

6:25 P.M. Interview with Assessor

**6:30 P.M. Informational Meeting with Sandi Chacon
RE: Downtown Revitalization**

CITY OF LEOMINSTER

CITY COUNCIL

MAY 29, 2012

CITY COUNCIL CHAMBERS

HEARING BEFORE THE CITY COUNCIL, 6:50 P.M.

Loan Order - Relative to the appropriation of \$28,000,000 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, provided that no borrowing in excess of \$20,000,000.00 would be permitted unless (i) the City received federal stimulus grants of at least \$8,000,000.00, or (ii) the City received a loan commitment from the Massachusetts Water Pollution Abatement Trust for a zero interest loan of \$28,000,000.00 for this project, neither of which are now available to the City, is hereby amended in its entirety to read as follows:

ORDERED, 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.
(Finance)

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

57-12 James S. Whitney for J. Whitney Development: Grant a Special Permit to rehabilitate the property at 98 Adams Street, as shown on Assessor's Maps 3 & 4 as lots 14C, 1 and 2, located within the flood plain. (Legal Affairs)

UPDATE FROM THE MAYOR**PUBLIC FORUM, 7:15 P.M.****REGULAR MEETING OF THE CITY COUNCIL, 7:30 P.M.****ROLL CALL****APPROVAL OF RECORDS****COMMUNICATIONS**

- C-82 EMERGENCY PREAMBLE
Relative to the appropriation of \$1,900.00 to the Mayor's Expense Account; same to be transferred from the Open Space Donation Account. (Finance)
- C-83 Relative to the appropriation of \$45,695.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account. (Finance)
- C-84 Relative to the appropriation of \$40,800.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-85 Relative to the appropriation of \$200,000.00 to the FY 2013 Worker's Compensation Trust Fund; \$160,000.00 to be transferred from FY 2010 Worker's Compensation Trust Fund Account, \$23,271.95 from FY 2009 Worker's Compensation Trust Fund Account, \$15,182.25 from FY 2006 Worker's Compensation Trust Fund Account and \$1,545.80 from FY2005 Worker's Compensation Trust Fund Account. (Finance)
- C-86 Relative to the appropriation of \$8,330.13 to the Mayor's Expense Account; same to be transferred from the Mayor's Salary & Wages Account. (Finance)
- C-87 Relative to the appropriation of \$3,000.00 to the City Clerk Expense Account; same to be transferred from the Election & Registration Expense Account. (Finance)
- C-88 Relative to the appropriation of \$104,341,000.00 to the City of Leominster General Fund Fiscal Year 2013 Budget; same to be raised by Fiscal Year 2013 Revenue. (Finance)
- C-89 Relative to the appropriation of \$5,210,000.00 to the Water Department Fiscal Year 2013 Budget; same to be raised by Fiscal Year 2013 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)

COMMUNICATION, continued

- C-90 Relative to the appropriation of \$4,500,000.00 to the Sewer Department Fiscal Year 2013 Budget; same to be raised by Fiscal Year 2013 Sewer Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws. (Finance)
- C-91 Relative to the appropriation of \$1,400,000.00 to the Stabilization Fund; same to be transferred from the Overlay Surplus Account. (Finance)
- C-92 Dean J. Mazzearella: Request that the City Council permanently dedicate a portion of land located at 95 Viscoloid Avenue for a park, playground, or recreation purposes pursuant to M.G.L. Chapter 45, and to place said portion of land under the charge of the Recreation Commission. (City Property)
- C-93 Dean J. Mazzearella: Adopt a Resolution authorizing the Mayor to enter into a Contract for Loan Guarantee Assistance on behalf of the City as borrower, to execute a Promissory Note as required under said Contract, and to execute such other agreements or documents and agree to such reasonable terms and conditions as may be required by the federal government. (Ways & Means)
- C-94 Dean J. Mazzearella: Request that Anna Hamblin be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed by the City of Leominster Retirement Board as an Executive Secretary and will be performing the duties of Conservation Commission Scribe at the monthly meetings during the evening hours. (Ways & Means)

PETITIONS

- 82-12 National Grid: Install one singly owned pole on Hamilton Street beginning at a point approximately 415 feet southeast of the centerline of the intersection of Fairmount Street. (Public Service)
- 83-12 Haws & Mill Street Inc. & Gershman Brown Crowley Inc.: Grant a Special Permit to demolish an existing building and construct a new 13,255 square foot CVS full service pharmacy with drive thru at 246 Mill Street, as shown on Assessor's Map 268, lots 1 & 7 located within a flood plain. (Legal Affairs)

RE-APPOINTMENTS

Planning Board – Thomas Carignan and Salvatore M. Ciccone
terms to expire April 15, 2017

