

6:40 P.M. Interviews with new Police Officers

**CITY OF LEOMINSTER
CITY COUNCIL
MAY 14, 2012
CITY COUNCIL CHAMBERS**

HEARING BEFORE THE CITY COUNCIL, 6:50 P.M.

Relative to amending Chapter 22 of the Revised Ordinances entitled “Zoning”, Article II, Section 22-4, Definitions by deleting the following:

In the definition of “Home Occupation,” deleting the words “animal hospital.”

In the definition of “Personal and Consumer Service Establishment,” deleting the words “pet grooming establishments.” (Legal Affairs 25-12)

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

Relative to amending Chapter 21, Article II, Section 21-11.1 of the Revised Ordinances entitled “Water User Rate Schedule” by deleting said section in its entirety and inserting a new water user rate schedule for residential and industrial use effective April 1, 2012. (Legal Affairs Petition 33-12)

HEARING BEFORE THE CITY COUNCIL, 7:10 P.M.

Relative to amending Chapter 21, Section 21-22.3 of the Revised Ordinances entitled “Sewer User Rate Schedule” by amending the sewer rates for residential and out of city effective April 1, 2012 and April 1, 2013. (Legal Affairs Petition 34-12)

PUBLIC FORUM, 7:15 P.M.

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

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-74 Relative to the appropriation of \$3,300.00 to the Cemetery Expense Account; same to be transferred from the Cemetery and Perpetual Care Income Trust Fund. (Finance)
- C-75 Relative to the appropriation of \$100,000.00 to the Fire Department Overtime Account; same to be transferred from the Fire Department Salary and Wages Account. (Finance)
- C-76 Relative to the appropriation of \$800.00 to the License Commission Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-77 Relative to the appropriation of \$4,597.00 to the Highway Expense Account; same to be transferred from the Snow and Ice Expense Account. (Finance)
- C-78 Relative to the appropriation of \$1,500.00 to the Street Cleaning Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-79 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$28,000,000 to pay costs of engineering, planning, designing, constructing and equipping wastewater treatment and related facilities in and for the City, including the payment of all costs incidental and related thereto, provided that no borrowing in excess of \$20,000,000.00 would be permitted unless (i) the City received federal stimulus grants of at least \$8,000,000.00, or (ii) the City received a loan commitment from the Massachusetts Water Pollution Abatement Trust for a zero interest loan of \$28,000,000.00 for this project, neither of which are now available to the City, is hereby amended in its entirety to read as follows:
- ORDERED, that the sum of \$28,000,000 be and hereby is appropriated to pay costs of engineering, planning, designing, constructing and equipping wastewater treatment and related facilities in and for the City, including the payment of all costs incidental and related thereto; that to raise this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, as amended, or pursuant to any other enabling authority, and to issue and sell bonds or notes of the City therefor.
- (Finance)
- C-80 Dean J. Mazzarella, Mayor: Declare surplus a city owned parcel on Benham Street, shown on Assessor's Map 340, Parcel 13. (City Property)
- C-81 Dean J. Mazzarella, Mayor: Approve the proposed amount of \$391,486.00 for the Community Development Block Grant for year 38. (Ways & Means)

PETITIONS

- 67-12 David R. Cormier: Accept Wedgewood Lane as a public way. (Public Service)
- 68-12 David R. Cormier: Accept Sage Avenue as a public way. (Public Service)
- 69-12 David R. Cormier: Accept Ruth Street as a public way. (Public Service)
- 70-12 David R. Cormier: Accept Patricia Drive as a public way. (Public Service)
- 71-12 David R. Cormier: Accept Montrose Street as a public way. (Public Service)
- 72-12 David R. Cormier: Accept Larson Avenue as a public way. (Public Service)
- 73-12 David R. Cormier: Accept Crabtree Lane as a public way. (Public Service)
- 74-12 David R. Cormier: Accept Calza Street as a public way. (Public Service)
- 75-12 David R. Cormier: Accept Bond Street as a public way. (Public Service)
- 76-12 David R. Cormier: Accept Bassett Street as a public way. (Public Service)
- 77-12 David R. Cormier: Accept Malburn Street as a public way from #107 to end.
(Public Service)
- 78-12 Richard M. Marchand and Susan Chalifoux Zephir: Install a warning light on the island or in close proximity to the intersection of Lindell Avenue and Maple Avenue. (Public Safety)
- 79-12 Carol and David Shields: Renew the license for three pool tables at South Leominster Lounge d/b/a Forte's Lounge located at 1030 Central Street.
(Ways & Means)
- 80-12 William Plant: Renew the license for nine pool tables at J.C. Fenwicks Co., located at 37 Mechanic Street. (Ways & Means)
- 81-12 Robert A. Cornetta: Renew the license for two pool tables at Miranda's Pub located at 488 Lancaster Street. (Ways & Mean)

APPOINTMENTS

City Assessor –Katherine Miller - term to expire April 9, 2015

Office of Emergency Management- Carl Sanabria – Deputy Director - Communications Unit
Anthony Pandiscio – Mechanic
Richard Hens – EMS Unit

RE-APPOINTMENTS

Disability Commission – Denise Andrews and Thomas Yoder
terms to expire April 15, 2015

Conservation Commission – Scott Pearson - term to expire April 15, 2015

MATTERS BEFORE THE CITY COUNCIL

CITY OF LEOMINSTER-FINANCIAL REPORT

FINANCE

- C-68 Relative to the appropriation of \$100,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Granted with an Emergency Preamble on April 23, 2012; another vote is required.)
- C-69 Relative to the appropriation of \$1,200.00 to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-70 Relative to the appropriation of \$19,500.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-71 Relative to the appropriation of \$18,000.00 to the Doyle Field Expense Account; same to be transferred from the Excess and Deficiency Account.

