

HEARING BEFORE THE CITY COUNCIL, APRIL 25, 2016

Hearing opened at 6:45 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillor Nickel.

The following PETITION was the subject of the hearing.

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.

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

No Councillors spoke.

HEARING ADJOURNED AT 6:46 P.M. AND CONTINUED TO MAY 23, 2016 AT 6:45 P.M.

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

HEARING BEFORE THE CITY COUNCIL, APRIL 25, 2016

Hearing opened at 7:00 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillor Nickel.

Attending the hearing was Attorney Phil Lombardo, representing Cumberland Farms and Chris Tymula, Civil Engineer from MHF Designs Consultants and the Project Engineer.

The Following PETITION was the subject of the hearing.

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.

Mr. Lombardo said the land consists of vacant land right next to the Fidelity building at the Connector. They are proposing to construct a gas station approximately 4,900 square feet. In front of the gas station will be five fueling dispensers capable of dispensing on either side so there would be ten fueling positions. He said Cumberland Farms is looking to install two 20,000 gallon tanks on the property.

Mr. Tymula said the site is located at the intersection of the Leominster Connector and Mechanic Street with Mechanic Street being to the south. Fidelity is to the east and the intersection at Leominster Connector and Mechanic Street is to the northwest. He said the site slopes from back to front with an elevation of 330 feet at the back of the property, about 312 feet at the intersection with quite a difference between the two. The design is similar to the site on Main Street. The underground fuel storage tanks will be located along the eastern side of the property which are two split compartment double wall fiberglass state of the art fuel storage tanks. Access from the side off of Leominster Connector will be a right in and a right out but only full access curb cut along Mechanic Street. Because of the grade difference there will be a retaining wall behind the building and a small retaining wall on the Mechanic Street side. There will be 21 parking spaces, outside patio area at the right side of the building along with three patio seats with a fence enclosing the patio area. The dumpster enclosure will be located on the left hand side of the building along with a small air tower. There will be a free standing sign near the intersection and street trees surrounding the site.

Mr. Tymula said the building will have a New England style roof, full dormers, the standard Cumberland Farms coloring, the canopy with the white and green band around it. The building will have a stone veneer around the base of the building which mimics that on the canopy columns as well as the free standing sign. Mr. Tymula showed renderings of the site before and after. Each one of the island will be surrounded by spill containment barriers or grooves which is a requirement for retail.

Mr. Lombardo said they have gone to the Planning Board for Site Plan Review and Special Permit for the gas station. In the course of that process the project was peer reviewed from an engineering standpoint and from the stormwater standpoint and traffic standpoint. They came out of that process approving their design with some off-site improvements that they will implement after consultation with City staff including the Police and DPW. One of those is to do some work along the Leominster Connector to establish a breakout lane for traffic calming purposes, and moving the pedestrian crossing area on the other side as discussed with the Police Department. They had added fencing in the back as requested by the neighbors and trees and landscaping will be done as requested by the Planning Board. He said the Conservation has approved their storm water design. The City Council is the last piece of the puzzle.

Mr. Lombardo showed the Council where the underground storage tanks will be and he said they will come into the site and drop the fuel on the passenger's side and exit the site back out towards the highway.

Nancy Koski of Leominster asked if there are there methane pipes in this area where is going to go? She said as far as the HVAC system goes it is important to keep in mind there are residential properties in the area so that people don't go through unneeded aggravation if it's address appropriately.

HEARING BEFORE THE CITY COUNCIL, APRIL 25, 2016, continued

Mr. Tymula said he wasn't sure about the methane pipes but for the HVAC units they are roof mounted units that are inset into the building with a decorative fence around them to create buffering. He said we met with the abutters and there were no concerns regarding sound and everything that is generated from the site.

Councillor Dombrowski said he thinks the property that has the methane pipes is a completely different property and not connected to this.

No one in the audience spoke in favor or against this ordinance.

Councillor Marchand said he is familiar with the Cumberland Farms construction project on Main Street and realizing it's a tight proximity from the building to the pumps to the delivery of the fuel tanks, he is glad to see that where you will be delivering the fuel was not on the side of the building but away from it because in North Leominster when the fuel is being delivered it actually prohibits a few parking spaces from being used. He asked if there were just as many parking spaces on this site as on the North Leominster site.

Mr. Tymula said he designed the plan but is doesn't recall the number of parking spaces over there. Typically Cumberland Farms wants anywhere from 18 to 22 parking spaces and we are showing 21 spaces plus 2 employee parking spaces for a total of 23. There are parking spaces over where the underground fuel tanks are totaling 5 spaces and 17 spaces in front of the store.

