PRESIDENT Elizabeth J. Kazinskas

COUNCILLORS AT LARGE James S. Boone Craig R. Cormier Ronald F. Cormier Elizabeth J. Kazinskas Judy A. Mack George C. Tyros

WARD 1 COUNCILLOR James M. Walsh, Esq.

WARD 2 COUNCILLOR Dana M. Heath

WARD 3 COUNCILLOR Nathan R. Boudreau

WARD 4 COUNCILLOR Karen G. Hardern

WARD 5 COUNCILLOR Alek Dernalowicz, Esq.

CITY OF GARDNER MASSACHUSETTS 01440-2630

OFFICE OF THE CITY COUNCIL



June 12, 2023

PUBLIC SERVICE COMMITTEE MEETING

Date:Thursday, June 15, 2023Time:8:00 a.m.Location:DPW Office 50 Manca Drive

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Clerk of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

AGENDA

I. Pole Petition

10993 – A Petition by National Grid and Verizon New England Inc., Elm Street – to install 1, Remove 1 and Relocate 1 Jointly Owned Pole on Elm Street beginning at a point approximately 360 feet southeast of the centerline of the intersection of Elm Street and Cross Street and continuing approximately 500 feet in a south direction. P6-80 Replace and Relocate +/- 30' West. Install anchor guy on West of Pole. P7-99 is being removed. P10-99 is installing Push Brace on West side of P10. (In the City Council and Referred to Public Service Committee 5/15/2023; Public Hearing 6/20/2023)

- II. Review and Approval of Minutes for prior meetings dated March 30th & April 27th, 2023.
- III. Department Updates
 - Public Works/Sewer/Water Dane Arnold, DPW Director
 - Survey/Engineering Rob Oliva, City Engineer
 - Conservation Commission Sophie Dorow, Conservation and Planning Agent
- IV. Councillor Requests
- V. Adjournment

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY COUNCIL OF GARDNER James M. Walsh, Esg.

Councilor James M. Walsh, Esq. Chairman, Public Service Committee



CITY OF GARDNER MASSACHUSETTS 01440-2630

OFFICE OF THE **CITY CLERK** Room 121, City Hall Tel (978) 630-4058 Fax (978) 630-2589

NOTICE TO ABUTTERS

May 23, 2023

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 **TUESDAY**, **JUNE 20**, **2023** at **7:30 o'clock P.M.** on the petition of Massachusetts Electric Company, d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for 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 peition of said Companies:

ELM STREET – A Petition by National Grid and Verizon New England Inc., Elm Street – to install 1, Remove 1 and Relocate 1 Jointly Owned Pole on Elm Street beginning at a point approximately 360 feet southeast of the centerline of the intersection of Elm Street and Cross Street and continuing approximately 500 feet in a south direction. P6-80 Replace and Relocate +/-30' West. Install anchor guy on West of Pole. P7-99 is being removed. P10-99 is installing Push Brace on West side of P10.

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

CITY COUNCIL OF GARDNER

Jiti Siriphan

By: TITI SIRIPHAN City Clerk

10993



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

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:	May 26, 2023
Project:	National Grid City Council Pole Petition City Council Item #10993

National Grid has submitted a pole petition for removing and placing new poles and guys/braces on Elm Street. I have inspected the proposed locations, reviewed the petition application, and offer the following comments below in italics:

- At existing pole P10 a new push brace pole P10-99 is proposed. *No comment.*
- Existing pole P7-99 to be removed. *As there is no replacement for this pole, the existing streetlight should be returned to the City.*
- Existing pole P6-80 to be removed and replaced on opposite side of Elm Street. *The existing streetlight should be returned to the City for installation on the new pole location.*
- Proposed pole P6-80 is to be installed on west side of Elm Street. *The proposed location of the pole was not marked in the field. It would appear that it is proposed at the back of the sidewalk in a narrow grass strip between driveways 137 and 147 Elm Street.*
- Existing overhead wires from existing poles P7 to P7-99 to P6-80 to a pole not shown on the plan are proposed to be removed. New overhead wires are proposed from poles P8 to P7 to P6-80 and terminating at an existing pole (crossing over Elm Street) not shown on the plan. *No comment.*



nationalgrid

April 28, 2023

City of Gardner

To Whom It May Concern:

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

If you have any questions regarding this permit please contact:

Please notify National Grid's Vincent LoGuidice of the hearing date / time. If this petition meets with your approval, please return an executed copy to each of the above named Companies.

