

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012

Hearing opened at 6:35 P.M. with Councillor Chalifoux Zephir, Chair of the PUBLIC SERVICE COMMITTEE, presiding.

All members were present except Councillors Lanciani and Rowlands.

The following PETITION was the subject of the hearing:

39-12 National Grid and Verizon New England, Inc.: Merritt Street – Install 1 jointly owned pole on Merritt Street beginning at a point approximately 20 feet south of the centerline of the intersection of Monroe Street.

Ken Dobie of National Grid said the City is removing a tree that has a support guy wire and they need something to support the pole line going down Monroe Street.

Councillor Salvatelli said he was trying to figure out where that pole is going to be.

Mr. Dobie said directly across the street from the intersection of Monroe Street.

Councillor Salvatelli asked if it was in front of a house.

Mr. Dobie said yes.

Councillor Salvatelli said at the corner of West and Merritt Streets there is a guy pole that the neighbors weren't happy with and he was told that it was needed for support. Do the neighbors know this is happening?

Mr. Dobie said he couldn't tell him and this is why we have these hearings. It is one single pole with a guy and an anchor.

Councillor Salvatelli asked if he knew what house it was.

Mr. Dobie did not.

Councillor Salvatelli said he wants some time to see what is going on there in case he gets calls.

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

HEARING ADJOURNED AT 6:40 P.M.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012

Hearing opened at 6:40 P.M. with Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE, presiding.

All members were present except Councillor Lanciani.

Present at the hearing were the Conservation Agent Joanne DiNardo, and Kelly Brown from the Central Massachusetts Coordinator for the Green Communities Division.

The following PETITION was the subject of the hearing:

Relative to amending Chapter 4 of the Revised Ordinances entitled "Building" by inserting a new subsection, Article I Section 4-2.12 relative to the adoption and purpose of the Stretch Energy Code.

Ms. DiNardo said they have spent countless hours visiting other communities, attending training and researching and came up with what is on the table now. We are ready to move forward as a community with energy efficiency which is through the Green Community. She said the Stretch Energy Code is just a component of that. The Stretch Energy Code would require any construction that goes on in the City of Leominster to be energy efficient and would meet the code 20% better than the new code that is coming in. She said they are asking the Council to make a determination that we are ready to move forward. If we meet this criteria we will have four other criteria to meet. We have identified that we do meet the requirements for the other criteria.

Councillor Rowlands said there were some concerns with people on the other side about too many regulations and would like to take one step back before adopting the second reading and invite people down and have a discussion.

Councillor Salvatelli asked if this was going to occur automatically next year.

Ms. DiNardo said we are advancing it to January 2013. It will become law.

Councillor Rowlands said this is not just accepting the standards that are going to go in place in a year or two years; this is accepting whatever comes down the road one year, two years etc. We are committing to the Stretch Energy Code and that will change and be dynamic. It is a long term commitment to the Stretch Energy Code.

Councillor Marchand said in the Sentinel & Enterprise newspaper March 18, 2012 it said Mazarella said the City needs to strike a balance when enacting ordinances. "I think in bad economic times we have to be aware of what we do and the impact. On the surface it may seem to be a good thing but we have to be aware of how it affects somebody on the other side."

Councillor Marchand asked if the Mayor is in support of this. This indicates no.

Councillor Freda said we should have had this meeting before Ms. DiNardo came down before a hearing. We knew it was coming and scheduled. We should have planned a meeting ahead of time if we had extra questions. We knew some of the developers are not going to be in support of this. She said she won't speak for the Mayor but he has been pretty supportive of

the Energy Committee and asked Ms. DiNardo to chair it. She said she doesn't feel they need another meeting. I think we have heard all that we need to hear. If there is opposition on the other side that you are concerned about bring those people down and read their letters, do whatever we have to do, she doesn't know if she supports another meeting.

Councillor Rowlands said he is conflicted whether or not the Mayor supports this.

Councillor Nickel said he read the same article and it is a concern. He said he assumes if the Mayor was upset about this he would have said something.

Councillor Rowlands asked Ms. Brown how confident she was that the City of Leominster would receive grant money if this was adopted.

