

6:15 P.M. Mayor- RE: Athletic Field

2016 APR -7 PM 3: 28

CITY CLERK'S OFFICE
LEOMINSTER, MA

CITY OF LEOMINSTER

CITY COUNCIL

APRIL 11, 2016

JOHN P. MAHAN CITY COUNCIL CHAMBERS

HEARING BEFORE THE CITY COUNCIL, 6:40 P.M.

Continued from March 28, 2016

23-16 Attorney Peter Campobasso for Alternative Therapies Group, Inc.: Grant a Special Permit to locate and operate a registered marijuana dispensary at 57 Nashua Street, as shown on Assessors Map 464, Lot 5, for retail sale or distribution of marijuana for medical use to qualifying patients. (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 6:50 P.M.

Relative to amending Chapter 13, Section 13-77 or the Revised Ordinances entitled "Stop Signs" by inserting "Eden Glen, against southbound drivers at Graham Street" and "Eden Glen, against northbound drivers at Graham Street". (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 6:55 P.M.

Relative to amending Chapter 13, Section 13-77 of the Revised Ordinances entitled "Stop Signs" by inserting "Holman Avenue, against westbound drivers at Princeton Street." (Legal Affairs)

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

28-16 Peter E. Bovenzi, Trustee, Neighborhood Development Trust: Rezone a portion of Assessor's Map 317, Parcel 7A from Commercial District to Residence C District and change the maximum height for principal buildings in Residence C District as set forth in Subsection 22-40.3 from 35 feet to 40 feet. (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-61 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Salary & Wages Account. (Finance)
- C-62 Relative to the appropriation \$10,000.00 to the Highway Overtime Account; same to be transferred from the Snow and Ice Overtime Account. (Finance)
- C-63 Relative to the appropriation of \$1,300.00 to the Police Department Overtime Account; same to be transferred from the Disability Fines Receipts Reserved for Appropriations Account. (Finance)
- C-64 Relative to the appropriation of \$8,300.00 to the Police Expense Account; same to be transferred from the Police Salary & Wages Account. (Finance)
- C-65 Relative to the appropriation of \$50,000.00 to the Snow & Ice Expense Account; same to be transferred from the Snow & Ice Overtime Account. (Finance)
- C-66 Relative to the appropriation of \$250,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-67 Relative to the appropriation of \$15,000.00 to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-68 Relative to the appropriation of \$50,000.00 to the Highway Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-69 Relative to the appropriation of \$15,000.00 to the Municipal Buildings Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-70 Relative to the appropriation of \$8,500.00 to the Parks Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-71 Relative to the appropriation of \$2,000.00 to the Parks Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-72 Relative to the appropriation of \$103,118.00 to the School Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-73 Relative to the appropriation of \$821,814.00 to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

COMMUNICATIONS, continued

- C-74 Relative to the appropriation of \$100,000.00 to the Sewer Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-75 Relative to the appropriation of \$1,230,534.00 to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-76 Relative to the appropriation of \$1,935,026.00 to the Stabilization Fund; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-77 Relative to the appropriation of \$631,037.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account (Finance)
- C-78 Relative to the appropriation of \$100,000.00 to the Water Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

PETITIONS

- 37-16 Scott and Joanne Atwood: Renew the Second Hand Dealer License for the Repair Place at Sears located at The Mall at Whitney Field. (Ways & Means)
- 38-16 George Deglaoui: Renew the Second Hand Dealer License for Deghan Inc., d/b/a Hannoush Jewelers located at 100 Commercial Road. (Ways & Means)
- 39-16 Mark Gordon: Renew the Second Hand Dealer License for Gordon Lasalle Music, Inc. located at Twin City Plaza. (Ways & Means)
- 40-16 Matthew K. Zvacek: Renew the Second Hand Dealer License for Gold Buyers of America located at the Mall at Whitney Field, 100 Commercial Road, Unit 15. (Ways & Means)
- 41-16 Game Stop Store #1485: Renew the Second Hand Dealer License for the premises located at 100 Commercial Road. (Ways & Means)
- 42-16 Game Stop Store #3594: Renew the Second Hand Dealer License for the premises located at 26 Orchard Hill Drive. (Ways & Means)
- 43-16 Kevin Donahue: Renew the License for one pool table at Scoreboards Sports Bar and Grill located at 137 Lancaster Street. (Ways & Means)
- 44-16 Carol & David Shields: Renew the License for three pool tables at South Leominster Lounge d/b/a Forte's Lounge, located at 1030 Central Street. (Ways & Means)

PETITIONS, continued

- 45-16 Michael Fusco: Renew the License for two pool tables at Jake’s Pub Inc., d/b/a Hot Shotz. (Ways & Means)
- 46-16 Albert Mason: Renew the License for seven pool tables and twenty four bowling alleys at Mason’s Bowling Center, 640 R. North Main Street. (Ways & Means)
- 47-16 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers and plants for 2016. (Ways & Means)

