

REGULAR MEETING OF THE CITY COUNCIL, JUNE 8, 2009

Meeting was called to order at 7:30 P.M.

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

The Committee on Records reported that the records through May 21, 2009 were examined and found to be in order. The records were accepted.

A recess was called at 7:32 P.M. to hold a public forum and an informational meeting with Fire Chief Pierce regarding the second ambulance.

Meeting reconvened at 8:02 P.M.

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

- C-106 Relative to the appropriation of \$71,740.00 to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-107 Relative to the appropriation of \$33,555.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-108 Relative to the appropriation of \$35,000.00 to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-109 Relative to the appropriation of \$10,000.00 to the Library Expense Account; same to be transferred from the Library Salary and Wages Account.

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

A hearing was set on June 22, 2009 at 6:45 P.M. Vt. 9 "yeas"

- C-110 Relative to the appropriation of \$96,200,000.00 to the General Fund Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Revenue.
- C-111 Relative to the appropriation of \$4,175,000.00 to the Water Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-112 Relative to the appropriation of \$3,300,000.00 to the Sewer Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Sewer Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.

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

- C-113 Relative to the appropriation of \$7,281.00 to the Collector Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-114 Relative to the appropriation of \$61,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-115 Relative to the appropriation of \$49,226.00 to the Municipal Buildings Salary & Wages Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-116 Relative to the appropriation of \$307,775.00 to the School Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-117 Relative to the appropriation of \$48,500.00 to the Sewer Expense Account; same to be transferred from the Sewer Capital Outlay Expense Account.
- C-118 Relative to the appropriation of \$5,000.00 to the Water Overtime Account; same to be transferred from the Water Capital Outlay Expense Account.

The following COMMUNICATIONS were received, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE.

- C-119 Dean J. Mazzaella, Mayor: Authorize the Mayor to pursue additional funds in the amount of \$24,947.00 through the Department of Justice JAG Program.
- C-120 Dean J. Mazzaella, Mayor: Establish a Storm Expense Donation Account as authorized by M.G.L Chapter 44, Section 53A, to enable the City to accept grants and donations to cover costs related to the December 2008 ice storm.

REGULAR MEETING OF THE CITY COUNCIL, JUNE 8, 2009, continued

The following COMMUNICATION was received, referred to the SMALL BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE and given REGULAR COURSE.

- C-121 Dean J. Mazarella, Mayor and Lisa Vallee, Economic Development Coordinator: Approve Orchard Hill Park as an Economic Opportunity Area under the Economic Development Incentive Program.

The following COMMUNICATION was received under SUSPENSION OF THE RULES, referred to the FINANCE COMMITTEE and given REGULAR COURSE. Vt. 9/0

- C-122 Relative to the appropriation of \$100,000.00 to the FY 2010 Worker's Compensation Expense Account; same to be transferred from the following listed pervious years Worker's Compensation Loss Funds:

FY 05	\$10,000.00
FY 06	\$ 8,000.00
FY 07	\$ 50,000.00
FY 08	\$ 32,000.00

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board and the Building Inspector. A hearing was set for July 13, 2009 at 7:00 P.M. Vt. 9/0

- 71-09 Barbara Drury and ten registered voters: Request that the Leominster Zoning Ordinance be changed to add an entry to the Table of Uses under Business Uses that allows a dog kennel with overnight boarding in a Rural Residential zone with a Special Permit from the Planning Board.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Mayor.

- 72-09 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer user rate schedule" to change the rates for users who utilize sewer service only based on the Environmental Protection Title V flow guidelines.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 9 "yeas"

- C-104 Relative to the appropriation of \$17,700.00 to the Other Finance Offices and Accounts; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Seventeen Thousand Seven Hundred Dollars (\$17,700.00) be appropriated to the Other Finance Offices and Accounts; same to be transferred from the Excess and Deficiency Account.

