

Council President

David R. Cormier

Council Vice President

Pauline M. Cormier



Councillors-at-Large

Thomas F. Ardinger

Susan Chalifoux-Zephir

Todd M. Deacon

Claire M. Freda

Ward Councillors

Ward 1 – William A. Brady

Ward 2 – Pauline M. Cormier

Ward 3 – David R. Cormier

Ward 4 – Mark C. Bodanza

Ward 5 – Peter A. Angelini

AGENDA

CITY OF LEOMINSTER

CITY COUNCIL

JUNE 26, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS

RECEIVED
LEOMINSTER CITY CLERK
2023 JUN 22 PM 12: 03

PUBLIC HEARING, 6:40 P.M.

52-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled “Motor Vehicles and Traffic.”

Chapter 13, Section 13-24 of the Revised ordinance entitled “No Parking on Certain Streets” is hereby amended by **deleting** the following text:

Stearns Avenue (north side) from Highland Avenue to Blossom Street, between the hours of 7:30 AM to 3:30 PM

Stearns Avenue (south side) from Highland Avenue to Blossom Street, between the hours of 7:30 AM to 3:30 PM

Chapter 13, Section 13-24 of the Revised ordinance entitled “No parking on Certain Streets” is hereby amended by **inserting** the following text:

Stearns Avenue (north side) from Highland Avenue to Arlington Street, between the hours of 7:30 AM to 3:30 PM, Monday-Friday

Stearns Avenue (south side) from Highland Avenue to Arlington Street, between the hours of 7:30AM to 3:30 PM, Monday-Friday (*Legal Affairs; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:40 PM; Majority Vote*)

PUBLIC HEARING, 6:43 P.M.

53-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised Ordinance entitled "No Parking on Certain Streets" is hereby amended by inserting the following text:

Blossom Street (east side) beginning at the intersection of Stearns Avenue and Blossom Street (headed south) ending at 100 feet from the intersection, between the hours of 7:30 AM to 3:30 PM, Monday-Friday

Blossom Street (west side) beginning at the intersection of Stearns Avenue and Blossom Street (headed south) ending at 100 feet from the intersection, between the hours of 7:30 AM to 3:30 PM, Monday-Friday *(Legal Affairs; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:43 PM; Majority Vote)*

PUBLIC HEARING, 6:45 P.M.

45-23 Julio Ramos, Officer; Leominster Police Department: Request an ordinance Amending Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised Ordinance entitled "No Parking on Certain Streets" is hereby amended by inserting the following text:

West Street (north side headed west) from point beginning 709 feet from the intersection of Blossom Street to a point of 794 feet from said intersection. *(Legal Affairs Committee; Regular Course; 06/12/2023; Public Hearing 06/26/2023, at 6:45 PM.)*

PUBLIC HEARING, 6:47 P.M.

47-23 David R. Cormier, Ward 3 Councillor: Request to Amend Chapter 13-77 "Stop signs" and add the following: eastbound traffic on Richard Road at Central Street. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:47 PM)*

PUBLIC HEARING, 6:48 P.M.

48-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Richard Road at Sawtelle Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:48 PM)*

PUBLIC HEARING, 6:49 P.M.

- 49-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against northbound traffic on Kurasowicz Lane at Richard Road. (*Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:49 PM*)

PUBLIC HEARING, 6:50 P.M.

- 50-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Kurasowicz Lane at Sawtelle Road. (*Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:50 PM*)

PUBLIC FORUM, 6:55 P.M.

The public forum is an opportunity for any member of the audience to speak on a matter specifically listed on the Council Agenda. Speakers will be asked to come to the microphone and state their formal name and address along with identifying the specific item(s) they wish to address. Each speaker is respectfully asked to keep their comments within a two (2) minute time frame. The Council will not be responding or answering any questions; however, at the discretion of the Council President, clarification may be given.

- I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 P.M.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL OF COUNCILLORS IN ATTENDANCE**
- IV. APPROVAL OF RECORDS**

- June 12, 2023

V. COMMUNICATIONS FROM THE MAYOR

- C-91 Dean J. Mazzarella, Mayor: Request that an appropriation of \$400,000 be made to the Stabilization Fund; the same amount to be transferred from the Barrett Park Grant Fund. This is to reimburse stabilization for the amount that was paid in advance for the project. *(Finance Committee; Regular Course; 06/26/2023; Majority Vote)*
- C-92 Dean J. Mazzarella, Mayor: Request that Emma Barnaby be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. Emma is currently employed by the City of Leominster School Department and will be taking a position as a Program Director for the Leominster Recreation Department. *(Ways & Means Committee; Regular Course 06/26/2023; Majority Vote)*
- C-93 Dean J. Mazzarella, Mayor: Request that an appropriation of \$55,000 be made to the OPEB contributions line; the same amount to be transferred from the surplus in the general fund Group Insurance line. *(Finance Committee; Regular Course 06/26/2023; Majority Vote)*
- C-94 Dean J. Mazzarella, Mayor: MOVED, in connection with the Twin City Rail Trail Project:

That the City Council of the City of Leominster, on behalf of the City and by virtue of and in accordance with the authority granted by Massachusetts General Laws Chapter 40, Section 14, as amended, and any and every other power and attorney which is here unto in any way enabling, authorize the Mayor to acquire by gift, purchase, or eminent domain, the fee interest in the land and improvements thereon described as mile post QBU 4.19 – QBU 4.58 as shown on an aerial plan entitled “Leominster Mechanic Street Site: MA-027-1083544” on file with the City Engineer, and as shown on a plan of land prepared by CSX Transportation, Inc., entitled “Exhibit A” GIS #55541-001 Leominster Mechanic Street, dated June 30, 2022, on file with the City Engineer;

And, further to appropriate and transfer the sum of \$1,200,000.00 from available funds, including without limitations, funds received from grant from the Massachusetts Executive Office of Energy and Environmental Affairs (“ARPA”), and further, to transfer and dedicate the said property to be acquired for purposes of establishing, constructing, operating, improving, and maintaining an improved multi-use trail for transportation, open space and active recreation purposes, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth; and further to authorize the Mayor to take all such actions and to execute all such documents and agreements as are necessary and/or appropriate to accomplish the foregoing. *(Finance Committee; Regular Course 06/26/2023; 2/3 Vote)*

VI. PETITIONS FIRST TIME ON THE AGENDA

54-23 Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Manchester St - National Grid to install 1 JO Pole on Manchester St beginning at a point approximately 215 feet west of the centerline of the intersection of Lawrence St and continuing approximately 20 feet in a north direction. Install IX pole for new transformer for new solar installation.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Manchester St - Leominster - Massachusetts.

No. 30734708 May 12, 2023

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections

PETITIONS FIRST TIME ON THE AGENDA, continued

with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes. *(Public Service; Regular Course 06/26/2023; Public Hearing 07/10/2023 at 6:50 PM; Majority Vote)*

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT

IX. FINANCE

- C-85 Dean J. Mazzarella, Mayor: Request that an appropriation of \$58,000.00 be made to the Election Capital Account and the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*
- C-86 Dean J. Mazzarella, Mayor: Request that an appropriation of \$45,000.00 be made to the Medicare Insurance Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*
- C-87 Dean J. Mazzarella, Mayor: Request that an appropriation of \$2,000,000 be made to the Capital Stabilization Fund; the same amount to be transferred from the Excess and Deficiency Account (undesignated Fund Balance). *(Finance Committee; Regular Course; Majority Vote)*
- C-88 Dean J. Mazzarella, Mayor: Request that an appropriation of \$10,000.00 be transferred from the Library's Personnel Budget to the Library's Operating Budget:

\$8,000.00 from Part-time to Light
\$1,000.00 from Clerk's to Light
\$1,000.00 from Librarians to Light
(Finance Committee; Regular Course 06/12/2023; Majority Vote)
- C-89 Dean J. Mazzarella, Mayor: Request that an appropriation of \$25,000.00 be made to the department of Public Works Highway Overtime Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*
- C-90 Dean J. Mazzarella, Mayor: Request to accept the local transportation funding aid of \$1,132,023.00 from the Massachusetts Department of Transports into the Highway State Aid Receipts Reserved for Appropriation Account. RE: Chapter 90 Supplement Budget Award for Fiscal Year 2024. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

FINANCE, continued

- 51-23 Gregory C. Chapdelaine, Purchasing Agent: Request to allow the Purchasing Agent to award a contract for the lease of space for a five-year period. **RE: Petition to enter into five-year contract – Lease of Space for Leominster Center for Excellence.** (*Finance Committee; Regular Course 06/12/2023; Majority Vote*)

X. LEGAL AFFAIRS

- 52-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled “Motor Vehicles and Traffic.”

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LEGAL AFFAIRS, continued

- 13-18 Accept the deed for Katie Lane and request the street be taken by eminent domain by the City of Leominster. Petitioner offers to pay any legal fees that may be incurred. *(Legal Affairs; Removed From Table 06/12/2023; Majority Vote)*

XI. WAYS AND MEANS

Appointments

Dean J. Mazzearella, Mayor: Request confirmation of the appointment of Nicole LaPlante to the position of Treasurer/Collector for the City of Leominster for a term of three years; effective June 27, 2023. *(Ways & Means Committee; Regular Course 06/12/2023; Majority Vote)*

Dean J. Mazzearella, Mayor: Request the confirmation of the permanent appointment of Aaron F. Kennedy to the position of Chief of Police for the City of Leominster for a term of five years, effective July 1, 2023. *(Ways & Means; Regular Course 06/12/2023; Majority Vote)*

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. COMMUNITY CALENDAR

XV. ADJOURNMENT

- Katelyn Huffman, City Clerk