

CITY OF LEOMINSTER

CITY COUNCIL

DECEMBER 14, 2009

CITY COUNCIL CHAMBERS

PUBLIC FORUM, 7:15 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 7:30 P.M.

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-41 Relative to the appropriation of \$32,000.00 to the Election and Registration Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-42 Dean J. Mazzearella, Mayor: Request that James Oxford be exempt from the provisions in M.G.L. Chapter 268A (20B) Conflict of Interest as he is currently employed by the City of Leominster School Department and will be taking on a position at the Recreation Department as well. (Ways & Means)
- C-43 Dean J. Mazzearella, Mayor: Designate Lynn A. Bouchard as liaison to the Commonwealth of Massachusetts State Ethics Commission. (Ways & Means)

PETITIONS

- 18-10 Peter A. CampoBasso, Esquire for Southgate Business Park: Layout, as a public way, a portion of the extension of Research Drive by accepting a Quitclaim Deed in lieu of taking by eminent domain and including acquiring by easement any and all utilities necessary for installation and maintenance. (Public Service)

MATTERS BEFORE THE CITY COUNCIL**CITY OF LEOMINSTER-FINANCIAL REPORT****FINANCE**

- C-24 Dean J. Mazzearella, Mayor: Request that the City of Leominster transfer the sum of One Hundred Seventeen Thousand Dollars (\$117,000.00) from the Excess and Deficiency Account Fund to the School Capital Outlay Expense Account, for the purposes of completing schematic designs for the potential renovations and repairs at Leominster High School located at 122 Granite Street; that the City acknowledges that the Massachusetts School Building Authority's (MSBA) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City.
- C-25 Dean J. Mazzearella, Mayor: Request that the City of Leominster transfer the sum of Two Hundred Thirty Three Thousand Dollars (\$233,000.00) from the School Choice Tuition Revolving Fund to the School Capital Outlay Expense Account for the purposes of completing schematic designs for the potential renovations and repairs at Leominster High School located at 122 Granite Street; that the City acknowledges that the Massachusetts School Building authority's (MSBA) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City.
- C-26 Dean J. Mazzearella, Mayor: Request that the Snow and Ice Expense Account be authorized to incur liability and to make expenditures in excess of appropriations up to an amount to exceed \$250,000.00 as authorized by Chapter 44, Section 31 of the Massachusetts General Laws.
- C-27 Relative to the appropriation of \$5,800.00 to the Parking Meter Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-28 Relative to the appropriation of \$800,000.00 to the Doyle Field Capital Outlay Expense Account; same to be raised by Fiscal Year 2010 Revenue.
- C-29 Relative to the appropriation of \$157,817.00 to the General Fund Capital Investment Program Fund; same to be raised by Fiscal Year 2010 Revenue.
- C-30 Relative to the appropriation of \$617,200.00 to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued**FINANCE, continued**

- C-31 Relative to the appropriation of \$104,000.00 to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account.
- C-32 Relative to the appropriation of \$1,500.00 to the Senior Tax Relief Expense Account; same to be transferred from the Emergency Reserve Account.
- C-33 Relative to the appropriation of \$550,329.75 to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-34 Relative to the appropriation of \$756,616.35 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-35 Relative to the appropriation of \$50,000.00 to the Fiscal Year 2010 Revenue; same to be transferred from the Excess and Deficiency Account.
- C-36 Relative to the appropriation of \$130,000.00 to the Fiscal Year 2010 Revenue; same to be transferred from the Excess and Deficiency Account.
- C-37 Relative to the appropriation of \$10,000.00 to the Sidewalk and Curbing Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-38 Relative to the appropriation of \$24,000.00 to the Other Finance Offices and Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-39 Relative to the appropriation of \$1,505,533.57 to the Stabilization Fund; same to be raised by Fiscal Year 2010 Revenue.

LEGAL AFFAIRS

- 17-10 David Rowlands: Amend the Leominster Municipal Code Article XIV "Department of Public Works" and Add Article XXVIII "Department Of Water and Sewer" which eliminates the Water and Service Divisions from the Department of Public Works and creates a separate Water and Sewer Division.

MATTERS BEFORE THE CITY COUNCIL, continued**CITY PROPERTY**

- C-18 Dean J. Mazzarella, Mayor: Request the land located on Jungle Road as shown on Assessor's Map 301, Lot 1A (former Transfer Station site) be declared surplus.

WAYS & MEANS

- C-40 Dean J. Mazzarella, Mayor: Amend the Leominster City Council's Rules of Procedure, Order and Committees, to include a section for Rules of Conduct.

APPOINTMENTS

Election Officers for 2009-2010 – Claire M. Babineau, Annemarie M. Barba,
Diane Eredita, Linda Guidi, Violet E. Racine

OLD BUSINESS

President's Drinking Water Oversight Committee

NEW BUSINESS

1st Reading Ordinance – to amend Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic" by adding a "No Parking-Tow Zone" at the end of Tolman Avenue and "No Parking" on the south side of Tolman Avenue between the dead-end of Tolman Avenue and the driveway located 177 feet east of the dead-end. (Legal Affairs Petition 14-10)

1st Reading Ordinance – to amend Chapter 22 of the Revised Ordinances entitled "Zoning," Article II, Section 22-26, Table of Uses, is hereby amended by inserting under "Business Uses" the following:

	RRA	RAA	RB	RC	BA	BB	C	I	Ref.
Dog Kennel	SPPB	N	N	N	N	N	N	N	16.10

(Legal Affairs Petition 8-10)

TABLED COMMUNICATION UPON WHICH ACTION IS PROPOSED

CITY PROPERTY

- C-90 (2003) Dean J. Mazzarella, Mayor: Request that city owned property located on Jungle Road, shown on Assessors Map 302, Lot 1A be declared surplus and made available for sale according to Massachusetts General Laws, Chapter 30B, Section 16.

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

CITY PROPERTY

- 115-04 Olga Valera: Request a comprehensive study into the area of Rockwell Pond, including Chicken Harbor also that the Council develop a plan to rectify changes that have been made to the shoreline and ultimately restore Chicken Harbor the area behind 132 West Street to its original state.
- 51-07 Virginia Tocci and Richard Marchand: Request that the Mayor authorize and direct the Leominster Recreation Director and support staff to identify two to three acre parcel of city owned property in the open space inventory to be dedicated for a "Leisure Recreational Site" for dog owners with licensed dogs in the City of Leominster to utilize.
- 32-08 John M. Dombrowski et al.: Request the Mayor engage a private consultant to conduct a feasibility study to determine the costs, benefits and detriments of building a new police station at the Jungle Road property owned by the City of Leominster vs. remodeling the Gallagher Building on Church street to serve as a new or additional police facility vs. entering into a long term lease with an option to renew at a facility constructed by a private developer at Orchard Hill Park Drive.
- 38-08 Leominster Properties, LLC: Accept a parcel of land located at the southerly end of Lancaster Street, shown on a plan entitled "Plan of Land in Leominster, MA, prepared for Leominster Properties LLC", as Lot 2 for a municipal sewage pumping station.

Lynn A. Bouchard
City Clerk
December 10, 2009