

HEARING BEFORE THE CITY COUNCIL, DECEMBER 12, 2011

Hearing opened at 7:45 P.M., with Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE presiding.

All members were present.

The following PETITION was the subject of the hearing:

21-12 Greg Chapdelaine, Purchasing Agent: Rescind the Leominster Ordinance Chapter 2B, Sections 2B-1, 2B-2, 2B-3 and 2B-4, "Preference for city residents on public projects".

Mr. Chapdelaine said there is an Ordinance on the books that requires any company that does work for the City in a construction related vein have 25% of their workforce be Leominster residents.

The hearing was interrupted by the fire alarm at 7:48 P.M.

Hearing reconvened at 7:58 P.M.

Mr. Chapdelaine said this five page listing lists 70 different companies that submitted bids for the high school renovations. Out of the 70 companies there is only 1 that is a Leominster company. The next closest is Ayer and then two from Devens. All the other ones are at least ½ hour to an hour away and some of them are out of state. He said the Ordinance is not working well at all. He said in theory it is a great idea and putting this before you to rescind it, it's nothing against Leominster companies or residents. He encourages them to bid all the time and it is an unfortunate reality that we don't have a lot of companies that bid from Leominster. You don't have to be from Leominster to have Leominster residents. There are companies in surrounding communities Fitchburg, Clinton and Gardner who work for us on various bids that have on staff some Leominster residents to some varying degree. They might have 1 or 2, some have several. To have an Ordinance like this that requires every company on every project to have 25%, is a daunting hurdle that you have to get over. We don't have the depth of companies in this area to supply all of our needs on construction projects.

Councillor Rowlands said we are talking about 25% of the employees, not the company.

Mr. Chapdelaine said 25% of the employees on the job.

Councillor Rowlands said when you are talking about listing companies they don't have to be a Leominster company.

Mr. Chapdelaine said that is correct. The issue is not if they are a Leominster company. The issue is if they are not they will most likely not have 25% of their employees that are Leominster residents directly in the area. At a sizeable project of 10 people you will need 3 people from the City. Many vendors are located anywhere from a ½ hour to an hour away. He said he feels it would be daunting to enforce this and over time it will lessen the bidding pool which creates less bidders and raising prices because there is no competition.

Mr. Chapdelaine said an example of this is what we just did on a paving contract for Route 13 at Prospect Street. This project has since been taken over by the State. We only had one bidder who was a local bidder and a very good contractor. Typically the last 13 years we have anywhere from the 4-7 companies bid every paving project all the time. I contribute that to the workforce residency requirement. He feels it is going to make it difficult to attract people and has the potential to increase costs. He said the way the Ordinance is written right now, although this would be a rare occasion occurrence, it requires any contract that Leominster is a signatory to have someone who is supplying 25% of Leominster workers. This also affects those contracts that we get involved with for State repairs to bridges and roadways. Most companies are not going to do that. They won't come in to hire 3 or 4 Leominster residents just to work on one project. They have their own people in place. So, if they are going to comply, it's going to raise our cost or they just will not bid and put us in a bind. He has seen it with the high school and in other bids that have crossed his desk.

Councillor Rowlands asked how long this Ordinance has been in effect.

Mr. Chapdelaine said as far as he knows it has been in effect for 10 years but they were not aware of it. We were not aware that it was submitted or passed and put into effect.

Councillor Rowlands said it is dated December 9, 1996 so he is assuming that is the date it passed in whole. He asked if this is the first enforcement or the first use of this Ordinance the Leominster High School?

Mr. Chapdelaine said yes it is.

Councillor Rowlands said that he and Councillor Freda and along with yourself (Mr. Chapdelaine) are on the School Committee for Leominster High School and it is kind of interesting because we have had many discussions on this. In fact, we were all very supportive of it and pushed for it in the beginning. We go to meeting after meeting and asking if the 25% being met. What we are getting from the contractors, the general contractors, and from the people on that project is they can't find the people if they want them.

