook, 7<sup>th</sup> ed. uses a general guideline for fire service company supervision of up to five or six firefighters per one supervisor.
- **Division of labor.** Ensures that all responsibilities are assigned and prevents the duplication of efforts. Additionally, the process divides large jobs into smaller jobs to make them more manageable, equalize workloads, and increase efficiency.
- **Discipline and regulations.** Written policies, procedures, and guidelines to set boundaries and enforcement for expected individual and departmental performance.

To meet these expectations and achieve these principles, fire departments must be structured, organized, and staffed properly.

We looked at 10 fire departments in the Commonwealth that were either small cities or similar size departments and looked at the call volume, staffing and command structure.

|             | Population | calls other | calls EMS | total calls | # Stations | AMB          |
|-------------|------------|-------------|-----------|-------------|------------|--------------|
| Agawam      | 28,613     | 1104        | 5254      | 6358        | 2          | 3 ALS        |
| Amesbury    | 17,532     | 1106        | 1844      | 2950        | 1          | 1 BLS        |
| Bridgewater | 27,619     | 2500        | 3600      | 6100        | 2          | 2/ALS/2 res. |
| Foxborough  | 16,700     | 1300        | 2900      | 4200        | 1          | 3/ALS        |
| Gardner     | 20,683     | 1938        | 3477      | 5415        | 1          | 1 BLS        |
| Greenfield  | 17,258     | 1305        | 1763      | 3068        | 1          | BLS/BU       |
| Leominster  | 41,581     | 2728        | 5728      | 8495        | 3          | 2 BLS        |
| Melrose     | 28,016     | 1798        | 2480      | 4278        | 3          | ALS          |
| Southbridge | 16,878     | 764         | 3690      | 4454        | 1          | 3 ALS        |
| Wilmington  | 22,325     | 2424        | 2332      | 4756        | 1          | 3 BLS        |
| Winthrop    | 18,544     | 1061        | 2132      | 3193        | 2          | No AMB       |

Figure # 7

ALS = Advanced Life Support, BLS = Basic Life Support, BU = Back Up Ambulance

Each department provided us with an Organizational Chart (see Appendix A).

What we noticed with the current Gardner Fire Department staffing model were two things, the lack of a Deputy Fire Chief and that the standard span of control for a fire department of five or six firefighters to one supervisor is exceeded on each Group.

We would recommend the city looks at making a nonunion (confidential) Deputy Fire Chief's position. The Deputy Fire Chief would serve as second in command of a fire department. The Deputy Fire Chief would manage day-to-day operations, direct and coordinate activities of personnel under their command, collaborating with internal and external stakeholders. This person may also act as a department head in the absence of the Fire Chief and assist in succession planning. This position will include a combination of administrative work and time spent in the field to keep operations running efficiently in the fire department.

Currently, all the positions below Fire Chief are union positions. This leaves the Fire Chief without a confidential employee on the department to assist and act in a confidential capacity when formulating, determining, and effectuating management policies and dealing with disciplinary issues. Additionally, it puts the current 2nd in command, the Fire Captain, in a very difficult position as he or she tries to balance their high-level management position and being a union member.

The current "Group" span of control in the Gardner Fire Department is eight firefighters to one supervisor, exceeding the recommended span of control for a fire department. Exceeding the span of control in this fashion becomes more apparent and potentially dangerous during emergency operations with the potential that the span of control can become unmanageable. Maintaining a manageable span of control is particularly important at incidents where safety and accountability are a top priority.

Because of this large span of control, we would recommend the city looks at creating a Captain's position on each Group in addition to the current Group Lieutenant. This would bring the span of control to four firefighters to one supervisor. This can be done with little impact to the budget by continuing the current staffing level of nine on the Group and promoting one of the nine members to the newly created position of "Group" Fire Captain. The budget cost would be the difference between a Firefighter/EMT's rate and that of a Fire Captain.

The Fire Captain would manage the Group and run the day-to-day operations on that Group including managing duties surrounding firefighting, training, accountability, emergency care, hazardous materials, etc.

The Fire Lieutenant would act in a supervisory/foreman type position and assist the Captain in day-to-day operations and oversee a company at emergency scenes.

Both these positions would add to successful succession planning for the department moving forward.

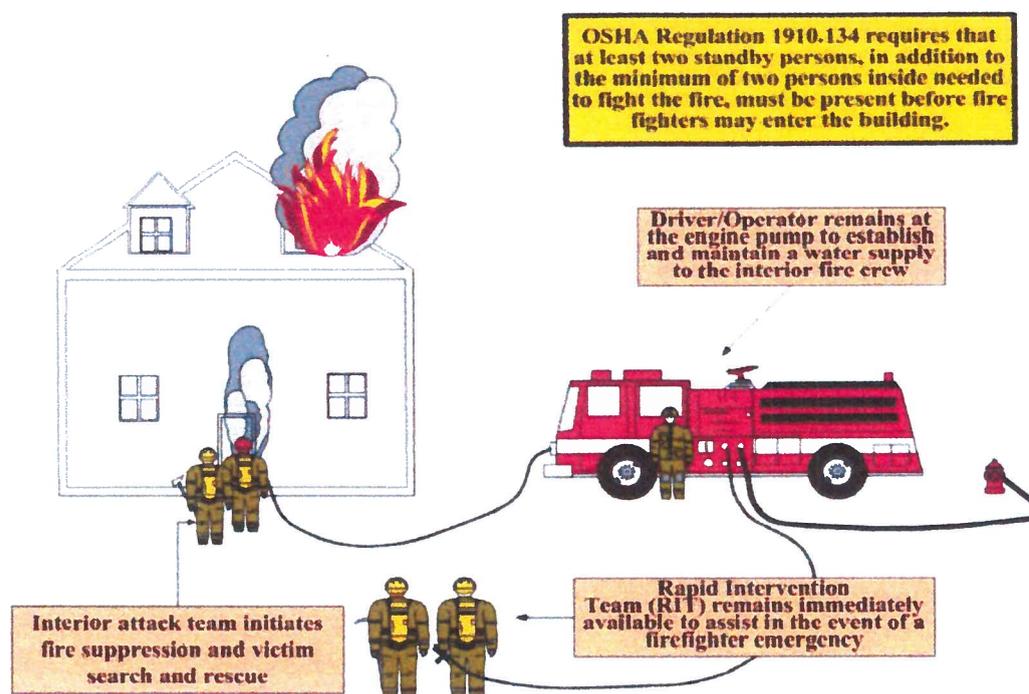
#### **OSHA 2in/2out law and NFPA Standard 1710 for Career Fire Departments**

The report would be incomplete if we did not address the current OSHA 29 CFR 1910.134 law "2in-2out" and the NFPA Standard 1710 for Career Fire Departments.