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

- C-74 Relative to the appropriation of \$3,300.00 to the Cemetery Expense Account; same to be transferred from the Cemetery and Perpetual Care Income Trust Fund.
- C-75 Relative to the appropriation of \$100,000.00 to the Fire Department Overtime Account; same to be transferred from the Fire Department Salary and Wages Account.
- C-76 Relative to the appropriation of \$800.00 to the License Commission Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-77 Relative to the appropriation of \$4,597.00 to the Highway Expense Account; same to be transferred from the Snow and Ice Expense Account.
- C-78 Relative to the appropriation of \$1,500.00 to the Street Cleaning Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-79 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$28,000,000 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, provided that no borrowing in excess of \$20,000,000.00 would be permitted unless (i) the City received federal stimulus grants of at least \$8,000,000.00, or (ii) the City received a loan commitment from the Massachusetts Water Pollution Abatement Trust for a zero interest loan of \$28,000,000.00 for this project, neither of which are now available to the City, is hereby amended in its entirety to read as follows:

ORDERED, 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.

LEGAL AFFAIRS

- C-44 Dean J. Mazarella, Mayor: Request that Massachusetts General Law Chapter 32B, Sections 21, 22, and 23 be accepted as added by Chapter 69 of the Acts of 2011.

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS, continued

- 37-12 City of Leominster Labor Unions: Request the adoption of Chapter 32B, Section 19 in accordance with the Massachusetts General Laws.
- 44-12 John W. Harmon, Human Resource Director: Create the title of Emergency Management Director Assistant with a salary of S-6 and add it to the City Ordinance "Classification of positions," Section 16-34.
- 57-12 James S. Whitney for J. Whitney Development: Grant a Special Permit to rehabilitate the property at 98 Adams Street, as shown on Assessor's Maps 3 & 4 as lots 14C, 1 and 2, located within the flood plain.

PUBLIC SAFETY

- 67-12 David R. Cormier: Accept Wedgewood Lane as a public way.
- 68-12 David R. Cormier: Accept Sage Avenue as a public way.
- 69-12 David R. Cormier: Accept Ruth Street as a public way.
- 70-12 David R. Cormier: Accept Patricia Drive as a public way.
- 71-12 David R. Cormier: Accept Montrose Street as a public way.
- 72-12 David R. Cormier: Accept Larson Avenue as a public way.
- 73-12 David R. Cormier: Accept Crabtree Lane as a public way.
- 74-12 David R. Cormier: Accept Calza Street as a public way.
- 75-12 David R. Cormier: Accept Bond Street as a public way.
- 76-12 David R. Cormier: Accept Bassett Street as a public way.
- 77-12 David R. Cormier: Accept Malburn Street as a public way from #107 to end.
- 78-12 Richard M. Marchand and Susan Chalifoux Zephir: Install a warning light on the island or in close proximity to the intersection of Lindell Avenue and Maple Avenue.

MATTERS BEFORE THE CITY COUNCIL, continued

CITY PROPERTY

- C-80 Dean J. Mazzarella, Mayor: Declare surplus a city owned parcel on Benham Street, shown on Assessor's Map 340, Parcel 13.

WAYS & MEANS

- C-81 Dean J. Mazzarella, Mayor: Approve the proposed amount of \$391,486.00 for the Community Development Block Grant for year 38.
- 79-12 Carol and David Shields: Renew the license for three pool tables at South Leominster Lounge d/b/a Forte's Lounge located at 1030 Central Street.
- 80-12 William Plant: Renew the license for nine pool tables at J.C. Fenwick's Co., located at 37 Mechanic Street.
- 81-12 Robert A. Cornetta: Renew the license for two pool tables at Miranda's Pub located at 488 Lancaster Street.

APPOINTMENTS

City Assessor –Katherine Miller - term to expire April 9, 2015

Office of Emergency Management- Carl Sanabria – Deputy Director - Communications Unit
 Anthony Pandiscio – Mechanic
 Richard Hens – EMS Unit

RE-APPOINTMENTS

Disability Commission – Denise Andrews and Thomas Yoder
 terms to expire April 15, 2015

Conservation Commission – Scott Pearson - term to expire April 15, 2015

OLD BUSINESS

2nd Reading Ordinance- Amend Chapter 22, Section 22-84 of the Leominster Zoning Ordinance entitled "Signs Permitted in Business, Commercial and

Industrial Districts” by adding a section for electronic message boards. (Legal Affairs Petition 32-12 – Hearing set for June 11, 2012 at 7:00 P.M.)

NEW BUSINESS

1st Reading Loan Order - Relative to the appropriation of \$28,000,000 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, provided that no borrowing in excess of \$20,000,000.00 would be permitted unless (i) the City received federal stimulus grants of at least \$8,000,000.00, or (ii) the City received a loan commitment from the Massachusetts Water Pollution Abatement Trust for a zero interest loan of \$28,000,000.00 for this project, neither of which are now available to the City, is hereby amended in its entirety to read as follows:

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(Finance)

1st Reading Ordinance – Amend Chapter 16, Section 16-34 of the Revised Ordinances entitled “Classification of Positions” by adding the title of Head Administrative Clerk with a salary of S-5. (Legal Affairs 40-12)

Lynn A. Bouchard
May 24, 2012