

COUNCIL PRESIDENT

WARD COUNCILLORS

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



COUNCILLORS AT LARGE

- Calvin D. Brooks
- Craig R. Cormier
- Brad E. Heglin
- Elizabeth J. Kazinskas
- Judy A. Mack
- George C. Tyros

City of Gardner Massachusetts

CALENDAR FOR THE MEETING

of

MONDAY, JANUARY 5, 2026

CITY COUNCIL CHAMBER

7:30 P.M.

ORDER OF BUSINESS

- I. CALL TO ORDER**
- II. CALL OF THE ROLL OF COUNCILLORS**
- ** ADMINISTRATIVE OF OATH OF OFFICE TO THOSE NOT PRESENT ON JANUARY 5, 2026, AT 10:00 AM**
- ** ELECTION OF THE COUNCIL PRESIDENT**
- III. OPENING PRAYER**
- IV. PLEDGE OF ALLEGIANCE**
- V. ANNOUNCEMENT OF OPEN MEETING RECORDINGS**
Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.
- VI. READING OF MINUTES OF PRIOR MEETING(S)**
- VII. PUBLIC HEARINGS**
- VIII. COMMUNICATIONS FROM THE MAYOR**
- IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**

X. REPORTS OF STANDING COMMITTEES

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

11454 - Report on the Investigation of the Maki Park Project. *Page 3*

XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

XII. NEW BUSINESS

11753 – Council Rules. *Page 81*

XIII. COUNCIL COMMENTS AND REMARKS

XIV. CLOSING PRAYER

XV. ADJOURNMENT

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

From: [Elizabeth Kazinskas](#)
To: [George Tyros](#); [Jenny Guercio](#)
Subject: Re: Motions at today's EcoDev Meeting
Date: Wednesday, September 24, 2025 9:16:30 AM

Thank you, Councillor Tyros.

Jenny, please include this email chain in the Economic and Community Development Committee's meeting packet for item 11454.

Best,
 Lizzy

Elizabeth Kazinskas
Councillor at Large
Gardner City Council

(978) 337-1533

ekazinskas@gardner-ma.gov

Economic & Community Development Committee, Chair
Appointments Committee, Member
Capital Improvement Planning Committee, Council Designee
Community Development Block Grant Steering Committee, Council Designee
Constituent Services & Community Outreach, Council Liaison
Master Plan Steering Committee, Member

From: George Tyros <gtyros@gardner-ma.gov>
Sent: Friday, September 19, 2025 1:45 PM
To: Jenny Guercio <jguercio@gardner-ma.gov>
Cc: Elizabeth Kazinskas <ekazinskas@gardner-ma.gov>
Subject: Motions at today's EcoDev Meeting

Hello Jenny,

Best of luck going forward!

At today's meeting two motions were made and passed (I've cc'd Councillor Kazinskas to confirm).

1. To send a letter to the Mayor requesting an explanation to the Committee as to why the excess funds from Downtown Phase III are now available, even though the double pole work is not yet complete on Park Street.

2. To send a letter to the Mayor requesting the year-to-date quarterly departmental updates he's received from all departments that have been involved in the Maki Park project (the Committee expects, at a minimum, the department updates from Community Development, Auditing, Purchasing, Engineering, etc.) be provided to the Committee to review.

-George

George Tyros

Council President &

Councillor At-Large

City of Gardner

978.340.1449

gtyros@gardner-ma.gov

gardner-ma.gov\citycouncil

From: [Elizabeth Kazinskas](#)
To: [Jenny Guercio](#)
Cc: [George Tyros](#); [Titi Siriphan](#); [Jayen Kumar](#)
Subject: Re: Requests from the Economic and Community Development Committee
Date: Wednesday, September 24, 2025 9:24:27 AM
Attachments: [Letter - Eco Dev Committee Requests - Maki Park - 9-24-2025.pdf](#)

Hi Jenny,

Please include this email chain and the attached letter in the Economic and Community Development Committee's meeting packet for item 11454.

Best,
Lizzy

Elizabeth Kazinskas
Councillor at Large
Gardner City Council

(978) 337-1533

ekazinskas@gardner-ma.gov

Economic & Community Development Committee, Chair
Appointments Committee, Member
Capital Improvement Planning Committee, Council Designee
Community Development Block Grant Steering Committee, Council Designee
Constituent Services & Community Outreach, Council Liaison
Master Plan Steering Committee, Member

From: Elizabeth Kazinskas <ekazinskas@gardner-ma.gov>
Sent: Wednesday, September 24, 2025 9:22 AM
To: Mayor <Mayor@gardner-ma.gov>
Cc: Jason Stevens <jstevens@gardner-ma.gov>; Titi Siriphan <tsiriphan@gardner-ma.gov>; Jayen Kumar <jkumar@gardner-ma.gov>; Jenny Guercio <jguercio@gardner-ma.gov>; Dana Heath <dheath@gardner-ma.gov>; George Tyros <gtyros@gardner-ma.gov>
Subject: Requests from the Economic and Community Development Committee

Dear Mayor Nicholson,

Attached is a letter from the Economic and Community Development Committee outlining two requests discussed and voted on at our September 19, 2025 meeting.

We respectfully ask for your response and any relevant documentation in advance of our next

meeting, scheduled for Friday, October 3, 2025. We look forward to your reply and continued collaboration.

Thank you for your attention to these matters.

Best,
Lizzy

Elizabeth Kazinskas
Councillor at Large
Gardner City Council

(978) 337-1533

ekazinskas@gardner-ma.gov

Economic & Community Development Committee, Chair

Appointments Committee, Member

Capital Improvement Planning Committee, Council Designee

Community Development Block Grant Steering Committee, Council Designee

Constituent Services & Community Outreach, Council Liaison

Master Plan Steering Committee, Member

Elizabeth J. Kazinskas, Councillor at Large
Chair, Economic and Community Development Committee
Gardner City Council
95 Pleasant St, Room 121
Gardner, MA 01440

September 24, 2025

The Honorable Mayor Michael J. Nicholson
Mayor's Office
95 Pleasant St, Room 125
Gardner, MA 01440

RE: Requests from the Economic and Community Development Committee

Dear Mayor Nicholson:

The Economic and Community Development Committee voted at its September 19, 2025 meeting to submit the following two requests for your response and action:

1. Downtown Phase III Funding Clarification

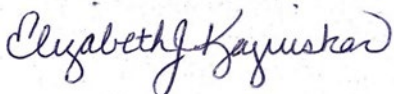
The Committee respectfully requests a written explanation as to why excess funds from the Downtown Phase III project are now available, even though the double pole work on Park Street has not yet been completed

2. Maki Park Project – Departmental Updates

The Committee further requests that the year-to-date quarterly departmental updates you have received from all departments involved in the Maki Park project be provided to the Committee for review. At a minimum, this should include updates from the following departments: Community Development, Auditing, Purchasing, Engineering.

Thank you in advance for your attention to these matters. As you are aware, our next Committee meeting is Friday, October 3, 2025. We look forward to your timely response and to continuing our collaborative efforts in support of the Community Development and Planning Department.

Sincerely,



Elizabeth J. Kazinskas
Chair, Economic and Community Development Committee

Cc:

Jason Stevens, Community Development and Planning Director
Titi Siriphan, City Clerk
Jayen Kumar, Assistant City Clerk
Jenny Guercio, Administrative Coordinator
Economic and Community Development Committee Members – Ward 2 Councillor Dana Heath, Council President George Tyros

From: [Elizabeth Kazinskas](#)
To: [Mayor](#)
Cc: [Jenny Guercio](#)
Subject: Re: Response to Maki Park Question Letter
Date: Thursday, October 2, 2025 11:08:45 AM

Good morning Jenny,

Please include the email chain below and attachments in the meeting packet for Friday's Economic & Community Development Committee meeting. Please send me a draft before it's published. Once it's published, please notify the Committee that new information has been added to the packet.

Best,
 Lizzy

Elizabeth Kazinskas
Councillor at Large
Gardner City Council

(978) 337-1533

ekazinskas@gardner-ma.gov

Economic & Community Development Committee, Chair
Appointments Committee, Member
Capital Improvement Planning Committee, Council Designee
Community Development Block Grant Steering Committee, Council Designee
Constituent Services & Community Outreach, Council Liaison
Master Plan Steering Committee, Member

From: Mayor <Mayor@gardner-ma.gov>
Sent: Wednesday, October 1, 2025 2:15 PM
To: Elizabeth Kazinskas <ekazinskas@gardner-ma.gov>
Cc: Jenny Guercio <jguercio@gardner-ma.gov>
Subject: Response to Maki Park Question Letter

Good Afternoon Madam Chair,

Attached, please find the Administration's response to your letter dated September 24, 2025.

Best,

Mike Nicholson



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

September 25, 2025

Hon. Elizabeth J. Kazinskas, Chair
And Economic and Community Development Committee Members
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Response to "Requests from the Economic and Community Development Committee" dated September 24, 2025

Dear Madam Chair and Councilors,

My office is in receipt of the letter sent by Chair Kazinskas on behalf of the Economic and Community Development Committee dated September 24, 2025, with the subject line of "Requests from the Economic and Community Development Committee."

On behalf of the Administration, I hereby submit the following responses to your questions.

Question 1:

Downtown Phase III Funding Clarification

The Committee respectfully requests a written explanation as to why excess funds from the Downtown Phase III project are now available, even though the double pole work on Park Street has not yet been completed

The City Director of Community Development and Planning, the City Auditor, and I met to discuss the issue of the ramp installation at Maki Park on Wednesday, August 15th, 2025 to discuss options for funding mechanisms for this project.

Director Stevens had been in contact with the contractor who constructed the park to-date, BusyBee Nursery, and obtained an updated price quote for the additional work that is needed to be done of \$58,863.00. At the same time, Director Stevens worked to obtain a full quote from EH Perkins, the contractor working on the Downtown Phase III project as to how much funding the remaining work that needed to be done in conjunction with the double poles being removed and sidewalk panels replaced. This estimate came back at approximately \$15,000.00.

With this information from both contractors, coupled with the statutory December 2025 timeline in which the City must expend all previously obligated funds from the American Rescue Plan Act (ARPA), the City Auditor stated that enough information was received to be able to transfer all funds remaining in the Downtown Phase III account above and beyond the quote for the completion of the work received by EH Perkins, beginning with those funds that were appropriated for the project from the City's previously obligated ARPA funds.

These funds were then transferred from the Downtown Phase III project in two transfers dated August 22, 2025 and September 10, 2025. A copy of those transfer reports is attached to this correspondence as **Attachment A**.

As such, to answer the committee's question, the funds became available due to the receipt of an accurate final price quote from both contractors related to Downtown Phase III and Maki Park, allowing for the difference of funds to be freed up from their previously assigned uses.

