

HEARING BEFORE THE COUNCIL, MARCH 10, 2008

Hearing opened at 7:08 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee presiding.

All members were present except Councillors Salvatelli and Dombrowski.

Present at the hearing were James Xarras owner of the property and Tony Aveni of Metro North Associates Associates.

The following PETITION was the subject of the hearing:

45-08 James L. Xarras, Union Square Realty Trust: Grant a Special Permit to use 70% of a vacant Industrial complex at 453-511 Lancaster Street located in an Industrial Zone and shown on Assessor's Map 443A, Lots 1 and 6 for a Mixed Use Project.

Councillor Rowlands said he spoke with the Chairman of the Planning Board to touch base to see where this project is with them. Councillor Rowlands said the Planning Board Chairman said they would want to see a Master Plan which shows the overall development of the site including the property lines, the footprint and dimensions of all proposed buildings, the parking areas for all uses and a legend with percentage of all use proposed for a Mixed Use Development Project which is imbedded in the Section 24.2.5.1.1 which deals with over 20 acre sites. A Master Plan is not mentioned in the section for under 20 acres. He said for parcels under 20 acres it is not a requirement in the Zoning Ordinance but can be by the Planning Board.

Councillor Rowlands said he and Councillor Tocci went on a site visit at this location. He said this site is 227,000 square feet of very mixed industrial space and there is some being used as industrial which is unique. He said the Mixed Use Developments that are in Leominster do not have industrial use in them. Councillor Rowlands said there are viable valuable industrial opportunities in the building we saw on the site visit and it is important it be maintained. He said, however, this space is not conducive to the industry today. He said the ceilings are low and pillars go down the middle of the building. He said those are the areas that will probably be considered for commercial. Councillor Rowlands spoke on the inadequacy of the Zoning Ordinance. He also said parking was in issue with this location and is an issue with the Chairman of the Planning Board. He said he was assured by the Chairman of the Planning Board that parking, traffic and traffic studies will be part of the Site Plan approval.

Councillor Tocci said she agreed with Councillor Rowlands and said the site visit opened her eyes to how unique this project is going to be. It is very large and the buildings are continuous. She said there are parts of the buildings that are not conducive to any type of manufacturing today and the area that the applicant pointed out that is going to be raised with the wall to add parking was a great idea. She said she better understood the plan after the site visit. She said she thinks the front of the property needs to be addressed as far as the curb cuts and parking in the front.

Tony Aveni of Metro North Associates said it is a unique site and one of the things they wanted the Council to see was some of the buildings that are not conducive for manufacturing but can be used for retail and office. He said the parking shows 180 parking spaces and with the elevation of the wall will give an estimated additional 50 parking spaces and will make the front appearance better. He said the buildings in the back are not conducive to industrial and would be better utilized for office space and retail. He said they feel that this is a good project and they have done a lot of cosmetic work and cleanup.

Councillor Rowlands said after site visit they questioned if office space is allowed by right in both Industrial and Commercial zones. You are asking for 70% commercial but in reality some portion of that is allocated for office space. He said he wants to separate commercial from office space and asked Mr. Aveni what the percentage allocated for office space was.

Mr. Xarras said the problem is they are attempting to negotiate leases with perspective tenants and the zoning in the City is something they can't change, they have to live with the existing zoning. He said currently in the City of Leominster you cannot warehouse in an industrial project. He said that is a warehouse and in order for me to rent to a tenant who wants to warehouse he would have to rezone it to Commercial. He said he has an international air company that wants to lease space on that property and he is afraid to engage the contracts until the zoning situation is resolved. He said he needs some latitude and the ability to accommodate these tenants. He said some of it is office and he doesn't consider office space manufacturing. He said office space that is incidental to manufacturing he considers it manufacturing. He said if he had a large facility that is manufacturing and he needed a few offices for interviews or meetings and conferences and it is ancillary and consistent to the manufacturing that is manufacturing. That is not what the offices are that we are proposing.

Councillor Rowlands said the big question is how much commercial and what type of commercial is going to go on that site.

Mr. Xarras said about 20,000 square feet of the space of the current layout is assigned for office space but until the leases are signed and engaged that is just a concept and all we are asking for you to approve is the concept.

Councillor Rowlands asked if phasing of 25% commercial would give them the flexibility to move forward to make it succeed?