LEGAL AFFAIRS

- C-44 Dean J. Mazzarella, Mayor: Request that Massachusetts General Law Chapter 32B, Sections 21, 22, and 23 be accepted as added by Chapter 69 of the Acts of 2011.
- 37-12 City of Leominster Labor Unions: Request the adoption of Chapter 32B, Section 19 in accordance with the Massachusetts General Laws.
- 40-12 John W. Harmon, Human Resource Director: Create the title of Head Administrative Clerk with a salary of S-5 and add it to the City Ordinance "Classification of positions," Section 16-34.
- 44-12 John W. Harmon, Human Resource Director: Create the title of Emergency Management Director Assistant with a salary of S-6 and add it to the City Ordinance "Classification of positions," Section 16-34.

MATTERS BEFORE THE CITY COUNCIL**LEGAL AFFAIRS**

- 57-12 James S. Whitney for J. Whitney Development: Grant a Special Permit to rehabilitate the property at 98 Adams Street, as shown on Assessor's Maps 3 & 4 as lots 14C, 1 and 2, located within the flood plain. (Hearing scheduled for May 29, 2012 @7:00 P.M.)

WAYS & MEANS

- C-72 Dean J. Mazzearella, Mayor: Request that Kelly Machunsky be exempt from the provisions of M.G. L. Chapter 268A (20B) Conflict of Interest. She is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program.
- C-73 Dean J. Mazzearella, Mayor: Request that Sarah Mistler be exempt from the provisions of the M.G.L. Chapter 268A (20B) Conflict of Interest. She is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program.
- 58-12 Best Buy Stores, LP: Renew the Secondhand Dealer's License for premises at 33 Orchard Hill Park Drive.
- 59-12 MovieStop 7045: Renew the Secondhand Dealer's License for the premises at 82 Orchard Hill Park Drive.
- 60-12 GameStop Inc.: Renew the Secondhand Dealer's License for the premises at 26 Orchard Hill Park Drive.
- 61-12 GameStop Inc: Renew the Secondhand Dealer's License for the premises at 100 Commercial Road.
- 62-12 GBA Whitney Field, LLC: Renew the Secondhand Dealer's License for the premises at 100 Commercial Road #24.
- 63-12 Lisa Rosenthal: Renew the Secondhand Dealer's License for Party of Gold for the purchase of precious metals by appointment only.
- 64-12 Christopher J. Espinola: Renew the license for two pool tables at Captain's Lounge located at 1536 Main Street.
- 65-12 Albert D. Mason: Renew the license for seven pool tables and twenty four bowling alleys at Mason's Bowling Center located at 640 R. North Main Street.

MATTERS BEFORE THE CITY COUNCIL, continued

WAYS & MEANS, continued

66-12 Michael Fusco: Renew the License for two pool tables at Jake's Pub Inc., d/b/a Hot Shotz located at 1293 Main Street.

APPOINTMENTS

Leominster Police Department – Permanent Police Officers
Cedric L. Crawford, Matthew J. DiPerri,
Jeffrey Walsh Andrew F. Gosselin, Jr.

RE-APPOINTMENTS

Doyle Field Commission - Gilbert C. Donatelli– term to expire April 15, 2015

Sealer of Weights & Measurers - Joseph Quinn– term to expire April 15, 2013

License Commission - James J. Kelly, Jr. – term to expire April 15, 2018

Disability Commission - Gail Turbide and Marty Turbide– terms to expire April 15, 2015

Insect & Pest Control - Ralph Persons– term to expire April 15, 2013

Supt. Gypsy & Brown Tail Moths - Ralph Persons– term to expire April 15, 2013

Veterans Burial Agent - Richard Voutour– term to expire April 15, 2013

Board of Appeals - Scott Simpson– term to expire April 15, 2015

OLD BUSINESS

2nd Reading Ordinance - Amend Chapter 22 of the Revised Ordinances entitled “Zoning”, Article II, Section 22-4, Definitions by deleting the following:

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OLD BUSINESS, continued

2nd Reading Ordinance - Amend Chapter 21, Section 21-22.3 of the Revised Ordinances entitled "Sewer User Rate Schedule" by amending the sewer rates for residential and out of city effective April 1, 2012 and April 1, 2013. (Legal Affairs Petition 34-12)

NEW BUSINESS

1st Reading Ordinance- Amend Chapter 22, Section 22-84 of the Leominster Zoning Ordinance entitled "Signs Permitted in Business, Commercial and Industrial Districts" by adding a section for electronic message boards. (Legal Affairs Petition 32-12)

Lynn A. Bouchard
City Clerk
May 10, 2012