

HEARING BEFORE THE CITY COUNCIL, OCTOBER 15, 2013

Hearing opened at 7:02 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 22 of the Revised Ordinances, entitled "General Use Regulations," by inserting the subsection 16.12 entitled "Temporary Moratorium on Medical Marijuana Treatment Centers."

Councillor Rowlands said he believes that the Planning Board is holding their hearing tonight so we need to wait for their recommendation. He asked for a continuance until October 28, 2013 at 7:00 P.M.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:04 P.M. and CONTINUED TO OCTOBER 28, 2013 AT 7:00 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 15, 2013

Meeting was called to orders 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 September 23, 2013 were examined and found to be in order. The records were accepted.

A moment of silence was held for Army Pfc. Norman Dufresne who was killed in combat in the first days of the Korean War after communist forces crossed the 38th Parallel on July 25, 1950. His remains were found in 1951 and he was laid to rest in Hawaii as an unknown soldier in 1954. In 2012 his remains were exhumed and through dental records, matching skeletal characteristics and evidence found with the body he was identified. He was brought home to Leominster. A white cross bearing Mr. Dufresne's name that has been displayed during Memorial Day for decades will be retired, a public wake will take place in the John R. Tata Auditorium in City Hall and a funeral with military honors will be held.

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

C-10 Dean J. Mazarella, Mayor: Request that Gregory Chapdelaine be exempt from the provisions of M.G.L. Chapter 268, (20B) Conflict of Interest as he is currently employed by the City of Leominster's Purchasing Department and may be taking a position setting up polling place for the City Clerk-Elections and Registration Office.

Upon request of the petitioner, the following PETITION was WITHDRAWN.

21-14 James M. Donovan: Accept Samoset Drive as a public way.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Department of Public Works, the Police Department, the Fire Department and the Planning Board.

22-14 David R. Cormier and Gregg Lisciotti: Rename Aspinwall Avenue to Tanzio Road.

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

23-14 David R. Cormier et al: Authorize a truck exclusion on Malburn Street and the surrounding subdivision.

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

24-14 Aaron F. Kennedy, Leominster Police Department: Amend Chapter 13 Section 13-33 of the Revised Ordinances entitled "Schedule of parking fines" to include #20 Fire lane in Group D and renumber group E as #21 and #22.

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 15, 2013, continued

The following PETITION was received, referred to the PUBLIC SAFETY and CITY PROPERTY COMMITTEES, given REGULAR COURSE and referred to the Police Department, the Fire Department and the Department of Public Works.

- 25-14 Richard M. Marchand, Festival Facilitator for the Johnny Appleseed Festival: Close off West Street from the intersection of Cottage Street to Main Street, Park Street at the intersection of Main Street, Church Street but maintain public safety access and allow the use of the John Tata Auditorium in the City Hall, the parking lot between the First Church Unitarian and the First Baptist Church to host the 21st Annual Johnny Appleseed Arts and Cultural Festival from 5:00 A.M. to 6:30 P.M. on Saturday, September 27, 2014 with a rain date of Saturday October 4, 2014.

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

Office of Emergency Management – EMS Unit – Donna Watkins
Communications Unit – John Griffin, Tan Pham, Dinh Luong

2013-2014 Election Workers – Earlean Brown, Silvia Dube,
Irene C. Greco and Guilio G. Greco

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9/0

- C-7 Dean J. Mazarella, Mayor: Request that the Millette Memorial Fund be established.

Upon request of the FINANCE COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9 /0

- 18-14 Susan Chalifoux Zephir: Perform a review and analysis of ambulance rates to ensure they are competitive and require that ambulance rates are reviewed annually.

A request by the PUBLIC SERVICE COMMITTEE to TABLE the following PETITION was DENIED. VT. 2/7, Councillors Dombrowski, Chalifoux-Zephir, Rowlands, Nickel, Cormier, Salvatelli and Marchand opposed. A motion was made by Councillor Cormier and seconded by Councillor Marchand to give the following PETITION FURTHER TIME. Vt. 7/2, Councillors Freda and Lanciani opposed.

- 19-14 Edmond Favreau et al: Support the abandonment and closure of Old Mill Road as a public way after 67 Old Mill Road to the beginning of the last entrance/exit to Liberty Commons.

Upon request of the LEGAL AFFAIRS COMMITTEE the following COMMUNICATION was TABLED. Vt. 9/0
Councillor Rowlands said this is being tabled as requested by the Mayor.

- C-8 Dean J. Mazarella, Mayor: Accept certain parcels of land from the Leominster Land Trust for conservation purposes.

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

- C-9 Dean J. Mazarella, Mayor: Request the City Council approve an inter-municipal agreement to join a public health network with 10 other cities and towns.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 8/1, Councillor Freda opposed.

- 13-14 Stephen J. Mullaney and Ten Registered Voters: Amend Chapter 22 of the Revised Ordinances entitled “Zoning” by adding to “Health Care Overlay District (HCO) Definitions” in Section 22-4 a definition for Medical Marijuana Treatment Center and by adding the following entry to “Institutional Uses” in Section 22-18 Overlay Districts Table of Uses.

<u>Institutional Uses</u>	<u>DO</u>	<u>MSO</u>	<u>UCO</u>	<u>HCO</u>
Medical Marijuana Treatment Center	U	U	U	SPPB

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

- 14-14 Joel H. Baker, Trustee E.K. and J.H. Baker Nominee Trust: Modify the width of an existing City of Leominster Utility Easement at 495 Main Street as shown on a plan prepared by Hannigan Engineering Inc., entitled “Easement Modification Plan in Leominster” dated May 28, 2013.

- 20-14 David R. Cormier, Brian J. Flathers, Donna J. Ciccone and Michael Ciccone: Install “No Parking This Side of Street” signs on DeCicco Drive on the side of the street opposite of the ballfield from the ballfield to the corner of DeCicco Drive and Union Street.

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 15, 2013, continued

Under Old Business, Councillor Rowlands requested an update on the scheduled paving.

The following ORDINANCE was read a second time and given FURTHER TIME. Vt. 9 “yeas”

2nd Reading Ordinance - Amend Chapter 22 of the Revised Ordinances, entitled “General Use Regulations,” by inserting the subsection 16.12 entitled “Temporary Moratorium on Medical Marijuana Treatment Centers.”

Upon recommendation of the WAYS & MEANS COMMITTEE, The following ELECTION ORDER was ADOPTED. Vt. 9/0

Election Order – Municipal Election – November 5, 2013

Under New Business, Council President Chalifoux Zephir said the Library received a gift of \$100,000 from a patron. Council President reviewed the public events for Pfc. Norman Dufresne. She said Pfc. Dufresne will arrive in Leominster on Wednesday October 16th and on Thursday October 17th there will be a service at 5:30 P.M. at the Veteran’s Center to retire the white cross. On Friday, October 18th there will be a wake from 5:00 P.M. to 8:00 P.M. in the John R. Tata Auditorium in Leominster City Hall and Saturday there will a Mass of Christian Burial October 19, 2013 at 1:00 P.M. with a full military burial to follow in St. Cecilia’s Cemetery, Florence Street, Leominster.

MEETING ADJOURNED AT 8:06 P.M.

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