

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**NOVEMBER 24, 2008**

**HEARING BEFORE THE CITY COUNCIL, 6:55 P.M.**

20-09 National Grid and Verizon New England, Inc: Lanides Lane: Install two jointly owned poles on Lanides Lane beginning at a point approximately 962 feet north of the centerline of the intersection of Hamilton Street and continuing approximately 150 feet in a northerly direction. (Public Service)

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

Relative to amending Chapter 21, Article II of the Revised Ordinances entitled "Water Department" by adding Section 21-13.2 "Water Line and Sewer Main Line Protection Plans" which establishes standards and minimum requirements for persons or businesses that seek to offer water line and/or sewer main line protection plans to homeowners. (Legal Affairs Communication C-153)

**HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.**

C-20 Relative to determining the factor to be used in setting the Fiscal Year 2009 tax rate.

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

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

**ROLL CALL**

**APPROVAL OF RECORDS**

## COMMUNICATIONS

- C-38           Relative to the appropriation of \$36,480.00 to the Doyle Field Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-39           Relative to the appropriation of \$10,000.00 to the Sidewalk and Curbing Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-40           Relative to the appropriation of \$2,000.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account. (Finance)
- C-41           Relative to the appropriation of \$3,000.00 to the Sanitation Drainage Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-42           Mayor Dean J. Mazzarella: Request that a Tourism Donation Account be established as authorized by Massachusetts General Law, Chapter 44, Section 53A. (Finance)
- C-43           Mayor Dean J. Mazzarella: Request that the Snow and Ice Expense Account be authorized to incur liability and make expenditures in excess of appropriations up to an amount not to exceed \$250,000.00 as authorized by Chapter 44, Section 31 of the Massachusetts General Laws. (Finance)

## PETITIONS

- 29-08           Wayne Nickel: Amend the City Council rule #11 by deleting Robert's Rules of Parliamentary Procedure and replacing with Mason's Manual of Legislative Procedure. (Ways & Means)
- 30-08           Wayne Nickel: Amend the City Council Rules and Procedures to enable the City Council President to appoint additional members to a committee as a consulting member. Consulting members shall not be a voting member of the committee. (Ways & Means)
- 31-08           Claire M. Freda: Amend the Council Rules of Procedure to create a committee of the whole where a subcommittee meeting would be in compliance with the Open Meeting Law when more than the Subcommittee is in attendance creating a joint meeting. The Clerk would post all subcommittee meetings as joint meetings of the City Council and subcommittees to comply with the Open Meeting Law. (Ways & Means)

## APPOINTMENT

Disability Commission – Kathryn Neel - term to expire April 15, 2009

### MATTERS BEFORE THE CITY COUNCIL

#### CITY OF LEOMINSTER-FINANCIAL REPORT

#### FINANCE

- C-35           Relative to the appropriation of \$9,500.00 to the Municipal Building Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-36           Relative to the appropriation of \$1,850,000.00 to the Contributory Retirement Expense Account; same to be transferred from the follow Miscellaneous General Fund Expense Accounts:
- |                                            |                |
|--------------------------------------------|----------------|
| OPEB Contributions Expenses – Current Year | \$1,000,000.00 |
| OPEB Contributions Expenses – Prior Year   | \$ 505,000.00  |
| Group Insurance Expenses – Prior Year      | \$ 345,000.00  |
- C-37           Relative to the appropriation of \$23,795.00 to the Mayor’s Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.

#### PUBLIC SERVICE

- 20-09           National Grid and Verizon New England, Inc: Lanides Lane: Install two jointly owned poles on Lanides Lane beginning at a point approximately 962 feet north of the centerline of the intersection of Hamilton Street and continuing approximately 150 feet in a northerly direction.

#### LEGAL AFFAIRS

- 103-08           Gail M. Allen, Chairman of the Board of Trustees and Patrick L. Muldoon, President and Chief Executive Officer, Health Alliance: Modify the Health Care Overlay District, Article XIII as shown on a plan entitled “Modification to the Health Care Overlay District, Article XIII” (The hearing is continued to December 8, 2008 at 6:50 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 \$2.30 per unit and the out of city rate from \$4.00 per unit to \$5.40 per unit effective October 1, 2008.

## **MATTERS BEFORE THE CITY COUNCIL**

### **LEGAL AFFAIRS, continued**

- 17-09 Elizabeth Kelley, agent for Walton Whitney Investors V, LLC: Grant a Special Permit for emergency repairs to an eroded section of the Nashua River dike as shown on Assessor's Map 567 as lots 12, 2C, 5, 13, and 19, located within the flood plain.
- 21-09 Sergeant Richard J. Kinney: Place "No Parking" signs on both sides of Mohawk Drive west of Lock Drive.

### **PUBLIC SAFETY**

- 22-09 David E. Rowlands: Install street lights from the top of Joslin Street to the intersection of Day Street.

### **APPOINTMENT**

Historical Commission – Rocco Palmieri – term to expire April 15, 2011  
(to fill the unexpired term of Ann Fraturelli)

### **OLD BUSINESS**

President's Drinking Water Oversight Committee

2<sup>nd</sup> Reading Ordinance - Amend Chapter 21, Article II of the Revised Ordinances entitled "Water Department" by adding Section 21-13.2 "Water Line and Sewer Main Line Protection Plans" which establishes standards and minimum requirements for persons or businesses that seek to offer water line and/or sewer main line protection plans to homeowners. (Legal Affairs Communication C-153)

**OLD BUSINESS, continued**

2<sup>nd</sup> Reading Ordinance - Amend Chapter 22--Sections 22-24 of the Revised Ordinances entitled "Zoning" by removing "Mixed Use Development Projects" and inserting in its place a new Section 22-24 creating "Industrial Mixed Use Overlay Districts" (Small and Large) and modify the Table of Uses Section 22-26 to reflect said changes. (Legal Affairs Petition 95-08. A hearing is scheduled on December 8, 2008 at 7:15 P.M.)

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

C-20            Relative to determining the factor to be used in setting the Fiscal Year 2009 tax rate.

Lynn A. Bouchard  
City Clerk  
November 20, 2008