

HEARING BEFORE THE CITY COUNCIL, SEPTEMBER 8, 2008

Hearing opened at 7:39 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee presiding.

All members were present.

Present at the hearing was David Duncan representing Health Alliance.

This hearing is a continuance from August 11, 2008.

The following PETITION was the subject of the hearing:

103-08 Gail M. Allen, Chairman of the Board of Trustees and Patrick L. Muldoon, President and Chief Executive Officer, Health Alliance: Modify the Health Care Overlay District, Article XIII as shown on a plan entitled "Modification to the Health Care Overlay District, Article XIII"

David Dunkin, Corporate Vice President at Health Alliance, said he presented the plan to the Planning Board and last Friday they toured the campus. He said they are continuing to work with the neighbors to address any and all concerns. He said when he presented the plan to the Planning Board he heard the same questions and concerns as what was addressed by the Council.

He said regarding the two remaining houses near McKay Street and Washington Street, they will pull those two houses out of the overlay district and give them their appropriate buffer. He said they have reduced the core envelope so there will not be a seven story building looking at DiMassa Drive. The maximum height will be five stories high. The buffer zone will not be reduced near DiMassa Drive and will be maintained at 75 feet that was originally approved thirteen years ago. He said the landscape designer submitted a plan for the Memorial Drive-DiMassa Drive area showing what they are trying to do. He said the plan came out well. He said some of the Councillors, the Planning Board and Peter Latchis have seen the plan.

He said he has been working with Councillor Marchand on the definition of what the hospital overlay district means and what can happen up to that line and the definition of the development envelope and what can happen up to that line and what can happen in between. He said they are working on crisp easy wording that will describe exactly what they mean and what they don't mean. He said he is still in discussion with one neighbor/abutter behind McDonald's whose property they currently do not own. He said it is a work still in progress.

Mr. Dunkin said he and the hospital will be pro-active leaders in working as a team on the Nelson Street Route 12 light in dealing with the McDonald's, CVS and the Watertown Plaza people to try to improve that.

Councillor Marchand said he is very pleased with the direction Health Alliance is going in to mitigate the concerns of the neighborhood. He said Mr. McCarty, his son, Mr. Dunkin, the representatives, the landscaper and people from the outside like Mr. Gagne have been extremely helpful trying to put together a win win package for this City. He said there is a lot of work to be done and he is glad these issues were addressed.

Councillor Marchand asked Mr. Dunkin to share some light on the multi-use concept.

Mr. Dunkin said they are looking to work with a developer to utilize that space as an office building that would be able to accommodate future physicians, office, hospital clinic needs but also partner with a developer. He said they are working with some banks, specifically Workers Credit Union about putting a potential branch there on the first floor and maybe some professional uses. He said the concept is that the hospital will not build that building. The hospital would do a land lease and then the hospital would become a major tenant in the building so they will not have to use their capital.

No one in the audience spoke in favor or against this petition.

HEARING ADJOURNED AT 7:55 P.M.

Lynn A. Bouchard, City Clerk
And Clerk of the City Council

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 8, 2008

Meeting was called to order at 8:00 P.M.

Attendance was taken by a roll call vote; all members were present.

The Committee on Records reported that the records through July 28, 2008 were examined and found to be in order. The records were accepted.

A recess was called at 8:02 P.M. to have a presentation of information on trash removal and recycling by the Mayor, Purchasing Agent Greg Chapdelaine and Health Director, Christopher Knuth. .

The Meeting reconvened at 9:00 P.M.

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

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

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 8, 2008, continued

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Planning Board, the Conservation Commission, the Building Inspector, the Health Inspector and the Department of Public Works. A hearing was set for October 14, 2008 at 7:15 P.M. Vt. 9/0

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.

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

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

Dennis Rosa, Chairman of the Finance Committee, read the Financial Report for the City into the record. Account balances are as follows:

Emergency Reserve Account	\$136,000.00
Stabilization Account	\$8,712,152.38
Interest Earned	\$362,471.88

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 “yeas”. Councillor Tocci abstained due to a possible conflict of interest.

C-13 Relative to the appropriation of \$16,000.00 to the Sanitation and Drainage Account; same to be transferred from the Emergency Reserve Account.

ORDERED: - that the sum of Sixteen Thousand Dollars (\$16,000.00) be appropriated to the Sanitation and Drainage Account; same to be transferred from the Emergency Reserve Account.

RE: Wilder Road and parking lot for Walgreens

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was AMENDED. Vt. 8 “yeas” and 1 “nay”; Councillor Freda opposed. Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9 “yeas” The amendment is to update version 1.2 with version 1.3 (changes on pages 11 and 12)

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.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 9/0

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.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITIONS were given FURTHER TIME. Vt. 9/0
A vote was taken to request Greg Chapdelaine, Purchasing Agent, to attend the subcommittee meeting September 17, 2008 at 6:45 P.M. Vt. 9/0

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.

Upon request of the LEGAL AFFAIRS and WAYS & MEANS COMMITTEES, the following PETITION was given FURTHER TIME. Vt. 7/2; Councillors Rosa and Salvatelli opposed.

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.

REGULAR MEETING OF THE CITY COUNCIL, SEPTEMBER 8, 2008, continued

Upon recommendation of the WAYS & MEANS COMMITTEE, the following APPOINTMENT was CONFIRMED. Vt. 9 “yeas”

Emergency Management – Administration Unit – Dustin Smith

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for September 22, 2008 at 7:30 P.M. Vt. 9 “yeas”

1st Reading Ordinance – amend 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.

Under New Business, Councillor Lanciani commented on the downtown area how neat and clean it is and how the business owners are sprucing up their businesses.

Subcommittees were established for September 17, 2008

6:30 P.M. Finance Committee

6:35 P.M. Legal Affairs & Finance Committees

6:45 P.M. Ways & Means Committee

7:00 P.M. Legal Affairs Committee

Under Old Business, Councillor Dombrowski, Chairman of the President’s Drinking Water Oversight Committee, requested that all comments for the September 18, 2008 meeting be forwarded to him before the meeting so a list can be made.

Councillor Rowlands, Chair of the LEGAL AFFAIRS COMMITTEE, moved that the following PETITION be removed from the table and placed on the calendar for action. It was so voted 9/0. Committee reports as follows:

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. FURTHER TIME. Vt. 9/0

MEETING ADJOURNED AT 10:10 P.M.

Lynn A. Bouchard, City Clerk
And Clerk of the City Council