Mr. Xarras said most of the investment has already been made. He said they have a lot of engineering work done and have a very good idea what they want to do with the property. He said Tony Aveni has done a tremendous job. The percentage limitation is not a problem to him but it will be a problem with the Planning Board. He said the 70% commercial, 30% industrial has been submitted and received approval from the Planning Board. He said he needs to propose whether the Council wants it phased out and do a percentage and come back to be revisited, he is not opposed to that. He said he needs to get the final numbers 70%:30% or 60%:40% so he can get the through the Planning Board with a Site Plan.

Councillor Rowlands said if the project was allowed could there be a phase or a percentage where we can take a break to gauge where we are and how it is working and how does this concept come together?

Mr. Xarras said the industrial component is completely filled and they would not occupy any commercial space until the industrial component is filled and remains filled. He said as for the commercial aspect of it, he has the leases and the letters of

HEARING BEFORE THE CITY COUNCIL, MARCH 10, 2008, continued

intent with proposed leases which are pending and cannot sign them until he gets approval from the Council. Currently there is about 58,000 square feet that is contemplated with letters of intent. He said he needs to make a commitment to the 58,000 square feet or he will have to let them go. He needs to sign the agreement with the international air company and have them occupy the space by April 15, 2008 or they will go to Fitchburg.

Councillor Tocci asked if this is why he took this route because he didn't want to do the Special Permit for certain sections of that property?

Mr. Xarras said he has observed a process similar to this that went space by space. He said it might be okay in a small facility but with this facility he'd be here every meeting and we would be walking that site three times a month. He said it makes more sense to get one large application and if you want to phase it and limit the use of the commercial space, we are in agreement with that. We don't mind coming back to revisit it. He said he has put in just as much money to clean it up and modernizing it as he has to purchase it. It is going to be something that the City is going to be proud of.

No one in the audience spoke in favor or in opposition to this petition.

Councillor Marchand asked if he is planning on demolishing and rebuilding or are you going to use the existing inventory in its entirety?

Mr. Xarras said the existing buildings are primarily staying as they are. There are small block buildings that they use for storage on sight that will be removed. He said there are small wings that interfere with the proper flow of traffic and they would probably like to demolish them.

Councillor Marchand said the petition states 70% of the vacant industrial complex. He asked Mr. Xarras if he is talking about the complex as it sits today or the vacant buildings?

Mr. Xarras said at the initial time of application these tenants were not on the property.

Councillor Marchands asked if we could strike "vacant"

Mr. Xarras said yes.

Councillor Marchand asked the applicant if he has done this in another community.

Mr. Xarras said most of the communities that he has developed were old mill type buildings which were converted into either office space or residential complexes. He said as Councillor Rowlands said the zoning in Leominster is very unique and that use is very limited in the Industrial zone. Most communities have several levels of Industrial zone and several levels of Commercial zone. It is very unique to find a community with just one level of Industrial and one level of Commercial.

Councillor Marchand asked if this is similar to Colony Mill Market Place in Keene, New Hampshire.

Mr. Xarras said it is similar but it is more accurately like the one in Ayer, Massachusetts called Pheonix Park which was an old mill and is mixed use.

Councillor Marchand asked how the 70% came into play.

Mr. Xarras said 70% is the strongest amount of commercial that he could utilize. 30% of that building has 13 AKV power which is designed and built and structured to house manufacturing. The infrastructure on certain portions of that building has millions of dollars of value to it and to utilize that other than industrial purpose, in his opinion, would not be the best use of that property. He said that is about 30% of that facility. The remaining 70% is open and can be utilized in many different ways. So we know the 30% should never be anything but industrial and we tried to use a mixed use concept on the 70% as open commercial.

Councillor Marchand asked if they could explain how the front entrance of the complex is going to look as far as traffic flow.

Mr. Aveni said they were planning on keeping the trailer traffic on the outside of the property for Monson Chemical. There is an extremely large curb cut from the wall of the Knights of Columbus running about 300 feet. He would like to propose directional islands which would be constructed on private property. They are trying to keep the trucks out so the cars can pass in a safe fashion. He said the Planning Department agreed. Mr. Aveni spoke on the road improvements that have been made as a result of the traffic study for Wal-Mart and Lowes that were made.

