

**WARD COUNCILLORS**  
1 – David R. Thibault-Muñoz  
2 – Dana M. Heath  
3 – Paul G. Tassone  
4 – Karen G. Hardern  
5 – Aleksander H. Dernalowicz, Esq.

**COUNCIL PRESIDENT**  
George C. Tyros



**COUNCILLORS AT LARGE**  
Calvin D. Brooks  
Craig R. Cormier  
Brad E. Heglin  
Elizabeth J. Kazinskas  
Judy A. Mack

## City of Gardner Massachusetts



**CALENDAR FOR THE MEETING**  
*of*  
**TUESDAY, JANUARY 21, 2025**  
**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)**
  - October 21, 2024, Regular Meeting
  - November 4, 2024, Regular Meeting
  - November 18, 2024, Regular Meeting
  - November 18, 2024, Informal Meeting

- VII. PUBLIC HEARINGS**

- VIII. COMMUNICATIONS FROM THE MAYOR**

**11468** – A Communication from the Mayor Requesting an Update to the Council Regarding the Community Development and Planning Department.

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

**11469** – A Proposal Relative to the Rules of the City Council – To add a Committee on Economic and Community Development to Rule 13 as well as to Amend the Order of Business in Rule 15.

- 11470** – A Communication Regarding the Fire Chief’s Appointment of New Firefighters:
- James Angelopoulos
  - John Hulette
  - Matthew Addonizio

**X. REPORTS OF STANDING COMMITTEES**

**FINANCE COMMITTEE**

- 11458** – A Communication from the Mayor Regarding the Appointment of the Review Committee for the Request for Proposals for Grant Writing and Lobbying Services.
- 11459** –A Communication from the Mayor regarding the awarding of a contract for up to 5-years for Grant Writing Services to Keller Partners Company.
- 11460** – A Communication from the Mayor Regarding the Execution of the Collective Bargaining Agreement between the City and the Teamsters, Local 170-Inspectors Union.
- 11461** – A Communication from the Mayor Regarding the FY2026 Budget.
- 11462** – A Communication from the Mayor Regarding the Receipt of Prison Mitigation Funds from the Commonwealth for FY2025.
- 11463** – A Communication from the Mayor Regarding the Snow and Ice Expense Account as of January 7, 2025.
- 11464** – An Order Authorizing the Creation of a new Human Resources Manager Position for the City’s Human Resources Department.
- 11465** – A Measure Accepting a Donation of Land from the Gardner School Committee for Elm Street Resurfacing and Repaving as part of the Safe Routes to School Project.

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

**XII. NEW BUSINESS**

**XIII. COUNCIL COMMENTS AND REMARKS**

**XIV. CLOSING PRAYER**

**XV. ADJOURNMENT**

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 OCTOBER 21, 2024**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, October 21, 2024.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 7:30pm.

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. Ten (10) Councillors were present including Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin (via phone conference), Elizabeth Kazinskas, Paul Tassone (via phone conference), David Thibault-Muñoz and George Tyros. Councillor Judy Mack 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 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 OF MINUTES OF PRIOR MEETING(S)**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to waive the reading and accept the MINUTES of June 3, 2024, Regular Meeting and June 17, 2024, Regular Meeting.

REGULAR MEETING OF OCTOBER 21, 2024

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PUBLIC HEARINGS**#11326**

President Elizabeth Kazinskas opened the Public Hearing on a A Petition by National Grid, Elm Street and Cross Street -relocate pole 1SO pole approximately 15 feet.

Councillor Calvin Brooks recused himself from the public hearing because he is an abutter to the petition.

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

Colton Marshall of National Grid spoke in favor. He informed the Council that they were widening the road and that the pole needed to be relocated.

The President thrice called for persons wishing to testify in opposition. There being none, President Kazinskas closed the hearing at 7:36 PM.

COMMUNICATIONS FROM THE MAYOR  
ORDERS**#11404**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the order:

AN ORDER TO RAISE AND APPROPRIATE A SUM OF MONEY FOR THE DEBT SERVICE DEPARTMENT FOR OPERATING EXPENDITURE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 TO JUNE 30, 2025.

*ORDERED:* To raise and appropriate for the expense of the City of Gardner for the Fiscal Year beginning July 1, 2024 to June 30, 2025 sums as designated below for the expenditures of the Debt Service department, Operating Expenditure budget, in the amount of ONE HUNDRED, FIFTY-SEVEN THOUSAND NINE HUNDRED FIFTY-ONE DOLLARS 00/100 (\$157,951.00):

Debt Service Dept	Principal-Inside Debt Expense	\$ 157,951.00
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**#11405**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the order:



REGULAR MEETING OF OCTOBER 21, 2024

AUTHORIZING PAYMENT OF PRIOR YEAR OPERATING EXPENDITURE

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

FY2024	ENERGY & UTILITIES WSB	\$16,577.21
FY2023	ENERGY & UTILITIES WSB	\$49.65

COMMUNICATIONS FROM THE MAYOR  
COMMUNICATIONS

**#11406**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to place on file, A Communication from the Mayor Requesting the Scheduling of the FY2025 Tax Classification Hearing to Determine and Set the Residential Factor for Real Estate Taxation.

**#11407**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Finance Committee for further study and report, *A Measure Authorizing a Five (5) Year Contract for School Transportation Services.*

**#11408**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Finance Committee for further study and report, *An Order Accepting the Provisions of Section 5N of Chapter 59 of the General Laws, to Establish a Veteran Property Tax Work-Off Program.*

**#11409**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Finance Committee for further study and report, *A Communication from the Mayor Regarding the Certification of FY2024 Free Cash.*

REGULAR MEETING OF OCTOBER 21, 2024

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**#11410**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Finance Committee for further study and report, *A Communication from the Mayor Regarding the Certification of FY2024 Enterprise Fund Retained Earnings.*

**#11411**

On a motion made by Councillor Calvin Brooks and seconded by Councillor Craig Cormier, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to place on file, *A Communication from the Mayor Regarding the Updated Final Budget and Assessment for the Monty Tech School District.*

**#11412**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Craig Cormier, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to place on file, *A Communication from the Mayor Regarding the Demolition of 73 Stuart Street.*

**#11413**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to place on file, *A Communication from the Mayor Regarding Demographic of Gardner Public Schools Population.*

**COMMUNICATIONS FROM THE MAYOR****APPOINTMENTS****#11414**

On a motion made by Councillor George Tyros and seconded by Councillor Dana Heath, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Appointments Committee for further study and report, *A Measure Confirming the Mayor's Appointment of Paul Gaj, to the position of Historical Commission Member, for a term expiring October 16, 2027.*

REGULAR MEETING OF OCTOBER 21, 2024

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**COMMUNICATIONS FROM THE MAYOR**  
**ORDINANCES****#11415**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Safety Committee, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*

**#11416**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Safety Committee, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11417**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to refer to the Service Committee and schedule a public hearing on, *A Petition by National Grid. City Hall Ave – To install underground facilities. Install 1 Pad-mounted transformer and ~20' of conduit in the parking lot off Main Street and Pleasant Street, Gardner, MA.*

**REPORTS OF STANDING COMMITTEES**  
**FINANCE COMMITTEE****#11289**

An Ordinance to Amend the Code of the City of Gardner, Part 1, thereof entitled, "Administrative Legislation".

Councillor Alek Dernalowicz requested for MORE TIME.

**There were no objections, more time was granted.**

**#11402**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David

REGULAR MEETING OF OCTOBER 21, 2024

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Thibault-Muñoz and George Tyros to grant, *An Order Authorizing the City to Enter into a 5-year Contract for Grant Writing and Government Outreach Services*.

AUTHORIZING FIVE-YEAR CONTRACT PERIOD  
GRANT WRITING & GOVERNMENT OUTREACH SERVICES

VOTED: To authorize the City to enter into a contract not to exceed five (5) years for Grant Writing and Government Outreach Services, pursuant to the provisions of Massachusetts General Law, Chapter 30B, section 12 and under the terms outlined in the Purchasing Agent's October 2, 2024, Memorandum.

**REPORTS OF STANDING COMMITTEES**  
**SAFETY COMMITTEE**

**#11204**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted, ten (0) yeas, (10) nays, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros to send *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*, to first printing. The motion was defeated. The ordinance did not pass.

Councillor David Thibault-Muñoz informed the Council the reason he voted "no" because of a public forum they had a few weeks ago. There were no residents who spoke in favor of the ordinance. He spoke with a few residents about the ordinance and most of them were neutral, some were against it and a few were in favor. When he spoke with the Chief and Deputy Chief, they didn't have any concerns with the ability of emergency vehicles being able to get through.

Councillor Craig Cormier mentioned that they had a trial and feedback on the traffic pattern change. Most residents that reached out were against the ordinance. He stated that he was not in favor of this item.

**SERVICE COMMITTEE**

**#11326**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted, nine (9) yeas, President Elizabeth Kazinskas and Councillors Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros grant, *A Petition by National Grid, Elm Street and Cross Street – relocate pole 1 SO pole approximately 15 feet*. Councillor Calvin Brooks recused himself due to a conflict of interest.



REGULAR MEETING OF OCTOBER 21, 2024

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**#11385**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted, (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Paul Tassone, David Thibault-Muñoz and George Tyros grant, A Measure to Grant National Grid an Easement to Install a Transformer at 95 Pleasant Street.

**CLOSING PRAYER**

President Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion made by Councillor Dana Heath and seconded by Councillor Criag Cormier, the meeting adjourned at 8:25pm.

**10 yeas, the motion passes.**

**REGULAR MEETING OF NOVEMBER 4, 2024**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, November 4, 2024.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 7:30pm.

**CALL OF THE ROLL**

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

**PUBLIC HEARINGS****#11417**

President Elizabeth Kazinskas opened the Public Hearing on – A Petition by National Grid. City Hall Ave – To install underground facilities. Install 1 Pad-mounted transformer and ~20' of conduit in the parking lot off Main Street and Pleasant Street, Gardner, MA

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

REGULAR MEETING OF NOVEMBER 4, 2024

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Mayor Michael Nicolson spoke in favor. He said it would benefit 3 businesses in the downtown area.

The President thrice called for persons wishing to testify in opposition. There being none, President Kazinskas closed the hearing at 7:35 PM.

**#11418**

President Elizabeth Kazinskas opened the Public Hearing on, A Measure to Adopt a Factor for Real Estate and Personal Property Taxation for Fiscal Year 2025.

Mayor Nicholson spoke in favor of the measure and presented a presentation attached.

The President thrice called for persons wishing to testify in opposition. There being none, President Kazinskas closed the hearing at 8:05 PM.

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

**#11419**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted to refer to the Finance Committee, *A Measure Authorizing the City to Enter Into a Contract for Up to Five (5) Years for Police Department Body Camera Cloud Storage*, for further study and report.

10 yeas, motion passes.

**#11420**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted to refer to the Finance Committee, *A Measure Declaring Surplus for the Purpose of Disposal of Land and Buildings at 73 Stuart Street*, for further study and report.

10 yeas, motion passes.

**#11421**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted to place on file, *A Communication from the Mayor Regarding Medex Health Insurance Rates for Retirees*.

10 yeas, motion passes.

REGULAR MEETING OF NOVEMBER 4, 2024

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**COMMUNICATIONS FROM THE MAYOR**  
**ORDINANCES****#11422**

On a motion made by Councillor Craig Cormier and seconded by Councillor Dana Heath, it was voted to refer to the Safety Committee, *An Ordinance to Amend the Chapter 600 of the Code of the City of Gardner, thereof entitled, "Vehicles and Traffic."*

10 yeas, motion passes.

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11423**

On a motion made by Councillor George Tyros and seconded by Councillor Judy Mack, it was voted to refer to the Committee of the Whole and schedule an informal meeting on, *A Proposal Relative to the Rules of the City Council (Submitted by Council President Kazinskas).*

10 yeas, motion passes.

**REPORTS OF STANDING COMMITTEES**  
**FINANCE COMMITTEE****#11289**

An Ordinance to Amend the Code of the City of Gardner, Part 1, thereof entitled, "Administrative Legislation".

Councillor Judy Mack requested for MORE TIME.

There were no objections, more time was granted.

**#11407**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted to grant, *A Measure Authorizing a Five (5) Year Contract for School Transportation Services.*

**AUTHORIZING FIVE-YEAR CONTRACT PERIOD SCHOOL TRANSPORTATION SERVICES**

Voted: To Authorize the City to enter into a contract not to exceed five (5) years for School Transportation Services, pursuant to the provisions of Massachusetts General Laws, Chapter 30B, Section 12 and under the terms outlined in the Purchasing Agent's October 15, 2024, Memorandum.

10 yeas, motion passes.

REGULAR MEETING OF NOVEMBER 4, 2024

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**#11408**

On a motion made by Councillor Judy Mack and seconded by Councillor Paul Tassone, it was voted to adopt, *An Order Accepting the Provisions of Section 5N of Chapter 59 of the General Laws, to Establish a Veteran Property Tax Work-Off Program.*

**AN ORDER ACCEPTING THE PROVISIONS OF SECTION SN OF CHAPTER 59 OF THE GENERAL LAWS OF THE COMMONWEALTH TO ESTABLISH A PROPERTY TAX WORK-OFF PROGRAM FOR VETERANS**

VOTED: To accept the provisions of Section SN of Chapter 59 of the General Laws of the Commonwealth, empowering the City of Gardner to create and implement a property tax work-off program for Veterans domiciled in Gardner, and to set the limit of the reduction in property tax liability for those participating at one thousand dollars (\$1,000.00) per fiscal year.

10 yeas, motion passes.

**#11409**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted to place on file, *A Communication from the Mayor Regarding the Certification of FY2024 Free Cash.*

10 yeas, motion passes.

**#11410**

On a motion made by Councillor Judy Mack and seconded by Councillor Paul Tassone, it was voted to place on file, *A Communication from the Mayor Regarding the Certification of FY2024 Enterprise Fund Retained Earnings.*

10 yeas, motion passes.

**REPORTS OF STANDING COMMITTEES**  
**APPOINTMENTS COMMITTEE****#11414**

Councillor George Tyros requested more time on, *A Measure Confirming the Mayor's Appointment of Paul Gaj, to the position of Historical Commission Member, for a term expiring October 16, 2027.*

There were no objections, more time was granted.

REGULAR MEETING OF NOVEMBER 4, 2024

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REPORTS OF STANDING COMMITTEESSAFETY COMMITTEE**#11415**

On a motion made by Councillor Craig Cormier and seconded by Councillor Dana Heath, it was voted to send to first printing, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*

10 yeas, motion passes.

**#11416**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to send to first printing, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*

10 yeas, motion passes.

REPORTS OF STANDING COMMITTEESSERVICE COMMITTEE**#11385**

On a motion made by Councillor Paul Tassone and seconded by Councillor George Tyros, it was voted, to remove from the calendar, *A Measure to Grant National Grid an Easement to Install a Transformer at 95 Pleasant Street.*

**#11417**

Councillor Paul Tassone requested more time on, *A Petition by National Grid. City Hall Ave – To install underground facilities. Install 1 Pad-mounted transformer and ~20' of conduit in the parking lot off Main Street and Pleasant Street, Gardner, MA.*

There were no objections, more time was granted.

COMMITTEE OF THE WHOLE**#11418**

On a motion made by Councillor Brad Heglin and seconded by Councillor George Tyros, it was voted to adopt, *A Measure to Adopt a Factor for Real Estate and Personal Property Taxation for Fiscal Year 2025.*



REGULAR MEETING OF NOVEMBER 4, 2024

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**Determination of Residential Factor of One for Real Estate Taxation for the Fiscal Year, Beginning July 1, 2024, and Ending June 30, 2025.**

VOTED: That the residential factor for real estate taxation be set at one (1) for the Fiscal Year beginning on July 1, 2024, and ending on June 30, 2025.

10 yeas, the motion passes.

**CLOSING PRAYER**

President Kazinskas led the Council in the Closing Prayer.

**ADJOURNMENT**

On a motion made by Councillor Calvin Brooks and seconded by Councillor Paul Tassone, the meeting adjourned at 8:24pm.

10 yeas, the motion passes.



# City of Gardner FY2025 Tax Classification Public Hearing

MAYOR MICHAEL J. NICHOLSON

CITY ASSESSOR CHRISTINE KUMAR



# Presentation Outline

- Definitions
- What is a Tax Classification Hearing?
- High level review of options – Single Rate vs. Split Rate
- Prop 2 ½ and Property Tax Billing
- City of Gardner Property Analysis
- Projected Tax Rate Information and Tax Bill Analysis
- City of Gardner Administration Recommendation

# City Finance Team

- ▶ John Richard, City Auditor
- ▶ Jennifer Dymek, City Treasurer Collector
- ▶ Christine Kumar, City Assessor
- ▶ Joshua Cormier, City Purchasing Director
  
- ▶ Meet with the Mayor monthly to review financial trends – revenue and spending, and discuss processes throughout the year to make sure things stay financially stable and strong

# Definitions



**FFCV** - Full and Fair Cash Value



**CIP**- Commercial, Industrial,  
and Personal Properties



**RO**- Residential and Open  
Space

# Acronyms

# Valuations



Property tax valuations in Massachusetts are based on a property's market value, or "full and fair cash value", as determined by local assessors. The assessed value is then multiplied by the local tax rate to calculate the property tax bill.



These valuations are based on the trends that the real estate market saw for arms length sales two years prior to the current fiscal year.



The valuations used in these trends are annually certified by the Massachusetts Department of Revenue



Every 5 years, the City must perform a re-valuation in which all properties are inspected and certified that their values are accurate

## Definitions (cont'd)

- ▶ **Tax Rate:** The amount charged per property per thousand dollars of valuation
- ▶ **Tax Levy:** The amount of taxes a community can raise through property taxation. It can be any amount up to the Levy Limit.
- ▶ **Levy Limit:** the annual cap on tax collections that can increase each year based on Prop 2  $\frac{1}{2}$
- ▶ **Levy Ceiling:** The maximum amount that can be collected under Prop 2  $\frac{1}{2}$  plus any exceptions. Equivalent of 2.5% of the community's full & fair cash value.
- ▶ **Excess Levy Capacity:** The difference between a community's tax levy, and its levy limit.

# New Growth

- ▶ New Growth adds to the Levy Limit and is typically driven by development in the community. There are only a few possible sources of New Growth, primarily: properties that have increased in value since the prior year due to development or other construction, exempt property that becomes no longer exempt, new personal property, and new subdivision parcels and condominium conversions.

# What is a Tax Classification Hearing and Vote?



# The Vote is **NOT** setting the tax rate

**THE VOTE WILL:** DETERMINE THE PERCENTAGE OF THE FULLY  
TAX LEVY THAT RESIDENTIAL AND OPEN SPACE PROPERTIES  
ARE PAYING TOWARD THE FULL AMOUNT OF TAXES  
COLLECTED.

# What is a Tax Classification Hearing?

- State Law requires that the City Council annually hold a public hearing to determine the residential factor of real estate taxation.
- The purpose of the hearing is to gather public input on what type of tax rate the City Council should vote to adopt
- The City Council has two options:
  - 1) A Single Tax Rate
  - 2) A Split Tax Rate
- In this vote, the City Council must determine the factor (percentage) of the tax rate borne by residential and open space properties.

# Tax Classification Hearing Continued

➤ Following the hearing, the City Council votes on the following options that are allowed by law:

1. **A Residential Factor of 1**
  - ❑ Single Tax Rate
2. **Residential Factor of 0.75**
  - ❑ Split Tax Rate Option 1 - RO: 0.75%, CIP: 1.25%
3. **Residential Factor of 0.5**
  - ❑ Split Tax Rate Option 2 - RO: 0.50%, CIP: 1.50%
4. **Residential Factor of 1.25**
  - ❑ Split Tax Rate Option 3 - RO: 1.25%, CIP: 0.75%
5. **Residential Factor of 1.50**
  - ❑ Split Tax Rate Option 4 - RO: 1.50%, CIP: 0.50%

➤ This vote must be approved by a majority vote of the City Council and also requires mayoral approval.

# Single Tax Rate vs. Split Tax Rate

# What is a Single Tax Rate?

- A residential factor of "1" results in the taxation of all property at the same rate.
- Each property class pays its full and fair cash valuation share of the tax levy,
- This means that if the value of all residential properties make up 80 percent of the total assessed valuation, residential and open space taxpayers will pay 80 percent of the total tax levy.

# What is a split rate?

- A residential factor of less than “1” reduces the share of the tax levy paid by the RO classes and increases the share paid by the CIP classes.
- **The result is two tax rates:**
  - one for RO properties and
  - a second, higher rate for CIP properties.
- A factor greater than “1” may be adopted, which would have the opposite effect.

## Split Tax Rate Continued

- However, even in a split rate system that shift has a limit based on a formula
- CIP taxpayers cannot pay more than 150% of their FFCV share of the tax levy
- RO taxpayers cannot pay less than 65% of their FFCV share of the tax levy
- EX) if RO make up 80%, and CIP make up 20%, the most the CIP can pay is 30% in a split tax rate ( $0.2 \times 1.5$ ).

# Split Tax Rate Continued

- There are also **3 Exemptions** that the City Council, with Mayoral Approval, may adopt as well in this process
  - 1. Open Space Exemption-** Reduce the tax rate on open space properties by up to 25%.
  - 2. Residential Exemption-** Reduce the tax rate for multifamily properties that are owner-occupied and not fully rented out of not more than 35% of the average assessed value of all multifamily properties.
  - 3. Small Commercial Exemption-** Reduce the tax rate for Commercial Properties that employ no more than 10 people and have an assessed value of less than \$1 mil. This option also requires approval by the State.





# What is Proposition 2 1/2?

“I THOUGHT MY TAX BILL COULDN'T GO UP MORE  
THAN 2 1/2% A YEAR?”

# What is Prop. 2 ½?

- ▶ Proposition 2 ½ was adopted by voters through a statewide ballot question in 1980.
- ▶ This law, officially enacted in 1982 after passage in 1980, made it so that a community could not increase the TOTAL amount of property taxes they collect by larger than 2 ½% a year.
- ▶ Proposition 2 ½ relates to the Tax Levy – i.e.: the total amount of taxes collected, NOT individual tax bills

## Tax Rate vs. Valuations

Because the City is only allowed to increase taxes by no more than 2 1/2% each year, tax rates and valuations have an inverse relationship.

As valuations go up, the tax rate goes  
down



# Massachusetts Prop. Tax Billing Contradiction

# Where laws don't align in timelines

- ▶ Gardner adopted quarterly tax billing in 2010. Prior to this, bills were sent out in six-month increments.
- ▶ With the quarterly tax billing system, bills are sent out for July, October, January, and April.
- ▶ State Law requires updated valuations to be implemented on July 1 of the fiscal year – 1<sup>st</sup> quarter
- ▶ However, State Law doesn't allow the new tax rate to be set for January 1 of the fiscal year – 3<sup>rd</sup> quarter.
- ▶ Because of this, the first two quarters of the year are estimated bills because they use the new values with an old rate.
- ▶ This cause taxpayers to pre-pay portions of the 3<sup>rd</sup> and 4<sup>th</sup> quarter bills because the 1<sup>st</sup> and 2<sup>nd</sup> quarter bills are higher due to this anomaly

# Preliminary Bills



# Actual Bills

# City of Gardner FY2025



As has been done in the past, the Administration is recommending the City Council set a real estate factor of 1 and adopt a factor of 1



# What's happened So Far:



LA-3 Certified by Mass DOR on 6/24/24,  
Certifying qualifying sales from 2022

Submitted to City Council as Item #11395  
- Oct 7, 2024



LA4 Certified by Mass DOR on 9/19/24,  
Certifying Valuations and Assessments

Submitted to City Council as Item #11396  
- Oct 7, 2024



LA13 Certified by MassDOR on 9/19/24,  
Certifying New Growth

Submitted to City Council as Item #11397  
- Oct 7, 2024



Supplemental Budget Adopted by City  
Council

Item 11404 - Oct 7, 2024



Free Cash Certified by MassDOR on  
10/8/24

Submitted to City Council as Item #11409  
- Oct 7, 2024

# What's Next?



City Council holds Tax  
Classification Hearing and Vote

City Clerk certifies vote being taken to  
MassDOR



City Auditor Tax Recapitulation  
Sheet Submitted for Certification

Reviews City's revenue sources for  
budgetary expenditures



MassDOR sets City's Tax Rate

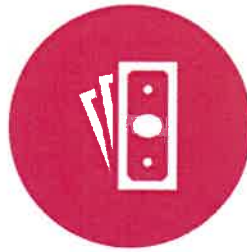


City Treasurer's Office issues 3<sup>rd</sup> and 4<sup>th</sup> Quarter Tax Bills with  
certified rate

# Tax Levy Information

CITY OF GARDNER

# Tax Levy Information



TAX LEVY:  
\$33,910,667



TAX LEVY LIMIT:  
\$33,930,056



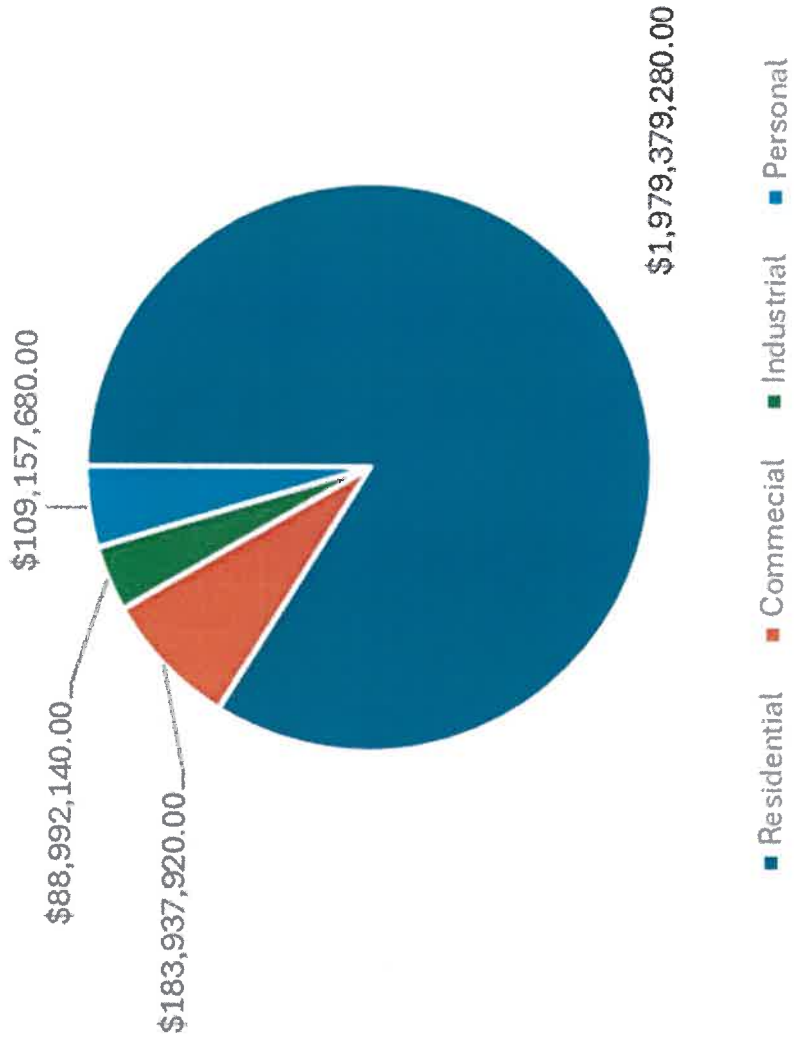
TAX LEVY CEILING:  
\$59,036,676



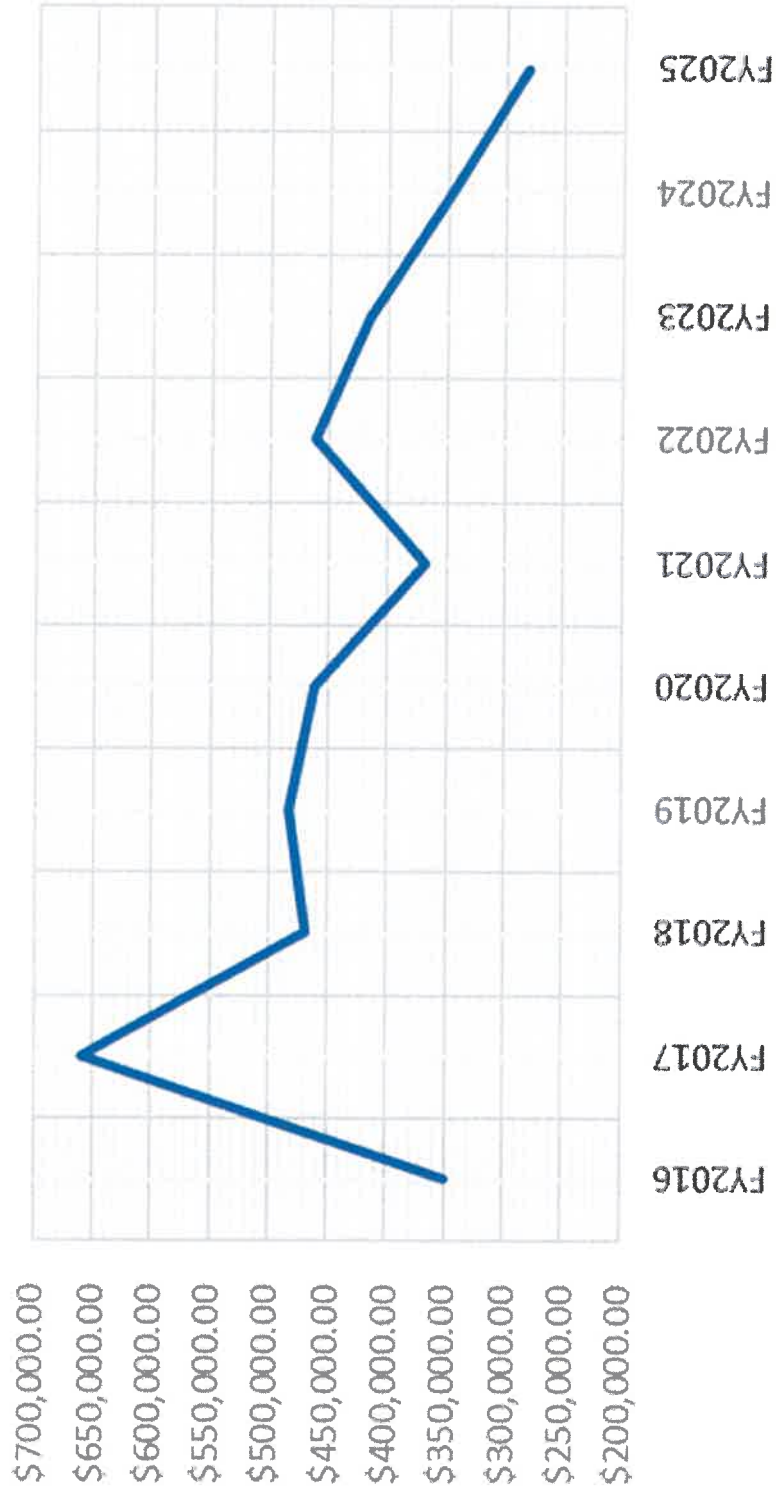
EXCESS CAP.:  
\$19,389

# Gardner Property Data

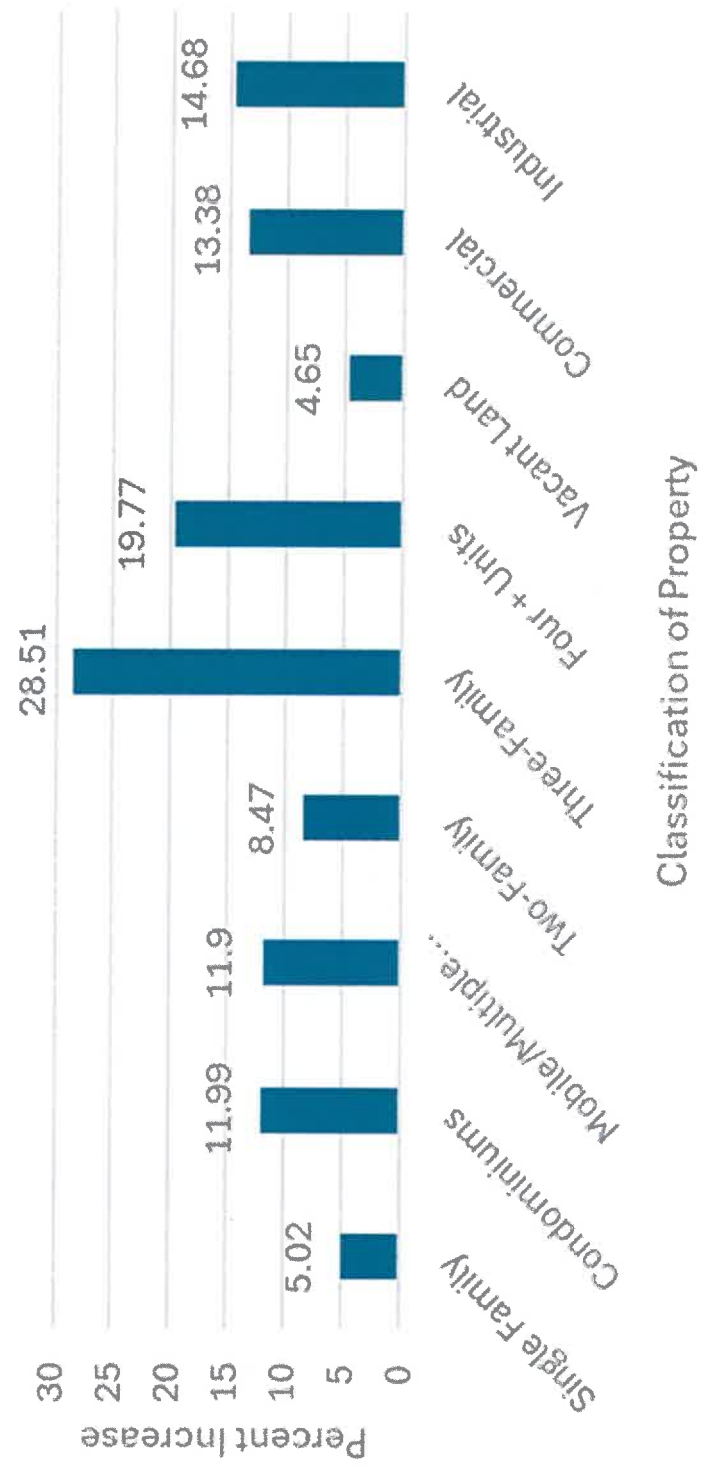
### Gardner FY2025 Property Valuation Breakdown



