

**CITY OF LEOMINSTER  
CITY COUNCIL  
MARCH 12, 2012  
CITY COUNCIL CHAMBERS**

**HEARING BEFORE THE CITY COUNCIL, 6:30 P.M.**

(Continued from January 23, 2012)

- 21-12 Greg Chapdelaine, Purchasing Agent: Rescind the Leominster Ordinance Chapter 2B, Sections 2B-1, 2B-2, 2B-3 and 2B-4, “Preference for city residents on public projects”. (Legal Affairs)

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

(Continued from February 27, 2012)

- 31-12 Manoel Loka Leite: Grant a Special Permit to construct a single family dwelling on Elm Street as shown on Assessor’s Map 535 as Lot 1B, located within the water supply protection district. (Legal Affairs)

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

(Continued from February 13, 2012)

- 28-12 Paul A. DiGeronimo, Johnny Appleseed Realty, LLC: Amend Chapter 22 of the Revised Ordinances entitled “Zoning” by changing a portion of the property on Sawtelle Road, Montrose Street and Woodbury Road identified as Assessor’s Map 523, Lot 14 from Commercial District to Residence B District. (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-54 Relative to the appropriation of \$175,848.00 to the Public Works Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-55 Relative to the appropriation of \$2,500.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account. (Finance)
- C-56 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-57 Relative to the appropriation of \$2,000.00 to the Health Department Expense Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-58 Relative to the appropriation of \$4,500.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-59 Relative to the appropriation of \$6,000.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-60 Relative to the appropriation of \$61,000 to the Municipal Building Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-61 Dean J. Mazarella, Mayor: Authorize the Mayor to acquire, by purchase, gift, and/or eminent domain, for general municipal purposes and on such terms and conditions as the Mayor deems appropriate, the parcel of land with improvements thereon located at 21 Franklin Street and described in a deed recorded with the Worcester North District Registry of Deeds in Book 7470, Page 287. (City Property)

## PETITIONS

- 39-12 National Grid and Verizon New England, Inc.: Merritt Street – Install 1 jointly owned pole on Merritt Street beginning at a point approximately 20 feet south of the centerline of the intersection of Monroe Street. (Public Service)
- 40-12 John W. Harmon, Human Resource Director: Create the title of Head Administrative Clerk with a salary of S-5 and add it to the City Ordinance “Classification of positions,” Section 16-34. (Legal Affairs)

### **PETITIONS, continued**

- 41-12 Lucien M. DiStefano, Agent for Amerada Hess Corp.: Amend the underground storage license for the property located at 482 Main Street to increase the capacity of the underground storage tanks from 30,000 gallons to 40,000 gallons. (Legal Affairs)
- 42-12 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers and plants in April and May 2012. (Ways & Means)

### **APPOINTMENT**

Board of Registrars – David L. Higgins, Jr. – term to expire April 15, 2015

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

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

#### **FINANCE**

- C-52 Relative to the appropriation of \$14,475.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-53 Relative to the appropriation of \$426,745.00 to the School Department Expense Account; same to be transferred from the Excess and Deficiency Account.

#### **LEGAL AFFAIRS**

- 28-12 Paul A. DiGeronimo, Johnny Appleseed Realty, LLC: Amend Chapter 22 of the Revised Ordinances entitled “Zoning” by changing a portion of the property on Sawtelle Road, Montrose Street and Woodbury Road identified as Assessor’s Map 523, Lot 14 from Commercial District to Residence B District.
- 31-12 Manoel Loka Leite: Grant a Special Permit to construct a single family dwelling on Elm Street as shown on Assessor’s Map 535 as Lot 1B, located within the water supply protection district.
- 32-12 Leominster City Council: Amend Chapter 22, Section 22-84 of the Leominster Zoning Ordinance entitled “Signs Permitted in Residence Districts” by adding a section for electronic message boards.
- 33-12 Roger Brooks: Amend Chapter 21, Section 21-11.1 of the Revised Ordinances entitled “Water User Rate Schedule” to increase the Base Charge and the Meter Water Charge rates effective April 1, 2012.