Councillor Marchand asked if there were any easement or partnerships that have to be formed in order for you to complete the traffic flow into the parking and out of the park.

Mr. Xarras said all the property that they would cross and re-cross are owned and maintain by them and they are not aware of any easements. He said there is an area adjacent to them on the Monson Chemical side owned by a developer who has been extremely good to them and easy to work with. His trucks cross their property. He is negotiating a deal right now where the developer will take ownership of the land and give them an easement for them to pass and re-pass and will also convey a piece of land that will give him about 25 additional parking spaces.

Councillor Lanciani asked if the 70% of the proposed contracts that are pending were dependant upon if this 70% if it is allowed.

Mr. Xarras said correct.

HEARING ADJOURNED AT 8:25 P.M.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 10, 2008

Hearing opened at 8:25 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee presiding.

All members were present except Councillor Salvatelli.

The following PETITION was the subject of the hearing:

55-08 Elizabeth Kelley, agent for Walton Whitney Investors V, LLC: Grant a Special Permit for emergency repairs of a damaged corrugated metal pipe and repair the surrounding river dike that has eroded at 100 Commercial Road and shown on Assessor's Map 567, as Lot 12 located within a Flood Plain.

Introduced and made part of the record were the following:

- A. Petition #55-08 submitted by Elizabeth Kelley, agent for Walton Whitney Investors V, LLC with accompanying plan prepared by Brian F. Milisci, Professional Engineer, Whitman & Bingham Associates, 510 Mechanic Street, Leominster, Massachusetts, entitled "Proposed Drain & Dike Repair Plan for The Mall At Whitney Field in Leominster, Massachusetts" dated January 22, 2008 along with a GIS aerial of 100 Commercial Road.
- B. Notice of public hearing published in the Sentinel & Enterprise on February 18, 2008 and February 25, 2008.
- C. Positive letters of recommendations from the Health Inspector, Planning Board, Director of Inspections, Department of Public Works and the Conservation Commission.

Councillor Rowlands said he had a conversation with a gentleman from Whitman & Bingham regarding the above petition. He said the work has been given emergency repair status and they are moving forward with it. Councillor Rowland read the recommendations from the Conservation Commission, the Building Inspector and the Department of Public Works.

Edward Gagne of 29 North Meadow Road spoke in favor request that the Council gives this petition the expedited approval it requires for repairs.

Councillor Nickel asked Mr. Gagne the location of this repair.

Mr. Gagne said it is to the slight rear of Toys R Us area.

No one in the audience spoke in opposition of this petition.

HEARING ADJOURNED AT 8:32 P.M.

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

HEARING BEFORE THE CITY COUNCIL, MARCH 10, 2008

Hearing opened at 8:32 P.M. with Councillor Rowlands, Chair of the Legal Affairs Committee presiding.

All members were present except Councillor Salvatelli.

The following PETITION was the subject of the hearing:

Amend Section 16-30 of the Revised Ordinances entitled "Compensation Grades" creating a new Schedule P (1) thru P (5) Police Pay Scale to reflect the increase in wages 3% P-1 thru P-5 effective 7-1-2006, 4% P-1 and P-5 effective 7-1-2007, 5% P-2 thru P-4 effective 7-1-2007, 4% P-1 thru P-5 effective 7-1-2008 and effective 7-1-2007 an addition 1% of Base for Global Positioning System (GPS) Implementation for P-1 and P- 5 only.

Councillor Rowlands said this to reflect the contract negotiations that were voted on last week. He said there was a typographical error in two sections and will be address in the regular City Council meeting.

No one in the audience spoke in favor or in opposition to this Ordinance.

HEARING BEFORE THE CITY COUNCIL, MARCH 10, 2008, continued

Councillor Freda asked Councillor Rowlands to explain the 1% of Base for Global Positioning System .

Councillor Rowlands said he was not involved in the contract approval but it is his understanding that it is a raise given as part of negotiations that will have Global Positioning Systems in the vehicles which will allow them to be tracked.

Councillor Rosa said that was his understanding too.

HEARING ADJOURNED AT 8:38 P.M.

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

REGULAR MEETING OF THE CITY COUNCIL, MARCH 10, 2008

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

Attendance was taken by a roll call vote; all members present except Councillor Salvatelli.

