

6:30 Informational Meeting with Pat LaPointe &  
Roger Brooks- RE: Petitions 84-08 and 85-08

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**MAY 12, 2008**

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

75-08 Robert A. Salvatelli, John Dombrowski, Virginia A. Tocci, David Rowlands, Dennis A. Rosa, Richard M. Marchand, Wayne A. Nickel, James Lanciani, Jr. and Claire Freda: Amend the Leominster Zoning Ordinance Chapter 22, Section 16.10 through 16.10.2 (Generally Permitted Uses in an Industrial or Commercial District) to change the Special Permitting granting authority from the City Council to the Planning Board. (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

**APPROVAL OF RECORDS**

**COMMUNICATIONS**

C-136 EMERGENCY PREAMBLE  
Relative to the appropriation of \$20,000.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

**COMMUNICATIONS, continued**

- C-137 Relative to the appropriation of \$2,000.00 to the Conservation Commission Expense Account; same to be transferred from the Conservation Commission Salary and Wages Account. (Finance)
- C-138 Relative to the appropriation of \$28,000.00 to the Emergency Management Agency Capital Outlay Expenses; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-139 Relative to the appropriation of \$2,715.00 to the Health Department Salary and Wages Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-140 Relative to the appropriation of \$15,000.00 to the I.T.T.F. Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-141 Relative to the appropriation of \$19,260,000.00 for the purpose of financing the construction of the new water treatment plant at the Distributing Reservoir and system upgrades including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$19,260,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C of the General Laws; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C of the General Laws; and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection to expend all funds available for the project and to take any other action necessary to carry out the project. (Finance)
- C-142 Dean Mazarella: Request that a School Department E-Rate Donation Account be established as authorized by Massachusetts General Laws, Chapter 44, Section 53A. (Legal Affairs)

### **COMMUNICATIONS, continued**

- C-143            Dean J. Mazzearella: Request Karri LeGault be exempt from the provisions in M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed by the City of Leominster as a teacher for the Leominster School Department and will be taking a position as Summer Pool Manager at the Leominster State Pool. (Ways & Means)

### **PETITIONS**

- 89-08            Eric Sullender, Secured Financial Limited Partnership I: Accept the layout of “Gamache Lane” as a public way. (Public Service)
- 90-08            Andy Candiello, Agent for MetroPCS Massachusetts LLC: Grant a Special Permit to install six antennas with related wires and ground equipment on the existing tower at 369 Nashua Street located in a Flood Plain and shown on Assessor’s Map 372 as Lot 1. (Legal Affairs)
- 91-08            James Lanciani, Jr.: Place a sign on the corner of Francis Street to read “No Tractor Trailers Allowed Use Tucker Drive”. (Legal Affairs)
- 92-08            James Lanciani, Jr.: Move the “No Parking” sign on Castle Street 20 feet from its current location. (Legal Affairs)
- 93-08            Richard Marchand: Install a street light on pole #4 on Hawley Avenue. (Public Safety)
- 94-08            William Plant: Renew the license for eight pool tables at JC Fenwick’s, 37 Mechanic Street. (Ways & Means)

### **APPOINTMENTS**

Fire Department - Permanent Firefighter - Eric M. Falk

License Commission - Henry Lanza – term to expire April 15, 2013

### **MATTERS BEFORE THE CITY COUNCIL**

#### **CITY OF LEOMINSTER-FINANCIAL REPORT**

**MATTERS BEFORE THE CITY COUNCIL, continued****FINANCE**

- C-122 Relative to the appropriation of \$11,000.00 to the Fire Department Expense Account; same to be transferred from the Excess & Deficiency Account.
- C-123 Relative to the appropriation of \$190,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess & Deficiency Account.
- C-124 Relative to the appropriation of \$3,000.00 to the Street Cleaning Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-125 Relative to the appropriation of \$15,000.00 to the Highway Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-126 Relative to the appropriation of \$10,000.00 to the Sidewalk & Curbing Expense Account; same to be transferred from the Excess & Deficiency Account.
- C-127 Relative to the appropriation of \$45,700.00 to the Library Expense Account; same to be transferred from the Library Salary & Wages Account.
- C-128 Relative to the appropriation of \$50,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-129 Relative to the appropriation of \$50,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-130 Relative to the appropriation of \$10,000.00 to the Snow & Ice Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-131 Relative to the appropriation of \$5,000.00 to the Snow & Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-132 Relative to the appropriation of \$100,000.00 to the Open Space Land Purchase Expense Account; same to be transferred from the Sale of Real Estate Fund.
- C-133 Relative to the appropriation of \$10,000.00 to the Open Space Land Purchase Expense Account; same to be transferred from the Water Department Resource Assessment Expense Account.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**FINANCE, continued**

- C-134 Relative to the appropriation of \$32,000.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.

**FINANCE & LEGAL AFFAIRS**

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

**LEGAL AFFAIRS**

- C-135 Mayor Dean Mazzarella: Establish a “Veteran’s Monuments Donation Account” as authorized by MGL Chapter 44, Section 53A.
- 67-08 Daniel J. McCarty, an individual owning land being affected by change: Amend the Leominster Zoning Ordinance Article II Use Regulations, Section 22-26 Table of Uses-Business Uses to allow Beautician and Barber Shops in the Residential C zone by Special Permit from the Planning Board. (A continued hearing is set for May 27, 2008 at 7:00 P.M.)
- 75-08 Robert A. Salvatelli, John Dombrowski, Virginia A. Tocci, David Rowlands, Dennis A. Rosa, Richard M. Marchand, Wayne A. Nickel, James Lanciani, Jr. and Claire Freda: Amend the Leominster Zoning Ordinance Chapter 22, Section 16.10 through 16.10.2 (Generally Permitted Uses in an Industrial or Commercial District) to change the Special Permitting granting authority from the City Council to the Planning Board.
- 83-08 Kate Griffin-Brooks on behalf of the Leominster Planning Board: Accept the proposed 43D Expedited Permitting Ordinance for adoption into the Leominster Zoning Ordinance as these revisions are required to implement Chapter 43D Expediting Permitting in the City of Leominster. (A hearing is set for May 27, 2008 at 7:15 P.M.)
- 84-08 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled “Sewer User Rate Schedule” to increase the in city rate from \$1.70 per unit to \$1.95 per unit and the out of city rate from \$4.00 per unit to \$4.25 per unit effective July 1, 2008.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**LEGAL AFFAIRS, continued**

