



**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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**CITY OF LEOMINSTER**

**CITY COUNCIL**

**AUGUST 26, 2019**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**PUBLIC HEARING, 6:00 P.M.**

2-20 National Grid and Verizon New England, Inc. to install 2 Jointly Owned poles on Willard Street at a point approximately 50 feet southwest of the centerline of the intersection of Willard St & New Lancaster Road and continuing approximately 150ft in a southwest direction. National Grid to install 2 new poles for Reliability and Solar farm. (*Public Service; Regular Course 8/12/2019; Public Hearing 8/26/2019 @ 6:00PM; Majority Vote*)

**PUBLIC HEARING, 6:01 P.M.**

3-20 National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named (Portland Street, Leominster, MA). (*Public Service; Regular Course 8/12/2019; Public Hearing 8/26/2019 @ 6:01 P.M.; Majority Vote*)

**PUBLIC HEARING, 6:05 P.M.**

C-12 Dean J. Mazarella, Mayor: Petition the Honorable City Council to consider acquiring, by eminent domain, permanent and temporary easements on certain properties located adjacent or near the City-owned Twin Cities Rail Trail in connection with the Twin Cities Rail Trail Construction Project. The properties affected by the taking are identified more particularly in Schedule A of the Order of Taking by which the City will acquire the easements, enclosed herewith, and shown on a plan entitled: "Easement Plan of Land Twin Cities Rail Trail Leominster & Fitchburg, MA Prepared for City of Leominster", dated August 12, 2019, prepared by SMC Surveying and Mapping Consultants. (*Legal Affairs; Regular Course 08/12/19; 1<sup>st</sup> Reading 8/12/2019; Public Hearing 08/26/2019 @ 6:05 P.M.; 2<sup>nd</sup> Reading 08/26/2019; Pending Referrals Mayor; Conservation; Environmental Director; Economic Developer; Police; Traffic; 2/3 Vote*)

## **PUBLIC HEARING, 6:10 P.M.**

- C-13 Dean J. Mazzarella, Mayor: Petition the Honorable City Council to adopt an Order of Taking, taking by eminent domain permanent and temporary easements in, on and under the parcels of land shown on a plan entitled: "Easement Plan of Land Twin Cities Rail Trail Leominster & Fitchburg, MA Prepared for City of Leominster", dated August 12, 2019, prepared by SMC Surveying and Mapping Consultants, and award damages for said taking to the landowners affected thereby in the amounts set forth in Schedule B, enclosed herewith. (*Legal Affairs; Regular Course 08/12/19; 1<sup>st</sup> Reading 8/12/2019; Public Hearing 08/26/2019; 2<sup>nd</sup> Reading; 08/26/2019 @ 6:10 P.M.; Pending Referrals Mayor; Conservation; Environmental Director; Economic Developer; Police; Traffic 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.

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- 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**
    - July 22, 2019 Meeting Minutes.
    - August 12, 2019 Meeting Minutes.
    - August 15, 2019 Special Meeting Minutes.

### **IV. COMMUNICATIONS FROM THE MAYOR**

#### APPOINTMENTS

A measure confirming the Mayor's Appointment of **Joanne C. D'Onfro** to Library Board of Trustees; term to expire 4/15/2022. (*Ways & Means; Majority Vote*)

#### COMMUNICATIONS

- C-17 Dean J. Mazzarella, Mayor: Request that Diana Richard be exempt from the provisions of M.G.L. Chapter 268A §20(b) Conflict of Interest. (*Ways & Means; Majority Vote*)

## **COMMUNICATIONS, continued**

- C-18 Dean J. Mazzearella, Mayor: Request that Cheryl Canedo be exempt from the provisions of M.G.L. Chapter 268A §20(b) Conflict of Interest. (*Ways & Means; Majority Vote*)

## **ORDERS**

- C-19 Dean J. Mazzearella, Mayor: Request that an appropriation of \$64,131.00 be made to the School Transportation Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)
- C-20 Dean J. Mazzearella, Mayor: Request that an appropriation of \$60,105.12 be made to the School Department Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)
- C-21 Dean J. Mazzearella, Mayor: Request that an appropriation of \$30,000.00 be made to the School Department Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)
- C-22 Dean J. Mazzearella, Mayor: Request that an appropriation of \$230,700.00 be made to the Sidewalk Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; 2/3 Vote*)

## **V. MATTERS BEFORE THE CITY COUNCIL**

## **VI. CITY OF LEOMINSTER – FINANCIAL REPORT**

## **VII. FINANCE**

- C-15 Dean J. Mazzearella, Mayor: Request that an appropriation of \$570,964.00 be made to the School Department Expense Account; the same amount to be raised by Fiscal Year 2020 Revenue. (*Finance; Regular Course 08/12/19; Majority Vote*)

RE: FY 2020 State Budget Adoption.

