

Report On The Investigation Of The Maki Park Project

Councillor George Tyros

Gardner City Council

Pursuant to Section 25 of the City Charter

Gardner Massachusetts

December 2024

TABLE OF CONTENTS

INTRODUCTION.....	2
EXECUTIVE SUMMARY	3
DATA COLLECTION AND INVESTIGATION METHODOLOGY	4
OBSERVATIONS AND FINDINGS	5
OBSERVATIONS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK	5
FINDINGS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK	7
EXHIBITS	9

INVESTIGATION OF THE MAKI PARK PROJECT

INTRODUCTION

This report is submitted to the City Council of Gardner, pursuant to Section 25 of the City Charter, which states that, "The council, or any committee thereof duly authorized by the council so to do, may investigate the financial transactions of any office or department of the city government, and the official acts and conduct of any official, and, by similar investigations, may secure information upon any matter."

The purpose of this report is to determine the circumstances which lead to the newly constructed Maki Park differing from what was originally presented to the City Council when it appropriated funds for the project over two years before its eventual completion and to provide recommendations of ways to prevent a similar situation from occurring in the future.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "George Tyros". The signature is stylized with a large initial "G" and a long horizontal stroke at the end.

Councillor George Tyros

REPORT ON THE INVESTIGATION OF THE MAKI PARK PROJECT

On September 19th 2024, the Gardner City Council voted unanimously to initiate a Section 25 City Charter investigation regarding the newly constructed Maki Park and to authorize the Council President to assign one Councillor to conduct the investigation and then report their findings to the City Council. The following information summarizes the purpose, process and findings of that investigation.

EXECUTIVE SUMMARY

The Maki Park project in Gardner, Massachusetts, was initiated to transform the lot at the former Maki Block building into a new park, addressing significant slope issues and ensuring Americans with Disabilities Act compliance. The Gardner City Council, at the request of the Mayor, appropriated funds for the project in June of 2022. Upon its completion in September of 2024, concerns were raised by the public regarding the park's lack of ADA compliance, prompting an investigation by the City Council. The key issues and events that were examined include the following:

The design of the park changed from initial concept to bid award. The conceptual layout, created by Tighe & Bond and presented to the City Council in June of 2022, showed three terraces with individual ramp entrances to each level. The Mayor's letter supporting the project cited the terraces would, "correct the grading issues, bring the slopes to a level that is compliant with ADA standards, and allow us to utilize the area in a productive manner" (Exhibit A). However, in May of 2023 the Bid Set Drawings utilized during the public bidding process for the project clearly show entrances only to the bottom and top terraces, with stairs from each connecting them to the middle terrace (Exhibit O).

The Department of Community Planning & Development did not apply for or obtain a building permit for the construction of Maki Park. The notice of violation by the Building Commissioner states, "Maki park does not meet the accessibility requirements as outlined in section 19.00 of 521 CMR; Massachusetts Accessibility Code as the middle tier of the park is not accessible to persons with disabilities" (Exhibit B). This issue was confirmed by both the Building Commissioner and Director of Community Development and Planning during their investigation interviews.

DATA COLLECTION AND INVESTIGATION METHODOLOGY

Through email communication on September 25th 2024, Council President Elizabeth Kazinskas notified Mayor Michael Nicholson, Director of Community Development & Planning Trevor Beauregard, Auditor John Richard, Director of Purchasing Joshua Cormier and Building Commissioner Thomas Zuppa that she had assigned Councillor George Tyros to the investigation of the Maki Park Project. The following day, Councillor Tyros sent requests for documentation to Director Beauregard, Auditor Richard, Director Cormier and Commissioner Zuppa for initial review. The requests were as follows:

Director Beauregard: All documentation pertinent to the design and engineering of the park as approved in August of 2021 as part of the City's FY21 CDBG Mini-Entitlement Plan and as presented in June of 2022 to the City Council. All documents pertinent to the project scope and requirements of construction of the park as contracted with the engineering firm and contractor. Any written communication concerning this project.

Auditor Richard: All invoices and warrants of funds used for the design, engineering and construction of Maki Park.

Director Cormier: All documentation pertinent to the bidding process for Maki Park.

Commissioner Zuppa: All documentation pertaining to the permits for construction of the park.

Responses with relative documentation were received on September 27th from Auditor Richard and Commissioner Zuppa, September 30th from Director Cormier, October 9th from Director Beauregard (with complete submission on October 21st).

The data from the responses included a folder of 157 files from the Director Beauregard. Those files included design illustrative plans, technical drawings, proposals, grant application narratives, cost estimates for labor and material, invoices, various construction photos, and various documents from the engineering and construction firms the City contracted with for Maki Park. Director Beauregard requested Director of Technology Bob O'Keefe to perform an email search for related communications for the Maki Park Project on October 2nd, which was completed October 21st, returning 1,772 emails. From those emails, Councillor Tyros observed 10 additional files and 29 emails that contained data relative to the

investigation. Auditor Richard provided general ledger account details showing all invoices paid up to September 27th and copies of all warrants and invoices for Maki Park. Director Cormier provided bidding documents and the four change orders for the project. Commissioner Zuppa provided the issued electrical permit and violation letter for Maki Park.

