

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 26, 2009

Meeting was called to order at 8:00 P.M.

Attendance was taken by a roll call vote; all members were present.

The following COMMUNICATIONS were received with EMERGENCY PREAMBLES and referred to the FINANCE COMMITTEE. Vt. 9 "yeas". Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 9 "yeas"

C-54 EMERGENCY PREAMBLE
Relative to the appropriation of \$50,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fifty Thousand Dollars (\$50,000.00) be appropriated to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

C-55 EMERGENCY PREAMBLE
Relative to the appropriation of \$300,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Three Hundred Thousand (\$300,000.00) be appropriated to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

C-56 EMERGENCY PREAMBLE
Relative to the appropriation of \$754,000.00 to the Ice Storm Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of Seven Hundred Fifty Four Thousand Dollars (\$754,000.00) be appropriated to the Ice Storm Expense Account; same to be transferred from the Stabilization Fund.

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

C-57 Relative to the appropriation of \$23,070.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

C-58 Relative to the appropriation of \$22,179.92 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

C-59 Relative to the appropriation of \$721,740.00 to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

The following PETITIONS were received, referred to the PUBLIC SERVICE COMMITTEE, given REGULAR COURSE and referred to The Department of Public Works, the Planning Board and the Treasurer.

36-09 David Rowlands: Accept Wildflower Road as a public way.

37-09 David Rowlands: Accept Farm Hill Road as a public way.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Conservation Commission, the Department of Public Works, the Health Department, the Building Inspector and the Planning Board. A hearing was set on February 23, 2009 at 6:30 P.M. Vt. 8/0; Councillor Freda abstained due to a possible conflict of interest.

38-09 Gordon R. Edmonds, President and CEO of Leominster Credit Union: Grant a Special Permit to build a three story building connecting to the existing building with parking lot expansion at 20 Adams Street as shown on Assessor's Map 14 as Lots 8, 9 and 10 and located within a flood plain.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Conservation Commission, the Department of Public Works, the Health Department, the Building Inspector and the Planning Board. A hearing was set on February 23, 2009 at 6:45 P.M. Vt. 9/0

39-09 Robert E. Wilson, GPD Associates: Grant a Special Permit to modify the existing foundation of the cell tower at 369 Nashua Street as shown on Assessor's Map 372 as Lot 2 and located within a flood plain

The following PETITION was received, referred to the WAYS & MEANS COMMITTEE, given REGULAR COURSE and referred to the Treasurer, the License Commission and the Building Inspector.

40-09 Joseph Lafrance, Mason Recreation Center: Renew the license for 7 pool tables and 24 bowling alleys at 640 R. North Main Street.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 26, 2009, continued

Councillor Salvatelli, Chairman of the Finance Committee, read the Financial Report for the City into the record. Account balances are as follows:

| | |
|---|----------------|
| Excess and Deficiency Account (Free Cash) | \$2,230,545.58 |
| Stabilization Account | \$7,005,109.17 |
| Interest earned for FY-09 | \$125,639.20 |
| Emergency Reserve Account | \$10,900.00 |

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 “yeas”

C-51 Relative to the appropriation of \$12,960.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Twelve Thousand Nine Hundred Sixty Dollars (\$12,960.00) be appropriated to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: These funds represent the 10% share of the Federal Fire Act Grant awarded in the amount of \$129,600.00 to be used for the purchase of turnout gear.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas”, Councillors Tocci and Nickel abstained due to a possible conflict of interest.

C-52 Relative to the appropriation of \$40,000.00 to the Police and Fire Indemnification Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Forty Thousand Dollars (\$40,000.00) be appropriated to the Police and Fire Indemnification Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 “yeas”

C-53 Relative to the appropriation of \$1,000.00 to the Gas Inspector’s Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Thousand Dollars (\$1,000.00) be appropriated to the Gas Inspector’s Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.

RE: These funds are to pay for the Assistant Inspector who covers all inspection in the absence of Jim Imprescia.

Upon recommendation of the CITY PROPERTY COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

34-09 New England Farm Workers’ Council: Request permission to use the City Council Chambers on January 30th, February 2nd, 13th, 20th, 23rd, March 2nd, 13th, 16th, 27th, April 3rd, 10th, 17th, and 27th 2009 to take fuel assistance applications.

Upon recommendation of the WAYS & MEANS COMMITTEE the following PETITION was GRANTED. Vt.9/0

35-09 Councillor Robert Salvatelli: Amend the City Council Rules and Procedures to change the time of the regular scheduled City Council Meetings from 8:00 P.M. to 7:30 P.M.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENTS were CONFIRMED. Vt. 9 “yeas”

Office of Emergency Management – John Fournier –Rescue Unit
Thomas Cleary - Communications Unit, Beverly Tefft –Admin Unit

Under Old Business, Councillor Tocci said she will be meeting with the Conservation Agent and a representative from Johnson Controls on Thursday, January 29, 2009 at 10 A.M. to get an update on the solar power energy. She said she might have some information at the next Council meeting for the Council. She said the meeting is open to the public.

