

HEARING BEFORE THE CITY COUNCIL, JUNE 24, 2013

Hearings opened at 7:00 P.M. with Councillor Salvatelli, Chair of the FINANCE COMMITTEE, presiding.

All members were present.

The following COMMUNICATIONS were the subject of the hearings:

- C-136 Relative to the appropriation of \$106,735,000.00 to the Fiscal Year 2014 Budget; same to be raised by Fiscal Year 2014 Revenue.
- C-137 Relative to the appropriation of \$5,650,000.00 to the Fiscal Year 2014 Water Department accounts as listed: same to be raised by Fiscal Year 2014 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.
- C-138 Relative to the appropriation of \$5,206,000.00 to the Fiscal Year 2014 Sewer Department accounts as listed: same to be raised by Fiscal Year 2014 Sewer Department Estimated Receipts as authorized by Chapter 44 Section 53E of the Massachusetts General Laws.

No one in the audience spoke in favor or in opposition of the Communications.

No Councillors spoke.

HEARINGS ADJOURNED AT 7:05 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, JUNE 24, 2013

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

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

The following COMMUNICATION was received with an Emergency Preamble and referred to the FINANCE COMMITTEE. Vt. 8/1, Councillor Dombrowski opposed. Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 "yeas"

C-145 Relative to the appropriation of \$8,000.00 to the Emergency Management Agency Expense Account; same to be transferred from the Emergency Management Agency Salary and Wages Account.

ORDERED: - that the sum of Eight Thousand Dollars (\$8,000.00) be appropriated to the Emergency Management Agency Expense Account; same to be transferred from the Emergency Management Agency Salary and Wages Account.

The following COMMUNICATION was received, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE. Councillor Rowlands abstained due to a possible conflict of interest.

C-146 Dean J. Mazarella, Mayor: Request that Courtney Rowlands be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed by the City of Leominster as a School Aid and will be taking a position as a Summer Leisure Counselor.

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

81-13 Joseph W. Kleczka: Repair the sink hole in front of 102 Viscoloid Avenue.

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

82-13 James Jolicoeur, on behalf of the Leominster School Committee: Request that the City Council consider granting a yearly stipend to School Committee members not to exceed \$1,000.00.

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

Office of Emergency Management – EMS Unit - Mark Leger –Ronald Houle

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)	\$ 938,364.62
Stabilization Account	\$12,539,089.72

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 6 "yeas" and 3 "nays", Councillors Rowlands, Dombrowski and Chalifoux Zephir opposed.

C-118 Relative to the appropriation of \$200,000.00 to the I.T.T.F. Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: that the sum of Two Hundred Thousand Dollars (\$200,000.00) be appropriated to the I.T.T.F. 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-128 Relative to the appropriation of \$16,722.00 to the Police Department Expense Account; same to be transferred from the Police Department Salary & Wages Account.

ORDERED: - that the sum of Sixteen Thousand, Seven Hundred and Twenty Two Dollars (\$16,722.00) be appropriated to the Police Department expense Account; same to be transferred from the Police Department Salary & Wages Account.

C-129 Relative to the appropriation of \$6,275.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Six Thousand, Two Hundred and Seventy Five Dollars (\$6,275.00) be appropriated to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

REGULAR MEETING OF THE CITY COUNCIL, JUNE 24, 2013, continued

C-130 Relative to the appropriation of \$15,000.00 to the Police Department Expense Account; same to be transferred from the Police Department Salary and Wages Account.

ORDERED: - that the sum of Fifteen Thousand Dollars (\$15,000.00) be appropriated to the Police Department Expense Account; same to be transferred from the Police Department Salary and Wages Account

C-131 Relative to the appropriation of \$53,000.00 to the Infrastructure Technology Task Force Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Fifty Three Thousand Dollars (\$53,000.00) be appropriated to the Infrastructure Technology Task Force 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. 8 “yeas” and 1 “nay”, Councillor Cormier opposed.

C-132 Relative to the appropriation of \$800,000.00 to the Parking Garage Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Eight Hundred Thousand Dollars (\$800,000.00) be appropriated to the Parking Garage 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-133 Relative to the appropriation of \$202,000.00 to the Worker’s Compensation Insurance Account: same to be transferred from the following accounts as listed:

FY2007 Workers Compensation Loss Fund	\$ 7,305.04
FY2008 Workers Compensation Loss Fund	\$40,000.00
FY2009 Workers Compensation Loss Fund	\$55,000.00
FY2010 Workers Compensation Loss Fund	\$99,694.96

ORDERED: - that the sum of Two Hundred and Two Thousand Dollars (\$202,000.00) be appropriated to the Worker’s Compensation Insurance Account; same total to be transferred from the following accounts as listed.

FY2007 Workers Compensation Loss Fund	\$ 7,305.04
FY2008 Workers Compensation Loss Fund	\$40,000.00
FY2009 Workers Compensation Loss Fund	\$55,000.00
FY2010 Workers Compensation Loss Fund	\$99,694.96

C-134 Relative to the appropriation of \$29,300.00 to the Library Department Expense Account; same to be transferred from the Library Salary and Wages Account.

ORDERED: - that the sum of Twenty Nine Thousand Three Hundred Dollars (\$29,300.00) be appropriated to the Library Department Expense Account; same to be transferred from the Library Salary and Wages Account.

C-135 Relative to the appropriation of \$40,000.00 to the Police Department Overtime Account; same to be transferred from the Police Department Salary and Wages Account.

ORDERED: - that the sum of Forty Thousand Dollars (\$40,000.00) be appropriated to the Police Department Overtime Account; same to be transferred from the Police Department Salary and Wages Account.

A recess was called at 9:07 P.M. to discuss C-136 with the Comptroller, John Richard.

