

**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, FEBRUARY 18, 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)**

- December 16, 2024, Regular Meeting
- January 6, 2025, Regular Meeting

**VII. PUBLIC HEARINGS**

**VIII. COMMUNICATIONS FROM THE MAYOR**

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

## **X. REPORTS OF STANDING COMMITTEES**

### **FINANCE COMMITTEE**

- 11481** – An Ordinance to Amend the Code of the City of Gardner, Chapter 171, thereof entitled Personnel, to add the position of Human Resources Manager to the Compensation Schedule. *(In the City Council 2/3/2025 and Ordered to First Printing; First Printing 2/8/2025) Page 17*
- 11482** – Discussions regarding the City’s Health Insurance Payments and Trust Fund. *Page 19*
- 11497** – A Communication from the Mayor Regarding the Contract with Keller Partners, Co. for Grant Writing and Lobbying Services. *Page 21*
- 11499** – An Order to Reappropriate \$8,161,000.00 of Unexpected Bond Proceeds to Other Capital Projects. *Page 46*

### **APPOINTMENTS COMMITTEE**

- 11472** – A Measure Confirming the Mayor’s Appointment of Robert Oliva, to the position of City Engineer, for term expiring January 16, 2025. *Page 63*
- 11473** – A Measure Confirming the Mayor’s Appointment of Christine Oliva Kumar, to the position of City Assessor, for term expiring January 16, 2028. *Page 64*
- 11483** – A Measure Confirming the Mayor’s Appointment of Eric McAvene, to the position of Police Chief, for term expiring January 16, 2028. *Page 65*
- 11484** – A Measure Confirming the Mayor’s Appointment of Nicholas Maroni, to the position of Deputy Chief of Police, for term expiring January 16, 2028. *Page 66*
- 11488** – A Measure Confirming the Mayor’s Appointment of Tina Sbrega, Trustee, to the position of Williams-Rockwell Educational Gift Fund, for term expiring January 15, 2028. *Page 67*
- 11489** – A Measure Confirming the Mayor’s Appointment of Autumn Brown, to the position of Animal Control Officer, for term expiring January 16, 2028. *Page 68*
- 11490** – A Measure Confirming the Mayor’s Appointment of Alana Meserve, to the position of Animal Control Officer, for term expiring January 16, 2028. *Page 69*
- 11491** – A Measure Confirming the Mayor’s Appointment of Cheryl Slack, to the position of Animal Control Officer, for term expiring January 16, 2028. *Page 70*

**11496** – A Measure Confirming the Mayor’s Appointment of Anne Hurst, to the position of Disability Commission Member, for term expiring January 16, 2028. *Page 71*

**ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE**

**11498** – An Ordinance to Amend the Code of the City of Gardner, Chapter 7, thereof entitled “Boards and Commissions,” as amended by Item 11289 as enacted on Dec 16, 2024, to add a new Section 6 to be entitled, “Community Development Block Grant Steering Committee.” *Page 75*

**11500** – A Request from Councillor Elizabeth Kazinskas for a One-month Update from the Director of Community Development and Planning. *Page 78*

**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 DECEMBER 16, 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, December 2, 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.

**READING OF MINUTES OF PRIOR MEETING(S)**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Paul Tassone, it was voted, 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 waive the reading and accept the MINUTES of September 16, 2024, Regular Meeting, September 19, 2024 Regular Meeting, and October 7, 2024 Regular Meeting.



REGULAR MEETING OF DECEMBER 16, 2024

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

**#11450**

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 REQUESTING A TRANSFER FROM SEWER SURPLUS/RETAINED EARNINGS TO SEWER DEPT PUMP STATION EXPENDITURES.

ORDERED: That there be and is hereby transfer the sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000) from Sewer Surplus/Retained Earnings to Sewer Dept Pump Station Expenditures.

**#11451**

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 REQUESTING A TRANSFER FROM WATER SURPLUS/RETAINED EARNINGS TO WATER DEPT REPAIRS TO MAINS EXPENDITURES.

ORDERED: That there be and is hereby transfer the sum of One Hundred, Fifty Thousand Dollars and 00/100 (\$150,000) from Water Surplus/Retained Earnings to Water Dept Repairs to Mains Expenditures.

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

**#11455**

On a motion made by Councillor George Tyros and seconded by Councillor Aleksander Dernalowicz, it was voted to place on file and send a letter to Attorney John Flick to thank him for his many years of service to the City of Gardner as City Solicitor, *Notice of Appointment of Vincent Pusateri, to the position of City Solicitor, for term expiring January 7, 2026.*

11 yeas, motion passes.

REGULAR MEETING OF DECEMBER 16, 2024

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**#11456**

On a motion made by Councillor George Tyros and seconded by Councillor Dana Heath, it was voted to place on file, *Notice of Appointment of Rachel J. Roberts, to the position of Executive Secretary, for term expiring January 1, 2026.*

**PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.****#11452**

Councillor Craig Cormier informed the Council that they recently met on this item. The business is longstanding and in good standing with the city.

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to grant the license for, *An Application for Motor Vehicle Dealers Licenses, Class II, Gardner Five Star Auto Sales, 407 Chestnut Street.*

11 yeas, motion passes.

**#11453**

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Paul Tasone, it was voted to place on file, *Fire Department update with Fire Chief Greg Lagoy.*

**#11454**

Councillor George Tyros informed the Council of his findings and reports of the Maki Park Project. He found that the design of the park changed from initial concept to bid award. The conceptual layout created by Tighe & Bond and presented to the City Council in June of 2022 showed three terraces with individual ramp accesses to each level. The Mayor's letter supporting the project cited, "the teres would correct grading issues bring the slopes to a level that is compliant with ADA standards and allow us to utilize the area in a productive manner." In May of 2023 the bid set drawings utilized during the public bidding process for the project clearly showed ramp entrances to the bottom and top terraces with stairs connecting each to the middle. The second key finding was that the Department of Community Development and Planning did not apply for or obtain a building permit for Mackie Park prior to its completion. Councillor Tyros recommends considering establishing a new subcommittee to cover Economic Development. The second recommendation is progress reports, and third recommendation is subcommittee oversight. Finally, a new ordinance proposal he submitted earlier to the City Clerk, that the Community Development Block Grant Steering Committee shall meet monthly.

On a motion made by Councilor George Tyros and seconded by Aleksander Dernalowicz, it was voted to refer to the Finance Committee *Report on the Investigation of the Maki Park Project.*

11 yeas, motion passes.

REGULAR MEETING OF DECEMBER 16, 2024

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REPORTS OF STANDING COMMITTEESSAFETY COMMITTEE**#11444**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to grant, Applications for Motor Vehicle Dealers Licenses, Class I.

- (a) Salvadore Chevrolet, 442 West Broadway
- (b) Salvadore Chrysler-Dodge-Jeep-Ram, 442 West Broadway

11 yeas, motion passes.

**#11445**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to grant, Applications for Motor Vehicle Dealers Licenses, Class II.

- (a) AC Auto Clinic, 411 Parker Street
- (b) Brian's Auto Sales, 549 W Broadway
- (c) Blake Motors, 412 Main Street
- (d) Gardner Auto Mart, Inc., 182 West Street
- (e) Gardner Motors, LLC, 119 Pearson Blvd
- (f) JPJ Automotive, LLC, 78 East Broadway
- (g) Mike's Auto, 251 E Broadway
- (h) Osagi Enterprise, LLC., 43 Tobey Street
- (i) Ric's Radiator Repair Used Car Sales, 800 W Broadway
- (j) Riverside Auto, 65 Riverside Road
- (k) Salvadore Chevrolet, 421 W Broadway
- (l) Salvadore Chevrolet, 249 Timpany Blvd.
- (m) J. Wood Inc., 361 West Street

11 yeas, motion passes.

**#11446**

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted to refer to grant, Applications for Motor Vehicle Dealers Licenses, Class III.

- (a) Osagi Enterprise, LLC., Used Auto Parts Sales, 43 Tobey Street.
- (b) Riverside Auto, 65 Riverside Road

11 yeas, motion passes.

REGULAR MEETING OF DECEMBER 16, 2024

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REPORTS OF STANDING COMMITTEE  
APPOINTMENTS COMMITTEE

**#11447**

On a motion made by Councillor George Tyros and seconded by Councillor Dana Heath, it was voted to confirm, *A Measure Confirming the Mayor's Appointment of Robert Mojica, to the position of Police Officer, permanent.*

11 yeas, motion passes.

COMMITTEE OF THE WHOLE

**#11289**

Councillor Calvin Brooks proposed amendments to certain items to the Administrative Legislation Ordinance, letter attached.

On a motion made by Councilor Calvin Brooks and seconded by Councillor Aleksander Dernalowicz, it was voted on call of the roll, two (2) yeas, Councillors Calvin Brooks and Paul Tassone; nine (9) nays, President Elizabeth Kazinskas and Councillors Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, David Thibault-Muñoz and George Tyros; to amend *item #11289 - Administrative Legislation in order to set the size of the various boards and commissions to a fixed number as follows: (attached)*

2 yeas, 9 nays, motion defeated.

On a motion made by Councilor Calvin Brooks and seconded by Councillor Paul Tassone, it was voted on call of the roll, five (5) yeas, Councillors Calvin Brooks, Craig Cormier, Dana Heath, Paul Tassone and David Thibault-Muñoz; six (6) nays, President Elizabeth Kazinskas and Councillors Aleksander Dernalowicz, Karen Hardern, Brad Heglin, Judy Mack, and George Tyros; to amend *item #11289 - Administrative Legislation, Section 30-Chapter 3, Personnel, Appointments, and Employment, section 4 Temporary Appointments by adding the following sentence to the end of the section: "No temporary appointee shall succeed themselves as a temporary appointee."*

5 yeas, 6 nays, motion defeated.

On a motion made by Councilor Calvin Brooks and seconded by Councillor Paul Tassone, it was voted on call of the roll, four (4) yeas, Councillors Calvin Brooks, Craig Cormier, Paul Tassone and David Thibault-Muñoz; seven (7) nays, President Elizabeth Kazinskas and Councillors Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Judy Mack, and George Tyros; to amend *Item #11289-Administrative Legislation, Section 30-Chapter 3, Personnel, Appointments, and Employment, section 4 Temporary Appointments by adding the following sentence to the end of the*



REGULAR MEETING OF DECEMBER 16, 2024

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*section: "The mayor shall notify City Council of any temporary appointments made under this section."*

4 yeas, 7 nays, motion defeated.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor George Tyros, it was voted to send to second and final printing, *An Ordinance to Amend the Code of the City of Gardner, Part 1, thereof entitled, "Administrative Legislation"*.

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 Craig Cormier, the meeting adjourned at 8:27 pm.

11 yeas, the motion passes.

**Accepted by the City Council:**

December 9, 2024

President Elizabeth Kazinskas  
Gardner City Council  
95 Pleasant Street  
Gardner, MA 01440

Re: Item #11289 Administrative Legislation

Dear Madame President:

During the City Council meeting on December 16<sup>th</sup>, my intention is to propose three amendments to Item #11289 Administrative Legislation. I am sending them to you ahead of the meeting so that they can be included in the meeting packet and councilors will have a chance to review them before having to take a position.

My purpose in proposing the three motions is to lessen the possibility for mischief in city government, by which I mean some future mayor using the flexibility in board or commission size or in temporary appointments to avoid having to go through City Council to get the action they want. These proposals provide guardrails for future mayoral action and protect City Council prerogative.

The first motion would be an amendment to set the size of the various boards and commissions to a fixed number rather than to a range. A future mayor would not be able to stack a board by increasing its size and adding members aligned to their views. Conversely a mayor would not be able to shrink a board by not filling seats in an effort to maintain control of that board.

The fixed numbers in the first motion align with current board sizes with one exception—the Youth Commission. The ordinance currently authorizes a size of up to seven. Not knowing how many are currently serving or how active the commission is, I set the number to five. If councilors prefer a different fixed number, I am open to adjusting my proposal.

The second motion would prevent a person from receiving consecutive temporary appointments to the same position, thereby avoiding City Council confirmation for an extended period. Temporary appointments are meant to get the city from here to there, not be a long term solution.

The third motion merely requires the mayor to advise City Council of his temporary appointments. The mayor currently does advise City Council of his appointments; this motion would codify current practice and prevent future mischief by a future mayor.

Thank you for your assistance with this matter. Your help is very much appreciated.

Sincerely,

Councilor Calvin Brooks



## Amendments to Item #11289—Administrative Legislation submitted by Councilor Calvin Brooks

### **Motion #1**

Motion to amend Item #11289-Administrative Legislation in order to set the size of the various boards and commissions to a fixed number as follows:

**Section 34**—Chapter 6-Executive Departments, section 2-Assessing Department, A-Department Established and Employees by deleting “up to five (5) but no less than three (3) members” and inserting “three (3) members”, thereby leaving the sentence to read “An Assessing Department in the City of Gardner is hereby established under the charge of a board of three (3) Assessors, one of which shall serve as the Chief Assessor”.

**Section 35**—Chapter 7-Boards and Commissions, section 2-Airport Commission, A-Establishment by deleting the words “not less than three (3) nor more than eleven (11) members” and inserting “seven (7) members”, thereby leaving the sentence to read “There shall be an Airport Commission consisting of seven (7) members”.

**Section 35**—Chapter 7-Boards and Commissions, section 4-Board of Health, A-Establishment, paragraph i by deleting the words “not less than three (3) but no more than seven (7) members” and inserting “three (3) members”, thereby leaving the sentence to read “There shall be a Board of Health consisting of three members”.

**Section 35**—Chapter 7-Boards and Commissions, section 7-Cemetery Commission, A-Establishment, paragraph i by deleting the words “no less than five (5) members but not more than seven (7) members” and inserting “three (3) members”, thereby leaving the sentence to read “There shall be established a Cemetery Commission for the City of Gardner consisting of three (3) members”.

**Section 35**—Chapter 7-Boards and Commissions, section 8-Council on Aging, B-Membership; terms of office by deleting the words “at least seven (7) members but not more than eleven (11) members” and inserting “seven (7) members” thereby leaving the sentence to read “The Council on Aging shall consist of seven (7) members”.

