

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016

Hearing opened at 7:00 P.M. with Councillor Bodanza, Chair of the FINANCE COMMITTEE, presiding. All members were present.

Present was Treasurer David Laplante and Comptroller John Richard.

The following LOAN ORDER was the subject of the hearing:

Relative to the appropriation of Five Million Dollars (\$5,000,000.00) to pay costs of designing, constructing and equipping athletic fields and an athletic complex at Leominster High School, which complex may include restrooms, a press box, concession and other similar facilities, and for the payment of all other costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$5,000,000.00 under and pursuant to Chapter 44, Sections 7(3) and 7(25) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for and accept any and all grants or other funds that may be available to the City on account of this project, and to take all other action necessary or convenient to the carrying out of the purposes of this order.

Mr. Richard said a chart was handed out prior to the meeting and what the chart shows is what our debt level is for fiscal year 2017. You can see it is close to \$2.5 million. In subsequent years between now and 2023 our debt payments are decreasing so the plan would be to temporarily borrow a little by this fiscal year when we can to get the project going. The sooner the City can bid the project and the earlier you can bid the project the better and you will have more people competing. He said the firms that they would like bid on this are already lining up their projects for next summer. It is important that the sooner the loan order is passed the better. He said the last payment for the Library loan out of the tax levy is in Fiscal Year 2018 for approximately \$800,000.00 so that will free up money to pay for that. He said we hope to contribute Free Cash as the year goes on towards the reduction of the principle payment but if that doesn't materialize we will be able to tell Moody's and have a plan to pay down the principle within the existing tax levy money. It will not increase the tax levy for this project since it has been on the books since 1960.

Glen Shepherd of 388 Pierce Street is in favor. He said it is about time Leominster steps up and does something about their athletic fields, they have been awful. He said he goes to other places and he is embarrassed. He has never ever seen the facility level that we run with, it is shameful. We have done a disservice to the City and the people in the City as well as the kids that go to school.

Superintendent of Schools Jim Jolicueor said this is a long overdue project in Leominster. Soon after he began in Leominster the need was brought to his attention and at the same time he started to get interested in it one of your former peers Bob Salvatelli came by his office and dropped off a diagram of the 1960 original plans for Leominster High School and is still in his office reminding him that this is a major project that needs to get done in Leominster. He said his interest in the project culminated by going to the

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016, continued

Board of the Leominster Education Foundation and requesting they support this as one of a major capital campaigns for the Foundation. They ultimately addressed the field behind the Leominster High School Center for Technical Education Innovation Campus and one campaign and early childhood as a second campaign. He said to date, the Foundation has raised over \$20,000.00 for the field. It doesn't sound like a lot but it has been generated by many alumni dinners as well as students that have run fund raisers for the field and community members making commitments towards raising money for the field. He wanted the efforts to be noticed.

Paul Gove of 925 Mechanic Street is in favor. He said his son is in track and it is amazing to him how much participation you can get and how little the City has put into it. Every other school they have been of Leominster size has a beautiful facility and Leominster just can't host a meet. A benefit will be that our busses won't be taking our children to other places all the time and will be cut in half. It has been too long to wait for a track.

Eric Morin of 183 Exchange Street is on the opposite side of the fence where the gym field and the football practice is. They bought their house for the privacy and he is not about to have a track in his back yard. He wants his daughter to be able to do her sports and agrees that Leominster is behind the times. He said find another place he doesn't need people running around his back yard. He bought that place for a reason and not to let everybody come in.

Kelly Morin of 183 Exchange Street said we have the football that is out in our back yard every night and they deal with it because it is only the fall season but you have the coach using obscenities. She has small children, grandkids and nieces and nephews but we deal with it because it is a short season. We can't deal with it all year round. It is frustrating enough in the fall but we deal with it because we know it is just a short time all year, there is just no way. When they bought their home and paid so much for it was because their Realtor said it was the privacy they would have and the amount of land they would have. Now that is going to depreciate their home and who is going to pay for it, us? Our kids? She said they have to go out every day and pick up the trash the kids leave.

Eric Morin asked why they didn't get a certified letter of the hearing as they did in the past when they did the high school extension.

Councillor Bodanza said this is not for the project itself this is a loan order to fund the project. You wouldn't have received a legal notice as an abutter with respect to the bond issue which is before the Council tonight.