The Committee on Records reported that the records through February 25, 2008 were examined and found to be in order. The records were accepted.

A recess was called at 8:02 P.M. to continue the public hearings and hold a public forum.

The meeting reconvened at 8:48 P.M.

Councillor Rosa, Chairman of the Finance Committee, read the Financial Report for the City into the Record. Account Balances are as follows:

Excess and Deficiency Account (Free Cash)	\$1,818,202.00
Emergency Reserve Account	\$6,450.00
Stabilization Account (As of 12/31/07)	\$8,571,029.19
Interest Earned for FY'08	\$221,348.69

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

- C-101 Relative to the appropriation of \$35,000.00 to the Police and Fire Indemnification Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-102 Relative to the appropriation of \$10,000.00 to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.
- C-103 Relative to the appropriation of \$8,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account.
- C-104 Relative to the appropriation of \$20,000.00 to the Personnel Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-105 Relative to the appropriation of \$13,000.00 to the Sidewalk & Curbing Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-106 Relative to the appropriation of \$40,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-107 Relative to the appropriation of \$140,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

The following PETITION was received, referred to the PUBLIC SERVICE COMMITTEE and given REGULAR COURSE. A Hearing was set for March 24, 2008 at 7:30 P.M. Vt. 8/0

- 58-08 National Grid: Kingman Drive: Install five singly owned poles on Kingman Drive beginning at a point approximately 227 feet north of the centerline of the intersection of Exchange Street and continuing approximately 972 feet in a northerly direction.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 10, 2008, continued

The following PETITION was received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Police Department, Fire Department and the Department of Public Works.

59-08 Robert Salvatelli: Remove the current "No Parking Between Signs" on Crestfield Lane (north side) from West Street for three hundred fifteen feet west and replace with a new "No Parking" on Crestfield Lane (north side) beginning 60 feet from West Street to 60 feet into Crestfield Lane.

The following PETITION was received, referred to the PUBLIC SAFETY COMMITTEE, given REGULAR COURSE and referred to the Police Department, Fire Department and the Department of Public Works.

60-08 Roger LaPointe, Leominster Fire Department: Close off and secure West Street from Main to School Street and Park Street, from 7:00 A.M. to 11:00 A.M. and Church Street from 7:00 A.M. until 1:00 P.M. on Sunday June 8, 2008 for the Leominster Firefighters Relief Association to conduct a memorial service and dedication.

The following PETITION was received, referred to the CITY PROPERTY COMMITTEE and given REGULAR COURSE.

61-08 Roger LaPointe, Leominster Fire Department: Allow the use of the John Tata Auditorium on Sunday, June 8, 2008 from 7:30 A.M. to 9 A.M. to hold a memorial mass in memory of departed members of the Leominster Fire Department.

The following PETITION was received, referred to the WAYS & MEANS COMMITTEE, given REGULAR COURSE and referred to the Treasurer.

62-08 Fred R. Tousignant: Renew the Second Hand Dealers License for premises located at 92 Pleasant Street.

The following PETITIONS were received, referred to the WAYS & MEANS COMMITTEE, given REGULAR COURSE and referred to the Treasurer and the License Commission.

63-08 Phillip McBain: Renew the license for two pool tables at Captains Lounge, 1536 Main Street.

64-08 Aime Lemoine: Renew the license for one pool table at 7R's Inc., d/b/a A&R's Double Inn, 166 Water Street.

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

Leominster Police Department - Permanent Promotions
Scott Bernier, Lieutenant
Matthew C. Swaine, Sergeant

The following RE-APPOINTMENT was received, referred to the WAYS & MEANS COMMITTEE and given REGULAR COURSE.

Registrar of Voters – term to expire April 15, 2011
Nancy Piermarini

Upon recommendation of the FINANCE COMMITTEE, the following PETITIONS were GRANTED and ORDERED. Vt. 8 yeas"

C-92 Relative to the appropriation of \$90,000.00 to the Rockwell Pond Improvement Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Ninety Thousand Dollars (\$90,000.00) be appropriated to the Rockwell Pond Improvement Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Funds for final design on repairs and permitting assistance for the Rockwell Pond Dam.

C-93 Relative to the appropriation of \$300.00 to the Cemetery Expense Account; same to be transferred from the Barnaby Income Trust Fund Account.