Mr. Chapdelaine said they have been told that in some instances.

Councillor Rowlands said in the meetings we say what's the story, do you have 25% and they answer well, we picked up a CTE kid to do some work for us but we are having a hard time finding them. So, your position as a Purchasing Agent it is that is an issue of potential competitiveness and pricing and can't even find them.

Mr. Chapdelaine said he is all for Leominster companies to work on projects but it just doesn't work in every scenario and that is the problem with this Ordinance. Remember going forward at any time, if we have a project of any size and we feel something like this is applicable we can put it into a contract. We don't need an Ordinance to do something like this if we see fit.

HEARING BEFORE THE CITY COUNCIL, DECEMBER 12, 2011, continued

Councillor Rowlands asked if there has been discussions about some form of modification like size of the project or scope of the project. This says every size contract anywhere.

Mr. Chapdelaine said there are no parameters and there has not been any discussion on modifying the Ordinance.

Councillor Chalifoux Zephir said Section 2B-2 is the waiver section which allows a waiver to be granted by the Contract Compliance Officer. It states "If it is not feasible for him for good cause shown to comply herewith by just having made a bonafide attempt." So there is an opportunity for a contractor to ask for waiver.

Mr. Chapdelaine said there is but, from his point of view, either have the Ordinance or don't. If you are going to have waivers you are going to be giving out waivers all the time.

Councillor Chalifoux Zephir said if a contractor comes in and they can't find 25% of their work force, but they can find 10% of their work force, the person could apply for a waiver for that 15%. She said it makes sense to her.

Mr. Chapdelaine said then you get into the issue that if it becomes known you are going to give waivers, when and if it is applicable no one is going to go out of their way to make a valid effort to get 25%. If they have a person on their staff fine, if they don't they can say we only have one person on our staff. Then you get into an ethics thing where you can't treat one company one way and another company another way. Same applies with the SOMBA rule which is the hiring of minority owned companies and women owned companies. He said we are having problems at the high school right now. Right now, at any given time, 30% of the contractors at the high school are technically in default because they don't have the 25%.

Councillor Chalifoux Zephir said that mean 70% are in compliance.

Mr. Chapdelaine said he doesn't look at it like that. He said he looks at it as 30% are breaking the law.

Councillor Cormier said in theory it is a good idea but the reality of it is somewhat challenging. One of the things that comes to mind is if you can scale back on the 25% and still have something in place so you can have some local people on a job. He said he thinks the theory behind this was back in 1986 was to keep the economy local which is becoming more important now than back then. He asked if any other communities do this.

Mr. Chapdelaine said he knows there are some out there and tend to be in the larger communities.

Councillor Cormier said you did say you could write into contracts certain percentage of the workforce would be local residents. He asked Mr. Chapdelaine if there would be any projects he would do that on.

Mr. Chapdelaine said the high school is a perfect example. In a perfect world it would be great to have a night time meeting with community leaders and interested businesses to engage their interest. If there were interest we could certainly put it in there. We are better off getting Leominster residents but from Leominster, Fitchburg and Lunenburg companies. We have one which is a very good vendor, Rockwell Roofing, who has done a lot of work for the City and who bid on that project.

Councillor Rowlands asked if he was the Contract Compliance Officer was mentioned in the waiver section.

Mr. Chapdelaine said yes.

Councillor Rowlands asked if any waivers have been granted.

Mr. Chapdelaine said no.

Councillor Rowlands asked if he understood the criteria for which a waiver is to be granted.

Mr. Chapdelaine said we would basically set our own criteria. They would have to show good faith.

Councillor Rowlands said he is concerned about the waiver language being objective or subjective. He would like to have a discussion with other communities and find a middle ground. He said this is poorly written and has been on the books about ten years and not used. Also, there is no size or scale of the project.

