

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**APRIL 27, 2009**

**CITY COUNCIL CHAMBERS**

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

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

**ROLL CALL**

**APPROVAL OF RECORDS**

**COMMUNICATIONS**

- C-95           Relative to the appropriation of \$100,000.00 to the Fire Department Overtime Account same to be transferred from the Excess and Deficiency Account. (Finance)

**PETITIONS**

- 63-09           Massachusetts Electric: Tanzio Road: Relocate 1 singly owned pole on Tanzio Road beginning at a point approximately 1243 feet southwest of the centerline of the intersection of Lancaster Street and continuing approximately 75 feet in a northeasterly direction. (Public Service)
- 64-09           Kelly Freda: Create a City Ordinance requiring all pet owners and keepers to dispose of their pet's solid waste. (Legal Affairs)
- 65-09           Edward Cataldo: Amend Chapter 4, Sections 4-2.1 through 4-2.9 of the Revised Ordinances entitled "Buildings" to change the fees charged by the Building Department. (Legal Affairs)

**MATTERS BEFORE THE CITY COUNCIL****CITY OF LEOMINSTER-FINANCIAL REPORT****FINANCE**

- C-88 Relative to the appropriation of \$11,000.00 to the Sanitation and Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-89 Relative to the appropriation of \$10,000.00 to the Sidewalk, Curbing and Road Repair Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-90 Relative to the appropriation of \$3,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account.
- C-91 Relative to the appropriation of \$7,750.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-94 Relative to the appropriation of \$400,000.00 to the Storm Expense Account; same to be transferred from the Stabilization Fund. (Granted with an Emergency Preamble on April 22, 2009; another vote is required.)

**LEGAL AFFAIRS**

- 41-09 Tim Dolan, Sudbury P B & J LLC/Prime Dev. LLC: Grant a Special Permit to construct a three unit apartment dwelling creating five units in total on the properties located at 37 River Street, Lot 3 River Street and 42 Hamilton Street as shown on Assessor's Map 232 as Lots 2, 3B, and 16. (Hearing continued to May 11, 2009 at 6:45 P.M.)
- 53-09 Barbara Drury and ten registered voters: Request that the Leominster Zoning Ordinance be changed to allow dog kennels in an industrial zone with a Special Permit from the Planning Board. (Hearing continued to May 11, 2009 at 7:00 P.M.)

**WAYS & MEANS**

- C-92 Dean J. Mazzarella, Mayor: Authorize the Mayor to pursue the United States Department of Justice – Justice Assistance Grant Program (JAG) in the amount of \$102,647.00

**MATTERS BEFORE THE CITY COUNCIL, continued****WAYS & MEANS, continued**

- C-93 Dean J. Mazzarella, Mayor: Amend Section 16-31 (d) of the Revised Ordinances entitled Method of Step Advances by requiring approval of the Mayor to advance to the next scheduled step rate for employees in the "S" Classification Plan.
- 59-09 Game Stop Store d/b/a Movie Stop Store #7045: Renew the Second Hand Dealer's License for the premises at 82 Orchard Hill Drive.
- 60-09 Game Stop Store #1485: Renew the Second Hand Dealer's License for the premises at 26 Orchard Hill Drive.
- 61-09 Game Stop Store #3594: Renew the Second Hand Dealer's License for the premises at 100 Commercial Road.
- 62-09 Mark & Robyn Ellis, Ellis Marine Supply Partnership: Renew the Second Hand Dealer's License to sell used power boats for the premises at 646 Central Street.

**RE-APPOINTMENTS**

Office of Emergency Management – Term to expire April 15, 2010  
 Assistant Director – James LeBlanc, Richard Gauvin  
 Deputy Director – Alfred Staal, Thomas Piper, Daniel Thibodeau

Auxiliary Police Officers – Term to expire April 15, 2010  
 Nikito Baker, Ryan N. Caneen, John Caron, Donn A. Deane,  
 Shaun Calcari, Karen Nesbitt, Justin P. Nichols, Vincente  
 Figueroa, Eric Almeida, Eric Schmidt, Sr., Reginald Cortana,  
 Thomas Piper, Roland Rivard.

**OLD BUSINESS**

President's Drinking Water Oversight Committee

1st Reading Ordinance – Relative to amending Chapter 22 of the Revised Ordinances entitled "Zoning," Article XIII Health Care Overlay District as shown on a plan entitled "Modification to the Health Care Overlay District, Article XIII" dated June 19, 2008 and revised on March 30, 2009. (Legal Affairs Petition 103-08)

**OLD BUSINESS, continued**

RESOLUTION- Designation of the Leominster Business Park Economic Opportunity Area

**NEW BUSINESS**

1<sup>st</sup> Reading Ordinance – To amend Chapter 14 of the Revised Ordinances entitled “Offenses-Miscellaneous” by creating a new Section 14-19 prohibiting the feeding or baiting of waterfowl.

Lynn A. Bouchard  
City Clerk  
April 23, 2009