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

Very truly yours,

Patrick Shea Supervisor, Distribution Design

Enclosures

RECEIVED MAY -3 AN 8:31 MARGENES OFFIC

10993

2223 MAY -3 AM 8: 31

Questions contact – Jarad Aker 774-453-2817

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

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:

Elm St - National Grid to install 1, Remove 1 and Relocate 1 JO Pole on Elm St beginning at a point approximately 360 feet southeast of the centerline of the intersection of Elm St & Cross St and continuing approximately 500 feet in a south direction. P6-80 Replace and Relocate +/- 30' West. Install anchor guy on West of Pole. P7-99 is being removed. P10-99 is installing Push Brace on West side of P10.

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 – Elm St - Gardner - Massachusetts.

No. 30394729 April 3, 2023

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 Pat Shea BY _____ Engineering Department

VERIZON NEW ENGLAND, INC. BY _____ Manager / Right of Way

223 MAY -3 AM 8: 31

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of April, 2023.

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 – Elm St - Gardner - Massachusetts.

No. 30394729 Dated April 3, 2023. 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:

Elm St - National Grid to install 1, Remove 1 and Relocate 1 JO Pole on Elm St beginning at a point approximately 360 feet southeast of the centerline of the intersection of Elm St & Cross St and continuing approximately 500 feet in a south direction. P6-80 Replace and Relocate +/- 30' West. Install anchor guy on West of Pole. P7-99 is being removed. P10-99 is installing Push Brace on West side of P10.

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	g order was adopted at a meeting o	f 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.

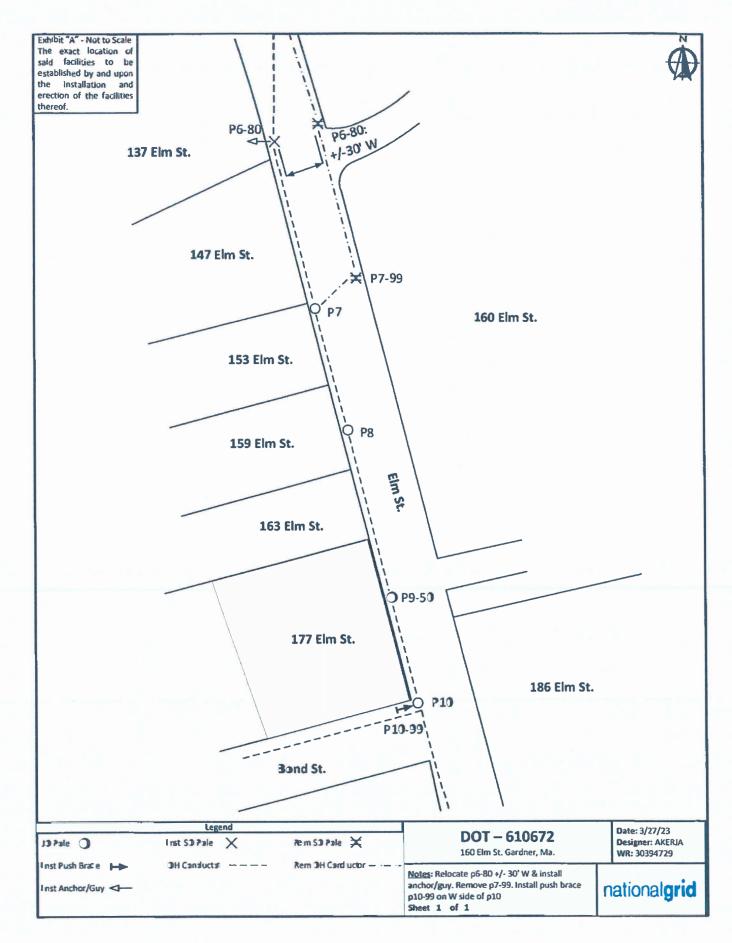
Board or Council of T	own or City, Massachusetts

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



REGULAR MEETING PUBLIC SERVICE COMMITTEE of March 30, 2023

Meeting of the Public Service Committee was held in the office of the DPW, 50 Manca Drive at 8:00 AM on March 30, 2023.

Members Present: Councilor James M. Walsh, Chairman; Councilor Alek Dernalowicz; Councilor George C. Tyros; Administrative Assistant Christine Harty

Attendees: Mayor Michael J. Nicholson; Dane E. Arnold, DPW Director; Rob Oliva, City Engineer

CALL TO ORDER

Councilor James M. Walsh called the meeting to order at 8:00 am. Welcomes Mayor Michael Nicholson.

