

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

SEPTEMBER 25, 2023

APPLESEED RESTAURANT

122 GRANITE STREET, LEOMINSTER, MA 01453

2023 SEP 21 PM 2:10
RECEIVED
CITY CLERK

PUBLIC HEARING, 6:30 P.M.

7-24 Sgt. Greg Robichaud: Respectfully request that the ordinance governing the parking garage between Merriam Avenue and Colburn Court be revised. This is due to the fact that the existing ordinance references making payments to parking meters that are no longer in service. The current system used at the parking garage is one of free parking in all areas except where posted "Permit Parking Only" with the permits being issued by the Leominster City Hall. *(Legal Affairs; Regular Course 09/11/2023; Public Hearing 9/25/2023, at 6:30 PM; Majority Vote)*

PUBLIC HEARING, 6:35 P.M.

8-24 Sgt. Greg Robichaud: Respectfully request that the ordinance governing the schedule of parking fines be revised. This is due to the fact that there are modifications and corrections to the existing ordinance that need to be made to bring it into conformance with existing and proposed ordinances. *(Legal Affairs; Regular Course 09/11/2023; Public Hearing 9/25/2023, at 6:35 PM; Majority Vote)*

PUBLIC HEARING, 6:45 P.M.

- 5-24 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:

Mechanic St – National Grid to install 1 JO Pole on Mechanic St beginning at a point approximately 130’ feet east of the centerline of the intersection of Johnny Appleseed Lane and continuing approximately 45 feet in a north direction. Install midspan pole approximately 40’ west of Pole # 89-50 for new service from DOT traffic cameras on I-190. 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- Mechanic St – Leominster – Massachusetts. No. 30611455 July 28, 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 Committee; Regular Course 08/28/2023; Public Hearing; 09/11/2023, at 6:45 PM; Rescheduled due to State of Emergency to 9/25/23 at 6:45PM; Majority Vote)

PUBLIC HEARING, 6:47 P.M.

- 9-24 Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: West St – National Grid to install 1 SO Pole on West St beginning at a point approximately 50’ feet NNW of the centerline of the intersection of West St and University St. Install 1 SO Stub Pole # 50-84 to replace tree guy. 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 – West St – Leominster -Massachusetts. No.# 30844056 September 6, 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. *(Public Service Committee; Regular Course 09/11/2023; Public Hearing 09/25/2023 At 6:47 PM; Majority Vote)*

PUBLIC HEARING, 6:51 P.M.

- 6-24 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:

Maple Ave – National Grid to install 1 JO Pole on Maple Ave beginning at a point approximately 200’ feet north of the centerline of the intersection of Maple Ave and West St. Install new Pole # 1-84 on Maple Ave.

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-Maple Ave – Leominster – Massachusetts. No. 30786056 July 18, 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. *(Public Service Committee; Regular Course 08/28/203; Public Hearing 09/11/2023 at 6:51 PM; Rescheduled due to State of Emergency to 9/25/23 at 6:51 PM; Majority Vote)*

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

- August 14, 2023
- August 28, 2023
- September 18, 2023, Special Meeting

V. COMMUNICATIONS FROM THE MAYOR

VI. PETITIONS FIRST TIME ON THE AGENDA

- 13-24 Mark C. Bodanza, Ward 4 Councillor; Request to amend Chapter 13 of the revised ordinance section 13-75 entitled “Speed limits – Specific Streets” by inserting: “Lowe Street in its entirety, at twenty-five miles per hour” (*Legal Affairs; Regular Course 9/25/2023; Public Hearing 10/10/2023 at 6:40 PM; Majority Vote*)

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT

IX. FINANCE

- 3-24 Claire Freda, Councillor At-large, prohibit the City of Leominster from retaining any equity remaining on a taxpayer’s property after all Municipal tax liability, incurred fees and charges have been satisfied after a foreclosure auction. If a property is sold after the city’s liability has been met, all equity shall be returned to the property owner. Also, that the City shall not engage with any third party that would participate in the practice of “equity theft”. (*Finance Committee; Regular Course 08/14/2023; Majority Vote*)

For Ratification

- C-12 Dean J. Mazzarella, Mayor; Request that an appropriation of \$500,000.00 be made to the Flood Fund: the same amount to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 09/18/2023; 2/3 Vote*)
- C-13 Dean J. Mazzarella, Mayor; Request that an appropriation of \$250,000.00 be made to the Police Department Overtime Account; the same to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 09/18/2023; 2/3 Vote*)
- C-14 Dean J. Mazzarella, Mayor; Request for a vote to approve the adoption of an Emergency Storm Relief Fund. Donations to the Emergency Storm Relief Fund will be accepted in three forms: cash, check and online donation made through an account created on behalf of the City of Leominster by the United Way of North Central Massachusetts. These donations will be distributed to the impacted residents of the City of Leominster on a case by case basis. The list of residents in need continues to grow and the information is being collected by the Mayor’s office. (*Finance Committee; Regular Course 09/18/2023; 2/3 Vote*)