After performing the initial review of the submitted data, Councillor Tyros scheduled in-person interviews with Director Beauregard, Director Cormier, Commissioner Zuppa, Human Resource Director Amanda Morse and Mayor Nicholson on November 21st, to take place on December 6th in City Hall. The purpose of these interviews was to confirm information and findings from the document review and to seek opinions of process improvements moving forward.

OBSERVATIONS AND FINDINGS

OBSERVATIONS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK

In June of 2020, Director Beauregard created an initial concept of what would be known as Maki Park (Exhibit C). In that same month, the engineering firm Tighe & Bond was contacted by Director Beauregard to provide a scope of service for developing construction documents for the project for the purposes of submitting a grant proposal. Their design reflected the initial concept of a three-terrace park with individual ramps accessing each terrace (Exhibit A). This design was used in September of 2020, when Director Beauregard informed the Mayor via email that the City did not receive the requested funds from the MassDOT Shared Streets and Spaces Grant for the Maki Park Project as it did not meet the State's timeline for being completed that year (Exhibit D). On January 19th 2021, the Community Development Block Grant Program Steering Committee, administered by the Department of Community Development and Planning, met to discuss FY21 block grant proposed projects, of which included "Maki Park Design" was accepted unanimously by the committee (Exhibit E). In April of 2021, Director Beauregard and Director of Public Works Dane Arnold communicated regarding a new round of the Shared Streets and Spaces Grant Program being announced. Director Arnold expressed concerns relative to the slope of the proposed project lot towards the West and Parker Street side being problematic.

Director Beauregard replied that occupying parking spaces in downtown for the program would not be a good idea and proposed the tiered gravel pad approach (Exhibit F). In May of 2021, Economic Development Coordinator Jessica DeRoy reached out to Tighe & Bond to request a revised probable cost estimate for the project for a new grant application to the Shared Streets and Spaces Grant Program. In the application, the response to how the project will be implemented, including staffing roles, was answered as “The City of Gardner Department of Community Development and Planning (DCDP) will manage the project. The Director of DCDP, Trevor Beauregard, will act as Project Manager for the project. The City’s Economic Development Coordinator, Jessica DeRoy, will assist the Director with day-to-day oversight” (Exhibit G). That December, Assistant Director of Community Development and Planning Lyndsy Butler also requested an opinion of probable cost for Maki Park from Tighe & Bond, for the purpose of putting together the FY22 CDBG grant budget. She stated that the process was behind and was looking at FY21 design projects to see about applying for construction funding in FY22 (Exhibit H). In the March 4th 2022 CDBG Steering Committee meeting, Maki Park design and construction was unanimously approved as a proposed project for Block Grant FY22 (Exhibit I). In June of 2022, Director Beauregard reached out to Tighe & Bond to ask if they could create a rendering for Maki Park at no cost due to not having any funds available to pay for one (Exhibit J). Later that month, Mayor Nicholson went to the City Council for an appropriation to construct Maki Park, which passed an 8-3 vote of the Council (Exhibit A). In September of 2022, Assistant Director Butler, through discussions with Tighe & Bond regarding bidding timeline and strategy, stated that the City had the funds available for construction of Maki Park (Exhibit K). In November of 2022, Director Beauregard informed Tighe & Bond that Coordinator DeRoy would be overseeing construction of the project. In that email contained a 75% Design Development document dated November 2022, which showed entrance to the park only by ramp access from the lower-tier, with concrete steps connecting the middle and upper-tiers (Exhibit L). When interviewed and asked why the change in design was made in November of 2022, Director Beauregard was not able to offer an explanation. That same month, concerns arose around the condition of the existing retaining wall at the North side of the lot. In an email communication from Tighe & Bond,

INVESTIGATION OF THE MAKI PARK PROJECT

regarding the same preliminary drawing, concerns were raised about the proposal likely being overbudget as options were being discussed on how to mitigate the retaining wall problem (Exhibit M). The next and final observed design change to the design of Maki Park was found in an April 2023 illustrative plan ordered by the Mayor and Department of Community Development and Planning, showing a three-terrace park with ramp access to the lower and upper-tiers and stairs connecting them to the middle-tier (Exhibit N). When interviewed and asked why the change in design was made in April of 2023, Director Beauregard was unable to offer an explanation. This illustrative plan matches the Bid Set Drawings that were submitted to Purchasing Director Cormier in May of 2023 (Exhibit O). This final plan reflects what was constructed as Maki Park at the time of this report.

