



City of Gardner, Massachusetts
Office of the City Council

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CALENDAR FOR THE MEETING

of

TUESDAY, APRIL 16, 2024  
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)**

- January 2, 2024, Regular Meeting
- January 16, 2024, Regular Meeting
- January 16, 2024, Joint Public Hearing with Planning Board
- February 5, 2024, Regular Meeting
- February 20, 2024, Informal Meeting

**VII. PUBLIC HEARINGS**

**VIII. COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS**

**11255** – A Measure Confirming the Mayor’s Appointment of Vincent Pusateri, to the position of Assistant City Solicitor, for term expiring January 1, 2025.  
*(Appointments Committee)*

**COMMUNICATIONS**

**11252** – A Communication from the Mayor Regarding the 2024 Capital Improvement Plan *(Finance Committee)*

**11253** – A Communication from the Mayor Regarding the FY2023 Federal Audit Report (*Finance Committee*)

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

**11254** – An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled “Vehicles and Traffic”, Section 24, Entitled “Parking Prohibited on Certain Streets” – Central Street (*Safety Committee*)

**11256** – A Resolution to Rename the City Council Chamber "The Ronald F. Cormier Council Chamber." (*Submitted by Councillor Judy Mack*)

**X. REPORTS OF STANDING COMMITTEES**

**FINANCE COMMITTEE**

**11212** – Election of the City Clerk. (*In the City Council and Referred to Finance Committee 3/18/2024: More Time 4/1/2024*)

**11214** – An Order Transferring \$42,000.00 from Building Clerk Salaries and Wages to Operating Expenditures. (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11215** – An Order Appropriating \$212,510.00 from Free Cash to the Police Department New Vehicles Account. (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11216** – An Order Appropriating \$40,000.00 from Free Cash to Public Works – Tree Removal Account. (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11236** – An Order appropriating \$390,000.00 from Water Enterprise Surplus to the Repairs to Transmission Main Account (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11237** – An Order appropriating \$75,000.00 from Water Enterprise Surplus to the Repairs to Watermains Account (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11238** – An Order appropriating \$140,000.00 from Sewer Enterprise Surplus to Chemical Treatment Account (*In the City Council and Referred to Finance Committee 4/1/2024*)

**11239** – An Order appropriating \$75,000.00 from Free Cash to Energy and Utilities City Owned Properties Account (*In the City Council and Referred to Finance Committee 4/1/2024*)

- 11217** – A Measure to Establish a Special Reserve Fund for the Opioid Settlement under MGL Ch. 44, §53. *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11218** – A Measure to approve an easement from Christof Chartier to the City of Gardner for the purpose of snow storage on Rock Street. *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11219** – A Measure to rescind the acceptance of Civil Service for the Members of the Gardner Police Department, as adopted by the town of Gardner on March 4, 1912. *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11243** – A Measure confirming the Order of Taking for 94 Pleasant Street as voted on by the City Council on August 1, 2022 *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11244** – A Measure declaring the air rights of the Knowlton Street Parking Lot as surplus for the purpose of leasing to a solar photovoltaic canopy array *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11245** – A Measure declaring the roof of the Department of Public Works Administration Building, located at 50 Manca Drive, as surplus for the purpose of leasing to a solar photovoltaic array *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11246** – A Measure declaring the roof of the Department of Public Works Cold Storage Building, located at 50 Manca Drive, as surplus for the purpose of leasing to a solar photovoltaic array *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11247** – A Measure declaring the roof of Gardner City Hall, located at 95 Pleasant Street, as surplus for the purpose of leasing to a solar photovoltaic array *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11248** – A Measure declaring the roof of the Waterford Community Center, located at 62 Waterford Street, as surplus for the purpose of leasing to a solar photovoltaic array *(In the City Council and Referred to Finance Committee 4/1/2024)*
- 11249** – A Measure declaring the roof of the Department of Public Works Garage Buildings, located at 416 West Broadway, as surplus for the purpose of leasing to a solar photovoltaic array *(In the City Council and Referred to Finance Committee 4/1/2024)*

**11250** – A Measure declaring the roof of the Gardner Fire Department Headquarters, located at 70 City Hall Avenue, as surplus for the purpose of leasing to a solar photovoltaic array (*In the City Council and Referred to Finance Committee 4/1/2024*)

### **APPOINTMENTS COMMITTEE**

**11127** – A Measure Confirming the Mayor’s Appointment of Thomas Zuppa, to the position of Building Commissioner, for term expiring January 9, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11139** – A Measure Confirming the Mayor’s Appointment of Robert Bettez, to the position of Planning Board Member, for term expiring January 4, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11140** – A Measure Confirming the Mayor’s Appointment of Robert Swartz, to the position of Planning Board Member, for term expiring January 4, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11141** – A Measure Confirming the Mayor’s Appointment of Stephen Cormier, to the position of Planning Board Member, for term expiring January 4, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11142** – A Measure Confirming the Mayor’s Appointment of Charles LeBlanc, to the position of Board of Assessors, for term expiring January 4, 2027 (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11143** – A Measure Confirming the Mayor’s Appointment of Rick Germano, to the position of Local Inspector, for term expiring January 4, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11144** – A Measure Confirming the Mayor’s Appointment of James E. Imprescia, to the position of Plumbing & Gas Inspector, for term expiring January 4, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11150** – A Measure Confirming the Mayor’s Appointment of Timothy Horrigan, to the position of Redevelopment Authority, for term expiring January 8, 2027. (*In the City Council and Referred to the Appointments Committee 1/16/2024*)

**11207** – A Measure Confirming the Mayor’s Appointment of Linda Dembek, to the position of Disability Commission Member, for term expiring March 4, 2027. (*In the City Council and Referred Appointments Committee 3/18/2024*)

## **SAFETY COMMITTEE**

- 11086** – An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled “Vehicles and Traffic”, Section 24, Entitled “Parking Prohibited on Certain Streets” – Comee Street. *(In the City Council and Referred to the Public Safety Committee 11/6/2023; More Time 11/20/2023, 12/4/2023, 12/18/2023, 1/2/2024, 1/16/2024, 2/5/2024, 2/20/2024, 3/4/2024, 3/18/2024, 4/1/2024)*
- 11115** – An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled “Vehicles and Traffic”, Section 24, Entitled “Parking Prohibited on Certain Streets.” – Douglas Road. *(In the City Council & Referred to Safety Committee 12/18/2023; More Time 1/2/2024, 1/16/2024, 2/5/2024, 2/20/2024, 3/4/2024, 3/18/2024, 4/1/2024)*
- 11204** – An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled “Vehicles and Traffic”, Section 24, Entitled “Parking Prohibited on Certain Streets” – Edgell Street, from Elm Street to Lawrence Street. *(More Time 3/18/2024, 4/1/2024)*

## **WELFARE COMMITTEE**

- 11211** – An Ordinance to Amend the Code of the City of Gardner, to add a new Chapter 15 to be entitled “Agricultural Commission.” *(In the City Council and Referred to Welfare Committee 3/18/2024; More Time 4/1/2024)*

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

- 11220** – A Communication from the Mayor regarding the Non-Union Salary Study. *(In the City Council and Referred to Committee of the Whole 4/1/2024)*
- 11232** – A Measure to Adopt Local Option Room Occupancy Excise Rate Increase Under MGL 64G, Sec. 3A. *(Submitted by Councillor Paul G. Tassone; In the City Council and Referred to Committee of the Whole 4/1/2024)*
- 11233** – A Measure to Adopt Local Option Sales Tax on Meals Under MGL. 64L, SEC 2(a). *(Submitted by Councillor Paul G. Tassone; In the City Council and Referred to Committee of the Whole 4/1/2024)*
- 11234** – A Resolution to Review the City’s Zoning Map for Accuracy. *(Submitted by Councillor Paul G. Tassone; In the City Council and Referred to Committee of the Whole 4/1/2024)*

**XII. NEW BUSINESS**

**XIII. COUNCIL COMMENTS AND REMARKS**

**XIV. CLOSING PRAYER**

**XV. ADJOURNMENT**

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Items listed on the Council Calendar are those reasonably anticipated by the Council President to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**REGULAR MEETING OF JANUARY 2, 2024**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Tuesday evening, January 2, 2024.

**CALL TO ORDER**

City Clerk Titi Siriphan called the meeting to order at 7:30 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. Ten (10) Councillors were present including Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros. Councillor-elect Carolyn Kamuda was absent.

**ADMINISTRATIVE OF OATH OF OFFICE TO THOSE NOT PRESENT ON JANUARY 1, 2024**

Clerk Siriphan administered the oath of office to Councillor-elect Elizabeth J. Kazinskas and George C. Tyros.

**ELECTION OF THE COUNCIL PRESIDENT**

The City Clerk announced that nominations were in order for election of Council President for the year 2024, in accordance with Section 5 of the Charter of the City of Gardner.

Councillor Elizabeth Kazinskas announced that she would recuse herself on advice from the State Ethics Commission "as candidates [for Council President] are not allowed to vote for themselves." She removed herself from the meeting participation.

The Clerk announced that nominations were in order for election of Council President for the year 2024.

Councillor Dana Heath nominated Councillor Elizabeth Kazinskas.

Councillor Paul Tassone seconded the nomination of Councillor Kazinskas.

There being no further nominations, the City Clerk entertained a motion to close nominations.

On a motion by Councillor Judy Mack and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, nine (9) yeas, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros, to close nominations.

REGULAR MEETING OF JANUARY 2, 2024

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On call of the roll:

Councillor Craig R. Cormier voting for ELIZABETH J. KAZINSKAS  
Councillor Ronald F. Cormier voting for ELIZABETH J. KAZINSKAS  
Councillor Aleksander H. Dernalowicz voting for ELIZABETH J. KAZINSKAS  
Councillor Karen G. Hardern voting for ELIZABETH J. KAZINSKAS  
Councillor Dana M. Heath ELIZABETH J. KAZINSKAS  
Councillor Elizabeth J. Kazinskas ABSTAINED  
Councillor Judy A. Mack voting for ELIZABETH J. KAZINSKAS  
Councillor Paul G. Tassone voting for ELIZABETH J. KAZINSKAS  
Councillor David Thibault-Muñoz voting ELIZABETH J. KAZINSKAS  
Councillor George C. Tyros voting for ELIZABETH J. KAZINSKAS

Having received nine (9) votes, Councillor Elizabeth J. Kazinskas was declared elected Council President. Councillors applauded and extended personal congratulations.

President Kazinskas assumed the Chair and expressed appreciation to his colleagues for electing him to the Council Presidency.

**OPENING PRAYER**

President Kazinskas led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

President Walsh led the Council in reciting the “Pledge of Allegiance”.

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Kazinskas announced to the assembly that the Open Meeting Recording and Public Records Announcement. Any person may make a video or audio recording of an open session of a meeting or may transmit the meeting through any medium subject to reasonable requirements of the chair as to the number placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.



REGULAR MEETING OF JANUARY 2, 2024

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**READING & ACCEPTANCE OF MINUTES**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to waive the reading and accept the MINUTES of November 20, 2023, Regular Meeting.

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11116**

On a motion by Councillor Craig Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to refer the following Measure to the Public Safet Committee for study and report, an *Application for Motor Vehicle Dealers License, Class II, Gardner Five Star Auto Sales, 407 Chestnut Street.*

**REPORTS OF STANDING COMMITTEES****SAFETY COMMITTEE****#11086**

Councillor Craig Cormier informed the Council that since there is no Safety Committee at the moment and that this item is still under testing with the Police Department, he requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled "Vehicles and Traffic", Section 24, Entitled "Parking Prohibited on Certain Streets" – Comee Street.*

There were no objections, more time was granted.

**#11115**

Councillor Craig Cormier informed the Council that the Safety Committee has not met and requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled "Vehicles and Traffic", Section 24, Entitled "Parking Prohibited on Certain Streets." – Douglas Road.*

There were no objections, more time was granted.

REGULAR MEETING OF JANUARY 2, 2024

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UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**#11112**

President Kazinskas informed the Council that this item is with the Planning Board. There is a joint public hearing scheduled for Monday, January 16<sup>th</sup> at 6:45 p.m. The President requested MORE TIME on – *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Add “Sports Betting” to the Zoning Table of Uses.*

There were no objections. More time was granted.

**#11113**

President Kazinskas informed the Council that this item is with the Planning Board. There is a joint public hearing scheduled for Monday, January 16<sup>th</sup> at 6:45 p.m. The President requested MORE TIME on – *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to Change the Method to Increase the Quota Allowed by the Code of the City of Gardner.*

There were no objections. More time was granted.

COUNCIL COMMENTS AND REMARKS

Councillor Mack would like to express her sincere condolences to the loss of Irene Dubzinski. She served on the Gardner Housing Authority for 32 years and on the committee to build the new Gardner High School in 1976. She is the wife of Walter J. Dubzinski, a longtime principal and football coach at Gardner High School. Mrs. Dubzinski supported all things Gardner and especially Gardner High School. Councillor Mack requests a letter of condolences be sent to the family.

On a motion made by Councillor Mack, and seconded by Councillor Tassone, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros, to send a letter of condolences to the Dubzinski family.

Councillor Craig Cormier would like to welcome the newest member to the City Council, Councillor David Thibault-Muñoz and wish him well and good luck. He can reach anyone with any question.



REGULAR MEETING OF JANUARY 2, 2024

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President Kazinskas would like to wish everyone a happy new year and looking forward to 2024 and welcome our new Councillors as well.

**CLOSING PRAYER**

President Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion by Councillor Paul Tassone and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adjourn at 7:42 p.m.

Accepted by the City Council:

DRAFT

**REGULAR MEETING OF JANUARY 16, 2024**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Tuesday evening, January 16, 2024.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 7:30 o'clock p.m.

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. Nine (9) Councillors were present including Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, Paul Tassone, David Thibault-Muñoz and George Tyros.

**OPENING PRAYER**

President Kazinskas led the Council in reciting the Opening Prayer.

**PLEDGE OF ALLEGIANCE**

President Walsh led the Council in reciting the "Pledge of Allegiance".

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

President Kazinskas announced to the assembly that the Open Meeting Recording and Public Records Announcement. Any person may make a video or audio recording of an open session of a meeting or may transmit the meeting through any medium subject to reasonable requirements of the chair as to the number placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

**READING & ACCEPTANCE OF MINUTES**

On a motion made by Councillor Ronald Cormier and seconded by Councillor David Thibault-Muñoz, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to waive the reading and accept the MINUTES of January 4, 2024, Inaugural Minutes.

REGULAR MEETING OF JANUARY 16, 2024

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#11171

A Notice from the City Clerk Relative to a Vacancy in the Position of Councillor at Large, was taken out of order.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Paul Tassone, it was voted viva voce, nine (9) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to fill the vacancy for Councillor at Large.

**CERTIFICATE OF ELECTION**

Councillor Calvin D. Brooks  
147 Elm Street  
Gardner, MA 01440

Dear Councillor Brooks:

At a legal meeting of the inhabitants of the City qualified to vote in elections held in their Wards on Tuesday, the 7<sup>th</sup> day of November 2023, and per the provisions of the City Charter you were elected **Councillor at Large** for Two Years beginning the Tuesday, January 16, 2024.

Accordingly, as prescribed by the Charter of the City of Gardner, the Oath of Office for the faithful performance of duties will be administered on **TUESDAY, the 16<sup>TH</sup> Day of JANUARY, 2024 at 7:30 P.M.** in the City Council Chamber.

Very truly yours,  
**TITI SIRIPHAN**  
City Clerk

A brief recess was taken 7:33 p.m. for the City Clerk to administer the oath of office to Calvin D. Brooks.

Meeting resumed, 7:35 p.m.

REGULAR MEETING OF JANUARY 16, 2024

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**COMMUNICATIONS FROM THE MAYOR**  
**ORDERS**

#11118

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *An Order Authorizing \$106.24 Payment of Prior Year Salary Expenditure.*

**COMMUNICATIONS FROM THE MAYOR**  
**APPOINTMENTS**

#11124

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Alan Agnelli, to the position of Historical Commission Member, for term expiring January 8, 2027.*

#11125

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Barbara LeBlanc, to the position of Council on Aging Member, for term expiring January 8, 2027.*

#11126

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Tammy Erdman, to the position of Municipal Grounds Commission Member, for term expiring January 9, 2027.*

REGULAR MEETING OF JANUARY 16, 2024

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**#11127**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Thomas Zuppa, to the position of Building Commissioner, for term expiring January 9, 2027.*

**#11128**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report,

**#11128**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Robert Charland, Esq., to the position of Assistant City Solicitor, for term expiring January 1, 2025.*

**#11129**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Dane Arnold, to the position of Public Works Director, for term expiring January 4, 2027.*

**#11130**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen

REGULAR MEETING OF JANUARY 16, 2024

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Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Michael F. Ellis, to the position of Senior Citizen's Director, for term expiring January 4, 2027.*

**#11131**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Lynette R. Gabriela, to the position of Veteran's Agent/Veterans' Burial Agent, for term expiring January 4, 2025.*

**#11132**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Gregory Lagoy, to the position of Fire Chief, for term expiring January 4, 2027.*

**#11133**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Paul Topolski, to the position of Civil Defense Director, for term expiring January 4, 2027.*

**#11134**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's*



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*Appointment of Carla J. Wojtukiewicz, to the position of Trustee, Williams-Rockwell Educational Gift Fund, for term expiring January 4, 2027.*

**#11135**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Robert Rice, Esq., to the position of Trustee, Williams-Rockwell Educational Gift Fund, for term expiring January 4, 2027.*

**#11136**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Cheryl Slack, to the position of Animal Control Officer, for term expiring January 4, 2025.*

**#11137**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Autumn Brown, to the position of Animal Control Officer, for term expiring January 4, 2025.*

**#11138**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Alana Meserve, to the position of Animal Control Officer, for term expiring January 4, 2025.*

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**#11139**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Robert Bettez, to the position of Planning Board Member, for term expiring January 4, 2027.*

**#11140**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Robert Swartz, to the position of Planning Board Member, for term expiring January 4, 2027.*

**#11141**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Stephen Cormier, to the position of Planning Board Member, for term expiring January 4, 2027.*

**#11142**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Charles LeBlanc, to the position of Board of Assessors, for term expiring January 4, 2027.*

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**#11143**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Rick Germano, to the position of Local Inspector, for term expiring January 4, 2027.*

**#11144**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of James E. Imprescia, to the position of Plumbing & Gas Inspector, for term expiring January 4, 2027.*

**#11145**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Michael Fitzsimmons, to the position of License Commission Member, for term expiring January 4, 2027.*

**#11146**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Kenneth Arsenault, to the position of License Commission Member, for term expiring January 4, 2027.*

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**#11147**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Nancy Binder, to the position of License Commission Member, for term expiring January 4, 2027.*

**#11148**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Ann Twohig, to the position of Golf Commission Member, for term expiring January 4, 2027.*

**#11149**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Kathy O'Brien, to the position of Council on Aging Member, for term expiring January 8, 2027.*

**#11150**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Timothy Horrigan, to the position of Redevelopment Authority, for term expiring January 8, 2027.*

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**#11151**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Theresa Hillman, to the position of Council on Aging Member, for term expiring January 8, 2027.*

**#11152**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Gloria Tarpey, to the position of Council on Aging Member, for term expiring January 8, 2027.*

**#11153**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Susan Avallone, RN, to the position of Board of Health Member, for term expiring January 8, 2027.*

**#11154**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Geoffrey Tobia, to the position of Board of Health Member, for term expiring January 8, 2027.*

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**#11155**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Michele Parker, to the position of MD, Board of Health Member, for term expiring January 8, 2027.*

**#11156**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Marcelle S. Cormier, to the position of Board of Registrar Member, for term expiring January 8, 2027.*

**#11157**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Patricia Darby, to the position of Board of Registrar Member, for term expiring January 9, 2027.*

**#11158**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to Finance Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Kevin McInerney, to the position of Contributory Retirement Board, for term expiring January 11, 2027.*

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**COMMUNICATIONS FROM THE MAYOR**  
**COMMUNICATIONS****#11119**

On a motion made by Councillor Craig Cormier and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to place on file, *Notice of Appointment of Rachel J. Roberts, to the position of Executive Secretary, for term expiring January 1, 2025.*

**#11120**

On a motion made by Councillor George Tyros and seconded by Councillor Paul Tassone, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *Notice of Appointment of John M. Flick, to the position of City Solicitor, for term expiring January 1, 2025.*

**#11121**

On a motion made by Councillor George Tyros and seconded by Councillor David Thibault-Muñoz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *Notice of Appointment of Kevin J. Arsenault, to the position of Constable, for term expiring January 1, 2027.*

**#11122**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *Notice of Appointment of Gloria Tarpey, to the position of President of Golden Agers Club, for term expiring January 8, 2025.*

**#11123**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen

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Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *Notice of Appointment of Theresa Hillman, to the position of Gardner Community Action Board of Directors Member, for term expiring January 4, 2025.*

**#11159**

On a motion made by Councillor Dana Heath and seconded by Councillor David Thibault-Muñoz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Submission of Inaugural Address.*

**#11160**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Paul Tassone, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding the FY2025 Budget Process.*

**#11161**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding the City Code Review.*

**#11162**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding the Bus Shelter/Stop Proposal.*

**#11163**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Updates to Municipal Finance Law.*



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**#11164**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor David Thibault-Muñoz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Change in Regulations for Communities Designated as Green Communities.*

**#11165**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Increased Chapter 90 Funding Received from Commonwealth.*

**#11166**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Updated Road Priority List and Rating Methodology.*

**#11167**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Recent Grants Received by the City.*

**#11168**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor David Thibault-Muñoz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding 9C Cuts in State Budget.*

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**#11169**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Update Related to the On-Street Parking Ban issued from January 6th through January 8th.*

**#11170**

On a motion made by Councillor George Tyros and seconded by Councillor Dana Heath, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to place on file, *A Notification from the Mayor Regarding Notices of Vacancy in Appointed Positions.*

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11117**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros, to GRANT an *Application for Motor Vehicle Dealers License, Class II, Sylvester R. Anghuy, 146 Sherman Street.*

**REPORTS OF STANDING COMMITTEES****SAFETY COMMITTEE****#11086**

Councillor Craig Cormier informed the Council that the Deputy Chief and the DPW are working on a 60 day trial basis, he requested MORE TIME on *An Ordinance to Amend the Code of the City of Gardner Chapter 600, Entitled "Vehicles and Traffic", Section 24, Entitled "Parking Prohibited on Certain Streets" – Comee Street.*

There were no objections, more time was granted.

**#11115**

Councillor Craig Cormier informed the Council that Deputy Chief and the DPW are working on implementing a 60-day trial basis and requested MORE TIME on *An Ordinance*

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*to Amend the Code of the City of Gardner Chapter 600, Entitled "Vehicles and Traffic", Section 24, Entitled "Parking Prohibited on Certain Streets." – Douglas Road.*

There were no objections, more time was granted.

**#11116**

Councillor Craig Cormier informed the Council that they can not approve this license at the time because of some issues that they are looking to get more information on regarding the property being behind on the water bills and another matter. Councillor Craig Cormier requested MORE TIME on an *Application for Motor Vehicle Dealers License, Class II, Gardner Five Star Auto Sales, 407 Chestnut Street.*

There were no objections, more time was granted.

**UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION****#11112**

President Kazinskas informed the Council that there was a Joint Public Hearing earlier this evening. By state statute, the next step of the process is to have the final recommendation submitted from the Planning Board to the City Council. The President requested MORE TIME on – *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to Add "Sports Betting" to the Zoning Table of Uses.*

There were no objections. More time was granted.

**#11113**

President Kazinskas informed the Council that there was a Joint Public Hearing earlier this evening. By state statute, the next step of the process is to have the final recommendation submitted from the Planning Board to the City Council. The President requested MORE TIME on – *An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to Amend Section 1070 thereof, entitled, "Marijuana Establishments" to Change the Method to Increase the Quota Allowed by the Code of the City of Gardner.*

There were no objections. More time was granted.

**COUNCIL COMMENTS AND REMARKS**

Councillor Ronald Cormier would like to welcome Councillor Calvin Brooks to the City Council.



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Councillor Paul Tassone would also like to welcome Councillor Calvin Brooks to the City Council. He also mentioned that SoMax Hydrothermal will be having a presentation on Thursday, January 18<sup>th</sup> at the Beagle Club, located on Clark Street.

Councillor Dana Heath also welcomes Councillor Calvin Brooks to the City Council. He would also like to thank the DPW for the work done over the snow storm.

Councillor Calvin Brooks chose to stand and speak for the first time to the public during his remarks to pay homage to City Councillors who preceded him. He read a speech and would like to thank the City Council for appointing him. He looks forward to working with everyone moving forward. Mr. Brooks would also like to recognize his family throughout this process.

President Elizabeth would also like to welcome Mr. Brooks and congratulations.

**CLOSING PRAYER**

President Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion by Councillor Paul Tassone and seconded by Councillor Dana Heath, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Paul Tassone, David Thibault-Muñoz and George Tyros to adjourn at 7:58 p.m.

**Accepted by the City Council:**




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 JOINT PUBLIC HEARING OF JANUARY 16, 2024
 

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Tuesday evening, January 16, 2024. The Joint Public Hearing of the City Council and Planning Board, held in the City Council Chamber, was called to order by Council President Elizabeth Kazinskas at 6:45 o'clock p.m. for the purposed amendment involves changing the zoning of:

- **11112** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Add “Sports Betting” to the Zoning Table of Uses.
- **11113** – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to Change the Method to Increase the Quota Allowed by the Code of the City of Gardner.

City Clerk Titi Siriphan called the Roll. Present were:

**Members of the City Council (9)**

Elizabeth J. Kazinskas, President  
 Craig R. Cormier  
 Ronald F. Cormier  
 Aleksander H. Dernalowicz  
 Karen G. Hardern  
 Dana M. Heath  
 Paul G. Tassone  
 David Thibault-Muñoz  
 George C. Tyros

**Members of the Planning Board (4)**

Robert J. Bettez  
 Stephen E. Cormier  
 Mark M. Schafron  
 Robert J. Swartz

Councillor Judy Mack was absent.

Planning Board member Paul Cormier was absent.

Others present, Trevor Beauregard, Community Development and Planning Director.

President Elizabeth Kazinskas announced Pursuant to G.L. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a Joint Public Hearing on Tuesday, January 16, 2024 at 6:45 P.M. in the City Council Chamber, Room 219, City Hall, 95 Pleasant Street, Gardner, to consider amending Chapter 675, the Zoning Code of the City of Gardner. The proposed Amendment involves changing items: 11112 – An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Add “Sports Betting” to the Zoning Table of Uses; 11113 – An Ordinance to Amend the Code of the City of



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**JOINT PUBLIC HEARING OF JANUARY 16, 2024**

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Gardner, Chapter 675 thereof, entitled “Zoning,” to Amend Section 1070 thereof, entitled, “Marijuana Establishments” to Change the Method to Increase the Quota Allowed by the Code of the City of Gardner.

Information regarding this amendment is available for viewing in the City Clerk’s Office, the Department of Community Development and Planning (DCDP), or on the City’s webpage – [www.gardner-ma.gov](http://www.gardner-ma.gov). All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

**#11112 - An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled “Zoning,” to Add “Sports Betting” to the Zoning Table of Uses.**

Community Development & Planning Director, Trevor Beauregard informed the Committee and Council that the Planning Board that there was a planning board meeting on January 9<sup>th</sup> and the board unanimously voted recommend adoption of the ordinance with two amendments. One of the amendments would include a special permit by the planning board and to change some language identified in the packet with recommendations made last year in February when this was first presented to the City Council and Planning Board.

President Kazinskas opened the Public Hearing at 6:51 p.m. and announced thrice if anyone would like to speak in favor.

No one spoke in favor.

President Kazinskas announced thrice if anyone would like to speak in opposition of the amendment.

Paul DeMeo, 9 Willis Road, Gardner, MA, spoke in opposition. He stated that this hearing is illegal because it does not follow Chapter 40a, section 5. It did not go through the proper procedures of Mass General Laws.

Director Beauregard mentioned that the Planning Board is in favor of the recommendation from the Building Commissioner to identify the new zoning sports betting in the table of uses on its own with a definition section of the ordinance rather than combining it with existing issues within the table of uses.

James Clume, 72 Main Street, was inquiring about the 24 hour nature of the gambling facility.

JOINT PUBLIC HEARING OF JANUARY 16, 2024

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Councillor Dernalowicz responded that this is just a zoning, defining the zones. There is no sports facility on the property.

**#11113 - An Ordinance to Amend the Code of the City of Gardner, Chapter 675 thereof, entitled "Zoning," to Amend Section 1070 thereof, entitled, "Marijuana Establishments" to Change the Method to Increase the Quota Allowed by the Code of the City of Gardner.**

Community Development & Planning Director, Trevor Beauregard informed the Committee and Council that the Planning Board that the Planning Board met on January 9, 2024 and voted unanimously 5-0 to recommend adoption of the amendment.

President Kazinskas announced thrice if anyone would like to speak in favor of the amendment.

No one spoke.

President Kazinskas announced thrice if anyone would like to speak in opposition of the amendment.

Paul DeMeo, 9 Willis Road, Gardner, MA, spoke in opposition and stated that his hearing is illegal because it does not comply with Chapter 40a, section 5 of Mass General Laws. He said that if this passes, he will be filing a complaint with the Attorney General's Office. He has "no clue" why the city is looking to increase marijuana licenses. Former Mayor Hawke signed a community host agreement with Sanctuary Medicinals to not approve any further registered marijuana dispensary facilities within the City of Gardner after the date of this agreement.

The public hearing closed at 7:05 p.m.

**Accepted by the City Council:**

RECEIVED

April 11, 2024

2024 APR 11 PM 2:20  
CITY CLERK'S OFFICE  
GARDNER, MA  
Worcester County

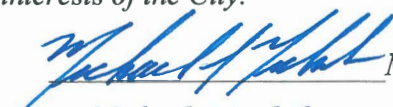
# Commonwealth of Massachusetts

City of Gardner

## CERTIFICATE OF APPOINTMENT

I appoint Vincent Pusateri to the position of Assistant City Solicitor, 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: January 1, 2025

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

Then personally appeared the above named Vincent Pusateri and made oath that he/she would faithfully and impartially perform the duties of the office of Assistant City Solicitor 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

April 3, 2024

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

RECEIVED  
2024 APR -3 PM 4:00  
CITY CLERK'S OFFICE  
GARDNER MA

RE: A Communication from the Mayor regarding the 2024 Capital Improvement Plan

Dear Madam President and Councilors,

The City Code requires that the Administration annually submit the City's capital improvement plan, as created by the Capital Improvement Planning Committee, to the City Council once completed.

The report for this year is attached.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



**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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April 2, 2024

Mayor, City of Gardner  
City Hall - 95 Pleasant Street  
Gardner, MA 01440

Dear Mayor Nicholson,

On behalf of the Capital Improvement Committee, please accept this report for the Fiscal Year, 2025. We have met and deliberated according to the requirements of Ordinance Number 1434, Chapter 34 of the Code of the City of Gardner, have analyzed capital improvement requests and highlighted a list of 30 projects/items. Our recommendations are included herein.

The Committee has also updated the 5-year Capital Improvement Plan, including requests from the various department heads of the City government. The Committee appreciates this opportunity to serve the City of Gardner and is available to answer any questions and discuss the recommendations presented herein at your convenience.

Sincerely,

Robert E. Oliva  
City Engineer

Cc: Titi Siriphan - City Clerk

## FY2025 Report of the Capital Improvement Committee

The Capital Improvement Committee has met as specified by Ordinance No. 1434, Chapter 34 of the Code of the City of Gardner. This document is the report and recommendations of the Committee for Fiscal Year 2025.

Capital projects are defined as expenditures over \$25,000 and with a useful life greater than five years. Smaller projects normally funded by a department's annual budget could be combined to reach the \$25,000 threshold, but only if the combination is justified for reasons other than convenience.

Capital project and equipment requests received from City Departments were reviewed to ensure they met the definition and were then prioritized to develop a recommended list. A total of more than **\$77 million** (excluding Enterprise account requests) in projects was submitted for FY2025. Table I is a list of FY2025 submitted projects.

The Committee discussed the fiscal constraints the City is currently under and considered how capital projects could be funded. Based on these discussions, the Committee makes the following recommendations:

- 1. The goal of spending for capital improvements/debt service should remain 5% of the general fund budget.**

Using the general fund budget for FY2025 which is approximately **\$78 million**, a 5% goal would be **\$3.9 million**. This amount is typically used for both capital expenditures and bond repayment. Due to our emphasis on capital improvements, the rate of capital spending has increased over the last several years; however, the City must strive to keep up with the deterioration or depreciation of its capital assets and therefore should continue emphasis on repairs and extraordinary maintenance to keep older assets in working order. The goal is to eliminate crisis spending on emergency repairs. The Committee wishes to acknowledge the improvement in this regard and encourages the City to continue this good stewardship.

## 2. The highest priority projects for FY2025:

| <b>Department</b>     | <b>Description</b>                                                | <b>Cost</b> |
|-----------------------|-------------------------------------------------------------------|-------------|
| Building              | Traffic Signal -Elm/Pearson                                       | \$250,000   |
| Building              | Waterford Street School Roof Replace                              | \$3,500,000 |
| City Hall             | City Hall 1st & 2nd floor bathrooms and plumbing                  | \$160,000   |
| Comm. Dev. & Planning | Selective Demolition                                              | \$600,000   |
| Comm. Dev. & Planning | Nature Trail / Bike Path                                          | \$700,000   |
| Comm. Dev. & Planning | MVP Implementation                                                | \$1,000,000 |
| Comm. Dev. & Planning | Safe Routes to School Appraisals/Takings                          | \$100,000   |
| Engineering           | TIP List Roadway Design                                           | \$400,000   |
| Engineering           | MS4 Municipal Property BMP Retrofit                               | \$175,000   |
| Engineering           | Rt. 140 Bridge Design Grant Match                                 | \$75,000    |
| Fire                  | Fire Department Replace Roof Headquarters                         | \$500,000   |
| Fire                  | Portable Radios                                                   | \$325,000   |
| Fire                  | Public Safety Communications Equipment Building Reservoir Hill    | \$75,000    |
| Health                | Transfer Station Plumbing/Septic/Water/Electric                   | \$270,000   |
| Human Resources       | Outdoor Pool Building Improvements                                | \$90,000    |
| Information Tech      | Network Switches                                                  | \$80,000    |
| Public Works          | Crystal Lake Cemetery - Build Cremation Vaults                    | \$250,000   |
| Public Works          | Sign Shop                                                         | \$150,000   |
| Public Works          | Elm Street TIP                                                    | \$1,000,000 |
| Public Works          | Drainage Improvements                                             | \$500,000   |
| Public Works          | New Salt Shed                                                     | \$625,000   |
| Police                | Building Stucco Maintenance/Paint                                 | \$150,000   |
| Sewer                 | Wastewater Treatment Plant Upgrade                                | \$5,000,000 |
| Water                 | CLWTF PLC Replacement                                             | \$250,000   |
| Water                 | CLWTF Roof                                                        | \$150,000   |
| Water                 | Transmission Line Grant Match                                     | \$250,000   |
| School                | High School Replace toilet partitions                             | \$50,000    |
| School                | High School Upgrade Standby Generator                             | \$250,000   |
| School                | C Wing Locker Rooms Renovations                                   | \$750,000   |
| School                | Middle School Replace Metal Pitched Roof, Gutters, and Downspouts | \$1,000,000 |

The above list as presented herein may be used as a menu to select capital improvements for implementation using a multi-year capital improvement bond or by adding selected capital items to a multipurpose bond. It may also be advisable to set up a specific capital fund so that unspent allocated money for a designated capital purchase be returned to the protected fund for the next capital expenditure on the list or for an unscheduled capital emergency.

Ultimately the decision of which capital items will be funded lies with the Mayor and City Council. Additionally, each department must present its requests to a City Council subcommittee whose responsibilities include confirming or modifying each capital request. Therefore, it follows that the Capital Improvement Committee is presenting these items and the suggested method of paying for them as a recommendation for further study and action by the Mayor and others.

**3. Decisions on funding capital projects for FY2025 must consider the impact they have on future year priorities.**

Table I also includes the capital project requests for FY2025 to FY2029. As FY2025 projects are delayed due to a lack of funding, the delay will affect what projects can be funded in future years. In some cases, the FY2025 projects that have been rolled over will take precedence; in other cases, the future year projects may have to be addressed in that year as emergency expenditures. It should be noted that the list for FY2025 contains far less backlogged projects which have been pushed ahead from previous years. As this backlog is decreased, and bonding capital expenditures is less necessary, more funds may be freed up to be used through the annual budget to deal with capital expenses.

**4. The City must adequately fund routine repair and maintenance accounts to assure that capital investments productively live out their lives.**

Capital spending is wasted money if funds are not available to adequately maintain the new assets. In committing to a capital improvement program, the City must remain committed to budget money for asset maintenance.

**5. The City must continue to adequately fund recurring capital needs, i.e. vehicle and police cruiser replacement and technology upgrades and replacement.**

The Committee has noted that items considered routine maintenance and items too small to be considered capital projects are now being included in the annual budget process. Examples of these items include police cruisers, automobiles, pickup trucks, and computer hardware. The City should continue to use the annual budget to provide funds to cover the replacement or upgrade of a portion of these items each year.

Adopting or adapting these recommendations will help the City continue making progress in providing stability to the funding and maintenance of capital assets. The Committee does realize that this process does not take place in a vacuum. The City is still facing tight economic times and must address the ongoing challenge of balancing the general fund budget. The Committee hopes its recommendations will provide useful information to be used as part of the meaningful discussions.