John Lombard of 33 Colonial Drive and a direct abutter said his concerns are setbacks, noise, lighting and third party usage of the fields. We have to talk seriously about these issues. He wants to be a good neighbor and he understands what the Morin's are talking about with the football. He said the Council's consideration for their concerns and issues would be greatly appreciated. He hopes they can meet as a unit with the school department, superintendent or who will be managing the project.

Mr. Smith of 154 Granite Street said he lives in the first house on the left after the school. The original plan was have a road going right next to his house and eliminating his buffer zone that he has had since before the high school. He doesn't want a road next to his house where busses are coming in and out and idling. He said there is already an access road down by the high school they can broaden and utilize that. He said when they design this we have to be careful insuring that the project is pushed away from the abutters as much as possible and to use trees and fencing and what not to further isolate or insulate them from the lighting, noise and other aspects. You have to respect the people that are suffering under these conditions. He said it is a traffic nightmare on Granite Street to Kingman and onto Kingman and on the opposing side. Now introduce busses and traffic. Who is going to be in charge of the protection and security of that field and the people that live there?

John Lombard of 33 Colonial Drive said the Comptroller is presenting the fiscal picture of the City and he is concerned what about the proposed police station? Where does this get considered in tonight's presentation?

Councillor Nickel said he asked the Comptroller and the Treasurer to come down so he could get an idea what the plans are. Are you looking on doing several different projects and putting them on one bond or is this going to be a separate bond from the other thing?

Mr. Richard said yes.

Councillor Nickel asked Mr. Laplante what he thought our position will be when it comes time to go to bond as far as ratings?

Mr. Laplante said he doesn't see why there would be any reason why anything should change from that it is right now with the City. We are in good shape and our rating is solid. He said our last ban we did over the summer for the projects that are ongoing for the schools we got a .80 rate which is a very good rate for short term borrowing. He said he can't predict what happens after the election with finances. It looks like it should be fairly stable.

Mr. Richard said we can also internally borrow. With the new Modernization Bill that was passed by the State the City is able to temporarily borrow on projects up to 10 years so whether we actually ever permanently borrow for this particular project will be up in the air. We will see how things are going.

Councillor Dombrowski asked if the ongoing maintenance of these fields be a City responsibility or a school responsibility.

Mr. Richard said it's the City's vested interest to make sure this facility is maintained similar to the Doyle Field facility so he thinks the City will be heavily involved in ensuring that the asset value maintains its value over the life of the project.

Councillor Dombrowski asked if Mr. Richard or Mr. Laplante have any information prior to this actually being constructed what the process will be so that the neighbors that have come down tonight will be able to show up and address their concerns and address any mitigation that can happen for them?

Mr. Richard said they don't have much privy although the person that is working on this has always been open and available to meet with the abutters. Anthony Cleaves is the project engineer.

Councillor Freda said if there is a decision made to build a police station would it make sense to bond everything all together?

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016, continued

Mr. Richard said sure, it depends. This project may not end up being bonded but if the situation lends itself to that and it is a favorable environment sure. But as you can see probably within the 5 years we are talking about when all the school projects are paid and we have zero debt therefore \$2.5M will be available. Even if we had to use one year to finish off the project and the existing projects by the time the police station will be ready to actually have principle payments there may be some money available in the tax levy to pay for that project if the then Mayor and the City Council decide to do that in the future.

Councillor Freda asked if the maintenance of the fields will be in the school's budget.

Mr. Richard said technically it will but he is sure it will be utilized as a City facility also. The schools will have primary use of the facility but also a community wide facility. He said it is in the best interest of the City to make sure this place is maintained and the City will have a great relationship with the schools to ensure that this facility is top notch and something to be proud of similar to the new Doyle Field facility.

Councillor Freda said for the Doyle Field facility the credit has to go to the DPW for the work they do to maintain that field and a lot of it is because they have pride in their own City but how much can you strap these guys? Every time we add a park and add something new for them we are not adding guys to the staff.

Mr. Richard said the City will make a commitment to make sure that this facility is maintained.

Councillor Cormier said when the turf was put in at the Doyle Field facility an account was set up and asked how much was in it.

Mr. Richard said there isn't that much in it because it takes a lot to maintain. He said the City has a Capital Investment Program Account that it can contribute \$50,000.00 a year to plan for the replacement.

Councillor Cormier said he feels that is would be a good idea for the City to be putting some money aside or collect some fees or something to plan for the replacement costs of these fields for these facilities.

