

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

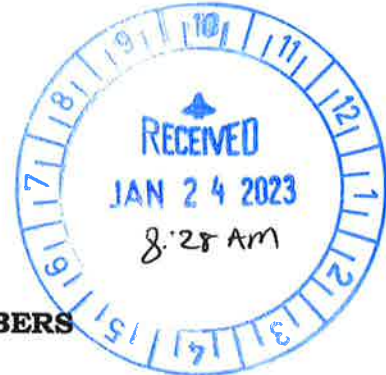
MINUTES

CITY OF LEOMINSTER

CITY COUNCIL

JANUARY 9, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS



PUBLIC HEARING, 6:45 PM

C-35

Dean J. Mazzarella. Mayor: Request that the following section of the City of Leominster Revised Ordinance, Chapter 8: Fire Protection, Section 8-19: Fees for ambulance service:

- (a) The chief of the fire department shall establish the rates to be charged as fees for the city fire department ambulance service within the commonwealth. The rates to be established shall be the local or city limit charge or other city and town charges for ambulance service set at current recommended allowances as set forth by the Medicare program, plus an additional one hundred fifty percent of such charges for Basic Life Support (BLS) service and an additional one hundred fifty percent of such charges for Advance Life Support (ALS) service. The chief of the fire department shall furnish the city treasurer with a list of the persons transported monthly and the fee to be charged, and the city collector shall bill and collect the same.

Be amended to the following:

The chief of the fire department shall establish the rates to be charged as fees for the city fire department ambulance service within the commonwealth. The rates to be established shall be the local or city limit charge or other city and town charges for ambulance service set at current recommended allowances as set forth by the Medicare program, plus an additional **two hundred fifty percent of such charges for Basic Life Support (BLS) service and an additional two hundred fifty percent of such charges for Advance Life Support (ALS) service**. The chief of the fire department shall furnish the city treasurer with a list of the persons transported monthly and the fee to be charged, and the city collector shall bill and collect the same. (Legal Affairs; Regular Course 12/12/2022; Public Hearing January 9, 2023, at 6:45 PM; 2/3 Vote)

The Public Hearing opened at 6:45 PM. Councillor Angelini asked the Fire Chief to provide the City Council with an overview of the proposed ordinance.

Chief Sideleau, informed the City Council that the original ordinance requires Medicare plus 100%. Medicare has not raised their fees for many years, so the reimbursement from them is not covering all costs. The Fire Chief proposed a new rate of Medicare plus 250%. He explained that this would help cover costs, and eventually help fund the new paramedic program and possibly a third part-time ambulance. These rates would be in line with other similar sized communities.

Councillor Angelini asked how this increase would impact the average citizen.

Chief Sideleau informed the council that the average Medicare recipient would see a \$4 increase in cost. Privately insured individuals will not see an impact, but their insurance carrier will take up the new cost.

Councillor Brady asked what would happen if an individual did not have insurance and could not afford the bill.

Chief Sideleau said that in those situations, the Fire Chief had a mechanism he could use to abate the cost of the ambulance. He also mentioned that Medicare often provides a lump sum reimbursement at the end of the year to cover some of the costs for previously short paid ambulance bills. This amount was around \$300,000 the past year.

Councillor Ardinger asked if this increase was sufficient.

Chief Sideleau informed the Council that he believed it was.

Councillor Deacon and Councillor Freda voiced their support.

Councillor Angelini opened the Public Hearing to public comment. He asked three times if anyone wanted to speak for or against the petition. No one spoke. The public hearing was closed at 7:17 PM.

PUBLIC HEARING, 6:50 PM

- 15-23 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:

Cleveland St -National Grid to install I SO Pole on Cleveland St beginning at a point approximately 150' feet northeast of the centerline of the intersection of Lancaster St/Cleveland St. Install I pole on Cleveland St to relieve sag on wires and upgrade infrastructure to eliminate reported flickering. 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 -Cleveland St -Leominster -Massachusetts. No.# 30652569 November 29, 2022

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 12/12/2022; Public Hearing, 01/09/2023, at 6:50 PM; Majority Vote)

The Public Hearing opened at 7:17 PM. Councillor Angelini asked the representative from National Grid to speak. Will Fontaine, Designer for National Grid, Worcester office, explained the problem happening to the pole. According to his investigation lights were flickering due to lack of appropriate power supply. The purpose is to replace the pole to eliminate the flickering problem and the two poles going up will meet the height requirement.

