

**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**

Paul Tassone

**WARD 4 COUNCILLOR**

Karen G. Hardern

**WARD 5 COUNCILLOR**

Alek Dernalowicz, Esq.

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

OFFICE OF THE  
CITY COUNCIL



December 7, 2023

**PUBLIC SERVICE COMMITTEE MEETING**

**Date:** Friday, December 15, 2023  
**Time:** 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. Review and Approval of Minutes for meetings dated September 29<sup>th</sup> & November 3<sup>rd</sup>, 2023.
- II. Letter to Mayor and City Council, Winter 2023-2024
- III. Department Updates
  - Public Works/Sewer/Water – Dane Arnold, DPW Director
  - Survey/Engineering – Rob Oliva, City Engineer
  - Conservation Commission – Trevor Beauregard, Director of Community Development and Planning
- 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 Esq.*

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

## REGULAR MEETING PUBLIC SERVICE COMMITTEE of September 29, 2023

The meeting of the Public Service Committee was held in the office of the DPW, 50 Manca Drive at 8:00 AM on Thursday, September 29, 2023.

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

Attendees: Dane E. Arnold, DPW Director; Rob Oliva, City Engineer; Sophie Dorow, Conservation and Planning; Jessica DeRoy, Economic Development Coordinator

### **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.

### **WATER/SEWER APPEALS**

**202 Leamy Street-** Steve Darling, homeowner, present for appeal. States in the spring he had to have pool repairs completed. Excessive water usage did not enter sewer system. Requesting adjustment to sewer portion of billing.

Recommendation by Councilor Alek Dernalowicz to reduce sewer portion of billing by amount exceeding the average.

Motion made to abate sewer charges \$825.00. Motion made by Councilor Alek Dernalowicz, second by Councilor George Tyros, all in favor motion carries.

**77 Nichols Street-** Kimberly Ferguson, homeowner, present to for appeal. Had replaced the hot water heater in February. At that time believed the issue with hot water tank to be affecting electricity but had no idea may have also affected water bill. During that period had also replaced parts within third-floor toilet, which had been leaking. Had received high water bill in June which usage had covered the period of time for both issues. Looking for some relief to lower billing charges.

Dane makes mention water meter readings of account indicate toilet leak may have been going on for some time, also appears leaking may be continuing even now. He provides the owner with details on checking for toilet leaks using dye. The owner agrees, will contact a plumber to have all units checked.

Councilor Walsh advises the homeowner to contact a plumber. Councilor George Tyros makes recommendation to reduce sewer portion of bill to average charge of 150.00, reducing bill by \$ 895.00. Allowing a 1-year payment plan with no accrual of interest for billing in appeal.

Motion made to abate sewer charges \$895.00 and allow a 1-year payment plan, no accrual of interest on remaining portion of bill in appeal. Motion made by Councilor George Tyros, second by Councilor Alek Dernalowicz, all in favor motion carries.

### **ACCEPTANCE OF MINUTES**

Motion to accept the minutes of the meeting dated August 31, 2023, as written.

Motion made to accept minutes by Councilor George C. Tyros, second by Councilor Alek Dernalowicz, all in favor motion carries.

### **ROAD OPENING**

Main Street: Tony Molina, owner of the property, is present today for appeal for road opening of Main Street.

Councilor Walsh states request is for permission to open recently paved Main Street for access to gas line. Gas company has indicated if pressure is good at existing, previously disabled line then only excavation needed would be at the main. If the line fails, digging would have to occur across the road. Mr. Jarvis, the tenant, is not present, as previously requested by the committee. Councilor Walsh explains appeal was requested and placed on previous agenda, dated August 31<sup>st</sup>, appealing party was not in attendance. Councilor Walsh addresses email sent to Mayor indicating no urgency on DPW behalf. Requests Mr. Molina please inform Mr. Jarvis of the meeting dated August 31<sup>st</sup> of which road opening request was to be addressed.

