

REGULAR MEETING OF THE CITY COUNCIL, APRIL 27, 2015

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 April 13, 2015 were examined and found to be in order. The records were accepted.

A motion was made to recess at 7:32 P.M. to hold a public forum.

Meeting reconvened at 7:38 P.M.

The following COMMUNICATIONS were received under SUSPENSION OF THE RULES, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

C-44 Relative to the appropriation of \$2,000.00 to the Health Department Expense Account; same to be transferred from the Health Department Salary & Wages Account.

C-45 Relative to the appropriation of \$6,450.00 to the Fire Department Expense Account; same to be transferred from the Snow & Ice Salary & Wages Account.

C-46 Relative to the appropriation of \$110,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

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

49-15 Kym Jollimore: Renew the license for one pool table at the Tankard located at 13 Central Street.

50-15 Carol and David Shields: Renew the license for three pool tables at South Leominster Lounge d/b/a Forte's Lounge located at 1030 Central Street.

51-15 Christine DiMauro: Renew the Second Hand Dealers License for My Uncle's Attic located at 609 Main Street.

52-15 Jeff Wilson: Renew the Second Hand Dealers License for Movie Stop #7045 location at 82 Orchard Hill Park Drive.

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

53-15 Robert Salvatelli and Gail Feckley: Establish a city ordinance regulating Yard Sales, Garage Sales, Tag Sales or like sales.

The following PETITION was received, referred to the PUBLIC SAFETY AND TRAFFIC COMMITTEE, given REGULAR COURSE and referred to the Police Department-Traffic Division.

54-15 Gail Feckley: Place a stop sign at Nass Farm Road and Joslin Street.

The following PETITION was received, referred to the COUNCIL RULES AND CODE OF CONDUCT COMMITTEE and given REGULAR COURSE.

55-15 Claire Freda: Amend the City Council Rules and Procedures 2015, specifically, Rule #8-ORDER OF BUSINESS, "f" and "g", to comply with G.L. c30A Section 20(b). (Council Rules and Code of Conduct)

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

Conservation Commission – Scott Pearson – term to expire April 15, 2018
Disability Commission – Denise Andrews – term to expire April 15, 2018
Housing Authority – Yanneth Bermudez-Camp – term to expire April 15, 2020

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following COMMUNICATIONS were GRANTED. Vt. 9/0

C-38 Dean J. Mazarella, Mayor: Request that Raymond Racine be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest as he is currently employed by the Public Works Department and will be taking a position with the School Department umpiring baseball and softball games.

C-39 Dean J. Mazarella, Mayor: Request that Raymond Racine be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest as he is currently employed by the Public Works Department and will be taking a position setting up polling booths for the City Clerk Elections and Registration Office.

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following PETITIONS were GRANTED. Vt. 9/0

28-15 Andrew Rome: Renew the license for one pool table at the Columbia Tavern located at 16 Central Street Rear.

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- 29-15 Michael J. Fusco: Renew the license for two pool tables at Jake's Pub Inc. d/b/a Hot Shotz located at 1293 Main Street.
- 30-15 William Plant: Renew the License for nine pool tables at J. C. Fenwicks/Tinkums located at 37-39 Mechanic Street.
- 31-15 Kevin Donahue: Renew the license for one pool table at Scoreboards Sports Bar and Grill located at 137 Lancaster Street.
- 32-15 Roger Cormier: Renew the Second Hand Dealers License for Crowne Jewelers located at 12 Lindell Avenue.
- 33-15 Jon Andre Zajon: Renew the Second Hand Dealers License for Georges Fine Jewelers, Inc. located at 255 North Street.
- 34-15 George Deglaoui: Renew the Second Hand Dealers License for Deghan Inc., d/b/a Hannoush Jewelers located at 100 Commercial Road.
- 35-15 Joanne Atwood: Renew the Second Hand Dealers License for The Repair Palace located at 100 Commercial Road.
- 36-15 Matt Zvacek: Renew the Second Hand Dealers License for Gold Buyers of America, LLC located at 100 Commercial Road.
- 37-15 Robert Jamsa: Renew the Second Hand Dealers License for Best Buy Stores, LP #1433 located at 33 Orchard Hill Park Drive.
- 38-15 Mark Gordon: Renew the Second Hand Dealers License for Music Mania Inc. located at 875 Merriam Avenue, Suite 135.
- 39-15 Virginia A. Tocci: Renew the Second Hand Dealers License for Joseph's Group Inc. d/b/a Joseph's Jewelers located at 28 Central Street.
- 40-15 Christine Abernathy: Renew the Second Hand Dealers License for ecoATM, Inc. located at 100 Commercial Road.
- 41-15 GameStop #1485: Renew the Second Hand Dealers License for the location at 100 Commercial Road #49.
- 42-15 Game Stop #3594: Renew the Second Hand Dealers License for the location at 26 Orchard Hill Park Drive.
- 43-15 Laurel Krueger: Renew the Second Hand Dealers License for Beldon Jewelers #0240 located at 100 Commercial Road.
- 44-15 Laurel Krueger: Renew the Second Hand Dealers License for Kays Jewelers #1285 located at 100 Commercial Road.
- 45-15 Nellye Molina: Grant a Second Hand Dealers License for J & J Consignment located at 232 Central Street.

Upon request of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0, Councillor Bodanza abstained due to a possible conflict of interest.

- 46-15 Peter Bellanton: Grant a License to North Central Coach & Cab LLC located at 435 Lancaster Street, Suite 341 for 10 limousines in compliance with M.G.L. Chapter 159A.

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 9/0.

- 47-15 Albert D. Mason: Renew the license for 7 pool tables and 24 bowling alleys at Mason's Bowling Center located at 640 R. North Main Street.

