



**CITY OF LEOMINSTER
REGULAR MEETING OF JULY 9, 2018**

HEARING BEFORE THE CITY COUNCIL, 7:10 P.M.

Hearing opened at 6:30 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS, presiding. Councillor Bodanza was present and Councillor Dombrowski was absent.

52-18 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.

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

Upon recommendation of legal affairs committee, a motion was made to close the public hearing. No other action was taken.

HEARING ADJOURNED AT 7:12 P.M.

PUBLIC FORUM

The following residents expressed their concerns and support for petition 01-19, Janet L. Scherer Poultney and ten (10) registered voters: Request speed bump(s) to be installed on Burrage Avenue. The scope of the concerns were speed, safety and traffic issues.

Janet Poultney, 36 Burrage Avenue, Leominster, MA

Ralph Poultney, 36 Burrage Avenue, Leominster, MA

Daniel Delaney, 130 Pierce Street, Leominster, MA

Sarah Wilcox 95 Burrage Avenue, Leominster, MA

Jackie Edmands, 27 Burrage Avenue, Leominster, MA

Brian Wilcox, 95 Burrage Avenue, Leominster, MA

Tim Fletcher, 73 Burrage Avenue, Leominster, MA

Mark Bernard, 102 Burrage Avenue, Leominster, MA

Al Houde, 32 Burrage Avenue, Leominster, MA

Patrick McCarthy of 816 Pleasant Street, expressed his opinion against petition 40-18, recreational marijuana. He felt as though the ordinance was too restrictive.



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REGULAR MEETING OF THE CITY COUNCIL CALLED TO ORDER AT 7:30 P.M.

ROLL CALL OF COUNCILLORS IN ATTENDANCE

Seven (7) Councillors present, including Councillors Richard Marchand, Claire Freda, Susan Chalifoux-Zephir, Thomas Ardinger, Pauline Cormier, David Cormier, and Mark Bodanza. Councillors John Dombrowski and Gail Feckley were absent.

COMMUNICATIONS FROM THE MAYOR

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

APPOINTMENTS

A measure confirming the Mayor's Appointment of **Sondra Murphy** to the Position of Disability Commission; term to expire April 15, 2021.

A measure confirming the Mayor's Appointment of **James Leblanc** to perform the duties of the Emergency Management Director on a temporary basis for sixty (60) days until the office can be filled by a permanent appointment.

The following COMMUNICATION was received, referred to LEGAL AFFAIRS COMMITTEE and given REGULAR COURSE with recommendations from the City Solicitor, Mayor, Purchase Department, School Department and Comptroller.

COMMUNICATIONS

- C-01 Mayor, Dean J. Mazzarella: Request that the City Council approve Petition C-01 and authorize the Mayor, on behalf of the City, to petition the Massachusetts General Court for special legislation, substantially in the form as set forth below, relating to the City making payment on a certain unpaid bill to Royal Steam Heater Co., provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court, and provided further that the Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.



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

ORDERS

C-02 Mayor, Dean J. Mazzearella; Relative to the appropriation of \$255,711.00 be made to the FY 2019 Insurance Expense Account; Same to be transferred from the Worker Compensation Loss Funds.

PETITIONS – FIRST TIME ON THE CALENDAR

The following Petition was given REGULAR COURSE with referrals from Department of Public Works, Mayor, Police, and City Solicitor.

01-19 Janet L. Scherer Poultney and ten (10) registered voters: Request speed bump(s) to be installed on Burrage Avenue.

CITY OF LEOMINSTER – FINANCIAL REPORT

Read into the records by Councillor Bodanza.

COMMUNICATIONS GRANTED AND ORDERED – FINANCE. Vt. 5/1

Referred to FINANCE COMMITTEE: the following COMMUNICATION was ADOPTED by a vote of 6/1. Six (6) “yeas”, Councillors Marchand, Pauline Cormier, Arding, Bodanza, Chalifoux-Zephir and Freda. One (1) “nay”, Councillor David Cormier.

ORDERED: - that the sum of Sixty Four Thousand Six Hundred and Ninety Six Dollars (\$64,696.00) be appropriated to the Cemetery Salary & Wages Account; same to be transferred from the Cemetery-Perpetual Care Income Account.



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LEGAL AFFAIRS

Referred to LEGAL AFFAIRS: the following COMMUNICATION was given FURTHER TIME. Vt. 7/0.

- 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.

Referred to LEGAL AFFAIRS: the following PETITIONS were given FURTHER TIME. Vt. 7/0.

- 79-18 David R. Cormier: Install a stop sign on Sawtelle Road against eastbound drivers at Central Street.
- 80-18 David R. Cormier: Install a stop sign on Litchfield Street against northbound drivers at Lancaster Street.
- 81-18 David R. Cormier: Install a stop sign on Tocci Street against eastbound drivers at Central Street.
- 82-18 David R. Cormier: Install a stop sign on Columbus Street against westbound drivers at Litchfield Street.
- 83-18 David R. Cormier: Install a stop sign on Columbus Street against eastbound drivers at Ruth Street.
- 84-18 Interim Chief Michael D. Goldman: Amend Chapter 10 of the Leominster Peddlers License as authorized by M.G.L. Chapter.6, Section 172 B ½.
- 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.



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PUBLIC SAFETY AND TRAFFIC

Referred to PUBLIC SAFETY AND TRAFFIC: the following PETITIONS were given FURTHER TIME. Vt. 7/0.

- 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)
- 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

Referred to CITY PROPERTY COMMITTEE: the following petition was TABLED until the council receives more information from Economic Development.

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



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OLD BUSINESS

The following ORDINANCES were read a second time and GRANTED. Vt. 7/0.

2nd Reading Ordinance – Relative to accepting 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.

2nd 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

2nd 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.



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NEW BUSINESS

The following ORDINANCE was read once and DEFEATED by a vote of 4/3. Four (4) “yeas” Councillors Marchand, David Cormier, Pauline Cormier, and Bodanza. Three (3) “nays” Councillors Ardinger, Chalifoux-Zephir, and Freda.

1st Reading Ordinance - Relative to amending Article XVIII, Section 22-105 of the Leominster Zoning Ordinance to include language regarding recreational marijuana facilities. (Legal Affairs 40-18)

Councillor David R. Cormier made a motion, seconded by Council President Marchand to reconsider the vote for the first reading ordinance relative to:

1st Reading Ordinance - Relative to amending Article XVIII, Section 22-105 of the Leominster Zoning Ordinance to include language regarding recreational marijuana facilities. (Legal Affairs 40-18)

The following ORDINANCES were read for the first time and ADOPTED. Vt. 6/0.

1st Reading Ordinance – Relative to amending 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. (Legal Affairs 62-18)

1st Reading Ordinance – Relative to amending 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. (Legal Affairs 63-18)

ADJOURNMENT

8:32 p.m.

Respectfully Submitted

Titi Siriphan

Assistant City Clerk