

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 25, 2013

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

Attendance was taken by a roll call vote; all members were present except Councillors Nickel and Dombrowski.

The Committee on Records reported that the records through November 12, 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-15 Relative to the appropriation of \$92,500.00 to the City Solicitor Expense Account; same to be raised by FY 2014 Revenue.
- C-16 Dean J. Mazzarella, Mayor: Request that the Snow & Ice Expense Account be authorized to incur liability and make expenditures in Fiscal Year 2014 in excess of the available appropriation in the amount of \$250,000.00 as authorized by Massachusetts General Law Chapter 44, Section 31D.

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

- C-17 Dean J. Mazzarella, Mayor: Adopt an ordinance for securing and maintaining vacant properties and foreclosing properties.

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

- 32-14 David R. Cormier: Amend Chapter 13, Section 13-4 of the Revised Ordinances entitled "Temporary prohibition of parking." by adding a subsection entitled "Temporary lifting of a parking prohibition."

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

Office of Emergency Management – Communications Unit- Keith Boisvert
 Auxiliary Police Unit – Timothy Flaxington and Cory Rogowski

Upon request of the FINANCE COMMITTEE the following COMMUNICATION was given FURTHER TIME. Vt. 7 "yeas". A hearing is set for December 9, 2013 at 6:45 P.M.

- C-13 Dean J. Mazzarella, Mayor: Relative to determining the factor to be used in setting the Fiscal Year 2014 tax rate.

Upon recommendation of the FINANCE COMMITTEE the following COMMUNICATION was GRANTED. Vt. 7 "yeas"

- C-14 Dean J. Mazzarella, Mayor: Request that the Marcia W. O'Donnell Art Activities Fund be established.

Upon request of the FINANCE COMMITTEE the following PETITION was TABLED. Vt. 6 "yeas" and 1 "nay", Councillor Rowlands opposed.

- 29-14 Gail P. Feckley et al: Request the Mayor to add a line item to the City's budget for maintenance of detention ponds in the City including, but not limited to, those on Brown Avenue, Westview Estates and any future developments in the vicinity of Cloverleaf Road and Crescent Road.

A recess was called at 8:04 P.M. to discuss Petition 30-14 with Attorney Donovan.

Meeting reconvened at 8:05 P.M.

Upon request of the PUBLIC SERVICE COMMITTEE the following PETITION was given FURTHER TIME and referred to the City Solicitor. Vt. 7/0 It was also referred to the Planning Board for comment on the DPW Directors recommendation.

- 30-14 James M. Donovan: Approve the layout of Samoset Drive and Spindletop Drive.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 7/0

- 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 Medical Marijuana Dispensary Center and by adding the following entry to "Institutional Uses" in Section 22-18 Overlay Districts Table of Uses.

Institution Uses	RR	RA	RB	RC	BA	BB	C	I	MU1	MU2	V
Medical Marijuana Dispensary Center	N	N	N	N	N	N	SPCC	N	SPCC	N	N
Medical Marijuana Treatment Center	N	N	N	N	N	N	N	SPCC	SPCC	N	N

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 25, 2013

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 6/1, Councillor Freda opposed.

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 ball field from the ball field to the corner of DeCicco Drive and Union Street.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was AMENDED and GRANTED AS AMENDED. Vt. 7/0. Amended to change 20 MPH to 30 MPH and delete Debbie Drive, Barry Lane and Jay Avenue.

27-14 David R. Cormier and Ronald W. Kolb: Place 30 MPH speed limit signs on Beth Avenue.

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 7/0. A hearing is set for December 9, 2013 at 6:30 P.M.)

31-14 Daniel Garceau: Modify the City of Leominster Zoning Map by deleting Parcel 582-27 located at 220 Litchfield Street from the RB zone and adding it to the abutting Industrial I zone.

Upon request of the PUBLIC SAFETY COMMITTEE the following PETITION was given FURTHER TIME. Vt. 7/0

28-14 Michael J. Iannacone: Request a speed bump to be placed on Howard Street

Under Old Business, Councillor Lanciani congratulated Colleen Farris and Lynn Fiandaca for receiving an award from the Nashua River Watershed Association for their work with the Fallbrook students on the rain garden.

Councillor Salvatelli said special recognition should go to Councillor Lanciani for filing a petition for Officer Swaine. It was passed on the State level and signed by the Governor.

Councillor Marchand said this young man deserved this. Councillor Lanciani had a vision of how to deal with it in a professional manner. He thanked Councillor Lanciani for his leadership and guidance.

Under New Business, Council President Chalifoux Zephir said there is a very important meeting coming up on Tuesday, December 3, 2013. The Mass. Gaming Commission is coming to Leominster for a public meeting from 4-6 P.M. and beyond if needed. She said it is an opportunity for the public to ask questions and an opportunity to get good information. The applicant's application is online if anyone would like to review the Cordish proposal at Massgaming.com before they come to the meeting. She said if you can't make the meeting but want to submit comments you can go to mgccomments@state.ma.us and you can also sign up on that website to speak that night.

Councillor Rowlands said he wants to make sure there is clarity with regard to the letter that was issued to the City Council from the Planning Board regarding the adult entertainment zoning. He said the adult entertainment section is in the Table of Uses in the City's Ordinance and is defined. It is in a different location. He has no problem if the Planning Board wants to change the wording or the structure to be clearer. He said they just need to submit a petition to do that. He said the City is protected.

Councillor Marchand said he went to the Hall of Fame Dinner and wanted to congratulate Nick Cordio and Tim DeCarolis from Leominster High School who won awards.

Councillor Freda said the Breakfast of the Bands was a success and they served just under 900 people.

Councillor Salvatelli said it was the best food he has ever eaten there.

MEETING ADJOURNED AT 8:42 P.M.

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