The "2 in-to-out" law was designed for the safety of firefighters engaged in interior structural firefighting and is the major focus of paragraph (g)(4) of the OSHA Respiratory Protection standard. This provision

requires that at least two firefighters enter the Immediately Dangerous to Life or Health (IDLH) atmosphere and remain in visual or voice contact with each other at all times. It also requires that at least two others be located outside the IDLH atmosphere, thus the term, "two in/two out". This assures that the "two in" can monitor each other and assist with equipment failure or entrapment or other hazards, and the "two out" can monitor those in the building, initiate rescue, or call for back-up. One of the "two out" can be assigned another role such as incident commander. I am pleased to say that we found that Gardner Fire Department complies this law under normal response conditions.

#### OSHA '2 In/2 Out' Illustrated



Credit: Fairview Fire District

NFPA 1710 Standard for Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments (see appendix B).

Appropriate staffing levels deliver effective and efficient deployment for fire suppression operations, emergency medical operations, and special operations to the public. NFPA 1710 is a standard/guideline for an all-career fire department to help protect citizens and provide for the occupational safety and health of its fire department employees. Provisions of 1710 cover functions and objectives of fire department emergency service delivery, response capabilities, and resources, including staffing levels, response times, and levels of service. General criteria for managing resources and systems, such as health and safety, incident management, training, communications, and pre-incident planning are also provided in NFPA 1710.

NFPA guidelines are based on research performed by trained members of the association. Scientific research, such as fire behavior in different environments and how different synthetic materials affect the burn process, are used in part to establish these guidelines.

NFPA 1710 addresses the structure and operation of organizations providing such services, which include fire suppression and other assigned emergency response responsibilities such as EMS and special operations.

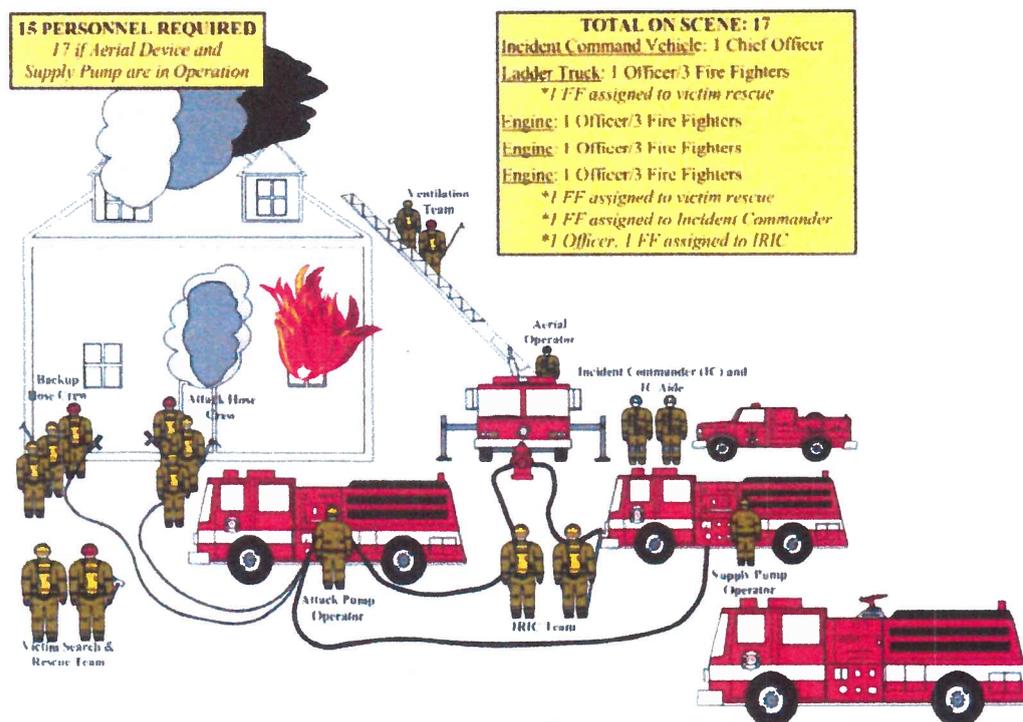
The requirements intend to provide effective, efficient, and safe protective services to help prevent fires, reduce risk to lives and property, deal with incidents that occur, and help prepare for anticipated incidents.

The requirements are listed in NFPA 1710 for fire department service deployment based on the type of occupancy, along with the appropriate response staffing levels for each. The minimum staffing level for a single-family dwelling according to the standard is:

Occupancy Type: Single-Family Dwelling Deployment: Minimum of 15 members or 17 if aerial device is used.

The initial full alarm assignment to a structure fire in a typical 2000 sq/ft two-story, single-family dwelling without a basement and with no exposures must provide for a minimum of 15 members (17 if an aerial device is used).

