



**Council President**

Richard M. Marchand

**Council Vice President**

Gail P. Feckley

**Councillors-at-Large**

John Dombrowski

Claire M. Freda

Susan Chalifoux Zephir

Thomas F. Ardinger

**Ward Councillors**

Ward 1 – Gail P. Feckley

Ward 2 – Pauline M. Cormier

Ward 3 – David R. Cormier

Ward 4 – Mark C. Bodanza

Ward 5 – Richard M. Marchand

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**JUNE 25, 2018**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

2018 JUN 21 PM 3:31  
CITY CLERK'S OFFICE  
LEOMINSTER, MA

**HEARING BEFORE THE CITY COUNCIL, 6:30 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. (*Legal Affairs- Hearing continued from June 11, 2018*)

**HEARING BEFORE THE CITY COUNCIL, 6:45 P.M.**

- 69-18 Nouria Energy Corporation: Amend the existing license to store 30,000 gallons of gasoline/diesel at 436 Lancaster Street. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

- C-76 Relative to the appropriation of \$124,444,352.00 to the Fiscal Year 2019 General Fund Budget; same to be raised/offset by Fiscal Year 2019 Revenue. (Finance)
- C-77 Relative to the appropriation of \$5,827,108.00 to the Fiscal Year 2019 Water Department Budget; same to be raised by Fiscal Year 2019 Water Rates as authorized by Massachusetts General Law Chapter 44 Section 53E. (Finance)
- C-78 Relative to the appropriation of \$5,471,083.00 to the Fiscal Year 2019 Sewer Department Budget; same to be raised/offset by Fiscal Year 2019 Sewer Rates as authorized by Massachusetts General Law Chapter 44 Section 53E. (Finance)

## **PUBLIC FORUM, 7:15 P.M**

The public forum is an opportunity for any member of the audience to speak on a matter specifically listed on the Council Agenda. Speakers will be asked to come to the microphone and state their formal name and address along with identifying the specific item(s) they wish to address. Each speaker is respectfully asked to keep their comments within a two (2) minute timeframe. The Council will not be responding or answering any questions; however, at the discretion of the Council President, clarification may be given.

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## **REGULAR MEETING OF THE CITY COUNCIL, 7:30 P.M.**

### **ROLL CALL OF COUNCILLORS IN ATTENDANCE**

### **APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

#### **COMMUNICATIONS FROM THE MAYOR**

- C-79 Mayor, Dean J. Mazzarella: Request authorization to file a home rule petition as follows: AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO AMEND THE SPECIAL ACT OF 2002 RELATIVE TO RETIRED OFFICER DETAILS. (Legal Affairs)
- C-80 EMERGENCY PREAMBLE - Relative to the appropriation of \$20,000.00 to the Unemployment Expense Account; same to be transferred from the Collective Bargaining Expense Account. (Finance)
- C-81 EMERGENCY PREAMBLE – Relative to the appropriation of \$60,000.00 to the Fire Department Overtime Account; same to be transferred from the Collective Bargaining Expense Account. (Finance)
- C-82 EMERGENCY PREAMBLE – Relative to the appropriation of \$13,000.00 to the Library Department Expense Account; same to be transferred from the Library Department Salary & Wages Account. (Finance)
- C-83 EMERGENCY PREAMBLE – Relative to the appropriation of \$30,000.00 to the Refuse Collection & Disposal Expense Account; \$20,000.00 to be transferred from the Building Department Salary & Wages Account and \$10,000.00 to be transferred from the Interest on Bonds Expense Account. (Finance)
- C-84 Relative to the appropriation of \$64,696.00 to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery-Perpetual Care Income Account. (Finance)

## **PETITIONS – FIRST TIME ON THE CALENDAR**

- 79-18 David R. Cormier: Install a stop sign on Sawtelle Road against eastbound drivers at Central Street. (Legal Affairs)
- 80-18 David R. Cormier: Install a stop sign on Litchfield Street against northbound drivers at Lancaster Street. (Legal Affairs)
- 81-18 David R. Cormier: Install a stop sign on Tocci Street against eastbound drivers at Central Street. (Legal Affairs)
- 82-18 David R. Cormier: Install a stop sign on Columbus Street against westbound drivers at Litchfield Street. (Legal Affairs)
- 83-18 David R. Cormier: Install a stop sign on Columbus Street against eastbound drivers at Ruth Street. (Legal Affairs)
- 84-18 Interim Chief Michael D. Goldman: Amend Chapter 10 of the Leominster Revised Ordinance to add section 10.3.1. relative to Licensing requirements for a Peddlers License as authorized by M.G.L. Chapter.6, Section 172 B ½. (Legal Affairs)
- 85-18 Green Briar Realty Trust: Request an easement over the parcel shown on the City of Leominster Assessors Maps as Map 12, Parcel 5, as shown on a Utility Plan prepared by McCarty Engineering, dated December 16, 2005, and revised June 14, 2018, to install four (4) domestic water services and one (1) hydrant service off the City owned water main. (Legal Affairs)
- 86-18 Gail Feckley: Amend Section 13-88.4 of Leominster Municipal Code by adding the following: No driver shall make a left hand turn from Day Street on to the rear driveway of Johnny Appleseed School during the hours of 7:00 A.M. and 9:00 A.M., Monday through Friday during the school year. (Public Safety and Traffic)

