

HEARING BEFORE THE CITY COUNCIL, MARCH 11, 2013

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

All members were present.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic" by inserting "Main Street, against east bound traffic at intersection with Wilder Road."

No one in the audience spoke in favor or against this ordinance.

No Councillors spoke.

HEARING ADJOURNED AT 7:02 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, MARCH 11, 2013

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 February 11, 2013 were examined and found to be in order. The Records were accepted.

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

- C-86 Relative to the appropriation of \$12,000.00 to the Doyle Field Salary & Wages Account; same to be transferred from the Excess & Deficiency Account.
- C-87 Relative to the appropriation of \$271,480.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-88 Relative to the appropriation of \$13,620.00 to the City Solicitor Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-89 Relative to the appropriation of \$24,175.00 to the Elections and Registration Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-90 Relative to the appropriation of \$208,750.00 to the Police Department Salary & Wages Account; same to be transferred from the Collective Bargaining Expense Account.
- C-91 Relative to the appropriation of \$125,000.00 to the Snow & Ice Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-92 Relative to the appropriation of \$25,000.00 to the Snow & Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-93 Relative to the appropriation of \$94,324.00 to the Police Department Salary & Wages Prior Year Account; same to be transferred from the Police Department Salary & Wages Prior Year Account.
- C-94 Relative to the appropriation of \$1,500.00 to the License Commission Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-95 Relative to the appropriation of \$5,000.00 to the Municipal Building Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-96 Relative to the appropriation of \$12,100.00 to the Veteran's Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

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

- C-97 Dean J. Mazzarella, Mayor: Amend Chapter 16-30 of the Revised Ordinances by deleting Schedule (c) (Schedules P1 thru P5) in its entirety and inserting in its place a new Schedule P by increasing salaries and wages of P-1 thru P-5 salaried positions 0% effective 7/1/2009, 0% effective 7/1/2010, 2% effective 7/1/2011, 2% effective 7/1/2012, 1% effective 1/1/13, 3% effective 7/1/13 and 3% effective 7/1/14.

## REGULAR MEETING OF THE CITY COUNCIL, MARCH 11, 2013, continued

The following COMMUNICATION was received, referred to the SMALL BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE and given REGULAR COURSE.

- C-98 Dean J. Mazzearella, Mayor: Approve 9 Mohawk Drive as an Economic Opportunity Area (EOA) as shown on Assessor's Map 466, Lot 4 pursuant to M.G.L. c23A Section 3R, and submit said application for approval to the Massachusetts Economic Assistance Coordinating Council (EACC).

The following COMMUNICATION was received, referred to the SMALL BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE and given REGULAR COURSE.

- C-99 Dean J. Mazzearella, Mayor: Approve an Eight year Tax Increment Financing Plan and Agreement, pursuant to M.G.L. c23A, Section 3A-F inclusive between New England Wire Products and the City of Leominster for property located at 9 Mohawk Drive, Leominster, MA and authorize the submission of same for approval to the Massachusetts Economic Assistance Coordinating Council (EACC).

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE and given REGULAR COURSE. A hearing was set for March 25, 2013 at 6:50 P.M.

- 40-13 National Grid: Union Street - Install a singly owned pole beginning at a point approximately 300 feet southeast of the centerline of the intersection of Adams Street.

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE and given REGULAR COURSE. A hearing was set for March 25, 2013 at 6:55 P.M.

- 41-13 National Grid: Grant permission to excavate and install 140 feet of underground electric conduits from new P24, including the necessary sustaining and protecting fixtures under and across Whitney Street in accordance with a plan entitled "Whitney Street, Leominster MA" Plan #14441919.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Fire Department. A hearing was set for March 25, 2013 at 7:00 P.M. Vt. 9/0

- 42-13 George E. Watts for Mark Cosenza, Global Montello Group Corp., successor by merger: Amend the storage license for storage of inflammable fluids for the property located at 280 New Lancaster Road.

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

- 43-13 Susan Chalifoux Zephir and Richard Marchand: Install a 4 way stop sign at the intersection of Lindell Avenue and Abbott Avenue.

The following PETITION was received, referred to the PUBLIC SAFETY COMMITTEE, given REGULAR COURSE and referred to the Department of Public Works and the Superintendent of Schools.

- 44-13 Richard Marchand and Susan Chalifoux Zephir: Request the Leominster Department of Public Works assess the status of sidewalks in the neighborhood of the School for Excellence Initiative located on Abbott Avenue and Lindell Avenue and submit a plan to install sidewalks where necessary.

The following PETITION was received, referred to the PUBLIC SAFETY COMMITTEE, given REGULAR COURSE and referred to the Police Department and the Superintendent of Schools.

- 45-13 Richard Marchand and Susan Chalifoux Zephir: Request the Leominster Police Chief and his traffic department initiate action steps to mitigate speeding in the newly identified school zone located on Abbott Avenue with posting to also take place on Lindell Avenue. It is also requested that the current speed limit be assessed in said area and if necessary the school zone posting and reduction of speed be enforced with proper legislation submitted for the ordinance change if necessary.

