

HEARING BEFORE THE CITY COUNCIL, JANUARY 22, 2018

Hearing opened at 6:57 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present.

The following ORDINANCE was the subject of the hearing:

Relative to amending Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic" by amending Section 13-77 entitled "Stop Signs" by inserting Queens Road, against eastbound drivers at Dogwood Road.

No Councillors spoke.

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

HEARING ADJOURNED AT 6:58 P.M.

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

HEARING BEFORE THE CITY COUNCIL, JANUARY 22, 2018

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

Present at the hearing were Mr. John Bulger and Ms. Dorothy Rouleau.

14-18 John P. Bulger & Dorothy Rouleau and ten (10) registered voters: Rezone the following parcels on Pleasant Street and Lowe Street from Residence B to Residence A:

- **Pleasant Street West Side**
 - Map 342, Lots 12 & 13
 - Map 481, Lots 16, 17, 18, 19, 20
 - Map 521, Lot 1 & 39
 - Map 488, Lots 1, 5, 6, 7, 8
 - Map 494, Lots 18, 3A, 3-1A, 3-2A, 3-2B, and 3-2C
- **Pleasant Street East Side**
 - Map 561, Lots 35A, 36A, 37A
 - Map 340, Lots 1 & 2
 - Map 410, Lots 1, 2, 3, 4, 5, 22, & 23
 - Map 496, Lots 1, 2, 3, 4, 5, 6, 6A, & 7
 - Map 481, Lot 16
- **Lowe Street**
 - Map 488, Lot 5

Councillor Dombrowski said that there were a number of lots that the petitioners would like to see excluded from the petition. He met with Mr. Bulger and Ms. Rouleau and he has prepared a proposed amendment that reflects these changes.

Ms. Dorothy Rouleau distributed a map to the Council that depicts the parcels that they are petitioning to be rezoned from Residence B to Residence A.

Mr. John Bulger said that some of the amendments were due to the fact that they were trying to accommodate someone who had recently bought a piece of property and plans to build on it and they didn't realize where he was in the process of that, so they moved the lot line to eliminate this parcel from the petition. He outlined for the Council where the proposed zoning change would take place and explained that there are many parcels in the petition which are split between the two zones. He said most of the owners of the affected parcels have signed the petition. Some didn't want to sign, but the majority are in favor of keeping the neighborhood the same.

Ms. Rouleau said a couple of these properties are absentee landlords so they don't live at the property and a few of them have not signed the petition because they assumed they might be able to develop. She said back in 2004 they had come before the Council and requested a small portion of land be changed from Resident B to Resident A to protect their neighborhood. The Council denied their request with the exception of Councillor Freda, Councillor Marchand, Councillor John Salvatelli and Councillor Bob Salvatelli. Consequently, because of that denial they now have some out of character properties in a single family neighborhood. Once people see this, it brings in other developers to do the same thing. What they want to do is protect their neighborhood the best they can.

Councillor Dombrowski said what they are trying to do is to take the zoning line on the west side of Pleasant Street and move it to the east side of Pleasant Street to be consistent with the lot lines on those lots fronting Pleasant Street.

Councillor David Cormier asked if when they rezoned the City about five years ago whether any of this was brought up.

Ms. Rouleau said she had approached the Planning Board with this and she remembered they were very positive with the feedback she received but when they asked about it recently, they were unable to find any paperwork on it.

HEARING BEFORE THE CITY COUNCIL, JANUARY 22, 2018, Cont.

Councillor Bodanza said that it was a very long process and the language portion of the zoning ordinance took a long time and the map changes were dealt with at the very end of the process. He said he didn't recall a map change coming before them for this particular area.

Councillor Marchand asked if there were any parcels that are deemed historical properties.

Councillor Bodanza mentioned that he believed that Ms. Ojala's house at 320 Pleasant Street was a historical property.

Mr. Bulger and Ms. Rouleau agreed. Ms. Rouleau also mentioned the house at the corner of Chestnut and Pleasant that was taken down.

Councillor Feckley said that she wanted to clarify a concern they both had when they came before the Council earlier in the process relative to the wording of the petition itself regarding the number of registered voters being listed as ten. She pointed out that ten is just the minimum number of signatures that are needed to bring the petition forward to the Council, but that they did indeed have all of the signatures they had collected from the constituents.

