

CITY CLERK'S OFFICE  
LEOMINSTER, MA

2014 JUN 19 PM 3 09

6:30 P.M. Interviews with Assessor and  
Reserve Firefighters  
6:45 P.M. Informational Meeting RE:  
Tax Agreement with Syncarpha

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**JUNE 23, 2014**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

- C-101 Relative to the appropriation of \$110,350,000.00 to the Fiscal Year 2015 Budget; same to be raised by Fiscal Year 2015 Revenue. (Finance)
- C-102 Relative to the appropriation of \$5,675,000.00 to the Fiscal Year 2015 Water Department accounts as listed: same to be raised/offset by Fiscal Year 2015 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)
- C-103 Relative to the appropriation of \$5,214,000.00 to the Fiscal Year 2015 Sewer Department accounts as listed: same to be raised/offset by Fiscal Year 2015 Sewer Department Estimated Receipts as authorized by Chapter 44 Section 53E of the Massachusetts General Laws. (Finance)

**PUBLIC FORUM, 7:15 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 7:30 P.M.**

**ROLL CALL**

**APPROVAL OF RECORDS**

**COMMUNICATIONS**

- C-104 Dean J. Mazzarella, Mayor: Request a private utility easement for Romebeau Inc., owner of the Columbia Tavern on Manning Avenue. (City Property and Property Oversight)
- C-105 EMERGENCY PREAMBLE  
Relative to the appropriation of \$1,922.00 to the City Clerk Salary & Wages Account; same to be transferred from the City Council Salary & Wages Account. (Finance)

## **COMMUNICATIONS, continued**

- C-106      EMERGENCY PREAMBLE  
Relative to the appropriation of \$9,000.00 to the Mayor's Salary & Wages Account; same to be transferred from the Mayor's Salary & Wages Account. (Finance)
- C-107      EMERGENCY PREAMBLE  
Relative to the appropriation of \$15,000.00 to the Police Department Expense Account; same to be transferred from the Police Department Salary & Wages Account. (Finance)

## **PETITIONS**

- 89-14      National Grid and Verizon New England: Industrial Road – Install 1 jointly owned pole on Industrial Road beginning at a point approximately 123 feet north of the centerline of the intersection of Keystone Drive. (Public Service)

## **APPOINTMENTS**

Office of Emergency Management – Rehab Unit – Stephen Brodeur

Fire Department – Permanent Firefighters – William L. Schofield and Adam L. Studham

## **MATTERS BEFORE THE CITY COUNCIL**

### **WAYS & MEANS**

- 69-14      Matt Zvacek: Renew the Second Hand Dealers License for Gold Buyers of America located at 100 Commercial Road, Unit 89.
- 84-14      Stephen J. Mullaney: Request the City Council ask the Mayor to submit an appropriation to pay certain unpaid bills due to S. J. Mullaney Engineering, Inc., as requested by the Mayor and the City Council in a Home Rule Petition to the General Court (Communication C-109, 2013), and as authorized by the General Court and the Governor in Chapter 192 of the Acts of 2013.

### **LEGAL AFFAIRS**

- 40-14      Leominster Planning Board: Amend the Leominster Zoning Ordinances by adding Article XVIII, Section 22-105 entitled "Medical Marijuana Facilities" to allow and regulate medical marijuana facilities in the city. (Hearing continued to July 28, 2014 at 6:45 P.M.)

**MATTERS BEFORE THE CITY COUNCIL, continued**

**LEGAL AFFAIRS, continued**

- 50-14 James Whitney and Ten Registered Voters: Amend the Leominster Zoning Ordinance Article I, Section 22-4 entitled Definitions by eliminating the sentence "Facilities that utilize animal testing of products are not included in this definition" from the Life sciences definition. (Hearing continued to July 14, 2014 at 7:00 P.M.)
- 88-14 John Fraher, Leominster Police Department: Amend Chapter 18, Section 18-5 of the Revised Ordinances entitled "Police - Equipment" by deleting Section 5 in its entirety and replacing with a new Section 5.

**PUBLIC SERVICE**

- 87-14 James E. Rheault: Rename the most westerly portion of Nancy Court, a private way, to Connors Way, a private way with the result that the premises at #18 Nancy Court (Assessors' Map 359 Parcel 2) would henceforth be known as #18 Connors Way, and that the premises at #24 Nancy Court (Assessors' Map 359 Parcel 9) would henceforth be known as #24 Connors Way.