OPEN MEETING RECORDING

ANNOUNCEMENT – any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such a recording shall notify the chair forthwith. All documents referenced or used during the meeting must be submitted in duplicate to the Secretary of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

APPEAL

<u>20 Graham Street</u>: Owner, Sarah Carroll Hydon is present for appeal, wishes to ask permission to excavate street. A newly renovated multi-family with two new water lines, sprinkler system brought to code. Plans submitted to Director, Dane Arnold, City bonded contractor obtained.

Dane, informs committee street is 2 years into the 5-year moratorium. Requests is owner given permission to excavate it is with condition for flowable fill to prevent settling.

Motion made to grant waiver of 5-yeaar moratorium, allowing excavation of street with condition of flowable fill. Motion made by Councilor Alek Dernalowicz second by Councilor George C. Tyros, all in favor motion carries.

POLE PETITION

• **10909** – A Petition by National Grid and Verizon New England, Inc. – Cross Street – to install 4 jointly owned poles on Cross Street beginning at a point approximately 15 feet north of the centerline of the intersection of Lawrence Street and Cross Street and continuing approximately 800 feet in a west direction. Install 4 new poles on Cross Street. (*Public Service Committee; Public Hearing Required*)

Representative for National Grid, Eric Fontaine, present to explain and answer questions on project. Also present is resident David Kenney, homeowner of 73 Edgell Street/abutter to the pole petition, requesting further information regarding the work to be done on his property.

Discussion and questions arise regarding the timeframe for project completion. Up to date and information for abutters, and for follow through/verification from other utilities.

Councilor James Walsh, recommendation to postpone for time to resolve matters such as: timeframe, more information for residents affected, and follow through and verification with other utilities involved.

Motion made to recommend passage of petition subject to an inquiry regarding involvement of property and private property owners. Motion made by Councilor Alek Dernalowicz second by Councilor George C. Tyros, all in favor motion carries.

INTERMUNICIPAL AGRFEEMENT WITH ASHBURNHAM

Mayor Nicholson presents agreement to the Committee, noting it was on the Ashburnham Board of Selectmen Agenda and signed now awaiting the City of Gardner approval. Two documents are included, The Agreement itself and First Amendment to the IMA with payment agreement. He states the City Solicitor has approved, awaiting City Council approval.

Councilor James Walsh, inquires with Dane if Ashburnham is only behind on the capital improvement portion of the agreement? Dane notes yes, current on usage payments, agree to payment plan and to any future capital improvements. Dane, agreement provides more teeth, esp. with odors and flows down Pearl Street.

Agreement to be presented to the Finance Committee at Monday's meeting.

Motion made for passage to City Council of the Intermunicipal Agreement between City of Gardner and Town of Ashburnham for Wastewater Collection, Treatment and Disposal. Motion made by Councilor Alek Dernalowicz, second by Councilor George C. Tyros, all in favor motion carries.

ACCEPTANCE OF MINUTES

Motion to accept the minutes of the meeting dated February 2, 2023, as written. Motion made to accept minutes by Councilor George C. Tyros, second by Councilor Alek Dernalowicz, all in favor motion carries.

WATERSHED LANDS

City Engineer, Rob Oliva, has been requested by Councillor James Walsh to provide graphics for better understanding regarding the zoning changes along 140 and parcels involved. Looking for more understanding in identifying the locations following the information discussed at the Planning Board meeting of Watershed Lands within the City. Documents provided from the City Codes, Chapter 632. Watershed Lands and Chapter 675 are provided.

Rob provides explanation of the codes and identifies the locations of the Watershed Lands and Zoning/Surface Water Protection Overlay District with visual mapping. He provides better understanding of the various locations. With the visual mapping provided Rob also identifies the locations of the Zoning, and surface water protection.