Councillor Marchand asked if changing the zoning would affect anyone that had a home occupied business.

Councillor Bodanza said no. What will happen is that a lot of the properties on the eastern side of Pleasant Street would become non-conforming uses.

Councillor Marchand asked if this would affect anyone trying to sell their property.

Councillor Bodanza said no. If it is a two-family home, it will always be a two-family home unless it is destroyed by fire and the two-family use is abandoned. It would then become Residence A and only a single-family residence could be built there as long as the zoning remains the same. If the two-family is being maintained it could stay there indefinitely. If an owner wanted to make a change to the property, such as adding a deck, the process right now would be to simply file for a building permit which would be granted as long as it meets the dimensional requirements. With this zoning change, the process would involve going to the Zoning Board of Appeals and obtain a finding from them that the proposed use is not significantly more detrimental to the neighborhood than the current use.

Councillor Marchand asked if this was clear to the petitioners.

Ms. Rouleau said yes.

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

HEARING ADJOURNED AT 7:21 P.M. AND CONTINUED TO FEBRUARY 12, 2018 AT 6:30 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 22, 2018

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 from December 21, 2017, January 2, 2018 and January 8, 2018 were examined and found to be in order. The records were accepted.

A recess was called at 7:32 P.M. to conduct interviews.

Meeting reconvened at 7:55 P.M.

The following COMMUNICATION was received, referred to the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE.

C-28 Dean J. Mazarella, Mayor: Exempt Joseph Poirier, Jr., currently employed by the Department of Public Works, from the Conflict of Interest Law as provided for in M.G.L. Chapter 268A, Section 20B as he will be taking a position with the City Clerk's Office for the set up and breakdown of election equipment.

The following COMMUNICATIONS were received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Traffic Department.

C-29 Dean J. Mazarella, Mayor: Amend Chapter 13 by adding a new Section 13-68.1 entitled "Bicycle Lanes" and insert the following streets designated for marked bicycle lanes:

- North Street (south side) from Lunenburg town line to 100 feet west of Main Street.
- North Street (north side) from 100 feet west of Main Street to Lunenburg town line.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 22, 2018, Cont.

- C-30 Dean J. Mazzarella, Mayor: Amend Chapter 13, Section 13-77 entitled “Stop Signs” to include the following:
- F&L Road, against southbound drivers at North Street
 - Atlantic Avenue, against northbound drivers at North Street
 - Primrose Avenue, against southbound drivers at North Street
 - Lake Street, against northbound drivers at North Street
 - Woodsome Avenue, against southbound drivers at North Street
 - Morningside Street, against northbound drivers at North Street
 - Sargent Avenue, against southbound drivers at North Street
 - Cullen Avenue, against northbound drivers at North Street
 - Stuart Avenue, against southbound drivers at North Street
 - McKinley Street, against northbound drivers at North Street
 - Amy Avenue, against northbound drivers at North Street
 - Westminster Avenue, against southbound drivers at North Street
 - Hobson Street, against northbound drivers at North Street
 - Greenwich Avenue, against southbound drivers at North Street
 - Schley Street, against northbound drivers at North Street
 - Elmwood Avenue, against southbound drivers at North Street

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

- C-31 Relative to the appropriation of \$6,000.00 to the Parking Meter Salary & Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.
- C-32 Relative to the appropriation of \$3,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.
- C-33 Relative to the appropriation of \$61,235.00 to the Gallagher Building Salary & Wages Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-34 Relative to the appropriation of \$24,722.00 to the Plumbing Inspector Salary & Wages Account; same to be transferred from the Stabilization Fund.
- C-35 Relative to the appropriation of \$9,012.00 to the Building Inspector Salary & Wages Account; same to be transferred from the Stabilization Fund.

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

- C-36 Relative to the appropriation of \$150,000.00 to the Police Department Overtime Account; same to be transferred from the Stabilization Fund.

The following PETITION was received, referred to the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE.

- 29-18 Gail P. Feckley: Designate the position of Legal Counsel to the City Council as a Special Municipal Employee in accordance with M.G.L. Chapter 268A, Section 1(n).

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

- 30-18 Officer Patrick Bresnahan: Request a stop sign be placed on Lowe Street for westbound traffic at the intersection with Hill Street.

The following APPOINTMENT was received, referred to the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE.

