

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**

CITY COUNCIL



FINANCE COMMITTEE MEETING NOTICE

***AMENDED**

Date: Monday, April 7, 2025
Time: 6:00 P.M.
Location: City Council Chambers, City Hall

AGENDA

CALL TO ORDER

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.

I. Review and Approval of Meeting Minutes

- February 12, 2025
- February 26, 2025

II. First Time on the Agenda

11515 - A Resolution of disapproval and opposition to the proposed Building Department fee increases. *(Submitted by President Tyros.)*

11516 - A proposal by President Tyros that the City Council discuss the creation of a Special Committee for the Waterford Community Center Project.

11517 - A proposal by President Tyros that the City Council discuss the City’s current sexual harassment policy.

11518 - A proposal by President Tyros that the City Council discuss the current state of facilities management for all municipal buildings.

III. **In Subcommittee**

11477 – Discussions in Regard to Internal Working Groups Review of the Salary Study.
(Submitted by Councillor Aleksander Dernalowicz).

11482 – Discussions regarding the City’s Health Insurance Payments and Trust Fund.

11507 - A Report from the Ronald F. Cormier Memorial Committee.

ADJOURNMENT

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY COUNCIL OF GARDNER

Aleksander H. Dernalowicz

Aleksander H. Dernalowicz
Chair, Finance Committee

*AMENDED: **11515** - Additional information added.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF FEBRUARY 12, 2025

The Finance Committee meeting was called to order by Councillor Aleksander Dernalowicz at 4:00 PM in the City Council Chamber, Room 219, City Hall.

Finance Committee Members, Councillor Judy Mack and Brad Heglin were also present.

Also participating, Mayor Michael Nicholson; City Auditor John Richard; Assistant City Clerk Jayen Kumar, and City Clerk Titi Siriphan.

Review and Approval of Meeting Minute(s)

On a motion made by Councillor Judy Mack and seconded by Councillor Brad Heglin, it was voted to waive the reading and accept the Finance Committee Meeting Minutes of January 15, 2025.

#11482 – Discussions regarding the City’s Health Insurance Payments and Trust Fund

Mayor Nicholson informed the Committee that there were some reconciliations that were made that brought the balance of the trust fund back up significantly to \$1.4 million dollars. Claims are still coming in higher than last year every month, but the financial status of the trust is a lot better than expected.

Auditor Richard mentioned that the fund went from \$400,000.00 to \$1.4 million and that’s how much of a change can happen in one month. The stop loss came in at \$448,000.00 came in one month. There is still \$440,000.00 of stop loss that hasn’t been reimbursed yet and he is not sure when that will happen. The first six months were \$212,000.00 more than the usual monthly average.

Councillor Mack questioned what will be done in the future to prevent another discrepancy.

Auditor Richard stated that he has put a reminder on his outlook calendar so that it doesn’t happen again.

Chair Dernalowicz recommends keeping this item on the agenda as it’s an ongoing item. The Committee agreed.

#11497 – A Communication from the Mayor Regarding the Contract with Keller Partners, Co. for Grant Writing and Lobbying Services

Mayor Nicholson submitted the final executed copy of the contract between the City and Keller Partners, Co., as requested by the Finance Committee Chair.

On a motion by Councillor Mack and seconded by Councillor Heglin, it was voted to recommend the City Council to place the communication on file.

3 yeas, motion passes.

CITY OF GARDNER, MASSACHUSETTS
 CITY COUNCIL FINANCE COMMITTEE
 MINUTES OF MEETING OF FEBRUARY 12, 2025

#11499 –An Order to Reappropriate \$8,161,000.00 of Unexpected Bond Proceeds to Other Capital Projects.

Mayor Nicholson informed the Committee that during his State of the City Address of January 15, 2025, he 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. Mayor Nicholson submitted a re-appropriation request with proposals projects.

On a motion by Councillor Mack and seconded by Councillor Heglin, it was voted to recommend the City Council to adopt the following order:

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

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF FEBRUARY 12, 2025

TOTAL:	\$8,161,000.00
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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.

3 yeas, motion passes.

#11457 – An Ordinance to Amend the Code of the City of Gardner to have the Community Development Block Grant Steering Committee Meet Monthly. (Submitted by Councillor George Tyros)

On a motion by Councillor Mack and seconded by Councillor Heglin, it was voted to recommend the Ordinance to the new Economic and Community Development Committee.

3 yeas, motion passes.

#11477 – Discussions in Regard to Internal Working Groups Review of the Salary Study. (Submitted by Councillor Aleksander Dernalowicz)

There were no further updates on this item. Councillor Dernalowicz recommended keeping this item on the agenda. The committee agreed and there were no further questions or objections.

#11454 – Report on the Investigation of the Maki Park Project. (In the City Council and Referred to Finance Committee 12/16/2024)

On a motion by Councillor Heglin and seconded by Councillor Mack, it was voted refer to the new Economic and Community Development Committee.

3 yeas, motion passes.

ADJOURNMENT

On a motion by Councillor Mack and seconded by Councillor Heglin, it was voted to adjourn at 4:28 p.m.

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF FEBRUARY 26, 2025

The Finance Committee meeting was called to order by Councillor Aleksander Dernalowicz at 4:00 PM in the City Council Chamber, Room 219, City Hall.

Finance Committee Members, Councillor Judy Mack and Brad Heglin were also present.

Also participating, Mayor Michael Nicholson; City Auditor John Richard; Assistant Community Development and Planning Director Evan Cudmore; and Assistant City Clerk Jayen Kumar.

Review and Approval of Meeting Minute(s)

On a motion made by Councillor Judy Mack and seconded by Councillor Brad Heglin, it was voted to waive the reading and accept the Finance Committee Meeting Minutes of January 29, 2025.

3 yeas, motion passes.

#11502 - A Communication from the Mayor Regarding the Certification of the City's FY24 LA19.

Mayor Nicholson informed the Committee that there were some reconciliations that were made that brought the balance of the trust fund back up significantly to \$1.4 million dollars. Claims are still coming in higher than last year every month, but the financial status of the trust is a lot better than expected.

Councillor Mack and Dernalowicz also commended the City Assessor for getting the report done and achieving the assessment ratios needed.

On a motion by Councillor Heglin and seconded by Councillor Mack, it was voted to recommend the City Council to place the communication on file.

3 yeas, motion passes.

#1503 - An Order of Taking for Easements (temporary and/or permanent) by Eminent Domain for the Purpose of the Safe Routes to School Project for various properties located on Elm Street in the area between Temple Street and Cherry Street.

Mayor Nicholson informed the committee that the City is in the process of launching the Safe Routes to School improvements to the Elm Street Corridor later this year. In order for the project to move forward, the City must obtain easements, both temporary and permanent, at various properties along Elm Street where the work will be occurring. The majority of these easements are temporary, to allow for the storage of supplies and materials during the construction. The obtaining of these easements is a requirement for the Safe Routes to School Program by the Massachusetts Department of Transportation, in a manner identical to when the easements were taken out for the Uptown Rotary Improvement

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF FEBRUARY 26, 2025

Project.

Councillor Dernalowicz questioned the timetable of the project.

Assistant Director Cudmore responded it will be in the springtime but will update the Council on a specific date.

Councillor Mack questioned if there were any property owners who were objected to using their properties.

Assistant Director Cudmore responded that he did not receive any notification of objection. He has met some of the property owners and also sent notifications to all of them and let them know they can contact the office with any questions.

Councillor Dernalowicz would like to thank Councilor Calvin Brooks for the donation of his property for the project.

On a motion by Councillor Mack and seconded by Councillor Heglin, it was voted to recommend the City Council to adopt the order.

3 years, motion passes.

#11477 – Discussions in Regard to Internal Working Groups Review of the Salary Study.
(Submitted by Councillor Aleksander Dernalowicz)

There were no further updates on this item. Councillor Dernalowicz recommended keeping this item on the agenda. The committee agreed and there were no further questions or objections.

#11482 – Discussions regarding the City's Health Insurance Payments and Trust Fund.

Mayor Nicholson informed the committee that there were no further updates. They have received the stoploss payment, but it has not been calculated. It is normally calculated at the end of the month.

The committee agreed to keep this item on the agenda.

ADJOURNMENT

On a motion by Councillor Heglin and seconded by Councillor Mack, it was voted to adjourn at 4:12 p.m.

RESOLUTION

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

WHEREAS: It has come to the attention of the City Council that the Building Commissioner has submitted a proposal to raise permit fees; and

WHEREAS: Increased permit fees increase the cost of new building and renovation and can inhibit both; and

WHEREAS: The costs of construction have already risen significantly for both residents businesses;

NOW THEREFORE BE IT RESOLVED: The City Council wishes to express its disapproval and opposition to the proposed fee increases.

From: Thomas Zuppa <tzuppa@gardner-ma.gov>

Sent: Saturday, December 28, 2024 12:38:40 PM

11515

To: Mayor <Mayor@gardner-ma.gov>; John Richard <jrichard@gardner-ma.gov>

Cc: Titi Siriphan <tsiriphan@gardner-ma.gov>

Subject: Building Department Fee Schedule

Mr. Mayor,

Attached you will find my proposal letter along with the existing and proposed fee structure for all fees within the building department not including zoning fees

I am respectfully requesting my proposal be added to the first finance committee meeting to be held in January 2025.

Respectfully,



Thomas Zuppa, C.B.O.

Building Commissioner/
Zoning Enforcement Officer

City of Gardner Building Department

Phone: 978-630-4060

Email: tzuppa@gardner-ma.gov

115 Pleasant St. Rm. 101 Gardner, MA 01440

RECEIVED
2025 APR - 4 A 8: 50
CITY CLERK'S OFFICE
GARDNER, MA



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



December 28, 2024

Hon. Michael Nicholson, Mayor
 Gardner City Hall, Rm. 125
 95 Pleasant St.
 Gardner, MA 01440

RE: Building Department Fee Structure

Dear Mr. Mayor,

I am writing to formally submit my proposal to increase all fees currently under control of the Building Department. The fee increases being proposed include fees for building, electrical, plumbing and gas permits, as well as re-inspection and after-hours inspection fees.

As you are aware, the building and health inspectors have signed their union contract and are now being represented by the teamsters union. As a result, of the unionizing of the inspectors, the building department inspector salaries have increased by approximately 22%. This salary increase has already taken effect. After exploring all other options, it has been determined that the only way to pay for the increase in inspector salaries is to immediately increase all fees within the building department.

Attached you will find both current and proposed fee schedules for the above referenced permits.

Respectfully submitted,



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

Mission Statement

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



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



December 28, 2024

Hon. Michael Nicholson, Mayor
 Gardner City Hall, Rm. 125
 95 Pleasant St.
 Gardner, MA 01440

RE: Building Commissioner Salary Increase

Dear Mr. Mayor,

I am writing to formally submit my request for an immediate salary increase. As you are aware, the building and health inspectors have signed their union contract and are now being represented by the teamsters union. As a result of the unionizing of the inspectors, the Inspector of Wires' base salary has increased 20.37% from \$67,590.12/yr to \$81,358.20/yr.

