

**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

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**AGENDA**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**NOVEMBER 14, 2022**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**



**INTERVIEW, 6:45 PM**

Dean J. Mazarella, Mayor; Request the confirmation of the appointment of Michelle Powell to the position of Health Director for the City of Leominster for a term of three years, effective November 14, 2022. Term to Expire April 15, 2025. (*Ways & Means; Regular Course 10/24/2022; Interview 11/14/2022; Majority Vote*)

**PUBLIC FORUM, 6:55 PM**

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**

- October 24, 2022

**V. COMMUNICATIONS FROM THE MAYOR**

Money Orders

- C-26 Dean J. Mazzearella, Mayor: Request an appropriation of \$33,000.00 be made to the Fire Equipment Expense Account; same amount to be transferred from Stabilization. (*Finance; Regular Course 11/14/2022; 2/3 Vote*)
- C-27 Dean J. Mazzearella, Mayor: Request an appropriation of \$10,000.00 be made to the Library Equipment Expense Account; the same amount to be transferred from Stabilization. (*Finance; Regular Course 11/14/2022; 2/3 Vote*)

Communications

- C-28 Dean J. Mazzearella, Mayor: Request that the annual Tax Classification Hearing be scheduled for December 12, 2022, for the purpose of setting the annual factor used for Fiscal Year 2023. (*Finance; Regular Course 11/14/2022; Public Hearing; 11/28/2022 at 6:20 PM; Majority Vote*)
- C-29 Dean J. Mazzearella, Mayor; Request that the City Council vote to accept the Special Act of Legislation with language as attached. RE: An Act authorizing the City of Leominster to the establish an age limit for original appointment to the position of police officer. (*Legal Affairs; Regular Course 11/14/2022; Majority Vote*)

## COMMUNICATIONS FROM THE MAYOR, CONTINUED

### Appointments

Dean J. Mazzarella, Mayor: Request that the appointment of the following volunteers to the Office of Emergency Management:

#### **Operations Unit:**

Zwanieke Visser	22 Cove Road	Lunenburg, MA
Paula Rose	11 Third Avenue	Leominster, MA
Michelle Shine	8 Bates Street, Unit A	Devens, MA
Robert Gilman	14 Broad Meadow Drive	Lunenburg, MA
Morris Scott	16 Wisteria Drive	Leominster, MA
Carol Scott	16 Wisteria Drive	Leominster, MA
Kelly Kendall	58 Grove Avenue	Leominster, MA
Richard Dimascio	543 Pleasant Street	Leominster, MA
Gold Shen Lee	58 Lorchriss Street	Leominster, MA
Marion Deroian	118 Pine Lane	Fitchburg, MA

*(Ways and Means; Regular Course 11/14/2022; Majority Vote)*

## VI. PETITIONS FIRST TIME ON THE AGENDA

- 13-23      Officer Julio Ramos, Police Department, Request to Amend Chapter 13-24 of the Revised Ordinances entitled "Motor Vehicles and Traffic" Chapter 13, Section 13-24 of the Revised Ordinances entitled "No Parking on certain Streets" is hereby Amending by inserting the following text: State Street (both sides) from point beginning 20 feet from the intersection of North Main Street to a point 302 feet from said intersection. *(Legal Affairs; Regular Course 11-14-2022; Further Time 11-28-2022, 2/3 Vote)*

## VII. MATTERS BEFORE THE CITY COUNCIL

## VIII. FINANCIAL REPORT

## IX. FINANCE

- C-23 Dean J. Mazzarella, Mayor: Request that an appropriation of \$588,275.00 be made to the PARC Grant Fund; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular Course, 10/24/2022; 2/3 Vote)*
- C-24 Dean J. Mazzarella, Mayor: Request that an appropriation of \$220,534.00 be made to the School Department Expense Account; the same to be funded by FY23 E-Rate Revenue. *(Finance; Regular Course, 10/24/2022; Majority Vote)*
- C-25 Dean J. Mazzarella, Mayor: Request that an appropriation of \$42,500.00 be made to the Building Maintenance Expense Account; the same amount to be transferred from The Stabilization. Fund RE: This is to fund State Mandatory Elevator Phase II Code Interpretation Change, compliance is required by 12/31/2022. *(Finance; Regular Course, 10/24/2022; 2/3 Vote)*

