

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

JULY 24, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS

PUBLIC HEARING, 6:59 P.M.

- 1-24 Mark C. Bodanza, Ward 4 Councillor; Request to Amend Chapter 13 entitled “Motor Vehicles and Traffic,” Section 13-75 “Speed Limits-Specific Streets” by inserting the following: “Manchester Street, at twenty-five miles per hour.” (*Legal Affairs Committee; Regular Course 07/10/2023; Public Hearing 07/24/2023 at 6:59 PM; Majority Vote*)

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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.

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- 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**

- July 10, 2023

V. COMMUNICATIONS FROM THE MAYOR

- C-4 Dean J. Mazzarella, Mayor: Request confirmation of the permanent appointment of Ryan Malatos to the position of Captain for the City of Leominster, effective August 14, 2023. (*Ways & Means Committee; Regular Course 07/24/2023; Majority Vote*)
- C-5 Dean J. Mazzarella, Mayor: MOVED: 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 Chapter 82, Sections 21-24 and Chapter 79 of the Massachusetts General Laws, as amended, and any and every other power and authority which is hereunto in any way enabling, take by eminent domain, for public way purposes, the fee simple title in and to the roadways shown as “Sawtelle Road”, “Richard Road,” and “Montrose Street” on a plan entitled “Road Acceptance Plan Leominster, Mass. Prepared for Johnny Appleseed Realty, LLC,” dated May, 2019, prepared by David E. Ross Associates, LLC, and recorded with the Worcester North Registry of Deeds in Plan Book 523, Page 25, and to confirm the rights granted to the City by deed recorded with said Deeds in Book 9733, Page 174, which roadways were accepted by the City Council as public ways pursuant to a vote taken by the City Council on January 13, 2020, and, in connection with the foregoing, adopt and execute the Order of Taking provided this date by counsel, and, having determined that no damages are due for said taking and the owners affected by the taking having waived all damages, hereby award no damages for the taking of said land, and, further, execute any and all other documents and take any and all other action as may be necessary or appropriate to accomplish the foregoing. (*Legal Affairs; Regular Course 07/24/2023; 2/3 Vote*)
- C-6 Dean J. Mazzarella, Mayor: Authorize the City of Leominster to pursue \$23,279.00 through the United States Department of Justice – Justice Assistance Grant (JAG) Program. (*Finance Committee; Regular Course; 07/24/2023; Majority Vote*)

VI. PETITIONS FIRST TIME ON THE AGENDA

- 2-24 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 Prospect St beginning at a point approximately 335 feet southeast of the centerline of the intersection of Main St and Prospect St. Install new Pole# 3-50 on Prospect St.

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 - Prospect St - Leominster - Massachusetts. No. 30785769 June 20, 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 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 07/24/2023; Public Hearing 08/14/2023 at 6:50 PM; Majority Vote)*

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT

IX. FINANCE

- C-2 Dean J. Mazarella, Mayor: Request that an appropriation of \$50,000 be made to the FY23 State & County Expense line; the same amount to be transferred from the surplus in the unfunded liability expense line. *(Finance; Regular Course 07/10/2023; Majority Vote)*

FINANCE, continued

C-3 Dean J. Mazzarella, Mayor: Request that the expenses for the Fiscal Year 2024 School Budget for the school, which totals \$99,599,001.00 be reclassified to the following categories.

School Department		
90010000	School Salaries & Wages	\$62,426,431
90020000	School Expenses	31,536,913
90220000	School Transportation	5,588,074
90310000	Crossing Guards	46,428
90320000	Crossing Guard Expense	1,155
	TOTAL:	\$99,599,001

(Finance; Regular Course; 07/10/2023; Majority Vote)

X. LEGAL AFFAIRS

1-24 Mark C. Bodanza, Ward 4 Councillor; Request to Amend Chapter 13 entitled "Motor Vehicles and Traffic," Section 13-75 "Speed Limits-Specific Streets" by inserting the following: "Manchester Street, at twenty-five miles per hour." *(Legal Affairs Committee; Regular Course 07/10/2023; Public Hearing 07/24/2023 at 6:59 PM; Majority Vote)*

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

C-1 Dean J. Mazzarella, Mayor: Request that Brittany Ayers-Ianachino be exempt from the provisions of M.G.L. Chapter 268A, s. 20 (Conflict of Interest Law). Ms. Ayers-Ianachino is currently employed by the City of Leominster School Department and will be taking a position as an Assistant Program Director for our summer programs for the Recreations Department. *(Ways & Means; Regular Course 07/10/2023; Majority Vote)*

XII. NEW BUSINESS

First Reading of an Ordinance

- 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*)

XIII. OLD BUSINESS

Second Reading of an Ordinance

- 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.*)

- 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*)

- 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*)

OLD BUSINESS, continued

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)*

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)*

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)*

XIV. COMMUNITY CALENDAR

- Polar Park – Leominster Day

XV. ADJOURNMENT

- Katelyn Huffman, City Clerk