As the department head, my base salary is \$87,558.64. The difference between the Inspector of Wires and Building Commissioner salaries has been reduced from 29.54% to a mere 7.58%. Effective July 1, 2025, The Inspector of Wires will receive a step increase per the union contract which will bring the base salary to \$85,780.5. This is prior to a 2% cost of living increase. Should the inspector receive the COLA, the base salary will be \$87,496.11.

Should the COLA be issued to my position, effective July 1, 2025, my base salary will be \$89,309.81. The Inspector of Wires will make within 2% of the Building Commissioner who he directly reports to.

Below is a breakdown of the roles and responsibilities of both positions.

Inspector of Wires

1. Responsible for the enforcement of NFPA 70 (national electrical code) and 527 CMR 12.00 *Massachusetts Electrical Code (Amendments)*
2. Performs work on decorative pediment lights and traffic lights within the city of Gardner.

Building Commissioner

1. Responsible for the enforcement 780 CMR; Massachusetts State Building Code for both commercial and residential structures
2. Responsible for the enforcement of all referenced codes and standards including specialized codes of M.G.L. c. 143 §96. Referenced and specialized codes include the following found in section 101.4 of 780 CMR; Massachusetts State Building Code.

Mission Statement

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

Work regulated by the specialized codes of M.G.L. c. 143, § 96 shall be designed, installed, and inspected by individuals authorized to do so in accordance with the specialized codes. *However, the impact of work regulated by the specialized codes of M.G.L. c. 143, § 96 and other codes and regulations on work governed by 780 CMR and within the jurisdiction of the building official, shall be subject to inspection by the building official.*

- The International Fuel & Gas code. In Massachusetts, reference to the International Fuel & Gas code is reference to 248 CMR and under the jurisdiction of the building official.
- The International Mechanical code is under the jurisdiction of the building official.
- The International Property Maintenance code was not adopted in MA, however section 102.8 of 780 CMR; Massachusetts State Building Code, gives the building official the authority to enforce the maintenance of existing structures.
- Fire Prevention and Protection. 527 CMR 1.00 is enforced by both the Fire and Building Departments however, the impact of work regulated by 527 CMR 1.00 is under the jurisdiction of the building official.
- The International Energy Code or 780 CMR 13.00 except where a municipality has adopted the Stretch energy code or Specialized opt-in energy code then 225 CMR 23.00 shall apply.
- Architectural Access or 521 CMR. 521 CMR governs all accessibility requirements for persons with disabilities and is the jurisdiction of the building official.
- Environmental Protection including 310 CMR: Department of Environmental Protection and 314 CMR: Division of Water Pollution Control.
- State elevator code or 524 CMR. This enforced jointly between the state elevator inspectors and the building official.
- NFPA 70 (national electrical code) and 527 CMR 12.00 Massachusetts Electrical Code (Amendments). This is also enforced by the Inspector of Wires who reports to the Building Commissioner.
- The International Residential code referenced above.
- Transit and Commuter Rail Stations. Such stations shall comply with 780 CMR and NFPA 130-2014, chapters 2, 3, 4, and 5. Any references to NFPA 101 and NFPA 220 shall mean reference to 780 CMR. Where conflict exists between 780 CMR and the referenced standard, compliance with the referenced standard shall be required. Depending on the ownership of the station, jurisdiction will either go to the State Building Inspector or the Building Commissioner and/or Local Building Inspector.
- International Swimming Pool and Spa Code is under the jurisdiction of the building official.
- Existing Buildings and Structures are governed by 780 CMR; Massachusetts State Building Code and enforced by the building official.
- 760 CMR for accessory dwelling units is under the jurisdiction of the building official.
- All applicable sections of the Gardner City Code.
- M.G.L. c 40A ZONING is directly enforced by the Building Commissioner and Local Building Inspectors.
- M.G.L. c.128 and all sub-sections are directly enforced by the Building Commissioner and Local Building Inspectors as they relate to zoning.
- M.G.L. c 148 Fire Prevention as it relates to 780 CMR; Massachusetts State Building Code.

The above is a comprehensive list however, it does not encompass the full powers and duties of the building official, specifically the Building Commissioner.

Additionally, in my role as Building Commissioner for the city of Gardner, I also function as the facilities director for Gardner city hall. In the last year, additional city owned buildings have been added to this role. Buildings include the vacant Helen Mae Sauter building, the vacant school building at 53 School St., the non-profit building formerly known as Waterford St. School and the annex building adjacent to it.

Each of these roles requires a different knowledge base and set of skills to be performed appropriately. At this time, I am respectfully requesting an immediate salary increase of 20.37% which is equal to the increase received by the Inspector of Wires but less than the previous difference between the positions of 29.54%. The new Building Commissioner base salary of \$105,394.33 is required as it will base the pay on responsibility and correct the salary differential between the highest paid (base salary) employee and the department head.

Respectfully submitted,



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

FEES

390 Attachment 1

City of Gardner

Table 110

[Added 2-22-2011 by Ord. No. 1522; amended 3-21-2022 by Ord. No. 1645]

Use Group	Use Group	Use Group Description	Minimum Inspections	Maximum Certification Period	Fee per Certification Period
A-1	Movie theaters or theaters with stage and scenery	Over 400 capacity	Semiannual	1 year	\$140
		400 or less capacity	Semiannual	1 year	\$95
A-2	Restaurants, nightclubs, bars, banquet halls, or similar uses	Over 400 capacity	Semiannual ¹	1 year	\$140
		400 or less capacity	Annual ¹	1 year	\$95
A-3	Lecture halls, churches, places of religious worship, recreation centers, terminals, etc.	Over 400 capacity	Semiannual	1 year	\$140
		400 or less capacity	Annual	1 year	\$95
A-4	Low-density recreation and similar uses		Prior to issuance of each new certificate	5 years	\$95
A	Special amusement buildings or portions thereof		Prior to issuance of each new certificate	1 year	\$95
E	Educational and certain day-care facilities		Prior to issuance of each new certificate	1 year	\$95
I-1	Group home, assisted living, etc. (greater than 16 residents)		Prior to issuance of each new certificate	1 year	\$95 plus \$5/bedroom
I-2	Residents incapable of self-preservation: hospitals, nursing homes, mental hospitals, certain day-care facilities		Prior to issuance of each new certificate	2 years ³	
I-3	Residents restrained: prisons, jails, detention centers, etc.		Prior to issuance of each new certificate	2 years	
I-4	Adult and/or child day-care facilities		Prior to issuance of each new certificate	1 year	\$95

GARDNER CODE

Use Group	Use Group	Use Group Description	Minimum Inspections	Maximum Certification Period	Fee per Certification Period
R-1	Hotels, motels, boardinghouses, etc., and R-2 dormitories		Prior to issuance of each new certificate	1 year	\$95 plus \$5/bedroom
R-1	Detoxification facilities		Prior to issuance of each new certificate	2 years	\$150
R-2	Multifamily (3 or more dwelling units)		Prior to issuance of each new certificate	5 years	\$95 plus \$10/bedroom
R-2	Summer camps for children		Annual	1 year	
R-4	Residential care/assisted living facilities (6 to 16 residents)		Annual	1 year	\$95
Any	Facilities licensed by the Alcohol Beverage Control Commission where alcoholic beverages are served and consumed		Annual (per MGL c. 10, § 74)	1 year (per MGL c. 10, § 74)	
Any	House museums (see 780 CMR Chapter 34 for definition)		Annual	1 year	\$95
Any	Fire escapes, etc., per 780 CMR Chapter 10		5 years	5 years	Note c

Notes applicable to Table 110:

General note: It is the responsibility of building "owner," as defined in 780 CMR Chapter 2, to meet the inspection requirements in this table for continued use and occupancy. The maximum certification period specified in the table is intended to provide administrative flexibility. For uses allowing more than one year maximum certification period, the building official may determine the certificate validity term. For example, an R-2 building could be certified for one, two, three, four, or five years.

1. When appropriate for A-2 uses, the inspection for the certificate of inspection should include and be timed to satisfy the requirements of MGL c. 10, § 74.
2. Building inspections in this use group may be performed by a qualified third party acceptable to the building official that includes but is not limited to registered design professional or individuals with qualifications comparable to a building official as per Section 103.
3. One year for facilities licensed or operated by DMH (Department of Mental Health).
 - a. For all buildings or structures, or parts thereof, in the I-2 or I-3 use group, the fee to be charged for the maximum certification period of two years is \$150 for each structure containing up to 100 beds, plus a charge of \$4 for each additional 10 beds or fraction thereof.
 - b. Summer camps for children in use group R-2 shall be inspected and certified annually prior to the beginning of each season. The annual fee shall be \$80 plus \$30 per assembly building or use.
 - c. 780 CMR 1001.3.2 Testing and Certification. All exterior bridges, steel or wooden stairways, fire escapes and egress balconies shall be examined and/or tested, and certified for structural adequacy and safety every five years, by a registered design professional, or others qualified and acceptable to the building official; said professional or others shall then submit an affidavit to the building official.

110.7 Periodic Inspections

After receiving an application by the *owner* or *owner's* designee, the *building official* shall inspect *existing buildings* and structures, and parts thereof, in accordance with Table 110: *Schedule for Periodic Inspections of Existing Buildings*. Such buildings shall not be occupied or continue to be occupied without a valid Certificate of Inspection. Lack of a current Certificate of Inspection may be enforced in accordance with *780 CMR Section 114.3 Enforcement*. Periodic inspections required by this section do not apply to residences operated or licensed by the Massachusetts Department of Developmental Services and subject to 780 CMR 51.00: *Massachusetts Residential Code*

Table 110

Schedule for Periodic Inspection of Existing Buildings ^{1, 3, 4, 5, 6, 7}

(See Chapters 3: *Use and Occupancy Classification* and 4: *Special Detailed Requirements Based on Use and Occupancy* for complete descriptions of use groups.)