REPORTS FROM DEPARTMENT HEADS

Dane Arnold:

- 1. Finance Requests
 - a. Sewer Structures, requesting \$50,000 to purchase sewer manhole frames and covers for the upcoming paving season. Mayor Nicholson states requests are on the agenda for the Finance Committee. States he agrees with need of the Sewer Structure request as well as the Water Structure request, will be less disruption to residents completing with current project of repaving the streets.
 - b. Water Structures, requesting \$30,000 from available Water Surplus to Repairs and Mains to purchase water gate box tops and other necessary materials for the upcoming paving season.
 - c. Sewer Relining, requesting \$150,000 for the relining of sewer mains. Approximately 1 mile of mains were found to need relining following the recent cleaning and televising of 6 miles of sewer lines.
- 2. DPW is down on crew, currently the Municipal Grounds crew is down 3 employees. The Department is aware of damage and debris cleanup needed at the cemeteries, may take a bit longer to complete with staff shortage.
- 3. 1.57 million Dollar Grant received for the Wastewater Plant upgrades, will need to match 25% from sewer reserves.
- 4. Received Grant money for Transmission Line. Chris Coughlin is currently working on the funding process. Mayor states funding has been received through an earmark in the Federal budget as well as an earmark from the State's Infrastructure Bond bill for the project.
- 5. Snow and Ice Budget, brief discussion of the current status.

<u>Rob Oliva</u>:

1. Sludge Landfill update. Current appeal of the Conservation Committee regarding the approval of order of conditions that was granted. Have a site walk with the DEP, party appealing the project and the public next Monday. Has been postponed several times due to weather.

Sophie Dorow:

Not in attendance, responded by email, no update at this time.

Councilor James Walsh, Committee requests attendance for department update at the next scheduled meeting.

REPORTS AND REQUESTS FROM COUNCILORS

Councilor Alek Dernalowicz: No requests today.

- Councilor George C. Tyros: No requests today.
- Councilor James Walsh: No requests today.

Motion to adjourn, Motion made by Councilor George Tyros, second by Councilor Alex Dernalowicz to Adjourn the meeting at 9:03 am. Roll Call vote: Councilor Alek Dernalowicz yes, Councilor George C. Tyros yes, Councilor James Walsh yes. Motion Passes.

Next meeting scheduled as needed.

All documents submitted at this meeting are stored in the office of the DPW, 50 Manca Drive, for any review.

Respectfully submitted: Christine M. Harty, Administrative Assistant

REGULAR MEETING PUBLIC SERVICE COMMITTEE of April 27, 2023

Meeting of the Public Service Committee was held in the office of the DPW, 50 Manca Drive at 8:00 AM on Thursday, April 27, 2023.

Members Present: Councilor James M. Walsh, Chairman; Councilor Alek Dernalowicz; Councilor George C. Tyros; Administrative Assistant Christine Harty

Attendees: Dane E. Arnold, DPW Director; Rob Oliva, City Engineer; Sophie Dorow, Conservation and Planning Agent; Mr. David Kenney, homeowner of 73 Edgell Street

CALL TO ORDER

Councilor James M. Walsh called the meeting to order at 8:00 am.

OPEN MEETING RECORDING

ANNOUNCEMENT – any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such a recording shall notify the chair forthwith. All documents referenced or used during the meeting must be submitted in duplicate to the Secretary of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

MEASURE FOR DEDICATION VOTE FOR UPTOWN ROTARY RECONSTRUCTION PROJECT

Rob provides explanation the two items Council is requested to vote on related to Right of Way issues for MassDOT so to move ahead with certifying the Uptown Rotary project. He informs the first part of the vote is for dedication of 4 easements on City owned parcels. The second part of the vote is to approve the alteration of the layouts to Central Street and Grant Street.

Following discussion amongst the Committee and Rob, Councilor Walsh requests Rob provide a memo for City Council regarding this information for the dedication of the parcels and approval of layout.

Motion made to approve the vote as presented. Motion made by Councilor George Tyros, by Councilor Alek Dernalowicz, all in favor motion carries.

POLE PETITION

• **10909** – A Petition by National Grid and Verizon New England, Inc. – Cross Street – to install 4 jointly owned poles on Cross Street beginning at a point approximately 15 feet north of the centerline of the intersection of Lawrence Street and Cross Street and continuing approximately 800 feet in a west direction. Install 4 new poles on Cross Street. (*Public Service Committee; Public Hearing Required*)

Present for discussion of pole petition are Amelio Augustine, Representative for National Grid (Distribution Design); Eric Fontaine, Engineer of the project, and homeowner of 73 Edgell Street, David Kenney abutter to the pole petition.

Councilor Walsh explains the committee would like to approve and pass the petition but need clarification regarding the layout and plans for removal of the poles currently in use once they are replaced.

Mr. Fontaine, Engineer of project explains he met with Mr. Kenney following the last meeting to answer questions and discuss any concerns. Also noting he contacted Mr. Augustine (National Grid Rep.) informing him of the town's concerns regarding easements and pole removals.