Councillor Freda said this is a difficult one. She said Councillor Rowlands talked about the school building and she did bring it up after she had a conversation about labor with someone in the City because he wasn't at the high school. She said rescinding it seems like a pretty drastic step. She said it is here for a reason and the fact that we haven't used it could be just that it was overlooked. She said she doesn't want to lose sight of the fact that the people paying their taxes and the bill for the project are the same people who do not have an opportunity to work. She said it sounds good and that is why we did it but there is such a large labor pool in our community between electrical, plumbing, carpentry and other trades. We have a local person with W. T. Rich that ought to be able to reach out to some people in the community through the unions. How do we know how hard they are trying to get local people to work and whose responsibility that is?

Mr. Chapdelaine said he agrees and there will be a number of people in favor of this tonight. This is not a slam on anybody but shares her concern. For something that everybody says is so easy to do, where are the people? Then he is hearing that we are not giving them a change. He said his answer is you have labor representatives who work with all these union shops and if it is so easy why aren't the Leominster residents working in that 30% category where they are in default. Nothing shows him evidence that this is that simple as everyone makes it out to be, that is the problem.

Councillor Freda said she also doesn't think there is enough evidence to show that it is as difficult. There are two sides, and I value your opinion. She said she would like to sit down with some of the union people and ask why aren't the Leominster residents getting into the workforce. She said a much bigger discussion has to be had. She is not saying it is wrong to rescind it but she needs to have some proof that it really can't work before she supports rescinding it. Maybe modifying it like the Ward

HEARING BEFORE THE CITY COUNCIL, DECEMBER 12, 2011, continued

1 Councillor mentioned. She said she understands that he is in a frustrating position because he is dealing with the contracts. The unemployment rate is so bad that she doesn't want to do this if there is a chance that it's not being worked on hard enough.

Councillor Rowlands said he does think it is a healthy discussion for the City and agrees totally with the comments made and thanked Mr. Chapdelaine for bringing it down.

Councillor Salvatelli said P.J. Albert receives tons of bids in Leominster, have they gone 25%?

Mr. Chapdelaine said to his knowledge they have permanent Leominster staff and were able to bid on that.

Councillor Salvatelli asked if they were the only bidders.

Mr. Chapdelaine said they were the only bidders on that particular project.

Councillor Salvatelli asked if it was the recent million dollar paving project?

Mr. Chapdelaine said no, that wasn't the big one from the spring, this is the one for Route 13 only.

Councillor Salvatelli said what about the big one, was there more than one?

Mr. Chapdelaine said they were involved in that and they won that. They were not the only one that bid. The clause was not in the bid this summer. It was a rocky getting this started which is an oversight on his part. He said he missed putting it in.

Councillor Salvatelli said you are saying that this was not used for P.J. Keating?

Mr. Chapdelaine said not the million dollars bid this summer.

Councillor Salvatelli asked if it was an oversight.

Mr. Chapdelaine said yes.

Councillor Salvatelli said so you didn't ask them if they had 25% workers from Leominster?

Mr. Chapdelaine said no, it was not included in the bid.

Councillor Salvatelli asked how about the other bids?

Councillor Chapdelaine said it is on all the paperwork now.

Councillor Salvatelli said no criticism on you.

Mr. Chapdelaine said it was his responsibility.

Councillor Salvatelli said don't take it that way. I am asking the question because I understand that P.J. Albert was the only one that applied.

Mr. Chapdelaine said that was on the second bid and we had this in.

Councillor Salvatelli said they have been receiving large contracts for the last three or four years.

Mr. Chapdelaine said they received this years' annual paving and the last prior two was Aggregate Industries out of Saugus.

Councillor Salvatelli asked if they went through the same process of 25%.

Mr. Chapdelaine said no, because we only started this past year.

Councillor Salvatelli said the high school is a very unique project and I understand everyone needs a CORI check. It takes time to get a CORI. How long does it take?

Mr. Chapdelaine said he is not aware, the School Department has been working on that with the contractors on this project getting them all CORI checked.

