

HEARING BEFORE THE CITY COUNCIL, JANUARY 10, 2011

Hearing opened at 7:07 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee, presiding.

All members were present

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 16, Section 16-2 of the Leominster City Ordinances entitled "Salary-City Council" to suspend any percentage increases in the City Council Salaries for calendar year 2012.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:08 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 10, 2011

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

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

The Committee on Records reported that the records through January 3, 2011 were examined and found to be in order. The records were accepted.

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

- C-34 Dean J. Mazzarella, Mayor: Establish a scholarship fund in the name of Alphonsine A. Carluccio.
- C-35 Relative to the appropriation of \$30,838.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

The following APPOINTMENTS were received under SUSPENSION OF THE RULES, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE. Vt. 8/0, Councillor Nickel abstained due to a possible conflict of interest.

Leominster Fire Department – Jeffrey P. Davis –Deputy Fire Chief  
Jeffrey Nickel - Lieutenant

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Building Inspector, the Health Director, the Department of Public Works, the Conservation Commission and the Water and Sewer Commission. A hearing was set for February 28, 2011 at 7:00 P.M. Vt. 9/0

- 29-11 Alan Benevides on behalf of the City of Leominster: Grant a Special Permit to conduct water system improvements to the Notown Water Treatment Facility, off Route 2, located within the flood plain as shown on Assessor's Map 429 as lots 3 & 6.

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)	\$ 4,322.026.00
Stabilization Account	\$11,671.111.04
Interest Earned	\$ 13,604.00
Emergency Reserve Account	\$ 2,568.00

Upon request of the FINANCE COMMITTEE, the following COMMUNICATION was AMENDED. Vt. 9 "yeas". Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED AS AMENDED and ORDERED. Vt. 8 "yeas" and 1 "nay", Councillor Rowlands opposed. The communication was amended to reflect \$1,000.00 instead of \$2,000.00.

- C-33 Relative to the appropriation of \$1,000.00 to the Planning Department Salary and Wages Account; same to be transferred from the Planning Department Salary and Wages Account.

ORDERED: - that the sum of One Thousand Dollars (\$1,000.00) be appropriated to the Planning Department salary and Wages Account; same to be transferred from the Planning Department Salary and Wages Account.

Upon recommendation of the PUBLIC SERVICE COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

Councillor Chalifoux Zephir read a letter from Patrick LaPointe, Director of the Department of Public Works stating that they have received minor revisions that they had asked for and now approves those revisions and recommended acceptance of the street. This letter is on file in the City Clerk's office.

## REGULAR MEETING OF THE CITY COUNCIL, JANUARY 10, 2011, continued

27 -11 V.P. Holman Construction, Inc.: Accept Farm Hill Road as a City street from Prospect Street 1,228 feet ± to the currently accepted portion of Farm Hill Road.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was AMENDED. The petition was amended to include a 4 page document dated January 10, 2011 from the Legal Affairs Committee. The document is on file in the City Clerk's office. Vt. 9/0 Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED AS AMENDED. Vt. 9 yeas".

28-11 Detective Scott Wolferseder, Leominster Police Department: Amend Chapter 11 of the Revised Ordinance entitled "Junk and Second Hand Dealers" by adding a new Section 11-12 "Buyers of Gold & Other Precious Metals".

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENTS were CONFIRMED. Vt. 9 "yeas"

Leominster Fire Department – Chief – Robert Sideleau, Jr.

Office of Emergency Management – Logistics Unit –  
Joseph Nichols, Kevin Wells

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was given LEAVE TO WITHDRAW WITHOUT PREJUDICE. Vt. 9/0. Councillor Marchand, Chair of the Ways and Means Committee said he was contacted by Mr. Cooley and Mr. Cooley would like to withdraw his name.

Planning Board – Michael Cooley – term to expire April 15, 2011

Under Old Business, Councillor Freda said at the last meeting it was mentioned that a George Street resident had rusty water. She read a letter from Patrick LaPointe stating that the Councillors should refer all dirty water calls to the DPW and that they deal with them all the time which can be caused by many different reasons. In the letter he said Charlie will follow up on the George Street call if he gets an address. He said they have not received any calls from that area but they were working around the corner on Vine Street this past fall. He said the houses in that area are old with cast iron water services and so are the water pipes. That is why we are working in that area to replace the old mains.

Councillor Cormier said he has been trying for a few months to have a meeting with Roger Brooks regarding a neighbor in his Ward. As part of an agreement, the developer is to put sewerage in the Debbie Drive neighborhood. He said he had residents asking why they can't tie in. He said he has been asking this for about a year and hasn't had many answers so now he is making a formal request for information from Roger Brooks.

Councillor Freda said she has spoken with the people involved and the sewer was just completed just before the sewer line being put in and there are a few people that can hook up now. She said the DPW is waiting for Frank Bovenzi to complete work on the pump station. She said once the pump station is done and approved then it will be ready to be hooked up. She said the Debbie Drive project was at no cost to the people on the street because it was part of the MEPA process they worked hard on to get connected through the Brooks Pond and the easements. She said there is nothing on the books for Beth Avenue and it's a matter of getting everybody together and going through the process the way everyone else in the City has had to do it.