- C-105 Relative to the appropriation of \$20,000.00 to the Veterans Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Twenty Thousand Dollars be appropriated to the Veterans Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: These funds will be utilized for support services and emergency financial assistance for eligible Veterans and their dependants through the mandated Chapter 115 Program.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

- 64-09 Kelley Freda: Create a City Ordinance requiring all pet owners and keepers to dispose of their pet's solid waste.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given LEAVE TO WITHDRAW WITHOUT PREJUDICE. Vt. 9/0

- 68-09 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer user rate schedule" to increase the rate of those users who utilize sewer service only to a minimum of Seventy Five Dollars per quarter within the City and One Hundred Dollars per quarter for outside the City.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given LEAVE TO WITHDRAW. Vt. 9/0

- 69-09 Roger Brooks: Amend Chapter 21, Section 21-22.4 entitled "Sewer connection charges" to increase the fee for all individual domestic units, including apartment units and condominium units within the City to One Thousand Five Hundred Dollars per unit for connection.

REGULAR MEETING OF THE CITY COUNCIL, JUNE 8, 2009, continued

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0

70-09 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer user rate schedule" to increase the City unit rate from \$2.30 to \$2.60, the Lunenburg Inter-Municipal Agreement unit rate from \$2.90 to \$3.20 and the out of City unit rate from \$5.40 to \$6.00 effective October 1, 2009 and further increase the City unit rate from \$2.60 to \$3.05, the Lunenburg Inter-Municipal Agreement unit rate from \$3.20 to \$3.65 and the out of City unit rate from \$6.00 to \$6.60 effective October 1, 2010.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 "yeas"

C-102 Relative to the appropriation of an additional \$137,704.00 to the Year 34 Community Development Block Grant as listed below;

Whitney Street Improvement	\$123,934.00
Administration Expenses	13,770.00

ORDERED: - that the sum of One Hundred Thirty Seven Thousand Seven Hundred Four Dollars (\$137,704.00) be appropriated to the Year 34 Community Development Block Grants as follows:

Whitney Street Improvement	\$123,934.00
Administration Expenses	13,770.00

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 8/1; Councillor Rowlands opposed.

C-103 Dean J. Mazzarella, Mayor: Amend Section 16-31 (d) of the Revised Ordinances entitled "Method of step advances" to eliminate advancement to the next scheduled step rate for Fiscal Year 2010 for those employees in the "S" classification plan.

Under Old Business, Councillor Marchand, Chairman of the President's Drinking Water Oversight Committee, said the informational meeting is scheduled for Wednesday June 10, 2009 at 7:30 P.M.

Councillor Tocci said Joanne Dinardo was not able to attend the meeting this evening to speak on the solar power energy. She said that Ms. DiNardo did not receive the information from the School Department that she needs for her report. She said they will schedule time for an informational meeting after the budget hearings.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for June 22, 2009 at 7:00 P.M. Vt. 7 "yeas" and 2 "nays"; Councillor Marchand and Rosa opposed.

1st Reading Ordinance –Relative to amending Chapter 4, Section 4-2 and Sections 4-2.1 through 4-2.9 of the Revised Ordinances entitled "Buildings" to change the fees charged by the Building Department.

Under New Business, Councillor Salvatelli reminded the Council that June 15, 2009 is the start of the Finance Committee's budget hearings beginning with the Department of Public Works, the Police and Fire Departments coming down on the first day, and on June 16, 2009 the School Department and the Library will be coming down and on the following day will be a Finance Committee meeting starting at 6:30 P.M. He said he invited the Mayor to come down on June 15, 2009 at 6:00 P.M. to present the highlights of his budget to the City Council.

Councillor Freda asked the Finance Committee Chair if he would consider having the Recreation Department down.

Councillor Salvatelli he could easily have them come down.

Councillor Freda said she has received a lot of questions regarding expenditures or issues with Fournier Park.

Councillor Salvatelli he will invite them to attend at 8:15 P.M. on Tuesday June 16, 2009.

Councillor Dombrowski, Chair of the PUBLIC SERVICE COMMITTEE, moved that the following PETITIONS be removed from the table and placed on the calendar for action. It was so voted 9/0. Committee reports as follows:

36-09 David Rowlands: Accept Wildflower Road as a public way. FURTHER TIME. Vt. 9/0

37-09 David Rowlands: Accept Farm Hill Road as a public way. FURTHER TIME. Vt. 9/0

HEARING ADJOURNED AT 8:50 P.M.

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