

HEARING BEFORE THE CITY COUNCIL, APRIL 8, 2013

Hearing opened at 7:12 P.M. with Councillor Rowlands, Chair 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 10 of the Revised Ordinances entitled "Hawkers and Peddlers" by amending the title of said chapter to "Solicitors, Hawkens and Peddlers" and deleting Sections 10-1 through 10-7 in its entirety and replacing it with new Sections 10-1 through 10-13 regulating persons or organizations engaged in soliciting or peddling in the City of Leominster through the issuance of a license by the Chief of Police.

Councillor Lanciani said the suggestion that Attorney Brian Riley made relative to the fine of \$300.00, cannot be exceeded because of State statute. He is in favor of this Ordinance.

No one in the audience spoke in favor or in opposition of this Ordinance.

HEARING ADJOURNED AT 7:15 P.M.

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

HEARING BEFORE THE CITY COUNCIL, APRIL 8, 2013

Hearing opened at 7:15 P.M. with Councillor with Councillor Rowlands, Chair 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 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.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:17 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013

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

- C-103 Relative to the appropriation of \$13,350.00 to the Emergency Management Agency Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-104 Relative to the appropriation of \$60,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Account.
- C-105 Relative to the appropriation of \$2,000.00 to the Personnel Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-106 Relative to the appropriation of \$50,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-107 Relative to the appropriation of \$5,800.00 to the Recreation Department Expense Account; same to be transferred from the Excess and Deficiency Account.

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

- 47-13 Fred R. Tousignant: Renew the Second Hand Dealers License to Fred's Auction located at 92 Pleasant Street.
- 48-13 George Boulgarian and Jon Andre Zajon: Renew the Second Hand Dealers License to Georges Fine Jewelers located at 255 North Street.
- 49-13 Joseph Kobylak and Matt Spain: Grant a Second Hand Dealer's License to the Wireless Store, LLC located at 326 Main Street.

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

- 50-13 Kevin P. Cafer: Renew the Second Hand Dealer's License to Got Gold and Silver Get Cash.com for the purchase of precious metals by appointments only.

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

- 51-13 Roger Cormier: Renew the Second Hand Dealer's License to RCDC Inc. d/b/a Crowne Jewelers located at 12 Lindell Avenue.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

- 52-13 Virginia A. Tocci: Renew the Second Hand Dealers License to Joseph's Group Inc./Joseph's Jewelers located at 28 Central Street.
- 53-13 Aime Lemoine: Renew the license for two pool tables at Seven R's d/b/a A & R's Double Inn located at 166 Water Street.
- 54-13 Robert Cornetta: Renew the License for two pool tables at Miranda's Pub located at 488 Lancaster Street.

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

Disability Commission – Patrick J. Aubuchon and Susan Murray - terms to expire April 15, 2016

Planning Board – Michael Mahan - term to expire April 15, 2018

Emergency Management – Auxiliary Police Unit -Daniel Johnson, Anastasios Karamanakis, Alex Scipione, Sherry LeClair

2013 Election Worker – Norman E. Winchester - term to expire August 31, 2013

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

Board of Appeals –Alternate Member – Lee Baron - term to expire April 1, 2014

Council on Aging – John Diggins - term to expire April 15, 2016

Forest Warden – Paul Kennedy - term to expire April 15, 2014

Library Board of Trustees – Carol Millette - terms to expire April 15, 2016

Recreation Commission – Maureen Donatelli and Jeffrey O'Neill - terms to expire April 15, 2016

Cultural Commission – Laura Proietti - term to expire April 15, 2016

Office of Emergency Management – terms to expire April 15, 2014 - Assistant Directors - Jim Leblanc and Richard Gauvin

Office of Emergency Management – Deputy Directors – terms to expire April 15, 2014

Tom Piper, Dan Thibodeau, Jean Hudson, Carl Sanabria Al Staal

Office of Emergency Management – Auxiliary Officers – terms to expire April 15, 2014

John Caron, Paul Topolski, Elympse Octavius, Eddie Coffin, Nick Baker, Pedro Ruis, Vicente Figueroa

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)	\$ 2,536,035.00
Stabilization Account	\$ 12,534,656.65

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was RATIFIED. Vt. 8 "yeas" Granted with an Emergency Preamble on March 25, 2013.