**Capital Improvement Planning Committee**

As defined by Chapter 34-1 of The City of Gardner Code

Councillor at Large – **George C. Tyros**

City Engineer – **Robert Oliva**

Director of Community Development – **Trevor Beauregard**

City Treasurer – **Jennifer Dymek**

Director of Public Works – **Dane Arnold**

City Purchasing Agent – **Joshua Cormier**

City Auditor – **John Richard**

School Department Business Manager – **Mark Hawke**

The members of the Committee would like to honor the memory of Councillor Ronald Cormier who served many years on the City Council and the Capital Improvement Committee. Councillor Cormier's hard work and dedication to the City of Gardner enriched our lives and our community.

TABLE 1

Report contains submissions from City Departments. Since the Capital Improvement Committee has not yet performed ratings on items, this report does not indicate whether the items fall under the definition of a capital improvement. During the ratings process, it may be determined that items do not qualify as capital purchases, but will be considered as recommendations by the Committee under the normal budget procedure.

| Department                          | Description                                                     | Cost          | Fiscal Year   |              |              |              |            |
|-------------------------------------|-----------------------------------------------------------------|---------------|---------------|--------------|--------------|--------------|------------|
|                                     |                                                                 |               | FY 2025       | FY 2026      | FY 2027      | FY 2028      | FY 2029    |
| <b>Airport</b>                      |                                                                 |               |               |              |              |              |            |
| Airport                             | Admin/Snow Removal Building                                     | \$ 75,000     | \$ 8,750      | \$ 66,250    |              |              |            |
|                                     | Dept. Total                                                     | \$ 75,000     | \$ 8,750      | \$ 66,250    | \$ -         | \$ -         | \$ -       |
| <b>Building</b>                     |                                                                 |               |               |              |              |              |            |
| Building                            | Traffic Signal -Elm/Pearson                                     | \$ 250,000    | \$ 250,000    |              |              |              |            |
| Building                            | Waterford Community Center Reno                                 | \$ 850,000    | \$ 850,000    |              |              |              |            |
| Building                            | Waterford Street School Roof Replace                            | \$ 3,500,000  | \$ 3,500,000  |              |              |              |            |
| Building                            | Helen Mae Sauter Replace Roof                                   | \$ 500,000    | \$ 500,000    |              |              |              |            |
| Building                            | Helen Mae Sauter Interior<br>Reno/Heat/Plumb/Gas                | \$ 1,000,000  | \$ 1,000,000  |              |              |              |            |
|                                     | Dept. Total                                                     | \$ 6,100,000  | \$ 6,100,000  | \$ -         | \$ -         | \$ -         | \$ -       |
| <b>City Hall</b>                    |                                                                 |               |               |              |              |              |            |
| City Hall                           | 1st floor bathrooms and plumbing                                | \$ 80,000     | \$ 80,000     |              |              |              |            |
| City Hall                           | 2nd floor bathrooms and plumbing                                | \$ 80,000     |               | \$ 80,000    |              |              |            |
| City Hall                           | Perry Hall Windows/Bathrooms/Reno                               | \$ 250,000    | \$ 250,000    |              |              |              |            |
| City Hall                           | City Hall/Annex Columns Entry<br>Stairs/Cupola/Perry Roof Leaks | \$ 175,000    | \$ 175,000    |              |              |              |            |
| City Hall                           | City Hall electrical service upgrade                            | \$ 250,000    |               |              |              |              |            |
|                                     | Dept. Total                                                     | \$ 835,000    | \$ 505,000    | \$ 80,000    | \$ -         | \$ -         | \$ -       |
| <b>Community Dev &amp; Planning</b> |                                                                 |               |               |              |              |              |            |
| Community Dev & Planning            | Indoor Pool Demolition                                          | \$ 400,000    | \$ 400,000    |              |              |              |            |
| Community Dev & Planning            | Outdoor Pool<br>Expansion/Pavillion/Facilities                  | \$ 6,100,000  | \$ 400,000    | \$ 300,000   | \$ 5,400,000 |              |            |
| Community Dev & Planning            | Selective Demolition                                            | \$ 1,600,000  | \$ 600,000    | \$ 600,000   | \$ 400,000   |              |            |
| Community Dev & Planning            | DURP Rear Main Ph 2                                             | \$ 6,500,000  | \$ 4,500,000  | \$ 2,000,000 |              |              |            |
| Community Dev & Planning            | MSCURP<br>Acquisition/Infrastructure/Demo                       | \$ 1,600,000  | \$ 750,000    | \$ 450,000   | \$ 400,000   |              |            |
| Community Dev & Planning            | Downtown Infrastructure Improvements                            | \$ 900,000    | \$ 400,000    | \$ 500,000   |              |              |            |
| Community Dev & Planning            | Nature Trail / Bike Path                                        | \$ 5,200,000  | \$ 700,000    | \$ 2,500,000 | \$ 2,000,000 |              |            |
| Community Dev & Planning            | Route 140 Business Park<br>Planning/Acquisition                 | \$ 1,200,000  | \$ 1,200,000  |              |              |              |            |
| Community Dev & Planning            | MVP Implementation                                              | \$ 3,000,000  | \$ 1,000,000  | \$ 1,000,000 | \$ 500,000   | \$ 500,000   |            |
| Community Dev & Planning            | Safe Routes to School<br>Appraisals/Takings                     | \$ 100,000    | \$ 100,000    |              |              |              |            |
|                                     | Dept. Total                                                     | \$ 26,600,000 | \$ 10,050,000 | \$ 7,350,000 | \$ 8,700,000 | \$ 500,000   | \$ -       |
| <b>Council on Aging</b>             |                                                                 |               |               |              |              |              |            |
| Council on Aging                    | Kitchen Upgrades                                                | \$ 50,000     | \$ 50,000     |              |              |              |            |
| Council on Aging                    | ADA Accessibility Upgrades                                      | \$ 125,000    | \$ 125,000    |              |              |              |            |
|                                     | Dept. Total                                                     | \$ 175,000    | \$ 175,000    | \$ -         | \$ -         | \$ -         | \$ -       |
| <b>Engineering</b>                  |                                                                 |               |               |              |              |              |            |
| Engineering                         | Dam Repairs                                                     | \$ 1,500,000  | \$ 1,500,000  |              |              |              |            |
| Engineering                         | TIP List Roadway Design                                         | \$ 2,650,000  | \$ 400,000    | \$ 250,000   | \$ 800,000   | \$ 1,200,000 |            |
| Engineering                         | MS4 Municipal Property BMP Retrofit                             | \$ 975,000    | \$ 175,000    | \$ 200,000   | \$ 200,000   | \$ 200,000   | \$ 200,000 |
| Engineering                         | Rt. 140 Bridge Design Grant Match                               | \$ 75,000     | \$ 75,000     |              |              |              |            |
|                                     | Dept. Total                                                     | \$ 5,200,000  | \$ 2,150,000  | \$ 450,000   | \$ 1,000,000 | \$ 1,400,000 | \$ 200,000 |

TABLE 1

| Department             | Description                                                    | Cost         | Fiscal Year  |              |              |              |              |
|------------------------|----------------------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
|                        |                                                                |              | FY 2025      | FY 2026      | FY 2027      | FY 2028      | FY 2029      |
| <b>Fire</b>            |                                                                |              |              |              |              |              |              |
| Fire                   | Replace Roof Headquarters                                      | \$ 500,000   | \$ 500,000   |              |              |              |              |
| Fire                   | Building Addition Headquarters                                 | \$ 5,000,000 |              | \$ 5,000,000 |              |              |              |
| Fire                   | Portable Radios                                                | \$ 325,000   | \$ 325,000   |              |              |              |              |
| Fire                   | Public Safety Communications Equipment Building Reservoir Hill | \$ 75,000    | \$ 75,000    |              |              |              |              |
| Fire                   | Stand Alone 3 Bay Garage Headquarters                          | \$ 300,000   |              | \$ 300,000   |              |              |              |
| Fire                   | Replace Truck 5                                                | \$ 75,000    |              |              | \$ 75,000    |              |              |
| Fire                   | Replace Car 6                                                  | \$ 75,000    |              |              | \$ 75,000    |              |              |
| Fire                   | Replace Rescue 3                                               | \$ 500,000   |              |              |              | \$ 500,000   |              |
| Fire                   | Replace Engine 1                                               | \$ 900,000   |              |              |              |              | \$ 900,000   |
|                        | Dept. Total                                                    | \$ 7,750,000 | \$ 900,000   | \$ 5,300,000 | \$ 150,000   | \$ 500,000   | \$ 900,000   |
| <b>Golf</b>            |                                                                |              |              |              |              |              |              |
| Golf                   | Replace Equipment                                              | \$ 200,000   | \$ 200,000   |              |              |              |              |
|                        | Dept. Total                                                    | \$ 200,000   | \$ 200,000   | \$ -         | \$ -         | \$ -         | \$ -         |
| <b>Health</b>          |                                                                |              |              |              |              |              |              |
| Health                 | Plumbing/Septic/Water @ Transfer Station                       | \$ 90,000    | \$ 30,000    | \$ 30,000    | \$ 30,000    |              |              |
| Health                 | Electric @ Transfer Station in Shed                            | \$ 90,000    | \$ 30,000    | \$ 30,000    | \$ 30,000    |              |              |
| Health                 | Drainage Improvements at Transfer                              | \$ 90,000    | \$ 30,000    | \$ 30,000    | \$ 30,000    |              |              |
| Health                 | Landfill Cap Erosion Repairs                                   | \$ 80,000    | \$ 80,000    |              |              |              |              |
|                        | Dept. Total                                                    | \$ 350,000   | \$ 170,000   | \$ 90,000    | \$ 90,000    | \$ -         | \$ -         |
| <b>Human Resources</b> |                                                                |              |              |              |              |              |              |
| Human Resources        | New Siding Outdoor Pool Buildings                              | \$ 90,000    | \$ 90,000    |              |              |              |              |
| Human Resources        | New Roofing Outdoor Pool Buildings                             | \$ -         | TBD          |              |              |              |              |
|                        | Dept. Total                                                    | \$ 90,000    | \$ 90,000    | \$ -         | \$ -         | \$ -         | \$ -         |
| <b>IT Dept.</b>        |                                                                |              |              |              |              |              |              |
| IT Dept.               | Network Switches                                               | \$ 80,000    | \$ 80,000    |              |              |              |              |
|                        | Dept. Total                                                    | \$ 80,000    | \$ 80,000    | \$ -         | \$ -         | \$ -         | \$ -         |
| <b>Public Works</b>    |                                                                |              |              |              |              |              |              |
| Public Works           | Acceptance of Unaccepted Streets                               | \$ 200,000   | \$ 100,000   | \$ 100,000   |              |              |              |
| Public Works           | Crystal Lake Cemetery - Build Cremation Vaults                 | \$ 250,000   | \$ 250,000   |              |              |              |              |
| Public Works           | Culvert Replacement                                            | \$ 500,000   | \$ 500,000   |              |              |              |              |
| Public Works           | Paving                                                         | \$ 5,000,000 | \$ 1,000,000 | \$ 1,000,000 | \$ 1,000,000 | \$ 1,000,000 | \$ 1,000,000 |
| Public Works           | Sidewalk Tractor                                               | \$ 185,000   |              | \$ 185,000   |              |              |              |
| Public Works           | Remove Underground Fuel Storage Tanks/Paving DPW               | \$ 500,000   |              | \$ 500,000   |              |              |              |
| Public Works           | Bike Path Paving                                               | \$ 250,000   |              | \$ 250,000   |              |              |              |
| Public Works           | Municipal Parking Lot Repaving                                 | \$ 150,000   | \$ 50,000    | \$ 50,000    | \$ 50,000    |              |              |
| Public Works           | Playground Equipment                                           | \$ 150,000   | \$ 150,000   |              |              |              |              |
| Public Works           | Sign Shop (Waterford St School)                                | \$ 150,000   | \$ 150,000   |              |              |              |              |
| Public Works           | 10 Wheel Dump/Plow/Spreader                                    | \$ 275,000   |              | \$ 275,000   |              |              |              |
| Public Works           | 6 Wheel Dump/Plow/Spreader                                     | \$ 225,000   | \$ 225,000   |              |              |              |              |
| Public Works           | 6 Wheel Dump/Plow/Spreader                                     | \$ 225,000   |              | \$ 225,000   |              |              |              |
| Public Works           | Front End Loader /Plow                                         | \$ 200,000   |              |              | \$ 200,000   |              |              |
| Public Works           | 1 Ton Dump Truck                                               | \$ 100,000   | \$ 100,000   |              |              |              |              |
| Public Works           | 1 Ton Dump Truck                                               | \$ 100,000   |              | \$ 100,000   |              |              |              |



TABLE 1

| Department                | Description                                    | Cost          | Fiscal Year  |              |              |              |              |           |
|---------------------------|------------------------------------------------|---------------|--------------|--------------|--------------|--------------|--------------|-----------|
|                           |                                                |               | FY 2025      | FY 2026      | FY 2027      | FY 2028      | FY 2029      |           |
| Public Works              | Cab and Chassis                                | \$ 70,000     | \$ 70,000    |              |              |              |              |           |
| Public Works              | Cab and Chassis                                | \$ 70,000     |              | \$ 70,000    |              |              |              |           |
| Public Works              | Utilitybody Pick-up                            | \$ 85,000     | \$ 85,000    |              |              |              |              |           |
| Public Works              | Utilitybody Pick-up                            | \$ 85,000     |              |              | \$ 85,000    |              |              |           |
| Public Works              | 2A/68 Rotary/Lights                            | \$ 2,000,000  |              | \$ 2,000,000 |              |              |              |           |
| Public Works              | Elm Street TIP                                 | \$ 1,000,000  | \$ 1,000,000 |              |              |              |              |           |
| Public Works              | Replace Playground Lighting                    | \$ 300,000    | \$ 150,000   | \$ 150,000   |              |              |              |           |
| Public Works              | Drainage Improvements                          | \$ 500,000    | \$ 500,000   |              |              |              |              |           |
| Public Works              | DPW Facility Improvements                      | \$ 2,000,000  | \$ 2,000,000 |              |              |              |              |           |
| Public Works              | Sweeper                                        | \$ 315,000    |              |              | \$ 315,000   |              |              |           |
| Public Works              | Wilder Field Re-build                          | \$ 250,000    |              | \$ 250,000   |              |              |              |           |
| Public Works              | New Salt Shed                                  | \$ 625,000    | \$ 625,000   |              |              |              |              |           |
|                           | Dept. Total                                    | \$ 15,760,000 | \$ 6,955,000 | \$ 5,155,000 | \$ 1,650,000 | \$ 1,000,000 | \$ 1,000,000 |           |
| <b>Police</b>             |                                                |               |              |              |              |              |              |           |
| Police                    | EOC (Emergency Operations Center) Galley       | \$ 45,000     | \$ 45,000    |              |              |              |              |           |
| Police                    | Complete Original Construction                 | \$ 500,000    | \$ 350,000   | \$ 150,000   |              |              |              |           |
| Police                    | Building Stucco Maintenance/Paint              | \$ 150,000    |              | \$ 150,000   |              |              |              |           |
|                           | Dept. Total                                    | \$ 695,000    | \$ 395,000   | \$ 300,000   | \$ -         | \$ -         | \$ -         |           |
| <b>Sewer (Enterprise)</b> |                                                |               |              |              |              |              |              |           |
| Sewer (Enterprise)        | Wastewater Treatment Plant Upgrade             | \$ 10,000,000 | \$ 5,000,000 | \$ 5,000,000 |              |              |              |           |
| Sewer (Enterprise)        | 1 Ton Pickup Truck                             | \$ 100,000    | \$ 100,000   |              |              |              |              |           |
| Sewer (Enterprise)        | Sludge Landfill Expansion/Hauling              | \$ 7,000,000  |              | \$ 7,000,000 |              |              |              |           |
| Sewer (Enterprise)        | Pump Station Upgrades                          | \$ 1,000,000  | \$ 1,000,000 |              |              |              |              |           |
| Sewer (Enterprise)        | Collection System Improvements                 | \$ 1,250,000  | \$ 500,000   | \$ 500,000   | \$ 250,000   |              |              |           |
|                           | Dept. Total                                    | \$ 19,350,000 | \$ 6,600,000 | \$12,500,000 | \$ 250,000   | \$ -         | \$ -         |           |
| <b>Water (Enterprise)</b> |                                                |               |              |              |              |              |              |           |
| Water (Enterprise)        | Facility Upgrades                              | \$ 500,000    | \$ 100,000   | \$ 200,000   | \$ 200,000   |              |              |           |
| Water (Enterprise)        | Pump Station Improvements                      | \$ 600,000    | \$ 100,000   | \$ 250,000   | \$ 250,000   |              |              |           |
| Water (Enterprise)        | James St Pump Station Replacement              | \$ 1,500,000  |              | \$ 1,500,000 |              |              |              |           |
| Water (Enterprise)        | Pearly Brook Pump Station Upgrade              | \$ 600,000    |              |              | \$ 600,000   |              |              |           |
| Water (Enterprise)        | Summit Industrial Park PS Upgrade              | \$ 2,000,000  |              |              |              | \$ 2,000,000 |              |           |
| Water (Enterprise)        | Elevated Water Tank Interior Repairs           | \$ 650,000    | \$ 650,000   |              |              |              |              |           |
| Water (Enterprise)        | 1 Ton Pickup Truck                             | \$ 100,000    | \$ 100,000   |              |              |              |              |           |
| Water (Enterprise)        | Crystal Lake Spillway                          | \$ 3,000,000  |              |              | \$ 3,000,000 |              |              |           |
| Water (Enterprise)        | Dam Repairs                                    | \$ 1,000,000  |              | \$ 1,000,000 |              |              |              |           |
| Water (Enterprise)        | Water Meter Replacement                        | \$ 2,000,000  | \$ 1,000,000 | \$ 1,000,000 |              |              |              |           |
| Water (Enterprise)        | CLWTF PLC Replacement                          | \$ 250,000    | \$ 250,000   |              |              |              |              |           |
| Water (Enterprise)        | CLWTF Roof                                     | \$ 150,000    | \$ 150,000   |              |              |              |              |           |
| Water (Enterprise)        | Water Main Replacement                         | \$ 11,000,000 |              | \$ 5,000,000 | \$ 4,000,000 | \$ 2,000,000 |              |           |
| Water (Enterprise)        | Transmission Line Grant Match                  | \$ 250,000    | \$ 250,000   |              |              |              |              |           |
|                           | Dept. Total                                    | \$ 23,600,000 | \$ 2,600,000 | \$ 8,950,000 | \$ 8,050,000 | \$ 4,000,000 | \$ -         |           |
| <b>School Dept</b>        |                                                |               |              |              |              |              |              |           |
| Elm Street School         | Auditorium. Refinish floor, paint ceiling.     | \$ 75,000     | \$ 75,000    |              |              |              |              |           |
| Elm Street School         | Replace bathroom partitions.                   | \$ 50,000     | \$ 50,000    |              |              |              |              |           |
| Elm Street School         | Roof Replacement                               | \$ -          |              |              |              |              |              |           |
| Elm Street School         | Upgrade standby generator and electric service | \$ 200,000    |              |              | \$ 200,000   |              |              |           |
| High School               | Replace auditorium and gym wing stair treads.  | \$ 80,000     |              |              |              |              |              | \$ 80,000 |

TABLE 1

| Department         | Description                                                      | Cost                  | Fiscal Year          |                      |                      |                     |                     |  |
|--------------------|------------------------------------------------------------------|-----------------------|----------------------|----------------------|----------------------|---------------------|---------------------|--|
|                    |                                                                  |                       | FY 2025              | FY 2026              | FY 2027              | FY 2028             | FY 2029             |  |
| High School        | Landry Auditorium Renovation:<br>Ceiling tiles, sound, lighting. | \$ 1,200,000          | \$ 1,200,000         |                      |                      |                     |                     |  |
| High School        | Exit and Emergency Lighting.                                     | \$ 100,000            | \$ 100,000           |                      |                      |                     |                     |  |
| High School        | Replace toilet partitions.                                       | \$ 50,000             | \$ 50,000            |                      |                      |                     |                     |  |
| High School        | Finish Upgrade Science labs on 1st and<br>2nd floors. (4)        | \$ 477,000            |                      |                      | \$ 477,000           |                     |                     |  |
| High School        | Replace service equipment throughout.                            | \$ 1,700,000          | \$ 1,700,000         |                      |                      |                     |                     |  |
| High School        | Intercom System and Clocks                                       | \$ 100,000            | \$ 100,000           |                      |                      |                     |                     |  |
| High School        | Update / Add cameras                                             | \$ 150,000            | \$ 150,000           |                      |                      |                     |                     |  |
| High School        | Re-key entire building                                           | \$ 35,000             | \$ 35,000            |                      |                      |                     |                     |  |
| High School        | Paint all interior walls                                         | \$ 150,000            | \$ 150,000           |                      |                      |                     |                     |  |
| High School        | Upgrade standby generator.                                       | \$ 250,000            | \$ 250,000           |                      |                      |                     |                     |  |
| High School        | Replace classroom unit ventilators<br>throughout.                | \$ 1,500,000          | \$ 1,500,000         |                      |                      |                     |                     |  |
| High School        | C Wing locker rooms renovations                                  | \$ 750,000            | \$ 750,000           |                      |                      |                     |                     |  |
| Middle School      | Replace 7 roof top condensers.                                   | \$ 100,000            | \$ 100,000           |                      |                      |                     |                     |  |
| Middle School      | Replace metal pitched roof, gutters, and<br>downspouts.          | \$ 1,000,000          | \$ 1,000,000         |                      |                      |                     |                     |  |
| Middle School      | Pave road and replace curbing                                    | \$ 300,000            | \$ 300,000           |                      |                      |                     |                     |  |
| Middle School      | Electronic Sign at entrance                                      | \$ 30,000             | \$ 30,000            |                      |                      |                     |                     |  |
| School Dept        | School Facilities Garage Addition                                | \$ 500,000            | \$ 500,000           |                      |                      |                     |                     |  |
| School Dept        | Facilities Pick up truck                                         | \$ 50,000             | \$ 50,000            |                      |                      |                     |                     |  |
| School Dept        | Central Office Building                                          | \$ 5,000,000          | \$ 5,000,000         |                      |                      |                     |                     |  |
| School Dept        | Run Fiber underground from GHS to<br>GMS                         | \$ 35,000             | \$ 35,000            |                      |                      |                     |                     |  |
|                    | Dept. Total                                                      | \$ 13,882,000         | \$ 13,125,000        | \$ -                 | \$ 677,000           | \$ -                | \$ 80,000           |  |
| <b>Grand Total</b> |                                                                  | <b>\$ 120,742,000</b> | <b>\$ 50,103,750</b> | <b>\$ 40,241,250</b> | <b>\$ 20,567,000</b> | <b>\$ 7,400,000</b> | <b>\$ 2,180,000</b> |  |



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

April 3, 2024

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

RE: A Communication from the Mayor regarding the FY2023 Federal Audit Report

RECEIVED  
 2024 APR -3 PM 4:00  
 CITY CLERK'S OFFICE  
 GARDNER MA

Dear Madam President and Councilors,

As you are aware, the City is legally obligated to be audited by an external audit firm on an annual basis.

The City's financial statements are audited on their own and then any federal grant that is received by the City in an amount of greater than \$750,000 is also audited.

Attached, please find our Single Audit Report (SAR) which audits our federal grants. This audit included the Child Nutrition Cluster Grant, Community Development Block Grant (CDBG), American Rescue Plan Act (ARPA) funds from the US Dept of Treasury and Justice, and the Airport Improvement Grant.

For the fourth year in a row, we received a clean audit report.

Please note that while concerns were previously raised regarding reporting of the CDBG funds, this audit shows that all funds were used and expended in the ways they are regulated to and documented no misuse or mishandling of any of these funds themselves .

I would like to thank our City Auditor, John Richard, for all of his work in accomplishing this achievement.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

**CITY OF GARDNER, MASSACHUSETTS**

**INDEPENDENT AUDITORS' REPORTS REQUIRED BY TITLE 2 U.S. CODE OF  
FEDERAL REGULATIONS PART 200, UNIFORM ADMINISTRATIVE  
REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL  
AWARDS (UNIFORM GUIDANCE) AND GOVERNMENT AUDITING STANDARDS**

**FOR THE YEAR ENDED JUNE 30, 2023**

**CITY OF GARDNER, MASSACHUSETTS****CONTENTS**

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**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Honorable Mayor and City Council  
City of Gardner, Massachusetts

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Gardner, Massachusetts (the City), as of and for the year ended June 30, 2023, (except for the Gardner Contributory Retirement System which is as of and for the year ended December 31, 2022), and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated March 6, 2024.

Our report includes a reference to other auditors who audited the financial statements of the aggregate discretely presented component unit, as described in our report on the City's financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those auditors.

**Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of

deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the Schedule. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of This Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Marcum LLP*

Andover, MA  
March 6, 2024



**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR  
FEDERAL PROGRAM; REPORT ON INTERNAL CONTROL OVER COMPLIANCE;  
AND REPORT ON THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
REQUIRED BY THE UNIFORM GUIDANCE**

To the Honorable Mayor and City Council  
City of Gardner, Massachusetts

**Report on Compliance for Each Major Federal Program**

***Opinion on Each Major Federal Program***

We have audited the City of Gardner, Massachusetts's (the City) compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2023. The City's major federal programs are identified in the summary of auditors' results section of the accompanying Schedule of Findings and Questioned Costs.

In our opinion, the City complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2023.

***Basis for Opinion on Each Major Federal Program***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.



### ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the City's federal programs.

### ***Auditors' Responsibilities for the Audit of Compliance***

Our objectives are to obtain reasonable assurance about whether material, noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

### **Report on Internal Control Over Compliance**

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on

a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

#### **Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance**

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Gardner, Massachusetts (the City), as of and for the year ended June 30, 2023, (except for the Gardner Contributory Retirement System which is as of and for the year ended December 31, 2022), and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated March 6, 2024, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of Federal Awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

*Marcum LLP*

Andover, MA

March 29, 2024, except for the report on the Schedule of Expenditure of Federal Awards which is dated March 6, 2024

**CITY OF GARDNER, MASSACHUSETTS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**  
**FOR THE YEAR ENDED JUNE 30, 2023**

| <i>Federal Agency</i>                                                                   | Federal    | Pass Through       | Federal          |
|-----------------------------------------------------------------------------------------|------------|--------------------|------------------|
| Cluster                                                                                 | Assistance | Identifying        | Expenditures     |
| Pass-through Agency                                                                     | Listing    | Number             |                  |
| Program Title                                                                           | Number     |                    |                  |
| <b><i>U.S. Department of Agriculture</i></b>                                            |            |                    |                  |
| <b>Child Nutrition Cluster</b>                                                          |            |                    |                  |
| Passed Through the Massachusetts Department of Elementary and Secondary Education       |            |                    |                  |
| National School Breakfast Program                                                       | 10.553     | 14-103             | \$ 281,486       |
| National School Lunch Program - Cash Assistance                                         | 10.555     | 14-103             | 772,225          |
| National School Lunch Program - Non-Cash Assistance                                     | 10.555     | 14-103             | 47,211           |
| National School Lunch Program - Supply Chain Assistance                                 | 10.555     | 14-103             | 71,925           |
| Summer Food Service Program for Children                                                | 10.559     | Unknown            | 22,458           |
| <b>Total Child Nutrition Cluster</b>                                                    |            |                    | <b>1,195,305</b> |
| Passed Through the Massachusetts Department of Elementary and Secondary Education       |            |                    |                  |
| Child Nutrition Discretionary Grants Limited Availability                               | 10.579     | 14-103             | 20,000           |
| <b>Total U.S. Department of Agriculture</b>                                             |            |                    | <b>1,215,305</b> |
| <b><i>U.S. Department of Housing and Urban Development</i></b>                          |            |                    |                  |
| Passed Through the Massachusetts Department of Housing and Community Development        |            |                    |                  |
| Community Development Block Grants/State's Program and Non-Entitlement Grants in Hawaii | 14.228     | ME-G-2018          | 852,156          |
| <b>Total U.S. Department of Housing and Urban Development</b>                           |            |                    | <b>852,156</b>   |
| <b><i>U.S. Department of Justice</i></b>                                                |            |                    |                  |
| Passed Through the Massachusetts Executive Office of Public Safety and Security         |            |                    |                  |
| COVID-19 - Strengthening the Medical Examiner-Coroner System                            | 16.037     | Unknown            | 30,207           |
| Public Safety Partnership and Community Policing Grants                                 | 16.710     | Unknown            | 4,816            |
| <b>Total U.S. Department of Justice</b>                                                 |            |                    | <b>35,023</b>    |
| <b><i>U.S. Department of Transportation</i></b>                                         |            |                    |                  |
| Passed Through the Massachusetts Aeronautics Commission                                 |            |                    |                  |
| Airport Improvement Program                                                             | 20.106     | 3-25-0020-021-2022 | 286,970          |
| <b>Total U.S. Department of Transportation</b>                                          |            |                    | <b>286,970</b>   |
| <b><i>U.S. Department of Treasury</i></b>                                               |            |                    |                  |
| Passed Through the Massachusetts Executive Office for Administration and Finance        |            |                    |                  |
| COVID-19 - Coronavirus State and Local Fiscal Recovery Fund                             | 21.027     | Unknown            | 2,034,515        |
| <b>Total U.S. Department of Treasury</b>                                                |            |                    | <b>2,034,515</b> |

*See accompanying notes to this schedule.*

## CITY OF GARDNER, MASSACHUSETTS

### SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (CONTINUED)

**FOR THE YEAR ENDED JUNE 30, 2023**

| <i>Federal Agency</i>                                                                 | Federal    | Pass Through         | Federal             |
|---------------------------------------------------------------------------------------|------------|----------------------|---------------------|
| Cluster                                                                               | Assistance | Identifying          | Expenditures        |
| Pass-through Agency                                                                   | Listing    | Number               |                     |
| Program Title                                                                         | Number     | Number               |                     |
| <b><i>U.S. Department of Education</i></b>                                            |            |                      |                     |
| <b>Special Education Cluster</b>                                                      |            |                      |                     |
| Passed Through the Massachusetts Department of Elementary and Secondary Education     |            |                      |                     |
| Special Education Grants to States                                                    | 84.027     | 240-710611-2023-0103 | 922,213             |
| Special Education Grants to States                                                    | 84.027     | 252-656330-2022-0103 | 20,688              |
| Special Education Preschool Grants                                                    | 84.173     | 26218GARDNERPUBSPAY1 | 29,942              |
| <b>Total Special Education Cluster</b>                                                |            |                      | <b>972,843</b>      |
| Passed Through the Massachusetts Department of Elementary and Secondary Education     |            |                      |                     |
| Title I Grants to Local Educational Agencies                                          | 84.010     | 305-688180-2023-0103 | 789,354             |
| Training Interpreters for Individuals who are Deaf and Individuals who are Deaf-Blind | 84.160     | 248-546588-2022-0103 | 8,373               |
| English Language Acquisition                                                          | 84.365A    | 180-688182-2023-0103 | 21,032              |
| Supporting Effective Instruction State Grant                                          | 84.367A    | 140-688181-2023-0103 | 67,881              |
| Student Support and Academic Enrichment Program                                       | 84.424A    | 309-688183-2023-0103 | 58,468              |
| COVID-19 - Elementary and Secondary School Emergency Relief (Mass Grad) Fund          | 84.425D    | 324-616360-2022-0103 | 10,500              |
| COVID-19 - Elementary and Secondary School Emergency Relief (ESSER I) Fund            | 84.425D    | 113-379761-2021-0103 | 86,242              |
| COVID-19 - Elementary and Secondary School Emergency Relief (ESSER II) Fund           | 84.425D    | 115-528104-2022-0103 | 231,666             |
| COVID-19 - Elementary and Secondary School Emergency Relief (ESSER III) Fund          | 84.425D    | 119-583087-2022-0103 | 2,491,771           |
| <b>Total U.S. Department of Education</b>                                             |            |                      | <b>4,738,130</b>    |
| <b><i>U.S. Department of Homeland Security</i></b>                                    |            |                      |                     |
| Passed Through the Massachusetts Emergency Management Agency                          |            |                      |                     |
| Assistance to Firefighters Grant                                                      | 97.044     | Unknown              | 43,627              |
| <b>Total U.S. Department of Homeland Security</b>                                     |            |                      | <b>43,627</b>       |
| <b>Total Federal Expenditures</b>                                                     |            |                      | <b>\$ 9,205,726</b> |

*See accompanying notes to this schedule.*

**CITY OF GARDNER, MASSACHUSETTS****NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS****FOR THE YEAR ENDED JUNE 30, 2023**

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**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

- The accompanying Schedule of Expenditures of Federal Awards (the Schedule) includes the federal award activity of the City of Gardner, Massachusetts (the City) under programs of the federal government for the year ended June 30, 2023. The information in the Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net position or cash flows of the City.
- Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited to reimbursement.
- The amounts reported for the National School Lunch Program – Non-Cash Assistance represent the fair value of commodities received.

**NOTE 2 – DE MINIMIS COST RATE**

The City has elected not to use the 10-percent de minimis indirect cost rate as allowed under the Uniform Guidance.

**NOTE 3 - DONATED PERSONAL PROTECTIVE EQUIPMENT (PPE) (UNAUDITED)**

During fiscal year 2023 the City did not receive donated PPE from federal sources.

**NOTE 4 - SUBRECIPIENTS**

Of the federal expenditures presented in the Schedule, the City did not provide federal awards to subrecipients.

**CITY OF GARDNER, MASSACHUSETTS**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**FOR THE YEAR ENDED JUNE 30, 2023**

---

**SECTION I — SUMMARY OF AUDITORS' RESULTS**

***FINANCIAL STATEMENTS***

Type of auditors' report issued on whether the financial statements audited were prepared in accordance with GAAP:

*Unmodified*

Internal control over financial reporting:

Material weakness(es) identified?  Yes  No

Significant deficiency(ies) identified?  Yes  None reported

Non-compliance material to financial statements noted?  Yes  No

***FEDERAL AWARDS***

Internal control over major federal programs:

Material weakness(es) identified?  Yes  No

Significant deficiency(ies) identified?  Yes  None reported

Type of auditors' report issued on compliance for major federal programs:

*Unmodified*

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?  Yes  No

Identification of major federal programs:

***NAME OF FEDERAL PROGRAM OR CLUSTER***

***ASSISTANCE LISTING NUMBER(S)***

COVID-19 Coronavirus State and Local Fiscal Recovery Fund

21.027

Title I Grants to Local Educational Agencies

84.010

Special Education Cluster

84.027/84.173

COVID-19 Elementary and Secondary School Emergency

Relief Fund

84.425D

Dollar threshold used to distinguish between type A and type B programs:

\$750,000

Auditee qualified as low-risk auditee?  Yes  No

**CITY OF GARDNER, MASSACHUSETTS**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)**

**FOR THE YEAR ENDED JUNE 30, 2023**

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**SECTION II - FINANCIAL STATEMENT FINDINGS**

None.

**SECTION III - FEDERAL AWARDS FINDINGS AND QUESTIONED COSTS**

None.

**SECTION IV - SCHEDULE OF PRIOR YEAR FINDINGS**

There were no findings in the prior year.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER CHAPTER 600, ENTITLED "VEHICLES AND TRAFFIC", SECTION 24, ENTITLED "PARKING PROHIBITED ON CERTAIN STREETS"

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

SECTION 1: Section 24, of Chapter 600 of the Code of the City of Gardner, entitled "Parking prohibited on certain streets" be amended by adding the following:

| <u>Name of Street</u> | <u>Side</u> | <u>Location</u>                                                                                   |
|-----------------------|-------------|---------------------------------------------------------------------------------------------------|
| Central St            | Northwest   | From a point 30 feet northeast from the crosswalk at the intersection of Lake Street<br>(1 space) |



# RESOLUTION

**Whereas** Ronald F. Comrier was the longest serving city councilor in the history of the City of Gardner.

**Whereas** Councilor Ronald F. Cormier served as Ward 3 Councilor for sixteen years, from 1980 to 1996.

**Whereas** Councilor Cormier was serving his tenth consecutive term as Councilor-at-Large, a position he held since 2004 at the time of his unexpected death on January 28, 2024.

**Whereas** he was known affectionately as the “Dean of the Council.”

**Whereas** this resolution is submitted to council that the council chambers be named to honor the dedication and commitment of Councilor Ronald F. Comier decades to the city to formally rename the city council chambers “The Ronald F. Cormier Council Chamber.”

Respectfully submitted by:

Councilor Judy A. Mack

RECEIVED  
2024 APR 10 PM 2:52  
CITY CLERK'S OFFICE  
GARDNER, MA



MARCH 14, 2024

# Commonwealth of Massachusetts

*Worcester County*

*City of Gardner*

## CERTIFICATE OF ELECTION

*We elect **Titi Siriphan**, to the position of **City Clerk** and certify that in our opinion she is a person specially fitted by education, training, or experience to perform the duties of said office, and that we make the appointment solely in the interests of the City.*

\_\_\_\_\_  
*President, City Council of Gardner*

Elected by City Council \_\_\_\_\_

Term of Office Effective \_\_\_\_\_

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

Expires *March 14, 2027*.

