

HEARING BEFORE THE CITY COUNCIL, JANUARY 11, 2016

Hearing opened at 6:45 P.M. with Councillor Bodanza, Chair of the FINANCE COMMITTEE, presiding.

All members were present.

The following LOAN ORDER was the subject of the hearing:

Relative to 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.

No one in the audience spoke in favor or against the loan order.

Councillor Chalifoux Zephir asked the Finance Chair to clarify the reimbursement because the MSBA grant is not a guarantee, so in the event the MSBA does not provide some portion of it.

Councillor Bodanza said the grant reimbursement formula on this particular project would be 72 ½% so the cost associated with this would be reimbursed by MSBA at the rate of 72.59%. If for some reason we did not receive the reimbursement we would not be required to go through with this project and/or borrow the funds. He said he was told by the Comptroller that the City has been approved conditionally for the funding and there are a number of things the City has to comply with in order to complete the process and one of those things is this loan order. In the extraordinary event that the reimbursement didn't occur, the City could just rescind this loan authorization, which we have done as a Council in the past. He said everyone should have received a copy of the architects analysis of the roof and window systems at the school. The roof dates back to the 1960's and needs to be addressed.

Superintendent Jolicoeur said the reason they moved towards the Johnny Appleseed Elementary School as the next recommended accelerated repair project was because we are having some issues with leaking with the integrity of the roof, especially in the combined cafeteria/auditorium. These buildings are aging and I try to take advantage of the repair opportunities through the MSBA. He said we get a very good rate and we are very pleased with that. He said the schools have received over \$52M over the past five years in monies from MSBA at approximate 73% reimbursement. He said the MSBA Board meeting is either Wednesday or Thursday this week.

Councillor Marchand said when a roof leaks there is additional contingencies that potentially takes place, mold for example. Do you feel the amount of money you are seeking will cover such contingencies if necessary?

Mr. Jolicoeur said the cost includes contingencies. The roof has three layers and the bottom layer of the roof is an asbestos based roof. They cannot put another layer of roof on so they are going to take off the top layers. If they feel there is an issue with the asbestos layer of roof, they will have to remove it and remediate the asbestos, but it is all included in the cost. If they find they don't have to go to that level of removing that level of asbestos roof this cost will drop.

Councillor Cormier asked what the time line is to begin this project?

HEARING BEFORE THE CITY COUNCIL, JANUARY 11, 2016, continued

Mr. Jolicoeur said it's going to be a longer term project because of the backorder on windows. If approved, this project will be completed this summer but the window project won't be until the following year.

Councillor Freda said I would think if we came close to the asbestos it would make sense to remove it.

Mr. Jolicoeur said he feels the same way and that is why the contractor factored the cost in because they wanted to insure the City if we got to that point that they wouldn't be bringing a contingency forward to us so they factored it into this price. They will have to follow MSBA's lead and the contractors lead on the decision when that time comes. He said he doesn't want to put the City in a position where we stripped the roof down and remediated the asbestos that portion won't be covered by the reimbursement.

Councillor Chalifoux Zephir asked as part of the budget process are you visiting your overall capital plan?

Mr. Jolicoeur said yes.

Councillor Chalifoux Zephir asked him if he would share it.

Mr. Jolicoeur said the capital plan is completed and it's a five year plan. The numbers are significant but these accelerated repair projects go an awful long way in helping us maintain major structural portions of our buildings with very little cost to the City. We want to continue this string of projects if we can possibly do it.

HEARING ADJOURNED AT 7:03 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2016

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

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

Upon recommendation of the Council President the City Council Rules and Procedures for 2016 were ADOPTED. Vt. 9/0.
(See Organization Meeting)

A recess was called at 7:31 P.M. to hold a public forum.

Meeting reconvened at 7:32 P.M.

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

C-42 Relative to the appropriation of \$60,000.00 to the Gallagher Building Salary and Wages Account; same to be transferred from the Gallagher Building Revolving Fund.

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

17-16 Bovenzi & Donovan Attorneys at Law: Street acceptance and approval of layout for Parcel "C" on Samoset Drive, the continuance of Samoset Drive, Ballard Court, Candlewood Drive and Keeneland Circle.

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

Election Officers 2015-2016 - Jean A. Gagne and Edward Sullivan –
Terms to expire August 31, 2016

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

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.

REGULAR MEETING THE CITY COUNCIL, JANUARY 11, 2016, continued

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

C-33 Dean J. Mazzarella, 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". (Hearing continued to January 25, 2016 at 7:00 P.M.)

