

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

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*)

The public hearing opened at 6:59 PM. Councillor Angelini read the referral from the Traffic agent into the record. Councillor Bodanza informed the Council that the City has accepted Chapter 90 Section 17C. Councillor Angelini asked three times whether anyone from the public wanted to speak in regards to the petition. No one spoke. The public hearing closed at 7:07 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 opened at 6:55 PM. Council President David Cormier asked three times if anyone from the public wanted to speak about any item listed on the agenda. No one spoke. The public forum closed at 6:56 PM.

RECEIVED
LEOMINSTER CITY CLERK
2023 AUG 15 AM 8:23

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

The regular meeting of the City Council opened at 7:00 PM. Councillor Brady made a motion to recess the meeting until after the conclusion of the DPH public hearing regarding the closure of the Maternity Ward at HealthAlliance Hospital. No one seconded the motion.

Councillor Brady left the City Council chambers at 7:01 PM and did not return.

Councillor Bodanza made a motion to recess to continue the public hearing for 1-24. Councillor Angelini seconded the motion. The motion carried unanimously by a vote of 5-0. The meeting reconvened at 7:07 PM.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF COUNCILLORS IN ATTENDANCE

Council President David Cormier, Council Vice President Pauline Cormier, Councillor Bodanza, Councillor Angelini and Councillor Deacon Present.

Councillor Brady was present for roll call and left shortly after. He did not return to the meeting.

Absent: Councillor Freda, Councillor Chalifoux-Zephir, Councillor Ardinger

Others Present: Katelyn Huffman, City Clerk, and Maribel Perez, Assistant City Clerk.

IV. APPROVAL OF RECORDS

- July 10, 2023 – **These meeting minutes were approved and placed on file.**

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*)

This communication was given regular course and an interview was scheduled for August 14, 2023 at 6:45 PM.

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)*

This communication was given regular course with a referral to DPW and the Planning Board.

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)*

This communication was given regular course.

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*)

This petition was given regular course and a public hearing was scheduled for August 14, 2023, at 6:50 PM.

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT -STABIIZATION BALANCE: \$21,487,192.59

IX. FINANCE

C-2 Dean J. Mazzarella, 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*)

The Finance Committee recommended that the City Council GRANT this communication. By a vote of 5-0 the communication was GRANTED.

ORDERED: By a vote of 5-0 the order was ADOPTED.

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)

The Finance Committee recommended that the City Council GRANT this communication. Councillor Deacon recused himself due to a possible conflict of interest. By a vote of 4-0 (Councillor Deacon abstained due to a possible conflict of interest) the communication was GRANTED.

ORDERED: By a vote of 4-0 (Councillor Deacon recused himself due to a possible conflict of interest) the order was ADOPTED.

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)*

The Legal Affairs Committee recommended that the City Council, GRANT the petition. By a vote of 5-0 the petition was GRANTED.

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)*

Councillor Angelini informed the City Council that the Planning Board provided a negative recommendation for this petition as more than \$42,000 worth of work was still outstanding. He also stated that the petitioner has reached out and asked for Leave to Withdraw Without Prejudice. The Legal Affairs Committee recommended that the City Council give the petition Leave to Withdraw Without Prejudice. By a vote of 5-0 the petition was given Leave to Withdraw Without Prejudice.

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*)

The Ways and Means Committee recommended that the City Council GRANT the exemption. By a vote of 5-0 the exemption was GRANTED.

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*)

The Legal Affairs Committee recommended that the City Council ADOPT the first reading of the ordinance. By a roll call vote of 5-0 the first reading was ADOPTED.

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.)

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

- 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)

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

- 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)

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

- 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)*

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

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*)

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

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*)

The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a roll call vote of 5-0 the second reading was ADOPTED.

XIV. COMMUNITY CALENDAR

- Polar Park – Leominster Day – **Council President David Cormier reminded the public that Polar Park’s Leominster Day in Worcester will occur tomorrow.**

XV. ADJOURNMENT

Councillor Bodanza made a motion to adjourn. Councillor Pauline Cormier seconded the motion. The motion carried unanimously by a VOTE OF 5-0. The meeting adjourned at 7:39 PM.

- Katelyn Huffman, City Clerk

DRAFT