Meeting reconvened at 9:10 P.M.

A recess was called at 9:30 P.M. to discuss C-136 with the Comptroller, John Richard and the Mayor.

Meeting reconvened at 10:00 P.M.

Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was AMENDED. Vt. 5 “yeas” and 4 “nays”, Councillors Marchand, Lanciani, Nickel and Freda opposed. The COMMUNICATION was GRANTED AS AMENDED and ORDERED. Vt. 8 “yeas” and 1 “nay”, Councillor Freda opposed. Amended by cutting \$92,500.00 from Line 36 City Solicitors Expense. Councillors Marchand, Cormier and Rowlands abstained from voting on the school portion of the budget due to a possible conflict of interest. Councillors Cormier and Nickel abstained from voting on the Fire Department portion of the budget due to a possible conflict of interest.

C-136 Relative to the appropriation of \$106,642,500.00 to the Fiscal Year 2014 Budget; same to be raised by Fiscal Year 2014 Revenue.

ORDERED: - that the sum of One Hundred Six Million, Six Hundred and Forty Two Thousand Five Hundred Dollars (\$106,642,500.00) be appropriated to the Fiscal Year 2014 Budget; same to be raised by Fiscal Year 2014 Revenue.

REGULAR MEETING OF THE CITY COUNCIL, JUNE 24, 2013, continued

See complete budget on page _____.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 9 “yeas” Councillor Chalifoux Zephir disclosed that she has a relative that works for the company that manages the water and the sewer facilities.

C-137 Relative to the appropriation of \$5,650,000.00 to the Fiscal Year 2014 Water Department accounts as listed: same to be raised by Fiscal Year 2014 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Laws.

ORDERED: - that the sum of Five Million, Six Hundred and Fifty Thousand Dollars (\$5,650,000.00) be appropriated to the Fiscal Year 2014 Water Department accounts as listed; same to be raised by Fiscal Year 2014 Water Department Estimated Receipts as authorized by Chapter 44, Section 53E of the Massachusetts General Law.

C-138 Relative to the appropriation of \$5,206,000.00 to the Fiscal Year 2014 Sewer Department accounts as listed: same to be raised by Fiscal Year 2014 Sewer Department Estimated Receipts as authorized by Chapter 44 Section 53E of the Massachusetts General Laws.

ORDERED: - that the sum of Five Million, Two Hundred and Six Thousand Dollars (\$5,206,000.00) be appropriated to the Fiscal Year 2014 Sewer Department accounts as listed; same to be raised by Fiscal Year 2014 Sewer Department Estimated Receipts as authorized by Chapter 44 Section 53E of the Massachusetts General Laws.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was RATIFIED. (Granted with an Emergency Preamble on June 17, 2013; another vote is required)

C-141 Relative to the appropriation of \$15,000.00 to the Veterans Services 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. 9 “yeas”

C-142 Relative to the appropriation of \$5,000.00 to the Police Department 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 Police Department Expense Account; same to be transferred from the Excess and Deficiency Account.

A recess was called at 10:24 P.M. to have a discussion with the Mayor regarding C-143.

Meeting reconvened at 10:53 P.M.

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

C-143 Relative to the appropriation of \$40,418.91 to the City Solicitor Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: -that the sum of Forty Thousand Four Hundred Eighteen Dollars and Ninety One Cents (\$40,418.91) be appropriated to the City Solicitor Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITIONS were given FURTHER TIME. Vt. 9/0

76-13 Leominster City Council: Amend Chapter 22, Article XIII, Section 22—79 of the Leominster Zoning Ordinance entitled “Sign Regulations” by designating the City Council as the special permit granting authority for signs located on city property.

77-13 James Lanciani Jr.: Grant to Matthew Swaine the needed time to retire under an ordinary disability retirement. The Home Rule Petition as follows:

Section 1. Notwithstanding any general or special law or rule or regulations to the contrary, the City of Leominster Retirement Board shall retire Matthew Swaine under the terms and conditions of ordinary disability pursuant to Section 5 Chapter 32 of the General Laws.

Section 2. This act shall take effect upon its passage.

78-13 Richard M. Marchand: Revise the City of Leominster Traffic Ordinances to not allow registered or unregistered utility trailers to be parked on unaccepted streets for an extended period time if not being used by the owner for a specific purpose.

REGULAR MEETING OF THE CITY COUNCIL, JUNE 24, 2013, continued

79-13 Richard M. Marchand: Request the Police Department Traffic Bureau investigate the legality and the feasibility of creating a section in the City Traffic Ordinances to remove common traffic violations from being submitted to the state and remain a local violation with assessments of said violations paid directly to the City of Leominster.

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

80-13 Roger H. Brooks Jr.: Amend Chapter 21, Section 21.47.4 of the Leominster Revised Ordinances entitled "Permit-Conditions" by adding conditions 12 and 13 to said section.

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

C-140 Dean J. Mazzarella, Mayor: Authorize the City of Leominster to pursue \$22,356.00 through the Department of Justice JAG Program.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9/0
Councillor Nickel disclosed he was on the Board of the Montachusett Interfaith Hospitality.

C-144 Dean J. Mazzarella, Mayor: Approve the CDBG Budget/Action Plan for the City of Leominster-Year 39.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was CONFIRMED. 9 "yeas"

Leominster Fire Department – Permanent Firefighter – Benjamin F. Brideau

Under Old Business, Councillor Chalifoux Zephir reminded the public about the election for the United State Senate on June 25, 2013.

Councillor Marchand requested a letter be sent to the Mayor and the State Representative regarding the disordered condition that the State created at the intersection of Merriam and Lindell Avenues. It is a safety hazard.

MEETING ADJOURNED AT 11:35 P.M.

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