RE-APPOINTMENTS

Emergency Management-Auxiliary Officers – John J. Caron
Paul Topolski, Elympse Octavius, Alex Scipione, Tim
Flaxington, Charlie Williams, Daniel Johnson

Board of Appeals – Alternate Member - Robert Fitzpatrick - term to expire 4/15/17

Council on Aging - John Diggins - term to expire 4/15/2019

Cultural Commission - Bonnie Hathaway - term to expire 4/15/19

Library Board of Trustees- Gilbert Tremblay and Carol Ann Millette - terms to expire 4/15/19

Recreation Commission - Maureen Donatelli and Jeffrey O’Neill - terms to expire 4/15/19

Registrars of Voters - Ann B. Mahan - term to expire 4/15/19

Trust Fund Committee - Richard Bergman - term to expire 4/15/19

Veterans Burial Agent - Richard Voutour - term to expire 4/15/19

Veterans Care of Graves - Bruce Lambert - term to expire 4/15/19

MATTERS BEFORE THE CITY COUNCIL

WAYS & MEANS

- 30-16 Roger Cormier: Renew the Second Hand Dealer License for Crowne Jewelers located at 12 Lindell Avenue.
- 31-16 Jon Zajon: Renew the Second Hand Dealer License for George’s Fine Jewelers located at 255 North Street.
- 32-16 Virginia A. Tocci: Renew the Second Hand Dealer License for Joseph’s Jewelers located at 28 Central Street.

MATTERS BEFORE THE CITY COUNCIL, continued

WAYS & MEANS, continued

- 33-16 Fred R. Tousignant: Renew the Second Hand Dealer License for Fred's Auction located at 38 Spruce Street.
- 34-16 Andrew Rome: Renew the License for one pool table at the Columbia Tavern located at 16 Central Street Rear.

LEGAL AFFAIRS

- 23-16 Attorney Peter Campobasso for Alternative Therapies Group, Inc.: Grant a Special Permit to locate and operate a registered marijuana dispensary at 57 Nashua Street, as shown on Assessors Map 464, Lot 5, for retail sale or distribution of marijuana for medical use to qualifying patients.
- 27-16 Richard Marchand: Amend Chapter 10, Section 10-7 of the Leominster City Charter entitled "Solicitation Hours," by deleting it in its entirety and inserting the following:
- A properly licensed solicitor or peddler qualified through the Leominster Police Department, may solicit between the hours:
- A. Monday through Friday: 10:00 A.M. through 6:00 P.M.
- B. Saturday, Sunday and holidays from 12:00 P.M. through 5:00 P.M.
- 28-16 Peter E. Bovenzi, Trustee, Neighborhood Development Trust: Rezone a portion of Assessor's Map 317, Parcel 7A from Commercial District to Residence C District and change the maximum height for principal buildings in Residence C District as set forth in Subsection 22-40.3 from 35 feet to 40 feet.
- 35-16 Kathleen Sousa for Cumberland Farms, Inc.: Grant a license to store two 20,000 gallon dual-compartment underground storage tanks, with a total of 32,000 gallons of gasoline and 8,000 gallons of diesel fuel at 454-466 Mechanic Street. (Legal Affairs-Hearing set for April 25, 2016 at 7:00 P.M.)
- 36-16 Mackie Barch for Do Health Massachusetts: Grant a Special Permit to open a medical marijuana cultivation and dispensary facility at 30 Patriots Circle, as shown on Assessors Map 499, Lot 50. (Legal Affairs- Hearing set for April 25, 2016 at 6:45 P.M.)

CITY OF LEOMINSTER – FINANCIAL REPORT

FINANCE

- C-60 Relative to the appropriation of \$100,000.00 to the Police Department Overtime Account; same to be transferred from the Police Salary & Wages Account.

OLD BUSINESS

2nd Reading Ordinance-Amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting “Holman Avenue, against westbound drivers at Princeton Street.” (Legal Affairs)

2nd Reading Ordinance- Amend Chapter 13, Section 13-77 or the Revised Ordinances entitled “Stop Signs” by inserting “Eden Glen, against southbound drivers at Graham Street” and “Eden Glen, against northbound drivers at Graham Street”. (Legal Affairs)

RESOLUTION – Calling for Full Funding of the Foundation Budget Review Commission’s Recommendations in Support of Urban Districts in Massachusetts (Public School)

NEW BUSINESS

ELECTION ORDER – Special Municipal Election - April 21, 2016

Communication from the Mayor regarding medical marijuana facility letter of non-opposition

TABLED PETITION UPON WHICH ACTION IS PROPOSED

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.

COMMUNITY CALENDAR

Lynn A. Bouchard
City Clerk
April 7, 2016