

HEARING BEFORE THE CITY COUNCIL, SEPTEMBER 10, 2012

Hearing opened at 7:05 P.M. with Councillor Salvatelli, Clerk of the PUBLIC SERVICE COMMITTEE, presiding.

All members were present except Councillors Dombrowski, Chalifoux Zephir and Marchand.

The following PETITION was the subject of the hearing:

12-13 National Grid and Verizon: Glendale Street- Install one jointly owned pole beginning at a point approximately 420 feet southeast of the centerline of the intersection of Twelfth Street.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:06 P.M.

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

HEARING BEFORE THE CITY COUNCIL, SEPTEMBER 10, 2012

Hearing opened at 7:07 P.M. with Councillor Rowlands, Chair of the LEGAL AFFAIRS AND PRESIDENT'S ZONING COMMITTEES, presiding.

All members were present except Councillors Dombrowski, Chalifoux Zephir and Marchand.

This hearing is continued from July 9, 2012.

The following COMMUNICATION was the subject of the hearing:

C-68 (2011) Dean J. Mazzarella, Mayor: Adopt the proposed changes to the Leominster Zoning Ordinance.

Councillor Rowlands said the President's Zoning Committee has been meeting regularly. He said Councillors Nickel and Lanciani are on the committee and the City has been working with Engineer Stephen Mullaney and Attorney Mark Bodanza. He said they have done an extensive review and update of the zoning document to date. They made substantial changes in the formatting of the Table of Uses and have reviewed all the base districts and starting with the overlay districts. There are several hundred hours put into this document as part of this effort. He said they have found that with the zoning map has not been updated since 2002 and there are substantial amount of changes that are not reflected in the map. He said the map is approximately two square miles short of area. The map received from VHB lacks detail and they are using the GIS system maps from the Assessor's office that are very accurate.

No Councillors spoke in favor or in opposition of this Communication.

No one in the audience spoke.

HEARING ADJOURNED AT 7:10 P.M. AND CONTINUED TO DECEMBER 10, 2012 AT 6:30 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 10, 2012

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

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

## REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 10, 2012, continued

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

- C-14 Dean J. Mazzeola, Mayor: Relative to the appropriation of Eighty-Five Thousand Dollars (\$85,000.00) for the purpose of paying schematic design and project management costs related to replacement of the boiler at the Fall Brook Elementary School, located at 25 DeCicco Drive, and replacing the roof and boiler at the Southeast Elementary School, located at 95 Viscoloid Avenue, including the payment of all costs incidental or related thereto, which proposed repair projects would materially extend the useful lives of the schools and preserve assets that otherwise are capable of supporting the required educational program, and for which the City of Leominster has applied for a grant from the Massachusetts School Building Authority (MSBA), said amount to be expended under the direction of the Leominster Public Schools. To meet this appropriation the Leominster City Council appropriates \$62,000.00 of said amount from available school choice funds and \$23,000.00 from the emergency reserve account. The City of Leominster acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and that if the MSBA's Board of Directors votes to invite the City to collaborate with the MSBA on the proposed repair projects, any costs the City incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City of Leominster; and that, if invited to collaborate with the MSBA on the proposed repair projects, the appropriation made by this Order shall be offset by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Leominster and the MSBA with respect to these projects.

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

Reserve Firefighters – Nicholas Alexander Caponi, William Leonard Schofield, Adam Lane Studham

Councillor Robert Salvatelli, Chairman of the Finance Committee, read the Financial Report for the City into the record. Account balances are as follows:

Stabilization Account	\$12,514,407.95
Emergency Reserved Account	\$ 100,000.00

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

- 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.

ORDERED: - that the sum of Eight Hundred Seventy Two Thousand Two Hundred Fifty Six Dollars (\$872,256.00) be appropriated to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved For Appropriation Account.

RE: FY 3013 Chapter 90 Award

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0. The hearing is continued to September 24, 2012 at 6:50 P.M.

- 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.

Upon recommendation of the PUBLIC SERVICE COMMITTEE, the following PETITION was GRANTED. Vt. 6/0, Councillor Cormier abstained due to a possible conflict of interest.

- 12-13 National Grid and Verizon: Glendale Street- Install one jointly owned pole beginning at a point approximately 420 feet southeast of the centerline of the intersection of Twelfth Street.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITIONS were given FURTHER TIME. Vt. 7/0

- 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"
- 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.
- 13-13 Wayne Nickel: Place a stop sign at the eastern end of Lido Avenue at the juncture with Seventh Street.

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 10, 2012, continued

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0  
A hearing is scheduled for September 24, 2012 at 7:00 P.M.

14-13 James J. Carnivale, Trustee Carnivale Realty Trust: Rezone Parcel 240-4 and 240-3 located at 404 Main Street from Residence B to Commercial.

Upon recommendation of the WAYS & MEANS the following APPOINTMENTS were CONFIRMED. Vt. 7 “yeas”

Election Workers – terms to expire August 31, 2013  
Marlaine Jean Philippe, Laura Casey, Marcia J. Tarara

Office of Emergency Management – Shannon Glisson, Autumn Hawkins

The following ORDINANCE was read a second time, ADOPTED as presented and passed to be ordained. Vt. 7 “yeas”

City of Leominster

In the year two thousand and twelve

AN ORDINANCE

Amending Chapter 22 of the Revised Ordinances entitled “Zoning” by amending the Zoning Map.

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

Chapter 22 of the Revised Ordinances entitled “Zoning” is hereby amended by changing the Leominster Zoning Map, so that the land identified as 18-20 Elm Hill Avenue, further identified as Assessors’ Map 356, Parcel 17; and the land identified as 435 Lancaster Street, further identified as Assessors’ Map 443, Parcel 1; and the land identified as 439 Lancaster Street, further identified as Assessors’ Map 443, Parcel 2/2, are hereby designated as zoning district Business B.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for September 24, 2012 at 6:45 P.M. Vt. 7 “yeas”

1<sup>st</sup> Reading Ordinance – Amend Chapter 13, Section 77 of the Revised Ordinances entitled “Stop Signs” by inserting “Dewey Avenue against northbound drivers at Leland Avenue and Dewey Avenue against northbound drivers at Penn Street.”

MEETING ADJOURNED AT 8:00 P.M.

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