## **MATTERS BEFORE THE CITY COUNCIL**

### **WAYS AND MEANS & VETERANS AFFAIRS**

#### **LEGAL AFFAIRS**

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

**MATTERS BEFORE THE CITY COUNCIL, continued**

**LEGAL AFFAIRS, continued**

- 62-18 Mark C. Bodanza, Esq.: Amend Section 13-77 of the Leominster Municipal Code by adding a stop sign for southwest bound traffic on Commonwealth Circle at the intersection of Exchange Street.
- 63-18 Mark C. Bodanza, Esq.: Amend Section 13-77 of the Leominster Municipal Code by adding a stop sign for northeast bound traffic on Revolution Drive at the intersection of Exchange Street.
- 69-18 Nouria Energy Corporation: Amend the existing license to store 30,000 gallons of gasoline/diesel at 436 Lancaster Street.

**CITY OF LEOMINSTER – FINANCIAL REPORT**

**FINANCE**

- C-67 Relative to the appropriation of \$40,000.00 to the Library Department Expense Account; same to be transferred from the Library Department Salary & Wages Account.
- C-68 Relative to the appropriation of \$50,000.00 to the Police Department Overtime Account; same to be transferred from the Police Department Salary & Wages Account.
- C-69 Relative to the appropriation of \$8,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-70 Relative to the appropriation of \$90,000.00 to the Recreation Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-71 Relative to the appropriation of \$2,500.00 to the Emergency Management Agency Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-72 Relative to the appropriation of \$21,300.00 to the Emergency Management Agency Salary & Wages Account; same to be transferred from the Collective Bargaining Expense Account.
- C-73 Relative to the appropriation of \$25,609.00 to the City Clerk Salary & Wages Account; same to be transferred from the Excess and Deficiency Account.
- C-74 Relative to the appropriation of \$10,000.00 to the Medicare Expense Account; same to be transferred from the Collective Bargaining Expense Account.
- C-75 Relative to the appropriation of \$265,000.00 to the FY 2019 School Department Expense Account; same to be raised by Fiscal Year 2019 Revenue.

## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **FINANCE, continued**

- C-76 Relative to the appropriation of \$124,444,352.00 to the Fiscal Year 2019 General Fund Budget; same to be raised/offset by Fiscal Year 2019 Revenue.
- C-77 Relative to the appropriation of \$5,827,108.00 to the Fiscal Year 2019 Water Department Budget; same to be raised by Fiscal Year 2019 Water Rates as authorized by Massachusetts General Law Chapter 44 Section 53E.
- C-78 Relative to the appropriation of \$5,471,083.00 to the Fiscal Year 2019 Sewer Department Budget; same to be raised/offset by Fiscal Year 2019 Sewer Rates as authorized by Massachusetts General Law Chapter 44 Section 53E.

### **PUBLIC SERVICE**

- 66-18 Barbara Richardson et al: Accept Garfield Street as an accepted way.
- 67-18 Jill A. Natola: Accept Lexington Circle together with the Water Line Easement as shown on the "Street Acceptance Plan in Leominster, Massachusetts" prepared for the Sheldon Hills Realty Trust by Hannigan Engineering Inc. dated March 15, 2018.

### **PUBLIC SAFETY AND TRAFFIC**

- 72-18 David R. Cormier: Install a street light on Pole #10 on Independence Drive.
- 73-18 David R. Cormier: Install a street light on Pole # 12 on Bicentennial Avenue.
- 74-18 David R. Cormier: Install a street light on Pole #4 on Flintlock Drive.
- 75-18 David R. Cormier: Install a street light on Pole #5 on Bicentennial Avenue.
- 76-18 David R. Cormier: Install a street light on Pole #2 on Drummer Lane.
- 77-18 David R. Cormier: Install a street light on Pole #4 on Indian Ridge Drive.
- 78-18 David R. Cormier: Request to install a street light on Pole #2 on Bicentennial Avenue.

### **CITY PROPERTY**

- C-53 Dean J. Mazzearella, Mayor: Request that the property known to the Assessors as Map 302 Block 1A and located on Jungle Road be declared surplus.

## OLD BUSINESS

## NEW BUSINESS

1<sup>st</sup> Reading Ordinance - Relative to amending Chapter 22 of the Revised Ordinance entitled "Zoning" by amending the Leominster Zoning Map, so that the following parcels are situated in the Residence B zoning district:

- **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 (Legal Affairs - Petition 14-18)

1<sup>st</sup> Reading Ordinance – Relative to amending Chapter 13, Section 13-29 of the Revised Ordinances entitled "Handicapped Parking Spaces" creating one reserved space in front of the Gallagher Building (24 Church Street) located on Merriam Avenue, closest to Church Street. (Legal Affairs – Petition 52-18)

## COMMUNITY CALENDAR

Lynn A. Bouchard  
City Clerk  
June 21, 2018