Councillor Feckley said to Mr. Richard, you said we might not have to go out to bond for this \$5,000,000.00 then the City would be in some kind of good position at the end of 2023 for the police station?

Mr. Richard said absolutely. That is a policy decision between the Council and the Mayor but right now it would cost additional tax levy money.

A letter was received from Joan E. Hodskins of 69 Colonial Drive stating her concerns and is on file in the City Clerk's office.

HEARING ADJOURNED AT 7:55 P.M.

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

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016

Hearing opened at 7:56 P.M. with Councillor Bodanza, Chair of the FINANCE COMMITTEE, presiding. All members were present.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 13, Section 13-34 of the Revised Ordinances entitled "No Parking on Certain Streets" by inserting Nashua Street (west side), across from Pole #27 in a southerly direction for 900 feet ending at Lawrence Street and Nashua Street (east side), from Pole #27 in a southerly direction for a distance of 990 feet ending across from Lawrence Street.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:57 P.M.

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

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016

Hearing opened at 7:57 P.M. with Councillor Bodanza, Chair of the FINANCE COMMITTEE, presiding. All members were present.

HEARING BEFORE THE CITY COUNCIL, OCTOBER 24, 2016, continued

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 12 of the Revised Ordinances entitled Licenses” by inserting section 12-7.2 authorizing the issuance of pool and billiard tables license by the License Commission.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:58 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 24, 2016

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

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

The Committee on Records reported that the records through October 11, 2016 were examined and found to be in order. The records were accepted.

A recess was called at 7:35 P.M. to continue the public hearings and hold a public forum.

Meeting reconvened at 8:14 P.M.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Health Director and the Animal Control Officer.

19-17 Christopher J. Knuth: Amend Chapter 6, Section 6-4 of the City Ordinances entitled “Disposition of unclaimed dogs” by changing the amount of days a dog is held before they are euthanized from the State minimum of 7 days to 14 days.

The following PETITION was received, referred to the CITY PROPERTY COMMITTEE, given REGULAR COURSE and referred to the Police Department

20-17 Greg Chapdelaine, Festival Director: Request to reserve the use of West Street (from Main Street to Church Street), the Downtown Common and the municipal parking lot between the Baptist and Unitarian Churches for the Third Annual Johnny Appleseed Craft Beer Festival on Saturday August 5, 2017 from 6:00 A.M. to 11:00 P.M. and additionally the use of the parking lot on Friday, August 4, 2017 for the entire day beginning at 6:00 A.M. for setup purposes and breakdown of the event.

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

Stabilization Account	\$13,616,473.15
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Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 9 “yeas”

C-22 Relative to the appropriation of \$17,000.00 to the Veteran’s Services Salary & Wages Account; same to be raised by Fiscal Year 2017 Revenue.

ORDERED: - that the sum of Seventeen Thousand Dollars (\$17,000.00) be appropriated to the Veteran’s Services Salary & Wages Account; same to be raised by Fiscal Year 2017 Revenue.

RE: Part time clerical to assist with regional service agreements

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9 “yeas”

C-23 Relative to the appropriation of Five Million Dollars (\$5,000,000.00) to pay costs of designing, constructing and equipping athletic fields and an athletic complex at Leominster High School, which complex may include restrooms, a press box, concession and other similar facilities, and for the payment of all other costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$5,000,000.00 under and pursuant to Chapter 44, Sections 7(3) and 7(25) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for and accept any and all grants or other funds that may be available to the City on account of this project, and to take all other action necessary or convenient to the carrying out of the purposes of this order.

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 24, 2016, continued

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

C-24 Relative to the appropriation of \$342,101.00 to the Planning Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

ORDERED:- that the sum of Three Hundred Forty Two Thousand One Hundred One Dollars (\$342,101.00) be appropriated to the Planning Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

RE: Acquiring ownership of land for Twin City Rail Trail Project

Upon recommendation of the CITY PROPERTY COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 9/0

C-25 Dean J. Mazzarella, Mayor: Request the City Council transfer the care, custody and control of the property located on Summit Street containing 10,000 square feet, more or less, shown as Lots 114 and 115 on a plan recorded with Worcester North District Registry of Deeds in Plan Book 541, Page 164, identified by the Assessor’s as Parcel 523-9, and being a portion of the premises acquired by the City by Treasurer’s Deed recorded in Book 541, Page 164, from the Treasurer/ Collector or other tax custodian for tax title purposes to the Mayor for purpose of conveyance, and to authorize the Mayor to convey said property on such terms and conditions, and for such consideration, as the Mayor may deem appropriate.

