

HEARING BEFORE THE CITY COUNCIL, MARCH 26, 2018

Hearing opened at 6:45 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillors Dombrowski and Chalifoux Zephir.

The following PETITION was the subject of the hearing:

33-18 Dean J. Mazzearella: 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. Mazzearella", dated January 10, 2018, by Whitman & Bingham Associates, LLC.

Councillor Freda said the Planning Board has not had their hearing yet which will be April 2, 2018.

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

Speaking against the petition were: Peter Latchis of 22 DiMassa Drive, Melissa Bible of 178 Fifth Street, Brian Testa of 705 Mechanic Street, Victoria Griffin of 157 Tenth Street, Rita Sheridan of 156 Twelfth Street.

Councillor Freda said plans that were shown are not the petitioner's plans.

Councillor Cormier said she was very happy with the people that showed up tonight. She has taken a lot of phone calls and emails. She has received responses that were in favor and against and can only encourage them to stay in touch with her and to show up at the meetings to be heard. Be involved.

Councillor Freda said they are waiting for a recommendation from the Planning Board.

MEETING ADJOURNED AT 7:04 P.M. AND CONTINUED TO APRIL 23, 2018 AT 6:30 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2018

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

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

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

C-43 Relative to the appropriation of \$125,000.00 to the Fire Department Overtime Account; same to be transferred from the Stabilization Fund.

The following PETITIONS were received, referred to the WAYS & MEANS COMMITTEE, given REGULAR COURSE and referred to the Police Department and the Treasurer.

44-18 Fred R. Tousignant: Renew the second hand dealer's license for 92 Pleasant Street and 38 Spruce Street.

45-18 Jon Andre Zajon: Renew the second hand dealer's license for Georges Fine Jewelers Inc. at 255 North Street.

46-18 Roger Cormier: Renew the second hand dealer's license for Crowne Jewelers at 12 Lindell Avenue.

47-18 Nellye Molina: Renew the second hand dealer's license for J&J Consignment at 285 Central Street.

48-18 Paul F. Rouleau: Renew the second hand dealer's license for Protech Solutions at 345 Central Street.

49-18 Kenneth Goldberg: Renew the second hand dealer's license for Sterling Jewelers Inc. dba Kay Jewelers #1285 at 100 Commercial Road.

50-18 George Deglaoui: Renew the second hand dealer's license for Deghan Inc., 100 Commercial Road.

51-18 ecoATM, LLC: Renew the second hand dealer's license for 100 Commercial Road.

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

52-18 Officer Patrick Bresnahan: Request the designated handicap parking space be created on the north side of the Gallagher Building where there are currently four parking spaces on Merriam Ave.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2018, continued

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Comptroller, School Department Business Manager.

- 53-18 Paula Deacon: Accept MGL Chapter 72, Section 71F Nonresident or Foster Care Students- Deposit of Tuition Payments and State Reimbursement for the purpose of establishing a new revolving fund for the deposit of tuitions from other districts.

Upon recommendation of the FINANCE COMMITTEE, the following PETITION was given REGULAR COURSE. Vt. 7/0.

- 54-18 Gregory C. Chapdelaine and Paula Deacon: Allow the Purchasing Agent to enter into a contract for the School Department's photocopier needs for a five year period.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt.7/0. *(Hearing continued to April 9, 2018 at 6:15 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
 - 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
- **Lowe Street**
 - Map 488, Lot 5

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

- 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.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was AMENDED and given FURTHER TIME. Vt. 7/0 Amended to read 1771 Lock Drive not 1775 Lock Drive. *(Hearing set for April 9, 2018 at 6:30 P.M.)*

- 39-18 Prime Wellness Centers: Grant a Special Permit to build a medical marijuana cultivation facility located at 1775 Lock Drive.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0 *(Hearing set for April 9, 2018 at 6:45 P.M.)*

- 40-18 Kristen Kelly, Planning Director: Amend Article XVIII, Section 22-105 of the Leominster Zoning Ordinance to include language regarding recreational marijuana facilities.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 7/0 *(Hearing set for April 23, 2018 at 7:00 P.M.)*

- 41-18 Kristen Kelly, Planning Director: Amend Article XI, Section 22-60 of the Leominster Zoning Ordinance to add language requiring Deep Observation Hole Testing for storm water infiltration/detention areas.

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

- 42-18 Gail P. Feckley: Install a stop sign at King Avenue against westbound drivers at Stuart Avenue.

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

- 43-18 Jim RePass, SVP and Mike Stanley, CEO of Transit X: Grant an easement to Transit X, LLC for the construction of a Podway along municipal rights of way.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 26, 2018, continued

Councillor Bodanza, Chair of the Finance Committee, read the Financial Report. Account balances as follows:

Stabilization Account \$9,906,165.00

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was RATIFIED. Vt. 7 “yeas”
(Granted with an Emergency Preamble; another vote was required)

C-41 Relative to the appropriation of \$500,000.00 to the Snow & Ice Expense Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 7 “yeas”

C-42 Relative to the appropriation of \$83,420.00 to the Police Department Expense Account; same to be transferred from the Stabilization Fund.

ORDERED:- that the sum of Eighty Three Thousand Four Hundred Twenty Dollars (\$83,420.00) be appropriated to the Police Department Expense Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTED was CONFIRMED. Vt. 7 “yeas”

Emergency Management – EMS Unit – Katherine Kusza

Under OLD BUSINESS, Councillor Feckley reported that there was a Ways & Means Committee Meeting on March 22, 2018 with upcoming meetings on April 2, 2018 and April 3, 2018 to interview candidates for Assistant City Clerk. She said the Committee is hoping to bring it to the Council on April 23, 2018. After that they will be moving on to the City Clerk applicants.

Councillor Freda asked The Finance Chairman if there was any word on Free Cash.

Councillor Bodanza said no. He said he spoke to the Comptroller and the school department audit is still not complete.

Council President Marchand said the Superintendent of Schools and the Finance Chair made a decision to present their budget on April 30th instead of April 23rd. The change was made so any of the Councillors that want to attend will be able to.

Under NEW BUSINESS, Council President Marchand recognized Mrs. DiMarzio, a community leader, who passed away this past week at the age of 93 years old. A legend without question in the plastic industry. She was the driving force working with family at Crest Combs on Lancaster Street. To this day they remain a world leader in plastics. Our respect goes to the family.

Councillor Freda said the Rotary Vocational Awards Night will be April 11, 2018 at the Double Tree.

MEETING ADJOURNED AT 7:55 P.M.

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