### Certified New Growth

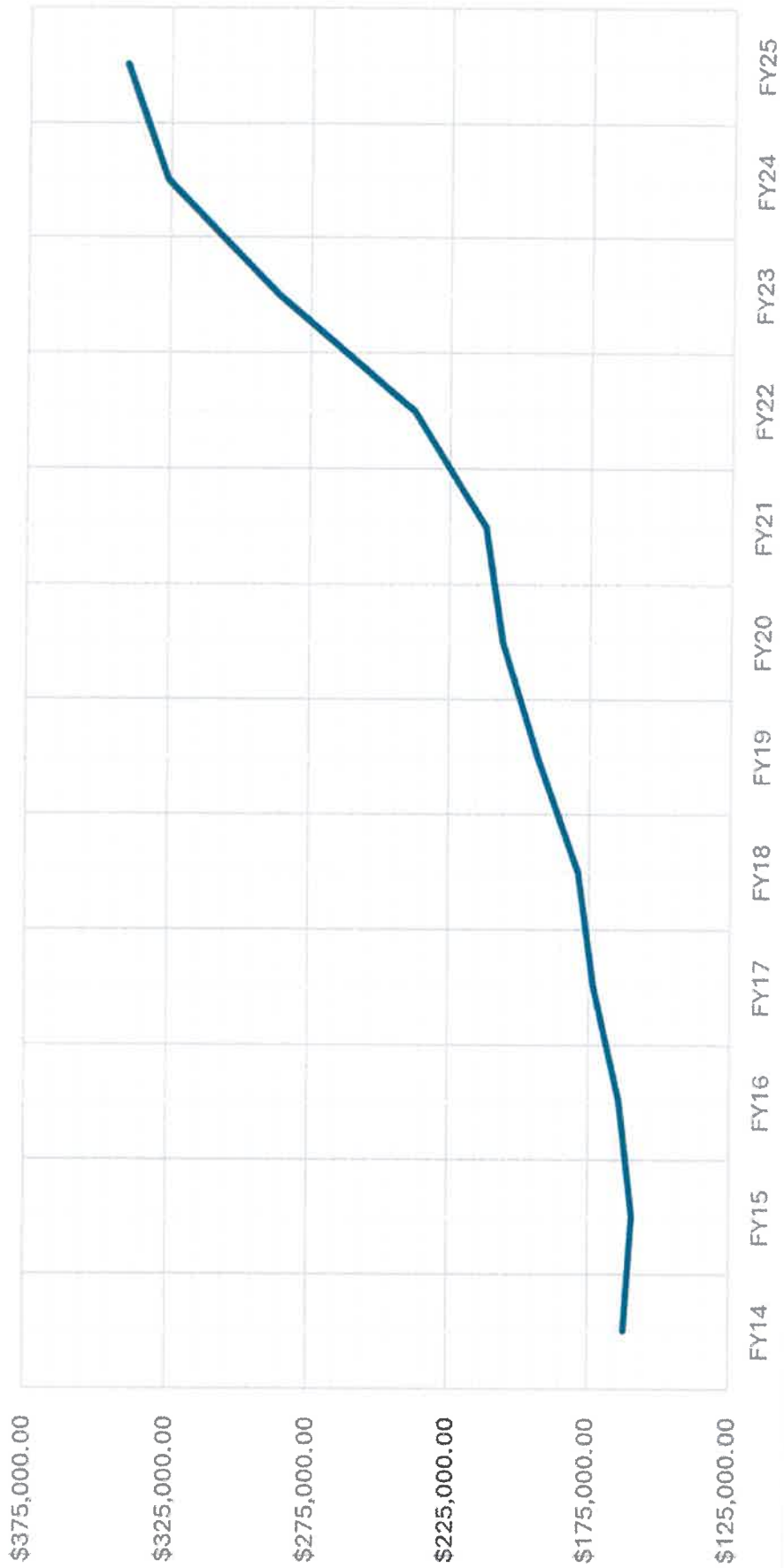


### Percent Increase in Valuation FY24 to FY25

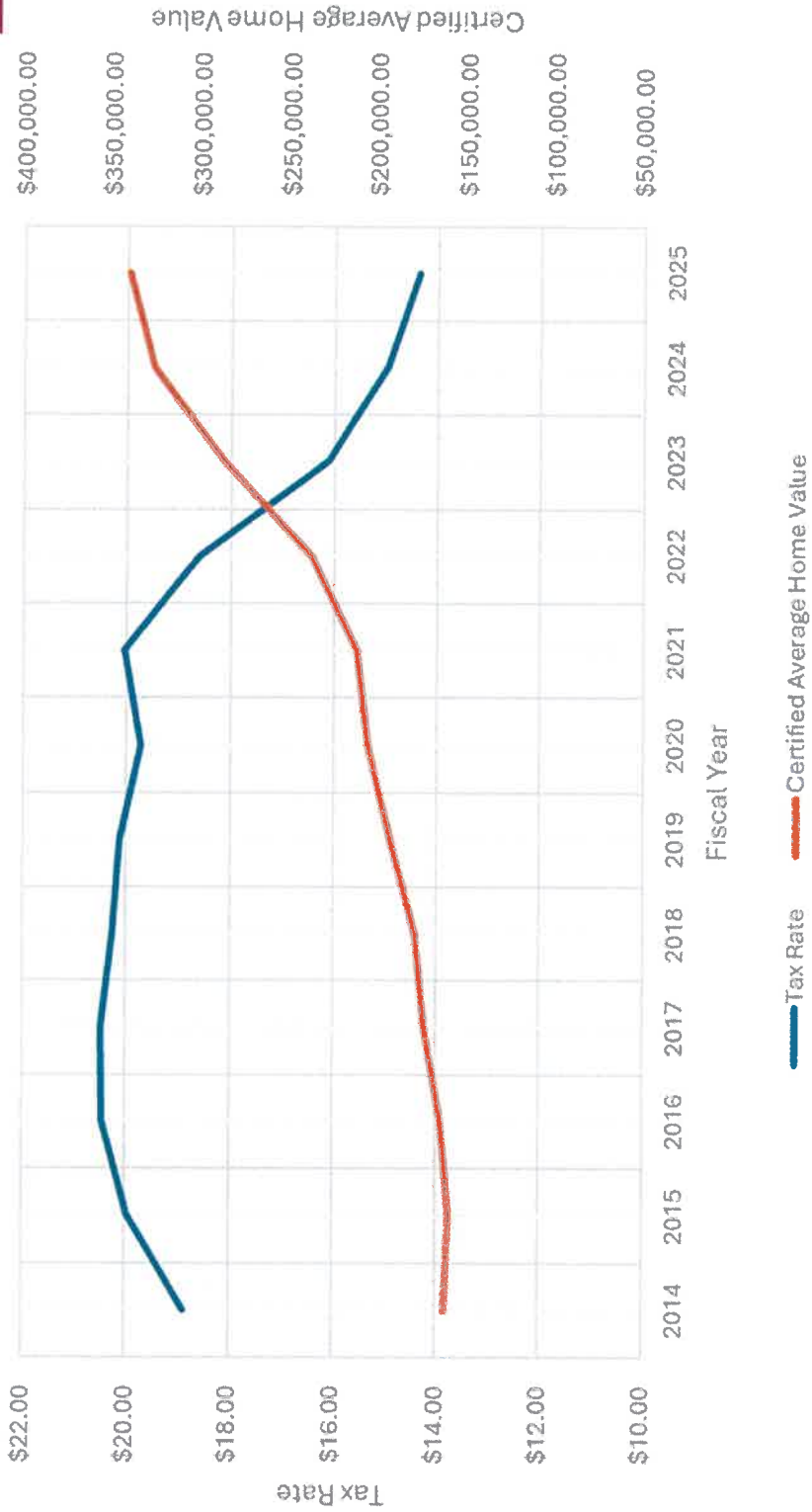




Average Single Family Home Value



### Ave Single Family Home Value vs. Tax Rate

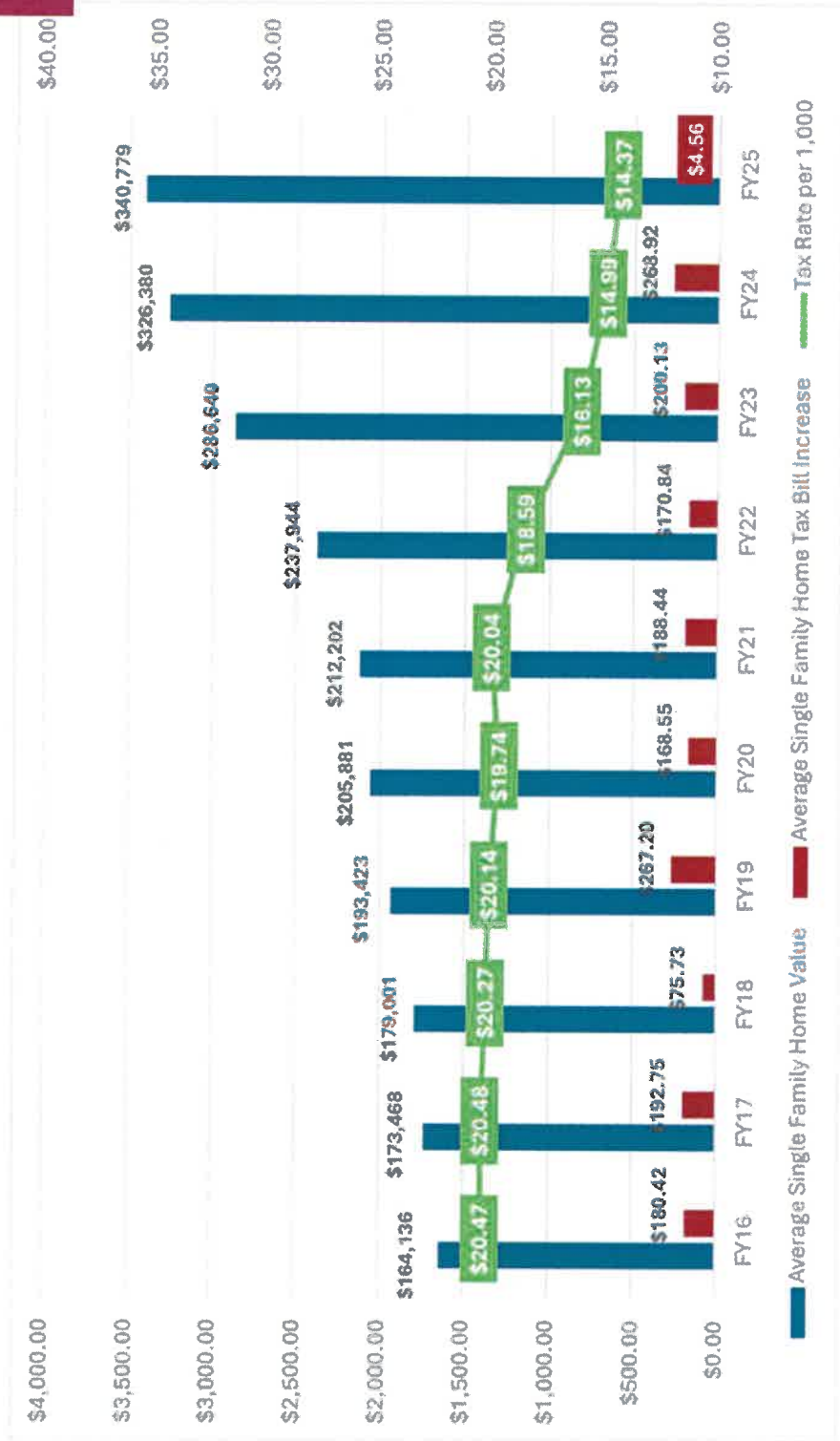


### Gardner Historic Assessments & Percentages of Value

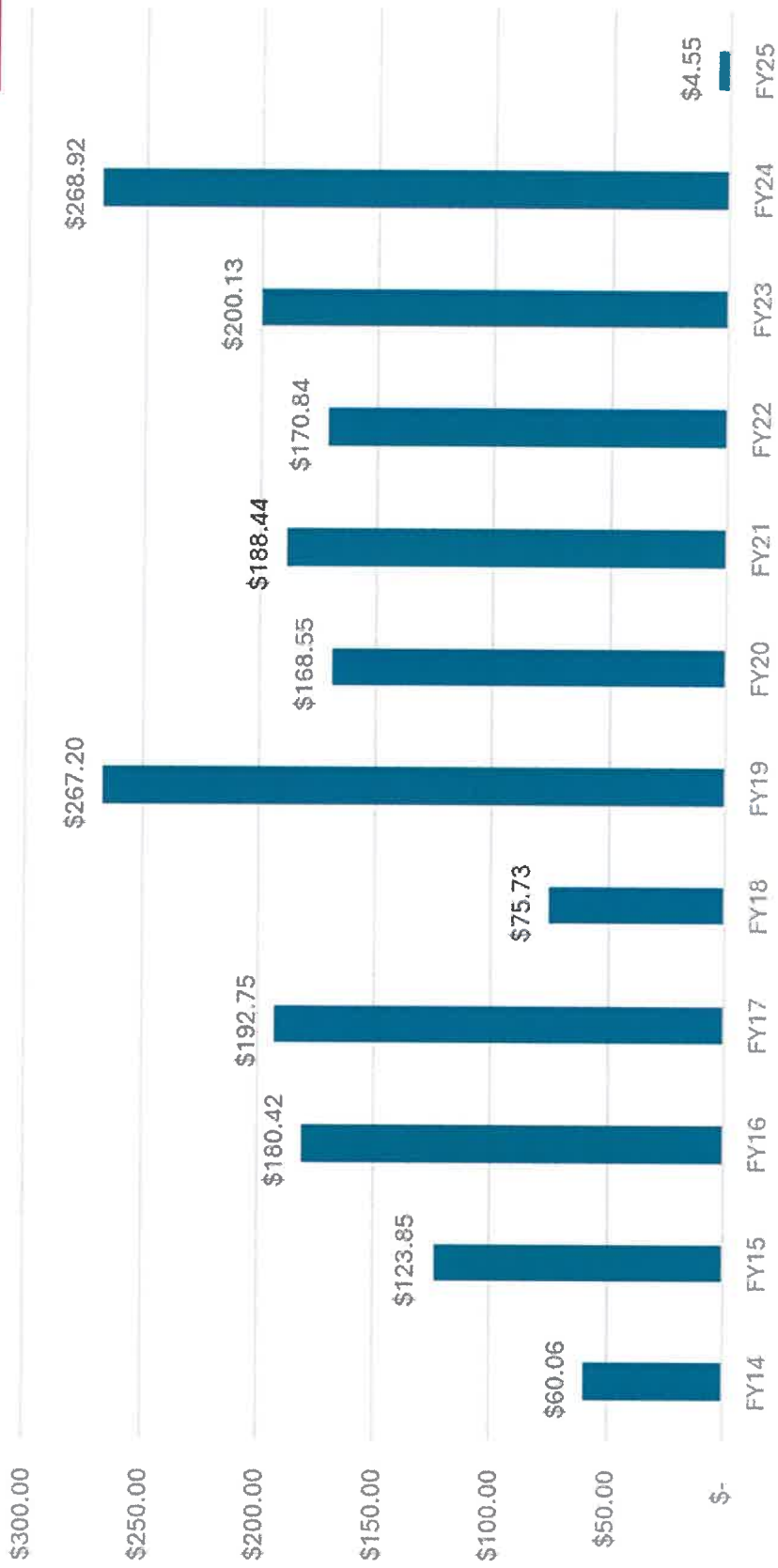
FY	TOTAL	Residential	Commercial	Industrial	Personal Prop	Res % of Total	CIP % of Total	Tax Rate
2013	1,181,385,479	969,707,075	111,731,325	61,621,600	38,325,479	82.08	17.92	17.46
2014	1,136,149,615	920,245,074	110,967,326	62,394,500	42,542,715	81.00	19.00	18.87
2015	1,131,686,711	896,784,169	111,029,231	62,898,800	60,974,511	79.24	20.76	19.98
2016	1,139,021,076	904,538,011	116,765,889	58,565,500	59,151,676	79.41	20.59	20.47
2017	1,197,247,612	949,314,346	120,068,054	60,033,000	67,832,212	79.29	20.71	20.48
2018	1,245,880,527	984,275,930	126,760,670	63,989,080	70,854,847	79.00	21.00	20.27
2019	1,337,397,809	1,069,105,409	124,307,491	63,340,650	80,644,259	79.94	20.06	20.14
2020	1,412,573,860	1,137,043,228	126,423,872	66,730,100	82,376,660	80.49	19.51	19.74
2021	1,456,237,096	1,175,288,183	130,856,217	63,236,000	86,856,696	80.71	19.29	20.04
2022	1,616,370,964	1,318,229,099	130,973,801	63,946,660	103,221,404	81.55	18.45	18.59
2023	1,954,354,540	1,621,892,966	150,541,334	75,159,200	106,761,040	82.99	17.01	16.13
2024	2,185,643,180	1,835,104,190	162,233,510	77,599,680	110,705,800	83.96	16.04	14.99
2025	2,361,467,020	1,979,379,280	183,937,920	88,992,140	109,157,680	83.82	16.18	<b>14.37</b>

*FY25 Tax Rate is estimated*

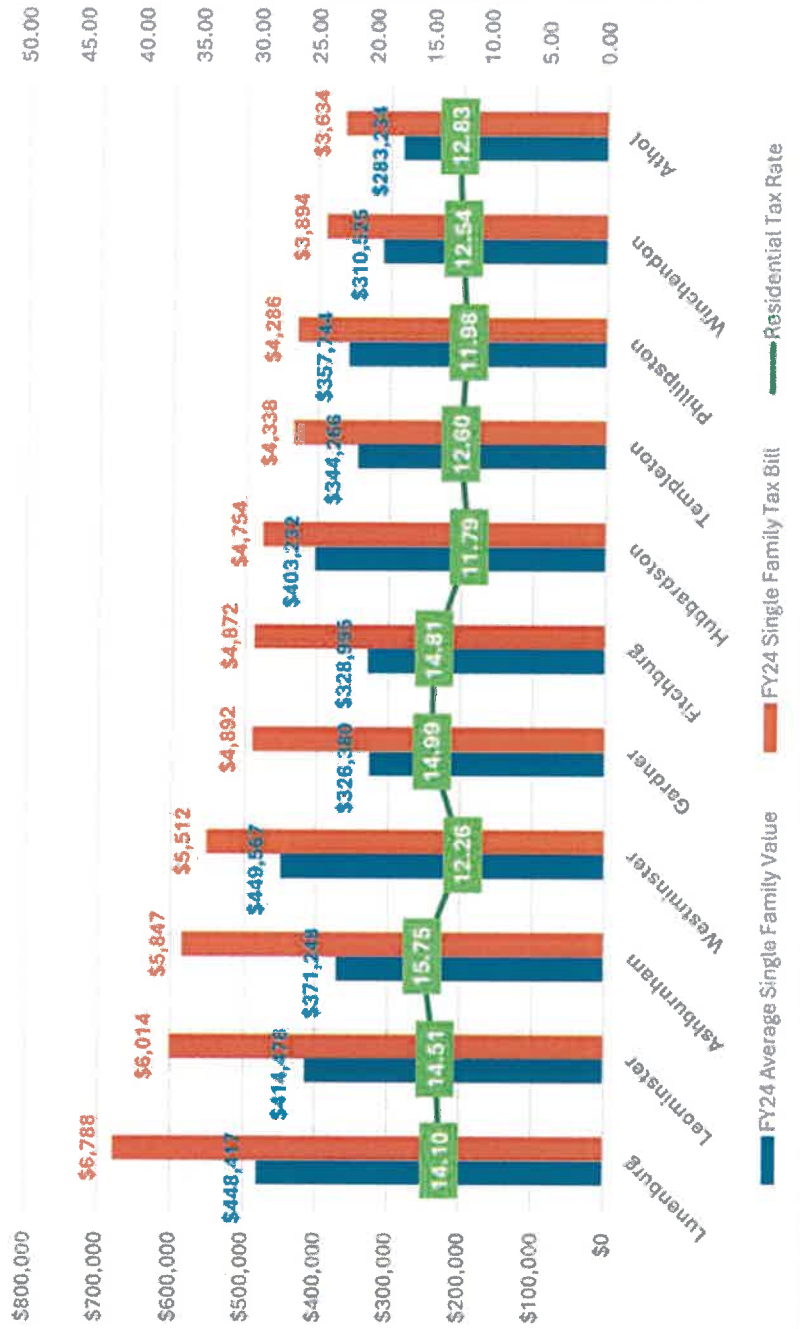
# Gardner Tax Bill Analysis



### Increase in Average Single Family Home Tax Bill



### FY24 Average Single Family Value



Top 10 Taxpayers + Utility Companies

	OWNER	TOTAL VALUE	TYPE	ESTIMATED TAXES
1	MASS ELECTRIC	26,834,530	UTILITY	\$385,612
2	UNITIL	22,117,540	UTILITY	\$317,829
3	JENNY/JESSIE/MAYOR/MIKEY/D PERRI REALTY LLC & PRACK INVESTMENTS	17,639,300	CONDOS	\$253,477
4	BINNALL HOUSE RHF PARTNERS	12,825,000	APARTMENTS	\$184,295
5	CEDAR TIMPANY LLC	12,757,800	RETAIL/COMMERCIAL	\$183,330
6	NEW ENGLAND WOODEN WARE CORP / GTU LLC / URQUHART FAMILY LLC	12,641,800	COMMERCIAL	\$181,663
7	OLDE ENGLISH VILLAGE PRESERVATION LP	12,232,500	APARTMENTS	\$175,781
8	MOUNTAIN CLIMBER LLC	11,173,300	APARTMENTS	\$160,560
9	WAKEFIELD PLACE ASSOC LTD PTNR	10,723,800	APARTMENTS	\$154,101
10	NEW ENGLAND POWER	9,821,760	UTILITY	\$141,139
11	EXCHANGERIGHT NET-LEASED PORTFOLIO 54 DST	9,614,800	RETAIL/COMMERCIAL	\$138,165
12	WAL MART REAL ESTATE	8,631,300	COMMERCIAL	\$124,032
13	GARDEN GATE LJS LLC	8,624,100	APARTMENTS	\$123,928



Average Single Family Home Tax Bill	
<b>Preliminary Tax Bills</b>	
Average Single Family Home Value	\$ 340,779.00
FY2024 Tax Rate	\$ 14.99
Average Preliminary Tax Bill	\$ 1,277.07
Average amount paid	\$ 2,554.14
<b>Actual Tax Bills (January and April)</b>	
Average Single Family Home Value	\$ 340,779.00
FY2025 Tax Rate	\$ 14.37
Average Single Family Home Tax Bill	\$ 1,171.43
Reduction in Average Single Family Tax Bill Preliminary vs Actual	\$ 105.64

Calculation:  $((\text{Average Single Family Home Value}/1000) * \text{FY25 Tax Rate}) - ((\text{Average Single Family Home Value}/1000) * \text{FY24 Tax Rate})$

Average Single Family Home Tax Bill					
	FY2024		FY2025	Difference	
<b>Yearly Tax Bill</b>					
Average Single Family Home Value	\$	326,380.00	\$	340,779.00	\$ 14,399.00
Tax Rate	\$	14.99		14.37	\$ (0.62)
Average Single Family Home Bill	\$	4,892.44	\$	4,896.99	\$ 4.56
<b>Preliminary Tax Bills (July and October)</b>					
Average Single Family Home Value	\$	326,380.00	\$	340,779.00	\$ 14,399.00
Previous Fiscal Year Tax Rate	\$	16.13	\$	14.99	\$ (1.14)
Average Preliminary Tax Bill	\$	1,316.13	\$	1,277.07	\$ (39.06)
Average amount paid	\$	2,632.25	\$	2,554.14	\$ (78.12)
<b>Actual Tax Bills (January and April)</b>					
Average Single Family Home Value	\$	326,380.00	\$	340,779.00	\$ 14,399.00
Current Tax Rate	\$	14.99	\$	14.37	\$ (0.62)
Average Single Family Home Tax Bill	\$	1,223.11	\$	1,171.43	\$ (51.68)
Reduction in Average Single Family Tax Bill Preliminary vs Actual	\$	93.02	\$	105.64	\$ 12.62

Calculation: (((Average Single Family Home Value/1000)\*FY25 Tax Rate)-(((Average Single Family Home Value/1000)\*FY24 Tax Rate)/4)\*2)/2

Department	FY2024	FY2025	Increase (Decrease)	Dept % of FY25 Budget	Tax Bill Impact*	% of Tax Bill
Gardner Public Schools	\$ 31,319,046.00	\$ 34,283,326.00	\$ 2,964,280.00	44.321%	\$2,170.39	44.321%
Employee Benefits	\$ 9,857,304.79	\$ 10,717,575.13	\$ 860,270.34	13.855%	\$678.50	13.855%
Retirement	\$ 5,615,587.00	\$ 6,018,551.45	\$ 402,964.45	7.781%	\$381.02	7.781%
Debt Service	\$ 4,661,106.00	\$ 4,734,706.00	\$ 73,600.00	6.121%	\$299.74	6.121%
Police	\$ 3,767,539.32	\$ 3,676,352.01	\$ (91,187.31)	4.753%	\$232.74	4.753%
Fire	\$ 3,125,643.45	\$ 2,996,313.94	\$ (129,329.51)	3.874%	\$189.69	3.874%
Public Works	\$ 2,652,982.06	\$ 2,548,854.68	\$ (104,127.38)	3.295%	\$161.36	3.295%
Cherry Sheet Charges & Assessments	\$ 1,995,594.00	\$ 1,909,667.00	\$ (85,927.00)	2.469%	\$120.90	2.469%
Monty Tech	\$ 1,107,341.00	\$ 1,129,487.82	\$ 22,146.82	1.460%	\$71.50	1.460%
Ambulance	\$ 1,025,560.60	\$ 1,029,368.67	\$ 3,808.07	1.331%	\$65.17	1.331%
Library	\$ 833,178.83	\$ 859,867.96	\$ 26,689.13	1.112%	\$54.44	1.112%
Property Insurances	\$ 815,000.00	\$ 850,000.00	\$ 35,000.00	1.099%	\$53.81	1.099%
Dispatch	\$ 796,379.02	\$ 781,564.39	\$ (14,814.63)	1.010%	\$49.48	1.010%
Veterans Services	\$ 563,326.78	\$ 631,144.86	\$ 67,818.08	0.816%	\$39.96	0.816%
Info Tech	\$ 518,994.80	\$ 525,391.50	\$ 6,396.70	0.679%	\$33.26	0.679%
Building Dept	\$ 453,284.62	\$ 471,559.14	\$ 18,274.52	0.610%	\$29.85	0.610%

# So what are Gardner's Options?

CIP SHIFT RATIO	RESIDENTIAL FACTOR	RES%	CIP%	RES TAX* RATE	CIP TAX RATE
1	100%	83.8199%	16.1801%	14.37	14.37
1.25	95.17%	79.7749%	20.2251%	13.67	17.96
1.5	90.35%	75.7298%	24.2703%	12.98	21.55

**FY25 Tax Rate is estimated**



As has been done in the past, the Administration is recommending the City Council set a real estate factor of 1 and adopt a factor of 1

This has also been supported by a unanimous vote of the City's Board of Assessors

# Questions?



**REGULAR MEETING OF NOVEMBER 18, 2024**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, November 18, 2024.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 7:30pm.

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. Eleven (11) Councillors were present including Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Elizabeth Kazinskas, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros.

**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 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.

**COMMUNICATIONS FROM THE MAYOR**  
**COMMUNICATIONS****#11431**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted to place on file, *A Communication from the Mayor Regarding the Certification of the FY2025 Tax Rate, Tax Levy, and Tax Recapitulation*.

