

**CITY OF LEOMINSTER
CITY COUNCIL
MAY 28, 2013
CITY COUNCIL CHAMBERS**

PUBLIC FORUM, 7:15 P.M.

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

ROLL CALL

APPROVAL OF RECORDS

**Convene into Executive Session
(See attached)**

COMMUNICATIONS

- C-120 EMERGENCY PREAMBLE
Relative to the appropriation of \$8,000.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account. (Finance)
- C-121 Relative to the appropriation of \$58,731.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account. (Finance)
- C-122 Relative to the appropriation of \$1,200.00 to the Cemetery Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-123 Relative to the appropriation of \$1,100.00 to the City Clerk Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

COMMUNICATIONS, continued

- C-124 Relative to the appropriation of \$58,000.00 to the City Solicitor Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-125 Relative to the appropriation of \$50,000.00 to the Highway Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-126 Relative to the appropriation of \$250.00 to the Library Salary & Wages Account; same to be transferred from the Library Salary & Wages Account. (Finance)
- C-127 Relative to the appropriation of \$210,000.00 to the Snow & Ice Expense Account; same to be transferred from the Excess & Deficiency Account. (Finance)
- C-128 Relative to the appropriation of \$16,722.00 to the Police Department Expense Account; same to be transferred from the Police Salary & Wages Account. (Finance)

PETITIONS

- 74-13 Richard M. Marchand, Event Coordinator for the Johnny Appleseed Festival: Amend the dates for the 20th Annual Johnny Appleseed Arts and Cultural Festival from September 21, 2013 with a rain date of September 28, 2013 to September 28, 2013 with a rain date of October 5, 2013. (City Property)
- 75-13 Christopher Nikolow: Grant a Second Hand Dealers License for Ashlyn & Co. Fine Jewelry located at 3 Park Street. (Ways & Means)

APPOINTMENT

Cultural Commission– Bonnie Hathaway– term to expire April 15, 2016

RE-APPOINTMENTS

Cable TV Advisory Board - Anthony DeBenedetto– term to expire April 15, 2016

Trust Fund Commission - Settimo Firmani– term to expire April 15, 2016

Office of Emergency Management – Auxiliary Officer - Matthew Perkins

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

- C-115 Relative to the appropriation of \$25,000.00 to the Election & Registration Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-116 Relative to the appropriation of \$3,000.00 to the Recreation Commission Expense Account; same to be transferred from the Open Space Donation Account.
- C-117 Relative to the appropriation of \$170,000.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-118 Relative to the appropriation of \$200,000.00 to the I.T.T.F. Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-119 Relative to the appropriation of \$75,000.00 to the Fire Department Overtime Account; same to be transferred from the Fire Department Salary & Wages Account.

WAYS & MEANS

- 67-13 Belden Jewelers: Renew the Second Hand Dealer's License for the premises at 100 Commercial Road.
- 68- 13 Best Buy Stores, LP: Renew the Secondhand Dealer's License for the premises at 33 Orchard Hill Park Drive.
- 69-13 Kay Jewelers #1285: Renew the Secondhand Dealer's License for the premises at 100 Commercial Road.
- 70-13 Donnie Do: Renew the Second Hand Dealer's License to Sam's located at 710 N. Main Street for the purpose of buying scrap metal.
- 71-13 Joanne Atwood: Renew the Secondhand Dealer's License for the premises located at 100 Commercial Road.
- 72-13 Michael Fusco: Renew the License for two pool tables at Jake's Pub Inc. d/b/a Hot Shots located at 1293 Main Street.
- 73-13 Albert Mason: Renew the License for seven pool tables and twenty four bowling alleys at Mason's Bowling Center located at 640 R. North Main Street.

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

Registrar of Voters – David Chester – term to expire April 15, 2015

Council on Aging – Patricia C. Vallee – term to expire April 15, 2016

RE-APPOINTMENT

Sealer of Weights & Measurers – Joseph Quinn – term to expire April 15, 2014

OLD BUSINESS

- Sign at Twelfth Street Field

NEW BUSINESS

Election Order – Special State Election – June 25, 2013

RESOLUTION – Affordable Interior Systems (AIS) Holdings Corporation
a/ka Affordable Interior Systems LLC and Calare Properties, Inc.
Special Tax Assessment (STA).
(Amends the Resolution adopted on May 9, 2011)

RESOLUTION - Designation of 175 Pioneer Drive as an Economic Opportunity Area

RESOLUTION – Designation of 175 Pioneer Drive – F & M Tool & Plastics, Inc.
Tax Incentive Financing (TIF) Program

TABLED APPOINTMENT UPON WHICH ACTION IS PROPOSED

Peter Nial - Director of Inspections

Lynn A. Bouchard
May 23, 2013

Executive Session
Review of Litigation Cases

1. Board of Governors of the Central Village South Condominium Association, Inc. v. Irigoyen and City of Leominster
2. Board of Governors of the Central Village South Condominium Association, Inc. v. Irigoyen and City of Leominster
3. Central Village South Condominium Association v. Irigoyen and City of Leominster
4. City of Leominster, acting by and through its Fire Department and Plumbing and Gas Inspector v. Xarras (II)
5. City of Leominster, by and through its Board of Health v. Plette, et al.
6. City of Leominster v. James Xarras
7. Philbin, et al. v. Gemme and the City of Leominster Zoning Board of Appeals, et al.
8. Szymkowski, Trustee of 539 Lancaster Street Realty Trust v. Leominster Planning Board and Eduardo J. Seijo
9. United States v. Gitto, et al.
10. Beauvais v. City of Leominster
11. Leominster Patrolmen's Union, MASSCOP Local 364 and City of Leominster
12. Leominster Patrolmen's Union and City of Leominster (Gr. Class Action – Quinn Bill Default)
13. Leominster Patrolmen's Union and City of Leominster (Gr. Class Action – Leap Year Pay)
14. Leominster Patrolmen's Union and City of Leominster
15. Leominster Patrolmen's Union and City of Leominster (Gr. Miscalculation of Overtime)
16. Massachusetts Labor District Council and City of Leominster
17. Muth v. City of Leominster

Executive Session
Review of Litigation Cases, continued

18. Shorey v. City of Leominster (By-Pass)
19. Fox Meadow Condominium v. Nutile, et al. (City of Leominster)
20. J. Cougler, Inc. v. City of Leominster
21. Leominster Conservation Commission v. CSX Transportation
22. Leominster Superior Officers, MassCOP Local 282 and City of Leominster
23. Rousseau v. City of Leominster
24. Shorey v. City of Leominster
25. The Wellington Condominium Trust v. Kelly and City of Leominster
26. Trustees of the Villa Del Rio Condominium Trust v. Gallo, et al. (City of Leominster)
27. Wells Fargo, N.A. v. Almanzar, Sr., et al. and City of Leominster

5/28/2013