*Worcester, ss.,* \_\_\_\_\_ 2024

*Then personally appeared the above named **TITI SIRIPHAN** and made oath that she would faithfully and impartially perform the duties of the office of **CITY CLERK** according to law and the best of her abilities.*

*Before me,*

\_\_\_\_\_  
*Justice of the Peace*

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

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



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

April 8, 2024

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

RE: Amended Request for Item #11214

Dear Madam President and Councilors,

After reviewing salary projections through the end of the fiscal year, City Auditor John Richard, Building Commissioner Thomas Zuppa, and I are requesting that the transfer request associated with Item #11214 be amended from \$12,000 to \$42,000 to cover additional costs associated with new building code books, elevator inspections, repairs to the City Hall Flag Poles, and additional maintenance to City Hall.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

RECEIVED  
CITY OF GARDNER  
2024 APR -08 AM 9:11  
11214

AN ORDER TRANSFERRING APPROPRIATIONS FROM BUILDING CLERK SALARIES & WAGES TO OPERATING EXPENDITURES.

*ORDERED:*

That there be and is hereby transferred the appropriations sum of Twelve Thousand Dollars and No Cents (\$42,000.00) from Building Clerk Salaries & Wages to Operating Expenditures.

|                       |          |
|-----------------------|----------|
| REPAIRS&MAINT         | \$12,000 |
| NEW EQUIPMENT         | \$25,000 |
| PROFESSIONAL SERVICES | \$ 5,000 |



**City of Gardner**  
**Department of Inspectional Services**  
 115 Pleasant Street, Room 101  
 Gardner, MA 01440  
 Tel. (978) 630-4007 Fax: (978) 632-3313



April 11, 2024

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

**RE:** Item #11214- An Order Transferring \$42,000 from Building Clerk Salaries and Wages to Operation Expenditures

Dear Madam President and Councilors,

Per Councilor Dernalowicz' request at the April 10, 2024 Finance Committee Meeting, I am writing to provide a breakdown of the cost to appropriately outfit the city of Gardner Building Department with the required equipment, code books and training material.

As mentioned in my presentation, moving forward now with these long overdue, much needed and required improvements will provide the building department with the necessary capabilities to protect and serve all visitors, residents and first responders of the city of Gardner for the next 8-10 years.

- Cost to upfit four code enforcement vehicles:                    Approximately \$24,000  
 The cost includes the purchase of *all* required equipment, installation, and a comprehensive 3yr. warranty on *all* components. Additionally, as we look to begin replacing vehicles in the next 3 years, all installed components will easily transfer to the new vehicles saving on future upfitting costs.
- Cost to purchase required code books.                                    Approximately \$4000  
 The state of Massachusetts will be adopting the 2021 code cycle at a point later this year and all new code books, referenced standards, installation guidelines, training materials, and law books will need to be purchased. This investment will provide the inspectors of the building department with the required materials and tools to perform their jobs at the highest level for an estimated 9 years.
- The remaining funds along with some existing funds will be used to pay Otis elevator, repair the city hall flag pole, and perform maintenance on the city hall entrance way and walkways.

**Mission Statement**

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

Respectfully submitted,



**Thomas Zuppa, C.B.O.**  
Building Commissioner  
Zoning Enforcement Officer  
City of Gardner Building Department  
Phone: 978-630-4060  
Email: [tzuppa@gardner-ma.gov](mailto:tzuppa@gardner-ma.gov)  
115 Pleasant St. Rm. 101 Gardner, MA 01440

C: Mayor Michael J. Nicholson



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

RECEIVED

2024 MAR 21 PM 1:42

CITY CLERK'S OFFICE  
GARDNER, MA

March 20, 2024

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

RE: Free Cash Appropriation Request – Police Cruisers

Dear Madam President and Councilors,

As you are aware, the Police Department Vehicle Management Schedule recommends that the City purchase three (3) new police cruisers on an annual basis.

At the January 16, 2024 meeting of the Gardner City Council, I notified the Council that there has been a change in regulations promulgated by the Commonwealth's Executive Office of Energy and Environmental Affairs that all vehicles purchased by the City, except those purchased for certain Fire, EMS, or DPW services, must be fuel efficient hybrid or electric vehicles, on the condition of being ineligible for future grant funding.

The attached appropriation request is being submitted to purchase three (3) hybrid cruisers for the police department.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO THE POLICE DEPARTMENT NEW VEHICLES ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of Two Hundred Twelve Thousand Five Hundred Ten Dollars and No Cents (\$212,510.00) from Free Cash to the Police Department New Vehicles Account.





# Estimate

Date: 12/21/2022

Customer ID:

To: Deputy Chief Nicholas P. Maroni  
 Gardner Police Department  
 200 Main Street  
 Gardner, MA 01440  
 (978)632-5600 ext.124/nmaroni@gardner-ma.gov

Salesperson: Rudy Espinoza  
 (339)215-4868

GBPC/MAPC CONTRACT 2022-2023

| Qty  | Item #         | Description                                                                         | Unit Price   | Line Total   |
|------|----------------|-------------------------------------------------------------------------------------|--------------|--------------|
| 1.00 | K8A            | 2023 Ford Police Interceptor Utility AWD Hybrid                                     | \$ 44,653.00 | \$ 44,653.00 |
| 1.00 | UM             | Agate Black                                                                         | \$ -         | \$ -         |
| 1.00 | 43D            | Dark Car Feature                                                                    | \$ 24.25     | \$ 24.25     |
| 1.00 | 51R            | Driver Side Unity LED Spotlight                                                     | \$ 383.15    | \$ 383.15    |
| 1.00 | 549            | Power Heated Mirrors                                                                | \$ 58.20     | \$ 58.20     |
| 1.00 | 76R            | Reverse Sensing System                                                              | \$ 266.75    | \$ 266.75    |
| 1.00 | 53M            | SYNC Voice activated System                                                         | \$ -         | \$ -         |
| 1.00 | 86P            | Front Headlamp housing                                                              | \$ -         | \$ -         |
| 1.00 | 87R            | Rear View Camera Relocate to Mirror                                                 | \$ -         | \$ -         |
| 1.00 | 18D            | Rear Liftgate Lock Disable Delete                                                   | \$ -         | \$ -         |
| 1.00 | OL             | Immediate need of in stock vehicle                                                  | \$ 1,000.00  | \$ 1,000.00  |
|      |                | <b>SoundOff Signal Siren &amp; Lighting Equipment</b>                               |              | \$ -         |
| 1.00 | EMPLB00MHR-2CT | Sound Off Mpower Loightbar(blue/white)                                              | \$ 2,800.00  | \$ 2,800.00  |
| 1.00 | ENGSAS82RSR    | Sound Off 500 Series Controller Siren Package                                       | \$ 2,550.00  | \$ 2,550.00  |
| 2.00 | ENGHNK02       | Remote Node Harness (Included in siren package)                                     |              | \$ -         |
| 2.00 | ENGND04101     | Remote Node (Included in siren package)                                             |              | \$ -         |
| 2.00 | ETSS100J       | Siren Speaker (Included in siren package)                                           |              | \$ -         |
| 2.00 | ETSSVBK01      | Siren Speaker Bracket (Included in siren package)                                   |              | \$ -         |
| 1.00 | ENGLMK008      | Sound Off Link Module                                                               | \$ 250.00    | \$ 250.00    |
| 1.00 | ENGSYMD01      | Sound Off Vehicle to Vehicle Light Sync                                             | \$ 300.00    | \$ 300.00    |
| 1.00 | ETSKLF200      | Sound Off AfterShock Dual Tone Siren Dual Speaker                                   | \$ 1,000.00  | \$ 1,000.00  |
| 1.00 | ETSSLFVBK07    | Siren Bracket Passanger Side (Included with aftershock system)                      | \$ -         | \$ -         |
| 1.00 | ETSSLFVBK09    | Siren Bracket Driver Side (Included with aftershock system)                         | \$ -         | \$ -         |
| 2.00 | ELUC3H010E     | Sound Off Hideaways in Front Headlights (blue/white)                                | \$ 200.00    | \$ 400.00    |
| 2.00 | PLUCTCL1       | Collar for front hideaway                                                           | \$ -         | \$ -         |
| 2.00 | ELUC3H010J     | Sound Off Hideaways Rear (red/blue)                                                 | \$ 200.00    | \$ 400.00    |
| 2.00 | EMPS1STS4RBW   | Grille Knockouts LED                                                                | \$ 225.00    | \$ 450.00    |
| 2.00 | ENT3B3E        | Sound Off Under Mirror Intersector Lights (blue/white)                              | \$ 300.00    | \$ 600.00    |
| 2.00 | PMP2BKUMB4     | Sound Off Under Mirror Intersector Light Bracket                                    | \$ -         | \$ -         |
| 2.00 | ENFGS3E        | Sound Off Side Cargo Lights (blue/white)                                            | \$ 250.00    | \$ 500.00    |
| 2.00 | EMPS2STS5RBW   | Sound Off Rear Hatch Plate Lights (above plate visible when closed)<br>(blue/white) | \$ 225.00    | \$ 450.00    |

|      |                  |                                                                  |    |          |    |          |
|------|------------------|------------------------------------------------------------------|----|----------|----|----------|
| 2.00 | EMPS2QMS5RBW     | Sound Off Rear Hatch Under Gate (visible when open) (blue/white) | \$ | 225.00   | \$ | 450.00   |
| 1.00 | C-VS-1012-INUT   | Havis 2020-2021 Ford Interceptor Utility High Angled Console     | \$ | 800.00   | \$ | 800.00   |
| 1.00 | C-ARM-103        | Armrest (included with console)                                  |    |          | \$ | -        |
| 1.00 | C-CUP2-I         | Havis Internal Cup Holder (included with console)                |    |          | \$ | -        |
| 1.00 | C-PM-124         | Printer Mount (included with console)                            |    |          | \$ | -        |
| 1.00 | C-EB40-SO5-1P    | Havis 500 Series faceplate                                       | \$ | -        | \$ | -        |
| 2.00 | C-MCB            | L-Bracket (included with console)                                |    |          | \$ | -        |
| 1.00 | 425-3816         | Mag Mic                                                          | \$ | 50.00    | \$ | 50.00    |
| 1.00 | 091-219-5        | Kussmaul Dual USB Port                                           | \$ | 70.00    | \$ | 70.00    |
| 1.00 | 76162            | Streamlight Strion LED with charger                              | \$ | 225.00   | \$ | 225.00   |
| 1.00 | TREMCO-SCS       | Tremco Antitheft Device Button                                   | \$ | 250.00   | \$ | 250.00   |
| 1.00 | SUV39-2-000-P    | Estes AWS Gun Locker 2.0                                         | \$ | 3,000.00 | \$ | 3,000.00 |
| 1.00 | ET36-T-000       | Electronic Tray (price included in locker)                       |    |          | \$ | -        |
| 1.00 | FER2020-KIT      | Riser Install Kit (price included in locker)                     |    |          | \$ | -        |
| 1.00 | F39-000          | Fence Package (price included in locker)                         |    |          | \$ | -        |
| 1.00 | AD38-000         | Auxiliary Drawer (price included in locker)                      |    |          | \$ | -        |
| 1.00 | ECVDMLTALDC      | Rear Cargo Area Lamp Dome (red/white)                            | \$ | 100.00   | \$ | 100.00   |
| 1.00 | 1082E            | Setina Blac-Rac Rifle Rack                                       | \$ | 750.00   | \$ | 750.00   |
| 1.00 | 25010            | T-rail for Gun Rac                                               | \$ | -        | \$ | -        |
| 1.00 | PRPSP4704UINT20A | Pro Guard Full Prisoner Transport System                         | \$ | 1,200.00 | \$ | 1,200.00 |
| 1.00 | WB47NPUINT20     | Window Bar System                                                | \$ | 450.00   | \$ | 450.00   |
| 1.00 | S4702UINT20      | Rear Barrier Charcoal Grey Seats                                 | \$ | 1,550.00 | \$ | 1,550.00 |
| 1.00 | FP47UINT20       | Floor Pan                                                        | \$ | 500.00   | \$ | 500.00   |
| 1.00 | DPCP47UINT20     | Black ABS, Door Panel Cover Plates (set)                         | \$ | 150.00   | \$ | 150.00   |
| 1.00 | LABOR            | Install Customer Supplied Radio                                  | \$ | 225.00   | \$ | 225.00   |
| 1.00 | EST4289          | All in one Antenna                                               | \$ | 550.00   | \$ | 550.00   |
| 1.00 | TINT             | Tint Both Front Door Glass 35% Front Eyebrow                     | \$ | 200.00   | \$ | 200.00   |
| 1.00 | GRAPHICS         | Graphics Package                                                 | \$ | 595.00   | \$ | 595.00   |
| 1.00 | 894090           | 4 Door Set of Vent Shades                                        | \$ | 110.00   | \$ | 110.00   |
| 1.00 | G3-2KAD          | Decatur G3 Dual Antenna Ka Directional                           | \$ | 2,750.00 | \$ | 2,750.00 |
| 1.00 | BCD996P2         | Uniden Digital Scanner                                           | \$ | 600.00   | \$ | 600.00   |
| 1.00 | N.C.             | Shop Supplies                                                    | \$ | 175.00   | \$ | 175.00   |
|      |                  |                                                                  |    |          | \$ | -        |

**Special Instructions:**

Custom or Special Orders are Non-Refundable

This Estimate is for Budgetary Purposes and is Not a Guarantee of Cost for Services.

Estimate is Based on Current Information From Client About the Project Requirements

Actual Cost May Change Once Project Elements are Finalized

**Vehicle Subtotal**

**Upfit Subtotal**

**Grand Total**

\$45,385.35

\$24,450.00

\$70,835.35

McGovern Municipal Headquarters  
 1200 Worcester Road  
 Framingham, MA 01702



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

RECEIVED

2024 MAR 21 PM 1:41

CITY CLERK'S OFFICE  
GARDNER, MA

March 20, 2024

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

RE: Free Cash Appropriation Request- Tree Removal

Dear Madam President and Councilors,

Pursuant to Chapter 87 of the General Laws of the Commonwealth, the City has held Public Shade Tree Hearings on May 8, 2023, November 16, 2023, March 19, 2024, and March 21, 2024.

These hearings are required to be held whenever a tree is set to either be trimmed or cut down and removed.

As part of the requirements for these hearings, the trees themselves must be posted with the date and times of the hearings.

However, due to the current staffing levels at the Department of Public Works, tree removal has fallen to the back burner and several trees are now still marked with nothing having been done to them yet, leading to concerns that the required posted signs may blow off and litter the area.

The attached appropriation request is being submitted to hire a service to perform the trimming and removal work to help the City get caught up on this back log.

As a reminder, the City does budget \$8,000 annually in the operating budget to plant trees to replace those that are cut down. This can be done upon request by members of the public by calling the Department of Public Works and requesting one.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO PUBLIC WORKS –  
TREE REMOVAL ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of Forty Thousand and No Cents  
(\$40,000.00) from Free Cash to Public Works – Tree Removal Account.



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RE: Retained Earnings Appropriation Request – Water Transmission Line Grant Match

Dear Madam President and Councilors,

As you are likely aware, the City of Gardner received a federal earmark for the replacement of the City's water transmission line that carries water from the Crystal Lake Treatment Facility to the storage towers on top of Reservoir Hill.

The grant included in this earmark was for \$1,000,000.00.

The City went out to bid on this project and made the award for the work to begin this summer.

This appropriation request is being put forward to cover the costs above what was received in the grant to fully complete the project.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

RECEIVED  
2024 MAR 28 PM 2:45  
CITY CLERK'S OFFICE  
GARDNER MA

AN ORDER APPROPRIATING FROM WATER SURPLUS TO REPAIRS TO TRANSMISSION MAIN.

ORDERED:

That there be and is hereby appropriated the sum of Three Hundred Ninety Thousand Dollars and No Cents (\$390,000.00) from Water Surplus to Repairs to Transmission Main.

**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  
 City Hall  
 95 Pleasant Street  
 Gardner, MA 01440

RE: Transmission Main Project

March 28, 2024

Dear Mayor Nicholson:

I am requesting the **\$390,000** from the available **Water Surplus to Transmission Main Project**.

The City received a \$1,000,000 grant from the Federal Government that is administered through the EPA. The City is required to fund anything over and above the \$1 million grant for the project. The City recently opened a construction bid and the project cost totaled \$1,064,963 from the most responsive and responsible contractor.

The \$390,000 request is to cover the following related to the project:

|                  |                                                   |
|------------------|---------------------------------------------------|
| \$ 65,000        | Match to cover the project bid price              |
| \$126,000        | Pave James Street after water main installation   |
| \$ 93,000        | Pave Heywood Street after water main installation |
| <u>\$106,000</u> | 10% contingency for the water main project        |
| <b>\$390,000</b> |                                                   |

This project was designed a few years ago and the City pursued and received a federal grant. The water main installation project consists of replacing a 1888 – 1903 16" water main that runs from the Crystal Lake Water Treatment Facility up to the water tanks located on Reservoir Hill off James Street with a new 16" cement lined ductile iron pipe.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

  
 Dane E. Arnold, Director  
 Department of Public Works

PC: Public Service Committee  
 John Richard, City Auditor



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RECEIVED  
2024 MAR 28 PM 2:45  
CITY ENGINEER'S OFFICE  
GARDNER, MA

RE: Enterprise Fund Retained Earnings Request – Water Main Repairs

Dear Madam President and Councilors,

The attached appropriation request is being put forward to cover the costs associated with the recent watermain break that occurred on Leo Drive.

Crews made repairs when the break occurred on February 29, 2024. However, shortly after the initial repairs were completed, the ground thawed and the road collapsed, revealing how much sediment had washed out under the road as a result of the watermain break, requiring that section of the road to be completely re-constructed and re-paved.

Additional information can be found on the attached correspondence from Director Arnold of the Department of Public Works

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael J. Nicholson".

Michael J. Nicholson  
Mayor, City of Gardner



AN ORDER APPROPRIATING FROM WATER SURPLUS TO REPAIRS TO  
MAIN.

ORDERED:

That there be and is hereby appropriated the sum of Seventy-Five Thousand  
Dollars and No Cents (\$75,000.00) from Water Surplus to Repairs to Main.

**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  
 City Hall  
 95 Pleasant Street  
 Gardner, MA 01440

RE: Repairs to Mains Shortfall

March 28, 2024

Dear Mayor Nicholson:

I am requesting the **\$75,000** from the available **Water Surplus to Repairs to Mains (62450-52031)**

The Repairs to Mains line item was funded at \$125,000 for FY2024. We have had several costly water main breaks throughout the city that required the purchase of pipe and supplies. The water department has also been replacing several hydrants that have been out of service and aggressively replacing our 24-year-old water meters throughout the city. All of these expenses are taken from the Repairs to Mains line item creating the shortfall.

The \$75,000 request is to cover the following related to the project:

|                  |                                                               |
|------------------|---------------------------------------------------------------|
| \$ 35,000        | Offset deficit in Repairs to Mains line item and reach FY2025 |
| <u>\$ 40,000</u> | Pave portion of Leo Drive after water main break              |
| <b>\$ 75,000</b> |                                                               |

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Dane E. Arnold, Director  
 Department of Public Works

PC: Public Service Committee  
 John Richard, City Auditor



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RECEIVED  
2024 MAR 28 PM 2:45  
CITY OF GARDNER OFFICE  
95 PLEASANT ST  
GARDNER, MA

RE: Enterprise Fund Retained Earnings Request – Wastewater Treatment Plant Chemical Treatment

Dear Madam President and Councilors,

The attached appropriation request is being put forward to purchase chemicals used in the treatment process at the City's wastewater treatment plant.

Additional information can be found on the attached correspondence from Director Arnold of the Department of Public Works

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO REPAIRS TO  
CHEMICAL TREATMENT.

ORDERED:

That there be and is hereby appropriated the sum of One Hundred Forty Thousand Dollars and No Cents (\$140,000.00) from Sewer Surplus to Repairs to Chemical Treatment.

**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  
 City Hall  
 95 Pleasant Street  
 Gardner, MA 01440

RE: Sewer Chemicals Shortfall

March 28, 2024

Dear Mayor Nicholson:

I am requesting the **\$140,000** from the available **Sewer Surplus to Chemical Treatment (61440-52231)**.

This request is to cover the cost of the chemicals used at the Gardner Wastewater Treatment Facility (WWTF). The line item was funded at \$230,730. To date we have spent \$278,600, leaving a -\$48,000 deficit and it is only the beginning of April. Veolia has estimated we will need an additional \$84,000 to reach Fiscal Year 2025.

Over the years, chemicals have increased dramatically.

|        |                        |
|--------|------------------------|
| FY2022 | \$287,000              |
| Fy2023 | \$292,000              |
| FY2024 | \$370,730* (estimated) |

Most of the increase is due to inflationary costs, however a significant portion is due to regulatory changes by EPA and DEP. Stricter regulations require more chemical treatment to meet the new discharge requirements at the WWTF.

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

Dane E. Arnold, Director  
 Department of Public Works

PC: Public Service Committee  
 John Richard, City Auditor



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 25, 2024

Hon. Elizabeth J. Kazinskas, Council President

And City Councilors

Gardner City Hall, Rm 121

95 Pleasant Street

Gardner, MA 01440

RECEIVED  
2024 MAR 28 PM 2:45  
CITY OF GARDNER OFFICE  
GARDNER MA

RE: Appropriation Request- Energy and Utilities for City Owned Properties

Dear Madam President and Councilors,

As you are aware, energy and utility costs have largely increased in the last several years. When the FY2024 Operating Budget was created last Spring, the Administration largely level funded these line items, however, these costs have come in over budget on several of our City owned buildings.

The attached appropriation request is being submitted to cover the cost of these overages and get us through the end of the fiscal year.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER APPROPRIATING FROM FREE CASH TO THE MAYOR'S UNCLASSIFIED –ENERGY AND UTILITIES CITY OWNED PROPERTIES EXPENSE ACCOUNT.

ORDERED:

That there be and is hereby appropriated the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00) from Free Cash to the Mayor's Unclassified – Energy and Utilities City Owned Properties Expense Account.



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

RECEIVED

2024 MAR 21 PM 1:42

CITY CLERK'S OFFICE  
GARDNER, MA

March 12, 2024

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

RE: Vote to Establish a Special Reserve Fund for the Opioid Settlement under MGL Ch 44, §53

Dear Madam President and Councilors,

Included in the Commonwealth's Supplemental Budget, signed by Governor Healey in December of 2023, was a provision that allowed Cities and Towns to create special revenue accounts to deposit funds received by the Opioid Settlement that the City will be awarded.

As you may remember, the City was required to either appropriate these funds in the operating budget annually and track how much of certified free cash was from these funds and hold them separately.

This action solidifies those into one process and makes it easier to track these funds once received.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



ESTABLISHING A  
OPIOID SETTLEMENT SPECIAL RESERVE FUND  
UNDER M.G.L. CHAPTER 44, SEC 53

VOTED:

To establish an Opioid Settlement Special Reserve Fund, Pursuant to Section 53 of Chapter 44 of the Mass. General Laws, for the purpose of establishing an Opioid Settlement Special Reserve Fund.



# Bulletin

BUL-2023-7

## G.L. c. 44, § 53 Clause 4: Opioid Settlement Receipts

TO: Local Officials  
 FROM: Deborah A. Wagner, Director of Accounts  
 DATE: December 2023

This guidance supersedes BUL-2023-6 and the July 7, 2022 edition of *City and Town, Ask DLS: Treatment of Opioid Settlement Payments*.

On December 4, 2023, Governor Healey signed Chapter 77 of the Acts of 2023, Section 9 of which provides, in part, for the following exception to the general rule that all receipts are to be recorded as general fund revenue per G.L. c. 44, § 53:

*“(4) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by general or special law, may, upon the approval of the director of accounts, be expended at the direction of the chief executive officer without further appropriation only for the singular purpose for which the monies were received” (emphasis added)*

The Director of Accounts has determined that cities and towns that have received or will receive funds in Fiscal Year 2024, or thereafter, pursuant to settlement agreements entered into by the Commonwealth with opioid distributors and opioid-makers for prevention, harm reduction, treatment, and recovery, may place said funds into a special revenue fund. The proceeds can then be expended, without further appropriation, at the direction of the chief executive officer only for the purpose identified in said settlement agreements.

Section 197 of the Act further allows a community to consolidate all monies previously received for this purpose into the special revenue fund, mentioned above, in the following ways.

1. If prior year settlement funds have not otherwise been reserved (i.e., dedicated to a stabilization fund) or become part of certified free cash, then those funds may be placed directly into the special revenue fund.
2. If already dedicated to a stabilization fund, said dedication can be revoked at any time by vote of the legislative body. Upon revocation, all statewide opioid settlement receipts previously received may be placed in the special revenue fund.
3. If a community has settlement funds in a stabilization fund but did not dedicate future settlement receipts, the money currently in stabilization can be placed directly into the special revenue fund.

In the case of #2 or #3 above, once funds are moved from the stabilization fund, by virtue of having no remaining balance the stabilization fund can be removed from the balance sheet.

4. Settlement funds that have become part of free cash may be appropriated into the special revenue fund by vote of the community's legislative body.

Once placed in the special revenue fund, monies can be spent without further appropriation for purpose identified in the settlement agreements. Any interest belongs to the general fund.

The transfers of funds, noted in #1-#4 above, represent a limited ability to consolidate previously received opioid settlement monies into the newly allowed special revenue fund. These transfers are permitted only for this express purpose and should not be considered a general change to how monies are otherwise accounted for under the General Laws.

If you have any further questions, please contact your BOA field representative.



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

RECEIVED

2024 MAR 21 PM 1:42

CITY CLERK'S OFFICE  
GARDNER, MA

March 19, 2024

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

RE: A measure to approve an easement from Christof Chartier to the City of Gardner for the purpose of snow storage on Rock Street.

Dear Madam President and Councilors,

The City has negotiated an easement with Christof Chartier, owner of the property located at 20 Rock Street, for the storage of snow from plowing operations over public ways.

The General Laws of the Commonwealth require all easements and conveyances issued either to or by the City be approved by a two-thirds majority vote of the City Council.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

## AUTHORIZING THE CITY OF GARDNER TO APPROVE AN EASEMENT DEED

VOTED: To authorize the Mayor to enter into a snow storage easement from Christof Chartier, owner of the property located at 20 Rock Street, as further described in a proposed Easement Deed, for the consideration of less than \$100.00, and upon such terms as the Mayor shall consider proper in accordance with this Vote.

**EASEMENT DEED**

Christof Chartier, individually,(Grantor) of 282 South Road, Templeton, MA, 01468,

for good and sufficient consideration in the amount of less than one hundred dollars (\$100.00) hereby grant to

The City of Gardner, a Massachusetts municipal corporation, (Grantee) having an address of 95 Pleasant Street, Gardner, MA 01440,

with quitclaim covenants, the following rights and easements:

A permanent and non-exclusive easement over, through and upon that strip of land, shown as "Snow Storage Easement" area containing 621± square feet on a plan entitled "Plan of Land Surveyed for Christof Chartier (Owner Book 67798, Page 5), Gardner, MA" Szoc Surveyors, 66 Parker St., Suite #3, Gardner, MA, dated August 15, 2023, recorded in Plan Book \_\_\_\_\_ Page \_\_\_\_\_. The purpose and perpetual right of this easement is to store snow plowed from the public way.

The Grantee shall indemnify and hold harmless the Grantor for any and all incidents, claims, actions, damages, and liabilities arising from the Grantee's use of the easement area.

For Grantor's title see Deed dated June 23, 2022, recorded with the Worcester South District Registry of Deeds in Book 67798, Page 5.

ADDRESS: 20 Rock Street, Gardner, Worcester County, Massachusetts

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Christof Chartier

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2024 before me, the undersigned notary public, personally appeared Christof Chartier, proved to me through satisfactory identification, which was his \_\_\_\_\_ to be the person whose name is signed on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose and was his free act and deed, before me.

\_\_\_\_\_  
Notary Public  
My Commission Expires:



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

2024 MAR 21 PM 1:41

CITY CLERK'S OFFICE  
GARDNER, MA

March 12, 2024

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

RE: Vote to rescind the acceptance of Civil Service for the Members of the Gardner Police Department, as adopted by the Town of Gardner on March 4, 1912

Dear Madam President and Councilors,

As presented by Representative Zlotnik during his presentation to the City Council on March 4<sup>th</sup>, 2024, the Administration hereby submits its request for the City Council to vote to rescind the provisions of Massachusetts General Laws, Chapter 18, Section 37 – as amended, that was originally adopted by the then Town of Gardner on March 4, 1912, thus removing all positions in the Gardner Police Department from the provisions of Civil Service.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



**CITY OF GARDNER  
CITY COUNCIL**

**WHEREAS**, the City of Gardner, by and through its legislative body, accepted the provisions of the Commonwealth of Massachusetts Civil Service system as then codified as section 37 of chapter 19, of the Revised Laws of Massachusetts, currently being codified in M.G.L. c. 31; and

**WHEREAS**, the City of Gardner has relied on said Civil Service system for the employment of police officers since its adoption by the City of Gardner since 1912; and

**WHEREAS**, the Patrol Officers Union and the Superior Officers Union, both represented by Massachusetts Coalition of Police, AFL-CIO, Local 400, of the Gardner Police Department have jointly requested that all police officers employed by the City of Gardner Police Department be removed from the Commonwealth of Massachusetts Civil Service system as codified in M.G.L. c. 31; and

**WHEREAS**, the City of Gardner and said Unions have negotiated in good faith and agreed to remove the Gardner Police Department Patrol Officers and Superior Officers from the Commonwealth of Massachusetts Civil Service system as codified in M.G.L. c. 31; and

**NOW THEREFORE**, in furtherance of the foregoing, it being the desire of the City of Gardner together with the City of Gardner Police Department Patrol Officers and Superior Officers, the City Council of the City of Gardner **ORDAINS** as follows:

To rescind the acceptance of M.G.L. c. 31 by vote taken at the Annual Town Meeting on March 4, 1912, under Article #24, ordering that the Town of Gardner accept Section 37 of Chapter 19, of the Revised Laws of Massachusetts limiting the application of the Provisions of said Chapter and of the rules made thereunder to its police force. One Hundred and Forty-Nine voted in the affirmative and Twenty-Five in the negative.

Said rescission to be effective at midnight July 1, 2024.

It being further voted to authorize the Mayor to take any other action necessary or convenient to carry out this vote.

Annual Meeting

March 4, 1912.

relating to the passage of by-laws concerning the inspection of Buildings.

Article 24. To see if the Town will accept Section 37 of Chap. 19 of the Revised Laws of Massachusetts relative to the appointment of its Police Force under Civil Service rules.

Article 25. To see if the Town will accept Chapter 468 of the Acts of 1911 extending the provisions of the Civil Service Act to its Chief of Police.

Article 26. To see if the Town will adopt the by-laws relating to building inspections, plumbing and other matters reported by its By-Law Committee.

Article 27. To see what sum of money the Town will appropriate for any addition to its Fire Apparatus.

Article 28. To raise by borrowing or otherwise such sums of money as may be needed for any or all of the purposes mentioned in the foregoing articles.

And you are directed to serve this warrant by publishing the same in one or more of the local papers at least seven days before the time of holding said meeting.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting aforesaid.

Given under our hands, this Twenty-third day of February in the year one thousand nine hundred and twelve.

Charles H. Hartsborn } Selectmen  
George Kendall }  
J. Walter Davis } of  
Gardner

A true copy, Attest:

Albert L. Potter  
Constable of Gardner

COPY

 COPY

Article 23. Voted, that the Town accept Section 1, of Chapter 104, of the Revised Laws of Massachusetts, relating to the passage of By-Laws regulating the inspection, materials, construction, alteration and use of buildings and other structures within its limit.

Article 24. Voted, that the Town accept Section 37 of Chapter 19, of the Revised Laws of Massachusetts, limiting the application of the Provision of said Chapter and of the rules made thereunder to its Police Force. One hundred and forty-nine voted in the affirmative and twenty-five in the negative.

Article 25. Voted, that the Town accept Chapter 468, of the Acts of 1911, extending the provisions of the Civil Service Act to its Chief of Police. One hundred and fifty-three voted in the affirmative and thirteen in the negative.

Article 26. Voted, that the Town accept and adopt the By-Laws relating to Building Inspection and Plumbing, as shown in the report of the Town By-Law Committee, and presented to this Meeting.

Article 27. Voted, that a Committee, consisting of the Board of Fire Engineers and five others to be appointed by the Board of Selectmen, to investigate the matter of purchasing additional Fire Apparatus, and make report thereon at an early meeting of the Town.

Article 28. Voted to pass over the article.

Voted to adjourn at 5.25 o'clock P. M.

A true record, Attest:

Ernest W. Clark  
Town Clerk



**City of Gardner - *Executive Department***

**Mayor Michael J. Nicholson**

March 28, 2024

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

RECEIVED  
 2024 MAR 29 PM 2:46  
 CITY OF GARDNER  
 CLERK'S OFFICE  
 GARDNER, MA

RE: A Measure Confirming the Order of Taking for 94 Pleasant Street, as voted on by the City Council on August 1, 2022

Dear Madam President and Councilors,

At the August 1, 2022 meeting of the City Council, the Council voted unanimously to take the property located at 94 Pleasant Street by eminent domain.

This property had been in legal battles against the City since 1996 due to backed taxes owed prior to this action.

The Order of Taking approved by the City Council included the line “for the purpose of establishing public park and/or open space.” However, this is inconsistent with the intent of the taken, as confirmed by the comments made by Councilor Dernalowicz, as recorded in the minutes that are hereunto attached, that the purpose was to get the property back on the tax rolls and remove it as a nuisance property in the City. (See Item 10748)

As such, the Administration is requesting that the City Council vote to confirm the Order of Taking here attached so that the Administration may begin the process of evaluating the next steps for the property.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

CITY OF GARDNER, MASSACHUSETTS

CONFIRMATORY ORDER OF TAKING

WHEREAS, the City of Gardner, a city organized and incorporated under the laws of Massachusetts, with a usual place of business located at 95 Pleasant Street, Gardner, MA is authorized to take land by eminent domain for any municipal purpose pursuant to Section 36, of the City of Gardner Charter as amended to November 8, 1989 and M.G.L. c. 79, as amended and Chapter 121B; and

WHEREAS, the City of Gardner has established an Urban Renewal Plan (“URP”) identifying certain properties in the City of Gardner to be acquired for various economic development initiatives including “encourage private sector investment and utilize public funds judiciously and strategically as a catalyst for private investment”, “encourage and preserve residential and economic diversity and quality of life with safe, attractive housing serving a diversity of incomes and lifestyles” and increasing real estate tax income generating properties in the urban renewal area.

WHEREAS, 92-94 Pleasant Street is located in the urban renewal area (“URA”) and is identified for acquisition by the City of Gardner;

WHEREAS, the City of Gardner has voted and appropriated monies to be used to acquire property for such public purpose; and

WHEREAS, Michael Nicholson has approved the acquisition of land for said public purpose and recommended to the City Council an order of taking; and

WHEREAS sufficient funds have been appropriated into account 11199-55210 to compensate the property owners for the property rights taken hereby;

WHEREAS the taking came before this Council on August 1, 2022 under item number #10748 and the Council unanimously approved the taking for purposes consistent with the URP;

WHEREAS, at that time the Proposed Order was before the City Council, said proposed order contained material different purpose than the purpose ultimately upon which the Council conducted its affirmative vote;

WHEREAS there was no Motion to Amend the Proposed Order to reflect the intention of the City Council but nonetheless the Proposed Order was executed and filed in the Registry of Deeds on August 12, 2022 at Book 68058 Page 204; and

WHEREAS it would serve the public interest to CONFIRM the Order of Taking to affirm and restate the purpose of the taking as approved by the Council.

NOW THEREFORE, BE IT ORDERED THAT:

Acting pursuant to the powers set forth in M.G.L. c. 79, as amended, and Chapter 121B, as amended, and of any and every power and authority available to the City of Gardner, granted or implied, the City of Gardner hereby takes for itself in fee simple by eminent domain, for the purposes of encourage private sector investment and utilize public funds judiciously and strategically as a catalyst for private investment, encourage and preserve residential and economic diversity and quality of life with safe, attractive housing serving a diversity of incomes and lifestyles, and increasing real estate tax income generating properties in the URA . The property taken comprises 5,438 square feet more or less of land or .0869 acres and is more particularly described on Exhibit A annexed hereto.

The taking is made in fee simple, and, except as provided herein, is made together with any and all easements and rights appurtenant to the property, including trees, buildings and other structures standing upon or affixed thereto, air rights, subsurface rights and including the interests of the supposed owners, if any, in all private ways and public streets, highways or in the land lying in the bed of any street or highway, public or private within or adjacent to the Property.

The City Council hereby awards damages sustained by persons in their property by reasons of this taking as follows:

| <u>OWNER</u>                    | <u>PROPERTY ADDRESS</u>                                                                 | <u>AWARD</u> |
|---------------------------------|-----------------------------------------------------------------------------------------|--------------|
| Ry-Co International, Ltd.       | c/o Ara Eresian, Jr., Registered Agent<br>83 Whitney St.<br>Northborough, MA 01532-1429 | \$0          |
| Eldorado Canyon Properties, LLC | c/o Melanie C. Eresian, Registered Agent<br>2 Westwood Rd.<br>Shrewsbury, MA 01545-1827 | \$0          |

3. The City Council does direct and authorize the Mayor to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in the Order of Taking so that the same shall be payable within sixty (60) days after the rights to damages become vested in the persons entitled to damages. The Mayor is further requested to direct the City Solicitor for and on behalf of the City Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of General Laws Chapter 79, Sections 7B, 7C, 7F, 77G, 8A, and 8B.

This Confirmatory Order of taking is filed in order to confirm the public purpose for which the property was taken as approved by the City of Gardner City Council by unanimous vote taken on August 1, 2022.

In City Council

August 1, 2022

ORDERED AND ADOPTED BY A YEA AND NAY VOTE OF 10 YEAS AND 0 NAYS.