On September 3rd 2024, a work without a permit violation for Maki Park was sent to the Department of Community Development and Planning by the Building Commissioner. The violation letter states that the Building Commissioner's office received plans for Maki Park on August 28th 2024 and that the Commissioner conducted a site visit on August 29th 2024 and determined that Maki Park "does not meet the accessibility requirements as outlined in section 19.00 of 521 CMR; Massachusetts Accessibility Code as the middle tier of the park is not accessible to persons with disabilities" (Exhibit B). In interviews conducted by Councillor Tyros, both Director Beauregard and Commissioner Zuppa confirmed that no building permits were applied for or obtained for the Maki Park project.

FINDINGS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK

The investigation into the Maki Park project revealed several key findings across various aspects, including design changes, project management, communication, and compliance with accessibility requirements.

Initial Concept and Design Changes

- a. The original design for Maki Park, created by Director Beauregard and Tighe & Bond in June 2020, included three terraces with individual ramps for each level. This concept was what was presented to the City Council in June of 2022 for an appropriation.

- b. Design changes were made in November 2022 and April 2023 without documented reasons.
- c. The final design, as shown in the May 2023 Bid Set Drawings, included ramp access only to the lower and upper terraces, with stairs connecting the middle terrace. This was the design that was constructed in the late summer and fall of 2024.

Project Management

- d. The project began with Director Beauregard as project manager, and Economic Development Coordinator DeRoy initially assigned to the project. Other members of the Department of Community Development and Planning were involved in the project in various capacities.
- e. There was no record of routine or scheduled project updates nor review meetings held by the Department of Community Development and Planning.

Communication

- f. There were multiple instances of messages, both internally amongst members of the Department of Community Development and Planning, and externally with other City departments and contractors, looking for project files and documents (such as drawings, budget sheets, account numbers, vendor contact information, etc.).

Compliance and Accessibility

- g. The final design submitted for bidding in May 2023 did not include ramp access to the middle terrace.
- h. A notice of violation from the Building Commissioner stated that Maki Park did not meet accessibility requirements of the Massachusetts State Building Code.

EXHIBITS

EXHIBIT A

10709

City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED

2022 JUN -2 PM 1:25
CITY CLERK'S OFFICE
GARDNER, MA



June 1, 2022

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 – Maki Park Construction

Dear Madam President and Councilors,

Attached please find an appropriation request for the renovation of the existing pocket park, located at the site of the former Maki Block Building on the corner of Graham and Parker Streets.

The City has had ownership of this site since February 13, 2017.

The area has been planted with grass, but is currently unusable due to the steep slope and grade of the area.

This project would terrace the location in order to correct the grading issues, bring the slopes to a level that is compliant with ADA standards, and allow us to utilize the area in a productive manner, rather than just a location for planting and mowing grass.

With all of the development currently underway in the Downtown area, this project will truly compliment the private sector investments and partnerships the City has made to breathe new life into our historic downtown.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

EXHIBIT A
(CONT'D)



EXHIBIT B



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



NOTICE OF VIOLATION

September 3, 2024

Economic Development/
City of Gardner
115 Pleasant St. Rm. 202
Gardner, MA 01440

Re: Work without a permit violation 57-67 Parker St. Gardner, MA 01440 M.B.L. M22-5-7

To whom it may concern,

It has recently been brought to the attention of the Building Department that the new park located at the above referenced address is not accessible to persons with disabilities. After a review of building department records, it is determined that the required building permit was not applied for and obtained for the work performed.

This is a violation of section 105 Permits and 114.1 Unlawful Acts of 780 CMR; Massachusetts State Building Code.

105.1 Required

It shall be unlawful to construct, reconstruct, alter, repair, remove or demolish a building or structure; or to change the use or occupancy of a building or structure; or to install or alter any equipment for which provision is made or the installation of which is regulated by 780 CMR without first filing an application with the building official and obtaining the required permit.

114.1 Unlawful Acts

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, occupy or change the use of occupancy of any building, structure or equipment regulated by 780 CMR, or cause same to be done, in conflict with or in violation of any of the provisions of 780 CMR.

Mission Statement

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

EXHIBIT B
(CONT'D)

After a review of the plans given to my office by on August 28, 2024 and a site visit conducted by myself on August 29, 2024, my determinations are below.

Maki park does not meet the accessibility requirements as outlined in section 19.00 of 521 CMR; Massachusetts Accessibility Code as the middle tier of the park is not accessible to persons with disabilities.

19.1 General

Recreational facilities shall comply with 521 CMR, except as specified or modified in 521 CMR 19.00.

Recreational facilities shall include but not be limited to courts, rinks, swimming pools, gymnasiums, stadiums, health and sports clubs, radio control facilities, whirlpools, jacuzzis, gyms, weightlifting areas, playgrounds, zoos, fairgrounds, beaches, piers, docks, bandstands, gazebos, parks, bowling alleys, picnic areas, video arcades and campsites. All areas open to and used by the public, including but not limited to locker rooms, shower facilities, saunas, steam rooms, suntanning rooms, weight rooms, aerobics and dance rooms, tennis, racquet and squash courts and spectator areas in recreation facilities shall be accessible.