Councillor Rowlands said they have not received the quarterly results for December which would show the recent TTHM testing. The Clerk will send a letter to the Department of Public Works for an update on the quarterly report.

Councillor Nickel said he will have an updated list for unaccepted streets from the Department of Public Works. He said the Planning Department is working with Kopelman & Paige to establish a follow-up procedure. He said we will have a meeting with the Planning Department to go over some recommendations regarding acceptance of streets.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 26, 2009, continued

Councillor Freda said we should find out when it has gone through the process, when it was voted on and when it gets to the attorney's office. She said it has been ten years she has been trying to get two street signs in her neighborhood installed. She said it's not acceptable.

Councillor Nickel suggested that Councillor Freda speak with the Mayor.

Councillor Freda said at the Massachusetts Municipal annual meeting the full membership voted to approve a Resolution regarding water infrastructure funding. She read the approved Resolution into the record.

January 2009

Whereas, water is a necessity of life and the cities and towns of Massachusetts have the responsibility for providing safe, clean, affordable water;

Whereas, maintaining the highest water quality standards is important to the protection of public health and the quality of life of Massachusetts residents and businesses;

Whereas, efficient and well-constructed and maintained water infrastructure is critical to public safety and an integral part of a healthy and growing local economy;

Whereas, the federal and state unfunded mandates imposed have created a significant funding gap between the water infrastructure needs of the Commonwealth and the existing available sources of funding;

Whereas, the cities and towns of Massachusetts depend on receiving an adequate amount of state and federal funds in order to meet the drinking, wastewater and storm water needs of their community; and

Whereas, the costs of construction of water infrastructure have increasingly been shifted from the state and federal government to the cities and towns of Massachusetts;

Therefore it is hereby resolved by the members of the Massachusetts Municipal Association that:

- The state must establish a Special Water Infrastructure Finance Commission to develop a comprehensive, long-range plan for the Commonwealth and its municipalities;
- The administration must implement the \$25 million Drinking Water Quality Act Authorization as passed in the 2009 Environmental Bond Act;
- The United States Congress must enter into a new partnership with the state and municipalities by increasing funding for the Clean Water State Revolving Fund to a minimum of \$850 million in the Fiscal Year 2010 Interior Appropriations Bill; and
- A copy of this resolution shall be forwarded to the State Senate, the House of Representatives, the Governor of the Commonwealth of Massachusetts, and the Massachusetts Congressional Delegation.

Councillor Salvatelli said there will be a Finance Committee meeting on February 4, 2009 and there is an issue on the agenda that could spark a lot of questions. He said it is in regard to the second ambulance the Fire Department is proposing. He said we can either have the Chief come down during a Finance Committee meeting or we could have him come before us at the next City Council meeting and answer questions. He said he wants to be courteous to the members that aren't able to attend February 4th, 2009. He said if we do have the meeting on February 4th, 2009 and we have 5 members we will have a full committee meeting.

Councillor Rosa said it is a new rule that we have and asked if they could have a Finance Committee of the Whole?

Councillor Nickel said yes.

Councillor Marchand it was an excellent suggestion to have them come on an off night and requested that the Comptroller bring information on the amount of revenue the ambulance service has generated for the City of Leominster.

Councillor Dombrowski said the off night was fine with him.

Councillor Lanciani said the off night was fine.

A motion was made and voted 9/0 to have the Fire Chief and the Comptroller to attend the next Finance Subcommittee meeting on February 4, 2009 at 6:45 P.M. to discuss the second ambulance.

Councillor Freda said if it is that important to the community and that in depth should we be having it on an off night or a night of a meeting so people can hear the numbers from the Comptroller and hear the needs of the Fire Chief? She said she thinks it is an important community discussion.

Councillor Salvatelli said that is why he brought it forth to the Committee because he was looking for input. He said it is a thirty day trial period and they are trying to recoup some money from private ambulances. He said that is the concept of it and there will probably be many questions. He said he understands Councillor Freda's concern and she is absolutely correct. He said he thinks he can explain it well that evening and we could ask LATV to put it on television.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 26, 2009, continued

Councillor Rowlands said he would like to have it on an off night. He said it is not just the matter of finance, there is the issue of where it's located, better service, offering advanced life support, staffing and other options that are available.

Councillor Freda moved to have a reconsideration of vote. There was no second and did not carry.

Under New Business, Councillor Tocci said the month of February is tax free month with several businesses, not only downtown but other Leominster businesses. The businesses will absorb the tax cost up to \$2,000.00.

MEETING ADJOURNED AT 8:55 P.M.

Lynn A. Bouchard, City Clerk and
Clerk of the City Council