**CITY OF LEOMINSTER – FINANCIAL REPORT**

**FINANCE**

- C-88 Relative to the appropriation of \$40,000.00 to the Assessor's Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-89 Relative to the appropriations of \$50,067.00 to the Cemetery Salary and Wages Account; same to be transferred from the Cemetery and Perpetual Care Income Account.
- C-90 Relative to the appropriation of \$2,500.00 to the Conservation Commission Expense Account; same to be transferred from the Wetland's Fee's Reserved for Appropriation Account.
- C-91 Relative to the appropriation of \$40,000.00 to the Fire Department Overtime Account; same to be transferred from the Fire Department Salary and Wages Account.
- C-92 Relative to the appropriation of \$8,500.00 to the Highway Expense Account; same to be transferred from the Snow & Ice Salary and Wages Account.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**FINANCE, continued**

- C-93 Relative to the appropriation of \$10,000.00 to the Wire Department Expense Account; same to be transferred from the Snow & Ice Salary and Wages Account.
- C-94 Relative to the appropriation of \$25,000.00 to the I.T.T.F. Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-95 Relative to the appropriation of \$327,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-96 Relative to the appropriation of \$200,000.00 to the Sidewalk Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-97 Relative to the appropriation of \$375,000.00 to the Stabilization Fund; same to be transferred from the Excess and Deficiency Account.
- C-98 Relative to the appropriation of \$6,000.00 to the Treasurer's Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-99 Relative to the appropriation of \$229,931.00 to the Worker's Compensation Expense Account – FY 2015; same to be transferred from the following accounts:
- |        |                                 |              |
|--------|---------------------------------|--------------|
| FY2012 | Worker's Compensation Loss Fund | \$112,443.00 |
| FY2011 | Worker's Compensation Loss Fund | \$100,000.00 |
| FY2010 | Worker's Compensation Loss Fund | \$ 10,000.00 |
| FY2009 | Worker's Compensation Loss Fund | \$ 4,168.55  |
| FY2008 | Worker's Compensation Loss Fund | \$ 3,319.45  |
- C-101 Relative to the appropriation of \$110,350,000.00 to the Fiscal Year 2015 Budget; same to be raised by Fiscal Year 2015 Revenue.
- C-102 Relative to the appropriation of \$5,675,000.00 to the Fiscal Year 2015 Water Department accounts as listed: same to be raised/offset by Fiscal Year 2015 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-103 Relative to the appropriation of \$5,214,000.00 to the Fiscal Year 2015 Sewer Department accounts as listed: same to be raised/offset by Fiscal Year 2015 Sewer Department Estimated Receipts as authorized by Chapter 44 Section 53E of the Massachusetts General Laws.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**PRESIDENT’S COMMITTEE ON SMALL BUSINESS/ECONOMIC DEVELOPMENT**

C-100 Dean J. Mazzarella, Mayor: Approve a tax agreement between the City of Leominster and Syncarpha Massachusetts LLC for the location of a solar project at 350 Industrial Road in Leominster.

**APPOINTMENTS**

Assessor – Mary E. Carey – term to expire 4/15/2015

Leominster Fire Department - Reserve Firefighters  
Michael P. Crowley, Dustin C. Randall, Eric L. Arsenault  
Timothy R. Comeau

**OLD BUSINESS**

RESOLUTION – City owned parcels adjacent to the American Little League Field on American Way (Ways & Means/Veterans Affairs)

**NEW BUSINESS**

1st Reading Ordinance – Amend Section 21 of the Revised Ordinances entitled “Water and Sewers” by inserting a new Article VI, Sections 21-74 through 21-83 relative to “Stormwater and Erosion Control” (Legal Affairs C-71)

Establishment of Subcommittee Meetings:

- Ways & Means and Veterans Affairs
- Legal Affairs
- Public Safety and Traffic
- Public Service
- City Property and Property Oversight
- Public Schools and School Facilities
- Finance Committee
- Council Rules and Code of Conduct
- President’s Committee on Small Business/Economic Development

## TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

### FINANCE

1<sup>st</sup> Reading Loan Order - Ordered that the Treasurer with the approval of the Mayor borrow the sum of \$340,000.00 for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise, a certain property together with buildings thereon, known as "land of Bruce Barnes" located on Jungle Road, Shown on Leominster's Assessors Map 305, Parcels 9 and 10, containing 16.5 acres; that said land be conveyed to the City of Leominster under the provisions of Massachusetts General Law, Chapter 40, Section 8C, as amended and other Massachusetts General Laws relating to conservation, to be managed and controlled by the Leominster Conservation Commission and the Conservation Commission be authorized to apply for any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Self-Help Act (Chapter 132A, Section 11) and/or any others in any way connected with the scope of this Article, and the City of Leominster and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the City of Leominster to affect said purchase. (July 2005)

- C-84(2008) Relative to the appropriation of \$10,000.00 to the Open Space Land Purchase Expense Account; same to be transferred from the Excess and Deficiency Account.
- 29-14 Gail P. Feckley et al: Request the Mayor to add a line item to the City's budget for maintenance of detention ponds in the City including, but not limited to, those on Brown Avenue, Westview Estates and any future developments in the vicinity of Cloverleaf Road and Crescent Road.

### FINANCE AND LEGAL AFFAIRS

- 82-08 David Rowlands: Establish a Water Enterprise Account as authorized by MGL Chapter 44 53F1/2.

Lynn A. Bouchard  
City Clerk  
June 19, 2014