11 yeas, motion passes.



REGULAR MEETING OF NOVEMBER 18, 2024

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COMMUNICATIONS FROM THE MAYORORDERS**#11424**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO STABILIZATION.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Thirty-One Thousand Eight Hundred Nine Dollars and No Cents (\$131,809.00) from Free Cash to Stabilization.

**#11425**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO DEPARTMENT OF PUBLIC WORKS DEPT. - ROAD RESURFACING EXPENSE ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of Two Hundred Sixty-Three Thousand Six Hundred Seventeen Dollars and No Cents (\$263,617.00) from Free Cash to Department of Public Works Dept. - Road Resurfacing Expense Account.

**#11426**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO THE OTHER POST- EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

ORDERED: That there be and is hereby appropriated the sum of Twenty-Six Thousand Three Hundred Sixty-Two Dollars and No Cents (\$26,362.00) from Free Cash to the Other Post-Employment Benefits Liability Trust Fund.

REGULAR MEETING OF NOVEMBER 18, 2024

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**#11427**

On a motion made by Councillor Judy Mack and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO LANDFILL CLOSURE EXPENDITURES.

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 Landfill Closure Expenditures.

**#11428**

On a motion made by Councillor Judy Mack and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO LANDFILL CLOSURE EXPENDITURES.

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 Landfill Closure Expenditures.

**#11429**

On a motion made by Councillor Judy Mack and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to adopt the following order:

AN ORDER APPROPRIATING FROM FREE CASH TO THE INFORMATION TECHNOLOGY DEPARTMENT.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Five Thousand Dollars and No Cents (\$95,000.00) from Free Cash to the Information Technology Equipment Expense Account.

**#11430**

On a motion made by Councillor Judy Mack and seconded by Councillor George Tyros, it was voted on call of the roll, ten (10) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros; Councillor Aleksander Dernalowicz abstained; to adopt the following order:



## REGULAR MEETING OF NOVEMBER 18, 2024

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AN ORDER APPROPRIATING FROM FREE CASH TO THE INFORMATION TECHNOLOGY DEPARTMENT.

ORDERED: That there be and is hereby appropriated the sum of Ninety-Five Thousand Dollars and No Cents (\$95,000.00) from Free Cash to the Information Technology Equipment Expense Account.

**#11433**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to remove from the calendar, *An Order Appropriating \$45,000.00 from Free Cash to Elections Salary and Labor*.

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11432**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was to place on file, *A Ruling from the Attorney General Relative to an Open Meeting Law Complaint filed by the following:*

- (a) Kimberly Blake
- (b) Paul DeMeo
- (c) Ernestina Duda
- (d) Darlene Halfrey
- (e) David Hillman
- (f) Mary Marsh
- (g) Janna McPherson
- (h) Eleanor Gamarsh
- (i) Laurie Meagher
- (j) Debra Moore Alie
- (k) Stephanie Orlow
- (l) Laureen Peabody
- (m) Judith Tysinger

11 yeas, motion passes.

**REPORTS OF STANDING COMMITTEES****FINANCE COMMITTEE****#11419**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted grant, *A Measure Authorizing the City to Enter Into a Contract for Up to*

REGULAR MEETING OF NOVEMBER 18, 2024

---

*Five (5) Years for Police Department Body Camera Cloud Storage*, for further study and report.

## AUTHORIZING FIVE-YEAR CONTRACT PERIOD POLICE BODY CAM STORAGE

VOTED: To authorize the City to enter into a contract not to exceed five (5) years for Police body cam storage, pursuant to the provisions of Massachusetts General Law, Chapter 30B, section 12 and under the terms outlined in the Purchasing Agent's Memorandum.

11 yeas, motion passes.

**#11420**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Judy Mack, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas and Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, Paul Tassone, David Thibault-Muñoz and George Tyros to grant, *A Measure Declaring Surplus for the Purpose of Disposal of Land and Buildings at 73 Stuart Street*.

**DECLARING SURPLUS FOR PURPOSE OF DISPOSAL OF LAND AND BUILDINGS AT 73 STUART STREET**

**VOTED:** To declare surplus for the purpose of disposal, in accordance with prevailing General Laws, all land and buildings at 73 Stuart Street, further identified on the City of Gardner Assessor's Map as M32-00024-00006, to establish as a minimum amount of \$77,400 to be paid for any conveyance of said property, and to authorize the Mayor to convey said land, or part thereof, for such amount or a larger amount, and upon such other terms as the mayor shall consider proper in accordance with this Vote.

**REPORTS OF STANDING COMMITTEES****SAFETY COMMITTEE****#11415**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to send to second and final printing, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*

11 yeas, motion passes.

**#11416**

On a motion made by Councillor Craig Cormier and seconded by Councillor Dana Heath, it was voted to send to second and final printing, *An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled "Mobile Homes and Trailers."*



REGULAR MEETING OF NOVEMBER 18, 2024

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11 yeas, motion passes.

**#11422**

On a motion made by Councillor Craig Cormier and seconded by Councillor Dana Heath, it was voted to send to first printing, *An Ordinance to Amend the Chapter 600 of the Code of the City of Gardner, thereof entitled, "Vehicles and Traffic."*

11 yeas, motion passes.

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

**#11417**

Councillor Paul Tassone requested more time on, *A Petition by National Grid. City Hall Ave – To install underground facilities. Install 1 Pad-mounted transformer and ~20' of conduit in the parking lot off Main Street and Pleasant Street, Gardner, MA.*

There were no objections, more time was granted.

**REPORTS OF STANDING COMMITTEES**  
**APPOINTMENTS COMMITTEE**

**#11414**

On a motion made by Councillor George Tyros and seconded by Councillor Dana Heath, it was voted to confirm the Mayor's appointment, *A Measure Confirming the Mayor's Appointment of Paul Gaj, to the position of Historical Commission Member, for a term expiring October 16, 2027.*

11 yeas, motion passes.

**COMMITTEE OF THE WHOLE**

**#11289**

An Ordinance to Amend the Code of the City of Gardner, Part 1, thereof entitled, "Administrative Legislation".

Councillor Aleksander Dernalowicz requested for MORE TIME.

There were no objections, more time was granted.



REGULAR MEETING OF NOVEMBER 18, 2024

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#11423

Councillor Aleksander Dernalowicz requested more time on, *A Proposal Relative to the Rules of the City Council (Submitted by Council President Kazinskas)*.

11 yeas, motion passes.

CLOSING PRAYER

President Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion made by Councillor Paul Tassone and seconded by Councillor Karen Hardern, the meeting adjourned at 8:11 pm.

11 yeas, the motion passes.



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**INFORMAL MEETING OF NOVEMBER 18, 2024**

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Informal Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, November 18, 2024.

**CALL TO ORDER**

Council President Elizabeth Kazinskas called the meeting to order at 6:00 o'clock p.m.

**ATTENDANCE**

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

Also present Mayor Michael Nicholson.

**11289 – An Ordinance to Amend the Code of the City of Gardner, Part 1, thereof entitled “Administrative Legislation.”**

Mayor Michael Nicholson spoke in favor of the ordinance amendment:

- The submitted proposal is version 8 and there have been a few updates.
- Mentioned that there were several ordinances that weren't in line with state laws.
- Removed some ordinances that were obsolete.
- Cleaned up many ordinances with personnel related to benefits and union positions.
- Removed positions that no longer exist.
- Everything is streamlined, easier to find and in alphabetical order versus ordinance number order.
- There will be another phase of ordinance coming up for traffic ordinances. There are several ordinances to clean up regarding vehicles and traffic, abandoned vehicles, wrecked vehicles, vehicles in second hand, parking, and parking meters. All separate sections of the city code and several items that contradict each other.

Councillor Calvin Brooks noticed some clerical errors that need to be corrected. He would also like to see if the number of appointees for boards or commissions be a set number versus “up to” number of members.

The Council agreed that there should be more time to review the ordinance should there be any further changes or revisions before taking any action or vote.



INFORMAL MEETING OF NOVEMBER 18, 2024

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**11423 – A Proposal Relative to the Rules of the City Council (Submitted by Council President Kazinskas)**

President Kazinskas submitted a presentation to the Council, attached.

The Informal Meeting concluded at 7:29 p.m.

Accepted by the City Council:

DRAFT



# Proposed City Council Rule Changes

**Council President  
Elizabeth Kazinskas**

# Overview

## **Updates & Goals**

- Recognizing that women serve on the Council and as Council President
- Rule updates in regards to the Open Meeting Law
- Increased transparency and clear process

# Council Presidency Changes

- Removing the provision that the Council President is automatically Finance Committee Chair
- Allowing the Council President to appoint a special liaison

# Increased Transparency on Voting

## **Current Rules for Roll Call Votes**

- If required by law or ordinance
- By request of  $\frac{2}{3}$  of the Council present

## **Proposed Rule for Roll Call Votes**

- If required by law or ordinance
- By request of any Councillor present

# Increased Transparency on the Agenda

## Current Rule for the Agenda - Rule 13

- All items, complaints, applications, or referrals must be made in writing to the proper committee so that the committee may present the matter to the proper authority for action. This rule is made with the intention of reducing the calendar, if satisfactory results are not obtained through committee referrals, the matters may be listed on the calendar.

## Proposed Rule for the Agenda

- All items, complaints, applications, or referrals shall be made in writing to the Clerk. The Clerk in consultation with the President shall assign the matter to the proper Committee for study, report, and other action as determined by the Committee. No matter referred to a Committee may be taken up by the Council during a regular meeting absent a report of the Committee to which the item has been referred. An item may not appear on the Council Calendar without first being referred to a Committee unless such request is made in writing to the Clerk, and the Clerk attains the assent of the Council President and the Chair of the Committee to which the matter would have otherwise been referred.

# Increased Transparency on Amendments

## Current Rules for Amendments

- Amendments are in order at any time
- If requested, amendments must be submitted in writing

## Proposed Rule for Amendments

- Amendments may be offered to all questions and motions before the Council and shall be in order until the vote to which the amendment is offered is called. A Councillor offering an amendment is exempt from Rule 5 floor access limitations and permission requirements. A Councillor in receipt of a newly offered amendment may request a 10 minute recess at any time prior to the vote being called on the question or motion to which the amendment is offered, and the President shall call the requested recess prior to the vote being called.

# Increased Transparency on Council Rules

## Current Rules for Council Rules

- Any rule may be altered, amended or repealed by the affirmative vote of two-thirds of the members of the Council and not otherwise.
- Robert's Rules of Order shall be the authority governing the conduct of business at all Council meetings, except as otherwise indicated in these rules.

## Proposed Rule for Council Rules

- A rule may be suspended for a defined portion or entirety of a single meeting by majority vote of the Council on the motion of a Councillor. Motions to suspend a rule shall be prevailing, do not need a second, shall go into effect be there no objection, and in the event of an objection shall immediately be subject to a vote without discussion.
- These rules shall be in force for the duration of the session unless suspended. A rule may be amended by a two-thirds vote of the Council after the proposed amendment has appeared on the Council agenda for two consecutive regular meetings. Any accepted amendment shall go into force at the next regular meeting following an affirmative vote unless otherwise determined by unanimous vote of the Council.
- Robert's Rules of Order shall be the authority governing the conduct of business at all Council meetings, except as otherwise indicated in these rules.

# Current Rules Proposed to be Removed

- Rule 3: Every member present when he is not excluded by interest, shall vote upon questions presented, unless the Council by vote excuses him; application to be excused on any questions must be made before the Council is divided, or before any vote is taken and shall be decided without debate. No member shall leave without permission if his presence is necessary to make a quorum.
- Rule 8: Any member may call for a division of the question, and such division shall be made when the same shall be admitted by the Council.



# Current Rules Proposed to be Removed

- Rule 15: All matters of every description to be presented to the regular meeting of the City Council shall be filed with the Clerk of the Council no later than twelve o'clock noon on Thursday preceding the meeting, and the City Clerk shall prepare a calendar of matters for consideration, a list of papers laying on the table, and such other matters as he may deem necessary, and shall cause the same to be printed and distributed among the members of the Council prior to each regular meeting; the Council may by a vote of at least two-thirds of its members, admit any matter for consideration at any meeting, but that no such matter shall be finally disposed of at the meeting except by affirmative vote of two-thirds of all the Council, and then only as provided by Section 28 of the City Charter. No money order will be considered under new business unless it is an emergency.
- Rule 16: At a special meeting of the Council, no business shall be taken up which is not mentioned in the call of that meeting, provided, however, that any matter not so mentioned in the call of the meeting may be taken up if at least two-thirds of all members of the Council vote affirmatively in favor of admitting the matter for consideration at that special meeting and that no such matter shall be finally disposed of at the meeting except by affirmative vote of two-thirds of all members of the Council, and then only as provided by Section 28 of the City Charter.

# Other Minor Changes

**Rule 1** adds an additional requirement that the annual schedule of regular Council meetings be published at the beginning of the year.

**Proposed Rule 19** sets the Council Rules as the Rules for Standing and Special Committees.



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 16, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: Request to Address Council Regarding Community Development and Planning Dept.

Dear Mr. President and Councilors,

I am hereby requesting space on the agenda at an upcoming meeting of the City Council to discuss matters of the structure of the Community Development and Planning Department.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**From:** [George Tyros](#)  
**To:** [Alek Dernalowicz](#); [Titi Siriphan](#)  
**Subject:** Re: Committee - January 15, 2025 Recap  
**Date:** Wednesday, January 15, 2025 8:16:57 PM

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Excellent.

Madam Clerk,

Please add the below items from the Finance Committee to the draft 1/21/25 City Council Agenda:

- 11458 – A Communication from the Mayor Regarding the Appointment of the Review Committee for the Request for Proposals for Grant Writing and Lobbying Services
- 11459 – A Communication from the Mayor regarding the awarding of a contract for up to 5- years for Grant Writing Services to Keller Partners Company
- 11460 – A Communication from the Mayor Regarding the Execution of the Collective Bargaining Agreement between the City and the Teamsters, Local 170- Inspectors Union
- 11461 – A Communication from the Mayor Regarding the FY2026 Budget
- 11462 – A Communication from the Mayor Regarding the Receipt of Prison Mitigation Funds from the Commonwealth for FY2025
- 11463 – A Communication from the Mayor Regarding the Snow and Ice Expense Account as of January 7, 2025.
- 11464 – An Order Authorizing the Creation of a new Human Resources Manager Position for the City’s Human Resources Department
- 11465 – A Measure Accepting a Donation of Land from the Gardner School Committee for Elm Street Resurfacing and Repaving as part of the Safe Routes to School Project

Additionally, please create an item for:

- A Proposal Relative to the Rules of the City Council — To add a Committee on Economic and Community Development to Rule 13 as well as the amend the order of business in Rule 15.

Thank you,  
George

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**From:** Alek Dernalowicz <[adernalowicz@gardner-ma.gov](mailto:adernalowicz@gardner-ma.gov)>  
**Sent:** Wednesday, January 15, 2025 8:13 PM  
**To:** George Tyros <[gtyros@gardner-ma.gov](mailto:gtyros@gardner-ma.gov)>; Titi Siriphan <[tsiriphan@gardner-ma.gov](mailto:tsiriphan@gardner-ma.gov)>  
**Subject:** Re: Committee - January 15, 2025 Recap

I confirm the creation of this item and placement on the 1/21/25 Council Agenda.

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Aleksander H. Dernalowicz, Esq.  
Ward 5 City Councillor  
(978) 632-0243

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**From:** George Tyros <gtyros@gardner-ma.gov>  
**Sent:** Wednesday, January 15, 2025 8:11 PM  
**To:** Alek Dernalowicz <adernalowicz@gardner-ma.gov>; Titi Siriphan <tsiriphan@gardner-ma.gov>  
**Subject:** Re: Committee - January 15, 2025 Recap

Chair Dernalowicz,

Received. Thank you for the thorough report and your patience as we work through the new procedure.

To confirm, in accordance with Rule 14 of the City Council that states, in part, "An item may not appear on the Council Calendar without first being referred to a Committee unless such request is made in writing to the Clerk, and the Clerk attains the assent of the Council President and the Chair of the Committee to which the matter would have otherwise been referred." You are requesting and approve as Chair of Finance for an item to be created and placed on the 1/21/25 City Council agenda:

- A Proposal Relative to the Rules of the City Council — To add a Committee on Economic and Community Development to Rule 13 as well as the amend the order of business in Rule 15.

If confirmed, I as Council President approve for an item to be created and placed on the 1/21/25 Council agenda.

-George

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**From:** Alek Dernalowicz <adernalowicz@gardner-ma.gov>  
**Sent:** Wednesday, January 15, 2025 7:49 PM  
**To:** George Tyros <gtyros@gardner-ma.gov>; Titi Siriphan <tsiriphan@gardner-ma.gov>  
**Subject:** Committee - January 15, 2025 Recap

Mr. President & Madam Clerk,

Below is a recap of the the actions taken at the January 15, 2025 Finance Committee Meeting. They are organized into sections based on the outcome at the meeting.

**Assigned/Referred Items - To Place On The Full Council Calendar:**

- 11458 – A Communication from the Mayor Regarding the Appointment of the Review Committee for the Request for Proposals for Grant Writing and Lobbying Services
- 11459 –A Communication from the Mayor regarding the awarding of a contract for up

- to 5- years for Grant Writing Services to Keller Partners Company
- 11460 – A Communication from the Mayor Regarding the Execution of the Collective Bargaining Agreement between the City and the Teamsters, Local 170- Inspectors Union
- 11461 – A Communication from the Mayor Regarding the FY2026 Budget
- 11462 – A Communication from the Mayor Regarding the Receipt of Prison Mitigation Funds from the Commonwealth for FY2025
- 11463 – A Communication from the Mayor Regarding the Snow and Ice Expense Account as of January 7, 2025.
- 11464 – An Order Authorizing the Creation of a new Human Resources Manager Position for the City’s Human Resources Department
- 11465 – A Measure Accepting a Donation of Land from the Gardner School Committee for Elm Street Resurfacing and Repaving as part of the Safe Routes to School Project

**New Items Originating in Committee - To Place On The Full Council Calendar:**

- A Proposal Relative to the Rules of the City Council — To add a Committee on Economic and Community Development to Rule 13 as well as the amend the order of business in Rule 15.
  - Note: This proposal was made via motion during discussion and related to Item #11454 – *Report on the Investigation of the Maki Park Project*. This will require a new item number with the City Council.

**Assigned/Referred Items - To Remain With The Finance Committee:**

- 11457 – An Ordinance to Amend the Code of the City of Gardner to have the Community Development Block Grant Steering Committee Meet Monthly
- 11454 – Report on the Investigation of the Maki Park Project

I hope this will allow you to easily create the City Council Calendar when dealing with the items before this Committee. I look forward to your input as we work to streamline this new procedure.

Best regards,

--

Aleksander H. Dernalowicz, Esq.  
 Ward 5 City Councillor  
 (978) 632-0243



# CITY OF GARDNER

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

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

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

January 15, 2025

Mayor Michael Nicholson  
95 Pleasant Street  
Gardner, MA 01440

**RE: Fire Department Appointments**

Dear Mayor Nicholson,

I am writing to update you on the recent appointments of new Firefighters to the Gardner Fire Department. They are Firefighters James Angelopoulos, John Hulette, and Matthew Addonizio. All three have recently graduated from the 10-week Recruit Training Program at the Massachusetts Firefighting Academy. They have also completed in-house training and are now assigned to Groups as part of the Firefighting Force.

Respectfully,

Gregory F. Lagoy  
Fire Chief

*Effective January 21, 2025*


*Commonwealth of Massachusetts*

*Worcester County*

*City of Gardner*

*CERTIFICATE OF APPOINTMENT*

*I appoint James Angelopoulos, to the position of Firefighter, of the Gardner Fire Department and I certify that in my opinion he is a person specially fitted by education, training, or experience to perform the duties of said office and that I make the appointment solely in the interests of the City.*

  
\_\_\_\_\_  
*Gregory F. Lagoy* Fire Chief

Confirmed by City Council: Not Required

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

Expires: Permanent.

*Worcester, ss., January 21, 2025*

*Then personally appeared the above named James Angelopoulos and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.*

*Before me,*  
\_\_\_\_\_  
*City Clerk*

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

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



*Effective January 21, 2025*


***Commonwealth of Massachusetts***

*Worcester County*

*City of Gardner*

**CERTIFICATE OF APPOINTMENT**

*I appoint John Hulette, to the position of Firefighter, of the Gardner Fire Department  
and I certify that in my opinion he is a person specially fitted by education, training, or experience  
to perform the duties of said office and that I make the appointment solely in the interests of the City.*

  
\_\_\_\_\_  
*Gregory F. Lagoy* Fire Chief

Confirmed by City Council: Not Required

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

Expires: Permanent.

*Worcester, ss., January 21, 2025*

*Then personally appeared the above named John Hulette and made oath that he would bear  
true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and  
would support the Constitution and laws thereof.*

*Before me,*  
\_\_\_\_\_  
*City Clerk*

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

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

*Effective January 21, 2025*


*Commonwealth of Massachusetts*

*Worcester County*

*City of Gardner*

*CERTIFICATE OF APPOINTMENT*

*I appoint Matthew Addonizio, to the position of Firefighter, of the Gardner Fire Department and I certify that in my opinion he is a person specially fitted by education, training, or experience to perform the duties of said office and that I make the appointment solely in the interests of the City.*

  
\_\_\_\_\_  
*Gregory F. Lagoy* Fire Chief

Confirmed by City Council: Not Required

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

Expires: Permanent.

*Worcester, ss., January 21, 2025*

*Then personally appeared the above named Matthew Addonizio and made oath that he would bear true faith and allegiance to the United States of America and the Commonwealth of Massachusetts and would support the Constitution and laws thereof.*

*Before me,*  
\_\_\_\_\_  
*City Clerk*

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

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



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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December 16, 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 Appointment of the Review Committee for the Request for Proposals for Grant Writing and Lobbying Services

Dear Madam President and Councilors,

As I have done in the past, I am writing to notify you of the review committee that I have appointed for the proposals received for the City's Grant Writing and Lobbying Services contract.

Councilor Brad Heglin – As I have done in the past, I have included a member of the City Council on the committee. Having proposed several resolutions this past year relating to projects that could rely on grant funding, I thought him to have an interesting view point on how the work of this contractor may relate to the City's long term vision and goals.

Ayn Yeagle, Executive Director of Growing Places, LLC. – Director Yeagle has an extensive background in grant writing and administration through her current work as the CEO of Growing Places, and in her previous positions in the North Central Mass. area. Just in her work at the Waterford Community Center, she has brought in several hundred thousands of dollars into the project in grant applications she has written and overseen.

Dr. Stephanie Marchetti, Executive Director of Montachusett Veterans Outreach Center – Dr. Marchetti also has a very strong background in grant writing and administration. As the current Director of MVOC and in her previous roles in higher education administration (which she also has her doctorate in), Dr. Marchetti has first hand knowledge of what this type of relationship should look like and what benefits it brings to the community.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 10, 2025

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 awarding of a contract for up to 5-years for Grant Writing Services to Keller Partners Company

Dear Madam President and Councilors,

At the unanimous recommendation of the review committee, I have directed the City's Purchasing Department to award the City's contract for grant writing and lobbying services to Keller Partners Company of Washington, DC.

The City received a total of seven (7) proposals from various companies. The full package of all proposals received were reviewed by the review committee of Councilor Brad Heglin, Ayn Yeagle- Executive Director of Growing Places, and Dr. Stephanie Marchetti- Executive Director of the Montachusett Veterans Outreach Center.

This contract is a contract for up to five (5) years, as approved by the City Council at the meeting of October 21, 2024.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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December 19, 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 Execution of the Collective Bargaining Agreement between the City and the Teamsters, Local 170- Inspectors Union

Dear Madam President and Councilors,

On December 18<sup>th</sup>, 2024, the City of Gardner and the Teamsters Local 170 executed the inaugural collective bargaining agreement for inspectional services.

This union contract covers all non-department head inspectors in the City's building and health departments. (Assistant Director of Public Health, Food Inspector, Local Building Inspector (2), Electrical Inspector, Plumbing and Gas Inspector)

A copy of the fully executed contract is attached here for your information.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

CC:  
Finance Committee  
Public Safety Committee

## **PREAMBLE**

This Agreement entered into by the City of Gardner, hereinafter referred to as the “Employer” or the “City,” and the Teamsters Union, Local 170, hereinafter referred to as the “Union,” has as its purpose the promotion of harmonious relations between the Employer and the Union, the establishment of an equitable and peaceful procedure for the resolution of differences, and the establishment of rates of pay, hours of work and other conditions of employment.

## **ARTICLE 1** **RECOGNITION & SCOPE**

**Item 1. Recognition:** The City hereby recognizes the Union as the exclusive representative for the purpose of collective bargaining with respect to wages, hours, and any other terms or conditions of employment for all full-time and part-time inspectional service employees excluding all managerial, confidential, casual and all other employees of the City of Gardner.

**Item 2. Scope:** The Agreement includes all of the agreements reached by the parties respecting all matters pertaining to wages, hours, and other conditions of employment of bargaining unit employees covered by this Contract however, any matter not mentioned in this Contract, or any matter not mentioned in this Contract for which specific directions are not set forth herein, or which is not specifically delegated to the bargaining unit employees or to the Arbitrator, shall be reserved for decision by the appointing authority in his/her full discretion.

**Item 3.** A permanent full-time bargaining unit employee shall be defined as a bargaining unit employee who is scheduled to work a regular daily schedule throughout the calendar of the fiscal year for each hour that their department is normally scheduled for operations. This shall be thirty-seven (37) work hours per week.

**Item 4.** A permanent part-time bargaining unit employee shall be defined as a bargaining unit employee who is scheduled to work a regular daily schedule throughout the calendar of the fiscal year for a portion of the hours that their department is normally scheduled for operations, but not less than twenty (20) work hours per week.

**Item 5.** If any provision of this Contract or any application of this Contract to any bargaining unit employees covered by the terms of this Contract shall be contrary to Law, such provisions or application shall have effect only to the extent permitted by Law and all other provisions or applications of this Contract shall continue in full force and effect.

**ARTICLE 2**  
**MAINTENANCE OF STANDARDS**

It is mutually agreed between the parties that all conditions of employment relating to hours of work and general working conditions shall be maintained and all rights and privileges and other benefits which are enjoyed by the employees covered by this Agreement which are not specifically provided for or abridged by this Agreement are hereby protected by this Agreement and shall remain in full force and effect.

**ARTICLE 3**  
**MANAGEMENT RIGHTS**

**Item 1.** Except to the extent that there is contained in this Agreement an express and specified provision to the contrary, the City retains, whether exercised or not, all of the authority, power, rights, jurisdiction, and responsibility provided by the Laws of the Commonwealth of Massachusetts to such City for the control, direction and management of the City and its work force, including but not limited to: The right to manage the affairs of the City and the Departments and to maintain and improve the efficiency of its operation; to determine the methods, means, processes and personnel by which operations are to be conducted; to determine and schedule hours of duty consistent with the statutes and ordinances and collective bargaining agreement of the City and the assignment of bargaining unit employees to work; to require from each bargaining unit employee the efficient utilization of his/her service; to hire, promote, assign and retain bargaining unit employees; and to promulgate and support rules and regulations pertaining to the operations of the inspectional services departments and to the bargaining unit employees. The City shall not exercise such rights in derogation of the collective bargaining law or the terms of this Agreement.

**Item 2.** The City shall have the right to exercise its function of management and in the direction and supervision of the City's business. This includes, but is not limited to the right to: add or eliminate departments; require and assign overtime; increase or decrease the number of jobs; change process; assign work and work to be performed; schedule shifts and hours to work and lunch or break periods; hire; suspend; demote, discipline, or discharge; transfer or promote; layoff because of lack of work or other legitimate reasons; establish rules, regulations, job descriptions, policies and procedures, conduct orderly operations; establish new jobs; abolish and change existing jobs; determine where, when, how and by whom work will be done; determine standards of efficiency in inspector skills and physical fitness standards; except where any such rights are specifically modified or abridged by terms of this Agreement.

Unless an express, specific provision of this Agreement clearly provides otherwise, the City, acting through its Mayor, City Council or any other appropriate officials as may be

authorized to act on their behalf, retains all rights and prerogatives it had prior to the signing of this Agreement either by law, custom, practice, usage or precedent to manage and control the Inspectors Unit.

By way of example but not limitation, management retains the following rights:

- a. to determine the mission, budget and policy of the inspectional services department(s).
- b. to determine the organization of the inspectional services department(s), the number of employees, the work functions, and the technology of performing them.
- c. to determine the number, types, and grades of positions or employees assigned to an organizational unit, work project, or to any location, task, vehicle, building, station or facility.
- d. to determine the methods, means and personnel by which the inspectional services departments' operations are to be carried out.
- e. to manage and direct employees of the Inspectional Services Unit.
- f. to maintain and improve orderly procedures and the efficiency of operations.
- g. to hire, promote and assign employees.
- h. to transfer, temporarily reassign, or detail employees to other shifts or other duties.
- i. to determine the equipment to be used and the uniforms to be worn in the performance of duty.
- j. to determine the policies affecting the hiring, promotion, and retention of employees.
- k. to establish qualifications for ability to perform work in classes and/or ratings, including physical, intellectual, and mental health qualifications.
- l. to lay off employees in the event of work or funds or under conditions where management believes that continuation of such work would be less efficient, less productive, or less economical.
- m. to establish or modify work schedules and shift schedules and the number and selection of employees to be assigned.
- n. to take whatever actions may be necessary to carry out its responsibilities in situations of emergency.
- o. to enforce existing rules and regulations for the governance of the Inspectional Services Unit and to reasonably and appropriately add to or modify such regulations as it deems appropriate.
- p. to suspend, demote, discharge, or take disciplinary action against employees in the performance of this function, and to determine its internal security practices.
- q. to maintain the efficiency of operations entrusted to the Department, by establishing and enforcing reasonable rules, regulations, policies and procedures.

The failure of Management to exercise any right shall not be deemed a waiver.



**ARTICLE 4**  
**EMPLOYEE RIGHTS & REPRESENTATION**

**Item 1.** Bargaining unit employees have, and shall be protected in exercise of, the right, without fear or penalty or reprisal, to join and assist the Union. The freedom of bargaining unit employees to assist the Union shall be recognized and extended to participation in the management of the Union and acting for the Union in the capacity of a Union Officer or representative or otherwise and including the right to present Union views and positions to the public and the officials of the City. Without, limiting the foregoing, the City agrees that it will not aid, promote, or finance any labor group or organization, which violate any rights of the Union, no official or agent of the City shall:

- a. Interfere with the formation, existence, operations or administrations of the Union;
- b. Discriminate against any bargaining unit employee because he/she has given testimony, taken part in any grievance procedures or hearings, negotiations, conferences for on behalf of the Union or bargaining unit employees.
- c. Refuse to meet, negotiate, or confirm proper matters with officers of representatives of the Union as set forth in this Agreement.