Councillor Marchand said it appears that Cumberland Farms in North Leominster is extremely successful is there any ability to add parking spaces if necessary.

Mr. Tymula said there really is not much room to do for parking specifically due to the grade of the site.

Councillor Marchand asked when the truck delivery will be.

Mr. Tymula said Cumberland Farms has control over when the tanker comes and goes. They will do deliveries on off peak hours and they want to minimize the impact the surrounding areas along with the operation of the facility. They will be coming down Leominster Connector and taking a left and then taking a left into the site. For safety reasons they drop on the passenger's side and exit the site on the right turn only and then back to the highway.

Councillor Marchand said on occasion he have had situations where gas stations had to come down to increase the size of their tanks, are you at a maximum size right now allowed by law?

Mr. Tymula said we could increase it to much more than we are showing on the plan, but the 40,000 gallons is what Cumberland Farms chooses to do for all their sites.

Councillor Marchand asked if it was going to be a 24 hour service.

Mr. Lombardo said that would be the plan but if not used it would be backed off.

Councillor Freda asked if the site will be the same size as the North Leominster Cumberland Farms storage wise.

Mr. Tymula said yes, the building has taken a couple of changes of the past few years. They added a bump-out because they needed more internal storage but essentially you are looking at the same type of building, same colonial style look, colors, color palette but not sure how many pumps or island that Main Street has, but they are they are the same size tanks.

Councillor Freda asked if the land has been tested.

Mr. Lombardo said yes, generally the site is good. You would expect to find, and have found, low levels of arsenic which is throughout Massachusetts. There was one portion of the property near the intersection where there was some product that you would expect to be in asphalt type of situation. It is not going to be disturbed and on one feels it is an issue.

Councillor Freda asked if it was going to have a drive up coffee window.

Mr. Lombardo said no.

Council President Cormier said there is a recommendation from Chris Knuth the Health Director which talks about product leak detention. Are the underground tanks the highest rated tanks you can get?

Mr. Tymula said all the tanks are double walled fiberglass which means it is a tank within a tank and between the two tanks there is a brine solution. If there is any type of leak detection the brine would dissipate out through the tank and the sensor would be activated. If there is a crack or anything on the inner tank gasoline would enter the separation between the two tanks the float will change the elevation inside and therefore the alarm will go off. These are state of the art double wall fiberglass tanks. The product piping itself is a rigid pipe within a pipe with no brine solution and is basically air so what happens the pipe is sloped back towards the fuel island so if there is any leak within that there is a sensor that will detect. The fills and vapor recovery systems are double wall fiberglass along with the double wall spill containment tanks at the pumps. The system has a visual and an audible alarm for the attendant inside so if there is any spills or leaks detected inside and a third safeguard located on the building are shutoffs for the fuel itself which is a state of the art system.

Mr. Lombardo said the attendants are trained and retrained and recertified once a year. They are given laminated sheets with directions in case of an issue.

Councillor Feckley said Route 13 Cumberland Farms is in her ward in North Leominster and she doesn't know what they would do without it. They are very good neighbors. The only complaint I have is the amount of space between the parking and the island. Is there going to be more space between the building and the pumps?

HEARING BEFORE THE CITY COUNCIL, APRIL 25, 2016, continued

Mr. Tymula said he doesn't have the design fresh in his mind, typically what Cumberland Farms like to have is 58 feet from the front curb to the actual dispenser island itself. In this case it allows for a 20 foot wide, 20 foot long parking space and a 30 foot isle.

Councillor Feckley what is the proximity of the Nashua River is to this site.

Mr. Tymula said approximately 150 feet bare minimum from the tanks.

Councillor Bodanza asked when constructing and installing these tanks in an environmentally sensitive area have you ever been required to treat a structure distinct from the tank for containment?

Mr. Tymula said you may be thinking of a vault system that is considered for above ground storage tanks and set in the ground in a concrete encasement to walk around inside. That is a totally separate type of system. He said he is not aware that they have ever been required. At this site there isn't that type of environmental issue like over on Main Street.

Councillor Dombrowski read a recommendation from the Fire Chief which is on file in the City Clerk's office.

HEARING ADJOURNED AT 7:26 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016

Meeting was called to order at 7:53 P.M.

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

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

Meeting reconvened at 7:40 P.M.

