

HEARING BEFORE THE CITY COUNCIL, JULY 13, 2009

Hearing opened at 6:55 P.M. with Councillor Tocci, Clerk of the Legal Affairs Committee presiding.

All members were present except Councillor Rowlands. Councillor Dombrowski arrived late.

The following ORDINANCE was the subject of the hearing:

Relative to amending 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.

No one in the audience spoke in favor or in opposition of the ordinance.

HEARING ADJOURNED AT 6:58 P.M.

Lynn A. Bouchard, City Clerk
and Clerk of the City Council

HEARING BEFORE THE CITY COUNCIL JULY 13, 2009

Hearing opened at 7:00 P.M. with Councillor Tocci, Clerk of the Legal Affairs Committee presiding.

All members were present except Councillor Rowlands.

The following PETITION was the subject of the hearing:

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.

Councillor Tocci said this hearing will be continued due to a scheduling conflict with Councillor Rowlands. There was no data shared with the Petitioner or discussion on the floor of the Council regarding the merit of the petition.

No one in the audience spoke in favor or in opposition of this petition.

HEARING ADJOURNED AT 7:04 P.M.

Lynn A. Bouchard, City Clerk
and Clerk of the City Council

REGULAR MEETING OF THE CITY COUNCIL, JULY 13, 2009

Meeting was called to order at 7:30 P.M.

Attendance was taken by a roll call vote: all members were present except Councillor Rowlands.

The Committee on Records reported that the records through June 29, 2009 were examined and found to be in order. The records were accepted.

The following COMMUNICATION was received with an EMERGENCY PREAMBLE and referred to the FINANCE COMMITTEE. Vt. 8 "yeas". Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 "yeas"

C-1 Relative to the appropriation of \$100,000.00 to the Storm Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of \$100,000.00 be appropriated to the Storm Expense Account; same to be transferred from the Stabilization Fund.

RE: Money needed to cover the trail, fire road, parks and schools cleanup.

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

C-2 Relative to the appropriation of \$8,000.00 to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

C-3 Relative to the appropriation of \$7,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

The following COMMUNICATION was received, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE.

C-4 Relative to the appropriation of an additional \$440.00 to the Year 35 Community Development Block Grant Housing Rehabilitation Construction Expense Account.

REGULAR MEETING OF THE CITY COUNCIL, JULY 13, 2009, continued

Councillor Salvatelli, Chairman of the Finance Committee, read the Financial Report for the City into the record.

Stabilization Fund	\$5,662,111.48
Ice Storm Total:	\$3,254,000.00

Upon recommendation of the FINANCE COMMITTEE, The following COMMUNICATIONS were GRANTED and ORDERED: Vt. 8 “yeas”

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.

ORDERED: - that the sum of Nine Hundred Eighty Five Thousand Dollars (\$985,000.00) be appropriated to the Street Resurfacing Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account.

C-124 Relative to the appropriation of \$600,000.00 to the Storm Expense Account; same to be transferred from the Stabilization Account.

ORDERED: - that the sum of Six Hundred Thousand Dollars (\$600,000.00) be appropriated to the Storm Expense Account; same to be transferred from the Stabilization Account.

RE: These funds are to pay for the balance of the expenses related to the storm debris cleanup.

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITIONS were TABLED FOR STUDY. Vt. 8/0

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

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

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITIONS were given FURTHER TIME. Vt. 8/0

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. The hearing will be continued on July 27, 2009 at 6:45 P.M.

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.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENTS were CONFIRMED. Vt. 8 “yeas”

Election Officers – 2009-2010

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

Councillor Marchand, Chair of the President’s Drinking Water Oversight Committee, said the Committee will be reviewing the most recent report and will report back to the Council.

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 7 “yeas” and 1 “nay”, Councillor Freda opposed. A vote was taken to add a condition that it is only in effect for Fiscal Year 2010. Vt. 7 “yeas” and 1 “nay”, Councillor Freda opposed.

CITY OF LEOMINSTER
in the year two thousand and nine

AN ORDINANCE

Amending Chapter 16 of the Revised Ordinances entitled “Personnel”.
Be it ordained by the City Council of the City of Leominster as follows:

Chapter 16 of the Revised Ordinances entitled “Personnel” is hereby amended by inserting the following sentences into Section 16-31 (d):

Notwithstanding the provisions of the preceding sentence, there shall be no advancement to the next scheduled step for “S” classified employees for the fiscal year commencing July 1, 2009.

REGULAR MEETING OF THE CITY COUNCIL, JULY 13, 2009, continued

Under Old Business, Councillor Marchand said he is not aware of the comprehensive list of appointments but asked the City Clerk to contact the Mayor's office for an updated list or changes that needs to take place.

Councillor Marchand said communication was received from the Fire Department regarding Carter High School stating at the very least the building should be boarded up and secured. Another letter was received from Mr. Cataldo, the Building Inspector, indicating a distressed property meeting took place on June 22, 2009 and Carter School did come up. He said Mr. Cataldo is contacting the bank that currently owns the building that went into foreclosure. Councillor Marchand said it is a big problem and he was going to stay on top of this.

Councillor Nickel said he would like to get the name of the bank.

Councillor Tocci said she knows that she has promised the Council to have Joanne DiNardo and Wendy Wiiks from the Solar Energy Committee down for a meeting. She said they are still in the process of gathering information and putting RFQ's out and asked if they would wait a little longer until everything is all set.

A recommendation from the 3rd member of the LEGAL AFFAIRS COMMITTEE to DENY the following ORDINANCE was defeated. Vt. 2 "yeas" and 6 "nays"; Councillor Salvatelli, Tocci, Lanciani, Freda, Rosa and Nickel opposed. Upon recommendation from the Clerk of the LEGAL AFFAIRS COMMITTEE following ORDINANCE was read once, ADOPTED as presented. Vt. 6 "yeas" and 2 "nays"; Councillors Dombrowski and Marchand opposed. A hearing was set for July 27, 2009 at 7:00 P.M.

1st Reading Ordinance – 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.

The following ORDINANCE was read once, ADOPTED as presented. Vt. 6 "yeas" and 2 Nays": Councillors Rosa and Salvatelli opposed. A hearing was set for July 27, 2009 at 7:10 P.M.

1st Reading Ordinance - 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.

Under New Business, Councillor Marchand announced that anyone wanting to participate in the Johnny Appleseed Festival can contact him at home. They can get his telephone number from the Clerk's Office.

Councillor Nickel reminded everyone of the MMA regional dinner being held at the Doyle Conservation Center on July 15, 2009.

A Legal Affairs Committee meeting was established for July 22, 2009 at 7:00 P.M.

HEARING ADJOURNED AT 8:22 P.M.

Lynn A. Bouchard, City Clerk
and Clerk of the City Council