



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

MAY 13, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

PUBLIC INFORMATION SESSION, 6:15 P.M.

Regarding new athletic field for the schools and its delay.

This public information was postponed to a date to be determined. City Council Vice President Feckley announced the postponement of this session to the public.

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 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; 4/22/2019; 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 7:41 PM. Bill Collins, the owner of the property, explained to the City Council that he would like to move the pole in order to create a driveway. Councillor Freda cited that the property is both commercial and residential. She expressed concerned that a strip mall may be created. Mr. Collins informed the council that he was not familiar with that idea. He explained that a small addition would be added to the old Industrial Hardware building and the second building would be brought forward and attach to the main building. The intent of the vacant lot would be for parking and landscaping purposes. Councillor Pauling Cormier asked the owner what was motivating him to

move the driveway and what the development plan was. Mr. Collins explained that there is no existing driveway in the area, he chose this location to avoid moving important drainage features and taking down a tree. He explained he did not plan to change the use or add anything else additional, that he intended to strictly adhere to the approved plan that was submitted to the planning board. Councillor Ardinger thanked the owner for coming down to city council and that he did not believe there would be a huge traffic impact.

The public hearing was closes at 6:53PM.

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 Vice President Feckley asked three times if anyone from the public would like to speak. No one spoke.

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

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

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

Council President Marchand was absent.

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

April 22, 2019 Meeting Minutes – The meeting minutes were approved as amended.

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's Appointment of **Nathan Fontaine** to the Office of Emergency Management - Dive Unit; volunteer. (*Ways & Means; Majority Vote*)

This measure was given regular course. The Ways and Means Committee requested that Nathan Fontaine come down for an interview at the next meeting.

A measure confirming the Mayor's Appointment of **Jeffrey B. O'Neill** to the Recreation Commission; term to expire 4/15/2022. (*Ways & Means: Majority Vote*)

This measure was given regular course.

COMMUNICATIONS

C-70 Dean J. Mazzearella, Mayor: A Measure Approving an Exemption under M.G.L. Ch. 268A, § 20(b), Conflict of Interest of **Stephanie Martin** as a Leisure Head Counselor. (*Ways & Means; Majority Vote*)

This communication was given regular course.

C-71 Dean J. Mazzearella, Mayor: A Measure Approving an Exemption under M.G.L. Ch. 268A, § 20(b), Conflict of Interest of **Rebecca Baker-Warry** as a Leisure Head Counselor. (*Ways & Means; Majority Vote*)

This communication was given regular course.

C-72 Dean J. Mazzearella, Mayor: A Measure Approving an Exemption under M.G.L. Ch. 268A, § 20(b), Conflict of Interest of **Mary Newton** as a part time clerk for the Department of Veterans' Services. (*Ways & Means; Majority Vote*)

This communication was given regular course.

C-73 Dean J. Mazzearella, Mayor: A Measure Approving an Exemption under M.G.L. Ch. 268A, § 20(b), Conflict of Interest of **Counsel** to the Leominster Public Schools. (*Ways & Means; Majority Vote*)

This communication was given regular course.

C-74 Dean J. Mazzearella, Mayor: Request that the Council vote to grant the attached Petition to Transfer Property to Recreation Commission. (*City Property; 2/3 Vote*)

C-75 Dean J. Mazzearella, Mayor: Request that the Leominster City Council vote to accept the Lincoln School property as surplus for the purposes of building the new police station. (*City Property; 2/3 Vote*)

This communication was given regular course. The Council requested information from the assessor's office for the Lincoln St. property.

C-76 Dean J. Mazzearella, 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; PH 5/28/2019 @ 6:10 PM; 2/3 Vote*)

This communication was given regular course and it was recommended that a public hearing be set for May 28, 2019 at 6:10 PM. Vote: 8-0 the public hearing was set.