<u>Use Group</u>	<u>Use Group Description</u>	<u>Use Group Description</u>	<u>Minimum Inspections</u> ³	<u>Maximum Certification Period</u>	<u>Fee Per Inspection</u>
A-1 ¹	Movie theaters or theaters for performing acts (<u>stage and scenery</u>)	> 400 <u>occupant load</u>	Semi-annual	One year	\$120
		≤ 400 <u>occupant load</u>	Semi-annual	One year	\$170
A-2 ¹	Restaurants, <u>Night Clubs</u> or similar <u>uses</u>	> 400 <u>occupant load</u> ¹	Semi-annual ¹	One year	\$120
		≤ 400 <u>occupant load</u> ¹	Annual ¹	One year	\$170
A-3 ^{1/6}	Lecture halls, dance halls, churches and <u>places of religious worship</u> , recreational centers, terminals, etc.	> 400 <u>occupant load</u>	Semi-annual	One year	\$120
		< 400 <u>occupant load</u>	Annual	One year	\$170

A-4 ¹	Low density recreation and similar <u>uses</u> .	See note 3 & 5.	Five years	\$120
A	Special amusement buildings or portions thereof.	See note 3.	One year	\$120
B	Special amusement buildings or portions thereof.	See note 3.	One year	\$120
E ⁶	Educational, and "E" <u>Use</u> day care	see note 3.	One year	\$120
I-1	<u>Group home</u>	see note 3.	One year	\$120 plus \$5/bedroom
I-2	Residents <u>incapable of self-preservation</u> : hospitals, nursing home, mental hospitals, certain day care <u>facilities</u> .	See note 3.	Two years ²	\$240
I-3	Residents restrained: prisons, jails, detention centers, etc.	see note 3.	Two years	\$240
I-4	Adult and/or child day care <u>facilities</u> .	See note 3.	One year	\$120
R-1	Hotels, motels, <u>boarding houses</u> , etc.	see note 3.	One year	\$95 plus \$5/bedroom /guestroom
R-1	<u>Detoxification facilities</u>	see note 3.	Two years	\$300
R-2	Multi-family (3 or more dwelling units)	see note 3 & 5.	Five years	\$95 plus \$5/bedroom

R-2	Dormitories and R-2 Congregate Living	see note 3	One year	\$95 plus \$5/bedroom /guestroom
R-2	Summer Camps for children.	Annual	One year	\$125 plus \$5/bedroom /guestroom
R-3	Residential <u>facilities</u> licensed by DDS or DMH	Annual	One year	\$120
Other R Uses	NON-Primarily <u>Owner</u> occupied residential <u>facilities</u> utilized as a short term rental: <u>Use Group as determined in Section 310.</u>	Annual	One year	\$95
R-3	Primarily <u>owner</u> occupied One and/or Two family <u>dwellings</u> used as a <u>Lodging House for short term rentals.</u>	See Note 5.	Five Years	\$120
Chapter 51 Residential Code	Primarily <u>owner</u> occupied One and Two family <u>dwellings</u> used as a <u>Lodging House for short term rentals per 780 CMR Chapter 51.</u>	See Note 5.	Five Years	\$95 plus \$5/bedroom /guestroom
R-4	Residential care/assisted living <u>facilities</u> (< 16 persons)	Annual	One Year	\$120
Any	<u>Facilities</u> licensed by the Alcohol Beverage Control Commission where alcoholic beverages are served and consumed.	Annual ⁴ as per M.G.L. c. 10, § 74	One year as per M.G.L. c. 10, § 74	See A-2 Fee Above
Any	House museums (as recognized by Massachusetts Historical Commission)	Annual	One year	See A-4 Fee Above

Any	Fire escapes, etc. per 780 CMR 10.00: <i>Means of Egress</i>	Five years	Five years	
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NOTES:

1. When appropriate the inspection for the Certificate of Inspection should include and be timed to satisfy the requirements of M.G.L. c. 10, § 74.
2. One year for facilities licensed or operated by the Department of Mental Health ("DMH").
3. Application shall be made prior to the expiration of the existing Certificate of Inspection.
4. Certificates of inspection for establishments intending to sell alcoholic beverages to be consumed on the premises shall be governed by M.G.L. c. 10, § 74 and the inspection schedule in section 110.7. The building official may issue a temporary inspection certificate, once co-signed by the building official and by the head of the fire department, effective to a date certain for the establishment.
5. It is the responsibility of building owner to meet the inspection requirements in this table for continued use and occupancy. The maximum certification period specified in the table is intended to provide administrative flexibility. For uses allowing more than a one year maximum certification period, the building official shall determine the certificate validity term. (For example, an R-2 apartment building could be certified for one, two, three, four or five years.)
6. The Building Commissioner shall not charge a certificate of inspection fee to churches, schools and the City of Gardner. [Added 11-17-1975 by Ord. No. 602]
7. A re-inspection fee equal to the initial inspection fee shall be charged for all re-inspections. Re-inspection fee may be reduced at the discretion of the Building Commissioner.

110.7.1 Proof of Maintenance Required by 780 CMR 102.8

Documentation of the maintenance of the existing building features listed in 102.8 shall be provided to the building official prior to or at the time of the periodic inspection. The building official may request proof of maintenance of additional building features regulated by 780 CMR. At a minimum, provide the following documentation:

1. copy of the latest fire extinguisher inspection report (or invoice)
2. copy of the latest fire sprinkler test report
3. copy of the latest standpipe test report (when applicable)
4. copy of the latest fire alarm test report (including emergency lighting see #6)
5. copy of the latest 90-minute emergency lighting test for lighting and exit signs (if battery powered)
6. copy of the latest "kitchen hood" suppression system test report (if applicable)
7. copy of the latest generator test report (if applicable)
8. copy of the exterior stair/balcony/fire escape 5 year certificate (if applicable)
9. report showing compliance with NFPA 80, (when applicable)

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 390 OF THE CODE OF THE CITY OF
GARDNER, ENTITLED FEES

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

SECTION 1: That Section 1 of Chapter 390 of the Code of the City of Gardner, entitled Building Permit Fee Schedule, be amended by striking out said section of the Code in its entirety and inserting the in place thereof the following:

No.	Permit	Fee
1	Minimum Building Permit Fee	\$50.00
2	New Single-family, two family Residential Alterations, Repairs Kitchens & Bathrooms	.70 per. Sq. ft. .60 per. Sq. ft. .80 per. Sq. ft.
3	Multi-family	.70 per. Sq. ft.
4	New Commercial Industrial	.70 per. Sq. ft. .50 per. Sq. ft.
5	Commercial Alterations Industrial Alterations	75.00 Minimum Plus .25 per. Sq. ft. over 250 Sq. ft. 75.00 Minimum Plus .20 per. Sq. ft. over 500 Sq. ft.
6	Municipal	No Fee
7	Swimming Pools	50.00 Above ground 75.00 In-Ground
8	Demolition Residential Commercial	50.00 150.00
9	Signs 1 – 60 sq. ft. over 60 sq. ft	40.00 40.00 Plus \$1.00 per additional sq. ft.
10	Fences	Minimum 25.00
11	Solid Fuel Burning Appliances	Minimum 25.00
12	Roofing/Siding - Residential	Minimum 40.00
13	Roofing/Siding - Commercial	150.00 Minimum
14	Foundations	.25 per. Sq. ft.
15	Finished Basements	.35 per. Sq. ft.
16	Garages	.40 per. Sq. ft.
17	Accessory Buildings	.40 per. Sq. ft.
18	Windows Residential Commercial	50.00 up to four units, 2.75 each additional unit 75.00 up to four units, 5.25 each additional unit
19	Chimney	50.00
20	Fireplaces	50.00
21	Decks * On exceptionally large or complicated multifamily, commercial or industrial projects, PLAN REVIEW FEES may be required.	Minimum plus .30 per. Sq. ft. over 100
22	Occupancy Permits	30.00

23. In addition to the permit fee, a penalty of double the fee will be charged in any case where construction has begun before a permit is issued.

24. A *Re-inspection Fee* of \$75.00 may be charged for any inspection called for but not ready.

25. All fees are to be structured at a minimum of 1% over \$10k

26. On exceptionally large or complicated multifamily, commercial, or industrial projects, plan review fees may be required.

27. A processing fee of \$150.00 will be administered to all paper applications

Type of Construction	Minimum Square Foot Value
One- or Two-family dwelling	\$95
Residential alterations or additions	\$75
Multifamily dwellings	\$95
Garages	\$30
Accessory buildings, wood frame or block	\$30
Commercial	\$110
Commercial alterations	\$75
Industrial	\$60
Industrial alterations	\$35
Decks	\$30/square foot

SECTION 2: That Section 3 of Chapter 390 of the Code of the City of Gardner, entitled Table 110, be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

FEES
390 Attachment 1
City of Gardner
Table 110

Use Group	Use Group	Use Group Description	Minimum Inspections	Maximum Certification Period	Fee per Certification Period
A-I	Movie theaters or theaters with stage and scenery	Over 400 capacity	Semiannual	1 year	\$140
		400 or less capacity	Semiannual	1 year	\$95
A-2	Restaurants, nightclubs, bars, banquet halls, or similar uses	Over 400 capacity	Semiannual ¹	1 year	\$140
		400 or less capacity	Annual ¹	1 year	\$95
A-3	Lecture halls, churches, places of religious worship, recreation centers, terminals, etc.	Over 400 capacity	Semiannual	1 year	\$140
		400 or less capacity	Annual	1 year	\$95
A-4	Low-density recreation and similar uses		Prior to issuance of each new certificate	5 years	\$95
A	Special amusement buildings or portions thereof		Prior to issuance of each new certificate	1 year	\$95
E	Educational and certain day-care facilities		Prior to issuance of each new certificate	1 year	\$95
1-Jan	Group home, assisted living, etc. (greater than J 6 residents)		Prior to issuance of each new certificate	1 year	\$95 plus \$5/bedroom
2-Jan	Residents incapable of self-preservation: hospitals, nursing homes, mental hospitals, certain day-care facilities		Prior to issuance of each new certificate	2 years ³	
3-Jan	Residents restrained: prisons, jails, detention centers, etc.		Prior to issuance of each new certificate	2 years	
4-Jan	Adult and/or child day-care facilities		Prior to issuance of each new certificate	1 year	\$95
R-1	Hotels, motels, boardinghouses, etc., and R-2 dormitories		Prior to issuance of each new certificate	1 year	\$95 plus \$5/bedroom

R-1	Detoxification facilities		Prior 10 issuance of each new certificate	2 years	\$150
R-2	Multifamily (3 or more dwelling units)		Prior 10 issuance of each new certificate	5 years	\$95 plus \$10/bedroom
R-2	Summer camps for children		Annual	1 year	
R-4	Residential care/assisted living facilities (6 to 16 residents)		Annual	1 year	\$95
Any	Facilities licensed by the Alcohol Beverage Control Commission where alcoholic beverages are served and consumed		Annual (per MGL c. 10, § 74)	1 year (per MGL c. 10, § 74)	
Any	House museums (see 780 CMR Chapter 34 for definition)		Annual	1 year	\$95
Any	Fire escapes, etc., per 780 CMR Chapter 10		5 years	5 years	Noise

General note: It is the responsibility of building "owner," as defined in 780 CMR Chapter 2, to meet the inspection requirements in this table for continued use and occupancy. The maximum certification period specified in the table is intended to provide administrative flexibility. For uses allowing more than one year maximum certification period, the building official may determine the certificate validity term. For example, an R-2 building could be certified for one, two, three, four, or five years.

1. When appropriate for A-2 uses, the inspection for the certificate of inspection should include and be timed to satisfy the requirements of MGL c. 10, § 74.
2. Building inspections in this use group may be performed by a qualified third party acceptable to the building official that includes but is not limited to registered design professional or individuals with qualifications comparable to a building official as per Section 103.
3. One year for facilities licensed or operated by DMH (Department of Mental Health).
 - a. For all buildings or structures, or parts thereof, in the I-2 or I-3 use group, the fee to be charged for the maximum certification period of two years is \$150 for each structure containing up to 100 beds, plus a charge of \$4 for each additional 10 beds or fraction thereof.
 - b. Summer camps for children in use group R-2 shall be inspected and certified annually prior to the beginning of each season. The annual fee shall be \$80 plus \$30 per assembly building or use.
 - c. 780 CMR 1001.3.2 Testing and Certification. All exterior bridges, steel or wooden stairways, fire escapes and egress balconies shall be examined and/or tested, and certified for structural adequacy and safety every five years, by a registered design professional, or others qualified and acceptable to the building official; said professional or others shall then submit an affidavit to the building official.

