

CITY OF LEOMINSTER

CITY COUNCIL

APRIL 25, 2016

JOHN P. MAHAN CITY COUNCIL CHAMBERS

2016 APR 21 PM 3: 03

CITY CLERK'S OFFICE
LEOMINSTER, MA

HEARING BEFORE THE CITY COUNCIL, 6:45 P.M.

- 36-16 Mackie Barch for Do Health Massachusetts: Grant a Special Permit to open a medical marijuana cultivation and dispensary facility at 30 Patriots Circle, as shown on Assessors Map 499, Lot 50. (Legal Affairs)

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

- 35-16 Kathleen Sousa for Cumberland Farms, Inc.: Grant a license to store two 20,000 gallon dual-compartment underground storage tanks, with a total of 32,000 gallons of gasoline and 8,000 gallons of diesel fuel at 454-466 Mechanic Street. (Legal Affairs)

PUBLIC FORUM, 7:15 P.M.

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

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-79 Dean J. Mazzearella, Mayor: Exempt Shelley Wells, a Special Education Teacher for the Leominster School Department, from the Conflict of Interest Law as provided for in M.G.L. Chapter 268 A, Section 20B as she will be taking a position with the Recreation Department. (Ways & Means)
- C-80 Dean J. Mazzearella, Mayor: Exempt Heather Parzuchowski, a Special Education Teacher for the Leominster School Department, from the Conflict of Interest Law as provided for in M.G.L. Chapter 268A, Section 20B as she will be taking a position with the Recreation Department. (Ways & Means)

COMMUNICATIONS, continued

- C-81 Relative to the appropriation of \$9,534.00 to the Election & Registration Salary & Wages Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-82 Relative to the appropriation of \$8,600.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-83 Relative to the appropriation of \$25,000.00 to the Mayor's Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-84 Relative to the appropriation of \$10,500.00 to the Planning Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-85 Relative to the appropriation of \$8,205.00 to the Treasurer's Salary & Wages Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-86 Relative to the appropriation of \$15,100.00 to the Assessor's Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-87 Relative to the appropriation of \$2,800.00 to the City Clerk Salary & Wages Account; same to be transferred from the Election & Registration Expense Account. (Finance)

PETITIONS

- 48-16 ecoATM, Inc.: Renew the Second Hand Dealer License for the location at 100 Commercial Road. (Ways & Means)
- 49-16 Best Buy Stores, LP #1433: Renew the Second Hand Dealer License for the location at 33 Orchard Hill Park Drive. (Ways & Means)
- 50-16 James Whitney: Rezone parcels 503-3-1, 503-3-2, 503-3-3, 503-3-4, 503-3-5 at the entry-way of Southgate Business Park to mixed use (MUI) from Industrial. (Legal Affairs)
- 51-16 Brian J. Flathers: Install speed humps at several points on Union Street from Pleasant Street to the intersection of Union Street and Grant Street. (Public Safety & Traffic)

APPOINTMENTS

Disability Commission – Gail Feckley – term to expire 4/15/17

Susan Murray – term to expire 4/15/17

RE-APPOINTMENTS

Office of Emergency Management –
Assistant Directors -Jim LeBlanc and Richard Gauvin
Deputy Directors – Tom Piper, Dan Thibodeau, Carl Sanabria, Al Staal

MATTERS BEFORE THE CITY COUNCIL

WAYS AND MEANS

- 34-16 Andrew Rome: Renew the License for one pool table at the Columbia Tavern located at 16 Central Street Rear.
- 37-16 Scott and Joanne Atwood: Renew the Second Hand Dealer License for the Repair Place at Sears located at The Mall at Whitney Field.
- 38-16 George Deglaoui: Renew the Second Hand Dealer License for Deghan Inc., d/b/a Hannoush Jewelers located at 100 Commercial Road.
- 39-16 Mark Gordon: Renew the Second Hand Dealer License for Gordon Lasalle Music, Inc. located at Twin City Plaza.
- 40-16 Matthew K. Zvacek: Renew the Second Hand Dealer License for Gold Buyers of America located at the Mall at Whitney Field, 100 Commercial Road, Unit 15.
- 41-16 Game Stop Store #1485: Renew the Second Hand Dealer License for the premises located at 100 Commercial Road.
- 42-16 Game Stop Store #3594: Renew the Second Hand Dealer License for the premises located at 26 Orchard Hill Drive.
- 43-16 Kevin Donahue: Renew the License for one pool table at Scoreboards Sports Bar and Grill located at 137 Lancaster Street.
- 44-16 Carol & David Shields: Renew the License for three pool tables at South Leominster Lounge d/b/a Forte's Lounge, located at 1030 Central Street.
- 45-16 Michael Fusco: Renew the License for two pool tables at Jake's Pub Inc., d/b/a Hot Shotz.
- 46-16 Albert Mason: Renew the License for seven pool tables and twenty four bowling alleys at Mason's Bowling Center, 640 R. North Main Street.
- 47-16 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers and plants for 2016.