#### NFPA 1710 Illustrated



Credit: Peoria Fire Department

Additionally, NFPA 1710 provides essential benchmarks, fire departments often measure baseline performance in terms of total response time, which is the time it takes from the call to be received at the Public Safety Answering Point (PSAP) until the first unit arrives on the scene of the emergency.

incident. Total response time should be measured and reported for all first-due units *and* the effective response force (ERF) assembly. Total response time is composed of call-processing time, turnout time and travel time:

- Alarm Answering Time: 15 seconds for 95% of calls; 40 seconds for 99% of calls
- Alarm Processing Time: 64 seconds for 90% of calls; 106 seconds for 95% of calls
- Turnout Time: 60 seconds for EMS responses; 80 seconds for fire responses
- First Engine Arrive on Scene Time: 240 sec (4 minutes) for 90% of responses with a minimum staffing of 4 personnel
- Second Company Arrive on Scene Time: 360 seconds (6 minutes) for 90% of responses with a minimum staffing of 4 personnel
- Initial Full Alarm – Low and Medium Hazard Assembly Time: 480 seconds (8 minutes) on 90% of responses
- Initial Full Alarm – High Hazard/High-Rise Assembly Time: 610 seconds (10 minutes 10 seconds) on 90% of responses

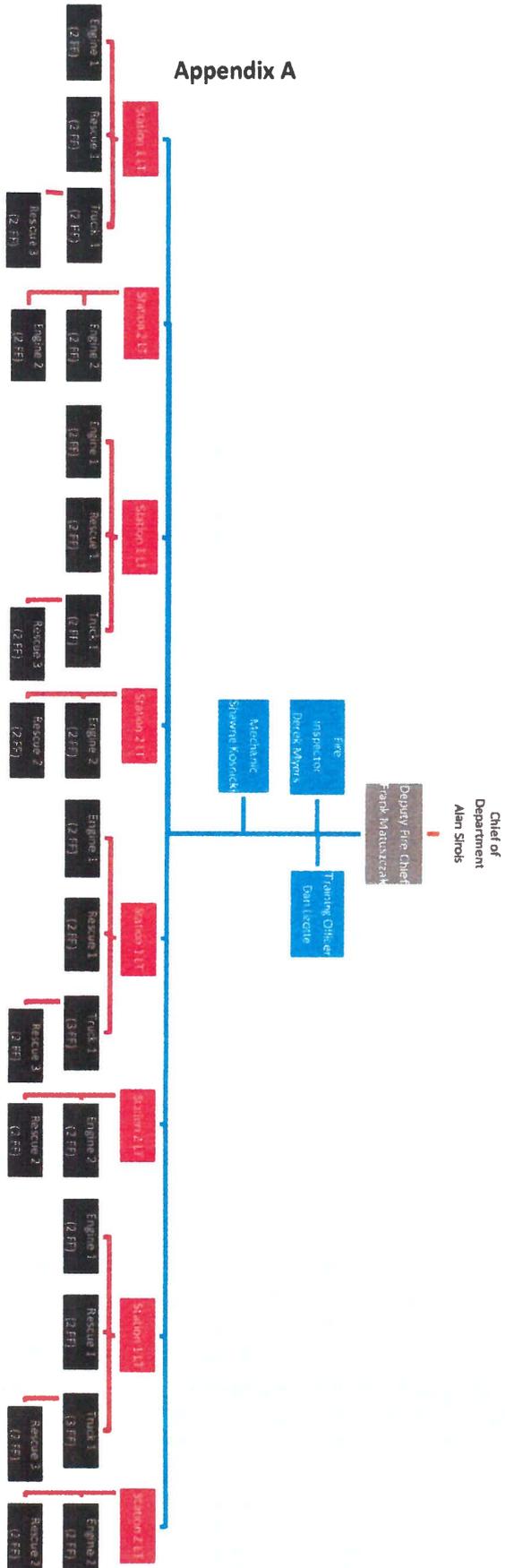
As stated earlier, NFPA Standards are guidelines for fire departments to be aware of and hopefully work towards implementing. There are many ways to move towards compliance with NFPA 1710 such as automatic aid, mutual aid with other neighboring communities, pre-fire plans, etc. It is suggested that Gardner Fire Department work towards meeting the guidelines of NFPA 1710 over time.

Taking this into account and after reviewing the organizational structures and shift manning of other Fire Departments in the study we would recommend adding a non-union Deputy Fire Chief's position and a Fire Captain to each group to be the Group Commander to solve the span of control issue.

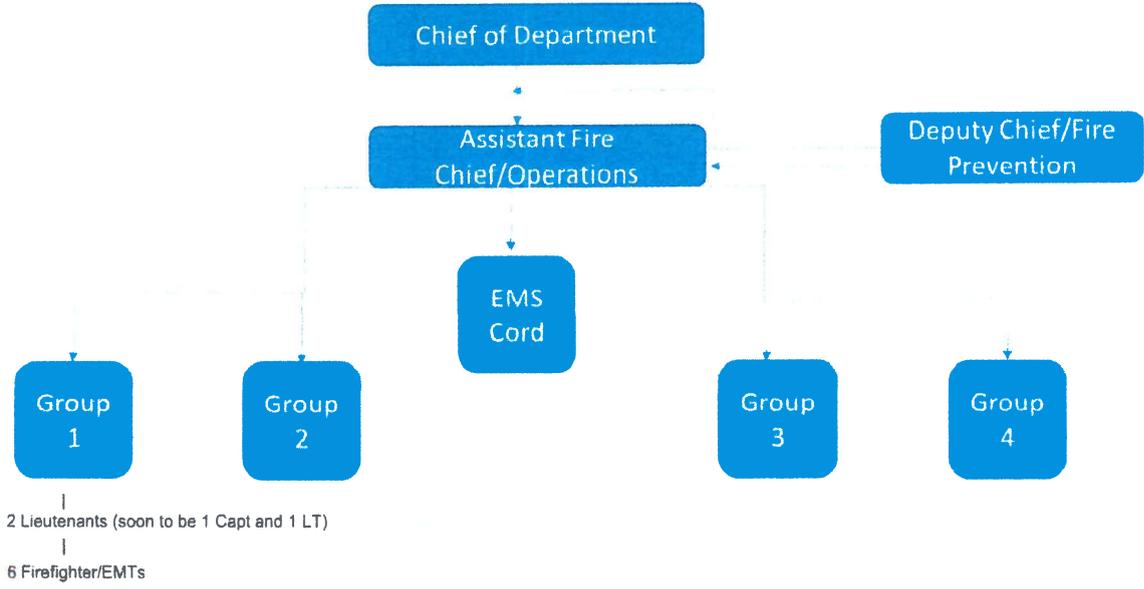
**Recommendations:**

1. The city looks at making a nonunion (confidential) Deputy Fire Chief's position. The Deputy Fire Chief would serve as second in command of a fire department
2. The city looks at creating a Captain's position on each Group to be the Group Commander. This would be within the current Group staffing of nine and in addition to the current Group Lieutenant to bring the span of control to 4 firefighters to 1 supervisor.
3. That Gardner Fire Department should work towards meeting the guidelines of NFPA 1710, over time.

