



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

APRIL 22, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

PUBLIC HEARING, 6:38 P.M.

38-19 National Grid and Verizon: To relocate 1 Jointly Owned Pole on Wheeler Street, beginning at a point approximately 75 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. New pole to be 50 feet away from Lancaster Street. *(Regular Course 3/11/2019; Further Time 3/25/2019; 4/8/2019; Public Hearing 3/25/2019 @ 6:14 P.M.; Public Hearing Continued 4/8/2019; 4/22/2019; Majority Vote) (Public Service)*

The continued public hearing opened at 6:39 PM. Councillor Freda asked if there was anyone who would like to speak for or against the petition three times. No one from the public spoke. Councillor Freda and Councillor Ardinger voiced concern regarding the reason the pole was being moved. They felt it would be best to keep the public hearing open and give the petition further time.

PUBLIC HEARING, 6:40 P.M.

C-06

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.

The public hearing opened at 6:40 PM. Councillor Bodanza read the Loan Order aloud in full. He asked three times whether anyone would like to speak for or against the petition. No one spoke. The public hearing closed at 6:45 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.

The public forum began at 6:45 PM.

Peter Campobasso, the legal counsel for petition 19-19, spoke for the petition. He explained that the host agreement had been amended and the new

language for the support letter had been amended as requested. He requested that the Council Approve the letter of support with the amendments.

Ed Bartlett, spoke in support of 19-19. He explained to the council that it will help the facility meet state regulations required by law. He also gave an update on the status of the building.

CITATIONS, 6:46 P.M.

St. Anna's CYO Champions.

Councillor Freda and Councillor Feckley handed out citations to the St. Anna's CYO Champions whom were: Audric Adonteng, Louis Ciccolini, Patrick Ginnity, Michael Numah, Alex Uschold, William Sarafield, Ryan Hulecki, Christopher Pompei, Brandon Hulecki, AJ Asamoah-Pratt, Clauvens Jean-Risme, Jonathan Valera, David Nurmi, Donovan Campbell, Coach Dennis Donlan, Coach Christopher Pompei, and Coach Joel O'Toole.

INTERVIEW, 6:50 P.M.

A measure confirming the Mayor's Appointment of **Richard Dondero** to the Board of Assessors; term to expire 4/15/2022. (*Regular Course 4/08/2019; Majority Vote*) (*Ways & Means*)

Richard Dondero, gave an overview of his experience as an Assessor from the past and the present. He explained that he had started as an appraiser in 2001, received his full certification as well as his FHA certification in 2007, and began as the Assistant Assessor in the City of Leominster in 2014. He often takes part in permit, sale review, abatement, and cyclical inspections for the City. Chief Assessor, Bill Mitchell, spoke on behalf of Richard Dondero and explained that he is an outstanding asset to his team and that he is very lucky to have him.

The Ways and Means Committee recommended to CONFIRM the appointment of Richard Dondero. Vote: 8-0 the appointment was CONFIRMED.

INTEVIEW, 6:55 P.M.

A measure confirming the Mayor's Appointment of **Vicki Briggs** to the Cultural Commission; term to expire 4/15/2022. (*Regular Course 4/08/2019; Majority Vote*) (*Ways & Means*)

Vicki Briggs, gave an overview of her background. She informed the City Coujncil that she is the executive director of the Beacon of Hope, has a strong background in community service, has her zoology degree, and has always had a passion for giving back to others and the community.

The Ways and Means Committee recommended to CONFIRM the appointment of Vicki Briggs. Vote: 8-0 the appointment was CONFIRMED.

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

The regular meeting of the City Council opened at 7:00 PM. After the pledge, attendance, and acceptance of the meeting minutes, Councillor David Cormier made a motion to recess and Councillor Pauline Cormier seconded the motion. The motion carried unanimously. At 7: 19 PM, the regular meeting was back in session.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

April 8, 2019 Meeting Minutes - The meeting minutes of the April 8, 2019 were approved unanimously and placed on file.

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's Appointment of **Scott Simpson** to the Board of Appeals; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Michelle Haggstrom** to the Board of Appeals – Alternate Member; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **John Diggins** to the Council on Aging; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Donna Smith** to the Council on Aging; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Phyllis Gagne** to the Council on Aging; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Maria Maldari** to the Council on Aging; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **David Cormier** to the Disability Commission; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Paul Kennedy** to the Forest Warden; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **James Despo** to the Library Board of Trustees; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Maureen Donatelli** to the Recreation Commission; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Ann Mahan** to the Registrars of Voters; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

A measure confirming the Mayor's Appointment of **Bruce Lambert** to the Veterans Care of Graves; term to expire 4/15/2022. (*Ways & Means*)

This appointment was given regular course.

ORDERS

C-68 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$20,400.00 to the ITTF Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

C-69 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$12,000.00 to the Municipal Building Maintenance Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

V. PETITIONS – FIRST TIME ON THE CALENDAR

53-19 Music Mania Inc.: Renew the Second Hand Dealers License for Gordon Lasalle Music located at 875 Merriam Ave, Suite 135. (*Ways & Means; Majority Vote*)

This petition was given regular course.

