

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 25, 2010

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

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

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

- C-49 Relative to the appropriation of \$70,000.00 to the Veteran's Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-50 Relative to the appropriation of \$3,500.00 to the Cemetery Salary and Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-51 Relative to the appropriation of \$10,000.00 to the Parking Meter Salary & Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

The following PETITION was received, referred to the CITY PROPERTY COMMITTEE and given REGULAR COURSE.

- 21-10 New England Farm Workers' Council: Request permission to use the City Council Chambers on February 1st, 12th, 22nd, March 1st, 12th, 15th, 26th, April 2nd, 16th and 26th, 2010 to take fuel assistance applications.

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)	\$ 3,237,414.90
Emergency Reserve Account	\$ 4,730.00
Stabilization Account	\$11,534,656.38

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

- C-45 Relative to the appropriation of \$100,000.00 to the Snow and Ice Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Thousand Dollars (\$100,000.00) be appropriated to the Snow and Ice Account; same to be transferred from the Excess and Deficiency Account.
- C-46 Relative to the appropriation of \$125,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) be appropriated to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 7 "yeas"; Councillors Cormier and Nickel abstained due to a possible conflict of interest.

- C-47 Relative to the appropriation of \$125,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) be appropriated to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

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

- C-48 Relative to the appropriation of \$36,000.00 to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Thirty Six Thousand Dollars (\$36,000.00) be appropriated to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Leominster's yearly contribution for the Johnny Appleseed Visitor's Center

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0, Councillor Dombrowski abstained due to a possible conflict of interest.

- 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.

REGULAR MEETING OF THE CITY COUNCIL JANUARY 25, 2010, continued

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

- 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.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITIONS were GRANTED. VT. 9/0

- 19-10 Kay Jewelers Store #1285: Grant a Second Hand Dealer's License for the premises at 100 Commercial Road.
20-10 Belden Jewelers Store #240: Grant a Second Hand Dealer's License for the premises at 100 Commercial Road.

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

Election Officer for 2009-2010 – David Henshaw

Emergency Management Communications Unit – Frances E. Cooley

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENTS were CONFIRMED. Vt. 8 "yeas", Councillor Cormier abstained due to a possible conflict of interest.

Cable Advisory Board – Eugene Capoccia – term to expire April 15, 2011

Under Old Business, Councillor Dombrowski, Chair of the President's Drinking Water Oversight Committee, said there was nothing new to report and asked the Councillors to read the information that was recently provided and to give any questions to him and he will forward the questions onto the Mayor for the Department of Public Works.

A vote was taken to appoint Stephen Madaus of Mirick O'Connell Attorneys at Law of Worcester and Alan Seewald of Seewald, Jankowski & Spencer PC of Amherst. as legal counsels. Vt. 8 "yeas" and 1 "nay", Councillor Lanciani opposed.

Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE, move that the following PETITION be removed from the table and placed on the calendar for action. It was so voted 9 "yeas." Committee reports as follows:

- 5-10 John Souza, Chairman, on behalf of the Planning Board: Adopt the following zoning changes proposed by Vanasse, Hangen and Brustlin to include:
1) The Leominster Zoning Ordinance Revised Draft, July 2009
2) The Leominster Zoning Ordinance "Table of Uses," July 2009
3) The Leominster Zoning Ordinance "Proposed New Zoning Districts," July 2009
4) The Leominster Zoning Ordinance "New Sections," January 2009
5) Section 22-19 Residence B Districts which is a correction to the "The Leominster Zoning Ordinance Revised Draft," July 2009
TABLED FOR STUDY

Councillor Marchand, 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 "yeas." Committee reports as follows:

- 70-02 Peter A. Angelini: Impose a moratorium on water connections within the City of Leominster until such time as the capacity of Leominster's reservoir system reaches a minimum of eighty percent in aggregate. LEAVE WITHOUT PREJUDICE
1-07 John P. Bulger: Explore the possibility of creating an Ordinance in residential districts to restrict any water run off from another property which is detrimental or changes the character or soil conditions of affected property. LEAVE WITHOUT PREJUDICE
16-09 David Rowlands: Accept Forsythia Road and Wisteria Drive as public ways. LEAVE WITHOUT PREJUDICE
36-09 David Rowlands: Accept Wildflower Road as a public way. LEAVE WITHOUT PREJUDICE
37-09 David Rowlands: Accept Farm Hill Road as a public way. LEAVE WITHOUT PREJUDICE

Committee meetings were established for February 3, 2010:

Finance Committee 6:30 P.M.
Legal Affairs 6:45 P.M.
Public Service 7:00 P.M.

MEETING ADJOURNED AT 9:10 P.M.

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