Additionally, the ground surface made up of stone dust is not in compliance with section 29.00 of 521 CMR; Massachusetts Accessibility Code and section 302 Floor or Ground Surfaces of the 2010 ADA Standards including the ADA advisory 302.1 General. See below...

29.1 General 521 CMR

Ground and floor surfaces including floors, walks, ramps, and curb cuts shall be stable, firm, slip resistant, and maintained with materials that ensure continued slip resistance.

302.1 General 2010 ADA Standards

Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 302.

EXCEPTIONS:

Within animal containment areas, floor and ground surfaces shall not be required to be stable, firm, and slip resistant.

Areas of *sport activity* shall not be required to comply with 302.

Advisory 302.1 General. *A stable surface is one that remains unchanged by contaminants or applied force, so that when the contaminant or force is removed, the surface returns to its original condition. A firm surface resists deformation by either indentations or particles moving on its surface. A slip-resistant surface provides sufficient frictional counterforce to the forces exerted in walking to permit safe ambulation.*

Please kindly forward this letter to your contractor and inform them of the building permit requirements. The required building permit can be applied for using the link below.

<https://www.gardner-ma.gov/149/Building-Department>

Respectfully,



Thomas Zuppa
Building Commissioner
Zoning Enforcement Officer
City of Gardner Building Department
Phone: 978-630-4060
Email: tzuppa@gardner-ma.gov
115 Pleasant St. Rm. 101 Gardner, MA 01440

EXHIBIT C

Combination of Rectangular, Square + Round picnic tables - 12 = #24,000
 sun shades for tables/area (2 accessible)

ArcGIS WebMap



6/24/2020, 3:45:33 PM

Parcels (2020)

Landscaped Rain Garden 100' x 10'

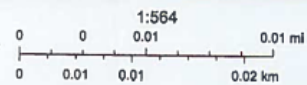
~~30' x 10'~~ = ~~300~~ sy

60 cubic yards of gravel x \$38.00/ly = \$2,280

24.5 tons of stone dust x \$25/tn = \$6,125

metal Edging \$18.00/lf x 210 lf = \$3,780

- - - - - 120 lf granite curbing,
- o-o-o 275 lf metal/wrought iron fencing (3 entrances)



Online Web Mapping Application
 MAP FOR REFERENCE ONLY

EXHIBIT D



EXHIBIT E

CDBG STEERING COMMITTEE MEETING**MINUTES**

Tuesday, January 19, 2021 at 9:00 am
Tele-Conference/Web-Meeting, Zoom Meeting
Meeting ID: 95154120331

Committee Members present: Jeffrey Legros, Rick Rossi, Tracy Hutchinson and Trevor Beauregard, Roland Jean

Committee Members absent: Rick Rossi, Rick Germano, Scott Graves and Sandy Mullins

Others Present: Katie Medina, DCDP, Bethany Greene, GEHM, Donata Martin: Boys/Girls Club, Marc Dohan: NewVue and Bernice Richard, VOT

J. Legros opened the meeting at 9:00 am and announced it is being recorded.

1. Acceptance of Minute:

*Motion to accept minutes of December 15, 2020
T. Hutchinson/T. Beauregard*

All in favor: motion carried, none opposed

2. Old Business:

2.1 FY21 Public Social Services Proposals reviewed, discussed and voted on. The four (4) projects are as follows: The Boys & Girls Club seeking ten thousand (10K), Voices of Truth (Domestic Violence Program) seeking ten thousand (10K), GAAMHA (Drug Abuse Recovery/Assistance Supportive Housing Program) seeking five thousand (5K) and Gardner Public Schools Athletic Program seeking ten thousand (10K).

Motion to accept The Boys & Girls Club (STEAM) request for 10K: T. Beauregard/L. Saunders, All in favor: motion carried, none opposed.

Motion to accept Voices of Truth request for 10K: question raised from Trevor asking them if they will be able to utilize program funds allowed where the original request was for 40K. Bernice gave the assurance funds would be utilized. Motion to accept: T. Hutchinson/T. Beauregard. All in favor: motion carried, none opposed.

1

*Motion to accept GAAMHA request for 5K: *T. Hutchinson recuses herself from voting* Program will assist approximately 20 LMI Residents, GAAMHA will match the 5K to fully implement the program. L. Saunders/T. Beauregard. All in favor: motion carried, none opposed.*

Motion to accept GPS Athletic Program request for 10K: Program will assist approximately 140-150 LMI resident students: R. Jean/L. Saunders. All in favor: motion carried, none opposed.

3. New Business:

3.1 MicroEnterprise Assistance Program: Discussed previously in November 2020. DHCD wanted vote on the change from 5K to 10K. Approximately 30 applications have been received.

Motion made to accept: T. Beauregard/T. Hutchinson. All in favor, motion carried none opposed.

3.2 FY21 Block Grant Proposed Projects:

3.2a: Phase III Construction: Monument Park area for 619K

Motion made to accept: T. Beauregard/T. Hutchinson. All in favor, motion carried none opposed.