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 390 OF THE CODE OF THE CITY OF GARDNER

GARDNER, ENTITLED FEES

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

SECTION 1: That Section 1 of Chapter 390 of the Code of the City of Gardner, entitled Building Permit Fee Schedule, be amended by striking out said section of the Code in its entirety and inserting the in place thereof the following:

No.	PERMIT FOR	PERMIT FEE¹
1	Minimum Building Permit Fee	\$75.00
2	New Single-family, two family Residential Alterations, Repairs Kitchens & Bathrooms	.90 per. Sq. ft. .75 per. Sq. ft. .95 per. Sq. ft.
3	Multi-family	.85 per. Sq. ft.
4	New Commercial Industrial	.85 per. Sq. ft. .70 per. Sq. ft.
5	Commercial Alterations Industrial Alterations	\$75.00 Minimum Plus .35 per. Sq. ft. over 250 Sq. ft. \$75.00 Minimum Plus .30 per. Sq. ft. over 500 Sq. ft.
6	Municipal	No Fee
7	Swimming Pools	\$75.00 Min. Above Ground \$75.00 Min. In-Ground ²⁷
8	Demolition Residential Commercial	\$75.00 Min. \$150.00 Min.
9	Signs 1 – 60 sq. ft. over 60 sq. ft	\$75.00 Min. \$75.00 Min.+ \$1.25/additional sq. ft.
10	Fences	\$75.00 Min.
11	Solid Fuel Burning Appliances	\$75.00 Min.
12	Roofing/Siding - Residential	\$75.00 Min.
13	Roofing/Siding - Commercial	\$150.00 Min.
14	Foundations	\$75.00 Min. or \$.30 per sq. ft. whichever is greater
15	Finished Basements	\$75.00 Min. or \$.45 per sq. ft. whichever is greater
16	Garages	\$75.00 Min. or \$.50 per sq. ft. whichever is greater
17	Accessory Buildings	\$75.00 Min. or \$.50 per sq. ft. whichever is greater
18	Windows Residential Commercial	\$75.00 up to four units, \$3.00 each additional unit \$75.00 up to four units, \$5.00 each additional unit
19	Chimney	\$75.00
20	Fireplaces	\$75.00
21	Decks	\$75.00 Min. plus \$.40 per sq. ft. over 100 sq. ft.
22	Occupancy Permits	
23	Form of Intent	\$50 Written Zoning Determination Letter \$75 Property Inspection (in addition to letter)
24	After Hours Inspection	\$275.00

25. In addition to the permit fee, a penalty of double the fee will be charged in any case where construction has begun before a permit has been issued.

26. A Re-inspection Fee of \$75.00 shall be charged for all failed inspections or any inspection called for but not ready.

27. All fees are to be structured at a minimum of 1% over \$10k

28. On exceptionally large or complicated multifamily, commercial, or industrial projects, plan review fees may be required.

29. A processing fee of \$75.00 will be administered to all paper applications

30. All fees shall be rounded up to the nearest whole dollar

§ 390-2 Exemptions.

[Added 5-20-1974 by Ord. No. 557]

A. Any person engaged in the construction of a building, or installation of a sign or elevator, for the City of Gardner shall be exempt from the requirement to pay a building permit fee.

B. The Building Commissioner shall not charge a certificate of inspection fee to churches, schools and the City of Gardner.

[Added 11-17-1975 by Ord. No. 602]

§ 390-3 Table 110.

[Added 2-22-2011 by Ord. No. 1522]

Table 110 is included at the end of this chapter.

SECTION 4: That Section 10 of Chapter 390 of the Code of the City of Gardner, entitled Wiring Permits Fee Schedule be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

A. Residential Permit Fees

1) New house, less than/equal to 2000 s/f (based on Permit)	\$300.00
2) New house, greater than 2000 s/f \$300.00 plus \$0.10 per s/f (rounded to nearest \$1)	
3) Addition/Renovation	\$150.00
4) Swimming pool	\$100.00
5) Spa/Hot tub	\$75.00
6) Service change, first meter	\$75.00
7) Additional Meter	\$35.00
8) Garage/Barn	\$150.00
9) Existing building rewiring (multi-family \$125.00 per unit)	\$225.00
10) Temporary service	\$75.00
11) Alarm, security systems	\$75.00
12) Not classified, all other work, minimum fee	\$75.00
13) Solar/Wind Turbine	\$150.00

B. Commercial – Business - Industrial Fees

1) 1% of total electrical construction cost or minimum fee, whichever is greater (proof of estimate must be submitted with application. Subject to change on condition and scope of work).	
2) Temporary service/Sign/Gas pump replacement	\$75.00
3) Phone & Data, 1% of total construction cost or minimum fee, whichever is greater (proof of estimate must be submitted with application. Subject to change on condition and scope of work).	
4) Blanket permit for industrial maintenance	\$300.00
5) Minimum fee	\$150.00
6) Carnival/Circus/Fair	\$150.00
7) Solar/Wind Turbine	0.01 per Watt

*Permit fee includes one rough and one finish inspection. \$75.00 per inspection for all other inspections.

\$75.00 re-inspection fee will be applied in cases of code deficiency.

In addition to the permit fee, a penalty of DOUBLE the fee will be charged in any case where construction has begun before a permit is issued

C. Conditions of permit

- 1) Permit expires one year from date of issue, or if electrical contractor is changed. An extension may be granted by the Inspector of Wires.
- 2) Permit fees doubled upon failure to apply for a permit, as required.
- 3) A processing fee of \$150.00 will be administered to all paper applications
- 4) All applications must be signed by a Massachusetts Licensed Electrician

SECTION 4: That Section 10 of Chapter 390 of the Code of the City of Gardnet,1515 entitled Wiring Permits Fee Schedule be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

A. Residential Electrical Permit¹	Fees¹
1.) New house, ≤ 2,000 s/f (based on permit)	\$350
2.) New house > 2,000 s/f (based on permit)	\$350 + \$0.10 s/f
3.) Additions/Renovations	\$175.00
4.) Swimming Pool	\$125.00
5.) Spa/Hot Tub	\$100.00
6.) Service change, first meter	\$100.00
7.) Service change, each additional meter	\$45.00
8.) Garage/Barn	\$175.00
9.) Existing building rewiring (multi-family \$150 per unit)	\$250.00
10.) Temporary service	\$100.00
11.) Alarm, Security System	\$100.00
12.) Not classified, all other work, (Minimum Fee)	
13.) Solar/Wind Turbine	\$175.00

B. Commercial – Business – Industrial¹	Fees¹
1.) 1% of total electrical construction cost or minim fee, whichever is greater (proof of estimate must be submitted with application. Subject to change on condition of scope of work)	
2.) Temporary Service/Sign/Gas pump replacement	\$100.00
3.) Phone & Data, (1% of total electrical construction cost or minim fee, whichever is greater proof of estimate must be submitted with application. Subject to change on condition of scope of work)	
4.) Blanket permit for industrial maintenance	\$350.00
5.) Minimum Fee	\$150.00
6.) Carnival/Circus/Fair	\$175.00
7.) Solar/Wind Turbine	\$.012

Footnotes:¹

1. All residential permits fees shall be a minimum of \$100
2. All commercial/Business/Industrial permit fees shall be a minimum of \$150
3. All permit fees shall be subject to a fee of a minimum of 1% over \$10,000
4. Permit fees doubled upon failure to apply for a permit, as required.
5. A processing fee of \$75.00 will be administered to all paper applications
6. All applications must be signed by a Massachusetts Licensed Electrician
7. Permit expires one year from date of issue, or if electrical contractor is changed.
An extension may be granted by the Inspector of Wires
8. A \$275.00 after-hours inspection fee shall be charged for all inspections performed outside of normal city hall business hours.

SECTION 3: That Section 7 of Chapter 390 of the Code of the City of Gardner, entitled Plumbing and Gas Fitting Permits Fee Schedule be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

A. Plumbing Residential:

<u>New Construction</u>	
Basic first (5) fixtures	\$ 150.00
Each additional fixture	\$ 10.00
<u>Renovations</u>	
Basic First (3) Fixtures	\$ 150.00
Each additional fixture	\$ 10.00
Residential Boiler, Water Heater, Storage Tank and/or 1 Fixture	\$ 50.00
Residential Dishwasher	\$ 30.00

B. Plumbing Commercial:

<u>New Construction</u>	
Basic first (5) fixtures	\$ 175.00
Each additional fixture	\$ 20.00
<u>Renovations</u>	
Basic First (3) fixtures	\$ 125.00
Each additional fixture	\$ 10.00
Commercial Boiler, Water Heater, Storage Tank Backflow Preventer and/or 1 Fixture	\$ 75.00
Re-Inspection Fee	\$ 75.00

C. Gas Permits

<u>New Residential</u>	
Basic first fixture	\$ 100.00
Each additional fixture	\$ 10.00
<u>Residential Renovations</u>	
Basic first fixture	\$ 75.00
Each additional fixture	\$ 10.00
Residential Gas re-test	\$ 50.00
<u>New Commercial</u>	
Basic First Fixture	\$ 150.00
Each additional fixture	\$ 20.00
<u>Commercial Renovations</u>	
Basic First Fixture	\$ 125.00
Each additional fixture	\$ 20.00
Replacement of fixture - commercial, residential or gas test	\$ 75.00
Re-inspection	\$ 75.00
Roof-top Replacements	\$ 75.00

- D.** In addition to the permit fee, a penalty of DOUBLE the fee will be charged in any case where construction has begun before a permit is issued
- E.** A processing fee of \$150.00 will be administered to all paper applications
- F.** No fee for any permits in connection with work being performed for the City of Gardner

SECTION 3: That Section 7 of Chapter 390 of the Code of the City of Gardner, entitled Plumbing and Gas Fitting Permits Fee Schedule be amended by striking out said section of the Code in its entirety and inserting in place thereof the following:

A. Plumbing Residential¹

New Construction:	Fee:¹
Basic first (5) fixtures	\$175.00
Each additional fixture	\$15.00
Renovations:	
Basic first (3) fixtures	\$175.00
Each additional fixture	\$15.00
Residential Boiler, Water Heater, Storage Tank and/or 1 Fixture	\$75.00
Residential Dishwasher	\$40.00

B. Plumbing Commercial¹

New Construction:	Fee:¹
Basic first (5) fixtures	\$210.00
Each additional fixture	\$30.00
Renovations:	
Basic First (3) fixtures	\$150.00
Each additional fixture	\$15.00
Commercial Boiler, Water Heater, Storage Tank Backflow Preventer and/or 1 Fixture	\$100.00
Re-Inspection Fee	\$75.00

C. Gas Permits¹

New Residential:	Fee:¹
Basic first fixture	\$150.00
Each additional fixture	\$25.00
Residential Renovations:	
Basic first fixture	\$100.00
Each additional fixture	\$15.00
Residential Gas re-test	\$75.00
New Commercial:	
Basic First Fixture	\$175.00
Each additional fixture	\$20.00

Commercial Renovations:	Fee:¹
Basic First Fixture	\$150.00
Each additional fixture	\$25.00
Replacement of fixture - commercial, residential, or gas test	\$100.00
RE-Inspection	\$75.00
Roof-top Replacements	\$100.00

Footnotes¹

1. In addition to the permit fee, a penalty of *DOUBLE* the fee will be charged in any case where construction has begun before a permit is issued.
2. A processing fee of \$75.00 will be administered to all paper applications.
3. No fee for any permits in connection with work being performed for the City of Gardner.
4. All fees are to be structured at a minimum of 1% over \$10k
5. A \$275.00 after-hours inspection fee shall be charged for all inspections performed outside of normal city hall business hours.