**Item 2.** The members of the Union's bargaining committee limited to one (1) bargaining unit employee who is scheduled to work a tour of duty during collective bargaining negotiations shall be granted reasonable time without loss of pay or benefits for all meetings between the City, its agents or representatives and the Union for the purpose of the Contract or any supplement thereto.

**Item 3.** The Union shall have the right to designate a Union Steward and an alternate. The Union Steward shall be permitted to leave his/her post for and at any reasonable time during working hours, upon notification to his/her Department Director, or his/her designee, for the purpose of ascertaining the facts concerning complaints or grievances and the presentation of such complaints or grievances to the Department Director or his/her designated representative without deduction from his/her pay for the time lost for such purpose. Union Stewards shall have no authority to take strike action, or any other action interrupting the City's business. The City recognizes these limitations upon the authority of the Union Steward and shall not hold the Union liable for any unauthorized acts. The Union reserves the right to remove the Union Steward at any time for the good of the Union.

**Item 4.** No more than one (1) Union Steward designated in advance by the Union to the City shall, during the life of the Contract, be granted reasonable time during working hours to process and settle grievances provided that such persons shall first require permission from the Department Director, or designee. Permission may be withheld by

the Department Director, or his/her designee, because of operating requirements, but such permission may not be withheld for more than twenty-four (24) hours.

**Item 5.** No more than one (1) Inspectional Services Unit member shall be allowed without loss of pay to attend no more than one (1) Union convention or seminar annually.

**Item 6.** The Union shall keep the employer informed of any changes in the roster of officers or representatives.

**Item 7.** The City and the Union agree that no bargaining unit employees shall in any manner be discriminated against on account of membership or non-membership in the Union.

**ARTICLE 5**  
**INSURANCE AND HOSPITALIZATION**

**Item 1.** Each bargaining unit employee will be offered participation in the City sponsored health, dental and basic life insurance plans. Currently the City offers the HMO Blue New England and Blue Care Elect plans of Blue Cross & Blue Shield.

The City and employees enrolled in the health, dental and/or life insurance plans will share the cost of all premium charges. The premium charges will be paid for as follows:

	<u>City</u>	<u>Employee</u>
Blue Cross Blue Shield HMO Blue New England	75%	25%
Blue Cross Blue Shield – Blue Care Elect Plan	50%	50%
Blue Cross Blue Shield Dental Plan	75%	25%
Basic Life Insurance (\$10,000 City offered plan)	75%	25%

For those bargaining unit employees who elect to include their spouse and/ children until the age of 26 in the City sponsored health and/or dental plans, the premium charges will be paid for as follows:

	<u>City</u>	<u>Employee</u>
Blue Cross Blue Shield HMO Blue New England	75%	25%
Blue Cross Blue Shield – Blue Care Elect Plan	50%	50%
Blue Cross Blue Shield Dental Plan	75%	25%

Those bargaining unit employees enrolled in the health, dental and/or life insurance plans may also elect participation in the City's Section 125 Cafeteria plan for the premiums of the health, dental and/or life insurance plans.

If the City wishes to change or add plans offered to collective bargaining unit members, it will present such changes or additions to the Insurance Advisory Committee. The Insurance Advisory Committee will evaluate such requests and shall then present their findings to their union membership and a vote shall be taken to determine whether or not the membership wishes to make the requested change or addition. The City will offer the approved changes for all bargaining units, if, and only if, 2/3 of the City's bargaining units vote to do so.

**Item 2.** Any claim for payment under said policy shall not be subject to the grievance and arbitration procedures of this Contract.

### **ARTICLE 6** **UNION DUES**

Employees shall tender the initiation fee and monthly membership dues by signing the Authorization of Dues form. During the life of this Agreement and in accordance with the terms of the form of Authorization of Check-off Dues, the City agrees to deduct Union membership dues, initiation fees and agency fees levied in accordance with the Constitution of the Union from the pay of each employee who executes or has executed such form. The Treasurer shall remit the aggregate amount to the Treasurer of the Union along with a list of employees who have said dues deducted. Such remittance shall be made monthly.

The City agrees that, upon receipt of appropriate written authorization, executed by such employee, it will remit the monthly aggregate amount of such deductions to the Treasurer of the Union. Payment shall start thirty (30) days following the date of employment.

### **ARTICLE 7** **WAGES**

Wages shall be paid in accordance with Appendix "A" and attached hereto and made part hereof.

Upon hiring, employees initial compensation shall be as set forth in Step 1 of the respective position. If a newly hired employee possesses all certifications required to perform the employee's job, such employee shall be compensated in accordance with Step 2 of the respective position. Employees who lack the required certifications to

perform the employee's job upon hiring, shall be eligible for compensation as set forth in Step 2 of the respective position upon receipt of said certification(s).

**ARTICLE 8**  
**GRIEVANCE AND ARBITRATION PROCEDURE**

**Item 1.** A grievance is a dispute concerning the interpretation, meaning or application of this Agreement or any amendment or supplement thereto, except such disputes concerning such matters which are specifically excluded from the Grievance and Arbitration Procedure by other paragraphs of this Contract.

**Item 2.** The time limits indicated hereunder will be considered maximum unless extended by mutual agreement in writing, and a failure to comply with said time limits shall waive the grievance.

**Level 1.** A bargaining unit employee with a grievance will first orally discuss it informally with his/her immediate supervisor. Unless the immediate supervisor is the Department Director, all decisions at this level shall be reported forthwith in writing to the Department Director and shall be subject to his/her approval. If the grievance is not orally discussed with his/her immediate supervisor within thirty (30) days after the aggrieved knew or should have known of the act or condition upon which the grievance is based, the grievance is waived.

**Level 2.**

- (a) If the grievance is not settled within five (5) working days after presentation at Level 1, the aggrieved bargaining unit employee or the Union may, within five (5) days thereafter, refer it in writing to the Department Head. There shall be a meeting with the Union and the Department Head as soon as practicable after the receipt of the written grievance. (A non-employee representative of the Union may attend such meeting).
- (b) If a written grievance is not received by the Department Head five (5) working days upon the completion of a Level 1 response, the grievance shall be considered waived by the union.

**Level 3.**

If the grievance is not settled within ten (10) working days of the receipt of the written grievance by the Department Head, the aggrieved bargaining unit

employee or the Union may submit said grievance in writing to the Mayor. There shall be a meeting with a representative of the Union and the Mayor, or his representative as soon as is practicable after receipt of the written grievance by the Mayor. (A non-employee representative of the Union may be present at this meeting).

**Level 4.**

If the grievance is not settled at Level 3, and if the grievance alleges a violation by the City or any of its agents or any of the provisions of this Agreement, this grievance shall, within thirty (30) days after written reference by the Union to the Mayor, be referred to arbitration as is hereinafter provided.

**Item 3.** Any grievance which alleges a violation by the City or any one of its agents of one or more of the provisions of this Agreement and/or which have not been submitted by either party to the Massachusetts Department of Labor Relations within the time prescribed. Failure to submit within the time prescribed shall waive the grievance.

**Item 4.**

- (a) Said Board of Arbitration shall confer with the representatives of the Union and the City and shall issue a decision and award, the reasons therefore, not later than twenty (20) days from the date of the closing of hearings, or if all hearings have been waived, then twenty (20) days from the day of final statements have been submitted to him.
- (b) The Arbitrator will be without power or authority to make any decision or award that violates the common law, or statutory law of the Commonwealth, or any rules and regulations promulgated pursuant thereto. The Arbitrator will be without power to add or to subtract from the terms of this Agreement. The Arbitrator will be without power or authority to render an award or decision concerning any matter which is excluded from the Grievance and Arbitration procedures of the Contract. The decision of the arbitrator will be final and binding except for review and confirmation as provided by the provisions of Chapter 150C of the Massachusetts General Laws.

**Item 5.**

The fee for Arbitrators, if any, will be borne equally by the City and the Union.

**ARTICLE 9**  
**WORK SCHEDULE**

### Section 1:

The regular workweek for the members of the City of Gardner Inspection Services Departments covered by this Agreement shall be as follows:

For all Full-Time employees:

Monday – Thursday: 8:00 AM to 4:30 PM

Friday: 8:00 AM to 1:00 PM

For all Part-Time employees:

Monday – Friday: 8:00 AM to 12:00 PM

### Section 2:

The schedule for part-time employees may be as noted but can be adjusted upon agreement with his/her Department Director as it best suits the needs of the bargaining unit member's department.

### Section 3 - Breaks:

- A. All full-time bargaining unit employees shall be entitled to a fifteen (15) minute coffee break in each one-half shift.
- B. Part time bargaining unit employees are entitled to a morning or afternoon break if they are scheduled during such period.

### Section 4: Lunch Breaks:

Each employee shall be entitled to one 30 min lunch break during his/her 8-hour shift. If an employee is scheduled to work a double shift, that employee shall get an additional 30 min dinner break taken when their schedule permits.

## **ARTICLE 10** **OVERTIME PAY**

All hours worked for the City of Gardner in excess of the normal scheduled workday shall be compensated at one and one-half (1½) times the employee's regular hourly rate of pay (*applicable to non-exempt bargaining unit members only*).

Attendance at meetings after hours shall be considered an extension to the workday and non-exempt bargaining unit members shall be paid overtime for hours attending meetings over and above their normal work schedule.

Exempt bargaining unit members who are required to attend full day Saturday or Sunday special events to assist their Department Director in the performance of duties required for the event shall receive a workday off in lieu of said day to be used at his/her discretion.

Exempt bargaining unit members who are required to attend full day Saturday or Sunday special events due to the absence of his/her Department Director shall be paid out of grade for that day at the Director's rate of pay for the hours actually worked.

**ARTICLE 11**  
**CALL BACK**

Inspectional Service Employees who are called back for overtime shall be paid for such hours he/she has actually worked, but in no event shall he/she be paid less than four (4) hours of compensation at his/her overtime rate of pay and double time on holidays and Sundays.

**ARTICLE 12**  
**CLOTHING**

The annual clothing allowance for all bargaining unit members (full and part time) will be as follows:

July 1, 2023:	Six Hundred and Fifty (\$650.00) dollars.
July 1, 2024:	Seven Hundred (\$700.00) dollars.
July 1, 2025:	Seven Hundred and Fifty (\$750.00) dollars.

Clothing allowance will be paid on an annual basis on the last pay day in July. Any newly appointed bargaining unit member shall receive a prorated amount of clothing/uniform allowance for the balance of the remaining fiscal year at the time of his/her appointment.

It is hereby specifically understood that any protective equipment required by the city for an employee in the performance of his/her duty shall be supplied by the city and not considered part of his/her clothing allowance as set forth above. Any requirements for a new original issue or item of clothing or equipment prescribed by the Department shall be furnished to the members of the Department covered by this Agreement at the city's expense. It is understood that work clothing and equipment shall remain the property of the city and upon termination of employment, the employee shall immediately return all work clothing and equipment in his/her possession to the Department Head. It is further understood that any needed PPE in relation to any outbreaks of any level of any

illnesses, shall be provided by the City at no cost to the employees, at the employee's request.

**ARTICLE 13**  
**SAFETY AND DEFECTIVE EQUIPMENT**

***Item 1:*** The Union through a designated representative may bring to the attention of the Department Director and/or the Mayor specific safety concerns which may arise or develop during the life of this Agreement. Management shall, consistent with its authority, carefully consider any recommendations for dealing with these safety concerns.

***Item 2:*** No employee shall be required to drive or to operate or to work upon any vehicle that is not equipped with all safety appliances prescribed by law or which vehicle, or its equipment is in defective condition. No employee shall be subject to disciplinary action for refusing to operate such equipment.

**ARTICLE 14**  
**VACATIONS**

***SECTION 1***

New employees will earn one day for each full month worked, up to ten (15) days per calendar year. For part-time employees, one (1) day will be equivalent to the total number of hours worked per week divided by five (5) days (i.e., one (1) day for twenty-five (25) hours per week will be equivalent to five (5) hours). This day will be credited the last day of each full month worked. The new employee shall continue to earn vacation in this manner until January 1<sup>st</sup> of the year following his/her anniversary date of employment. This vacation will only be allowed upon the completion of a probationary period of six (6) months. In no event shall a new employee be eligible for more than ten (15) days of vacation per calendar year.

***SECTION 2***

Bargaining unit employees shall be eligible for vacation leave with pay within the meaning of this section if the bargaining unit employee has actually worked for the City twenty-seven (27) weeks in the aggregate during the twelve months preceding the first day of June of each year. Vacation shall be credited to bargaining unit employees on



January 1<sup>st</sup> of each year but in no event shall any bargaining unit employee be eligible for more than two (2) weeks in the first year.

### ***SECTION 3***

Permanent bargaining unit employees subject to the above shall be entitled to the following working days of vacation:

<b>Years of employment</b>	<b>Vacation entitlement</b>
One to four	15 days (120 hours)
Five to nine	20 days (160 hours)
Ten to fourteen	25 days (200 hours)
Fifteen to nineteen	30 days (240 hours)
Twenty or more years	35 days (280 hours)

### ***SECTION 4***

During transition years of employment (i.e., five, ten or fifteen years), the additional week of vacation shall be granted on the anniversary date, with the full vacation granted every January 1<sup>st</sup> thereafter.

### ***SECTION 5***

Vacations must be taken in the calendar year in which they are granted, except that a bargaining unit employee, who during the calendar year, has not taken his normal vacation, may carry forward up to twice his/her annual vacation to the next calendar year. Any bargaining unit employee who has in excess of that amount of vacation accumulated on December 31 of any such year shall forfeit any amount in excess of the permitted accumulation. Vacation time may not be taken in less than one (1) hour increments.

### ***SECTION 6***

Upon termination, resignation or retirement the annual allotment of vacation time for the year in which the bargaining unit member's employment ends shall be prorated quarterly from the date the bargaining unit member's employment ends.

## **ARTICLE 15** **HOLIDAYS**

### ***SECTION 1***

All bargaining unit employees covered by this Agreement shall be granted holiday pay on each of the following twelve (12) legal holidays: New Years' Day, Martin Luther King Day, Washington's Birthday, Patriot's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day or on the day following any of the aforesaid holidays if it falls on Sunday, or either Friday or Monday, if the holiday falls on Saturday (whichever is determined to be the most convenient by the City Department by which bargaining unit employee is employed).

## ***SECTION 2***

The rate of pay for such holiday shall be the employer's regular rate of pay for the hours normally scheduled for such day when the bargaining unit employee is paid on an hourly basis, or 1/5 of any bargaining unit employee's weekly salary.

## ***SECTION 3***

In the event any such bargaining unit employee shall be required to work said holiday, they shall be paid double time pay for the actual hours worked and paid their regular hourly rate of pay for the remaining hours, if any (i.e., Monday holiday (8 hour day) – work four (4) hours paid double time – remaining four (4) hours paid at straight time).

## ***SECTION 4***

Permanent part-time bargaining unit employees covered by this Agreement shall be entitled to holiday pay based on their regular workday rate.

## ***SECTION 5***

City Hall will be closed the Friday after Thanksgiving.

## **ARTICLE 16** **SICK LEAVE**

### ***SECTION 1***

- (a) Commencing January 1, 2025, all full-time bargaining unit employees shall earn twelve (12) sick days per year to be allotted on January 1<sup>st</sup> of each year.

Newly hired employees shall earn sick leave at the rate of one day per month worked. Sick time will be credited to all newly hired employees on the last day of

each calendar month. New employees that start on or before the fifteenth of the month shall be credited with that month's sick leave accrual. In no event shall a new employee be eligible for more than twelve (12) days of sick leave per calendar year. On the first anniversary of the date of employment, they shall be credited with the difference between the number of days of sick leave they have earned up until such date, and twelve (12) leave days.

Sick Leave may be accumulated on an unlimited basis. Sick leave may not be taken in less than one (1) hour increments.

- (b) A doctor's certificate at the expense of the employee shall be required by the department director if an employee is absent from work three (3) consecutive days or more at one time. A doctor's certificate shall also be required if the department director, the Mayor or his/her designee has reasonable cause to believe that the employee may be abusing his/her Sick Leave.
- (c) Any bargaining unit employee claiming benefits under the Workers' Compensation or Sick Leave provisions of this Agreement shall submit to an examination at the expense of the City by a physician designated by the municipal employer as requested during the period of such disability.
- (d) Permanent part-time bargaining unit employees covered by this Agreement shall be entitled to sick leave based on their regular workday rate.
- (e) An employee may use up to a total of five (5) days of sick leave for the illness of an immediate family member who resides with an employee or an elderly parent or stepparent who resides alone or resides with an individual who is unable to assist them with care and lives within a reasonable distance from the employee. For the purposes of this paragraph "immediate family" will be defined as spouse, child (ren) and/or parent and a "reasonable distance" will be defined as being within a 125-mile radius of the employee's residence.
- (f) In the case where an employee has an approved FMLA leave for the birth of a child, the employee will be authorized to use sick time should he/she elect for the first three (3) weeks following the birth of the child to allow for the provision of care to the parent recovering from childbirth. This time may be extended upon request and the approval of the Mayor in the event of unforeseen medical circumstances requiring additional time for the care of the parent recovering from childbirth or for the child occurs.
- (g) In the event that a bargaining unit member shall leave the employment of City (whether voluntarily or involuntarily), the annual allotment of sick time will be

prorated based upon the month of their separation from the employment of the City (i.e., bargaining unit member leaves the employment of the City in April, twelve (12) days of sick time will be reduced to 4 days - 1 day X 4 months).

- (h) Bargaining unit members shall not be entitled to any form of sick leave buyback.

## ***SECTION 2***

Bargaining unit members that do not use sick leave and/or call out sick using some other form of time in a calendar month shall earn one-half (½) day off not to be charged to sick leave or vacation leave. Any days earned as sick leave will be counted as personal time subject to the approval of the Department Head. Days must be used within one-year period of being earned.

## ***SECTION 3***

Bargaining unit employees may donate sick leave to another employee of the City of Gardner who is in serious need (due to a serious illness or injury and that employee has utilized all of his/her available sick, personal, sick leave incentive and vacation time). The donated time shall be paid to the employee in need at that employee's rate of pay. Authorization of the donation of this time shall be at the sole discretion of the Mayor.

## **ARTICLE 17** **COURT TIME**

***Item 1. Court Time.*** Any bargaining unit employee who is required to appear in court on behalf of the City in a criminal or civil case consistent with his/her duties as an Inspector at any time other than his/her regularly scheduled duty hours, shall receive pay at the overtime rate for not less than four (4) hours.

***Item 2.*** Any bargaining unit employee covered by this Agreement who uses his/her own vehicle to attend court on behalf of the City shall receive reimbursement for mileage at the annual rate established by the IRS.

## **ARTICLE 18** **BEREAVEMENT LEAVE**

## ***SECTION 1***

In the event of a death of a spouse or child of any bargaining unit employee, he/she will be granted leave with straight time pay for normally scheduled working hours, not to exceed five (5) consecutive workdays and such leave shall not be charged to sick, personal or vacation leave.

In the event of a death in the immediate family of any bargaining unit employee, he/she will be granted leave with straight time pay for normally scheduled working hours, not to exceed three (3) consecutive workdays and such leave shall not be charged to sick, personal or vacation leave.

Immediate family will include parent, stepparent, brother, sister and grandparents or their in-law equivalents, son-in-law, daughter-in-law, stepchildren living in the immediate household of the employee, grandchildren, domestic partner or a person living in the immediate household of the employee.

An employee may be granted an additional two (2) days of bereavement time for the loss of a parent upon request to and approval of the Mayor.

## ***SECTION 2***

Bereavement leave of one day without loss of regular straight-time pay for normally scheduled working hours may be granted per occurrence for the death of an employee's niece, nephew, aunt, uncle, stepbrother, stepsister or step-child not living with the employee, and such leave shall not be charged to sick, personal or vacation leave.

Bereavement Leave may only be delayed (taken non-consecutively) in the event of a delay in formal services or later interment (i.e., funeral services). Additional days may be taken and charged against the bargaining unit employee's personal days, vacation days or time accrued.

## **ARTICLE 19** **EDUCATION & TRAINING**

Section 1: Assignment to Schools/Travel Expenses: Any member who is assigned or directed to attend any school or schools relating to Departmental needs (including continuing education to maintain license or certification, and any renewal of license or certification), or growth – said training requirements shall comply with the following:

- a) Instruction for said training to be arranged by the City at reasonable times, upon reasonable notice, and without cost to members of the bargaining unit.

- b) Members of the bargaining unit who attend such mandated training shall be compensated at the overtime rate if such training does not fall on his/her regular scheduled hours.
- c) If a bargaining unit member is mandated to attend training, travel time from Gardner City Hall to the training location (and from the training location to the Gardner City Hall) of not less than one (1) hour or more in each direction will be defined as time worked.
- d) All cost of renewal for any needed license or certification, as approved by the Department Head, shall be reimbursed to the employee by the City.

Section 2: Voluntary Training: Any bargaining unit employee who attends courses of study or seminars of a nature intended to further the bargaining unit employee's job skill or knowledge in a job-related field who submits prescribed approval form and receives prior approval from the head of his or her department, shall be reimbursed, upon successful completion (grade average of not less than 70%) for such course or seminar for 100% the full cost of tuition, required fees and books.

Section 3: License/Certification Renewals: All cost of renewal for any needed license or certification, as approved by the Department Head, shall be reimbursed to the employee by the City.

Section 4: Voluntary – Department Requested: For any additional job-related certifications, accreditations, and/or licenses above and beyond an employee's regular job requirements to obtain, that have been requested and approved by the employee's Department Director, the City shall pay an annual stipend of five hundred dollars (\$500.00) per the additional certification, accreditation, and/or license.

## **ARTICLE 20** **PERSONAL DAYS**

### ***SECTION 1***

Bargaining unit employees shall be granted three (3) personal days per calendar year at the employee's normal straight time pay for normally scheduled hours. A personal day for part-time employees will be equal to 1/5 of the employee's regular workweek. Effective January 1, 2024, personal days for full time employees shall be calculated as an eight (8) hour day for a total of twenty-four (24) hours per year.

### ***SECTION 2***

Use of personal days is upon the approval of the Department Head, who has been given twenty-four (24) hours' notice, except in an emergency.

### ***SECTION 3***

Personal time shall not be used in less than one-hour increments.

### ***SECTION 4***

Personal days shall be credited on January 1<sup>st</sup> of each year. Personal leave is not cumulative and must be used in the calendar year that it is granted.

### ***SECTION 5***

Newly hired employees shall be granted personal leave according to the following schedule:

<u>First Day of employment</u>	<u>Number of Personal Days</u>
January 1 – March 31	3
April 1– June 30	2
July 1 – September 30	1

### ***SECTION 6***

Upon termination, resignation or retirement the annual allotment of personal days for the year in which the bargaining unit member's employment ends shall be prorated quarterly from the date the bargaining unit member's employment ends.

Proration shall be calculated as follows:

Quarter	Number of Personal Days
January 1 – March 31	2
April 1– June 30	2
July 1 – September 30	1

## **ARTICLE 21** **MISCELLANEOUS**

### **Item 1. No Strike**

(a) During the period of this Agreement, no bargaining unit employee covered by this Agreement shall engage in, induce, encourage any strike, work stoppage, slowdown or withholding of services by such bargaining unit employees. Provisions of this Section shall be applicable to all bargaining unit employees during the period of bargaining for a new Contract subsequent to this Contract, not to exceed three (3) years from the effective date of this Contract.

(b) Any action by the City to enforce the provisions of this Item shall not be subject to the Grievance & Arbitration Procedures set forth in this Contract. Violations of the terms of this Item shall be cause for discharge, and/or discipline in the sole discretion of the City.

**Item 2. Waiver**

Failure of either party to this Agreement to execute his/her rights or obligations hereunder, at any one time, shall not be deemed a waiver of the right of such party to exercise his/her rights or obligations in the future.

**Item 3. Amendment to this Agreement**

This Agreement may only be amended by a written instrument executed by the duly authorized representatives of both parties thereto.

**Item 4. Personnel File**

Bargaining unit employees will have the right to review the contents of their personnel file within a reasonable time of request the Human Resources Director. A bargaining unit employee will be entitled to have a representative of the Union accompany him/her during such review. No material derogatory to the bargaining unit employee's conduct, service, character or personality will be placed in his/her personnel file unless the bargaining unit employee has had an opportunity to review the material. The bargaining unit employee shall acknowledge that he/she has had the opportunity to review the material. The bargaining unit employee shall acknowledge that he/she had the opportunity to review such material by affixing his/her signature to the copy to be filed with the express understanding that such signature in no way indicates agreement with the content thereof. The bargaining unit employee will also have the right to submit a written answer to such derogatory material, and his/her answer shall be reviewed by the Department Director and attached to the file copy.

**Item 5. Seniority Calculation & Reduction in Work Force**

Section 1:

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- (a) Seniority for this contract is defined as the bargaining unit employee's length of continuous service with the employer since the last date of hire.
- (b) Seniority is departmental in that it consists of the relative length of accumulated continuous service of each bargaining unit employee within the department.

Section 2: Seniority shall not be broken by an authorized leave of absence, temporary suspension, vacation, sick, injury and/or military leave.

Section 3: Upon resignation of employment or discharge for cause, an individual forfeits his/her seniority.

Section 4: In the event of a reduction in workforce (or forced layoff):

- (a) Layoffs shall be conducted by position in inverse order of hiring.
- (b) Bargaining unit members who have been the subject of a layoff shall be given first priority of immediate recall upon the approval of funding for a departmental position.
- (c) A bargaining unit member shall not forfeit his/her seniority with the City. Upon a bargaining unit member's date of re-hire with the City his/her seniority for all purposes stated herein shall include his/her previous employment with the City.

**Item 6: Military Time Benefit**

Employees who are enlisted in the military (i.e., Marine Corps., Army, Navy, National Guards, etc.) are eligible for the benefits for training and/or active duty as defined in MGL, c. 33, §59, which will be referred to as "Military Benefit Time."

- A. Training days shall only be used for those days an eligible employee is regularly scheduled to work. Eligible employees shall receive their regular base pay rate for these benefit days. This benefit will not accrue. Benefit time not utilized at the end of each year will not carry over to the following year. Upon discharge from their respective military unit employees previously eligible for this benefit will no longer receive this benefit. This benefit time will not be used for active duty.
- B. For active-duty purposes, when eligible for continued pay as defined by MGL, c. 33, §59, the eligible employee shall provide the Human Resources

Department with amount he/she is paid by either the United States or the Commonwealth for military service performed during the same pay period.

**Item 7: Discipline & Discharge**

- a.) All bargaining unit members shall complete a one (1) year probationary period and may be disciplined or terminated without cause or notice during the probationary period. Such discipline or termination shall not be subject to the grievance and arbitration procedure under Article 8 of this Agreement.
- b.) No bargaining unit member who has completed his/her one (1) year probationary period shall be disciplined or discharged without just cause. Any disciplinary action taken by the City against a bargaining unit member shall be consistent, fair and appropriate with regard to the type and severity of the offense and processed in accordance with the City's disciplinary policies and procedures.

**Item 8: Substance Abuse**

Because all employees of the City of Gardner have a right to expect a drug and alcohol-free environment, a program is hereby established authorizing testing for substance abuse based upon the criteria set forth herein.

All applicants for positions covered by the provisions of this Agreement may, at the option of the City, be required to undertake drug and alcohol testing prior to their first day of employment with the City. The failure to pass such a test shall be grounds for the City to rescind any offer of employment given to such applicant.

Testing of present employees shall only be permitted where there is reason to suspect drug or alcohol abuse. Immediate testing shall be permitted upon the reasonable suspicion standards hereinafter set forth. Objective facts that may lead to reasonable suspicion shall include but not be limited to: questionable balance, unsteady walking gait, slurred speech, uncooperative attitude, bloodshot eyes, or odor of marijuana or alcohol on the breath or on the clothing of the employee. Other criteria that may lead to reasonable suspicion are that the employee's supervisors deem the employee to be impaired or incapable of performing assigned duties, an excessive number of vehicle or other types of accidents, inconsistent behavior, irritability, mood swings, nervousness, or hallucinations. In addition, substantiated possession of drugs or alcohol while on duty shall be deemed to be de facto suspicious.

The City shall provide any suspected employee and the Union with a written report evidencing reasonable suspicion within a reasonable time in advance of a proposed drug or alcohol test. The employee may initiate a review of the directive to submit a test sample or undergo testing. Such review shall be undertaken by the Mayor or, in his/her absence, the City's Director of Human Resources. If the Mayor or Human Resources Director determine that there are reasonable grounds for suspicion, the employee will undergo the testing and the test results shall be provided to the Mayor. The parties shall ensure the confidentiality of the testing process and results. Access to information about the tests shall be limited to the employee and only members of management and union officials with a compelling need for the information. The failure of an employee to submit to testing upon being so directed shall be grounds for immediate discipline up to and including termination of employment. If after undertaking testing, an employee is deemed to have failed the test by evidencing signs of drug and alcohol abuse while on the job, discipline up to and including termination may be imposed by the City.

As an alternative to discipline, the Mayor may at his/her sole discretion offer to the employee an opportunity to attend a rehabilitation program during which time the employee may utilize sick days for such program or other form of treatment. Under these circumstances, the employee shall be expected to comply with all the requirements and regulations of the substance abuse rehabilitation program. The failure to abide by all such conditions and requirements shall be a basis for termination of employment. Any employee successfully completing such a program shall agree as a condition of returning to work to submit to random urinalysis testing at the discretion of the City for a period of two (2) years after returning to work. If any such random test yields a positive result, the employee shall be immediately subject to discipline including termination.

**Item 9: Local 170 Fund Drive**

The Employer agrees to deduct from the paycheck of all employees who submit signed cards authorizing deductions for voluntary contributions to Local 170 DRIVE Fund. Local 170 DRIVE Fund shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from his/her paycheck on a weekly basis for all weeks worked. The phrase "weeks worked" excludes any week other than a week in which the employee earned a wage. Employees shall have one opportunity per fiscal year to opt in to this program.

**Item 10: Teamsters Credit Union**

The City agrees to deduct certain amounts each week from the wages of those employees who shall have given the city written authorization to make such deductions. The amounts so deducted shall be remitted to the New England Teamsters Federal Credit Union or personal bank of the employee once each week. The city shall not make

deductions and shall not be responsible for remittance to the New England Federal Credit Union or personal bank for any deductions for those weeks in which the employee's earnings shall be less than the amount authorizes for deduction. Employees shall have one opportunity per fiscal year to opt into this program.

**Item 11: Retirement**

Full time bargaining unit members will enroll in the Gardner Retirement Board public employee retirement system and shall be assigned to the appropriate retirement group as determined and defined by the Gardner Retirement Board.

**Item 12: Coaching Positions**

Bargaining unit members who are qualified through education and training are eligible to apply for and be hired as athletic coaches for the City of Gardner School Department. Coaching duties will be performed on the bargaining unit member's own time and will not conflict with his/her regular work schedule. Compensation will be a stipend set and paid for by the School Department.

**Item 13: Non-Discrimination**

The City and the Union fully endorse the philosophy and the laws prohibiting discrimination of any kind. There shall be equal opportunity and no discrimination of any kind without regard to race, color, religion, sex, age, national origin, disability, or status as disabled veteran, by the City or the Union.