**Section 35**—Chapter 7-Boards and Commissions, section 9-Disability Commission, A-Establishment by deleting the words “not less than seven (7) members and not more than nine (9) members” and inserting “seven (7) members” thereby leaving the sentence to read “There shall be established, pursuant to MGL c.40, section 8J, a Disability Commission for the City of Gardner consisting of seven (7) members”.

**Section 35**—Chapter 7-Boards and Commissions, section 10-Golf Commission, B-Membership; terms of office by deleting the words “not less than five (5) members, but not more than seven (7) members” and inserting “five (5) members” thereby leaving

the sentence to read "The Municipal Golf Commission shall consist of five (5) members, including a Chairperson and Secretary".

**Section 35**—Chapter 7-Boards and Commissions, section 11-Historical Commission, A-Establishment by deleting the words "not less than three (3) members, but not more than seven (7) members" and inserting "seven (7) members" thereby leaving the sentence to read "There is hereby established, under the provisions of the General Laws of the Commonwealth, a Historical Commission of the City of Gardner for the purposes and with the rights and duties provided by law, to be composed of seven (7) members".

**Section 35**—Chapter 7-Boards and Commissions, section 12-Municipal Grounds Commission, A-Commission established; membership; terms of office, paragraph i by deleting the words "at least six (6), but not more than eight (8) members" and inserting "six (6) members, of which one shall be the Director of Public Works" thereby leaving the sentence to read "There shall be established a Municipal Grounds Commission for the City of Gardner consisting of six (6) members, of which one shall be the Director of Public Works".

**Section 35**—Chapter 7-Boards and Commissions, section 13-Planning Board, A-Establishment by deleting the words "no less than five (5) members, no more than nine (9) members" and inserting "five (5) members" thereby leaving the sentence to read "A Planning Board is hereby established, consisting of five (5) members".

**Section 35**—Chapter 7-Boards and Commissions, section 16-Youth Commission, A-Establishment by deleting the words "no less than three (3) members and no more than seven (7) members" and inserting "five (5) members" thereby leaving the sentence to read "There shall be established, pursuant to MGL c. 40, section 8E, a Youth Commission for the City of Gardner consisting of five (5) members, who shall be appointed by the Mayor, subject to confirmation by the City Council, except for one (1) members who shall be appointed by the City Council President not subject to confirmation by the City Council".



**Motion #2**

Motion to amend Item #11289—Administrative Legislation, Section 30-Chapter 3, Personnel, Appointments, and Employment, section 4 Temporary Appointments by adding the following sentence to the end of the section: “No temporary appointee shall succeed themselves as a temporary appointee.”

**Motion #3**

Motion to amend Item #11289—Administrative Legislation, Section 30-Chapter 3, Personnel, Appointments, and Employment, section 4 Temporary Appointments by adding the following sentence to the end of the section: “The mayor shall notify City Council of any temporary appointments made under this section.”



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**REGULAR MEETING OF JANUARY 6, 2025**

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Regular Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday evening, January 6, 2025.

**CALL TO ORDER**

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

**CALL OF THE ROLL**

City Clerk Titi Siriphan called the Roll of Members. 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.

**ELECTION OF THE COUNCIL PRESIDENT**

The City Clerk announced that nominations were in order for election of Council President for the year 2025, in accordance with Section 5 of the Charter of the City of Gardner.

Councillor George Tyros announced that he would recuse himself on advice from the State Ethics Commission "as candidates [for Council President] are not allowed to vote for themselves." He removed himself from the meeting participation.

The Clerk announced that nominations were in order for election of Council President for the year 2025.

Councillor Elizabeth Kazinskas nominated Councillor George Tyros.

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

On a motion by Councillor Calvin Brooks and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, Councillors Calvin Brooks, Craig Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Brad Heglin, Elizabeth Kazinskas, Judy Mack, Paul Tassone, and David Thibault-Muñoz, to close nominations.

On call of the roll:

Councillor Calvin D. Brooks voting for GEORGE C. TYROS

Councillor Craig R. Cormier voting for GEORGE C. TYROS

Councillor Aleksander H. Dernalowicz voting for GEORGE C. TYROS

Councillor Karen G. Hardern voting for GEORGE C. TYROS

REGULAR MEETING OF JANUARY 6, 2025

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Councillor Dana M. Heath GEORGE C. TYROS  
Councillor Brad E. Heglin voting for GEORGE C. TYROS  
Councillor Elizabeth J. Kazinskas GEORGE C. TYROS  
Councillor Judy A. Mack voting for GEORGE C. TYROS  
Councillor Paul G. Tassone voting for GEORGE C. TYROS  
Councillor David Thibault-Muñoz voting GEORGE C. TYROS  
Councillor George C. Tyros ABSTAINED

Having received nine (10) votes, Councillor George C. Tyros was declared elected Council President. Councillors applauded and extended personal congratulations.

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

**OPENING PRAYER**

**PLEDGE OF ALLEGIANCE**

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

**OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT**

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

**READING & ACCEPTANCE OF MINUTES**

There were no meeting minutes to approve.

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

There were no petitions, applications, communications, etc.



REGULAR MEETING OF JANUARY 6, 2025

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**REPORTS OF STANDING COMMITTEES**

There were no reports on the Standing Committees.

**UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION**

There were no Unfinished Business and Matters for Reconsideration.

**COUNCIL COMMENTS AND REMARKS**

Councillor Aleksander Dernalowicz would like to congratulate President Tyros and thank Councillor Elizabeth Kazinskas for time served as Council President.

**CLOSING PRAYER**

**ADJOURNMENT**

On a motion by Councillor Paul Tassone and seconded by Councillor Calvin Brooks, it was voted to adjourn at 7:41 p.m.

11 yeas, motion passes

Accepted by the City Council:



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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January 27, 2025

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

RE: An Ordinance To Amend the Code of the City of Gardner, Chapter 171, thereof entitled Personnel to amend the Non-Union Compensation Schedule to add the HR Manager Position to the list of approved titles and pay scales.

Dear Mr. President and Councilors,

At the January 21, 2025, meeting of the City Council, it was voted to authorize the Administration to create a new position titled Human Resources Manager for the City's Human Resources Department.

The attached ordinance amendment would create this position fully, in conjunction with this vote to fully allow this position to be created.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**AN ORDINANCE TO AMEND SECTION 68 OF THE CHAPTER 171 OF THE CODE OF THE CITY OF GARDNER, ENTITLED PERSONNEL COMPENSATION SCHEDULE**

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

**SECTION 1:** Section 68 of Chapter 171 of the Code of the City of Gardner entitled Personnel Compensation Schedule, be amended by adding the following to said section of the code:

**B. Non-Union Direct and Supervisory Staff Positions**

<b>Position</b>	<b>Grade</b>	<b>Annual</b>
<b>Weekly</b>		
HR Manager		\$63,316

**SECTION 2:** This ordinance shall take effect upon passage and publication as required by law.

**From:** [Alek Dernalowicz](#)  
**To:** [Titi Siriphan](#)  
**Cc:** [George Tyros](#)  
**Subject:** Fw: Health Trust Balance Update  
**Date:** Thursday, February 13, 2025 12:10:07 PM

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Ti,

Can you make sure this is part of packet.

Best,  
Dern

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

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**From:** John Richard <jrichard@gardner-ma.gov>  
**Sent:** Thursday, February 13, 2025 8:04 AM  
**To:** Alek Dernalowicz <adernalowicz@gardner-ma.gov>; Judy Mack <jmack@gardner-ma.gov>; Brad E. Heglin <bheglin@gardner-ma.gov>  
**Cc:** Mayor <Mayor@gardner-ma.gov>; George Tyros <gtyros@gardner-ma.gov>  
**Subject:** RE: Health Trust Balance Update

Morning Councilors

I did some research last night. Our accounting system MUNIS does have a scheduling feature in which I can put monthly tasks reminders. This will be a secondary catch to make sure the withholdings GL entry is posted mthly and will use this feature for all my monthly GL entry. I will continue to research to see if there is a more automated feature that would possibly post entry without having to do them manually. I am all in for streamlining and improving procedures.

Thank you for your input at yesterday's meeting. Very helpful.

John Richard  
City Auditor



95 Pleasant Street, Room 114  
Gardner, MA 01440-2630  
978-632-1900 ext 8020

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**From:** John Richard

**Sent:** Tuesday, February 11, 2025 11:25 AM

**To:** Alek Dernalowicz <adernalowicz@gardner-ma.gov>; Judy Mack <jmack@gardner-ma.gov>; Brad E. Heglin <bheglin@gardner-ma.gov>

**Cc:** Mayor <Mayor@gardner-ma.gov>

**Subject:** Health Trust Balance Update

Hello

Just wanted to send a quick update on the Health Trust Balance.

**The balance at 12/31/24 compared to 01/31/2025.**

As of 12/31/2024 Health Trust Balance is \$355,228.41

As of 01/31/2025 Health Trust Balance is \$1,417,686.16.

-Main reason for the large increase was we had Stoploss reimbursements totaling **\$484,023.63** that hit in Jan. This is basically large claims that are cover by our Stoploss policy which we get reimbursed. There is a lag time before the reimbursement is paid out. We currently have another \$440,531.24 of Stoploss reimbursements that haven't been paid out yet. I am hoping that comes in before 6/30/25 which will only help our Health Trust balance.

-Claims that were above our mthly level funding amount of \$1,071,000 came in at \$11,593 for January vs previous 6 mths averaged was \$212,661.44 per mth. I just got Feb claims, and it came it about \$80,000 over mthly level funding which is low again compared to the \$212K average.

-The other part is I post a mthly withholding journal entry. I usually get a withholding report from the Treasurer dept at the end of every month. When I saw January's report, I realized I never got Nov or Dec. I requested those reports right away and posted them. I now have an outlook reminder at the beginning of every month to make sure this GL entry is done before calculating the Health Trust balance. This accounts for about **\$300,000** in the Health Trust Balance.

A comfortable Health Trust Balance is between \$1,800,000 to \$2,000,000 which would cover about more than twice our IBNR. Again, hoping the \$440K in stoploss reimbursements come in between now and 6/30/25.

Hope this help and if you have any questions let me know. See you tomorrow at the Fincom meeting.

Thank you.



John Richard  
City Auditor



95 Pleasant Street, Room 114  
Gardner, MA 01440-2630  
978-632-1900 ext 8020

**Titi Siriphan**

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**From:** George Tyros  
**Sent:** Wednesday, January 29, 2025 8:54 PM  
**To:** Alek Dernalowicz; Titi Siriphan  
**Subject:** Re: Finance Committee - January 29, 2025 Meeting Recap

Thank you Mr. Chair,

Madam Clerk,

Please add items 11479, 11480, 11481 to the next Council agenda.

Please create an item 'Discussions in regard to the City's Health Insurance Payments and Trust Fund' and assign it to the Finance Committee.

Thank you both,  
 George

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**From:** Alek Dernalowicz <adernalowicz@gardner-ma.gov>  
**Sent:** Wednesday, January 29, 2025 8:48 PM  
**To:** Titi Siriphan <tsiriphan@gardner-ma.gov>; George Tyros <gtyros@gardner-ma.gov>  
**Subject:** Finance Committee - January 29, 2025 Meeting Recap

Mr. President and Madam Clerk,

Below is a recap of the the actions taken at the January 29, 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:**

- 11479 – A Communication from the Mayor regarding the City's Health Insurance Payments and Trust Fund.
- 11480 – An Order Authorizing the City to Borrow \$100,000 for the Feasibility Study and Schematic Design of the Middle School Roof Replacement Project in Conjunction with the Massachusetts School Building Authority.
- 11481 –An Ordinance to Amend the Code of the City of Gardner, Chapter 171, thereof entitled Personnel, to add the position of Human Resources Manager to the Compensation Schedule.

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

- None

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

- Discussions in regard to the City's Health Insurance Payments and Trust Fund

- o Note: This proposal was made via motion during discussion and related to *11479 – A 11482 Communication from the Mayor regarding the City's Health Insurance Payments and Trust Fund*. This will require a new item number .

**In Subcommittee - 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.
- 11477 – Discussions in Regard to Internal Working Groups Review of the Salary Study.

I have retained the *"New Items Originating in Committee - To Place on the Full Calendar"* subsection to avoid confusion with *"New Items Originating in Committee - To Place on the Finance Committee Calendar"*.

Please let me know if you have any questions.

Best,

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



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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February 5, 2025

Hon. Aleksander Dernalowicz, Chair  
And Finance Committee Members  
Gardner City Hall, Rm 121  
95 Pleasant Street  
Gardner, MA 01440

RE: A Communication from the Mayor Regarding the Contract with Keller Partners, Co. for  
Grant Writing and Lobbying Services

Dear Mr. Chairman and Councilors,

At the January 15<sup>th</sup>, 2025 meeting of the Finance Committee, Chair Dernalowicz requested that the Finance Committee be sent a copy of the final executed copy of the Contract between the City and Keller Partners, Co.

A copy of the final executed contract is attached.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner



CITY OF GARDNER
CONTRACT #2025-914
GRANT WRITING & GOVERNMENT OUTREACH SERVICES
KELLER PARTNERS & COMPANY
1201 15th St. NW, Suite 400, Washington, DC 20016

ARTICLE 1, DEFINITION: "Contract" as used herein shall mean these Articles and the Bid/Quote Documents which include, but are not limited to, the instructions, the bid/quote/proposal, the specifications, the requirements, the contract terms and conditions, applicable addenda and all documents and forms submitted with the bid or proposal.

ARTICLE 2, DURATION: This Contract shall be in effect from January 1, 2025 to December 31, 2027, with the option to renew for one subsequent term - January 1, 2027 to December 31, 2029. The contract term is at the sole discretion of the City of Gardner but shall not exceed three years without the expressed written consent of the City of Gardner.

ARTICLE 3, TERMS: The Contractor agrees to provide services, material and/or equipment all in accordance with the Bid/Quote Documents for the contract stated above, which is incorporated herein and made part of this Contract. This Contract shall be binding upon the Contractor, its assigns, transferees, and/or successors in interest (and where not a corporation, the heirs and estate of the Contractor).

ARTICLE 4, PAYMENT: The City of Gardner agrees to pay the Contractor the sum set forth in the Contractor's quote or proposal, at a rate of Seven Thousand Five Hundred and Zero Cents (\$7,500.00) per month for years 1 through 3, which is attached and made part of this contract. The contractor shall provide invoices with work completed detailed on the invoice.

