



**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

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**MINUTES**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**APRIL 8, 2019**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**INFORMATION SESSION WITH THE MAYOR, 5:45 P.M.**

- Economic development.
- New phone system.

**Mayor Dean J. Mazarella, Nikki Peters, Economic Development Coordinator, and Melissa Tasca, Business Development Coordinator, spoke to the City Council about the initiatives and programs the city has implemented to help with economic development and growth. They informed the council that they participate in cold calls, recruitment, analyzing new business trends and growth, marketing, advertising, individual technical reviews and other such types of economic development to show current and potential businesses that Leominster is supporting.**

**PUBLIC HEARING, 6:40 P.M.**

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, 35 feet closer to Lancaster Street to allow for a customer to install a new driveway. (*Regular Course 3/11/2019; Further Time 3/25/2019; Public Hearing 3/25/2019 @ 6:14 P.M.; Majority Vote*) (*Public Service*)

**The public hearing opened at 6:47 P.M. Mark Tapley gave an overview of the petition and handed out an updated plan. Councillor Freda informed the Council that there were concerns about the proposed amended location of the pole. The Public Service Committee felt that it would be best if the homeowner or business**

**owner came in and explained their intent. Councillor Freda asked three times whether anyone from the public wanted to speak for or against the petition. No one spoke. It was recommended that the public hearing be given further time and stay open.**

#### **PUBLIC HEARING, 6:44 P.M.**

47-19 National Grid: To install 1 Singular Owned pole on Jytek Drive beginning at a point approximately 570 feet Northwest of the centerline of the intersection of Central Street and continuing approximately +/- 15' feet in a Southwest direction. National Grid to install 1 pole between poles 10 and 11 for a customer's primary conductor to the new transformer pad to upgrade service. *(Regular Course 3/25/2019; Public Hearing 4/08/2019 @ 6:44 P.M.; Majority Vote) (Public Service)*

**The public hearing opened at 6:56PM. Mark Tapley, of National Grid, spoke in favor of the petition. He explained that the applicant was requesting an additional pole to upgrade service, add a transformer, and power their new building, it would go in between two existing poles and send the service underground. Councillor Freda asked three times whether anyone from the public wanted to speak for or against the petition. No one else spoke. The public hearing closed at 6:59 PM.**

#### **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.

**Council President Marchand asked three times if anyone from the public would like to speak for or against a petition. No one spoke.**

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#### **INTERVIEW, 6:50 P.M.**

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; 3/11/2019; Appointment Confirmed 3/25/2019; Majority Vote)(Ways & Means)*

**Councillor Feckley, Chairwomen of the Ways & Means Committee, began the interview with Anthony McCauliff. He informed the Council that he has 10 years of military background, a degree in social work, and would like to give back to the community. The**

councillors thanked him for his willingness to volunteer and informed him that he had been confirmed at the prior meeting.

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

The regular meeting of the City Council opened at 7:00 P.M. Councillor Pauline Cormier made a motion for recess. Councillor Chalifoux Zephir seconded the motion. The motion carried unanimously. The City Council meeting came back to regular session at 7:08 PM.

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

Council President Marchand, Council Vice President Feckley, Councillor Chalifoux Zephir, Councillor Freda, Councillor Pauline Cormier, Councillor Ardinger, Councillor Bodanza were present. Councillor Dombrowski and Councillor David Cormier were absent.

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

**III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

March 25, 2019 Meeting Minutes – **Approved as amended.**

**IV. COMMUNICATIONS FROM THE MAYOR**

APPOINTMENTS

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

**This appointment was given regular course. The Ways & Means Committee requested that the appointee appear at the next City Council Meeting for an interview.**

A measure confirming the Mayor's Appointment of **Richard Dondero** to the Board of Assessors; term to expire 4/15/2022. (*Ways & Means; Majority Vote*)

**This appointment was given regular course. The Ways & Means Committee requested that the appointee appear at the next City Council Meeting for an interview.**

ORDERS

C-67      Dean J. Mazarella, Mayor: Relative to the appropriation of \$162,800.00 to the Cemetery Capital Outlay Expense Account; same amount to be

transferred from the Cemetery Perpetual Care Income Account. (*Finance; Majority Vote*)

**This communication was given regular course.**

**V. PETITIONS – FIRST TIME ON THE CALENDAR**

51-19 Christopher Rivard: Requests a Transient Vendors License for the sale of flowers and plants. (*Ways & Means; Majority Vote*)

**This petition was given regular course.**

52-19 Sterling Jewelers, Inc.: Renew the Second Hand Dealers License for Kay Jewelers #1285 located at 100 Commercial Road. (*Ways & Means; Majority Vote*)

**This petition was given regular course.**

**VI. MATTERS BEFORE THE CITY COUNCIL**

**VII. CITY OF LEOMINSTER – FINANCIAL REPORT**

**The balance of the stabilization fund was: \$15,730,691.00**

**VIII. FINANCE**

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. (*Regular Course 3/11/2019; Further Time 3/25/2019; Majority Vote*)

RE: Settlement with Middle Managers Union for FY 2019 – FY 2021

**The Finance Committee recommended that this communication be given further time. Vote: 7-0 this communication was given further time.**

C-62 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$30,000.00 to the Sanitation & Drainage Expense Account; same amount to be transferred from the Stabilization Fund. (*Regular Course 3/25/2019; 2/3 Vote*)

RE: Burrage and Mascoma Avenue drainage study.

