



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

AMENDED

CITY OF LEOMINSTER

CITY COUNCIL

OCTOBER 15, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

INFORMATION SESSION WITH THE MAYOR. 6:00 P.M.

Regarding new technology upgrade and Windows 7 dangers.

PUBLIC HEARING, 6:40 P.M.

5-20 National Grid and Verizon New England: Requests to install 1 Jointly Owned Pole and remove 1 Jointly Owned Pole on Hall Street beginning at a point approximately 265 feet west of the centerline of the intersection of West Street and continuing approximately 15 feet in a north direction. *(Regular Course 9/09/2019; Further Time 9/23/2019; Public Hearing 10/15/2019 @ 6:40 P.M.; Majority 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.

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

- August 26, 2019
- September 9, 2019
- September 23, 2019

IV. COMMUNICATIONS FROM THE MAYOR
COMMUNICATIONS

C-28 Dean J. Mazzarella, Mayor: Request that Kevin Iannacone be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. (*Ways & Means*) (*Regular Course 10/15/2019; Majority Vote*)

ORDERS

C-29 *Emergency Preamble*
Dean J. Mazzarella, Mayor: Request an appropriation of \$308,000.00 to the I.T.T.F Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance*) (*Regular Course 10/15/2019; 2/3 Vote*)

C-30 Dean J. Mazzarella, Mayor: Request an appropriation of \$60,000.00 to various accounts as listed below; same amount to be raised by Fiscal Year 2020 Revenue. Re: Expenses related to FY 2019 Collective Bargaining Agreement. (*Finance*) (*Regular Course 10/15/2019; Majority Vote*)

Collective Bargaining Sick Leave Buyback	\$40,000.00
Collective Bargaining Expenses	\$14,887.00
Health Salary & Wages	\$ 2,766.00
Economic Development Salary & Wages	<u>\$ 2,347.00</u>
	\$60,000.00

C-31 *Suspension of the Rules*
Dean J. Mazzarella, Mayor: Request an appropriation of \$221,100.00 to the Fire Department Capital Outlay Expense Account; same amount to be transferred from the Stabilization Fund. Re: Central Fire Station Rear Energy Reconstruction. (*Finance*) (*2/3 Vote*)

V. PETITIONS FIRST TIME ON THE AGENDA

12-20 Richard M. Marchand, Festival Facilitator: Request the closure of the following streets 5:30 A.M. to 7:00 P.M. for the Annual Johnny Appleseed Arts and Cultural Festival on Saturday, September 26, 2020, with a rain date of Saturday, October 3, 2020. (*City Property*) (*Regular Course 10/15/2019; Majority Vote*)

- West Street from School Street to Main Street.
- Park Street from West Street intersection in the Church Street vicinity to Main Street.
- The City Hall Parking Lot.
- The City parking lot adjacent to the City Hall located off West Street.
- The City parking lot (defined spaces) located between the First Baptist Church and the First Church Unitarian for handicap parking.
- Church Street from Merriam Avenue to West Street. (The section of Church Street to be closed off is still available with an altered egress pattern for public safety vehicles and business).

13-20 National Grid and Verizon New England, Inc.: Union Street – Requests to install 1 Jointly Owned Pole on Union Street beginning at a point approximately 250 feet west of the centerline of the intersection of Theodore Drive and continuing approximately 20 feet in a northern direction. Install new pole #98-50 at entrance of driveway to 827 Union Street to service new pole line running up driveway and remove back yard poles from house #821 that service #827. (*Public Service*) (*Regular Course 10/15/2019; Public Hearing 10/28/2019 @ 6:40 P.M.; Majority Vote*)

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

VIII. FINANCE

C-25 Dean J. Mazzearella, Mayor: Request that an appropriation of \$28,000.00 be made to the Emergency Management Expense Account; same to be transferred from the Stabilization Fund. (*Finance; Regular Course 09/23/2019; 2/3 Vote*)

FINANCE, continued

- C-26 Dean J. Mazzarella, Mayor: Request that an appropriation of \$23,200.00 be made to the School Department Expense Account; same to be transferred from the Stabilization Fund. (*Finance; Regular Course 09/23/2019; 2/3 Vote*)
- C-27 Dean J. Mazzarella, Mayor: Request that an appropriation of \$8,000.00 be made to the Police Department Expense Account; same to be transferred from the Stabilization Fund. (*Finance; Regular Course 09/23/2019; 2/3 Vote*)