Rodney Schaffter – Cultural Commission – Term to expire April 15, 2021

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 9 “yeas”

- 28-18 Richard M. Marchand: Amend the Rules and Procedure and Order of Committees Rule #3 – Committees, to reduce the number of members from five to three on the Public Safety & Traffic and Legal Affairs Committees.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 22, 2018, Cont.

A motion by the LEGAL AFFAIRS COMMITTEE to AMEND the following PETITION was GRANTED. Vt. 9/0. Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 9/0. (Hearing continued to February 12, 2018 at 6:30 P.M.)

The petition was amended to remove the following parcels: Map 342, Lots 12 & 13; Map 481, Lots 16, 17 & 18; Map 496, Lots 4, 5, 6, & 6A; Map 481, Lot 16.

14-18 John P. Bulger & Dorothy Rouleau and ten (10) registered voters: Rezone the following parcels on Pleasant Street and Lowe Street from Residence B to Residence A:

- **Pleasant Street West Side**
 - Map 342, Lots 12 & 13
 - Map 481, Lots 16, 17, 18, 19, 20
 - Map 521, Lot 1 & 39
 - Map 488, Lots 1, 5, 6, 7, 8
 - Map 494, Lots 18, 3A, 3-1A, 3-2A, 3-2B, and 3-2C
- **Pleasant Street East Side**
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 - Map 340, Lots 1 & 2
 - Map 410, Lots 1, 2, 3, 4, 5, 22, & 23
 - Map 496, Lots 1, 2, 3, 4, 5, 6, 6A, & 7
 - Map 481, Lot 16
- **Lowe Street**
 - Map 488, Lot 5

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

18-18 David R. Cormier: Install a stop sign on Queens Road against west bound drivers at Dogwood Road.

19-18 David R. Cormier: Place a stop sign on Jay Avenue against southbound drivers at Beth Avenue.

20-18 David R. Cormier: Place a stop sign on Beth Avenue against northbound drivers at Debbie Drive.

21-18 David R. Cormier: Amend Chapter 13, Section 13-66.6 entitled "Senior Citizen Parking" and repeal this section.

22-18 David R. Cormier: Create a left turn prohibition on Albert Drive, northwest bound to Central Street southbound.

23-18 David R. Cormier: Install a stop sign on Albert Drive against southwest bound drivers at Central Street.

24-18 David R. Cormier: Install a yield sign facing drivers on Albert Drive heading northwest bound onto Central Street.

25-18 David R. Cormier: Amend Chapter 13, Section 13-79 entitled "Yield Signs" to reflect the existing signs as follows:

- Litchfield Street – facing drivers on the exit to Litchfield Street from Central Street northbound.
- Litchfield Street – facing drivers exiting Litchfield Street heading southbound on Central Street.

26-18 David R. Cormier: Amend Chapter 13, Section 13-77 entitled "Stop Signs" by deleting the following:

- Tanzio Road against eastbound and westbound drivers at Aspinwall Avenue.
- Graham Street against east and westbound drivers at Central Street.
- Litchfield Street against southwest bound drivers at Central Street
- Willard Street, against northeast bound drivers at Lancaster Street.
- Viscoloid Avenue against southbound drivers at Lancaster Street.
- Whitney Street against northeast and southwest bound drivers at Mechanic Street.
- Whitney Street against northeast and southwest bound drivers at Water Street.
- Lindell Avenue against eastbound and westbound drivers at Merriam Avenue.
- Washington Street against northeast and southeast bound drivers at Merriam Avenue.
- Bel Air Heights against eastbound drivers at Old Mill Road.
- Aspinwall Avenue against northbound drivers at Malburn Street.
- Johnson Street, northwest bound entering Viscoloid Avenue.
- Johnson Street, southwest bound entering Viscoloid Avenue.
- Day Street, against southwest bound drivers at Main Street.
- North Street, against east and westbound drivers at Main Street.
- Mill Street, against westbound drivers at Haws Street.
- Mill Street, against westbound drivers entering Haws Street.
- Park Street, against southbound drivers at Monument Square
- River Street, against northwest bound drivers at Hamilton Street.
- River Street, against southeast bound drivers at Main Street.
- Nichols Street, against northbound drivers at North Main Street.
- Lindell Avenue, against eastbound drivers at North Main Street.
- Cross Street, against westbound drivers at Central Street.

