

**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**

**MARCH 27, 2023**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

RECEIVED  
LEOMINSTER CITY CLERK  
2023 APR 25 AM 8:09

**INTERVIEW, 6:40 P.M.**

Dean J. Mazzarella, Mayor: Request the appointment of the following individuals to the Zoning Board of Appeals, terms to expire April 15, 2026.

Mark Piscione      35 Oakwind Hollow Road      Leominster, MA

**The interview with Mr. Piscione began at 6:40 PM. Councillor Pauline Cormier asked Mr. Piscione to give a summary of his experience and qualifications. He informed the City Council that he had recently moved to Leominster from Sterling. He currently works at UMass in an information technology position. He was also previously a landlord, and has had personal experience going in front of a Board of Appeals. He looks forward to learning the process and giving back to the community.**

**CONTINUED PUBLIC HEARING, 6:45 P.M.**

20-23      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:

Litchfield St - National Grid to install 1 SO Pole on Litchfield St beginning at a point approximately 630' feet southwest of the centerline of the intersection of Elm Hill Ave and continuing approximately 20' feet in a western direction. Install 1, 45ft class HI Pole to support a load break switch to deenergize the primary conductor in the location of the upcoming culvert construction by the Leominster DPW.

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 - Litchfield St - Leominster - Massachusetts. No.# 30378259 February 9, 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 02/27/2023; Public Hearing 03/13/2023 at 6:50 PM; Majority Vote)*

**The public hearing began at 6:45 PM. Councillor Freda read the petition into the record. Councillor Freda asked the representative from National Grid to provide the Council with an overview of the petition.**

**Matt Viera, National Grid Representative, informed the Council that the proposed petition would provide a new pole and deenergize an existing area to cut power from a circuit.**

**Councillor Freda read a positive recommendation from the DPW into the record. She asked three times if anyone from the public wanted to speak for or against the petition.**

**Councillor Brady asked if abutters had been notified. Katelyn Huffman, City Clerk, informed the City Council that the abutters notifications had been sent. One was returned by the post office because there was no mail receptacle, as it was vacant land.**

**No other member of the Council or public spoke regarding the petition.**

**The public hearing closed at 6:51 PM.**

**PUBLIC HEARING, 6:50 P.M.**

- 19-23 William Brady, Ward 1 Councillor: Request to Amend Chapter 13 entitled “Motor Vehicles and Traffic”, Section 13-34 “No parking on certain streets” by inserting the following:

“No parking on Lock Drive, on both sides, for the entirety of the street”  
*(Legal Affairs; Regular Course 02/27/2023; Further Time 03/13/2023; Public Hearing 03/27/2023 at 6:50 PM; Majority Vote)*

**The public hearing began at 6:52 PM. Councillor Angelini recused himself due to a possible conflict of interest.**

**Councillor Bodanza read the petition into the record. He asked if any member from the public or the City Council would like to speak regarding the petition.**

**Tom Marks, Horizon Wire and Cable of Leominster, spoke in support of the petition. He informed the Council that many of the businesses have a hard time getting their trucks down the road currently, due to on street parking. This would provide a safer environment.**

**Councillor Freda spoke in support of the petition. She stated that there have been many suggestions for signage in this area, and it is about time it is occurring.**

**No other member of the City Council or public spoke.**

**The public hearing was closed at 6:55 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.

**The Public Forum began at 6:55 PM. Council President David Cormier asked if anyone from the public wanted to speak regarding any item listed on the agenda. No one spoke. The public forum closed at 6:56 PM.**

---

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

The regular meeting of the City Council began at 7:00 PM.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL OF COUNCILLORS IN ATTENDANCE**

**Council President David Cormier, Council Vice President Pauline Cormier, Councillor Bodanza, Councillor Ardinger, Councillor Angelini, Councillor Brady, Councillor Deacon, Councillor Freda present. Absent: Councillor Chalifoux-Zephir.**

**Others present: Katelyn Huffman, City Clerk, Maribel Perez, Assistant City Clerk.**

**IV. APPROVAL OF RECORDS**

- February 27, 2023 – **These minutes were approved and placed on file.**
- March 13, 2023 – **These minutes were given further time.**

**V. COMMUNICATIONS FROM THE MAYOR**

Money Orders

C-58 Dean J. Mazarella, Mayor: Request that an appropriation of \$125,000.00 be made to the Fire Department Capital Account; the same amount to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 03/27/2023; Majority Vote)*

**This communication was given regular course.**

C-59 Dean J. Mazarella, Mayor: Request that an appropriation of \$1,401,825.00 be made to the General Fund Account; same to be transferred from the Excess and Deficiency Account.