Confirmation Vote as to Purpose

April \_\_\_\_\_, 2024

ORDERED AND ADOPTED BY A YEA AND NAY VOTE OF \_\_\_\_\_ YEAS AND \_\_\_\_\_ NAYS.

---

Titi Siriphan, City Clerk  
City of Gardner

**EXHIBIT A**

A certain parcel of land, with the buildings and other improvements thereon, situated on the easterly side of Pleasant Street, in Gardner, Worcester County, Massachusetts, bounded and described as follows:

COMMENCING at the northwesterly corner thereof at the southwesterly corner of land now or formerly of Katherine Glasheen; thence

EASTERLY at an included angle of  $98^{\circ} 34'$ , by said Glasheen land, 67.6 feet to a corner; thence

SOUTHERLY at an included angle of  $88^{\circ} 58'$ , by land now or formerly of Amedeo Olivari, et als, 58.85 feet to a corner; thence

WESTERLY at an included angle of  $82^{\circ} 28'$ , by a line which is approximately 14 feet from the southerly side of the house located on these premises, 74.6 feet to the easterly line of Pleasant Street; thence

NORTHERLY at an included angle of  $90^{\circ}$ , by the easterly line of Pleasant Street, 48.2 feet to the place of beginning.

The above described premises are shown on a plan entitled "Compiled Plan of Land to be Conveyed to Robert W. Waxlax et ux, Gardner, Mass., Jan. 8, 1983, Michael S. Szoc, Surveyor," recorded in Worcester South District Registry of Deeds, Plan Book 376, Plan 112.



# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

|                                        |                   |
|----------------------------------------|-------------------|
| Document Number                        | : 88871           |
| Document Type                          | : ORD             |
| Recorded Date                          | : August 12, 2022 |
| Recorded Time                          | : 09:44:26 AM     |
| Recorded Book and Page                 | : 68058 / 204     |
| Number of Pages(including cover sheet) | : 5               |
| Receipt Number                         | : 1463666         |
| Recording Fee                          | : \$105.00        |

*Original  
Order  
of  
Taking*

Worcester South District Registry of Deeds  
Kathryn A. Toomey, Register  
90 Front St  
Worcester, MA 01608  
(508) 798-7717

## THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

## CITY OF GARDNER, MASSACHUSETTS

## ORDER OF TAKING

WHEREAS, the City of Gardner, a city organized and incorporated under the laws of Massachusetts, with a usual place of business located at 95 Pleasant Street, Gardner, MA is authorized to take land by eminent domain for any municipal purpose pursuant to Section 36, of the City of Gardner Charter as amended to November 8, 1989 and M.G.L. c. 79, as amended and Chapter 121B; and

WHEREAS, the City of Gardner has established an urban renewal plan identifying certain properties in the City of Gardner to be acquired for demolition and establishment of public park and/or open space; and

WHEREAS, the City of Gardner has voted and appropriated monies to be used to acquire property for such public purpose; and

WHEREAS, Michael Nicholson has approved the acquisition of land for said public purpose and recommended to the City Council an order of taking; and

WHEREAS sufficient funds have been appropriated into account 11199-55210 to compensate the property owners for the property rights taken hereby; and

NOW THEREFORE, BE IT ORDERED THAT:

Acting pursuant to the powers set forth in M.G.L. c. 79, as amended, and Chapter 121B, as amended, and of any and every power and authority available to the City of Gardner, granted or implied, the City of Gardner hereby takes for itself in fee simple by eminent domain, for the purposes purpose of establishing public park and/or open space. The property taken comprises 5,438 square feet more or less of land or .0869 acres and is more particularly described on Exhibit A annexed hereto.

The taking is made in fee simple, and, except as provided herein, is made together with any and all easements and rights appurtenant to the property, including trees, buildings and other structures standing upon or affixed thereto, air rights, subsurface rights and including the interests of the supposed owners, if any, in all private ways and public streets, highways or in the land lying in the bed of any street or highway, public or private within or adjacent to the Property.

The City Council hereby awards damages sustained by persons in their property by reasons of this taking as follows:

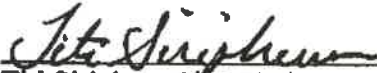
| <u>OWNER</u>                    | <u>PROPERTY ADDRESS</u>                                                                 | <u>AWARD</u> |
|---------------------------------|-----------------------------------------------------------------------------------------|--------------|
| Ry-Co International, Ltd.       | c/o Ara Eresian, Jr., Registered Agent<br>83 Whitney St.<br>Northborough, MA 01532-1429 | \$0          |
| Eldorado Canyon Properties, LLC | c/o Melanie C. Eresian, Registered Agent<br>2 Westwood Rd.<br>Shrewsbury, MA 01545-1827 | \$0          |

3. The City Council does direct and authorize the Mayor to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in the Order of Taking so that the same shall be payable within sixty (60) days after the rights to damages become vested in the persons entitled to damages. The Mayor is further requested to direct the City Solicitor for and on behalf of the City Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of General Laws Chapter 79, Sections 7B, 7C, 7F, 77G, 8A, and 8B.

In City Council

August 1, 2022

ORDERED AND ADOPTED BY A YEA AND NAY VOTE OF 10 YEAS AND 0 NAYS.

  
 Titi Siriphan, City Clerk  
 City of Gardner

**EXHIBIT A**

A certain parcel of land, with the buildings and other improvements thereon, situated on the easterly side of Pleasant Street, in Gardner, Worcester County, Massachusetts, bounded and described as follows:

**COMMENCING** at the northwesterly corner thereof at the southwestery corner of land now or formerly of Katherine Glasheen; thence

**EASTERLY** at an included angle of  $98^{\circ} 34'$ , by said Glasheen land, 67.6 feet to a corner; thence

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**WESTERLY** at an included angle of  $82^{\circ} 28'$ , by a line which is approximately 14 feet from the southerly side of the house located on these premises, 74.6 feet to the easterly line of Pleasant Street; thence

**NORHERLY** at an included angle of  $90^{\circ}$ , by the easterly line of Pleasant Street, 48.2 feet to the place of beginning.

The above described premises are shown on a plan entitled "Compiled Plan of Land to be Conveyed to Robert W. Waxlax et ux, Gardner, Mass., Jan. 8, 1983, Michael S. Szoc, Surveyor," recorded in Worcester South District Registry of Deeds, Plan Book 376, Plan 112.

**Vote**

In City Council

August 1, 2022

Vote Passed

August 1, 2022

10 years, 0 days.

*John D. ...* Clerk

Presented to Mayor for approval

August 2, 2022

Approved on August 1, 2022

*Michael J. ...* Mayor



## REGULAR MEETING OF AUGUST 1, 2022

Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Monday evening, August 1, 2022.

### CALL TO ORDER

Council President Kazinskas called the meeting to order at 7:30 o'clock p.m.

### CALL OF THE ROLL

City Clerk Titi Siriphan called the Roll of Members. Ten (10) Councillors were present including Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, Judy Mack, and George Tyros. Councillor James Walsh was absent.

### OPENING PRAYER

President Kazinskas led the Council in reciting the Opening Prayer.

### PLEDGE OF ALLEGIANCE

President Kazinskas led the Council in reciting the "Pledge of Allegiance".

### OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT

President Elizabeth Kazinskas announced to the assembly that the Open Meeting Recording and Public Records Announcement. Any person may make a video or audio recording of an open session of a meeting or may transmit the meeting through any medium subject to reasonable requirements of the chair as to the number placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recordings shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the chair as they become part of the meeting minutes pursuant to General Law Chapter 38 Section 20.

### READING & ACCEPTANCE OF MINUTES

There were no meeting minutes present.

### APPOINTMENTS

**#10767**

President Kazinskas announced that she would like to take item **#10767** out of order and consider it at this time.



---

**REGULAR MEETING OF AUGUST 1, 2022**

---

Interim Police Chief Philip Kearns spoke in favor of this appointment. This was something they have been looking forward to. The police department was fortunate to receive a grant to acquire Rocky. Rocky was admitted to the Boston Police Canine Academy where he did 14 weeks of training. On his first day of his job, he was able to track down and charge 4 people who broke into an apartment. He was named after former Deputy Police Chief Rock Barrieau. His family were also present for this appointment.

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack. It was voted viva voce, ten (10) yeas, President Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to confirm the following appointment:

A Measure Confirming the Mayor's Appointment of **Rocky** to the position of Police K-9, as Member of the Gardner Police K-9 Unit, for a permanent term.

**PUBLIC HEARINGS****#10740**

President Kazinskas opened the Public Hearing on a petition of NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to locate poles wire and fixtures, including the necessary sustaining and protecting fixtures along and across the following public way:

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.

The President called for persons wishing to testify in favor of the Petition.

Will Fontaine of National Grid spoke in favor of the Petition. He stated that there is a new bridge being built and they need clearances for the crane to install parts of the infrastructure there. Clearance is needed for the overhead wires, so they are moving them across the street.

The President again called for persons wishing to testify in favor of the Petition.

There being none, the President thrice called for persons wishing to testify in opposition.

There being none, President Kazinskas closed the Hearing at 7:46 PM.



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**REGULAR MEETING OF AUGUST 1, 2022**

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**COMMUNICATIONS FROM THE MAYOR**  
**ORDERS****#10742**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Adopt the following Order:

AN ORDER TRANSFERRING APPROPRIATIONS FROM MAINTENANCE CREW SALARY AND WAGES TO VEHICLE FUEL EXPENSES

ORDERED: That there be and is hereby appropriated the sum of Twenty-Nine Thousand Dollars and No Cents (\$29,000.00) from Maintenance Crew Salary and Wages to Vehicle Fuel Expenses.

**#10743**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Adopt the following Order:

AN ORDER TRANSFERRING APPROPRIATIONS FROM MAINTENANCE CREW SALARY AND WAGES TO ENERGY AND UTILITIES EXPENSES

ORDERED: That there be and is hereby appropriated the sum of Three Thousand Six Hundred Dollars and No Cents (\$3,600.00) from Maintenance Crew Salary and Wages to Energy and Utilities Expenses.

**#10744**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Adopt the following Order:





**REGULAR MEETING OF AUGUST 1, 2022**

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AN ORDER TRANSFERRING APPROPRIATIONS FROM MAINTENANCE CREW  
SALARY AND WAGES TO STREET LIGHTING EXPENSES

ORDERED: That there be and is hereby appropriated the sum of Seven Thousand Dollars and No Cents (\$7,000.00) from Maintenance Crew Salary and Wages to Street Lighting Expenses.

**COMMUNICATIONS FROM THE MAYOR**  
**COMMUNICATIONS**

**#10745**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to authorize the acceptance of these donations:

ACCEPTANCE OF DONATIONS AND GIFTS  
FIRE DEPARTMENT

**VOTED:** That the City of Gardner is authorized to accept certain donations and gifts for use by the Fire Department, said acceptance in accordance with the provisions of Chapter 44, Section 53A ½ of the General Laws.

**#10746**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to authorize the acceptance of these donations:

ACCEPTANCE OF DONATIONS AND GIFTS  
SENIOR CENTER

**VOTED:** That the City of Gardner is authorized to accept certain donations and gifts for use by the Senior Center, said acceptance in accordance with the provisions of Chapter 44, Section 53A ½ of the General Laws.

**REGULAR MEETING OF AUGUST 1, 2022**

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**#10747**

Councillor Dernalowicz informed the Council that on the June 6<sup>th</sup> meeting, the Council declared this parcel as surplus. Upon further review, the City Assessor determined that the lot is not buildable, therefore the price of the property was reduced.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Grant the following Order:

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

**VOTED:** To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at Conant Street, further identified on the City of Gardner Assessor's Map as R17-2-14, to establish as a minimum amount of \$15,000 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or larger amount, and upon such other terms as the Mayor shall consider proper in accordance with this Vote.

**#10748**

Councillor Dernalowicz informed the Council that this property has not paid real estate taxes since 1991. The property has been in land court since 1996. It is the longest land court in the history of Massachusetts. The City will be taking over the property by eminent domain to due to the significant amount of back taxes owed. The goal is to improve the area and get it back on the tax rolls. The Finance Committee were in favor of passing the order at the reduced price.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Grant the following Order:



## REGULAR MEETING OF AUGUST 1, 2022

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### THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

### CITY OF GARDNER, MASSACHUSETTS

#### ORDER OF TAKING

WHEREAS, the City of Gardner, a city organized and incorporated under the laws of Massachusetts, with a usual place of business located at 95 Pleasant Street, Gardner, MA is authorized to take land by eminent domain for any municipal purpose pursuant to Section 36, of the City of Gardner Charter as amended to November 8, 1989 and M.G.L. c. 79, as amended and Chapter 121B; and

WHEREAS, the City of Gardner has established an urban renewal plan identifying certain properties in the City of Gardner to be acquired for demolition and establishment of public park and/or open space; and

WHEREAS, the City of Gardner has voted and appropriated monies to be used to acquire property for such public purpose; and

WHEREAS, Michael Nicholson has approved the acquisition of land for said public purpose and recommended to the City Council an order of taking; and

WHEREAS sufficient funds have been appropriated into account 11199-55210 to compensate the property owners for the property rights taken hereby; and

NOW THEREFORE, BE IT ORDERED THAT:

Acting pursuant to the powers set forth in M.G.L. c. 79, as amended, and Chapter 121B, as amended, and of any and every power and authority available to the City of Gardner, granted or implied, the City of Gardner hereby takes for itself in fee simple by eminent domain, for the purposes purpose of establishing public park and/or open space. The property taken comprises 5,438 square feet more or less of land or .0869 acres and is more particularly described on Exhibit A annexed hereto.

The taking is made in fee simple, and, except as provided herein, is made together with any and all easements and rights appurtenant to the property, including trees, buildings and other structures standing upon or affixed thereto, air rights, subsurface rights and including the interests of the supposed owners, if any, in all private ways and public streets, highways or in the land lying in the bed of any street or highway, public or private within or adjacent to the Property.

The City Council hereby awards damages sustained by persons in their property by reasons of this taking as follows:



## REGULAR MEETING OF AUGUST 1, 2022

| <u>OWNER</u>                    | <u>PROPERTY ADDRESS</u>                                                                 | <u>AWARD</u> |
|---------------------------------|-----------------------------------------------------------------------------------------|--------------|
| Ry-Co International, Ltd.       | c/o Ara Eresian, Jr., Registered Agent<br>83 Whitney St.<br>Northborough, MA 01532-1429 | \$0          |
| Eldorado Canyon Properties, LLC | c/o Melanie C. Eresian, Registered Agent<br>2 Westwood Rd.<br>Shrewsbury, MA 01545-1827 | \$0          |

3. The City Council does direct and authorize the Mayor to do all things and to execute all documents necessary for the prompt payment of the amount of damages awarded in the Order of Taking so that the same shall be payable within sixty (60) days after the rights to damages become vested in the persons entitled to damages. The Mayor is further requested to direct the City Solicitor for and on behalf of the City Council to give notice of this taking and pertinent information to every person entitled thereto in accordance with the provisions of General Laws Chapter 79, Sections 7B, 7C, 7F, 77G, 8A, and 8B.

In City Council

August \_\_\_\_, 2022

ORDERED AND ADOPTED BY A YEA AND NAY VOTE OF \_\_\_\_ YEAS AND \_\_\_\_ NAYS.

\_\_\_\_\_  
Titi Siriphan, City Clerk  
City of Gardner

**#10749**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding "The VOTES Act" Chapter 92 of the Acts of 2022 Impact on Gardner.*

**#10750**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding Fleet Status Update of the Gardner Fire Department.*




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 REGULAR MEETING OF AUGUST 1, 2022
 

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**#10751**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding Receipt of Medicaid Reimbursement Payment.*

**#10752**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding the Transfer Station Revenue Trends.*

**#10753**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding FY2021 Free Cash Review.*

**#10754**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to authorize the acceptance of these donations:

ACCEPTANCE OF DONATIONS AND GIFTS  
GARDNER CENTENNIAL CELEBRATION DONATIONS

**VOTED:** That the City of Gardner is authorized to accept certain donations and gifts for use by the City of Gardner, said acceptance in accordance with the provisions of Chapter 44, Section 53A ½ of the General Laws.

**#10755**

On a motion made by Councillor Craig Cormier and seconded by Councillor Nathan Boudreau, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and




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 REGULAR MEETING OF AUGUST 1, 2022
 

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Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding Air Quality Improvement at the Gardner Fire Department Headquarters.*

**#10756**

On a motion made by Councillor Craig Cormier and seconded by Councillor Nathan Boudreau, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Notification from the Mayor Regarding Station 1 Repair and Remediation Work.*

**#10757**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to place on file *A Ruling from the Attorney General relative to an Open Meeting Law Complaint.*

**#10760**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros, to Grant the Order for *A Measure Confirming the Police Officer Assignments to Polling Locations.*

COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY  
GARDNER

CITY OF

I assign the following Police Officers as election poll detail, as designated, and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

I approve a sufficient number of police officers, as listed, at the polling location to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54 which was changed in section 13 of Chapter 92



REGULAR MEETING OF AUGUST 1, 2022

of the Acts of 2022. Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability.

Michael J. Nicholson, Mayor

Confirmed by City Council

Titi Siriphan, City Clerk

Early voting @ City Hall-8/27/22

SPAIN-----City Hall Auditorium/0900-1700

Primary Polling Assignments-9/6/22

- LAWRENCE-----WITH CITY CLERK/0430
NEUFELL-----WARD 1/ELK'S/0700-1500
SIAW-----WARD 1/ELK'S/1500-2000
GUERREIRO-----WARD 2/LIBRARY/0700-1500
DORVAL-----WARD 2/LIBRARY/1500-2000
LAWRENCE-----WARD 3/CITY HALL AUDITORIUM/0700-2000
SGT. ST. PIERRE-----WARD 4/POLICE DEPARTMENT/0700-1500
SPAIN-----WARD 4/POLICE DEPARTMENT/1500-2000
DET. STARZYNSKI-----WARD5/PACC/0700-2000

COMMUNICATIONS FROM THE MAYOR
APPOINTMENTS

#10758

On a motion made by Councillor George Tyros and seconded by Councillor James Walsh, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh to refer the following appointment to the Appointments Committee for further study and report:

A Measure Confirming the Mayor's Appointment of Lorin Walter to the position of permanent Police Sergeant.



**REGULAR MEETING OF AUGUST 1, 2022**

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**#10758**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Confirm the Mayor's Appointments of Election Officers for 2022-2023:

COMMONWEALTH OF MASSACHUSETTS

WORCESTER COUNTY  
GARDNER

CITY OF

I appoint the following as temporary Election Officers and I hereby certify that in my opinion they are persons specially fitted by education, training and experience to perform the duties of said office and that I make the appointments solely in the interest of the City.

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

for terms expiring August 31, 2023

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

|    |           |           |            |    |               |                        |         |
|----|-----------|-----------|------------|----|---------------|------------------------|---------|
| 1A | Warden    | Permanent | Norman     | H. | Beaugard      | 147 Oak Street         | Gardner |
| 1A | Clerk     | Permanent | Roland     | D. | Mailloux, Jr. | 20 Teaberry Lane       | Gardner |
| 1A | Inspector | Permanent | Doris      |    | Buefort       | 238R West Street       | Gardner |
| 1A | Inspector | Permanent | Jacqueline | M. | Kraskouskas   | 222 Bickford Hill Road | Gardner |
| 1A | Inspector | Permanent | Erana      | E. | Landry        | 298 Park Street        | Gardner |
| 1A | Inspector | Permanent | Diane      | M. | Meany         | 58 Jean Street         | Gardner |
| 1A | Inspector | Permanent | Ann        | K. | Twohig        | 315 Union Street       | Gardner |



## CITY OF GARDNER



## IN CITY COUNCIL

## REGULAR MEETING OF AUGUST 1, 2022

|    |           |           |           |    |             |                           |            |    |
|----|-----------|-----------|-----------|----|-------------|---------------------------|------------|----|
| 1B | Warden    | Permanent | Lynn      | M. | Roux        | 203 Betty Spring Road     | Gardner    |    |
| 1B | Clerk     | Permanent | Joanne    | B. | Rogers      | 82 Narrows Road           | Vestminste |    |
| 1B | Inspector | Permanent | Gloria    |    | Bourgeois   | 47 Racette Avenue         | Gardner    |    |
| 1B | Inspector | Permanent | Bridget   | A. | Koetsch     | 32 Talcott Avenue         | Gardner    |    |
| 1B | Inspector | Permanent | Walter    |    | Scott       | 103 Bayberry Drive        | Gardner    |    |
| 1B | Inspector | Permanent | Valerie   | D. | Spar        | 20 Plymouth Street        | Gardner    |    |
| 1B | Inspector | Permanent | Marjorie  | J. | Whittemore  | 47 Lake Street, A606      | Gardner    |    |
| 2A | Warden    | Permanent | Clifton   | J. | Melatti     | 37 Rosewood Drive         | Gardner    | MA |
| 2A | Clerk     | Permanent | David     | L. | Hendren     | 55 Bickford Hill Road     | Gardner    | MA |
| 2A | Inspector | Permanent | Alice     | P. | Anderson    | 34 Chapman Park           | Gardner    | MA |
| 2A | Inspector | Permanent | Carol     | A. | Cormier     | 47 Lake Street, A207      | Gardner    | MA |
| 2A | Inspector | Permanent | Robert    | J. | Cormier     | 47 Lake Street, A207      | Gardner    | MA |
| 2A | Inspector | Permanent | Cathy     | T. | Leger       | 134 Greenwood Place       | Gardner    | MA |
| 2A | Inspector | Permanent | Annette   | M. | Melanson    | 178 Waterford Street      | Gardner    | MA |
| 2B | Warden    | Permanent | Kevin     | M. | Ares        | 60 Ridgewood Lane, Apt.18 | Gardner    | MA |
| 2B | Clerk     | Permanent | Nancy     | M. | Girouard    | 110 Marquette Street      | Gardner    | MA |
| 2B | Inspector | Permanent | Val       | J. | Cormier     | 166 Acadia Road           | Gardner    | MA |
| 2B | Inspector | Permanent | Marcia    | J. | White       | 92 Ryan Street            | Gardner    | MA |
| 2B | Inspector | Permanent | Elaine    | M. | Leger       | 47 Lake Street, A201      | Gardner    | MA |
| 2B | Inspector | Permanent | G. Ronald |    | Leger       | 47 Lake Street, A201      | Gardner    | MA |
| 2B | Inspector | Permanent | Theresa   | H. | Hillman     | 155 Champagne Road        | Gardner    | MA |
| 3A | Warden    | Permanent | Robert    | J. | Swartz      | 53 Racette Avenue         | Gardner    | MA |
| 3A | Clerk     | Permanent | Howard    | A. | Leadbetter  | 100 Ross Street           | Fitchburg  | MA |
| 3A | Inspector | Permanent | Rachel    | I. | Blais       | 25 Way Street             | Gardner    | MA |
| 3A | Inspector | Permanent | Anita     | M. | Boudreau    | 8 Jackson Park            | Gardner    | MA |
| 3A | Inspector | Permanent | Marcel    |    | Martin      | 17 Bayberry Drive         | Gardner    | MA |
| 3A | Inspector | Permanent | Robert    | L. | Owens       | 217 Riverside Road        | Gardner    | MA |
| 3A | Inspector | Temporary | Mark      |    | St. Laurent | 153 Colony Road           | Fitchburg  | MA |
| 3B | Warden    | Permanent | Thomas    | H. | Patterson   | 132 Pinewood Drive        | Gardner    | MA |
| 3B | Clerk     | Permanent | Paulette  | A. | Burns       | 185 Benwood Drive         | Athol      | MA |
| 3B | Inspector | Permanent | Gayle     | M. | Jaillet     | 35 Wickman Drive          | Gardner    | MA |
| 3B | Inspector | Permanent | Odette    | R. | Racette     | 44 Jean Street            | Gardner    | MA |
| 3B | Inspector | Permanent | Dorothy   | M. | Ronn        | 145 Prospect Street       | Gardner    | MA |
| 3B | Inspector | Permanent | Monica    | J. | Williams    | 19 City Hall Ave          | Gardner    | MA |
| 3B | Inspector | Permanent | Loyall    | C. | Allen       | 169 Sunrise Lane          | Gardner    | MA |



## REGULAR MEETING OF AUGUST 1, 2022

|    |           |           |           |               |                           |             |    |
|----|-----------|-----------|-----------|---------------|---------------------------|-------------|----|
| 4A | Warden    | Permanent | Ronald    | J. Roy        | 51 Pinewood Drive         | Gardner     | MA |
| 4A | Clerk     | Permanent | Kathleen  | O'Brien       | 190 Leamy Street          | Gardner     | MA |
| 4A | Inspector | Permanent | Judith    | A. King       | 32 Jay Street             | Gardner     | MA |
| 4A | Inspector | Permanent | Gloria    | M. Landry     | 458 Pearl Street          | Gardner     | MA |
| 4A | Inspector | Permanent | Danielle  | L. Rice       | 409 Pleasant Street       | Gardner     | MA |
| 4A | Inspector | Permanent | Ann       | E. Johnson    | 176 Main Street           | Vestminster | MA |
| 4A | Inspector | Permanent | Joanne    | Augustino     | 15 Chatham Street         | Gardner     | MA |
| 4B | Warden    | Permanent | Dianne    | M. LeBlanc    | 209 Elm Street            | Gardner     | MA |
| 4B | Clerk     | Permanent | Jaime     | Lubelczyk     | 63 South Main Street, #2F | Gardner     | MA |
| 4B | Inspector | Permanent | Doris     | L. Forte      | 47 Lake Street, A602      | Gardner     | MA |
| 4B | Inspector | Permanent | Susan     | Greninger     | 194 Central Street, #315  | Gardner     | MA |
| 4B | Inspector | Permanent | Jill      | M. Cormier    | 35 Water Street           | Gardner     | MA |
| 4B | Inspector | Permanent | Donald    | A. LeBlanc    | 209 Elm Street            | Gardner     | MA |
| 4B | Inspector | Permanent | Nancy     | E. Parker     | 47 Wachusett Road         | Gardner     | MA |
| 5A | Warden    | Permanent | Paul      | A. Spano      | 33 Adams Street           | Gardner     | MA |
| 5A | Clerk     | Permanent | Mary      | L. Glotch     | 47 Montvale Road          | Gardner     | MA |
| 5A | Inspector | Permanent | Judith    | T. Collette   | 47 Kendall Street         | Gardner     | MA |
| 5A | Inspector | Permanent | Gloria    | M. O'Malley   | 80 Kendall Pond Road West | Gardner     | MA |
| 5A | Inspector | Permanent | Constance | I. Pelletier  | 81 Airport Road           | Gardner     | MA |
| 5A | Inspector | Permanent | Roberta   | J. Lesperance | 35 Wachusett Road         | Gardner     | MA |
| 5A | Inspector | Permanent | Marcia    | A. Stone      | 185 Bridge Street         | Gardner     | MA |
| 5B | Warden    | Permanent | Leonette  | M. Roy        | 49 Temple Street          | Gardner     | MA |
| 5B | Clerk     | Permanent | Barbara   | A. Yablonski  | 195 Sherman Street        | Gardner     | MA |
| 5B | Inspector | Permanent | Trine     | Aschim        | 141 Parker Hill Road      | Gardner     | MA |
| 5B | Inspector | Permanent | William   | Edwards       | 4 Sunrise Lane            | Gardner     | MA |
| 5B | Inspector | Temporary | Susan     | H. Lariviere  | 95 Bayberry Drive         | Gardner     | MA |
| 5B | Inspector | Permanent | Mary      | Ann Suchocki  | 154 Sand Street           | Gardner     | MA |
| 5B | Inspector | Permanent | Edward    | S. Yablonski  | 195 Sherman Street        | Gardner     | MA |

**#10761**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to refer *A Measure Confirming the Mayor's Appointment of Nancy Binder to the position of Bandstand Committee Member, for term expiring July 25, 2025*, to the Appointments Committee for further study and report.




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 REGULAR MEETING OF AUGUST 1, 2022
 

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**#10762**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to refer *A Measure Confirming the Mayor's Appointment of Edward Vipond to the position of Bandstand Committee Member, for term expiring July 25, 2025*, to the Appointments Committee for further study and report.

**#10763**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to refer *A Measure Confirming the Mayor's Appointment of Donna Russo to the position of Bandstand Committee Member, for term expiring July 25, 2025*, to the Appointments Committee for further study and report.

**#10764**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to refer *A Measure Confirming the Mayor's Appointment of Anne Hurst to the position of Disability Commission Member, for term expiring July 25, 2025*, to the Appointments Committee for further study and report.

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**

**#10759**

On a motion made by Councillor Ronald Cormier and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Adopt *A Measure Relative to the September 6, 2022, State Primary*.

**Commonwealth of Massachusetts**

**CITY OF GARDNER  
STATE PRIMARY ORDER  
SEPTEMBER 6, 2022**



REGULAR MEETING OF AUGUST 1, 2022

VOTED: That meetings of the citizens of this City qualified to vote in the State Primaries shall be held on TUESDAY, THE SIXTH DAY OF SEPTEMBER, 2022, FROM 7:00 A.M. TO 8:00 P.M. for the purpose of casting their votes in the State Primaries for the candidates of political parties for the following offices:

- GOVERNOR.....FOR THIS COMMONWEALTH
- LIEUTENANT GOVERNOR.....FOR THIS COMMONWEALTH
- ATTORNEY GENERAL.....FOR THIS COMMONWEALTH
- SECRETARY OF STATE .....FOR THIS COMMONWEALTH
- TREASURER AND RECEIVER GENERAL.....FOR THIS COMMONWEALTH
- AUDITOR.....FOR THIS COMMONWEALTH
- REPRESENTATIVE IN CONGRESS.....THIRD DISTRICT
- COUNCILLOR.....SEVENTH DISTRICT
- SENATOR IN GENERAL COURT.....WORCESTER & MIDDLESEX DISTRICT
- REPRESENTATIVE IN GENERAL COURT.....SECOND WORCESTER DISTRICT
- DISTRICT ATTORNEY.....MIDDLE DISTRICT
- SHERIFF.....WORCESTER COUNTY

It is further ordered that the following polling places are designated by the City Council:

- WARD 1, PRECINCT A – Elk’s Home, 31 Park Street
- WARD 1, PRECINCT B – Elk’s Home, 31 Park Street
- WARD 2, PRECINCT A – Levi Heywood Memorial Library, 55 West Lynde Street
- WARD 2, PRECINCT B – Levi Heywood Memorial Library, 55 West Lynde Street
- WARD 3, PRECINCT A – City Hall, Perry Auditorium, 95 Pleasant Street
- WARD 3, PRECINCT B – City Hall, Perry Auditorium, 95 Pleasant Street
- WARD 4, PRECINCT A – Police Headquarters, 200 Main Street
- WARD 4, PRECINCT B – Police Headquarters, 200 Main Street
- WARD 5, PRECINCT A – Polish American Club, 171 Kendall Pond Road W
- WARD 5, PRECINCT B – Polish American Club, 171 Kendall Pond Road W

BY ORDER OF THE CITY COUNCIL

*Titi Siriphan*

TITI SIRIPHAN  
City Clerk

#10765

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander



**REGULAR MEETING OF AUGUST 1, 2022**

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Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Accept and Place on File *An Open Meeting Law Complaint filed by Gregory Deehan.*

**#10766**

On a motion made by Councillor Craig Cormier and seconded by Councillor James Boone, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Accept and Place on File *An Open Meeting Law Complaint filed by Gregory Deehan.*

**REPORTS OF STANDING COMMITTEES**  
**APPOINTMENT COMMITTEE**

**#10735**

Councillor George Tyros informed the Council that Officer Walter was not able to attend the previous Appointment Committee. The Committee was granted More Time on *A Measure Confirming the Mayor's Appointment of Lorin Walter to the position of permanent Police Sergeant.*

**#10736**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Confirm the Mayor's appointment of:

A Measure Confirming the Mayor's Appointment of **Paulette Burns** to the position of Board of Assessors Member, for term expiring July 1, 2025

**REPORTS OF STANDING COMMITTEES**  
**FINANCE COMMITTEE**

**#10737**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to send the following Ordinance to First Printing:




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 REGULAR MEETING OF AUGUST 1, 2022
 

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AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, SECTION 44 OF CHAPTER 171, ENTITLED "COMPENSATION IN LIEU OF PAID HOLIDAYS"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER THAT:

SECTION 1: Section 44 of Chapter 171 of the Code of the City of Gardner, entitled "Compensation in Lieu of Paid Holidays," be amended by deleting subsection A.

SECTION 2: Section 44(B) of Chapter 171 of the Code of the City of Gardner, entitled "Compensation in Lieu of Paid Holidays: Police Department," be amended by deleting the word "Captain" from the provisions of this section.

SECTION 3: Section 44(B) of Chapter 171 of the Code of the City of Gardner, entitled "Compensation in Lieu of Paid Holidays: Fire Department," be amended by deleting the word "Lieutenant" from the provisions of this section.

SECTION 4: Section 44(B) of Chapter 171 of the Code of the City of Gardner, entitled "Compensation in Lieu of Paid Holidays: Fire Department," be amended by deleting the words "and all regular firefighters" from the provisions of this section.

SECTION 5: This ordinance shall take effect upon passage and publication as required by law.

**#10741**

Councillor Ronald Cormier nominated Jennifer A. Dymek for the position of City Treasurer effective August 19, 2022.

Councillor Aleksander Dernalowicz seconded the nomination.

There being no further nominations, President Kazinskas entertained a motion to close the nominations.

On a motion made by Councillor Nathan Boudreau and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce to close the nomination.

On call of the roll:

Councillor James Boone voting for JENNIFER A. DYMEK




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**REGULAR MEETING OF AUGUST 1, 2022**


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Councillor Nathan Boudreau voting for JENNIFER A. DYMEK  
 Councillor Craig Cormier voting for JENNIFER A. DYMEK  
 Councillor Ronald Cormier voting for JENNIFER A. DYMEK  
 Councillor Aleksander Dernalowicz voting for JENNIFER A. DYMEK  
 Councillor Karen Hardern voting for JENNIFER A. DYMEK  
 Councillor Dana Heath voting for JENNIFER A. DYMEK  
 Councillor Judy Mack voting for JENNIFER A. DYMEK  
 Councillor George Tyros voting for JENNIFER A. DYMEK  
 President Elizabeth Kazinskas voting for JENNIFER A. DYMEK

Having received ten (10) votes for, Jennifer A. Dymek was declared and elected City Treasurer effective August 19, 2022, for term expiring August 19, 2025.

**#10768**

On a motion made by Councillor Ronald Cormier and seconded by Councillor Nathan Boudreau, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, James Boone, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to Remove from the Calendar *An Ordinance to Amend the Code of the City of Gardner, Chapter 171, Section 68, Entitled "Compensation Schedule, Attachment A: Mayor, Attachment B: City Council, and Attachment D: School Committee."* (Submitted by Councillor Judy Mack) and present it in January 2023.

**REPORTS OF STANDING COMMITTEES**  
**PUBLIC SERVICE COMMITTEE**

**#10740**

Councillor George Tyros requested More Time on *A Petition by National Grid and Verizon New England, Inc., Keyes Road – To install 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.* The Committee had more questions regarding the Petition. There being no objections, More time was Granted.

**NEW BUSINESS**

Councillor Aleksander Dernalowicz would like if National Grid to attend their Public Service Committee Meetings.

CITY OF GARDNER



IN CITY COUNCIL

**REGULAR MEETING OF AUGUST 1, 2022**

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Councillor Nathan Boudreau would like to thank the City Clerk's office and staff for all the work they do for the election and early voting.

President Elizabeth Kazinskas would like to mention that the next City Council meeting will be held on a Wednesday instead of Tuesday because of the State Primary Election. She would also like to congratulate Councillor James Walsh and his wife on their 40<sup>th</sup> anniversary. Lastly, she would like to inform the public that tomorrow is National Night Out and it will be held at the Gardner High School

**CLOSING PRAYER**

President Elizabeth Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion by Councillor Nathan Boudreau and seconded by Councillor Judy Mack, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, and George Tyros to adjourn at 8:30 p.m.

**Accepted by the City Council: December 19, 2022**





City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RE: A Measure Declaring the air rights of the Knowlton Street Parking Lot as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the air rights of the Knowlton Street Public Parking Lot for a Solar Canopy.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the underlying lease of the canopy must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$\$20,000 per acre comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

The Knowlton Street Parking Lot consists of an area of 0.65 acres.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

RECEIVED  
 2024/MAR/29 PM 4:18  
 CITY OF GARDNER OFFICE  
 GARDNER, MA

**DECLARATION OF AIR RIGHTS SURPLUS FOR THE PURPOSE OF LEASING  
SPACE FOR A PHOTOVOLTAIC SOLAR CANOPY ARRAY AT 95 PLEASANT  
STREET- KNOWLTON STREET PARKING LOT**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar canopy array with prevailing General Laws, the Knowlton Street Public Parking Lot of Gardner City Hall, located at 95 Pleasant Street, further identified on the City of Gardner Assessor's Map as M22-10-10; with an approximate area of 0.65 acres, to establish as a minimum amount of \$20,000.00 per acre to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

**From:** [Mayor](#)  
**To:** [Elizabeth Kazinskas](#)  
**Cc:** [Titi Siriphan](#); [Byron Woodman](#)  
**Subject:** FW: [EXTERNAL] Re: [EXTERNAL] Re: Gardner Solar  
**Date:** Monday, April 8, 2024 4:48:19 PM  
**Attachments:** [image.png](#)  
[image.png](#)  
[24.03.27 Gardner Solar Presentation.pdf](#)

Good Afternoon Madam President and Finance Committee Members,

The attached and below presentations have been put together by the City's Solar consultant, Byron Woodman, with regard to the items that are before the Committee for review and recommendation to the City Council at this Wednesday morning's meeting.

