

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 13, 2012

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

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

A recess was called at 7:33 P.M. to continue the public forum.

The regular meeting reconvened at 7:36 P.M.

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

- C-3 Relative to the appropriation of \$120,000.00 to the Fire Department Salary & Wages Account-prior year; \$98,000.00 transferred from the Fire Salary & Wages Account-prior year and \$22,000.00 transferred from the Fire Overtime Account-prior year.
- C-4 Relative to the appropriation of \$250,000.00 to the Fire Department Salary & Wages Account; same to be raised by FY 2013 Revenue.
- C-5 Relative to the appropriation of \$872,256.00 to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved For Appropriation Account.

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

- C-6 Dean J. Mazzearella, Mayor: Amend Section 16-30 of the Revised Ordinances to reflect the scales of pay for Leominster Fire Department Salaries for Fiscal Year 2010 thru and including Fiscal Year 2015.

The following COMMUNICATION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Fire Chief, the Comptroller, the Mayor and the Treasurer.

- C-7 Dean J. Mazzearella, Mayor: Amend Section 8-19 of the Revised Ordinances relative to fees for ambulance services.

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

- C-8 Dean J. Mazzearella, Mayor: Request that Stephanie Kuokkanen be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.
- C-9 Dean J. Mazzearella, Mayor: Request that Coleen Faris be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.
- C-10 Dean J. Mazzearella, Mayor: Request that Marie Keane be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.
- C-11 Dean J. Mazzearella, Mayor: Request that Amber Cornwall be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.
- C-12 Dean J. Mazzearella, Mayor: Request that Amanda Sargent be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed as a Pool Manager for the Recreation Department and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.
- C-13 Dean J. Mazzearella, Mayor: Request that Dan Reiser be exempt from the provisions of M.G.L. Chapter 268A (20B) Conflict of Interest as he is currently employed as a school teacher for the City of Leominster and will be taking a position with the Leominster Recreation Department to provide a Summer Enrichment Program this summer.

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE, given REGULAR COURSE and referred to the Department of Public Works, the City Solicitor and the Planning Board

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

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 13, 2012, continued

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE, given REGULAR COURSE and referred to the Department of Public Works and the Wire Inspector. A hearing was set on August 27, 2012 at 7:00 P.M. Vt. 8/0

- 8-13 National Grid and Verizon New England: West Street: Install a jointly owned pole and relocate pole 35, beginning at a point approximately 60 feet northwest of the centerline of the intersection of Hall Street and continuing approximately 22 feet in a northwesterly direction.

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

- 9-13 John Scribner, Lisciotti Development: Accept the deed from Massapoag Development, LLC which grants to the City of Leominster land titled "Open Space Parcel D" containing approximately 4.96 acres as per condition 12 of the Planning Board Subdivision Approval.

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

- 10-13 Joanne Atwood: Renew the Second Hand Dealer's License for The Repair Palace, Inc. located at 100 Commercial Road.
- 11-13 Andrew Rome: Renew the license for one pool table at the Columbia Tavern located at 11 Merriam Avenue.

A motion was made by Councillor Freda and seconded by Councillor Marchand to amend the following the petition to read "Dedicate Hill Street or a parcel of land on Hill Street to David Allen Hill." The motion was defeated. Vt. 4 "yeas" and 4 "nays, Councillors Nickel, Cormier, Chalifoux Zephir and Dombrowski opposed. Upon recommendation of the PUBLIC SERVICE COMMITTEE the following PETITION was given LEAVE TO WITHDRAW. VT. 6/2, Councillors Marchand and Freda opposed. A letter from Richard Earley dated August 9, 2012 which includes a letter regarding David Allen Hill written by a student in the Legacy Project was read and on file in the City Clerk's office.

- 2-13 Claire Freda: Rename Hill Street to David Allen Hill Street.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 8 "yeas"

- C-2 Dean J. Mazarella, Mayor: Adopted Massachusetts General Law Chapter 48, Section 59A regarding Mutual Aid.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7 "yeas" and 1 "nay", Councillor Freda opposed.

