

CITY CLERK'S OFFICE
LEOMINSTER, MA

**7:20 P.M. Interview with Permanent
Firefighter Appointee**

2015 DEC 23 PM 2 25

CITY OF LEOMINSTER

CITY COUNCIL

DECEMBER 28, 2015

JOHN P. MAHAN CITY COUNCIL CHAMBERS

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

- 13-16 John J. Souza, Planning Board Chairman: Amend Section 22-17 Underlying Districts Table of Uses, Industrial Uses, Energy System, Renewable, to change in column RA from SPPB, SPA to "N". (Legal Affairs)

PUBLIC FORUM, 7:15 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 7:30 P.M.

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-38 Relative To the appropriation of \$23,000.00 to the Emergency Management Capital Outlay Expense Account; same to be transferred from the Stabilization Fund. (Finance)
- C-39 Relative to the appropriation of \$142,235.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Stabilization Account. (Finance)
- C-40 Dean J. Mazzarella, Mayor: Request that the Snow and Ice Expense Account be authorized to incur liability and make expenditure in FY 2016 in excess of the available appropriations in the amount of \$250,000.00 as authorized by Massachusetts General Law Chapter 44, Section 31D. (Finance)

COMMUNICATIONS, continued

C-41

Dean J. Mazzarella, Mayor: Relative to the appropriation of Three Million Eight Hundred Seventy-Eight Thousand Six Hundred Eighty-Two Dollars (\$3,878,682.00) for the purpose of paying costs of roof, window and door replacement at the Johnny Appleseed Elementary School, located at 845 Main Street, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the facility and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City 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 City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. Chapter 44 or pursuant to any other enabling authority. The City 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 this proposed repair project, 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; and that, if invited to collaborate with the MSBA on this proposed repair project, the borrowing authorized by this Order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA with respect to this project. (Finance)

APPOINTMENTS

Board of Health – Thomas Ardinger – term to expire 4/15/18

Disability Commission – Karen Buckley – term to expire 4/15/18

Housing Authority – Virginia Tocci – term to expire 4/15/20

MATTERS BEFORE THE CITY COUNCIL

WAYS & MEANS AND VETERANS AFFAIRS

8-16

Raymond Racine: Modify Chapter 16, Section 16-32 of the General Ordinances of the City of Leominster by changing the classification of Engineer – Senior to an S-8, and the Public Works Assistant Director to an S-9.

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS

- C-33 Dean J. Mazzearella, Mayor: Request that the City Council submit a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments of the Constitution, as amended by Article LXXXIX, that State Senator Jennifer L. Flanagan and State Representative Dennis A. Rosa file special legislation with the General Court, on behalf of the City, seeking to exempt the positions of Police Chief and Police Captain from the Civil Service Law, G. L. c 31, as follows:

AN ACT EXEMPTING THE POSITIONS OF POLICE CHIEF AND POLICE CAPTAIN IN THE CITY OF LEOMINSTER FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The positions of police chief and police captain in the city of Leominster shall be exempt from chapter 31 of the General Laws.

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

- 13-16 John J. Souza, Planning Board Chairman: Amend Section 22-17 Underlying Districts Table of Uses, Industrial Uses, Energy System, Renewable, to change in column RA from SPPB, SPA to "N".

- 14-16 Richard M. Marchand: Amend Chapter 13, Section 13-26 "All night parking" to read "It shall be unlawful for the driver of any vehicle, other than one acting in an emergency, to park such vehicle on any street for a period of time longer than one hour between the hours of 12:00 A.M. and 6:00 A.M. of any day during the winter parking ban in effect seventy-two hours before a predicted Winter storm and twenty-four hours after the storm to provide municipal cleanup. The winter parking ban commences on December first, or the date of the first snow storm with an accumulation of at least three inches, whichever comes first, and terminates on April first.

MATTERS BEFORE THE CITY COUNCIL, continued

PUBLIC SAFETY AND TRAFFIC COMMITTEE

15-16 David R. Cormier: Install a street light on pole #2 on Tory Circle.

CITY OF LEOMINSTER – FINANCIAL REPORT

FINANCE

- C-31 Relative to the appropriation of \$20,000.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-34 Relative to the appropriation of \$1,000.00 to the Police Department Overtime Account; same to be transferred from the Disability Fines Receipts Reserved for Appropriation Account. (Granted with an Emergency Preamble on December 14, 2015; another vote is needed.)
- C-35 Relative to the appropriation of \$16,910.00 to the Recreation Capital Outlay Account; same to be transferred from the Stabilization Account.
- C-36 Relative to the appropriation of \$130,000.00 to the Drake House Expense Account; same to be transferred from the Stabilization Fund.
- C-37 Relative to the appropriation of \$350,000.00 to the Drake House Expense Account; same to be transferred from the Stabilization Fund.

APPOINTMENT

Fire Department- Permanent Firefighter- Adam Thibault

OLD BUSINESS

NEW BUSINESS

1st Reading Loan Order – that the sum of Three Million Eight Hundred Seventy-Eight Thousand Six Hundred Eighty-Two Dollars (\$3,878,682.00) for the purpose of paying costs of roof, window and door replacement at the Johnny Appleseed Elementary School, located at 845 Main Street, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the facility and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City 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 City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. Chapter 44 or pursuant to any other enabling authority. The City 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 this proposed repair project, 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; and that, if invited to collaborate with the MSBA on this proposed repair project, the borrowing authorized by this Order shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA with respect to this project. (Finance)

COMMUNITY CALENDAR

Establishment of Subcommittee Meetings:

- Ways & Means and Veterans Affairs
- Legal Affairs
- Public Safety and Traffic
- Public Service
- City Property and Property Oversight
- Public Schools and School Facilities
- Finance Committee
- Council Rules and Code of Conduct

Lynn A. Bouchard
City Clerk
December 23, 2015