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS

C-33 Dean J. Mazzearella, Mayor: Request that the City Council submit a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments of the Constitution, as amended by Article LXXXIX, that State Senator Jennifer L. Flanagan and State Representative Dennis A. Rosa file special legislation with the General Court, on behalf of the City, seeking to exempt the positions of Police Chief and Police Captain from the Civil Service Law, G. L. c 31, as follows:

AN ACT EXEMPTING THE POSITIONS OF POLICE CHIEF AND POLICE CAPTAIN IN THE CITY OF LEOMINSTER FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The positions of police chief and police captain in the city of Leominster shall be exempt from Chapter 31 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

27-16 Richard Marchand: Amend Chapter 10, Section 10-7 of the Leominster City Charter entitled "Solicitation Hours," by deleting it in its entirety and inserting the following:

A properly licensed solicitor or peddler qualified through the Leominster Police Department, may solicit between the hours:

A. Monday through Friday: 10:00 A.M. through 6:00 P.M.

B. Saturday, Sunday and holidays from 12:00 P.M. through 5:00 P.M.

35-16 Kathleen Sousa for Cumberland Farms, Inc.: Grant a license to store two 20,000 gallon dual-compartment underground storage tanks, with a total of 32,000 gallons of gasoline and 8,000 gallons of diesel fuel at 454-466 Mechanic Street.

36-16 Mackie Barch for Do Health Massachusetts: Grant a Special Permit to open a medical marijuana cultivation and dispensary facility at 30 Patriots Circle, as shown on Assessors Map 499, Lot 50.

CITY OF LEOMINSTER – FINANCIAL REPORT

FINANCE

C-61 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Cemetery Salary & Wages Account.

C-62 Relative to the appropriation \$10,000.00 to the Highway Overtime Account; same to be transferred from the Snow and Ice Overtime Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-63 Relative to the appropriation of \$1,300.00 to the Police Department Overtime Account; same to be transferred from the Disability Fines Receipts Reserved for Appropriations Account.
- C-64 Relative to the appropriation of \$8,300.00 to the Police Expense Account; same to be transferred from the Police Salary & Wages Account.
- C-65 Relative to the appropriation of \$50,000.00 to the Snow & Ice Expense Account; same to be transferred from the Snow & Ice Overtime Account.
- C-66 Relative to the appropriation of \$250,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-67 Relative to the appropriation of \$15,000.00 to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-68 Relative to the appropriation of \$50,000.00 to the Highway Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-69 Relative to the appropriation of \$15,000.00 to the Municipal Buildings Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-70 Relative to the appropriation of \$8,500.00 to the Parks Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-71 Relative to the appropriation of \$2,000.00 to the Parks Department Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-72 Relative to the appropriation of \$103,118.00 to the School Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-73 Relative to the appropriation of \$821,814.00 to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-74 Relative to the appropriation of \$100,000.00 to the Sewer Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-75 Relative to the appropriation of \$1,230,534.00 to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-76 Relative to the appropriation of \$1,935,026.00 to the Stabilization Fund; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-77 Relative to the appropriation of \$631,037.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account
- C-78 Relative to the appropriation of \$100,000.00 to the Water Department Expense Account; same to be transferred from the Excess and Deficiency Account.

RE-APPOINTMENTS

Emergency Management-Auxiliary Officers – John J. Caron
Paul Topolski, Elympse Octavius, Alex Scipione, Tim
Flaxington, Charlie Williams, Daniel Johnson

Board of Appeals – Alternate Member - Robert Fitzpatrick - term to expire 4/15/17

Council on Aging - John Diggins - term to expire 4/15/2019

Cultural Commission - Bonnie Hathaway - term to expire 4/15/19

Library Board of Trustees- Gilbert Tremblay and Carol Ann Millette - terms to expire 4/15/19

Recreation Commission - Maureen Donatelli and Jeffrey O'Neill - terms to expire 4/15/19

Registrars of Voters - Ann B. Mahan - term to expire 4/15/19

Trust Fund Committee - Richard Bergman - term to expire 4/15/19

Veterans Burial Agent - Richard Voutour - term to expire 4/15/19

Veterans Care of Graves - Bruce Lambert - term to expire 4/15/19

OLD BUSINESS

Communication from the Mayor regarding medical marijuana facility
letter of non-opposition (Ways & Means)

NEW BUSINESS

RESOLUTION – Authorizing the Mayor to release the easements at 140 Adams Street
(Ways & Means)

COMMUNITY CALENDAR

Lynn A. Bouchard
City Clerk
April 21, 2016