ORDERED: - that the sum of Three Hundred Dollars (\$300.00) be appropriated to the Cemetery Expense Account; same to be transferred from the Barnaby Income trust Fund Account.

RE: Funds for purchasing flowers placed at the cemetery entrance, mausoleum and common areas.

C-94 Relative to the appropriation of \$750.00 to the Cemetery Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Seven Hundred Fifty Dollars (\$750.00) be appropriated to the Cemetery Expense Account; same to be transferred from the Excess and Deficiency Account.

RE: Funds are needed to pay for gas and oil for the Cemetery Department's office and garage.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 10, 2008, continued

C-95 Relative to the appropriation of \$2,500.00 to the Cemetery Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Two Thousand Five Hundred Dollars (\$2,500.00) be appropriated to the Cemetery Overtime Account; same to be transferred from the Excess and Deficiency Account.

RE: The funds are needed to pay for Saturday burials and other overtime labor.

C-96 Relative to the appropriation of \$3,000.00 to the Cemetery Expense Account; same to be transferred from the Perpetual Care Income Account.

ORDERED: - that the sum of Three Thousand Dollars (\$3,000.00) be appropriated to the Cemetery Expense Account; same to be transferred from the Perpetual Care Income Account.

RE: The funds are needed for ongoing maintenance of the cemetery grounds.

Upon recommendation of the FINANCE COMMITTEE, the following PETITION was GRANTED. Vt. 8 yeas”

C-98 Dean J. Mazzarella, Mayor: Approve the acceptance of a cash distribution of \$300.00 in connection with the 2002 settlement of the antitrust case brought by the Massachusetts Attorney General’s Office and the Attorney General for the Leominster Public Library.

Upon recommendation of the FINANCE COMMITTEE, the following PETITIONS were GRANTED and ORDERED. Vt. 8 yeas”

C-99 Relative to the appropriation of \$110,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of One Hundred Ten Thousand Dollars (\$110,000.00) be appropriated to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account.

C-100 Relative to the appropriation of \$30,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

ORDERED: - that the sum of Thirty Thousand Dollars (\$30,000.00) be appropriated to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was AMENDED. Vt. 8 “yeas” Amended by removed “70% of vacant”. Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 5 “yeas” and 1 “nay”; Councillor Freda opposed. Councillor Nickel abstained because he was not present at the hearing and Councillor Dombrowski abstained due to a possible conflict of interest. Councillor Rowlands disclosed his wife works for Attorney Dombrowski who represents Mr. Xarras and that he nor his wife have any financial gain from this project.

45-08 James L. Xarras, Union Square Realty Trust: Grant a Special Permit to use an Industrial complex at 453-511 Lancaster Street located in an Industrial Zone and shown on Assessor’s Map 443A, Lots 1 and 6 for a Mixed Use Project.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 8 “yeas”

55-08 Elizabeth Kelley, agent for Walton Whitney Investors V, LLC: Grant a Special Permit for emergency repairs of a damaged corrugated metal pipe and repair the surrounding river dike that has eroded at 100 Commercial Road and shown on Assessor’s Map 567, as Lot 12 located within a Flood Plain.

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED and ORDERED. Vt. 8 “yeas” Councillor Tocci abstained from #3 due to a possible conflict of interest. Councillors Nickel, Freda, Lanciani disclosed that they are on some of the Boards but do not have any financial interest.

C-97 Relative to the appropriation of \$507,270.00 to the following accounts for the Year 34 Community Development Block Grant.

1. Board of Health-Code Enforcement	\$78,778.00
2. Leominster Office of Planning & Development-Economic Development Program	72,090.00
3. Leominster Office of Planning & Development-Housing Rehab Program (Includes \$10,000 for Elder Rehab Services)	178,878.00
4. Leominster Office of Planning & Development-Planning & Administration	101,454.00
5. Battered Women’s Resources-Second Chance Program	4,600.00
6. Beacon of Hope-Respite Services	8,500.00
7. Leominster Community Coalition-No Place for Hate	880.00
8. Leominster Mayor’s Office-Energy Assistance Program	6,000.00
9. Leominster Mayor’s Office-Summer Youth Program	14,500.00

