

HEARING BEFORE THE CITY COUNCIL, AUGUST 11, 2014

Hearing opened at 6:52 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS COMMITTEE, presiding.

All members were present except Councillor Dombrowski.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 14 of the Revised Ordinances entitled “Offenses – Miscellaneous” by inserting a new section 14-21 regarding the use of medical marijuana on public property.

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

No Councillors spoke.

HEARING ADJOURNED AT 6:54 P.M.

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

HEARING BEFORE THE CITY COUNCIL, AUGUST 11, 2014

Hearing opened at 6:55 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS COMMITTEE, presiding.

All members were present except Councillor Dombrowski.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 18, Section 18-5 of the Revised Ordinances entitled "Police - Equipment" by deleting Section 18- 5 in its entirety and replacing with a new Section 18- 5.

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

No Councillors spoke.

HEARING ADJOURNED AT 6:57 P.M.

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

HEARING BEFORE THE CITY COUNCIL, AUGUST 11, 2014

Hearing opened at 7:00 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS COMMITTEE, presiding.

All members were present except Councillor Lanciani.

The following PETITION was the subject of the hearing:

3-15 Leominster Planning Board and Peter Niall, Building Commissioner: Amend the Leominster Zoning Ordinance by adding "sales and service of all recreation vehicles and motor cycles" to Section 22-17, Underlying Districts Table of Uses and removing the word "vacant" from Article I, Section 22-10-1-1.

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

Councillor Nickel said he would like the Council to consider giving this hearing further time and have the Director of Inspections to come down to the Council. He said he feels that this is two separate items.

Councillor Freda said the Planning Board has not met to give us a recommendation.

Councillor Bodanza said they are two complete items and he is confused with the content and would like to hear from the Director of Inspections.

Council President Marchand agreed.

HEARING ADJOURNED AT 7:06 P.M. AND CONTINUED TO AUGUST 25, 2014 AT 7:00 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 11, 2014

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

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

The Committee on Records reported that the records through July 28, 2014 were examined and found to be in order. The records were accepted.

The following COMMUNICATION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to The Conservation Commission and to the Mayor.

C-5 Dean J. Mazarella, Mayor: Request authorization to enter into an agreement for Net Metering Power Purchase for solar generated electricity and related net electricity metering credits and authorization of the mayor to execute such agreements and take such actions as are necessary to administer and implement such agreements.

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

C-6 Dean J. Mazarella, Mayor: Accept MGL Chapter 60A, Paragraph 8 relative to excise tax exemption for active duty servicemen deployed.

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 11, 2014, continued

The following COMMUNICATION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

- C-7 Relative to the appropriation of \$50,000.00 to the Library Expense Account; same to be transferred from the Library State Aid Reserved for Appropriations Account.

The following PETITION was received, referred to the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Treasurer and the Police Department.

- 4-15 Christopher Nikolow: Renew the Second Hand Dealers License for Ashlyn Fine Jewelry located at 3 Park Street.

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

Council on Aging-Margaret Takarabe – term to expire April 15, 2017

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0. (Hearing continued to August 25, 2014 at 7:00 P.M.)

- 3-15 Leominster Planning Board and Peter Niall, Building Commissioner: Amend the Leominster Zoning Ordinance by adding “sales and service of all recreation vehicles and motor cycles” to Section 22-17, Underlying Districts Table of Uses and removing the word “vacant” from Article I, Section 22-10-1-1.