While the majority of this information is included in your packets, I wanted to be sure to include all of it for your review and consideration before this meeting.

See you Wednesday at 8am.

Best,

Mike Nicholson

**From:** Byron Woodman <[bwoodman@solect.com](mailto:bwoodman@solect.com)>  
**Sent:** Wednesday, March 27, 2024 8:04 AM  
**To:** Mayor <[Mayor@gardner-ma.gov](mailto:Mayor@gardner-ma.gov)>  
**Subject:** Re: [EXTERNAL] Re: Gardner Solar

Hi Mike,

Good morning. Please note the approximate square footage for each of the roofs, below. I have included the overall area of the roof and the specific measurements for the solar footprint as well.

| City of Gardner Solar Sites                |                                  |         |                   |                    |
|--------------------------------------------|----------------------------------|---------|-------------------|--------------------|
| Location                                   | Address                          | kW (DC) | Roof Area - SqFt. | Solar Area - SqFt. |
| Gardner New Community Center               | 62 Waterford Street              | 373.9   | 60,500            | 43,315             |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9    | 5,600             | 5,600              |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5    | 14,000            | 7,000              |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2   | 23,400            | 23,400             |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8   | 15,000            | 11,100             |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6   | 32,000            | 18,000             |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50      | 10,500            | 6,500              |
| Gardner Elementary School                  | 278 Pearl Street                 | 313     | 61,000            | 40,000             |

In terms of the roof protection, Solect is required to maintain the roof warranty throughout the term. Please note the specific language from the lease below.

(k) Provider covenants and agrees to keep the Project in good order, repair and condition throughout the Term, and to promptly and adequately repair all damage to the Premises and the Property caused by Provider or the Project. During the Term, any and all installation and construction work performed on the Property by Provider shall be conducted in a manner to comply with any requirements of any roof warranty delivered to Provider by Host (provided, however, in the event of a roof warranty that is not existing as of the Effective Date, Provider shall comply with such requirements to the extent that they do not interfere with Provider's use of the Project).

Regarding the roof upgrades, Solect has previously provided upgrades to roofs to enable solar to proceed. The price over the roof would be included in the project capital cost. Once the work is complete, the system will be installed, and the additional cost will be included in the PPA rate. This option will be evaluated on a case-by-case basis. We would also need to coordinate with the City regarding the timeline for the payment to the City and installation etc.

I am also updating the slides this morning for inclusion in the packet. If you have any questions, I can be contacted by cell: 339-203-5530.

Best,  
 Byron

11244; 11245;11246; 11247; 11248; 11249; 11250

# City of Gardner Solar Energy Presentation

March 28, 2023



# Agenda

- The PowerOptions and Solect Solar & Storage Program
- The Massachusetts SMART incentive program
- City of Gardner Solar Locations for Review
- Overview of Due Diligence & Engineering
- Next Steps
- Questions and next steps

# PowerOptions

11244; 11245;11246; 11247; 11248; 11249; 11250

- PowerOptions is a nonprofit energy buying consortium that delivers cost savings and predictability to nonprofits and the public sector in Massachusetts, Connecticut and Rhode Island.
- PowerOptions performs competitive RFPs on behalf of its members, to provide energy solutions. Solect has been awarded the solar and storage program. Public entities can leverage the PowerOptions RFP in lieu of conducting individual solicitations, and comply with state regulations (M.G.L. Ch. 164 S. 137).
- Solect develops, finances, installs and manages solar and storage PPAs for municipalities, schools, state agencies and nonprofits using pre-negotiated contract templates. Pricing reflects the purchasing power of the consortium.
- PowerOptions serves as the member advocate and advisor to support members decisions on contracting with providers under its programs.
- [Poweroptions.org](http://Poweroptions.org)



- Founded in 2009, Headquarters in Hopkinton, MA
- Develop, Finance, Design, Build, Operate, Service Solar and Energy Storage in MA, RI, CT
- 95+ MA employees
- 700+ commercial projects, 130+MW to date
- Solect Services manages 700+ projects in MA, RI, CT
- 100+ PPAs completed with Public and Not for Profit clients under the PowerOptions RFP Award and Standard Contracts
- DCAMM Certified
- Solect.com

# The PowerOptions Solect Solar Program

11244; 11245; 11246; 11247; 11248; 11249; 11250

- No upfront cost & no maintenance responsibilities
- Solect to install, finance, operate, maintain system
- 20-Year Power Purchase Agreements (PPAs)
- Fixed per-kWh price for 20 years
  - Monetizes federal and state incentives
  - Savings plus hedge against volatile electricity market
- PPA Pricing pre-negotiated with strength of PowerOptions consortium
- Contract templates (PPA, Lease) negotiated under the RFP
- PowerOptions as advisor, advocate, facilitator





# Gardner Solar – Installation & PPA Process

11244; 11245; 11246; 11247; 11248; 11249; 11250

- Solect will develop, install and service the projects
- Solect will perform all of the solar work, including electric and structural engineering, utility applications and interconnections, construction drawings, permitting, provide all materials, installations, system Q/A and commissioning, inspections, and turn the system on.
- Operations period will commence - 20 years for roofs, 25 for canopies
- Solect Services will provide a safety walk through and provide a convenient project reference guide for the City of Salem. Solect will monitor and service all systems from the Hopkinton operations center.



# Gardner Solar Overview

11244; 11245; 11246; 11247; 11248; 11249; 11250

| Power Purchase Agreement Options – Preliminary Pricing |             |                   |                   |                        |                        |                                             |
|--------------------------------------------------------|-------------|-------------------|-------------------|------------------------|------------------------|---------------------------------------------|
| Location                                               | System Size | PPA Rate Block 10 | PPA Rate Block 11 | Total Savings Block 10 | Total Savings Block 11 | Notes / Actions Required                    |
| New Community Center                                   | 373.9       | .14               | .144              | \$646,000              | \$613,000              | - Needs New Roof & Structural               |
| City Hall - Roof                                       | 100.8       | .18               | .187              | \$208,375              | \$193,000              | - Confirm specs re: existing system         |
| City Hall - Canopy                                     | 249.6       | .22               | .225              | \$265,000              | \$231,000              | - Confirm Incentives & Feasibility          |
| Gardner Elementary School                              | 372         | .122              | .126              | \$836,000              | \$803,000              | - School Committee for Approval             |
| DPW – 50 Manca                                         | 159.8       | .145              | .18               | \$262,000              | \$244,000              | - Confirm RPT<br>- Incentives & Feasibility |
| Fire Station                                           | 61.4        | .172              | .177              | \$46,000               | \$39,000               | - Confirm Incentives & Feasibility          |

| Capital Purchase Option |             |             |                |                          |                                                                                                                                             |
|-------------------------|-------------|-------------|----------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Location                | System Size | Total Price | Federal Credit | Total Savings - Block 11 | Notes / Actions Required                                                                                                                    |
| New Community Center    | 373.9       | \$856,000   | \$256,800      | \$1,569,000              | - Needs New Roof & Structural<br>- 30% Credit Pending Regulatory approval & project qualification<br>- Assumes Zero interest – Cash on Cash |

Note: Final locations and prices are subject to final feasibility studies and engineering. Additional sites may also be considered.



# City of Gardner - Solar Rooftop Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

Gardner New Community Center – 373.9kW



Note: Assumes new roof

City Hall – 100.8kW



# City of Gardner - Solar Rooftop Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

Gardner DPW (North) – 91.2kW



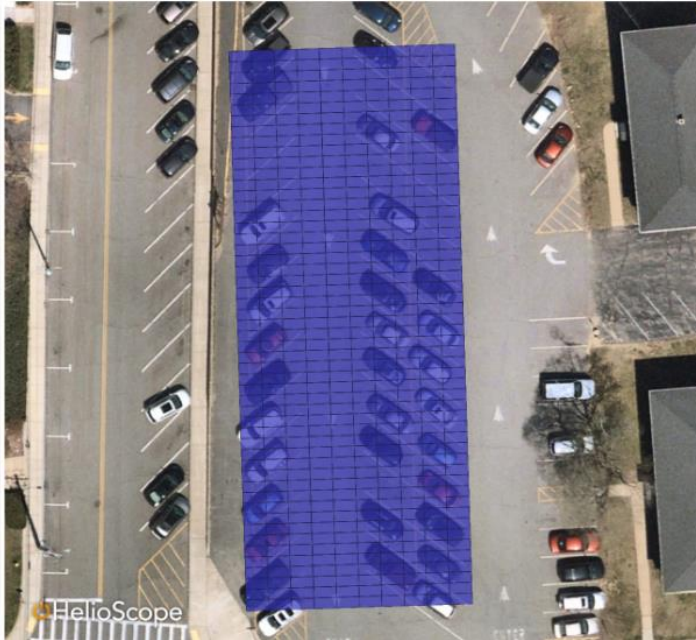
Gardner DPW (South) – 68.6kW



# City of Gardner - Solar Rooftop Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

City Hall Canopy – 249.6kW



416 W. Broadway – 270.2kW



# City of Gardner - Solar Rooftop Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

Gardner Elementary School



Gardner Elementary School – 372kW



# City of Gardner – Phase 2 - Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

Gardner Middle School



Crystal Lake Water Treatment Facility



# City of Gardner - Solar Rooftop Locations

11244; 11245; 11246; 11247; 11248; 11249; 11250

DPW – 416 Broadway St.



WWTP - Templeton





# New Community Center - PPA Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 373.92    |
| Year 1 PV Output (kWh)               | 438,000   |
| Percent of Usage                     | 213%      |
| Avoided kWh Electric Cost            | \$0.18602 |
| Solar PPA kWh Rate                   | \$0.1400  |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.04633 |
| Year 1 Forecast Savings              | \$11,700  |
| Term Savings                         | \$599,000 |
| Term Savings + PILOT                 | \$646,000 |
| Annual Avoided CO <sub>2</sub> (lbs) | 421,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 4,000     |

## Assumptions

Open shop labor (3rd party owned)  
 Rates assume PILOT of \$1869.60 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART Block 10  
 Utility electric rates escalate at 2.5%

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Savings from Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|-------------------|-------------------------|----------------------------|------------------|-------------------------|-------------|------------------|-----------------|------------------|
| 1            | 438,272                | \$0.1860                                 | 232,952           | \$34,882                | \$38,194                   | \$73,076         | \$0.1400                | \$61,358    | \$11,718         | \$1,870         | \$13,588         |
| 2            | 435,861                | \$0.1907                                 | 231,670           | \$35,558                | \$38,934                   | \$74,491         | \$0.1400                | \$61,021    | \$13,471         | \$1,912         | \$15,382         |
| 3            | 433,464                | \$0.1954                                 | 230,396           | \$36,246                | \$39,688                   | \$75,934         | \$0.1400                | \$60,685    | \$15,249         | \$1,955         | \$17,203         |
| 4            | 431,080                | \$0.2003                                 | 229,129           | \$36,948                | \$40,456                   | \$77,404         | \$0.1400                | \$60,351    | \$17,053         | \$1,999         | \$19,051         |
| 5            | 428,709                | \$0.2053                                 | 227,869           | \$37,663                | \$41,239                   | \$78,903         | \$0.1400                | \$60,019    | \$18,883         | \$2,044         | \$20,927         |
| 6            | 426,351                | \$0.2105                                 | 226,616           | \$38,393                | \$42,038                   | \$80,430         | \$0.1400                | \$59,689    | \$20,741         | \$2,090         | \$22,831         |
| 7            | 424,006                | \$0.2157                                 | 225,369           | \$39,136                | \$42,852                   | \$81,988         | \$0.1400                | \$59,361    | \$22,627         | \$2,137         | \$24,764         |
| 8            | 421,674                | \$0.2211                                 | 224,130           | \$39,894                | \$43,682                   | \$83,575         | \$0.1400                | \$59,034    | \$24,541         | \$2,185         | \$26,726         |
| 9            | 419,355                | \$0.2267                                 | 222,897           | \$40,666                | \$44,527                   | \$85,194         | \$0.1400                | \$58,710    | \$26,484         | \$2,234         | \$28,718         |
| 10           | 417,048                | \$0.2323                                 | 221,671           | \$41,454                | \$45,390                   | \$86,843         | \$0.1400                | \$58,387    | \$28,456         | \$2,284         | \$30,740         |
| 11           | 414,755                | \$0.2381                                 | 220,452           | \$42,256                | \$46,268                   | \$88,525         | \$0.1400                | \$58,066    | \$30,459         | \$2,336         | \$32,794         |
| 12           | 412,473                | \$0.2441                                 | 219,239           | \$43,074                | \$47,164                   | \$90,239         | \$0.1400                | \$57,746    | \$32,492         | \$2,388         | \$34,880         |
| 13           | 410,205                | \$0.2502                                 | 218,033           | \$43,908                | \$48,078                   | \$91,986         | \$0.1400                | \$57,429    | \$34,557         | \$2,442         | \$36,999         |
| 14           | 407,949                | \$0.2564                                 | 216,834           | \$44,759                | \$49,008                   | \$93,767         | \$0.1400                | \$57,113    | \$36,654         | \$2,497         | \$39,151         |
| 15           | 405,705                | \$0.2628                                 | 215,642           | \$45,625                | \$49,957                   | \$95,583         | \$0.1400                | \$56,799    | \$38,784         | \$2,553         | \$41,337         |
| 16           | 403,474                | \$0.2694                                 | 214,456           | \$46,509                | \$50,925                   | \$97,433         | \$0.1400                | \$56,486    | \$40,947         | \$2,610         | \$43,557         |
| 17           | 401,255                | \$0.2762                                 | 213,276           | \$47,409                | \$51,911                   | \$99,320         | \$0.1400                | \$56,176    | \$43,144         | \$2,669         | \$45,813         |
| 18           | 399,048                | \$0.2831                                 | 212,103           | \$48,327                | \$52,916                   | \$101,243        | \$0.1400                | \$55,867    | \$45,376         | \$2,729         | \$48,105         |
| 19           | 396,853                | \$0.2901                                 | 210,937           | \$49,263                | \$53,940                   | \$103,203        | \$0.1400                | \$55,559    | \$47,644         | \$2,791         | \$50,434         |
| 20           | 394,670                | \$0.2974                                 | 209,776           | \$50,217                | \$54,985                   | \$105,201        | \$0.1400                | \$55,254    | \$49,948         | \$2,853         | \$52,801         |
| <b>Total</b> |                        |                                          |                   |                         |                            |                  |                         |             | <b>\$599,229</b> | <b>\$46,575</b> | <b>\$645,803</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Community Center - Capital Purchase Savings Forecast

11244; 11245; 11246; 11247; 11248; 11249; 11250

| Year | Revenue / Savings            |                         |            |                         | Costs                   |           |              |             | Total         |              |
|------|------------------------------|-------------------------|------------|-------------------------|-------------------------|-----------|--------------|-------------|---------------|--------------|
|      | Electricity Savings/ Revenue | State Incentive Revenue | Grant      | Total Revenue / Savings | Operation & Maintenance | Insurance | Debt Service | Total Costs | Net Cash Flow | Cumulative   |
| 1    | \$ 67,055                    | \$ 30,015               | \$ 255,301 | \$ 352,371              | \$ (1,870)              | \$ -      | \$ -         | \$ (1,870)  | \$ 350,501    | \$ (245,200) |
| 2    | \$ 68,020                    | \$ 29,850               | \$ -       | \$ 97,870               | \$ (9,227)              | \$ -      | \$ -         | \$ (9,227)  | \$ 88,643     | \$ (156,558) |
| 3    | \$ 68,999                    | \$ 29,686               | \$ -       | \$ 98,685               | \$ (9,448)              | \$ -      | \$ -         | \$ (9,448)  | \$ 89,237     | \$ (67,321)  |
| 4    | \$ 69,992                    | \$ 29,522               | \$ -       | \$ 99,514               | \$ (9,675)              | \$ -      | \$ -         | \$ (9,675)  | \$ 89,839     | \$ 22,518    |
| 5    | \$ 70,999                    | \$ 29,360               | \$ -       | \$ 100,359              | \$ (9,910)              | \$ -      | \$ -         | \$ (9,910)  | \$ 90,449     | \$ 112,967   |
| 6    | \$ 72,021                    | \$ 29,199               | \$ -       | \$ 101,219              | \$ (10,151)             | \$ -      | \$ -         | \$ (10,151) | \$ 91,068     | \$ 204,036   |
| 7    | \$ 73,057                    | \$ 29,038               | \$ -       | \$ 102,095              | \$ (10,399)             | \$ -      | \$ -         | \$ (10,399) | \$ 91,696     | \$ 295,732   |
| 8    | \$ 74,108                    | \$ 28,878               | \$ -       | \$ 102,987              | \$ (10,655)             | \$ -      | \$ -         | \$ (10,655) | \$ 92,332     | \$ 388,063   |
| 9    | \$ 75,175                    | \$ 28,719               | \$ -       | \$ 103,894              | \$ (10,919)             | \$ -      | \$ -         | \$ (10,919) | \$ 92,976     | \$ 481,039   |
| 10   | \$ 76,257                    | \$ 28,562               | \$ -       | \$ 104,818              | \$ (11,190)             | \$ -      | \$ -         | \$ (11,190) | \$ 93,628     | \$ 574,667   |
| 11   | \$ 77,354                    | \$ 28,404               | \$ -       | \$ 105,758              | \$ (13,902)             | \$ -      | \$ -         | \$ (13,902) | \$ 91,857     | \$ 666,523   |
| 12   | \$ 78,467                    | \$ 28,248               | \$ -       | \$ 106,715              | \$ (14,190)             | \$ -      | \$ -         | \$ (14,190) | \$ 92,526     | \$ 759,049   |
| 13   | \$ 79,596                    | \$ 28,093               | \$ -       | \$ 107,689              | \$ (14,486)             | \$ -      | \$ -         | \$ (14,486) | \$ 93,203     | \$ 852,252   |
| 14   | \$ 80,742                    | \$ 27,938               | \$ -       | \$ 108,680              | \$ (14,792)             | \$ -      | \$ -         | \$ (14,792) | \$ 93,888     | \$ 946,140   |
| 15   | \$ 81,903                    | \$ 27,785               | \$ -       | \$ 109,688              | \$ (15,107)             | \$ -      | \$ -         | \$ (15,107) | \$ 94,582     | \$ 1,040,721 |
| 16   | \$ 83,082                    | \$ 27,632               | \$ -       | \$ 110,714              | \$ (12,999)             | \$ -      | \$ -         | \$ (12,999) | \$ 97,715     | \$ 1,138,436 |
| 17   | \$ 84,278                    | \$ 27,480               | \$ -       | \$ 111,757              | \$ (13,333)             | \$ -      | \$ -         | \$ (13,333) | \$ 98,425     | \$ 1,236,861 |
| 18   | \$ 85,490                    | \$ 27,329               | \$ -       | \$ 112,819              | \$ (13,677)             | \$ -      | \$ -         | \$ (13,677) | \$ 99,142     | \$ 1,336,003 |
| 19   | \$ 86,720                    | \$ 27,178               | \$ -       | \$ 113,899              | \$ (14,031)             | \$ -      | \$ -         | \$ (14,031) | \$ 99,868     | \$ 1,435,871 |
| 20   | \$ 87,968                    | \$ 27,029               | \$ -       | \$ 114,997              | \$ (14,396)             | \$ -      | \$ -         | \$ (14,396) | \$ 100,602    | \$ 1,536,473 |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# City Hall Roof – Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 100.8     |
| Year 1 PV Output (kWh)               | 113,000   |
| Percent of Usage                     | 68%       |
| Avoided kWh Electric Cost            | \$0.21853 |
| Solar PPA kWh Rate                   | \$0.1800  |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.04633 |
| Year 1 Forecast Savings              | \$3,800   |
| Term Savings                         | \$196,000 |
| Term Savings + PILOT                 | \$208,375 |
| Annual Avoided CO <sub>2</sub> (lbs) | 109,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 1,000     |

## Assumptions

- Open shop labor (3rd party owned)
- Rates assume PILOT of \$504.00 per kW-DC
- Rates do not include utility network upgrade or study costs
- Bonding not included as system is 3rd party owned
- Assumes SMART block 10
- Utility electric rates escalate at 2.5%

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Savings from Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|-------------------|-------------------------|----------------------------|------------------|-------------------------|-------------|------------------|-----------------|------------------|
| 1            | 113,027                | \$0.2185                                 | 8,553             | \$1,281                 | \$22,831                   | \$24,112         | \$0.1800                | \$20,345    | \$3,767          | \$504           | \$4,271          |
| 2            | 112,405                | \$0.2240                                 | 8,506             | \$1,306                 | \$23,273                   | \$24,578         | \$0.1800                | \$20,233    | \$4,345          | \$515           | \$4,861          |
| 3            | 111,787                | \$0.2296                                 | 8,460             | \$1,331                 | \$23,723                   | \$25,054         | \$0.1800                | \$20,122    | \$4,933          | \$527           | \$5,460          |
| 4            | 111,172                | \$0.2353                                 | 8,413             | \$1,357                 | \$24,183                   | \$25,539         | \$0.1800                | \$20,011    | \$5,528          | \$539           | \$6,067          |
| 5            | 110,561                | \$0.2412                                 | 8,367             | \$1,383                 | \$24,651                   | \$26,034         | \$0.1800                | \$19,901    | \$6,133          | \$551           | \$6,684          |
| 6            | 109,953                | \$0.2472                                 | 8,321             | \$1,410                 | \$25,128                   | \$26,538         | \$0.1800                | \$19,792    | \$6,746          | \$563           | \$7,310          |
| 7            | 109,348                | \$0.2534                                 | 8,275             | \$1,437                 | \$25,615                   | \$27,052         | \$0.1800                | \$19,683    | \$7,369          | \$576           | \$7,945          |
| 8            | 108,747                | \$0.2598                                 | 8,230             | \$1,465                 | \$26,111                   | \$27,576         | \$0.1800                | \$19,574    | \$8,001          | \$589           | \$8,590          |
| 9            | 108,149                | \$0.2663                                 | 8,184             | \$1,493                 | \$26,616                   | \$28,110         | \$0.1800                | \$19,467    | \$8,643          | \$602           | \$9,245          |
| 10           | 107,554                | \$0.2729                                 | 8,139             | \$1,522                 | \$27,132                   | \$28,654         | \$0.1800                | \$19,360    | \$9,294          | \$616           | \$9,910          |
| 11           | 106,962                | \$0.2797                                 | 8,094             | \$1,552                 | \$27,657                   | \$29,209         | \$0.1800                | \$19,253    | \$9,955          | \$630           | \$10,585         |
| 12           | 106,374                | \$0.2867                                 | 8,050             | \$1,582                 | \$28,193                   | \$29,774         | \$0.1800                | \$19,147    | \$10,627         | \$644           | \$11,271         |
| 13           | 105,789                | \$0.2939                                 | 8,006             | \$1,612                 | \$28,738                   | \$30,351         | \$0.1800                | \$19,042    | \$11,309         | \$658           | \$11,967         |
| 14           | 105,207                | \$0.3012                                 | 7,962             | \$1,643                 | \$29,295                   | \$30,938         | \$0.1800                | \$18,937    | \$12,001         | \$673           | \$12,674         |
| 15           | 104,628                | \$0.3088                                 | 7,918             | \$1,675                 | \$29,862                   | \$31,537         | \$0.1800                | \$18,833    | \$12,704         | \$688           | \$13,392         |
| 16           | 104,053                | \$0.3165                                 | 7,874             | \$1,708                 | \$30,440                   | \$32,148         | \$0.1800                | \$18,730    | \$13,419         | \$704           | \$14,122         |
| 17           | 103,481                | \$0.3244                                 | 7,831             | \$1,741                 | \$31,030                   | \$32,770         | \$0.1800                | \$18,627    | \$14,144         | \$720           | \$14,864         |
| 18           | 102,911                | \$0.3325                                 | 7,788             | \$1,774                 | \$31,631                   | \$33,405         | \$0.1800                | \$18,524    | \$14,881         | \$736           | \$15,617         |
| 19           | 102,345                | \$0.3408                                 | 7,745             | \$1,809                 | \$32,243                   | \$34,052         | \$0.1800                | \$18,422    | \$15,630         | \$752           | \$16,382         |
| 20           | 101,783                | \$0.3494                                 | 7,703             | \$1,844                 | \$32,867                   | \$34,711         | \$0.1800                | \$18,321    | \$16,390         | \$769           | \$17,159         |
| <b>Total</b> |                        |                                          |                   |                         |                            |                  |                         |             | <b>\$195,820</b> | <b>\$12,555</b> | <b>\$208,375</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# City Hall - Canopy – Annual Savings

11244; 11245; 11246; 11247; 11248; 11249; 11250

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 264       |
| Year 1 PV Output (kWh)               | 290,000   |
| Percent of Usage                     | 174%      |
| Avoided kWh Electric Cost            | \$0.21853 |
| Solar PPA kWh Rate                   | \$0.2200  |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 25        |
| SMART Incentive Amt (\$/kWh)         | \$0.08713 |
| Year 1 Forecast Savings              | N/A       |
| Term Savings                         | \$222,000 |
| Term Savings + PILOT                 | \$265,615 |
| Annual Avoided CO <sub>2</sub> (lbs) | 279,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 3,300     |

## Assumptions

- Open shop labor (3rd party owned)
- Rates assume PILOT of \$1320.00 per kW-DC
- Rates do not include utility network upgrade or study costs
- Bonding not included as system is 3rd party owned
- Assumes SMART block 10
- Utility electric rates escalate at 2.5%
- Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Savings from Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|-------------------|-------------------------|----------------------------|------------------|-------------------------|-------------|------------------|-----------------|------------------|
| 1            | 290,400                | \$0.2185                                 | 136,426           | \$20,428                | \$33,648                   | \$54,077         | \$0.2200                | \$63,888    | -\$9,811         | \$1,320         | -\$8,491         |
| 2            | 288,803                | \$0.2240                                 | 135,676           | \$20,824                | \$34,300                   | \$55,124         | \$0.2200                | \$63,537    | -\$8,413         | \$1,350         | -\$7,063         |
| 3            | 287,214                | \$0.2296                                 | 134,929           | \$21,227                | \$34,964                   | \$56,191         | \$0.2200                | \$63,187    | -\$6,996         | \$1,380         | -\$5,616         |
| 4            | 285,635                | \$0.2353                                 | 134,187           | \$21,638                | \$35,641                   | \$57,279         | \$0.2200                | \$62,840    | -\$5,561         | \$1,411         | -\$4,150         |
| 5            | 284,064                | \$0.2412                                 | 133,449           | \$22,057                | \$36,331                   | \$58,388         | \$0.2200                | \$62,494    | -\$4,106         | \$1,443         | -\$2,663         |
| 6            | 282,501                | \$0.2472                                 | 132,715           | \$22,484                | \$37,034                   | \$59,519         | \$0.2200                | \$62,150    | -\$2,632         | \$1,475         | -\$1,156         |
| 7            | 280,948                | \$0.2534                                 | 131,985           | \$22,920                | \$37,751                   | \$60,671         | \$0.2200                | \$61,808    | -\$1,138         | \$1,509         | \$371            |
| 8            | 279,402                | \$0.2598                                 | 131,259           | \$23,363                | \$38,482                   | \$61,846         | \$0.2200                | \$61,469    | \$377            | \$1,542         | \$1,920          |
| 9            | 277,866                | \$0.2663                                 | 130,537           | \$23,816                | \$39,227                   | \$63,043         | \$0.2200                | \$61,130    | \$1,913          | \$1,577         | \$3,490          |
| 10           | 276,337                | \$0.2729                                 | 129,820           | \$24,277                | \$39,987                   | \$64,264         | \$0.2200                | \$60,794    | \$3,470          | \$1,613         | \$5,082          |
| 11           | 274,818                | \$0.2797                                 | 129,106           | \$24,747                | \$40,761                   | \$65,508         | \$0.2200                | \$60,460    | \$5,048          | \$1,649         | \$6,697          |
| 12           | 273,306                | \$0.2867                                 | 128,395           | \$25,226                | \$41,550                   | \$66,777         | \$0.2200                | \$60,127    | \$6,649          | \$1,686         | \$8,335          |
| 13           | 271,803                | \$0.2939                                 | 127,689           | \$25,715                | \$42,355                   | \$68,070         | \$0.2200                | \$59,797    | \$8,273          | \$1,724         | \$9,997          |
| 14           | 270,308                | \$0.3012                                 | 126,987           | \$26,212                | \$43,175                   | \$69,388         | \$0.2200                | \$59,468    | \$9,920          | \$1,763         | \$11,683         |
| 15           | 268,821                | \$0.3088                                 | 126,289           | \$26,720                | \$44,011                   | \$70,731         | \$0.2200                | \$59,141    | \$11,590         | \$1,802         | \$13,393         |
| 16           | 267,343                | \$0.3165                                 | 125,594           | \$27,237                | \$44,863                   | \$72,101         | \$0.2200                | \$58,815    | \$13,285         | \$1,843         | \$15,128         |
| 17           | 265,872                | \$0.3244                                 | 124,903           | \$27,765                | \$45,732                   | \$73,497         | \$0.2200                | \$58,492    | \$15,005         | \$1,884         | \$16,889         |
| 18           | 264,410                | \$0.3325                                 | 124,216           | \$28,302                | \$46,617                   | \$74,920         | \$0.2200                | \$58,170    | \$16,749         | \$1,927         | \$18,676         |
| 19           | 262,956                | \$0.3408                                 | 123,533           | \$28,850                | \$47,520                   | \$76,370         | \$0.2200                | \$57,850    | \$18,520         | \$1,970         | \$20,490         |
| 20           | 261,510                | \$0.3494                                 | 122,854           | \$29,409                | \$48,440                   | \$77,849         | \$0.2200                | \$57,532    | \$20,317         | \$2,015         | \$22,331         |
| 21           | 260,071                | \$0.3581                                 | 122,178           | \$29,978                | \$49,378                   | \$79,356         | \$0.2200                | \$57,216    | \$22,141         | \$2,060         | \$24,201         |
| 22           | 258,641                | \$0.3670                                 | 121,506           | \$30,559                | \$50,334                   | \$80,893         | \$0.2200                | \$56,901    | \$23,992         | \$2,106         | \$26,098         |
| 23           | 257,218                | \$0.3762                                 | 120,838           | \$31,151                | \$51,309                   | \$82,459         | \$0.2200                | \$56,588    | \$25,871         | \$2,154         | \$28,025         |
| 24           | 255,804                | \$0.3856                                 | 120,173           | \$31,754                | \$52,302                   | \$84,056         | \$0.2200                | \$56,277    | \$27,779         | \$2,202         | \$29,981         |
| 25           | 254,397                | \$0.3953                                 | 119,512           | \$32,368                | \$53,315                   | \$85,683         | \$0.2200                | \$55,967    | \$29,716         | \$2,252         | \$31,968         |
| <b>Total</b> |                        |                                          |                   |                         |                            |                  |                         |             | <b>\$221,959</b> | <b>\$43,657</b> | <b>\$265,615</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Gardner Elementary School 11244; 11245; 11246; 11247; 11248; 11249; 11250

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 372       |
| Year 1 PV Output (kWh)               | 432,000   |
| Percent of Usage                     | 41%       |
| Avoided kWh Electric Cost            | \$0.17610 |
| Solar PPA kWh Rate                   | \$0.12200 |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.05230 |
| Year 1 Forecast Savings              | \$23,400  |
| Term Savings                         | \$836,000 |
| Annual Avoided CO <sub>2</sub> (lbs) | 415,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 3,900     |

## Assumptions

Open shop labor (3rd party owned)  
 Rates assume PILOT of \$0.00 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART block 10  
 Utility electric rates escalate at 2.5%  
 Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      |
|--------------|------------------------|------------------------------------------|------------------|-------------------------|-------------|------------------|
| 1            | 432,115                | \$0.1761                                 | \$76,097         | \$0.1220                | \$52,718    | <b>\$23,379</b>  |
| 2            | 429,739                | \$0.1805                                 | \$77,571         | \$0.1220                | \$52,428    | <b>\$25,143</b>  |
| 3            | 427,375                | \$0.1850                                 | \$79,073         | \$0.1220                | \$52,140    | <b>\$26,933</b>  |
| 4            | 425,024                | \$0.1896                                 | \$80,604         | \$0.1220                | \$51,853    | <b>\$28,751</b>  |
| 5            | 422,687                | \$0.1944                                 | \$82,164         | \$0.1220                | \$51,568    | <b>\$30,597</b>  |
| 6            | 420,362                | \$0.1992                                 | \$83,755         | \$0.1220                | \$51,284    | <b>\$32,471</b>  |
| 7            | 418,050                | \$0.2042                                 | \$85,377         | \$0.1220                | \$51,002    | <b>\$34,375</b>  |
| 8            | 415,751                | \$0.2093                                 | \$87,030         | \$0.1220                | \$50,722    | <b>\$36,309</b>  |
| 9            | 413,464                | \$0.2146                                 | \$88,715         | \$0.1220                | \$50,443    | <b>\$38,273</b>  |
| 10           | 411,190                | \$0.2199                                 | \$90,433         | \$0.1220                | \$50,165    | <b>\$40,268</b>  |
| 11           | 408,929                | \$0.2254                                 | \$92,184         | \$0.1220                | \$49,889    | <b>\$42,295</b>  |
| 12           | 406,679                | \$0.2311                                 | \$93,969         | \$0.1220                | \$49,615    | <b>\$44,354</b>  |
| 13           | 404,443                | \$0.2368                                 | \$95,788         | \$0.1220                | \$49,342    | <b>\$46,446</b>  |
| 14           | 402,218                | \$0.2428                                 | \$97,643         | \$0.1220                | \$49,071    | <b>\$48,573</b>  |
| 15           | 400,006                | \$0.2488                                 | \$99,534         | \$0.1220                | \$48,801    | <b>\$50,733</b>  |
| 16           | 397,806                | \$0.2551                                 | \$101,461        | \$0.1220                | \$48,532    | <b>\$52,929</b>  |
| 17           | 395,618                | \$0.2614                                 | \$103,426        | \$0.1220                | \$48,265    | <b>\$55,160</b>  |
| 18           | 393,442                | \$0.2680                                 | \$105,428        | \$0.1220                | \$48,000    | <b>\$57,428</b>  |
| 19           | 391,278                | \$0.2747                                 | \$107,470        | \$0.1220                | \$47,736    | <b>\$59,734</b>  |
| 20           | 389,126                | \$0.2815                                 | \$109,550        | \$0.1220                | \$47,473    | <b>\$62,077</b>  |
| <b>Total</b> |                        |                                          |                  |                         |             | <b>\$836,227</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# DPW – 50 Manca – Roof Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 168.96    |
| Year 1 PV Output (kWh)               | 192,000   |
| Percent of Usage                     | 227%      |
| Avoided kWh Electric Cost            | \$0.24150 |
| Solar PPA kWh Rate                   | \$0.17500 |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.01010 |
| Year 1 Forecast Savings              | \$2,800   |
| Term Savings                         | \$242,000 |
| Annual Avoided CO <sub>2</sub> (lbs) | 184,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 1,800     |

## Assumptions

Open shop labor (3rd party owned)  
 Rates assume PILOT of \$844.80 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART block 10  
 Utility electric rates escalate at 2.5%  
 Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|------------------|-------------------------|-------------|------------------|-----------------|------------------|
| 1            | 191,939                | \$0.2415                                 | \$36,429         | \$0.1750                | \$33,589    | \$2,839          | \$845           | \$3,684          |
| 2            | 190,883                | \$0.2475                                 | \$37,134         | \$0.1750                | \$33,405    | \$3,729          | \$864           | \$4,593          |
| 3            | 189,833                | \$0.2537                                 | \$37,853         | \$0.1750                | \$33,221    | \$4,632          | \$883           | \$5,515          |
| 4            | 188,789                | \$0.2601                                 | \$38,586         | \$0.1750                | \$33,038    | \$5,548          | \$903           | \$6,451          |
| 5            | 187,751                | \$0.2666                                 | \$39,333         | \$0.1750                | \$32,856    | \$6,477          | \$923           | \$7,400          |
| 6            | 186,718                | \$0.2732                                 | \$40,095         | \$0.1750                | \$32,676    | \$7,419          | \$944           | \$8,363          |
| 7            | 185,691                | \$0.2801                                 | \$40,871         | \$0.1750                | \$32,496    | \$8,375          | \$965           | \$9,340          |
| 8            | 184,670                | \$0.2871                                 | \$41,662         | \$0.1750                | \$32,317    | \$9,345          | \$987           | \$10,332         |
| 9            | 183,654                | \$0.2942                                 | \$42,469         | \$0.1750                | \$32,139    | \$10,329         | \$1,009         | \$11,339         |
| 10           | 182,644                | \$0.3016                                 | \$43,291         | \$0.1750                | \$31,963    | \$11,329         | \$1,032         | \$12,361         |
| 11           | 181,639                | \$0.3091                                 | \$44,129         | \$0.1750                | \$31,787    | \$12,343         | \$1,055         | \$13,398         |
| 12           | 180,640                | \$0.3169                                 | \$44,984         | \$0.1750                | \$31,612    | \$13,372         | \$1,079         | \$14,451         |
| 13           | 179,647                | \$0.3248                                 | \$45,855         | \$0.1750                | \$31,438    | \$14,417         | \$1,103         | \$15,520         |
| 14           | 178,659                | \$0.3329                                 | \$46,743         | \$0.1750                | \$31,265    | \$15,478         | \$1,128         | \$16,606         |
| 15           | 177,676                | \$0.3412                                 | \$47,648         | \$0.1750                | \$31,093    | \$16,555         | \$1,154         | \$17,708         |
| 16           | 176,699                | \$0.3498                                 | \$48,570         | \$0.1750                | \$30,922    | \$17,648         | \$1,180         | \$18,828         |
| 17           | 175,727                | \$0.3585                                 | \$49,511         | \$0.1750                | \$30,752    | \$18,759         | \$1,206         | \$19,965         |
| 18           | 174,761                | \$0.3675                                 | \$50,470         | \$0.1750                | \$30,583    | \$19,886         | \$1,233         | \$21,120         |
| 19           | 173,799                | \$0.3767                                 | \$51,447         | \$0.1750                | \$30,415    | \$21,032         | \$1,261         | \$22,293         |
| 20           | 172,844                | \$0.3861                                 | \$52,443         | \$0.1750                | \$30,248    | \$22,195         | \$1,289         | \$23,485         |
| <b>Total</b> |                        |                                          |                  |                         |             | <b>\$241,706</b> | <b>\$21,045</b> | <b>\$262,751</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Fire Station – Roof – Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 61.44     |
| Year 1 PV Output (kWh)               | 70,000    |
| Percent of Usage                     | 82%       |
| Avoided kWh Electric Cost            | \$0.16500 |
| Solar PPA kWh Rate                   | \$0.17200 |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.04633 |
| Year 1 Forecast Savings              | -\$700    |
| Term Savings                         | \$46,000  |
| Annual Avoided CO <sub>2</sub> (lbs) | 67,000    |
| Term CO <sub>2</sub> Avoided (tons)  | 600       |

## Assumptions

Open shop labor (3rd party owned)  
 Rates assume PILOT of \$0.00 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART block 10  
 Utility electric rates escalate at 2.5%  
 Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

| Year | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment  | Net Savings     |
|------|------------------------|------------------------------------------|------------------|-------------------------|--------------|-----------------|
| 1    | 69,796                 | \$0.1650                                 | \$11,340         | \$0.1720                | \$12,005     | -\$665          |
| 2    | 69,412                 | \$0.1691                                 | \$11,560         | \$0.1720                | \$11,939     | -\$379          |
| 3    | 69,030                 | \$0.1734                                 | \$11,784         | \$0.1720                | \$11,873     | -\$90           |
| 4    | 68,651                 | \$0.1777                                 | \$12,012         | \$0.1720                | \$11,808     | \$204           |
| 5    | 68,273                 | \$0.1821                                 | \$12,244         | \$0.1720                | \$11,743     | \$501           |
| 6    | 67,897                 | \$0.1867                                 | \$12,481         | \$0.1720                | \$11,678     | \$803           |
| 7    | 67,524                 | \$0.1913                                 | \$12,723         | \$0.1720                | \$11,614     | \$1,109         |
| 8    | 67,153                 | \$0.1961                                 | \$12,970         | \$0.1720                | \$11,550     | \$1,419         |
| 9    | 66,783                 | \$0.2010                                 | \$13,221         | \$0.1720                | \$11,487     | \$1,734         |
| 10   | 66,416                 | \$0.2061                                 | \$13,477         | \$0.1720                | \$11,424     | \$2,053         |
| 11   | 66,051                 | \$0.2112                                 | \$13,738         | \$0.1720                | \$11,361     | \$2,377         |
| 12   | 65,687                 | \$0.2165                                 | \$14,004         | \$0.1720                | \$11,298     | \$2,705         |
| 13   | 65,326                 | \$0.2219                                 | \$14,275         | \$0.1720                | \$11,236     | \$3,039         |
| 14   | 64,967                 | \$0.2275                                 | \$14,551         | \$0.1720                | \$11,174     | \$3,377         |
| 15   | 64,610                 | \$0.2331                                 | \$14,833         | \$0.1720                | \$11,113     | \$3,720         |
| 16   | 64,254                 | \$0.2390                                 | \$15,120         | \$0.1720                | \$11,052     | \$4,068         |
| 17   | 63,901                 | \$0.2449                                 | \$15,413         | \$0.1720                | \$10,991     | \$4,422         |
| 18   | 63,549                 | \$0.2511                                 | \$15,711         | \$0.1720                | \$10,930     | \$4,781         |
| 19   | 63,200                 | \$0.2573                                 | \$16,015         | \$0.1720                | \$10,870     | \$5,145         |
| 20   | 62,852                 | \$0.2638                                 | \$16,326         | \$0.1720                | \$10,811     | \$5,515         |
|      |                        |                                          |                  |                         | <b>Total</b> | <b>\$45,839</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Project Development Due Diligence & Engineering 11244; 11245; 11246; 11247; 11248; 11249; 11250

Upon execution of Agreements, Solect performs all development activities as outlined below. During the development phase, Solect will provide Host with status updates, including any impacts to the project feasibility, schedules, and rates.