# Current Agawam Fire Department Organizational Chart, 2022

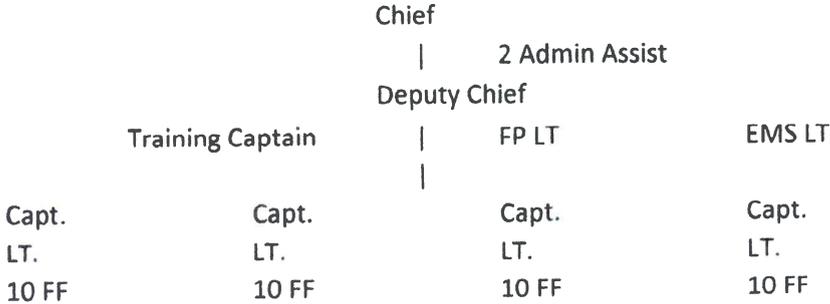


Appendix A



Amesbury Fire Rescue

Bridgewater FD



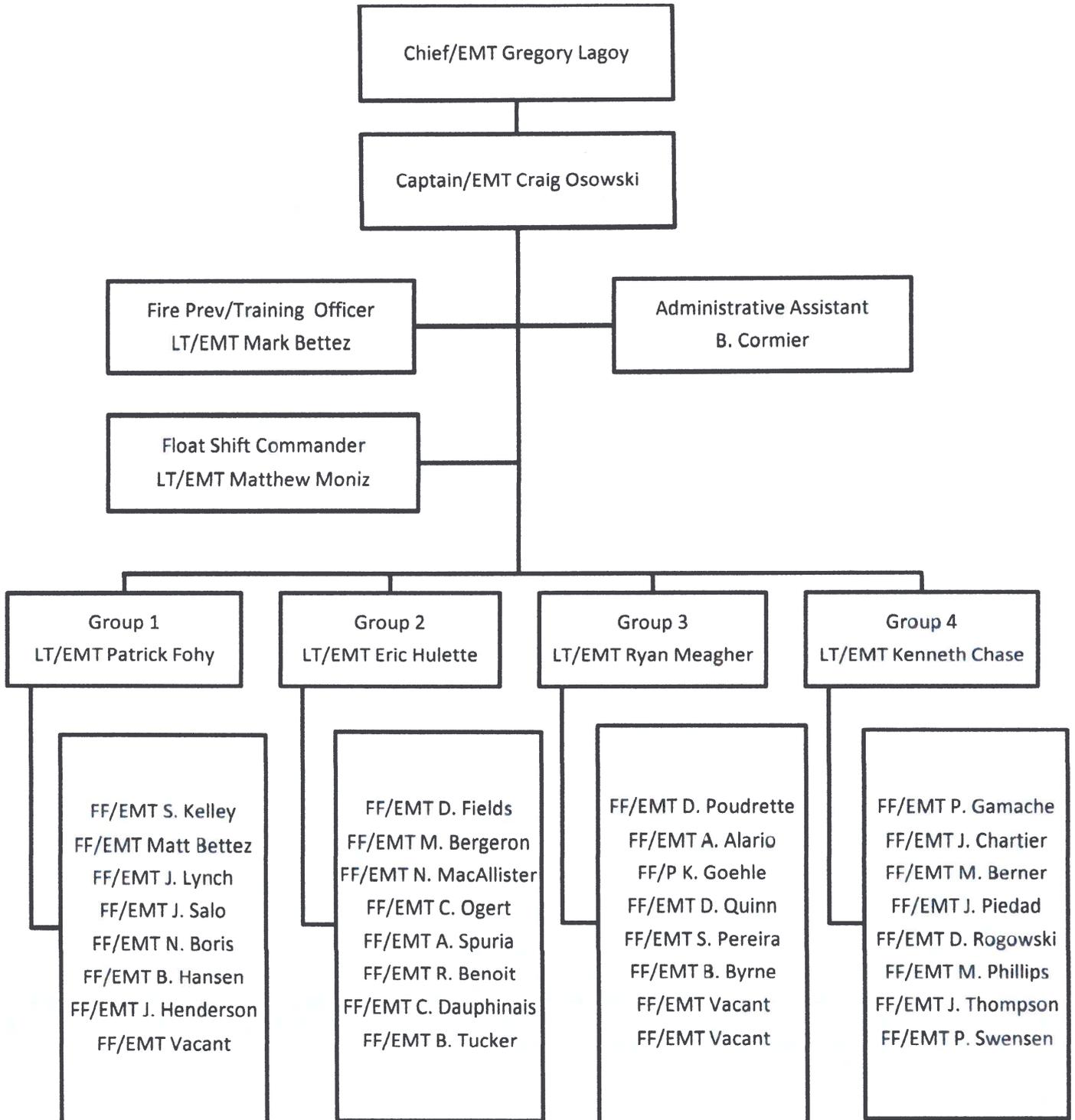
Rev. 10/5/2021

## TOWN OF FOXBOROUGH DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES

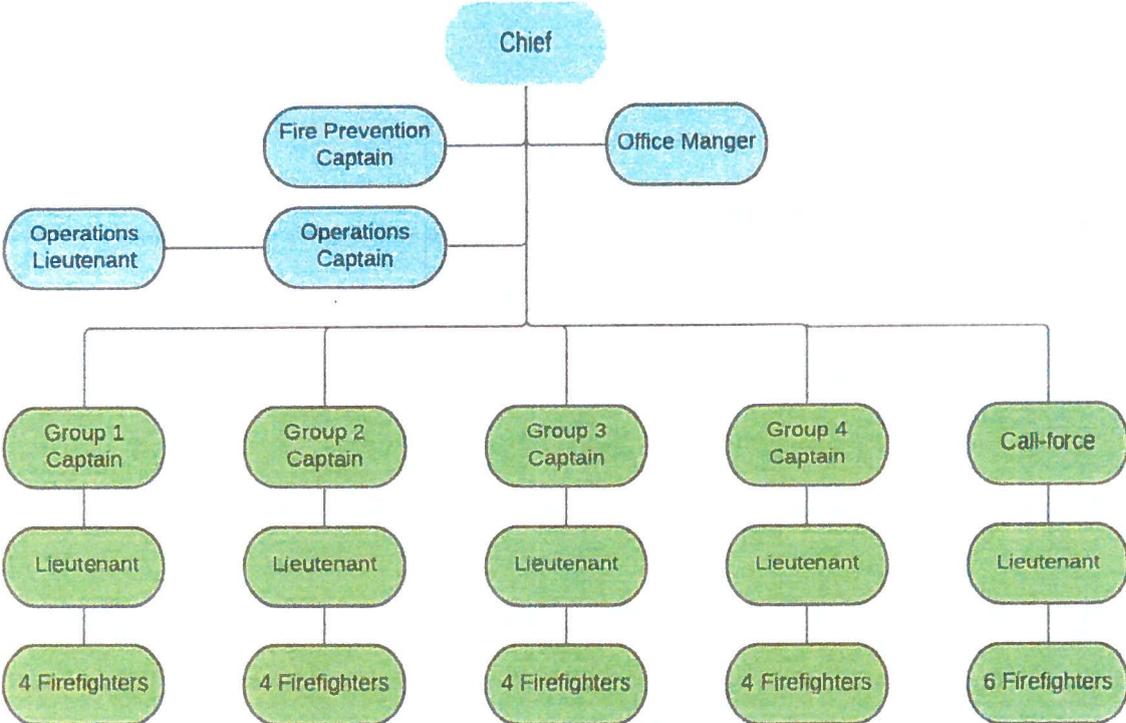


# GARDNER FIRE - RESCUE

## 2022 ORGANIZATIONAL CHART



Greenfield Fire Department





# FIRE/EMS DEPARTMENT STAFFING SURVEY

|                          |                             |                              |          |
|--------------------------|-----------------------------|------------------------------|----------|
| <b>DEPARTMENT/CITY</b>   | Leominster Fire             | <b>SERVICE</b>               | FIRE/EMS |
| <b>METRO AREA</b>        | Worcester, MA-CT Metro Area | <b>INCIDENTS FY 2021</b>     | 8,495    |
| <b>POPULATION (2020)</b> | 43,782                      | <b>INCIDENTS/1,000 (POP)</b> | 194      |
|                          |                             | <b>STATIONS</b>              | 3        |

| DIVISIONS                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                  | Department Budget                                                                                                    | \$11,374,430 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|--------------|
| <input checked="" type="checkbox"/> EMS<br><input checked="" type="checkbox"/> TRAINING / EQUIPMENT<br><input checked="" type="checkbox"/> FIRE PREVENTION<br><input checked="" type="checkbox"/> INFORMATION TECHNOLOGY<br><input checked="" type="checkbox"/> FIRE ALARM / COMMUNICATIONS<br><input checked="" type="checkbox"/> APPARATUS MAINTENANCE | <input checked="" type="checkbox"/> Group 1<br><input checked="" type="checkbox"/> Group 2<br><input checked="" type="checkbox"/> Group 3<br><input checked="" type="checkbox"/> Group 4<br><input type="checkbox"/><br><input type="checkbox"/> | <b>FRONT LINE APPARATUS</b><br>FIRE CAR 1<br>BLS AMBULANCE (s) 2<br>ENGINE(S) 3<br>TRUCK(S) 1<br>BRUSH 0<br>RESCUE 0 |              |