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

Fire Department – Lieutenant – Ryan Young

2014-2015 Election Officers – terms to expire August 31, 2015

ELECTION OFFICERS 2014-2015

WARD 1A	PARTY	NAME	WARD 2C	PARTY	NAME	WARD 4B	PARTY	NAME
Warden	U	Kathleen Kaldis	Warden	U	Dennis M. Lyddy	Warden	R	Janet Parker
Clerk	D	Paul Janda	Clerk	U	Amelia Piermarini	Clerk	U	Birdie Siciliano
Inspector	U	Janice Donfro	Inspector	U	Jean Morel	Inspector	D	Louise DiPalma
Inspector	U	Melanina Arpano	Inspector	U	Susan Sanguinetti	Inspector	R	Joan Nicholson
Inspector	U	Jeannita Gaudet	Inspector	D	Anna McCarthy	Inspector	U	Patricia Corriea
Inspector	U	Chris Chiumento	Inspector	U	Rita Souliere	Inspector	D	Patricia Pinder
Inspector	U	Paul Cannavino	Inspector	U	Marie J. Sharrigan	Inspector	U	Joanne Petricca
Inspector	U	Annette Keating	Inspector	U	Anne M. Richard	Inspector	R	Benjamin Parker
Dep Insp	U	Dennis Grammont	Dep. Insp.	R	Robert N. Cote	Dep. Insp.	U	Silvia Dube
Dep Insp	U	Phyllis Grammont	WARD 3A			WARD 4C		
WARD 1B			Warden	D	Kathleen Haskell	Warden		
Warden	D	Margaret Woovis	Clerk	D	Claudette A. Guilmette	Clerk	D	Elizabeth Denis
Clerk	U	James Woovis	Inspector	U	Karen J. McNall	Inspector	U	Deborah G. Hebert
Inspector	U	Sandra L. Ricci	Inspector	U	Lucy Ciccolini	Inspector	U	Nancy Hicks
Inspector	U	Mary Golas	Inspector	U	Norma Surovich	Inspector	U	Maureen Jennings
Inspector	R	Betsey McPhee	Inspector	D	Barbara Aubuchon	Inspector	D	Verna Charpentier
Inspector	D	Beatrice Robichaud	Inspector	D	Dorothy Comeau	Inspector	U	Gail Duplease
Inspector	R	Joan Nowlin Thompson	Inspector	U	Beverly Fratoni	Inspector	U	Anna Mikels
Inspector	R	Evelyn Vignola	Dep. Insp.	U	Linda C. Kinsey	WARD 5A		
Dep Insp	U	Paulette Robichaud	WARD 3B			Warden	U	Cynthia Henderson
Dep Insp	R	Norman E. Winchester	Warden	U	Nancy Koski	Clerk	R	Chester Carter
Dep. Insp.	U	Brenda Maffeo	Clerk	D	William Ryan	Inspector	R	Marilyn Carter
Dep Insp	D	Eugenia Goldsby	Inspector	U	Deanne Comeau	Inspector	U	Leslie Tobin
Dep Insp	D	Earlean Brown	Inspector	U	Gail Cunningham	Inspector	U	Therese M. Tobin
Dep Insp	U	Robert E. Antil	Inspector	U	Caroline Perla	Inspector	U	Gail Purretta
Dep Insp	U	Elaine D.G. Greene	Inspector.	U	Kathleen Lamb	Inspector	D	Madeleine Marcoux
WARD 1C			Inspector	U	Laura Casey	Inspector	D	Marie Blondin
Warden	U	Priscilla Regopoulos	Inspector					
Clerk	D	Anne Lucier	Dep. Insp.	R	Constance Cardoza	Dep. Insp.	U	Diane Eredita
Inspector	U	Barbara A. Burque	Dep. Insp.	U	Peter Richards	Dep. Insp.	U	Irene C. Greco
Inspector	U	Philena Richards	Dep. Insp.	U	Mary L. Richards	Dep. Insp.	U	Giulio G. Greco
Inspector	U	Janice LeDuc	WARD 3C			WARD 5B		
Inspector	U	Anne Kastal	Warden	U	Louise Comeau	Warden	R	Donald Piermarini
Inspector	D	Domenic Marcantonio	Clerk	U	Nilah Gerhard	Clerk	U	Doris DeCicco
Inspector	U	Jeanne Jekanowski	Inspector	U	Beverly Amedio	Inspector	D	Eleanora Bissonnette
Dep. Insp.	D	Jane Kalfus-Maine	Inspector	U	Gerald R. LeBlanc	Inspector	U	David Henderson
Handi Inspector	U	Nicholas Donfro	Inspector	U	Ruth Barrows	Inspector	D	Phyllis Johnson
WARD 2A			Inspector	D	Katherine Saunders	Inspector	U	Bessie Lindsay
Warden	U	Joanne Anderson	Inspector	D	Diana D. Giannetti	Inspector	U	Charles Hayes
Clerk	U	Kelly Lyddy	Inspector	D	Sharon Bennett	Inspector	U	Denise Lamkin
Inspector	D	Claire M. Lincoln	Dep Insp.	U	John J. Caron	Dep. Insp.	D	Francis J. Giangrande
Inspector	D	Ida Kendall	Dep. Insp.	D	Nancy A. Lee	WARD 5C		
Inspector	D	Jean Tessier	Dep Insp.			Warden	U	Diane Shepherd
Inspector	U	Barbara Lanza	WARD 4A			Clerk	U	Margaret Allen
Inspector	D	Maria Tineo	Warden	R	Janet Baron	Inspector	D	Anthony E. Stelluto
Inspector	R	Milagros Vazquez	Clerk	U	Joyce LaFleur	Inspector	U	Tina Wright
Dep Insp	D	Roland S. Hammons	Inspector	U	Phyllis DelGiudice	Inspector	D	Marie Chester

	PARTY	NAME		PARTY	NAME		PARTY	NAME
WARD 2B			Inspector	U	Linda Vezina	Inspector	U	Lisa Holley
Warden	D	Kerry A. Boudreau	Inspector	U	Arnold Baron	Inspector	U	Marta Bahde
Clerk	D	Debra McNally	Inspector	U	Rosalie LaManna	Inspector	U	Rosalie O'Donnell
Inspector	U	Paula Harvey	Inspector	D	Janet Flanagan	Dep Insp.	D	Andriana Fotakis
Inspector	D	Elizabeth Buchanan	Inspector	U	Magella Jackson			
Inspector	U	Claire M. Babineau	Dep Insp	U	Marcia J. Tarara			
Inspector	D	Marie Richard	Dep. Insp	D	Marie Barns			
Inspector	U	Emilda E. Sauvageau	Dep. Insp	U	Leonie M. Cormier			
Inspector	D	Robert J. Gourdeau						
Dep. Insp.	D	Patricia C. Vallee						

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

City of Leominster
In the year two thousand and fourteen

AN ORDINANCE

Amending Chapter 14 of the Revised Ordinances entitled “Offenses - Miscellaneous.”