- INTERCONNECTION AND INCENTIVE PROCESS
  - Prepare electric engineering, submit SMART incentive applications and interconnection applications for each site. Utility response may require engineering studies.
  
- STRUCTURAL AND SITE FEASIBILITY AND PERMITTING
  - Confirm structural feasibility & weight-loading capacity for each building based on the systems ballast plan.
  - For canopies, conduct civil engineering and engage the Planning board to gain project approvals.
  
- PILOT CONFIRMATION
  - Execute PILOT agreements





# Proposal & Next Steps

11244; 11245;11246; 11247; 11248; 11249; 11250

## SIGN LETTER OF INTENT

- Electric engineering, Utility applications, SMART incentive applications
- Receive utility responses, and complete due diligence
- Contracts Process (PPA, Lease & PILOT)

## ROOFTOP SOLAR PROJECT STEPS:

- Construction design, building permit applications
- Pre-construction meetings and tight coordination with facility operations
- On-site Development - Installation and Electric tie-in
  - Experience with 550+ installations at all types of buildings and properties
- Local inspections
- Closeout paperwork, Utility meter changes & Permission to Operate
- Solect Services monitoring and maintenance – included in PPA rate for entire term
- Educational Programming – monitoring, curriculum support, events
- Marketing / Communications / PR

11244; 11245;11246; 11247; 11248; 11249; 11250

# Discussion, Questions Thank you!

**Byron Woodman, Sr. Director Business Development**

**[bwoodman@solect.com](mailto:bwoodman@solect.com)**

**339-203-5530**



# City Hall - Canopy – Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (KW DC)           | 264       |
| Year 1 PV Output (KWh)               | 290,000   |
| Percent of Usage                     | 174%      |
| Avoided kWh Electric Cost            | \$0.21853 |
| Solar PPA kWh Rate                   | \$0.2200  |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 25        |
| SMART Incentive Amt (\$/kWh)         | \$0.08713 |
| Year 1 Forecast Savings              | N/A       |
| Term Savings                         | \$222,000 |
| Term Savings + P.I.L.O.T             | \$265,615 |
| Annual Avoided CO <sub>2</sub> (lbs) | 279,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 3,300     |

**Assumptions**

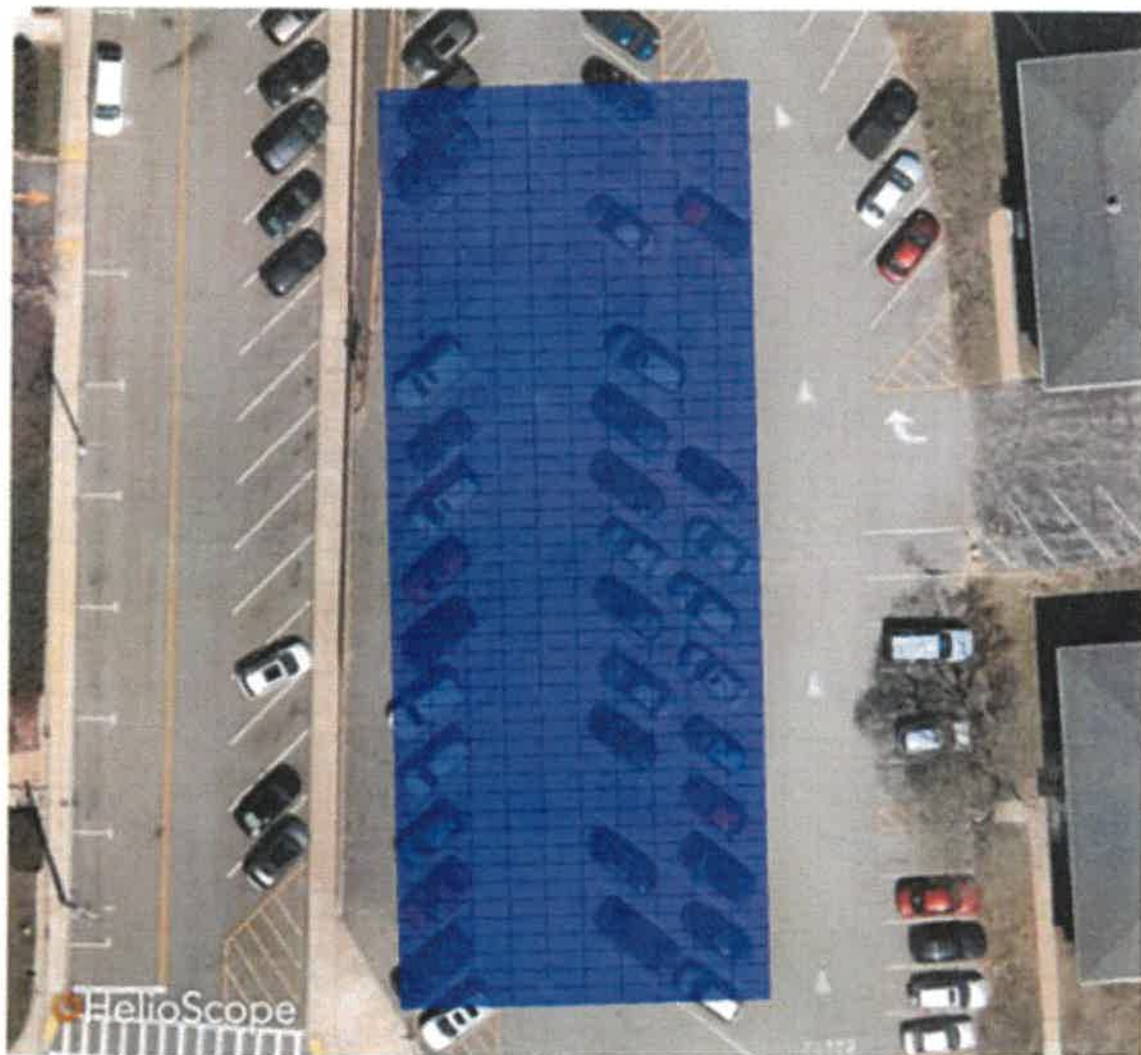
Open shop labor (3rd party owned)  
 Rates assume P.I.L.O.T of \$1320.00 per KW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART block 10  
 Utility electric rates escalate at 2.5%  
 Avoided emissions calculated based on 2020 EIA NIA State Electricity Profile

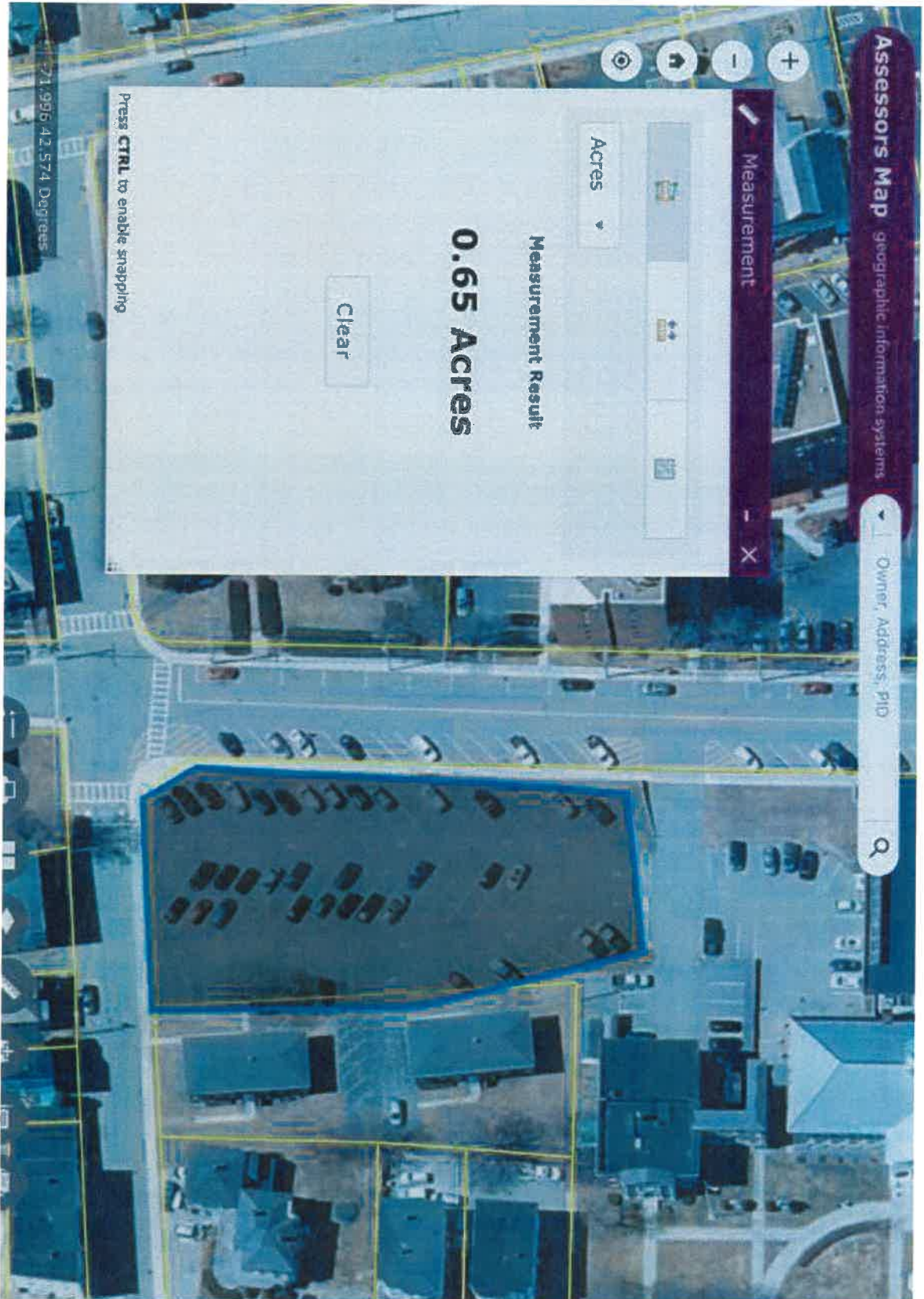
| Year         | Solar Production (KWh) | Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings | P.I.L.O.T        | Savings + P.I.L.O.T |                  |
|--------------|------------------------|-------------------------------------|-------------------|-------------------------|---------------|------------------|-------------------------|-------------|-------------|------------------|---------------------|------------------|
| 1            | 290,400                | \$0.2185                            | 136,426           | \$30,428                | \$33,648      | \$54,077         | \$0.2200                | \$63,988    | -\$9,811    | \$1,320          | -\$8,491            |                  |
| 2            | 288,803                | \$0.2240                            | 135,676           | \$20,624                | \$34,300      | \$58,124         | \$0.2200                | \$63,937    | -\$8,413    | \$1,350          | -\$7,063            |                  |
| 3            | 287,214                | \$0.2296                            | 134,929           | \$21,227                | \$34,964      | \$56,191         | \$0.2200                | \$63,187    | -\$6,996    | \$1,380          | -\$5,616            |                  |
| 4            | 285,636                | \$0.2353                            | 134,187           | \$21,638                | \$35,641      | \$57,279         | \$0.2200                | \$62,640    | -\$5,661    | \$1,411          | -\$4,150            |                  |
| 5            | 284,064                | \$0.2412                            | 133,449           | \$22,057                | \$36,331      | \$58,388         | \$0.2200                | \$62,494    | -\$4,196    | \$1,443          | -\$2,653            |                  |
| 6            | 282,501                | \$0.2472                            | 132,715           | \$22,484                | \$37,034      | \$59,519         | \$0.2200                | \$62,190    | -\$2,632    | \$1,475          | -\$1,166            |                  |
| 7            | 280,948                | \$0.2534                            | 131,985           | \$22,920                | \$37,751      | \$60,671         | \$0.2200                | \$61,809    | -\$1,138    | \$1,509          | \$371               |                  |
| 8            | 279,402                | \$0.2599                            | 131,259           | \$23,363                | \$38,482      | \$61,848         | \$0.2200                | \$61,130    | \$377       | \$1,542          | \$1,920             |                  |
| 9            | 277,856                | \$0.2663                            | 130,537           | \$23,816                | \$39,227      | \$63,043         | \$0.2200                | \$60,130    | \$1,913     | \$1,577          | \$3,460             |                  |
| 10           | 276,317                | \$0.2729                            | 129,820           | \$24,277                | \$39,987      | \$64,264         | \$0.2200                | \$59,794    | \$3,470     | \$1,613          | \$5,082             |                  |
| 11           | 274,678                | \$0.2797                            | 129,108           | \$24,747                | \$40,761      | \$65,508         | \$0.2200                | \$60,460    | \$5,048     | \$1,648          | \$6,697             |                  |
| 12           | 273,306                | \$0.2867                            | 128,385           | \$25,226                | \$41,550      | \$66,777         | \$0.2200                | \$60,127    | \$6,649     | \$1,686          | \$8,335             |                  |
| 13           | 271,803                | \$0.2939                            | 127,689           | \$25,715                | \$42,355      | \$68,076         | \$0.2200                | \$59,797    | \$8,273     | \$1,724          | \$9,997             |                  |
| 14           | 270,308                | \$0.3012                            | 126,987           | \$26,212                | \$43,176      | \$69,388         | \$0.2200                | \$59,468    | \$9,920     | \$1,763          | \$11,683            |                  |
| 15           | 267,343                | \$0.3165                            | 126,289           | \$26,720                | \$44,011      | \$70,731         | \$0.2200                | \$59,141    | \$11,690    | \$1,802          | \$13,393            |                  |
| 16           | 265,672                | \$0.3244                            | 124,903           | \$27,765                | \$44,863      | \$72,101         | \$0.2200                | \$58,815    | \$13,285    | \$1,843          | \$15,128            |                  |
| 17           | 264,410                | \$0.3325                            | 124,216           | \$28,302                | \$45,732      | \$73,497         | \$0.2200                | \$58,492    | \$15,005    | \$1,884          | \$16,888            |                  |
| 18           | 262,410                | \$0.3408                            | 123,533           | \$28,850                | \$46,617      | \$74,920         | \$0.2200                | \$58,170    | \$16,749    | \$1,927          | \$18,676            |                  |
| 19           | 262,056                | \$0.3484                            | 122,854           | \$29,409                | \$47,520      | \$76,370         | \$0.2200                | \$57,850    | \$18,520    | \$1,970          | \$20,490            |                  |
| 20           | 261,510                | \$0.3484                            | 122,178           | \$29,678                | \$48,376      | \$77,849         | \$0.2200                | \$57,532    | \$20,317    | \$2,016          | \$22,331            |                  |
| 21           | 260,071                | \$0.3484                            | 122,178           | \$29,678                | \$49,376      | \$79,356         | \$0.2200                | \$57,216    | \$22,141    | \$2,060          | \$24,201            |                  |
| 22           | 258,641                | \$0.3670                            | 121,506           | \$30,559                | \$50,354      | \$80,893         | \$0.2200                | \$56,901    | \$23,992    | \$2,108          | \$26,098            |                  |
| 23           | 257,216                | \$0.3762                            | 120,838           | \$31,161                | \$51,309      | \$82,469         | \$0.2200                | \$56,586    | \$25,871    | \$2,164          | \$28,026            |                  |
| 24           | 255,804                | \$0.3856                            | 120,173           | \$31,754                | \$52,302      | \$84,056         | \$0.2200                | \$56,277    | \$27,779    | \$2,202          | \$29,981            |                  |
| 25           | 254,397                | \$0.3953                            | 119,512           | \$32,368                | \$53,316      | \$85,663         | \$0.2200                | \$55,967    | \$29,716    | \$2,252          | \$31,958            |                  |
| <b>Total</b> |                        |                                     |                   |                         |               |                  |                         |             |             | <b>\$221,959</b> | <b>\$43,637</b>     | <b>\$265,615</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# City Hall Canopy – 249.6kW





| <b>City of Gardner Solar Sites</b>         |                                  |                |                          |                           |  |
|--------------------------------------------|----------------------------------|----------------|--------------------------|---------------------------|--|
| <b>Location</b>                            | <b>Address</b>                   | <b>kW (DC)</b> | <b>Roof Area - SqFt.</b> | <b>Solar Area - SqFt.</b> |  |
| Gardner New Community Center               | 62 Waterford Street              | 373.9          | 60,500                   | 43,315                    |  |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9           | 5,600                    | 5,600                     |  |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5           | 14,000                   | 7,000                     |  |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2          | 23,400                   | 23,400                    |  |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8          | 15,000                   | 11,100                    |  |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6          | 32,000                   | 18,000                    |  |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50             | 10,500                   | 6,500                     |  |

Pelletier Properties  
670 Mechanic St Leominster  
978-674-7146  
npelletier@kw.com  
www.pelletierprops.com



### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in cursive script that reads 'Nicholas Pelletier'.

**Nicholas Pelletier**

**President of Pelletier Properties**





**City of Gardner - *Executive Department***

**Mayor Michael J. Nicholson**

March 28, 2024

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

RECEIVED  
 2024 MAR 28 PM 4:16  
 CITY CLERK'S OFFICE  
 GARDNER, MA

RE: A Measure Declaring the Roof of the DPW Administration Building as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 50 MANCA DRIVE**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of DPW Main Building , located at 50 Manca (South) Drive, further identified on the City of Gardner Assessor's Map as M17-10-21; with an approximate area of 5,600 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

## DPW – 50 Manca – Roof – Annual Savings

| PV System Capacity (kW DC)                                                  |                        | 168.96                                   |                  |                         |             |                  |                 |                      |
|-----------------------------------------------------------------------------|------------------------|------------------------------------------|------------------|-------------------------|-------------|------------------|-----------------|----------------------|
| Year 1 PV Output (kWh)                                                      |                        | 192,000                                  |                  |                         |             |                  |                 |                      |
| Percent of Usage                                                            |                        | 227%                                     |                  |                         |             |                  |                 |                      |
| Avoided kWh Electric Cost                                                   |                        | \$0.24150                                |                  |                         |             |                  |                 |                      |
| Solar PPA kWh Rate                                                          |                        | \$0.17500                                |                  |                         |             |                  |                 |                      |
| PPA Rate Escalator                                                          |                        | 0.0%                                     |                  |                         |             |                  |                 |                      |
| Term (Yrs)                                                                  |                        | 20                                       |                  |                         |             |                  |                 |                      |
| SMART Incentive Amt (\$/kWh)                                                |                        | \$0.01010                                |                  |                         |             |                  |                 |                      |
| Year 1 Forecast Savings                                                     |                        | \$2,800                                  |                  |                         |             |                  |                 |                      |
| Term Savings                                                                |                        | \$242,000                                |                  |                         |             |                  |                 |                      |
| Annual Avoided CO <sub>2</sub> (lbs)                                        |                        | 184,000                                  |                  |                         |             |                  |                 |                      |
| Term CO <sub>2</sub> Avoided (tons)                                         |                        | 1,800                                    |                  |                         |             |                  |                 |                      |
| <b>Assumptions</b>                                                          |                        |                                          |                  |                         |             |                  |                 |                      |
| Open shop labor (3rd party owned)                                           |                        |                                          |                  |                         |             |                  |                 |                      |
| Rates assume P.I.L.O.T. of \$844.80 per kW-DC                               |                        |                                          |                  |                         |             |                  |                 |                      |
| Rates do not include utility network upgrade or study costs                 |                        |                                          |                  |                         |             |                  |                 |                      |
| Bonding not included as system is 3rd party owned                           |                        |                                          |                  |                         |             |                  |                 |                      |
| Assumes SMART block 10                                                      |                        |                                          |                  |                         |             |                  |                 |                      |
| Utility electric rates escalate at 2.5%                                     |                        |                                          |                  |                         |             |                  |                 |                      |
| Avoided emissions calculated based on 2020 EIA MA State Electricity Profile |                        |                                          |                  |                         |             |                  |                 |                      |
| Year                                                                        | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | P.I.L.O.T.      | Savings + P.I.L.O.T. |
| 1                                                                           | 191,939                | \$0.2415                                 | \$36,429         | \$0.1750                | \$33,589    | \$2,839          | \$845           | \$3,684              |
| 2                                                                           | 190,863                | \$0.2475                                 | \$37,134         | \$0.1750                | \$33,405    | \$3,729          | \$864           | \$4,593              |
| 3                                                                           | 189,833                | \$0.2537                                 | \$37,853         | \$0.1750                | \$33,221    | \$4,632          | \$883           | \$5,515              |
| 4                                                                           | 188,789                | \$0.2601                                 | \$38,596         | \$0.1750                | \$33,036    | \$5,548          | \$903           | \$6,451              |
| 5                                                                           | 187,751                | \$0.2666                                 | \$39,333         | \$0.1750                | \$32,856    | \$6,477          | \$923           | \$7,400              |
| 6                                                                           | 186,718                | \$0.2732                                 | \$40,095         | \$0.1750                | \$32,676    | \$7,419          | \$944           | \$8,363              |
| 7                                                                           | 185,691                | \$0.2801                                 | \$40,871         | \$0.1750                | \$32,498    | \$8,375          | \$965           | \$9,340              |
| 8                                                                           | 184,670                | \$0.2871                                 | \$41,662         | \$0.1750                | \$32,317    | \$9,345          | \$987           | \$10,332             |
| 9                                                                           | 183,654                | \$0.2942                                 | \$42,469         | \$0.1750                | \$32,139    | \$10,329         | \$1,009         | \$11,339             |
| 10                                                                          | 182,644                | \$0.3016                                 | \$43,291         | \$0.1750                | \$31,963    | \$11,329         | \$1,032         | \$12,361             |
| 11                                                                          | 181,639                | \$0.3091                                 | \$44,129         | \$0.1750                | \$31,787    | \$12,343         | \$1,055         | \$13,398             |
| 12                                                                          | 180,640                | \$0.3169                                 | \$44,984         | \$0.1750                | \$31,612    | \$13,372         | \$1,079         | \$14,451             |
| 13                                                                          | 179,647                | \$0.3248                                 | \$45,855         | \$0.1750                | \$31,438    | \$14,417         | \$1,103         | \$15,520             |
| 14                                                                          | 178,659                | \$0.3329                                 | \$46,743         | \$0.1750                | \$31,265    | \$15,478         | \$1,128         | \$16,606             |
| 15                                                                          | 177,676                | \$0.3412                                 | \$47,648         | \$0.1750                | \$31,093    | \$16,565         | \$1,154         | \$17,708             |
| 16                                                                          | 176,699                | \$0.3498                                 | \$48,570         | \$0.1750                | \$30,922    | \$17,648         | \$1,180         | \$18,828             |
| 17                                                                          | 175,727                | \$0.3585                                 | \$49,511         | \$0.1750                | \$30,752    | \$18,768         | \$1,206         | \$19,965             |
| 18                                                                          | 174,761                | \$0.3675                                 | \$50,470         | \$0.1750                | \$30,583    | \$19,886         | \$1,233         | \$21,120             |
| 19                                                                          | 173,799                | \$0.3767                                 | \$51,447         | \$0.1750                | \$30,415    | \$21,032         | \$1,261         | \$22,293             |
| 20                                                                          | 172,844                | \$0.3861                                 | \$52,443         | \$0.1750                | \$30,248    | \$22,195         | \$1,289         | \$23,485             |
| <b>Total</b>                                                                |                        |                                          |                  |                         |             | <b>\$241,706</b> | <b>\$21,045</b> | <b>\$262,751</b>     |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Gardner DPW (South) – 68.6kW



| City of Gardner Solar Sites                |                                  |         |                   |                    |  |  |
|--------------------------------------------|----------------------------------|---------|-------------------|--------------------|--|--|
| Location                                   | Address                          | kW (DC) | Roof Area - SqFt. | Solar Area - SqFt. |  |  |
| Gardner New Community Center               | 62 Waterford Street              | 373.9   | 60,500            | 43,315             |  |  |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9    | 5,600             | 5,600              |  |  |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5    | 14,000            | 7,000              |  |  |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2   | 23,400            | 23,400             |  |  |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8   | 15,000            | 11,100             |  |  |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6   | 32,000            | 18,000             |  |  |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50      | 10,500            | 6,500              |  |  |

Pelletier Properties  
670 Mechanic St Leominster  
978-674-7146  
npelletier@kw.com  
www.pelletierprops.com



### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in cursive script, reading 'Nicholas Pelletier', is positioned below the text 'Warm regards,'.

**Nicholas Pelletier**

**President of Pelletier Properties**



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RE: A Measure Declaring the Roof of the DPW Cold Storage Building as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels at a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

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2024 MAR 28 PM 4:17  
CITY OF GARDNER MA



**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 50 MANCA DRIVE**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of DPW Cold Storage Building , located at 50 Manca (North) Drive, further identified on the City of Gardner Assessor's Map as M17-10-21; with an approximate area of 7,000 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

## Gardner DPW (North) – 91.2kW



| City of Gardner Solar Sites                |                                  |         |                   |                    |  |
|--------------------------------------------|----------------------------------|---------|-------------------|--------------------|--|
| Location                                   | Address                          | kW (DC) | Roof Area - SqFt. | Solar Area - SqFt. |  |
| Gardner New Community Center               | 62 Waterford Street              | 373.9   | 60,500            | 43,315             |  |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9    | 5,600             | 5,600              |  |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5    | 14,000            | 7,000              |  |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2   | 23,400            | 23,400             |  |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8   | 15,000            | 11,100             |  |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6   | 32,000            | 18,000             |  |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50      | 10,500            | 6,500              |  |

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### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in cursive script, reading 'Nicholas Pelletier', is positioned above the typed name.

**Nicholas Pelletier**

**President of Pelletier Properties**



**City of Gardner - *Executive Department***

**Mayor Michael J. Nicholson**

March 28, 2024

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

RE: A Measure Declaring the Roof of the Gardner City Hall as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

This would be for the Connors Street Side of City Hall and to replace the current panels over Perry Auditorium that are inoperable, not the front of the building.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

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 2024 MAR 28 PM 4:16  
 CITY OF GARDNER  
 GARDNER, MA

**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 95 PLEASANT STREET**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of Gardner City Hall, located at 95 Pleasant Street, further identified on the City of Gardner Assessor's Map as M22-10-10; with an approximate area of 11,100 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

# City Hall Roof – Annual Savings

|                                            |                  |
|--------------------------------------------|------------------|
| <b>PV System Capacity (KW DC)</b>          | <b>100.8</b>     |
| <b>Year 1 PV Output (kWh)</b>              | <b>113,000</b>   |
| <b>Percent of Usage</b>                    | <b>68%</b>       |
| <b>Avoided kWh Electric Cost</b>           | <b>\$0.21853</b> |
| <b>Solar PPA kWh Rate</b>                  | <b>\$0.1800</b>  |
| <b>PPA Rate Escalator</b>                  | <b>0.0%</b>      |
| <b>Term (Yrs)</b>                          | <b>20</b>        |
| <b>SMART Incentive Amt (\$/kWh)</b>        | <b>\$0.04633</b> |
| <b>Year 1 Forecast Savings</b>             | <b>\$3,800</b>   |
| <b>Term Savings</b>                        | <b>\$196,000</b> |
| <b>Term Savings + PILOT</b>                | <b>\$208,375</b> |
| <b>Annual Avoided CO<sub>2</sub> (lbs)</b> | <b>109,000</b>   |
| <b>Term CO<sub>2</sub> Avoided (tons)</b>  | <b>1,000</b>     |

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Savings from Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings      | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|-------------------|-------------------------|----------------------------|------------------|-------------------------|-------------|------------------|-----------------|------------------|
| 1            | 113,027                | \$0.2185                                 | 8,553             | \$1,281                 | \$22,931                   | \$24,112         | \$0.1800                | \$20,345    | \$3,767          | \$604           | \$4,271          |
| 2            | 112,405                | \$0.2240                                 | 8,506             | \$1,206                 | \$23,273                   | \$24,578         | \$0.1800                | \$20,233    | \$4,345          | \$515           | \$4,861          |
| 3            | 111,787                | \$0.2296                                 | 8,460             | \$1,131                 | \$23,723                   | \$25,054         | \$0.1800                | \$20,122    | \$4,933          | \$627           | \$5,560          |
| 4            | 111,172                | \$0.2353                                 | 8,413             | \$1,057                 | \$24,183                   | \$25,539         | \$0.1800                | \$20,011    | \$5,528          | \$539           | \$6,067          |
| 5            | 110,561                | \$0.2412                                 | 8,367             | \$1,383                 | \$24,651                   | \$26,034         | \$0.1800                | \$19,901    | \$6,133          | \$651           | \$6,584          |
| 6            | 109,953                | \$0.2472                                 | 8,321             | \$1,410                 | \$25,128                   | \$26,538         | \$0.1800                | \$19,792    | \$6,746          | \$663           | \$7,310          |
| 7            | 109,348                | \$0.2534                                 | 8,275             | \$1,437                 | \$25,615                   | \$27,052         | \$0.1800                | \$19,683    | \$7,368          | \$676           | \$7,948          |
| 8            | 108,747                | \$0.2598                                 | 8,230             | \$1,465                 | \$26,111                   | \$27,576         | \$0.1800                | \$19,574    | \$8,001          | \$689           | \$8,590          |
| 9            | 108,149                | \$0.2663                                 | 8,184             | \$1,493                 | \$26,616                   | \$28,110         | \$0.1800                | \$19,467    | \$8,643          | \$692           | \$9,245          |
| 10           | 107,554                | \$0.2729                                 | 8,139             | \$1,522                 | \$27,132                   | \$28,654         | \$0.1800                | \$19,360    | \$9,294          | \$616           | \$9,910          |
| 11           | 106,962                | \$0.2797                                 | 8,094             | \$1,552                 | \$27,657                   | \$29,209         | \$0.1800                | \$19,253    | \$9,955          | \$630           | \$10,585         |
| 12           | 106,374                | \$0.2867                                 | 8,050             | \$1,582                 | \$28,193                   | \$29,774         | \$0.1800                | \$19,147    | \$10,627         | \$644           | \$11,271         |
| 13           | 105,788                | \$0.2939                                 | 8,008             | \$1,612                 | \$28,738                   | \$30,351         | \$0.1800                | \$19,042    | \$11,309         | \$658           | \$11,967         |
| 14           | 105,207                | \$0.3012                                 | 7,962             | \$1,643                 | \$29,295                   | \$30,938         | \$0.1800                | \$18,937    | \$12,001         | \$673           | \$12,674         |
| 15           | 104,628                | \$0.3088                                 | 7,918             | \$1,675                 | \$29,862                   | \$31,537         | \$0.1800                | \$18,833    | \$12,704         | \$688           | \$13,392         |
| 16           | 104,053                | \$0.3165                                 | 7,874             | \$1,708                 | \$30,440                   | \$32,148         | \$0.1800                | \$18,730    | \$13,419         | \$704           | \$14,122         |
| 17           | 103,481                | \$0.3244                                 | 7,831             | \$1,741                 | \$31,030                   | \$32,770         | \$0.1800                | \$18,627    | \$14,144         | \$720           | \$14,864         |
| 18           | 102,911                | \$0.3325                                 | 7,788             | \$1,774                 | \$31,631                   | \$33,405         | \$0.1800                | \$18,524    | \$14,881         | \$736           | \$15,617         |
| 19           | 102,345                | \$0.3408                                 | 7,745             | \$1,809                 | \$32,243                   | \$34,052         | \$0.1800                | \$18,422    | \$15,630         | \$752           | \$16,382         |
| 20           | 101,783                | \$0.3494                                 | 7,703             | \$1,844                 | \$32,867                   | \$34,711         | \$0.1800                | \$18,321    | \$16,390         | \$769           | \$17,159         |
| <b>Total</b> |                        |                                          |                   |                         |                            |                  |                         |             | <b>\$195,820</b> | <b>\$12,565</b> | <b>\$208,375</b> |

**Assumptions**  
 Open shop labor (3rd party owned)  
 Rates assume PILOT of \$504.00 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART block 10  
 Utility electric rates escalate at 2.5%

Note: Final locations and prices are subject to final feasibility studies and engineering.





# City Hall – 100.8kW



**City of Gardner Solar Sites**

| <b>Location</b>                            | <b>Address</b>                   | <b>kW (DC)</b> | <b>Roof Area - SqFt.</b> | <b>Solar Area - SqFt.</b> |
|--------------------------------------------|----------------------------------|----------------|--------------------------|---------------------------|
| Gardner New Community Center               | 62 Waterford Street              | 373.9          | 60,500                   | 43,315                    |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9           | 5,600                    | 5,600                     |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5           | 14,000                   | 7,000                     |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2          | 23,400                   | 23,400                    |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8          | 15,000                   | 11,100                    |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6          | 32,000                   | 18,000                    |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50             | 10,500                   | 6,500                     |

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### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in blue ink that reads "Nicholas Pelletier".

**Nicholas Pelletier**

**President of Pelletier Properties**



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

March 28, 2024

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

RE: A Measure Declaring the Roof of the Waterford Community Center as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the roof for the Waterford Community Center was cited in the City's Capital Improvement Report as in need or repairs/replacement. Solect has previously provided upgrades to roofs to enable solar to proceed. The price over the roof would be included in the project capital cost. Once the work is complete, the system will be installed, and the additional cost will be included in the PPA rate. This option will be evaluated on a case-by-case basis. Solect would also need to coordinate with the City regarding the timeline for the payment to the City and installation for this process.