REGULAR MEETING OF THE CITY COUNCIL, MARCH 10, 2008, continued

10. Leominster Mayor's Office-State Pool Fee Assistance	1,250.00
11. Leominster Recreation Department-Summer Financial Assistance	700.00
12. Montachusett Addiction Council-MAC Substance Abuse Center	4,300.00
13. Montachusett Home Care-Money Management for the Elderly Program	4,600.00
14. Montachusett Interfaith Hospitality Network-Interfaith Network	9,000.00
15. Montachusett Opportunity Council-Hmong Liaison Program	2,750.00
16. Multi-Service Center, Inc.-For Your Health	5,700.00
17. Multi-Service Center, Project Youth	1,100.00
18. Spanish American Center-Community Outreach Worker (Information & Referral) Total for both SAC programs	4,930.00
19. Spanish American Center-Verano Alegre/Summer Fun	See above
20. Veterans Hospice Homestead-Hero Homestead	7,260.00

ORDERED: - that the sum of Five Hundred Seven Thousand, Two Hundred Seventy Dollars (\$507,270.00) be appropriated to the following accounts for the Year 34 Community Development Block Grant.

1. Board of Health-Code Enforcement	\$78,778.00
2. Leominster Office of Planning & Development-Economic Development Program	72,090.00
3. Leominster Office of Planning & Development-Housing Rehab Program (Includes \$10,000 for Elder Rehab Services)	178,878.00
4. Leominster Office of Planning & Development-Planning & Administration	101,454.00
5. Battered Women's Resources-Second Chance Program	4,600.00
6. Beacon of Hope-Respite Services	8,500.00
7. Leominster Community Coalition-No Place for Hate	880.00
8. Leominster Mayor's Office-Energy Assistance Program	6,000.00
9. Leominster Mayor's Office-Summer Youth Program	14,500.00
10. Leominster Mayor's Office-State Pool Fee Assistance	1,250.00
11. Leominster Recreation Department-Summer Financial Assistance	700.00
12. Montachusett Addiction Council-MAC Substance Abuse Center	4,300.00
13. Montachusett Home Care-Money Management for the Elderly Program	4,600.00
14. Montachusett Interfaith Hospitality Network-Interfaith Network	9,000.00
15. Montachusett Opportunity Council-Hmong Liaison Program	2,750.00
16. Multi-Service Center, Inc.-For Your Health	5,700.00
17. Multi-Service Center, Project Youth	1,100.00
18. Spanish American Center-Community Outreach Worker (Information & Referral) Total for both SAC programs	4,930.00
19. Spanish American Center-Verano Alegre/Summer Fun	See above
20. Veterans Hospice Homestead-Hero Homestead	7,260.00

Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was AMENDED. Vt. 7/1; Councillor Freda opposed. Amended by adding "No DVD's, Audio or video tapes shall be destroyed if the subject Council meeting or hearing, or the record itself, is the subject of ongoing litigation or a pending public records request. Such records may thereafter be destroyed in accordance with this rule and the Public Records Law." Upon recommendation of the WAYS & MEANS COMMITTEE, the following PETITION was GRANTED AS AMENDED. Vt. 7/1; Councillor Freda opposed.

53-08 Lynn Bouchard and Robert Salvatelli: Add to the City Council's Rules and Procedures a rule allowing for the destruction of DVD's, Audio and Video Tapes of the City Council Meeting after two years. No DVD's, Audio or video tapes shall be destroyed if the subject Council meeting or hearing, or the record itself, is the subject of ongoing litigation or a pending public records request. Such records may thereafter be destroyed in accordance with this rule and the Public Records Law.

Councillor Dombrowski, Chairman of the President's Drinking Water Oversight Committee, said they are still trying to get Roger Brooks, Pat LaPointe and Woodward & Curran to come in and give an update. He said Woodward & Curran requested that the report be in writing and will come in subsequent to that. The Committee did not have a problem with the request.

The following ORDINANCE was read a second time, AMENDED, ADOPTED AS AMENDED and passed to be ordained. Vt. 7 “yeas”; Councillor Tocci abstained due to a possible conflict of interest. Amended by striking “5% P-2 thru P-4 effective 7-1-2006”, changing “4% P-1 and P-5 effective 7-1-2007” and “Implementation for P-1 and P-5” to read “4% P-1 thru P-5 effective 7-1-2007” and “Implementation for P-1 thru P-5.”