Question 2:

Maki Park Project – Departmental Updates

The Committee further requests that the year-to-date quarterly departmental updates you have received from all departments involved in the Maki Park project be provided to the Committee for review. At a minimum, this should include updates from the following departments:

Community Development, Auditing, Purchasing, Engineering.

The Department reports I have received are attached to this correspondence as Attachments B through E.

Director Stevens of the Community Development and Planning Department and I have been meeting monthly for his updates to review the operations of the department. These have also been used to form his monthly updates that he has provided to this committee. We also maintained a running document with the monthly updates about this project in particular. (See **Attachment B**)

Auditor Richard and I have also been meeting monthly due to the creation of the City's budget and getting us through the tax rate process. Those monthly reports are attached here as **Attachment C**.

Reports from Director Cormier of the Purchasing Department are attached as **Attachment D**.

The City Engineering Office was not involved in the Maki Park Project, however, since this department was requested, the reports from this department are attached as well. (See **Attachment E**).

Respectfully Submitted,

A handwritten signature in blue ink that reads "Michael J. Nicholson". The signature is written in a cursive style with a large initial "M".

Michael J. Nicholson
Mayor, City of Gardner

Attachment A:
Maki Park
Appropriation
Transfers

REQUEST FOR TRANSFER BETWEEN SUB-ACCOUNTS

The Community Development and Planning Department requests that \$ 14772.53 be transferred between the following accounts:

	<u>ACCOUNT NAME</u>	<u>ACCOUNT NUMBER</u>
Transfer From:	DOWNTOWN PH III PROJECT EXP	27010-58110 ⁻²⁹²⁰⁵
Transfer To:	Maki Park Expenses	27010-58103-29205

The reason for this transfer request is: Transfer to cover additional work for Maki Park

Department Head Signature:  Date: 8/22/2025

Transfer Recorded: City Auditor: John Richard Date: 08/22/2025

John Richard
City Auditor

Please submit request in Duplicate. One to be returned to you after recorded.

NOTE: Transfers between Salary & Wages and Operating Expenditures or between Departments requires a Council Order.

Transfer of Appropriation ^x
Reclass of Expenditure

REQUEST FOR TRANSFER BETWEEN SUB-ACCOUNTS

The Community Development and Planning Department requests that \$ 20000.00 be transferred between the following accounts:

	<u>ACCOUNT NAME</u>	<u>ACCOUNT NUMBER</u>
Transfer From: <i>TO:</i>	Maki Park Expenses	27010-58103-29205
Transfer To: <i>From</i>	DOWNTOWN PH III PROJECT EXP	27010-58110 - 29205

The reason for this transfer request is: Transfer to send the remaining ARPA funds to Maki Park project.

Department Head Signature:  Date: 9/10/2025

Transfer Recorded: City Auditor: *John Richard* Date: 09/10/2025
John Richard
City Auditor

Please submit request in Duplicate. One to be returned to you after recorded.

NOTE: Transfers between Salary & Wages and Operating Expenditures or between Departments requires a Council Order.

Transfer of Appropriation

Reclass of Expenditure

Attachment B:
Community
Development
Reports

CITY OF GARDNER**PLANNING BOARD**

Manca Annex, 115 Pleasant Street, Room 201, Gardner, MA 01440

Telephone: (978) 630-4014 ♦ Fax: (978) 632-1905



Dear Chair Kazinskas,

The following are my monthly updates that I have kept for my department's work on Maki Park from March -September 2025.

Maki Park Project – Director's Progress Reports

March 2025

As Director of Community Development and Planning, I informed the committee that the only current update relates to funding for the ADA-compliant ramp. At present, the funds are encumbered under the existing contract with E.H. Perkins for the completion of Downtown Phase III, Park Street Park. The remaining scope of that project requires utility coordination: National Grid's removal of wires from double poles, followed by Verizon's removal of the poles themselves. E.H. Perkins will then complete filling and paving the disturbed areas. Once the Park Street project reaches completion, the funds tied to that contract will be released and reallocated to the Maki Park project.

On March 19, 2025, Project Manager Matt Wzorek shared that Verizon had closed a prior service ticket and opened a new one, with a tentative date of March 21 for pole removal. However, past experience with Verizon has demonstrated delays in meeting such commitments. Tighe & Bond is continuing to press for timely action, though I advised the committee not to anticipate resolution on the stated timeline.

April 2025

Upon request, on April 22, 2025, Nick Day reported that his original outreach to Verizon dates back to December 23, 2024. Since then, multiple service tickets have been opened and escalated. Verizon's field staff have acknowledged the scope of work is more extensive than anticipated, requiring ticket revisions. In addition, Verizon identified cable television lines belonging to Comcast on the poles. A ticket with Comcast (#ECM0012880013) was created on March 28, 2025, with multiple follow-ups since then.

To ensure clarity and transparency, I requested and received the full email thread documenting communications among Tighe & Bond, National Grid, and Verizon, which has been attached to this report for record-keeping.

May 2025

CITY OF GARDNER**PLANNING BOARD***Manca Annex, 115 Pleasant Street, Room 201, Gardner, MA 01440**Telephone: (978) 630-4014 ♦ Fax: (978) 632-1905*

I requested a status update from Tighe & Bond, which was provided by Matt Wzorek on May 29, 2025. At this point, there has been no recent direct communication with the utilities. It was reported that some wires appear to have been removed, though confirmation on remaining attached wires remains unclear. Matt indicated he would personally inspect the Park Street site during his next visit to Gardner and, if necessary, re-engage Verizon or Comcast for updates.

June 2025

On June 25, 2025, I had received correspondence regarding the Park Street wires and their impact on releasing funds for Maki Park. Recognizing the delays in utility coordination, I also met with the City Auditor to evaluate supplemental funding options.

As it stands, \$55,000 is required to complete Maki Park. Of this, \$20,000 is anticipated from the Park Street Park project, with the balance proposed from ARPA/Park Street Park and SummerFest or Bailey Brook allocations.

Follow-up communications from Tighe & Bond included:

- June 5, 2025: A site visit between myself and Tighe and Bond reps confirmed one remaining wire on the poles. Verizon indicated their work is complete, with a new ticket submitted to Comcast for the remaining line.
- June 25, 2025: Comcast had not yet confirmed a removal date. Tighe & Bond committed to continued follow-up.

August 2025

The one set of wires remains to be removed. Concurrently, I have begun exploring additional funding sources to ensure the project's completion. Potential allocations include residual funds from the Pulaski Park project and remaining PARC funds, which may be eligible to supplement the existing budget needed to move forward with the project.

September 2025

The remaining funds necessary for project completion were identified and secured in collaboration with Auditor John Richard and Mayor Mike Nicholson. Through this process, it was determined that the Downtown Phase III Park Street project was funded through ARPA and that a reclassification of funds could occur without Council approval. Accordingly, on September 10, 2025:

- \$20,000 was reclassified from the Downtown Phase III Expense Account to the Maki Park Expense Account.

CITY OF GARDNER**PLANNING BOARD**

Manca Annex, 115 Pleasant Street, Room 201, Gardner, MA 01440

Telephone: (978) 630-4014 ♦ Fax: (978) 632-1905



- An additional \$1,145.32 was reclassified from the Bailey Brook PARC Expense Account. As a result, the Maki Park account now totals \$59,866.67, aligning with the contractor's estimated cost for the remaining work.

I corresponded with Purchasing Director Josh Cormier to issue the necessary change order, which was signed by the contractor. The intent is to mobilize and begin work after Oktoberfest on September 27, 2025, subject to contractor scheduling. The contract stipulates a completion deadline of November 28, 2025.

Please let me know if you have any questions on this.

Best,

Jason Stevens
Director of Community Development & Planning

Community Development Monthly Department Update

- Overview and status updates on current projects:
 - Rear Main Project (Main Areas to Address):
 - Unsuitable Subsurface Conditions:
 - The site was found to have used debris from the demolition of the previous factory there as fill for the site. This presented challenges regarding the redevelopment of the property due to the unstable material, mainly large pieces like brick. A solution has since been presented, approved by the project engineers, and funds for this solution have been approved by Bond Counsel and secured through Finance Committee and City Council.
 - High Ground Water:
 - This is being addressed, still awaiting final plans for this from Fuss & O’Neill. Should receive the finalized plans by EOW per our meeting on 3/4/2025.
 - Both the project engineers and contractors were not aware of the actively flowing water under the site. They had wanted to backfill the site with a flowable material like sand, but I told them I would get 100% confirmation on the active flow on site as that may present issues with backfill if any construction work impacted the cover on the brook.
 - Electrical Issues
 - Fuss & O’Neill had been tasked with gathering account information for abutter’s National Grid information as service upgrades would be needed. This was not done and UEL reached out to me to do it on their behalf. Most of this information has been gathered, awaiting a call back from 40-44 Main Street owners to finalize the RFI and send back to them.
 - Manca Drive – Proposed Site Improvements:
 - Full application packet, stamped site plans, and complied report for a self storage facility received and sent to Planning Board for review for March 11 meeting.
 - Walmart Restriping – Fueling Facility
 - Gardner Cultural Council
- Recent community outreach initiatives:
 - Diamond Heart Studio

- Outreach ton
- **Public feedback (positive and negative):**
 - **Rear Main Project**
 - Have heard issues of rumors spreading amongst Downtown businesses of contamination on the Rear Main Project.
 - EOHLC and DEP have reached out to me from a voiced concerned and EOHLC is satisfied with the materials I gave them. Justin is working on a site visit today to the inlet and outlet of Pond Brook, and the Rear Main Project site to address DEP's outreach.
 - **Compass Lane Subdivision:**
 - During the Planning Board meeting on 2/11/25, the Planning Board Chair from Templeton voiced many concerns regarding the proposed subdivision. Upon the project engineer addressing those concerns that this had already been reviewed by their attorney and approved for legal concerns, the board chair said that they would take the subdivision to the court of appeals if it was approved.
 - The subdivision was approved and I have just met with their attorney Christine Tree yesterday to discuss a restrictive covenant which will include mention of roadwork needed to be done prior to any housing dwelling units being constructed as well as a consultant provision for Tighe and Bond to inspect the construction progress periodically. I am awaiting this to be finalized, Christine mentioned that it will be sent over by EOD today.
- **Any funding issues within the department:**
 - **Financial Issues:**
 - Reviewing MUNIS, PI Intelligrants, and our bank accounts, it was discovered that intensive work will need to be done to correct entries between them. I have presented these issues to City Council already and have taken necessary disciplinary action regarding these discoveries. We will be working with Jen and John to address these as a department, with plans to meet with Jen later today.
- **CDBG updates:**
 - **FY 22/23 CDBG Grant Projects**
 - **Greenwood Memorial Pool Demolition**
 - Conservation Commission meets March 10,2025
 - Following this, the project will be put out to bid
 - Demo/Construction will be bid as 2 separate projects
 - Hopeful for April start date

