



Council President

Richard M. Marchand

Council Vice President

Gail P. Feckley

Councillors-at-Large

John Dombrowski

Claire M. Freda

Susan Chalifoux Zephir

Thomas F. Ardinger

Ward Councillors

Ward 1 – Gail P. Feckley

Ward 2 – Pauline M. Cormier

Ward 3 – David R. Cormier

Ward 4 – Mark C. Bodanza

Ward 5 – Richard M. Marchand

CITY OF LEOMINSTER

CITY COUNCIL

JUNE 10, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

INFORMATION SESSION WITH THE MAYOR, 6:00 P.M.

Regarding paving of the streets and Communications C-76, C-77, and C-78.

PUBLIC HEARING CONTINUED, 6:30 P.M.

C-76 Dean J. Mazarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-13. Vacations. Of the Leominster Revised Ordinances by deleting section (8) and replacing it with the following section (8) effective 1-1-2019. SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:10 PM; PH Continued 6/10/2019 @ 6:30 P.M.; 2/3 Vote*)

PUBLIC HEARING CONTINUED, 6:35 P.M.

C-77 Dean J. Mazarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-30. Compensation grades. By inserting therein, the following sections: (a) (11). (a) (12), and (a) 13: SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:11 PM; PH Continued 6/10/2019 @ 6:35 P.M.; 2/3 Vote*)

PUBLIC HEARING CONTINUED, 6:40 P.M.

C-78 Dean J. Mazarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-33. Longevity (on regular compensation) of the Leominster Revised Ordinance by deleting section (a) (1) and replacing it with section (a) (1) as follows, effective 7-1-2018. SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:12 PM; PH Continued 6/10/2019 @ 6:40 P.M.; Pending Referrals Human Resources, Treasurer; 2/3 Vote*)

PUBLIC FORUM, 6:45 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 timeframe. The Council will not be responding or answering any questions; however, at the discretion of the Council President, clarification may be given.

INTERVIEW, 6:50 P.M.

A measure confirming the Mayor's Appointment of **Nathan Fontaine** to the Office of Emergency Management - Dive Unit; volunteer. (*Ways & Means; Regular Course 5/13/2019; Further Time 5/28/2019; Majority Vote*)

- I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 P.M.**
- II. ROLL CALL OF COUNCILLORS IN ATTENDANCE**
- III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

May 28, 2019 Meeting Minutes

- IV. COMMUNICATIONS FROM THE MAYOR**

COMMUNICATIONS

C-92 Dean J. Mazzarella, Mayor: Request to amend Title 5, Chapter 33, Section 59 (a) Brave Act. SEE ATTACHED. (*Legal Affairs; 2/3 Vote*)

ORDERS

C-93 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$852,565.00 to the Water Department Capital Outlay Expense Account; same amount to be transferred from the Excess and Deficiency Account. (*Finance; Majority Vote*)

C-94 Dean J. Mazzarella, Mayor: Relative to the approval of the CDCBG Budget/Action Plan for Year 45. (*Finance; Majority Vote*)

C-95 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$5,100,000.00 to the Stabilization Fund; same amount to be transferred from the Excess and Deficiency Account. (*Finance; Majority Vote*)

COMMUNICATIONS FROM THE MAYOR, CONTINUED

C-96 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$12,000.00 to the Mayor’s Expense Account; same amount to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*

C-97 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$176,608.00 to the School Department Expense Account; same amount to be raised by FY 2020 Revenue. *(Finance; Majority Vote)*

C-98 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$130,000.00 to the Recreation Capital Outlay Expense Account; same amount to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*

C-99 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$267,373.00 to the Insurance Expense Account; same total amount to be transferred from the Various Workers Compensation Loss Funds as listed Below: *(Finance; Majority Vote)*

FY19	\$125,000.00	Workers Compensation Loss Fund
FY18	\$ 75,000.00	Workers Compensation Loss Fund
FY17	\$ 50,000.00	Workers Compensation Loss Fund
FY16	<u>\$ 17,373.00</u>	Workers Compensation Loss Fund
Total:	\$267,373.00	

C-100 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$67,639.00 to the Cemetery Salary & Wages Account; same amount to be transferred from the Cemetery Perpetual Care Income Account. *(Finance; Majority Vote)*

RE:	Laborer	\$36,363.00
	Clerk	\$16,457.00
	Part Time Summer	<u>\$14,546.00</u>
		\$67,639.00