Councillor Bodanza, Chair of the FINANCE COMMITTEE, read the Financial Report for the City into the record. Account balances are as follows:

Stabilization Account	\$11,878,620.00
Emergency Reserve	\$ 100,000.00

A recess was called at 7:55 P.M. to discuss C-38 with Charlie Coggins .

Meeting reconvened at 8:05 P.M.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 "yeas" and 1 "nays", Councillor Freda opposed.

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.

ORDERED: - that the sum of Twenty Three Thousand Dollars (\$23,000.00) be appropriated to the Emergency Management Capital Outlay Expense Account; same to be transferred from the Stabilization Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 "yeas"

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.

ORDERED: - that the sum of One Hundred Forty Two Thousand Two Hundred Thirty Five Dollars (\$142,235.00) be appropriated to the Highway Department Capital Outlay Expense Account; same to be transferred from the Stabilization Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED. Vt. 9 "yeas"

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.

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

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2016, continued

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.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENTS were CONFIRMED. Vt. 9 “yeas”

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

The following LOAN ORDER was read once, ADOPTED as presented and ordered published. Vt. 9 “yeas”

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.

A vote was taken to appoint Stephen Maddaus of Merrick O’Connell to be Legal Counsel for the City Council. Vt. 9 “yeas”

Upon recommendation of the WAYS & MEANS COMMITTEE, the following Special Municipal Election Calendar was ADOPTED. Vt. 9 “yeas”

Councillor Chalifoux Zephir said if we passed this tonight when will papers be ready to be pulled?

The Clerk said tomorrow.

Councillor Chalifoux Zephir asked how much the election going to cost.

The Clerk said she did not have a final figure but approximately \$30,000.00 to \$35,000.00.

Councillor Chalifoux Zephir said she felt the public should know that the cost for the Special Election for an At-Large School Committee member is approximately \$30,000.00 to \$35,000.00.

SPECIAL MUNICIPAL ELECTION CALENDAR

LEOMINSTER MASSACHUSETTS

2016

Thursday, March 3, 2016	Last day to file Nomination Papers with the Board of Registrars – 5:00 P.M.
Thursday, March 17, 2016	Last day to file Nomination Papers including Statement of Candidacy with the City Clerk – 5:00 P.M.
Friday, March 18, 2016	Post list of candidates
Monday, March 21, 2016	Last day to file withdrawals or objections as a Candidate in the Municipal Election – 5:00 P.M.
Tuesday, March 22, 2016	Draw for ballot position
Friday, April 1, 2016	Last day to register to vote in the Special Municipal Election
Thursday, April 14, 2016	Last date to post warrant for the Special Municipal Election
Wednesday, April 20, 2016	Noon – deadline to apply for absentee ballots for the Special Municipal Election
Thursday, April 21, 2016	SPECIAL MUNICIPAL ELECTION 7:00 A.M. – 8:00 P.M.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 11, 2016, continued

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for January 25, 2016 at 6:50 P.M. Vt. 9 “yeas”

1st Reading Ordinance – Amending Chapter 13, Section 13-26 of the Revised Ordinances entitled “All Night Parking” by deleting the section in its entirety and inserting “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 forty-eight hours before a predicted winter storm and forty-eight hours after the storm to provide municipal cleanup. The winter parking ban commences on December first, or the date of a predicted first snow storm with an accumulation of at least three inches, whichever comes first, and terminates on April first.”

A Legal Affairs Committee meeting was established for Wednesday, January 20, 2016 at 6:30 P.M.

Councillor Feckley said City wide registration for the three Little Leagues will be on Tuesday, January 25th and 26th at Dick’s Sporting Goods from 6-8 P.M. They can get more information from their local league.

Councillor Chalifoux Zephir announced that Ginny’s Helping Hand, along with the Spanish American Center and a grant from Fallon Health, will be launching a soup kitchen to provide hot meals twice a week beginning this Wednesday, January 13th and Thursday, January 14th from 4-5 P.M. Ginny’s is providing the food and the Spanish Center with their new kitchen will cook and serve. This will take place as long as the grant money holds out.

Councillor Freda said the Rotary Club set the Vocational Awards Dinner for Employees Of The Year for the City. It will be March 30th at the DoubleTree. She said by February 12th we should know who our nominees are and will be announced.

Councillor Freda said the MAMA Conference will be the week on the 20th and 21st.

MEETING ADJOURNED AT 8:34 P.M.

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