

HEARING BEFORE THE CITY COUNCIL, SEPTEMBER 26, 2011

Hearing opened at 6:55 P.M. with Councillor Lanciani, Chair of the Public Service Committee, presiding.

All members were present. Councillor Marchand arrived late.

Present at the hearing was Ken Dobie of National Grid.

The following PETITION was the subject of the hearing:

7-12 National Grid and Verizon New England, Inc.: West Street: Install a jointly owned pole on West Street beginning at a point approximately 250 feet north of the centerline of the intersection of George Terrace.

Ken Dobie spoke in favor of this petition. He said the proposed pole will be installed in front of a new home and is needed for power.

No one in the audience spoke in opposition of this petition.

HEARING ADJOURNED AT 6:58 P.M.

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

HEARING BEFORE THE CITY COUNCIL, SEPTEMBER 26, 2011

Hearing opened at 7:00 P.M. with Councillor Rowlands, Chair of the Legal Affairs and President's Zoning Committees, presiding.

All members were present.

The hearing is continued from August 22, 2011.

The following COMMUNICATION was the subject of the hearing:

C-68 Dean J. Mazarella, Mayor: Adopt the proposed changes to the Leominster Zoning Ordinance.

Councillor Rowlands said they met one week ago with many department heads and the Mayor. He said they reviewed twenty six pages of definitions. He said the Planning Director will make changes and schedule another meeting.

HEARING ADJOURNED AT 7:08 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 26, 2011

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

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

A recess was called to continue the interview with the new reserve firefighter appointees.

The meeting reconvened at 7:37 P.M.

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

C-9 Relative to the appropriation of \$5,000.00 to the Sealer of Weights and Measures Salary and Wages Account; same to be transferred from the Weights and Measures Receipts Reserved for Appropriations Account.

C-10 Relative to the appropriation of \$36,000.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Emergency Reserve Account.

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

10-12 Virginia A Tocci: Grant a Second Hand Dealer's License for Joseph's Group Inc./ Joseph's Jewelers located at 28 Central Street for the purchase and sale of precious metals.

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 26, 2011, continued

11-12 Scott & Joanne Atwood: Renew the Second Hand Dealer's License for The Repair Palace, Inc. located at 100 Commercial Road for the purchase and sale of precious metals and jewelry.

The following PETITIONS were received, referred to the CITY PROPERTY COMMITTEE and given REGULAR COURSE.

12-12 New England Farm Worker's Council: Request permission to use the City Council Chambers of October 12th, November 10th, December 1st and 22nd, 2011 to take Fuel Assistance applications.

The following APPOINTMENT was received under SUSPENSION OF THE RULES, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE. Vt. 9 "yeas"

Leominster Police Department – Temporary Chief - Robert Healey

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

Cultural Commission - terms to expire April 15, 2014
Maureen Noviello, Gilbert Tremblay

Election Officers – terms to expire August 31, 2012 - Emilda E. Sauvageau,
Robert J. Gourdeau, Barbara A. Burque, Beverly Fratoni

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

C-8 Relative to the appropriation of \$50,000.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Emergency Reserve Account.

ORDERED: - that the sum of Fifty Thousand Dollars (\$50,000.00) be appropriated to the Highway Department Capital Outlay Expense Account; same to be transferred from the Emergency Reserve 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.

7-12 National Grid and Verizon New England, Inc.: West Street: Install a jointly owned pole on West Street beginning at a point approximately 250 feet north of the centerline of the intersection of George Terrace.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0. A hearing is scheduled for October 11, 2011 at 6:45 P.M.

8-12 Kathleen A. Sousa for Cumberland Farms, Inc.: Amend the underground storage license for the property located at 1287-1289 Main Street to increase the capacity of the underground tanks from 24,000 gallons to 40,000 gallons.

A motion was made by Councillor Rowlands to reconsider the vote on the following petition. The motion was seconded by Councillor Chalifoux Zephir. Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given LEAVE TO WITHDRAW. Vt. 9/0. (This petition was Granted with an Emergency Preamble on September 12, 2011; another vote was required.)

9-12 Tom Browne on behalf of Leominster High School: Designate Kingman Drive as a one way street by posting a "No Entry – 2:00 – 2:30 P.M." sign at the corner of Kingman Drive and Exchange Street.

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

Leominster Fire Department – Reserve Firefighters – Sean Keith Gray, Matthew Brian Burke, Nicholas Richard DeCarolis, Joshua Adam Burdett, Jonathan James Williams, Benjamin Franklin Brideau, David Robert Fagone, Jordan Thomas Altobelli

Upon request of the LEGAL AFFAIRS COMMITTEE, the following ORDINANCE was given FURTHER TIME. Vt. 9 "yeas"
A hearing is scheduled for October 11, 2011 at 7:00 P.M.

2nd Reading Ordinance – Amend Chapter 22 of the Revised Ordinances, entitled "Zoning", Article II, Section 16.6.1.2 to read "No more than four (4) lodgers or boarders except in Residence B and C. All boarding/lodging houses need a special permit from the Planning Board.

Under Old Business, Councillor Freda, Chair of the Water & Sewer Oversight Committee, said a meeting with Pat LaPointe, Roger Brooks and Charlie Reed has been scheduled for October 11, 2011 at 6:15 P.M.

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 26, 2011, continued

Councillor Cormier said there is no news on the courthouse since the July 20, 2011 meeting at the Carter Building.

A President's Zoning Committee meeting was established for October 5, 2011 at 7:00 P.M.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following RESOLUTION was ADOPTED. Vt. 9 "yeas"

RESOLVED

Whereas, according to the Department of Defense Federal Voting Assistance Program (FVAP), there are 11,691 active military duty Massachusetts residents residing overseas; and

Whereas, for the November 2010 election, Massachusetts requested a waiver from a requirement of the Military and Overseas Voter Empowerment Act (the MOVE Act) to send absentee ballots to Americans overseas at least 45 days before an election "due to a late primary"; and

Whereas, a report by the Secretary of the Commonwealth revealed that in the November 2010 election only 400 ballots from Massachusetts active duty military personnel stationed overseas were counted; and

Whereas, the General Court is considering H1972 "An Act Regulating State Primaries", a bill that moves the state primary to allow Massachusetts residents residing overseas to vote privately and securely, and combines the presidential primary with the state primary to save taxpayers at least \$8,000,000.00; and

Whereas, a number of states have moved their primary dates earlier in the year to comply with the Federal MOVE Act and to provide relief to taxpayers by reducing the cost of elections; and

Whereas, the Massachusetts state primary scheduled for September 18, 2012 stands alone as the last state primary in the country in 2012; and

Whereas, in written testimony the FVAP concluded "passing HB1972 will significantly improve voters success for many military members, overseas voters, and their families"; and

Whereas, HB1972 simplifies the election process, decreases the opportunity for "voter fatigue", reduces the cost of elections for taxpayers, and established fairness among candidates;

Now, Therefore, Be It Resolved by the City Council of the City of Leominster that the City of Leominster supports the adoption of HG1972 "An Act Regulating Election Primaries" pending before the 187th General Court of the Commonwealth of Massachusetts and directs the City Clerk to transmit a copy of this action to the municipality's State Delegation and to the Joint Committee on Election Laws.

September 26, 2011

s/s/ Lynn A. Bouchard, City Clerk

s/s Dean J. Mazarella, Mayor

Under New Business, Councillor Chalifoux Zephir said she was not receiving her email that was sent to her through her city's e-mail address. It has been remedied but suggests that other Councillor's e-mail themselves to make sure it is working.

MEETING ADJOURNED AT 8:16 P.M.

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