Councillor Rowlands said, going back to the Water and Sewer Oversight Committee, on that same email that they received from Patrick LaPointe there was a second question that was asked specific to the raw water at Shay Brook with high conductivity and dumping. The answer from Patrick LaPointe was specific conductivity at 323 is not particularly high in raw water. The lab tech tells me 300-500 is common. Patrick LaPointe said he does know that both beaver and geese have been very active there this summer and that resulted in elevated fecal chloroform. He said since then it has dropped to 2. The lab does not believe conductivity would be related.

Councillor Rowlands said what Woodard & Curran wrote in their report is different than the answer we are getting. Councillor Rowlands read the following letter dated October 25, 2010. "Similar to the second round of sampling the specific conductivity of sample (SB1) located at Shay Brook was significantly higher than that of the remaining samples. Woodard & Curran visually inspected the area near this sampling location. Sight conditions have not changed from the previous sampling round. Approaching the brook there is evidence of past illegal dumping on the sides of the path, however, further investigation of the drainage area is needed to determine exactly what the major contributor to high conductivity is."

Councillor Rowlands asked the Chair of the Water and Sewer Oversight Committee to find out if the illegal dumping is related to it and if the illegal dumping has been cleaned up.

Councillor Dombrowski said the appointment of Legal Counsel will be at the next meeting and if anyone has any attorney, other than the two that were appointed last year, they want to bring it to our attention that would be great and if not then we can decide on the two we had last year.

Councillor Cormier said the two they had last year were fine. We have to vote by next meeting.

Councillor Dombrowski said if anyone has complaints or anyone they would like to consider to let him know and he will put it on the agenda.

Councillor Nickel said if anyone has names can we get a resume before the next meeting.

## REGULAR MEETING OF THE CITY COUNCIL, JANUARY 10, 2011, continued

Councillor Dombrowski agreed.

Councillor Marchand said we have an Assistant City Solicitor and asked if that position works directly with the City Solicitor or is that somebody we can tap into time to time?

Councillor Dombrowski said that was a good question and we can make that inquiry to the Mayor's office.

Councillor Freda said at the December 27, 2010 meeting she asked the Council President to request Charlie Coggins come down and speak about possible communication that could be hooked up to notify constituents of possible emergencies.

Councillor Dombrowski said we will try to have him come down for the next meeting for an informational meeting.

Councillor Cormier said at the last meeting he asked the Chairman of Finance for some information on Doyle Field. He said he received the information that he was looking for. He said one thing that he is seeing is that it is not projected to pull in, for the foreseeable future, the kind of revenues that were sold to us when the Doyle Field Commission came down. He said as Chairman of City Property, he wants to see what can be done to promote the field so that it can be a success. He said everyone in the community wants it to work and we also want to see it do what we were told it's going to do to sustain itself financially. He said it was very active this fall with a lot of leagues playing but unfortunately the income is not as active as he would like to see and if the facility is going to sustain itself he is hoping a plan can be put together to see what can be done to bring in the necessary revenue.

Councillor Marchand said regarding appointees, he sent a friendly reminder to the Mayor. He said he hasn't heard back from him but did not put a time limit on it. Councillor Marchand asked the Clerk for an updated list of all the appointees.

Councillor Freda said to the Chair of the Committee on Schools, she has been serving on the Superintendent search and applications are due in by January 21<sup>st</sup> for the Superintendents position. She said they need an update on the Superintendent's position, the school building project and school choice. There was a conflict trying to get everybody to meet on a particular night and it probably would be better to put the meeting off to another time.

Councillor Nickel said he had conversations with the former Chair of the Committee on Schools and will check with Dr. Bent for a date to reschedule.

Councillor Marchand said with the building project being launched he would like to see them come down on a regular basis to give them an update. He would like to see them in person.

Councillor Lanciani said the Rain Garden Project For Elementary Schools will be Thursday, January 13, 2011 at 7:00 P.M. at the Leominster Public Library. Learn how Fallbrook Elementary School students created a rain garden to cleanse parking lot run-off and keep their brook healthy.

Councillor Nickel said he would like to get an update from the Director of the Department of Public Works regarding equipment and budget due to all the big storms that are coming up.

Upon recommendation of the WAYS & MEAN COMMITTEE, the following ELECTION ORDER was CONFIRMED. Vt. 9/0

Preliminary Election, Tuesday, September 27, 2011

Municipal Election, Tuesday, November 8, 2011

The following ORDINANCE was read a second time and ADOPTED as presented and passed to be ordained. Vt. 9 "yeas"

City of Leominster

In the year two thousand and eleven

## 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:

Section 16-2 of the Revised Ordinances entitled "Salary-City Council" is hereby amended by adding the following sentence:

Effective January 1, 2012, any percentage increase in the city councilor salary consistent with the consumer price index (CPI-U) of the previous calendar year shall be suspended for calendar year 2012.

MEETING ADJOURNED AT 8:25 P.M.

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