

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2010

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

Attendance was taken by a roll call vote; all members were present.

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

- C-46 Relative to the appropriation of \$125,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-47 Relative to the appropriation of \$125,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-48 Relative to the appropriation of \$36,000.00 to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.

The following PETITIONS were received, referred to the WAYS & MEANS COMMITTEE, given REGULAR COURSE and referred to the Treasurer and the Assessor.

- 19-10 Kay Jewelers Store #1285: Grant a Second Hand Dealer's License for the premises at 100 Commercial Road.
- 20-10 Belden Jewelers Store #240: Grant a Second Hand Dealer's License for the premises at 100 Commercial Road.

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

Election Officer for 2009-2010 – David Henshaw

Emergency Management Communications Unit – Francis E. Cooley

Cable Advisory Board – Eugene Capoccia – term to expire April 15, 2011

Councillor Salvatelli, Chairman of the Finance Committee, read the Financial Report for the City into the record. Account balances are as follows:

|   |                 |
|---|-----------------|
| Excess and Deficiency Account (Free Cash) | \$ 5,953,236.00 |
| with pending appropriations               | \$ 3,237,414.90 |
| Emergency Reserve Account                 | \$ 4,730.00     |
| Stabilization Account                     | \$ 6,368,189.21 |
| With Replenished funds from FEMA          | \$ 5,864,454.85 |
| If replenished with appropriations        | \$11,532,644.06 |

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 7 "yeas" and 2 "nays"; Councillor Rowlands and Dombrowski opposed.

- C-33 Relative to the appropriation of \$550,329.75 to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Five Hundred Fifty Thousand Three Hundred Twenty Nine Dollars and Seventy Five Cents (\$550,329.75) be appropriated to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: These funds are to be utilized as follows:

- 1. Vactor or jet truck \$250,329.75
- 2. Comprehensive Wastewater Management Plan 250,000.00
- 3. Roof for treatment plant 50,000.00

- C-34 Relative to the appropriation of \$756,616.35 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Seven Hundred Fifty Six Thousand Six Hundred Sixteen Dollars and Thirty Five Cents (\$756,616.35) be appropriated to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: These funds are to be utilized as follows:

- 1. Re-line Rte. 2 crossings \$270,000.00
  - 2. Whitney Field repair 200,000.00
  - 3. Pipe replacements 130,000.00
    - a. 2,500' Spruce Street
    - b. 2,500' Merriam Avenue
  - 4. Truck for water breaks 100,000.00
  - 5. New pumps-Pond Street station 56,515.35
- \$756,616.35

## REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2010, continued

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 “yeas”

C-44 Relative to the appropriation of \$3,000,000.00 to the Stabilization Fund; same to be transferred from the Overlay Surplus Account.

ORDERED: - that the sum of Three Million Dollars (\$3,000,000.00) be appropriated to the Stabilization Fund; same to be transferred from the Overlay Surplus Account.

Upon request of the FINANCE COMMITTEE, the following COMMUNICATION was given FURTHER TIME. Vt. 6 “yeas” and 3 “nays”; Councillors Lanciani, Chalifoux Zephir and Freda opposed.

C-45 Relative to the appropriation of \$100,000.00 to the Snow and Ice Account; same to be transferred from the Excess and Deficiency Account.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0

17-10 David Rowlands: Amend the Leominster Municipal Code Article XIV “Department of Public Works” and Add Article XXVIII “Department of Water and Sewer” which eliminates the Water and Service Divisions from the Department of Public Works and creates a separate Water and Sewer Division.

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME and referred to the Department of Public Works, the Planning Board, the Board of Health, the Assessor and the City Solicitor. Vt. 8/0, Councillor Dombrowski abstained due to a possible conflict of interest.

18-10 Peter A. CampoBasso, Esquire for Southgate Business Park: Layout, as a public way, a portion of the extension of Research Drive by accepting a Quitclaim Deed in lieu of taking by eminent domain and including acquiring by easement any and all utilities necessary for installation and maintenance.

Councillor Marchand asked with the Council’s permission for Lisa Vallee, to be requested through the Mayor’s office, to help expedite the recommendation process. He said he is hoping Mrs. Vallee can work with department heads. He said if we receive a recommendation from the department head in lieu of a commission or board meeting because of a time glitch, that is not a problem and said they can make a professional recommendation on this matter. Councillors can submit questions by January 15, 2010 to the Clerk to be answered at the committee meeting by Mr. CampoBasso.

Under Old Business, Councillor Dombrowski, Chairman of the President’s Drinking Water Oversight Committee, said they received the December 2009 testing results. He said he has reviewed them and is happy to report the spikes they saw at certain locations in the TTHM levels are now being reported as being under the 80 parts per billion which is the acceptable limit. He said those specific locations are in compliance and a more detailed report will be at the next meeting.

Councillor Rowlands said the numbers are very good in North Leominster. He said the numbers overall City wide are fantastic but a word of caution with the overall number. He said three or four of those data points are offline due to the fact that the reservoir is being worked on at distributing. He feels that it is an artificially low number due to the plant being offline.

Councillor Nickel said we received an email from another candidate who may be interested in the position of Legal Counsel to the City Council. He said there are two interested parties whose names are being submitted to the Ways & Means Committee and asked the committee chair to review and be prepared to make a report at the next meeting. He said this is necessary so we can have everything done under the deadline. The two should be contacted for their rates and other information.

Councillor Cormier asked when the names need to be in?

Councillor Nickel said if you know of someone else give the name to the chairman of the committee and make sure whoever it is sends a resume and that the Council has the information.

Councillor Nickel said he was going to ask the Council to vote to give him the authority to request, under the Freedom of Information Act, the plow list. He said he is going to hold off on that vote at this time. He said we are holding off on the funding and he is going to assume that in good faith the Mayor will follow up. He said if there is a problem they will deal with it later.

Councillor Nickel asked that the Councillors who are chairmen of a committee review their tabled petitions to bring themselves up to date. He said within the next month he will meet with the committee chairman and ask for a follow-up and where they stand. He said he expects to see any old petition that has fallen by the wayside, placed on the agenda and the files be cleaned out the best they can.

Councillor Freda gave an update on Devon Henry, the child who was in the hospital during the holidays. She said there has been a little turn for the good. Councillor Freda stated her mother said the amount of gifts and cards she received was overwhelming. Councillor Freda thanked the City Clerk for sending out an email to the departments in the City.

Councillor Rowlands said on Wednesday January 16, 2010 at 6:30 P.M. there will be a Legal Affairs meeting to deal with zoning. He said he wants to clarify exactly what the agenda is. He said they will be continuing the loose end discussions with regard to mixed use zoning and the industrial zoning. They will be reviewing the maps and any updates to the maps that were discussed at the last meeting. He said they will have a discussion on the idea of multiple industrial zones vs. the one they have now and will start the review process of the overlay districts. He said it will be a closed meeting and will not be an open forum for people to speak. He said the Building Department will be there specifically talking about the specific issues and Ralph Wilmur will be attending representing VHB.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2010, continued

The following committee meetings were established on January 20, 2010:

Public Service at 6:00 P.M.

Finance at 6:30 P.M.

Legal Affairs at 7:00 P.M.

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to have Lisa Vallee attend the Public Service Committee meeting and Mr. Cataldo attend the Legal Affairs meetings.

MEETING ADJOURNED AT 8:42 P.M.

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