

REGULAR MEETING OF THE CITY COUNCIL, MAY 23, 2011

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

Attendance was taken by a roll call vote; all members were present. Councillor Dombrowski arrived late.

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

- C-85 Relative to the appropriation of \$1,200.00 to the Cemetery Expense Account; same to be transferred from the Emergency Reserve Account.
- C-86 Relative to the appropriation of \$75,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-87 Relative to the appropriation of \$212,116.00 to the Contributory Retirement Expense Account: same to be transferred from the Other Past Employment Benefit (OP&B) Prior Year Expense Account.
- C-88 Relative to the appropriation of \$526,554.00 to the Contributory Retirement Expense Account; same to be transferred from the Group Insurance Prior Year Expense Account.
- C-89 Relative to the appropriation of \$310,000.00 to the Debt Service-Principle Expense Account; same to be transferred from the Debt Service-Interest Expense Account.

REGULAR MEETING OF THE CITY COUNCIL, MAY 23, 2011, continued

The following COMMUNICATIONS were received under SUSPENSION OF THE RULES, referred to the FINANCE COMMITTEE and given REGULAR COURSE. Vt. 8/0. A hearing was set for June 27, 2011 at 6:45 P.M.

- C90 Relative to the appropriation of \$100,077,000.00 to the City of Leominster General Fund Fiscal Year 2012 Budget; same to be raised by Fiscal Year 2012 Revenue.
- C-91 Relative to the appropriation of \$4,925,000.00 to the Water Department Fiscal Year 2012 Budget; same to be raised by Fiscal Year 2012 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-92 Relative to the appropriation of \$3,775,000.00 to the Sewer Department Fiscal Year 2012 Budget; same to be raised by Fiscal Year 2012 Sewer Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.

The following PETITION was received, referred to the LEGAL AFFAIRS and WAYS & MEANS COMMITTEES and given REGULAR COURSE.

- 69-11 Lynn A. Bouchard: Accept the 2011 Re-Precincting Plan for the City of Leominster, including the map, legal description and block listings.

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

- 70-11 George S. Frankovich: Renew the Second Hand Dealer's License for Kay Jewelers #1285 located at 100 Commercial Road.
- 71-11 George S. Frankovich: Renew the Second Hand Dealer's License for Belden Jewelers #240 located at 100 Commercial Road.
- 72-11 Jeffrey Wilson: Renew the Second Hand Dealer's License for MovieStop, LLC, Store #7045 located at 82 Orchard Hill Park Drive.

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

Leominster Police Department – Brett Thompson – Permanent Police Officer
(transfer from Lancaster Police Department)

Councillor Robert 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)	\$ 1,469,542.12
Stabilization Account	\$11,085,701.82
Emergency Reserved Account	\$ 243.00
Earned Interest	\$ 28,195.05

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

C-81 Relative to the appropriation of \$20,000.00 to the Municipal Building Maintenance Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Twenty Thousand Dollars (\$20,000.00) be appropriated to the Municipal Building Maintenance Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Tax Title Possessions Project

C-82 Relative to the appropriation of \$6,000.00 to the Recreation Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Six Thousand Dollars (\$6,000.00) be appropriated to the Recreation Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.

C-83 Relative to the appropriation of \$14,475.00 to the Sanitation and Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fourteen Thousand Four Hundred Seventy Five Dollars (\$14,475.00) be appropriated to the Sanitation and Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.

REGULAR MEETING OF THE CITY COUNCIL, MAY 23, 2011, continued

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 “yeas” and 1 “nay”, Councillor Freda opposed.

C-84 Relative to the appropriation of \$52,000.00 to the Doyle Field Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fifty Two Thousand Dollars (\$52,000.00) be appropriated to the Doyle Field Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the PUBLIC SERVICE COMMITTEE, the following PETITION was GRANTED. Vt. 8/0 Councillor Cormier abstained due to a possible conflict of interest.

50-11 National Grid and Verizon New England, Inc: Install 3 jointly owned poles on Scott Drive beginning at a point approximately 300 feet from centerline of Mohawk Drive continuing approximately 600 feet in a NW direction.

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

62-11 John Dombrowski and Wayne Nickel: Request that Vezina Avenue, also known as Vezina Street, shall from now on be known as Vezina Avenue.

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

57-11 Lisa A. Rosenthal: Grant a Second Hand Dealer’s License for Party of Gold for the purchase of precious metals by appointment only.

63-11 Dawn Calzada: Renew the Second Hand Dealer’s License for Best Buy Stores LP, located at 33 Orchard Hill Park Drive.

64-11 Mark Gordon: Renew the Second Hand Dealer’s License for Music Mania Inc., located at Twin City Plaza.

65-11 Game Stop Inc: Renew the Second Hand Dealer’s License for the premises at 26 Orchard Hill Drive.