C-101 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$75,000.00 to the Water Department Expense Account; same amount to be transferred from the Water Department Labor Account. *(Finance; Majority Vote)*

C-102 Dean J. Mazzaella, Mayor: Relative to the appropriation of \$65,000.00 to the Sewer Department Expense Account; same amount to be transferred from the Sewer Support Services Expense Account. *(Finance; Majority Vote)*

COMMUNICATIONS FROM THE MAYOR, CONTINUED

- C-103 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$20,000.00 to the Police Department Overtime Account; same amount to be transferred from the Police Department Salary & Wages Account. *(Finance; Majority Vote)*
- C-104 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$2,721.00 to the Disability Commission Expense Account; same amount to be transferred from the Disability Fines Receipts Reserved for Appropriation Account. *(Finance; Majority Vote)*
- C-105 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$6,000.00 to the Parking Meter Expense Account; same amount to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. *(Finance; Majority Vote)*
- C-106 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$6,000.00 to the Parking Meter Salary & Wages Account; same amount to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. *(Finance; Majority Vote)*
- C-107 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$200,000.00 be made to the Sewer Expense Account; same amount to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*
- C-108 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$45,000.00 be made to the Fire Department Salary & Wages Account; same to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*
- C-109 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$425,341.00 be made to the Wastewater Capital Outlay Expense Account; same amount to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*
- C-110 Dean J. Mazzearella, Mayor: Request that \$129,900,000.00 be appropriated to the General Fund Budget as listed in the attached budget. The same amount to be raised by Fiscal Year 2020 Revenue. *(Finance; Majority Vote; Public Hearing 06/24/2019 @ 6:15 PM)*
- C-111 Dean J. Mazzearella, Mayor: Request that a total appropriation of \$5,878,722.75 be made to the FY 2020 Water Department Budget; the same amount to be raised/offset by Fiscal Year 2020 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance; Majority Vote; Public Hearing 06/24/2019 @ 6:15 PM)*

COMMUNICATIONS FROM THE MAYOR, CONTINUED

- C-112 Dean J. Mazzearella, Mayor: Request that a total appropriation of \$5,655,895.44 be made to the FY 2020 Sewer Department Budget; the same amount to be raised/offset by Fiscal Year 2020 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance; Majority Vote; Public Hearing 06/24/2019 @ 6:15 PM)*
- C-113 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$123,000.00 be made to the Miscellaneous Capital Outlay Expense Account as listed; same to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*
- C-114 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$664,350.00 be made to the School Department Expense Account same to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*
- C-115 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$461,337.00 be made to the School Department Expense Account same to be transferred from the Excess and Deficiency Account. *(Finance; Majority Vote)*

V. PETITIONS – FIRST TIME ON THE CALENDAR

- 62-19 National Grid and Verizon New England, Inc.: Request permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: National Grid to install 1 Jointly Owned Pole on Mill Street beginning at a point approximately 330 feet west of the centerline of the intersection of Commercial Road. National Grid to install 40' CL2 JO wood pole, anchor/guy for upgraded customer service. *(Public Service; Public Hearing TBD; Majority Vote)*
- 63-19 The Repair Place Inc.: Renew the Second Hand Dealers License for The Repair Place Inc. located at 100 Commercial Road. *(Ways & Means; Majority Vote)*
- 64-19 Mark C. Bodanza, Esquire: Relative to Amend Section 13-34 of the Revised Ordinance for the City of Leominster. *(Legal Affairs; PH TBD; 2/3 Vote)*

VI. MATTERS BEFORE THE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

VIII. FINANCE

- C-79 Dean J. Mazzarella, Mayor: Request that the attached Loan Order for \$11,294,000.00 be adopted for finance of an aeration basin and secondary clarifier upgrade project. *(Finance; Regular Course 5/13/2019; PH 5/28/2019 @ 6:13 PM; PH Continued 6/24/2019 @ 6:30 P.M.; Further Time 5/28/2019; 2/3 Vote)*
- C-89 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$50,000.00 to the Police Department Capital Outlay Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 5/28/2019; 2/3 Vote)*
- C-90 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$125,000.00 to the Fire Department Overtime Account; same amount to be transferred from the Fire Department Salary and Wages Account. *(Regular Course 5/28/2019; Majority Vote)*
- C-91 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$1,700.00 to the Conservation Commission Expense Account; same amount to be transferred from the Wetland Fees Receipts Reserved for Appropriations Account. *(Regular Course 5/28/2019; Majority Vote)*