Ms. Brown said she can speak on the program itself. She said they've had four rounds so far, 86 designated green communities and all 86 designated green communities have received grant funding.

Councillor Nickel asked if a certain amount of the grant money could be set aside to help people that are having financial problems.

Ms. DiNardo said when we put the grant package together a piece of that could be put aside to help defray the cost and it would be part of the grant. She said money can be put aside for hardship cases and that Lowell put money aside for those situations.

Councillor Chalifoux Zephir said if we do adopt it and at some point in the future and there were changes coming down the road, each year the Stretch Code could conceivably change, correct?

Ms. Brown said the base building code changes every three years and when the base building codes change the Stretch Code could change as well. She said they are ready to roll out a new base building code so a new Stretch Code will be coming out in 2013.

Councillor Chalifoux Zephir asked if the City Council could rescind their participation in the Stretch Code.

Ms. DiNardo said yes.

Councillor Chalifoux Zephir asked Ms. DiNardo how many times they have been down to the Council.

Ms. DiNardo said we had several neighborhood meetings and came down to the Council November 14, 2011, January 30, 2012 and February 13, 2012. We came down for a Committee meeting January 30, 2012.

Councillor Chalifoux Zephir said this process has been going on for a really long time. Anybody that opposes the Stretch Code or had questions or concerns have had ample opportunity to come down and ask those questions to us and to Ms. DiNardo. She said she hasn't heard from anybody and has no problem voting on it tonight.

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012 continued

Councillor Freda asked what the deadline was.

Ms. Brown said for the designation application is Tuesday May 29, 2012.

Councillor Freda said if we vote to support it the Mayor has veto power as written in the ordinance.

Councillor Rowlands expressed his concern for not enough HERS Inspectors which causes delays for builders.

Ms. Brown said there are over 30 companies with multiple HERS Inspectors at a company. She said there is one company in Ayer, which is the closest to here, and one in Douglas. People have experienced delays and it's usually the first house or doing a project and getting use to the process. I haven't heard anything after they get going.

Councillor Rowlands asked if Energy Star competes with this, offer building standards and changes to the building code at the federal level that are somehow in competition or a different path than this Stretch Code.

Ms. Brown said they work hand in hand with the Energy Star program.

Councillor Rowlands asked if you go to the federal level can you adopt an Energy Star equivalent to the Stretch Code.

Ms. Brown said she is not aware.

Letters from Michelle Roberts of 51 Johnny Appleseed Lane, Jordan Piper of 479 Johnny Appleseed Lane and Peter Lanza in support of the Stretch Code were entered into the record. These letters are on file in the City Clerk's office.

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

HEARING ADJOURNED AT 7:07 P.M.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012

Hearing opened at 7:07 P.M. with Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE presiding.

All members were present except Councillor Lanciani.

The following PETITION was the subject of the hearing:

Relative to amending 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"

Councillor Rowlands said there were concerns about this being 24 hours. He said the neighborhood does support making it for a few hours coming and going for the high school. He said he received a request from Councillor Lanciani not to take action on this due to his absence.

Councillor Nickel said he spoke to someone that lives on Helena Street that had concerns about this and bought up the idea of having it within certain hours.

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

HEARING ADJOURNED AT 7:10 P.M. and continued to April 9, 2012 at 6:25 P.M.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012

Hearing opened at 7:10 P.M. with Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE presiding.

All members were present except Councillor Lanciani.

The following PETITION was the subject of the hearing:

Relative to amending Section 13-34 of the Revised Ordinances 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."

Councillor Rowlands said he has not heard any opposition to this ordinance.

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

HEARING ADJOURNED AT 7:11 P.M. and continued to January 23, 2012 AT 6:30 P.M.

No Councillors spoke.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2012

Hearing opened at 7:11 P.M. with Councillor Rowlands, Chair of the LEGAL AFFAIRS and the PRESIDENT'S ZONING COMMITTEES, presiding.

All members were present except Councillor Lanciani.

Hearing is continued from January 9, 2012.

The following COMMUNICATION was the subject of the hearing:

C-68 (2011) Dean J. Mazarella, Mayor: Adopt the proposed changes to the Leominster Zoning Ordinance

Councillor Rowlands said there hasn't been much change to the revamping of the zoning.