ARTICLE 5, CONFLICT: In the event there is a conflict between this Contract and the Bid/Quote Documents, the Bid/Quote Documents shall supersede the Contract.

ARTICLE 6, GOVERNING ORDINANCES AND LAWS: This Contract is made subject to all the laws of the Commonwealth of Massachusetts and ordinances of the City of Gardner. If any clause herein does not conform to such laws and ordinances, that clause and only that clause shall be void. The remainder of this contract shall be unaffected and the law or statute that is applicable shall be substituted.

ARTICLE 7, SUSPENSION AND DEBARMENT: The Contractor certifies that neither their entity nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded for the award of contracts by any Federal or State Government Agency or Department.

This Contract, executed in three copies, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and endures to the benefit of the parties hereto, and may be made canceled, modified, or amended only by a written instrument executed by both the parties named herein.

IN WITNESS WHEREOF the parties have hereto and set their hands on the day and year written.

FOR CORPORATION/OWNER
[Signature]
3FE155ED79884E4...
(Authorized Signature)

CITY OF GARDNER, by its Mayor
[Signature: Michael J. Nicholson]
E429C2C285314CE...
Michael J. Nicholson

APPROVED BY AS TO FORM:
[Signature: Vincent P. Pusateri II]
3E345C676F8245B...
Law Department

FOR CONTRACTING DEPARTMENT:
[Signature]
(Department Head)



**CITY OF GARDNER  
CONTRACT #2025-914  
GRANT WRITING & GOVERNMENT OUTREACH SERVICES  
KELLER PARTNERS & COMPANY  
1201 15<sup>th</sup> St. NW, Suite 400, Washington, DC 20016**

Signed by:

*John Richard*

16DCF2D0B8414AF...  
CITY AUDITOR who certifies, pursuant to Massachusetts General Law C.44, §31C, that the proposed expenditure is not in excess of the appropriation or the unexpended balance thereof and that the Mayor is authorized to sign this contract.

Acct #:11199-52190

DocuSigned by:

*John Comins*

EB1E149D9454438  
PROCUREMENT OFFICER who certifies that the services or supplies purchased or leased pursuant to this contract were, to the best of his belief and knowledge, procured pursuant to the procurement laws of the Commonwealth to the extent such laws apply.

**FORM FOR BID**

BID OF **Keller Partners & Company**\_(hereinafter called "Bidder")

To the City of Gardner, Massachusetts (hereinafter called the "Owner"):

In compliance with your invitation for bids for **Grant Writing & Government Outreach Services**, having examined the specifications with related documents, hereby proposes to furnish all labor, materials, in accordance with the contract documents, within the time set forth therein, and at the prices stated. These prices are to cover all expenses incurred in performing the work required under the contract documents, of which this bid is a part.

The undersigned agrees that the following notices and/or addenda which have been issued during the bidding period have been received and have been considered both before and in the preparation of this bid and further understand that failure to acknowledge any addenda shall be sufficient basis for rejection of the bid:

Addendum Number 2025-914 \_\_\_\_\_ Dated 11-26-24 \_\_\_\_\_

Bidder agrees to perform all of the work described in the specifications for the proposed contract prices listed.

The Offeror understands that all bids are subject to the applicable laws of the Commonwealth of Massachusetts and Municipal Ordinances including General Laws.

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) days.

Item		Rate
Monthly Rate for Grant Writing & Government Outreach Services – Years 1 through 3		<u>\$7,500/mo.</u>
Monthly Rate for Grant Writing & Government Outreach Services – Years 4 & 5		<u>\$8,000/mo.</u>



Signature of Bidder

**KELLER PARTNERS**  
— & COMPANY —

**Procurement # 2025-914**  
**City of Gardner**  
**Grant Writing & Government Outreach Services**  
**Non-Price Proposal**  
**Due: December 3, 2024**



**Contact:**  
**Thomas C. Keller, Managing Principal**  
**Keller Partners & Company, LLC**  
**1201 Fifteenth Street, NW, Suite 400, Washington, DC 20005**  
**Mobile: +1(202) 841-5283 | Office: +1(202) 207-1145**  
**Email: [tkeller@kellerpartnersco.com](mailto:tkeller@kellerpartnersco.com) | Website: [www.KellerPartnersCo.com](http://www.KellerPartnersCo.com)**



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# KELLER PARTNERS

& COMPANY

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## LETTER OF INTENT

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November 26, 2024

Purchasing Department – City of Gardner  
95 Pleasant Street, Room 217  
Gardner, MA 01440

Dear Purchasing Manager:

On behalf of Keller Partners & Company, LLC, we are pleased to present the city with our proposal for “Grant Writing & Government Outreach Services.” Keller Partners has been the city’s incumbent provider for these services since April 2024 and we deeply appreciate the opportunity to serve the Gardner community. We’ve enjoyed our productive work together with the Mayor and his team. We are thankful for the partnership.

In the short time Keller Partners has worked on behalf of the city, we have secured funding results and have submitted multiple grant applications that are currently pending for potential awards. The following are highlights of those submissions:

- \$850,000 included in FY25 T/HUD Appropriations – We submitted a Community Project Funding (i.e., earmark) application and lobbied the congressional delegation for funding to support the development of the Gardner Community Center (in the former Waterford Street School building). This funding was approved by the Appropriations Committee and is in the bill text awaiting final passage (est. late December).
- US EPA Community Change Grant – We provided guidance and assistance, and congressional letters of support, for this \$20 million grant request, which is currently pending.
- FEMA Assistance to Firefighters Grant – We are currently preparing GFD’s application to the AFG Program to purchase portable radios. The grant will be submitted in mid-December with an expected request amount of \$335,000.
- Massachusetts Bottleneck Reduction Grant submitted – We wrote and submitted this state grant to improve the intersection of West Broadway & Timpany Blvd. The grant is currently pending, with an estimated award of up to \$500,000.
- Massachusetts Law Enforcement Body-Worn Camera Grant submitted – We wrote and submitted this state grant to purchase BWCs for GPD officers. The grant is currently pending for an award of \$35,960.
- Massachusetts Bike Racks Grant – We wrote and submitted this state grant to purchase needed bike racks for the Gardner public. The grant is currently pending for an award.

Additionally, since April, our firm coordinated with the Mayor to create, maintain, and strengthen key relationships at the White House, USDOT, USEPA and with the Congress.

In September 2024, Keller Partners organized, scheduled, and participated in the Mayor's visit with the MA Congressional delegation and the White House. These meetings were part of a strategy to ensure the city's priorities are top of mind with decision-makers in Washington. Mayor Nicholson was an excellent advocate for the city, and it reminds us that there is no alternative for in-person meetings.

We view our role as a valuable addition to the city's own staff. If we were to continue our work together, we would build on our accomplishments of the previous months to pursue significant funding and legislative opportunities at the federal and state levels. With the start of the new Administration in Washington, we will identify key decision-makers and establish critical relationships to advance Gardner's interests. Highlights of our work together over the next few years would focus on the city's priorities, including the following:

- Congressional and Grant Funding for the Restoration of Passenger Rail Service at Gardner (e.g., FTA Capital Investments Grant and Surface Transportation Bill)
- Congressionally Directed Spending (i.e., Earmarks) for Gardner
- Massachusetts State Grants (e.g., Trails Grant, Urban and Community Forestry Grant, Green School Works Grant, One Stop Grant, etc.)
- US DOJ Grants (e.g., COPS Hiring Grant, COPS Crisis Intervention Grant, Mental Health and Wellness Grant, etc.)
- US DOT Grants (e.g., Safe Streets and Roads for All Grant, RAISE Grant, Reconnecting Communities Grant, Railroad Crossing Elimination Grant, etc.)
- US FEMA Grants (e.g., Assistance to Firefighters Grant-AFG, Staffing For Adequate Fire and Emergency Response Grant-SAFER, etc.)
- US EDA Grants (e.g., Public Works and Economic Adjustment Assistance Grant)
- US EPA Grants (e.g., Brownfields Assessment and Cleanup Grants, Solid Waste Infrastructure for Recycling Grants, etc.)

Keller Partners agrees with the terms set out in the city's Request for Proposals document and is uniquely qualified to continue to provide the city with excellence in grant writing and government outreach services. We have much to accomplish together and it is our genuine passion and desire to continue to serve you. Thank you!

Sincerely,



Thomas C. Keller  
Managing Principal

## **COMPARATIVE CRITERIA**

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Keller Partners & Company is a leading full-service government relations firm based in Washington, DC, located just a few blocks from the White House. By design, Keller Partners is a unique firm in Washington because our clients consist only of public and private nonprofits and Keller Partners team are all professional grant writers *and* federal registered lobbyists -- we write excellent grants and then lobby the “powers that be” to win them. We know of no other government relations firm that can do this.

Federal and state grants, especially Community Project Funding requests (or earmarks), are very much part of a political process. Therefore, it’s important to note that Keller Partners has been regularly named a “Top-Performing Lobbying Firm” by Bloomberg Government, and the Keller Partners’ team have been selected as “Top Lobbyists” by *The Hill* newspaper and by the National Institute of Lobbying and Ethics (NILE).

While approximately 90 percent of our clients utilize us for grant funding, Keller Partners also works to assist with grant reporting and compliance, advocate for policy positions, and initiate legislative action and regulatory relief that impact our clients’ objectives. We track congressional and Administration activity, keeping our clients informed, and we impact this activity with draft legislative language or suggested rule changes, when necessary. The city of Gardner would benefit from all of these potential options.

Keller Partners is pleased to describe below how it intends to meet the Comparative Criteria in the city’s Request for Proposals:

**1) Experience with other communities seeking grant writing and governmental outreach services -**

Keller Partners professionals have more than 25 years of experience with providing grant writing and governmental outreach services to municipalities, counties, authorities, and other bodies of local government.

For example, for more than 10 years we have been on uninterrupted retainer with the City of Lexington, KY, and Fayette County, KY, assisting them over that time with winning approximately \$50 million in competitive grants focused on infrastructure.

For more than 10 years, Keller Partners has also been on uninterrupted retainer for the Williamsport Municipal Water and Sanitary Authorities, PA, assisting them over that time with winning approximately \$7.5 million in federal/state competitive grants and earmarks for public works.

Additionally, since 2003 Keller Partners professionals have provided uninterrupted grant writing and governmental outreach services to Starr Commonwealth, MI, a community-based nonprofit organization that assists at-risk youth. Since 2010, we also provided similar uninterrupted services to Saint

Anthony Hospital, IL, a community hospital in Chicago. Both of these current clients continue working with Keller Partners, as do our others, because we regularly win them funding and provide them value from the state and federal levels of government.

In short, Keller Partners' experience with best practices and a successful track record in both grant writing and governmental outreach will significantly increase Gardner's state and federal funding success. The professional bios below highlight the unique experiences and qualifications of our team members and our ability to properly assist Gardner with its needs. When you hire Keller Partners, you are hiring a team of professional fed/state grant writers and expert lobbyists:

Keller Partners Bio Summaries of the Firm's Gardner Team

- Thomas Keller
  - 2012 – Present  
Managing Principal and Founder of Keller Partners & Company, which specializes in grant writing and government relations services for nonprofit organizations. He leads Gardner's lobbying strategy.
  - 1999 – 2012  
Vice President and Deputy Director of Russ Reid Washington Office focused on grant writing, earmarking and government relations services for nonprofit organizations.
  - 1991 – 1999  
Director of Special Projects for US Senator Dan Coats-IN, which focused on working with the Appropriations Committee on earmarking and grants for Indiana infrastructure projects.
- Andy Garfinkel
  - 2015 – Present  
Keller Partners VP and Managing Director of Grants, Loans & Procurement, who manages the firm's grant writing efforts.
  - 2000 – 2015  
Principal and co-founder of Broderick & Associates which provided grant and legislative services to clients.
  - 1990 – 2000  
Senior Congressional staffer for three senior Members of Congress from OH, CT and NY, specializing in infrastructure and public works.

- Ben Picciano
  - 2021 – Present  
Keller Partners Director of Government Relations and Grant Services, who leads the Gardner account for Keller Partners as a professional grant writer and federal lobbyist.
  - 2020 – 2021  
Research staffer at the American Enterprise Institute (AEI) in Washington, DC specializing in researched aimed at alleviating poverty and expanding economic opportunity.
  - 2017 – 2020  
Aide to state government policymakers and their congressional campaigns in the state of New Jersey.
- Jon Boehmer
  - 2022 – Present  
Keller Partners Manager of Government Relations and Grant Services, who assists with the Gardner Account.
  - 2019 – 2022  
Aide on the House Oversight Committee where he focused on research, writing briefs and congressional testimony.

**2) Relationships, past and present, with Massachusetts Communities seeking the service -**

Presently, Keller Partners works with the Edward M. Kennedy Institute for the US Senate in Boston, MA, by providing it with grant writing and lobbying services. While the Kennedy Institute is a new client (as of August 2024), we have already submitted a competitive grant for them. In the past, Keller Partners provided grant writing and governmental outreach services to Signature Healthcare in Brockton, MA, from 2015 to 2017 (until a leadership change).

Keller Partners having fewer clients in Massachusetts is a strength, not a weakness. Unlike other firms, Keller Partners takes great care with ensuring that no conflicts for federal funding exist for its current clients. Therefore, as long as Keller Partners works for Gardner, we will not pursue or accept another municipal client in the Third Congressional District of Massachusetts. It would be inappropriate and unethical to put ourselves and Gardner in that position. The city should be cautious of firms that are willing to compete their clients with each other – which creates a true conflict of interest.