These funds are needed to fund the FY2023 Capital Request from various Departments. Please list below and the attached (attach accompanying documentation if application).

#154-Institutional Technology	\$ 118,875
#192-Buiding Maintenance	\$ 230,000
#210-Fire Department	\$ 231,250
#220-Police Department	\$ 60,000
#300-School Department	\$ 25,000

#421-Highway-DPW	\$ 257,200
#491-Cemetery	\$ 9,000
#543-Veterans Center	\$ 5,000
#610-Library	\$ 331,000
#630-Recreation Department	\$ 134,500
<b>Total Request</b>	<b><u>\$1,401,825</u></b>

*(Finance Committee; Regular Course 03/27/2023; Majority Vote)*

**This communication was given regular course.**

- C-60 Dean J. Mazzarella Mayor: Request an amendment to the Non-Union employee’s salary and wage scale for FY2024 with the attached scale. Also, please amend the ordinance to Non-Union positions and classifications based on the support attached.  
*(Legal Affairs; Regular Course 03/27/2023; Majority Vote)*

**This communication was given regular course. Referrals were requested from Human Resources and the Treasurer. By a vote of 8-0 a public hearing was set for April 10, 2023 at 6:45 PM.**

Appointments

Dean J. Mazzarella, Mayor: Request the reappointment of the following:

**Library Board of Trustees; terms to expire 04/15/2026**  
Susan Shelton 4 Keyes Lane Princeton, MA  
*(Ways and Means; Regular Course 03/27/2023; Majority Vote)*

**This communication was given regular course.**

**VI. PETITIONS FIRST TIME ON THE AGENDA**

- 29-23 Upscale Consignment: Request to renew license to deal secondhand articles at 875 Merriam Ave, Leominster, MA (Ways & Means; Regular Course; 3/27/2023; Majority Vote)

**This petition was given regular course.**

- 30-23 GameStop, Inc: Request to renew license to deal secondhand articles at 26 Orchard Hill Park Drive, Leominster, MA (Ways & Means; Regular Course; 3/27/2023; Majority Vote)

**This petition was given regular course.**

31-23 Best Buy Stores LP # 1433: Request to renew license to deal secondhand articles at 33 Orchard Hill Park Drive, Leominster, MA (Ways & Means; Regular Course; 03/27/2023; Majority Vote)

**This petition was given regular course.**

32-23 Fred's Auction: Request to renew license to deal secondhand articles at 38 Spruce Street, Leominster, MA (Ways & Means; Regular Course; 03/27/2023; Majority Vote)

**This petition was given regular course.**

## **VII. MATTERS BEFORE THE CITY COUNCIL**

## **VIII. FINANCIAL REPORT – BALANCE OF STABILIZATION \$20,935,179.**

## **IX. FINANCE**

C-53 Dean J. Mazzarella, Mayor: Request that an appropriation of \$250,000.00 be made to the Fire Department Public Safety Overtime Account; the same amount to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 03/13/2023; Majority Vote)*

**Councillor David Cormier recused himself due to a possible conflict of interest. The Finance Committee recommended that the City Council GRANT the communication. By a vote of 7-0-1 (Councillor David Cormier abstained due to a possible conflict of interest) the communication was GRANTED.**

**ORDERED: By a vote of 7-0-1 (Councillor David Cormier abstained due to a possible conflict of interest) the communication was ADOPTED.**

**Councillor Freda asked whether the City was exceeding past years totals on over time.**

**Councillor Bodanza states that he did not believe so but that he would check with the comptroller's office and report back.**

C-54

Dean J. Mazzarella, Mayor: Request that an appropriation of \$400,000.00 be made to the following accounts:

Snow & Ice Expense Account: \$250,000.00

Snow & Ice Overtime Account: \$150,000.00

*(Finance Committee; Regular Course 03/13/2023; Majority Vote)*

**The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the order was GRANTED.**

**ORDERED: By a vote of 8-0 the order was ADOPTED.**

C-55

Dean J. Mazzarella, Mayor: Request that an appropriation of \$409,033.54 be made to the Treasurer Expense Account; the same amount to be transferred from Excess and Deficiency. *(Finance Committee; Regular Course 03/13/2023; Majority Vote)*

**Councillor Bodanza informed the Council that this communication is in response to a fine the City received from the IRS. The IRS requested documentation for employees who did not have health insurance coverage to determine whether it was waived by the employee or not offered. The City lagged behind in providing the documentation so the fine was rendered. The proper documentation has been sent and it is expected that the City will receive a refund for the fine once the IRS processes the documentation. A new process has been implemented going forward to ensure this does not occur again.**

**The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the order was GRANTED.**

**ORDERED: By a vote of 8-0 the order was ADOPTED.**

C-56

Dean J. Mazzearella, Mayor: Request that an appropriation of \$10,998.83 be made to the Disability Commission Parking Fines Expense Account; the same amount to be transferred from Excess and Deficiency. (*Finance Committee; Regular Course 03/13/2023; Majority Vote*)

**Councillor David Cormier recused himself due to a possible conflict of interest. The Finance Committee recommended that the City Council GRANT the communication. By a vote of 7-0-1 (Councillor David Cormier abstained due to a possible conflict of interest) the communication was GRANTED.**

**ORDERED: By a vote of 7-0-1 (Councillor David Cormier abstained due to a possible conflict of interest) the communication was ADOPTED.**

## X. LEGAL AFFAIRS

C-41

Dean J. Mazzearella, Mayor: Request that the council authorize the appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the City and for other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents necessary to accomplish the same. (*Legal Affairs; Regular Course 01/23/2023; Further Time 02/13/2023; 02/27/2023; 03/13/2023; Subcommittee Meeting 03/15/2023 @ 6:00PM; Majority Vote*)

**Councillor Angelini informed the Council that a subcommittee meeting was held on March 15, 2023. During that meeting the communication was discussed at length. Councillor Angelini stated that he felt that after speaking to different citizens regarding the communication, people are hesitant about the program. He is reluctant to force this onus on them. There is no price guarantee and the owner would have to opt out in order to be unaffected. Many people do not have time to do this, and it could be detrimental.**

**Councillor Bodanza agreed with Councillor Angelini. He stated that he felt it would be difficult to force this upon residents. The company requires a certain percentage of citizens to sign up for the program to run. The automatic opt-in would provide that number, and many citizens would not understand what happened and how to get out if they wanted to.**

**Councillor Deacon also agreed that the petition should be denied. Prices for energy are constantly changing. He was not comfortable**



forcing homeowners to be part of this program and felt they should be able to decide for themselves.

Councillor Brady agreed that the communication should be denied.

Councillor Ardinger agreed with the recommendation to deny the communication. He stated most citizens don't know about it and would prefer not to have the government decide this for them.

Councillor Freda asked why the recommendation would be to deny instead to give it leave to withdraw without prejudice. She stated that the mayor must have sent it down for a reason, and that a denial would not allow it to come back in the near future. She asked why the Mayor brought it forward to begin with.

Councillor Angelini stated that he has spoken to the Mayor regarding different aspects of this communication. He signed up on his own. Councillor Angelini is still not confident people will know to opt out. He also stated that this petition was useful as it educated the public and others regarding how this system works and many people have now learned that National Grid cannot make money on the sale of energy.

The Legal Affairs Committee recommended that the City Council DENY the communication. By a vote of 8-0 the communication was DENIED.

19-23 William Brady, Ward 1 Councillor: Request to Amend Chapter 13 entitled "Motor Vehicles and Traffic", Section 13-34 "No parking on certain streets" by inserting the following:

"No parking on Lock Drive, on both sides, for the entirety of the street"  
*(Legal Affairs; Regular Course 02/27/2023; Further Time 03/13/2023; Public Hearing 03/27/2023 at 6:50 PM; Majority Vote)*

Councillor Angelini recused himself from the petition due to a possible conflict of interest.