**The Finance Committee recommended to GRANT this petition. Vote: 7-0 the petition was GRANTED.**

**ORDERED: By a vote of 7-0 this communication was ADOPTED.**

- C-63 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$475,000.00 to the Sidewalk Expense Account; same amount to be transferred from the Stabilization Fund. (*Regular Course 3/25/2019; Pending Referrals DPW, Mayor; 2/3 Vote*)

**The Finance Committee recommended to GRANT this petition. Vote: 7-0 the petition was GRANTED.**

**ORDERED: By a vote of 7-0 this communication was ADOPTED.**

- C-64 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$85,000.00 to the Cemetery Capital Outlay Expense Account; same amount to be transferred from the Cemetery Perpetual Care Income Account. (*Regular Course 3/25/2019; Majority Vote*)

**The Finance Committee recommended to GRANT this petition. Vote: 6-1 (Councillor Freda, NAY) the petition was GRANTED.**

**ORDERED: By a vote of 6-1 (Councillor Freda, NAY) this communication was ADOPTED.**

**Councillor Freda requested that the Comptroller's office provide an accounting of all money spent on the Chapel.**

**Councillor Bodanza requested a MUNIS report for the Sale of Lots Account and the Perpetual Care Accounts.**

- C-66 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$30,000.00 to the Highway Labor Account; same amount to be transferred from the Stabilization Fund. (*Regular Course 3/25/2019; 2/3 Vote*)

**The Finance Committee recommended to GRANT this petition. Vote: 7-0 the petition was GRANTED.**

**ORDERED: By a vote of 7-0 this communication was ADOPTED.**

## **IX. LEGAL AFFAIRS**

- C-59 Dean J. Mazzearella, Mayor: Request the City Council vote to authorize the attached Electric Avenue easement. (*Regular Course 3/25/2019; Pending Referrals DPW, Planning, Mayor, Trustee; Majority Vote*)

**The Legal Affairs Committee recommended to give this communication further time due to the pending referrals and lack of the easement plan.**

**Vote: 7-0 the communication was given FURTHER TIME.**

**X. PUBLIC SERVICE COMMITTEE**

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. *(Regular Course 3/11/2019; Further Time 3/25/2019; Public Hearing 3/25/2019 @ 6:14 P.M.; Majority Vote)*

**The Public Service Committee recommended to give this petition further time. Vote: 7-0 the petition was given FURTHER TIME.**

47-19 National Grid: To install 1 Singular Owned pole on Jytek Drive beginning at a point approximately 570 feet Northwest of the centerline of the intersection of Central Street and continuing approximately +/- 15' feet in a Southwest direction. National Grid to install 1 pole between poles 10 and 11 for a customer's primary conductor to the new transformer pad to upgrade service. *(Regular Course 3/25/2019; Public Hearing 4/08/2019 @ 6:44 P.M.; Majority Vote)*

**The Public Service Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

**XI. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE**

C-58 Dean J. Mazzarella, Mayor: Request a letter of support from the Leominster City Council for the Safe Routes to Schools program. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to grant and support this communication. Vote: 7-0 the petition was granted and supported by the City Council.**

40-19 Jon Andre Zajon: Renew the Second Hand Dealers License for George's Fine Jewelers, Inc. located at 255 North Street. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

41-19 Jon Andre Zajon: Renew the Second Hand Dealers License for House of Relics, located at 1292 Main Street. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

42-19 Susan Chalifoux-Zephir: Renew the Second Hand Dealers License for Ginny's Helping Hand, Inc. located at 52 Mechanic Street. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 6-0 the petition was GRANTED. Councillor Chalifouz Zephir recused herself from this vote due to a conflict of interest.**

43-19 Roger Cormier: Renew the Second Hand Dealers License for Crowne Jewelers located at 12 Lindell Ave. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

44-19 Fred R. Tousignant: Renew the Second Hand Dealer License for Fred's Auction located at 28 Spruce Street. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

45-19 Paul F. Rouleau: Renew the Second Hand Dealers License for Protech Solutions located at 345 Central Street. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

46-19 Diane P. Amidon: Renew the Second Hand Dealers License for Upscale ConsignMINT located at 875 Merriam Ave, Suite 131. *(Regular Course 3/25/2019; Majority Vote)*

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

48-19 GameStop Inc.: Renew the Second Hand Dealers License for GameStop Store #1485 located at 100 Commercial Road. (*Regular Course 3/25/2019; Majority Vote*)

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

49-19 GameStop Inc.: Renew the Second Hand Dealers License for GameStop Store #3594 located at 26 Orchard Hill Park Drive. (*Regular Course 3/25/2019; Majority Vote*)

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

50-19 Mason Investments Inc.: Renew Bowling Alley License for Mason Bowling Center located at 640 North Main Street. (*Regular Course 3/25/2019; Majority Vote*)

**The Ways and Means Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.**

## **XII. NEW BUSINESS**

**Councillor Freda requested that the City Clerk ask the Fire and Police Chief on behalf of the City Council to begin swearing in new officers at City Council Meetings.**

## **XIII. OLD BUSINESS**

C-06-2018

In accordance with section 3-9 of the Leominster City Charter, a Public Hearing will be held on Monday April 22, 2019 at 6:40 P.M. in the Council Chambers, 25 West Street, Leominster, MA. The subject of the hearing will be the following Loan Order.