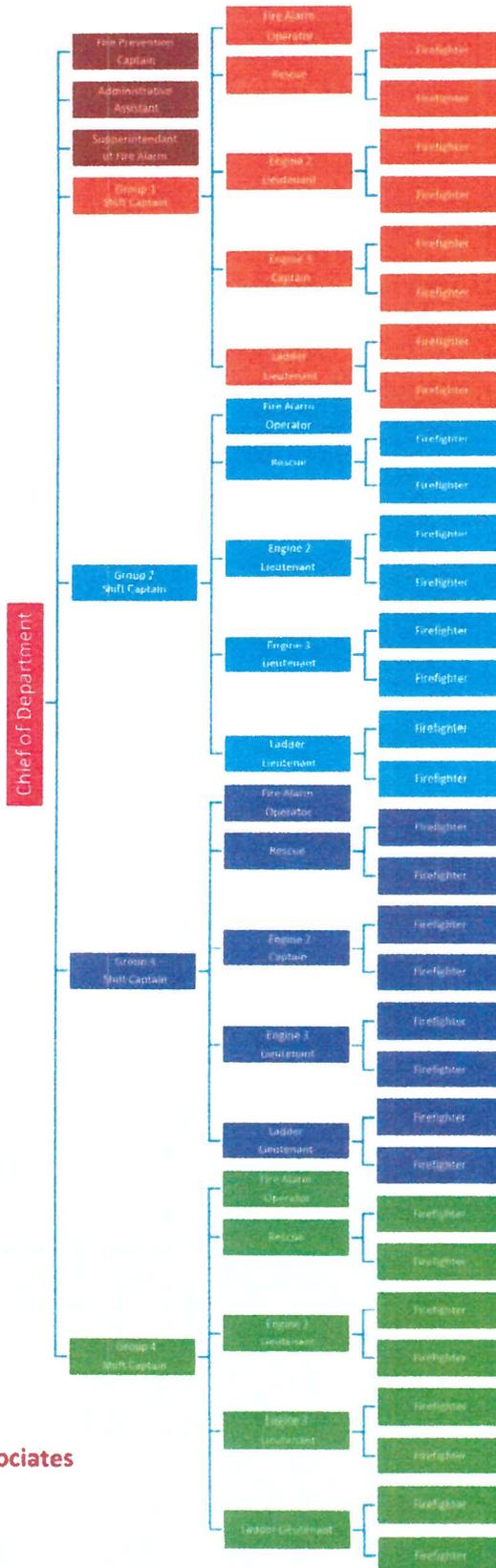
| DIVISION HEADS                     |                          |                                     |                    |                          |                                     |
|------------------------------------|--------------------------|-------------------------------------|--------------------|--------------------------|-------------------------------------|
|                                    | SWORN                    | UNION                               |                    | SWORN                    | UNION                               |
| <b>HEALTH SAFETY &amp; WELFARE</b> |                          |                                     | <b>SUPPRESSION</b> |                          |                                     |
| DEPUTY CHIEF EMS / TRAIN           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Deputy Chief       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| DEPUTY CHIEF FIRE PREVEN           | <input type="checkbox"/> | <input type="checkbox"/>            | Deputy Chief       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|                                    | <input type="checkbox"/> | <input type="checkbox"/>            | Deputy Chief       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|                                    | <input type="checkbox"/> | <input type="checkbox"/>            | Deputy Chief       | <input type="checkbox"/> | <input type="checkbox"/>            |
|                                    | <input type="checkbox"/> | <input type="checkbox"/>            |                    | <input type="checkbox"/> | <input type="checkbox"/>            |