Keller Partners currently provides grant writing and government relations services to the following 14 local governmental clients:

Chicago Southwest Development Corporation, IL (client since 2010)  
 City of Chewelah, WA (client since 2023)  
 City of Everett, WA (client since 2023)  
 City of Gardner, MA (client since 2024)  
 City of Huntington, IN (client since 2021)  
 City of Lexington, NC (client since 2019)  
 City of Lexington, KY (client since 2013)  
 City of Williamsport, PA (client since 2021)  
 Fayette County, KY (client since 2013)  
 Lexington Gas Utility, NC (client since 2019)  
 Lycoming County, PA (client since 2016)  
 Ohio County, KY (client since 2024)  
 Village of Hillside, IL (client since 2023)  
 Williamsport Municipal Water and Sanitary Authorities, PA (client since 2013)

### 3) History of successfully obtaining grant funding -

Beginning in 2012, pursuing grant funding for our clients has been Keller Partners' primary business. We have a long history and excellent track record of success of winning state and federal grant funding. The annual average grant award totals for our clients have increased every year from \$12 million in 2012 to being on track for \$51 million by the end of 2024.

Highlights of our recent history of obtaining grant funding include the following:

- City of Lexington, KY \$21,720,000 for 2024 US DOT Safe Streets Grant
- City of Williamsport, PA \$3,500,000 for 2024 FEMA Flood Control Earmark
- City of Williamsport, PA \$2,600,000 for 2024 HUD Streetscape Improvement
- City of Huntington, IN \$3,000,000 for 2024 EPA Water Infrastructure Earmark
- City of Chewelah, WA \$392,000 for 2024 State Energy Efficiency Grant
- Williamsport Water Authority, PA \$1,000,000 for 2024 FEMA High Hazard Dam Grant
- Lycoming Co, PA \$1,000,000 for 2023 USDA Facilities Earmark
- City of Williamsport, PA \$8,000,000 2023 FEMA Flood Control Earmark
- City of Huntington, IN \$1,000,000 2023 USDA Forestry Grant
- Chicago Southwest Development Corp, IL \$2,000,000 2023 EPA Brownfield Grant
- Williamsport Water Authority, PA \$500,000 2023 Appalachian Regional Commission (ARC) Grant
- City of Lexington, NC \$1,300,000 2022 US EDA Public Works Grant
- City of Lexington, KY \$8,120,000 2022 US DOT RAISE Grant
- City of Huntington, IN \$991,000 2022 US EPA Brownfield Grant

- City of Davenport, IA \$4,874,993 2022 US DOT Low-No Grant
- Lycoming Co, PA \$3,360,000 2021 US DOT Surface Transportation Earmark
- City of Davenport, IA \$9,900,000 2021 US EDA Public Works Grant
- City of Lexington, NC \$650,000 2021 HUD EDI Earmark
- Williamsport Water Authority, PA \$2,700,000 2020 EDA Public Works Grant
- City of Lexington, KY \$14,000,000 2019 US DOT TIGER Grant
- Lycoming Co, PA \$5,600,000 2019 US EDA Flood Control Grant

## **CONCLUSION**

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In conclusion, and as your incumbent grant writing and government outreach services firm based in Washington, DC, we thank you again for working with Keller Partners. We greatly appreciate our partnership and very much enjoy working with the city's capable and impressive team. We are honored to serve the city of Gardner, we know intimately the community's needs, and we are making good progress on your behalf.

We look forward to working closely together through the end of this year, and hopefully throughout the years ahead to achieve a good return on investment for your community's taxpayers.

## **ADDENDUM 1 ACKNOWLEDGEMENT**

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Keller Partners hereby acknowledges and agrees with the Addendum put forth by the city on November 25, 2024. The Addendum is attached in the following two pages noted as 8a and 8b:

**CITY OF GARDNER**

PURCHASING DEPARTMENT  
95 Pleasant Street, Room 217  
Gardner, MA 01440  
978-632-0426

PROCUREMENT # 2025-914

ISSUE DATE: November 25, 2024

CITY OF GARDNER  
Joshua Cormier, CPO, MCPPO  
Director of Purchasing  
[jcormier@gardner-ma.gov](mailto:jcormier@gardner-ma.gov)

ADDENDUM 1  
REQUEST FOR PROPOSALS  
(Supplies and Services)  
MGL Ch. 30B

The purpose of this addendum is to notify all interested bidders of the following change(s), deletion(s), addition(s) or clarification(s) to the specifications and all bid documents for the bid listed.

This addendum forms a part of the contract documents and modifies the original bidding documents. **Acknowledge receipt by including this Addendum within your proposal submission. Failure to acknowledge on the Bid Form may result in the rejection of your bid.** This addendum consists of two (2) typed pages.

**Questions/Clarifications**

1. What are the type of grants the city is looking for the consultant to write? Examples: CDBG, MassWorks, Human Services, Planning? Or is the city only looking for federal grant opportunities? It's important to know which grants or if the city has a general idea so that my firm can provide an accurate quote. Some take longer to write than others.

*The City of Gardner is seeking a consultant to assist staff members with locating new Federal, State, and private grant opportunities, as they arise, and writing grant submissions when required or when in-house staff do not have the capacity to do so. The complexity of the grant and required application depends on the availability of grants that will aide in meeting the City's long-term vision. Some examples include the more straightforward Safe Routes to School Bike Rack program and the complicated Federal Community Change Grant. The City of Gardner traditionally handles CDBG grants within local staff members' job responsibilities.*

2. Does the city have a not to exceed amount for the services? I.E. what is the annual budget for the consultant? I ask this, because the bid pricing is for a monthly amount. I want to be able to provide the estimates based on the grants you would like to go after. I also would like to point out that when writing grants, the dollar amounts for the services could fluctuate based on deadlines. Are you looking for an average?



*Annual Budget would be \$90,000 per year, but an average is fine.*

3. Do these services include grant administration?

*City staff would be administering the grants received, unless administration costs are awarded within any grant, but guidance on administration, in terms of timeline for submissions and a walk through of the required administration process would be what is expected.*

4. On the comparative criteria, (section 3C), I am a little unclear what "Method of transmitting information is both efficient (less than 24 hours to post) and secure" means. Could you please define this? A and B discuss dollar amounts of grants successfully obtained but C is confusing to me.

*Please, replace Section 3C, within the Comparative Criteria, in its entirety with the following:*

- C) *Highly Advantageous: Vendor provides appropriate description of grants obtained and/or has obtained grants that exceed \$5 million on an annual average.*

**KELLER PARTNERS**  
 & COMPANY

**Selected Client References for Keller Partners**

2024

*(The following are current clients of Keller Partners)*

1. The Honorable Richard Strick  
**Mayor, City of Huntington, IN**  
 260-356-1400 ext. 2000; Richard.strick@huntington.in.us  
Highlights of work performed: Keller has worked for 4 years with this client, identifying sources of funding for the City and assisting them in pursuing these resources, which includes writing and winning a **\$1 million** EPA grant for its brownfield cleanup, a **\$1 million** USDA grant for urban forestry, and a **\$144,000** crisis intervention team grant, among others. We are currently working on several other funding opportunities through USDA, EPA, and state agencies.
  
2. The Honorable Derek Slaughter  
**Mayor, City of Williamsport, PA**  
 570-337-5838 (Cell); dsllaughter@cityofwilliamsport.org  
Highlights of work performed: Keller has worked with this client since 2021. We implemented a strategy involving the White House, Pentagon and Army Corps of Engineers to secure funding for a very complex levee rehabilitation project critical to several municipalities in Lycoming County. As a result, we wrote and won a **\$5.6 million** FEMA/USEDA grant. We drafted and submitted language, which was then included in the congressional authorization in a water resources bill for the levee project. We have secured an **\$8 million** Congressionally Directed Spending (i.e., earmark) for the levee project and are working with the US Army Corps of Engineers on implementation. We have also secured a **\$3.5 million** flood control and **\$2.6 million** for infrastructure capital projects in Old City.
  
3. Mr. Kevin Atkins, Chief Development Officer, Office of the Mayor  
**City of Lexington and Fayette County, KY**  
 859-258-3100 (Mayor’s Office); katkins@lexingtonky.gov  
Highlights of work performed: Keller has worked for more than 10 years with Lexington, providing critical grant support to win a **\$21 million** Safe Streets grant, a **\$9 million** and a **\$14.1 million** USDOT grant, writing a grant for the Fire Department to win a **\$376,000** FEMA grant, a USDA food security grant support to win **\$46,000**, arranged testimony on national television before the House Agriculture Committee and meetings with Sr. White House staff, Department Secretaries and Congressional officials for the Mayor. We are currently working on an Economic Development grant in the range of **\$10 million**.

# # # #

# KELLER PARTNERS

& COMPANY

## CLIENT LIST

Keller Partners & Company (KPC) chooses our clients carefully. We only partner with entities that reflect our own ethos because a clients' "brand identity" can say as much about our firm as we say about ourselves. Our clients' vision and values must reflect who we are as a company.

We have proudly served hundreds of clients, including those listed in the following sectors:

### **Associations / Coalitions / PACs**

- American Association of Teaching Health Centers (DC)
- American Optometric Association (VA)
- Association of Gospel Rescue Missions
- Internet Tax Fairness Coalition

### **Corporate / Business**

- Advanced Mobile Hospital Systems (CO)
- Edison2 (VA)
- Energy Northwest (WA)
- Henkle Drilling Company (KS)
- Heudia Health, LLC (PA, NC, SC)
- Internet Tax Fairness Coalition

### **Defense / Homeland Security / Maritime**

- Advanced Mobile Hospital Systems (CO)
- George Junior Republic (PA, CO)
- Energy Northwest (WA)
- Lexington-Fayette Urban County Government (KY)
- Maine Maritime Academy (ME)
- Mission Aviation Fellowship (ID)
- Port of Los Angeles (CA)
- Village of Kiryas Joel (NY)

### **Education**

- American Association of Teaching Health Centers (DC)
- Anaheim Learning Center / Tiger Woods Foundation (CA)
- Benedictine College (KS)
- Bethany College (WV)
- Castleton State College (VT)
- Columbia International University (SC)
- Concordia College (NY)
- Concordia University-St. Paul (MN)

- Daystar University (Kenya)
- Divine Mercy University (VA)
- EARTH University (Costa Rica)
- Education Initiative for Central and Eastern Europe (Austria)
- Edward M. Kennedy Institute for the US Senate (MA)
- George Washington University (DC)
- Grace Christian University (MI)
- Hire Heroes USA (GA, CA, CO, ID, NC, WA)
- Hiwassee College (TN)
- Indiana Wesleyan University (IN)
- Kansas Christian College (KS)
- Lincoln Park Zoo (IL)
- Lincoln University (PA)
- Louisiana Christian University (LA)
- MacCormac College (IL)
- Maine Maritime Academy (ME)
- Marymount California University (CA)
- Mid-America Christian University (OK)
- Molloy College (NY)
- Neve Yerushalayim College (Israel)
- Newberry College (SC)
- Ohio Christian University (OH)
- Parkinson's Institute (CA)
- Point Loma Nazarene University (CA)
- San Diego Zoo Global (CA)
- Simpson University (CA)
- St. Joseph's Indian School (SD)
- Touro University College of Osteopathic Medicine (CA, NV, NY)
- University of Evansville (IN)
- Valparaiso University (IN)
- Vanguard University (CA)
- Westmont College (CA)

### **Healthcare**

- Adirondack Health (NY)
- Advanced Mobile Hospital Systems (CO)
- American Optometric Association (VA)
- Beacon Health System (IN)
- Boys Town National Research Hospital (NE)
- CentraCare Health (MN)
- Christian Blind Mission (SC)
- Community Memorial Hospital (OH)
- Crawford Memorial Hospital (IL)
- Fairfield Medical Center (OH)
- Fairfield Memorial Hospital (IL)

- Free Wheelchair Mission (CA)
- Garrett Regional Medical Center (MD)
- Good Days from CDF (TX)
- Good Samaritan Hospital (CA)
- Grande Ronde Hospital (OR)
- HelpMeSee (NY)
- Heudia Health, LLC (PA, NC, SC)
- Hocking Valley Community Hospital (OH)
- Huntsville Memorial Hospital (TX)
- Jane Todd Crawford Hospital (KY)
- Kadlec Regional Medical Center (WA)
- Kalispell Regional Medical Center (MT)
- LaSalle General Hospital (LA)
- Memorial Hospital of Sweetwater County (WY)
- Mercy Medical Center (IA)
- Mineral Community Hospital (MT)
- Neosho Memorial Regional Medical Center (KS)
- Ohio County Healthcare (KY)
- Operation Smile (VA)
- Perry Memorial Hospital (IL)
- Potomac Valley Hospital (WV)
- Rosalynn Carter Institute for Caregivers (GA)
- Saint Anthony Hospital (IL)
- Shaare Zedek Medical Center (Israel)
- Signature Healthcare (MA)
- St. Jude Children's Research Hospital (TN)
- Stilwell Memorial Hospital (OK)
- Tahoe Forest Hospital District (CA)
- Thomas Health System (WV)
- The Wright Center (PA)
- Universal Health Services, Inc. (UHS) (PA)
- Woman's Hospital (LA)
- Wooster Community Hospital (OH)
- WVU Medicine/Potomac Valley Hospital (WV)
- Wyandot Memorial Hospital (OH)

#### **International**

- Alfalit International (FL)
- Caritas in Veritate International (AZ, Italy)
- Catholic Medical Mission Board (NY)
- Christian Blind Mission International (SC)
- Daystar University (Kenya)
- EARTH University (Costa Rica)
- Education Initiative for Central and Eastern Europe (Austria)
- Feed the Children (OK)
- Free Wheelchair Mission (CA)

- Food for the Poor (FL)
- HelpMeSee (NY)
- Mission Aviation Fellowship (ID)
- Neve Yerushalayim College (Israel)
- Operation Smile (VA)
- Shaare Zedek Medical Center (Israel)
- World Impact (CA, PA, MO, KS)
- World Vision US

#### **Local Governments / Municipalities**

- City of Albemarle (NC)
- City of Brownsburg (IN)
- City of Butte-Silver Bow (MT)
- City of Chewelah (WA)
- City of Danville (VA)
- City of Davenport (IA)
- City of Deming (NM)
- City of Everett (WA)
- City of Gardner (MA)
- City of Huntington (IN)
- City of Lexington (NC)
- City of Marion (IN)
- City of Williamsport (PA)
- Fulton County (IL)
- Lexington-Fayette Urban County Government (KY)
- Lexington Gas Utilities (NC)
- Luna County (NM)
- Lycoming County (PA)
- Port of Los Angeles (CA)
- Salt Lake County (UT)
- Town of New Windsor (NY)
- Village of Franklin Park (IL)
- Village of Hillside (IL)
- Williamsport Municipal Water and Sanitary Authorities (PA)

#### **Social Service / Faith-based**

- Appalachia Service Project (KY, TN)
- Association of Gospel Rescue Ministries (nationwide)
- Boys Town USA (NE, DC, LA)
- Catholic Charities Diocese of Arlington (VA)
- Catholic Medical Mission Board (NY)
- Children's Home Society of South Dakota (SD)
- Court Appointed Special Advocates (CA)
- Covenant House (NY, FL, MI, AK, CA, NJ, GA)
- Christian Blind Mission (SC)
- Dakota Boys and Girls Ranch (ND)

- Denver Rescue Mission (CO)
- Detroit Rescue Mission Ministries (MI)
- The Doe Fund (NY)
- Feed the Children (OK)
- Food Bank of South Jersey (NJ)
- Food for the Poor (FL))
- George Junior Republic (PA, CO))
- Gospel Rescue Ministries (DC)
- Home Sweet Home Ministries (IL)
- Starr Commonwealth (MI, OH)
- Yellowstone Boys and Girls Ranch (MT)

# # # #

**BIDDER INFORMATION**

Bidder's attention is called to Chapter 268A of the General Laws. In connection with this statute, bidder is required to submit the following information and any other information deemed necessary by the bidder.