- 205/213 Main Street
 - Abatement has begun/demolition will follow shortly after
 - Demo will hopefully be being by end of March (Starting with 60 Willow St Building, then will do Main Street portion)
 - Coordinating with Police on Traffic details, traffic commission informed of potential road closures on Willow and lane closure on Main
 - Full project completion ends of April as of now
- FY 24 CDBG Grant Projects
 - Demolition of School Street School
 - Environmental Review has passed, clearance letter has been issued
 - Need to wait for Contract/Special Conditions to be sent from State to officially be able to begin committing funds.
- FY 25 CDBG Grant Projects
 - Working with the Mayor and EOHLC on list of acceptable projects being approved.
- Grants (applied/necessary matching funds/ awarded or rejected):
 - MVP Grant
 - This grant is concerning the culvert on Keyes Road, currently the only route to the rest of the city for residents who live on and off subsequent roads (Edgell Ave, Rugby St, Princeton St, Walkins Rd, and Richardson St).
 - With the current deadline of April 4, Justin and myself do not think it will be possible to go down the route of advertising and hosting a public meeting, gathering outreach/letters of support, and being able to meet that deadline.
 - Governor Healey had announced funds being released to cover the repairs/construction of needed culverts across the Commonwealth, so either waiting for further information on when those funds will be released or a future cycle of the MVP Grant will be the best way to move forward with this.
- Miscellaneous:
 - Department Restructure

Community Development Monthly Department Update

- Overview and status updates on current projects:
 - Rear Main Project:
 - Construction resuming for Rear Main Project on Monday, June 9. There is an expected 8-10 weeks of additional work needed for the project to be completed either the week of August 4 or 11.
 - The contract for the project was amended to include the funds from the unexpected bond proceeds to the amount of \$533,810.00, this is out of the \$800,000.00 that was allocated. Additional funds are in place for any further necessary amendments, but none more are expected to be needed for the project at this time.
 - Full completion of the project is currently set for the week of February 23, 2026, but I am recommending that UEL look to extending this timeline to the spring to see to some of the final items such as loam and seed.
 - Manca Drive – Proposed Site Improvements:
 - Full application packet, stamped site plans, and complied report for a self storage facility received and sent to Planning Board for review for March 11 meeting.
 - Walmart Restriping – Fueling Facility
 - Gardner Cultural Council
- Recent community outreach initiatives:
 - Diamond Heart Studio
 - Outreach ton
- Planning Board:
 - Compass Lane Subdivision:
 - This subdivision has since been approved by the board, along with a restrictive covenant and various site conditions, all of which have been recorded at the Registry of Deeds.
 - Manca Drive Self Storage Facility:
 - This proposed site improvement has since been approved by the board, along with various site conditions. Awaiting mylar plans to sign off for recording at the Registry of Deeds.
 - Emerald Street Multi-Family:
 - Proposed multi-family residential buildings on 0 Emerald Street. Definitive Plans being reviewed by board tomorrow, June 10.
 - Public Hearings:

- Floodplain Overlay District
 - Accessory Dwelling Units
 - Historical properties – multi-use
- Subdivision – Pearl Street
 - Been reviewed by Development Review, with Conservation now due to abutting wetlands, awaiting item coming in front of board
- Subdivision – Senior Housing Century Way
 - Been reviewed by Development Review, attending board meeting tomorrow, June 10.
- CDBG updates:
 - FY 22/23 CDBG Grant Projects
 - Greenwood Memorial Pool Demolition
 - Due to bid protest, this project was delayed from the original hope to be demo-ed before the start of pool season. This protest has since been moved through the AG’s office, siding with us to move forward with the overlooked bid which spawned the protest.
 - This project is now going through the necessary processes with the Purchasing Department before the full contract is sent over to me for review and sign-off.
 - 205/213 Main Street
 - Abatement and demolition have been fully completed, the site has also completed its loaming and seeding. The next few days the crew from Costello will be moving forward with the curbing and sidewalk replacement before the site is ready for our full walkthrough.
 - This site will be sold to the GRA for our oversight with the P&S agreement for the property.
 - FY 24 CDBG Grant Projects
 - Demolition of School Street School
 - This was being investigated by the Mayor and City Solicitor to see whether we can opt to have private interest fund the redevelopment of the property. This has yet to be confirmed with me yet and its potential impact on our CDBG funding.
 - FY 25 CDBG Grant Projects
 - Application was fully drafted and submitted to EOHLC. Awaiting comments from them regarding this, probably receiving them June/July.
 - Construction/Design for Downtown Phase V – 340,000.00
 - Design of School Street School Parking + Accessible Paths – 90,000.00
 - Fire electrical system for Waterford Street CC – 122,000.00

- Voices of Truth – 15,000.00
- Gardner CAC – 30,000.00 + 20,000.00 non CDBG
- Gardner Athletic Program – 23,000.00 + 10,000.00 non CDBG
- MVOC – 20,000.00 + 10,000.00 non CDBG
- GEHM – 50,000.00
- Grants (applied/necessary matching funds/ awarded or rejected):
 - MVP Grant
 - This grant is concerning the culvert on Keyes Road, currently the only route to the rest of the city for residents who live on and off subsequent roads (Edgell Ave, Rugby St, Princeton St, Walkins Rd, and Richardson St).
 - Justin and I will be working with Matt and Aaron from Tighe & Bond with encouraging community engagement to bolster our application for the next cycle of the grant.
- Miscellaneous:
 - Department Restructure
 - Will be sending an offer letter to an applicant for the Assistant Director position.
 - The Budget and Economic Development Manager has been approved through City Council and has been posted on Friday, June 6. Awaiting applicants to interview.

Rear Main Project: The project has continued on schedule, as of Wednesday, July 30, the majority of cuttings for required additional depth, half of the new drainage system, most of the sewer piping and water service, the first layer of Geotech fabric, and the demolishing of subsurface obstructions have all been completed. The contractor continues to be on schedule with this project. Weekly meetings continue to occur between myself, the engineering team at Fuss & O'Neill, and the contractor team at UEL Contractors to ensure that communication remains active and all stakeholders can collaborate on the project effectively. The last update to the project schedule from UEL Contractors and field report from Fuss & O'Neill were both received on Thursday, July 24, see attached for both items. Per the schedule, some items such as stamped pavement, loam and seed, and landscape irrigation will be planned for later into 2026 due to the need for warmer weather to be installed/completed.

A water truck is actively on site and has been requested to remain there as an additional measure to mitigate dust. If any issues for any abutters arise, please contact me directly at jstevens@gardner-ma.gov. We addressed the need for a water truck by the next business day and want all residents to know that my department will always be responsive to any concerns.

Nature Trail (North Central Pathway Connector): The project has been completed as of June 30, 2025, the portion of the pathway has been paved, native plantings added, safety railings placed, and the length of Crystal Lake Road has been paved to connect the pathway with the existing walking/bike path that runs along Crystal Lake.

Master Plan: The plan has continued on schedule with monthly meetings with the Master Plan Steering Committee continuing with the most recent meeting going over updates on our current status of our public engagement through our community leaders event, public engagement event, and physical and online survey through the Master Plan website.

Hazard Mitigation Plan (HMP): The HMP plan has continued on schedule with monthly meetings between myself and the team at Weston and Sampson, most recently on Friday, July 25, where the draft of the first two chapters of the plan were discussed. We went through the full draft and I provided feedback in terms of it's current structure and potential edits such as grouping the mitigation and climate adaption goals into categories for easier navigation, integration of the city's Urban Renewal Plans (URPs) for Downtown and Mill Street Corridor to ensure the HMP does not contradict the land use assumptions of the URPs, improved language for equity including metrics for measurable success in addressing specific concerns for addressing specific hazard concerns for vulnerable populations, among other edits. See attached for the draft of these two chapters for context.

Maki Park: Per our last meeting, the funding for the additional ramp was reliant on a contract with E.H. Perkins to be completed there was a set of Comcast wires on some of the double poles, these were removed as of Tuesday, July 15. Our contractor, Tighe and Bond has thought that all remaining wires were owned by Comcast but in fact some were owned by MBI. Bob O’Keefe from our IT Department got me in contact with Jason Wing from Local Linx who I explained the location of the poles and is scheduling the removal of said wires.

Administration:

Amy Yuhasz – Assistant Director of Community Development and Planning: Amy had started on Monday, July 7, and has been nothing but a pleasure to have on the team. With her experience working for the federal government at HUD, Amy has been able to read and digest everything that I’ve been able to give to her regarding our CDBG projects, past, present, and our application still in review. She is coming to me with fantastic ideas to ensure we maintain organized files, clear communication with social service providers, and all around helpful ideas whenever she’s able. I look forward to the city seeing everything that I already know that she’s going to be capable of, providing great services from our department for the betterment of the city and it’s residents.

Iris Kwafo-Mensah – Economic Development and Finance Manager: Iris will be starting on Monday, August 11. With her onboarded, the Community Development and Planning Department will be fully staffed.

2022-2023 CDBG Project Update

2015-213 Main St. Demolition: Project is complete. All abatement was successfully completed, followed by the demolition of the structure. The site was properly compacted and tested for compaction, loamed and seeded, and approved by one of the city’s building inspectors. Final payments have been issued. Final reporting has been completed in EOHLC’s (Executive Office of Housing and Livable Communities) reporting system.

Downtown Improvements Phase IV: Project is complete. Final payments have been issued, and final reporting has been completed in EOHLC’s reporting system.

Greenwood Pool Demolition: Project is underway. Project setup and utility abandonment work is complete. Asbestos abatement is scheduled to begin next week. Project completion is scheduled for late October 2025 with above ground building removal happening from Friday, September 26 through Tuesday, October 7.

Gardner Emergency Housing Mission (GEHM) – Homelessness Prevention: Project is complete. Final payments have been issued, and final reporting has been completed in EOHLC's reporting system. Twenty-three beneficiaries were assisted with CDBG funds.

Gardner Public School – Gardner Athletic Program: Project is complete. Final payments have been issued, and final reporting has been completed in EOHLC's reporting system. One hundred students received assistance to allow them to participate in school recreational activities.

Boys & Girls Club – Project Learn STEAM: Project is complete. Final payments have been issued, and final reporting has been completed in EOHLC's reporting system. Twenty-seven youth participated in the school and summer learning enrichment program.

2024 CDBG Project Update

School Street School Demolition: Due to private interest in the site, we're looking into sale of the property and in discussion with EOHLC on how best to move forward with this.

Gardner Emergency Housing Mission (GEHM) – Homelessness Prevention: The funds for FY24 CDBG have only recently been released, these funds will be allocated to the social service once invoice and beneficiary demographic information is provided, as is required by EOHLC.

Gardner Public School – Gardner Athletic Program: The funds for FY24 CDBG have only recently been released, these funds will be allocated to the social service once invoice and beneficiary demographic information is provided, as is required by EOHLC.