3.2b: Downtown Phase IV Design: Sidewalk curbing and crossings improvements in the area of Nichols, Parker, West and Oak Street for an estimated \$31,250.

Motion made to accept: L. Saunders/R. Jean. All in favor, motion carried none opposed.

3.2c: Maki Park Design: Projected estimated cost \$60K.

Motion made to accept: R. Jean/T. Hutchinson. All in favor, motion carried none opposed.

EXHIBIT F

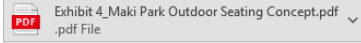
RE: New Round of Shared Streets and Spaces Grant Program



tbeauregard@gardner-ma.gov
To darnold@gardner-ma.gov; Mayor@gardner-ma.gov

Reply Reply All Forward

Tue 4/27/2021 8:45 AM



Dane,
We would propose a tiered gravel pad design on the Maki site. I don't think occupying parking spaces in downtown for this program is a good idea. As a matter of fact we are looking at moving the George Sweeney seating to Maki because the Mayor's been receiving a number of complaints about our plans. I am waiting to hear back from the State on this.

Trevor

Trevor Beauregard

Director
DODP
115 Pleasant Street
Gardner, MA 01440
(978) 630-4014, x2
www.gardner-ma.gov

From: Dane Arnold <darnold@gardner-ma.gov>
Sent: Tuesday, April 27, 2021 8:36 AM
To: Trevor Beauregard <tbeauregard@gardner-ma.gov>; Mayor <Mayor@gardner-ma.gov>
Subject: RE: New Round of Shared Streets and Spaces Grant Program

Trevor,
I like the location, but the problem I see with the Maki lot is the slope towards West/Parker Street could pose a problem. If we looked at the West Street lot, closer to the Ale House/West Street wall, I think its flatter.

Thank You,

Dane E. Arnold, Director
Department of Public Works
50 Manca Drive
Gardner MA 01440
978-630-8195

EXHIBIT G

Fw: Emergency Grant Program

MassDOT Shared Streets <SharedStreets@dot.state.ma.us>
To: jderoy@gardner-ma.gov

Reply Reply All Forward

Fri 5/21/2021 12:39 PM

If there are problems with how this message is displayed, click here to view it in a web browser.
Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

93696225_Exhibit 1 - Maki Park Project Overview Map.pdf 4 MB
101316103_Exhibit 5, Maki Lot Project Budget.pdf 422 KB

ing the Safe Transportation for Every Pedestrian (STEP) resource page, to identify appropriate countermeasures based on the safety issues of concern. (Required):

Is the project intended to provide improvements to infrastructure used by children to get to and from school (within two miles) or other youth destinations? If yes, please list schools or destinations. (Required):	Yes
Detail:	Holy Family Academy Gardner Junior High School Waterford Street School Just Dance Performance Arts Center Jackson Playground and Skate Park
Is the proposed project intended to provide improvements to infrastructure used by seniors to reach senior destinations (within one mile)? If yes, please list destinations. (Required):	Yes
Detail:	Gardner Senior Center Gardner Highrise Binnall House Colonial Apartments Heywood Wakefield Commons
Is the proposed project intended to support safe walking and biking within one mile of a transit stop? If yes, please list the transit stop(s). (Required):	Yes
Detail:	MART Gardner Bus Stops: City Hall Gardner Highrise Heywood Place Levi Heywood Memorial Library
Does the proposed project support safe routes to open space and/or parks? If yes, please list the name of the facilities. (Required):	Yes
Detail:	North Central Pathway Crystal Lake Park
Will the proposed project be fully implemented by September 7, 2021? (Required):	No
Will the proposed project be fully implemented by December 31, 2021? (Required):	Yes
Is this project intended to be a temporary or permanent improvement? (Required):	Permanent
Description of how the project will be implemented, including staffing roles: (Required):	The City of Gardner Department of Community Development and Planning (DCDP) will manage the project. The Director of DCDP, Trevor Beauregard, will act as Project Manager for the project. The City's Economic Development Coordinator, Jessica DeRoy, will assist the Director with day-to-day oversight.
Description of project implementation and key milestones: (Required):	The design cost of the Maki Park project is estimated at \$23,000 and will take six weeks to complete. The City of Gardner will pay for the design services and will contract the work out to an engineering firm already on-call with the City. The Maki lot construction will follow the procurement procedure established under MGL, Chapter 149, and will be conducted through the City's Purchasing Department. Bidding the construction project will take three weeks and the contractor will be hired the following week. Construction will commence in September of 2021 and be completed in November of 2021. Based on a June 25th Award date: July 1 to July 30, 2021 Design Maki Park Outdoor Seating and Function Area Project August 1 to August 22, 2020 Bid Maki Park Outdoor Seating and Function Area Project August 31, 2020 Award contract for construction for Maki September 16, 2021 Begin Construction for Maki November 7, 2021 Construction Complete for Maki

EXHIBIT H

RE: [EXTERNAL] RE: Downtown Phase 4 and Maki Park



Lyndsy Butler <lbutler@gardner-ma.gov>
To: 'Matt P. Wzorek'

Reply Reply All Forward ...

