

Council President

Mark C. Bodanza

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 – Peter A. Angelini

CITY OF LEOMINSTER

CITY COUNCIL

MARCH 23, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

The City Council meeting on March 23, 2020 will be held virtually, by a conference telephone call only. All City Councilors, and members of the public interested in participating in the public forum, are requested to call the following number : +1 (646) 749-3122 and enter the following code : 571-760-389. The meeting will begin promptly at 6:55 PM on Monday, March 23, 2020. The conference phone call will be moderated by the City Council President and all discussion will be strictly limited to matters on the agenda. It is expected that the audio phone call will be broadcast on Leominster Access Television.

PUBLIC FORUM, 6:55 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**

- March 9, 2020

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's appointment of **Jeffery Goyne** to Conservation Commission; term to expire 4/15/2023. (*Ways & Means; Regular Course 3/23/2020; Majority Vote*)

A measure confirming the Mayor's appointment of **Nathan Fontaine** to Conservation Commission; term to expire 4/15/2023. (*Ways & Means; Regular Course 3/23/2020; Majority Vote*)

ORDERS

C-58 Dean J. Mazarella, Mayor: Relative to the appropriation of \$12,000.00 be made to the Veteran's Department Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 3/23/2020; 2/3 Vote*)
Re: Replacement of two doors at the Veterans Center.

V. PETITIONS FIRST TIME ON THE AGENDA

53-20 Jill A. Natola: Petition for acceptance of Sheldon Hill Drive and Pheasant Run Circle. (*Legal Affairs; Regular Course 3/23/2020; 2/3 Vote*)

54-20 Jill A. Natola: Petition for acceptance of sewer easements at Brooks Pond. (*Legal Affairs; Regular Course 3/23/2020; 2/3 Vote*)

55-20 Officer Julio Ramos: Requests to amend Chapter 13 of the Revised Ordinances entitled "Motor Vehicles and Traffic." Be it ordained by the City Council of the City of Leominster, as follows: Chapter 13, Section 13-34 of the Revised Ordinances entitled "No Parking on Certain Streets" is hereby Amended by inserting the following text: No parking on Research Drive, (both sides) from a point beginning 1163 feet easterly from the intersection with Central Street, through the cul-de-sac, and back westerly to the 1163 feet starting point. (*Legal Affairs; Regular Course 3/23/2020; 2/3 Vote*)

56-20 Everything Cutie, Inc.: Renew the Second Hand Dealers License for Cutiques located at 37 Mechanic Street, 2nd Floor. (*Ways & Means; Regular Course 3/23/2020; Majority Vote*)

57-20 Everything Cutie, Inc.: Renew the Second Hand Dealers License for Cutie Patuties located at 1021 Central Street. (*Ways & Means; Regular Course 3/23/2020; Majority Vote*)

58-20 Christopher Rivard: Requests a Transient Vendors License for the sale of flowers and plants. (*Ways & Means; Regular Course 3/23/2020; Majority Vote*)

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

VIII. FINANCE

- C-57 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$200,000.00 be made to the Police Overtime Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 3/9/2020; 2/3 Vote*)

IX. LEGAL AFFAIRS

- C-54 Dean J. Mazzarella, Mayor: Request that the City Council submit a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments of the Constitution, as amended by Article LXXXIX, that State Senator Dean Tran and State Representative Natalie Higgins file special legislation with the General Court, on behalf of the city, seeking to exempt the positions of Police Chief and Police Captain from the Civil Service Law, G.L. c. 31, as follows:

AN ACT EXEMPTING THE POSITIONS OF POLICE CHIEF AND POLICE CAPTAIN IN THE CITY OF LEOMINSTER FROM THE CIVIL SERVICE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1: The positions of police chief and police captain in the City of Leominster shall be exempt from Chapter 31 of the General Laws.

SECTION 2: This act shall take effect upon its passage.

(*Legal Affairs; Suspension of the Rules 02/10/2020; Regular Course 02/10/2020; Further Time 2/24/2020, 3/9/2020; Pending Referral Mayor; Public Hearing TBD; Majority Vote*)

- 37-20 The Botanist: Grant a Special Permit to operate a Medical Marijuana Facility located at 1775 Lock Drive. (*Legal Affairs; Regular Course 02/10/2020; Further Time 2/24/2020, 3/9/2020; Pending Referrals Mayor, Health Director, ZBA; Public Hearing recommended April 27, 2020 at 6:30 PM; Majority Vote*)

LEGAL AFFAIRS, CONTINUED

38-20 Elizabeth Wood, Planning Director: Petition to Amend Section 22-34.2.1 accordingly:

~~34.2.1 The FP District includes those areas designated as a floodway on the Leominster, Massachusetts Flood Boundary and Floodway Map (the "FBFM"), Community Panel Numbers 250314-0001-0010, effective September 16, 1982, and all special flood hazard areas designated as either Zone A or Zone A-1 through A-30 on the Leominster, Massachusetts Flood Insurance Rate Map (the "FIRM") Community Panel Numbers 250314-0001-0010, effective September 16, 1982 and Community Panel Number 250314-0003, amended April 3, 1989.~~

The Leominster Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the City of Leominster Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP dated September 16, 1982 as Zone A, AE, AH, AO, A1-30 and A99, and the FEMA Flood Boundary & Floodway Map dated September 16, 1982, both maps which indicate the 100-year regulatory floodplain. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance Study (FIS) report dated April 3, 1989. The FIRM, Flood Boundary & Floodway Map, and FIS report are incorporated herein by reference and are on file with the Town Clerk, Building Official, and Planning and Development Department.

Amend Section 34.2.3.3.2 accordingly: NFIP State Coordinator, MA Department of Conservation and Recreation, 251 Causeway St., ~~Suite 500-700~~, 8th floor, Boston, MA 02114-2104; (*Legal Affairs; Regular Course 02/10/2020; Further Time 2/24/2020, 3/9/2020; Pending Referrals Planning, ZBA,; Public Hearing 3/9/2020 @ 6:45 P.M.; Public Hearing Continued 3/9/2020; 2/3 Vote*)

X. WAYS & MEANS

A measure confirming the Mayor's appointment of **Kristin Howlett** to the License Commission; term to expire 4/15/2026. (*Ways & Means; Regular Course 3/09/2020; Majority Vote*)

52-20 Paul Rouleau: Renew the Second Hand Dealers License for Protech Solutions located at 345 Central Street. (*Ways & Means; Regular Course 3/9/2020; Majority Vote*)

XI. NEW BUSINESS

XII. OLD BUSINESS

2nd Reading Ordinance

39-20 Roger Brooks, DPW Water & Sewer Manager: Request to amend Chapter 21, Article III, Section 21-22.3, of the Leominster City Ordinance, as follows: SEE ATTACHED. (*Legal Affairs; Regular Course 2/10/2020; Pending Referrals Mayor, DPW, Water Department; Public Hearing 2/24/2020 @ 6:37 P.M.; Granted 2/24/2020; 1st Reading 3/9/2020; 2nd Reading 3/23/2020; 2/3 Vote*)

User Class	Factor	Unit	Rate
Residential (includes low strength industrial) (As of March 1, 2020)	metered water	100 cu. Ft.	\$4.56
(As of March 1, 2021)			\$4.70
Minimum sewer charge per quarter			\$25.00
Lunenburg (As of March 1, 2020 Per Intermunicipal Agreement Dated June 24, 1999)	Metered Water	100 cu. Ft.	\$5.18
(As of March 1, 2021)			\$5.32
Out of City (As of March 1, 2020)	Metered water	100 cu. Ft.	\$8.83
(As of March 1, 2021)			\$9.97

2nd Reading Ordinance

40-20 Roger Brooks, DPW Water & Sewer Manager: Request to amend Chapter 21, Article II, Section 21-11.1 of the Leominster City Ordinance as follows: (*Legal Affairs; Regular Course 2/10/2020; Public Hearing 2/24/2020 @ 6:34 P.M.; Granted 2/24/2020; 1st Reading 3/9/2020; 2nd Reading 3/23/2020; Pending Referrals Mayor, DPW, Water Department; 2/3 Vote*)

Chapter 21, Article II, Sections 21-11.1 of the Revised Ordinances entitled “Water User Rate Schedule” by deleting the provision for metered rates within and outside the city and inserting the following rates in its place:

“Metered rates per unit, 4 units and over – effective March 1, 2020

Within City: \$4.00 per unit

Outside the City: \$5.03 per unit

Metered rates per unit, 4 units and over – effective March 1, 2021

Within City: \$4.15 per unit

Outside the City \$5.18 per unit

Sec. 21-11.1 Water user rate schedule.

The water user rate schedule for residential and industrial use shall be as follows:

Effective

Minimum water charger per quarter:

5/8” meter	\$25.00
3/4” meter	\$25.00
1.0” meter	\$30.00
1.5”meter	\$30.00
2.0”meter	\$30.00
3.0”meter	\$35.00
4.0”meter	\$35.00
6.0”meter	\$45.00
8.0”meter	\$45.00
Out of City	\$45.00

XIII. COMMUNITY CALENDAR

XIV. ADJOURNMENT

- Katelyn Huffman, City Clerk