

CITY OF LEOMINSTER

CITY COUNCIL

MAY 29, 2007

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

Relative to amending Chapter 13, Section 13-77 of the Revised Ordinances entitled "Stop Signs" by inserting "Gordon Avenue, against westbound drivers at Eighth Street." (Legal Affairs Petition #68-07)

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

88-07 National Grid and Verizon New England, Inc.: Jungle Road Extension: Relocate one jointly owned pole on Jungle Road Extension beginning at a point approximately 300 feet southwest of the centerline of the intersection of New Lancaster Road and continuing approximately 13 feet in a northeasterly direction. (Public Service)

HEARING BEFORE THE CITY COUNCIL, 7:35 P.M.

89-07 National Grid and Verizon New England, Inc.: New Lancaster Road (Rte 117): Relocate eight jointly owned poles on New Lancaster Road beginning at a point approximately 25 feet northwest of the centerline of the intersection of Jungle Road Extension and continuing approximately 1300 feet in a northwesterly direction. (Public Service)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

Convene to enter into Executive Session

COMMUNICATIONS

- C-148 Relative to the appropriation of \$50,000.00 to the Street Lighting Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-149 Relative to the appropriation of \$15,922.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

PETITIONS

- 98-07 Nickolas Casaburri: Grant a Special Permit to use an exiting building at 213 Whitney Street, located in an Industrial zone and shown on Assessor's Map 40 as Lot 8, for a used car dealership and auto repair facility. (Legal Affairs)
- 99-07 David Rowlands: Establish an ordinance requiring all self service establishments, such as gas stations, to establish a "pay first" policy, prior to license renewal. (Legal Affairs)
- 100-07 Sandra Valeri, Food Service Director: Request authorization for a 5 year lease for IBM lunch box upgrade which includes hardware, software, help desk contracts, programming, installation and training for the Leominster Schools Point of Sale & Back of House equipment. (Legal Affairs)
- 101-07 Richard M. Marchand: Extend the hours for closing off the city streets and city parking lots agreed upon for the 14th Annual Johnny Appleseed Festival until 11 P.M. on September 15, 2007, to accommodate an evening concert in downtown Leominster. (Public Safety)
- 102-07 Nadine Binkley: Request the City Council endorse a letter of intent to the School Building Authority to review Leominster High School for a possible rebuild or renovation and that the President of the City Council be given the authority to sign the letter of intent so that it can be submitted to the appropriate authorities. (Committee on Schools)

APPOINTMENTS

Leominster Cultural Council – Shawn P. Bernard – term to expire April 15, 2010.

MATTERS BEFORE THE CITY COUNCIL**FINANCE**

- C-134 Relative to the appropriation of \$10,000.00 to the Veteran's Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Granted on May 14, 2007 as an Emergency Preamble, another vote is required.)
- C-135 Relative to the appropriation of \$2,700.00 to the Forestry Expense Account; same to be transferred from the Excess and Deficiency Account. (Granted on May 14, 2007 as an Emergency Preamble, another vote is required.)
- C-136 Relative to the appropriation \$9,000.00 to the Cemetery Salary and Wages Account; same to be transferred from the Cemetery Perpetual Care Income Trust Fund.
- C-137 Relative to the appropriation of \$590.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-138 Relative to the appropriation of \$7,596.00 to the Cemetery Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-139 Relative to the appropriation of \$28,144.00 to the Cemetery Capital Outlay Expense Account; same to be transferred from the Cemetery Perpetual Care Income Account.
- C-140 Relative to the appropriation of \$2,500.00 to the Economic Development Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-141 Relative to the appropriation of \$850.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-142 Relative to the appropriation of \$55,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-143 Relative to the appropriation of \$15,000.00 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-144 Relative to the appropriation of \$75,000.00 to the Highway Department Expense Account; same to be transferred from the Excess and Deficiency Account.

PUBLIC SERVICE

- 79-07 Susan Perkins, New England Fun Centers, Roll On America: Allow Roll On America, 90 Duval Road, Lancaster, to connect into the Leominster water system.
- 88-07 National Grid and Verizon New England, Inc.: Jungle Road Extension: Relocate one jointly owned pole on Jungle Road Extension beginning at a point approximately 300 feet southwest of the centerline of the intersection of New Lancaster Road and continuing approximately 13 feet in a northeasterly direction.
- 89-07 National Grid and Verizon New England, Inc.: New Lancaster Road (Rte 117): Relocate eight jointly owned poles on New Lancaster Road beginning at a point approximately 25 feet northwest of the centerline of the intersection of Jungle Road Extension and continuing approximately 1300 feet in a northwesterly direction.

