

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

**MINUTES
CITY OF LEOMINSTER**

CITY COUNCIL

MARCH 11, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

INFORMATION SESSION - WENDY WIIKS, GRANTS ADMINISTRATOR, 6:25 P.M.

26-19 Wendy Wiiks, Grants Administrator: Request a letter of support from the Leominster City Council for the Municipal Vulnerability Preparedness Community (MVP) Program. *(Regular Course 2/25/2019; Majority Vote)(Ways & Means)*

Wendy Wiiks, Grants Administrator, gave the City Council Information on the Municipal Vulnerability Preparedness Community Program (MVP). She explained that the letter of support was needed to apply for a grant that would allow us to hire a consultant to complete a vulnerability analysis to become an MVP community. This grant focused on environmental preparedness such as water, run off, education, and more.

INTERVIEW, 6:30 P.M.

A measure confirming the Mayor's Appointment of **Samuel Gallagher** to the Conservation Commission; term to expire 4/15/2022. *(Regular Course 2/11/2019; Majority Vote)(Ways & Means)*

The Ways and Means Committee interviewed Samuel Gallagher. He informed the City Council that he is about to complete his degree in earth sciences, is from the area, and has worked on various projects that were environmentally sensitive including mapping city logistics in Fitchburg and a analysis of he Nashua River Water Shed. He said he hoped to join the commission so he could give back to the community he has lived in all his life.

INTERVIEW, 6:35 P.M.

A measure confirming the Mayor's Appointment of **Amanda Lansing** to the Conservation Commission; term to expire 4/15/2022. (*Regular Course 2/25/2019; Majority Vote*)(*Ways & Means*)

The Ways and Means Committee interviewed Amanda Lansing. She informed the City Council that she worked for VHB and environmental company out of Worcester. She has a degree in the field, and recently moved to the area. She hopes to use her experience to help protect the precious natural resources that Leominster has going forward.

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.

There were no speakers during the public forum.

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

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

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

Councillor Richard Marchand, Councillor Claire Freda, Councillor John Dombrowski, Councillor Susan Chalifoux Zephir, Councillor Mark Bodanza, Councillor Thomas Ardinger, Councillor Pauline Cormier, Councillor David Cormier, Councillor Gail Feckley were in attendance.

Others Present: Katelyn Huffman, City Clerk and Titi Siriphan, Assistant City Clerk.

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

February 25, 2019 – These meeting minutes were unanimously approved as amended.

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's Appointment of **LuAnn Longenecker** to the Cultural Commission; term to expire 4/15/2022. (*Ways & Means; Majority Vote*)

This appointment was given regular course. The Ways and Means Committee asked that the applicant come down for an interview at the next meeting and provide a summary of qualifications.

A measure confirming the Mayor's Appointment of **Robert Wilson** to the Cultural Commission; term to expire 4/15/2022. (*Ways & Means; Majority Vote*)

This appointment was given regular course. The Ways and Means Committee asked that the applicant come down for an interview at the next meeting and provide a summary of qualifications.

ORDERS

C-52 Dean J. Mazzearella, Mayor: Requesting the appropriation of \$60,000.00 to the Municipal Buildings Capital Outlay Expense Account: same amount to be transferred from the Stabilization Fund. (*Finance; Majority Vote*)
RE: City Hall Boiler Replacement

This item was given regular course. It was noted that A 2/3 vote would be needed instead of a majority vote.

C-53 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$22,664.00 to the General Fund Various Salary & Wages Account as listed; same amount to be transferred from the Collective Bargaining Expense Account. (*Finance; Majority Vote*)
RE: Settlement with Middle Managers Union for FY 2019 – FY 2021

This item was given regular course. Councillor Chalifoux Zephir requested a breakdown of the agreement from the Chair of the Finance Committee.

C-54 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$12,250.00 to the Mayor Salary & Wages Account; same amount to be transferred from the Stabilization Account. (*Finance; 2/3 Vote*)

This item was given regular course. Councillor Chalifoux Zephir requested a breakdown of the agreement from the Chair of the Finance Committee.

C-55 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$100,000.00 to the Police Expense Account; same amount to be transferred from the Police Salary & Wages Account. (*Finance; Majority Vote*)

This item was given regular course.