Give full names and residences of all the persons and parties interested in the foregoing proposal. Give first and last names in full; in case of corporations, give names of President, Treasurer, and Manager; and in case of firms, give names of the individual members.

Kindly furnish the following information regarding the Bidder:

(1) If a Proprietorship:

Name of Owner **Thomas Keller** \_\_\_\_\_

Business Address **1201 15<sup>th</sup> St. NW, Suite 400 Washington, DC 20005** Telephone **202-207-1145** \_\_\_\_\_

Home Address **3700 Massachusetts Ave, NW, Washington, DC 20016** Telephone **202-841-5283** \_\_\_\_\_

(2) If a Partnership:

Full names and addresses of all partners

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
N/A		
_____	_____	_____
_____	_____	_____

Business Address \_\_\_\_\_ Telephone \_\_\_\_\_

(3) If a Corporation:

Full Legal Name \_\_\_\_\_ Telephone \_\_\_\_\_

Full Names and addresses of President, Treasurer and Manager:

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>
N/A		
_____	_____	_____
_____	_____	_____

State of Incorporation \_\_\_\_\_

Principal Place of Business \_\_\_\_\_

Qualified in Massachusetts \_\_\_\_\_ Place of Business in Massachusetts \_\_\_\_\_

(4) Give the following information regarding surety company:

Full Legal Name of Surety Company \_\_\_\_\_ N/A \_\_\_\_\_

State of Incorporation \_\_\_\_\_ Admitted in Massachusetts? YES or NO? \_\_\_\_\_

Principal Place of Business \_\_\_\_\_

Place of Business in Massachusetts \_\_\_\_\_ Telephone \_\_\_\_\_




**CERTIFICATIONS**

Statements below shall be duly dated and signed with an original signature or the Bid or Proposal will be rejected.

**TAXES PAID:** Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, the undersigned certifies under the penalties of perjury that, to the best of my knowledge and belief, all Massachusetts State Tax Returns and all Massachusetts State Taxes required under law have been paid, and I have complied with the reporting of employees and contractors, and withholding and remitting of child support.


**INDEMNIFICATION:** The undersigned agrees to indemnify, pay on behalf of, defend, and hold harmless the City of Gardner and its officers, attorneys, employees and agents from any and all claims, demands, suits, actions, costs, liabilities, penalties, judgments, whatsoever, including reasonable attorney's fees, which may be imposed upon, incurred by, or asserted against the City by reason of (a) any failure on the part of the Contractor to comply with any provision or term required to be performed or complied with by the Contractor under this Contract, or (b) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct or any person whomsoever other than the City of Gardner. The foregoing indemnity and hold harmless agreement shall include indemnity against all costs, expenses and liabilities incurred in or in connection with any such claim or proceeding brought hereon, and the defense thereof with counsel acceptable to the City or counsel selected by an insurance company which has accepted liability for any such claim.

**COMPLIANCE:** The undersigned is in compliance with all of the provisions, and shall remain in full compliance with the provisions for the life of any Contract resulting from this solicitation. Bidder is qualified to perform any such Contract and possesses, or shall obtain, all requisite licenses and/or permits to complete performance; shall maintain all unemployment, workers' compensation, professional and personal liability insurance policies sufficient to cover its performance under any such Contract; and shall comply with relevant prevailing wage rates and employment laws. To the best of its knowledge and belief has paid all local taxes, tax titles, utilities, motor vehicle excise taxes, water and wastewater bills in Massachusetts as required by Law.

  
Authorized Signature

**CERTIFICATE OF NON-COLLUSION**

MGL Chapter 40, Section 4B ½, Chapter 30, Section 39M and/or Chapter 30B, Section 10: Undersigned certifies under penalties of perjury that this bid or proposal is in all respects bona fide and fair and has been made and submitted in good faith without collusion or fraud with any other person. As used in this certification, the work "person" shall mean any natural person, joint venture, business, partnership, corporation, union, committee, club, organization, group of individuals, or other business or legal entity.

  
Authorized Signature

**WARRANTIES/GUARANTEES**

All prospective bidders on Items/Equipment/Services that carry Warranties and/or Guarantees shall include with their sealed bids a copy of the Warranties and/or Guarantees, as well as a copy of the Warranties and/or Guarantees on the items being bid, if applicable. Warranty starts after the date of acceptance by the using department. Please complete the following and specify if Warranty/Guarantee is for more than contractually required one-year period:

  
Authorized Signature



**CITY OF GARDNER  
CONTRACT #2025-914  
GRANT WRITING & GOVERNMENT OUTREACH SERVICES  
Keller Partners & Company  
1201 15<sup>th</sup> Street, NW, Suite 400  
Washington, DC 20005**

ARTICLE 1, DEFINITION: "Contract" as used herein shall mean these Articles and the Bid/Quote Documents which include, but are not limited to, the instructions, the bid/quote/proposal, the specifications, the requirements, the contract terms and conditions, applicable addenda and all documents and forms submitted with the bid or proposal.

ARTICLE 2, DURATION: This Contract shall be in effect from December 15, 2024 to December 14, 2027, with the option to renew for one subsequent term – December 15, 2027 to December 14, 2029. Contract term is at the sole discretion of the City of Gardner but shall not exceed three years without the expressed written consent of the City of Gardner.

ARTICLE 3, TERMS: The Contractor agrees to provide services, material and/or equipment all in accordance with the Bid/Quote Documents for the contract stated above, which is incorporated herein and made part of this Contract. This Contract shall be binding upon the Contractor, its assigns, transferees, and/or successors in interest (and where not a corporation, the heirs and estate of the Contractor).

ARTICLE 4, PAYMENT: The City of Gardner agrees to pay to the Contractor the sum set forth in the Contractor's quote or proposal, not to exceed Dollars and Zero Cents (\$0.00), which is attached and made part of this contract. Contractor shall provide invoices with work completed detailed on the invoice.

ARTICLE 5, CONFLICT: In the event there is a conflict between this Contract and the Bid/Quote Documents, the Bid/Quote Documents shall supersede the Contract.

ARTICLE 6, GOVERNING ORDINANCES AND LAWS: This Contract is made subject to all the laws of the Commonwealth of Massachusetts and ordinances of the City of Gardner. If any clause herein does not conform to such laws and ordinances, that clause and only that clause shall be void. The remainder of this contract shall be unaffected and the law or statute that is applicable shall be substituted.


ARTICLE 7, SUSPENSION AND DEBARMENT: The Contractor certifies that neither their entity nor its Principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded for the award of contracts by any Federal or State Government Agency or Department.

This Contract, executed in three copies, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and endures to the benefit of the parties hereto, and may be made canceled, modified, or amended only by a written instrument executed by both the parties named herein.

IN WITNESS WHEREOF the parties have hereto and set their hands on the day and year written.

FOR CORPORATION/OWNER

CITY OF GARDNER, by its Mayor

  
\_\_\_\_\_  
Thomas C. Keller

\_\_\_\_\_  
Michael J. Nicholson

APPROVED AS TO FORM:

FOR CONTRACTING DEPARTMENT:

\_\_\_\_\_  
Law Department

\_\_\_\_\_  
(Department Head)



**CITY OF GARDNER  
CONTRACT #2025-914  
GRANT WRITING & GOVERNMENT OUTREACH SERVICES**

**\*COMPANY\***

**\*ADDRESS\***

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CITY AUDITOR who certifies, pursuant to Massachusetts General Law C.44, §31C, that the proposed expenditure is not in excess of the appropriation or the unexpended balance thereof and that the Mayor is authorized to sign this contract.

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PROCUREMENT OFFICER who certifies that the services or supplies purchased or leased pursuant to this contract were, to the best of his belief and knowledge, procured pursuant to the procurement laws of the Commonwealth to the extent such laws apply.



KELLPAR-01

XRONSIMONONSKI

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
**1/13/2025**

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> AP Benefit Advisors, LLC dba Early, Cassidy, & Schilling 540 Gaither Road, Suite 420 Rockville, MD 20850	<b>CONTACT NAME:</b> William Banks <b>PHONE (A/C, No, Ext):</b> (240) 864-9148 <b>FAX (A/C, No):</b> (240) 864-8122 <b>E-MAIL ADDRESS:</b> william.banks@assuredpartners.com
<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b>	<b>NAIC #</b>
Keller Partners & Company LLC 1201 15th St NW Suite 400 Washington, DC 20005	INSURER A : <b>Continental Casualty Company</b> <b>20443</b> INSURER B : <b>Continental Insurance Company</b> <b>35289</b> INSURER C : <b>Beazley Insurance Company, Inc</b> <b>37540</b> INSURER D : INSURER E : INSURER F :

**COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			<b>6045336130</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>2,000,000</b> \$
<b>A</b>	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			<b>6045336130</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
<b>A</b>	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ <b>10,000</b>			<b>6045336175</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	EACH OCCURRENCE \$ <b>1,000,000</b> AGGREGATE \$ <b>1,000,000</b> \$
<b>B</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below    N / A			<b>WC 6 50277061</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>1,000,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>1,000,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>1,000,000</b>
<b>C</b>	<b>Professional Liab.</b>			<b>V15887241101</b>	<b>5/9/2024</b>	<b>5/9/2025</b>	<b>Limit</b> <b>1,000,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**Evidence of Insurance**

<b>CERTIFICATE HOLDER</b>  Director of Purchasing & Civil Enforcement Gardner City Hall 95 Pleasant Street Gardner, MA 01440	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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February 10, 2025

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

RE: An Order To Reappropriate Unexpended Bond Proceeds To Other Capital Projects

Dear Mr. President and Councilors,

During my State of the City Address of January 15, 2025, I stated that the new Gardner Elementary School Project came in over \$8 million under budget, and that the Administration would be submitting a re-appropriation order to the City Council to allocate these funds to other various capital improvement projects.

Attached, please find the Administrations re-appropriation request.

Per the requirements of the General Laws and the regulations put in place by the City's Bond Legal Counsel, the projects that the funding is re-allocated to must have a life span of at least thirty (30) years and CANNOT be used for paving or equipment. In order to verify that a proposed project had a life span of at least thirty (30) years, the projects had to be reviewed and confirmed by an engineer's stamped letter.

The attached proposal contains projects that were reviewed by the City's on-call engineering firms, Tighe and Bond and Fuss and O'Neil, and were approved by Bond Counsel.

Please note- the Massachusetts School Building Authority (MSBA) officially named the construction of the new Gardner Elementary School project as the "Waterford Street School Replacement Project." As such, the attached re-appropriation order, and the original loan order refer to the loan as such.

Respectfully Submitted,

Michael J. Nicholson  
Mayor, City of Gardner

ORDER NO. \_\_\_\_\_

IN CITY COUNCIL \_\_\_\_\_, 2025

AN ORDER TO REAPPROPRIATE UNEXPENDED BOND PROCEEDS TO OTHER  
CAPITAL PROJECTS

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

That eight million one hundred sixty-one thousand dollars and zero cents (\$8,161,000.00) is appropriated to pay costs of the following capital projects, each of which have a useful life of at least 30 years:

Project Description	Amount
Gardner High School Auditorium Upgrades	\$1,500,000.00
Gardner High School Bathroom Upgrades	\$50,000.00
Gardner High School Locker Room Replacement	\$2,000,000.00
Gardner High School Stair Tread Replacement	\$80,000.00
Gardner Middle School Storefront Replacement	\$50,000.00
Gardner Middle School Roof Replacement Project	\$1,200,000.00
Community Center Bathroom Renovation	\$200,000.00
Community Center Electrical Upgrades	\$525,000.00
Community Center Door Replacements	\$150,000.00
Community Center Roof Repairs	\$6,000.00
Community Center Flooring	\$200,000.00
Greenwood Pool Administration and Storage Building Siding	\$100,000.00
Greenwood Pool Administration and Storage Buildings Roof Replace	\$125,000.00
City Hall Electrical Service Upgrade	\$525,000.00
City Hall Façade Improvements	\$50,000.00
City Hall Bathroom Renovations	\$85,000.00
City Hall Entryway Repairs	\$115,000.00
Perry Auditorium Window and Door Replacements	\$400,000.00
Rear Main Street Construction	\$800,000.00
TOTAL:	\$8,161,000.00

and that to meet this appropriation, eight million one hundred sixty-one thousand dollars and zero cents (\$8,161,000.00) shall be transferred from a portion of the amount borrowed on June 23, 2022, to pay costs of the Waterford Street Elementary School replacement project, which project is complete and no liability remains, such funds being no longer needed to complete that project, in accordance with G.L. c, 44, §20.