Mr. Molina indicates they would like to request permission for the opening of the road to access and test the existing gas line. If the line fails, he does not wish to cut across the road for a new line. If fails, will then turn to an electric alternative.

Dane states there will be the need for trench in travel lane to dig and test existing line, still requires approval of committee. Until will pull permit for excavation. They will infrared the trench patch making, and a two-year period will be covered in the event of failure. Until will own trench for life of road.

The owner states he may then decide to cut across road if pressure test on existing line fails.

Councilor Walsh suggests granting permission to open at main. If the gas line fails, then allow full trenching across road. Inquires with Dane on details regarding requirements for road opening.

Dane, gas company will submit plan with road opening. Access main, 4 x 4 trench, determination, if possible, to mole across road. Infrared trench patching and responsible for failure of trench.

Councilor Alek Dernalowicz recommends opening of 4 x 4 trench for testing of current line, determination if can mole with agreement of full opening across road contingent with test failure and need to do so.

Motion made by Councilor Alek Dernalowicz to grant permission for opening of 4 x 4 trench for testing of current line, determination if can mole, agreement for full opening across road contingent with test failure and need to do so, second by Councilor George C. Tyros, all in favor motion carries.

### **POLE PETITIONS**

**11052** – A Petition by National Grid, Park Street – to install 1 Single Owned Pole and Relocate 1 Single Owned Pole on Park Street beginning at a point approximately 100' feet west of the centerline of the intersection of Park Street and Vernon Street and continuing approximately 150 feet in a west direction. Install 1 Single Owned Stub Pole (12-84) to replace old stub pole in back yard of apartment (will remove old stub pole 12-84). Relocating P9 and associated guy wires back ~10 in accordance with the City's Park Street Project. *(In the City Council and Referred to Public Service Committee 9/5/2023)*

**11053** – A Petition by National Grid and Verizon New England, Inc., Park Street - to relocate 5 Jointly Owned Poles on Park Street beginning at a point approximately 150 feet west of the centerline of the intersection of Park Street and Lake Street and continuing approximately 720 feet in a west direction. Moving Poles 3, 4, 5, 6, 7 and associated Anchors back ~5' for City's Park Street Project. *(In the City Council and Referred to Public Service Committee 9/5/2023)*

Rob Oliva provided review of pole petitions via email to committee on September 13<sup>th</sup>, stating had reviewed petitions, had no comments at that time. Rob states since his email to the committee he has had much conversation with National Grid.

**Petition 11052**, Rob states is a proposal to remove a single pole from Park/Lake Street, install new pole at Park Street. Resident, with concerns at prior meeting, is not impacted. Rob has no issue with pole proposal, recommends approval.

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

**Petition 11053**, Rob states is a proposal regarding a series of poles on Park Street. One pole at driveway of resident was of concern. Met with National Grid and concerned resident at site, options included not moving pole. This week National Grid reached out to engineer and Tighe & Bond, discussed location of poles. National Grid has come up with a decision to amend the petition. Outcome was pole 3 at intersection of Central and Park will not be removed, will be replaced in place with new pole. Poles 4,5,6, 7 and 9 will be moving to accommodate not moving pole 3 as well as the City's project for the multi-use path. Pole 4 will step forward to curb, poles 5, 6, 7 and 9 will step back behind sidewalk. Pole 9 was not previously proposed to move.

Councilor Walsh inquires if all new locations are in the City's right of way. Rob indicates they are. Councilor states petition need to be amended, maybe with another public hearing given the relocation of the poles adjacent to properties. Rob indicates City's project is on a timeline.

Jessica DeRoy, Economic Development Coordinator, present, states Monument Park project is complete. Hoping to have National Grid complete within the next month so they may move forward. Understand the need to amend and come back but ideally would like to move forward. Councilor Tyros asks if there is a deadline for the grant funding? Jessica indicates can request an extension if needed.

Rob indicates can make request to amend petition. Councilor inquires on any other pole petitions associated with Monument Park Project? Received inquiry from an abutter of concern at the corner of Maple and Central who was contacted by National Grid regarding pole location. Rob indicates previous thought regarding pole at abutter's property is now off the table.