66-11 Game Stop Inc: Renew the Second Dealer’s License for the premises at 100 Commercial Road.

67-11 Carol and David Shields: Renew the license for 3 pool tables at South Leominster Lounge d/b/a/ Forte’s Lounge located at 1030 Central Street.

68-11 Phillip McBain: Renew the license for two pool tables at Captain’s Lounge located at 1536 Main Street.

Under Old Business, Councillor Freda, Chair of the Water & Sewer Oversight Committee, said she spoke with one of the members of the Water and Sewer Department and Shea Brook is doing well and they said there were actually fish in there. She said the upgrades to Notown are on track and are expected to begin the first week of June.

Councillor Rowlands, Chair of the President’s Zoning Committee, said they met on May 18th and started the review process of the new zoning document. He said they received several letters with input and went through recommended changes and/or additions or question and deemed them warranting further discussion. He said he sent an email to the Planning Director and didn’t realize VHB’s

contract was complete. He said he expected to send it to VHB and get back recommendations especially some of the questions received from the Chairman of the Zoning Board of Appeals. The questions are regarding jurisdiction on special permits. He said they will have to work out the process and hopes they don't have to start spending money on Kopelman & Paige after paying for VHB. He said they have a document from Mr. Mullaney, who has been attending the meetings, and he has put together questions, issues, mistakes and typographical errors that need to be reviewed. He said the goal is to review all the individual suggested input they have received from different people before they actually start stepping through the document. A June 1, 2011 meeting was set for 7:00 P.M. for the President's Zoning Committee. Councillor Rowlands said after they review these additions they will then move on to reviewing the definitions.

Councillor Freda read a portion the minutes of the Recreation Commission of April 11, 2011 regarding the track upgrades and maintenance and events. She said those were some of the questions that she had regarding maintenance and said a capital plan is needed.

Councillor Marchand said he would like to reschedule the meeting with Chief Roddy and Sergeant Kinney regarding the traffic conditions. He said this is a discussion throughout the community since our last meeting nonstop everyday along with horror stories.

In accordance with Section 3.6 of the Leominster City Charter, a vote was taken to reschedule the meeting with Chief Roddy, Sergeant Kinney and Chief Sideleau to update the Council on traffic conditions on at a Public Safety Committee meeting on June 27, 2011 at 6:00 P.M.

Councillor Marchand spoke about a prior petition that was denied which would allow missing members to participate in meetings and voting after reviewing the meeting on television. He said he would like the petition to be revisited.

Councillor Freda said that it was her petition and it was voted down by the Council. She agreed that they need to look at that again. She said she doesn't see anything wrong with it and she will be putting it on the next Council agenda.

REGULAR MEETING OF THE CITY COUNCIL, MAY 23, 2011, continued

Councillor Nickel said he has heard from several of his constituents regarding an inspection team that has been going through multi family buildings. He said the fee is \$150.00 and there is someone from the Fire Department, Building Department and Health Department. He wasn't sure if it was 2 units or more or 3 units or more. He heard a rumor that it was going to cost a man over \$10,000.00 just to update the electrical work, not including other things. He said he didn't realize that we had such an Ordinance in place that allows this. He wondered if anyone heard of this and asked if the Clerk to check and see if there is an Ordinance.

Councillor Marchand said he has a situation that use to be in Ward 2 and is now in Ward 5. He said there was a gentleman that approached him about the same thing. Councillor Marchand said at one time we use to have enough inspectors in the Health Department and one would work in the core area and one outside the core area. There were 2 that were enforcement officers besides the 1 code inspector. He said at that point inspections were not done randomly. He said the policy for the State Code and the Sanitary Code has not changed but the Board of Health has changed. He said he is also concerned about randomly selecting buildings or properties in the City.

Councillor Salvatelli said there is a similar audit with DPW which is very troubling. He said during a recent problem a woman called the Fire Department and the firefighter asked her to call the emergency DPW. He said they came to her house but charged her \$150.00 to tell her it was her problem. That is not fair.

Councillor Chalifoux Zephir said she finds the Health Department inspections very troubling if they are randomly selecting. She said she would like to know what the criteria is.

Under New Business, Councillor Salvatelli said we have a budget which is quite an accomplishment and it is early this year. He said the department head meetings will be on June 6th, 7th and if needed the 9th. A copy of the budget will be at the Library.

In accordance with Section 3.6 of the Leominster City Charter, a vote was taken to request the Comptroller to attend the next meeting to answer questions on petitions pending with the Finance Committee.

Councillor Freda said the addition to the high school is well on its way. She said Councillor Rowlands and her were up at the high school tonight at a meeting for the general neighborhood around the school with the architect, contractor at risk and a police officer. She said there was an overview of the project and how it will affect the immediate neighbors and who the contact people will be if they have any issues. She said there were about 25-30 people.

MEETING ADJOURNED AT 8:53 P.M.

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