

**6:30 P.M. - Informational Meeting
with Superintendent of
Schools.**

CITY OF LEOMINSTER

CITY COUNCIL

MARCH 12, 2007

HEARING BEFORE THE CITY COUNCIL, 6:55 P.M.

60-07 National Grid and Verizon New England, Inc.: Pleasant Street: Install one jointly owned pole on Pleasant Street beginning at a point approximately 84 feet west of the centerline of the intersection of Pond Street. (Public Service)

HEARING BEFORE THE CITY COUNCIL, 6:58 P.M.

Relative to amending Chapter 13, Section 13-77 of the Revised Ordinances entitled "Stop Signs" by inserting "Manning Avenue, against northbound drivers at Mechanic Street." (Legal Affairs - Petition #45-07)

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

47-07 Joy Chiurri: Grant a Special Permit to allow construction of a residential dwelling at 5 Ruth Street, as shown on Assessors Map 441 as lot 61A; a special permit is required for a residential use in an Industrial Zone and will comply with Residential B Zoning Requirements. (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

48-07 James Whitney, on behalf of 557 Lancaster Street Realty Trust: Grant a Special Permit to use an existing building located at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443 as lot A3, for a dog grooming business. (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 7:25 P.M.

Relative to amending Chapter 16, Section 16-2 of the Revised Ordinances entitled "Salary – City Council" by deleting the second and third sentences and inserting in its place "Such salary shall be increased to eight thousand five hundred dollars effective January 1, 2008, and shall be further increased to ten thousand dollars effective July 1, 2008. Effective January 1, 2009 and on an annual basis thereafter, a percentage increase of the City Councilor salary will be established consistent with the annual consumer price index (CPI-U) of the previous calendar year, with a minimum of no increase and a maximum increase of five per cent (5%). No member of the City Council shall receive any other compensation for any official duty in behalf of the city. (Legal Affairs - Petition #42-07)

HEARING BEFORE THE CITY COUNCIL, 7:30 P.M.

55-07 John Souza, on behalf of the Planning Board: Change the Leominster Zoning Ordinance Section 22-26 "Table of Uses" under General Uses in the Amusement category from "N" under Industrial to "SPPB". (Legal Affairs)

HEARING BEFORE THE CITY COUNCIL, 7:40 P.M.

Relative to the Loan Order – that the sum \$534,200.00 be appropriated, if necessary, for the purchase for open space and water supply protection purposes, 50+/- acres of land owned now or formerly by the Norman A. Nutting (Map 512, Lot 3 and Map 362, Lots 15 & 16) as shown on a plan of land to be recorded with the Worcester North Registry of Deeds; said property shall be dedicated in perpetuity to purposes stated in Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts including the protection of water resources and shall be fully protected by all provisions of Article 97. Furthermore, this property shall be open to the general public for appropriate outdoor/recreational use while consistent with 310 CMR 22.00; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow, up to \$534,200.00 the receipt of any state and charitable grants and donations associated with this project will be deposited into the appropriate account; and that the Mayor is authorized to take any other action necessary to carry out these projects. (Finance)

PUBLIC FORUM, 7:45 P.M.**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.****ROLL CALL****COMMUNICATIONS**

- C-94 Relative to the appropriation of \$212,500.00 to the School Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-95 Relative to the appropriation of \$25,000.00 to the Veteran's Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-96 Relative to the appropriation of \$50,000.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-97 Relative to the appropriation of \$100,000.00 to the Police Department Overtime Account; same to be transferred from the Police Salary and Wages Account. (Finance)
- C-98 Relative to the appropriation of \$75,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-99 Relative to the appropriation of \$15,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance)
- C-100 Relative to the appropriation of \$16,000.00 to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance)
- C-101 Relative to the appropriation of \$5,000.00 to the Recreation Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

PETITIONS

- 64-07 Wayne A. Nickel: Place "No Parking Here to Corner" signs on Vinton Street at Mechanic and one on Mechanic Street at the corner with Vinton Street. (Legal Affairs)

REGULAR MEETING OF THE CITY COUNCIL, continued**PETITIONS, continued**

- 65-07 Wayne A. Nickel: Place a "Dead End" or equivalent sign on Johnny Appleseed Lane at Mechanic Street. (Legal Affairs)
- 66-07 Jacquelyn Farreau, on behalf of the Wallace Figure Skating Club: Allow the Wallace Figure Skating Club to place signs at Rte. 12, near Shaws/Barnes & Noble and Rte. 13, near Brooks Pharmacy, to advertise registration for the spring from March 25, 2007 through April 7, 2007. (City Property)
- 67-07 Christopher Rivard: Grant a transient vendors license to sell flowers and plants in April and May, 2007. (Ways & Means)

APPOINTMENTS

Leominster Fire Department – Permanent Firefighters – Armin K. Keidel and Bryan S. LeBlanc

MATTERS BEFORE THE CITY COUNCIL**FINANCE**

- C-79 Relative to the appropriation of \$325,000.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Sale of Real Estate Fund.
- C-90 Relative to the appropriation of \$26,500.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-91 Relative to the appropriation of \$4,700.00 to the City Clerk Expense Account; same to be transferred from the Election and Registration Expense Account.
- C-92 Relative to the appropriation of \$11,000.00 to the Police Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.