INFORMAL MEETING OF MARCH 7, 2022

Informal Meeting of the City Council was held in the City Council Chamber, Room 219, City Hall, on Monday, March 7, 2022.

CALL TO ORDER

Council President Elizabeth Kazinskas called the meeting to order at 6:30 o'clock p.m.

ATTENDANCE

Eleven (11) Councillors were present including President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros and James Walsh.

Others attending were Mayor Michael Nicholson; Fire Chief Greg Lagoy; Building Commissioner Roland Jean.

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.

President Kazinskas announced that the Informal Meeting was called regarding agenda items:

10602 – An Ordinance to Amend the Code of the City of Gardner, Section 8, Chapter 390, Entitled “Fire Department Fee Schedule.” (*In City Council and referred to Committee of the Whole 2/7/2022; More Time 2/22/2022*)

10603 – An Ordinance to Amend Sections of the Code of the City of Gardner, Chapter 390, Entitled “Fees.” (*In City Council and referred to Committee of the Whole 2/7/2022; More Time 2/22/2022*)

These items were posted publicly in the Finance Committee packet and City Council Regular Meeting packet one month ago on February 7, 2022 where the City council voted to meet as a Committee of the Whole on these items, which is our purpose for meeting this evening. City



INFORMAL MEETING OF MARCH 7, 2022

Councillors and the public have had the opportunity to review, ask questions, and gather information regarding these items since they were posted on February 7th. A regular meeting will follow this meeting at 7:30 pm this evening which will give the Council the opportunity to vote on the items. Mayor Nicholson Fire Chief Greg Lagoy and Building Commissioner Roland Jean are here this evening and will be able to offer information and answer questions.

The following presentation was presented to the Council by Mayor Nicholson.

Building and Fire Department Fees:

- The last time Building Department fees were addressed was 2007
- Fire Department fees have not been addressed since 2008
- Since then, there has been a 35.6% increase in inflation nationwide
- According to the Department of Labor Statistics at the Federal Government level, this is something we are trying to keep up to date with
- User based fees
- Fees are capped by state law (Division of Local Services)
- Increase in solar activity
- Seeing a lot of growth and development in the city
- It's good practice to review fees every five years

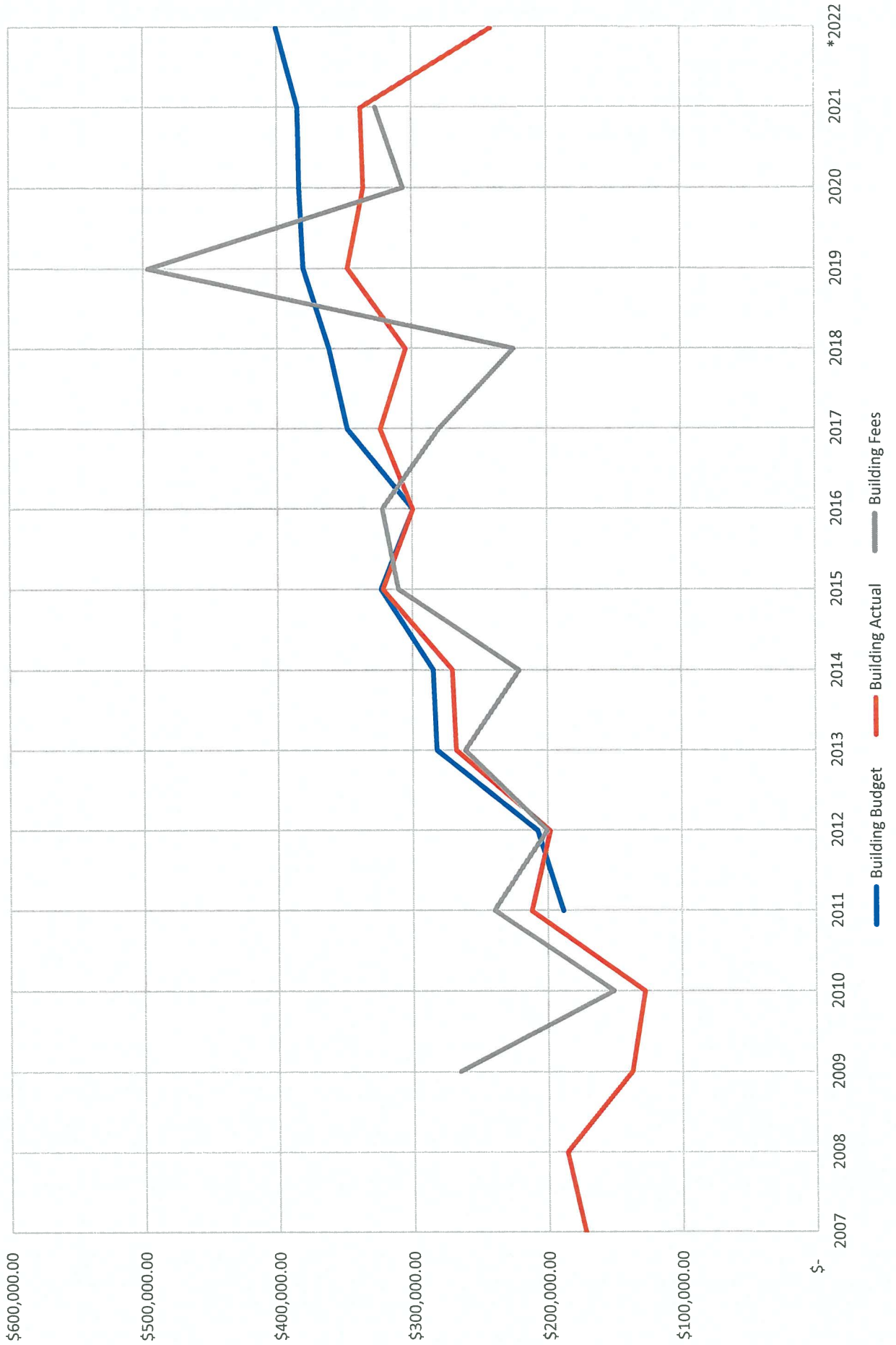
The Informal Meeting concluded at 6:52 p.m.

Accepted by the City Council: April 19, 2022

	Building Budget	Building Actual	Building Fees
2007		\$ 172,553.47	
2008		\$ 186,063.22	
2009		\$ 137,130.58	\$ 265,328.00
2010		\$ 127,599.34	\$ 150,671.00
2011	\$ 188,321.00	\$ 211,739.14	\$ 239,589.00
2012	\$ 207,168.00	\$ 197,927.42	\$ 199,990.00
2013	\$ 282,039.00	\$ 267,681.55	\$ 261,095.00
2014	\$ 284,639.00	\$ 270,348.19	\$ 220,551.00
2015	\$ 323,127.00	\$ 321,761.66	\$ 310,225.00
2016	\$ 299,396.00	\$ 299,396.00	\$ 322,017.00
2017	\$ 347,978.00	\$ 323,329.83	\$ 279,804.00
2018	\$ 361,264.00	\$ 304,273.09	\$ 224,052.00
2019	\$ 380,505.00	\$ 347,508.02	\$ 496,631.00
2020	\$ 383,353.00	\$ 335,586.76	\$ 306,158.50
2021	\$ 384,523.75	\$ 337,636.00	\$ 326,770.00
*2022	\$ 400,691.19	\$ 240,839.03	

11515

Building Dept Financial Comparison



	Fire Budget	Fire Actuals	Fire Fees
2006		\$ 1,922,093.75	
2007	\$ 2,076,998.00	\$ 2,096,272.77	
2008	\$ 2,104,580.00	\$ 2,136,552.92	
2009	\$ 2,060,952.00	\$ 2,013,576.53	\$ 15,647.54
2010	\$ 1,878,938.00	\$ 1,992,345.74	\$ 15,965.80
2011	\$ 2,023,615.00	\$ 2,150,525.25	\$ 13,865.00
2012	\$ 2,189,683.00	\$ 2,244,176.64	\$ 10,425.00
2013	\$ 2,171,855.00	\$ 2,193,680.95	\$ 13,525.00
2014	\$ 2,333,495.00	\$ 2,377,338.07	\$ 11,522.18
2015	\$ 2,397,759.00	\$ 2,662,454.98	\$ 12,420.00
2016	\$ 2,395,951.00	\$ 2,809,444.65	\$ 7,662.29
2017	\$ 2,794,277.00	\$ 3,109,215.38	\$ 8,220.00
2018	\$ 2,449,839.00	\$ 2,761,264.56	\$ 2,842.00
2019	\$ 2,510,793.00	\$ 2,586,276.97	\$ 6,246.23
2020	\$ 2,668,159.00	\$ 2,963,365.22	\$ 5,140.00
2021	\$ 2,865,675.65	\$ 3,235,520.81	\$ 12,975.00
2022	\$ 2,940,007.66	\$ 1,989,066.15	