- 85-08 Roger Brooks: Amend Chapter 21, Section 21-11.1 entitled "Water User Rate Schedule" to increase the in city rate from \$2.15 per unit to \$2.35 per unit and the out of city rate from \$2.88 per unit to \$3.15 per unit effective July 1, 2008.

**WAYS & MEANS**

- 74-08 Kym LeBlanc: Renew the license for one pool table at The Tankard, 13 Central Street.
- 86-08 Gary Smith: Grant a Hawkers & Peddlers license to sell balloons and novelties at the annual Starburst Fireworks Celebration on June 14, 2008.
- 87-08 Allan Bernstein: Grant a Hawkers & Peddlers license to sell balloons and novelties at the annual Starburst Fireworks Celebration on June 14, 2008.
- 88-08 Kevin Skelly: Grant a Hawkers & Peddlers license to sell balloons and novelties at the annual Starburst Fireworks Celebration on June 14, 2008.

**APPOINTMENTS**

Board of Appeals – term to expire April 15, 2011

Stephen A. DeCarolis, Joseph Tocci, MaryAnn Cormier

Board of Appeals – term to expire April 15, 2010

Lee Baron (to fill the unexpired term of David Bedard)

Board of Appeals – term to expire April 15, 2009

Paul Romano

Board of Assessors – term to expire April 15, 2011

Christopher Paquette

Cable TV Advisory Board Commission – term to expire April 15, 2009

Gregory Hakala, Kevin Fitzgerald, Carl A. Piermarini, Benjamin Levy

Cable TV Advisory Board Commission – term to expire April 15, 2010

William C. Voedish, Jr.

Cemetery Commission – term to expire April 15, 2010

Gary Ranno

**APPOINTMENTS, continued**

Conservation Commission – term to expire April 15, 2011

Kelley M. Freda, Gregory Day

Council on Aging – term to expire April 15, 2010

Eleanora Bissonnette

Council on Aging – term to expire April 15, 2011

Robin Upton, Diane Perkins, Rosemary Bracani

Cultural Commission – term to expire April 15, 2011

Rosalyn M. Navaroli, Andrea Seward

Doyle Field Commission – term to expire April 15, 2011

Ernest L. Rooney

Board of Health – term to expire April 15, 2010

Patrick Perla

Historical Commission – term to expire April 15, 2011

Robert A. Saudelli, David Chester, Leon Christoforo, Ann Fratturelli

Recreation Commission – term to expire April 15, 2010

Maureen Donatelli, Jeffrey O'Neill

Recreation Commission – term to expire April 15, 2011

Lionel A. Charpentier, Jodie L. Dube, Patricia Caisse

Recreation Director – term to expire April 15, 2010

Judith Sumner

Treasurer/Collector – term to expire April 15, 2011

David Laplante

Housing Authority – term to expire April 15, 2012

Reverend John E. Doran, Marcel Leger

Housing Authority – term to expire April 15, 2013

Karen L. Buckley

Library Board of Trustees – term to expire April 15, 2010

Gilbert Tremblay, Carol Ann Millette

**APPOINTMENTS, continued**

Library Board of Trustees – term to expire April 15, 2011

Nancy Hicks, Jeanne Zephir

License Commission – term to expire April 15, 2012

James J. Kelly, Jr.

Trustees of Soldiers Memorial – term to expire April 15, 2010

Philip Cote, Kenneth Gurge

Trust Fund Commission – term to expire April 15, 2010

Richard Bergman

Youth Commission – term to expire April 15, 2010

Jean Melanson

Director of Veterans Services – term to expire April 15, 2011

Richard Voutour

Office of Emergency Management - term to expire April 15, 2009

Assistant Director: James LeBlanc

Assistant Director: Richard Gauvin

Deputy Director: Alfred Staal

Deputy Director: Thomas Piper

Deputy Director: Daniel Thibodeau

Auxiliary Police Officers – term to expire April 15, 2009

Ryan N. Caneen, John Caron, Thomas Piper, Nikito Baker, Scott A. Boutell, Reginald A. Cortana, Donn A. Deane, Justin E. Doyle, Michael J. Fazio, Vincente L. Figueroa, Karen Nesbitt, Justin P. Nichols, Sean Calcari

**ONE YEAR APPOINTMENTS – TERM TO EXPIRE APRIL 15, 2009**

Keeper of Lockup and Police Chief

Chief Peter Roddy

Forest Warden

Paul Kennedy

Insect and Pest Control

Ralph Persons

Supt. Gypsy & Brown Tail Moths

Ralph Persons

**APPOINTMENTS, continued**Veterans Burial Agent

Richard Voutour

Weigher of Beef

Michael Ciccolini

Sealer of Weights & Measures

Joseph Quinn

**OLD BUSINESS**

President's Drinking Water Oversight Committee

**NEW BUSINESS****TABLED COMMUNICATION UPON WHICH ACTION IS PROPOSED****FINANCE**

C-82            Relative to the appropriation of \$54,000.00 to the Recreation Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

Lynn A. Bouchard  
City Clerk  
May 8, 2008