C-77 Dean J. Mazzearella, 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; PH 5/28/2019 @ 6:11 PM; 2/3 Vote*)

This communication was given regular course and it was recommended that a public hearing be set for May 28, 2019 at 6:11 PM. Vote: 8-0 the public hearing was set.

C-78 Dean J. Mazzearella, 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; PH 5/28/2019 @ 6:12 PM; 2/3 Vote*)

This communication was given regular course and it was recommended that a public hearing be set for May 28, 2019 at 6:12 PM. Vote: 8-0 the public hearing was set.

ORDERS

C-79 Dean J. Mazzearella, 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; PH 5/28/2019 @ 6:13 PM; 2/3 Vote*)

This communication was given regular course and it was recommended that a public hearing be set for May 28, 2019 at 6:13 PM. Vote: 8-0 the public hearing was set.

- C-80 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$93,175.00 be made to the School Transportation Expenses; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

Councillor Chalifoux Zephir made a motion to amend the order to say \$930,175.00, Councillor David Cormier seconded the motion. The motion carried unanimously. This amended communication was given regular course.

- C-81 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$24,000.00 be made to the Police Department Overtime Account; same amount to be transferred from the Collective Bargaining Expense Account. RE: Patrolman and Superior Officers Wage Agreement Settlement. (*Finance; Majority Vote*)

This communication was given regular course.

- C-82 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$195,000.00 be made to the Police Department Salary & Wages Account; same amount to be transferred from the Collective Bargaining Expense Account. (*Finance; Majority Vote*)

This communication was given regular course.

- C-83 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$6,000.00 be made to the City Council Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

This communication was given regular course.

- C-84 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$119,023.00 to the Various General Fund Salary and Wages Appropriation Accounts as listed; same amount to be transferred from the Collective Bargaining Expense Account. (*Finance; Majority Vote*)

This communication was given regular course.

- C-85 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$5,967.00 be made to the Wastewater Salary & Wages Account; same amount to be

transferred from the Wastewater Support Services Expense Account.
(*Finance; Majority Vote*)

This communication was given regular course.

- C-86 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$7,403.00 to the Water Department Salary & Wages Account; same amount to be transferred from the Water Department Support Services Expense Account. (*Finance; Majority Vote*)

This communication was given regular course.

- C-87 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$1,538.00 to the Gallagher Building Salary & Wages Account; same amount to be transferred from the Gallagher Building Salary & Wages Account. (*Finance; Majority Vote*)

This communication was given regular course.

- C-88 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$100,000.00 to the Fire Department Overtime 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

- 57-19 Best Buy Stores LP: Renew the Second Hand Dealers License for Best Buy Stores LP #1433, located at 33 Orchard Hill Park Drive. (*Ways & Means; Majority Vote*)

This communication was given regular course.

- 58-19 Michelle Powell and ten registered voters: Declare and accept Cleveland Street as a street in the City of Leominster. (*Legal Affairs; Majority Vote*)

This communication was given regular course. A referral was given to the engineering department, the DPW, and the Planning director.

VI. MATTERS BEFORE THE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

VIII. FINANCE

- 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. *(Regular Course 4/22/2019; 2/3 Vote)*

The Finance Committee Recommended that City Council Grant the communication. Vote: 5-3 (Councillor Chalifoux Zephir, Councillor Freda, Councillor Dombrowski NAY).

Councillor Dombrowski made a motion for reconsideration. Councillor Bodanza seconded the motion. Vote: 8-0 the communication would be reconsidered.

Councillor David Cormier made a motion to give the communication further time. Councillor Dombrowski seconded the motion. Vote: 7-1 (Councillor Feckley NAY) the communication was given further time.

- 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. *(Regular Course 4/22/2019; 2/3 Vote)*

The Finance Committee Recommended that City Council Grant the communication. Vote: 8-0 the communication was GRANTED. ORDERED: Vote: 8-0 the 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; Further Time 4/8/2019; 4/22/2016; Pending Referrals DPW, Mayor, Trustee; Majority Vote)*

The Legal Affairs committee recommended that the Council grant the communication. Vote: 8-0 the communication was GRANTED.