| DIVISIONS                           | STAFF # | BASE SALARY (2021) |
|-------------------------------------|---------|--------------------|
| <b>ADMINISTRATION</b>               | 3       |                    |
| CHIEF                               | 1       | \$ -               |
| ADMINISTRATIVE ASSISTANT            | 1       | -                  |
| ADMINISTRATIVE CLERK                | 1       | -                  |
|                                     | -       | -                  |
|                                     | -       | -                  |
| <b>HEALTH SAFETY &amp; WEFARE</b>   | 8       |                    |
| DEPUTY CHIEF EMS / TRAINING         | 1       | \$ -               |
| DEPUTY CHIEF FIRE PREVENTION        | 1       | -                  |
| LIEUTENANT EMS/ TRAINING            | 1       | -                  |
| LIEUTENANT FIRE PREVENTION          | 1       | -                  |
| INFORMATION TECHNOLOGY              | 1       | -                  |
| FIRE ALARM SUPERINTENDENT           | 1       | -                  |
| ASSISTANT FIRE ALARM SUPERINTENDENT | 1       | -                  |
| APPARATUS MAINTENANCE               | 1       | -                  |
| <b>SUPPRESSION</b>                  | 77      |                    |
| DEPUTY FIRE CHIEF                   | 4       | \$ -               |
| LIEUTENANT                          | 16      | -                  |
| FIREFIGHTER                         | 57      | -                  |
|                                     | -       | -                  |

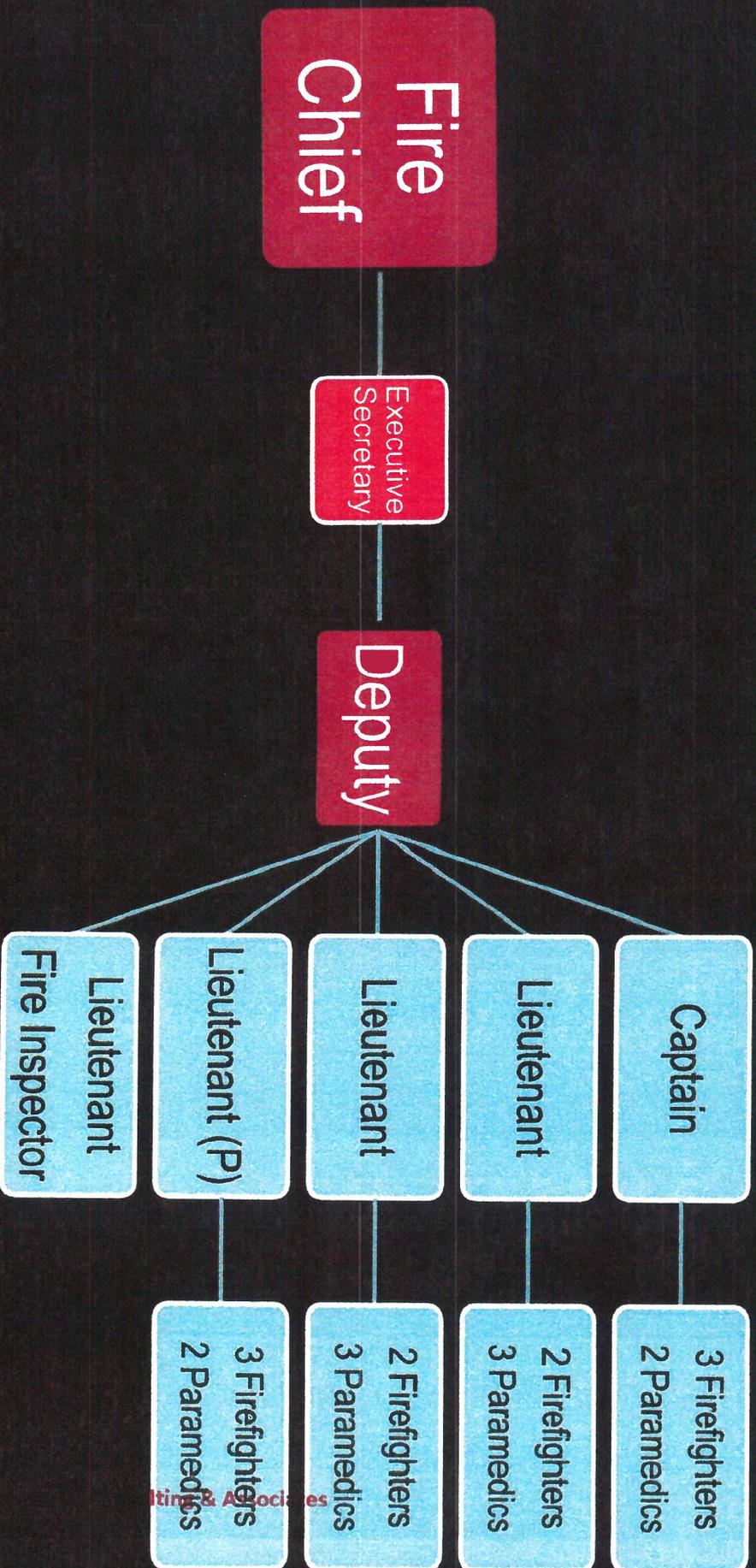
MIN. STAFFING YES CONTRACTUAL YES # PER SHIFT 19 # PER APPARATUS MEDIC 2 BLS ENGINE 3 TRUCK 3