Councilor Walsh recommends holding recommendation, requesting more time pending an amended petition.

### **REPORTS FROM DEPARTMENT HEADS**

#### **Dane Arnold:**

- Eaton and Park Street complete. Topcoat placed a week and half ago. Painted centerlines and guardrails are installed.
- Paving of Keyes, Rugby, Watkins, and Princeton: To lower structures on Saturday. Tuesday will begin pulverizing, turn into gravel, and grate. Sidewalk will be done from West St down to intersection of Rubby. Handicap ramps, with an additional one at crosswalk to bus stop on Acadia.
- Mayor to bring to council request for 10% of City's certified funds for paving.

Councilor James Walsh recommends endorsement of Mayor's request of free cash appropriation for paving. Motion made by Councilor Alexander Dernalowicz, second by Councilor George Tyros, all in favor motion carries.

- Request to council within next few meetings regarding quote, 25K, for brush/stump grinding.
- Fall Festival this Saturday, working with police on preparations, road closures.
- Repairs to roof Crystal Lake building due to wind damage in next few weeks. 4K of shingle repairs.

- Beginning disc golf in woods at Bailey Brook area. Met with an avid golfer, as well as individual who has designed 3 in the state. Bringing them on board for feedback. To begin with 9 holes, branch to 18, there is room for 36 holes. Will be about 1 year before built and ready to go.

### **Rob Oliva:**

- The Uptown Rotary project, word from contractor is at least two weeks out. Had a delay, scope for construction is drainage before winter. Patched up for plowing and begin heavy work in spring.
- Few requests for free cash funds to Mayor. Sent email to Mayor, related to ongoing projects.
  - Uptown Rotary, additional work done, 24,500.00.
  - Wayside Dam, Army Corp of Engineers, initial permit not required (Section 408, review of the design plans), their policy changed. Need to submit application, additional 13,600.00 needed.
  - Two others related to the Pedestrian Bridge project are place holders (awaiting word on grant applications). Due to Covid, the project dragged on, Mass DOT changed requirements, amendment of 85K for services provided, been on hold due to need for money. The second request was 667K funding for the actual 100% design of the bridge. Applied for grant for this funding, with Mass DOT to match. No guarantee and no final answer yet.

### **Sophie Dorow:**

- Ribbon cutting for Bailey Brook Park last Thursday, open space area mowed, looks amazing.
- Ribbon cutting for Park Street Park, looks great, used frequently. A few changes, landscaping of the edges, going back to fill in areas that have sunk in due to collecting water.
- Requests received through the commission.
  - Mini storage expansion.
  - Request for Certificate of Compliance due to work National Grid completed in Wetland areas.

Councilor James Walsh thanks Jessica Derooy for attending meeting, inquires on anything shed like to add? Jessica states Mackie Park Project was on hold, CDBG committing to 50K to close gap in funding in next week or so, will then get started. Project is to be three level terrace location across from the Ale House next to West Street parking lot. Will provide ADA accessible picnic tabling, concrete cornhole, and concrete pad for staging with electrical for live music as well as new charging stations.

## **REPORTS AND REQUESTS FROM COUNCILORS**

Councilor George C. Tyros: No requests today.

Councilor James Walsh: No requests today.

Councilor Alek Dernalowicz: No requests today.

Motion to adjourn, Motion made by Councilor Alexander Dernalowicz, second by Councilor George Tyros to Adjourn the meeting at 8:59 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.

## REGULAR MEETING PUBLIC SERVICE COMMITTEE of November 3, 2023

The meeting of the Public Service Committee was held in the office of the DPW, 50 Manca Drive at 8:30 AM on Thursday, November 3, 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

### **CALL TO ORDER**

Councilor James M. Walsh called the meeting to order at 8:30 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.

### **WATER/SEWER APPEALS**

**52 Blanchard Street-** Alex Freeman, homeowner, present for appeal via phone conference. States hose had broken in lawn, seeking relief on sewer portion of bill. Dane indicates break did cause increased billing.