X. PUBLIC SERVICE

- 5-24 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:

Mechanic St – National Grid to install 1 JO Pole on Mechanic St beginning at a point approximately 130’ feet east of the centerline of the intersection of Johnny Appleseed Lane and continuing approximately 45 feet in a north direction. Install midspan pole approximately 40’ west of Pole # 89-50 for new service from DOT traffic cameras on I-190. 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- Mechanic St – Leominster – Massachusetts. No. 30611455 July 28, 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 Committee; Regular Course 08/28/2023; Public Hearing; 09/11/2023, at 6:50 PM. Majority Vote)

- 6-24 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:

Maple Ave – National Grid to install 1 JO Pole on Maple Ave beginning at a point approximately 200’ feet north of the centerline of the intersection of Maple Ave and West St. Install new Pole # 1-84 on Maple Ave.

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-Maple Ave – Leominster – Massachusetts. No. 30786056 July 18, 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. *(Public Service Committee; Regular Course 08/28/2023; Public Hearing 09/11/2023 at 6:51 PM. Majority Vote)*

PUBLIC SERVICE, continued

- 9-24 Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: West St – National Grid to install 1 SO Pole on West St beginning at a point approximately 50’ feet NNW of the centerline of the intersection of West St and University St. Install 1 SO Stub Pole # 50-84 to replace tree guy. 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 – West St – Leominster -Massachusetts. No.# 30844056 September 6, 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. *(Public Service Committee; Regular Course 09/11/2023; Public Hearing 09/25/2023 At 6:47 PM; Majority Vote)*
- 11-24 Massachusetts Electric Company d/b/a National Grid of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named. Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked - Church St & West St Leominster – Massachusetts. The following are the streets and highways referred to: Plan number# 30552233. Church St & West St – National Grid to install +/- 650’ of conduit from Manhole# 19 West St to Manhole #17 Church St. *(Public Service Committee; Regular Course 09/18/2023; Public Hearing 10/10/2023; at 6:50 PM; Majority Vote)*

PUBLIC SERVICE, continued

- 12-24 Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: West St National Grid to install 1 SO Pole on West St beginning at a point approximately 145' feet east of the centerline of the intersection of School St and continuing approximately 18 feet in a north direction. Install 1x new pole approximately 18'. Install new duct bank approximately 120' from MI-122 to Pole # 1 and new Pole # 2-1.

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 – West St – Leominster – Massachusetts.

No.# 30552208 September 11, 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 Committee; Regular Course 09/18/2023; Public Hearing 10/10/2023; at 6:51 PM; Majority Vote)*

XI. LEGAL AFFAIRS

- 7-24 Sgt. Greg Robichaud: Respectfully request that the ordinance governing the parking garage between Merriam Avenue and Colburn Court be revised. This is due to the fact that the existing ordinance references making payments to parking meters that are no longer in service. The current system used at the parking garage is one of free parking in all areas except where posted "Permit Parking Only" with the permits being issued by the Leominster City Hall. *(Legal Affairs; Regular Course 09/11/2023; Public Hearing 9/25/2023, at 6:30 PM; Majority Vote)*
- 8-24 Sgt. Greg Robichaud: Respectfully request that the ordinance governing the schedule of parking fines be revised. This is due to the fact that there are modifications and corrections to the existing ordinance that need to be made to bring it into conformance with existing and proposed ordinances. *(Legal Affairs; Regular Course 09/11/2023; Public Hearing 9/25/2023, at 6:35 PM; Majority Vote)*
- 10-24 Susan Chalifoux-Zephir; Councillor At Large; Request to amend Chapter 7 entitled "Electricity", Section 7-5 "Placement of street lights over public ways" , Paragraph (a) as follows: "(a) Any person or company desiring to construct a line, wire, pole or conduit utilized for the transmission of electricity shall, in writing, petition the city council to install said apparatus and wire dedicated to the illumination of a public way. A public hearing shall be held on the petition, and written notice of the time and place of the hearing along with a copy of the proposed plan shall be mailed at least seven days prior thereto by the clerk of the city to all owners of real estate abutting the part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation. After said public hearing, the city council may, by order grant to the petitioner a location for such line specifying therein where the poles, piers, abutments or conduits may be placed, and in respect to overhead lines may also specify the kind of poles, piers or abutments which may be used, the number of wires or cables which may be attached thereto and the height to which the wires or cable may run. *(Legal Affairs Committee; Regular Course 09/18/2023; Public Hearing; October 10, 2023, at 6:45 PM; Majority Vote)*

XII. NEW BUSINESS

XIII. OLD BUSINESS

- Looking for two City Councillors to serve on Housing Committee

XIV. COMMUNITY CALENDAR

- Oak Hill Solar Field

XV. ADJOURNMENT

- Katelyn Huffman, City Clerk