- C-100 Relative to the appropriation of \$25,700.00 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 and ORDERED. Vt. 6 "yeas", Councillor Cormier and Nickel abstained due to a possible conflict of interest.

- C-101 Relative to the appropriation of \$75,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of \$75 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. 8 "yeas"

- C-102 Relative to the appropriation of \$5,000.00 to the City Council Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of \$5,000.00 be appropriated to the City Council Expense Account; same to be transferred from the Excess and Deficiency Account.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

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

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

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

Board of Appeals –Michael Ciccolini – term to expire April 15, 2014

Board of Health - Jacalyn Lastella and Dr. Norman Gould - terms to expire April 15, 2016

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 7 “yeas”, Councillor Cormier abstained due to a possible conflict of interest.

Cable TV Advisory Board Commission- Kevin Fitzpatrick and Carl A. Piermarini - terms to expire April 15, 2015

Upon recommendation of the WAYS & MEANS COMMITTEE, the following RE-APPOINTMENTS were CONFIRMED. Vt. 8 “yeas”

Conservation Commission - Julia McKinney- term to expire April 15, 2016

Cultural Commission- Nona Ojala - term to expire April 15, 2016

Housing Authority - Karen Buckley - term to expire April 15, 2018

Library Board of Trustees - Gilbert Tremblay - term to expire April 15, 2016

Planning Board - Patrick Perla and Fred Fredricks - terms to expire April 15, 2018

Trust Fund Commission - Richard Bergman - term to expire April 15, 2016

Insect & Pest Control - Ralph Person - term to expire April 15, 2014

Supt. Gypsy & Brown Tail Moths - Ralph Person - term to expire April 15, 2014

Veterans Burial Agent - Richard Voutour - term to expire April 15, 2014

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

Emergency Management – Andrea Edwards – Shelter Unit

Ben Boudreau – Rescue/EMS Unit

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 thirteen

An Ordinance

To increase salaries & wages by 0% P-1 thru P-5 effective 7-1-2009

To increase salaries & wages by 0% P-1 thru P-5 effective 7-1-2010

To increase salaries & wages by 2% P-1 thru P-5 effective 7-1-2011

To increase salaries & wages by 2% P-1 thru P-5 effective 7-1-2012

To increase salaries & wages by 1% P-1 thru P-5 effective 1-1-2013

To increase salaries & wages by 3% P-1 thru P-5 effective 7-1-2013

To increase salaries & wages by 3% P-1 thru P-5 effective 7-1-2014

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

Amend Section 16-30 by deleting schedule (c):

in its entirety and inserting in its place therein, the following:

Schedule P (1) thru P (5) Police pay scale

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

Effective 7/1/2009		FY 2010				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	44,054	46,402	48,673	49,160	50,645	52,671
P-2						63,205
P-3						72,686
P-4						83,589
P-5						105,342
Effective 7/1/2010		FY 2011				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	44,054	46,402	48,673	49,160	50,645	52,671
P-2						63,205
P-3						72,686
P-4						83,589
P-5						105,342
Effective 7/1/2011		FY 2012				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	44,935	47,330	49,646	50,143	51,658	53,724
P-2						64,469
P-3						74,139
P-4						85,260
P-5						107,448
Effective 7/1/2012		FY 2013				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	45,834	48,277	50,639	51,146	52,691	54,798
P-2						65,758
P-3						75,622
P-4						86,965
P-5						109,596
Effective 1/1/2013		FY 2013				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	46,292	48,760	51,145	51,657	53,218	55,346
P-2						66,415
P-3						76,377
P-4						87,834
P-5						110,692
Effective 7/1/2013		FY 2014				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	47,681	50,223	52,679	53,207	54,814	57,006
P-2						68,407
P-3						78,668
P-4						90,468
P-5						114,012
Effective 7/1/2014		FY 2015				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	49,111	51,730	54,259	54,803	56,458	58,716
P-2						70,459
P-3						81,028
P-4						93,182
P-5						117,432

** There is an additional amount of 1% of the Base for Global Positioning (GPS) Implementation for P-1 thru P-5

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

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 thirteen

An Ordinance

amending Chapter 10 of the Revised Ordinances entitled “Hawkers and Peddlers.”