Recommendation by Councilor James Walsh to reduce sewer portion of billing by 77.85, amount exceeding the 80.00 sewer average.

Motion made to abate sewer charges \$77.85. Motion made by Councilor George Tyros, second by Councilor Alexander Dernalowicz, all in favor motion carries.

**250 East Broadway-** Rebecca Taft, homeowner, and her mother, present to for appeal. Received letter in mail indicating meter tampering, \$500.00 fine. The Water Department had come to the property to remove/replace the meter, unable to obtain meter reads for billing. She states the meter was not tampered with, looking to have fine removed from account.

Director, Dane Arnold, indicates the last actual reading obtained was on April 4, 2023. No read in July, estimated billing, back out in October, no read, sent letter for possible dead meter on October 15<sup>th</sup>. Meter was replaced. Upon placing the meter into the city vehicle at time of removal city meter reader discovered meter was tampered with (tampered meter is presented to owner and committee for visual of tampering). The meter was evident to have been tampered with. Dane indicates he has reviewed history of account, including previous pool fillings. States billing itself does not indicate a history of tampering and or hindering of metered usage. The meter did not move in reverse, no large reduction in usage. However, based on presentation of obvious tampered meter, had to send fine according to ordinance.

Councilor Alek Dernalowicz indicates consistent usage does not indicate tampering, sees no monetary advantage of alleged tampering.

Motion made by Councilor Walsh to abate meter tampering charge of \$500.00. Motion made by Councilor Alek Dernalowicz, second by Councilor George Tyros, all in favor motion carries.

### **ROAD OPENING**

**68 Oak Street** – Daniel Golden, Until Manager of Gas/Distributions Operations present for request. Looking to open road at 68 Oak Street for inactive gas service (10yrs inactive). Will cut and cap old service at gas main, service remains in place. Gas line is 1”, crosses street to home. Will open at main to access, 4x4 hole to access T.

Dane requests trench sealed by Until following road opening.

Motion made by Councilor Walsh to approve request for road opening at 68 Oak Street. Motion made by Councilor George Tyros, second by Councilor Alek Dernalowicz, all in favor motion carries.

### **REPORTS FROM DEPARTMENT HEADS**

#### **Dane Arnold:**

- Base coat down in Keyes Road area. Sidewalk, handicap ramps are in. Structures are raised. Topcoat in a couple weeks. Extended sidewalk down the state road, wrapping into crosswalk at bus stop.
- One-million-dollar grant received by City to pave Wilkins/Fredette/Industrial Rowe area. Completing drainage work now. Will lower structures today/tomorrow. Next week to mill lower Parker and then begin to pulverize paving area. Will install asphalt sidewalk along commercial side.
- The building at Reservoir Hill is a radio station for Police/Fire/DPW is about to fall in. Built a retaining wall, bed and road, and plan to bring in concrete vault to service as new building.
- Currently working at dog park, sub drain was installed at time of construction but seems to be clogged.
- Plant pots, to be removed by November 15<sup>th</sup>, stored at Wastewater Facility,
- DPW has a new 10-Wheeler, cost of 220K.
- Delivery soon of street sweeper, replacement of previously purchased defective sweeper.
- Tree list (produces handout for committee), about 200 to be trimmed or removed. There will be a public hearing, all trees are posted individually. The removal/trim is completed internally, completed with prioritization, will take a few years to complete.

Councilor George Tyros inquires if there are trees to replace the removed ones? Dane, funds are available for trees.

Councilor James Walsh, inquires on Transmission line, any news? Dane indicates the state has not released the funds, and with the period of time that has passed, will need to request additional funds.

#### **Rob Oliva:**

- Uptown Rotary construction has begun. Plan is to do drainage work before winter, wrapping up in 4-5 weeks, leaving site prepped for winter, plowing, etc.