*Local Receipt Revenue
Fiscal Years 2019-2021*

	2019 ACTUAL	2020 ACTUAL	2021 ACTUAL
MOTOR VEHICLE EXCISE	\$ 2,169,335.89	\$ 2,093,593.41	\$ 2,306,113.38
MARIJUANA EXCISE	\$ 50,330.46	\$ 383,850.54	\$ 306,969.74
PENALTIES & INT ON TAXES	\$ 367,684.34	\$ 305,042.89	\$ 417,998.27
TAX TITLE COSTS & INTERES	\$ 93,703.08	\$ 39,216.41	\$ 111,763.22
IN LIEU OF TAXES	\$ 57,793.73	\$ 55,532.08	\$ 57,359.91
AIRPORT FEES	\$ 26,965.00	\$ 23,040.77	\$ 23,964.62
ASSESSOR'S FEES	\$ 180.00	\$ 190.00	\$ 90.00
MOBILE HOME - FEES	\$ 28,284.00	\$ 29,340.00	\$ 29,760.00
DOG OFFICER FEES	\$ 25,805.00	\$ 27,721.00	\$ 22,015.60
TREASURER'S FEES	\$ 867.50	\$ 1,315.84	\$ 550.03
POLICE FEES	\$ 24,895.75	\$ 18,830.38	\$ 42,378.08
POOL FEES	\$ 16,916.29	\$ 10,783.00	\$ 25,975.00
CITY CLERK FEES	\$ 127,810.41	\$ 104,808.29	\$ 121,640.05
CERT OF MUN LIENS - FEES	\$ 34,100.00	\$ 38,100.00	\$ 47,550.00
WEIGHTS & MEASURES - FEES	\$ 6,285.00	\$ 10,740.00	\$ 9,080.00
10% OVERHEAD	\$ 26,144.08	\$ 2,080.40	\$ 40,683.32
SURVEY FEES	\$ 150.00	\$ 100.00	\$ -
ELECTRICAL FEES	\$ 178,764.73	\$ 145,994.90	\$ 81,750.98
PUBLIC WORKS / FORESTRY FEES	\$ 5,123.28	\$ 6,239.00	\$ 9,450.00
VACANT/ABANDONED BLDG FEES	\$ 18,250.00	\$ 11,500.00	\$ 4,750.00
AMBULANCE DISPATCH FEES	\$ 9,000.00	\$ 12,000.00	\$ 12,000.00
MUNICIPAL AMBULANCE FEES	\$ 871,136.79	\$ 1,004,272.23	\$ 1,184,798.25
MARIJUANA HCA FEE	\$ 47,072.12	\$ 118,394.64	\$ 132,015.11
E-RATE REV	\$ 73,876.06	\$ 80,852.90	\$ 12,539.90
MISC - OTHER STATE REV	\$ 226,815.07	\$ 249,234.67	\$ 199,482.54
ROOM OCCUPANCY TAX	\$ 137,722.86	\$ 125,896.01	\$ 80,765.93
MUNICIPAL AGGREGATION	\$ 43,858.16	\$ 43,614.71	\$ 44,325.87
MEDICAID REIMB REVENUE	\$ 398,231.91	\$ 210,572.93	\$ 190,139.47
ALCOHOL BEVERAGE LICENSES	\$ 36,975.00	\$ 34,250.00	\$ 13,725.00
OTHER LICENSES	\$ 7,820.00	\$ 7,400.00	\$ 3,100.00
FIRE PERMITS	\$ 6,246.23	\$ 5,140.00	\$ 12,975.00
BUILDING PERMITS	\$ 279,205.85	\$ 127,728.56	\$ 203,929.50
HEALTH PERMITS	\$ 32,100.00	\$ 32,539.00	\$ 33,384.00
GAS & PLUMBING PERMITS	\$ 38,660.00	\$ 32,435.00	\$ 41,090.00
RENTALS (Solar Lease)	\$ 67,375.00	\$ 62,500.00	\$ 62,500.00
BUILDING RENTAL FEES		\$ 2,850.00	\$ 2,200.00
CEM ANN/MISC - DEPT'L	\$ 33,000.00	\$ 29,300.00	\$ 34,025.00
CONTRIB RETIREMENT REVENU	\$ 77,377.00	\$ 83,980.00	\$ 88,070.00
REGIONAL BUILDING INSP	\$ 8,000.00	\$ 26,100.00	\$ 22,291.68
ANIMAL CONTROL AGREE-DEPT REV	\$ 79,392.00	\$ 81,247.00	\$ 83,278.00
COURT FINES	\$ 73,264.40	\$ 56,226.90	\$ 44,003.43
PARKING FINES	\$ 56,125.90	\$ 53,463.10	\$ 32,768.00
HLTH PLCE FRE BLDG FINES	\$ 2,925.00	\$ 950.00	\$ 3,380.00
DOG FINES	\$ 11,475.00	\$ 5,900.00	\$ 12,963.00
FIRE& POLICE FINES	\$ 370.00	\$ 2,475.00	\$ 4,275.00
EARNING ON INVESTMENTS	\$ 87,963.28	\$ 95,498.77	\$ 45,452.30
LEASE OF CITY PROPERTY	\$ 8,790.00	\$ 5,400.00	\$ 6,270.00
	\$ 5,974,166.17	\$ 5,898,240.33	\$ 6,265,589.18

Fire Inspection Reports
2019-Present

Inspection Analysis Report

Filter Options

Filter	Values
Inspection Status	<ALL>
Inspection Type	<ALL>
Final Disposition	<ALL>
Inspector ID	<ALL>
Groups	<ALL>
Companies	<ALL>
Inspection Jurisdiction	<ALL>
Districts	<ALL>
Sites	<ALL>
Street Numbers	<ALL>
Street Name	<ALL>
Location	<ALL>
Completed Date	01/01/2022 to 03/01/2022
Inspection Date	<ALL>
Paid	<ALL>
Type of Report or Graph	I

Inspection Type Report

Inspection Type	Number of Inspections	Total Fees	Violations	Resolutions
AN-Annual	0	0	0	0
BD-BDA Acceptance	0	0	0	0
BF-Building Permit Smoke/CO Final	3	0	0	0
BL-Blasting	0	0	0	0
BP-BURN PERMIT	0	0	0	0
CE-Code Enforcement	9	0	0	0
CK-Commercial Kitchen	8	0	0	0
CM-Storage of Combustib	0	0	0	0
CS-Children Safety	0	0	0	0
EG-Exterior Generator	0	0	0	0
FA-Fire Alarm	0	0	0	0
FD-Fire Drill	0	0	0	0
FE-Fire Extinguishers	0	0	0	0
FS-Flammable/Combustible Liquid Storage	2	50	0	0
FT-Food Truck	2	0	0	0
FU-Follow Up	4	0	0	0
GE-Exterior Generator	0	0	0	0
GI-General Inspection	7	25	0	0
GP-Gunpowder Ammo Storage	0	0	0	0
HC-Health Care	7	0	0	0

**Gardner Fire Department
Inspection Analysis Report****Page: 2**
Printed: 03/01/2022

HW-Hot Work	3	50	0	0
HZ-Hazardous Material	0	0	0	0
LB-LOCK BOX	0	0	0	0
LL-Liquor License (304)	0	0	0	0
LP-LP Tank Install	1	0	0	0
MF-Occupancy (110)	7	0	0	0
NH-Health Care	0	0	0	0
OB-Oil Burner Install	10	25	0	0
PA-Public Assembly	0	0	0	0
PY-Pyrotechnic Display	0	0	0	0
QT-QUARTERLY	0	0	0	0
SC-Smoke & Carbon (26F)	62	25	0	0
SH-SALAMANDER HEATER	0	0	0	0
SP-Sprinkler System	3	25	0	0
TI-Oil Tank Install	11	0	0	0
TK-TAR KETTLE	0	0	0	0
TR-Oil Tank Removal	0	0	0	0
TT-Tank Truck	0	0	0	0
UR-UST Removal	0	0	0	0

Inspection Analysis Report

Filter Options

Filter	Values
Inspection Status	<ALL>
Inspection Type	<ALL>
Final Disposition	<ALL>
Inspector ID	<ALL>
Groups	<ALL>
Companies	<ALL>
Inspection Jurisdiction	<ALL>
Districts	<ALL>
Sites	<ALL>
Street Numbers	<ALL>
Street Name	<ALL>
Location	<ALL>
Completed Date	01/01/2021 to 12/31/2021
Inspection Date	<ALL>
Paid	<ALL>
Type of Report or Graph	I

Inspection Type Report

Inspection Type	Number of Inspections	Total Fees	Violations	Resolutions
AN-Annual	23	0	0	0
BD-BDA Acceptance	0	0	0	0
BF-Building Permit Smoke/CO Final	27	0	0	0
BL-Blasting	0	0	0	0
BP-BURN PERMIT	0	0	0	0
CE-Code Enforcement	38	0	0	0
CK-Commercial Kitchen	15	0	0	0
CM-Storage of Combustib	1	0	0	0
CS-Children Safety	0	0	0	0
EG-Exterior Generator	0	0	0	0
FA-Fire Alarm	40	0	0	0
FD-Fire Drill	41	0	0	0
FE-Fire Extinguishers	0	0	0	0
FS-Flammable/Combustible Liquid Storage	3	25	0	0
FT-Food Truck	16	0	0	0
FU-Follow Up	27	0	0	0
GE-Exterior Generator	0	0	0	0
GI-General Inspection	17	25	0	0
GP-Gunpowder Ammo Storage	2	0	0	0
HC-Health Care	24	0	0	0

Gardner Fire Department
Inspection Analysis Report**Page: 2**
Printed: 03/01/2022

HW-Hot Work	10	25	0	0
HZ-Hazardous Material	0	0	0	0
LB-LOCK BOX	0	0	0	0
LL-Liquor License (304)	30	0	0	0
LP-LP Tank Install	25	75	0	0
MF-Occupancy (110)	17	0	0	0
NH-Health Care	0	0	0	0
OB-Oil Burner Install	26	425	0	0
PA-Public Assembly	0	0	0	0
PY-Pyrotechnic Display	0	0	0	0
QT-QUARTERLY	0	0	0	0
SC-Smoke & Carbon (26F)	579	2475	0	0
SH-SALAMANDER HEATER	0	0	0	0
SP-Sprinkler System	19	0	0	0
TI-Oil Tank Install	26	100	0	0
TK-TAR KETTLE	0	0	0	0
TR-Oil Tank Removal	5	0	0	0
TT-Tank Truck	0	0	0	0
UR-UST Removal	2	0	0	0

Inspection Analysis Report

Filter Options

Filter	Values
Inspection Status	<ALL>
Inspection Type	<ALL>
Final Disposition	<ALL>
Inspector ID	<ALL>
Groups	<ALL>
Companies	<ALL>
Inspection Jurisdiction	<ALL>
Districts	<ALL>
Sites	<ALL>
Street Numbers	<ALL>
Street Name	<ALL>
Location	<ALL>
Completed Date	01/01/2020 to 12/31/2020
Inspection Date	<ALL>
Paid	<ALL>
Type of Report or Graph	I

Inspection Type Report

Inspection Type	Number of Inspections	Total Fees	Violations	Resolutions
AN-Annual	43	0	0	0
BD-BDA Acceptance	1	0	0	0
BF-Building Permit Smoke/CO Final	0	0	0	0
BL-Blasting	0	0	0	0
BP-BURN PERMIT	0	0	0	0
CE-Code Enforcement	33	0	0	0
CK-Commercial Kitchen	17	0	0	0
CM-Storage of Combustib	1	25	0	0
CS-Children Safety	0	0	0	0
EG-Exterior Generator	0	0	0	0
FA-Fire Alarm	14	0	0	0
FD-Fire Drill	29	0	0	0
FE-Fire Extinguishers	2	0	0	0
FS-Flammable/Combustible Liquid Storage	0	0	0	0
FT-Food Truck	4	0	0	0
FU-Follow Up	52	0	0	0
GE-Exterior Generator	2	25	0	0
GI-General Inspection	0	0	0	0
GP-Gunpowder Ammo Storage	1	0	0	0
HC-Health Care	1	0	0	0