C-56 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$28,250.00 to the Police Salary & Wages Account; same amount to be transferred from the Collective Bargaining Expense Account. (*Finance; Majority Vote*)

This item was given regular course. Councillor Chalifoux Zephir requested a breakdown of the agreement from the Chair of the Finance Committee.

C-57 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$150,000.00 to the Police Overtime Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This item was given regular course.

V. PETITIONS – FIRST TIME ON THE CALENDAR

36-19 Lillian Godfrey, Regulatory Affairs Coordinator: Renew the Second Hand Dealers License for ecoATM located at 100 Commercial Road (The Mall at Whitney Field.) (*Pending referral from Police; Majority Vote*) (*Ways & Means*)

This item was given regular course with a referral to the Treasurer's Office and the Police Department.

37-19 Deghan, Inc. d/b/a Hannoush Jewelers: Renew the Second Hand Dealers License for Hannoush Jewelers located at 100 Commercial Road (The Mall at Whitney Field.) (*Pending referral from Police; Majority Vote*) (*Ways & Means*)

This item was given regular course with a referral to the Treasurer's Office and the Police Department.

38-19 National Grid and Verizon: To relocate 1 Jointly Owned Pole on Wheeler Street, beginning at a point approximately 102 feet northeast of the centerline of the intersection of Lancaster Street and continuing approximately 20 feet in a northwest direction. National Grid to relocate

pole #1, 10 feet closer to Lancaster Street to allow for a customer to install a new driveway. *(Public Service; Public Hearing TBD; Majority Vote)*

This item was given regular course with a recommendation to have the Public Hearing on March 25, 2019 at 6:14 P.M. Vote: 9-0 The public hearing would be held on March 25, 2019 at 6:14 P.M.

39-19 A Measure Approving an Exemption under G.L. Ch. 268A, § 20(b)(3), Conflict of Interest of Robert A. DiMarzio, Contract for School Department Substitute Teacher. *(Ways & Means; Majority Vote)*

This item was given regular course and was referred to the Mayor's Office.

VI. MATTERS BEFORE THE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

The balance of the stabilization fund was: \$16,609,409.00

VIII. FINANCE

C-48 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$29,870.00 to the Emergency Management Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 2/25/2019; 2/3 Vote)*

Councillor Bodanza informed the Council that the Emergency Management Division needed funding to help fix issues such as HVAC repairs, sprinklers, fire alarms, heating, and other building maintenance items. The Finance Committee Recommended granting the communication. Vote: 9-0 the communication was granted.

ORDERED: Vote 9-0 the communication was ADOPTED.

C-49 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$80,000.00 to the Assessor's Revaluation Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 2/25/2019; 2/3 Vote)*

RE: \$65,000.00 – Assessor's Property Revaluation
 \$15,000.00 - Aerial Imagery Project
 \$80,000.00

The Finance Committee Recommended granting the communication. Vote: 9-0 the communication was granted. Councillor Freda reminded the Council the Funds were requested due to State Law.

ORDERED: Vote 9-0 the communication was ADOPTED.

C-50 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$81,000.00 to the Highway Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 2/25/2019; 2/3 Vote)*

Councillor Chalifoux Zephir requested that the Finance Chair acquire more details on the specifics of the maintenance shop upgrades and construction costs that were quoted in the communication.

The Finance Committee Recommended granting the communication. Vote: 9-0 the communication was granted.

ORDERED: Vote 9-0 the communication was ADOPTED.

C-51 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$53,000.00 to the Sanitation & Drainage Expense Account; same amount to be transferred from the Stabilization Fund. *(Regular Course 2/25/2019; 2/3 Vote)*

Councillor David Cormier asked if this would be a permanent budget item. The Finance Chairman said he would discuss it with the Mayor.

The Finance Committee Recommended granting the communication. Vote: 9-0 the communication was granted.

ORDERED: Vote 9-0 the communication was ADOPTED.