REGULAR MEETING OF THE CITY COUNCIL, JANUARY 22, 2018, Cont.

27-18 David R. Cormier: Amend Chapter 13, Section 13-77 entitled “Stops Signs” to reflect the following existing stop signs:

- Bainbridge Street against southeast bound drivers at Willard Street.
- Graham Street against westbound drivers at Union Street.
- Gamache Lane against southbound drivers at Grant Street.
- Decicco Drive against northbound drivers at Union Street.
- Grant Street against eastbound drivers at Central Street.
- Research Drive against eastbound drivers at Central Street.
- Emerson Lane against northbound drivers at Holland Woods Road.
- Holland Woods Road against westbound drivers at Pleasant Street.
- Walden Court against northbound drivers at Holland Woods Road.
- Tanzio Road against northeast bound drivers at Lancaster Street.
- Tanzio Road against east bound drivers at Malburn Street.
- Bel Air Heights against westbound drivers at Legate Hill Road.
- Samoset Drive against southeast bound drivers at Willard Street.
- Spindletop Drive against southwest bound drivers at Samoset Drive.
- Ballard Court against northwest bound drivers at Samoset Drive.
- Keeneland Circle against southeast bound drivers at Samoset Drive.
- Candlewood Drive against northwest bound drivers at Keeneland Circle.
- Candlewood Drive against eastbound drivers at Willard Street.
- Samoset Drive against northeast bound drivers at Candlewood Drive (intersection closest to Willard Street).
- Candlewood Drive against southeast bound and northwest bound drivers at Samoset Drive.
- Samoset Drive against southwest bound and northeast bound drivers at Candlewood Drive.

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

Stabilization Account:	\$10,694,510.00
Snow & Ice Expense Account:	\$447,985.00
Snow & Ice Salaries Account:	\$102,575.00
Snow & Ice Account:	\$3,500.00

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

C-26 Relative to the appropriation of \$142,000.00 to the Highway Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of One Hundred and Forty-Two Thousand Dollars (\$142,000.00) be appropriated to the Highway Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

C-27 Relative to the appropriation of \$225,000.00 to the I.T.T.F. Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of Two Hundred and Twenty-Five Thousand Dollars (\$225,000.00) be appropriated to the I.T.T.F. Expense Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 9 “yeas”.

Board of Health – Nicole Pare – Term to expire April 15, 2021

A motion by the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE to amend the following APPOINTMENT was GRANTED. Vt. 9/0. Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 9 “yeas”. The APPOINTMENT was amended to indicate a term expiration of April 15, 2019.

Library Board of Trustees – James Despo – Term to expire April 15, 2019

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 8 “yeas” and 1 “nay”. Councillor Freda opposed. Councillor Feckley read a letter from the Director of Emergency Management into the record.

Emergency Management – Communications Unit – David Thomas, Jr.

The following ORDINANCE was read a second time and ADOPTED as presented and passed to be ordained.

The City of Leominster
In the year two thousand and eighteen

AN ORDINANCE

Amending Chapter 22 of the Revised Ordinances, entitled "Zoning" is hereby amended in Section 22-14, Adoption and Amendment, by deleting said section and inserting in its place the following revised Section 22-14:

Section 22-14. Adoption and Amendment

14.1 The Zoning Ordinance may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereafter provided. Adoption or change of the Zoning Ordinance may be initiated by the submission to the City Council of a proposed zoning ordinance or amendment by the City Council, by the Board of Appeals, by an individual owning land to be affected by such change, by ten (10) registered voters, by the Planning Board, by the Regional Planning Agency, or by other methods provided for by municipal charter. A person or entity making application to the city council for a zoning change in accordance with this amendment, shall prepay to the city clerk at the time of filing of such application, such fee as may be required by the city clerk for costs associated with advertising and notices required herein. The City Council shall within fourteen (14) days of receipt of such zoning ordinance submit such to the Planning Board for review.

14.2 No Zoning Ordinance or amendment thereto may be adopted until after the Planning Board and the City Council have held a public hearing thereon at which interested persons are given an opportunity to be heard.

