

HEARING BEFORE THE CITY COUNCIL, NOVEMBER 14, 2016

Hearing opened at 7:05 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillors Chalifoux Zephir and Bodanza.

The following ORDINANCE was the subject of the hearing:

Relative to amending 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.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:07 P.M.

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

HEARING BEFORE THE CITY COUNCIL, NOVEMBER 14, 2016

Hearing opened at 7:07 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillors Chalifoux Zephir and Bodanza.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 13, Section 13-77 of the Revised Ordinances entitled "Stop Signs" by inserting Lorchriss Street, against westbound drivers at Viscoloid Avenue.

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

No Councillors spoke.

HEARING ADJOURNED AT 7:08 P.M.

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

HEARING BEFORE THE CITY COUNCIL, NOVEMBER 14, 2016

Hearing opened at 7:10 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillors Chalifoux Zephir and Bodanza.

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 deleting "Cross Street (north side), from Lancaster Street seven hundred ten feet to Central Street."

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

No Councillors spoke.

MEETING ADJOURNED AT 7:11 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 14, 2016

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

Attendance was taken by a roll call vote; all members were present except Councillors Chalifoux Zephir and Bodanza.

The Committee on Records reported that the records through November 10, 2016 were examined and found to be in order. The records were accepted.

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

C-27 Relative to the appropriation of \$180,000.00 to the Emergency Management Agency Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

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

C-28 Relative to the appropriation of \$60,000.00 to the Sanitation and Drainage Expense Account; same to be transferred from the Stabilization Fund.

C-29 Relative to the appropriation of \$80,000.00 to the Landfill Capping Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

C-30 Relative to the appropriation of \$40,000.00 to the Library Expense Account; same to be transferred from the Library Stat Aid Reserved for Appropriation Account.

C-31 Relative to the appropriation of \$100,000.00 to the Group Insurance Expense Account; same to be raised by Fiscal Year 2017 Revenue.

The following COMMUNICATION was received, referred to the CITY PROPERTY COMMITTEE given REGULAR COURSE and referred to the Assessor, the Emergency Management Director and the Treasurer.

C-32 Dean J. Mazzarella, Mayor: Request authorization to acquire by purchase, gift, and/or eminent domain, the parcel of land located at 15 Carter Street and described in a deed recorded with the Worcester Northern District Registry of Deeds in Book 2281, Page 164, for general municipal purposes, on such terms and conditions as the Mayor deems appropriate; and, as funding therefor, raise and appropriate, transfer from available funds, and/or borrow the sum of \$179,900.00 for the purpose of said acquisition and costs related or incidental thereto; and, further, to authorize the Mayor to enter into any and all agreements and execute any and all instruments as may be necessary or convenient to accomplish the foregoing acquisition.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Director of Inspections and the Zoning Board of Appeals. A hearing was set for December 12, 2016 at 6:40 P.M. Vt. 7/0

21-17 Kristen Kelly on behalf of the Planning Board: Adopt a new Zoning Ordinance regarding the installation of Solar Energy.

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 14, 2016, continued

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Director of Inspections and the Zoning Board of Appeals. A hearing was set for December 12, 2016 at 6:50 P.M. Vt. 7/0

- 22-17 Kristen Kelly on behalf of the Planning Board: Update the Zoning Ordinance Table of Uses to modify the applicability of Energy Systems, Renewable and to add two new uses, On Site Solar System and Off Site Solar System.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Director of Inspections and the Zoning Board of Appeals. A hearing was set for December 12, 2016 at 7:00 P.M. Vt. 7/0

- 23-17 Kristen Kelly on behalf of the Planning Board: Update the definition of "Energy System, Renewable" and create definitions for "Solar Energy System for On Site Use" and "Solar Energy System for Off Site Use".

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Director of Inspections and the Zoning Board of Appeals. A hearing was set for December 12, 2016 at 7:10 P.M. Vt. 7/0

- 24-17 Kristen Kelly on behalf of the Planning Board: Amend Section 22-62.3.7 of the Leominster Zoning Ordinances by removing the words "and always within the right-of way".

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Traffic Division.

- 25-17 Officer Richard Shea: Request a Stop sign at the intersection of Winter Street at Walnut Street for operators traveling southbound on Winter Street.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0

- 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".

A recess was called at 7:43 P.M. to discuss Petition 19-17 with Christopher Knuth.

Meeting reconvened at 7:44 P.M.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 7/0

- 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.

Upon recommendation of the CITY PROPERTY COMMITTEE, the following PETITION was GRANTED. Vt. 7/0

- 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 Nickels, member of the FINANCE COMMITTEE, read the Financial Report for the City into the record Account balances are as follows:

Stabilization Account \$13,296,473.15

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was RATIFIED. (Granted with an Emergency Preamble on November 10, 2016; another vote is needed.)

- C-26 Relative to the appropriation of \$70,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 14, 2016, continued

The following ORDINANCES were read a second time, ADOPTED as presented and passed to be ordained. Vt. 7 “yeas”

THE CITY OF LEOMINSTER

In the year two thousand and sixteen

AN ORDINANCE

amending Chapter 3 of the Revised Ordinances entitled “Air Pollution.”

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

Chapter 3 of the Revised Ordinances entitled “Air Pollution” is hereby amended by deleting Section 3-2 in its entirety and inserting in its place the following:

Sec. 3-2 Injurious noise prohibited

No person, partnership, company, corporation or association leasing or controlling any devise (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 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:

Section 13-77 of the Revised Ordinances entitled “Stop Signs” is hereby amended by inserting the following:

Lorchris Street, against westbound drivers at Viscoloid Avenue.

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 deleting the following phrase in its entirety, to allow legal parking on said way:

Cross Street (north side), from Lancaster Street seven hundred ten feet to Central Street.

Councillor Nickel, Chair of the PUBLIC SERVICE COMMITTEE, moved that the following PETITION be removed from the table and placed on the calendar for action. It was so voted. 7/0. Committee reports as follows:

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. GIVEN FURTHER TIME. Vt. 7/0

The following Committee meeting was established: Legal Affairs on November 28, 2016 at 6:30 P.M.

MEETING ADJOURNED AT 8:08 P.M.

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