Gardner Community Action Committee: The funds for FY24 CDBG have only recently been released, these funds will be allocated to the social service once invoice and beneficiary demographic information is provided, as is required by EOHLC.

Voices of Truth – Domestic Violence Prevention: The funds for FY24 CDBG have only recently been released, these funds will be allocated to the social service once invoice and beneficiary demographic information is provided, as is required by EOHLC.

2025 CDBG Project Update

No updates for this application as of Wednesday, July 30, we are still waiting on hearing feedback from EOHLC regarding acceptance or any necessary edits to move forward with the projects presented therein.



65 PARKER STREET
 CLINTON MA 01510
 SOMWBA CERTIFIED WBE
 (978)945-2740 (978)348-2282

LETTER OF TRANSMITTAL

CONTRACTORS

TO:
Fuss & O'Neill
1550 Main St. Suite 400
Springfield, Ma. 01103

DATE: 7/24/25	JOB NO.
ATTENTION: Melisaa Trombley	
Rear Main St. Revitalization-Gardner, Ma.	

Sending You Attached Under separate cover via the following items:

Shop drawings Prints Plans Samples Specifications

Copy of letter Change order Submittals

COPIES	DATE	NO.	DESCRIPTION
1	7/24/2025	008A	Revised Project Schedule

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted | Resubmit _____ copies for approval
- For your use Approved as noted | Submit _____ copies for distributio
- As requested Returned for corrections | Return _____ corrected prints
- For review and comm _____
- _____ |

REMARKS

COPY TO: _____

SIGNED: Don Dobeck Jr. P.M.

FIELD REPORT

Project No.: 2024-891 (20100564.A36)

Project: Gardner Rear Main Street Improvements

Field Visit Date: July 24, 2025

Weather: Sunny; 85° F

Fuss & O'Neill Representatives: Lauren Meiser

Attendees:

Fuss & O'Neill
Don Boudreau (UEL),

Purpose:

1. Documented UEL Means and Methods.
2. Observed installation of Tensar Geogrid and placement of processed gravel subbase.
3. Documented site work conducted.

Contractor Inquiries:

1. N/A

Progress Review:

1. F&O visually inspected the exposed compacted subgrade at northern and eastern portion of the site to be suitable for placement of modified subgrade section. Additional areas were not cut to grade at the time of our site visit to visually inspect.
2. F&O visually inspected the processed gravel subbase being used as backfill for the proposed subgrade section to be suitable. Three loads of processed gravel subbase were delivered in the duration of the site inspection.
3. F&O visually inspected the previously installed section of modified subgrade. UEL installed as plans called for consisting of one layer of NX850-FG, with twelve inches of overlap at ends, followed by 8 inches of processed gravel subbase.
4. UEL reported that all underground structures demolition and backfill were completed at time of site visit. Consisting of Exhibits "A", "B", "C", and "D" from Figure CU-101A.
5. F&O observed UEL install modified subgrade section on eastern portion of site according to plan. Methods consist of rolling the width of proposed pavement area and cutting NX850-FG where material meets with proposed curb.
6. F&O observed site conditions. UEL crew consisted of four members. Earth working equipment consisted of one roller, one mini excavator, one excavator, one dozer and one forklift. Other work observed includes removal of steel trench box, and removal of waste materials such as large boulders and wire.

7. UEL verbally reported the upcoming work consisted of installment of underground electrical structures, and water structures on the southern and western portions of the site. Progress on modified subgrade sections are to be continued on the eastern and northern portions of site.



Photo 1. Trench Box removed from site observed.



Photo 2. Large excavator observed removal of boulders and wire materials.



Photo 3. Eastern section of modified subbase installment.



Photo 4. Compacted processed gravel subgrade at 8 inches.

From: [Jason Wing](#)
To: [Jason Stevens](#); [Bob OKeefe](#); [Mayor](#); [Matt P. Wzorek](#)
Subject: [EXTERNAL] RE: MBI
Date: Thursday, July 31, 2025 3:23:58 PM
Attachments: [image001.png](#)

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

Hi Jason,

I sent this over to scheduling; it should be completed in the next couple days. I will respond once it's completed.

Thanks,

Jason Wing
VP of Operations
C +1 603-812-1090 / jason.wing@locallinx.com
www.locallinx.com



****PLEASE NOTE OUR NOC EMAIL ADDRESS HAS CHANGED TO NOC@LOCALLINX.COM****

If you are experiencing issues with your service please contact the NOC: 1 (866) 276-2888

From: Jason Stevens <jstevens@gardner-ma.gov>
Sent: Monday, July 28, 2025 2:56 PM
To: [Bob OKeefe](mailto:rokeefe@gardner-ma.gov) <rokeefe@gardner-ma.gov>; [Jason Wing](mailto:jason.wing@locallinx.com) <jason.wing@locallinx.com>; [Mayor](mailto:Mayor@gardner-ma.gov) <Mayor@gardner-ma.gov>; [Matt P. Wzorek](mailto:mpwzorek@tighebond.com) <mpwzorek@tighebond.com>
Subject: RE: MBI

Thanks Bob,

Hi Jason, great to connect with you. My name is Jason Stevens and I'm the Director of Community Development and Planning here in Gardner and I'm looking to move the wires on some double poles, they are located along Park Street and are poles numbered 3 through 7. I'm including Matt Wzorek from Tighe and Bond, who has been working on coordinating the movement of the wires on these poles.

Matt, Jason here can help with the movement of the MBI wires. I wanted to include

you in on the conversation in case there was anything you could add based off your last correspondence with Comcast on these remaining wires.

Thanks all,
Jason

Jason Stevens

Director of Community Development & Planning
Gardner City Hall
95 Pleasant Street, Room 201
Gardner, MA 01440
Direct: [978-991-5842](tel:978-991-5842)
www.gardner-ma.gov

From: Bob OKeefe <rokeefe@gardner-ma.gov>

Sent: Monday, July 28, 2025 12:47 PM

To: Jason Wing <jason.wing@locallinx.com>; Mayor <Mayor@gardner-ma.gov>; Jason Stevens <jstevens@gardner-ma.gov>

Subject: RE: MBI

Mayor/Jason

We have the right person now who can assist with moving MBI fiber between poles.

Please provide him with the pole location and pole number.

Thanks

Bob

Hi Bob,

Can you give me the pole details, so I can get this scheduled.

Thanks,

Jason Wing
VP of Operations
C +1 603-812-1090 / jason.wing@locallinx.com
www.locallinx.com



****PLEASE NOTE OUR NOC EMAIL ADDRESS HAS CHANGED TO**

NOC@LOCALLINX.COM**

If you are experiencing issues with your service please contact the NOC: 1 (866) 276-2888

From: Michael Baldino <baldino@masstech.org>
Sent: Monday, July 28, 2025 11:34 AM
To: Jason Wing <jason.wing@locallinx.com>
Cc: Cornell Robinson <robinson@masstech.org>; Joshua Eichen <eichen@masstech.org>
Subject: Fwd: MBI

Jay,

We received the email below from the City of Gardner regarding a pole replacement. Please follow up with Verizon and the City's IT Director.

Michael

Sent from my iPhone

Begin forwarded message:

From: Bob OKeefe <rokeefe@gardner-ma.gov>
Date: July 28, 2025 at 11:02:24 AM EDT
To: Michael Baldino <baldino@masstech.org>, Joshua Eichen <eichen@masstech.org>
Cc: susan.noyes@mass.gov
Subject: RE: MBI

Hello,

Hello. We are looking for a whoever in responsible for the fiber wires on the poles in Gardner. Our Mayor, Michael Nicholson, just asked me who would we contact at MBI for them to relocate their fiber cables as a pole is being replaced. I was shocked that Verizon didn't know how to reach MBI but it is now stalling a major public development project in the city.

Your prompt assistance is appreciated.

Thank you,

Bob OKeefe
Director of Technology
(He/Him/His)

Gardner City Hall
95 Pleasant Street, Room 209
Gardner, MA 01440

Office: 978-630-4019
Fax: 978-630-4009
///town.racks.globe (what3words)
rokeefe@gardner-ma.gov
www.gardner-ma.gov

[Book a meeting with Bob](#)

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Attachment C:
Auditing Dept
Reports

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - Collected all dept budgets and entered into MUNIS. Working on Revenue projections.
 - Working on FY24 audit with CBIZ outside auditors to finish up Audit Report. Shooting to be completed by March 24th and have report draft in hand.
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Jackie (assistant auditor) has taken over doing the Comp Time mthly process from the auditor.
- A Month End Financials update:
 - Posted all Mthly J.E.
 - Reconciled cash up to Jan
 - Reconciled Receivable up to Jan
 - Snow & Ice account currently has a \$525,241.00 deficit.
 - Health Trust balance \$1,721,181.64 as of 02/28/2025.
- Funding source issues within the city (projects/grants/salaries):
 - Always 😊
 - Comm Dev Vacant Store Front \$20K, Maki Park \$??, School Street Demo \$130K (City Portion),
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Municipal Recreation Dept-Still trying to get Dan Forte to send me a Sal Expense reclass to move expenditures from GF to Municipal Recreation Revolving account to correct current deficit in GF account.
- Miscellaneous:
 - MUNIS has been slowing down in performance at around 9:30-10 am every day for a couple of months. IT solution was to reboot the server which seems to help but is not fixing the issue of it is reoccurring daily. I have been informing IT (Bob) and several other dept have been relaying their issues/frustrations with MUNIS. I opened up a case with MUNIS on Tuesday March 3 recommended by Bob. A tech got back to me with the response below. I haven't heard anything since.

“Hi John,

Unfortunately, there is not really anything that my team can do to assist in this regard. I have reached out to TSM support to see if this is something they might be able to assist with. I will let you know as soon as I hear back.

Thanks,

Joe “

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - FY26 Budget-Going through the reviewing process to make cuts and decreases to end out with a balanced budget. Meeting with Mayor to discuss.
 - FY24 audit- CBIZ our outside auditors have released the final audited financials and SAR report. No findings. Had a few process recommendations which I will review and implement if seen fit.
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Nothing to report at this time.
- A Month End Financials update:
 - Posted all Mthly J.E.
 - Reconciled cash up to Feb.
 - Reconciled Receivable up to Feb.
 - Snow & Ice account currently has a \$537,555.33 deficit.
 - Health Trust balance \$1,465,906.49 as of 03/31/2025.
- Funding source issues within the city (projects/grants/salaries):
 - Always 😊
 - School Street Demo \$130K (City Portion),
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Ran YTD budget report and send out email to dept heads that had line items either in deficit or potentially can go into deficit.
- Miscellaneous:
 - MUNIS has improved compared to prior reporting. Still slight sluggish during certain hours of the day. Bob is working on moving MUNIS server to updated one.
 - FY25 ARPA certification has been submitted. All funds are obligated with \$0.00 available. Funds needed to be obligated to a project by 12/31/2024 which we did. Total expenditures \$6,055,080.60 as of 03/30/2025. Remaining obligated amount of \$127,209.39 needs to be spent by 12/31/2026.