Councillor Salvatelli said he would look more at the waiver process than getting rid of the entire law. He said he needs more time.

Councillor Chalifoux Zephir asked if this Ordinance was included as part of the Library construction project.

Mr. Chapdelaine said no.

Councillor Chalifoux Zephir said she new there were local people specifically on that job.

Mr. Chadelaine said you probably did. He said when this was passed his office was never made aware this was submitted, passed, accepted. It is not in the Purchasing Ordinances it is under the DPW.

HEARING BEFORE THE CITY COUNCIL, DECEMBER 12, 2011, continued

Councillor Rowlands said we have some major water projects that have gone on in the City and I understand those contracts did not go out to bid. Should or is there any requirement on those construction projects as far as local employment, do they fall under this?

Mr. Chapdelaine said he can't answer yes or no because Veolia is an existing contractor. There were amendments to the existing contract which existed before this came on the books. Then you have the special legislation on how that work is handled. I don't know if it is exempt or not.

Councillor Dombrowski said he is on board with a lot of the other Councillors voiced. He asked Mr. Chapdelaine how this was brought to his attention.

Mr. Chapdelaine said apparently this was put on the books about ten years ago. About five years ago it was brought to his attention by someone from an outside company that they believed there was an Ordinance on the books somewhere. He said the only thing he is in charge of is purchasing and this is not under the Purchasing Ordinance. At that particular time, it was not Mrs. Bouchard, but other people that I asked in that office for guidance led me to believe there was no such thing. A little over a year ago this came up again. Someone approached the Mayor stating there was an Ordinance out there. He said he approached Mrs. Bouchard to research it. Mrs. Bouchard took a couple of days to do some research and she found this which was located under the DPW regulations. Prior to this there was no knowledge that this existed.

Councillor Dombrowski asked him who brought it up and why was there an issue.

Mr. Chapdelaine said probably because the school project was coming up and they wanted to see this enforced. No one ever said the chapter or section this could be found in; they just said I think you have an Ordinance. Prior parties never made us aware something went on.

Councillor Dombrowski asked if the administration expressed any opinion on this petition.

Mr. Chapdelaine said he had no problem with him moving forward with this. He didn't say yea or nay. He just asked the Mayor if he would mind if he made, under his own decision, this petition to rescind. He did not say he was in favor or against the Ordinance but had no problem with me submitting it.

Councillor Freda said if there was that much looking into 1996 why it got on the books, some of those minutes should show why it was brought forward. Somebody must have had a reason to bring it to the forefront. She said she would like to look further into it as well.

Mr. Chapdelaine said if it stays on the books in this form or any modified form and you leave a waiver provision he doesn't want to be the waiver person. He said it is a slippery slope and he is not going down there. If it is on the books I will enforce it the way it is. I am not going to be the person that starts waiving this project and not that one, you can have 5% but you have to have full percent. I don't want to be that person.

Councillor Rowlands said the last line says "The Mayor shall establish criteria and procedures for compliance herewith." He asked Mr. Chapdelaine to do some research on other communities and areas that have similar laws and he will try to do the same. He said they will have a discussion at the committee meeting and would like his input at that meeting.

Roger Vautour of 78 Revolution Drive spoke in opposition. He said he spoke to Mr. Chapdelaine about this issue and questioned him on the Leominster High School project about who is responsible for enforcing the Ordinance. Mr. Vautour said Mr. Chapdelaine told me that this was the first job in Leominster to use this Ordinance at Leominster High School and go complain to the Mayor. He said he asked Mr. Chapdelaine how it was harmful to the City and Mr. Chapdelaine said he was having trouble getting blacktop bids and he didn't think there were enough people in Leominster to even work on that project.

Mr. Vautour said he spoke with John DeBettencourt, who is the supervisor for W.T.Rich at the high school and he stated all subcontractors are aware of the residence requirement when they bid the project. He said Mr. DeBettencourt also questioned who is going to enforce it and said you might have to complain to City Hall. He showed me a list of local people who have been CORI checked and cleared to work on that project. Griffin Electric, who is working on that project, has seven electricians from Leominster on his list and it seems that other contractors should be able to conform also if the Ordinance is enforced.