Councillor Freda asked Mr. Fontaine if these poles were on City or private property. Councillor Freda also asked if this was going to affect the neighbors. Mr. Fontaine replied that the poles were to be placed to alleviate sag and keep away from tress. The two poles will meet the height standards. They would not be moved so it should not cause an issue for abutters.

Councillor Angelini asked Mr. Fontaine if they were moving any guy wires. Mr. Fontaine stated that they are replacing a guy wire but not moving it.

Councillor Brady asked if all abutters were notified. City Clerk Huffman informed the Council that all abutters within 100 feet had been notified via certified mail.

Councillor Chalifoux-Zephir asked the Public three times if anyone wished to speak in favor or against this petition. No one in the audience spoke.

The Public Hearing closed at 7:23 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.

Council President David Cormier opened the Public Forum at 7:23 PM. He asked the public three times if anyone wished to speak on any items listed on the agenda. No one spoke. The Public Forum closed at 7:24 PM.

I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 P.M.

The regular meeting of the City Council opened at 7:00 pm.

Councillor Chalifoux-Zephir made a motion to recess.

Councillor Angelini seconded the motion. By a vote of 8-0 the recess was granted at 7:04 PM. The meeting reconvened at 7:24 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF COUNCILLORS IN ATTENDANCE

Councillor President David Cormier, Councillor Vice President Pauline Cormier, Councillor Ardinger, Councillor Angelini, Councillor Brady, Councillor Chalifoux-Zephir, Councillor Deacon, and Councillor Freda were present. Councillor Bodanza was absent. Others Present City Clerk Katelyn Huffman and Assistant City Clerk Maribel Perez.

IV. APPROVAL OF RECORDS

- December 12, 2022, **Approved.**
- January 3, 2023 **Approved as amended.**

V. COMMUNICATIONS FROM THE MAYOR

Money Orders

C-36 Dean J. Mazzarella, Mayor: Request an appropriation of \$50,000.00 be made to the Fire Department Automotive Repair Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular 01/09/2023; 2/3 Vote*)

This Communication was given Regular Course.

C-37 Dean J. Mazzarella, Mayor: Request a transfer of funds to/from the following accounts:

Account:	Org/Object:	Amount:
Park Maintenance PY	67090000/524100	\$5,861.52
Park Maintenance	67020000/524100	\$2,119.31
Forestry Exp. PY	29420000/546300	\$4,519.17

To:

Tree Survey Grant Account: 1451490/546300 \$12,500.00
(*Finance; Regular Course 01/09/2023; Majority Vote*)

Councillor Ardinger asked if the object number was right. Katelyn Huffman, City Clerk replied yes we checked into it.

Councillor Brady asked what the org/object was. Katelyn Huffman, City Clerk replied that is the account in which the money gets drawn from.

Councillor Freda asked to get information on the grant account.

This Communication was given Regular Course.

C-38 Dean J. Mazzarella, Mayor: Request an appropriation of \$250,000.00 be made to the Fire Department Public Safety Overtime Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular 01/09/2023; 2/3 Vote)*

This Communication was given Regular Course.

C-39 *Suspension of The Rules*
Emergency Preamble

Dean J. Mazzarella, Mayor; Request that an appropriation of \$250,000.00 be made to the Police Department Emergency Overtime Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular 01/09/2023; 2/3 Vote)*

By a vote of 8-0 the rules were suspended. By a vote of 8-0 the communication was accepted as an Emergency Preamble.

Councillor Freda spoke in support of the communication and expressed that during budget time the Finance Committee should take notice of how many times this is happening.

By a Vote of 8-0 this Communication Granted.

ORDERED: By a vote 8-0 the Communication was Adopted.

Appointments

Dean J. Mazzarella, Mayor: Request the appointment of James Chambers, 63 Jamestown Road, Leominster, MA to the Conservation Commission. Term to expire April 15, 2026. *(Ways & Means; Regular Course 01/09/2023; Majority Vote)*

The Ways and Means Committee requested that an interview with a resume be scheduled for January 23, 2023. They also requested a copy of Mr. Chambers resume.