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - FY26 Budget- Generated a balanced budget. Will be sending budget reports to Mayor today.
 - FY24 audit-Completed.
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Nothing to report at this time.
- A Month End Financials update:
 - Working on posting all April Mthly J.E.
 - Reconciled cash up to March.
 - Reconciled Receivable up to March.
 - Snow & Ice account currently has a \$547,950.49 deficit.
 - Health Trust balance \$1,438,042.81 as of 04/30/2025. Pending Stoploss Reimb \$462,704.87
- Funding source issues within the city (projects/grants/salaries):
 - Airport Electronic Gate Repair. Have about \$900 in Budget \$\$ for R&M Exp.
 - Rec'd Attorney invoice from Mirick (School) \$5,424. Who is responsible for covering costs?
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Ran YTD budget report and send out emails to dept heads that had line items either in deficit or potentially can go into deficit. Processed about 20 Approp transfers and reclasses to clean up deficits. Identified line items that will need funding coverage (FC possible).
- Miscellaneous:
 - MUNIS speed and processing has improved compared to prior reporting.

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - FY26 Budget- Generated a balanced budget. Budget has been submitted.
 - FY25 Sent out End of Year Procedure to all dept heads and clerks. Will be closing out FY25 books on the weekend of July 25th
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Jackie is currently training Veronika in BOA on using MUNIS. Usually I do this but have been passing that task to Jackie.
- A Month End Financials update:
 - Working on posting all May Mthly J.E.
 - Reconciled cash up to April.
 - Reconciled Receivable up to April.
 - Snow & Ice account currently has a \$572,950.49 deficit.
 - Health Trust balance \$1,638,042.81 as of 05/31/2025. Pending Stoploss Reimb \$0
- Funding source issues within the city (projects/grants/salaries):
 - DPW work at WSB.
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Ran YTD budget report and send out emails to dept heads that had line items either in deficit or potentially can go into deficit. Processed about 20 Approp transfers and reclasses to clean up deficits. Identified line items that will need funding coverage (FC possible).
- Miscellaneous:
 - Release School Loan Re-appropriation account numbers to project owners.

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - FY26 Budget- Posted in MUNIS.
 - FY25 Sent out End of Year Procedure to all dept heads and clerks. Will be closing out FY25 books on the weekend of July 25th
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Jackie will be taking over the mthly billing of the radio air licenses previously done by auditor.
- A Month End Financials update:
 - Working on posting all June Mthly J.E.
 - Reconciled cash up to May.
 - Reconciled Receivable up to May.
 - Health Trust balance \$1,638,042.81 as of 05/31/2025. As of 6/30/2025 tba
- Funding source issues within the city (projects/grants/salaries):
 - Nothing to report at this time.
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Continue to ran YTD budget report and send out emails to dept heads that had line items either in deficit or potentially can go into deficit. Will be closing FY25 books the weekend of 7/25
- Miscellaneous:
 - Nothing to report at this time.

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - FY25 closing was performed on Wed night 7/23 a little earlier than planned. Went smoothly with minimal issues. Have been posting year end closing entries to clear up balances and get ready for combined BS submission to DOR.
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Jackie assisted in posting year end entries which is a very big help.
- A Month End Financials update:
 - Working on posting all July Mthly J.E.
 - Reconciled cash up to June.
 - Reconciled Receivable up to June.
 - Health Trust balance \$1,817,816.83 as of 06/30/2025.
- Funding source issues within the city (projects/grants/salaries):
 - DPW Director, Treasurer and I are gathering information for a government capital asset loan to purchase needed vehicles and equipment. Will include all other depts once all data in rec'd. Looking to finance 5-6 year loan at 3.0 to 3.5% interest rate. Any commercial loan or lease charges 6.0-7.0% interest rate currently.
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Waiting for EPA to release about \$1M in reimbursement funds. Chris C. is keeping me updated.
- Miscellaneous:
 - Outside Auditors CBIZ was in-house on July 16th to do a prelim of FY25 Financial Audit and also Retirement Dept audit. They will be back in the office the week of Oct 20th thru 24th.
 - Rec'd a request from Stone Consulting to gather information for the July 1, 2024 Valuation and FY2025 GASB 74/75 report.
 - Gathered and sent worker comp requested information to RLD Associates to perform the annual WC audit.
 - Submitted Annual PCORI/ACA fee form 720 which we must file to the IRS.
 - Submitted ESAC FY25 form on Asset Forfeiture Website and completed annual Audit & Compliance review training.

Auditor Monthly Department Update

- Overall department updates (achievements since meeting):
 - Waiting for grant reimbursement to come. Started filling out the Consolidated BS to submit to DOR for Free Cash Cert. Entered and submitted in Gateway (DOR website) Snow and Ice expense, Cash Recon Reporting and Outstanding Receivable.
- Changes within the dept as far as processes (staff changes or reassigning duties):
 - Nothing to report at this time.
- A Month End Financials update:
 - Working on posting all Aug Mthly J.E.
 - Reconciled cash up to July.
 - Reconciled Receivable up to July.
 - Health Trust balance \$1,822,490.96 as of 08/31/2025.
- Funding source issues within the city (projects/grants/salaries):
 - FSA charges need to be funded. Before these were covered by the vendor and now there is a charge Between \$14-16K.
- Ways to streamline processes so manual entries wouldn't have to be performed:
 - Nothing to report at this time.
- Any funding issues within the department:
 - Waiting for various reimbursement to come in so it does not decrease free cash. Sending out emails daily to project owners.
- Miscellaneous:
 - Outside Auditors CBIZ will be back in the office the week of Oct 20th thru 24th.
 - Submit data to Stone Consulting for the July 1, 2024 Valuation and FY2025 GASB 74/75 report.
 - Gathered and sent worker comp requested information to RLD Associates to perform the annual WC audit.
 - Signed off on 29 new hire forms...includes Golf & Pool intermediate employees in FY26
 - Signed off on 25 Rate Change Forms in FY26
 - Signed off on 7 Termination Leave Forms in FY26
 - Processed 47 reclass of expenditure in FY26 so far. Posted 36 beginning year journal entries.

Attachment D:
Purchasing Dept
Reports

Purchasing Dept. Department Update

- Summary of outstanding Purchase Orders, Contracts, and Bids:
 - 191 Purchase Orders for a total of \$1,512,266.52 converted since March 6th, 2025
 - Contracts in DocuSign
 - 7 Contracts processed
 - Notable: NRT (School Bus Transportation) and Change Orders related to 205-213 Main St Demo (Costello & F&O)
 - 3 In Process – CO extending Main Street Demo dates; CO for Transmission Main Project; & Renewal for Line Painting and Pavement Marking
 - April 1 is the renewal anniversary – more than 100 contracts
 - Contract Issues
 - Landfill Erosion Controls – contract information was collected and provided to the Health Director on 2/7/25. I informed him that all the information was collected and that I was awaiting his direction to issue the contract. The Notice of Award Letter was issued on 11/20/24. The bid opened on 11/6/24.
- Key bid deadlines and awards:
 - Surplus Disposition of 73 Stuart Street is due on 3/25/25 at 12 PM
 - No Submissions
 - Abatement & Demo of Greenwood Pool
 - Due 4/24 @ 3 PM (PreBid – 4/17 @ 10 AM)
 - Language that PreBid is via Preregistration Only
 - Concern about timeframe – 2 weeks is short
 - On-Call Engineering
 - 5-Year Approval Request sent to the Mayor and Council President on 4/2/25
 - Posting today for a 4/9 availability. Due 5/9.
- Interdepartmental challenges:
 - Since early February, we have been attempting to obtain leases for the Airport Hangars. Isabelle has recently dropped off five leases and they are with the City Solicitor for review. There is some concern that an exemption may not exist, but the Solicitor has not finalized his opinion yet.
 - The initial request for documents was made February 10th, 2025. The first of the leases were delivered at the end of last week.
 - FOLLOW UP: All Change Orders associated with the below issue were corrected and provided to me.
 - On 2/24/25, I contacted the School Department to inform them I could not approve a requisition for Stutman Contracting because it exceeded the existing contract.
 - I was provided with four change orders that were not executed properly per local procedure as well as MGL.
 - The change orders were 2-5 and the first one was missing.

- There was no City Auditor signature per MGL and did not have the full signature block per local policy.
 - The documents were dated in 2024 as well as 2025, never communicated to this department, and to this point show no extension to the contract that they are changing the amount of.
 - Finally, I still don't have the first change order even though it is confirmed in 2-5.
 - The School Department attempted to delete the requisition and submit a second one that removed CO1. That is on hold pending proper documentation.
- Any funding issues within the department:
 - The only issue is our Communications line has essentially been exhausted. As noted in my past budget requests, the Department only funds projects that are general and have no departmental focus.
- Grants (applied/necessary matching funds/ awarded or rejected):
 - n/a
- Miscellaneous:
 - The Council President has requested that I provide periodic updates on the projects related to the Unexpended Bond Proceeds. All but one DH responded with the last report. The next one is due May 11th.
 - Since the last DH meeting, the Financial Administrator, Aimee Levasseur, has continued to go above and beyond what is required of her. She has been balancing her duties within the Purchasing Department with the new requests of Golf and doing so efficiently and productively. Again, she was named the Employee of the Month in the Department for all that she does.
 - On January 27, 2025, I formally requested the removal of the position from the associated union.

CIVIL ENFORCEMENT

- Parking Update
 - Parking Meters
 - DPW (Gilbert & Matt) have done a tremendous job replacing all meters that required something.
 - Met with Doug concerning a notice on the meter that refers to three-hour parking and \$.25/half hour. He is printing a sticker that needs to be placed on the meter. Doug confirmed that this has been done following the 9 AM meeting.
 - Spoke with POM about meter programming. Sent out a programming unit that I found in the office, and they are setting it up to fit our

detailed needs. When they are finished, they will send to us, and I will need to go out and reprogram every meter.

- We also needed to order 50 batteries to be placed in several meters (some extras).
 - I have placed ParkMobile stickers on every meter that is available currently except for those on Main Street, due to the demo, and some on City Hall Avenue.
 - I have also spoken with the City Clerk because the online Code has not been updated to the updated cost and time allowed at the meters.
- Parking Ordinance Review
 - As part of the process, I have reviewed the ordinances related to parking meters and parking.
 - As noted above, the changes voted on by the Council in December are not reflected in the online code. There is a section that says New Laws that includes the updates.
 - In addition, there are several changes that are required based on existing parking locations:
 - City Hall Avenue is listed as metered, but a decision has not been finalized about placing meters on the street.
 - Connors Street is not listed but there has been discussion about adding them.
 - The City Hall Municipal Parking Lot is defined by the Code but has been altered without update as well.