IX. LEGAL AFFAIRS

20-19 Elizabeth Wood, Planning & Development Director: To amend the Zoning Ordinance accordingly: Remove the section of Article XIII 22-71.1 that states "...Signs may not extend above the building's roofline and/or the wall upon which the sign is located." This contradicts section 22-71.9.1 that covers sign height and states that a sign may extend eight feet above the roof line. *(Regular Course 1/14/2019; Further Time 1/28/2019; 2/11/2019; 2/25/2019; 2/3 Vote)*

Councillor Dombrowski informed City Council that a memo was received from the Planning Director on behalf of the Planning Board. It stated that the Planning board had picked the less restrictive ordinance wording in order to prevent making signs pre-existing non-conforming. Councillor Bodanza, Councillor Ardinger, and Councillor David Cormier felt as if the more restrictive language would be better.

The Legal Affairs Committee recommended that the petition was granted. Vote: 8-1 (Councillor Ardinger, Nay) the petition was GRANTED.

- 25-19 Gregory C. Chapdelaine, Purchasing Agent, and Paula Deacon, Superintendent of Schools: Request to allow the Purchasing Agent to award a contract for Information Technology Managed Services for a four-year period, on behalf of the School Department. (*Regular Course 2/25/2019; Majority Vote*)

The Legal Affairs Committee recommended that the petition was granted. Vote 9-0 the petition was GRANTED.

- 27-19 Mark C. Bodanza, Esq.: To amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for north bound traffic on Cro Shee Lane at the intersection of Woodside Avenue. (*Regular Course 2/25/2019; Pending Referral Traffic; 2/3 Vote*)

The Legal Affairs Committee recommended that the petition be given further time. Vote: (Councillor Pauline Cormier, Councillor Freda, Councillor Dombrowki, YAY) 3-7 (Councillor David Cormier, Councillor Ardinger, Councillor Bodanza, Councillor Feckley, Councillor Chailfoux Zephir, Councillor Marchand, NAY)

Further Time was DENIED.

Councillor Cormier made a motion to GRANT petition 27-19. Councillor Bodanza seconded the motion. The motion carried unanimously. Vote: 9-0.

Councillor Dombrowski made a motion to set the Public Hearing for March 25, 2019 at 6:13 PM. Vote: 9-0 the public hearing was set.

- 28-19 Mark C. Bodanza, Esq.: To amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for north bound traffic on Old Brook Road at the intersection of Woodside Avenue. (*Regular Course 2/25/2019; Pending Referral Traffic; 2/3 Vote*)

The Legal Affairs Committee recommended to GRANT petition 28-19 and to set the Public Hearing for March 25, 2019 at 6:12 PM. Vote: 9-0 the public hearing was set and the petition was GRANTED.

- 29-19 David R. Cormier: Install a stop sign on Hawthorne Road against southbound drivers at Grant Street. (*Regular Course 2/25/2019; Pending Referral Traffic; 2/3 Vote*)

The Legal Affairs Committee recommended to GRANT petition 29-19 and to set the Public Hearing for March 25, 2019 at 6:11 PM. Vote: 9-0 the public hearing was set and the petition was GRANTED.

- 30-19 David R. Cormier: Install a stop sign on Hawthorne Road against northbound drivers at Queens Road. (*Regular Course 2/25/2019; Pending Referral Traffic; 2/3 Vote*)

The Legal Affairs Committee recommended to GRANT petition 30-19 and to set the Public Hearing for March 25, 2019 at 6:10 PM. Vote: 9-0 the public hearing was set and the petition was GRANTED.

- 31-19 David R. Cormier: Install a stop sign on Iris Road against northeast bound drivers at Grant Street. (*Regular Course 2/25/2019; Pending Referral Traffic; 2/3 Vote*)

The Legal Affairs Committee recommended to GRANT petition 31-19 and to set the Public Hearing for March 25, 2019 at 6:09 PM. Vote: 9-0 the public hearing was set and the petition was GRANTED.

- 32-19 Katelyn Huffman, City Clerk: Request to amend the current \$15.00 marriage intention application fee to the new proposed fee of \$25.00. This fee would be effective as of July 1, 2019. (*Regular Course 2/25/2019; 2/3 Vote*)

Councillor David Cormier made a motion to amend the petition to change the new proposed fee from \$25.00 to \$30.00. Councillor Bodanza seconded the motion. Vote 7-2 (Councillor Chalifoux Zephir and Councillor Freda, NAY), the motion to amend the petition was granted.