Mr. Augustine, National Grid Rep. here to answer questions regarding the project. He states there are 3 phases, 1st install the infrastructure around the neighborhood, 2nd connect homes to the new infrastructure one by one, and 3rd removal of the previously connected structures. Due to previous agreements the pole removal is to be completed by Verizon. National Grid cannot speak on how long it will take for Verizon to do so.

The Committee thanks Mr. Augustine & Mr. Fontaine for their attendance and providing information on the process and details within.

Motion made to recommend approval of pole petition to the City Council. Motion made by Councilor George Tyros, second by Councilor Alexander Dernalowicz, all in favor motion carries.

ACCEPTANCE OF MINUTES

Motion to accept the minutes of the meeting dated March 2, 2023, as written. Motion made to accept minutes by Councilor Alek Dernalowicz, second by Councilor George C. Tyros, all in favor motion carries.

REPORTS FROM DEPARTMENT HEADS

Dane Arnold:

- 1. Paving, provides update.
 - a. to begin pulverizing and paving Eaton Street and a section of Park Street from Clark St. up to Green St. Cost from city funds is approx. 350K. Part of project is to replace 1500 ft of deteriorated guardrails, again city funds, 120K.
 - b. Mass Broken Stone is contractor, road has been paved 3 times in 20 years in this area due to deterioration from tree cover.
 - c. Three hearing on May 8th will include 96 trees counted to remove to open to road to sunlight.
 - d. Submittal into Chapter 90 for paving of Partridge Street, in deplorable shape for years. Remaining funds will be used for Keyes Rd., Princeton, Rugby, Watkins, etc.
 - e. Sidewalk on Lawrence to begin sometime in July after school ends.
 - f. Crews in Robillard and Coleman area, working Saturdays to finish up walks, loom, and seed.
- 2. Opened line painting bid. Inn 2017 costs was about 20K to pain City. Costs this year to be about 35K. Request to Mayor to increase line item, budget was submitted prior to knowledge of increased cost.
- 3. Small project updates:
 - a. Block wall on Central Street
 - b. Charging station installed at DPW, base and conduit are in, awaiting electrical.
 - c. 250 plant plots to be placed by May 15th throughout the City.
 - d. Municipal Grounds crew is down to 3 employees. Dept. is working on Parks and Cemeteries for Memorial Day.

Rob Oliva:

- 1. Update on Uptown Rotary. Expecting with vote Monday night and plans recorded at registry, out to bid in few weeks. Hoping construction to begin mid to late summer, scheduled to be 12-18 months. A three and a half million-dollar tip project.
- 2. Small improvements coming from Mayor's Office.
 - a. Placing a fountain in island at Orpheum Park
 - b. A small fountain at Bullnose Park.
 - c. String lights downtown between the Victorian streetlights.

Sophie Dorow:

- 1. Update on Bailey Brook Park. Structural fill scheduled to be implemented today. Play equipment will be coming in tomorrow and assembled. Currently reworking grading plans to meet the ADA compliant portions of the park. Construction scheduled to end May 31st. They are on schedule.
- 2. Notice of intents from single family home proposals. Scheduled to be heard at the May 8th Conservation commission meeting.
- 3. Have taken the "Keep Gardner Beautiful" along with the current litter ordinance a step further with a new hotline. Report littering and illegal dumping. Hefty fines to deter littering.

REPORTS AND REQUESTS FROM COUNCILORS

Councilor Alek Dernalowicz: Inquires on timetable of current West Broadway project state has begun. Dane states we were not notified, no notice, unsure of timetable.

Councilor George C. Tyros: No requests today.

Councilor James Walsh: Inquires on Sludge Landfill progress. Rob, not much since MEPA issued their certificate requiring an EIR. It is a hefty document, required to respond in writing to each comment, lengthy project. Had a site walk and answered questions regarding appeal.

Motion to adjourn, Motion made by Councilor George Tyros, second by Councilor Alex Dernalowicz to Adjourn the meeting at 8:51 am. Roll Call vote: Councilor Alek Dernalowicz yes, Councilor George C. Tyros yes, Councilor James Walsh yes. Motion Passes.

Next meeting scheduled as needed. All documents submitted at this meeting are stored in the office of the DPW, 50 Manca Drive, for any review.

Respectfully submitted: Christine M. Harty, Administrative Assistant