

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**JUNE 22, 2009**

**CITY COUNCIL CHAMBERS**

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

- C-110           Relative to the appropriation of \$96,200,000.00 to the General Fund Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Revenue. (Finance)
- C-111           Relative to the appropriation of \$4,175,000.00 to the Water Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)
- C-112           Relative to the appropriation of \$3,300,000.00 to the Sewer Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Sewer Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)

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

Relative to amending Chapter 4, Section 4-2 and 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 – Petition 65-09)

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

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

**ROLL CALL**

**APPROVAL OF RECORDS**

## COMMUNICATIONS

- C-123           Relative to the appropriation of \$985,000.00 to the Street Resurfacing Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account. (Finance)
- C-124           Relative to the appropriation of \$600,000.00 to the Storm Expense Account; same to be transferred from the Stabilization Account. (Finance)
- C-125           Dean J. Mazarella, Mayor: Request the sum of \$28,000,000 be and hereby is appropriated to pay costs of engineering, planning, designing, constructing and equipping wastewater treatment and related facilities in and for the City, including the payment of all costs incidental and related thereto; that to raise this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, as amended, or pursuant to any other enabling authority, and to issue and sell bonds or notes of the City therefor; provided, however, that not more than \$20,000,000 shall be borrowed pursuant to this Order unless and until the City shall have received either (i) a commitment from the Massachusetts Water Pollution Abatement Trust for a loan for this project in the amount of at least \$28,000,000 at an effective rate of zero percent, or (ii) a commitment of federal stimulus funds or any other grants, gifts or financial assistance for this project in the amount of at least \$8,000,000. (Finance)

## PETITIONS

- 73-09           David E. Rowlands: Waive the sewer connection fee for those homes that are in an exiting residential neighborhood which is at least two years old, without sewer and have contributed \$30,000.00 or more in the sewer infrastructure in the public way. (Legal Affairs)

## APPOINTMENTS

Election Officers – 2009-2010

Registrar of Voters – David L. Higgins – term to expire April 15, 2012

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

- C-106 Relative to the appropriation of \$71,740.00 to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-107 Relative to the appropriation of \$33,555.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-108 Relative to the appropriation of \$35,000.00 to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-109 Relative to the appropriation of \$10,000.00 to the Library Expense Account; same to be transferred from the Library Salary and Wages Account.
- C-110 Relative to the appropriation of \$96,200,000.00 to the General Fund Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Revenue.
- C-111 Relative to the appropriation of \$4,175,000.00 to the Water Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-112 Relative to the appropriation of \$3,300,000.00 to the Sewer Department Fiscal Year 2010 Budget; same to be raised by Fiscal Year 2010 Sewer Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-113 Relative to the appropriation of \$7,281.00 to the Collector Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-114 Relative to the appropriation of \$61,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-115 Relative to the appropriation of \$49,226.00 to the Municipal Buildings Salary & Wages Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-116 Relative to the appropriation of \$307,775.00 to the School Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**FINANCE, continued**

- C-117 Relative to the appropriation of \$48,500.00 to the Sewer Expense Account; same to be transferred from the Sewer Capital Outlay Expense Account.
- C-118 Relative to the appropriation of \$5,000.00 to the Water Overtime Account; same to be transferred from the Water Capital Outlay Expense Account.
- C-122 Relative to the appropriation of \$100,000.00 to the FY 2010 Worker's Compensation Expense Account; same to be transferred from the following listed pervious years Worker's Compensation Loss Funds:
- |       |              |
|-------|--------------|
| FY 05 | \$10,000.00  |
| FY 06 | \$ 8,000.00  |
| FY 07 | \$ 50,000.00 |
| FY 08 | \$ 32,000.00 |

**PUBLIC SERVICE**

- 36-09 David Rowlands: Accept Wildflower Road as a public way.
- 37-09 David Rowlands: Accept Farm Hill Road as a public way.

**LEGAL AFFAIRS**

- 70-09 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer user rate schedule" to increase the City unit rate from \$2.30 to \$2.60, the Lunenburg Inter-Municipal Agreement unit rate from \$2.90 to \$3.20 and the out of City unit rate from \$5.40 to \$6.00 effective October 1, 2009 and further increase the City unit rate from \$2.60 to \$3.05, the Lunenburg Inter-Municipal Agreement unit rate from \$3.20 to \$3.65 and the out of City unit rate from \$6.00 to \$6.60 effective October 1, 2010.
- 71-09 Barbara Drury and ten registered voters: Request that the Leominster Zoning Ordinance be changed to add an entry to the Table of Uses under Business Uses that allows a dog kennel with overnight boarding in a Rural Residential zone with a Special Permit from the Planning Board. (A hearing is scheduled for July 13, 2009 at 7:00 P.M.)
- 72-09 Roger Brooks: Amend Chapter 21, Section 21-22.3 entitled "Sewer user rate schedule" to change the rates for users who utilize sewer service only based on the Environmental Protection Title V flow guidelines.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**SMALL BUSINESS & ECONOMIC DEVELOPMENT**

- C-121 Dean J. Mazzearella, Mayor and Lisa Vallee, Economic Development Coordinator: Approve Orchard Hill Park as an Economic Opportunity Area under the Economic Development Incentive Program.

**WAYS & MEANS**

- C-119 Dean J. Mazzearella, Mayor: Authorize the Mayor to pursue additional funds in the amount of \$24,947.00 through the Department of Justice JAG Program.
- C-120 Dean J. Mazzearella, Mayor: Establish a Storm Expense Donation Account as authorized by M.G.L Chapter 44, Section 53A, to enable the City to accept grants and donations to cover costs related to the December 2008 ice storm.

**OLD BUSINESS**

President's Drinking Water Oversight Committee

2<sup>nd</sup> Reading Ordinance – Amend Chapter 4, Section 4-2 and 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-Petition 65-09)

RESOLUTION- Designation of the Orchard Hill Park Economic Opportunity Area

## NEW BUSINESS

1<sup>st</sup> Reading Ordinance – Amend Chapter 16-31 (d) of the Revised Ordinances entitled “Method of step advance” to eliminate advancement to the next scheduled step rate for Fiscal Year 2010 for those employees in the “S” classification plan. (Ways & Means-Communication C-103)

1<sup>st</sup> Reading Loan Order - that the sum of \$28,000,000 be and hereby is appropriated to pay costs of engineering, planning, designing, constructing and equipping wastewater treatment and related facilities in and for the City, including the payment of all costs incidental and related thereto; that to raise this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, as amended, or pursuant to any other enabling authority, and to issue and sell bonds or notes of the City therefor; provided, however, that not more than \$20,000,000 shall be borrowed pursuant to this Order unless and until the City shall have received either (i) a commitment from the Massachusetts Water Pollution Abatement Trust for a loan for this project in the amount of at least \$28,000,000 at an effective rate of zero percent, or (ii) a commitment of federal stimulus funds or any other grants, gifts or financial assistance for this project in the amount of at least \$8,000,000.

Lynn A. Bouchard  
City Clerk  
June 18, 2009