This appointment was given Regular Course.

I. PETITIONS FIRST TIME ON THE AGENDA

16-23 Katelyn Huffman, City Clerk: Request a vote to accept the Election Calendar for the 2023 Municipal Elections. Calendar as attached. (*Ways and Means; Regular Course 01/09/2023; Majority Vote*)

This Petition was given Regular Course.

II. MATTERS BEFORE THE CITY COUNCIL

III. FINANCIAL REPORT

The balance of the Stabilization Fund was \$16,905,629.03.

IV. FINANCE

C-34 Dean J. Mazzarella, Mayor: Request that an appropriation of \$75,000.00 be made to the Election and Registration Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 12/12/2022; 2/3 Vote*)

Councillor Angelini asked if any reimbursement comes from the State for this unfunded mandate. City Clerk Katelyn Huffman replied that the State typically refunds about \$12,000 total for Early Voting during the fall Elections.

Councillor Brady asked if there was a meeting or letter that could be sent to our Senator and Representative to get reimbursement. City Clerk Katelyn Huffman replied that she has had conversations with our representatives regarding this.

The Finance Committee recommended to grant this Communication. By a Vote of 8-0 the Communication was Granted.

ORDERED: By a vote 8-0 the Communication was Adopted.

V. LEGAL AFFAIRS

C-35 Dean J. Mazzarella. Mayor: Request that the following section of the City of Leominster Revised Ordinance, Chapter 8: Fire Protection, Section 8-19: Fees for ambulance service:

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Councillor Ardinger made a motion to amend the Communication by inserting the letter ‘C’ into the word collet so it now reflects as Collect.

Councillor Angelini seconded the motion.

By a Vote of 8-0 the Communication was amended.

The Legal Affairs Committee recommended that the City Council Grant the communication.

By a Vote of 8-0 the Communication was Granted.

VI. PUBLIC SERVICE

15-23 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:

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The Public Service Committee recommended that the City Council Grant this Petition.

By a Vote of 8-0 this Petition was Granted.

NEW BUSINESS

First Reading of an Ordinance

- 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; 11/14/2022; Public Hearing 11/28/2022 at 6:40 PM; First Reading 12/12/2022; 2/3 Vote*)

The Legal Affairs Committee recommended that the City Council Grant the first reading of the ordinance.

By a Roll Call Vote of 8-0 the first reading of the ordinance was Adopted.

- 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; Public Hearing 11/28/2022 at 6:50 PM, First Reading 12/12/2022; 2/3 Vote*)

The Legal Affairs Committee recommended that the City Council Adopt the first reading of the ordinance.

Councillor Freda spoke in favor of this ordinance but reminded the Council that more needed to be done for handicap accessibility at Carter Park.

Councillor Pauline Cormier agreed, but noted it was a good step in the right direction.

By a Roll Call Vote of 8-0 the first reading of the ordinance was Adopted.

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)*

Councillor Angelini recommended that the City Council Adopt the first reading of the ordinance.

Councillor Freda asked that the City Council give this Petition Further Time to further discuss the Ordinance with Constituents.

Councillor David Cormier explained that the Public Hearing was now closed, and no public input was allowed.

Councillor Angelini informed the Council that concerned resident had contacted him as well as other Councillors inquiring when the signs will be put up because they were needed for safety. He felt that the Ordinance should go forward as is.

By a Roll Call Vote of 8-0 the first reading of the ordinance was Adopted.

VII. OLD BUSINESS

Appointment of Legal Counsel

Councillor Pauline Cormier asked to put this item on the next agenda. She left a message with Attorney Meaudaus and has not heard back yet.

Councillor Freda requested that there be a meeting to discuss envelopes, stationery, and mailboxes as there have been recent changes and felt the Council should have an opportunity to provide their input on the changes.

VIII. COMMUNITY CALENDAR

IX. ADJOURNMENT

Councillor Angelini made a motion to adjourn. Councillor Chalifoux-Zephir seconded the motion.

By a vote of 8-0 the meeting was adjourned at 8:11 PM.

- Katelyn Huffman, City Clerk