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

- C-79 Dean J. Mazzearella, Mayor: Exempt Shelley Wells, a Special Education Teacher for the Leominster School Department, from the Conflict of Interest Law as provided for in M.G.L. Chapter 268 A, Section 20B as she will be taking a position with the Recreation Department.
- C-80 Dean J. Mazzearella, Mayor: Exempt Heather Parzuchowski, a Special Education Teacher for the Leominster School Department, from the Conflict of Interest Law as provided for in M.G.L. Chapter 268A, Section 20B as she will be taking a position with the Recreation Department.

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

- C-81 Relative to the appropriation of \$9,534.00 to the Election & Registration Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-82 Relative to the appropriation of \$8,600.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-83 Relative to the appropriation of \$25,000.00 to the Mayor's Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-84 Relative to the appropriation of \$10,500.00 to the Planning Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-85 Relative to the appropriation of \$8,205.00 to the Treasurer's Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-86 Relative to the appropriation of \$15,100.00 to the Assessor's Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-87 Relative to the appropriation of \$2,800.00 to the City Clerk Salary & Wages Account; same to be transferred from the Election & Registration Expense Account.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016, continued

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

- 48-16 ecoATM, Inc.: Renew the Second Hand Dealer License for the location at 100 Commercial Road.
- 49-16 Best Buy Stores, LP #1433: Renew the Second Hand Dealer License for the location at 33 Orchard Hill Park Drive.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Economic Development Coordinator, Zoning Board of Appeals, the Planning Board, the Director of Inspections and the Mayor. A hearing was set for May 23, 2016 at 7:00 P.M.

- 50-16 James Whitney: Rezone parcels 503-3-1, 503-3-2, 503-3-3, 503-3-4, 503-3-5 at the entry-way of Southgate Business Park to mixed use (MUD) from Industrial.

The following PETITION was received, referred to the PUBLIC SAFETY & TRAFFIC COMMITTEE, given REGULAR COURSE and referred to the Police Department, the Fire Department and the Department of Public Works.

- 51-16 Brian J. Flathers: Install speed humps at several points on Union Street from Pleasant Street to the intersection of Union Street and Grant Street.

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

Disability Commission – Gail Feckley – term to expire 4/15/17

Susan Murray – term to expire 4/15/17

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

Office of Emergency Management –

Assistant Directors -Jim LeBlanc and Richard Gauvin

Deputy Directors – Tom Piper, Dan Thibodeau, Carl Sanabria, Al Staal

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITIONS were GRANTED. Vt. 8/0

- 34-16 Andrew Rome: Renew the License for one pool table at the Columbia Tavern located at 16 Central Street Rear.
- 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.
- 38-16 George Deglaoui: Renew the Second Hand Dealer License for Deghan Inc., d/b/a Hannoush Jewelers located at 100 Commercial Road.
- 39-16 Mark Gordon: Renew the Second Hand Dealer License for Gordon Lasalle Music, Inc. located at Twin City Plaza.
- 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.
- 41-16 Game Stop Store #1485: Renew the Second Hand Dealer License for the premises located at 100 Commercial Road.
- 42-16 Game Stop Store #3594: Renew the Second Hand Dealer License for the premises located at 26 Orchard Hill Drive.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt.7/0. Councillor Dombrowski abstained due to a possible conflict of interest.

- 43-16 Kevin Donahue: Renew the License for one pool table at Scoreboards Sports Bar and Grill located at 137 Lancaster Street.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt.8/0

- 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.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016, continued

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED. Vt.7/0. Councillor Dombrowski abstained due to a possible conflict of interest.

45-16 Michael Fusco: Renew the License for two pool tables at Jake's Pub Inc., d/b/a Hot Shotz.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITIONS were GRANTED. Vt.8/0

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.

47-16 Christopher Rivard: Grant a Transient Vendors License for the sale of flowers and plants for 2016.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0

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.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given LEAVE TO WITHDRAW WITHOUT PREJUDICE. Vt. 8/0

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.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 8/0

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.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0. Hearing Continue on May 23, 2016 at 6:45 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.

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

Stabilization Account	\$11,678,520.00
Emergency Reserve	\$ 100,000.00
Excess & Deficiency	\$ 2,329,861.00

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 "yeas"

C-61 Relative to the appropriation of \$2,000.00 to the Cemetery Overtime Account; same to be transferred from the Cemetery Salary & Wages Account.

ORDERED: - that the sum of Two Thousand Dollars (\$2,000.00) be appropriated to the Cemetery Overtime Account; same to be transferred from the Cemetery Salary & Wages Account.

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.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016, continued

ORDERED: - that the sum of Ten Thousand Dollars (\$10,000.00) be appropriated to the Highway Overtime Account; same to be transferred from the Snow and Ice Overtime Account.