- C-16 Dean J. Mazzearella, Mayor: Request that an appropriation of \$100,000.00 be made to the Gallagher Building Expense Account; the same amount to be transferred from the Gallagher Building Revolving Fund. (*Finance; Regular Course 08/12/19; Majority Vote*)

RE: Operational Expenses for FY 2020.

## VIII. LEGAL AFFAIRS

- C-10 Dean J. Mazzearella, Mayor: Request that the Cross-Connection Control Ordinance, Chapter 17, Section 17-18 be updated per the attached document. The adoption of this updated ordinance will help with the safety preservation of the water quality within the City of Leominster water distribution system, which is a continuous goal of the Department of Public Works. *(Legal Affairs; Regular Course 08/12/19; Pending Referrals DPW, Health; 2/3 Vote)*
- C-12 Dean J. Mazzearella, Mayor: Petition the Honorable City Council to consider acquiring, by eminent domain, permanent and temporary easements on certain properties located adjacent or near the City-owned Twin Cities Rail Trail in connection with the Twin Cities Rail Trail Construction Project. The properties affected by the taking are identified more particularly in Schedule A of the Order of Taking by which the City will acquire the easements, enclosed herewith, and shown on a plan entitled: "Easement Plan of Land Twin Cities Rail Trail Leominster & Fitchburg, MA Prepared for City of Leominster", dated August 12, 2019, prepared by SMC Surveying and Mapping Consultants. *(Legal Affairs; Regular Course 08/12/19; 1<sup>st</sup> Reading 8/12/2019; Public Hearing 08/26/2019 @ 6:05 P.M.; 2<sup>nd</sup> Reading 08/26/2019; Pending Referrals Mayor; Conservation; Environmental Director; Economic Developer; Police; Traffic; 2/3 Vote)*
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## IX. PUBLIC SERVICE

- 2-20 National Grid and Verizon New England, Inc. to install 2 Jointly Owned poles on Willard Street at a point approximately 50 feet southwest of the centerline of the intersection of Willard St & New Lancaster Road and continuing approximately 150ft in a southwest direction. National Grid to install 2 new poles for Reliability and Solar farm. *(Public Service; Regular Course 8/12/2019; Public Hearing 8/26/2019 @ 6:00PM; Majority Vote)*

## **PUBLIC SERVICE, continued**

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## **X. WAYS & MEANS**

### **SUSPENSION OF THE RULES/Emergency Preamble**

- C-09 Dean J. Mazzearella, Mayor: Authorize the City of Leominster to pursue \$25,190.00 through the United States Department of Justice – Justice Assistance Grant Program. (*At the City Council Meeting 8/12/2019; To be Ratified 8/26/2019; Majority Vote*)
- C-11 Dean J. Mazzearella, Mayor: Request that the list of Election Officers for 2019-2020 be appointed. (*Ways & Means; Regular Course 08/12/19; Majority Vote*)

## **XI. NEW BUSINESS**

## **XII. OLD BUSINESS**

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

- 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; Further Time: 06/10/19;06/24/19; Public Hearing 07/08/2019 @ 6:35 PM;1<sup>st</sup> Reading 8/12/2019; 2<sup>nd</sup> Reading 8/26/2019; 2/3 Vote*)

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

- 64-19 Mark C. Bodanza, Esquire: Relative to Amend Section 13-34 of the Revised Ordinance for the City of Leominster eliminate 1 of 2 existing no parking zones that run southerly on Union Street from intersection of Central and Union Street. (*Legal Affairs; Regular Course 06/10/19; Further Time: 06/24/19; Public Hearing July 8, 2019 @ 6:30PM; 1<sup>st</sup> Reading 8/12/2019; 2<sup>nd</sup> Reading 8/26/2019; 2/3 Vote*)

## **XIII. COMMUNITY CALENDAR**

## **XIV. ADJOURNMENT**

Katelyn Huffman, City Clerk