Chapter 10 of the Revised Ordinances entitled “Hawkers and Peddlers” is hereby amended by amending the title of said chapter to “Solicitors, Hawkets and Peddlers,” and further by deleting Sections 10-1 through 10-7 of said chapter and inserting in their place the following language:

10-1 Purpose

It is the purpose of this ordinance to regulate persons or organizations engaged in soliciting or peddling in the City of Leominster through the issuance and imposition of other limitations on such conduct for the purpose of protecting the City’s residents from disruption of the peaceful enjoyment of their residences and from crime and fraud, and further, to allow reasonable access to residents in their homes by persons or organizations who wish to engage in commercial solicitation.

10-2 Definitions

A solicitor or peddler is defined as any individual, whether a resident of the City of Leominster or not, traveling either by foot, motor vehicle, or any other type of conveyance, from place to place, house to house, taking or attempting to take orders for sale of goods, wares, merchandise, personal property of any nature for immediate or future delivery, or for services or utilities to be furnished or performed immediately or in the future and whether or not he or she collects advance payments on such sales.

10-3 License Required

It shall be unlawful for any solicitor or peddler as defined in 10-2 of this ordinance to engage in such business in the City of Leominster without first obtaining a license in compliance with the provisions of this ordinance. Such license shall be obtained from the Chief of Police, and upon payment of a one hundred dollar license fee. This requirement shall not apply to any hawking or peddling of newspapers, religious publications, ice, flowering plants and flowers, and wild fruits, nuts and berries. This requirement shall further not apply to an individual licensed by the Commonwealth pursuant to M.G.L. c.101, §22 and conducting sales in accordance with said license, provided that such licensees shall be subject to Section 10-7 and 10-9 of this ordinance and any other applicable City ordinance or regulation.

Any person who is not properly licensed under this ordinance shall be ordered to immediately cease and desist all solicitation in the City until they attain a proper license.

Nothing in this ordinance shall be construed to impose any license requirement or otherwise restrict or in any way regulate any activity for noncommercial purposes, including but not limited to any activity for religious, charitable, civic or political purposes, regardless of whether such activity includes acts that would otherwise constitute soliciting.

10-4 Application and Fee

A. Each individual applicant for a license under this ordinance shall submit to the Chief of Police or his/her designee an application along with a fee of \$100 (per individual applicant) payable to the City of Leominster which will be used to cover the cost of processing permits and conducting the investigation of the application.

B. Each applicant must complete a sworn application in writing, at least 10 working days prior to the requested starting date for solicitation, on a form provided by the Police Department. Said form shall include the following information:

1. Name, physical description, and date of birth;
2. Social security number of the applicant;
3. Permanent home address as well as full local address for the applicant;
4. A brief description of the nature of the business and/or goods to be sold;
5. If employed, name and address of employer, including credentials which establish the exact relationship;
6. The length of time for which the license is desired (not to exceed 90 days);
7. Names of manufacturer, of source of merchandise, and proposed method of delivery;
8. Two photographs of the applicant, taken within the past 60 days prior to filing of the application, showing only the head and shoulders of the applicant in a clear and distinguishing manner.
9. A statement as to whether or not the applicant has been convicted of any crime listed in 10-5 of the ordinance or is a Level 2 or Level 3 sex offender required to register with the Sex Offenders Registry Board.

10-5 Investigation and Issuance of License

A. If after an investigation into the facts contained in the license application the Police Chief is satisfied the applicant is of suitable character, the Police Chief, or his designee, shall grant the requested license.

B. The Police Chief or his designee shall refuse to issue a license to any organization or individual whose license has been revoked for violation of this ordinance within the previous two-year period or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, felony assault, or larceny over \$250, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief shall also refuse to grant a license to a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3 sex offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

10-6 Identification Card

The Police Department, after a review of the information contained in the license application, but in no event more than 10 working days after receipt of a fully completed application, shall issue to each successful applicant an identification card which shall contain the words "Licensed Solicitor," the individual's picture, identification and expiration date of the license. Persons engaged in solicitation or peddling as defined in this ordinance must carry the registration card while soliciting or peddling and present the card to any police officer or person solicited upon request.