14.3 Petitioners seeking to amend the City of Leominster's zoning map in a manner which changes the zoning district designation of one or more individual parcels shall be required to submit certified property owners and abutters lists as certified by the City of Leominster Board of Assessors for all properties within 300' of the parcel(s) proposed for rezoning (the standard statutory radius for many permit hearings) and the properties that are proposed to be rezoned along with their petition to the Clerk before it will be placed on a Council agenda for referral to hearings;

14.4 The petitioner shall be responsible to pay for certified mail postage, pre-addressed envelopes and property owner and abutter notices for the Planning Board and City Council public hearings;

(a) The petitioner shall provide certified mail postage paid, pre-addressed envelopes for all property owners and abutters to the City Clerk. The City Clerk will mail the Notice to property owners and abutters via certified mail with return receipts to the City Clerk, City of Leominster at least 7 days prior to the hearing.

(b) The Planning Department will draft the notice indicating the time and place of the Planning Board public hearing, and provide to the petitioner for distribution at least 7 days prior to the hearing.

(c) The Office of the City Clerk will draft the notice indicating the time and place of the City Council public hearing;

(d) The petitioner shall sign a statement and submit it to the Planning Department affirming that they have distributed the Notice to all parties on the property owners and abutters list.

(e) All additional costs associated with preparation and distribution of property owners and abutter notices will be the responsibility of the petitioner(s).

(f) Where the petitioner is a public entity, such notification procedures may be satisfied by other means acceptable to the Leominster City Council.

(g) In the event that it is determined after a hearing on the matter that the petitioner either failed to distribute the Planning Board notice, or failed to timely distribute the Planning Board notice, such petition may be deemed invalid by the Leominster City Council and in order to be reconsidered must be resubmitted as a new petition.

14.5 Said public hearings shall be held within sixty-five (65) days after the proposed ordinance is submitted to the Planning Board by the City Council.

14.6 Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the City in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing and by posting such notice in a conspicuous place in City Hall for a period of not less than fourteen (14) days before the day of said hearing.

14.7 Notice of said hearing shall also be sent by mail, postage prepaid, to the Executive Office of Housing and Economic Development, the Montachusett Regional Planning Commission, and to the planning boards of all abutting cities and towns.

14.8 A separate, conspicuous statement shall be included with property tax bills sent to nonresident property owners, stating that notice of hearings under this section shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the City Clerk no later than January first of each year, and pays a five (\$5.00) dollar fee to cover notification cost.

14.9 In cases involving district boundary or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the City Clerk and whose property lies in the district where the change is sought.

14.10 No defect in the form of any notice under this section invalidates any provisions of the Zoning Ordinance unless such defect is found to be misleading.

14.11 No vote to adopt any such proposed ordinance may be taken until a report with recommendations by the Planning Board has been submitted to the City Council, or twenty-one (21) days after the public hearing has elapsed without submission of the report of recommendations.

14.12 After such notice, hearing, and report, or after twenty-one (21) days have lapsed after such hearing without submission of such report, the City Council may adopt, reject, or amend and adopt any such proposed ordinance.

14.13 If the City Council fails to vote to adopt any proposed ordinance within ninety (90) days after the public hearing, no action may be taken thereon until after a subsequent public hearing is held with notice and report as above provided.

14.14 No Zoning Ordinance may be adopted or changed except by a two-thirds (2/3) vote of all the members of the City Council. If there is filed with the City Clerk, prior to final action by the City Council a written protest against such change stating the reasons, and duly signed by owners of twenty (20) percent or more of the area of the land proposed to be included in such change, or if the area of land immediately adjacent extending three hundred (300) feet there from, no such change of any ordinance may be adopted except by a three-fourths (3/4) vote of all members.

14.15 No proposed Zoning Ordinance which has been unfavorably acted upon by the City Council may be considered by the City Council within two (2) years after the date of such unfavorable action unless the adoption of such changes is recommended in the final report of the Planning Board.

14.16 The effective date of the adoption or amendment of any ordinance is the date on which such adoption or amendment was voted upon by the City Council.

14.17 After adoption of the Zoning Ordinance or amendments by the City Council, a copy of the latest effective zoning ordinance shall be sent by the City Clerk to the Massachusetts Executive Office of Housing and Economic Development.

14.18 No claim of invalidity of the Zoning Ordinance arising out of any possible defect in the procedure of adoption or amendment may be made in any legal proceeding and no state, regional, county or municipal official shall refuse, deny, or revoke any permit, approval or certification because of any such claim of invalidity unless within one hundred and twenty days (120) after adoption legal action is commenced and notice specifying the court, parties, invalidity claimed, and date of filing if filed together with a copy of the petition with the City Clerk.