Mr. Vautour said he has worked his whole life in the building trade in a lot of towns and the company he works for has complied with a residency clause just like this one. When I see the high school being renovated and it has a trade school connected to it where students are being taught carpentry, electrical, plumbing and HVAC I think wouldn't be nice if some of them could graduate and start working their apprenticeships right there?

Mr. Vautour said repeal it, why not enforce it. Why take away an opportunity from a local trade person.

Ray Bissonette of 158 Adams Street spoke in opposition. He said Councillor Chalifoux Zephir made a great point that we had the residence requirement on the Library project. He said he happened to be on that job. He said Eddie Ledue was the Clerk of the Works and one of the first things he did for Fontaine Brothers, the General Contractor, was he brought out that residency requirement and as far as I knew everybody complied with that. The problem that they have is the CORI check. The companies that bid the job and receive the bids knew they were coming on the job. What they did was CORI checked the members of their crew that were going to come on. If you were a Leominster resident how could you apply for a job there when you haven't completed a CORI check. If you go there the company will ask if you have been CORI checked. How do you get CORI checked if you are not hired? Who is going to pay for the CORI check? W.T. Rich was very vague when people from Leominster applied for the job. He said he disagrees with Mr. Chapdelaine's statement that 30% of the contractors on that job are not in compliance. Easily 70% of the contractors on that job, right now, do not meet the 25% requirement. He said we have Leominster residents that are qualified workers that are unemployed that can man that job today. The companies do not want to hire them, they want to keep their company men because they know the quality of work those company men can provide. He said the enforcement, process of the CORI check and who is paying for it needs to be looked at.

HEARING BEFORE THE CITY COUNCIL, DECEMBER 12, 2011, continued

David Letters of 821 Union Street said he spent 30 years in the construction industry and was a union foreman most of his time. He said on all those jobs anywhere in New England it was generally a 51% of local people hired. He said he was on very large jobs and never had a problem getting all the positions filled by the local people. One of the problems with this particular wording is that it calls for 25% of each trade. Most jobs are 25% of the entire project. We have plenty of good carpenters, roofers, electricians, plumbers, iron workers, whatever you need they exist in this City. Mr. Letters said the 7 to 1 ratio means for every \$1.00 earned it gets turned over 7 times. The money stays here if the workers are from our City. The wording should be changed to 25% of the entire project.

Councillor Freda said the CORI checks are very important to us. They take a little bit longer, which is unfortunate, but we have men working in a school with kids. She said she would never support not having a CORI check on anyone entering that school.

Mr. Chapdelaine said it is not the employees that pay for the CORI check. No one is suppose to be excluded or turned away from applying for a job because they don't have a CORI check. That is part of the hiring process on this project.

Councillor Rowlands said what they have talked about at numerous School Building Committee meetings is of a different flavor than what he has heard tonight. He said given the state of the contracts with the school, does this affect or can it affect where we are with the contracts.

Mr. Chapdelaine said no, if we were to rescind this or change it, it stays as it is right here with the school contract because those are signed.

Councillor Rowlands asked if the school is grandfathered.

Mr. Chapdelaine said it's grandfathered.

Councillor Rowlands said no matter what happens the 25% rule as it is written today handles that contract.

Mr. Chapdelaine said correct. The contract does not change in perpetuity until the project is done.

HEARING ADJOURNED AT 7:50 P.M. AND CONTINUED TO JANUARY 23, 2012 AT 6:30 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, DECEMBER 12, 2011

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

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

There was a moment of silence of John Mahan, a former Mayor and City Councillor in the City of Leominster, who passed away.

A recess was called at 6:50 P.M. to hold an informational meeting with Charlie Coggins regarding the Emergency Management roof, and to hold a public forum.