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

### **LEGAL AFFAIRS, continued**

- 34-12 Roger Brooks: Amend Chapter 21, Section 21-22.3 of the Revised Ordinances entitled "Sewer User Rate Schedule" to increase the Base Charge and the Meter Sewer Charge rates effective April 1, 2012 and April 1, 2013.
- 36-12 Patrick McCarty, Agent for Friendly Lion Realty, LLC: Grant a Special Permit to demolish the existing building and replace it with a new three story bank, office and professional building located at 24 Monument Square, as shown on Assessor's Map 16 as Lot 9A, located within the flood plain. (Hearing set for April 9, 2012 at 7:00 P.M.)
- 37-12 City of Leominster Labor Unions: Request the adoption of Chapter 32B, Section 19 in accordance with the Massachusetts General Laws.

### **CITY PROPERTY AND PUBLIC SAFETY**

- 35-12 Richard M. Marchand on behalf of the Johnny Appleseed Festival Committee: Close off West Street from Main Street to St. Mark's Church, and from Park Street to Main Street. Close off Church Street and School Street in their entirety and close off the City parking lot located in the vicinity of School Street and West Street intersection, the City Hall parking lot and the City parking lot between the First Baptist Church and the First Church Unitarian on Saturday September 29, 2012 between the hours of 5:30 A.M. and 6:30 P.M. to host the 19<sup>th</sup> Annual Johnny Appleseed Arts & Cultural Festival.

### **WAYS & MEANS**

- 38-12 Spindle City Pawnbrokers Inc., d/b/a Spindle City Precious Metals: Renew the Secondhand Dealer's License at 99 Erdman Way.

### **APPOINTMENTS**

Emergency Management – Logistics Unit – David Nelson

Prospective Police Officers – Christopher L. Asmar,  
Brandon E. Fleming, Ny Mao

Fire Department – Permanent Firefighters – Joshua Adam Burdett,  
Jonathan James Williams

## OLD BUSINESS

2<sup>nd</sup> Reading Ordinance – amending Section 13-88 of the Revised Ordinances entitled “Left turn prohibition” by deleting “Granite Street, eastbound to West Street westbound via cut off” and inserting “Granite Street, eastbound to West Street westbound.” (Legal Affairs Petition 19-12 – Hearing set for March 26, 2012 at 6:50 P.M.)

2<sup>nd</sup> Reading Ordinance – amending Section 13-34 of the Revised Ordinances entitled “No parking on certain streets” by changing the no parking restriction on Granite Street, south side from “between the hours of 8:00 A.M. and 5:00 P.M.” to “between the hours of 8:00 A.M. and 1:00 P.M. and 3:00 P.M. and 5:00 P.M.” (Legal Affairs Petition 20-12 - Hearing set for March 26, 2012 at 6:55 P.M)

## NEW BUSINESS

1<sup>st</sup> Reading Ordinance – Amend Chapter 22 of the Leominster Zoning Ordinance by inserting the definitions for Kennel, Pet Services and Veterinary Hospital/Office and further amending Section 22-26 Table of Uses by inserting under Business Uses the following:

Uses	RRA	RAA	RB	RC	BA	BB	C	I
Kennel	SPPB/SPA	N	N	N	N	N	N	SPPB/SPA
Pet Services	N	N	N	N	Y	Y	Y	Y
Veterinary	SPPB	N	N	N	SPPB	SPPB	SPPB	SPPB

1<sup>st</sup> Reading Ordinance – Amend Chapter 4 of the Revised Ordinances entitled “Building” by inserting a new subsection, Article I Section 4-2.12 relative to the adoption and purpose of the Stretch Energy Code.

## TABLED COMMUNICATION UPON WHICH ACTION IS PROPOSED

### LEGAL AFFAIRS COMMITTEE

21-12            Greg Chapdelaine, Purchasing Agent: Rescind the Leominster Ordinance Chapter 2B, Sections 2B-1, 2B-2, 2B-3 and 2B-4, “Preference for city residents on public projects.”

Lynn A. Bouchard  
City Clerk  
March 8, 2012