IX. LEGAL AFFAIRS

- C-76 Dean J. Mazzarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-13. Vacations. Of the Leominster Revised Ordinances by deleting section (8) and replacing it with the following section (8) effective 1-1-2019. SEE ATTACHED. *(Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:10 PM; PH Continued 6/10/2019 @ 6:30 P.M.; 2/3 Vote)*
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LEGAL AFFAIRS, CONTINUED

- C-78 Dean J. Mazzarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-33. Longevity (on regular compensation) of the Leominster Revised Ordinance by deleting section (a) (1) and replacing it with section (a) (1) as follows, effective 7-1-2018. SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:12 PM; PH Continued 6/10/2019 @ 6:40 P.M.; Pending Referrals Human Resources, Treasurer; 2/3 Vote*)
- 58-19 Michelle Powell and ten registered voters: Declare and accept Cleveland Street as a street in the City of Leominster. (*Regular Course 5/13/2019; Further Time 5/28/2019; Pending Referrals Engineer; Majority Vote*)
- 59-19 Teknor Apex Co. located at 31 Fuller Street: Request to amend Flammable Liquids License from 30,000 gallons to 60,000 gallons. (*Legal Affairs: Regular Course 5/28/2019; PH 6/24/2019 @ 6:35 P.M.; Pending Referral Board of Health; Majority Vote*)
- 60-19 Georgia-Pacific Consumer Operations LLC for Dixie Consumer Products located at 149 Hamilton Street: Request to amend Flammable Liquids License from 17,067 gallons to 21, 967 gallons. (*Legal Affairs; Regular Course 5/28/2019; PH 6/24/2019 @ 6:40 P.M.; Pending Referral Board of Health; Majority Vote*)
- 61-19 Raymond Racine, DPW Director: Request that the City Council amend the City Ordinances to reclassify the position of “Water Specialist” into the position “Code Enforcer” and change the salary grade from an S-5 to an S-7. (*Legal Affairs; Regular Course 5/28/2019; PH TBD; 2/3 Vote*)

X. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE

A measure confirming the Mayor’s Appointment of **Nathan Fontaine** to the Office of Emergency Management - Dive Unit; volunteer. (*Regular Course 5/13/2019; Further Time 5/28/2019 Majority Vote*)

XI. CITY PROPERTY

- C-74 Dean J. Mazzarella, Mayor: Request that the Council vote to grant the attached Petition to Transfer Property to Recreation Commission. (*Regular Course 5/13/2019; Further Time 5/28/2019; 2/3 Vote*)

XII. NEW BUSINESS

1st Reading Loan Order

C-79 Dean J. Mazzarella, Mayor: Request that the attached Loan Order for \$11,294,000.00 be adopted for finance of an aeration basin and secondary clarifier upgrade project. (Finance; Regular Course 5/13/2019; PH 5/28/2019 @ 6:13 PM; PH Continued 6/24/2019 @ 6:30 P.M.; Further Time 5/28/2019; 2/3 Vote)

XIII. OLD BUSINESS

2nd Reading

C-76 Dean J. Mazzarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-13. Vacations. Of the Leominster Revised Ordinances by deleting section (8) and replacing it with the following section (8) effective 1-1-2019. SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:10 PM; PH Continued 6/10/2019 @ 6:30 P.M.; 1st Reading 5/28/2019; 2/3 Vote*)

2nd Reading

C-77 Dean J. Mazzarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-30. Compensation grades. By inserting therein, the following sections: (a) (11). (a) (12), and (a) 13: SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:11 PM; PH Continued 6/10/2019 @ 6:35 P.M.; 1st Reading 5/28/2019; 2/3 Vote*)

2nd Reading

C-78 Dean J. Mazzarella, Mayor: Request that the following ordinance change be adopted: Amend Chapter 16. Personnel. Section 16-33. Longevity (on regular compensation) of the Leominster Revised Ordinance by deleting section (a) (1) and replacing it with section (a) (1) as follows, effective 7-1-2018. SEE ATTACHED. (*Legal Affairs; Regular Course 5/13/2019; Further Time 5/28/2019; PH 5/28/2019 @ 6:12 PM; PH Continued 6/10/2019 @ 6:40 P.M.; 1st Reading 5/28/2019; Pending Referrals Human Resources, Treasurer; 2/3 Vote*)

XIV. COMMUNITY CALENDAR

XV. ADJOURNMENT

Katelyn Huffman, City Clerk