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

- 46-13 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers March through May 2013.

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) | \$ 2,712,885.00  |
| Stabilization Account                     | \$ 12,534,656.65 |
| Interest                                  | \$ 20,248.78     |

## REGULAR MEETING OF THE CITY COUNCIL, MARCH 11, 2013, continued

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

C-76 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.

C-77 Relative to the appropriation of \$1,500.00 to the Conservation Commission Expense Account; same to be transferred from the Excess and Deficiency Fund.

ORDERED: - that the sum of One Thousand Five Hundred Dollars (\$1,500.00) be appropriated to the Conservation Commission Expense Account; same to be transferred from the Excess and Deficiency Fund.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED . Vt. 8 "yeas" and 1 "nay", Councillor Rowlands opposed.

C-78 Relative to the appropriation of \$163,410.00 to the Police Station Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Sixty Three Thousand Four Hundred Ten Dollars (\$163,410.00) be appropriated to the Police Station Capital Outlay Expense 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-79 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.

C-80 Relative to the appropriation of \$30,750.00 to the Police Department Salary & Wages Account; same to be transferred from the Police Department Salary & Wages Account.

ORDERED: - that the sum of Thirty Thousand Seven Hundred Fifty Dollars (\$30,750.00) be appropriated to the Police Department Salary & Wages Account; same to be transferred from the Police Department Salary & Wages Account.

C-81 Relative to the appropriation of \$7,500.00 to the Police Department Salary and Wages-Prior Year Account; same to be transferred from the Police Department Salary & Wages-Prior Year Account.

ORDERED: - that the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) be appropriated to the Police Department Salary & Wages- Prior Year Account; same to be transferred from the Police Department Salary & Wages-Prior Year Account.

RE: FY 2012 Settlement with Superior Officer's Union

C-82 Relative to the appropriation of \$4,016.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Four Thousand Sixteen Dollars (\$4,016.00) be appropriated to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Appropriation request for cell repairs

C-83 Relative to the appropriation of \$75,000.00 to the Snow & Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Seventy Five Thousand Dollars (\$75,000.00) be appropriated to the Snow & Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME. Vt.8/0, Councillor Dombrowski abstained due to a possible conflict of interest.

7-13 Mark F. Albert: Accept Royal Oaks Way as a public way.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

C-84 Dean J. Mazarella, Mayor: Accept the provisions of Massachusetts General Laws Chapter 40, Section 22G regarding funds received from fines for handicap parking violations; deposits in account; expenditures.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 11, 2013, continued

Upon recommendation of the CITY PROPERTY COMMITTEE, the following PETITION was AMENDED and GRANTED AS AMENDED. Vt. 9/0 Amended to read "from June 8, 2013 through June 30, 2013"

38-13 Claire Freda for Kathie Peloquin: Request permission to place signs at Route 117 in front of Walmart; Mechanic Street near I.C. Credit Union; Route 13 and Prospect Streets; Route 12 and Hamilton Street and the island downtown from June 8, 2013 through June 30, 2013 to advertise the Material Girls Quilt Show.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was RATIFIED. Vt. 9/0 Granted with an Emergency Preamble on February 25, 2013 another vote was required.

Director of Inspections – Peter Niall - term to expire April 15, 2016

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9/0

C-85 Dean J. Mazzearella, Mayor: Request that David Smith be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest as he is currently employed by the City of Leominster's Department of Public Works and will be taking a position setting up polling places for the City Clerk Elections and Registrations Office.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED with the CONDITION that no more than ten (10) vehicles parked on the property, not including workers. Vt. 9/0

39-13 Peter M. Bellanton: Grant a Limousine License to Centerline Transportation LLC d/b/a Centerline Transportation Services at 217 Hamilton Street.

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 9 "yeas"

CITY OF LEOMINSTER

In the year two thousand and thirteen

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:

Section 13-77 of the Revised Ordinances entitled "Stop Signs" is hereby amended by inserting "Main Street, against east bound traffic at intersection with Wilder Road."

The following RESOLUTIONS were received, referred to the SMALL BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE and given REGULAR COURSE.

RESOLUTION –Designation of 9 Mohawk Drive –Economic Opportunity Area

RESOLUTION – Designation of 9 Mohawk Drive-New England  
Wire Products Tax Incentive (TIF) Program

Under New Business, Councillor Marchand said everyone should have received information for review on amending the Charter from Kopelman & Paige.

Councillor Marchand suggested a site visit of 9 Mohawk Drive before the Special Meeting.

In accordance with Section 3.6 of the Leominster City Charter, a vote was taken to invite the Mayor down to the Council Chambers to update the Council on the plan for the Police Department. Vt. 9/0

MEETING ADJOURNED AT 8:45 P.M.

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