Meeting reconvened at 9:00 P.M.

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

- C-35 Relative to the appropriation of \$5,000.00 to the Sealer of Weights & Measurers Salary and Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-36 Relative to the appropriation of \$140,000.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-37 Relative to the appropriation of \$5,000.00 to the Planning Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-38 Relative to the appropriation of \$18,350.00 to the Emergency Management Agency Expense Account; same to be transferred from the Excess and Deficiency Account:

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

- C-39 Dean J. Mazarella, Mayor: Request that Kerry A. Boudreau be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. She is currently employed by the City of Leominster's Comptrollers Office and will be taking a position for the City Clerk-Elections and Registration Office as an Election Officer.

REGULAR MEETING OF THE CITY COUNCIL, DECEMBER 12, 2011, continued

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE, given REGULAR COURSE and referred to the Department of Public Works and the Wire Inspector. A hearing was set for January 9, 2012 at 6:55 P.M. Vt. 9/0

- 22-12 National Grid and Verizon: Legate Hill Road-Relocate the jointly owned pole P31 on Legate Hill Road approximately 12 feet south of its current location.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Conservation Commission and Department of Public Works.

- 23-12 Joanne Dinardo and Patrick LaPointe: Approve a Stormwater Ordinance, which will provide reasonable guidance for site planning and for the control of pre and post-development stormwater runoff for protecting local water resources from degradation.

The following PETITIONS were received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board and Building Inspector.

- 24-12 David Rowlands, James Lanciani, Jr., David R. Cormier, John Dombrowski and Robert Salvatelli: Adopt changes to the Leominster Zoning Ordinance Table of Uses for Boarding/Lodging Houses.
- 25-12 David Rowlands, James Lanciani, Jr., David R. Cormier, John Dombrowski and Robert Salvatelli: Adopt changes to the Leominster Zoning Ordinance regarding animal care.

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

- 26-12 John W. Harmon, Human Resources Director: Create the title of Account Clerk with a salary of S-5 and add it to the City Ordinance's Classification of positions Section 16-34.

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

Election Officers – Domenic Marcantonio, Kerry A. Boudreau, David R. Johnson, Anne M. Richard,
Mary Anne Grady, Verna Charpentier, Susan Sanguinetti, Rita T. Trainque

Emergency Management – Admin Unit - Nancy Koski, Ellen Lydon-Oliveira
Sheltering Unit - Rita Trainque

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

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|---|------------------|
| Excess and Deficiency Account (Free Cash) | \$ 3,587,786.00 |
| Stabilization Account | \$ 11,092,716.00 |
| Emergency Reserved Account | \$ 354,034.00 |

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 9 "yeas"

- C-27 Relative to the appropriation of \$17,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

ORDERED: - that the sum of Seventeen Thousand Dollars (\$17,000.00) be appropriated to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

- C-28 Relative to the appropriation of \$5,000.00 to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

ORDERED: - that the sum of Five Thousand Dollars (\$5,000.00) be appropriated to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.

- C-29 Relative to the appropriation of \$14,000.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fourteen Thousand Dollars (\$14,000.00) be appropriated to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 "yeas", Councillors Cormier and Nickel abstained due to a possible conflict of interest.

- C-30 Relative to the appropriation of \$150,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

REGULAR MEETING OF THE CITY COUNCIL, DECEMBER 12, 2011, continued

ORDERED: - that the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be appropriated to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 9 "yeas"

C-31 Relative to the appropriation of \$1,768.00 to the Fire Department Expense Account; same to be transferred from the Emergency Reserve Account.

ORDERED: - that the sum of One Thousand Seven Hundred Sixty Eight Dollars (\$1,768.00) be appropriated to the Fire Department Expense Account; same to be transferred from the Emergency Reserve Account.

C-32 Relative to the appropriation of \$48,000.00 to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Forty Eight Thousand Dollars (\$48,000.00) be appropriated to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account.