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

HEARING ADJOURNED AT 7:30 P.M. and continued to July 9, 2012 AT 7:00 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2012

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

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

A recess was called at 7:33 P.M. to hold the public forum.

Meeting reconvened at 7:35 P.M.

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

- C-62 Relative to the appropriation of \$8,000.00 to the Cemetery Salary and Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-63 Relative to the appropriation of \$6,500.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-64 Relative to the appropriation of \$60,000.00 to the Principle Debt Service School's Expense Account; same to be transferred from the Interest on Bonds Expense Account.

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

- C-65 Dean J. Mazzarella, Mayor: Request that David Smith be exempt from M.G.L. Chapter 268A, Section 20B (Conflict of Interest) as he works for the Department of Public Works and will be providing an evening car maintenance program to the public through the Recreation Department.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Mayor and the School Committee.

- 43-12 Gregory C. Chapdelaine, Purchasing Agent and James Jolicoeur, Superintendent of Schools: Allow the Purchasing Agent to enter into a five year contract for the School Food Service Program.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE and given REGULAR COURSE.

- 44-12 John W. Harmon, Human Resource Director: Create the title of Emergency Management Director Assistant with a salary of S-6 and add it to the City Ordinance "Classification of positions," Section 16-34.

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

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2012, continued

- 45-12 Russell Kassatly: Grant a Hawkers and Peddlers License for the sale of merchandise during the year 2012.

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

Leominster Police Department – Shane Rodriguez - Permanent Police Officer

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

Emergency Management – Assistant Directors – terms to expire April 15, 2013
James LeBlanc, Richard Gauvin

Emergency Management - Deputy Directors – terms to expire April 15, 2013
Alfred Staal, Thomas Piper, Daniel Thibodeau, Jean Hudson

Emergency Management - Auxiliary Police Officers – terms to expire April 15, 2013
Nikito Baker, John Caron, Paul Tolpolski, Kathy Truax, Justin P. Nichols,
Vincente Figueroa, Edward Coffin, Oscar Myles, Pedro Ruiz, Elympse
Octavuis, Matt Perkins

Emergency Management –Communications Unit – Maria Buyea, Joel Parilla,
EMT Unit - Nancy Patey
Rescue Unit - Greg Day

Councillor Robert 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)	\$ 2,659,718.00
Stabilization Account	\$ 11,103,675.65
Emergency Reserved Account	\$ 350,034.00

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 "yeas"

- C-54 Relative to the appropriation of \$175,848.00 to the Public Works Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Seventy Five Thousand, Eight Hundred Forty Eight Dollars (\$175,848.00) be appropriated to the Public Works Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-55 Relative to the appropriation of \$2,500.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.

ORDERED: - that the sum of Two Thousand Five Hundred Dollars (\$2,500.00) be appropriated to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas” and 1 “nay”, Councillor Nickel opposed.

C-56 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account.

ORDERED: - that the sum of Two Thousand Dollars (\$2,000.00) be appropriated to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 “yeas”

C-57 Relative to the appropriation of \$2,000.00 to the Health Department Expense Account; same to be transferred from the Emergency Reserve Account.

ORDERED: - that the sum of Two Thousand Dollars (\$2,000.00) be appropriated to the Health Department Expense Account; same to be transferred from the Emergency Reserve Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 5 “yeas” and 3 “nay”, Councillors Marchand, Dombrowski and Rowlands opposed.

C-58 Relative to the appropriation of \$4,500.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2012, continued

ORDERED: - that the sum of Four Thousand Five Hundred Dollars (\$4,500.00) be appropriated to the Health 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. 8 “yeas”

C-59 Relative to the appropriation of \$6,000.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Six Thousand Dollars (\$6,000.00) be appropriated to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Firefighter equipment for two new firefighters.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas” and 1 “nay”, Councillor Freda opposed.

C-60 Relative to the appropriation of \$61,000.00 to the Municipal Building Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Sixty One Thousand Dollars (\$61,000.00) be appropriated to the Municipal Building Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0; Councillor Cormier abstained due to a possible conflict of interest.