The Legal Affairs Committee recommended that the petition be granted as amended with a public hearing to be set for March 25, 2019 at 6:08 PM. Vote: 9-0 the petition was granted as amended.

- 33-19 Katelyn Huffman, City Clerk: Request to amend the revised ordinances Chapter 12, Article 1 Section 12-2, #52 Dog Licenses: to include a new

fee to read “Service Dogs – No Fee.” (*Regular Course 2/25/2019; 2/3 Vote*)

Councillor David Cormier made a motion to amend the petition to include “effective ss of the 2020 licensing period.” The motion was seconded by Councillor Bodanza. Vote: 9-0 the amendment was DENIED.

Councillor Cormier made a motion to amend the petition to include “effective as of July 1, 2019.” Councillor Pauline Cormier seconded the motion. Vote 8-1 (Councillor Dombrowski, NAY), the amendment was GRANTED. Councillor Dombrowski informed the Council he was not in favor of the amendment.

The Legal Affairs Committee made a motion to GRANT the petition and to set a public hearing on March 25, 2019 at 6:07 PM.

Roll Call Vote: 9-0 the petition was GRANTED as amended and the public hearing was set.

34-19 Katelyn Huffman, City Clerk: Request to amend the revised ordinances Chapter 2 Article 2 Section 2-9 letter P. *See enclosure (Regular Course 2/25/2019; Pending Referral Mayor; 2/3 Vote)*

The Legal Affairs Committee recommended that the City Council grant the petition and set a public hearing for March 25, 2019 at 6:06 PM. Vote: 9-0 the petition was GRANTED and the public hearing was set.

X. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE

A measure confirming the Mayor’s Appointment of **Anthony McCauliff** to the Office of Emergency Management – EMS Unit; Volunteer (*Regular Course 2/11/2019; Further time 2/25/2019; Majority Vote*)

This item was brought to the front of the agenda. The Ways and Means Committee recommended to give the appointment further time. Vote: 9-0 the appointment was given further time.

A measure confirming the Mayor’s Appointment of **Samuel Gallagher** to the Conservation Commission; term to expire 4/15/2022. (*Regular Course 2/11/2019; Majority Vote*)

This item was brought to the front of the agenda. The Ways and Means Committee recommended to confirm the appointment. Vote: 9-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Amanda Lansing** to the Conservation Commission; term to expire 4/15/2022. *(Regular Course 2/25/2019; Majority Vote)*

This item was brought to the front of the agenda. The Ways and Means Committee recommended to confirm the appointment. Vote: 9-0 the appointment was CONFIRMED.

26-19 Wendy Wiiks, Grants Administrator: Request a letter of support from the Leominster City Council for the Municipal Vulnerability Preparedness Community (MVP) Program. *(Regular Course 2/25/2019; Majority Vote)*

The Ways and Means Committee recommended to grant the petition. Vote: 9-0 the petition was GRANTED.

XI. NEW BUSINESS

None

XII. OLD BUSINESS

Councillor Freda announced that the Councillor's Association Meeting would be Wednesday, March 13, 2019 at Ken's Steak House at no charge.

Council President Marchand paid tribute to the fire fighters, police officers, and DPW staff that responded to the fire at North Main Street Sunoco.

XIII. COMMUNITY CALENDAR

- **Councillor Chalifoux Zephir informed the Council that the Rail Trail Public Hearing would be on Wednesday, March 13, 2019 at 6:30 PM at the Double Tree in Leominster. The purpose was to open the plan to the public and allow them to weigh in on it.**
- **Councillor Chalifoux Zephir informed the council that on March 21, 2019, the Leominster Education Foundation would be hosting the 6th Annual Superintendent dinner and that three designees would be honored. All proceeds would go to the Leominster Education Foundation scholarship fund.**
- **Councillor Freda informed the council that on April 3, 2019 the Rotary Vocational Awards would be taking place. It would be the 25th year that the dinner was established to recognize city employees of a job well done.**
- **Councillor Ardinger informed the council that on March 16, 2019 at the Leominster Elks Lodge at 6:00 PM the American Legion would host its**

100-year anniversary celebration. He requested that a citation be prepared for the event.

XIV. ADJOURNMENT

The meeting adjourned at 8:17 PM.

Minutes Respectfully Submitted By:

Katelyn Huffman, City Clerk