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 7-0-1 (Councillor Angelini abstained due to a possible conflict of interest) the petition was GRANTED.

**XI. PUBLIC SERVICE COMMITTEE**

20-23 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:

Litchfield St - National Grid to install 1 SO Pole on Litchfield St beginning at a point approximately 630' feet southwest of the centerline of the intersection of Elm Hill Ave and continuing approximately 20' feet in a western direction. Install 1, 45ft class HI Pole to support a load break switch to deenergize the primary conductor in the location of the upcoming culvert construction by the Leominster DPW.

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 - Litchfield St - Leominster - Massachusetts. No.# 30378259 February 9, 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 02/27/2023; Public Hearing 03/13/2023 at 6:50 PM; Majority Vote)*

**The Public Service Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

## XII. WAYS & MEANS

### Appointments

Dean J. Mazzarella, Mayor: Request the appointment of the following individuals to the Zoning Board of Appeals, terms to expire April 15, 2026.

Mark Piscione                      35 Oakwind Hollow Road      Leominster, MA

**The Ways and Means Committee recommended that the City Council CONFIRM the appointment of Mark Piscione to the Zoning Board of Appeals, for a term to expire April 15, 2026. By a vote of 8-0 the appointment was CONFIRMED.**

### Second Hand Dealers

22-23                      Deghan Inc, DBA Hannoush Jewelers: Request to renew license to deal secondhand articles at 100 Commercial Road, Leominster, MA. (*Ways & Means; Regular Course; 03/13/2023; Majority Vote*)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

23-23                      George' Fine Jewelers, Inc: Request to renew license to deal secondhand articles at 255 North Street, Leominster, MA (*Ways & Means; Regular Course; 3/13/2023; Majority Vote*)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

24-23                      Crowne Jewelers: Request to renew license to deal secondhand articles at 12 Lindell Avenue, Leominster, MA (*Ways & Means; Regular Course; 3/13/2023; Majority Vote*)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

25-23 George's Fine Jewelers, Inc DBA House of Relics: Request to renew license to deal secondhand articles at 1292 Main Street, Leominster, MA. *(Ways & Means; Regular Course; 3/13/2023: Majority Vote)*

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

26-23 Everything Cutie, Inc.: Request to renew license to deal secondhand articles at 901 Central Street, Leominster, MA. *(Ways & Means; Regular Course 03/13/2023: Majority Vote)*

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

27-23 Everything Cutie, Inc, Request to renew license to deal secondhand articles at 1021 Central Street, Leominster, MA. *(Ways & Means; Regular Course 03/13/2023: Majority Vote)*

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

28-23 Ginny's Helping Hand Inc, Request to renew license to deal secondhand articles at 52 Mechanic Street, Leominster, MA *(Ways & Means; Regular Course 03/13/2023: Majority Vote)*

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.**

#### Exemptions

C-57 Dean J. Mazzarella, Mayor: Request that Angela Velez be exempt from the provisions of M.G.L. Chapter 267A, (20B) Conflict of Interest. Ms. Velez is currently employed by the City of Leominster's Assessor's Office and will be taking a position as a Warden for the election. *(Ways & Means; Regular Course 03/13/2023; Majority Vote)*

**The Ways and Means Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.**

### **XIII. NEW BUSINESS**

### **XIV. OLD BUSINESS**

**XV. COMMUNITY CALENDAR**

**Councillor Freda informed the City Council that the Dog Tag Flag will be coming to Leominster from April 28, 2023 – April 30, 2023 at the Johnny Roberge Veteran's Park. A ceremony will be held on Saturday, April 29, 2023 at 11:00 AM. The flag will stay at the park overnight and be guarded.**

**Councillor David Cormier requested that the City Clerk place this item on the April City Council Agenda's to ensure it is announced again.**

**It was also stated that the Vietnam Veteran's ceremony would take place on March 29, 2023 at 1:00 PM at the Veteran's Center.**

**XVI. ADJOURNMENT**

**Councillor Bodanza made a motion to adjourn. Councillor Pauline Cormier seconded the motion. By a vote of 8-0 the meeting was adjourned at 7:55 PM.**

- Katelyn Huffman, City Clerk