39-12 National Grid and Verizon New England, Inc.: Merritt Street – Install 1 jointly owned pole on Merritt Street beginning at a point approximately 20 feet south of the centerline of the intersection of Monroe Street.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. 8/0

31-12 Manoel Loka Leite: Grant a Special Permit to construct a single family dwelling on Elm Street as shown on Assessor’s Map 535 as Lot 1B, located within the water supply protection district. (Hearing continued to April 23, 2012 at 7:00 P.M.)

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was AMENDED and given FURTHER TIME. Vt. 8 "yeas". Amended by removing "Signs Permitted in Residence Districts" and adding "Signs Permitted in Commercial, Industrial and Business Districts."

32-12 Leominster City Council: Amend Chapter 22, Section 22-84 of the Leominster Zoning Ordinance entitled "Signs Permitted in Commercial, Industrial and Business Districts" by adding a section for electronic message boards.

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

36-12 Patrick McCarty, Agent for Friendly Lion Realty, LLC: Grant a Special Permit to demolish the existing building and replace it with a new three story bank, office and professional building located at 24 Monument Square, as shown on Assessor's Map 16 as Lot 9A, located within the flood plain. (Hearing set for April 9, 2012 at 7:00 P.M.)

40-12 John W. Harmon, Human Resource Director: Create the title of Head Administrative Clerk with a salary of S-5 and add it to the City Ordinance "Classification of positions," Section 16-34.

41-12 Lucien M. DiStefano, Agent for Amerada Hess Corp.: Amend the underground storage license for the property located at 482 Main Street to increase the capacity of the underground storage tanks from 30,000 gallons to 40,000 gallons. (Hearing set for April 9, 2012 at 6:35 P.M.)

Upon recommendation of the CITY PROPERTY COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 7/1, Councillor Freda opposed.

C-61 Dean J. Mazzarella, Mayor: Authorize the Mayor to acquire, by purchase, gift, and/or eminent domain, for general municipal purposes and on such terms and conditions as the Mayor deems appropriate, the parcel of land with improvements thereon located at 21 Franklin Street and described in a deed recorded with the Worcester North District Registry of Deeds in Book 7470, Page 287.

Letters from the Mayor and Wendy Wiiks dated March 26, 2012 were read and are on file in the City Clerk's office.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt. 8/0

42-12 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers and plants in April and May 2012.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2012, continued

Upon recommendation of the WAYS & MEANS COMMITTEE, the following RE-APPOINTMENT was CONFIRMED. Vt. 8" yeas"

Board of Registrars – David L. Higgins, Jr. – term to expire April 15, 2015

Upon request of the LEGAL AFFAIRS COMMITTEE, the following ORDINANCE was given FURTHER TIME.

2nd Reading Ordinance – amending 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."

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 8 "yeas"

The City of Leominster
In the year two thousand and twelve

AN ORDINANCE

Amending Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic."

Be it ordained by the City Council of the City of Leominster, as follows:

Chapter 13, Section 13-34 of the Revised Ordinances entitled "No Parking on Certain Streets: is hereby amended by deleting the following phrase:

Granite street (north and south sides), beginning at a point seven hundred feet westerly of West Street, westerly for a distance of eleven hundred feet, between the hours of 8:00 A.M. and 5:00 P.M.

And inserting in its place the following:

Granite Street (north side), beginning at a point seven hundred feet westerly of West Street, westerly for a distance of eleven hundred feet, between the hours of 8:00 A.M. and 5:00 P.M.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following ORDINANCE was given FURTHER TIME. Vt. 8/0.
A hearing is set for April 9, 2012 at 6:50 P.M.

2nd Reading Ordinance – Amend Chapter 22 of the Leominster Zoning Ordinance by inserting the definitions for Kennel, Pet Services and Veterinary Hospital/Office and further amending Section 22-26 Table of Uses by inserting under Business Uses the following:

Uses	RRA	RAA	RB	RC	BA	BB	C	I
Kennel	SPPB/SPA	N	N	N	N	N	N	SPPB/SPA
Pet Services	N	N	N	N	Y	Y	Y	Y
Veterinary	SPPB	N	N	N	SPPB	SPPB	SPPB	SPPB

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 7 “yeas” and 1 “nay”, Councillor Marchand opposed.