10-7 Solicitation Hours

A properly licensed solicitor or peddler may solicit between the following hours:

- A. Monday through Friday: 8:00 a.m. through 9:00 p.m.
- B. Saturday, Sunday and holidays: 9:00 a.m. through 9:00 p.m.

10-8 Records

The Chief of Police shall maintain all pertinent records of licenses issued and violations recorded.

10-9 Enforcement and Penalties

A. Whoever continues to solicit in the City in willful violation of this ordinance, by continuing to solicit after being informed by a police officer to cease and desist, may be arrested without a warrant by a police officer in accordance with the provisions of M.G.L. c.272, §59, and subject to a penalty of \$300.

B. Notwithstanding the above licensing procedures, no licensee may enter private property after being forbidden to do so either directly by the person in charge of the property or by a conspicuously posted notice of "No Trespassing" or "No Soliciting." Such trespass violations are controlled by M.G.L. c.266, §120, which authorizes the arrest (without a warrant) of a person found committing such a trespass in the presence of a police officer.

C. After investigation by a police officer, licenses issued under the provisions of this ordinance may be revoked by the Chief of Police or his designee after notice and hearing; provided, however, that a license may be suspended immediately, without notice and a hearing, if the public safety or welfare so requires, for any of the following causes:

- (1) Fraud, misrepresentation, or false statement contained in the license application;
- (2) Fraud, misrepresentation, or false statements made in the course of carrying on the business of solicitation;
- (3) Any violation of this ordinance;
- (4) Conviction of any crime listed in 10-5 of this ordinance or classification as a Level 2 or Level 3 sex offender;
- (5) Conducting the business of soliciting or peddling in an unlawful manner or in such a manner as to constitute a breach of the peace, or to constitute a menace to health, safety, or the general welfare of the public; and
- (6) High-pressure tactics, harassment, or a refusal to accept a refusal as an answer, when verified in writing.

D. If a license is suspended under the provisions of this section, notice of a hearing with regard to the same shall be given forthwith in accordance with the following subsections:

- (1) Notice of hearing for revocation or suspension of a license shall be given in writing, setting forth specifically the grounds of the complaint and a time and place of the hearing.
- (2) Such notice shall be hand delivered to the licensee or forwarded by certified mail to the licensee at his or her last known address at least five days prior to the hearing date.

10-10 Expiration of License

All licenses for soliciting in the City are valid only for the particular dates or time period specified thereon, and in no case for longer than 90 days.

10-11 Appeals

Any person or organization who is denied a license or whose license has been revoked may appeal by filing a written notice of appeal with the City Council. Such appeal must be filed within five days after receipt of the notice or denial or revocation. The City Council shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal; provided, however, that if the City Council fails to make a determination within 30 days after the filing of the appeal, the license shall be deemed granted or reinstated, as the case may be.

10-12 Severability

The provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance and they shall remain in effect, it being the legislative intent that this ordinance shall stand, notwithstanding the invalidity of any part.

10-13 Sale or use of certain amusement products prohibited in public areas.

(a) Definitions. As used in this section, the following terms shall have the following meanings indicated:

"Aerosol can amusement product" means any other product sold or used for amusement in an aerosol can or other container which ejects, emits or expels any paint, shaving cream, foam, noxious or flammable material or a similar product or article having an equivalent effect.

"Imitation cigarettes" means a certain amusement product sold or used for amusement in a container or manner holding any material when puffed on or inhaled or exhaled produces an effect of smoking.

"Silly string" means a certain amusement product sold or used for amusement that ejects a soft rubbery substance from a container that after being sprayed, generally resembles a string or string-like material, or a similar article or product having an equivalent effect.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

“Whipper snappers/stink bomb” means a certain amusement product sold or used for amusement in any container holding any material which, when exposed to air, or ignited by any action or device, produces any quantity of visible detectable smoke-like emission or makes loud noises or causes an audible explosion or an offensive odor, or a similar article or product having an equivalent effect.