# Melrose Fire Department Organizational Chart

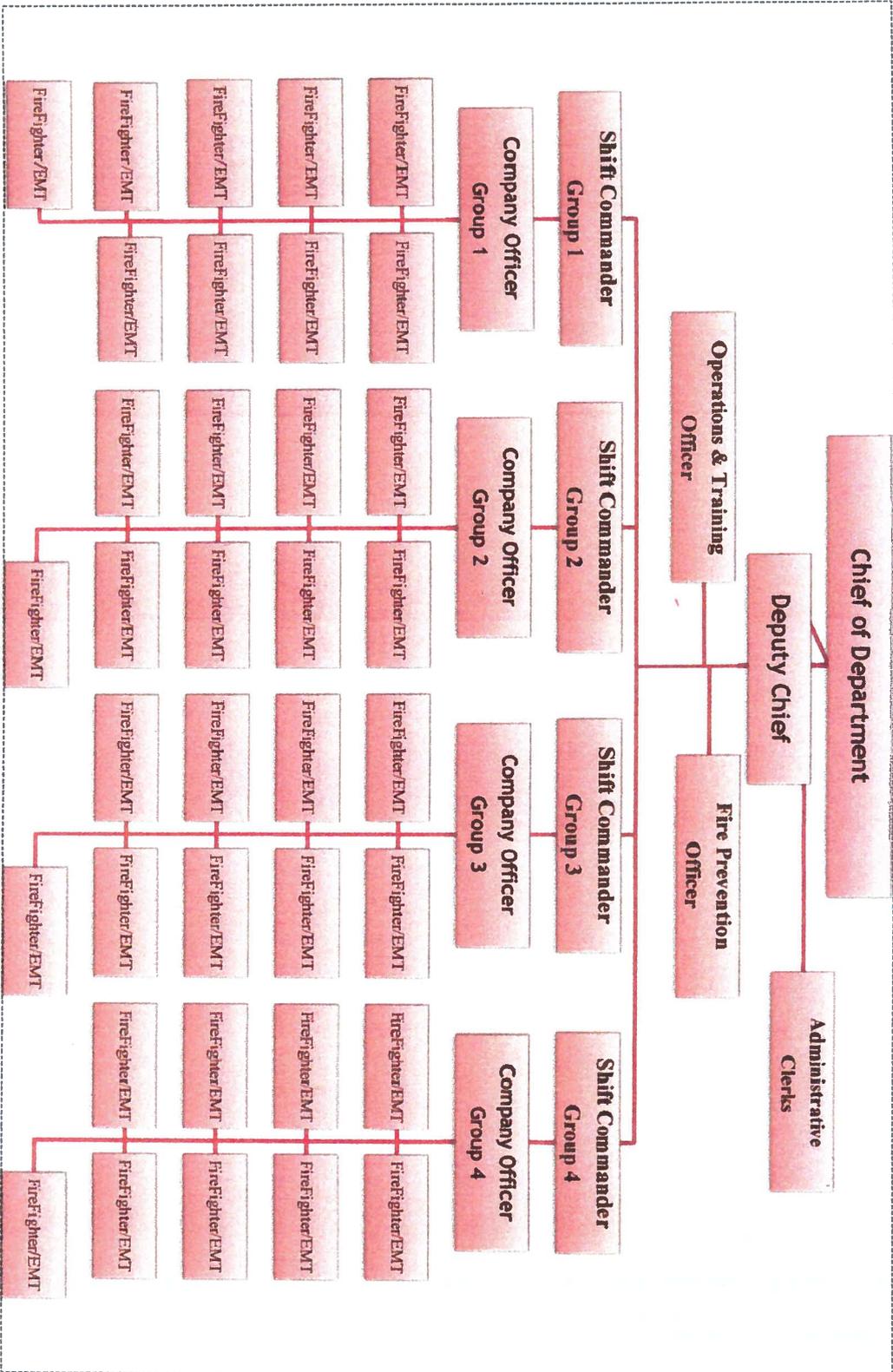
4 Staff Positions  
56 Line Firefighters



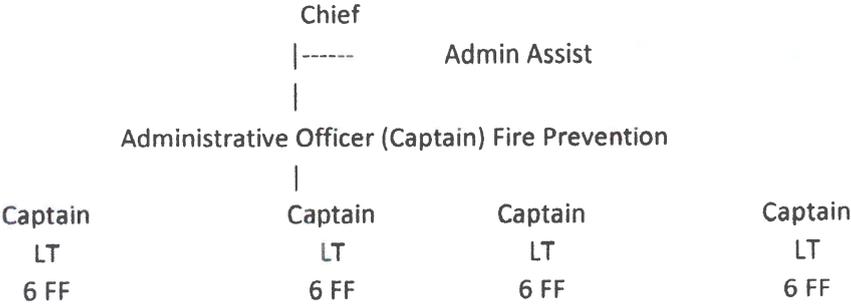
# Southbridge Fire Department - Career



# Wilmington Fire Department



Winthrop Fire Department



## Appendix B

# NFPA Standard 1710

## Organization and Deployment of Fire Suppression Operations, EMS and Special Operations in Career Fire Departments

### History and Purpose

- The 1710 Standard was originally released in 2001. Following, there have been three revisions (2004, 2010, 2016) with the most recent released in September 2016.
- The standard is applicable to substantially all CAREER fire departments and provides the MINIMUM requirements for resource deployment for fire suppression, EMS and Special Operations while also addressing fire fighter occupational health and safety.
- The 1710 Standard addresses structure fire in three hazard levels. These included low hazard (residential single-family dwellings), medium hazard (three story garden apartments or strip malls), and high hazard structures (high-rise buildings).
- The Standard addresses fire suppression, EMS, Aircraft Rescue and Firefighting, Marine Rescue and Firefighting, Wildland Firefighting, and Mutual and Auto Aid.