Fri 12/3/2021 1:23 PM

Your right...I had asked about phase 3... and now I am asking about the next phase . The process is so behind as we just submitted FY21 to the state. I am looking at FY21 design projects to see which ones we will be applying for construction funding in 22. If there is any way you could come up with some preliminary figure for phase 4 and Maki that would be helpful. 😊

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Friday, December 3, 2021 1:11 PM
To: Lyndsy Butler <lbutler@gardner-ma.gov>
Subject: [EXTERNAL] RE: Downtown Phase 4 and Maki Park

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Hi Lyndsy,

Just to confirm do you mean phase 3 and park st park? Or do you need phase 4 and Maki? Sorry I may have been mixed up... currently we are working on the phase 3 and park street park.

Thanks,

Matthew P. Wzorek, PE
Project Manager



o. 413.572.3274 | m. 413.530.7568

53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com



From: Lyndsy Butler <lbutler@gardner-ma.gov>
Sent: Friday, December 3, 2021 12:45 PM
To: Matt P. Wzorek <MPWzorek@tigheBond.com>
Subject: Downtown Phase 4 and Maki Park

[Caution - External Sender]

Hi Matt,

I know I had asked a couple weeks back for OPC for Downtown Phase 4 and Maki Park. I am trying to put together FY22 CDBG grant budget. Would you be able to give me a rough estimate?

Thanks!

Lyndsy Butler
Assistant Director
DCDP
115 Pleasant Street
Gardner, MA 01440
O:978-630-4011 #1
C: 978-350-6928
www.gardner-ma.gov

EXHIBIT I

CDBG STEERING COMMITTEE MEETING

MINUTES

Friday March 4, 2022

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

Committee Members present: Lyndsy Butler, Rick Germano, Rick Rossi, Tracy Hutchinson, George Tyros, Trevor Beauregard and Laura Cassidy

Committee Members absent: Lauren Saunders and Roland Jean

Others Present: Jessica DeRoy

Lyndsy Butler opened the meeting at 8:33 am.

1. Acceptance of Minute:

Motion to accept minutes of January 21, 2022 with noted changes made by Rick Rossi. Seconded by George Tyros

All in favor: motion carried, none opposed

2. Old Business:

None

3. New Business:

3.1 Review & Discussion of Public Social Services Proposals for Block Grant FY22

-The Boys & Girls Club is requesting an amount of \$13,980. This amount is more than previously discussed (\$10K). Additional funding will provide services to 30 LMI students. Motion made by G. Tyros to accept the increased amount Motion 2nd by T. Hutchinson All in favor: motion carried, none opposed.

-Gardner Athletics Program is requesting \$15,000 to help 150 student athletes with user fees that qualify for services through review within the free & reduced lunch waiver program. Motion made by T. Beauregard/G. Tyros. All in favor: motion carried, none opposed.

-Gardner Emergency Housing Mission is requesting \$5,000 to provide temporary units to 6-8 families with children. Funding will be used to aide families with last minute needs along with transitional assistance. Motion made by T. Beauregard/R. Germano All in favor: motion carried, none opposed

3.2 Discussion of project proposals for Block Grant FY22

1

Downtown Phase 4: *West/Oak/Parker/Nichols Street Intersection to include design of crosswalk, sidewalk and lighting repair and upgrade at an estimated cost of \$229,500. Motion made to accept by R. Rossi/R. Germano. All in favor: motion carried, none opposed.*

Maki Park: *57-67 Parker Street. Design/Construction of park and public seating area for public amenities and downtown events at an estimated cost of \$177,754. Motion made to accept by G. Tyros/R. Germano All in favor: motion carried, none opposed.*

Demonition of Slum & Blight: *(Greenwood Memorial Foot) estimated cost of \$200,000. Motion made to accept by G. Tyros/T. Beauregard All in favor: motion carried, none opposed.*

4. Announcements and Recognitions

4.1 Next meeting: TBD

5. Adjournment


*Motion to adjourn
R. Germano/G. Tyros*





All in favor.

Meeting adjourned at 09:03 a.m.

EXHIBIT J

RE: [EXTERNAL] RE: Maki Park and Park St Park

 Trevor Beauregard <tbeauregard@gardner-ma.gov>
To: Matt P. Wzorek

6/3/2022

Matt,

If you could get something over for Park St beginning of next week it would be great. If you can do a rendering at no cost for Maki then great, but I have no \$\$ to pay for it.