Upon recommendation of the CITY PROPERTY AND PROPERTY OVERSIGHT COMMITTEE, the following PETITION was GRANTED. Vt. 9/0.

- 48-15 Claire Freda for Kathie Peloquin: Place signs on Mechanic Street, Route 117, West Street, the Common and North Main Street to promote the annual quilt show on June 26 and 27, 2015. Signs would be placed on the weekend of June 6, 2015 and taken down the weekend of June 27th.

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

Free Cash	\$ 8,868,805.00
Stabilization Account	\$10,104,907.93
Emergency Reserve	\$0

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

C-40 Relative to the appropriation of \$7,280.00 to the Sealer of Weights & Measures Salary & Wages Account; same to be transferred from the Sealer of Weights & Measures Receipts Reserved for Appropriation Account.

ORDERED: - that the sum of Seven Thousand Two Hundred Eighty Dollars (\$7,280.00) be appropriated to the Sealer of Weights and Measurers Salary & Wages Account; same to be transferred from the Sealer of Weights & Measures Receipt Reserved for Appropriation Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas” and 2 “nays”, Councillors Cormier and Nickel opposed.

C-41 Relative to the appropriation of \$7,500.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.

ORDERED: - that the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) be appropriated to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery Perpetual Care Income Account.

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

C-42 Relative to the appropriation of \$1,500.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.

ORDERED: - that the sum of One Thousand Five Hundred Dollars (\$1,500.00) be appropriated to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.

C-43 Relative to the appropriation of \$540,882.00 to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Revenue Reserved for Appropriation Account.

ORDERED: - that the sum of Five Hundred Forty Thousand Eight Hundred Eighty Two Dollars (\$540,882.00) be appropriated to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Revenue Reserved for Appropriation Account.

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS, the following APPOINTMENTS were CONFIRMED. Vt. 9 “yeas”

HISTORICAL COMMISSION – Michael Kerrigan and Patrick LaPointe –
terms to expire 4/15/18

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS, the following RE-APPOINTMENTS were CONFIRMED. Vt. 9 “yeas”.

BOARD OF APPEALS - Stephen A. DeCarolis - term to expire 4/15/18

BOARD OF APPEALS – ALTERNATE MEMBER - Robert Fitzpatrick - term to expire 4/15/16

BOARD OF ASSESSORS - Mary E. Carey - term to expire 4/15/18

BOARD OF HEALTH - Dr. Peter Lanza - term to expire 4/15/18

CULTURAL COMMISSION - Bruce Lambert - term to expire 4/15/18

DISABILITY COMMISSION – Gail Turbide and Marty Turbide - terms to expire 4/15/18

DOYLE FIELD COMMISSION - Gilbert C. Donatelli term to expire 4/15/18

HISTORICAL COMMISSION – Donald Piermarini, Chester Carter and
Kate Griffin Brook - terms to expire 4/15/18

LICENSE COMMISSION – Kenneth J. Tata - term to expire 4/15/21

RECREATION COMMISSION – John M. Ciccolini and Thomas Bissonnette –
terms to expire 4/15/18

VETERANS BURIAL AGENT – Richard Voutour – term to expire 4/15/18

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS, the following RE-APPOINTMENT was CONFIRMED. Vt. 8 “yeas”. Councillor Bodanza abstained from voting on the Library Board of Trustees due to a possible conflict of interest.

LIBRARY BOARD OF TRUSTEES - Mark Bodanza - term to expire 4/15/18

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Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following RESOLUTION Was AMENDED and GRANTED AS AMENDED. Vt. 8 yeas”, Councillor Bodanza abstained due to a possible conflict of interest. Amended to read “Worcester Northern Registry of Deeds” from “Middlesex North District Registry of Deeds”.

RESOLUTION TO AUTHORIZE TRANSFER AND CONVEY LANCASTER STREET PROPERTY

BE IT RESOLVED: That the City Council of the City of Leominster hereby transfers the care, custody and control of a certain 15-foot wide parcel of land located on Lancaster Street and described in a deed recorded with the Worcester Northern Registry of Deeds in conveyance, and to authorize the Mayor to convey said parcel on such terms and conditions as they Mayor deems appropriated, and, further, to authorize the Mayor to reserve or accept a sewer easement on said property, and take any and all action necessary or convenient to accomplish the foregoing disposition.

Upon recommendation of the WAYS & MEANS AND VETERANS AFFAIRS COMMITTEE, the following RESOLUTION Was AMENDED and GRANTED AS AMENDED. Vt. 9 “yeas”. Amended to correct the wording.

SLACK BROOK EMERGENCY RIVERBANK EROSION PROTECTION PROJECT

RESOLUTION TO AUTHORIZE ACQUISITION OF EASEMENTS

BE IT RESOLVED: - That the City Council of the City of Leominster hereby authorizes the Mayor to acquire, on behalf of the City, by purchase, gift, and/or eminent domain, permanent and/or temporary easements for the purpose of preventing the erosion and protecting the banks of Slack Brook, controlling the flowage of water into and/or from said Brook and/or Exchange Street, a public way, and for access purposes, in, on, and under portions of the parcels of land on Exchange Street identified by the Assessors on Map 126, Lot 9 and Map 544, Lot 6 inclusive.

There was a question why these two items, to authorize transfer and convey Lancaster Street property and authorize acquisition of easements, came before the Council as Resolutions and not Communications. Council President Marchand asked the Chairwoman of Ways & Means and Veterans Affairs meet with the Mayor, at her convenience, regarding the question of past protocol on Resolutions. Both Resolutions were passed by the Council but there is concern on the interpretation on why they came in the fashion that they did. He asked for a report at the next meeting.

MEETING ADJOURNED AT 8:42 P.M.

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