G-0384  
January 17, 2025

Mayor Nicholson  
City of Gardner  
95 Pleasant Street  
Gardner, MA 01440

Re: **Reappropriation of Unexpended Bond Proceeds**

Dear Mayor Nicholson:

It is our understanding that the City of Gardner (City) has unexpended funds from a previous project and intends to reallocate these funds to other capital improvements projects. The City has provided Tighe & Bond with the following list of potential projects for funding:

- Gardner High School
  - Auditorium Upgrades
  - Intercom and Clocks
  - Parking Lot Paving
  - Toilet Partitions
  - Locker Room Improvements
  - Stair Tread Replacement
- Gardner Middle School
  - Storefront
  - Roadway Paving
  - Roof Replacement
  - Rooftop Condenser
  - Heat Pump Replacement
- Gardner Schools Facilities Truck
- Waterford Community Center
  - Gut and Rehab of Bathrooms
  - Fire Alarms Systems
  - Air Conditioner Installation
  - Exterior Doors Replacement
  - Floor Replacements
  - Roof Replacement
- Waterford Annex Building
  - Roof replacement
  - Building Envelope improvements
  - Door and flooring replacement
- Greenwood Pool
  - Fence Replacement
  - New Siding on Admin and Storage Building
  - New Roof on Admin and Storage Building
- City Hall
  - Bathroom Plumbing Repairs
  - Upgrade City Hall Electric Service
  - Façade Repointing
  - Entryway Repairs
  - Painting
  - Heating System Upgrade
  - Roof Snow Guards



- DPW Building
  - Sign Shop
  - New Roof
  - Window Replacement
  - New Doors
- Perry Auditorium
  - Window and Door Replacement
  - Air Conditioner Installation
  - Accessible Stage Improvements
- New DPW Salt Shed
- Culvert Replacements
- New Traffic Signals
- Removal of Underground Storage Tanks
- Wilder Field Drainage Improvements

We understand that only projects with an estimated minimum useful life of 30 years are eligible for this funding. After reviewing the scopes of work and available data for the materials that would be specified, it is our opinion that the following projects can be expected to have a minimum useful life of 30 years. Our understanding of the project scopes and assumptions regarding the types of materials and equipment to be used are described below.

#### **Gardner High School:**

- **Auditorium Upgrades:** Replacement of existing acoustical ceiling, door replacement, provide accessible entrance to auditorium control booth
- **Toilet Partitions:** Replacement of existing toilet partitions with stainless steel, HDPE solid plastic, or solid phenolic core partitions
- **Locker Room Replacement:** Replacement of existing lockers, floor tile, benches, and partitions
- **Stair Tread Replacement:** Replacement of existing stair treads and nosings

#### **Gardner Middle School**

- **Storefront Replacement:** Replacement of existing storefront system with aluminum framed storefront system
- **Roof Replacement:** Replacement of existing roofing system with new membrane roofing system with 30-year warranty

#### **Waterford Community Center:**

- **Gut and Rehab Bathroom:** Replacement of plumbing, partitions, and fixtures in bathrooms.
- **Floor Replacements:** Existing flooring to be replaced with commercial grade flooring materials.
- **Replacement of Exterior Doors:** Replacement of existing storefront system with aluminum framed storefront system and new metal doors.
- **New Roof:** Replacement of existing roofing system with 30-year warranty materials.

#### **Waterford Annex Building:**

- **Roof and Façade Replacement:** Replacement of the existing roof system with 30-year warranty materials and building envelope repairs.





- **Door and Flooring Replacement:** Replacement of existing doors with new metal doors and select replacement of flooring with commercial grade flooring materials.

#### **Greenwood Pool:**

- **Fence Replacement:** Replacement of existing fence with Chain link Fencing.
- **New Siding on Admin and Storage Building:** Replacement of existing siding system with 30-year warranty materials.
- **New Roof on Admin and Storage Building:** Replacement of existing roofing system with 30-year warranty materials.

#### **City Hall:**

- **Upgrade Electric Service:** Replacement of transformers, panel, circuit breakers, wiring and receptacles.
- **Façade Repointing:** New mortar to secure existing brick façade.
- **Entryway Repairs:** Concrete, mortar, and stone repairs.
- **Roof Snow Guards:** Installation of stainless-steel roof snow guards.

#### **DPW Building:**

- **New Roof:** Replacement of existing roofing system with 30-year warranty materials
- **New Sign Shop:** The addition of a new bay to the existing DPW building to hold the Street sign making process will provide over a 30-year useful life
- **Replacement of Window:** Replacement of existing storefront system with aluminum framed storefront system.
- **Replacement of Exterior Doors:** Replacement of existing garage door with insulated roll up doors.

#### **Perry Auditorium:**

- **Replacement of Window and Doors:** Replacement of existing doors and windows with aluminum framed windows and metal doors.

#### **Other Locations within Town:**

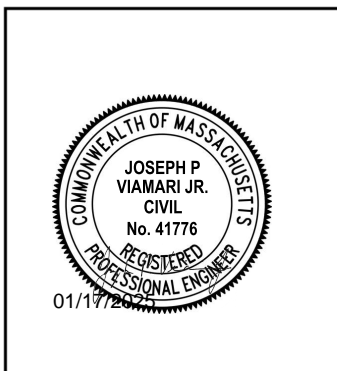
- **Culvert Replacement:** Replacement of culverts with correctly sized HDPE pipe materials.
- **Removal of Under Ground Storage Tanks:** The removal of tanks is considered to have greater than 30 years of useful life as it removes the potential for future spills or collapses.
- **Traffic Lights:** New poles, masts, and lights
- **Wilder Field Drainage Improvement:** New Concrete structures, PVC pipes, RCP Pipes and other drainage system components will provide over a 30-year useful life.

If you have any questions, please do not hesitate to contact me at 413.572.3281 or via email at [jpviamari@tighebond.com](mailto:jpviamari@tighebond.com).

Very truly yours,  
**TIGHE & BOND, INC.**

Joseph P. Viamari, Jr., PE, LEED AP  
Senior Vice President  
T 413.572.3281  
C 413.636.2236  
E [jpviamari@tighebond.com](mailto:jpviamari@tighebond.com)

Registered Professional Engineer Block and Signature



*Joseph P. Viamari, Jr.* 1/17/25  
\_\_\_\_\_  
Signature and Date

J:\G\G0384 GARDNER\PROP\ENGINEERS LETTER FOR BOND.DOCX



ORDER NO. 12886  
CITY OF GARDNER  
LOAN ORDER FOR NEW ELEMENTARY SCHOOL PROJECT

ORDERED:

That the City appropriates the amount of eighty-nine million five-hundred fifty- eight thousand five-hundred seventy dollars (\$89,558,570) for the purpose of paying costs of designing, constructing, equipping and furnishing a new elementary school, known as the Waterford Street Elementary School, to be located at the Pearl Street site in Gardner, MA, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of School Building Committee. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, or pursuant to any other enabling authority.

The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**Original Loan Order Approved by City Council**

ORDER NO. 12886

CITY OF GARDNER

## LOAN ORDER FOR NEW ELEMENTARY SCHOOL PROJECT

## ORDERED:

That the City appropriates the amount of eighty-nine million five-hundred fifty- eight thousand five-hundred seventy dollars (\$89,558,570) for the purpose of paying costs of designing, constructing, equipping and furnishing a new elementary school, known as the Waterford Street Elementary School, to be located at the Pearl Street site in Gardner, MA, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of School Building Committee. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, or pursuant to any other enabling authority.

The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

# City of Gardner, *Executive Department*

11489 10167



Mark Hawke, Mayor

2019 SEP -6 AM 8:17

September 5, 2019

Attorney Scott J. Graves, President  
And City Councilors  
95 Pleasant Street  
Gardner, MA 01440

RE: New Elementary Loan Order

Dear President Graves and Councilors,

Attached please find the Loan Order for New Elementary School Project, the grant award letter from the Massachusetts School Building Authority (MSBA), the worksheet showing the breakdown of costs that was submitted to the MSBA with the grant documents, an email containing the MSBA's approval of the Loan Order language and the approval of the Loan Order language by the City's bond counsel.

Respectfully,

Mark Hawke  
Mayor, City of Gardner



# Massachusetts School Building Authority

**Deborah B. Goldberg**  
*Chairman, State Treasurer*

**James A. MacDonald**  
*Chief Executive Officer*

**John K. McCarthy**  
*Executive Director / Deputy CEO*

August 28, 2019

The Honorable Mark P. Hawke  
 Mayor, City of Gardner  
 95 Pleasant Street, Room 125  
 Gardner, MA 01440

Re: City of Gardner, Waterford Street Elementary School

Dear Mayor Hawke:

I am pleased to report that the Board of the Massachusetts School Building Authority (the "MSBA") has voted to approve the Waterford Street Elementary School Project in the City of Gardner (the "City") to replace the existing Waterford Street Elementary School and the existing Elm Street Elementary School with a new PK-4 facility to be located on the Pearl Street site, contingent upon the District gaining full ownership, control, and exclusive use of the proposed site.

The Board approved an Estimated Maximum Total Facilities Grant of \$49,224,948, which does not include any funds for Potentially Eligible Owner's or Construction Contingency Expenditures. In the event that the MSBA determines that any Owner's and/or Construction Contingency Expenditures are eligible for reimbursement, the Maximum Total Facilities Grant for the Waterford Street Elementary School Project may increase to as much as \$51,211,184. The final grant amount will be determined by the MSBA based on a review and audit of all Project costs incurred by the City, in accordance with the MSBA's regulations, policies, and guidelines and the Project Funding Agreement. The final grant amount may be an amount less than \$49,224,948.

Further, the MSBA is working with the City to fully understand the City's proposed repurposing plan for the Elm Street Elementary School facility, which will be taken offline as an elementary school with the completion of the new PK-4 facility. Depending on the City's reuse plan, the MSBA may recover a portion of the two grants that the City received for prior projects at this facility, one for a Green Repair project that was completed in 2011 (MSBA ID 201101030001G), and one for a repair project completed in 2016 (MSBA ID 201401030001). If the MSBA determines that a portion of the grants for the prior projects will be recovered, these amounts will be deducted from the grant for the new PK-4 facility prior to project closeout.

At this time, a total of \$89,811 has been deducted from the Estimated Maximum Total Facilities Grant and the Maximum Total Facilities Grant for cost recovery. This cost

Page 2

August 28, 2019

Gardner Project Scope and Budget Authorization Board Action Letter

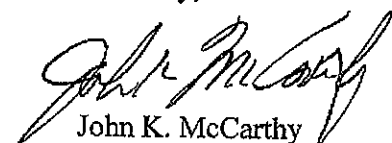
recovery amount may be increased based upon the MSBA's review of the City's reuse plan for the Elm Street Elementary School facility.

Pursuant to the MSBA's regulations, the City has 120 days after the date of the MSBA's Board vote to acquire and certify local approval for an appropriation and all other necessary local votes or approvals showing acceptance of the cost, site, type, scope, and timeline for the Waterford Street Elementary School Project. After receipt of the certified votes demonstrating local approval, the MSBA and the City will execute a Project Funding Agreement, which will set forth the terms and conditions pursuant to which the City will receive its grant from the MSBA. Once the Project Funding Agreement has been executed by both parties, the City will be eligible to submit requests for reimbursement for the Waterford Street Elementary School Project costs to the MSBA. The Project Scope and Budget Agreement signed by the City and the MSBA will form the basis for the Project Funding Agreement.

We will be contacting you soon to discuss these next steps in more detail, but in the meantime, I wanted to share with you the Board's approval of the Waterford Street Elementary School Project in the City of Gardner for to replace the existing Waterford Street Elementary School and the existing Elm Street Elementary School with a new PK-4 facility to be located on the Pearl Street site, contingent upon the District gaining full ownership, control, and exclusive use of the proposed site.

I look forward to continuing to work with you during the MSBA's grant program process. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.

Sincerely,



John K. McCarthy  
Executive Director

Cc: Legislative Delegation

Scott Joseph Graves, Esq., President, Gardner City Council

Jennifer Z. Pelavin, Vice Chair, Gardner School Committee

Mark Pellegrino, Superintendent, Gardner Public Schools

Dr. Stephen Hemman, Consultant, Gardner Public Schools

Tim Alix, Owner's Project Manager, Colliers International

Kristian Whitsett, Designer, Jones Whitsett Architects, Inc.

File: 10.2 Letters (Region 2)