- 3-13 David Rowlands: Amend Article VI, Section 2-25, Article VII Section 2-28, Article VIII, Section 2-28 and all similar sections in the city ordinances relative to Mayoral Appointments to add "Said term may be extended indefinitely by the mayor at his/her discretion without vote of the City Council"

Upon recommendation of the PUBLIC SAFETY COMMITTEE, the following PETITION was GRANTED. Vt. 8/0

- 4-13 Susan Chalifoux Zephir and Richard Marchand: Place stop signs at the intersections of Dewey Avenue and Leland Avenue and Dewey Avenue and Penn Street.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was AMENDED and GRANTED AS AMENDED. Vt. 8/0. Amended by changing "buying scrap metal" to "buying precious metal and used electronic equipment for cash" Vt. 8/0

- 5-13 Euidong Do: Grant a Second Hand Dealers License to Sam's located at 710 N. Main Street for the purpose of buying precious metal and used electronic equipment for cash..

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED.

- 6-13 Hinda Barber, Business Licenses L.L.C: Grant a Second Hand Dealers License to ecoATM, Inc. at 100 Commercial Road for the purpose of buying back used consumer electronics for cash.

Upon recommendation of the WAYS & MEANS COMMITTEE the following Election Order was CONFIRMED. Vt. 8 "yeas"

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 13, 2012, continued

CITY OF LEOMINSTER
STATE PRIMARY
ELECTION ORDER
SEPTEMBER 6, 2012

ORDERED : -that the City Clerk be and she hereby is authorized and directed to notify and warn the voters of the City of Leominster to assemble in their respective polling places in the several wards and precincts of the City, designated by the City Council as follows:

WARD 1A	SKY VIEW MIDDLE SCHOOL 500 KENNEDY WAY
WARD 1B	SKY VIEW MIDDLE SCHOOL 500 KENNEDY WAY
WARD 1C	SKY VIEW MIDDLE SCHOOL 500 KENNEDY WAY
WARD 2A	SOUTHEAST ELEMENTARY SCHOOL 95 VISCOLOID AVENUE
WARD 2B	SOUTHEAST ELEMENTARY SCHOOL 95 VISCOLOID AVENUE
WARD 2C	SOUTHEAST ELEMENTARY SCHOOL 95 VISCOLOID AVENUE
WARD 3A	FRATERNAL ORDER OF EAGLES HALL 456 LITCHFIELD STREET
WARD 3B	FRATERNAL ORDER OF EAGLES HALL 456 LITCHFIELD STREET
WARD 3C	FRATERNAL ORDER OF EAGLES HALL 456 LITCHFIELD STREET
WARD 4A	SENIOR CITIZEN DROP-IN CENTER 5 POND STREET
WARD 4B	LEOMINSTER VETERANS' QUARTERS 100 WEST STREET
WARD 4C	LEOMINSTER VETERANS' QUARTERS 100 WEST STREET
WARD 5A	AUDITORIUM, CITY HALL 25 WEST STREET
WARD 5B	AUDITORIUM, CITY HALL 25 WEST STREET
WARD 5C	FIRST BAPTIST CHURCH OF LEOMINSTER 23 WEST STREET

On Thursday, the 6th day of September 2012, then and there for the purpose of giving in their votes for the election of candidates for the following offices: Senator in Congress, Representative in Congress – 2nd District, Councillor – 7th District, Senator in General Court – Worcester & Middlesex District, Representative in General Court – 4th Worcester District, Clerk of Courts – Worcester County, Register of Deeds – Worcester Northern District.

And it if further

ORDERED:- that the polls shall be opened at 7:00 A.M. and closed at 8:00 P.M. and that notice shall be given by publication of this order in a conspicuous place in the office of the City Clerk.

Per Order Leominster City Council
True Copy Attest:
Lynn A. Bouchard, City Clerk

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for August 27, 2012 at 7:05 P.M. Vt. 6 “yeas”, Councillor Nickel and Cormier abstained due to a possible conflict of interest.

1st Reading Ordinance – Amend Section 16-30 of the Revised Ordinances entitled “Compensation Grades” by deleting Schedule 2A thru 2C in its entirety and inserting in its place Schedules 2A thru 2G relative to Fire Department Salaries. (Legal Affairs – Communication C-4)

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for August 27, 2012 at 7:10 P.M. Vt. 8 “yeas”.

REGULAR MEETING OF THE CITY COUNCIL, AUGUST 13, 2012, continued

1st Reading Ordinance – Amend Section 8-19 of the Revised Ordinances entitled “Fees for Ambulance Services” by deleting Section (a) in its entirety and inserting in its place a new Section (a) changing BSL and ASL billing rates. (Legal Affairs – Communication C-7)

MEETING ADJOURNED AT 9:05 P.M.

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