

REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015

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

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

The Committee on Records reported that the records through May 11, 2015 were examined and found to be in order. The records were accepted.

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

C-64 Dean J. Mazarella, Mayor: Authorize the City of Leominster to pursue \$24,199.00 through the United States Department of Justice - Justice Assistance Grant Program (JAG).

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

C-65 Dean J. Mazarella, Mayor: Accept the donation of one laptop computer from Guardian Information Technologies to the Library as a replacement for the one that was recently stolen.

REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015, continued

The following COMMUNICATION was received with an EMERGENCY PREAMBLE and referred to the FINANCE COMMITTEE. The acceptance of the EMERGENCY PREAMBLE was defeated by 3 “yeas” and 4 “nays”, Councillors Salvatelli, Lanciani, Feckley and Cormier opposed. Councillor Marchand abstained due to a possible conflict of interest. Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was given REGULAR COURSE.

C-66 Relative to the appropriation of \$152,000.00 to the Parking Meter Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

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

C-67 Relative to the appropriation of \$340,000.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-68 Relative to the appropriation of \$60,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.

C-69 Relative to the appropriation of \$6,000.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-70 Relative to the appropriation of \$150,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-71 Relative to the appropriation of \$35,000.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-72 Relative to the appropriation of \$250,000.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.

C-73 Relative to the appropriation of \$43,000.00 to the School Department Expense Account; same to be transferred from the Excess and Deficiency Account.

C-74 Relative to the appropriation of \$2,440,500.00 to the Stabilization Fund; same to be transferred from the Excess and Deficiency Account.

C-75 Relative to the appropriation of \$75,000.00 to the Street Cleanup Expense Account; same to be transferred from the Excess and Deficiency Account.

C-76 Relative to the appropriation of \$40,000.00 to the Street Marking Expense Account; same to be transferred from the Excess and Deficiency Account.

C-77 Relative to the appropriation of \$25,000.00 to the Sidewalk Curbing and Street Patch Repair Expense Account; same to be transferred from the Excess and Deficiency Account.

C-78 Relative to the appropriation of \$50,000.00 to the Highway Department Expense Account; same to be transferred from the Excess and Deficiency Account.

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

C-79 Relative to the appropriation of \$20,000.00 to the Sidewalk Improvement Expense Account; same to be transferred from the Excess and Deficiency Account.

C-80 Relative to the appropriation of \$135,000.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency 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.

59-15 Robert A. Cornetta: Renew the license for two pool tables at Miranda’s Pub located at 488 Lancaster Street.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE and given REGULAR COURSE and referred to the Planning Board, the Board of Health, the Police Department, the Fire Department and the Director of Inspections. A hearing was set for June 22, 2015 at 7:00 P.M. Vt. 9/0

60-15 David R. Cormier, Wayne A. Nickel, Robert Salvatelli, Gail Feckley and Richard Marchand: Amend Chapter 22, Section 22-4 of the Leominster Zoning Ordinance by adding a definition for Yard Sales.

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

REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015, continued

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

56-15 Kevin P. Caefer: Renew the Second Hand Dealers License for GotGoldandSilver GetCash.com

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. A hearing is scheduled for June 8, 2015 at 6:45 P.M.

57-15 James J. Carnivale, Karen L. Carnivale and Jeffrey T. Duval: Modify the Zoning map by changing the district designation from Residential to Commercial for land owned by the petitioners as shown on the Assessors Map 239, Lots 5 and 8, and Map 240, Lots 3 and 4.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE a motion to GRANT the following petition did not pass. Vt. 4/4, Councillors Nickel, Lanciani, Cormier and Feckley opposed. A motion was made for FURTHER TIME. Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 5/3, Councillors Bodanza, Freda and Marchand opposed. Councillor Dombrowski abstained due to a possible conflict of interest.

58-15 Claire Freda: Amend the City of Leominster's local room occupancy excise under M.G.L. Chapter 64G, Section 3A to the rate of 6%.

Upon request of the PUBLIC SAFETY AND TRAFFIC COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0

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

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

Free Cash	\$ 816,367.10
Stabilization Account	\$10,104,907.93
Emergency Reserve	\$0

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

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.

ORDERED: - that the sum of One Hundred Ten Thousand Dollars (\$110,000.00) be appropriated to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9 "yeas"

C-47 Dean J. Mazzarella, Mayor: Request that a Mayor's Downtown Beautification/ Activity Donation Account be established as authorized by Massachusetts General Law Chapter 44, Section 53A.