City of Gardner  
Waterford Street Elementary School

DRAFT

8/21/2019

Total Project Budget: All costs associated with the project are subject to 963 CMR 2.16(5)	Estimated Budget	Scope Items Excluded from the Estimated Basis of Maximum Facilities Grant or Otherwise Ineligible	Estimated Basis of Maximum Total Facilities Grant <sup>1</sup>	Estimated Maximum Total Facilities Grant <sup>1</sup>	
<b>Feasibility Study Agreement</b>					
OPM Feasibility Study	\$200,000	\$0	\$200,000	Chris Alles: Ineligible for reimbursement.	
A&E Feasibility Study	\$430,000	\$0	\$430,000		
Environmental & Site	\$70,000	\$0	\$70,000		
Other	\$50,000	\$0	\$50,000		
<b>Feasibility Study Agreement Subtotal</b>	<b>\$750,000</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$600,000</b>	
<b>Administration</b>					
Legal Fees	\$20,000	\$20,000	\$0	\$0	
<b>Owner's Project Manager</b>					
Design Development	\$106,000	\$0	\$106,000	Chris Alles: MSBA PM reduced this amt by \$5 in order to fall within 3.5% allowance. OPM to confirm acceptance.	
Construction Contract Documents	\$242,700	\$0	\$242,700		
Bidding	\$122,200	\$0	\$122,200		
Construction Contract Administration	\$1,525,500	\$0	\$1,525,500		
Closeout	\$286,395	\$0	\$286,395		
Extra Services	\$0	\$0	\$0		
Reimbursable & Other Services	\$0	\$0	\$0		
Cost Estimates	\$66,800	\$0	\$66,800		
Advertising	\$3,000	\$0	\$3,000		
Permitting	\$0	\$0	\$0		
Owner's Insurance	\$35,000	\$0	\$35,000		
Other Administrative Costs	\$100,000	\$0	\$100,000		
<b>Administration Subtotal</b>	<b>\$2,507,595</b>	<b>\$20,000</b>	<b>\$2,487,595</b>	<b>\$1,990,076</b>	
<b>Architecture and Engineering</b>					
<b>Basic Services</b>					
Design Development	\$1,466,014	\$0	\$1,466,014		
Construction Contract Documents	\$2,199,021	\$0	\$2,199,021		
Bidding	\$333,185	\$0	\$333,185		
Construction Contract Administration	\$2,532,206	\$0	\$2,532,206		
Closeout	\$133,274	\$0	\$133,274		
Other Basic Services	\$0	\$0	\$0		
<b>Basic Services Subtotal</b>	<b>\$6,663,700</b>	<b>\$0</b>	<b>\$6,663,700</b>		
<b>Reimbursable Services</b>					
Construction Testing	\$35,000	\$0	\$35,000		
Printing (over minimum)	\$10,000	\$0	\$10,000		
Other Reimbursable Costs	\$100,000	\$0	\$100,000		
Hazardous Materials	\$50,000	\$0	\$50,000		
Geotechnical & Geo-Environmental	\$130,000	\$0	\$130,000		
Site Survey	\$50,000	\$0	\$50,000		
Wetlands	\$50,000	\$0	\$50,000		
Traffic Studies	\$100,000	\$0	\$100,000		
<b>Architectural/Engineering Subtotal</b>	<b>\$7,188,700</b>	<b>\$0</b>	<b>\$7,188,700</b>	<b>\$5,750,960</b>	
<b>CM at Risk Preconstruction Services</b>					
Pre-Construction Services	\$0	\$0	\$0	\$0	
<b>Site Acquisition</b>					
Land / Building Purchase	\$115,000	\$115,000	\$0	Chris Alles: Ineligible for reimbursement.	
Appraisal Fees	\$0	\$0	\$0		
Recording fees	\$0	\$0	\$0		
<b>Site Acquisition Subtotal</b>	<b>\$115,000</b>	<b>\$115,000</b>	<b>\$0</b>	<b>\$0</b>	
<b>Construction Costs</b>					
<b>SUBSTRUCTURE</b>					
Foundations	\$2,221,000				
Basement Construction	\$0				
<b>SHELL</b>					
Super Structure	\$4,924,000				
Exterior Closure	\$7,710,000				
Exterior Walls	\$0				
Exterior Windows	\$0				
Exterior Doors	\$0				
Roofing	\$2,482,000				
<b>INTERIORS</b>					
Interior Construction	\$5,749,000				
Staircases	\$517,000				
Interior Finishes	\$3,140,000				
<b>SERVICES</b>					
Conveying Systems	\$328,000				
Plumbing	\$2,014,000				
HVAC	\$6,552,000				
Fire Protection	\$665,000				
Electrical	\$5,333,000				
<b>EQUIPMENT &amp; FURNISHINGS</b>					
Equipment	\$714,000				
Furnishings	\$2,378,000				

SPECIAL CONSTRUCTION & DEMOLITION				
Special Construction				
Existing Building Demolition	\$0			
In-Building Hazardous Material Abatement	\$0	\$0		
Asbestos Containing Floor Material Abatement	\$0	\$0		
Other Hazardous Material Abatement	\$0	\$0		
BUILDING SITEWORK				
Site Preparation				
Site Improvements	\$1,944,000	\$0		
Site Civil / Mechanical Utilities	\$7,041,000	\$0		
Site Electrical Utilities	\$2,128,000	\$0		
Other Site Construction	\$605,000	\$0		
Site Cost over Allowance	\$0	\$0		
<b>Construction Trades Subtotal</b>		\$8,139,840		
Contingencies (Design and Pricing)	\$56,445,000	\$8,139,840		
D/B/B Sub-Contractor Bonds	\$5,644,000	\$813,912		
D/B/B Insurance	\$920,000	\$132,672		
D/B/B General Conditions	\$485,000	\$69,941		
D/B/B Overhead & Profit	\$3,865,000	\$557,365		
GMP Insurance	\$1,561,000	\$225,109		
GMP Fee	\$0	\$0		
GMP Contingency	\$0	\$0		
Escalation to Mid-Point of Construction	\$2,017,000	\$290,868		
<b>Construction Cost over Funding Cap</b>		\$11,910,139		
<b>Construction Budget</b>	<b>\$70,937,000</b>	<b>\$22,139,846</b>	<b>\$48,797,154</b>	<b>\$39,037,723</b>
Alternates				
Ineligible Work Included in the Base Project	\$0	\$0	\$0	\$0
Alternates Included in the Total Project Budget	\$0	\$0	\$0	\$0
Alternates Excluded from the Total Project Budget	\$0	\$0	\$0	\$0
<b>Subtotal to be Included in Total Project Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Miscellaneous Project Costs				
Utility Company Fees	\$100,000	\$0	\$100,000	
Testing Services	\$100,000	\$0	\$100,000	
Swing Space / Modulars	\$0	\$0	\$0	
Other Project Costs (Mailing & Moving)	\$40,000	\$40,000	\$0	
<b>Misc. Project Costs Subtotal</b>	<b>\$240,000</b>	<b>\$40,000</b>	<b>\$200,000</b>	<b>\$160,000</b>
Furnishings and Equipment				
Furniture, Fixtures, and Equipment	\$1,250,000	\$140,000	\$1,110,000	
Technology	\$1,250,000	\$140,000	\$1,110,000	
<b>FF&amp;E Subtotal</b>	<b>\$2,500,000</b>	<b>\$280,000</b>	<b>\$2,220,000</b>	<b>\$1,776,000</b>
Soft Costs that exceed 20% of Construction Cost			\$0	
<b>Project Budget</b>	<b>\$84,238,295</b>	<b>\$22,594,846</b>	<b>\$61,643,449</b>	<b>\$49,314,759</b>

Chris Alles: Represents site cost in excess of MSBA funding limit of 8% of building cost.

Chris Alles: Line Items 88-97 represent amt assoc'd with mark-ups of ineligible costs.

Chris Alles: Represents costs in excess of MSBA's cost/sf funding limit.

Chris Alles: Ineligible for reimbursement.

Chris Alles: Represents costs in excess of MSBA funding limits.

Board Authorization	
Design Enrollment	925
Total Building Gross Floor Area (GSF)	147,120
Total Project Budget (excluding Contingencies)	\$84,238,295
Scope Items Excluded or Otherwise Ineligible	\$22,594,846
Third Party Funding (Ineligible)	\$0
Estimated Basis of Maximum Total Facilities Grant <sup>1</sup>	\$61,643,449
Reimbursement Rate <sup>3</sup>	80.00%
Est. Max. Total Facilities Grant (before recovery) <sup>1</sup>	\$49,314,759
Cost Recovery <sup>4</sup>	\$1,877,376
Estimated Maximum Total Facilities Grant <sup>1</sup>	\$47,437,383

80.00 Reimbursement Rate Before Incentive Points  
 3.44 Total Incentive Points<sup>3</sup>  
 80.00% MSBA Reimbursement Rate

NOTES

This document was prepared by the MSBA based on a preliminary review of information and estimates provided by the City of Garner for the Waterford Street Elementary School project. Based on this preliminary review, certain budget, cost and scope items have been determined to be ineligible for reimbursement, however, this document does not contain a final, exhaustive list of all budget, cost and scope items which may be ineligible for reimbursement by the MSBA. Nor is it intended to be a final determination of which budget, cost and scope items may be eligible for reimbursement by the MSBA. All project budget, cost and scope items shall be subject to review and audit by the Authority, and the Authority shall determine, in its sole discretion, whether any such budget, cost and scope items are eligible for reimbursement. The MSBA may determine that certain additional budget, cost and scope items are ineligible for reimbursement.

1 - The Estimated Basis of Total Facilities Grant and Estimated Maximum Facilities Grant amounts appearing in the "MSBA Board Approved Budget" column do not include any potentially eligible contingency funds and are subject to review and audit by the MSBA. The Estimated Basis of Total Facilities Grant, Estimated Maximum Facilities Grant, and Maximum Total Facilities Grant amounts appearing in the "Proposed Revised PFA Budget" column have been adjusted to account for construction bids received in accordance with Section 2.2 of the PFA and any budget revision requests submitted and approved by the MSBA as of the Date noted in the Proposed Revised Budget PFA column of the PFA Amendment. These amounts are also subject to further review and audit by the MSBA.

2 - Pursuant to Section 3.20 of the Project Funding Agreement and the applicable policies and guidelines of the Authority, any project costs associated with the reallocation or transfer of funds from either the Owner's contingency or the Construction contingency to other budget line items shall be subject to review by the Authority to determine whether any such costs are eligible for reimbursement by the Authority. All costs are subject to review and audit by the MSBA.

3 - By statute, 80.00% is the City's maximum reimbursement rate. Here, the City's base reimbursement rate is 80.00% before applying any incentive points. Therefore, the City is not eligible to receive any incentive points as the base reimbursement rate results in a maximum reimbursement rate of 80.00%.

4 - The proposed demolition and/or repurposing of the existing Waterford St Elementary School and the Elm St Elementary School will result in the MSBA recovering a portion of state funds previously paid to the District for the MSBA ID #'s 200801030020G, 201101030001G, and 201401030001 at the existing facilities completed in 2011 and 2016. The MSBA has calculated this recovery of funds to be \$1,876,922 and this amount has been deducted from the Estimated Maximum Total Facilities Grant and the Maximum Total Facilities Grant. In addition, cost associated with the commissioning of ineligible square footage will result in the recovery of a portion of the overall commissioning cost. The MSBA has calculated this recovery of funds to be \$454. A total of \$1,877,376 has been deducted from the Estimated Maximum Total Facilities Grant and the Maximum Total

Construction Contingency <sup>2</sup>	\$3,546,850
Ineligible Construction Contingency <sup>2</sup>	\$2,837,480
"Potentially Eligible" Construction Contingency <sup>2</sup>	\$709,370
Owner's Contingency <sup>2</sup>	\$1,773,425
Ineligible Owner's Contingency <sup>2</sup>	\$0
"Potentially Eligible" Owner's Contingency <sup>2</sup>	\$1,773,425
Total Potentially Eligible Contingency <sup>2</sup>	\$2,482,795
Reimbursement Rate <sup>3</sup>	80.00%
Potential Additional Contingency Grant Funds <sup>2</sup>	\$1,986,236
Maximum Total Facilities Grant	\$49,423,619
Total Project Budget	\$89,558,570

**Mayor**

---

**From:** Brian Lynch <Brian.Lynch@massschoolbuildings.org>  
**Sent:** Tuesday, September 3, 2019 4:07 PM  
**To:** Mayor; 'mars.hemman@marsregionals.net'  
**Cc:** Timothy; Alan Minkus  
**Subject:** RE: MSBA Council Order Comments [LL-America.FID980831]

Good afternoon, Mayor Hawke:

The MSBA legal department has reviewed the vote language you provided and determined that the language is sufficient for MSBA purposes. As a friendly reminder, MSBA legal offered that the City must vote to appropriate the full amount of the Project's costs including both the local share and MSBA's share of Project funds.

Please keep me updated of any upcoming vote dates and please send me all required certified votes related to the appropriation.

Should you have any questions please do not hesitate to reach out.

-Brian

**From:** Mayor <Mayor@gardner-ma.gov>  
**Sent:** Friday, August 30, 2019 11:28 AM  
**To:** Brian Lynch <Brian.Lynch@massschoolbuildings.org>; 'mars.hemman@marsregionals.net' <mars.hemman@marsregionals.net>  
**Cc:** Timothy <Tim.Alix@colliers.com>; Alan Minkus <Alan.Minkus@colliers.com>  
**Subject:** RE: MSBA Council Order Comments [LL-America.FID980831]

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Brian,

The deadline is always as soon as possible. However, I would need it by the end of next week in order to get it on the Finance Committee and then City Council agenda for the following week.

Mark

**From:** Brian Lynch <[Brian.Lynch@massschoolbuildings.org](mailto:Brian.Lynch@massschoolbuildings.org)>  
**Sent:** Friday, August 30, 2019 11:25 AM  
**To:** Mayor <[Mayor@gardner-ma.gov](mailto:Mayor@gardner-ma.gov)>; 'mars.hemman@marsregionals.net' <[mars.hemman@marsregionals.net](mailto:mars.hemman@marsregionals.net)>  
**Cc:** Timothy <[Tim.Alix@colliers.com](mailto:Tim.Alix@colliers.com)>; Alan Minkus <[Alan.Minkus@colliers.com](mailto:Alan.Minkus@colliers.com)>  
**Subject:** RE: MSBA Council Order Comments [LL-America.FID980831]

Mayor Hawke,

Thank you for passing this along. MSBA legal staff will review the language you provided and I will forward any comments or questions they return.



Is there a deadline for when this language needs to be finalized?

Thanks and have a great weekend!

-Brian

---

**From:** Mayor <[Mayor@gardner-ma.gov](mailto:Mayor@gardner-ma.gov)>  
**Sent:** Friday, August 30, 2019 11:21 AM  
**To:** 'mars.hemman@marsregionals.net' <[mars.hemman@marsregionals.net](mailto:mars.hemman@marsregionals.net)>; Brian Lynch <[Brian.Lynch@massschoolbuildings.org](mailto:Brian.Lynch@massschoolbuildings.org)>  
**Cc:** Timothy <[Tim.Alix@colliers.com](mailto:Tim.Alix@colliers.com)>; Alan Minkus <[Alan.Minkus@colliers.com](mailto:Alan.Minkus@colliers.com)>  
**Subject:** FW: MSBA Council Order Comments [LL-America.FID980831]

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Brian,

I forwarded the language you sent us to our Bond Counsel. Attached is what they came back with stating that is how the MSBA prefers the language. Before sending it to the City Council, I wanted to have MSBA review the language.

Mark

---

**From:** Jennifer Dymek <[jdymek@gardner-ma.gov](mailto:jdymek@gardner-ma.gov)>  
**Sent:** Friday, August 30, 2019 9:41 AM  
**To:** Mayor <[Mayor@gardner-ma.gov](mailto:Mayor@gardner-ma.gov)>  
**Subject:** FW: MSBA Council Order Comments [LL-America.FID980831]

Here is the MSBA loan order, with modifications as suggested by our Bond Council.

Please let me know how you'd like me to proceed.