(b) Prohibition on the Sale or use of Certain Amusement Products. No person, corporation or entity shall use in any public place or offer or display for sale or sell amusement products defined herein as silly string, whipper snappers, stink bombs, imitation cigarettes, other aerosol can amusement products, toy guns, rifles, swords and all weapons within the city during the twenty-four hours preceding and during the entire operation and duration of any parade, festival, concert, other public event, gathering, and civic day events, at the following places:

(1) At, within, or upon any public place or place to which the public has access including parks, playgrounds, public buildings, places of business or amusement, public streets, public and private sidewalks, access ways, highways or ways of public passage, parking lots, malls or shopping centers to which the public has access as invitees or licenses.

(c) Enforcement. Any regular or special police officer of the city, may take any and all actions reasonable and necessary to enforce this section, including, but not limited to, inspecting any vendors or public premises to verify compliance.

(d) Violations and Penalty. Any person, corporation or entity violating any provision of this article shall be punished by a fine of three hundred dollars for each such offense.

Under Old Business, the status of the Animal Control Officer Position was on the agenda. Councillor Chalifoux Zephir asked the Council if they all received the letter from Mr. Chapdelaine and if there were any questions or concerns.

Councillor Rowlands said he asked for this to be on the agenda so they could get an update. He said he has been hearing complaints.

There are a lot of issues and it is putting burden on the Police Department, the Health Department and different employees of the City.

He hopes it will be resolved very quickly. He said the gentleman that had been volunteering has done an outstanding job. He would like to re-address this item again in the late Spring early Summer.

Councillor Cormier said he had had complaints and is looking forward to the position being filled. There has to be a sense of urgency.

Councillor Salvatelli said you can sense the frustration in Mr. Chapdelaine’s letter. He said that he thinks there might have been some interest with the old Animal Control Officer is the term was for two years and not for one year.

Councillor Freda said there will be a wrap up session for the School Building Committee on April 25, 2013 at 4:00 P.M. at Appleseeds and is asking if the date and time fits the schedules of the Councillors so that they may attend.

The following Resolution was received, referred to the WAYS & MEANS COMMITTEE and ADOPTED. Vt. 8 “yeas”

**A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH
OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
FOR THE PARKLAND ACQUISITION AND RENOVATION FOR COMMUNITIES PROGRAM FOR
A NEW PLAYGROUND AT SOUTHEAST PARK**

Whereas: Southeast Park, located in an Environmental Justice Zone, is by and far an important community wide recreation area and the addition of a new playground to this area is a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: The addition of a new playground at Southeast Park will fill the gap created by the removal of the Johnson Street Playground just yards away from the proposed site and address the needs of this densely populated neighborhood; and

Whereas: Located between Southeast Elementary School and the Leominster State Pool, and immediately across from Allencrest Apartments, the main focus of the new playground will be to add recreational opportunities to this already heavily-used recreational area;

Whereas: Said property is designated as recreational land under Chapter 45, Section 14 by deed and subsequent vote of the City Council and is under the jurisdiction of the Leominster Recreation Department.

Whereas: The Executive Office of Energy and Environmental Affairs (EOEEA) has approved a reimbursable grant to the City of Leominster to support the preservation and restoration of this site through the PARC Program, Chapter 933 Acts of 1977, as amended; and

Whereas: Renovations to Southeast Park will cost a total of \$271,480 (Two Hundred Seventy One Thousand Four Hundred Eighty Dollars) and the City has allocated \$271,480.00 through its General Fund for the purposes of the Southeast Playground project.

NOW, THEREFORE, BE IT

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and

REGULAR MEETING OF THE CITY COUNCIL, APRIL 8, 2013, continued

2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Leominster Recreation Department; and
3. That this resolution shall take effect upon passage.

Adopted by the Leominster City Council

Date: April 8, 2013

/s/ City Council

Councillor Marchand said Tom “T” Miller who ran the Leominster Recreation Youth Basketball Program for close to three plus decades has lost a battle at a young age to cancer. He said a while back there was a dedication of the Bennett Playground where there was vandalism that took place. He said there will be a new ground breaking ceremony on May 11, 2013. Councillor Marchand said Tom had touched a lot of hearts.

Under New Business, Councillor Salvatelli requested the status of the sludge contract.

Councillor Chalifoux Zephir said she will email the Mayor to get the information.

MEETING ADJOURNED AT 8:08 P.M.

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