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Worcester Telegram & Gazette (MA)

Gardner panel kills at-fault driver plan

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By Danielle M. Williamson

GARDNER - City councilors last month debated and questioned a plan to bill at-fault drivers for the costs associated with responding to car accidents, but when the proposal was up for a vote last night, they had nothing to say.

Without any preceding discussion, the council sealed the proposed ordinance's doom by removing it from the calendar. The action pleased many councilors, who have adamantly opposed the concept since Mayor Mark P. Hawke introduced it to them last month, but frustrated other city officials, who saw the proposal as a creative and fair means of recouping money during trying fiscal times. "I wish they would reconsider," Deputy Police Chief Rock A. Barrieau said after the meeting. "But it looked like it was in the bag before we even got here."

The proposal, which had been endorsed by the mayor, the police and fire chiefs, and the Public Safety Committee, would have let the city bill at-fault drivers' insurance companies for services, personnel, supplies and equipment. The city had been talking to Ohio-based **Cost Recovery Corp.**, which works with hundreds of communities from 18 states to recoup these costs. Gardner's ordinance would have returned the money to the city's general fund.

The ordinance would have targeted at-fault drivers' insurance companies. In situations in which the insurance companies declined to pay the voluntary assessment (the president of **Cost Recovery Corp.** said 56 percent pay), the **cost** would be passed on to out-of-town drivers, but not to residents.

Mr. Hawke implored councilors to approve the ordinance, suggesting that other measures they have passed, including one that charges home and business owners for repeated false burglar alarms, were similar.

"We need the revenue streams and the recoupmnt of any and all funds available to us," he said.

Opponents of the practice, which is in effect in only one Massachusetts

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community, Bernardston, have argued that it would be un-neighborly and worried that insurance premiums would increase as companies passed along the added costs to their customers.

"Sometimes people say that government goes a little too far," Councilor Kim M. Dembrosky said after the meeting. "I think this would have been one of those cases."

Mrs. Dembrosky seconded Councilor James J. Robinson Jr.'s motion to remove the ordinance from the council's calendar. Mr. Robinson declined to comment on his reasons for making the motion. Mrs. Dembrosky said Mr. Robinson beat her to the motion, which she would have made because there was a long pause after Council President Neil W. Janssens read the item on the agenda.

"We couldn't vote something down when there was no motion to move it," she said.

Of the 11 councilors, only James J. Minns and Ronald F. Cormier opposed taking the item off the calendar.

Mr. Minns, who has long fought for the reopening of Sullivan's stairway - an outdoor stairway in downtown Gardner that was closed in 2004 because it was deteriorating - noted later in the meeting that he has consistently been told that money is tight.

"This was a chance to get some money, not that I was going to get the \$4,000 (to repair the stairs)," he said.

Deputy Chief Barrieau said he was disappointed by the council's decision, but applauded Mr. Hawke for seeking an alternate source of revenue.

"The city continues to hold its hand out, asking for the kindness of strangers - the state - to fund everything we do here," he said. "I think we're at a critical level right now, and if this continues, what you'll see is a reduction of services."

Lt. Roger M. Wrigley said he determined a couple of years ago, after researching area cities, including Fitchburg and Leominster, that Gardner police went on more calls per officer than any surrounding municipality.

"It's all they can do to keep up," Deputy Chief Barrieau said.

While the fees recovered through **Cost Recovery** would not have gone directly to the Police and Fire departments, there would likely be a trickle-down effect, the officers said.

"We get requests from every member sitting in that room for service," the deputy chief said, looking toward the Council Chambers and citing examples of requests to run radar and monitor certain areas of the city. "I don't know where they think I can find the resources to get all those things done, without us losing something somewhere."

Mrs. Dembrosky said the council's action last night did not preclude the matter from being brought up again.

"Maybe if other communities start doing this, we'll look into it, because then we'll be paying in their cities and towns," she said. "But I certainly hope nobody else considers this."

NAME: GARDNER CITY COUNCIL

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