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

Chapter 14 of the Revised Ordinances entitled “Offenses – Miscellaneous” is hereby amended by inserting a new section as follows:

Sec. 14-21. Ingestion of medical marijuana on public property.

(a) Definitions

Public Property: Public property shall include any real estate, improved or unimproved, which the City owns or controls and places to which the public has a right of access.

Medical Marijuana: Medical marijuana is marijuana prescribed or used as defined in 105 CRM 725.0, as may be amended, promulgated under Chapter 369 of the Acts of 2012.

(b) Use on Public Property

Medical marijuana shall not be ingested or used in any form on public property within the City of Leominster.

(c) Penalties:

- 1) Any violation of this section shall be enforced by noncriminal disposition pursuant M.G.L. c.40, §21D, as follows:
 - (a) First offense subject to this ordinance; noncriminal fine of one hundred fifty dollars (\$150,00).
 - (b) Subsequent offense subject to this ordinance; noncriminal fine of three hundred dollars (\$300.00.00).
- 2) For purposes of this section, notice shall be deemed sufficient and proper if the person receives service by registered mail, return receipt requested, or receives in hand service or service by a constable, sheriff or other person authorized to serve civil process within the Commonwealth of Massachusetts or other service as a court of competent jurisdiction may allow.

(d) Consistent with other laws

Nothing herein shall be construed to interfere with the prohibition or regulation of marijuana by other laws, state or federal.

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

City of Leominster
In the year two thousand and fourteen

AN ORDINANCE

Amending Chapter 14 of the Revised Ordinances entitled “ Police.”

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

Chapter 18 of the Revised Ordinances entitled “Police” is hereby amended by deleting Section 18-5 of said chapter, entitled “Equipment,” in its entirety and inserting in its place the following language:

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 11, 2014, continued

Sec. 18-5. Equipment

All sworn full time officers, special police officers and auxiliary police officers shall be issued and have in their possession, and carry on active duty, a firearm, baton, oleoresin capsicum, radio and handcuffs. Those officers authorized by the chief of police shall also be issued to carry and have in their possession an electronic control weapon. All members assigned to the detective bureau, plain clothes, or functioning in an administrative position, shall be issued and carry on their person a firearm, a less lethal use of force option that covers multiple levels of force (i.e., a baton or electronic control weapon), handcuffs and a means of communicating with the department (i.e. cellular phone or radio) while outside of the building and on duty.

The following RESOLUTION was received, referred to the FINANCE and the WAYS & MEANS/VETERANS AFFAIRS COMMITTEES and given REGULAR COURSE.

RESOLUTION – State of Massachusetts Health Care Security Trust Investment Agreement Authorization.

The following ORDINANCE was read once and ADOPTED as presented. Vt. 7 “yeas” and 1 “nay”, Councillor Freda opposed.

1st Reading Ordinance – Amend Chapter 22, Article I, Section 22-4 of the Revised Ordinance entitled “Definitions” by eliminating the sentence “Facilities that utilize animal testing of products are not included in this definition: from the Life sciences definition.”

The following ORDINANCE was read once and ADOPTED as presented. Vt. 8 “yeas”

1st Reading Ordinance – Amend Chapter 22 of the Revised Ordinances by adding Article XVIII, Section 22-105 entitled “Medical Marijuana Facilities” to establish special requirements and appropriate placement of Medical Marijuana Facilities.

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to have the Inspector of Buildings Peter Niall come to the next meeting to answer questions regarding Petition 3-15. Vt. 8/0.

Councillor Freda said she went to the Leominster Music Jazz Camp and it was phenomenal.

Councillor Nickel said he was disappointed when he went to a championship baseball game at the Bachand Field and the sign was not working. He said he heard comments from visitors as well as people from the team. Another game is scheduled for Wednesday. He said with all they did to try to get a resolution with the parties involved and still can’t come to an accommodation and now because of it we have a nice field with a non functional scoreboard.

Councillor Freda asked if anyone has heard about the league trying to raise funds to fix the field.

Councillor Nickel said just about every league has done the same thing including North Leominster who has raised funds, National has raised funds and brought in fill for the baselines, and it has been done by Leominster American in the past. After a while you can only bring in so much earth before you have changed the level of the elevation of the field. You have to do the maintenance. He said Councillor Salvatelli was at a game where his grandson played and he noticed the difference in the field because it has been elevated over the years and now it needs to be done. They are going to do what they can to repair the field.

Councillor Salvatelli said there were dips of eight to twelve inches and we’re lucky no one got hurt.

MEETING ADJOURNED AT 7:52 P.M.

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