No provisions of this Agreement shall restrict or prohibit the City from fulfilling its obligations under the American with Disabilities Act. Throughout the Agreement, the use of masculine pronouns or other masculine terms shall include the feminine and are used interchangeable without regard to gender.

**Item 14: Individual Agreements**

The City agrees that it will not enter into any individual or collective agreement with any employee covered by this Agreement.

**Item 15: Emergency Measures**

In the event of a global/national pandemic and/or emergency that effects the wellbeing and continued employment of City of Gardner employees, the City agrees to draft a plan to address work conditions, hours of operations, essential personal and all benefits related to necessary changes resulting from said pandemic and/or emergency within thirty (30) days of the onset date.

Additionally, the City agrees to make available to and to maintain at no cost to the employees the recommended safety equipment and clothing which meet or exceed the standards established by the appropriate governing body. Safety procedures and regulations as established by the appropriate governing body will be reviewed, researched and implemented to protect the health and safety of the employees.

**Item 15: Out of Grade/Classification**

Out of Classification work: any employee who is specifically assigned in writing to work in a higher wage rated classification than that in which he/she is employed, not specifically identified as part of his/her job description, shall receive compensation at the hourly rate for the higher classification commensurate with his/her current wage step. When assigned to work in a higher classification, the employee shall be compensated at the higher rate for the hours he/she actually works in the higher classification as assigned.

In the event of a vacancy in the position of Department Director for a period of thirty (30) days or more, the bargaining unit member as designated by the Mayor to perform the duties of said position will be compensated at the out of grade pay equivalent to the first step of the Department Director's rate of pay.

**Item 16: Dress Code**

Clothing/Shoes will consist of:

- Jeans (no rips, fringes or patches), khakis or dickies. No shorts.
- Open collar long sleeve or short shirts, sweatshirts or flannel shirts. Preferably with City Department logo.
- Appropriate (office professional) shoes or work boots, as needed for field work.

**Item 17: Step Adjustment At Time Of Hire**

When an individual is first hired by the City, such personnel shall always start his/her employment on the first and minimum wage or salary step applicable to the grade or position for which the person has been hired. In the event, a candidate for employment

has verifiable, significant training and experience directly related to the position for which they are being hired, upon the recommendation of the Department Head and with the approval of the Mayor, a person may be hired at either Step 2 or Step 3 of the Wage Schedule.

**ARTICLE 22**  
**DURATION**

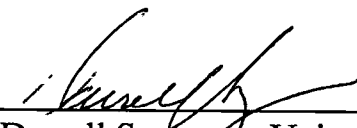
This Agreement and its provisions shall be effective from July 1, 2023 and continue in full force and effect until June 30, 2026. Either party may, on or before the 1st day of March 2026, give written notice to the other of its desire to extend or revise the Agreement during the period to commence July 1, 2026. This Agreement shall remain in full force and effect during the collective bargaining process or until the new Agreement is reached.

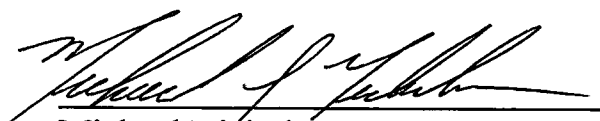
Either party may terminate this Agreement by such notice as is described above, any time, following the termination date set forth above by written notice one to the other, except that the no strike clause contained herein shall remain in force and effect until three (3) years from the date of execution of this Agreement.


In witness whereof, the parties hereto cause this instrument to be executed in their names and on their behalves by the duly authorized Officers thereto this 18 day of December, in the year 2024.

**FOR THE UNION:**

**FOR THE CITY:**

  
\_\_\_\_\_  
Darrell Sweeney, Union Steward  
Teamsters Union Local 170

  
\_\_\_\_\_  
Michael Nicholson, Mayor

  
\_\_\_\_\_  
Eli Gillen, Business Agent  
Teamsters Union Local 170

**Inspectional Services  
Wage Schedule**

		<b>2.0%</b> <b>July 1, 2023</b>	<b>4.0%</b> <b>July 1, 2024</b>	<b>4.0%</b> <b>July 1, 2025</b>
<b>Health Inspector</b>				
Step 1		\$26.51	\$27.57	\$28.67
Step 2			\$28.67	\$29.82
Step 3			\$29.82	\$31.01
Step 4	(5 Years of Service)		\$31.31	\$32.88
Step 5	(10 Years of Service)		\$32.88	\$34.52
Step 6	(15 Years of Service)		\$34.52	\$36.25
Step 7	(20 Years of Service)		\$36.25	\$38.06
Step 8	(25 Years of Service)		\$38.06	\$39.96

		<b>2.0%</b> <b>July 1, 2023</b>	<b>4.0%</b> <b>July 1, 2024</b>	<b>4.0%</b> <b>July 1, 2025</b>
<b>Plumbing Inspector</b>				
Step 1		\$34.11	\$35.47	\$36.89
Step 2			\$36.89	\$38.37
Step 3			\$38.37	\$39.90
Step 4	(5 Years of Service)		\$40.29	\$41.90
Step 5	(10 Years of Service)		\$42.30	\$43.99
Step 6	(15 Years of Service)		\$44.42	\$46.19
Step 7	(20 Years of Service)		\$46.64	\$48.50
Step 8	(25 Years of Service)		\$48.97	\$50.93

		<b>2.0%</b> <b>July 1, 2023</b>	<b>4.0%</b> <b>July 1, 2024</b>	<b>4.0%</b> <b>July 1, 2025</b>
<b>Electrical Inspector</b>				
Step 1		\$34.11	\$35.47	\$36.89
Step 2			\$36.89	\$38.37
Step 3			\$38.37	\$39.90
Step 4	(5 Years of Service)		\$40.29	\$41.90
Step 5	(10 Years of Service)		\$42.30	\$43.99
Step 6	(15 Years of Service)		\$44.42	\$46.19

**Inspectional Services  
Wage Schedule**

Step 7	(20 Years of Service)		\$46.64	\$48.50
Step 8	(25 Years of Service)		\$48.97	\$50.93

		2.0% July 1, 2023	4.0% July 1, 2024	4.0% July 1, 2025
<b>Sr. Local Inspector</b>				
Step 1		\$34.11	\$35.47	\$36.89
Step 2			\$36.89	\$38.37
Step 3			\$38.37	\$39.90
Step 4	(5 Years of Service)		\$40.29	\$41.90
Step 5	(10 Years of Service)		\$42.30	\$43.99
Step 6	(15 Years of Service)		\$44.42	\$46.19
Step 7	(20 Years of Service)		\$46.64	\$48.50
Step 8	(25 Years of Service)		\$48.97	\$50.93

		2.0% July 1, 2023	4.0% July 1, 2024	4.0% July 1, 2025
<b>Local Inspector</b>				
Step 1		\$34.11	\$35.47	\$36.89
Step 2			\$36.89	\$38.37
Step 3			\$38.37	\$39.90
Step 4	(5 Years of Service)		\$40.29	\$41.90
Step 5	(10 Years of Service)		\$42.30	\$43.99
Step 6	(15 Years of Service)		\$44.42	\$46.19
Step 7	(20 Years of Service)		\$46.64	\$48.50
Step 8	(25 Years of Service)		\$48.97	\$50.93

		2.0% July 1, 2023	4.0% July 1, 2024	4.0% July 1, 2025
<b>Assistant Director of Public Health</b>				
Step 1		\$58,053.50	\$60,375.64	\$62,790.67
Step 2			\$62,790.67	\$65,302.29
Step 3			\$65,302.29	\$67,914.38
Step 4	(5 Years of Service)		\$68,567.41	\$71,995.78



**Inspectional Services  
Wage Schedule**

Step 5	(10 Years of Service)		\$71,995.78	\$75,595.57
Step 6	(15 Years of Service)		\$75,595.57	\$79,375.34
Step 7	(20 Years of Service)		\$79,375.34	\$83,344.11
Step 8	(25 Years of Service)		\$83,344.11	\$87,511.32

*\*Step changes are for time worked in position and do not includes service in other titles.*



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

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January 11, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: A Communication from the Mayor Regarding the FY2026 Budget

Dear Mr. President and Councilors,

I am writing to provide you an update regarding the upcoming budget cycle.

On November 18, 2024, the Mayors Office issued its budget directives to all department heads within the City. Budget requests are due to my office from each department by Friday, January 31<sup>st</sup>. This deadline has been set for both the budget request and the written narrative, as was done last year.

Additionally, while the school department salary study is still being undertaken, I have assigned an internal working group through the budgetary process to review the results of the non-school department salaries to provide a plan for this upcoming budget cycle.

As the process moves forward, I will be sure to provide periodic updates to the Council.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 7, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: A Communication from the Mayor Regarding the Receipt of Prison Mitigation Funds from the Commonwealth for FY2025

Dear Mr. President and Councilors,

When included in the Commonwealth's budget, the City receives payments from the Office of the State Treasurer/Receiver General to offset the costs incurred by the City for being the host community for a state prison facility.

The funding was included again in the Commonwealth's FY2025 budget and Gardner has received \$149,502.32 from this program. This funding falls to the General Fund, as required by the General Laws of the Commonwealth as revenue to help fund budgetary operations and expenditures already approved by the City Council.

I would like to thank our state legislative delegation for their diligent work in ensuring that this funding was included in the state's budget.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety & Security*  
*Department of Correction*  
*50 Maple Street, Suite 3*  
*Milford, MA 01757*  
*Tel: (508) 422-3300*  
*www.mass.gov/doc*



MAURA T. HEALEY  
*Governor*

SHAWN P. JENKINS  
*Commissioner*

KIMBERLEY DRISCOLL  
*Lieutenant Governor*

CHRISTOPHER NICHOLS  
 MITZI S. PETERSON  
 THOMAS J. PRESTON  
*Deputy Commissioners*

TERRENCE M. REIDY  
*Secretary*

November 20, 2024

Mayor Michael J. Nicholson  
 95 Pleasant Street - Room 125  
 Gardner, MA 01440

Dear Mayor Nicholson:

The Department of Correction's FY 2025 operating budget contains funds earmarked for cities and towns hosting correctional facilities.

Based on the average state inmate population housed in your community from July 1, 2023, through June 30, 2024, a payment in the amount **\$149,502.32** will be processed for the City of Gardner. This payment will be issued via the State Treasurer's Office and sent to your local Treasurer by electronic transfer. This payment has a scheduled disbursement date of November 25, 2024.

If there are any questions, I can be reached at 508-422-3332.

Sincerely,

Thomas Brennan  
 Budget Director

Cc: Shawn Jenkins, Commissioner  
 Thomas J. Preston, Deputy Commissioner Administration  
 Matthew Dailey, Executive Director of Admin Services  
 Thomas Simeone, Director of Legislative Affairs  
 Kristine Marcotte, Director, Fiscal Services



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 7, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: A Communication from the Mayor Regarding the Snow and Ice Expense Account as of January 7, 2025

Dear Mr. President and Councilors,

As you may remember, the City budgets \$300,000 per fiscal year in snow and ice removal. This funding is used to cover the salaries of those plowing, the purchase of salt, maintenance on plows, and all other expenses associated with the removal of snow and salting the roads.

Per the General Laws of the Commonwealth, and the guidance by the Commonwealth's Department of Revenues, municipalities usually budget low in this line item so as to not tie up funding in an account when there is so much uncertainty every year on the need for these funds given what may fall out of a sky in a given year. This is also one of the few accounts that the General Laws allows for deficit spending to be amortized over a period of up to five (5) years for, given this uncertainty as well.

Since we have traditionally covered any overages in this account from free cash appropriations after the winter season, out of the spirit of transparency and collaboration, I will be providing the City Council with monthly updates on the status of funding in this account so that when the appropriation arises, there are no surprises.

So far this winter season, the majority of costs have been incurred from sending crews out to salt the roads during ice events.

As of the date of this letter, there is currently \$95,707.16 remaining in the account. I anticipate the account to go into the yearly anticipated deficit by the end of this month.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 7, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: An Order Authorizing the Creation of a new Human Resources Manager Position for the City's Human Resources Department

Dear Mr. President and Councilors,

When the FY2025 budget was adopted, it included two clerical positions in the City's Human Resources Department. A full-time financial administrator and an administrative coordinator who was split 50% human resources and 50% golf.

At the recommendation of Director Morse, pursuant to section 10 of the City Charter, I hereby request that these two (2) positions be consolidated into a single position to be titled Human Resources Manager, to be able to take on more duties than simple clerical work for the department, but assist in on-boarding of employees and overseeing the various policies associated with the department.

No additional appropriation is needed to make this change in structure. Additionally, the Golf Department will also maintain their part-time clerical position to oversee their billing and financial reporting, as that is paid for separately out of the enterprise account. This change only impacts the position and a half that are funded from the General Fund.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

AN ORDER AUTHORIZING THE CREATION OF A NEW HUMAN RESOURCES MANAGER  
POSITION FOR THE CITY'S HUMAN RESOURCES DEPARTMENT

ORDERED: That the Mayor and Human Resources Director are hereby authorized to create a new position in the City's Human Resources Department to be titled, "Human Resources Manager," and that all other positions in the Human Resources Department be discontinued following all required ordinance amendments in conjunction with this change.

**Mayor**

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**From:** Amanda Morse  
**Sent:** Tuesday, December 31, 2024 9:08 AM  
**To:** Mayor  
**Subject:** Position proposal  
**Attachments:** HR Manager.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Mr. Mayor,

As you're aware, my office has not been fully staffed since I have started in May 2024. Scott joined the time in September, and has a dual role, working for both the HR department and the Golf course. Scott has recently retired from the court system and, as a result, will be transitioning to part-time status. Given his current dual responsibilities, I propose assigning him exclusively to the golf department. This adjustment would allow them to maintain their existing operations while enabling me to reallocate funds from my budget to restructure the HR role currently under my purview.

My recommendation and request are to combine the funds allocated for Scott's position with those designated for the currently vacant HR Assistant role. By merging these resources and creating a more comprehensive role with increased responsibilities, I believe the department could operate at full capacity with a streamlined team consisting of two employees: myself and an HR Manager.

I have drafted a job description that I believe would support the department's ability to operate efficiently and effectively. Please don't hesitate to reach out should you have any questions or recommendations.

**Amanda Morse**

Director of Human Resources  
Gardner City Hall  
95 Pleasant Street, Room 226  
Gardner, MA 01440  
Direct: 978-630-4001  
Fax: 978-630-4025  
[www.gardner-ma.gov](http://www.gardner-ma.gov)



<b>Job Title:</b>	<b>Human Resources Manager</b>
<b>Position Status:</b>	<b>Full-time, hourly, non-exempt, non-union</b>
<b>Report to:</b>	<b>Director of Human Resources</b>
<b>Date:</b>	<b>December 2024</b>

**Position Purpose:**

The purpose of this position is to perform administrative and clerical work in overseeing, administering, and coordinating the general human resource functions for the City. In addition, benefits coordination is a large part of this position; all other related work as required.

**Supervision:**

*Scope and Judgment:* Performs a variety of responsible functions of an administrative and clerical nature requiring the judgment and initiative to interpret guidelines and carry out assignments independently.

*Supervision Received:* Works under the direction of the Director of Human Resources, following department rules, regulations and policies, requiring the ability to plan and perform operations, and to independently complete assigned tasks according to prescribed time schedules; questions and unusual cases are referred to supervisor.

**Job Environment:**

Work is performed under typical office conditions; the work environment is moderately noisy. Operates a computer, telephone, copier, facsimile machine, and other standard office equipment. Make frequent contacts with all City employees, job applicants, other municipalities, labor counsel, consultants, and state government representatives. Contacts involve furnishing routine information as well as discussing complex legal issues. Contacts require considerable discretion, resourcefulness and persuasiveness to achieve desired objectives. Has access to an extensive amount of highly confidential information on a city-wide basis such as personnel records, collective bargaining negotiations, bid proposals, and pending lawsuits and investigations.

Errors could result in a significant adverse impact on employee morale, poor public relations for the City, confusion and delay, and could have serious legal and/or financial repercussions.

**Essential Functions:**

*(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar)*

- Create/update job descriptions. Utilizing web-based advertising and social media outlets to advertise and coordinate postings during recruitment process.
- Analyze candidates' qualifications; coordinate interviews; extend employment offers; conduct reference and background checks and communicate with job seekers. Conduct on-boarding meetings with new hires; Maintain all job descriptions and applicant tracking system.
- Submits all requests for information to the Criminal History Systems Board.

- Process all Civil Service Requisitions for vacancies for Police & Fire; prepare and process all related paperwork including signed certified list for entry level and promotional vacancies. Track all applicants throughout the process. Maintain records for all Civil Service employees in the Town from original appointments, promotions, lay-offs, transfers, demotions, suspensions, terminations, and retirements.
- Ensures timely and accurate set up of accruals and runs, distributes, and updates department's monthly reporting for vacation, sick and personal time. Generates anniversary accruals; carryover accruals updates; sick bank management; closing end of year accruals and generating next year's accrual records.
- Processes, tracks, and communicates employee status changes for leaves of absence, resignations, and retirements. Provides information and interpretation of FMLA, parental, military, and other leaves.
- Assist the Human Resources Director in developing new policies and revising current policies as well as maintaining all policies and manuals which require researching new laws and the current practices of various cities/towns through multiple sources. Create files and compile data pertaining to this information for the Human Resource Director's review and action.
- Review and summarize union contracts. Conduct labor relations research (wage survey, benefits, job duties and classifications, best practices, etc.); compile the data and provide analysis and present recommendations in report to Human Resources Director. Maintain all union contracts, memorandum of agreements and employment contracts for all Town and School Departments; file CBA/MOAs promptly to ensure records are up to date.
- Administers all Ch. 41, 111F and Workers Compensation injury claims for Fire, Police and City employees. Collect records; submit claims; maintain files, medical and doctors' reports, etc. in collaboration with claims adjusters. Act as liaison between adjuster, employee, medical providers, and the Board of Selectmen. Enter all claims into and maintain the OSHA 300 Logs as required by MGL.
- Processes medical bills. Consults with and advises Department Heads on policies, procedures, and claims activity.
- Maintains accurate records. Responds to requests for information.
- Performs general administrative and clerical duties including typing, filing, answering the phone, maintaining records; and performing other administrative tasks.
- Performs other duties as required.

### **Recommended Minimum Qualifications:**

#### **Education and Experience:**

Associate degree in Business Administration or relevant field plus two 3-5 years as HR Assistant or experience in human resources or administrative position are required or an equivalent combination of education, training, and experience. Human Resources Management education or training is desired.

#### **Knowledge, Ability and Skill:**

*Knowledge:* Knowledge or familiarity with city government; knowledge or ability to learn state, federal, city, and local personnel and employment laws.

*Ability:* Ability to prioritize and multitask; ability to adapt in fast-paced environment. Ability to interact appropriately and tactfully; ability to develop an understanding of employment law and department rules, regulations, policies and procedures; ability to maintain accurate and detailed records; ability to explain Town's Human Resources Personnel policies and procedures; ability to work independently; ability to follow detailed timetables. Ability to maintain confidentiality and handle data with confidentiality. Ability to learn software systems and applications. Ability to collaborate and appreciate other's viewpoints.

*Skill:* Proficient organizational and time management skills. Excellent interpersonal and customer service skills. Demonstrated experience providing customer service to employees, department heads, vendors, third party administrator, banks/mortgage lenders and the public using tact, proper judgment, courtesy, respect and discretion. Demonstrated ability to work effectively with diverse constituencies and ensure a culturally relevant and sensitive approach. Accomplished in demonstrating adaptability, and able to present and accept a diverse perspective. Excellent written and verbal communication skills, excellent computer skills including MS Office Suite and Adobe applications; proficient skills for Internet for research and job postings; and for software systems and applications supporting HR functions.

**Physical Requirements:**

*The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions.*

While performing the duties of this job, the employee is required to sit; frequently required to communicate, talk and hear; occasionally must walk, and must be able to handle, or feel objects, tools, or controls. The employee seldom must lift and/or move objects weighing up to 10 pounds. Vision and hearing at or correctable to normal ranges to read documents and analyze data. This position requires the ability to operate a keyboard at efficient speed.

**Selection Guidelines**

Formal application, rating of education and experience; oral interview and reference checks; job related tests may be required. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

*(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)*

Approved by Human Resources: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved by Department Head: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved by Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

*The City of Gardner is an EOE/AA employer: Pay Equity/Equal Opportunity/Americans with Disabilities Act Employer.*



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 8, 2025

Hon. George C. Tyros, Council President  
And City Councilors  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: A Measure Accepting a Donation of Land from the Gardner School Committee for Elm Street Resurfacing and Repaving as part of the Safe Routes to School Project

Dear Mr. President and Councilors,

At their meeting of January 7<sup>th</sup>, 2025, the Gardner School Committee voted to donate a portion of the land that they control to the City for the purpose of performing the work required for the Safe Routes to School project.

This project includes the resurfacing and repaving of portions of Elm Street with areas of widening and adding additional amenities from the area of Temple Street to Edgell Street.

In order for the process to continue, the City Council must vote to accept this donation and authorize the Mayor to sign the document as both the Chair of the School Committee and Mayor of the City.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**ACCEPTANCE OF DONATIONS AND GIFTS  
GARDNER SCHOOL DEPT. LAND DONATION**

**VOTED:** That the City of Gardner is authorized to accept certain donations and gifts namely certain parcels of land on Elm Street as described on the Certificate of Donation attached hereto, with an estimated value of \$10,500.00, said acceptance in accordance with the provisions of Chapter 44, Section 53A½ of the General Laws.

# CERTIFICATE OF DONATION

Owner(s) of Record: <u>City of Gardner - School Department</u>	
City/Town: <u>Gardner</u>	Fed Aid Number: <u>TAP-0035(670)X</u>
Project: <u>Elm Street - Resurfacing &amp; Repavement</u>	
Parcel Number (ROW Plans) & Square Footage(s): _____	
In Fee: <u>\$10,500.00</u>	Permanent Easement(s): <u>PUE-7, SW-3</u>
Temporary Easement(s): <u>TE-1, TE-22, TE-23</u>	
Temporary Easement Term(s): (minimum of three years from recording At the Registry of Deeds): _____ <u>Years</u>	

This is to certify that the above referenced parcel(s) were donated by the owner(s) as provided for in the provisions of Title III, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The conveyance of these parcels will be accomplished by deed or Order of Taking and recorded in the Registry of Deeds.

**This donation is made of my/our free will. I/we waive my/our right(s) to an appraisal and compensation. I/we have been given the Federal Aid Acquisition Guide for Property Owners and have reviewed it.**

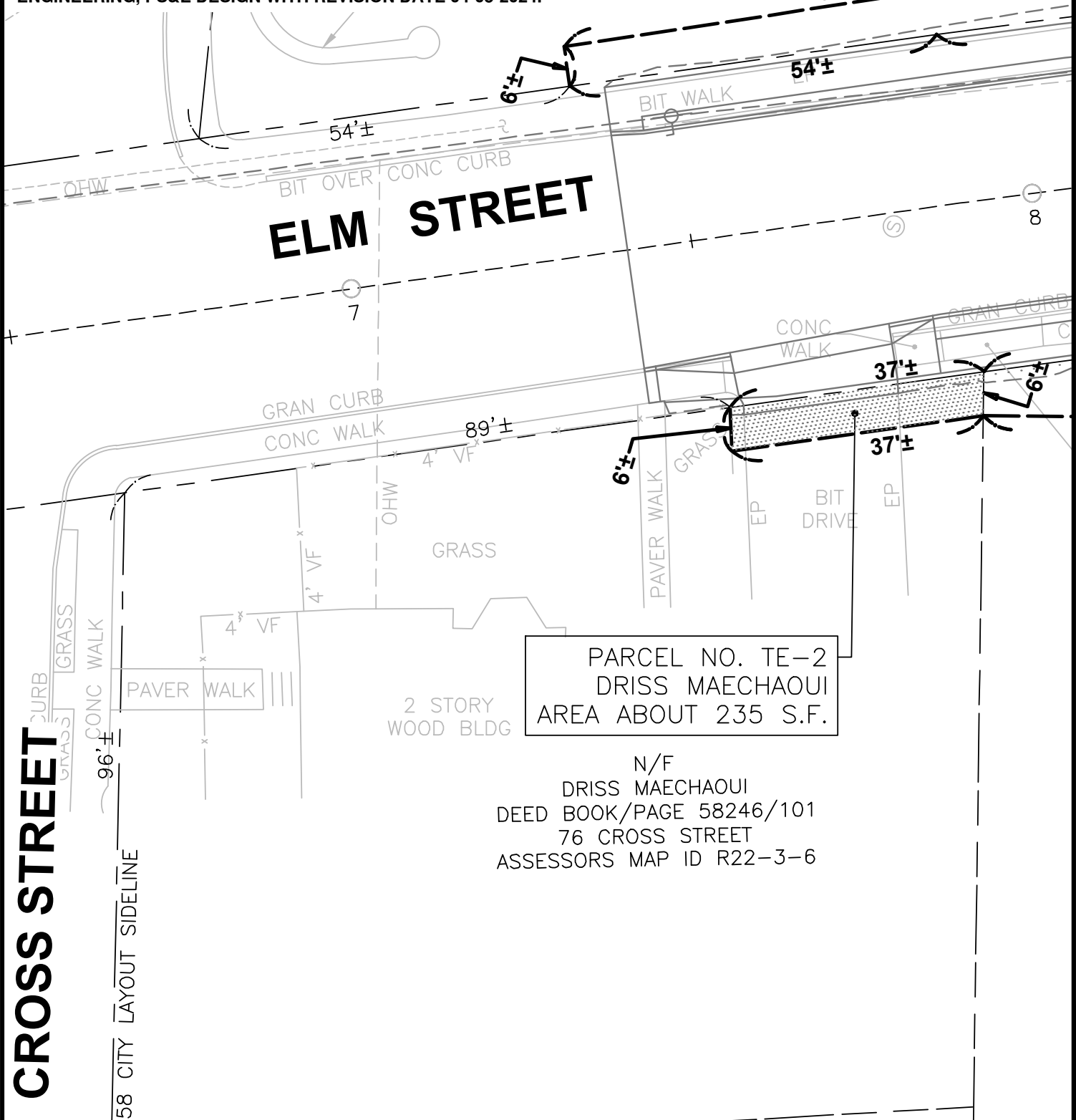
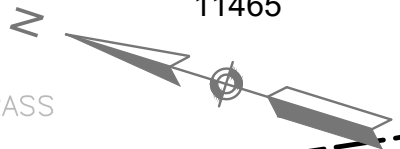
Owner(s)/ Authorized Representative	Date
<b>**All Owners of Records must sign**</b>	

Authorized City/Town Official - Title	Date

**Note:** If the subject parcel(s) is/are owned by a corporation, estate, trust, etc., then an appropriate document, authorizing this donation must be attached to this document.  
**Note:** An executed Affidavit from the municipality must be attached for this document to be valid for ROW Certification.

**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND  
 PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY,  
 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

11465



**CROSS STREET**

**ELM STREET**

PARCEL NO. TE-2  
 DRISS MAECHAOU  
 AREA ABOUT 235 S.F.

N/F  
 DRISS MAECHAOU  
 DEED BOOK/PAGE 58246/101  
 76 CROSS STREET  
 ASSESSORS MAP ID R22-3-6



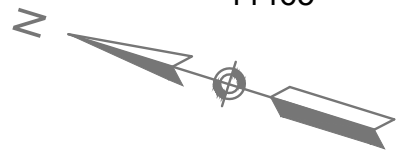
**CITY OF GARDNER**  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-2**  
**76 CROSS STREET - GARDNER**

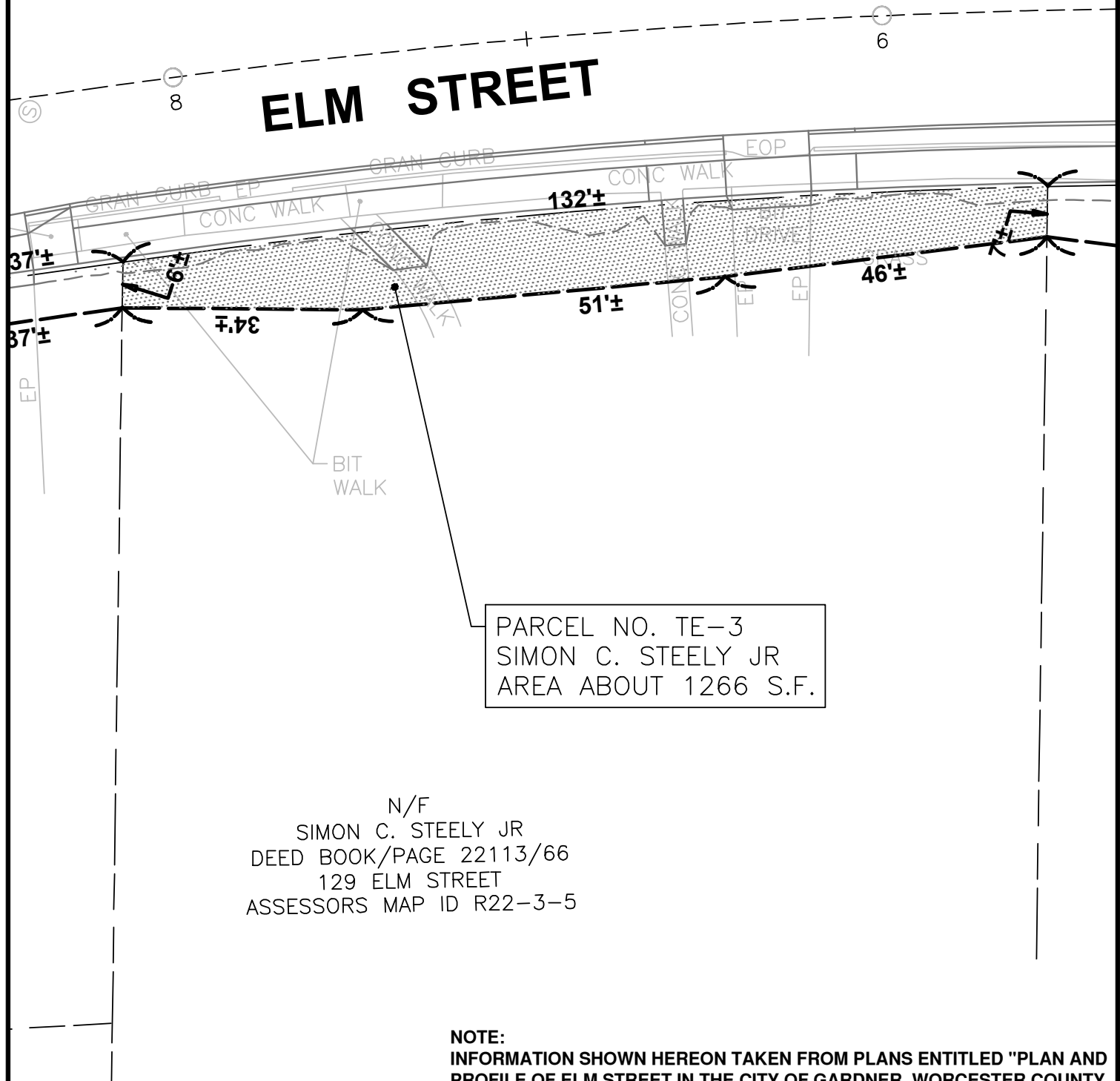
SCALE: 1"=20'±

DATE: MAY, 2024





# ELM STREET



PARCEL NO. TE-3  
 SIMON C. STEELY JR  
 AREA ABOUT 1266 S.F.

