

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 28, 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 November 14, 2016 were examined and found to be in order. The records were accepted.

The following COMMUNICATION was received, referred to the FINANCE COMMITTEE and given REGULAR COURSE. A hearing was set for December 12, 2016 at 6:25 P.M.

C-33 Dean J. Mazzarella, Mayor: Request the City Council set a hearing for the classification of the tax rate on December 12, 2016 for the purpose of setting the FY 17 tax rate.

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

C-34 Relative to the appropriation of \$28,000.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

C-35 Relative to the appropriation of \$588,000.00 to the Doyle Field Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

C-36 Relative to the appropriation of \$50,000.00 to the Economic Development Expense Account; same to be transferred from the Stabilization Fund.

C-37 Relative to the appropriation of \$2,000.00 to the Police Department Overtime Account; same to be transferred from the Disability Parking Fines Reserved for Appropriation Account.

The following COMMUNICATION was received with an EMERGENCY PREAMBLE and referred to the CITY PROPERTY COMMITTEE. Vt. 8/1, Councillor Cormier opposed. Upon recommendation of the CITY PROPERTY COMMITTEE, the following COMMUNICATION was GRANTED. Vt. 8/1, Councillor Chalifoux Zephir opposed.

C-38 Dean J. Mazzarella, Mayor: Request the City Council transfer the care, custody and control of the Twin Cities Rail Trail Corridor to the Mayor for the purpose of conveyance and authorize the Mayor to convey said property on such terms and conditions and for such consideration as the Mayor may deem appropriate.

The following PETITIONS were received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Mayor and the Water and Sewer Department.

26-17 Roger Brooks, Jr.: Amend Section 21-11.1 Water User Rate Schedule as follows: Effective 12/1/16 raise the intown water rate from \$3.48 per unit to \$3.67 per unit. Effective 4/1/18 raise the intown water rate from \$3.67 per unit to \$3.78 per unit. Effective 12/1/16 raise the outside the city rate from \$4.48 per unit to \$4.75 per unit. Effective 4/1/18 raise the outside the city rate from \$4.75 per unit to \$4.89 per unit.

27-17 Roger Brooks, Jr.: Amend Section 21-22.3 Sewer User Rate Schedule as follows: Effective 12/1/16 raise the intown sewer rate from \$3.97 per unit to \$4.09 per unit. Effective 4/1/18 raise the intown sewer rate from \$4.09 per unit to \$4.21 per unit. Effective 12/1/16 raise the outside city rate from \$8.12 per unit to \$8.36 per unit. Effective 4/1/18 raise the outside city rate from \$8.36 per unit to \$8.61 per unit. Effective 12/1/16 raise the intermunicipal rate from \$4.57 per unit to \$4.71 per unit. Effective 4/1/18 raise the intermunicipal rate from \$4.71 per unit to \$4.85 per unit.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Director, Planning Board, Conservation, Health Director, DPW, Director of Inspections, Economic Development Coordinator, Police Department, Fire Department and the City Solicitor. A hearing was set for January 9, 2017 at 7:00 P.M.

28-17 Prime Wellness Centers, Inc.: Grant a Special Permit for the use of a new building for the purpose of a Medical Marijuana Dispensary on Lock Drive.

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE and given REGULAR COURSE. A hearing was set for December 12, 2016 at 6:20 P.M.

29-17 National Grid and Verizon New England, Inc.: Country Lane - Install one jointly owned pole on Country Lane in front of house #102.

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

Office of Emergency Management – Admin Unit – John Carroll
Council on Aging - Maria Maldari - term to expire April 15, 2019

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 28, 2016, continued

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 9/0

- 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".

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

- 21-17 Kristen Kelly on behalf of the Planning Board: Adopt a new Zoning Ordinance regarding the installation of Solar Energy. (A hearing is set for December 12, 2016 at 6:40 P.M.)
- 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. (A hearing is set for December 12, 2016 at 6:50 P.M.)
- 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". (A hearing is set for December 12, 2016 at 7:00 P.M.)
- 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". (A hearing is set for December 12, 2016 at 7:10 P.M.)

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 9/0

- 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.

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

Stabilization Account \$12,630,475.15

Recessed at 8:09 P.M. to allow Charles Coggins, EMA Director, to speak.

Reconvened at 8:17 P.M.

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

- 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.

ORDERED: - that the sum of One Hundred Eighty Thousand Dollars (\$180,000.00) be appropriated to the Emergency Management Agency Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

- 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.

ORDERED: - that the sum of Sixty Thousand Dollars (\$60,000.00) be appropriated 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.

ORDERED: - that the sum of Eighty Thousand Dollars (\$80,000.00) be appropriated to the Landfill Capping Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

RE: Mechanic Street Landfill

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

ORDERED: - that the sum of Forty Thousand Dollars (\$40,000.00) be appropriated to the Library State 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.

ORDERED: - that the sum of One Hundred Thousand Dollars (\$100,000.00) be appropriation to the Group Insurance Expense Accounts: same to be raised by Fiscal Year 2017 Revenue.

RE: Additional membership funding needed for FY2017

REGULAR MEETING OF THE CITY COUNCIL, NOVEMBER 28, 2016, continued

Upon request of the PUBLIC SERVICE COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0

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

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

C-32 Dean J. Mazarella, 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 RESOLUTION was received, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE.

RESOLUTION – Regarding the Police Station

In accordance with Section 3.6 of the Leominster City Charter, a vote was taken to have Roger Brooks attend the next meeting to discuss Petitions 26-17 and 27-17.

Councillor Dombrowski asked the Clerk to send a letter to Planning Director to update the Zoning Ordinance and the Map since Mr. Mullaney has been paid.

The following Committee meetings were established:

Finance Committee December 7, 2016 at 6:00 P.M.

President's Committee on City Ordinance Review December 7, 2016 at 6:30 P.M.

MEETING ADJOURNED AT 8:39 P.M.

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