Upon request of the FINANCE COMMITTEE, the following COMMUNICATION was AMENDED and GRANTED as AMENDED and ORDERED. Vt. 9 "yeas" Amended to change "Water System Improvements 1/22/01 \$118,000.00" to "Water Systems Improvements 6/23/03 \$118,000.00." Vt. 9 "yeas"

C-48 Dean J. Mazzarella, Mayor: Request that the following residual loan authorization amounts be rescinded:

<u>Purpose of bond authorization</u>	<u>Date of authorization</u>	<u>Amount to be rescinded</u>
Water System Improvements	6/23/03	\$ 118,000.00
Sewer System Improvements	10/12/04	\$ 23,000.00
Conservation Land Purchase	10/14/04	\$ 185,000.00
Doyle Field Renovations	3/28/05	\$ 250,000.00
Water Plant Upgrades	6/28/08	\$ 3,891.00
Southeast School Renovations	2/11/13	\$1,376,207.00
Fallbrook School Renovations	2/11/13	\$ 312,144.00

ORDERED: - that the following residual loan authorization amounts be rescinded:

<u>Purpose of bond authorization</u>	<u>Date of authorization</u>	<u>Amount to be rescinded</u>
Water System Improvements	6/23/03	\$ 118,000.00
Sewer System Improvements	10/12/04	\$ 23,000.00
Conservation Land Purchase	10/14/04	\$ 185,000.00
Doyle Field Renovations	3/28/05	\$ 250,000.00
Water Plant Upgrades	6/28/08	\$ 3,891.00
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Fallbrook School Renovations	2/11/13	\$ 312,144.00

REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015, continued

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

C-49 Relative to the appropriation of \$11,850.00 to the Building Inspector Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Eleven Thousand Eight Hundred Fifty Dollars (\$11,850.00) be appropriated to the Building Inspector Expense Account; same to be transferred from the excess and Deficiency Account.

C-50 Relative to the appropriation of \$2,058.00 to the City Clerk Salary & Wages Account; same to be transferred from the Election and Registration Expense Account.

ORDERED: - that the sum of Two Thousand Fifty Eight Dollars (\$2,058.00) be appropriated to the City Clerk Salary & Wages Account; same to be transferred from the Election and Registration Expense Account.

C-51 Relative to the appropriation of \$250,000.00 to the Debt Service Principle Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) be appropriated to the Debt Service Principle Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Library Renovation \$130,000.00
High School Renovation/Addition Energy Incentive \$120,000.00

C-52 Relative to the appropriate of \$36,500.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Thirty Six Thousand Five Hundred Dollars (\$36,500.00) 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 COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas”, Councillors Nickel and Cormier abstained due to a possible conflict of interest.

C-53 Relative to the appropriation of \$125,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) 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-54 Relative to the appropriation of \$9,750.00 to the Mayor’s Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Nine Thousand Seven Hundred Fifty Dollars (\$9,750.00) be appropriated to the Mayor’s Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

RE: Sick leave buy backs for retiring employees

C-55 Relative to the appropriation of \$5,000.00 to the Parks and Maintenance Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED:- that the sum of Five Thousand Dollars (\$5,000.00) be appropriated to the Parks and Maintenance Expense Account; same to be transferred from the Excess and Deficiency Account.

C-56 Relative to the appropriation of \$481,266.00 to the School Department Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Four Hundred Eighty One Thousand Two Hundred Sixty Six Dollars (\$481,266.00) be appropriated to the School Department Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: FY 15 Medicaid Reimbursements

C-57 Relative to the appropriate of \$66,874.79 to the High School Renovation/Expansion Non-Revenue Appropriation Account; same to be transferred from the following Non-Revenue Appropriation Accounts as listed below:

Sky View Middle School Loan	\$ 324.54
School Additions Returned Loan	\$ 7,635.40
Elementary School Design Loan	\$ 6,518.67
Southeast School Design Loan	\$49,588.98
School System Improvement Loan	\$ 2,806.83
Fallbrook School Renovations Loan	\$.25

Southeast School Renovations Loan \$.12
 REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015, continued

ORDERED- that the sum of Sixty Six Thousand Eight Hundred Seventy Four Dollars and Seventy Nine Cents, (\$66,874.79) be appropriated to the High School Renovation/Expansion Non-Revenue Appropriation Account; same to be transferred from the following Non-Revenue Appropriation Accounts as listed below:

Sky View Middle School Loan	\$ 324.54
School Additions Returned Loan	\$ 7,635.40
Elementary School Design Loan	\$ 6,518.67
Southeast School Design Loan	\$49,588.98
School System Improvement Loan	\$ 2,806.83
Fallbrook School Renovations Loan	\$.25
Southeast School Renovations Loan	\$.12

RE: To close out residual balances of old school projects to reduce debt costs of high school projects.