The City of Leominster
In the year two thousand and twelve

AN ORDINANCE

Amending Chapter 4 of the Revised Ordinances entitled “Buildings.”

Be it ordained by the City Council of the City of Leominster as follows:

Chapter 4 of the Revised Ordinances entitled “Buildings” is hereby amended by inserting as a new subsection, Article I, § 4-2.12, the following:

Sec. 4-2.12 Stretch Energy Code

(a) Adoption

The City of Leominster has adopted the provisions of 780 CMR 115.AA (i.e., Appendix 115.AA of the State Building Code or the “Stretch Energy Code”), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00. This adoption shall become effective on January 1, 2013.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2012, continued

(b) Purpose

The purpose of the Stretch Energy Code shall be to provide the City with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE, moved that the following COMMUNICATION be removed from the table and placed on the calendar for action. It was so voted 8/0. Committee reports as follows:

C-44 Dean J. Mazzarella, Mayor: Request that Massachusetts General Law Chapter 32B, Sections 21, 22, and 23 be accepted as added by Chapter 69 of the Acts of 2011. FURTHER TIME. Vt. 8/0

Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE, moved that the following COMMUNICATION be removed from the table and placed on the calendar for action. It was so voted 8/0. Committee reports as follows:

37-12 City of Leominster Labor Unions: Request the adoption of Chapter 32B, Section 19 in accordance with the Massachusetts General Laws. FURTHER TIME. Vt. 8/0

A motion was made and adopted to hold a Special Meeting on April 2, 2012 at 7:00 P.M. regarding C-44 and 37-12. Vt. 8/0

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to request the Health Insurance Consultant, the Mayor, the Comptroller, the Personnel Director and Brian Masur of Kopelman & Paige attend the Special Meeting on April 2, 2012 at 7:00 P.M. Vt. 8/0

A motion was made to request the Personnel Director to notify the unions, non-union employees and retirees of the meeting on April 2, 2012. Vt. 8/0

A motion was made to request the Personnel Director to make sure that all the prerequisites are met for the Council to take a vote on April 2, 2012. Vt. 8/0

Councillor Freda said she doesn’t think the Council has the power to override the Mayors veto and we should find that out before the meeting.

Councillor Rowlands asked the Clerk to get clarity on that.

Councillor Salvatelli said if you grant C-44 you don’t go to 37-12.

Councillor Rowlands said he didn't think you can have both. It is either one or the other or neither.

Councillor Salvatelli said he is concerned about 37-12. Having two things on the agenda seems to be a conflict.

Councillor Dombrowski said we just got the summary from Kopelman & Paige today.

Councillor Marchand asked if the Council granted 37-12 and denied C-44 and the Mayor vetoes it and we can't go back on C-44, what the status is. He said he would like to know what the ruling on that would be from Kopelman & Paige.

Councillor Rowlands said he asks that all questions prepared by Thursday be sent to the City Clerks office and sent to Kopelman & Paige, the Mayor or the Comptroller so they will be prepared for Monday's meeting.

Councillor Marchand said in response to the Mayors response regarding the meetings he would like to know from the Personnel Director what the status is of not having an intellectual conversation with the secretarial union and what was the status of the discussions he had with the non-union employees.

Under New Business, Councillor Nickel said he would like to see arrangements made to get a representative from National Grid before the City Council regarding the outage in the Wal-Mart, Searstown, Hamilton Street areas and more. He said we should be encouraging Mass. Electric to do a better job and National Grid of dividing up the system. If we had a major storm and that section went out that would include a majority of the grocery stores.

Councillor Rowlands established a Legal Affairs Committee meeting April 2, 2012 at 6:30 P.M.

Councillor Chalifoux Zephir said we all got a notice in March from the Mayor regarding emails and the problem people were experiencing with emails. She said she thought the problem had been fixed but she is still experiencing problems. She said there are some emails out there somewhere from people that were trying to contact her and never received and not quite sure where they are. She said she asked Mr. LaPlante to go back to Guardian to see if they can find those emails. Other Councillors might be experiencing the same problem.

MEETING ADJOURNED AT 9:45 P.M.

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