14.19 Severability. The provisions of this Zoning Ordinance are severable. If any of its provisions are held unconstitutional or otherwise unenforceable by any court of competent jurisdiction, remaining provisions of the Zoning Ordinance remain in full force and effect to the greatest extent possible.

The following ORDINANCE was read a second time and ADOPTED as presented and passed to be ordained.

The City of Leominster
In the year two thousand and eighteen

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

Queens Road, against eastbound drivers at Dogwood Road.

Upon the request of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE, the following RESOLUTION GRANTED. Vt 9 "yeas"

RESOLUTION
Process Cooling Systems Inc.
TAX INCENTIVE FINANCING (TIF) AGREEMENT

WHEREAS, the proposed Project is located at 800 Research Drive, Leominster MA which is within the boundaries of Assessor's Map 503 Lot 3-10.

WHEREAS, the City of Leominster has agreed to offer Process Cooling Systems Inc., a Tax Increment Financing Agreement. Said Agreement is hereby supported by the City Council and the Tax Incrementing Financing Plan is incorporated by reference herein;

WHEREAS, Process Cooling Systems Inc. will invest \$5.5M over a five (10) year period, and create sixteen (16) permanent full-time jobs potentially for residents of the City and of the North Worcester County Economic Target Area (ETA) over a period of three (10) years.

WHEREAS, the City Council of the City of Leominster strongly supports increased economic development to provide additional jobs for City residents, and industrial activity within the City to promote and develop a healthy economy and stronger tax base;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Leominster approves the Project application for Process Cooling Systems Inc., and forwards said application for certification to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.

FURTHER, the City Council of the City of Leominster supports the Mayor to enter into a Tax Increment Financing Agreement between the City of Leominster and Process Cooling Systems Inc. Said agreement will provide for an exemption on property taxes based on the growth portion in assess valuation of the property as follows:

REAL ESTATE

The Agreement calls for an exemption from taxation specifically on the increased value of real estate property as a result of the redevelopment as follows in the table shown below.

		<u>Tax Exemption Formula</u>
Year 1:	July 1, 2018-June 30, 2019	100% of the increment
Year 2:	July 1, 2019-June 30, 2020	100% of the increment
Year 3:	July 1, 2020-June 30, 2021	90% of the increment
Year 4:	July 1, 2021-June 30, 2022	80% of the increment
Year 5:	July 1, 2022-June 30, 2023	70% of the increment
Year 6:	July 1, 2023-June 30, 2024	60% of the increment
Year 7:	July 1, 2024-June 30, 2025	50% of the increment
Year 8:	July 1, 2025-June 30, 2026	40% of the increment
Year 9:	July 1, 2026-June 30, 2027	30% of the increment
Year 10:	July 1, 2027-June 30, 2028	20% of the increment

In accordance with the requirements and regulations established which govern the implementation of such Tax Increment Financing Agreements. The agreement will be in effect as of Fiscal Year 2019 (July 1, 2019) and will extend through Fiscal Year 2028 (June 30, 2028).

ADOPTED BY THE LEOMINSTER CITY COUNCIL
COMMUNICATION

Date: January 22, 2018

APPROVED:

/S/ DEAN J. MAZZARELLA, MAYOR, CITY OF LEOMINSTER
/S/ LYNN BOUCHARD, CITY CLERK

Upon the recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the APPOINTMENT of Stephen Maddaus of Merrick O’Connell as Legal Counsel for the City Council was CONFIRMED. 9 “yeas”

Under old business, Councillor Chalifoux Zephir requested information on Communication C-28 as to whether there is a process in place for City employees to bid on these types of jobs.

In addition, Councillor Chalifoux Zephir requested an update on the information she had requested on the open space fund regarding the balance of the account and the expenditures to date.

Under new business, Councillor Chalifoux Zephir mentioned that she had a meeting with the Superintendent of the School Department and invited her to the next Council Meeting on February 12, 2018 at 6:45 P.M. to get an update on how things are going in preparation for the spring budget. Councillor Marchand requested that she also extend an invitation to the School Committee members to attend as well.

Councillor David Cormier mentioned he received some information at the Mass Municipal Association Conference regarding recreational marijuana that he would share with the rest of the City Council.

MEETING ADJOURNED AT 9:14 P.M.

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