N/F  
 SIMON C. STEELY JR  
 DEED BOOK/PAGE 22113/66  
 129 ELM STREET  
 ASSESSORS MAP ID R22-3-5

**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY, PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO. TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

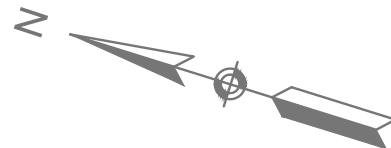


**CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA**

**PROPERTY EASEMENT SKETCH  
 PARCEL TE-3  
 129 ELM STREET - GARDNER**

SCALE: 1"=20'±

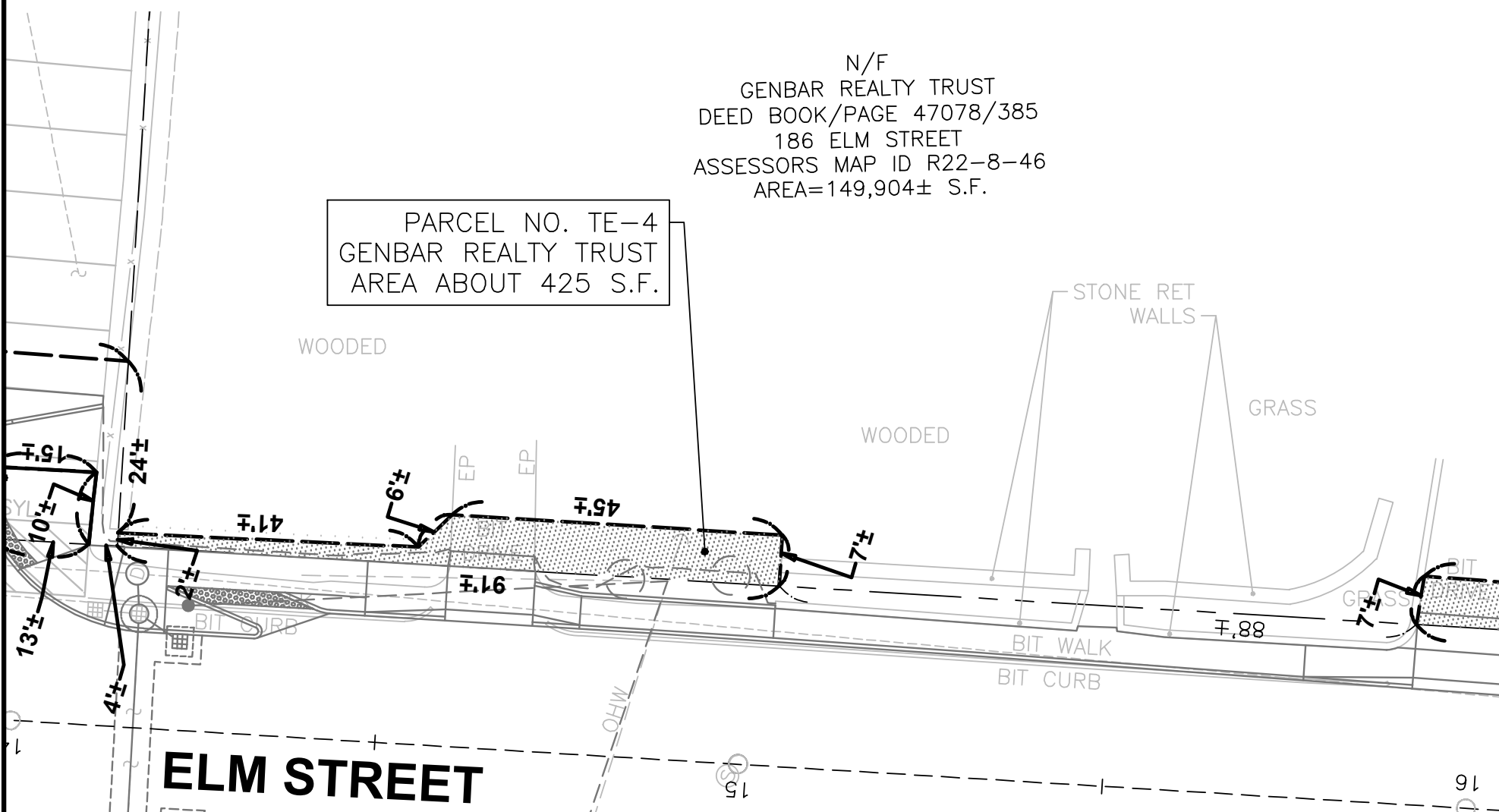
DATE: MAY, 2024



**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND  
 PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY,  
 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

N/F  
 GENBAR REALTY TRUST  
 DEED BOOK/PAGE 47078/385  
 186 ELM STREET  
 ASSESSORS MAP ID R22-8-46  
 AREA=149,904± S.F.

PARCEL NO. TE-4  
 GENBAR REALTY TRUST  
 AREA ABOUT 425 S.F.



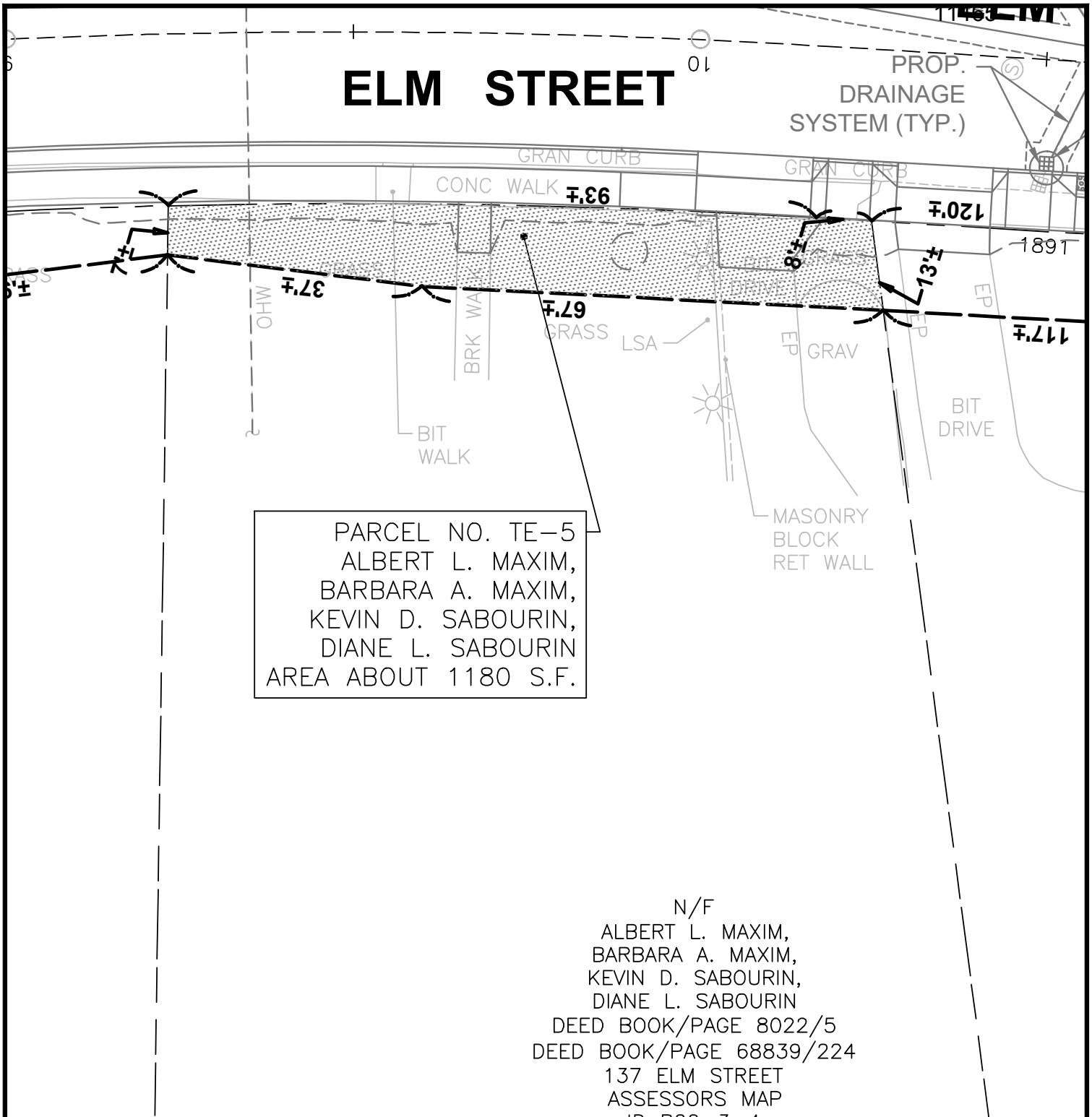
CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

PROPERTY EASEMENT SKETCH  
 PARCEL TE-4  
 186 ELM STREET - GARDNER

SCALE: 1"=20±'

DATE: MAY, 2024

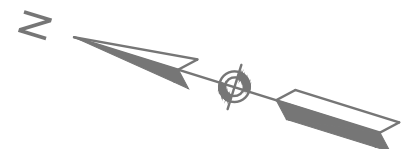
# ELM STREET



PARCEL NO. TE-5  
 ALBERT L. MAXIM,  
 BARBARA A. MAXIM,  
 KEVIN D. SABOURIN,  
 DIANE L. SABOURIN  
 AREA ABOUT 1180 S.F.

N/F  
 ALBERT L. MAXIM,  
 BARBARA A. MAXIM,  
 KEVIN D. SABOURIN,  
 DIANE L. SABOURIN  
 DEED BOOK/PAGE 8022/5  
 DEED BOOK/PAGE 68839/224  
 137 ELM STREET  
 ASSESSORS MAP  
 ID R22-3-4

**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND  
 PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY,  
 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.



CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

## PROPERTY EASEMENT SKETCH PARCEL TE-5 137 ELM STREET - GARDNER

SCALE: 1"=20±'

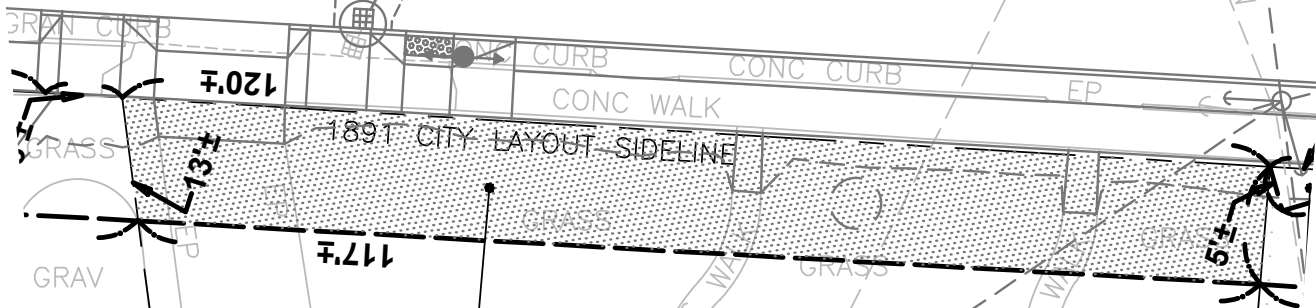
DATE: MAY, 2024

# ELM STREET

& CC SW AT DW STA 5+46

11465

ELM STREET SURVEY



120'±

13'±

117'±

5'±

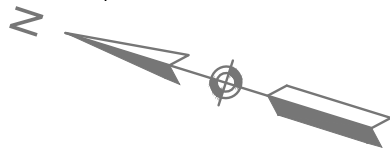
2 STORY  
WOOD BLDG

PARCEL NO. TE-6  
 CALVIN D. BROOKS  
 AREA ABOUT 1487 S.F.

N/F  
 CALVIN D. BROOKS  
 DEED BOOK/PAGE 44752/284  
 147 ELM STREET  
 ASSESSORS MAP ID R22-3-3

**NOTE:**

INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY, PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO. TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.



CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-6**  
**147 ELM STREET - GARDNER**

SCALE: 1"=20±'

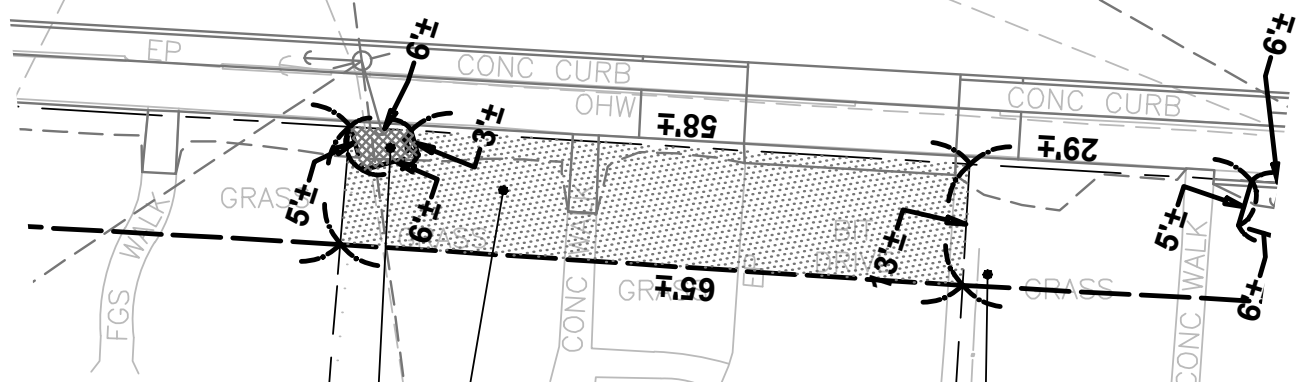
DATE: MAY, 2024

OF HMA DRIVEWAY  
W AT DW STA 5+46

BIT OVER CONC CURB

# ELM STREET

ELM STREET SURVEY BASELINE

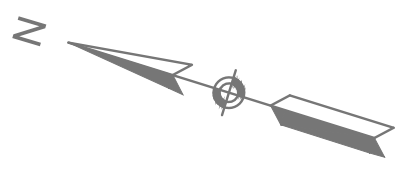


1 1/2 STORY  
WOOD BLDG

PARCEL NO. TE-7  
WILLIAM &  
PAULINE LAMPA  
AREA ABOUT 786 S.F.

N/F  
WILLIAM & PAULINE LAMPA  
DEED BOOK/PAGE 59141/19  
153 ELM STREET  
ASSESSORS MAP ID R22-3-2  
AREA=19,603± S.F.

PARCEL NO. PUE-8  
WILLIAM &  
PAULINE LAMPA  
AREA ABOUT 22 S.F.



**NOTE:**  
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PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY,  
PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

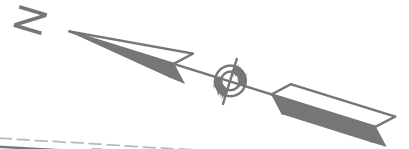


CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

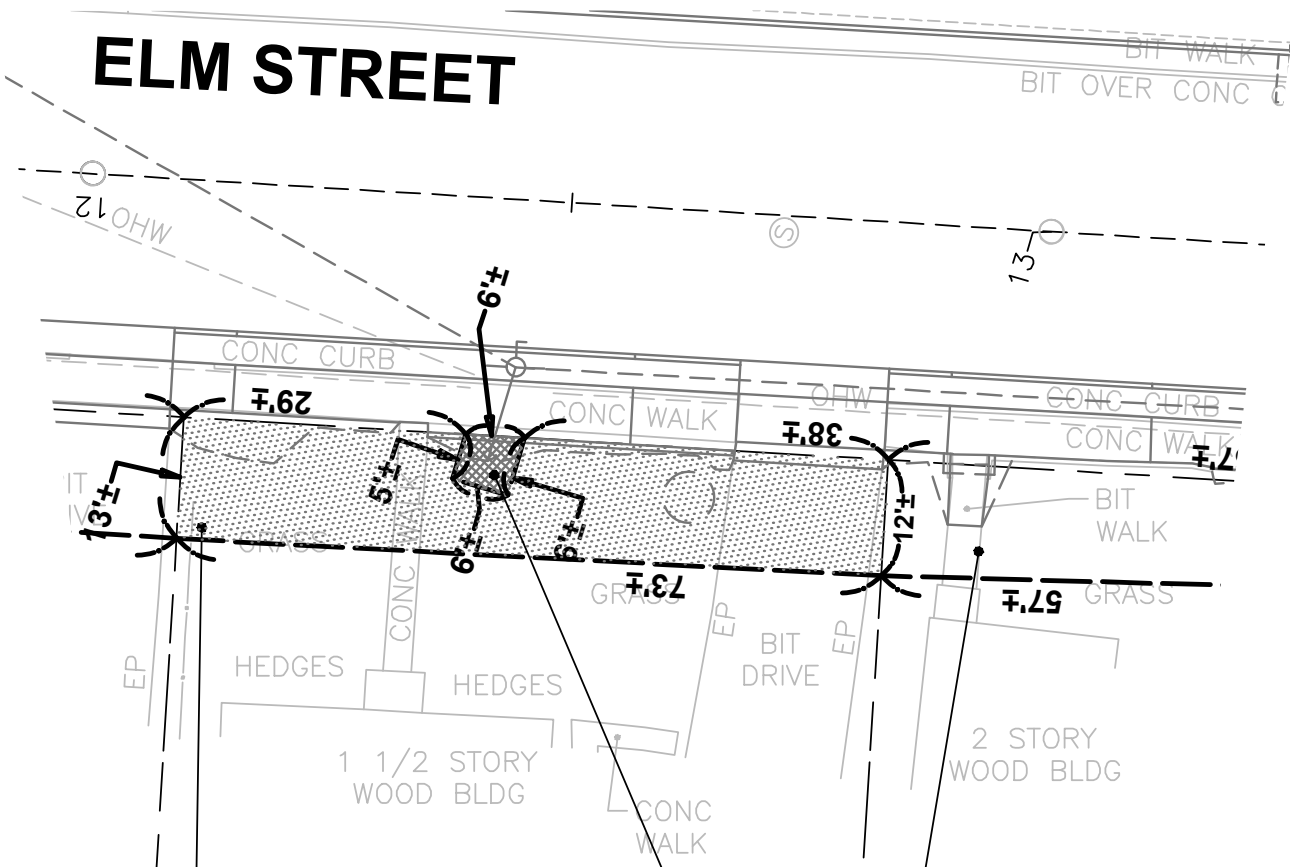
## PROPERTY EASEMENT SKETCH PARCEL TE-7 & PUE-8 153 ELM STREET - GARDNER

SCALE: 1"=20±'

DATE: MAY, 2024



# ELM STREET



PARCEL NO. PUE-9  
 ANDREA G. CAMAS &  
 JEAN C. SANTIAGO  
 AREA ABOUT 33 S.F.

N/F  
 ANDREA G. CAMAS &  
 JEAN C. SANTIAGO  
 DEED BOOK/PAGE 51046/143  
 159 ELM STREET  
 ASSESSORS MAP ID R22-8-51  
 AREA=20,460± S.F.

PARCEL NO. TE-8  
 ANDREA G. CAMAS &  
 JEAN C. SANTIAGO  
 AREA ABOUT 877 S.F.

**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM  
 PLANS ENTITLED "PLAN AND PROFILE OF ELM  
 STREET IN THE CITY OF GARDNER, WORCESTER  
 COUNTY, PRELIMINARY RIGHT OF WAY PLANS  
 FEDERAL AID PROJECT NO. TAP-003S(670)X"  
 PREPARED BY GCG ASSOCIATES, INC. AND  
 TIGHE & BOND ENGINEERING, PS&E DESIGN WITH  
 REVISION DATE 04-05-2024.

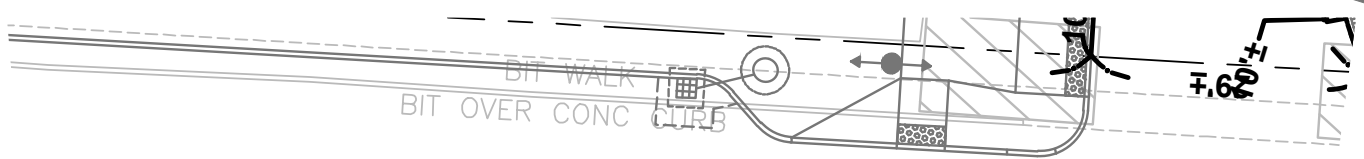
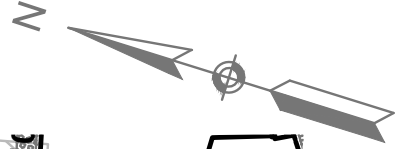


**CITY OF GARDNER**  
**OFFICE OF COMMUNITY**  
**DEVELOPMENT & PLANNING**  
 95 PLEASANT STREET  
 GARDNER, MA

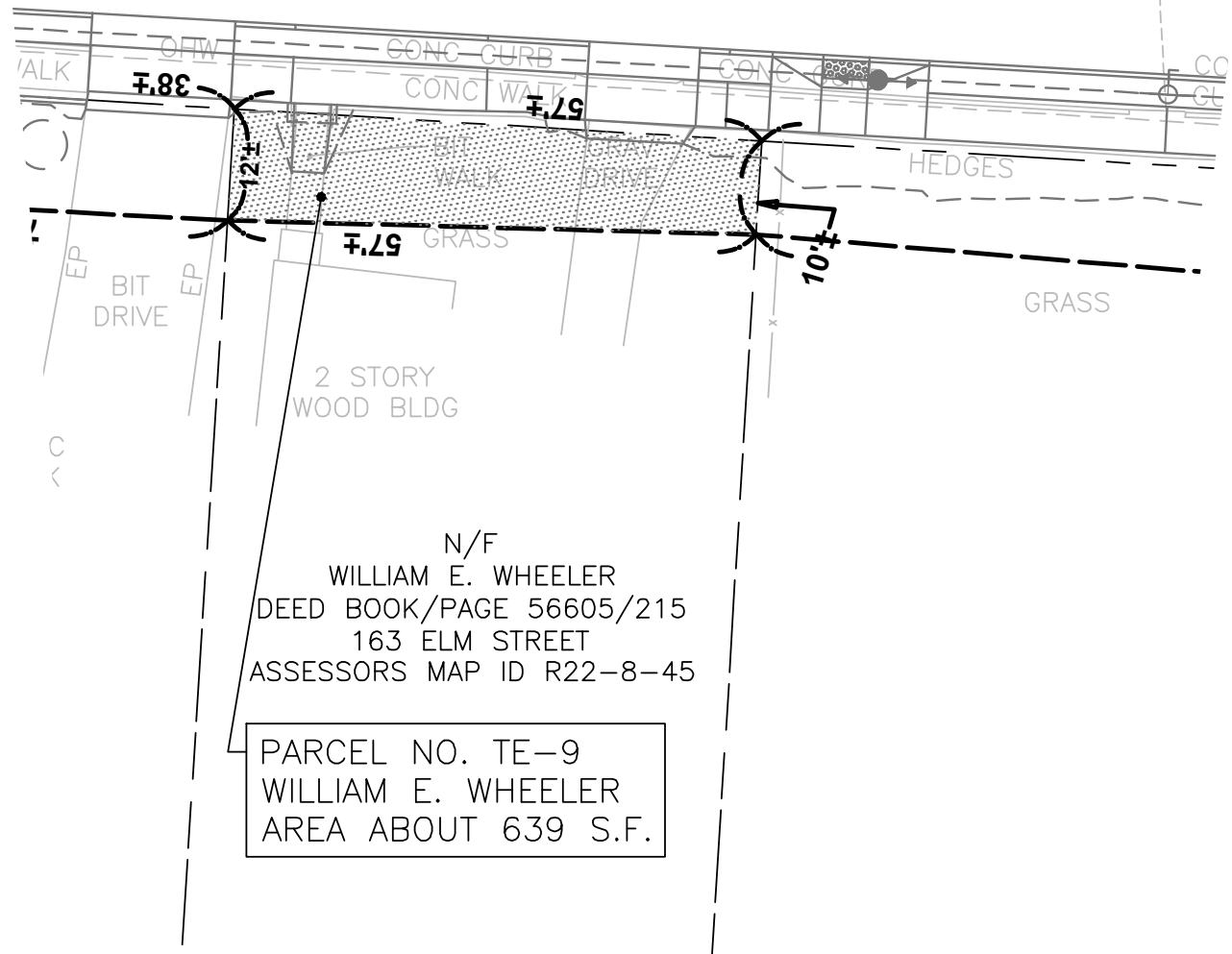
**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-8 & PUE-9**  
**159 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024



# ELM STREET



N/F  
WILLIAM E. WHEELER  
DEED BOOK/PAGE 56605/215  
163 ELM STREET  
ASSESSORS MAP ID R22-8-45

PARCEL NO. TE-9  
WILLIAM E. WHEELER  
AREA ABOUT 639 S.F.

**NOTE:**  
INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY, PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO. TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

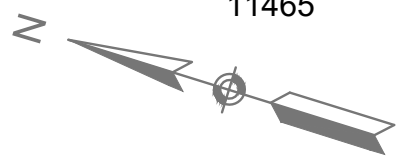


CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

## PROPERTY EASEMENT SKETCH PARCEL TE-9 163 ELM STREET - GARDNER

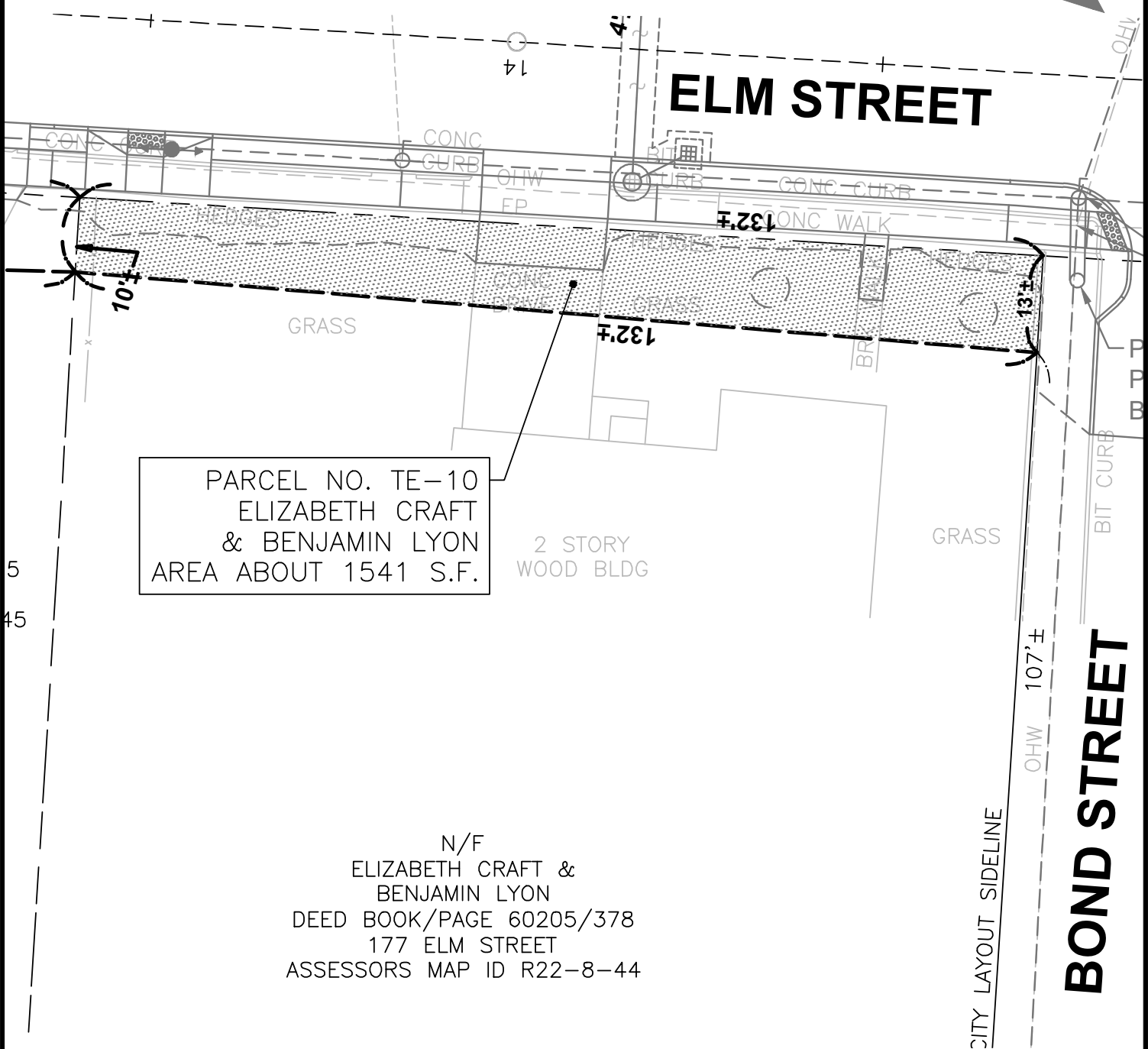
SCALE: 1"=20±'

DATE: MAY, 2024



# ELM STREET

# BOND STREET



PARCEL NO. TE-10  
 ELIZABETH CRAFT  
 & BENJAMIN LYON  
 AREA ABOUT 1541 S.F.

2 STORY  
 WOOD BLDG

N/F  
 ELIZABETH CRAFT &  
 BENJAMIN LYON  
 DEED BOOK/PAGE 60205/378  
 177 ELM STREET  
 ASSESSORS MAP ID R22-8-44

**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND  
 PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY,  
 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.