Purchasing Dept. Department Update

- Summary of outstanding Purchase Orders, Contracts, and Bids:
 - 168 Purchase Orders for a total of \$1,309,371.55 converted in June
 - As part of EOY needs, we liquidated more than 100 FY25 PO's for various departments
 - Contracts in DocuSign
 - On-Call Engineering: McCarty (Done); T&B (Law); F&O (Law)
 - On-Call Tradesperson: Melanson (Law – 7/3) – contacted Wayne
 - School IT – SHI (Vendor)
 - WWTF Aeration (Law – Just now)
 - Phase I Agreement (Law – Just now)
 - 31 “envelopes” sent in June
 - One paper contract – ABW Pool Demo due to size of document
 - Processed more than 50 renewals
 - Issued three contracts so far in July
 - Contract Issues
 - The ones with vendors are concerning but the SHI one is probably the most concerning. This is the third year in a row this was not signed prior to the deadline. It was initiated on 6/10. They have been sent reminders on 6/16; 6/18; 6/24; 6/27; 6/30; 7/1 & 7/2
- Key bid deadlines and awards:
 - Abatement and Demo of Pool: We opened the Greenwood Pool Demo on 4/24/25
 - On-Call Engineering
 - BSC contract completed
 - Others noted above
 - Road Resurfacing, Cold Planing, etc. – Paving
 - Contract has been executed.
- Interdepartmental challenges:
 - None
- Any funding issues within the department:
 - We didn't exhaust our line items.
 - Paperless – 2,537 po's/80+ new contracts
 - Did encumber funds related to Kelley & Ryan due to rising violations
- Grants (applied/necessary matching funds/ awarded or rejected):
 - n/a
- Miscellaneous:
 - The Council President has requested that I provide periodic updates on the projects related to the Unexpended Bond Proceeds.
 - T&B has been working on the Waterford and City Hall Scopes

- Royal Steam will meet with T&B to determine where the leaks are originating from and how that can be fixed. This work cannot be isolated in one location.

CIVIL ENFORCEMENT

- Parking Update
 - Parking Meters
 - POM was delivering the most recent order to DPW
 - Extra meters (City Hall Ave/Central St)
 - Parts like domes and locks that Tommy needs
 - Matt Moore was the direct contact at DPW
 - In June, there were 126 (227) violations issues with 117 (220) of them being for meter violations.
 - We abated 13 (31) violations for a total of \$195 (\$880).
- Dog License Violations
 - Processing the \$50 fee at this time.
 - Aimee is handling the bulk of this process and we have done quite a few of them

Miscellaneous

- Bolio
 - Filming to take place from July 10 to early August
 - Using a number of locations within the City
 - Big days are 7/16 and 7/23
 - Looking for extras

Attachment E:
Engineering Dept
Reports

Engineering Monthly Department Update - April 1, 2025

- ❖ Overview and status updates on current projects:
 - Uptown Rotary – final revision to Elm/Pearl island design forthcoming. Construction timeline not known yet
 - Helen Mae Sauter – Final draft of ANR plan sent to Mayor / City Solicitor for approval on 4/29/25
 - West Lynde Parking – draft of Parcel and easement layout sent to City Solicitor for review on 5/1/25
 - Sludge Landfill DEIR comments due 5/9/25, decision 5/16/25
 - Route 140 Pedestrian Bridge – 75% design ongoing
- ❖ Equipment needs/updates:
 - none
- ❖ Project schedules:
 - West Lynde Parking –upon review/approval by City Solicitor will send to surveyor for final plan draft
 - Route 140 Pedestrian Bridge – 75% design by end of May, still on track
- ❖ Capital Planning:
 - CIP Committee report to Mayor/Council next week
 - Dam repairs
 - TIP list roadway design
 - MS4 municipal property BMP retrofits
 - Rt. 140 pedestrian bridge grant match
- ❖ Any funding issues within the department:
 - NPDES funding needed for MS4 permit requirements
- ❖ Grants (applied/necessary matching funds/ awarded or rejected):
 - SR4A grant has City match of \$57,500 not yet in place. Mayor provide state funding source info
 - SR4A grant agreement has moved to final review for final approval at FHWA, waiting to get back for execution by City.
 - 2025 MassTrails grant applied for on 2/3/25 to complete Rt. 140 Ped. Bridge design \$220,000 total with \$44,000 City match. June award date
- ❖ Miscellaneous:
 - New or updated item
 - No update this report

Engineering Monthly Department Update - July 2, 2025

- ❖ Overview and status updates on current projects:
 - West Lynde Parking – ANR Plan completed and waiting for recording. Alerted City Solicitor
 - Sludge Landfill, working through DEIR comments
 - Route 140 Pedestrian Bridge – Trying to finalize contract invoicing with GPI, they ran over budget and trying to sort that out with them. Submitting for reimbursement from MassTrails by July 11
 - 28 Green Street waiting for update from surveyor
 - Uptown Rotary – final revision to Elm/Pearl island design forthcoming. Construction timeline not known yet
- ❖ Equipment needs/updates:
 - none
- ❖ Project schedules:
 - No updates
- ❖ Capital Planning:
 - CIP Committee report submitted to Mayor/Council
- ❖ Any funding issues within the department:
 - NPDES funding needed for MS4 permit requirements
- ❖ Grants (applied/necessary matching funds/ awarded or rejected):
 - SR4A grant has City match of \$32,670 not yet in place. Mayor provide state funding source info
 - 2025 MassTrails grant applied for on 2/3/25 to complete Rt. 140 Ped. Bridge design \$220,000 total with \$44,000 City match. June award date. Anticipate receiving will need to secure match prior to grant agreement.
 - SR4A grant agreement has moved to final review for final approval at FHWA, waiting to get back for execution by City.
- ❖ Miscellaneous:
 - New or updated item
 - No update this report

Report On The Investigation Of The Maki Park Project

Councillor George Tyros

Gardner City Council

Pursuant to Section 25 of the City Charter

Gardner Massachusetts

December 2024

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INTRODUCTION

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

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

Respectfully Submitted,

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

Councillor George Tyros

REPORT ON THE INVESTIGATION OF THE MAKI PARK PROJECT

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

EXECUTIVE SUMMARY

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

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

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

DATA COLLECTION AND INVESTIGATION METHODOLOGY

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

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

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

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

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

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

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

INVESTIGATION OF THE MAKI PARK PROJECT

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

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

OBSERVATIONS AND FINDINGS

OBSERVATIONS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK

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

INVESTIGATION OF THE MAKI PARK PROJECT

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

INVESTIGATION OF THE MAKI PARK PROJECT

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

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

FINDINGS OF THE DESIGN AND CONSTRUCTION OF MAKI PARK

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

Initial Concept and Design Changes

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

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

Project Management

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

Communication

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

Compliance and Accessibility

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

EXHIBITS

EXHIBIT A

10709

City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED

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



June 1, 2022

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

RE: Free Cash Appropriation Request – Maki Park Construction

Dear Madam President and Councilors,

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

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

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

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

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

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

EXHIBIT A
(CONT'D)

Exhibit 2 - Maki Park Outdoor Seating Concept



EXHIBIT B



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



NOTICE OF VIOLATION

September 3, 2024

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

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

To whom it may concern,

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

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

105.1 Required

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

114.1 Unlawful Acts

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

Mission Statement

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

EXHIBIT B
(CONT'D)

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

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

19.1 General

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

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

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

29.1 General 521 CMR

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

302.1 General 2010 ADA Standards

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

EXCEPTIONS:

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

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

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

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

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

Respectfully,



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

EXHIBIT C

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

ArcGIS WebMap



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

Parcels (2020)

Landscaped Rain Garden 100' x 10'

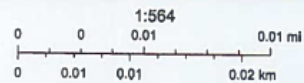
~~100' x 10'~~ = ~~1000~~ sy

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

24.5 tons of stone dust x \$25/tn = \$612.5

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

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



Online Web Mapping Application
MAP FOR REFERENCE ONLY

EXHIBIT D



EXHIBIT E

CDBG STEERING COMMITTEE MEETING

MINUTES

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

Committee Members present: Jeffrey Legros, Rick Rossi, Tracy Hutchinson and Trevor Beauregard, Roland Jean
Committee Members absent: Rick Rossi, Rick Germano, Scott Graves and Sandy Mullins
Others Present: Katie Medina, DCDP, Bethany Greene, GEHM, Donata Martin: Boys/Girls Club, Marc Dohan: NewVue and Bernice Richard, VOT

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

1. Acceptance of Minute:

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

All in favor: motion carried, none opposed

2. Old Business:

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

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

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

1

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

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

3. New Business:

3.1 MicroEnterprise Assistance Program: Discussed previously in November 2020. DHCD wanted vote on the change from 5K to 10K. Approximately 30 applications have been received.
Motion made to accept: T. Beauregard/T. Hutchinson. All in favor, motion carried none opposed.

3.2 FY21 Block Grant Proposed Projects:

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

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

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

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

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

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

EXHIBIT F

RE: New Round of Shared Streets and Spaces Grant Program



tbeauregard@gardner-ma.gov
To: darnold@gardner-ma.gov, Mayor@gardner-ma.gov

Reply Reply All Forward

Tue 4/27/2021 8:45 AM

Exhibit 4_Maki Park Outdoor Seating Concept.pdf
.pdf File

Dane,

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

Trevor

Trevor Beauregard

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

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

Trevor,

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

Thank You,

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

EXHIBIT G

Fw: Emergency Grant Program

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

Reply Reply All Forward

Fri 5/21/2021 12:39 PM

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

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

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

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

EXHIBIT H

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



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

Reply Reply All Forward ...
Fri 12/3/2021 1:23 PM

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

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

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

Hi Lyndsy,

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

Thanks,

Matthew P. Wzorek, PE
Project Manager



o. 413.572.3274 | m. 413.530.7568
53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com



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

[Caution - External Sender]

Hi Matt,

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

Thanks!

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

EXHIBIT I

CDBG STEERING COMMITTEE MEETING

MINUTES

Friday March 4, 2022

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

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

Committee Members absent: Lauren Saunders and Roland Jean

Others Present: Jessica DeRoy

Lyndsy Butler opened the meeting at 8:33 am.

1. Acceptance of Minute:

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

All in favor: motion carried, none opposed

2. Old Business:

None

3. New Business:

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

-The Boys & Girls Club is requesting an amount of \$13,980. This amount is more than previously discussed (\$10K). Additional funding will provide services to 30 LMI students. Motion made by G. Tyros to accept the increased amount Motion 2nd by T. Hutchinson

All in favor: motion carried, none opposed.