Upon request of the FINANCE COMMITTEE, the following COMMUNICATION was TABLED FOR STUDY. Vt. 9/0

C-58 Relative to the appropriation of \$255,561.90 to the various funds listed below; same to be transferred from the Excess and Deficiency Account.

School Funds:

Federal Grants	\$97,945.37
State Grants	\$56,646.24

Other Miscellaneous Funds:

Agency Accounts	\$ 6,567.80
Donation Accounts	\$ 413.45
City Grants-Federal	\$33,210.27
City Grants-State	\$60,778.77

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

C-59 Relative to the appropriation of \$7,000.00 to the Street Signs and Fences Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED- that the sum of Seven Thousand Dollars (\$7,000.00) be appropriated to the Street Signs and Fences Expense Account; same to be transferred from the Excess and Deficiency Account.

C-60 Relative to the appropriation of \$263,577.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Two Hundred Sixty Three Thousand Five Hundred Seventy Seven Dollars (\$263,577.00) be appropriated to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-61 Relative to the appropriation of \$350,000.00 to the Water Department Support Services Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) be appropriated to the Water Department Support Services Expense Account; same to be transferred from the Excess and Deficiency Account.

C-62 Relative to the appropriation of \$1,335,433.00 to the Wastewater Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Million Three Hundred Thirty Five Thousand Four Hundred Thirty Three Dollars (\$1,335,433.00) be appropriated to the Wastewater Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

C-63 Relative to the appropriation of \$50,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fifty Thousand Dollars (\$50,000.00) be appropriated to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

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

Office of Emergency Management-Assistant Directors –
 Jim Leblanc and Richard Gauvin

Deputy Directors – Tom Piper, Carl Sanabria and Al Staal

Auxiliary Officers - John J. Caron, Paul Topolski, Elympse Octavius, Eddie Coffin,

Tim Flaxington, Alex Scipione, Daniel Johnson, Vincente Figueroa
REGULAR MEETING OF THE CITY COUNCIL, MAY 26, 2015, continued

Under "Old Business" Councillor Salvatelli said the Councillors should pay close attention to the Financial Report. He said what the Mayor is asking us to do is to put \$1,000,000.00 in the Stabilization Account and use it as Free Cash until the Free Cash is certified. He said it sounds like a pretty good deal. We already allow him to use the Stabilization Fund Free Cash for ten months, we allowed Emergency Preambles constantly, we supported almost every request that came down here, we passed the budget 8/1, we operated the budget which is not fully funded and relies on Free Cash, and our financial team uses our Stabilization Account on a regular basis on short and long term payments without having to go to the Council for approval. They can do it by law. So, that is a huge tool and a pretty good way of doing business but you are going to have to convince me to put a million dollars in the Stabilization Account to let him have a kitty.

Councillor Freda said regarding Petition 38-15, every Doubletree in Massachusetts is in a 6% community except Leominster.

Under New Business, Councillor Lanciani said we each received a copy of a letter from Dr. Norman J. Gould who has moved to Mashpee and has resigned from the Leominster Board of Health. Councillor Lanciani said he has known Dr. Gould for many years going back into the 80's. He said he is a gentleman's gentleman. Now that Dr. Gould is retired and living in Mashpee he is requesting that a thank you letter be sent from the Council to thank him for his service to the City of Leominster.

Councillor Freda said we have some pretty important hard working people that will be leaving, She said you cannot match Joanne DiNardo for what she has done for this community in a number of different positions and Sandi Cataldo as well. These people worked hard to build this City to where it is. They put their heart and soul into it. Charlie Coggins is another one that may be leaving.

Council President Marchand gave a special thanks to the Veteran's Office for another outstanding weekend in Leominster recognizing and honoring our fallen soldiers and our veterans.

Councillor Nickel spoke about the brush fire and commended Emergency Management, the Leominster Fire Department and the fire departments from surrounding towns including statewide task forces.

Councillor Lanciani said he asked a fireman that helped with the fire, how it was going with the brush fire. The fireman said it was bad and tough not having any fire roads to get anywhere, everything has to get carried in. Councillor Lanciani said he is going to check to see why we don't have fire roads.

Councillor Cormier said the Forestry Department was there also, and Councillor Cormier was told they were up trying to cut in the roads with chainsaws. A place where you could easily get lost. Councillor Cormier said he was told that this could be the worse brush fire Leominster has had since the 1920's. There are approximately 28 acres that have burned and is still burning very deep in the ground, as much as a foot deep.

MEETING ADJOURNED AT 9:30 P.M.

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