Gardner Fire Department
Inspection Analysis Report**Page: 2**
Printed: 03/01/2022

HW-Hot Work	8	0	0	0
HZ-Hazardous Material	0	0	0	0
LB-LOCK BOX	0	0	0	0
LL-Liquor License (304)	27	0	0	0
LP-LP Tank Install	12	50	0	0
MF-Occupancy (110)	2	0	0	0
NH-Health Care	13	0	0	0
OB-Oil Burner Install	16	25	0	0
PA-Public Assembly	1	0	0	0
PY-Pyrotechnic Display	0	0	0	0
QT-QUARTERLY	2	0	0	0
SC-Smoke & Carbon (26F)	461	2025	0	0
SH-SALAMANDER HEATER	0	0	0	0
SP-Sprinkler System	24	0	0	0
TI-Oil Tank Install	20	0	0	0
TK-TAR KETTLE	0	0	0	0
TR-Oil Tank Removal	11	200	0	0
TT-Tank Truck	0	0	0	0
UR-UST Removal	0	0	0	0

Inspection Analysis Report

Filter Options

Filter	Values
Inspection Status	<ALL>
Inspection Type	<ALL>
Final Disposition	<ALL>
Inspector ID	<ALL>
Groups	<ALL>
Companies	<ALL>
Inspection Jurisdiction	<ALL>
Districts	<ALL>
Sites	<ALL>
Street Numbers	<ALL>
Street Name	<ALL>
Location	<ALL>
Completed Date	01/01/2019 to 12/31/2019
Inspection Date	<ALL>
Paid	<ALL>
Type of Report or Graph	I

Inspection Type Report

Inspection Type	Number of Inspections	Total Fees	Violations	Resolutions
AN-Annual	48	0	0	0
BD-BDA Acceptance	0	0	0	0
BF-Building Permit Smoke/CO Final	0	0	0	0
BL-Blasting	0	0	0	0
BP-BURN PERMIT	0	0	0	0
CE-Code Enforcement	1	0	0	0
CK-Commercial Kitchen	10	0	0	0
CM-Storage of Combustib	5	0	0	0
CS-Children Safety	0	0	0	0
EG-Exterior Generator	0	0	0	0
FA-Fire Alarm	54	0	3	0
FD-Fire Drill	28	0	0	0
FE-Fire Extinguishers	1	0	0	0
FS-Flammable/Combustible Liquid Storage	0	0	0	0
FT-Food Truck	5	0	0	0
FU-Follow Up	7	0	0	0
GE-Exterior Generator	0	0	0	0
GI-General Inspection	0	0	0	0
GP-Gunpowder Ammo Storage	0	0	0	0
HC-Health Care	0	0	0	0

Gardner Fire Department
Inspection Analysis Report

HW-Hot Work	5	50	0	0
HZ-Hazardous Material	0	0	0	0
LB-LOCK BOX	0	0	0	0
LL-Liquor License (304)	29	0	0	0
LP-LP Tank Install	15	200	0	0
MF-Occupancy (110)	55	0	0	0
NH-Health Care	26	0	0	0
OB-Oil Burner Install	16	250	0	0
PA-Public Assembly	3	0	0	0
PY-Pyrotechnic Display	0	0	0	0
QT-QUARTERLY	0	0	0	0
SC-Smoke & Carbon (26F)	485	6851	0	0
SH-SALAMANDER HEATER	1	0	0	0
SP-Sprinkler System	11	0	0	0
TI-Oil Tank Install	15	200	0	0
TK-TAR KETTLE	0	0	0	0
TR-Oil Tank Removal	14	350	0	0
TT-Tank Truck	4	75	0	0
UR-UST Removal	0	0	0	0

*Building Dept Inspection
Reports
2019-Present*



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

To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean Jr., C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: Calendar year 2019 Annual Report from the Gardner Building/Inspectional Services Department

Major notable projects within the City include the following: GFA Expansion, 99 Restaurant, Family Dollar Relocation, Tractor Supply Store.

Estimated cost of construction value: \$ 19,510,504.00

- New residential \$2,123,000.00
- New commercial \$1,390,218.00
- Additions/Renovation \$15,997,286.00

Building Permits:

- | | |
|---|--|
| ➤ 15 ... Single Family Dwellings | ➤ 25... signs |
| ➤ 7... pools (7 AG pools, 0 in ground pool) | ➤ 15... solid Fuel Stoves |
| ➤ 4 ... accessory Structures | ➤ 96... windows/doors/siding |
| ➤ 1 ... commercial new(1)/additions(0) | ➤ 1... large ground mounted Photovoltaic |
| ➤ 4 ... residential additions | ➤ 59... misc. |
| ➤ 164... decks | ➤ 17... demolition |
| ➤ 34... commercial renovations | ➤ 4 ... foundations |
| ➤ 131...residential renovations | ➤ 41... solar PV/wind |
| ➤ 159... roofs | ❖ 135... stretch code projects |
| ➤ 10 ... sheet metal | |

Revenues

907 Building Permits / # of Inspections- 1061.....	\$173,546.00
579 Electrical Permits/ # of Inspections - 365.....	\$100,818.00
469 Plumbing / Gas Permits # of Inspections - 287.....	\$39,105.00
85 Vacant & Abandoned Bldg. Registrations.....	\$14,375.00
125 Requests for Annual Inspections.....	\$12,655.00

Inspectional Department Revenues **TOTAL** \$340,499.00

Respectfully Submitted,

Roland Jean Jr., C.B.O.
 Building Commissioner
 Zoning Enforcement Officer

Mission Statement

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



City of Gardner
Department of Inspectional Services
115 Pleasant Street, Gardner, MA 01440
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www.gardner-ma.gov

To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean, C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: Calendar year 2020 Annual Report from the Gardner Building/Inspectional Services Department

Major notable projects within the City include the following: Williams Building and Jendith Building

Estimated cost of construction value: \$ 75,793,425.00

- New residential \$2,275,000.00
- New commercial \$63,821,153.00
- Additions/Renovation \$9,697,272.00

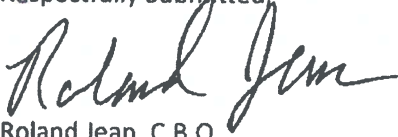
Building Permits:

- | | |
|---|--|
| ➤ 13 ... Single Family Dwellings | ➤ 19... signs |
| ➤ 11... pools (11 AG pools, 0 in ground pool) | ➤ 15... solid Fuel Stoves |
| ➤ 7 ... accessory Structures | ➤ 104... windows/doors/siding |
| ➤ 5 ... commercial new(3)/additions(2) | ➤ 1... large ground mounted Photovoltaic |
| ➤ 6 ... residential additions | ➤ 28... misc. |
| ➤ 49... decks | ➤ 20... demolition |
| ➤ 40... commercial renovations | ➤ 1 ... foundations |
| ➤ 78...residential renovations | ➤ 59... solar PV/wind |
| ➤ 181... roofs | ➤ 9 ... General Inspection |
| ➤ 13 ... sheet metal | |

Revenues

822 Building Permits / # of Inspections- 841.....	\$133,994.00
88 Vacant & Abandoned Bldg. Registrations.....	\$8,250.00
69 Requests for Annual Inspections.....	\$4,545.00
507 Electrical Permits/ # of Inspections - 497.....	\$143,723.00
416 Plumbing / Gas Permits # of Inspections - 410.....	\$34,415.00
Hubbardston Payments	\$24,196.00
Inspectional Department Revenues TOTAL	\$349,123.00

Respectfully Submitted,


 Roland Jean, C.B.O.
 Building Commissioner
 Zoning Enforcement Officer

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To: Honorable Michael Nicholson, Mayor, City of Gardner and Members of City Council

Fr: Roland Jean, C.B.O. Building Commissioner/Zoning Enforcement Officer

Re: **Calendar year 2021 Annual Report from the Gardner Building/Inspectional Services Department**

Major notable projects within the City include the following: New Elementary School, CHC Medical Building, Starbucks, and Demolition of 177 West St.

Estimated cost of construction value: \$ 12,523,192.00

- New residential \$2,369,000.00
- New commercial \$1,553,250.00
- Additions/Renovation \$8,600,942.00

Building Permits:

20 ... Single Family Dwellings	21... signs	8 ... Finished Basement
20... pools (19 AG pools, 1 in ground pool)	16... solid Fuel Stoves	31 ... General Repairs
8 ... accessory Structures	104... windows/doors/siding	2 ... Hot Tub
7 ... commercial	0 ... large ground mounted Photovoltaic	170 ... Weatherization
new(4)/additions(3)	22 ... misc.	23 ... Smoke / Fire Alarm
5 ... residential additions	29 ... demolition	9 ... Sprinkler
44 ... decks	2 ... foundations	9 ... Tent
18 ... commercial renovations	90 ... solar PV/wind	2 ... Temporary Structure
84 ...residential renovations	12 ... Chimney	4 ... Temporary Storage
200 ... roofs	43 ... Fence	85 ... General Inspection
1 ... sheet metal	3 ... Fire Suppression	

Revenues

1093 Building Permits / # of Inspections- 1107.....	\$213,108.00
23 Vacant & Abandoned Bldg. Registrations.....	\$3,125.00
76 Requests for Annual Inspections.....	\$6,835.00
601 Electrical Permits/ # of Inspections - 701.....	\$101,203.00
464 Plumbing / Gas Permits # of Inspections - 591.....	\$42,645.00
Inspectional Department Revenues	TOTAL \$366,916.00

Respectfully Submitted,

Roland Jean, C.B.O.
Building Commissioner
Zoning Enforcement Officer

Mission Statement

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

**REGULAR MEETING OF MARCH 7, 2022**

Regular Meeting of the City Council was held in the Council Chambers, Room 219, City Hall, on Monday evening, March 7, 2022.

CALL TO ORDER

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

CALL OF THE ROLL

City Clerk Titi Siriphan called the Roll of Members. Eleven (11) Councillors were present including Councillor James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Elizabeth Kazinskas, Judy Mack, George Tyros, and James Walsh.

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 & ACCEPTANCE OF MINUTES

On a motion made by Councillor Ronald Cormier and seconded by Councillor James Walsh, it was voted on call of the roll, eleven (11) yeas, President Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh to waive the reading and accept the minutes as printed of the February 7, 2022 Regular Meeting Minutes.



 REGULAR MEETING OF MARCH 7, 2022

REPORTS OF STANDING COMMITTEES
FINANCE COMMITTEE
#10620

Reporting for the Finance Committee, Councillor Aleksander Dernalowicz informed the Council that the Committee unanimously recommended to approve the order. This order will be used to renovate the fields between the High School and Middles School as well as updates to the girls' softball field and Stedman field. These fields are also used by the flag teams, marching band, summer recreational program and local sport groups. The goal is to accommodate all softball, baseball practices and games.

On a motion made by Councillor Aleksander Dernalowicz and seconded by Councillor Ronald Cormier, it was voted on call of the roll, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; that the following Order ought to pass:

AN ORDER APPROPRIATING FROM FREE CASH TO SCHOOL ATHLETIC FIELD IMPROVEMENTS ACCOUNT.