Thanks,
Trevor Beauregard
Director
Dept. Community Development and Planning
115 Pleasant Street
Gardner, MA 01440
978-630-4014, x2

Executive Director
Gardner Redevelopment Authority

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Tuesday, May 31, 2022 2:52 PM
To: Trevor Beauregard <tbeauregard@gardner-ma.gov>
Subject: [EXTERNAL] RE: Maki Park and Park St Park

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Hi Trevor,

Sorry, but I don't have much to help you out here. The attached figure you sent is all we have on Maki Park. I can have someone pull together a rendering on this if you want and could have it to you by the of the week. Is this one potentially moving forward?




I will have someone update the Park street Park rendering to remove the bike path extension piece. Is the end of the week ok for this too?

Thanks,

Matthew P. Wzorek, PE
Project Manager

Tighe&Bond
o. 413.572.3274 | m. 413.530.7568

53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com

From: Trevor Beauregard <tbeauregard@gardner-ma.gov>
Sent: Tuesday, May 31, 2022 9:12 AM
To: Matt P. Wzorek <MPWzorek@tigheBond.com>
Subject: Maki Park and Park St Park

[Caution - External Sender]

Matt,

Would you happen to have a concept plan for the Maki Park site and the Park St Park site you could send me. The attached concept is the only one I have for Maki (I was hoping we might have something a little farther along) and the only concept I have for the Park St site includes the bike trail extension (I need one without the bike trail extension).

Lyndsy may have something you've sent her in the past, but she is out on vacation this week.


Thanks, Trevor

Trevor Beauregard
Director
Dept. Community Development and Planning
115 Pleasant Street
Gardner, MA 01440
978-630-4014, x2

Executive Director
Gardner Redevelopment Authority

EXHIBIT K

FW: [EXTERNAL] RE: [EXTERNAL] Phase 4 and Maki

 Lyndsy Butler <lbutler@gardner-ma.gov>
To: Trevor Beauregard

Reply Reply All Forward ...
Wed 9/28/2022 3:55 PM

Trevor,

Matt has asked if we would like to bid out Maki Park and Phase IV together or separately. We have the funds for construction of Maki Park now but the funds for Phase IV (if we are using block grant) will not be available until July 23.




Lyndsy

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Wednesday, September 28, 2022 3:50 PM
To: Lyndsy Butler <lbutler@gardner-ma.gov>
Subject: [EXTERNAL] RE: [EXTERNAL] Phase 4 and Maki

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Gotcha. Thanks. Is there a need to get Maki out to bid sooner than later or did you want to try and bid the projects together? At this point they both won't be constructed this year since it is already almost October, but I just didn't know if you want to get Maki bid over the winter for spring construction, or wait until you have the block funds at the end of June and do them together?

They can go separate, but since they are so close in proximity it wouldn't be a bad idea to bid and construct them together. Just a thought, but we can do whatever.

Matthew P. Wzorek, PE
Project Manager
Tighe&Bond
o. 413.572.3274 | m. 413.530.7568
53 Southampton Road, Westfield, MA 01085
w: tighebond.com | hahoresondesign.com
  

From: Lyndsy Butler <lbutler@gardner-ma.gov>
Sent: Wednesday, September 28, 2022 3:43 PM
To: Matt P. Wzorek <MPWzorek@tigheBond.com>
Subject: RE: [EXTERNAL] Phase 4 and Maki

[Caution - External Sender]

We have the funds to construct Maki Park. Phase 4 construction will most likely be completed with FY22/23 block grant funds which will not be released until July of 2023.

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Wednesday, September 28, 2022 3:32 PM
To: Lyndsy Butler <lbutler@gardner-ma.gov>
Subject: [EXTERNAL] Phase 4 and Maki

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

I forgot if I sent this to you or not already, but here is the survey for Phase 4 and the Maki Park. Once we have some concepts completed I will reach out to go over them with you. What is your overall schedule on these two projects?

Thanks,

Matthew P. Wzorek, PE
Project Manager
Tighe&Bond
o. 413.572.3274 | m. 413.530.7568

EXHIBIT L

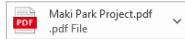
FW: [EXTERNAL] Maki Park Preliminary Drawings



Trevor Beaugard <tbeaugard@gardner-ma.gov>
To Matt P. Wzorek
Cc Lyndsy Butler, Jessica DeRoy

Reply Reply All Forward

Thu 11/17/2022 3:52 PM



Matt,

Looping Jessica DeRoy in on this one since she'll be overseeing construction of the project. We'll discuss tomorrow and get back to you.

Trevor

Trevor Beaugard
Director Executive Director
Dept. Community Development and Planning Gardner Redevelopment Authority
115 Pleasant Street
Gardner, MA 01440
978-630-4014, x2

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Thursday, November 17, 2022 2:34 PM
To: Lyndsy Butler <lbutler@gardner-ma.gov>; Trevor Beaugard <tbeaugard@gardner-ma.gov>
Subject: [EXTERNAL] Maki Park Preliminary Drawings

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Lyndsy and Trevor – Attached please find the preliminary drawings set for the Maki Park. I wanted to get this to you to provide any initial feedback on the layout. Once we nail down the layout we will work on the grading and such, but I just wanted to get this in front of you to make sure this was headed in the right direction.