**ORDERED:** The Mayor is authorized to acquire, by purchase, gift, and/or eminent domain, three parcels of land located on Central Street, Leominster, namely, 106 Central Street, 112 Central Street, and 116-124 Central Street, which parcels are shown on Assessors Map 93 as Parcels 5, 6, and 7, for general municipal purposes, including, without limitation, for police station purposes, on such terms and conditions as the Mayor deems in the best interests of the City, and further to authorize the Mayor to enter into any all agreements and execute any and all instruments as may be necessary or convenient to affect said acquisition; and, as funding therefor;



FURTHER ORDERED: that the sum of \$2,000,000.00 is appropriated for the cost of the foregoing acquisition and development of the property for police station purposes, including, without limitation, for the costs of remediation, demolition, site preparation and/or design and costs incidental or related thereto; and to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow \$2,000,000 in accordance with G.L. c.44. §7 and/or any other enabling authority and to issue bonds and notes therefor, and, in accordance with G.L. c.44, §20, and

FURTHER ORDERED: that any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of project costs approved hereunder, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

**This item was given regular course and it was recommended by the Finance Committee that a public hearing be held on April 22, 2019 at 6:40PM. Vote: 7-0 the public hearing was set.**

20-19

**2nd Reading Ordinance**

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; PH 1/28/2019 @ 6:30 P.M.; Granted 3/11/2019; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote)*

**The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**

27-19

**2nd Reading Ordinance**

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; Granted 3/11/2019; PH 3/25/2019 @ 6:13 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote)*

**The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**

- 28-19      **2nd Reading Ordinance**  
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; Granted 3/11/2019; PH 3/25/2019 @ 6:12 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote*)
- The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**
- 29-19      **2nd Reading Ordinance**  
David R. Cormier: Install a stop sign on Hawthorne Road against southbound drivers at Grant Street. (*Regular Course 2/25/2019; Granted 3/11/2019; PH 3/25/2019 @ 6:11 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote*)
- The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**
- 30-19      **2nd Reading Ordinance**  
David R. Cormier: Install a stop sign on Hawthorne Road against northbound drivers at Queens Road. (*Regular Course 2/25/2019; Granted 3/11/2019; PH 3/25/2019 @ 6:10 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote*)
- The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**
- 31-19      **2nd Reading Ordinance**  
David R. Cormier: Install a stop sign on Iris Road against northeast bound drivers at Grant Street. (*Regular Course 2/25/2019; Granted 3/11/2019; PH 3/25/2019 @ 6:09 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote*)
- The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**
- 32-19      **2nd Reading Ordinance**  
Katelyn Huffman, City Clerk: Request to amend the current \$15.00 marriage intention application fee to the new proposed fee of \$30.00. This fee would be effective as of July 1, 2019. (*Regular Course 2/25/2019;*

*Granted as amended 3/11/2019; PH 3/25/2019 @ 6:08 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote)*

**The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**

33-19

**2<sup>nd</sup> Reading Ordinance**

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; Granted 3/11/2019; PH 3/25/2019 @ 6:07 P.M.; 1<sup>st</sup> Reading 3/25/2019; 2/3 Vote*)

**The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**

34-19

**2<sup>nd</sup> Reading Ordinance**

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; Granted 3/11/2019; PH 3/25/2019 @ 6:06 P.M.; 1<sup>st</sup> Reading 3/25/2019; Pending Referral Mayor; 2/3 Vote)*

**The Legal Affairs Committee Recommended that the City Council Adopt the second reading of the ordinance. Vote: 7-0 the second reading of the ordinance was ADOPTED.**

#### **XIV. COMMUNITY CALENDAR**

- The City Clerk will send the Councillors an updated phone list for the new phones.
- Council President Marchand informed the council that the Lassie League Opening Day ceremony will be approaching.
- Council President Marchand informed the council that the Memorial Day Services will occur in May
- Council President Marchand informed the council that the Jr. Prom just occurred and it was a great success.
- Councillor Freda informed the council that the vocational awards dinner was a big success with 200 guests.
- Council President Marchand reminded the council about the Tri-City Dinner on April 10, 2019.

**XV. ADJOURNMENT**

**The City Council meeting adjourned at 8:00PM.**

Minutes Respectfully Submitted by:

Katelyn Huffman, City Clerk