

CITY OF LEOMINSTER

CITY COUNCIL

AUGUST 28, 2006

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

2nd Reading Ordinance – amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting “Ridgewood Drive, against eastbound drivers at White Street.” (Legal Affairs – Petition #2-07)

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

2nd Reading Ordinance – amend Chapter 22 of the Revised Ordinances, Article I, “General Regulations,” Section 22-12, “Nonconforming Uses, Structures and Lots,” by deleting Sections 12.3.1 – 12.3.2.3 in their entirety and inserting sections 12.3.1 through 12.3.7 regarding changing, extending or altering a Pre-existing Nonconforming Structure or Use; or a Conforming Use on a Pre-existing Nonconforming Lot or in a Pre-existing Nonconforming Structure. (Legal Affairs – Petition # C-146)

PUBLIC FORUM, 7:45 P.M.

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

ROLL CALL

COMMUNICATIONS

- C-9 Relative to the appropriation of \$135,200.00 to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account.(Finance)

- C-10 Relative to the appropriation of \$762.00 to the Telephone Expense Account: same to be transferred from the Emergency Reserve Account.(Finance)

COMMUNICATIONS, continued

- C-11 Relative to the appropriation of \$8,200.00 to the Sanitation and Drainage Account: same to be transferred from the Emergency Reserve Account.(Finance)

PETITIONS

- 15-07 Daniel J. McCarty, Agent for 89 Commercial Road LLC: Grant a Special Permit to demolish the existing 33,264 square foot building and construct a new 20,300 square foot building at 89 Commercial Road as shown on Assessor's Map 567 as lot 14 located in the Commercial Zone within the flood plain. (Legal Affairs)
- 16-07 Robert Salvatelli and Maribel Fournier: Amend Section 16-13 of the Revised ordinances entitled "Method of Step Advances" to add a new section which will allow employees whose current jobs are classified in the "S" classification plan, who are promoted or transfer to another "S" classification job in any given year, to advance to the next scheduled step-rate for their new "S" classification position the following July 1st regardless of whether the employee has been in said new position for twelve months or less.(Legal Affairs)
- 17-07 Claire Freda: Adopt Chapter 39, Section 23D of the Massachusetts General Laws as amended to help municipal boards avoid quorum problems by allowing board member of the Conservation Commission, Zoning Board of Appeals, Planning Board and Board of Health, who have missed one hearing, to catch up and rejoin the voting quorum by reading and listening to the record of the missed meeting. (Legal Affairs)

APPOINTMENTS

Disability Commission – Therese Thelin – term to expire April 15, 2009

Election Officers 2006-2007 – Jeanne Jekanowski, Barbara Lanza, Rosalie LaManno, Janet Flanagan, Magella Jackson, John Jackson

MATTERS BEFORE THE CITY COUNCIL

FINANCE

- C-4 Relative to the appropriation of \$3,300.00 to the Police Salary and Wages Account; same to be transferred from the Emergency Reserve Account.

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MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-5 Relative to the appropriation of \$6,500.00 to the Sanitation & Drainage Expense Account; same to be transferred from the Emergency Reserve Account.
- C-6 Relative to the appropriation of \$3,000.00 to the Planning Department Expense Account; same to be transferred from the Emergency Reserve Account.
- C-7 Dean J. Mazzeo, Mayor: Request the authority to borrow, if necessary, up to \$950,000.00 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, if necessary, up to \$950,000.00, 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.

PUBLIC SERVICE

- 12-07 National Grid and Verizon New England, Inc.: Nelson Street: Install one jointly owned pole on Nelson Street beginning at a point approximately 168 feet west of the centerline of the intersection of North Main Street. (A hearing is scheduled for September 11, 2006 at 7:10 P.M.)

LEGAL AFFAIRS

- 13-07 Susan Chalifoux-Zephir: Grant a Special Permit to use an existing building located at 307 Whitney Street, located in an Industrial zone and shown on Assessor's Map 569 as Lot 19, for a restaurant. (A hearing is scheduled for September 25, 2006 at 7:15 P.M.)

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MATTERS BEFORE THE CITY COUNCIL, continued

CITY PROPERTY & COMMITTEE ON SCHOOLS

- 14-07 Richard M. Marchand: Request that the Mayor enter into negotiations and purchase the Julie Country Day School.

WAYS & MEANS

- C-8 Relative to the appropriation of \$1552.40 to the C.D.B.G. Housing Rehabilitation Expense Account; same to be transferred from the following C.D.B.G. Expense Accounts:

Mayor's Office – State Pool Fee	\$45.00
Police Department – Drug Suppression	3.61
Housing Discrimination Project	135.95
Recreation Department Walkway Improvement	1,320.00
Mayor's Office – Drug Reporting.	47.84

- 11-07 Robert Salvatelli: Request that the appointment of Deanna McNamara as Assistant City Clerk on August 8, 2005 be made retroactive to July 1, 2005.

OLD BUSINESS

2nd Reading Ordinance – amend Chapter 13, Section 13-77 of the Revised Ordinances entitled “Stop Signs” by inserting “Ridgewood Drive, against eastbound drivers at White Street.” (Legal Affairs – Petition #2-07)

2nd Reading Ordinance – amend Chapter 22 of the Revised Ordinances Article XV, “In-Law Apartments,” Section 22-114, “Existing Accessory Dwelling Units,” to allow any accessory dwelling unit existing in a single-family residence on the effective date of this article, continue in use, although not originally authorized under the Zoning Ordinance, provided that the record owner of the residence provides a notarized letter as prescribed in Section 22-112 of this article. A pre-existing accessory dwelling unit shall be considered grand-fathered provided that the In-Law unit was constructed with a building permit or is recognized by the Assessor's Office as being an approved In-Law unit. (Legal Affairs – Petition # C-145) (A hearing is scheduled for September 11, 2006 at 6:55 P.M.)

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OLD BUSINESS, continued

2nd Reading Ordinance – amend Chapter 22 of the Revised Ordinances, Article I, “General Regulations,” Section 22-12, “Nonconforming Uses, Structures and Lots,” by deleting Sections 12.3.1 – 12.3.2.3 in their entirety and inserting sections 12.3.1 through 12.3.7 regarding changing, extending or altering a Pre-existing Nonconforming Structure or Use; or a Conforming Use on a Pre-existing Nonconforming Lot or in a Pre-existing Nonconforming Structure. (Legal Affairs – Petition # C-146)

NEW BUSINESS

Resolution – that the City Clerk send a communication to the Massachusetts Department of Telecommunications and Energy stating that the Leominster City Council opposes changing the franchise requirements for voice and cable companies that provide cable television services. The proposed changes would require cities and towns to decide on cable applications within ninety days. (Ways & Means)

Lynn A. Bouchard
City Clerk
August 24, 2006