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

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

3.2 Discussion of project proposals for Block Grant FY22

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

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

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

4. Announcements and Recognitions

4.1 Next meeting: TBD

5. Adjournment

Motion to adjourn

R. Germano/G. Tyros

All in favor.

Meeting adjourned at 09:03 a.m.

EXHIBIT J

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



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



6/3/2022

Matt,

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

Thanks,

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

Executive Director
Gardner Redevelopment Authority

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

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

Hi Trevor,

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

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

Thanks,

Matthew P. Wzorek, PE

Project Manager



o. 413.572.3274 | m. 413.530.7568

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



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

[Caution - External Sender]

Matt,

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

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


Thanks, Trevor





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

Executive Director
Gardner Redevelopment Authority

EXHIBIT K

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

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

 Reply
  Reply All
  Forward
  ...

Wed 9/28/2022 3:55 PM

Trevor,

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





Lyndsy

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

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

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

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

Matthew P. Wzorek, PE
 Project Manager

 o. 413.572.3274 | m. 413.530.7568
 53 Southampton Road, Westfield, MA 01085
 w: tighebond.com | halyorandesigns.com
  

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

[Caution - External Sender]

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

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

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

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

Thanks,


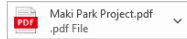
Matthew P. Wzorek, PE
 Project Manager

 o. 413.572.3274 | m. 413.530.7568

EXHIBIT L

FW: [EXTERNAL] Maki Park Preliminary Drawings

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

Reply Reply All Forward Thu 11/17/2022 3:52 PM



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

Trevor

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

Executive Director
Gardner Redevelopment Authority

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

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

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

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

Thanks,

Matthew P. Wzorek, PE
Project Manager



o. 413.572.3274 | m. 413.530.7568

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

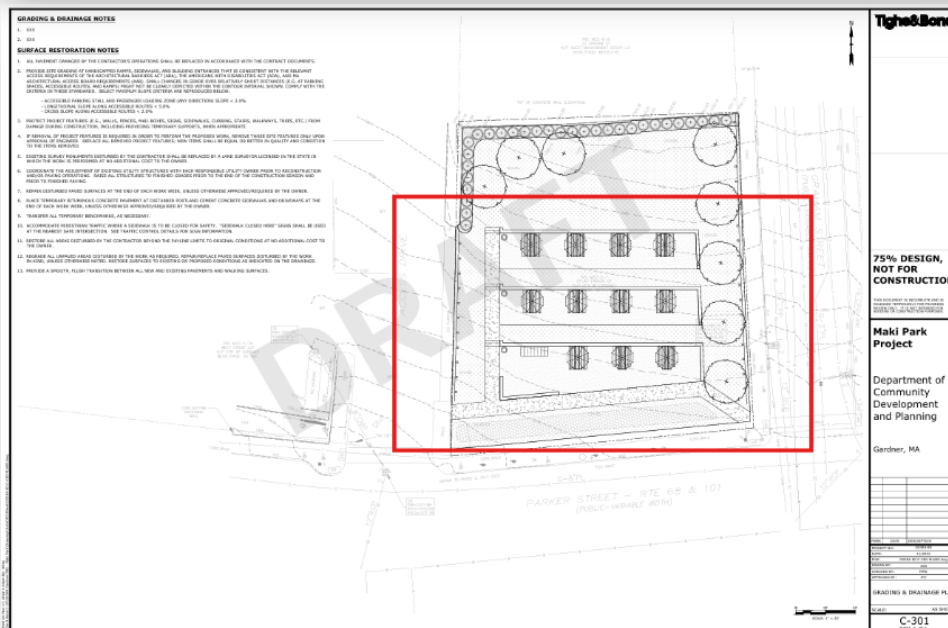


EXHIBIT M

RE: [EXTERNAL] Maki Park Preliminary Drawings



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



11/29/2022

Matt,

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

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

Thanks, Trevor

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

Executive Director
Gardner Redevelopment Authority

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

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

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

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

Thanks,

Matthew P. Wzorek, PE

Project Manager



o. 413.572.3274 | m. 413.530.7568

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



EXHIBIT N

Fwd: [EXTERNAL] Maki Park Rendering

Lyndsy Butler <lbutler@gardner-ma.gov>
To Mayor; Chris Coughlin

1 KB
image004.png
1 KB
G0384-80 Maki Park Illustrative Plan 24x36_reduced.pdf
2 MB

4/5/2023

Mayor,

Please see attached rendering for Maki Park.

Lyndsy

Begin forwarded message:

From: "Matt P. Wzorek" <MPWzorek@tighebond.com>
Date: April 5, 2023 at 4:32:15 PM EDT
To: Lyndsy Butler <lbutler@gardner-ma.gov>
Cc: Joseph Genga <JGenga@tighebond.com>
Subject: [EXTERNAL] Maki Park Rendering

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

Lyndsy,

Attached is the rendering for Maki Park. Let us know what you think and if you want to tweak anything.

Thanks,

Matthew Wzorek, PE

Project Manager

o. 413.562.1600 | m. 413.530.7568
53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com

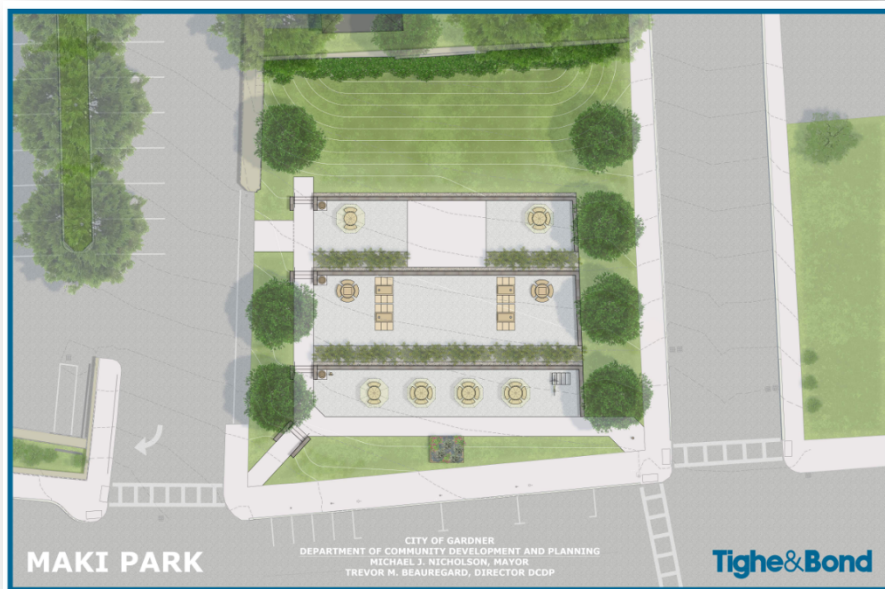





EXHIBIT O

[EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: Maki Park Bid Package

 Matt P. Wzorek <MPWzorek@tigheBond.com>
To Joshua Cormier; Jessica DeRoy
Cc Lyndsy Butler; Aaron B. Sabbs

5/2/2023

 Maki Park Bid Set Drawings 5-2-2023.pdf 6 MB


 Maki Park Bid Set Specifications 5-2-2023.pdf 8 MB

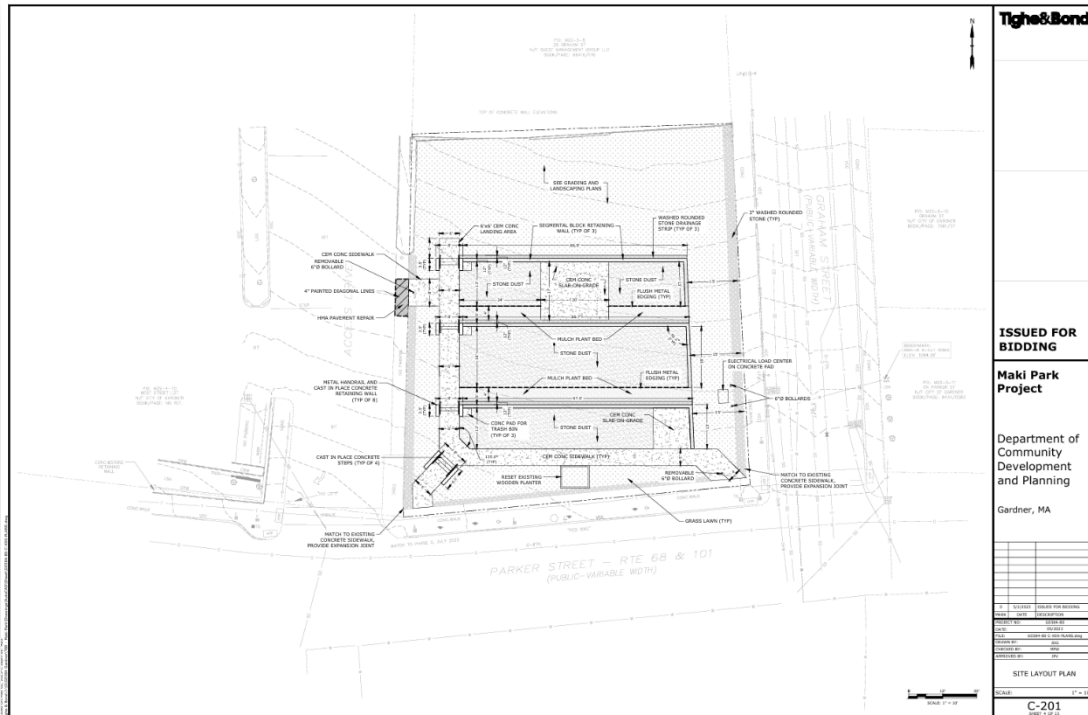
CAUTION: This email originated from a sender outside of the City of Gardner mail system. Do not click on links or open attachments unless you verify the sender and know the content is safe.

Josh – Attached are the plans and specs for Maki. Please let me know if you need anything else.

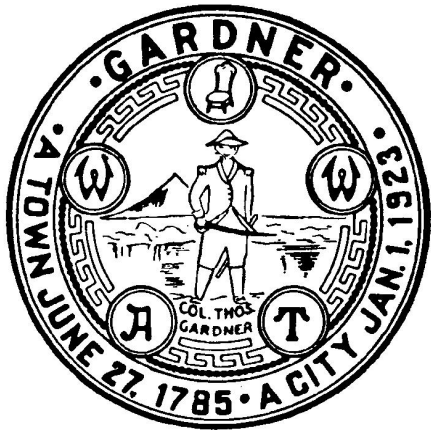
Thanks,

Matthew Wzorek, PE
Project Manager
Tighe&Bond
o. 413.562.1600 | m. 413.530.7568
53 Southampton Road, Westfield, MA 01085
w: tighebond.com | halvorsondesign.com



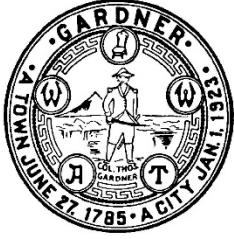


CITY OF GARDNER MASSACHUSETTS



RULES OF THE CITY COUNCIL

Amendments through February 3, 2025



CITY OF GARDNER, MASSACHUSETTS RULES OF THE CITY COUNCIL

Rule 1

The City Council shall hold regular meetings on the first and third Mondays of January, February, March, April, May, June, September, October, November and December and the first Mondays of July and August. Whenever a meeting falls on a legal holiday, the meeting shall be held the following night at the same time and place. All regular meetings shall be called at 7:30 o'clock p.m. in the Council Chamber in the City Hall. An annual calendar of regular meetings shall be compiled, published, and distributed to Council members at the first regular meeting of the year. Special meetings of the City Council may be called by the President and shall be called at any time upon the written request therefore being made to the City Clerk by at least two members of the City Council.