IX. LEGAL AFFAIRS

- 6-20 Joseph Bassett and ten registered Voters to accept Barry Lane as a street in the City of Leominster. (*Legal Affairs; Regular Course 9/23/2019; Pending Referrals **Planning Board Director, Planning Board**; Majority Vote*)
- 7-20 Gail P. Feckley: Request to amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for north bound traffic on Dingley Street at Fairview Street. (*Legal Affairs; Regular Course 9/23/2019; Pending Referrals **Traffic Agent, Leominster Police Department**; 2/3 Vote*)
- 8-20 Gail P. Feckley: Request to amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding a stop sign for south bound traffic on Dingley Street at Tolman Avenue. (*Legal Affairs; Regular Course 9/23/2019; Pending Referrals **Traffic Agent**; 2/3 Vote*)
- 9-20 Michael Goldman, Police Chief: Request to delete Section 13-26 of the Revised Ordinance for the City of Leominster and insert a new Section 13-26 as follows:
A. Whenever the Mayor, or the Mayor's designee, declares a snow emergency exists in the City in regard to snow plowing or snow removal by giving at least six hours' notice, it shall be unlawful for the owner, operator or person in charge of any vehicle (other than one acting in an emergency) to park such vehicle or permit or suffer the same to be parked on any public street in this City for the duration of the emergency. A snow emergency so declared shall continue for a forty-eight-hour period which may be extended by the Mayor or his or her designee as circumstances require. During said snow emergency, the Director of Public Works shall conduct snow plowing, removal, and sand and salt operations.

LEGAL AFFAIRS, continued

B. The Mayor or the Mayor's designee may remove the restrictions imposed in any snow emergency for areas of the City as they become cleared.

C. The Director of Public Works shall notify the Leominster Police Department, activate CodeRed, and announce the snow emergency through TV, radio, newspaper and City social media outlets and as many other public channels as the Director deems necessary.

D. The provision of this section shall not apply to handicapped parking areas located in residential zones.

E. Any vehicle found in violation of this Section may be removed to a convenient place under the direction of an officer of the police department and the owner of the vehicle so removed, or towed away, shall be liable to the cost of such removal and storage. *(Legal Affairs; Regular Course 9/23/2019; Pending Referrals Mayor, DPW; 2/3 Vote)*

10-20 Jeffrey Miller and ten registered voters request to accept Jay Ave as a Street in the City of Leominster. *(Legal Affairs; Regular Course 9/23/2019; Pending Referrals Planning Director, Planning Board, DPW; Majority Vote)*

11-20 Claire M. Freda: Request to amend Section 13-77, Stop Signs, of the Leominster Municipal Code, by adding three stop signs for the following locations:

Barry Lane at the intersection of Barry Lane and Debbie Drive.

Barry Lane at the intersection of Barry Lane and Beth Avenue.

Jay Avenue at the intersection of Jay Avenue and Debbie Drive.
(Legal Affairs; Regular Course 9/23/2019; Pending Referrals Traffic Agent; 2/3Vote)

X. PUBLIC SERVICE

5-20 National Grid and Verizon New England: Requests to install 1 Jointly Owned Pole and remove 1 Jointly Owned Pole on Hall Street beginning at a point approximately 265 feet west of the centerline of the intersection of West Street and continuing approximately 15 feet in a north direction. *(Regular Course 9/09/2019; Further Time 9/23/2019; Public Hearing 10/15/2019 @ 6:40 P.M.; Majority Vote)*

XI. NEW BUSINESS

David R. Cormier, Ward 3 Councillor: Requests that a vote be taken by the Leominster City Council to have John Roseberry, Chairman of the Planning Board and if he chooses, the Planning Director and/or designee(s) attend the next meeting of the City Council on October 28, 2019.

Re: The partial release of a certain bond on a certain subdivision in January, 2019 without the City Council being petitioned for street acceptance under the subdivision regulations of the City of Leominster as stated in Section 14 of the regulations.

XII. OLD BUSINESS

2nd Reading Ordinance

C-10 Dean J. Mazzarella, Mayor: Request that the Cross-Connection Control Ordinance, Chapter 17, Section 17-18 to 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; Further Time 8/26/2019; Adopted 9/09/2019; Public Hearing 9/23/2019 @ 6:40 P.M.; 1st Reading 9/23/2019; 2/3 Vote*)

XIII. COMMUNITY CALENDAR

XIV. ADJOURNMENT

- Katelyn Huffman, City Clerk