54-19 Adele Martin-Farrell: Renew the Second Hand Dealers License for Cold Storage Antiques & Collectables located at 35 Grove Ave. (*Ways & Means; Majority Vote*)

This petition was given regular course.

55-19 Everything Cutie, Inc.: Renew the Second Hand Dealers License for Cutie Patuties located at 1021 Central Street. (*Ways & Means; Majority Vote*)

This petition was given regular course.

56-19 Everything Cutie, Inc.: Renew the Second Hand Dealers License for Cutiques located at 37 Mechanic Street. (*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: \$15,742,009.00

VIII. FINANCE

- C-53 Dean J. Mazzarella, 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; 4/08/2019 Majority Vote)*
RE: Settlement with Middle Managers Union for FY 2019 – FY 2021

The Finance Committee recommended to grant this communication. Vote: 8-0 the communication was granted. ORDERED: By a vote of 8-0 the communication was ADOPTED.

- C-67 Dean J. Mazzarella, 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. *(Regular Course 4/08/2019; Majority Vote)*

The Finance Committee recommended to grant this communication. Vote: 6-2 (Councillor Freda, Councillor Ardinger, NAY) the communication was granted. ORDERED: By a vote of 6-2 (Councillor Freda, Councillor Ardinger, NAY) the communication was ADOPTED. The City Council requested a Capital Outlay Expense summary be given to them, and that it defined what needed to be done, what has been spent, what has been appropriated, and it took each quote and matched it up to the appropriations thus far. It was also requested that DPW Director Ray Racine come to a City Council Meeting in May to further discuss this topic.

IX. LEGAL AFFAIRS

- 19-19 Approve a local letter of support or non-opposition to Middlesex Integrative Medicine for a proposed retail Registered Marijuana Dispensary (RMD) to be located at 305 Second Avenue, Waltham, MA to be signed by the Mayor or the duly authorized members of the Leominster City Council. *(Regular Course 12/10/2018; Further Time 1/14/2019; Petition Language Amended 1/14/2019; Granted 1/28/2019; Pending Referral Mayor; Majority Vote).*

The Legal Affairs Committee recommended that petition 19-19 be granted. Vote: 8-0 the petition was granted. The letter would be drafted and sent to the petitioner.

- C-59 Dean J. Mazzarella, Mayor: Request the City Council vote to authorize the attached Electric Avenue easement. *(Regular Course 3/25/2019; Further*

Time 4/8/2019; Pending Referrals DPW, Planning, Mayor, Trustee; Majority Vote)

The Legal Affairs Subcommittee Recommended that the communication be given further time. The City Council requested a map of the easement. Councillor Bodanza reminded the Council that he was concerned with the time constraints relevant to this communication and reminded the Council that the City Could always rescind the easement if it was breached in any way. Vote: 7-1 (Councillor Bodanza NAY) 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 75 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. New pole to be 50 feet away from Lancaster Street. *(Regular Course 3/11/2019; Further Time 3/25/2019; 4/8/2019; Public Hearing 3/25/2019 @ 6:14 P.M.; Public Hearing Continued 4/8/2019; 4/22/2019; Majority Vote)*

The Public Service Committee recommended that this petition be given further time and asked the City Clerk to try to reach out to the owners again. Councillor David Cormier recused himself from the deliberation and vote due to a conflict of interest.

Vote: 7-0 the petition was given further time.

XI. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE

- 51-19 Christopher Rivard: Requests a Transient Vendors License for the sale of flowers and plants. *(Regular Course 4/08/2019; Majority Vote)*

The Ways and means committee recommended to grant the Transient Vendors License. Vote: 8-0 the license was GRANTED.

- 52-19 Sterling Jewelers, Inc.: Renew the Second Hand Dealers License for Kay Jewelers #1285 located at 100 Commercial Road. *(Regular Course 4/08/2019; Majority Vote)*

The Ways and means committee recommended to grant the Second Hand Dealers License. Vote: 8-0 the license was GRANTED.

XII. NEW BUSINESS

Councillor David Cormier made a motion to invite DPW Director Ray Racine to one of the May City Council Meetings to discuss matters regarding the Cemetery and its accounts. Councillor Chalifoux Zephir seconded the motion. The motion carried unanimously.

XIII. OLD BUSINESS

C-06

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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.

Councillor Bodanza read the loan order aloud. The Finance Committee recommended to ADOPT the Loan Order. Vote: 8-0 the Loan Order was ADOPTED.

XIV. COMMUNITY CALENDAR

- **Council President Marchand informed the Council that May 17, 2019, the Michael Wallace Run will occur. It will help with fundraising for mental health programs. It will be held at the Eagles.**
- **Council President Marchand informed the Council that the Lassie League grand opening will occur soon.**
- **Councillor Chalifoux Zephir informed the City Council that the school had held its third strategic plan session and it was well attended. The goal is to make a plan for the next 3-5 years for the district.**

XV. ADJOURNMENT

The meeting adjourned at 8:02 PM.

Meeting Minutes Respectfully Submitted By:

Katelyn Huffman, City Clerk