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

- C-93 Relative to the appropriation of \$20,360.00 to the Gallagher Building Capital Outlay Expense Account; same to be transferred from the Gallagher Building Revolving Fund.

PUBLIC SERVICE

- 54-07 Patrick LaPointe, Department of Public Works: Request that the City Council accept engineering plans and specifications from Whitman & Bingham and funded by Gregg P. Lisciotti, to allow the city to solicit bids for the final paving, installation of granite curbing, concrete sidewalks and landscaping on Orchard Hill Park Drive. Funding for this project will be from a PWED Grant with the MA Highways Department in the amount of \$326,450.
- 60-07 National Grid and Verizon New England, Inc.: Pleasant Street: Install one jointly owned pole on Pleasant Street beginning at a point approximately 84 feet west of the centerline of the intersection of Pond Street.
- 61-07 Claire Freda, on behalf of Kenneth Osborn, Jr.: Discontinue Cedar Road for 120 ft. behind the property owned by Kenneth Osborn, Jr. located at 30 Overlook Drive and further described in Book 2996 page 239 in the North Worcester County Registry of Deeds.

LEGAL AFFAIRS

- 47-07 Joy Chiurri: Grant a Special Permit to allow construction of a residential dwelling at 5 Ruth Street, as shown on Assessors Map 441 as lot 61A; a special permit is required for a residential use in an Industrial Zone and will comply with Residential B Zoning Requirements.
- 48-07 James Whitney, on behalf of 557 Lancaster Street Realty Trust: Grant a Special Permit to use an existing building located at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443 as lot A3, for a dog grooming business.

MATTERS BEFORE THE CITY COUNCIL, continued**LEGAL AFFAIRS, continued**

- 49-07 James Lanciani, Jr.: Accept Chapter 99 of the Acts of 2005, which amends MGL Chapter 149 by adding Section 33E, Live Organ Donation: Leaves of Absence without loss of pay.
- 55-07 John Souza, on behalf of the Planning Board: Change the Leominster Zoning Ordinance Section 22-26 "Table of Uses" under General Uses in the Amusement category from "N" under Industrial to "SPPB".

CITY PROPERTY

- 62-07 Paul W. Cote, Massachusetts Motorcycle Association: Request the City of Leominster allow the Massachusetts Motorcycle Association to erect and display a 2 ft. x 8 ft. "Check Twice – Save a Life, Motorcycles are Everywhere" signs at locations within the City of Leominster, as directed by its Public Safety/Traffic Official, at no cost to the City.

WAYS & MEANS

- 5-07 David Rowlands: Request that all new appointments to Boards and Commissions shall be residence of the City of Leominster.
- 63-07 Paul W. Cote, Massachusetts Motorcycle Association: Adopt a resolution stating that the City of Leominster joins with the Commonwealth of Massachusetts in its "Motorcycle Safety Awareness Period" March 24, 2007 through April 30, 2007, to help reduce motorcycle accidents and injuries.

OLD BUSINESS

2nd Reading Loan Order – that the sum \$534,200.00 be appropriated, if necessary, for the purchase for open space and water supply protection purposes, 50+/- acres of land owned now or formerly by the Norman A. Nutting (Map 512, Lot 3 and Map 362, Lots 15 & 16) as shown on a plan of land to be recorded with the Worcester North Registry of Deeds; said property shall be dedicated in perpetuity to purposes stated in Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts including the protection of water resources and shall be fully protected by all provisions of Article 97. Furthermore, this property shall be open to the general public for appropriate outdoor/recreational use while consistent with 310 CMR 22.00; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow, up to \$534,200.00 the receipt of any state and charitable grants and donations associated with this project will be deposited into the appropriate account; and that the Mayor is authorized to take any other action necessary to carry out these projects. (Finance)

2nd Reading Ordinance – Amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting “Manning Avenue, against northbound drivers at Mechanic Street.” (Legal Affairs - Petition #45-07)

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NEW BUSINESS

1st Reading Ordinance - Amend Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic" by inserting Section 13-86 entitled "Heavy Commercial Vehicles Excluded" to exclude heavy commercial vehicles on Harvard Street, between Stagecoach Road and Orchard Hill Park Drive; Stagecoach Road, between Harvard Street and Prospect Street and by further adding under Section 13-1 Commercial Vehicle and Heavy Commercial Vehicle. (Legal Affairs Communication #C-70)

RESOLUTION: In recognition of "Motorcycle Awareness Period."
(Ways & Means)

TABLED PETITION UPON WHICH ACTION IS PROPOSED

FINANCE AND LEGAL AFFAIRS

53-07 David Rowlands: Establish a Water Enterprise Account and a Sewer Enterprise Account, as authorized by MGL Ch. 44 53F1/2.

LEGAL AFFAIRS

90-04 James Normandin: Grant a Special Permit to convert an existing building located at 140 Adams Street into 55 apartments as shown on Assessors Map 6 as lot 3, located in an Industrial Zone within flood plain district.

Lynn A. Bouchard
City Clerk
March 8, 2007