The City of Leominster
In the year two thousand and eight



THE CITY OF LEOMINSTER

In the year two thousand and eight

An Ordinance

To increase salaries & wages by 3% P-1 thru P-5 effective 7-1-2006
To increase salaries & wages by 4% P-1 thru P-5 effective 7-1-2007
To increase salaries & wages by 4% P-1 thru P-5 effective 7-1-2008.

Be it ordained by the City Council of Leominster, as follows:

Amend Section 16-30 by deleting schedule (c):
in its entirety and inserting in its place therein, the following:

Schedule P (1) thru P (5) Police pay scale

Effective 7-1-2006		FY-07				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	40,731	42,901	45,001	45,451	46,824	48,697
P-2						58,436
P-3						67,201
P-4						77,281
P-5						97,394
Effective 7-1-2007		FY-08				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	42,360	44,617	46,801	47,269	48,697	50,645
P-2						60,774
P-3						69,890
P-4						80,374
P-5						101,290
Effective 7-1-2008		FY-09				
	Minimum	Step 1	Step 2	Step 3	Maximum	Detective
P-1	44,054	46,402	48,673	49,160	50,645	52,761
P-2						63,205
P-3						72,686
P-4						83,589
P-5						105,342

Effective 7-1-2007 there is an additional amount of 1% of Base for Global Positioning System (GPS) Implementation for P-1 thru P-5.

The following motion was made by Councillor Rowlands and seconded by Councillor Lanciani: Authorize the City Clerk to send a letter to the Building Inspector’s office asking the Building Inspector to visit 375 Harvard Street and to confirm that the conditions of the Special Permit issued by this body, for this location, is being adhered to. The City Council also asks that the Building Inspector reply in writing within 30 days confirming his finding at this location. If after 30 days the City Council does not have a letter which confirms adherence to the conditions in the Special Permit the City Clerk will put this Special Permit on the agenda for the next available City Council meeting. VT. 7/1; Councillor Freda opposed.

The following motion was made by Councillor Rowlands and seconded by Councillor Lanciani: Authorize the City Clerk to send a letter to the Building Inspector’s office asking for the Building Inspector to visit 195 Hamilton Street and to confirm that the conditions of the Special Permit issued by this body for this location is being adhered to. The City Council also asks that the Building Inspector reply in writing within 30 days confirming his findings at this location. If after 30 days the City Council does not have a letter which confirms adherence to the conditions in the Special Permit, the City Clerk will put the Special Permit on the agenda for the next available City Council meeting. VT. 7/1; Councillor Freda opposed.

Under New Business Council President Marchand read the following list of upcoming events.

Tri City Council meeting –March 26, 2008
25th Anniversary of the Thayer Symphony-March 27, 2007
Informational Meeting with Sholan Farms-March 24, 2008 at 6:30 P.M.
Eric Gerhard Fundraiser-March 22, 2008 at 7:00 at KFC
Leominster Firefighters Annual Award Ceremony-March 19, 2008 at 6:00 P.M. in the Auditorium

Councillor Marchand said that on behalf of the Leominster City Council he would like to send out congratulations to the Leominster Cheerleaders who won the State championship.

Councillor Marchand said during the public forum when he heard “crisis level in our schools” he wanted to hear more about what was happening to see if it pertained to any thing before the Council from a financial view. He said a letter will be sent to the Superintendent and the Chairman of the School Committee regarding allegations brought forth against them and request they attend the March 24, 2008 meeting at 7:00 P.M. for a presentation regarding the comment that were made. Invitees will be the Chairperson and Vice Chairperson of the School Committee, the Superintendent of Schools, the Financial Advisors for the School Department and the School Committee members to respond to the comment that was 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 8/0. Committee reports as follows:

47-08 Robert Walters, agent for Harvard Realty Trust and Scott Bigelow, 375 Harvard Realty LLC and B& B Realty Trust: Rezone two parcels of land known as 391 Harvard Street and 375 Harvard Street and a parcel of land located at the intersection of Harvard and White Streets from Industrial to Commercial. LEAVE TO WITHDRAW WITHOUT PREJUDICE. Vt. 8/0

MEETING ADJOURNED AT 10:26 P.M.

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