

CITY OF LEOMINSTER

CITY COUNCIL

SEPTEMBER 22, 2008

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

(Continued from August 25, 2008)

- 5-09 Robert Bolio, President BRJ Ltd.: Grant a Special Permit for a Mixed Use Development Project to allow 70% Commercial use and 30% Industrial use at 39 Spruce Street located in an Industrial zone and shown on Assessor's Map 20, as Lot 14. (Legal Affairs)

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

Relative to amending Chapter 13, Article II, Section 13-34 entitled "No Parking on Certain Streets" prohibiting parking on Industrial Road (east side), from the intersection with Eastern Avenue northerly to the intersection with Jordan Way. (Legal Affairs – Petition 1-09)

PUBLIC FORUM, 7:45 P.M.

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

ROLL CALL

APPROVAL OF RECORDS

COMMUNICATIONS

- C-15 Relative to the appropriation of \$2,600.00 to the Purchasing Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-16 Relative to the appropriation of \$7,000.00 to the Parking Meter Salary & Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance)
- C-17 Relative to the appropriation of \$11,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance)

COMMUNICATIONS, continued

- C-18 Relative to the reduction of the FY 2009 Sewer Department Budget by \$59,000.00; Sewer Expenses Account reduced by \$48,500.00 and Sewer Capital Outlay Expense Account reduced by \$10,500.00. (Finance)
- C-19 Dean J. Mazzarella, Mayor: Request that an Energy Assistance Donation Account be established as authorized by Massachusetts General Laws Chapter 44, Section 53A. (Finance)
- C-20 Mayor Dean Mazzarella: Request the City Council set a hearing for the Classification of the tax rate on November 24, 2008 for the purpose of setting the Fiscal Year 2009 tax rate. (Finance)

PETITIONS

- 12-09 Richard M. Marchand, Executive Director-Leominster Downtown Corporation: Close off West Street from School Street to Main Street and Park Street from Main Street to the West Street Intersection between the hours of 6:00 A.M. to 6:00 P.M.. to accommodate the annual Johnny Appleseed Arts and Cultural Festival and request the use of the City Hall parking lot as well as the City owned parking lot between the First Baptist Church and the First Church Unitarian on September 12, 2009 (rain date September 26, 2009); September 11, 2010 (rain date September 25, 2010); September 10, 2011 (rain date of September 17, 2011); September 15, 2012 (rain date September 22, 2012) and September 14, 2013 (rain date September 21, 2013). (Public Safety & City Property)
- 13-09 New England Farm Workers' Council: Request permission to use the City Council Chambers on October 8th, November 3rd, 13th, 17th, 19th, December 1st, 11th, 15th, 29th 2008, and January 5th, 12th, 16th, 26th 2009 to take fuel assistance applications. (City Property)

APPOINTMENTS

Leominster License Commission - Melissa A. Maguire
term to expire April 15, 2014

MATTERS BEFORE THE CITY COUNCIL

CITY OF LEOMINSTER-FINANCIAL REPORT

FINANCE

- C-14 Relative to the appropriation of \$3,000.00 to the Cemetery Overtime Account; same to be transferred from the Emergency Reserve Account.

MATTERS BEFORE THE CITY COUNCIL, continued

LEGAL AFFAIRS

- 95-08 David Rowlands, Virginia A. Tocci, John M. Dombrowski, James Lanciani Jr., Robert A. Salvatelli, Richard M. Marchand and Wayne Nickel: Amend the Leominster Zoning Ordinance, Chapter 22 - Sections 22-24, by removing “Mixed Use Development Projects” and inserting in its place a new Section 22-24 creating “Industrial Mixed Use Overlay Districts” (Small and Large) and modify the Table of Uses Section 22-26 to reflect said changes.
- 3-09 John M. Dombrowski: Amend Chapter 21 of the Revised Ordinance entitled “Water and Sewers” by amending Section 21-13 (b) and 21-13 (h) relative to water service and the responsibility of the installation, maintenance, repair, renovation or replacement of the service pipe, stopcock, valve and other fixtures.
- 5-09 Robert Bolio, President BRJ Ltd.: Grant a Special Permit for a Mixed Use Development Project to allow 70% Commercial use and 30% Industrial use at 39 Spruce Street located in an Industrial zone and shown on Assessor’s Map 20, as Lot 14.
- 9-09 Gregory C. Chapdelaine, Purchasing Agent: Allow the Purchasing Agent to award a contract for Payroll Services for a six-year period.
- 10-09 Gregory C. Chapdelaine, Purchasing Agent: Allow the Purchasing Agent to award a contract for Ambulance Billing Services for a six-year period.
- 11-09 Ronald and Lisa Vallee: Grant a Special Permit for work in the flood plain to allow a single family home at 56 Juniper Road, shown on Assessors Map 473 as lot 420/7 to connect to the city sewer system due to a failed septic system. (A hearing is set for October 14, 2008 at 7:15 P.M.)

LEGAL AFFAIRS AND WAYS & MEANS

- 6-09 Kate Griffin Brooks: Requests that the City Council consider the adoption of the 43D Policy to formalize the agreement the City has with the State regarding the Expedited Permitting provisions of M.G.L. c. 43D.

APPOINTMENTS

Election Officers 2008 – 2009 – Michael P. Mimnaugh, Joseph P. McPhee, Betsey S. McPhee, Irene Harvey, Paula Harvey

Leominster Police Department – Emanuel Tocci – Sergeant
Michael Ciccolini – Lieutenant

NEW BUSINESS**OLD BUSINESS**

2nd Reading Ordinance – amend Chapter 13, Article III, Section 13-34 of the Revised Ordinances entitled “No Parking on Certain Streets” is hereby amended by inserting into said section the following: Industrial Road (east side), from the intersection with Eastern Avenue northerly to the intersection with Jordan Way (Legal Affairs – Petition 1-09)

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED**LEGAL AFFAIRS**

- C-153 Dean J. Mazzearella, Mayor: Amend Chapter 21, Article II of the Revised Ordinances entitled “Water Department” by adding Section 21-13.2 “Water Line and Sewer Main Line Protection Plans” which establishes standards and minimum requirements for persons or businesses that seek to offer water line and/or sewer main line protection plans to homeowners.
- C-14 (2007) Mayor Dean J. Mazzearella: Request the City Council take by Eminent Domain, properties as they pertain to the Bridge Replacement Project on Mechanic Street over the Nashua River and shown on a plan entitled “Mechanic Street Right of Way Plans Easement Plan”.

Lynn A. Bouchard
City Clerk
September 18, 2008