Rule 2

The President shall take the chair at the hour of the regular meeting of the Council or at the hour to which the Council has adjourned, whether in special or regular meeting, and call the members to order on the appearance of a quorum. They shall cause the minutes of the preceding meeting to be read, at which time errors or omissions, if any, shall be corrected. They shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council. They may call any member to the chair for a period of time not exceeding beyond an adjournment; and when out of the chair the President may participate in any debate; but shall not resume the chair while the same question is pending. They shall appoint all standing committees of the Council. In their absence a President Pro Tempore shall be chosen by roll call vote.

Rule 3

The President may, at their discretion, appoint a Councillor to act as a Council liaison on a particular matter. The particular matter and the Councillor so appointed shall be communicated in writing to the Mayor and the Council at the time of appointment.

Rule 4

All principal or main motions shall be reduced to writing if the Chair or any member requires it. When made and seconded, it shall be stated by the President, or, being written shall be read by the President or Clerk and may be withdrawn before decision or amendment or any disposition thereof has been made, or vote thereon.

Rule 5

To obtain the floor, a member shall address themselves to the Chair, upon recognition by the Chair; they shall not speak more than twice on any one question without permission of the Council, nor more than five minutes at any time.

Rule 6

On all questions and motions, the President shall take a vote of the Council by voice vote of the yeas and nays, except those questions and motions so required by rule, ordinance, or law to require a roll call vote, or those that require more than a simple majority, or when so requested by any Councillor that a roll call vote be taken.

Rule 7

No ordinance shall be passed finally on the date on which it is introduced, except in case of special emergencies involving the health or safety of the people or their property.

No ordinance shall be regarded as an emergency measure unless the emergency is defined and declared in a preamble thereto separately voted on and receiving affirmative vote of two-thirds of the members of the Council.

No ordinance making a grant, renewal or extension whatever its kind or nature of any franchise or special privilege shall be passed as an emergency nature, except as provided in Sections 70 and 71 of Chapter 164 of the General Laws and in Chapter 166 thereof, no such grant, renewal or extension shall be made otherwise than by ordinance.

Every proposed ordinance, except emergency measures as hereinbefore defined, shall at least ten days before its passage, be published in full in at least one newspaper of the city, and in any additional manner that may be provided by ordinance.

After final passage, it shall in the same manner as before, again be published once, as amended and completed, except in the case of an emergency ordinance which may be passed as hereinabove provided and which shall take effect on its passage, and shall so be published at the earliest practicable moment.

No appointment shall be acted on by the Council until at least ten days after it shall have been filed with the City Clerk, whose duty it will be forthwith to notify the members of the Council of the filing of said appointment. After an ordinance shall have been passed, a written or printed copy shall be prepared by or under the direction of the clerk, and, after having been compared by the Clerk with the original, the same shall be signed by the Mayor, or in the absence of the Mayor, by the President of the Council, and shall be thereupon preserved by the Clerk in a book provided for the purpose.

Rule 8

Amendments may be offered to all questions and motions before the Council and shall be in order until the vote to which the amendment is offered is called. A Councillor offering an amendment is exempt from Rule 5 floor access limitations and permission requirements. A Councillor in receipt of a newly

offered amendment may request a 10 minute recess at any time prior to the vote being called on the question or motion to which the amendment is offered, and the President shall call the requested recess prior to the vote being called.

Rule 9

A motion to reconsider a motion shall only be in order at the same meeting, or at the next regular meeting, when a motion for reconsideration is decided, the decision shall not be reconsidered. No motion to reconsider shall be entertained unless made by a member voting on the prevailing side. For purposes of the application of Robert’s Rules of Order, a session is defined as the two-year term in which the members of the Council were elected.

Rule 10

All papers addressed to the Council shall be presented by the President or by a member in their place and they shall lie on the table to be taken up in the order in which they are presented unless the Council otherwise directs. All by-laws passed by the City Council shall be termed "Ordinances" and the enacting style shall be: "Be it Ordained by the City Council of the City of Gardner."

Rule 11

The Clerk shall attend and keep the records of all meetings of the Council, shall have the care and custody of all records, of all documents, maps, plans and papers respecting the care and custody of which no other provision is made. They shall prepare for the Council a copy of the Orders of the Day, to which shall be added a list of matters laid on the table or postponed to a day certain, provided, however, that any matter may be admitted by a two-thirds vote of the Council.

Rule 12

Each Standing Committee of the City Council shall maintain records of its meetings, setting forth the date, time, place, members present or absent and action taken at each meeting, including executive sessions in a manner as determined by the Standing Committee. Said records shall be delivered to the City Clerk who shall maintain them as the Keeper of the Records.

Rule 13

The following Standing Committees shall be appointed by the President and the President shall be a ex-officio member without voting rights:

1. The Committee on Public Service, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Cemetery Commission, Conservation Commission, Engineering & Survey, Flood Plain, Municipal Grounds Commission, and the Public Works Department
2. The Committee on Public Safety, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Animal Control, Flammable Storage Licenses, Automobile Dealers Class I, II and III, Fruit/Vegetable Peddlers, Board of Health, License Commission, Bowling Alley/Billiard Table Licenses, Office of Emergency Management, Building and Inspectional Services, Police

Department, Constables, Sealer of Weights & Measures, Dealers in Second Hand Articles, Traffic Commission, Fire Department, and Transportation

3. The Committee on Public Welfare, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Airport Commission, Library Trustees, Cable TV Commission, Montachusett Regional Vocational Technical School, Council on Aging, Planning Board, Cultural Council, Public School Department, Disability Commission, Recreation, Golf Course Commission, Severy School Trustees, Greenwood Memorial Pool Trustees, Veterans Agent, Historical Commission, Youth Commission, Housing Authority, Zoning, Industrial Development, and the Zoning Board of Appeals.
4. The Committee on Finance, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Board of Assessors, Human Resources, Budget, Information Technology, City Auditor, Law Department, City Clerk, Purchasing, City Collector/Treasurer, Redevelopment Authority, City Hall, Registrar of Voters, Civil Code Enforcement, Rules, Claims, Salary, Vacancies, and the Contributory Retirement Board.
5. The Committee on Appointments, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Appointments.
6. The Committee on Economic and Community Development, composed of three members, the first named member thereof to be Chair; this Committee shall have oversight of legislative matters associated with the following: Community Development and Planning

Every Council member must be appointed to a committee, unless they make a request, in writing, to the President that they not be appointed to any committee.

Rule 14

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

Rule 15

The following order of business shall be adopted for Council meetings:

1. Call to Order
2. Roll Call
3. Opening Prayer
4. Pledge of Allegiance
5. Announcement of Open Meeting Recordings

6. Reading of Minutes of Prior Meetings
7. Public Hearings
8. Communications from the Mayor
9. Petitions, Applications, Communications, Etc.
10. Report of Standing Committees in the following order:
 - a. Public Service
 - b. Public Safety
 - c. Public Welfare
 - d. Finance
 - e. Appointments
 - f. Economic and Community Development
11. Unfinished Business and Matters for Reconsideration
12. New Business
13. Council Comments and Remarks
14. Closing Prayer
15. Adjournment

Rule 16

Whenever an ordinance, resolution or vote is required by law to be presented to the Mayor, the City Clerk shall present the same without delay and shall enter upon the records of the City Council the date upon which it is presented and approved.

Rule 17

All officers not appointed shall be elected by a voice vote, each member who is present answering to their name when it is called by the Clerk or other proper officer, and stating the name of the person for whom they voted, or declining to vote, as the case may be; and the Clerk or other proper officer shall record every such vote.

Rule 18

In case of a vacancy which occurs for the position of City Clerk, City Treasurer, City Auditor and Collector of Taxes, which appointments are made by the City Council as provided by Section 9 of the City Charter; therefore, any qualified person who files an application for any one of the above mentioned positions shall be accorded the privilege of not having their application disclosed until the day of appointment.

Rule 19

These rules shall be the rules for all standing and special committees of the Council unless otherwise determined by the standing or special committee.

Rule 20

A rule may be suspended for a defined portion or entirety of a single meeting by majority vote of the Council on the motion of a Councillor. Motions to suspend a rule shall be prevailing, do not need a

second, shall go into effect be there no objection, and in the event of an objection shall immediately be subject to a vote without discussion.

These rules shall be in force for the duration of the session unless suspended. A rule may be amended by a two-thirds vote of the Council after the proposed amendment has appeared on the Council agenda for two consecutive regular meetings. Any accepted amendment shall go into force at the next regular meeting following an affirmative vote unless otherwise determined by unanimous vote of the Council.

Rule 21

Robert’s Rules of Order shall be the authority governing the conduct of business at all Council meetings, except as otherwise indicated in these rules.

History of Council
Rules

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- Rules adopted by the City Council January 7, 1980
 - Rule 13 & 15 – Amended January 21, 1980
 - Rule 2 & 13 – Amended June 2, 1980
 - Rule 2 – Amended October 21, 2019
 - Rule 10 – Amended October 21, 2019
 - Rule 13 - Committee assignments amended 1/4/1982; 1/3/1983; 7/6/2010; 12/17/2012.
 - Rule 14 – Amended March 19, 1984
 - Rule 13 – Amended January 20, 1987
 - Rule 12A – Added January 3, 2005
 - Rule 13.3 – Amended February 20, 2007
 - Rule 13.4 – Amended 2/20/07; 1/22/2008; 7/6/2010.
 - Rule 14 – Amended June 21, 2010; 11/15/2010.
 - Rule 15 – Amended April 21, 2009 (Effective 5/4/2009); October 21, 2019.
 - Rule 16 – Amended October 21, 2019.
 - Rule 20 – Amended January 19, 2010 (Demeter’s to Robert’s Rules)
 - Rule 13.5 – Amended January 3, 2022
 - All Rules Amended December 2, 2024
 - Rule 13 – Amended February 3, 2025, Economic and Community Development Standing Committee
 - Rule 15 – Amended February 3, 2025, subsection 10, Economic and Community Development Standing Committee