



**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**

**OCTOBER 28, 2019**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**INFORMATION SESSION, 6:00 P.M.**

Police Chief, Michael Goldman: Regarding the Snow Ordinance, petition 9-20.

**INFORMATION SESSION, 6:15 P.M.**

Planning Director, Elizabeth Wood, and Planning Board Chairman, John Souza: Request from David R. Cormier, Ward 3 Councillor.

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.

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

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)*

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

### ORDERS

- C-32 Dean J. Mazzearella, Mayor: Request an appropriation of \$6,590.00 to the Historical Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/28/2019; 2/3 vote*)
- C-33 Dean J. Mazzearella, Mayor: Request an appropriation of \$30,000.00 to the School Department Transportation Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/28/2019; 2/3 Vote*)
- C-34 Dean J. Mazzearella, Mayor: Request an appropriation of \$1,570.00 to the Board of Appeal Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course; 2/3 Vote*)

RE: Laptop computer for Board of Appeals related work.

- V. PETITIONS FIRST TIME ON THE AGENDA**

- 14-20 National Grid: Erdman Way – to install two, 4 inch diameter, concrete encased conduits and underground, three phase primary wires, approximately 275 ft from existing switchgear 1A to junction pullbox 4. Existing boxpad 4 is being replaced with a pullbox and new junction enclosure in the same location to accommodate the new conduit. (*Public Service*) (*Regular Course 10/28/2019; Public Hearing TBD: Majority Vote*)

**VI. MATTERS BEFORE CITY COUNCIL**

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

**VIII. FINANCE**

C-29 Emergency Preamble – to be RATIFIED

Dean J. Mazzearella, 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; Ratified 10/28/2019; 2/3 Vote*)

C-30 Dean J. Mazzearella, 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. Mazzearella, 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*)

**IX. LEGAL AFFAIRS**

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; Further Time 10/15/2019; 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; Further Time 10/15/2019; Pending Referrals Traffic Agent; 2/3 Vote*)

**LEGAL AFFAIRS, continued**

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.

**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; Further Time 10/15/2019; Pending Referrals Mayor, DPW; 2/3 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; Further Time 10/15/2019; Pending Referrals Traffic Agent; 2/3Vote)*

**X. WAYS & MEANS**

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*)

**XI. PUBLIC SERVICE**

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*)

**XII. CITY PROPERTY**

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).

**XIII. NEW BUSINESS**

**XIV. OLD BUSINESS**

**XV. COMMUNITY CALENDAR**

**XVI. ADJOURNMENT**

- Katelyn Huffman, City Clerk