- Upcoming project of 52-unit condo development on West Broadway near, Templeton/Gardner line. Will tie into City water.
- The existing storage facility off Colony Road is looking to expand, and has run into some environmental issues involving wetlands & DEP.
- Chipotle showing interest in tearing down the existing bank at Timpany Plaza and rebuilding.
- MASS DOT has sent a meeting notice to discuss the bridge on Mill Street, bringing to our attention its deficiency. Discussion of design may indicate the state will be undertaking replacement.

Councilor James Walsh indicates item requested by Councilor Boone to be placed on upcoming Council Agenda is regarding the study Somax complete for a Hydrothermal Carbonization (HTC) Feasibility Study. He requests the committee to be given some background information about the study completed.

Rob indicates Somax performed an HTC study of our sludge. Somax then was able to produce a report, providing a feasibility study for the city of the two processes by which the city could dispose of sludge. One process, HTC, creates a hydrochar (a briquette of sort), a biproduct of which must be sold or needing disposal of. The report focused on the economic benefit of selling the product, of which the city does not sell product or work with private partnerships. The second process would involve gasification of the product turning it into energy. The goal would be to produce enough energy to offset the capital costs of treating the sludge. The city only produced 29 to 42% of the low return, too long a return on the investment. The study was a cost to the city, but a necessary part of the process to show that though an alternative, it was not economically feasible for the city to undertake.

### **Sophie Dorow:**

Email sent to Committee Wednesday, November 1<sup>st</sup>, unable to attend meeting.

## **REPORTS AND REQUESTS FROM COUNCILORS**

Councilor George C. Tyros: No requests today.

Councilor James Walsh: No requests today.

Councilor Alek Dernalowicz: No requests today.

Motion to adjourn, Motion made by Councilor Alexander Dernalowicz, second by Councilor George Tyros to Adjourn the meeting at 9:14 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:

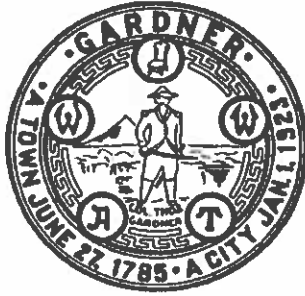
Christine M. Harty, Administrative Assistant



Respectfully submitted:  
Christine M. Harty, Administrative Assistant

DRAFT

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



Highway  
Water  
Sewer  
Forestry  
Parks/Playgrounds  
Cemeteries

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

Mayor Michael J. Nicholson and City Council Members  
City Hall  
95 Pleasant Street  
Gardner, MA 01440

RE: Winter 2023-2024

November 6, 2023

Dear Mayor Nicholson and City Council Members:

In July, I wrote a letter regarding the staffing levels and salaries of the Department of Public Works. I stressed the importance of increasing the DPW's salaries to try and encourage new hires with commercial drivers and hydraulic licenses to come work for the City. We have not hired one applicant with such licenses in years. Out of the 25 existing positions in the DPW, 6 have been vacant for months and, in some cases, years. By the winter of this year, we will also be losing two (2) long-term employees with CDL's and Hydraulic licenses to retirement. That will mean once again 1/3 of our positions are vacant. The low staffing level is directly related to the low salaries of the DPW employees.

For the winter of 2023-2024 there will be streets that WILL NOT have a plow truck covering the neighborhood. If the City receives a long-term snow event, snow may remain in the streets for many hours or even days depending on the duration of the storm before we will be able to remove it. With the shortage of staff, the drivers will do their best, but may not be able to complete plowing the city. After working 30-40 hours straight, they will have to go home to sleep and recover. The snow will remain on the streets. This will also mean sidewalks will not be cleared for days after a storm depending on the amount and duration of the storm.

The City was also unable to hire contractors to plow our parking lots or streets because our rates are too low and not competitive with other communities and the State. As of now, parking lots will not be cleared during snow events until after the streets are cleared. This includes City Hall, Police parking lot, Senior Center, all public parking areas, and the library.

Sincerely,

Dane E. Arnold, Director  
Department of Public Works  
pc: Highway Foreman