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; 4/22/2019; Public Hearing 3/25/2019 @ 6:14 P.M.; Public Hearing Continued 4/8/2019; 4/22/2019; 5/13/2019; Majority Vote)*

The Public Service Committee recommended to grant the petition. Councillor David Cormier and Councillor Bodanza abstained from the votes due to a conflict in interest. Vote: 6-0 the petition was GRANTED.

XI. WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE

A measure confirming the Mayor's Appointment of **Scott Simpson** to the Board of Appeals; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Michelle Haggstrom** to the Board of Appeals – Alternate Member; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **John Diggins** to the Council on Aging; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Donna Smith** to the Council on Aging; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Phyllis Gagne** to the Council on Aging; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Maria Maldari** to the Council on Aging; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **David Cormier** to the Disability Commission; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Councillor David Cormier abstained from the vote. Vote: 7-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Paul Kennedy** to the Forest Warden; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **James Despo** to the Library Board of Trustees; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Maureen Donatelli** to the Recreation Commission; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Ann Mahan** to the Registrars of Voters; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

A measure confirming the Mayor's Appointment of **Bruce Lambert** to the Veterans Care of Graves; term to expire 4/15/2022. *(Regular Course 4/22/2019)*

The Ways and Means Committee recommended to confirm the appointment. Vote: 8-0 the appointment was CONFIRMED.

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)*

The Ways and Means Committee recommended to grant the petition for a Second Hand Dealers License. Vote: 8-0 the appointment was CONFIRMED.

54-19 Adele Martin-Farrell: Renew the Second Hand Dealers License for Cold Storage Antiques & Collectables located at 609 Main Street. (*Ways & Means; Majority Vote*)

The Ways and Means Committee recommended to grant the petition for a Second Hand Dealers License. Vote: 8-0 the appointment was CONFIRMED.

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

The Ways and Means Committee recommended to grant the petition for a Second Hand Dealers License. Vote: 8-0 the appointment was CONFIRMED.

56-19 Everything Cutie, Inc.: Renew the Second Hand Dealers License for Cutiques located at 37 Mechanic Street. (*Ways & Means; Majority Vote*)

The Ways and Means Committee recommended to grant the petition for a Second Hand Dealers License. Vote: 8-0 the appointment was CONFIRMED.

XII. NEW BUSINESS

City Council President Marchand will be announcing the launching of a new special committee initiative.

This topic was postponed as Council President Marchand was absent.

XIII. OLD BUSINESS

- Regarding new athletic field for the schools and its delay. – **This topic was postponed to a date to be determined.**
- 1775 Lock Drive ownership status, permit status. – **Councillor Bodanza informed the council that there was an ownership change at this property. The new owners have been informed that a new special permit and host agreement would need to be negotiated for any further action on the property to take place regarding marijuana establishments.**
- **Councillor Chalifoux Zephir requested a breakdown of which positions, and how much money were being received for communications C-84, C-85, C-86, C-87, and C-88. She also requested back up from the Fire Department regarding their overtime request.**

XIV. COMMUNITY CALENDAR

- **Councillor Freda gave an update on the Police Station building committee. She informed the City Council that bids were in for Project Manager, the committee received 10 and were reviewing them. Their next meeting would be held at 7:30AM on May 16, 2019 in Room 10 at City Hall.**
- **Councillor David Cormier reminded everyone about the following Memorial Day Services:**
 - **Twilight Ceremony, May 24, 2019**
 - **Flag Ceremony, May 25, 2019**
 - **Memorial Day Parade, May 27, 2019**

XV. ADJOURNMENT

The meeting adjourned at 8:00PM.

Meeting Minutes Respectfully Submitted By:

Katelyn Huffman, City Clerk