Jen

---

**From:** Manley, Richard [<mailto:Richard.Manley@lockelord.com>]  
**Sent:** Friday, August 30, 2019 9:36 AM  
**To:** Mary Carney (HTS) ([Mary.Carney@hilltopsecurities.com](mailto:Mary.Carney@hilltopsecurities.com)); Jennifer Dymek  
**Subject:** MSBA Council Order Comments [LL-America.FID980831]

Hi Jennifer and Mary, as requested, I have made some revisions to the draft loan order for the Waterford Elementary School Project. As you can see, I have primarily made revisions to more closely follow the form of loan order that is required by the MSBA. I have also attached a copy marked to highlight the particular revisions I have made. Please let me know if you have any questions, or if we can provide you with anything further.

Rick

Richard A. Manley, Jr.  
**Locke Lord LLP**  
111 Huntington Avenue  
Boston, Massachusetts 02199

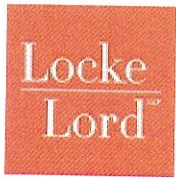
T: 617-239-0384

C: 781-467-9419

[richard.manley@lockelord.com](mailto:richard.manley@lockelord.com)

[www.lockelord.com](http://www.lockelord.com)

11499



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January 16, 2025

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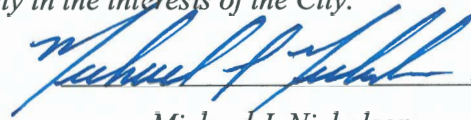
Commonwealth of Massachusetts

2025 JAN 23 AM 11:03  
Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Robert Oliva to the position of City Engineer, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor  
Michael J. Nicholson

Confirmed by City Council: \_\_\_\_\_

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

Expires: January 16, 2028

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

Then personally appeared the above named Robert Oliva and made oath that he/she would faithfully and impartially perform the duties of the office of City Engineer according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

January 16, 2025

RECEIVED

Commonwealth of Massachusetts

2025 JAN 23 A 11:03

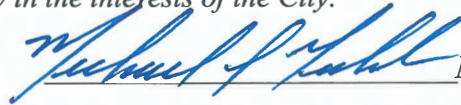
Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Christine Oliva Kumar to the position of City Assessor, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor

Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_ City Clerk

Titi Siriphan

Expires: January 16, 2028

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

Then personally appeared the above named Christine Oliva Kumar and made oath that he/she would faithfully and impartially perform the duties of the office of City Assessor according to law and the best of his/her abilities.

Before me,

\_\_\_\_\_ City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_



RECEIVED

January 16, 2025

RECEIVED

2025 JAN 34

Commonwealth of Massachusetts

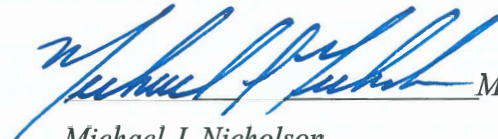
2025 FEB -3 P 2:29

Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner  
CITY CLERK'S OFFICE  
GARDNER, MA

CERTIFICATE OF APPOINTMENT

I appoint Eric McAvene, to the position of Chief of Police, of the Gardner Police 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.

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

Confirmed by City Council: \_\_\_\_\_

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

Expires: January 16, 2028

Worcester, ss., \_\_\_\_\_ 2025

Then personally appeared the above named Eric McAvene 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 \_\_\_\_\_



RECEIVED

January 16, 2025

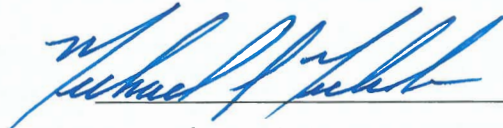
2025 FEB -3 P Commonwealth of Massachusetts

Worcester County CITY CLERK'S OFFICE GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Nicholas Maroni, to the position of Deputy Chief of Police, of the Gardner Police 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.

 Mayor  
Michael J. Nicholson

Confirmed by City Council: \_\_\_\_\_

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

Expires: January 16, 2028

Worcester, ss., \_\_\_\_\_ 2025

Then personally appeared the above named Nicholas Maroni 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 \_\_\_\_\_

January 15, 2025

RECEIVED

Commonwealth of Massachusetts

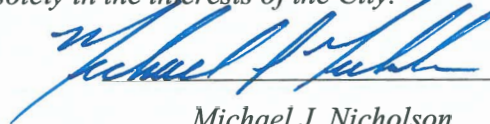
2025 FEB -3 P 2:29  
Worcester County

City of Gardner

CITY CLERK'S OFFICE  
GARDNER, MA

CERTIFICATE OF APPOINTMENT

I appoint Tina Sbrega to the position of Trustee, Williams-Rockwell Educational Gift Fund, and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

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

Confirmed by City Council \_\_\_\_\_

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

Expires: January 15, 2028

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

Then personally appeared the above named Tina Sbrega and made oath that he/she would faithfully and impartially perform the duties of the office of Trustee, Williams-Rockwell Educational Gift Fund according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

January 16, 2025

RECEIVED Commonwealth of Massachusetts

Worcester County 2025 FEB 3 P 2:30

City of Gardner

CITY CLERK'S OFFICE GARDNER, MA

CERTIFICATE OF APPOINTMENT

I appoint Autumn Brown to the position of Animal Control Officer, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

Michael J. Nicholson Mayor Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

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

Expires: January 16, 2028 \_\_\_\_\_

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

Then personally appeared the above named Autumn Brown and made oath that he/she would faithfully and impartially perform the duties of the office of Animal Control Officer according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975 and Chapter 409 Acts of 1983

Received \_\_\_\_\_

January 16, 2025

RECEIVED  
**Commonwealth of Massachusetts**

Worcester County 2025 FEB 13 P 2:30

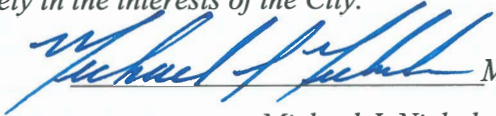
City of Gardner

CITY CLERK'S OFFICE  
GARDNER, MA

**CERTIFICATE OF APPOINTMENT**

I appoint Alana Meserve to the position of Animal Control Officer, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

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

Confirmed by City Council \_\_\_\_\_

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

Expires: January 16, 2028

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

Then personally appeared the above named Alana Meserve and made oath that he/she would faithfully and impartially perform the duties of the office of Animal Control Officer according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_

January 16, 2025

RECEIVED

Commonwealth of Massachusetts

2025 FEB -3 P 2:30  
Worcester County

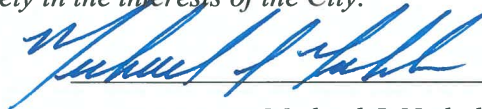
City of Gardner

CITY CLERK'S OFFICE  
GARDNER, MA

CERTIFICATE OF APPOINTMENT

I appoint Cheryl Slack to the position of Animal Control Officer, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor

Michael J. Nicholson

Confirmed by City Council \_\_\_\_\_

\_\_\_\_\_ City Clerk

Titi Siriphan

Expires: January 16, 2028

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

Then personally appeared the above named Cheryl Slack and made oath that he/she would faithfully and impartially perform the duties of the office of Animal Control Officer according to law and the best of his/her abilities.

Before me,

\_\_\_\_\_ City Clerk

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_



RECEIVED

January 16, 2025

Commonwealth of Massachusetts

2025 FEB -3 P 2:30

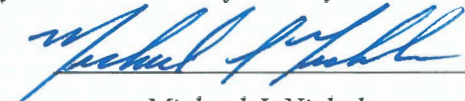
Worcester County  
CITY CLERK'S OFFICE  
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Anne Hurst to the position of Member, Disability Commission, and I certify

that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.

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

Confirmed by City Council \_\_\_\_\_

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

Expires: January 16, 2028

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

Then personally appeared the above named Anne Hurst and made oath that he/she would faithfully and impartially perform the duties of the office of Member, Disability Commission according to law and the best of his/her abilities.

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

Chapter 303 Acts of 1975  
and  
Chapter 409 Acts of 1983

Received \_\_\_\_\_



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

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February 7, 2025

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

RE: An Ordinance to Amend the Code of the City of Gardner, Chapter 7, thereof entitled "Boards and Commissions," as amended by Item 11289 as enacted on Dec 16, 2024, to add a new Section 6 to be entitled, "Community Development Block Grant Steering Committee."

Dear Mr. President and Councilors,

Following the Maki Park Report, I issued a statement promising to codify the structure and make up of the Community Development Block Grant ("CDBG") Steering Committee. This commitment was echoed in my State of the City Address that I delivered on January 14<sup>th</sup>, 2025, and again at the statements I made to the City Council at the regular meeting of January 21, 2025.

Attached to this correspondence is a proposed ordinance amendment that codifies the workings and structure of the CDBG Steering Committee to increase accountability and transparency, as a means to address the problems that arose in the recent past.

Respectfully submitted,

Michael J. Nicholson  
Mayor, City of Gardner

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 7, THEREOF ENTITLED, “BOARDS AND COMMISSIONS,” AS AMENDED BY ITEM 11289 AS ADOPTED ON DECEMBER 16, 2024, TO ADD A NEW SECTION 6 TO BE ENTITLED “COMMUNITY DEVELOPMENT BLOCK GRANT STEERING COMMITTEE.”**

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

**SECTION 1:** Chapter 7 of the Code of the City of Gardner, as amended though Item 11289 adopted by the City Council on December 16, 2024 and enacted with the Mayor’s signature on December 17, 2024, be amended by adding a new Section 6 to be entitled “Community Development Block Grant Steering Committee,” to read as follows:

Section 6: Community Development Block Grant Steering Committee

A. Establishment

- i. There is hereby established a Community Development Block Grant Steering Committee who shall have oversight over all proposals and projects funded by Community Development Block Grant Funding.

B. Membership

- i. The Committee shall be chaired by the Director of the Department of Community Development and Planning or their designee.
- ii. The Mayor, or their designee, shall be a member of the Committee.
- iii. The Mayor shall annually appoint one (1) members of the committee who shall not be subject to confirmation by the City Council.
- iv. The City Council President, or their designee, shall serve as a member of the Committee.
- v. The City Council President shall annually appoint one (1) members of the committee who shall not be subject to confirmation by the City Council. This appointee may be a member of the City Council, at the discretion of the City Council President, but membership of the City Council shall not be a requirement of this appointment.
- vi. The Mayor and City Council President shall notify the City Council, in writing, of the annual appointments made to the Committee.

C. Technical and Staff Assistance



- i. The Assistant Director of the Department of Community Development and Planning shall serve as a non-voting, ex-officio member of the Committee.
- ii. The Director of Community Development may assign the staff of the department to provide any and all necessary technical and staff assistance to the committee as deemed necessary.

D. Meetings

- i. The Committee shall meet monthly. The Committee may waive this requirement upon written approval by both the Mayor and the City Council President.
- ii. The Committee shall annually submit to the Mayor and the City Council the proposed funding plan for funds received by the Community Development Block Grant Program.
- iii. The Committee shall also review and have oversight over all projects funded by the Community Development Block Grant.

**SECTION 2:** All Sections of Chapter 7 of the Code of the City of Gardner, thereof entitled “Boards and Commissions” be re-numbered accordingly following the addition of the new Section 6.

**SECTION 3:** This ordinance shall take effect upon passage and publication as required by law.

**From:** [Elizabeth Kazinskas](#)  
**To:** [Titi Siriphan](#)  
**Cc:** [George Tyros](#)  
**Subject:** Re: Item & 2/18 Meeting Request - Economic & Community Development Standing Committee  
**Date:** Wednesday, February 12, 2025 1:36:21 PM

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Good afternoon again,

My sincerest apologies, as I omitted one request from my previous email. I'd also like to request for these items to be placed on the Tuesday, February 18th, full City Council meeting agenda, with Council President Tyros' approval to do so.

Best,  
Lizzy

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**From:** Elizabeth Kazinskas <ekazinskas@gardner-ma.gov>  
**Sent:** Wednesday, February 12, 2025 1:32 PM  
**To:** Titi Siriphan <tsiriphan@gardner-ma.gov>  
**Cc:** George Tyros <gtyros@gardner-ma.gov>  
**Subject:** Item & 2/18 Meeting Request - Economic & Community Development Standing Committee

Good afternoon Madam Clerk,

I'd like to request that an item be added to the next Economic & Community Development Committee meeting agenda for a one month update from the Director of Community Development & Planning.

Additionally, I'd also like to request for a meeting of the Committee to be scheduled this Tuesday, February 18th, at 5:30 PM, in the City Council Chamber. With the Council President's approval, please place the above requested item along with item 11498 from your previous email on the agenda for this meeting.

Best,  
Lizzy

**Elizabeth Kazinskas**  
**Councillor at Large**  
**Gardner City Council**

*Economic & Community Development Committee, Chair*  
*Appointments Committee, Member*  
*Capital Improvement Planning Committee, Council Designee*  
*Constituent Services & Community Outreach, Council Liaison*

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(978) 337-1533

[ekazinskas@gardner-ma.gov](mailto:ekazinskas@gardner-ma.gov)

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**From:** Elizabeth Kazinskas  
**Sent:** Tuesday, February 11, 2025 11:33 AM  
**To:** Titi Siriphan <[tsiriphan@gardner-ma.gov](mailto:tsiriphan@gardner-ma.gov)>  
**Cc:** George Tyros <[gtyros@gardner-ma.gov](mailto:gtyros@gardner-ma.gov)>  
**Subject:** Re: New Item in folder

Thank you!

**Elizabeth Kazinskas**

Councillor at Large

Gardner City Council

(978) 337-1533

[ekazinskas@gardner-ma.gov](mailto:ekazinskas@gardner-ma.gov)

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**From:** Titi Siriphan <[tsiriphan@gardner-ma.gov](mailto:tsiriphan@gardner-ma.gov)>  
**Sent:** Tuesday, February 11, 2025 11:00 AM  
**To:** Elizabeth Kazinskas <[ekazinskas@gardner-ma.gov](mailto:ekazinskas@gardner-ma.gov)>  
**Cc:** George Tyros <[gtyros@gardner-ma.gov](mailto:gtyros@gardner-ma.gov)>  
**Subject:** New Item in folder

Morning Councillor Kazinskas,

There is a new item in the "Assigned to Economic and Community Development" folder. I have also attached a copy of the item.

Please let me know when you would like to schedule a meeting.

Thank you,

Ti

Titi Siriphan  
City Clerk  
95 Pleasant Street, Room 121  
Gardner, MA 01440  
Tel 978-630-4058  
Fax 978-630-2589

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