Also, what is shown on here is likely overbudget, but I wanted to see what the ultimate buildout would look like. My thought is that we could include the essential work (grading, site layout, retaining walls, stairs, stone dust, concrete, and fencing (basically anything required to establish the site)) as the base bid work. Then we could work with alternates to see what we could include for the site furnishings like the plantings, tables, shades, etc. My concern is that with the site grading we will likely need some decent retaining walls at each level which will add up. Let me know what you think.

Thanks,

Matthew P. Wzorek, PE

Project Manager



o. 413.572.3274 | m. 413.530.7568

53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsendesign.com

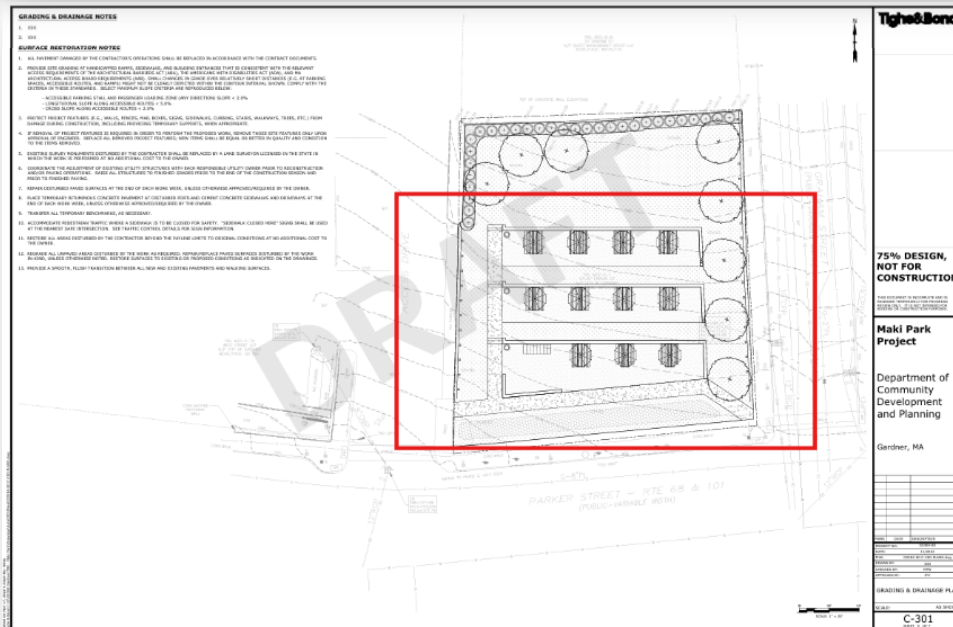


EXHIBIT M

RE: [EXTERNAL] Maki Park Preliminary Drawings



Trevor Beauregard <tbeauregard@gardner-ma.gov>
To: Matt P. Wzorek; Lyndsy Butler
Cc: Jessica DeRoy



11/29/2022

Matt,

I spoke with Lyndsy yesterday about the retaining wall. It doesn't surprise me about the condition. In addition to looking at what it would cost to replace the concrete retaining wall, can we look at an alternative to include a grassy knoll/slope instead? Not sure how much of the site we'd lose with this option or if we can even consider it knowing that the site already slopes toward the roadway. Just thought it might be a less expensive option. If doable maybe we can cut a concrete pad into the middle part of the knoll at its low point.

Either way we should consider having the back property line surveyed, since I was told a portion of the structure on the neighboring property is on our property. It would be good to confirm this.

Thanks, Trevor

Trevor Beauregard
Director
Dept. Community Development and Planning
115 Pleasant Street
Gardner, MA 01440
978-630-4014, x2

Executive Director
Gardner Redevelopment Authority

From: Matt P. Wzorek <MPWzorek@tigheBond.com>
Sent: Thursday, November 17, 2022 2:34 PM
To: Lyndsy Butler <butler@gardner-ma.gov>; Trevor Beauregard <tbeauregard@gardner-ma.gov>
Subject: [EXTERNAL] Maki Park Preliminary Drawings

CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Lyndsy and Trevor – Attached please find the preliminary drawings set for the Maki Park. I wanted to get this to you to provide any initial feedback on the layout. Once we nail down the layout we will work on the grading and such, but I just wanted to get this in front of you to make sure this was headed in the right direction.

Also, what is shown on here is likely overbudget, but I wanted to see what the ultimate buildout would look like. My thought is that we could include the essential work (grading, site layout, retaining walls, stairs, stone dust, concrete, and fencing (basically anything required to establish the site)) as the base bid work. Then we could work with alternates to see what we could include for the site furnishings like the plantings, tables, shades, etc. My concern is that with the site grading we will likely need some decent retaining walls at each level which will add up. Let me know what you think.

Thanks,

Matthew P. Wzorek, PE

Project Manager



o. 413.572.3274 | m. 413.530.7568

53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com