## X. LEGAL AFFAIRS

- 9-23 Elizabeth Wood, Planning Director, on behalf of the Planning Board: Request to amend the Zoning Ordinance pertaining to lot size requirements for a lot division in the Residential A Zone for lots sized a minimum of 37,780 sq. ft. *(Legal Affairs; Regular Course 9-26-2022; Further Time 10-11-2022, 10/24/2022; Public Hearing 11/28/2022 at 6:50 PM; 2/3 Vote)*
- 10-23 Elizabeth Wood, Planning Director, on behalf of the Planning Board: Request to amend the zoning ordinance pertaining to lot width requirement for lots in the Rural Residential Zone. *(Legal Affairs; Regular Course 9-26-2022; Further Time 10/11/2022, 10/24/2022; Public Hearing 11/28/2022 at 6:51 PM; 2/3 Vote)*

## LEGAL AFFAIRS, CONTINUED

- 11-23 David Cormier Ward 3 Councillor and Pauline Cormier Ward 2 Councillor; Request to amend Chapter 13 Section 13-29 of the revised ordinances entitled Handicapped parking spaces and add the following, add three handicap parking spaces in the Carter Park parking lot on Main Street, Map 24 Parcel 9, at the southern most part of the lot. (*Legal Affair; Regular Course 10/11/2022; Further Time 10/24/2022; Public Hearing 11/28/2022, at 6:45 PM. 2/3 Vote*)

## XI. CITY PROPERTY

- 12-23 Richard M. Marchand: Request to close Monument Square as well as the following City Parking Lots and City Streets for the 30<sup>th</sup> Annual Johnny Appleseed Arts and Cultural Festival is Saturday, 23, 2023 between 5:30AM – 7:00PM and for the rain date of Saturday, September 30, 2023, between 5:30AM-7:00PM:
1. From Upper West Street to Lower West Street to the Main Street Intersection.
  2. Park Street from Main Street to the West Street merge.
  3. Main Street from the intersection of Mechanic Street and Lower West Street to Merriam Avenue.
  4. The City Hall Parking Lot.
  5. The city parking lot adjacent to the Leominster City Hall off upper West Street.
  6. The parking lot between the First Baptist and First Church Unitarian used for people with needs or disabilities.
  7. The mixed use of the upper parking garage as used in the past. All abutters which include religious organizations and downtown merchants shall be notified. (*City Property, Regular Course, 10/24/2022; Majority Vote*)

## XII. WAYS AND MEANS

C-22 Dean J. Mazzearella, Mayor: Request to accept a resolution to file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the Parkland Acquisitions and Renovations for Communities Grant Program for upgrades to Leominster's Downtown Common at the intersection of West and Park Streets in the City of Leominster and dedication of Monument Square to recreational purposes. *(Ways and Means; Regular Course 10/24/2022; Majority Vote)*

Dean J. Mazzearella, Mayor; Request the confirmation of the appointment of Michelle Powell to the position of Health Director for the City of Leominster for a term of three years, effective November 14, 2022. Term to Expire April 15, 2025. *(Ways & Means; Regular Course 10/24/2022; Interview 10/24/2022 at 6:45 PM; Majority Vote)*

Dean J. Mazzearella, Mayor; Request the appointment of the following individuals to the Office of Conservation Commission: Term to Expires 04/15/2025.

Josh Bowdridge                      10 Tisdale Street                      Leominster, MA

*(Ways and Means; Regular Course 09/6/2022; Further Time 10/11/2022, Interviews 10/24/2022; @ 6:45 PM; Further Time 10/24/2022; Majority Vote)*

### **XIII. NEW BUSINESS**

#### First Reading of an Ordinance

- 6-23 Elizabeth Wood, Planning Director, on behalf of the Planning Board: Request to amend the zoning ordinance pertaining to the parking of unregistered vehicles. See attached letter. *(Legal Affairs; Regular Course 09/12/2022; Further Time 9-26-2022; Granted 10/24/2022; Public Hearing Tuesday, 10/11/2022 at 6:50 PM; Continued Public Hearing 10/24/2022, at 6:30 PM. 2/3 Vote)*
- 7-23 Joseph A. Quinn, Sealer of Weights and Measures: Requests to amend the City of Leominster Code of Ordinances, Chapter 2, by updating the content of Article X- Inspector of Weights and Measures. This request includes updating the ordinance and the fee schedule. A recommended ordinance and fee schedule has been approved by the Mayor and has been submitted to the City Council. The reason for this PETITION is that the current ordinance is outdated and needs to be updated. The current ordinance was last updated with significant changes in 1960. The fee schedule has had minor changes periodically over the years. *(Legal Affairs; Regular Course 10/11/2022, Public Hearing at 6:45 PM; Granted 10/11/2022; Further Time 10/24/2022; 2/3 Vote)*

### **XIV. OLD BUSINESS**

### **XV. COMMUNITY CALENDAR**

### **XVI. ADJOURNMENT**

- Katelyn Huffman, City Clerk