ORDERED: That there be and is hereby appropriated the sum of One Hundred Twenty-One Thousand Nine Hundred Five Dollars and No Cents (\$121,905.00) from Free Cash to the School Athletic Field Improvements Account.

#10622

Reporting for the Finance Committee, Councillor Ronald Cormier informed the Council that the Finance Committee were in favor of the ordinance to correct some parts of the ordinance. Department of Public Safety is now known as the Civilian Systems Manager and it was listed in the ordinance that they receive holiday pay, and they do not. The ordinance provides additional compensation to employees who are expected to work on holidays as part of their normal job performance.

On a motion made by Councillor Ronald Cormier and seconded by Councillor Aleksander Dernalowicz, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander



REGULAR MEETING OF MARCH 7, 2022

Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; to send the following Ordinance to First Printing:

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

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

SECTION 1: Section 44(A) of Chapter 171 of the Code of the City of Gardner, entitled “Compensation in Lieu of Paid Holidays: Police Department,” be amended by deleting the words “Civilian Systems Manager,” from the provisions of this section.

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

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

SECTION 4: This ordinance shall take effect upon passage and publication as required by law.

REPORTS OF STANDING COMMITTEES

PUBLIC SAFETY COMMITTEE

#10623

Reporting for the Safety Committee Councillor Craig Cormier informed the Council that this ordinance amendment would remove two different chapters and combine them into one. The Building Commissioner Roland Jean, Board of Health Director Lauren Saunders and Fire Chief Greg Lagoy were in favor of the amendment. The ordinance had a few conflicting chapters. The new amendment would clarify any confusion, clarify what department is responsible for enforcement, and increase fines.

REGULAR MEETING OF MARCH 7, 2022

Councillor James Boone spoke in opposition. He questioned “director or his designee shall be the final binding on the parties.” He would like to know why one person gets to choose the refusal.

Councillor George Tyros said when it comes to Public Service, the water bills, these matters that come before us have to do with public safety of the citizens. It comes down to the experts of the field, the Police Chief, Health Director, Building Commissioner, they know the laws and the safety standards that are needed to keep these buildings in order. He believes that the authority is rightly with the most capable hands of the city.

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, George Tyros, and James Walsh; one (1) nay, Councillor James Boone; that the following Ordinance be sent to First Printing: *An Ordinance to Amend the Code of The City of Gardner by Deleting Chapter 357, Entitled “Vacant and Abandoned Buildings,” and Chapter 493, Entitled “Nuisances,” and Adding a New Chapter 500 to be Entitled, “Blighted, Nuisance, Vacant, and Abandoned Properties,” Which Chapter Provides for Public Safety Measures for Blighted, Nuisance, Vacant, and Abandoned Properties, Prohibitions, and Penalties for Violation of the Chapter.*

#10624

Reporting for the Safety Committee Councillor Craig Cormier informed the Council that this ordinance would codify an ordinance that the Governor put in place during the emergency measures from COVID-19. It has done well for the business during this time, and they would like to see it continue.

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; that the following Ordinance be sent to First Printing, *An Ordinance to Amend the Code of the City of Gardner by adding a New Chapter 501 to be Entitled “Outdoor Restaurant Seating and Services,” Which Chapter Provides for Definition of Outdoor Dining Services, Licensing Procedures, and Hours of Operations.*

REGULAR MEETING OF MARCH 7, 2022

#10625

Reporting for the Safety Committee Councillor Craig Cormier informed the Council that this ordinance amendment is mainly “housekeeping.” The ordinance has not been reviewed for quite some time and it is out of sync with state laws. The fines are below what the state law recommends as well as language used.

Councillor James Boone questioned §312-4 (a), Disposition of unclaimed dogs, states that “Any dog which is impounded and is not redeemed by the owner within the ten-day period of the confinement shall be made available for adoption in accordance with procedures established by the Gardner Police Department and the National Animal Control Association.” §312-4 (b) states, “Any unclaimed dog which is in custody of the Police Department shall be disposed of in accordance with MGL c. 140, §151A when each of the following criteria has been met: (1) The dog that was detained for a period of seven days.” Councillor Boone stated that he was confused does not agree with the language of the ordinance.

Mayor Nicholson informed the Council that “We have to hold a dog for a minimum of seven days to make sure that a dog is claimed by an owner. The owner can retake the dog after seven days. If the dog is unclaimed after seven days, the City can put the dog up for adoption. The reasoning for the ten days is that the Police Chief and the Board of Health have the authority to euthanize an unclaimed dog after 10 days. It is something normally done. They try to wait for two weeks before a dog is put up for adoption. The 10 days gives the owner a chance to claim the dog before putting it up for adoption.”

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, ten (10) yeas, President Elizabeth Kazinskas; Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; one (1) nay, Councillor James Boone; that the following Ordinance be sent to First Printing, *An Ordinance to Amend Chapter 312 of the Code of the City of Gardner, Entitled “Animals.”*

#10626

Reporting for the Safety Committee Councillor Craig Cormier informed the Council that this ordinance was originally put in place in the early 80s when arcades were becoming a rage. The city has never had a full-blown arcade and the ordinance has not been enforced.

On a motion made by Councillor Craig Cormier and seconded by Councillor Karen Hardern, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James



REGULAR MEETING OF MARCH 7, 2022

Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; that the following Ordinance be sent to First Printing, *An Ordinance to Amend the Code of the City of Gardner by Deleting Chapter 318, Entitled Arcades.*

COUNCIL AS COMMITTEE OF THE WHOLE

#10602

President Elizabeth Kazinskas announced that there was an informal meeting earlier in the evening regarding items #10602 and #10603 with a presentation from Mayor Nicholson and additional information from Fire Chief Greg Lagoy and Building Commissioner Roland Jean. On a motion made by Councillor Ronald Cormier and seconded by Councillor Judy Mack, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; that the following Ordinance be sent to First Printing: *An Ordinance to Amend the Code of the City of Gardner, Section 8, Chapter 390, Entitled "Fire Department Fee Schedule."*

#10603

On a motion made by Councillor Ronald Cormier and seconded by Councillor Dana Heath, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas; Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh; that the following Ordinance be sent to First Printing: *An Ordinance to Amend Sections of the Code of the City of Gardner, Chapter 390, Entitled "Fees."*

CLOSING PRAYER

President Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Nathan Boudreau and seconded by Councillor Craig Cormier, it was voted viva voce, eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Dana Heath, Judy Mack, George Tyros, and James Walsh to adjourn at 7:57 p.m.

Accepted by the City Council: *May 2, 2022*

Waterford Community Center Committee Discussion

A proposal by President Tyros that the City Council discuss the creation of a Special Committee for the Waterford Community Center Project, including outlining its initial responsibilities, proposed membership and duration.

RECEIVED

2025 APR - 3 P 3: 59

CITY CLERK'S OFFICE
GARDNER, MA

City of Gardner Sexual Harassment Policy Discussion

A proposal by President Tyros that the City Council discuss the City's current sexual harassment policy and receive an update from the Mayor and HR Director regarding updates planned by the administration to modernize the policy and procedures of City Hall.

RECEIVED

2025 APR - 3 P 3: 59

CITY CLERK'S OFFICE
GARDNER, MA

Facilities Manager Discussion

A proposal by President Tyros that the City Council discuss the current state of facilities management for all municipal buildings to evaluate the proper management, cost-effectiveness, current practices, and to explore potential improvements, ensuring responsible stewardship of city assets.

RECEIVED

2025 APR - 3 P 3: 59

CITY CLERK'S OFFICE
GARROVER, MA

From: [Alek Dernalowicz](#)
To: [George Tyros](#); [Titi Siriphan](#)
Subject: Item for the City Council
Date: Thursday, January 23, 2025 7:24:16 AM

Mr. President & Madam Clerk,

As stated during the full council meeting, I would like to submit an agenda item to continue discussions in regards to internal working groups review of the salary study mentioned in item #11461.

I would foresee this being placed onto the Finance Committee Agenda, however I defer to your decision.

Please let me know if you have any questions.

Best,

--

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



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

January 11, 2025

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

RE: A Communication from the Mayor Regarding the FY2026 Budget

Dear Mr. President and Councilors,

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

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

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

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

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

Titi Siriphan

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

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.

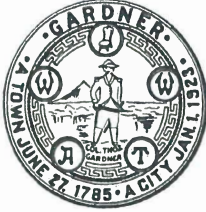
I have retained the *"New Items Originating in Committee - To Place on the Full Calendar"* subsection to avoid confusion with *"New Items Originating in Committee - To Place on the Finance Committee Calendar"*.

Please let me know if you have any questions.

Best,

--

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



City of Gardner, Massachusetts
 Councillor Ronald F. Cormier
 Memorial Committee

February 23, 2025

George C. Tyros, President
 Gardner City Council
 City Hall, 95 Pleasant Street
 Gardner, MA 01440

Re: Committee Report

Dear Mr. President:

The Councillor Ronald F. Cormier Memorial Committee was established by vote of the Gardner City Council for the purpose of recommending a fitting memorial to the memory and service of the late Ronald F. Cormier. Council President George Tyros appointed four members, Marcelle S. Cormier, Neil W. Janssens, James M. Walsh, Esq., and Alan L. Agnelli. At its inaugural meeting on January 27, 2025, Mr. Walsh was elected Chair and Mr. Agnelli was elected Clerk.

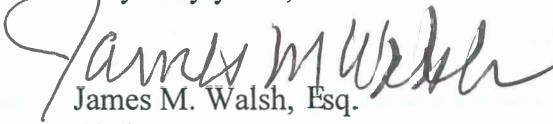
The Committee met on three occasions, January 27, February 12, and February 19, 2025. The Committee voted that an appropriate plaque be placed in the Council Chamber commemorating Councillor Cormier's service and contributions to the City. Votes were taken on the style and text of the plaque. A separate vote, based on the wishes of the Cormier family and in deference to his widow's stated preference is to place the plaque in the Council Chamber but not to designate the Council Chamber in his name.

The Committee leaves to the Council the decision on the size of the memorial based on budgetary considerations.

The style and text of the memorial voted by the Committee is enclosed.

The Committee thanks the Council for the opportunity to participate and contribute to Councillor Cormier's remarkable legacy.

Very truly yours,


 James M. Walsh, Esq.
 Chair

Enclosure
 JMW/aa

RECEIVED
 2025 FEB 24 A 10:28
 CITY CLERK'S OFFICE
 GARDNER, MA



← Placeholder
for bas-relief
image

In Memory of
Ronald F. Cormier
“Dean of the City Council”
1942 – 2024

Lifelong Educator - Devoted Public Servant - City Councillor for 36 years

Longest-serving Councillor in the City's first 100 Years

Council President

Councillor at-Large

Ward 3 Councillor

Airport Commissioner

Gardner Elementary School Advisory Board

Gardner Redevelopment Authority Chairman

Levi Heywood Memorial Library Board of Trustees Clerk