### Fire Suppression and Special Operations Provisions

- "Company" is defined as:
  - Group of members under direct supervision
  - Trained and equipped to perform assigned tasks
  - Organized and identified as engine, ladder, rescue, squad or multi-functional companies
  - Group of members who arrive at scene and operate with one apparatus
- EXCEPTION to company arriving on one apparatus:
  - Multiple apparatuses are assigned, dispatched and arrive together
  - Continuously operate together
  - Managed by a single officer

- An Initial Alarm is personnel, equipment and resources originally dispatched upon notification of a structure fire.

#### ■ Performance Objectives

- Alarm Answering Time
  - 15 sec 95%
  - 40 sec 99%
- Alarm Processing Time
  - 64 sec 90%
  - 106 sec 95%
- Turnout Time =
  - 60 sec EMS
  - 80 sec Fire
- First Engine Arrive on Scene Time
  - 240 sec (4 min)
- Initial Full Alarm (Low and Medium Hazard) Time
  - 480 sec (8 min)
- Initial Full Alarm – High Hazard/ High-Rise Time
  - 610 sec (10 min 10 sec)



- Fire departments shall set forth criteria for various types of incidents to which they are required/expected to respond. These types of incidents should include but not be limited to the following:

- Natural disaster
- Acts of terrorism
- WMD
- Large-scale mass casualty



- Given expected firefighting conditions, the number of on-duty members shall be determined through task analysis considering the following criteria:
    - Life hazard protected population
    - Safe and effective performance
    - Potential property loss
    - Hazard levels of properties
    - Fireground tactics employed
  - Company Staffing (Crew Size)
    - Engine = minimum 4 on duty
      - High volume/geographic restrictions = 5 minimum on duty
      - Tactical hazards dense urban area = 6 minimum on duty
    - Truck = minimum 4 on duty
      - High volume/geographic restrictions = 5 minimum on duty
      - Tactical hazards dense urban area = 6 minimum on duty
  - Initial Alarm Deployment (\*number of fire fighters including officers)
    - Low hazard = 15 Fire fighters
    - Medium hazard = 28 Fire fighters
    - High hazard = 43 Fire fighters
- EMS Provisions**
- The fire department shall clearly document its role, responsibilities, functions and objectives for the delivery of EMS. EMS operations shall be organized to ensure the fire department's capability and includes members, equipment and resources to deploy the initial arriving company and additional alarm assignments.
- EMS Treatment Levels include:
    - First Responder
    - Basic Life Support (BLS)
    - Advanced Life Support (ALS)
  - MINIMUM EMS Provision = First responder/AED
  - Authority Having Jurisdiction (AHJ) should determine if Fire Department provides BLS, ALS services, and/or transport. Patient treatment associated with each level of EMS should be determined by the AHJ based on requirements and licensing within each state/province.
  - On-duty EMS units shall be staffed with the minimum members necessary for emergency medical care relative to the level of EMS provided by the fire department.
  - Personnel deployed to ALS emergency responses shall include:
    - A minimum of two members trained at the emergency medical technician–paramedic level
    - AND two members trained at the BLS level arriving on scene within the established travel time.
  - All fire departments with ALS services shall have a named **medical director** with the responsibility to oversee and ensure quality medical care in accordance with state or provincial laws or regulations and must have a mechanism for immediate communication with EMS supervision and medical oversight.





**City of Gardner - Executive Department**  
**Mayor Michael J. Nicholson**

RECEIVED

2022 SEP -1 PM 2:15

CITY CLERK'S OFFICE  
 GARDNER, MA

August 23, 2022

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

RE: An Act to Establish a Special Act Charter Drafting Committee

Dear Madam President and Councilors,

The current City Charter was originally drafted ninety-nine (99) years ago, and aside from a few small changes, has remained largely the same over the course of the last century.

In both a spirit of collaboration between the branches of the City's government and a spirit of looking forward, I am asking that the City Council vote to establish a Special Act Charter Drafting Committee to review our City Charter and submit proposed amendments in order to keep the business of the City's government up to date in modern times.

As we approach the document's 100<sup>th</sup> anniversary on January 1<sup>st</sup> of this year, I believe it would be prudent to update the Charter to ensure the operations of the City's government are meeting the needs of a modern municipality.

While I fully believe the structure of the City's Mayor-Council form of government works well and fits what this City needs, I do believe that some of the systems and operational aspects of the existing charter could be updated.

Over the past 100 years, our world as a whole has gone through a Great Depression, two World Wars, the Cold War, and a global pandemic. Since the current document was enacted, man has landed on the moon, the airplane was invented, the Berlin Wall was constructed and torn down, the Civil Rights Act was adopted, citizens between the ages of 18 and 21 were given the right to vote, and eighteen (18) individuals have held the office of President of the United States.

In all of the aforementioned events, the world changed and adapted to meet the times - as we as a City must also do. A lot has changed over the past century, and as we move forward to a stronger tomorrow, we must make sure this City has all of the tools and processes it needs to be successful in dealing with the obstacles, issues, and opportunities that were not yet even dreamt of when the current Charter was penned in 1921 and enacted in 1923.

Respectfully,

Michael J. Nicholson  
 Mayor, City of Gardner

**AN ACT TO ESTABLISH A  
SPECIAL ACT CHARTER DRAFTING COMMITTEE**

BE IT VOTED BY THE CITY COUNCIL AS FOLLOWS:

- Section 1: That there be established a Special Act Charter Drafting Committee consisting of three members to be appointed by the Mayor and confirmed by two-thirds vote of the City Council. Said Committee shall draft a Special Act Charter for the City for submission to the General Court and placement on the municipal general election ballot.
- Section 2: The Committee shall meet in open session, hold public hearings, and shall submit its draft Special Act to the City Council for its consideration.
- Section 3: Upon final action on the draft Special Act Charter by the City Council, the Special Act Charter Drafting Committee shall be dissolved.