Upon recommendation of the CITY PROPERTY COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

18-17 Richard M. Marchand Festival Facilitator: Request the closure of West Street from the intersection of Cottage Street to Main Street, Park Street at the intersection of Main Street, Church Street but maintain public safety access and allow the use of the City Hall parking lot, the parking lot adjacent to City Hall on West Street and the City portion of the parking lot between the First Church Unitarian and the First Baptist Church for handicap parking for the 24th Annual Johnny Appleseed Arts and Cultural Festival on September 23, 2017 with a rain date of September 30, 2017.

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

Election Officers-terms to expire August 31, 2017
Ronald Theriault and Carl Johnson

The following ORDINANCES were read a second time, ADOPTED as presented and passed to be ordained. Vt. 9 “yeas”

The City of Leominster
In the year two thousand and sixteen

AN ORDINANCE

Amending Chapter 13 of the Revised Ordinances entitled “Motor Vehicles and Traffic.”

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

Chapter 13, Section 13-34 of the Revised Ordinances entitled “No Parking on Certain Streets” is hereby amended by inserting Nashua Street (west side), across from Pole #27 in a southerly direction for 900 feet ending at Lawrence Street and Nashua Street (east side), from Pole #27 in a southerly direction for a distance of 990 feet ending across from Lawrence Street.

The City of Leominster
In the year two thousand and sixteen

AN ORDINANCE

Amending Chapter 12 of the Revised Ordinances entitled “Licenses.”

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

Chapter 12 of the Revised Ordinances entitled “Licenses” is hereby amended by inserting section:

12-7.2 Pool and Billiard Tables

In accordance with Section 3.10 of the City Charter, the License Commission shall be the licensing authority for pool and billiard tables pursuant to Massachusetts General Laws Chapter 140, Section 77.

REGULAR MEETING OF THE CITY COUNCIL, OCTOBER 24, 2016, continued

The following LOAN ORDER was read a second time, ADOPTED as presented and passed to be ordained. Vt. 9 “yeas”

CITY OF LEOMINSTER

LOAN ORDER

1st Reading: October 11, 2016

2nd Reading: October 24, 2016

BE IT ORDERED: - that the sum of Five Million Dollars (\$5,000,000.00) to pay costs of designing, constructing and equipping athletic fields and an athletic complex at Leominster High School, which complex may include restrooms, a press box, concession and other similar facilities, and for the payment of all other costs incidental and related thereto; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow \$5,000,000.00 under and pursuant to Chapter 44, Sections 7(3) and 7(25) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Mayor is authorized to apply for and accept any and all grants or other funds that may be available to the City on account of this project, and to take all other action necessary or convenient to the carrying out of the purposes of this order.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for November 14, 2016 at 7:00 P.M.

1st Reading Ordinance – Amend Chapter 3 of the Revised Ordinance entitled “Air Pollution” by deleting Section 3-2 in its entirety and inserting in its place “No person, partnership, company, corporation or association leasing or controlling any device (or property) shall willfully, negligently or through failure to provide effective available control technology, allow the creation of noise that will cause injury, fatigue, or interference with the quiet enjoyment of life and property.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for November 14, 2016 at 7:05P.M.

1st Reading Ordinance – Amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting Lorchriss Street, against westbound drivers at Viscoloid Avenue.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for November 14, 2016 at 7:10P.M.

1st Reading Ordinance – Amend Chapter 13, Section 13-34 of the Revised Ordinances entitled “No Parking on Certain Streets” by deleting “Cross Street (north side), from Lancaster Street seven hundred ten feet to Central Street.”

A Letter of Retirement was received from Assistant City Clerk Brenda Parisi. Her retirement date is January 27, 2017.

Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, moved that the following PETITION be removed from the table and placed on the calendar for action. It was so voted. 9/0. Committee reports as follows:

1-17 President’s Committee on City Ordinance Review: Request that Chapter 14, Section 14-8 be deleted and replaced with a new section 14-8 entitled “Noise Control Ordinance”. GIVEN FURTHER TIME. Vt. 9/0

A Legal Affairs Committee meeting was established on November 9, 2016 at 6:00 P.M.

MEETING ADJOURNED AT 9:12 P.M.

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