

HEARING BEFORE THE CITY COUNCIL, FEBRUARY 12, 2018

Hearing opened at 6:39 P.M. with Councillor Dombrowski, Chair of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present.

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: *(as amended at the City Council Meeting on January 22, 2018)*

- **Pleasant Street West Side**
  - Map 481, Lots 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 & 7
- **Lowe Street**
  - Map 488, Lot 5

Councillor Dombrowski said that they had a subcommittee meeting and discussed the procedural issues. One item that came up was whether they can request the City Clerk to send notification to the abutters.

Councillor Marchand said that they can but it would come out of their budget.

Councillor Dombrowski also mentioned that the Planning Board will be holding a hearing on March 5, 2018 so they will need to continue this hearing.

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

HEARING ADJOURNED AT 6:42 P.M. AND CONTINUED TO MARCH 12, 2018 AT 7:00 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, FEBRUARY 12, 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 January 22, 2018 were examined and found to be in order. The records were accepted.

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

- C-37 Relative to the appropriation of \$13,175.00 to the Sealer of Weights and Measures Salary & Wages Account; same to be transferred from the Stabilization Fund.
- C-38 Relative to the appropriation of \$75,000.00 to the Police & Fire Indemnification Expense Account; same to be transferred from the Stabilization Fund.

A motion made by the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE to AMEND the following PETITION was GRANTED. Vt 9/0. The following PETITION was received, referred to the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE.

Petition amended to include Susan Chalifoux Zephir as a petitioner.

31-18 Richard M. Marchand, David R. Cormier, Gail P. Feckley, John M. Dombrowski, Susan Chalifoux Zephir & Claire M. Freda: Amend Chapter 16-34 of the revised ordinances of the City of Leominster to change the classification of City Clerk Assistant from a S-5 to a S-7; and, the City Clerk from a S-9 to a S-10, effective July 1, 2018.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the City Solicitor. Councillor Bodanza disclosed that he will be abstaining from the vote on this petition due to a conflict of interest.

32-18 R.S. Lucier Construction Corp: Accept the deed for Sawtelle Road for public way and utility purposes.

REGULAR MEETING OF THE CITY COUNCIL, FEBRUARY 12, 2018, Cont.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, Zoning Board of Appeals, Building Inspector, Assessor, Treasurer and Traffic Department. A hearing was set for March 26, 2018 at 6:45 P.M. Vt 9/0

- 33-18 Dean J. Mazzarella: Change the zoning of eight lots of land from the Residence B zoning district to the Commercial zoning district located along the north side of Mechanic Street and the south side of the unimproved portion of Glendale Street and also the unimproved Milton Street and adjacent portion of Glendale Street, all as shown on a plan entitled "Plan to Accompany Petition for Zoning Change – Leominster, Mass. Prepared for Dean J. Mazzarella", dated January 10, 2018, by Whitman & Bingham Associates, LLC.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, Zoning Board of Appeals, Building Inspector, Assessor, Treasurer, Traffic Department and the Director of Health. A hearing was set for March 12, 2018 at 6:45 P.M. Vt 9/0

- 34-18 Middlesex Integrative Medicine, Inc.: Grant a Special Permit for a registered marijuana cultivation site located at 25 Mohawk Drive.

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Mayor, Planning Board, Building Inspector, Zoning Board of Appeals, Police Department and the City Solicitor.

- 35-18 Claire M. Freda: Adopt a moratorium for the City of Leominster regarding recreational marijuana until December 1, 2018.

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

Doyle Field Commission – Mark C. Bodanza – Term to expire April 15, 2021

Upon recommendation of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 9/0

- C-28 Dean J. Mazzarella, 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.

Upon request of the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 9/0

- 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).

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITIONS were GRANTED. Vt. 9/0

- C-29 Dean J. Mazzarella, 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.

- 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

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITION was given FURTHER TIME. Vt. 9/0  
(Hearing continued to March 12, 2018 at 7:00 P.M.)

- 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 481, Lots 19 & 20
    - Map 521, Lot 1 & 39
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  - **Lowe Street**
    - Map 488, Lot 5

Upon request of the LEGAL AFFAIRS COMMITTEE the following PETITIONS were TABLED FOR STUDY. 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.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 8/1. Councillor Freda opposed.

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

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITIONS were GRANTED. Vt. 9/0

- 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.

A motion made by the LEGAL AFFAIRS COMMITTEE to AMEND the following PETITION was GRANTED. Vt 9/0. Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 9/0

The petition was amended to change yield sign to a stop sign.

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

Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITIONS were GRANTED. Vt. 9/0

- 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.
- (continued on next page)*

REGULAR MEETING OF THE CITY COUNCIL, FEBRUARY 12, 2018, Cont.

- 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.

A motion made by the LEGAL AFFAIRS COMMITTEE to AMEND the following PETITION was GRANTED. Vt 9/0. Upon recommendation of the LEGAL AFFAIRS COMMITTEE the following PETITION was GRANTED. Vt. 9/0

The petition was amended to remove the following: Samoset Drive, against southwest bound and northeast bound drivers at Candlewood Drive.

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.

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

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

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

Stabilization Account:	\$10,620,635.00
Open Space Fund:	\$10,023.95

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

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.

ORDERED: - that the sum of Six Thousand Dollars (\$6,000.00) be appropriated 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.

ORDERED: - that the sum of Three Thousand Dollars (\$3,000.00) be appropriated 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.

ORDERED: - that the sum of Sixty-One Thousand Two Hundred and Thirty-Five Dollars (\$61,235.00) be appropriated to the Gallagher Building Salary & Wages Account; same to be transferred from the Gallagher Building Revolving Fund.

RE: Craftsman Salary & Wages:	\$51,235.06
<u>Overtime:</u>	<u>\$10,000.00</u>
Total	\$61,235.00

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.

ORDERED: - that the sum of Twenty-Four Thousand Seven Hundred and Twenty-Two Dollars (\$24,722.00) be appropriated to the Plumbing Inspector Salary & Wages Account; same to be transferred from the Stabilization Fund.

RE: Emergency Coverage:	\$2,183.00
Vacation Buy Back:	\$6,261.00
<u>Sick Leave Buy Back:</u>	<u>\$16,278.00</u>
Total	\$24,722.00

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.

ORDERED: - that the sum of Nine Thousand and Twelve Dollars (\$9,012.00) be appropriated to the Building Inspector Salary & Wages Account; same to be transferred from the Stabilization Fund.

RE: Custodian Vacation Buy Back: \$9,012.00

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

ORDERED: - that the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) be appropriated to the Police Department Overtime 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”.

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

The following RESOLUTION was referred to the WAYS AND MEANS & VETERANS AFFAIRS COMMITTEE and given REGULAR COURSE. Councillor Bodanza disclosed that he will be abstaining from the vote on this petition due to a conflict of interest.

RESOLUTION – Sawtelle Road: To accept public way and to authorize Mayor to acquire title to real property.

Under old business, Councillor Chalifoux Zephir requested backup detail to Communication C-38. She also asked the City Clerk send correspondence to the Mayor requesting the Human Resources Director develop a policy regarding posting jobs for special employees.

Councillor Freda requested an update on free cash. She also would like to know what the liability would be if the City used the building next to Emergency Management for the recent displacement of residents due to house fires. Councillor Marchand said they would contact Charlie Coggins and ask him for the status of the property and whether this could be considered.

Councillor Feckley announced that the Ways & Means Subcommittee Meeting originally scheduled for February 7<sup>th</sup> has been rescheduled for Thursday, February 15, 2018 at 5:00 P.M.

MEETING ADJOURNED AT 8:32 P.M.

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