

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 10, 2014

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

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

At 7:30 P.M. a motion was made and seconded to go into Executive Session under the provisions of Chapter 39, Section 23B of the Massachusetts General Laws. The topic was litigation strategy regarding pending litigation of S.J. Mullaney Engineering against the City. Voted by roll call. Vt. 8 "yeas". Councillor Bodanza abstained due to a possible conflict of interest.

The regular meeting reconvened at 8:25 P.M.

The following COMMUNICATION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE. (A hearing was set for December 8, 2014 at 6:45 P.M.) Vt. 9 "yeas"

C-19 Dean J. Mazzarella, Mayor: Request the City Council set a hearing for the Classification of the tax rate on December 8, 2014 for the purpose of setting the FY2015 tax rate.

The following COMMUNICATION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

C-20 Dean J. Mazzarella, Mayor: Request that the Snow & Ice Expense Account be authorized to incur liability and make expenditures in Fiscal Year 2015 in excess of the available appropriations in the amount of \$250,000.00 as authorized by Massachusetts General Law Chapter 44, Section 31D.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Economic Development Coordinator, the License Commission, the Police Department and the Mayor.

15-15 Marina Proietti on behalf of the License Commission: Vote to accept the provisions of Massachusetts General Laws Chapter 138, Section 33B, which would allow the License Commission to authorize on-premises alcoholic beverage license holders to make sale of such beverages between 10:00 A.M. – 12:00 noon on Sundays, the last Monday in May and on Christmas Day or on the day following when said day occurs on Sunday.

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

16-15 Gregory C. Chappelaine and David Laplante: Allow the Purchasing Agent to award a contract for Payroll Services for a six-year period.

The following APPOINTMENTS were received, referred to the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE.

Director of Public Works – Raymond Racine – term to expire April 15, 2017
Office of Emergency Management - Communications Unit – Douglas Darrigo

Upon request of the PUBLIC SAFETY AND TRAFFIC COMMITTEE the following PETITION was given FURTHER TIME. Vt. 9/0.

12-15 Michael Lovezola for Barletta Engineering: Request 9 decorative light poles at completed lots and roads for the Castletand subdivision.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was RATIFIED. Vt. 9 "yeas"

C-15 Relative to the appropriation of \$94,500.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund. (Granted with an Emergency Preamble on October 27, 2014; another vote was required.)

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

C-16 Relative to the appropriation of \$87,500.00 to the Cemetery Department Capital Outlay Expense Account; same to be transferred from the Cemetery Sale of Lots Trust Fund.

ORDERED: - that the sum Eighty Seven Thousand Five Hundred Dollars (\$87,500.00) be appropriated to the Cemetery Department Capital Outlay Expense Account; same to be transferred from the Cemetery Sale of Lots Trust Fund.

C-17 Relative to the appropriation of \$140,000.00 to the Landfill Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of One Hundred Forty Thousand Dollars (\$140,000.00) be appropriated to the Landfill Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

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

C-18 Dean J. Mazzarella, Mayor: Request that an Animal Control Officer Donation Account be established as authorized by Massachusetts General Law Chapter 44, Section 53A.

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following RESOLUTION was ADOPTED. 9/0

**RESOLUTION
EASY PAK LLC
TAX INCENTIVE FINANCING (TIF) AGREEMENT**

WHEREAS, the proposed Project is located at 24 Jyrek Drive, Leominster MA which is within the boundaries of Assessor's Map 499, Block 47.

WHEREAS, the City of Leominster has agreed to offer Easy Pak LLC, a Tax Increment Financing Agreement. Said Agreement is hereby supported by the City Council and the Tax Incrementing Financing Plan is incorporated by reference herein;

WHEREAS, Easy Pak LLC will invest \$7.5M over a five (5) year period, and create fifteen (15) permanent full-time jobs potentially for residents of the City and of the North Worcester County Economic Target Area (ETA) over a period of three (3) years.

WHEREAS, the City Council of the City of Leominster strongly supports increased economic development to provide additional jobs for City residents, and industrial activity within the City to promote and develop a healthy economy and stronger tax base;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Leominster approves the Project application for Easy Pak LLC, and forwards said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

FURTHER, the City Council of the City of Leominster supports the Mayor to enter into a Tax Increment Financing Agreement between the City of Leominster and Easy Pak LLC. Said agreement will provide for an exemption on property taxes based on the growth portion in assess valuation of the property as follows:

REAL ESTATE

The Agreement calls for an exemption from taxation specifically on the increased value of real estate property as a result of the redevelopment as follows in the table shown below.

		<i>Tax Exemption Formula</i>
Year 1:	July 1, 2015-June 30, 2016	100% of the increment
Year 2:	July 1, 2016-June 30, 2017	80% of the increment
Year 3:	July 1, 2017-June 30, 2018	60% of the increment
Year 4:	July 1, 2018-June 30, 2019	40% of the increment
Year 5:	July 1, 2019-June 30, 2020	20% of the increment

PERSONAL PROPERTY

The Agreement calls for an exemption from taxation specifically on personal property as follows in the table below.

		<i>Tax Exemption Formula of Total Personal Property Value</i>
Year 1:	July 1, 2015-June 30, 2016	100% as of January 1, 2015
Year 2:	July 1, 2016-June 30, 2017	100% as of January 1, 2016
Year 3:	July 1, 2017-June 30, 2018	100% as of January 1, 2017
Year 4:	July 1, 2018-June 30, 2019	100% as of January 1, 2018
Year 5:	July 1, 2019-June 30, 2020	100% as of January 1, 2019

In accordance with the requirements and regulations established which govern the implementation of such Tax Increment Financing Agreements. The agreement will be in effect as of Fiscal Year 2016 (July 1, 2015) and will extend through Fiscal Year 2020 (June 30, 2020).

ADOPTED BY THE LEOMINSTER CITY COUNCIL
COMMUNICATION _____

Date: November 10, 2014

/s/ LYNN BOUCHARD, CITY CLERK

/s/DEAN J. MAZZARELLA, MAYOR

The following ORDINANCE was read for the first time and ADOPTED as presented. A hearing was set for November 24, 2014 at 7:10 P.M.

1st Reading Ordinance – Amend Chapter 13, Section 13-17 of the Revised Ordinances entitled “Stop Signs”
by inserting “Lido Avenue, against westbound drivers at Sixth Street.”

Councillor Bodanza would like to recognize Patrolman John Monahan who, as a result of investigation, seized 699 packets of synthetic marijuana from a local convenience store. He asked the Clerk to get an opinion from Kopelman & Paige regarding what we can do as a legislative body in the City to enact an ordinance that might suspend or revoke the license(s) of a convenience store that is caught selling synthetic marijuana.

Councillor Dombrowski said regarding Petition 16-15 he would like the recommendations to focus on why a six year contract as to oppose to a lesser amount.

MEETING ADJOURNED AT 9:02 P.M.

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