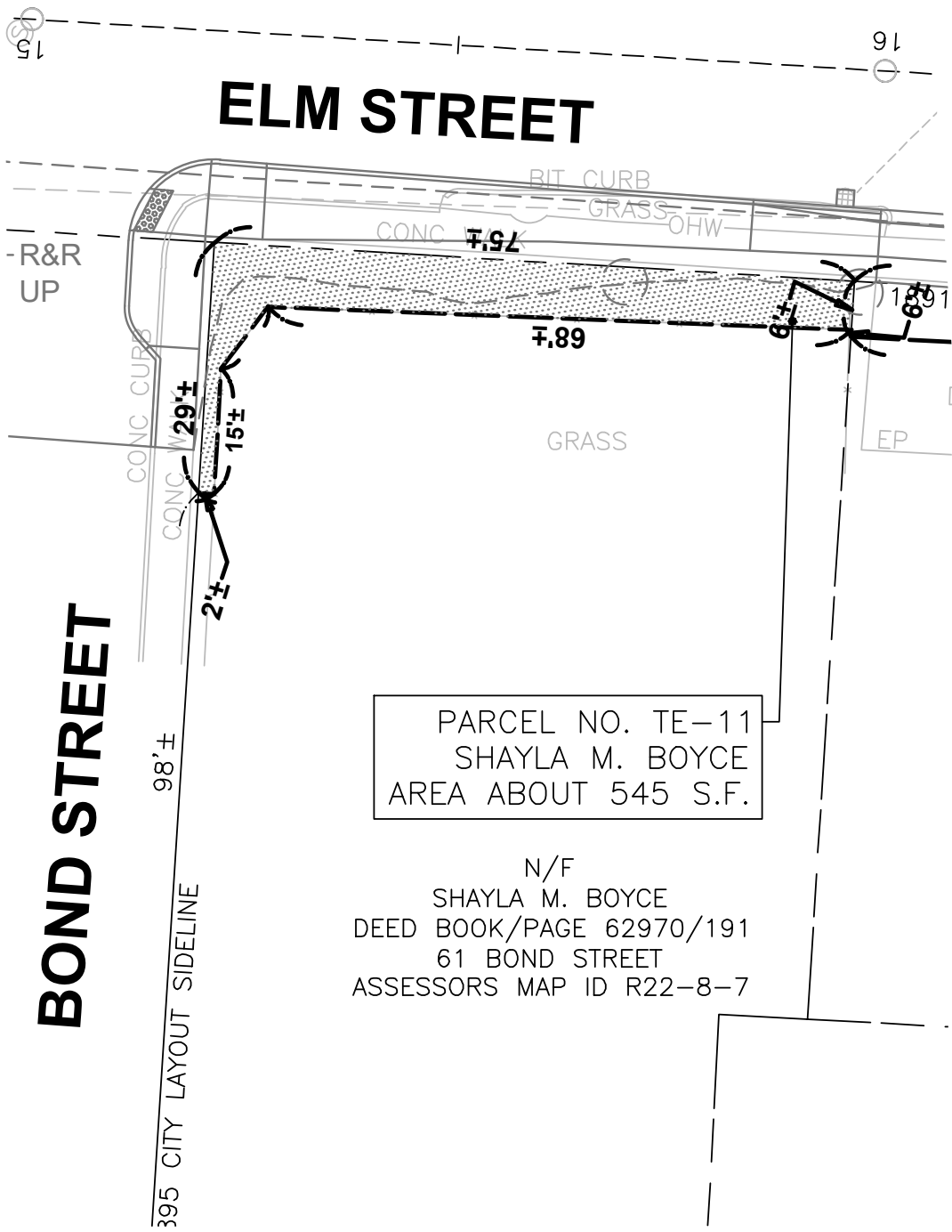
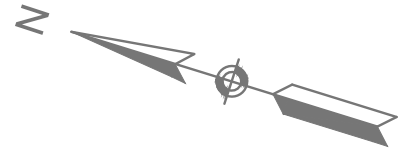
CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-10**  
**177 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024





PARCEL NO. TE-11  
 SHAYLA M. BOYCE  
 AREA ABOUT 545 S.F.

N/F  
 SHAYLA M. BOYCE  
 DEED BOOK/PAGE 62970/191  
 61 BOND STREET  
 ASSESSORS MAP ID R22-8-7

**NOTE:**  
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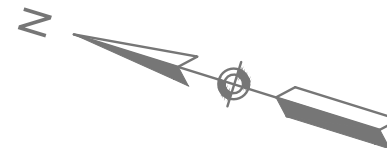
CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-11**  
**61 BOND STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024

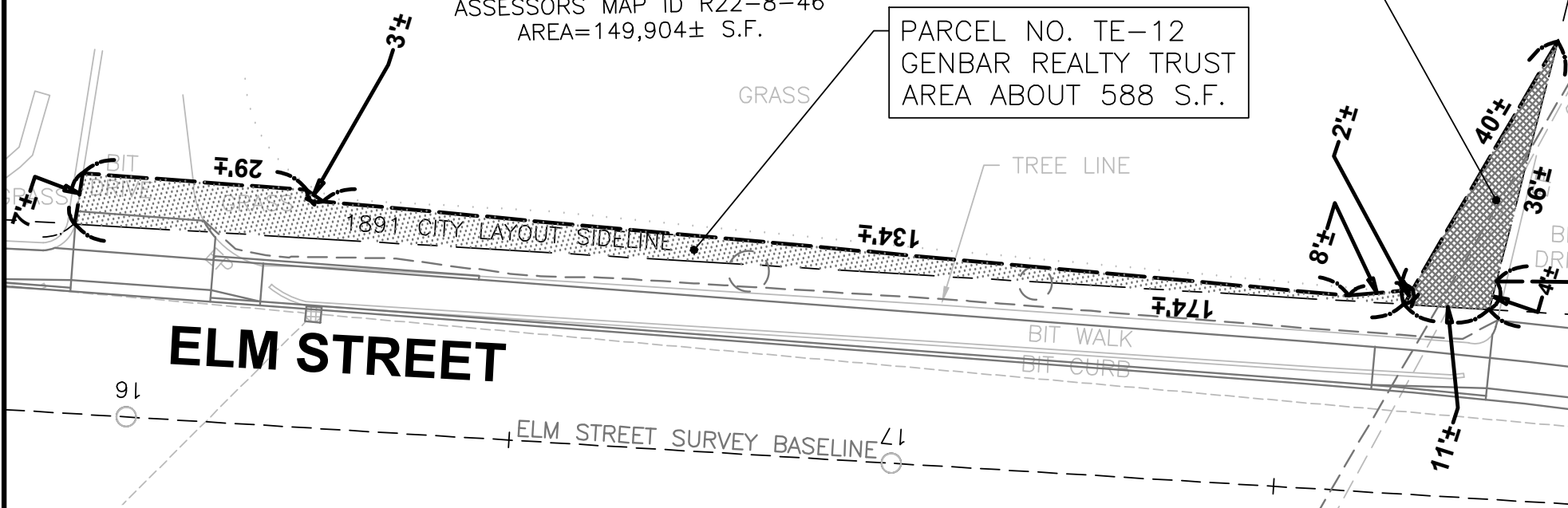
NOTE:  
INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY, PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO. TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.



N/F  
GENBAR REALTY TRUST  
DEED BOOK/PAGE 47078/385  
186 ELM STREET  
ASSESSORS MAP ID R22-8-46  
AREA=149,904± S.F.

PARCEL NO. PUE-6  
GENBAR REALTY TRUST  
AREA ABOUT 198 S.F.

PARCEL NO. TE-12  
GENBAR REALTY TRUST  
AREA ABOUT 588 S.F.



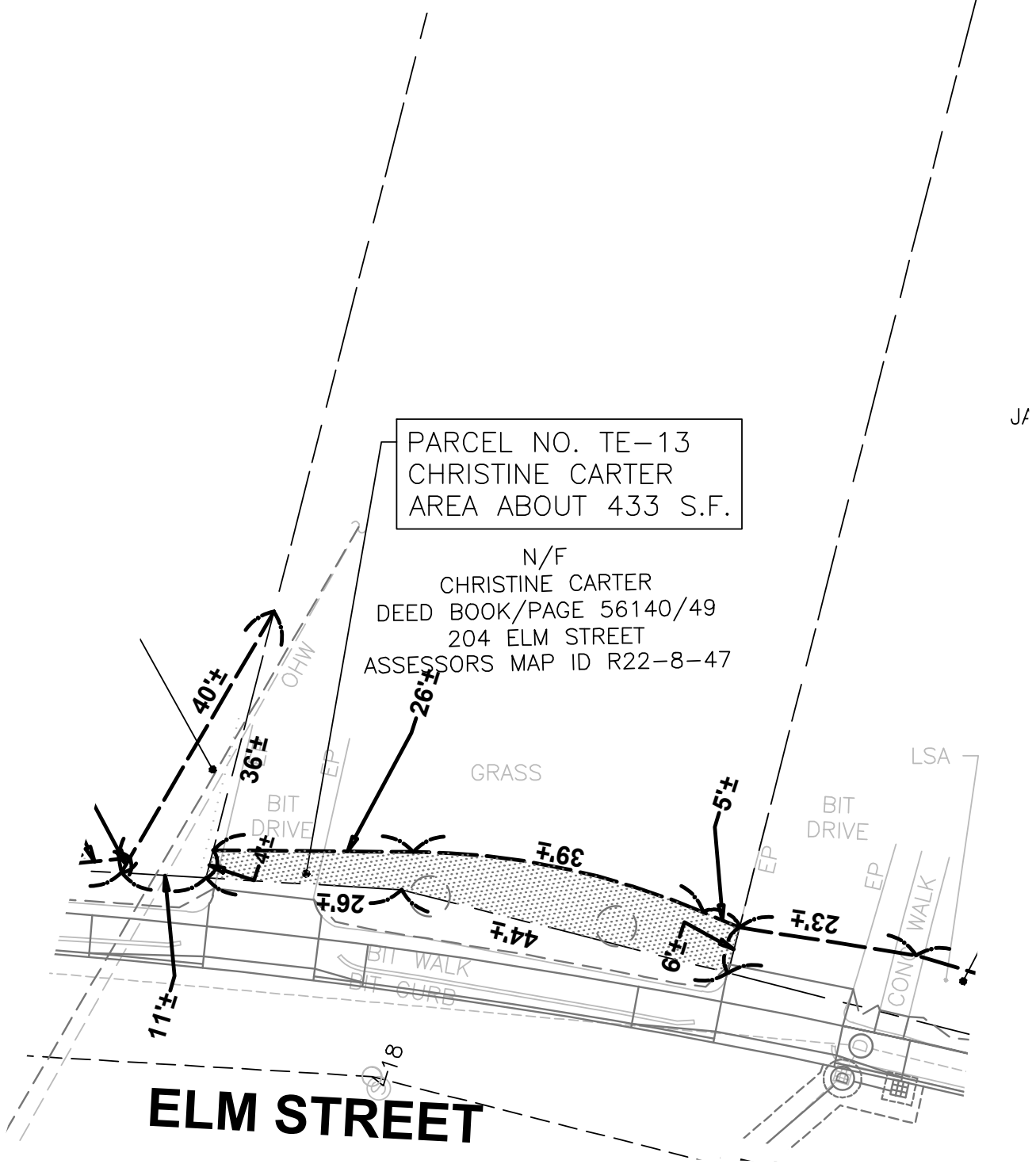
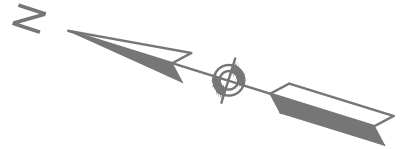
CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

PROPERTY EASEMENT SKETCH  
PARCEL TE-12 & PUE-6  
186 ELM STREET - GARDNER

SCALE: 1"=20'±

DATE: MAY, 2024

NOTE:  
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TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
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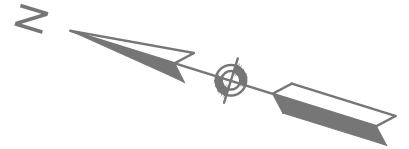
CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

PROPERTY EASEMENT SKETCH  
PARCEL TE-13  
204 ELM STREET - GARDNER

SCALE: 1"=20±'

DATE: MAY, 2024

NOTE:  
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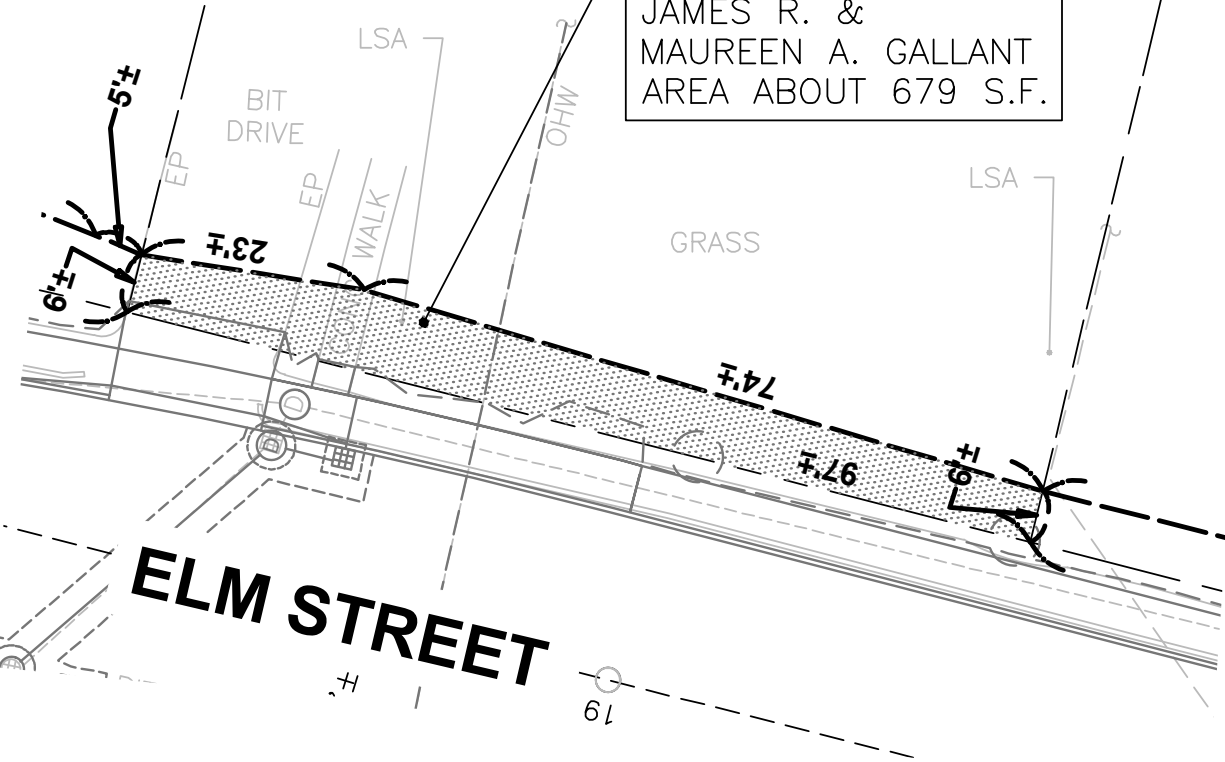
N/F  
JAMES R. & MAUREEN A. GALLANT  
DEED BOOK/PAGE 10788/314  
210 ELM STREET  
ASSESSORS MAP ID R22-8-48

F.

19  
-47

PARCEL NO. TE-14  
JAMES R. &  
MAUREEN A. GALLANT  
AREA ABOUT 679 S.F.

NO  
D  
A:



**ELM STREET**



CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

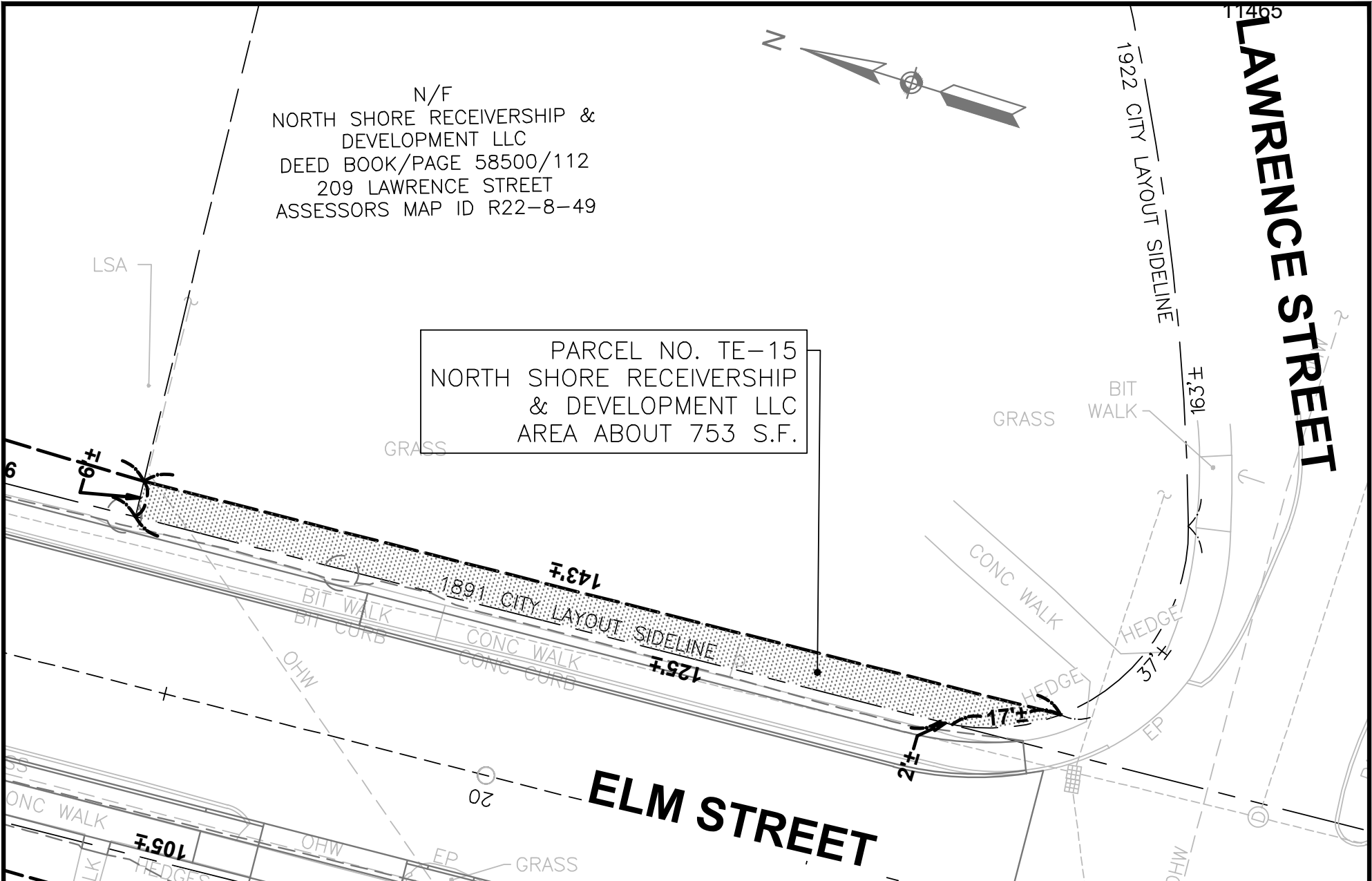
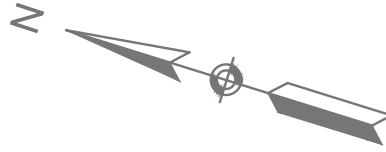
**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-14**  
**210 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024

N/F  
 NORTH SHORE RECEIVERSHIP &  
 DEVELOPMENT LLC  
 DEED BOOK/PAGE 58500/112  
 209 LAWRENCE STREET  
 ASSESSORS MAP ID R22-8-49

PARCEL NO. TE-15  
 NORTH SHORE RECEIVERSHIP  
 & DEVELOPMENT LLC  
 AREA ABOUT 753 S.F.



**NOTE:**  
 INFORMATION SHOWN HEREON TAKEN FROM PLANS  
 ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE  
 CITY OF GARDNER, WORCESTER COUNTY,  
 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID  
 PROJECT NO. TAP-003S(670)X" PREPARED BY GCG  
 ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING,  
 PS&E DESIGN WITH REVISION DATE 04-05-2024.

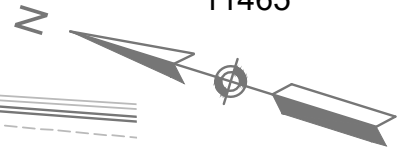


CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

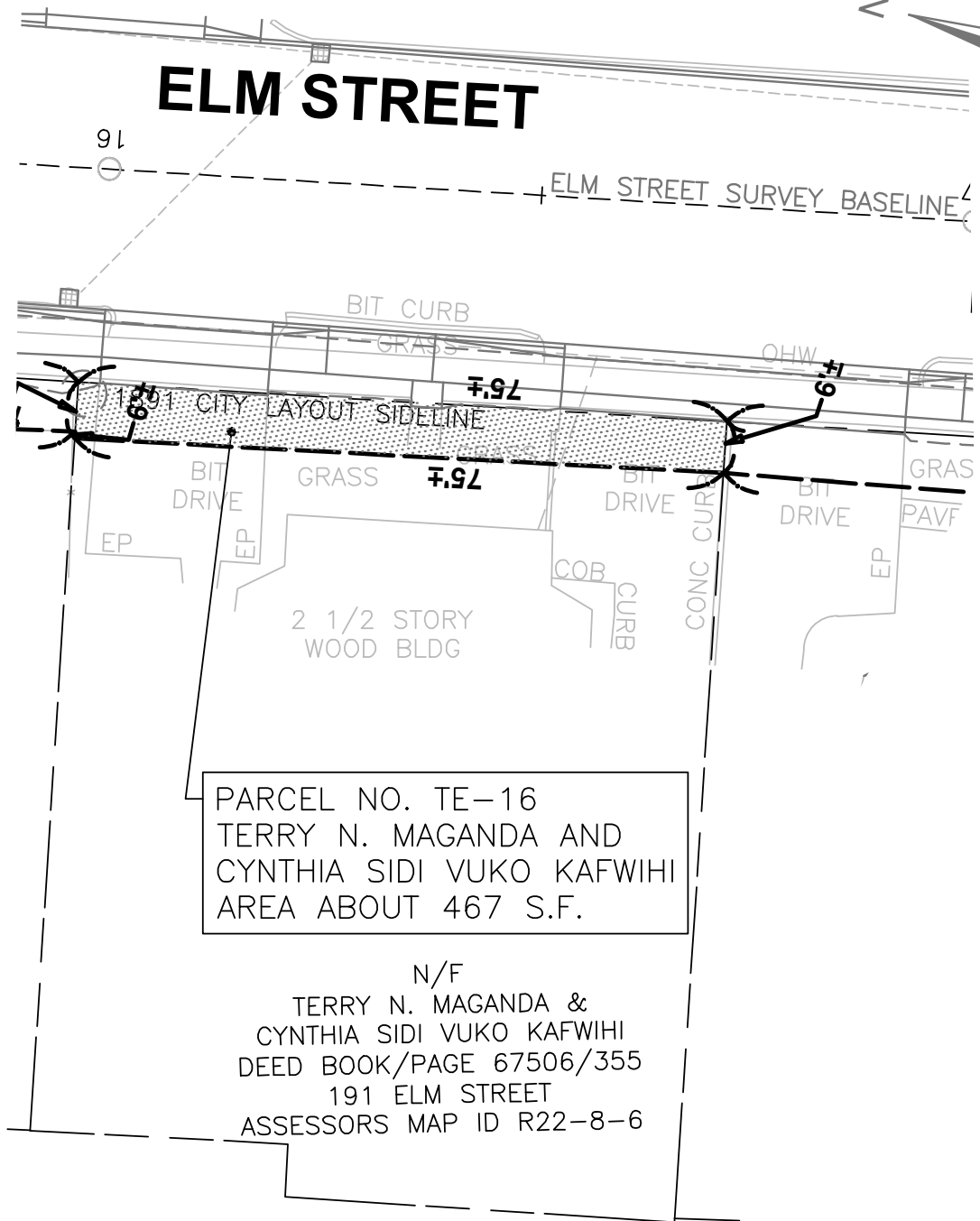
**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-15**  
**209 LAWRENCE STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024



# ELM STREET



PARCEL NO. TE-16  
 TERRY N. MAGANDA AND  
 CYNTHIA SIDI VUKO KAFWIHI  
 AREA ABOUT 467 S.F.

N/F  
 TERRY N. MAGANDA &  
 CYNTHIA SIDI VUKO KAFWIHI  
 DEED BOOK/PAGE 67506/355  
 191 ELM STREET  
 ASSESSORS MAP ID R22-8-6

**NOTE:**

INFORMATION SHOWN HEREON TAKEN FROM PLANS ENTITLED "PLAN AND PROFILE OF ELM STREET IN THE CITY OF GARDNER, WORCESTER COUNTY, PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO. TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

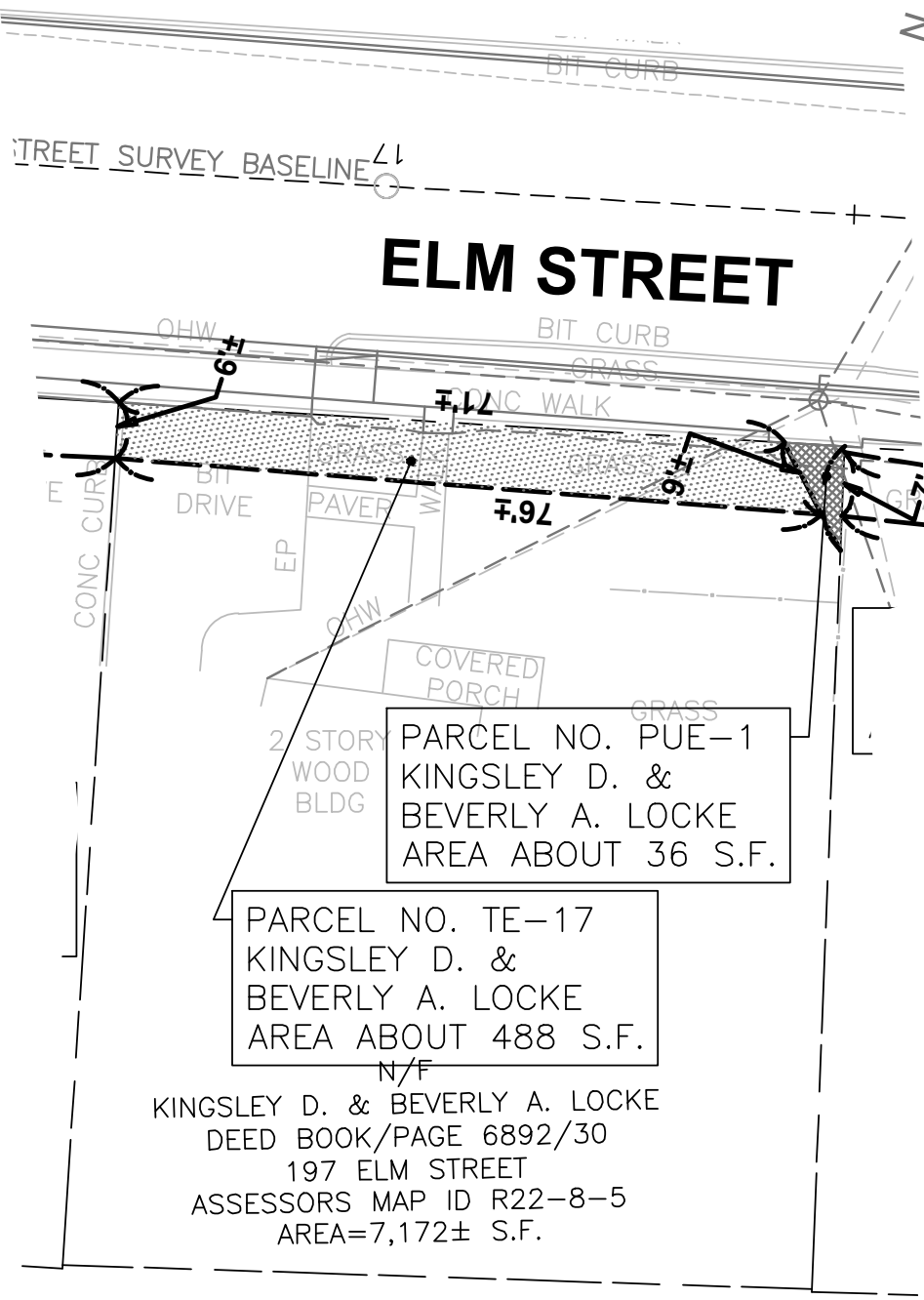
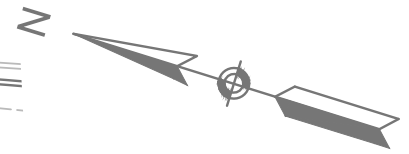


CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-16**  
**191 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024



PARCEL NO. PUE-1  
 KINGSLEY D. &  
 BEVERLY A. LOCKE  
 AREA ABOUT 36 S.F.

PARCEL NO. TE-17  
 KINGSLEY D. &  
 BEVERLY A. LOCKE  
 AREA ABOUT 488 S.F.

N/F  
 KINGSLEY D. & BEVERLY A. LOCKE  
 DEED BOOK/PAGE 6892/30  
 197 ELM STREET  
 ASSESSORS MAP ID R22-8-5  
 AREA=7,172± S.F.

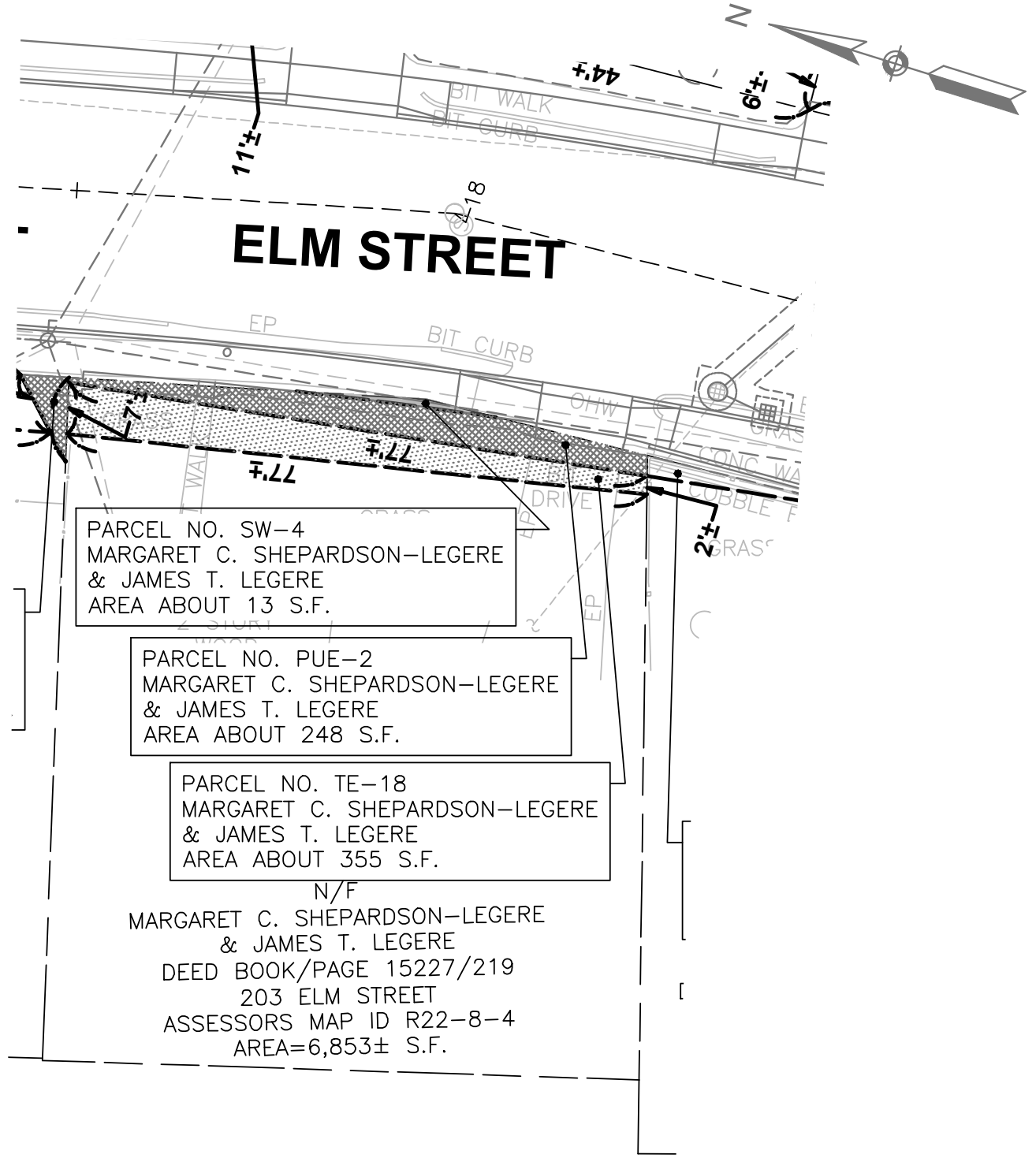
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 PRELIMINARY RIGHT OF WAY PLANS FEDERAL AID PROJECT NO.  
 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-17 & PUE-1**  
**197 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024



PARCEL NO. SW-4  
 MARGARET C. SHEPARDSON-LEGERE  
 & JAMES T. LEGERE  
 AREA ABOUT 13 S.F.