C-33 Relative to the appropriation of \$8,500.00 to the Emergency Management Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) be appropriated to the Emergency Management Expense Account; same to be transferred from the Excess and Deficiency Account.

C-34 Relative to the appropriation of \$2,000.00 to the Emergency Management Agency Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Two Thousand Dollars (\$2,000.00) be appropriated to the Emergency Management Salary and Wages Account; same to be transferred from the Excess & Deficiency Account.

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

19-12 Aaron Kennedy, Leominster Police Department: Amend Section 13-88 of the Revised Ordinances entitled "Left turn prohibition" by deleting "Granite Street, eastbound to West Street westbound via cut off" and inserting "Granite Street, eastbound to West Street westbound".

20-12 Aaron Kennedy, Leominster Police Department: Amend Section 13-34 of the revised ordinance entitled "No parking on certain streets" by changing the no parking restriction on Granite Street, south side from "between the hours of 8:00 A.M. and 5:00 P.M." to "between the hours of 8:00 A.M. and 1:00 P.M. and 3:00 P.M. and 5:00 P.M."

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was TABLED FOR STUDY. Vt. 9/0

21-12 Greg Chapdelaine, Purchasing Agent: Rescind the Leominster Ordinance Chapter 2B, Sections 2B-1, 2B-2, 2B-3 and 2B-4, "Preference for city residents on public projects"

Upon request of the WAYS & MEANS and SOLAR POWER ENERGY EXPLORATORY COMMITTEESS, the following PETITION was given FURTHER TIME. Vt. 9/0

17-12 Joanne M. DiNardo, Chair-Energy Committee: Endorse the Green Communities application process including adoption of Criteria 4 "Purchase only Fuel Efficient Vehicles on non-exempt vehicles" and Criteria 5- "Adopt the Stretch Energy Code", both criteria require City Council approval.

Under New Business, Councillor Freda said at the next meeting she will be asking to pull the lights out of the light ordinance in the new zoning. She said she cannot go to church again and be asked why we are not doing anything about the digital lights at St. Anna's. We have a highway light in front of the hospital that is advertising the concert in every school and the strolls, while the church can't advertise their own functions on a light that was donated by one of the parishioners.

Councillor Nickel said he would like to sign on to two petitions Petition 24-12 and Petition 25-12. There were no objections.

Councillor Dombrowski said he considered Mayor Mahan to be a good friend and he was certainly an old school civic leader. He loved a great joke and loved a great fight and doesn't think that it was a coincidence that we had a fire alarm pulled along with a full scale shouting match in the Council Chambers tonight. He would have appreciated both of those events. It is a sad day in the City.

Councillor Rowlands said Jack Mahan spent 26 years on the Council. A lot of people will remember him for his dedication to the City. He said he remembers and knows him for the quality of his family. He said his children are friends and have relationships with his grandchildren. Family was first.

Councillor Nickel said the first two years he was on the Council Jack Mahan was Mayor. He said it was two of the greatest years. He said he didn't walk past that office that he didn't hear the latest joke from Jack. God Bless him and Leominster was really lucky to have a man like him around. He will sorely miss him. He is saddened for his family along with us.

REGULAR MEETING OF THE CITY COUNCIL, DECEMBER 12, 2011, continued

Councillor Lanciani said he has a lot of fond memories of Jack Mahan. He remembers him as a worker for National Grid. He knew where you were coming from and where you were going with Jack. He has a great family. His wife Ann is a great girl and he is sure that he and Ann have a lot of fond memories being together.

Councillor Freda said even though he is being praised as a long standing politician, his family was his biggest pride. She said both their kids played Babe Ruth together. Councillor Freda said she was on the School Committee the first two years when Jack was Council President and then served on the School Committee as well. He certainly was a strong political figure but would prefer to be remembered as a strong family man who cared about his kids and wife first. That is how I looked at him.

MEETING ADJOURNED AT 9:50 P.M.

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