Additionally, the underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

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CITY OF GARDNER  
GARDNER, MA

**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 62 WATERFORD STREET**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of Gardner New Community Center, located at 62 Waterford Street, further identified on the City of Gardner Assessor's Map as M22-13-4; with an approximate area of 43,315 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

# New Community Center - PPA – Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 373.92    |
| Year 1 PV Output (kWh)               | 438,000   |
| Percent of Usage                     | 213%      |
| Avoided kWh Electric Cost            | \$0.18602 |
| Solar PPA kWh Rate                   | \$0.1400  |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.04633 |
| Year 1 Forecast Savings              | \$11,700  |
| Term Savings                         | \$599,000 |
| Term Savings + PILOT                 | \$646,000 |
| Annual Avoided CO <sub>2</sub> (lbs) | 421,000   |
| Term CO <sub>2</sub> Avoided (tons)  | 4,000     |

**Assumptions**  
 Open shop labor (3rd party owned)  
 Rates assume PILOT of \$1869.60 per kW-DC  
 Rates do not include utility network upgrade or study costs  
 Bonding not included as system is 3rd party owned  
 Assumes SMART Block 10  
 Utility electric rates escalate at 2.5%

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Excess Generation | Savings from Excess Gen | On-Bill Savings from Solar | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment      | Net Savings | PILOT           | Savings + PILOT  |
|--------------|------------------------|------------------------------------------|-------------------|-------------------------|----------------------------|------------------|-------------------------|------------------|-------------|-----------------|------------------|
| 1            | 438,272                | \$0.1860                                 | 237,952           | \$34,882                | \$38,194                   | \$73,076         | \$0.1400                | \$61,358         | \$11,716    | \$1,870         | \$13,586         |
| 2            | 438,861                | \$0.1907                                 | 231,670           | \$35,558                | \$38,834                   | \$74,401         | \$0.1400                | \$61,021         | \$13,471    | \$1,912         | \$15,382         |
| 3            | 433,464                | \$0.1954                                 | 230,388           | \$36,248                | \$39,988                   | \$75,934         | \$0.1400                | \$60,885         | \$15,249    | \$1,955         | \$17,203         |
| 4            | 431,080                | \$0.2003                                 | 228,128           | \$36,948                | \$40,456                   | \$77,404         | \$0.1400                | \$60,351         | \$17,053    | \$1,999         | \$19,051         |
| 5            | 428,709                | \$0.2053                                 | 227,888           | \$37,663                | \$41,238                   | \$78,903         | \$0.1400                | \$60,018         | \$18,883    | \$2,044         | \$20,927         |
| 6            | 426,351                | \$0.2105                                 | 226,616           | \$38,393                | \$42,038                   | \$80,430         | \$0.1400                | \$59,669         | \$20,741    | \$2,090         | \$22,831         |
| 7            | 424,006                | \$0.2157                                 | 225,368           | \$39,136                | \$42,852                   | \$81,988         | \$0.1400                | \$59,361         | \$22,627    | \$2,137         | \$24,764         |
| 8            | 421,674                | \$0.2211                                 | 224,130           | \$39,894                | \$43,682                   | \$83,575         | \$0.1400                | \$58,034         | \$24,541    | \$2,185         | \$26,726         |
| 9            | 419,355                | \$0.2267                                 | 222,897           | \$40,668                | \$44,527                   | \$85,194         | \$0.1400                | \$58,710         | \$26,484    | \$2,234         | \$28,718         |
| 10           | 417,048                | \$0.2323                                 | 221,671           | \$41,454                | \$45,390                   | \$86,843         | \$0.1400                | \$58,367         | \$28,456    | \$2,284         | \$30,740         |
| 11           | 414,755                | \$0.2381                                 | 220,452           | \$42,256                | \$46,288                   | \$88,525         | \$0.1400                | \$58,068         | \$30,459    | \$2,336         | \$32,794         |
| 12           | 412,473                | \$0.2441                                 | 219,239           | \$43,074                | \$47,164                   | \$90,239         | \$0.1400                | \$57,746         | \$32,492    | \$2,388         | \$34,880         |
| 13           | 410,205                | \$0.2502                                 | 218,033           | \$43,908                | \$48,078                   | \$91,989         | \$0.1400                | \$57,429         | \$34,557    | \$2,442         | \$36,999         |
| 14           | 407,949                | \$0.2564                                 | 216,834           | \$44,759                | \$49,008                   | \$93,767         | \$0.1400                | \$57,113         | \$36,654    | \$2,497         | \$39,151         |
| 15           | 405,705                | \$0.2628                                 | 215,642           | \$45,625                | \$49,957                   | \$95,583         | \$0.1400                | \$56,799         | \$38,784    | \$2,553         | \$41,337         |
| 16           | 403,474                | \$0.2684                                 | 214,456           | \$46,508                | \$50,925                   | \$97,433         | \$0.1400                | \$56,486         | \$40,947    | \$2,610         | \$43,557         |
| 17           | 401,255                | \$0.2762                                 | 213,278           | \$47,409                | \$51,911                   | \$99,320         | \$0.1400                | \$56,176         | \$43,144    | \$2,668         | \$45,813         |
| 18           | 399,048                | \$0.2831                                 | 212,103           | \$48,327                | \$52,916                   | \$101,243        | \$0.1400                | \$55,867         | \$45,376    | \$2,729         | \$48,105         |
| 19           | 396,853                | \$0.2901                                 | 210,937           | \$49,263                | \$53,940                   | \$103,203        | \$0.1400                | \$55,559         | \$47,644    | \$2,791         | \$50,434         |
| 20           | 394,670                | \$0.2974                                 | 208,778           | \$50,217                | \$54,985                   | \$105,201        | \$0.1400                | \$55,254         | \$49,948    | \$2,853         | \$52,801         |
| <b>Total</b> |                        |                                          |                   |                         |                            |                  |                         | <b>\$599,229</b> |             | <b>\$46,675</b> | <b>\$645,903</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



# Gardner New Community Center – 373.9kW





| City of Gardner Solar Sites                |                                  |         |                   |                    |  |  |
|--------------------------------------------|----------------------------------|---------|-------------------|--------------------|--|--|
| Location                                   | Address                          | kW (DC) | Roof Area - SqFt. | Solar Area - SqFt. |  |  |
| Gardner New Community Center               | 62 Waterford Street              | 373.9   | 60,500            | 43,315             |  |  |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9    | 5,600             | 5,600              |  |  |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5    | 14,000            | 7,000              |  |  |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2   | 23,400            | 23,400             |  |  |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8   | 15,000            | 11,100             |  |  |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6   | 32,000            | 18,000             |  |  |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50      | 10,500            | 6,500              |  |  |

Pelletier Properties  
670 Mechanic St Leominster  
978-674-7146  
npelletier@kw.com  
www.pelletierprops.com



### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in cursive script, reading 'Nicholas Pelletier', is positioned above the typed name.

**Nicholas Pelletier**

**President of Pelletier Properties**



**City of Gardner - *Executive Department***

**Mayor Michael J. Nicholson**

March 28, 2024

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

RECEIVED  
 2024 MAR 28 PM 4:17  
 CITY OF GARDNER OFFICE  
 GARDNER, MA

RE: A Measure Declaring the Roof of the DPW Garage Buildings as surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

Additionally, the roof for the two DPW Garage Buildings was cited in the City's Capital Improvement Report as in need or repairs/replacement. Solect has previously provided upgrades to roofs to enable solar to proceed. The price over the roof would be included in the project capital cost. Once the work is complete, the system will be installed, and the additional cost will be included in the PPA rate. This option will be evaluated on a case-by-case basis. Solect would also need to coordinate with the City regarding the timeline for the payment to the City and installation for this process.

The underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 416 W BROADWAY**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of Gardner DPW Facilities, located at 416 West Broadway, further identified on the City of Gardner Assessor's Map as M22-10-10; with an approximate area of 23,400 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

# 416 W. Broadway – 270.2kW



**City of Gardner Solar Sites**

| <b>Location</b>                            | <b>Address</b>                   | <b>kW (DC)</b> | <b>Roof Area - SqFt.</b> | <b>Solar Area - SqFt.</b> |
|--------------------------------------------|----------------------------------|----------------|--------------------------|---------------------------|
| Gardner New Community Center               | 62 Waterford Street              | 373.9          | 60,500                   | 43,315                    |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9           | 5,600                    | 5,600                     |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5           | 14,000                   | 7,000                     |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2          | 23,400                   | 23,400                    |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8          | 15,000                   | 11,100                    |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6          | 32,000                   | 18,000                    |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50             | 10,500                   | 6,500                     |

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### **City of Gardner**

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.





In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in black ink that reads "Nicholas Pelletier". The signature is written in a cursive style.

**Nicholas Pelletier**

**President of Pelletier Properties**



**City of Gardner - *Executive Department***

**Mayor Michael J. Nicholson**

March 28, 2024

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

RECEIVED  
 2024 MAR 28 PM 4:17  
 CITY OF GARDNER  
 OFFICE OF THE MAYOR

RE: A Measure Declaring the Roof of the Gardner Fire Headquarters Surplus for the purpose of leasing to a solar photovoltaic array

Dear Madam President and Councilors,

As I announced at my Inaugural Address on January 6, 2024, the Administration is looking to increasing our solar canopy across our City owned properties and buildings.

The attached declaration of surplus request is being put forward to allow the Administration to enter into a lease agreement for the roof of the building in order to install a solar photovoltaic array on the roof of the building.

This is a process that is very particular in the General Laws of the Commonwealth. If the City enters into a Power Purchase Agreement (PPA) with a solar company, the City does not need to put the lease out to bid and can enter into a lease agreement so long as the City receives the electricity from the panels as a discounted rate compared to electrical costs as currently being done.

The Administration has been in touch with Solect Energy for this project.

I understand that the Fire Station is set to get a new roof as a result of our insurance company repairing the damage caused by the Windstorm of February 29, 2024. The current plan for the repairs has a 70 year warranty for the roof. The General Laws of the Commonwealth require all solar companies to assume all warranties issued for the roofs under the panels, if they deem this building suitable for solar.

The underlying lease of the panels must be based off of a market analysis done for like work in other public spaces. The cost of the lease of \$0.50 per square foot comes from the attached analysis and the full square footage is referenced in the declaration language. These leases would likely be for a period of twenty (20) years, and the City Council would have to approve all final lease documents and payment in-lieu of taxes (PILOT) agreements associated with these projects.

A full financial analysis of this project for this site is attached to this correspondence.

Respectfully submitted,

Michael J. Nicholson  
 Mayor, City of Gardner

**DECLARATION OF SURPLUS FOR THE PURPOSE OF LEASING SPACE FOR A  
PHOTOVOLATIC SOLAR ARRAY AT 70 CITY HALL AVENUE**

VOTED: To declare surplus for the purpose of leasing space for a photovoltaic solar array with prevailing General Laws, the roof of Gardner Fire Station, located at 70 City Hall Avenue, further identified on the City of Gardner Assessor's Map as M22/10/5; with an approximate area of 6,500 square feet, to establish as a minimum amount of \$0.50 per square foot to be paid for any lease payment of said property, to authorize the Mayor to negotiate the lease agreement, subject to approval by the City Council of the City of Gardner, of 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.

# Fire Station – Roof – Annual Savings

|                                      |           |
|--------------------------------------|-----------|
| PV System Capacity (kW DC)           | 61.44     |
| Year 1 PV Output (kWh)               | 70,000    |
| Percent of Usage                     | 82%       |
| Avoided kWh Electric Cost            | \$0.16500 |
| Solar PPA kWh Rate                   | \$0.17200 |
| PPA Rate Escalator                   | 0.0%      |
| Term (Yrs)                           | 20        |
| SMART Incentive Amt (\$/kWh)         | \$0.04633 |
| Year 1 Forecast Savings              | -\$700    |
| Term Savings                         | \$46,000  |
| Annual Avoided CO <sub>2</sub> (lbs) | 67,000    |
| Term CO <sub>2</sub> Avoided (tons)  | 600       |

## Assumptions

- Open shop labor (3rd party owned)
- Rates assume PILOT of \$0.00 per kW-DC
- Rates do not include utility network upgrade or study costs
- Bonding not included as system is 3rd party owned
- Assumes SMART block 10
- Utility electric rates escalate at 2.5%
- Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

| Year         | Solar Production (kWh) | Grid-Delivered Electricity Cost (\$/kWh) | Electric Savings | Solar PPA Rate (\$/kWh) | PPA Payment | Net Savings     |
|--------------|------------------------|------------------------------------------|------------------|-------------------------|-------------|-----------------|
| 1            | 69,798                 | \$0.1650                                 | \$11,340         | \$0.1720                | \$12,005    | -\$665          |
| 2            | 69,412                 | \$0.1691                                 | \$11,560         | \$0.1720                | \$11,939    | -\$379          |
| 3            | 69,030                 | \$0.1734                                 | \$11,784         | \$0.1720                | \$11,873    | -\$90           |
| 4            | 68,651                 | \$0.1777                                 | \$12,012         | \$0.1720                | \$11,808    | \$204           |
| 5            | 68,273                 | \$0.1821                                 | \$12,244         | \$0.1720                | \$11,743    | \$501           |
| 6            | 67,897                 | \$0.1867                                 | \$12,481         | \$0.1720                | \$11,678    | \$803           |
| 7            | 67,524                 | \$0.1913                                 | \$12,723         | \$0.1720                | \$11,614    | \$1,109         |
| 8            | 67,153                 | \$0.1961                                 | \$12,970         | \$0.1720                | \$11,550    | \$1,419         |
| 9            | 66,783                 | \$0.2010                                 | \$13,221         | \$0.1720                | \$11,487    | \$1,734         |
| 10           | 66,416                 | \$0.2061                                 | \$13,477         | \$0.1720                | \$11,424    | \$2,053         |
| 11           | 66,051                 | \$0.2112                                 | \$13,738         | \$0.1720                | \$11,361    | \$2,377         |
| 12           | 65,687                 | \$0.2165                                 | \$14,004         | \$0.1720                | \$11,298    | \$2,705         |
| 13           | 65,326                 | \$0.2219                                 | \$14,275         | \$0.1720                | \$11,236    | \$3,039         |
| 14           | 64,967                 | \$0.2275                                 | \$14,551         | \$0.1720                | \$11,174    | \$3,377         |
| 15           | 64,610                 | \$0.2331                                 | \$14,833         | \$0.1720                | \$11,113    | \$3,720         |
| 16           | 64,254                 | \$0.2390                                 | \$15,120         | \$0.1720                | \$11,052    | \$4,068         |
| 17           | 63,901                 | \$0.2449                                 | \$15,413         | \$0.1720                | \$10,991    | \$4,422         |
| 18           | 63,549                 | \$0.2511                                 | \$15,711         | \$0.1720                | \$10,930    | \$4,781         |
| 19           | 63,200                 | \$0.2573                                 | \$16,015         | \$0.1720                | \$10,870    | \$5,145         |
| 20           | 62,852                 | \$0.2638                                 | \$16,326         | \$0.1720                | \$10,811    | \$5,515         |
| <b>Total</b> |                        |                                          |                  |                         |             | <b>\$45,839</b> |

Note: Final locations and prices are subject to final feasibility studies and engineering.



| <b>City of Gardner Solar Sites</b>         |                                  |                |                          |                           |  |
|--------------------------------------------|----------------------------------|----------------|--------------------------|---------------------------|--|
| <b>Location</b>                            | <b>Address</b>                   | <b>kW (DC)</b> | <b>Roof Area - SqFt.</b> | <b>Solar Area - SqFt.</b> |  |
| Gardner New Community Center               | 62 Waterford Street              | 373.9          | 60,500                   | 43,315                    |  |
| DPW Main Building (50 Manca South)         | 416 West Broadway / 50 Manca Dr. | 73.9           | 5,600                    | 5,600                     |  |
| DPW Cold Storage Building (50 Manca North) | 416 West Broadway / 50 Manca Dr. | 84.5           | 14,000                   | 7,000                     |  |
| Gardner DPW Facilities                     | 416 West Broadway                | 270.2          | 23,400                   | 23,400                    |  |
| Gardner City Hall - Roof                   | 95 Pleasant Street               | 100.8          | 15,000                   | 11,100                    |  |
| Gardner City Hall - Canopy                 | 95 Pleasant Street               | 249.6          | 32,000                   | 18,000                    |  |
| Gardner Fire Station                       | 70 City Hall Ave.                | 50             | 10,500                   | 6,500                     |  |

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### City of Gardner

95 Pleasant St Gardner, MA 01440

Dear Mayor Michael Nicholson,

As requested, Pelletier Properties at Keller Williams North Central has conducted an analysis on the value of leasing rooftops on city owned property for use as solar arrays as well as parking lot canopy leases. As there is no known database of solar lease contracts, we made our best effort to compile information from publicly available sources including websites, town meeting minutes, and news articles. The following represents our analysis.

According to SolarKal, a company in Somerville that serves as a solar energy advisor, on average Massachusetts solar roof leases range from \$50,000 - \$70,000 per year per 100,000 sqft. In other words, \$0.50 - \$0.70 per sqft annually.

In an article in the Falmouth Enterprise from March 2024 a carport solar array over the Thomas Landers Road Parking Lot is discussed. The site is 18.5 Acres and accommodates 1,900 vehicles. The system will include 32 carports to be constructed with solar panels on top. The Steamship Authority which owns the lot will be paid \$415,000 a year in year 1 and the lease rate will increase to \$727,705 per year in year 20 which is an increase of about 3.7% a year. Per the data provided this results in an estimate of \$218 a year per parking spot or \$22,432 per year per acre.



In an article in the Standard Times from May 2023 Acushnet Public Schools entered into an agreement with a solar company for a solar canopy over their parking lot. It is estimated to save the district about \$48,000 a year. Based on google maps the size of the parking lot appears to be approximately 2 acres resulting in a valuation of \$24,000 per acre per year.

**Based on the complexities of solar pricing including sun exposure and roof direction, we would recommend a conservative valuation for both types of installation. For rooftop leasing we find a value of \$0.50 per sqft. For parking canopy lease, we would set the valuation for at \$20,000 per acre per year.**

Warm regards,

A handwritten signature in cursive script, reading 'Nicholas Pelletier', is positioned above the typed name.

**Nicholas Pelletier**

**President of Pelletier Properties**

RECEIVED

January 9, 2024

2024 JAN 11

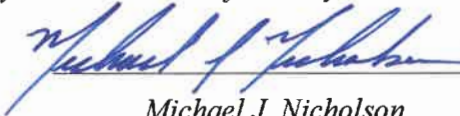
Commonwealth of Massachusetts

Worcester County  
CITY CLERKS OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint **Thomas Zuppa** to the position of **Building Commissioner**, 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: January 9, 2027

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

Then personally appeared the above named **Thomas Zuppa** and made oath that he/she would faithfully and impartially perform the duties of the office of **Building Commissioner** 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 \_\_\_\_\_



January 4, 2024

RECEIVED  
2024 JAN 04 11:04

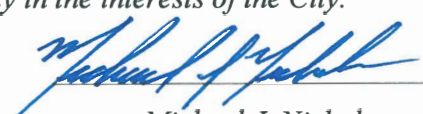
**Commonwealth of Massachusetts**

*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Robert Bettez** to the position of **Member, Planning Board**, 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: January 4, 2026

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

Then personally appeared the above named **Robert Bettez** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Planning Board** 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 \_\_\_\_\_

January 4, 2024

RECORDED  
2024 APR -6 11:04

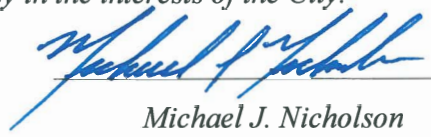
# Commonwealth of Massachusetts

Worcester County

City of Gardner

## CERTIFICATE OF APPOINTMENT

I appoint **Robert Swartz** to the position of **Member, Planning Board**, 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: January 4, 2026

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

Then personally appeared the above named **Robert Swartz** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Planning Board** 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 \_\_\_\_\_

January 4, 2024

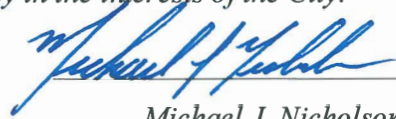
**Commonwealth of Massachusetts**

*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

I appoint **Stephen Cormier** to the position of **Member, Planning Board**, 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: January 4, 2026

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

Then personally appeared the above named **Stephen Cormier** and made oath that he/she would faithfully and impartially perform the duties of the office of **Member, Planning Board** 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

January 4, 2024

2024 JAN 11 AM 8:43

# Commonwealth of Massachusetts

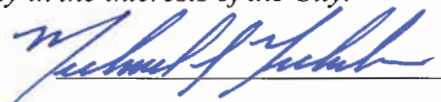
CITY CLERK'S OFFICE  
Worcester County  
GARDNER, MA

City of Gardner

## CERTIFICATE OF APPOINTMENT

I appoint Charles LeBlanc to the position of Member, Board of Assessors, 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: January 4, 2027

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

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

January 12, 2024

2024 JAN 12 AM 10:17

Commonwealth of Massachusetts

CITY CLERK'S OFFICE

Worcester County

GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Rick Germano to the position of Local Inspector, 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: January 4, 2027 \_\_\_\_\_

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

Then personally appeared the above named Rick Germano and made oath that he/she would faithfully and impartially perform the duties of the office of Local Inspector 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 \_\_\_\_\_

January 4, 2024

RECEIVED

2024 JAN 11 AM 8:40

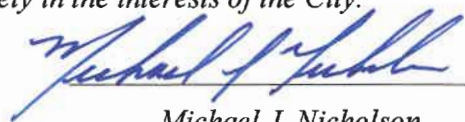
# Commonwealth of Massachusetts

CITY OF WORCESTER  
Worcester County  
GARDNER, MA

City of Gardner

## CERTIFICATE OF APPOINTMENT

I appoint **James E. Imprescia** to the position of **Plumbing & Gas Inspector**, 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: January 4, 2027

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

Then personally appeared the above named **James E. Imprescia** and made oath that he/she would faithfully and impartially perform the duties of the office of **Plumbing and Gas Inspector** 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

January 8, 2024

2024 JAN 11 AM 9:47


Commonwealth of Massachusetts

Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

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

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

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

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

Expires: January 8, 2027

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

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

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

March 4, 2024

# Commonwealth of Massachusetts

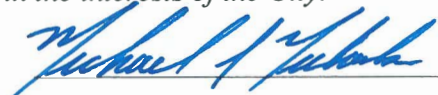
City of Gardner

RECEIVED  
 2024 MAR -4 PM 1:01  
 Worcester County  
 CITY CLERK'S OFFICE  
 GARDNER, MA

## CERTIFICATE OF APPOINTMENT

I appoint Linda Dembek to the position of Member, Disability Commission, and I certify

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

 Mayor  
 Michael J. Nicholson

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

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

Expires: March 4, 2027

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

Then personally appeared the above named Linda Dembek and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Disability 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 \_\_\_\_\_



AN ORDINACNE TO AMEND THE CODE OF THE CITY OF GARDNER CHAPTER 600, ENTITLED  
“VEHICLES AND TRAFFIC”, SECTION 24, ENTITLED “PARKING PROHIBITED ON CERTAIN STREETS”

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

SECTION 1: Section 24, of Chapter 600 of the Code of the City of Gardner, entitled “Parking Prohibited on Certain Streets” by amended by adding the following

| <u>Name of Street</u> | <u>Side</u> | <u>Location</u>                                       |
|-----------------------|-------------|-------------------------------------------------------|
| Comee St              | West        | Entire Length                                         |
| Comee St              | East        | From Pearl Street southerly for a distance of 30 feet |



# CITY OF GARDNER POLICE DEPARTMENT

200 Main Street • Gardner, Massachusetts 01440

**Emergency-Dial 911**

Main line: (978) 632-5600

Fax Line: (978) 630-4027



## TRAFFIC COMMISSION - MEETING MINUTES

Date: Thursday August 10, 2023 Time: 10am

Location: Community Classroom, GPD

Provided by Dept. Chief of Police Nick Maroni

1. Members in attendance: Call to Order: 10:03 am by D.C. Nicholas Maroni  
Dane Arnold – Director of DPW  
Rob Oliva – City Engineer  
Josh Cormier – Director of Civil Enforcement  
Craig Cormier – Councilor at large

Member(s) not in attendance- Trevor Beauregard

2. Waive reading / acceptance of meeting minutes from April 24, 2023
  - a. Motion by Dane, 2<sup>nd</sup> by Rob, All in favor – Unanimous.
3. Rob- updated on flashing school zone signs on Catherine St
  - a. Future updates to city ordinance to define current school zones.
4. Gardner ale house renting a parking spot on parker St to designate as Pick up parking.
  - a. Josh- if allowed would this cause other businesses to ask too.
  - b. Dane-not in favor, large parking area behind business and across the street
  - c. Nick- limited parking already in the downtown area
  - d. Dane motion to not allow pick up parking for all of downtown, Rob 2<sup>nd</sup>, unanimous vote.
5. Pedestrian traffic concerns with new Tap House going in at Bullnose Park.
  - a. Rob- ask Tap house to help enhance crosswalks in area, flashing lights, push button to activate when pedestrians cross. Recommends city work with building owner to install flashing lights
6. New School Traffic and speeding on Catherine St.
  - a. Dane worked with school on new traffic pattern for drop off and pick up that should cut down on traffic. Tabled until start of school to see how it works.
7. Eliminate Parking Spot on Central St near the cross walk at Lake St on the Southwest travel side of Central St so pedestrians can be seen by motor vehicles.
  - a. Dane motioned, Josh 2<sup>nd</sup> All in Favor-Unanimous
  - b. Forwarded to Public Safety Committee
8. Remove handicap spot in front of 144 Central St and recommend city council to approve new Handicap spots on Central St at Monument Park.
  - a. Dane motioned, Josh 2<sup>nd</sup>, all in favor, unanimous.
  - b. Forwarded to Public Safety Committee
  - c. Let property owner know about removing Handicap spot in front of 144 Central.

9. Eliminate parking spot in front of crosswalk on west bound side of East Broadway at Prospect St so motor vehicles can see pedestrians in the cross walk.
  - a. Dane motioned, Rob 2<sup>nd</sup> all in favor, unanimous.
  - b. Forwarded to Public Safety Committee.
  
10. New Business
  - a. Rob suggested making whole length of westside of Comee St no parking and making no parking 30 ft from stop sign on east side heading from Pearl St
    - i. Dane motioned, Josh 2<sup>nd</sup> all in favor, unanimous will be forwarded to public safety committee.
  - b. Speeding on Elm St & Lawrence St, request more enforcement with school starting.
  - c. Craig asked about speeding issues on Chesley St
    - i. Nick stated Officers did enforcement in that area and we have not received any further complaints.

Conclusion: At 10:56 am Dane made a motion to adjourn the meeting, seconded by Craig

All in favor - Unanimous

Next Traffic Committee Meeting Schedule: TBD

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER CHAPTER 600, ENTITLED  
“VEHICLES AND TRAFFIC”, SECTION 24, ENTITLED “PARKING PROHIBITED ON CERTAIN STREETS”

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

SECTION 1: Section 24, of Chapter 600 of the Code of the City of Gardner, entitled “Parking Prohibited on Certain Streets” be amended by adding the following

| <u>Name of Street</u> | <u>Side</u> | <u>Location</u>                                        |
|-----------------------|-------------|--------------------------------------------------------|
| Douglas Rd            | South       | From Coleman Street westerly for a distance of 30 feet |



CITY OF GARDNER POLICE DEPARTMENT  
 200 Main Street  
 Gardner, MA 01440  
 Phone (978) 632-5600  
 Fax (978) 630-9045



Eric P. McAvene  
 Chief of Police

Nicholas P. Maroni  
 Deputy Chief of Police

Date: 12/5/2023

To Councilor Cormier, Committee Chairman, and members of the Public Safety Committee,

The Traffic Committee met on November 28, 2023 and discussed a few changes and recommendations to increase the safety of the City's roadways. The following are the changes and recommendations the Traffic Committee voted on, unanimously (6 of 6) to send to the Public Safety Committee for review.

1. City Ordinance change to §600-24 (Parking prohibited on certain Streets) due to parking spots being eliminated by new construction around Monument Park.

| <b>Name of Street</b> | <b>Side</b> | <b>Location</b>                   |
|-----------------------|-------------|-----------------------------------|
| Park Street           | South       | From Cottage Street to Central St |

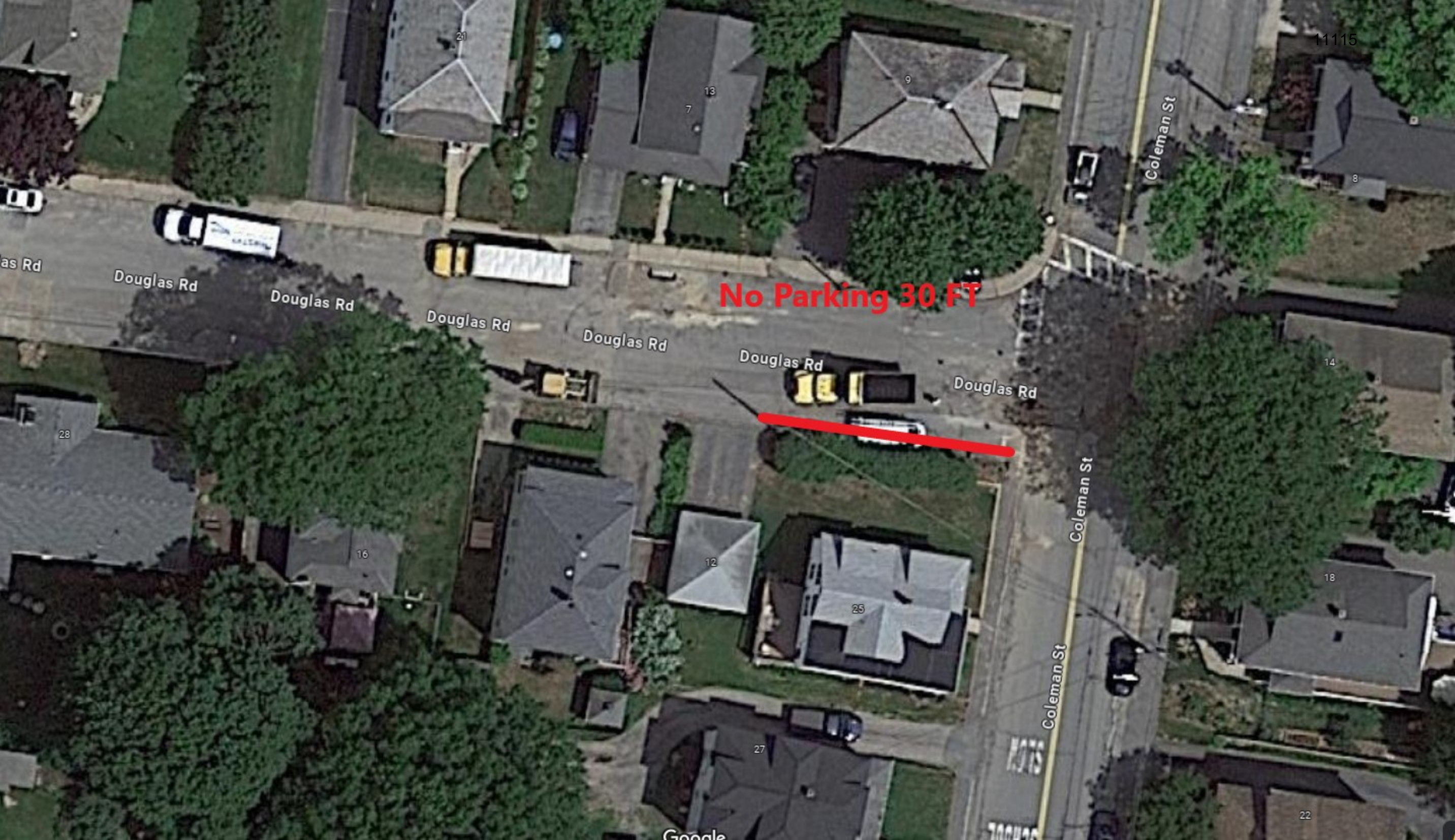
2. Temporary 60 Day restricted parking trial on the North side of Edgell St to Westford St.
3. Recommended eliminating parking 30 ft southerly side of Douglas Rd.

The commission appreciates your attention to these matters and members can be made available if further clarification is needed. Photos of the proposed areas have been attached.

Respectfully Submitted,

Nicholas Maroni  
 Deputy Chief of Police/ Traffic Committee Commissioner

CC: Traffic Commission members, City Clerk



No Parking 30 FT

Douglas Rd

Douglas Rd

Douglas Rd

Douglas Rd

Douglas Rd

Douglas Rd

Coleman St

Coleman St

Coleman St

Google

Cherry St

Westford St

**No parking**

Comee St

Edgell St

Edgell St

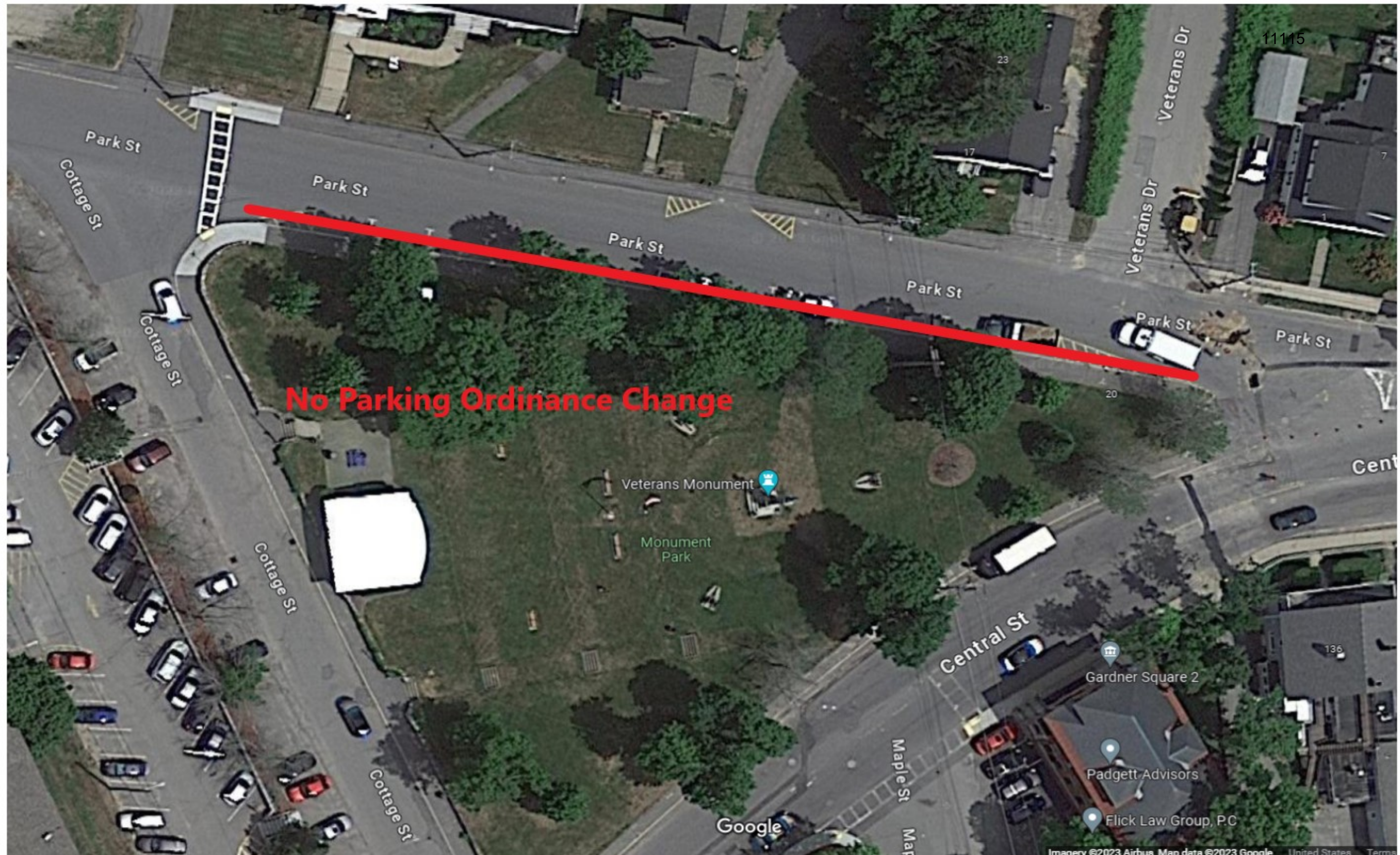
Westford St

Edgell St

Lawrence St

Edgell St

Edgell St



**No Parking Ordinance Change**

Veterans Monument

Monument Park

Google

Gardner Square 2

Padgett Advisors

Flick Law Group, P.C



AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER CHAPTER 600, ENTITLED  
“VEHICLES AND TRAFFIC”, SECTION 24, ENTITLED “PARKING PROHIBITED ON CERTAIN STREETS”

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

SECTION 1: Section 24, of Chapter 600 of the Code of the City of Gardner, entitled “Parking Prohibited on Certain Streets” be amended by adding the following

| <u>Name of Street</u> | <u>Side</u> | <u>Location</u>                    |
|-----------------------|-------------|------------------------------------|
| Edgell Street         | North       | From Elm Street to Lawrence Street |



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

---

March 12, 2024

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

RECEIVED  
2024 MAR 14 PM 12:49  
CITY CLERK'S OFFICE  
GARDNER, MA

RE: An Ordinance to Amend the Code of the City of Gardner, to add a new Chapter 15 to be entitled "Agricultural Commission"

Dear Madam President and Councilors,

Recently, a group of residents have created a grassroots group to advocate for the creation of an agricultural commission in the City to be created under the provisions of the General Laws of the Commonwealth.