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.

ORDERED: - that the sum of One Thousand Three Hundred Dollars (\$1,300.00) be appropriated to the Police Department Overtime Account; same to be transferred from the Disability Fines Receipts Reserved for Appropriations Account.

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.

ORDERED: - that the sum of Eight Thousand Three Hundred Dollars (\$8,300.00) be appropriated to the Police Expense Account; same to be transferred from the Police Salary & Wages Account.

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.

ORDERED: - that the sum of Fifty Thousand Dollars (\$50,000.00) be appropriated to the Snow & Ice Expense Account; same to be transferred from the Snow & Ice Overtime Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 "yeas", Councillor Cormier abstained due to a possible conflict of interest.

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.

ORDERED: - that the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) be appropriated to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 "yeas"

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.

ORDERED: - that the sum of Fifteen Thousand Dollars (\$15,000.00) be appropriated to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account.

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.

ORDERED: - that the sum of Fifty Thousand Dollars (\$50,000.00) be appropriated to the Highway Expense Account; same to be transferred from the Excess and Deficiency Account.

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.

ORDERED: - that the sum of Fifteen Thousand Dollars (\$15,000.00) be appropriated to the Municipal Buildings Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 "yeas", and 1 "nay", Councillor Chalifoux Zephir opposed.

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.

ORDERED: - that the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) be appropriated to the Parks Department Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 "yeas"

C-71 Relative to the appropriation of \$2,000.00 to the Parks Department Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Two Thousand Dollars (\$2,000.00) be appropriated to the Parks Department Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.

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.

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016, continued

ORDERED: - that the sum of One Hundred Three Thousand One Hundred Eighteen Dollars (\$103,118.00) be appropriated to the School Department Expense Account; same to be transferred from the Excess and Deficiency Account.

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.

ORDERED: - that the sum of Eight Hundred Twenty One Thousand Eight Hundred Fourteen Dollars (\$821,814.00) be appropriated to the School Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 6 “yeas”, and 2 “nay”, Councillors Chalifoux Zephir and Dombrowski opposed.

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.

ORDERED: - that the sum of One Hundred Thousand Dollars (\$100,000.00) be appropriated to the Sewer Department Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATIONS were GRANTED and ORDERED. Vt. 8 “yeas”

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.

ORDERED: - that the sum of One Million Two Hundred Thirty Thousand, Five Hundred Thirty Four Dollars (\$1,230,534.00) be appropriated to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

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.

ORDERED: -that the sum of One Million Nine Hundred Thirty Five Thousand, Twenty Six Dollars (\$1,935,026.00) be appropriated to the Stabilization Fund; same to be transferred from the Excess and Deficiency Account.

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

ORDERED: - that the sum of Six Hundred Thirty One Thousand, Thirty Seven Dollars (\$631,037.00) be appropriated to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

Upon request of the FINANCE COMMITTEE, the following COMMUNICATION was given FURTHER TIME. Vt. 8 “yeas”

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.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following RE-APPOINTMENTS were CONFIRMED. Vt. 8 “yeas”

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

REGULAR MEETING OF THE CITY COUNCIL, APRIL 25, 2016, continued

Upon recommendation of the WAYS & MEANS COMMITTEE, the following COMMUNICATION was GRANTED. This would allow the issuance of the letters of non-opposition for the medical marijuana licenses by the City Council. Vt. 6/2, Councillors Chalifoux Zephir and Dombrowski opposed.

April 7, 2016

Dear Members of the City Council,

I would ask that you place the medical marijuana letter or non-opposition on the agenda for the next meeting, specifically whether or not it is the intention of the Leominster City Council to issue the letter of non-opposition for the medical marijuana licenses.

Thank you.

Sincerely,
/s/Dean J. Mazzeola, Mayor

The following RESOLUTION was received, referred to the WAYS & MEANS AND LEGAL AFFAIRS COMMITTEES and given REGULAR COURSE. Councillor Feckley requests a copy of the deed for the easements.

RESOLUTION – Authorizing the Mayor to release the easements at 140 Adams Street

The following Committee meeting was established.

Legal Affairs Committee on May 11, 2016 at 6:00 P.M.

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to request the attendance of Acting Police Chief, Police Captain, a representatives from the Patrolman's Union and the Superior Officers Union, a representative from the MA Police Association, and the Mayor to the Legal Affairs Meeting to discuss C-33.

In accordance with Section 3.6 of the Leominster City Charter a vote was taken to request Roger Brooks come to the next meeting to discuss C-74 and C-78.

MEETING ADJOURNED AT 9:28 P.M.

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