LEGAL AFFAIRS

- C-145 Dean J. Mazzarella, Mayor: Amend Section 16-30 of the Revised Ordinances by deleting Schedule W in its entirety and inserting in its place a new Schedule W (1)(b), (2)(b) and (3)(b) increasing the pay scales for W-1 thru W-6 by 3% effective 7-1-2006, 5% effective 7-1-2007 and 4% effective 7-1-2008.
- 58-07 Beth and Frank Novak and ten registered voters: Amend section 22-26, of the Leominster Zoning Ordinances entitled "Table of Uses" to allow Day Spas in a Residential B district, as a use allow by right.
- 90-07 Lynn A. Bouchard, City Clerk: Amend Chapter 12, Section 12-2 of the Revised Ordinances entitled "Fee-Schedule" to reflect an increase in the fees charged for a certified copy of birth, marriage and death certificate from \$5.00 to \$10.00 and increase the fee for furnishing an abstract copy of a record of birth from \$3.00 to \$5.00; also deleting the fee for an abstract copy of a marriage and death record as these are no longer provided.

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS, continued

- 91-07 Patrick LaPointe: Amend Chapter 21 Section 21-11.(a)3 entitled “Water Connection Charges” by deleting in it’s entirety and inserting in it’s place: (a) All individual domestic units including apartment units and condominium units within the city will be charged two thousand five hundred dollars (\$2,500.00) per connection. All individual domestic units including apartment units and condominium units out of the city will be charged three thousand five hundred dollars (\$3,500.00) per connection. This will serve as a connection and inspection fee that is valid through the last day of the year in which the permit was issued.
- 92-07 Kenneth Ricker: Grant a Special Permit to use 5,000 square feet of an existing building at 215 Hamilton Street, located in an Industrial zone and shown on Assessors Map 229 as Lot 1, for a Sports Lounge. (A hearing is scheduled for June 11, 2007 at 7:00 P.M.)
- 93-07 Stanley Pelletz, Pam Plastic Corporation: Grant a Special Permit to use an exiting building at 720 Mechanic Street, located in an Industrial zone and shown on Assessors Map 445 as Lot 30, for a wholesale/retail business.(A hearing is scheduled for June 11, 2007 at 7:15 P.M.)

PUBLIC SAFETY

- C-146 Dean J. Mazzarella, Mayor: Request the following streets be closed off to traffic for the first annual summer stroll on June 23, 2007 from 12:30 – 5:00 P.M.
- From approximately Gariepy Furniture through Monument Square (both sides)
 - Manning Avenue open for access to parking only from Mechanic Street
 - From the corner of Mechanic and Main Street (Bank of America towards Christian Life Center) both sides
 - From the corner of Depot Square and Main Street (Sentinel and Enterprise through Pizza Chef) both sides

CITY PROPERTY

- 115-04 Olga Valera: Request a comprehensive study into the area of Rockwell Pond, including Chicken Harbor also that the Council develop a plan to rectify changes that have been made to the shoreline and ultimately restore Chicken Harbor the area behind 132 West Street to its original state.

MATTERS BEFORE THE CITY COUNCIL, continued

WAYS & MEANS

- C-147 Dean J. Mazarella, Mayor: Request the following Home Rule Petition be passed to request the State Legislature to authorize the Commonwealth to grant benefits to Thomas Kamataris:

Home Rule Petition

“Not withstanding any provisions in Chapter 32 of the Massachusetts General Laws, the Leominster Retirement Board is hereby authorized to grant Mr. Thomas Kamataris ordinary disability retirement benefits as calculated by Chapter 32, Section 6, subdivision (2) paragraph (b)”.

- 94-07 Dennis A. Rosa: Request the City Council and Ways & Means Committee draft a non binding public opinion advisory question that pertains to municipal building projects to be placed on the regular municipal election ballot, to be held on November 6, 2007.
- 95-07 Carol and David Shields: Renew license for three pool tables at South Leominster Lounge d/b/a Forte’s Lounge, 1030 Central Street.
- 96-07 William Plant: Renew license for nine pool tables at J.C. Fenwicks, 37 Mechanic Street.
- 97-07 Mason’s Bowling Center: Renew license for 7 pool tables and 24 bowling alleys at Mason’s Bowling Center, 640 R. North Main Street.