The attached ordinance proposal is being submitted to following this group's advocacy efforts.

Copies of the petitions and letters of support received by the Administration are attached to this correspondence, as well as the provisions of Section 8L of Chapter 40 of the General Laws.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER TO CREATE A NEW CHAPTER  
15 TO BE ENTITLED, "AGRICULTURAL COMMISSION"**

Be it ordained by the City Council of the City of Gardner as follows:

**Section 1:** That a new Chapter 15 be added to the Code of the City of Gardner, to be entitled, "Agricultural Commission" as follows:

Section I: Name

There is hereby established an Agricultural Commission in the City of Gardner.

Section II: Purpose

The purpose of the Agricultural Commission is to support, encourage, and promote agriculture within the City of Gardner, and shall promote agricultural-based economic opportunities in the City. The Agricultural Commission shall also focus on improving access to fresh and local produce, providing oversight for the operation of a farmers market, and enabling community educational events.

Section III: Establishment and Authority

1. The Agricultural Commission is hereby established in accordance with the provisions of M.G.L. Chapter 40, Section 8 (L).
2. The Agricultural Commission shall have the authority to:
  - a. Investigate, study, and make recommendations concerning agricultural issues within the City of Gardner and advise the Mayor, Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health, Board of Accessors, and other local organizations on projects and activities.
  - b. Oversee, engage, and promote agricultural-based economic opportunities.
  - c. Oversee and support the operations of a farmers market within the city.
  - d. Collaborate with local farmers, businesses, and educational institutions to enhance the agricultural community with programs and events.
  - e. Act as mediators, advocates, educators and/or negotiators on farming issues.
  - f. Reporting on its projects and activities on an annual basis within the Annual Report of the City

Section IV: Membership

1. The Commission will consist of five resident members including members from the active farming community of Gardner, appointed by the Mayor and confirmed by majority vote of the City Council.
2. Members will be appointed for one-year terms and are eligible to be re-appointed. Up to five alternates may also be appointed by the Mayor, subject to confirmation by the City Council, each for one-year terms.

3. Members of the Agricultural Commission shall be residents of the City of Gardner, with a demonstrated interest or experience in agriculture, business, education, or related fields.
4. Members may include representatives from local farming communities, educational institutions, business owners, and concerned citizens.

#### Section V: Meetings and Quorum

1. The Agricultural Commission shall meet at least 10 times per year.
2. A quorum for Agricultural Commission meetings shall be 3 members.

#### Section VI: Officers

1. The Agricultural Commission shall elect officers annually, including a Chairperson, Vice Chairperson, and Secretary.
2. The Chairperson shall preside over meetings, the Vice Chairperson shall assume the duties of the Chairperson in their absence, and the Secretary shall keep records of Agricultural Commission proceedings and post minutes.
3. The Agricultural Commission Chairperson shall not be eligible for longer than three consecutive years.

#### Section VII: Duties and Responsibilities

1. Agricultural Education:
  - a. Promote educational programs that increase awareness of agriculture and its importance in the community.
  - b. Collaborate and support the local schools on agricultural programs.
  - c. Identify alternative ways to promote and provide access to gardening space and fresh produce for the city residents.
2. Supporting Local Agriculture:
  - a. Advocate for policies that support local farmers and agricultural businesses.
  - b. Explore opportunities for agricultural grants, incentives, and funding.
3. Farmers Market Oversight:
  - a. Oversee and explore new farmers market opportunities in the City
  - b. Work with local vendors and stakeholders to organize and oversee the farmers market.
  - c. Establish and enforce guidelines for market vendors and oversee market manager.
4. Improving Access to Fresh Produce:
  - a. Explore initiatives to increase access to fresh and locally grown produce for all residents, including underserved populations.
  - b. Collaborate with local organizations to implement programs like community gardens or food assistance programs.

**Section 2:** That this ordinance shall take effect upon passage and publication as required by law.





Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.

The development of clear by-laws by the AgCom is crucial to ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement. It aligns perfectly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

Moreover, integrating educational outreach initiatives will be pivotal in dispelling misconceptions about the absence of farms in our town. The AgCom's efforts can spotlight the diverse agricultural activities taking place, fostering a more informed understanding among residents.

I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

*Shelby Chappell*

Date 12/14/23

Your Name Shelby Chappell

Address 547 Partridge St. Gardner, MA 01440

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

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I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. In addition to expressing my support, I would like to express my interest in participating on the AgCom to contribute actively to this essential community initiative.

I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely, *Kendal M. Royer*

Date 12/14/23

Your Name Kendal M. Royer

Address 53 Olde Colonial Drive, Unit #3  
Gardner, MA



Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

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I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

Date 12/14/2023

Your Name Natalia Hutton

Address 28 Wasq Street, Gardner, MA 01440-1845

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.

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I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

Date 12/14/2023  
Your Name Japhet Huth  
Address 28 Wasa Street, Gardner, MA 01440-1845

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.

The development of clear by-laws by the AgCom is crucial to ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement. It aligns perfectly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

Moreover, integrating educational outreach initiatives will be pivotal in dispelling misconceptions about the absence of farms in our town. The AgCom's efforts can spotlight the diverse agricultural activities taking place, fostering a more informed understanding among residents.

I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

Date 12/14/23

Your Name Patricia A. Bergstrom Patricia A. Bergstrom

Address 194 Central St #126, Gardner MA 01440

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.


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Thank you for your time and consideration.

Sincerely,



Date 12-16-23

Your Name

Tommy Erdmann

Address

183 Regan Street, Gardner

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.

The development of clear by-laws by the AgCom is crucial to ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement. It aligns perfectly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

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I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the City Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,



Date 12/21/23

Your Name Jason Bosse

Address 435 Partridge St, Gardner MA 01440

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Dear Mayor Mike,

As a proud resident of Gardner, I am wholeheartedly in favor of establishing a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Gardner, contrary to common misconceptions, is home to a thriving agricultural sector that deserves acknowledgment.

The development of clear by-laws by the AgCom is crucial to ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement. It aligns perfectly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

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I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the City Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

*Carolyn J Meany*

Date 12/21/2023

Your Name Carolyn Meany

Address 414 Partridge St. Gardner, MA 01440

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

As a proud business owner in Gardner, I wholeheartedly support the establishment of a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Contrary to common misconceptions, Gardner boasts a thriving agricultural sector that deserves acknowledgment.


The creation of clear by-laws by the AgCom is vital for ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement, aligning seamlessly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

Furthermore, the integration of educational outreach initiatives will play a pivotal role in dispelling misconceptions about the absence of farms in our town. The AgCom's efforts can spotlight the diverse agricultural activities taking place, fostering a more informed understanding among residents.

I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,

Date 12/12/23  
Your Name   
Business Name CrossFit 696  
Address 696 West Broadway

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Proposal for Gardner Agricultural Commission - Farmers' Market Oversight and Education

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

Dear Mayor Mike,

As a proud business owner in Gardner, I wholeheartedly support the establishment of a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Contrary to common misconceptions, Gardner boasts a thriving agricultural sector that deserves acknowledgment.

The creation of clear by-laws by the AgCom is vital for ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement, aligning seamlessly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

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I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural community. I urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank you for your time and consideration.

Sincerely,



Date 12/14/2003

Your Name ANNE LEBLANC

Business Name JOHN'S SPORT SHOP

Address 38 MAIN ST GARDNER



Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Support for Gardner Agricultural Commission (AgCom)

Dear Mayor Mike,

*VP of MAAC, VP WLFB, VC Sterling Ag Comm. member LFW Steering Comm.*

I am writing as the ~~President of Sterling Ag, Mass Farm Bureau~~ and Owner of Pineo Family Farm, to express ~~our~~<sup>my</sup> strong support for the establishment of the Gardner Agricultural Commission (AgCom) and to their oversight of the Gardner Farmers Market. We believe this initiative aligns seamlessly with our shared commitment to promoting equitable access to healthy food and fostering environmental sustainability.

*VP MAAC VP Ware County*

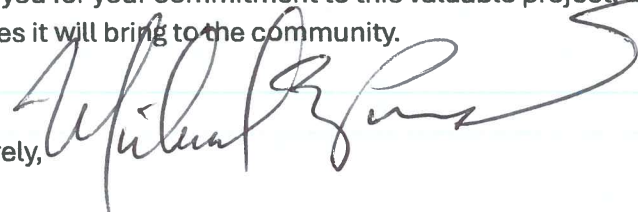
Through my role as ~~President of Sterling Ag and Mass Farm Bureau~~, I have dedicated myself to advancing the interests of local farmers and promoting sustainable agricultural practices. The Gardner AgCom and Farmers Market represent a significant step towards realizing our common objectives and fulfilling our mission.

The goals outlined by the Gardner AgCom, particularly making fresh, healthy food more accessible, improving well-being, and building community pride and connections, deeply resonate with my dedication to supporting local farmers and sustainable agriculture.

The strategies drafted for the Gardner AgCom, such as providing resources for community gardening, promoting sustainable food practices, and facilitating direct-to-consumer sales of affordable and healthy food, strongly align with our vision for a thriving agricultural community.

I am excited about the positive impact the Gardner AgCom and Farmers Market can have on the community and am eager to collaborate in any capacity to ensure its success. I am prepared to provide support, share resources, and actively engage in initiatives that promote healthy people and healthy communities.

Thank you for your commitment to this valuable project, and we look forward to the positive changes it will bring to the community.



Sincerely,

*Michael S. Pineo*

~~Mike Pineo~~

Pineo Family Farm  
~~MA Farm Bureau~~

~~Sterling Agriculture Commission President~~  
~~President, Sterling Agricultural Commission~~

978-833-6574

*MAAC VP Ware County Farm Bureau VC Sterling Ag Comm. Member LFW Steering Committee*

Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440

Subject: Support for Gardner Agricultural Commission (AgCom) Proposal

December 17, 2023

Dear Mayor Nicholson,

As a recent purchaser of a farm and garden business in Gardner, we wholeheartedly support the establishment of a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing the Gardner's farmers' market, crafting essential by-laws, and integrating agricultural educational outreach. Contrary to common misconceptions, Gardner boasts a thriving agricultural sector that deserves acknowledgment. We know because a lot of that energy flows through our store.

The creation of clear by-laws by the AgCom is vital for ensuring the fair and effective operation of Gardner's farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement, aligning seamlessly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

Furthermore, the integration of educational outreach initiatives will play a pivotal role in dispelling misconceptions about the absence of farms in our town. The AgCom's efforts will spotlight the diverse agricultural activities taking place, fostering a more informed understanding among residents.

We're confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of Gardner's agricultural community. We urge the Town Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to locally grown products of all kinds from food to flowers, fibers to forage, fats to fuel.

Thank you for your time and consideration.

Sincerely,



ML Altobelli

The Good Earth Farm and Garden Center

633 West Broadway

Gardner, MA 01440



Mayor Mike Nicholson Office of the Mayor of Gardner, MA, 01440  
Subject: Letter of Support for Gardner Agricultural Commission (AgCom)

Dear Mayor Mike,

I am writing this letter on behalf of Growing Places to express our wholehearted support for the establishment of the Gardner AgCom. We believe that this initiative aligns seamlessly with our shared mission and goals in promoting equitable access to healthy food and environmental sustainability.

At Growing Places, our mission is to inspire and connect the North Central MA community to create equitable access to healthy food and environmental sustainability through education, collaboration and advocacy. The Gardner AgCom represents a crucial step towards achieving our shared goals and fulfilling our mission.

The goals outlined by the Gardner AgCom, particularly in supporting the small farmers and making fresh, healthy food more accessible, improving well-being, and building community pride and connections, resonate deeply with our organizational objectives. We understand the importance of fostering healthy habits, increasing social connections, and advocating for a socially just regional food system.

The strategies employed by the Gardner AgCom, including providing educational resources for our community, promoting sustainable food practices, and increasing access to fresh affordable healthy local food, strongly align with our values and direct services. We appreciate the commitment to building cultural knowledge and competency, as well as securing the necessary resources to serve the mission effectively.

We are excited about the positive impact the Gardner AgCom can have on the community and look forward to aligning our efforts to ensure its success. Thank you for your commitment to our local food system and this valuable policy and system change for the City.

Sincerely,

A handwritten signature in black ink that reads "Ayn Yeagle". The signature is fluid and cursive, with the first name "Ayn" and last name "Yeagle" clearly distinguishable.

Date: 12/21/2023

Name: Ayn Yeagle - Growing Places, Executive Director

Address: 325 Lindell Ave, Leominster, MA 01453

208 Coleman Street  
Gardner, MA 01440  
P: 978-632-0934  
F: 978-630-3337



11211

I/DD Services  
SUD Services  
Transit Services  
[www.gaamha.org](http://www.gaamha.org)

December 12, 2023

Mayor Michael J. Nicholson  
City of Gardner  
95 Pleasant St.  
Room 125  
Gardner, MA 01440

Dear Mayor Nicholson,

I am writing to you to express GAAMHA's emphatic support for the establishment of a Gardner Agricultural Commission (AgCom) with a specific focus on overseeing our farmers' market, crafting essential by-laws, and integrating educational outreach. Contrary to common misconceptions, Gardner boasts a thriving agricultural sector that deserves acknowledgment.

As you are aware, GAAMHA is an active participant in this sector and is using agriculture as a modality to improve the lives of local youth and adults experiencing challenges related to substance use and mental health. Our program participants at our Evergreen Grove campus on Green St have recently begun growing specific crops in collaboration with Growing Places which will be made available to local residents and create revenues that will help support our non-profit mission. Additionally, GAAMHA is currently exploring our capacity to act as an institutional purchaser of locally grown produce in an effort to provide healthy, locally grown food for our residential programs and strengthen our local economy.

The creation of clear by-laws by the AgCom is vital for ensuring the fair and effective operation of our farmers' market. This initiative will actively support local farmers, improve access to locally sourced foods, and enhance community engagement, aligning seamlessly with AgCom's broader mission to provide a local voice for farmers and promote the visibility of farming in our community.

Furthermore, the integration of educational outreach initiatives will play a pivotal role in dispelling misconceptions about the absence of farms in our town. The AgCom's efforts can spotlight the diverse agricultural activities taking place, fostering a more informed understanding among residents.

I am confident that the Gardner AgCom, with its emphasis on farmers' market oversight and education, will significantly contribute to the growth and recognition of our local agricultural

208 Coleman Street  
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11211

I/DD Services  
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[www.gaamha.org](http://www.gaamha.org)

community. I urge the City Council to consider and endorse this comprehensive proposal, recognizing its potential to showcase Gardner's agricultural richness and improve access to these valuable resources.

Thank You,

A handwritten signature in black ink, appearing to read "S.P.H.", is positioned below the "Thank You," text.

Shawn P. Hayden, LADC-II  
Vice President

**Part I** ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 8L** MUNICIPAL AGRICULTURAL COMMISSION

Section 8L. (a) For the purposes of this section "farming" and "agriculture" shall have the same meaning as ascribed to them in section 1A of chapter 128.

(b) A municipality which accepts this section may establish a municipal agricultural commission to promote and develop the agricultural resources of the municipality. Unless otherwise restricted by law, a municipal agricultural commission may: (i) buy, hold, manage, license or lease land for agricultural purposes; (ii) educate the public on agricultural issues; (iii) advocate for farmers, farm businesses and farm interests; (iv) assist farmers in resolving municipal problems or conflicts related to farms; (v) seek to coordinate agricultural-related activities with other governmental bodies or unofficial local groups or organizations that promote agriculture; (vi) receive grants, gifts, bequests or devises of money or personal property of any nature and interests in real property in accordance with this section; (vii) apply for, receive, expend and act on behalf of the municipality in connection with federal and state grants or programs or private grants related to local agriculture, with the approval

of the mayor or city manager in a city or the board of selectmen in a town; and (viii) advertise, prepare, print and distribute books, maps, charts and pamphlets related to local agriculture that the municipal agricultural commission deems necessary for its work.

(c) A commission may conduct research and prepare agricultural-related plans, including a comprehensive local agricultural land plan which shall be, to the extent possible, consistent with any current town master plan and regional area plans. The plan shall show or identify: (i) agricultural land areas and facilities; (ii) matters which may be shown on a tract index under section 33 of chapter 184; (iii) acquisitions of interest in land under this section; (iv) municipal lands that are held as open space; (v) nonmunicipal land subject to legal requirements or restrictions to protect that land or use it for open space, conservation, recreation or agriculture; (vi) land that should be retained as a public necessity for agricultural use; and (vii) any other information that the commission determines to be relevant to local agricultural land use. The commission may amend the plan whenever necessary.

(d) The commission may appoint a chair, clerks, consultants and other employees and may contract for materials and services as it may require, subject to appropriation by the municipality.

(e) The commission shall keep accurate records of its meetings and actions and shall file an annual report with the clerk of the municipality. The commission's annual report shall be posted on the municipality's public website and, in a town, shall be printed in the annual town report for that year.

(f) A commission shall consist of not less than 3 nor more than 7 members who shall be residents of the municipality. A majority of members shall be farmers or employed in an agriculture-related field. If farmers or persons employed in agriculture are not available to serve on the commission, then the commission shall include a majority of members with knowledge and experience in agricultural practices or knowledge of related agricultural business. Each member of the commission shall serve for a term of 3 years; provided, however, that the initial members appointed under this section shall serve for terms of 1, 2 or 3 years and the terms shall be arranged by the appointing authority so that the terms of approximately 1/3 of the commission's members shall expire each year.

In a city, the members of a commission shall be appointed by the mayor unless otherwise provided by the city's charter; provided, however, that in a city having a Plan D or Plan E charter, the appointments shall be made by the city manager unless otherwise provided by the city's charter. In a town, the members of the commission shall be appointed after a public hearing by the board of selectmen; provided, however, that in a town having a town manager form of government, the appointments shall be made by the town manager subject to the approval of the board of selectmen.

A member of a commission may be removed for cause by the appointing authority after a public hearing if a hearing is requested by the member. A vacancy created by a member being removed for cause shall be filled by the appointing authority for the remainder of the unexpired term in the same manner as the original appointment.



(g) A commission may receive gifts, bequests or devises of personal property or interests in real property as described in this subsection in the name of the municipality, subject to the approval of the city council or board of selectmen, as the case may be. The commission may purchase interests in the land only with funds available to the commission. A city council or a town meeting may raise or transfer funds so that the commission may acquire in the name of the municipality, by option, purchase, lease or otherwise, the fee in the land or water rights, conservation or agricultural restrictions, easements or other contractual rights as may be necessary to acquire, maintain, improve, protect, limit the future use of or conserve and properly utilize open spaces in land and water areas within the municipality. The commission shall manage and control the interests in land acquired under this subsection. The commission shall not take or obtain land by eminent domain.

The commission shall adopt rules and regulations governing the use of land and water under its control and prescribe civil penalties, not exceeding a fine of \$100, for a violation.

(h) A municipality may appropriate money to an agricultural preservation fund of which the treasurer of the municipality shall be the custodian. The treasurer shall receive, deposit or invest the funds in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation or national banks or invest the funds in: (i) paid up shares and accounts of and in cooperative banks; (ii) shares of savings and loan associations; or (iii) shares of federal savings and loan associations doing business in the

commonwealth. Any income derived from deposits or investments under this subsection shall be credited to the fund. Money in the fund may be expended by the commission for any purpose authorized by this section.



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

RECEIVED  
2024 MAR 21 PM 1:41  
CITY CLERK'S OFFICE  
GARDNER, MA

March 20, 2024

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

RE: A Communication from the Mayor regarding the Non-Union Salary Study

Dear Madam President and Councilors,

At the July 5, 2022 meeting of the City Council, the Council voted to request the administration contract to conduct a compensation analysis salary survey of all of our non-union positions to see where the City needs to be working toward in terms of paying our employees a competitive rate.

In November of that year, the City was awarded a \$50,000 grant from the Commonwealth Community Compact Best Practices Program to fund this study, and the City contracted with HR Gov to perform the work.

The attached compensation study is the result of that work.

This process involved having every employee fill out a questionnaire about their job duties, interviews with every employee, job description reviews by department heads to see if anything was missing, and meetings with the Administration. After compiling all of that data, the consultant decided that comparable communities to utilize for the survey were the Towns of Amherst, Auburn, Belchertown, Clinton, Grafton, Hoden, Hudson, Leicester, Lunenburg, Millbury, Oxford, Palmer, Southbridge and Ware, and the Cities of Leominster and Greenfield.

The Administration is currently working on a strategy on how this can be implemented in conjunction with our financial revenue predictions.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

Table 2 - Comprehensive Table

| Job Title                                   | Total Score | Skill Level | Current Grade | New Grade | 50th Percentile Salary Survey Data | 65th Percentile Salary Survey Data | Current Salary Range | Current Salary | Proposed Salary Range | 50th Percentile |         |
|---------------------------------------------|-------------|-------------|---------------|-----------|------------------------------------|------------------------------------|----------------------|----------------|-----------------------|-----------------|---------|
| <b>Directors and Senior Managers</b>        |             |             |               |           |                                    |                                    |                      |                |                       |                 |         |
| Police Chief                                | 775         | 750+        | 13            | 11        | 104,499                            | 128,523                            | -                    | 112,276        | 83,855                | 100,626         | 117,397 |
| DPW Director                                | 775         |             | 12            |           | 101,736                            | 136,724                            |                      | 108,875        |                       |                 |         |
| Fire Chief                                  | 775         |             | 12            |           | 87,942                             | 108,181                            |                      | 107,707        |                       |                 |         |
| Director of Human Resources                 | 775         |             | 11            |           | 81,577                             | 107,522                            |                      | 96,355         |                       |                 |         |
| IT Director                                 | 775         |             | 11            |           | 66,789                             | 85,259                             |                      | 104,328        |                       |                 |         |
|                                             |             |             |               |           | 88,509                             | 113,242                            |                      |                |                       |                 |         |
| Building Commissioner                       | 735         | 700 to 745  | 10            | 10        | 76,867                             | 99,358                             |                      | 85,008         | 78,005                | 93,606          | 109,207 |
| Director of Public Health                   | 720         |             | 10            |           | 71,067                             | 100,189                            | 76,531               | 80,946         |                       |                 |         |
| City Engineer                               | 700         |             | 11            |           | 72,170                             | 94,814                             |                      | 92,649         |                       |                 |         |
|                                             |             |             |               |           | 73,368                             | 98,120                             |                      |                |                       |                 |         |
| City Auditor                                | 690         | 650 to 695  | 10            | 9         | 83,532                             | 105,423                            |                      | 91,444         | 72,563                | 87,075          | 101,588 |
| City Solicitor                              | 685         |             | 10            |           |                                    |                                    |                      | 87,707         |                       |                 |         |
| Deputy Chief of Police                      | 685         |             | 11            |           | 76,392                             | 102,111                            |                      | 97,281         |                       |                 |         |
| Community Development Director              | 680         |             | 10            |           |                                    |                                    |                      | 100,861        |                       |                 |         |
| City Treasurer                              | 675         |             | 10            |           | 69,438                             | 97,713                             |                      | 91,444         |                       |                 |         |
| Golf Superintendent                         | 675         |             | 9             |           | 84,003                             | 106,052                            |                      | 83,290         |                       |                 |         |
| Library Director (Interim)                  | 670         |             | 9             |           | 62,418                             | 81,818                             |                      | 82,028         |                       |                 |         |
| City Clerk                                  | 665         |             | 10            |           | 76,392                             | 101,557                            |                      | 90,759         |                       |                 |         |
|                                             |             |             |               |           | 75,362                             | 99,112                             |                      |                |                       |                 |         |
| City Assessor                               | 635         | 600 to 645  | 9             | 8         | 69,062                             | 92,180                             |                      | 79,555         | 67,500                | 81,000          | 94,500  |
| Purchasing Director                         | 635         |             | 10            |           |                                    |                                    |                      | 80,105         |                       |                 |         |
| Assistant Director of Community Development | 630         |             | 7             |           |                                    |                                    |                      | 83,290         |                       |                 |         |
| Director of Public Safety Dispatch Center   | 625         |             | 9             |           | 84,003                             | 102,204                            |                      | 80,802         |                       |                 |         |
| COA Director                                | 615         |             | 6             |           | 56,802                             | 74,511                             |                      | 62,640         |                       |                 |         |
| Director Veterans Services                  | 615         |             | 6             |           |                                    |                                    |                      | 63,098         |                       |                 |         |
| Assistant Director Library                  | 600         |             | 6             |           |                                    |                                    |                      | 63,547         |                       |                 |         |
|                                             |             |             |               |           | 69,956                             | 89,632                             |                      |                |                       |                 |         |
| <b>Supervisors and Advanced Technical</b>   |             |             |               |           |                                    |                                    |                      |                |                       |                 |         |
| Director of Cable Operations                | 590         | 550 to 595  |               | 7         | 66,789                             | 85,259                             |                      | 70,467         | 63,669                | 73,220          | 82,770  |
|                                             |             |             |               |           | 59,321                             | 75,685                             |                      |                |                       |                 |         |
| Assistant Treasurer                         | 520         | 500 to 545  | 5             | 6         | 56,802                             | 74,511                             |                      | 58,054         | 60,638                | 69,733          | 78,829  |
| IT Dept Systems Manager                     | 515         |             | 6             |           | 66,789                             | 85,259                             |                      | 69,408         | 29,15                 | 33,53           | 37,90   |
|                                             |             |             |               |           | 60,311                             | 77,365                             |                      |                |                       |                 |         |
| Conservation Planning Agent                 | 490         | 450 to 495  | 6             | 5         |                                    |                                    |                      | 64,190         | 57,750                | 66,413          | 75,075  |
| Assistant City Solicitor                    | 480         |             | 3             |           |                                    |                                    |                      | 48,480         | 27,76                 | 31,93           | 36,09   |
| Staff Librarian                             | 460         |             |               |           | 49,796                             | 69,886                             |                      | 23,78          |                       |                 |         |
| DPW Business Manager                        | 460         |             |               |           |                                    |                                    |                      | 40,069         |                       |                 |         |
| Prevention Coordinator                      | 455         |             |               |           |                                    |                                    |                      | 53,321         |                       |                 |         |
| Assistant Director of Veterans Services     | 425         | 400 to 445  |               | 4         |                                    |                                    |                      | 56,100         | 55,000                | 63,250          | 71,500  |
| Economic Development Coordinator            | 425         |             | 7             |           | 67,571                             | 87,211                             |                      | 63,547         | 26,44                 | 30,41           | 34,38   |
| Executive Aide to Mayor                     | 415         |             |               |           |                                    |                                    |                      | 56,643         |                       |                 |         |
| Assistant City Clerk                        | 405         |             | 3             |           | 46,405                             | 61,236                             |                      | 46,517         | 46,518                | 48,397          |         |
| Cable Producer                              | 405         |             | 2             |           |                                    | 36,521                             |                      | 57,987         |                       |                 |         |
| Assistant City Auditor                      | 400         |             |               |           | 55,486                             | 73,494                             |                      | 52,936         |                       |                 |         |
|                                             |             |             |               |           | 56,488                             | 73,980                             |                      |                |                       |                 |         |
| <b>Administrative and Technical</b>         |             |             |               |           |                                    |                                    |                      |                |                       |                 |         |
| Library Maintenance and Craftsman           | 390         | 350 to 395  |               | 3         |                                    |                                    | 19,68                | 24,74          | 53,845                | 61,922          | 69,999  |
| Budget/Project Manager                      | 360         |             |               |           |                                    |                                    |                      | 26,74          | 25,89                 | 29,77           | 33,65   |
| GIS Coordinator                             | 355         |             | 5             |           |                                    |                                    |                      | 77,903         |                       |                 |         |
| HR/Administrative Coordinator               | 345         | 300 to 345  |               | 2         | 50,361                             | 67,681                             |                      | 17,14          | 48,950                | 56,293          | 63,635  |
| HR/Multi Financial Coordinator              | 345         |             |               |           |                                    |                                    | 17,14                | 23,08          | 23,53                 | 27,06           | 30,59   |
| Senior Library Technicians                  | 345         |             |               |           |                                    |                                    |                      | 21,66          |                       |                 |         |



ACCEPTANCE LOCAL OPTION ROOM OCCUPANCY EXCISE RATE INCREASE  
G. L. c 64G, SEC 3A

***VOTED:***

That the city of Gardner amend its local room occupancy excise under G.L. c. 64G, sec 3A at the rate of 6 percent.

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GARDNER, MA



## Adopting Local Option Excise on the transfer of room occupancy MGL Chapter 64G

### How does a municipality adopt the local option excise on the transfer of room occupancy?

Acceptance is by a majority vote of the municipal legislative body, subject to local charter.

To accept excise the following or similar language may be used:

VOTED: That the city/town of \_\_\_\_\_ impose the local room occupancy excise under G.L. c. 64G, § 3A at the rate of \_\_\_\_\_ percent.

The following or similar language may be used to amend the local rate:

VOTED: That the city/town of \_\_\_\_\_ amend its local room occupancy excise under G.L. c. 64G, § 3A at the rate of \_\_\_\_\_ percent.

### My community voted to accept the rooms occupancy excise. What's the next step?

Within 48 hours of the acceptance the city or town clerk must notify DLS by submitting this form: [Notification of Acceptance/Rescission – Room Occupancy](#). Email the notification of acceptance to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

### What is local option tax rate available?

A municipality can choose to impose a rate up to 6% (6.5% in the city of Boston).

### Can the rate adopted be amended?

Yes, a city or town adopting the rooms excise can choose to amend the adopted rate or even revoke it - but changes to the adopted rate can only happen once a year.

### How will the excise be collected from the establishment?

Based on the effective date of the excise, DOR will collect the additional tax at the same time it collects the state tax on the room occupancy transfers.

### When will DOR start collecting the excise?

The effective date is dependent on two things:

1. The wording of the article approved by the legislative body
2. The date DLS is notified of the adoption

Notification deadlines:

| FY Quarter | Quarter Start Date      | Local Action Deadline    |
|------------|-------------------------|--------------------------|
| Quarter 1  | July 1 <sup>st</sup>    | May 31 <sup>st</sup>     |
| Quarter 2  | October 1 <sup>st</sup> | August 31 <sup>st</sup>  |
| Quarter 3  | January 1 <sup>st</sup> | December 1 <sup>st</sup> |
| Quarter 4  | April 1 <sup>st</sup>   | March 1 <sup>st</sup>    |

For example, if a municipality votes on May 24<sup>th</sup> to adopt the local option excise effective July 1<sup>st</sup> the notification of acceptance must be received by DLS no later than May 31<sup>st</sup>. Delays in notifying DLS timely will change the effective date to the next quarter. Using this example, if DLS is notified on June 5<sup>th</sup>, the effective date will now be October 1<sup>st</sup>.

**Is the local excise limited to hotels/motels?**

No. Statutory changes to the room occupancy statute in 2019 expanded the definition of room occupancy transfers to include short-term rentals.

**Can I request a list of all establishments registered with DOR as tax type room occupancy?**

Yes. DLS can provide local officials with a list of registrations in their municipality. Email your request to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

**When will we receive the local option excise collected?**

DOR issues these payments quarterly. Quarterly payments are based on the taxes collected by DOR in the previous three months. For example, the September 30<sup>th</sup> local option excise distribution will be based on excise revenues received by DOR in June, July and August.

**Can we request the amount of tax collected by establishment?**

Unfortunately, we can't provide that detail due to DOR policy on taxpayer confidentiality. However, we can provide the revenue split between traditional lodging (hotel/motel) and short-term rentals. Email [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us) to request a report showing the revenue split.

Additional guidance is available from these sources:

- [Bulletin 2009-15B](#) Local Option Excise
- [DLS FAQs Short Term Rentals – Room Occupancy Amendments](#)
- <https://www.mass.gov/info-details/room-occupancy-excise-tax> (Mass DOR)



**Massachusetts Department of Revenue  
Division of Local Services  
Municipal Databank**

\_\_\_\_\_  
(City/Town)

**Notification of Acceptance/Rescission  
General Laws Chapter 64G, § 3A  
(Room Occupancy)**

The Commissioner of Revenue is hereby notified that the City/Town of \_\_\_\_\_, by an act of its legislative body on \_\_\_\_\_, \_\_\_\_\_, has accepted \_\_\_ or rescinded \_\_\_ the provisions of General Laws Chapter 64G, § 3A to impose a local room occupancy excise at the rate of \_\_\_\_\_ percent, effective \_\_\_\_\_.

\_\_\_\_\_  
(City/Town Clerk)

\_\_\_\_\_  
(Date)

Please email this form to:

[databank@dor.state.ma.us](mailto:databank@dor.state.ma.us)

ACCEPTANCE LOCAL OPTION SALES TAX ON MEALS  
G.L. c. 64L, SEC 2 (a)

**VOTED:**

That the city of Gardner accept G.L. c. 64L sec 2(a) to impose a local meal excise.

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## Adopting Local Option Excise on the sale of restaurant meals GL Chapter 64L

### How does a municipality adopt the local option meals excise?

Acceptance is by a majority vote of the municipal legislative body, subject to local charter. To adopt this local option excise the following or similar language may be used:

VOTED: That the city/town of \_\_\_\_\_ accept G.L. c. 64L, § 2(a) to impose a local meals excise.

### My community voted to adopt the local meals excise. What's the next step?

Within 48 hours of the acceptance the city or town clerk must notify DLS by submitting the form [Notification of Acceptance/Rescission – Meals Excise](#). Email the Notification of Acceptance to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

### Why do I need to include contact information for our Local Licensing Authority?

Once your notification of acceptance is received, a list of establishments serving food in your community will be sent to the local licensing authority to verify they have all [registered in DOR MassTax Connect](#). This is an important step in the process as it impacts the amount of revenue a community receives.

### Is there a limitation on the rate we can adopt?

A municipality can choose to impose a maximum rate of 0.75%.

### Can the adopted rate be amended?

Yes. A municipality accepting an excise rate can choose to amend that rate or even revoke it, but changes to the adopted rate can only happen once a year.

### How will the excise be collected from a local establishment?

DOR will collect the additional tax at the same time it collects the state tax on the sale of restaurant meals.

### When will DOR start collecting the excise?

The effective date is dependent on two things:

1. The wording of the article approved by the legislative body
2. The date DLS is notified of the adoption

Notification deadlines:

| FY Quarter | Quarter Start Date      | Notify DLS by:           |
|------------|-------------------------|--------------------------|
| Quarter 1  | July 1 <sup>st</sup>    | May 31 <sup>st</sup>     |
| Quarter 2  | October 1 <sup>st</sup> | August 31 <sup>st</sup>  |
| Quarter 3  | January 1 <sup>st</sup> | December 1 <sup>st</sup> |
| Quarter 4  | April 1 <sup>st</sup>   | March 1 <sup>st</sup>    |

For example, if a municipality votes on May 24<sup>th</sup> to adopt the local option excise effective July 1<sup>st</sup> the notification of acceptance must be received by DLS no later than May 31<sup>st</sup>. Delays in notifying DLS timely will push the effective date to the next quarter. Using the same example: if a municipality votes on May 24<sup>th</sup> to adopt the local option excise effective July 1<sup>st</sup> but DLS is notified on June 5<sup>th</sup>, the effective date would be October 1<sup>st</sup>.

**When will we receive the local option excise collected?**

DOR issues these payments quarterly. Quarterly payments are based on the taxes collected by DOR in the previous three months. For example, the September 30<sup>th</sup> local option excise distribution will be based on excise revenues received by DOR in June, July and August.

**Can I request a list of all establishments in my community that are registered with DOR as subject to the meals excise?**

Yes. DLS can provide local officials with a list of registrations in their municipality. Email your request to [databank@dor.state.ma.us](mailto:databank@dor.state.ma.us).

**Can we request the amount of tax collected from a specific establishment?**

Unfortunately, we can't provide that detail due to DOR policy on taxpayer confidentiality.

For additional guidance consult [Bulletin 2009-15B](#) Local Option Excise.

**Massachusetts Department of Revenue  
Division of Local Services  
Municipal Databank**

\_\_\_\_\_  
(City/Town)

**Notification of Acceptance/Rescission  
General Laws Chapter 64L, § 2  
(Local Option Meals Tax)**

The Commissioner of Revenue is hereby notified that the City/Town of \_\_\_\_\_, by an act of its legislative body on \_\_\_\_\_, \_\_\_\_\_, has accepted\_\_\_ or rescinded\_\_\_ the provisions of General Laws Chapter 64L, § 2 to impose a local meal tax effective \_\_\_\_\_. Please complete the contact information below for the Local Licensing Authority (required for establishment verification purposes).

\_\_\_\_\_  
(City/Town Clerk)

\_\_\_\_\_  
(Date)

Local Licensing Authority

Name: \_\_\_\_\_, Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Please email this form to:

[databank@dor.state.ma.us](mailto:databank@dor.state.ma.us)

A RESOLUTION TO REVIEW THE CITY'S ZONING MAP FOR ACCURACY

WHEREAS, the City of Gardner has adopted a zoning code to determine what businesses and property uses can operate in different areas of the City; and

WHEREAS, it is imperative to the development of the City to ensure that the City's zoning map is accurate and up to date with all actions by the City Council for zones and overlays throughout the City;

NOW THEREFORE, the City Council hereby requests the Mayor and the City's relevant department heads to review the City's Zoning Map for complete accuracy to prevent delays or undue hardships for businesses looking to open or expand in Gardner.

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