PARCEL NO. PUE-2  
 MARGARET C. SHEPARDSON-LEGERE  
 & JAMES T. LEGERE  
 AREA ABOUT 248 S.F.

PARCEL NO. TE-18  
 MARGARET C. SHEPARDSON-LEGERE  
 & JAMES T. LEGERE  
 AREA ABOUT 355 S.F.

N/F  
 MARGARET C. SHEPARDSON-LEGERE  
 & JAMES T. LEGERE  
 DEED BOOK/PAGE 15227/219  
 203 ELM STREET  
 ASSESSORS MAP ID R22-8-4  
 AREA=6,853± S.F.

**NOTE:**  
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 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.



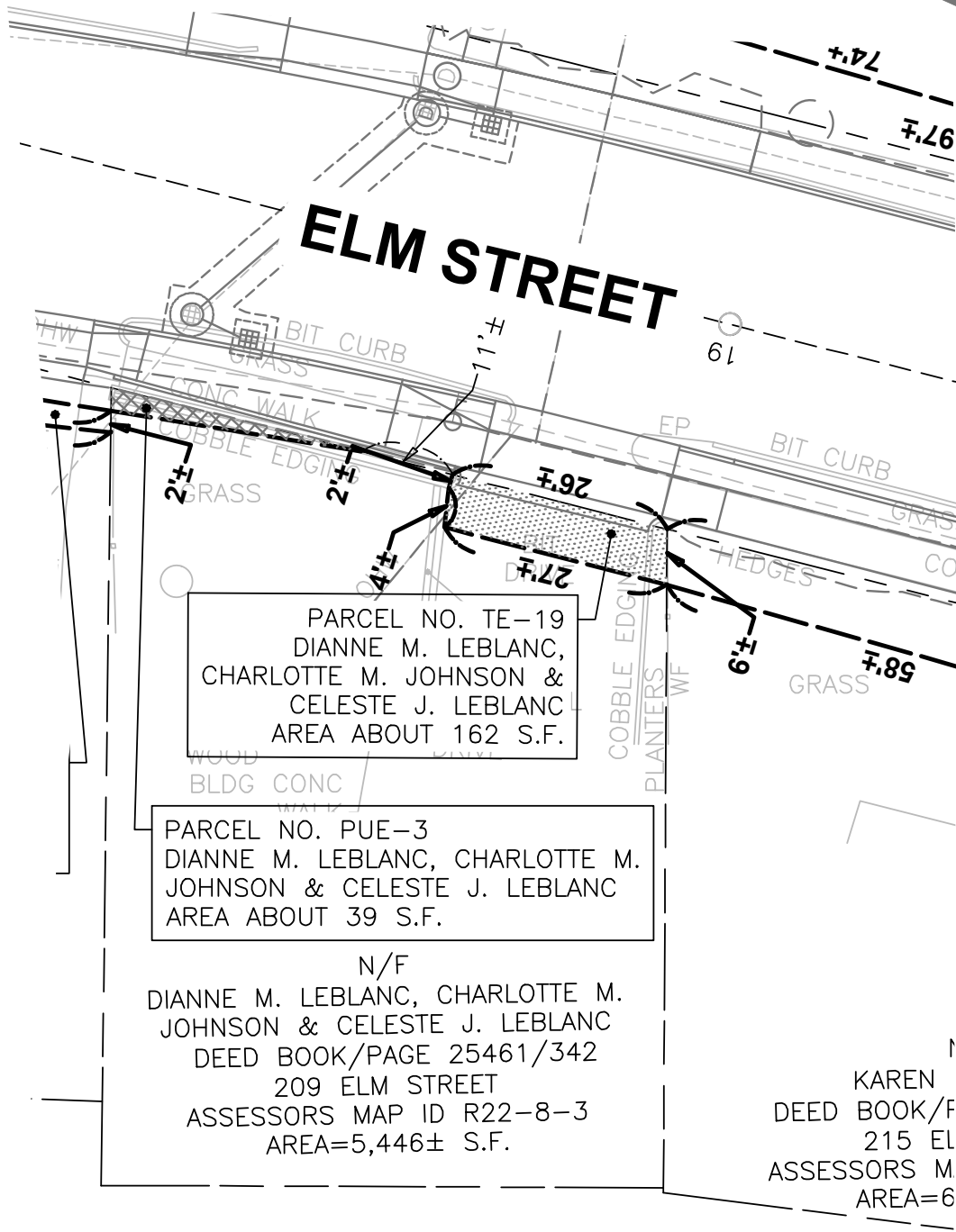
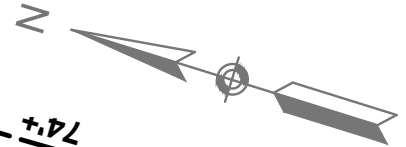
**CITY OF GARDNER**  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-18, PUE-2 & SW-4**  
**197 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024





PARCEL NO. TE-19  
 DIANNE M. LEBLANC,  
 CHARLOTTE M. JOHNSON &  
 CELESTE J. LEBLANC  
 AREA ABOUT 162 S.F.

PARCEL NO. PUE-3  
 DIANNE M. LEBLANC, CHARLOTTE M.  
 JOHNSON & CELESTE J. LEBLANC  
 AREA ABOUT 39 S.F.

N/F  
 DIANNE M. LEBLANC, CHARLOTTE M.  
 JOHNSON & CELESTE J. LEBLANC  
 DEED BOOK/PAGE 25461/342  
 209 ELM STREET  
 ASSESSORS MAP ID R22-8-3  
 AREA=5,446± S.F.

KAREN  
 DEED BOOK/F  
 215 EL  
 ASSESSORS M.  
 AREA=6

**NOTE:**  
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 TAP-003S(670)X" PREPARED BY GCG ASSOCIATES, INC. AND TIGHE & BOND  
 ENGINEERING, PS&E DESIGN WITH REVISION DATE 04-05-2024.

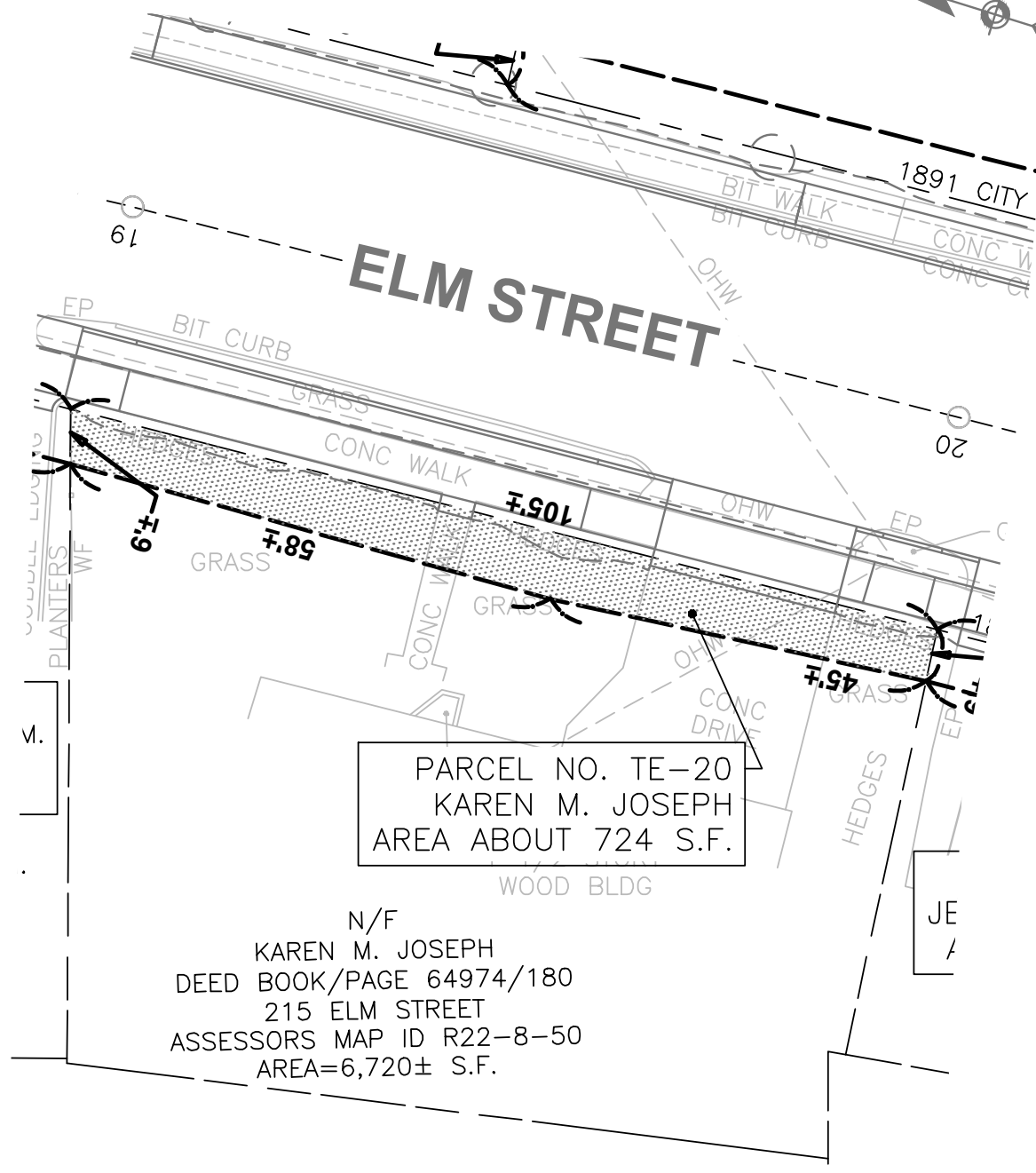
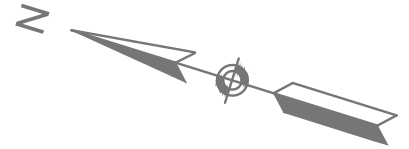


**CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA**

**PROPERTY EASEMENT SKETCH  
 PARCEL TE-19 & PUE-3  
 209 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024



PARCEL NO. TE-20  
 KAREN M. JOSEPH  
 AREA ABOUT 724 S.F.

N/F  
 KAREN M. JOSEPH  
 DEED BOOK/PAGE 64974/180  
 215 ELM STREET  
 ASSESSORS MAP ID R22-8-50  
 AREA=6,720± S.F.

NOTE:  
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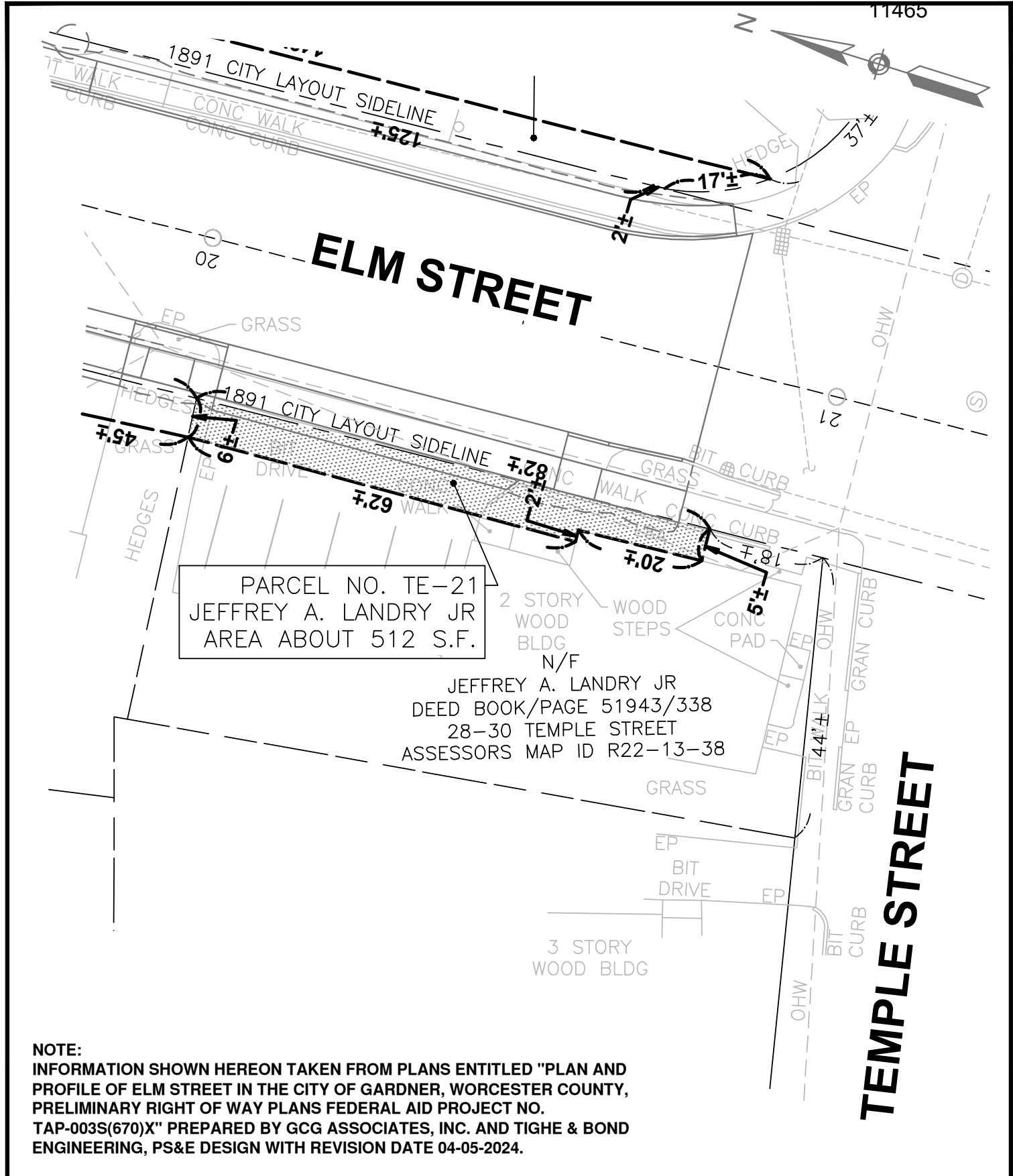


CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

PROPERTY EASEMENT SKETCH  
 PARCEL TE-20  
 215 ELM STREET - GARDNER

SCALE: 1"=20±'

DATE: MAY, 2024



PARCEL NO. TE-21  
 JEFFREY A. LANDRY JR  
 AREA ABOUT 512 S.F.

JEFFREY A. LANDRY JR  
 DEED BOOK/PAGE 51943/338  
 28-30 TEMPLE STREET  
 ASSESSORS MAP ID R22-13-38

**NOTE:**  
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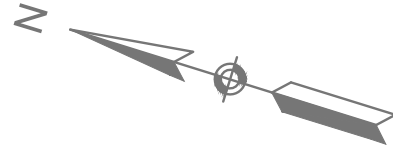
CITY OF GARDNER  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-21**  
**28-30 TEMPLE STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024

NOTE:  
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CROSS STREET

1930 CITY LAYOUT SIDELINE 374'±

N/F  
CITY OF GARDNER - SCHOOL DEPARTMENT  
DEED BOOK/PAGE 1550/431  
160 ELM STREET  
ASSESSORS MAP ID R22-3-26  
AREA=492,391± S.F.

PARCEL NO. TE-1  
CITY OF GARDNER - SCHOOL DEPARTMENT  
AREA ABOUT 1342 S.F.

GRASS

GRASS

GRASS

STONE MASONRY WALL

PROP. UP  
PROP. 8' GUY

54'±

82'±

54'±

118'±

55'±

7.68

73'±

7.77

ELM STREET

LIMIT OF CEM. CONC.  
SW STA 3+69

BIT OVER CONC CURB

BIT WALK

BIT OVER CONC CURB

BIT WALK

GRAN CU

CONC WALK

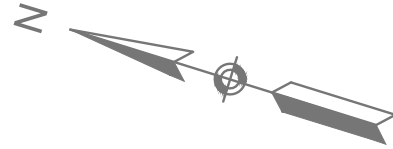


CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

PROPERTY EASEMENT SKETCH  
PARCEL TE-1  
160 ELM STREET - GARDNER

SCALE: 1"=20±'

DATE: MAY, 2024



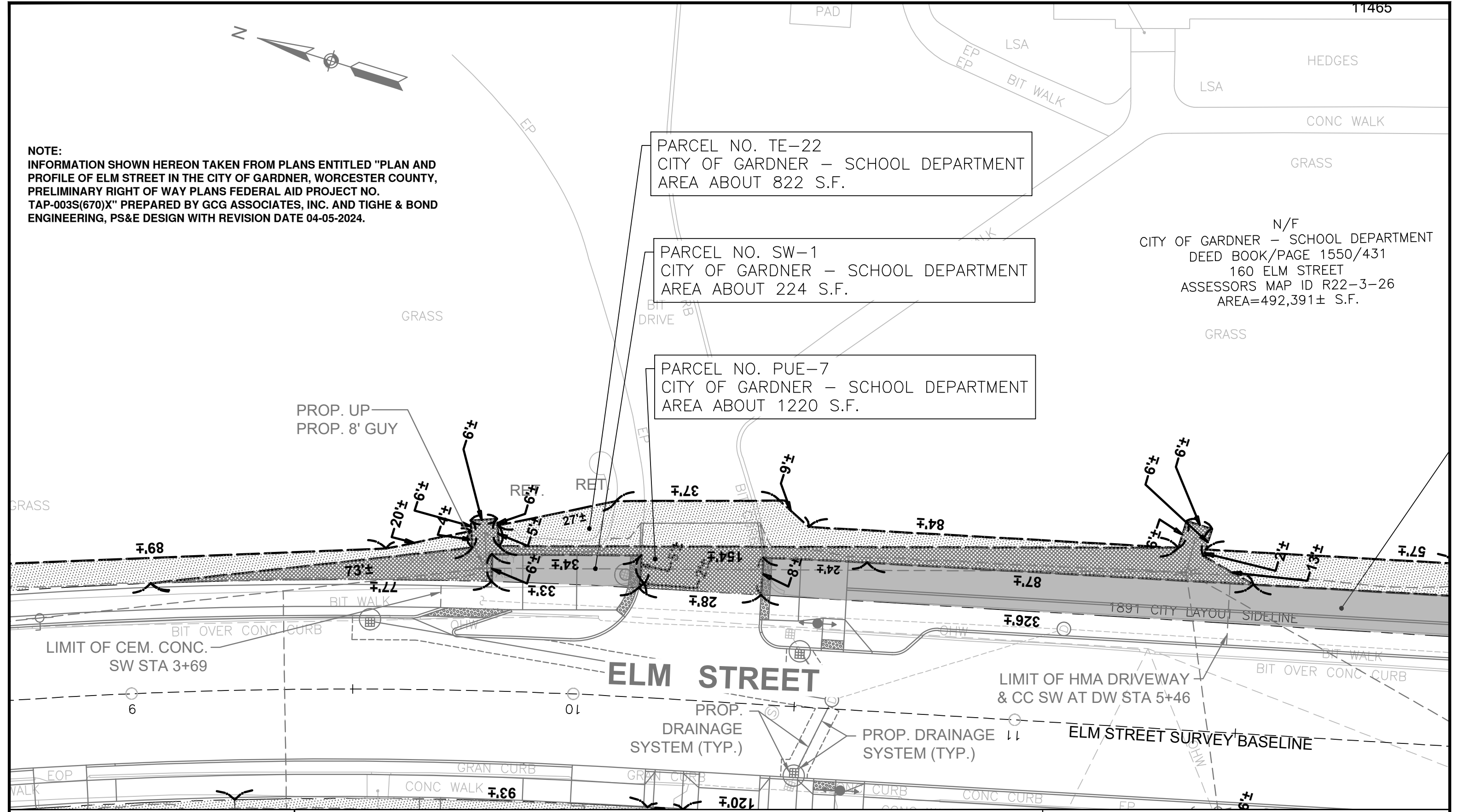
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PARCEL NO. TE-22  
CITY OF GARDNER - SCHOOL DEPARTMENT  
AREA ABOUT 822 S.F.

PARCEL NO. SW-1  
CITY OF GARDNER - SCHOOL DEPARTMENT  
AREA ABOUT 224 S.F.

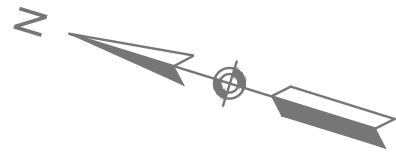
PARCEL NO. PUE-7  
CITY OF GARDNER - SCHOOL DEPARTMENT  
AREA ABOUT 1220 S.F.

N/F  
CITY OF GARDNER - SCHOOL DEPARTMENT  
DEED BOOK/PAGE 1550/431  
160 ELM STREET  
ASSESSORS MAP ID R22-3-26  
AREA=492,391± S.F.



CITY OF GARDNER  
OFFICE OF COMMUNITY  
DEVELOPMENT & PLANNING  
95 PLEASANT STREET  
GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-22, PUE-7 & SW-1**  
**160 ELM STREET - GARDNER**  
SCALE: 1"=20±'  
DATE: MAY, 2024

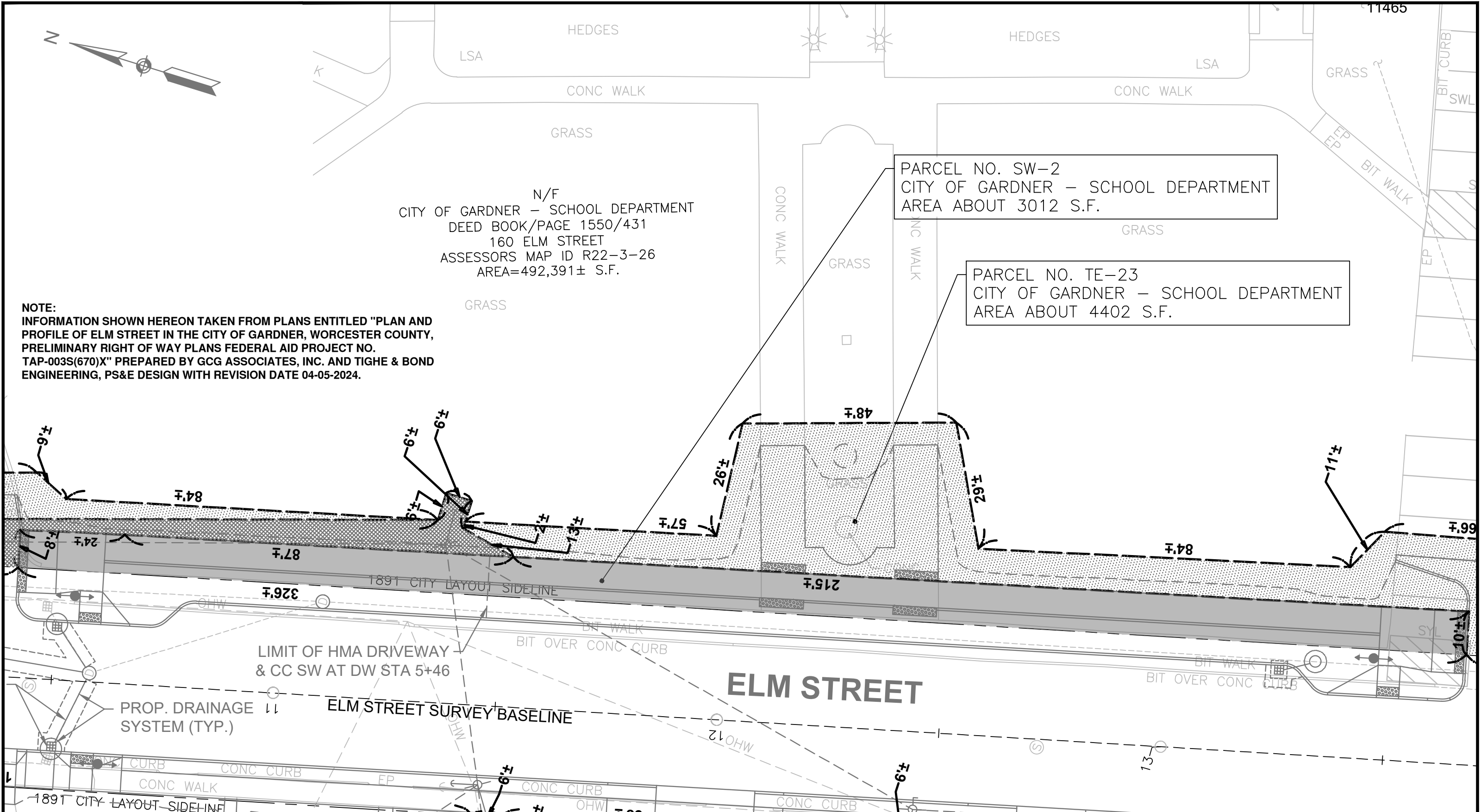


N/F  
 CITY OF GARDNER – SCHOOL DEPARTMENT  
 DEED BOOK/PAGE 1550/431  
 160 ELM STREET  
 ASSESSORS MAP ID R22-3-26  
 AREA=492,391± S.F.

PARCEL NO. SW-2  
 CITY OF GARDNER – SCHOOL DEPARTMENT  
 AREA ABOUT 3012 S.F.

PARCEL NO. TE-23  
 CITY OF GARDNER – SCHOOL DEPARTMENT  
 AREA ABOUT 4402 S.F.

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**CITY OF GARDNER**  
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 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

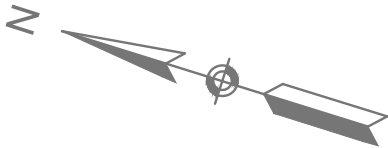
**PROPERTY EASEMENT SKETCH**  
**PARCEL TE-23 & SW-2**  
**160 ELM STREET - GARDNER**

SCALE: 1"=20±'

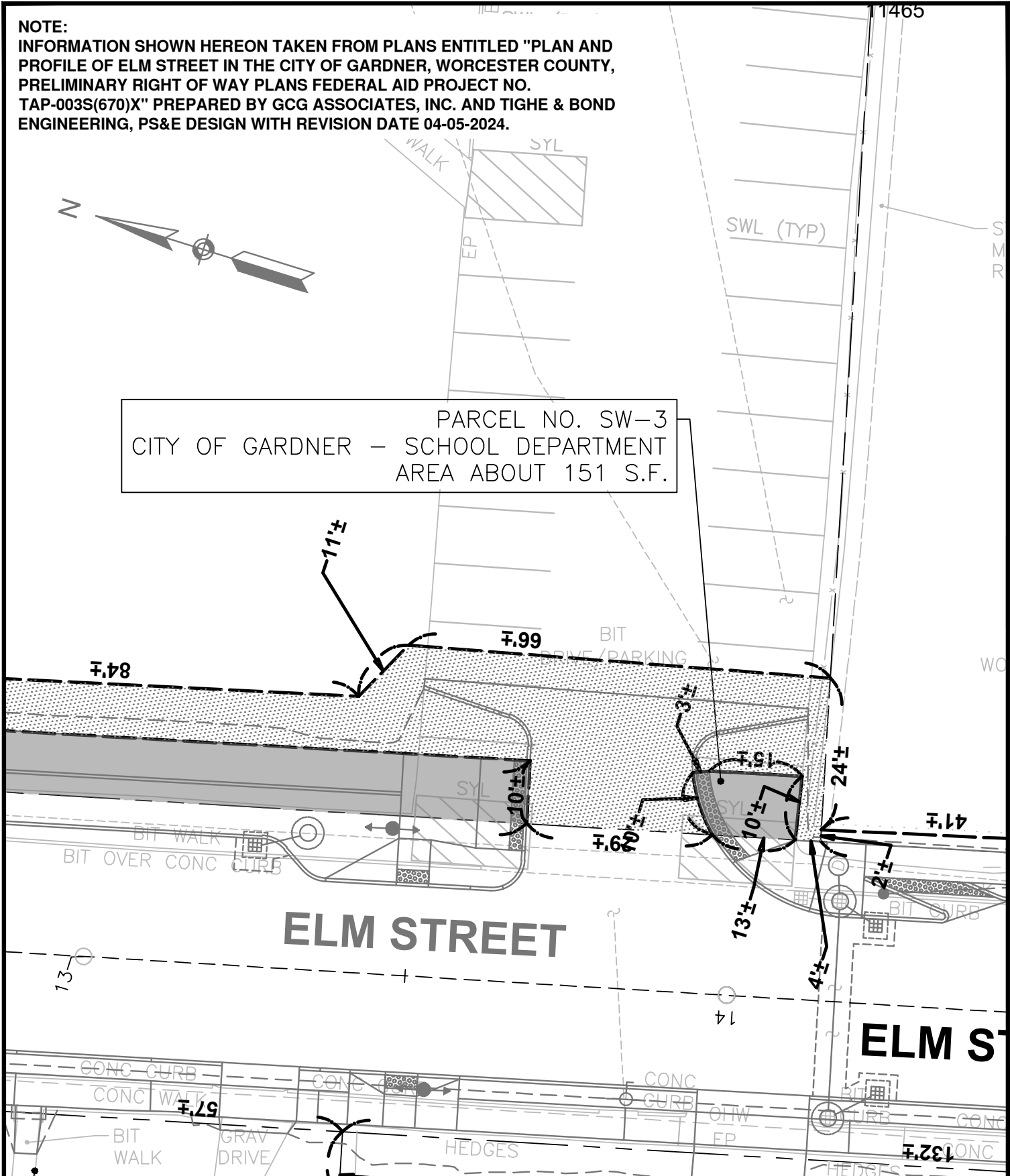
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1465



PARCEL NO. SW-3  
 CITY OF GARDNER - SCHOOL DEPARTMENT  
 AREA ABOUT 151 S.F.



**CITY OF GARDNER**  
 OFFICE OF COMMUNITY  
 DEVELOPMENT & PLANNING  
 95 PLEASANT STREET  
 GARDNER, MA

**PROPERTY EASEMENT SKETCH**  
**PARCEL SW-3**  
**160 ELM STREET - GARDNER**

SCALE: 1"=20±'

DATE: MAY, 2024