APPOINTMENTS

Leominster Emergency Management – Rescue Unit – Erik Joseph LeBlanc

Leominster Housing Authority Board of Directors – Reverend John Doran – term to expire April 15, 2012

Doyle Field Commission – Patrick LaPointe – term to expire April 15, 2010

OLD BUSINESS

2nd Reading Ordinance – Amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting “Gordon Avenue, against westbound drivers at Eighth Street.” (Legal Affairs Petition #68-07)

RESOLUTION: Authorize the Mayor to acquire and accept on behalf of the City, for general municipal purposes, the fee interest in two parcels of land located on Industrial Road and shown on a plan entitled “Plan of Land in Leominster, MA Prepared for the City of Leominster”, dated November 15, 2006, prepared by Whitman and Bingham Associates, LLC, on file with the City Clerk, one of which parcels is shown as “Lot 1” on said plan and contains 3 acres, more or less, for consideration of Five Hundred Fifty Thousand Dollars (\$550,000.00) and the other parcel is shown as “Lot 2” on said plan and contains 1 acre, more or less, by gift, which parcels are a portion of the premises described in a deed recorded with the Worcester North District Registry of Deeds in Book 5124, Page 173, and on such other terms as the Mayor deems appropriated; and take all actions necessary or convenient to accomplish the foregoing acquisition. (Ways & Means)

Report of President’s Drinking Water Oversight Committee

NEW BUSINESS

1st Reading Ordinance - Amend Section 16-30 of the Revised Ordinances by deleting Schedule W in its entirety and inserting in its place a new Schedule W (1)(b), (2)(b) and (3)(b) increasing the pay scales for W-1 thru W-6 by 3% effective 7-1-2006, 5% effective 7-1-2007 and 4% effective 7-1-2008. (Legal Affairs Communication #C-145)

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

PUBLIC SERVICE

- 31-07 Paul DiGeronimo, Lord Nelson Corporation and Johnny Appleseed Realty, LLC: Accept a deed and approve the layout of Richard Road, a portion of Montrose Street and a portion of Sawtelle Road as public ways.

PUBLIC SAFETY

- 114-99 Joseph J. DiPrima: Request an environmental impact study for wetlands and a traffic study to be done on Prospect Street where the possibility of a school is to be placed, namely the Page Avenue area. Sidewalks should also be included in the construction for safety purposes on Prospect Street.
- 14-00 Robert A. Salvatelli: Place a traffic light at the intersection of Pond Street and West Street.
- 46-01 Wayne A. Nickel, on behalf of residents of Biscuit Hill Drive and Jewel Drive: Establish and post a 20 MPH speed limit for vehicles on Biscuit Hill Drive and Jewel Drive.
- 42-02 Jane DiMauro: Place a truck exclusion on Orchard Street.
- 28-04 Richard M. Marchand: Request that the City of Leominster Traffic Department collaborate, if necessary, with the Massachusetts Highway Department to investigate the feasibility of allowing a traffic light delay for through way traffic to allow motorist turning left off North Main Street onto Washington Street and left onto Lindell Avenue against oncoming traffic.
- 34-04 Richard M. Marchand: Request a collaborative effort between the Department of Public Works and Traffic Department to conduct a city-wide inventory on all existing traffic advisory signage; results of this survey would potentially allow said departments to remove unnecessary or duplication of signage in areas and that may allow the use of that signage in areas where deemed necessary.
- 7-05 Lisa M. Vacarelo et al: Request a truck exclusion on Mooreland Avenue.
- 51-05 David Rowlands and Dennis Rosa: Request a truck exclusion on Prospect Street from the intersection of Prospect Street and Route 13, east to the intersection of Prospect Street and Harvard Street; also, on Harvard Street from the intersection of Prospect Street and Harvard Street, south to the intersection of Harvard Street and Orchard Hill Park Drive.

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED, continued**PUBLIC SAFETY, continued**

- 93-06 Richard M. Marchand: Make River Street from the intersection of Hamilton Street to Main Street a truck exclusion.
- 95-06 Robert A. Salvatelli: Install traffic signals at the intersection of West Street and Pond Street.

Lynn A. Bouchard
City Clerk
May 24, 2007