



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

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.

The information session opened at 6:00PM. Interim Police Chief, Michael Goldberg, spoke regarding petition 9-20. He explained to the council that the proposed amendments to the ordinance will help clarify the process for citizens as well as allow for flexibility and a requirement to reach out to citizens to communicate the ban. The City Council felt that it was improved and supported the ordinance change.

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.

The information session opened at 6:15PM. Councillor Cormier expressed concern about a certain bond being released without the approval of City Council. He also sited that the road was not near finished and that the street could go unaccepted due to this oversight. John Sousa, planning board chair, informed the Council that this did occur and suggested that the Board look at the rules and regulations and amend them to help prevent this in the future. The City Council voiced concerns about releasing the bond at all, and the fear that the Planning Board was falling back into a past problem of having too many unaccepted streets. They agreed that there should be a change to the rules and regulations to help prevent this from occurring in the future.

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)*

The public hearing opened at 7:08PM. A National Grid Representative explained that National Grid was trying to put up a new pole. Councillor Freda asked three times whether or not anyone would like to speak. No one spoke. The public hearing closed at 7:10PM.

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 President Marchand asked three times whether anyone would like to spoke. No one spoke.

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

The regular meeting of the City Council opened at 7:00PM. Councillor Bodanza made a motion to recess. Councillor Chalifoux-Zephir seconded the motion. The motion carried unanimously. The meeting went into recess at 7:01PM and came out of recess at 7:12PM.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

No records were ready for approval.

IV. COMMUNICATIONS FROM THE MAYOR

ORDERS

C-32 Dean J. Mazzarella, 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*)

This communication was given regular course.

C-33 Dean J. Mazzarella, 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*)

This communication was given regular course.

C-34 Dean J. Mazzarella, 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.

This communication was given regular course.

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*)

This communication was given regular course with a public hearing set for November 12, 2019 at 6:40PM.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization account was \$17,327,198.55.

VIII. FINANCE

C-29 Emergency Preamble – to be RATIFIED
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; Ratified 10/28/2019; 2/3 Vote)

The Finance Committee recommended the ratification of the communication. Vote: 7-0 the communication was ratified.

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

The Finance Committee recommended to GRANT the communication. Vote: 7-0 the communication was GRANTED. ORDERED: Vote 7-0 the communication was ADOPTED.

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)

The Finance Committee recommended to GRANT the communication. Vote: 7-0 the communication was GRANTED. ORDERED: Vote 7-0 the communication was ADOPTED.

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)

The Legal Affairs Committee recommended to GRANT the petition and set a public hearing for November 12, 2019 at 6:32 PM. Vote: 7-0 the petition was GRANTED and a public hearing was set for November 12, 2019 at 6:32 PM.

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)*

The Legal Affairs Committee recommended to GRANT the petition and set a public hearing for November 12, 2019 at 6:34 PM. Vote: 7-0 the petition was GRANTED and a public hearing was set for November 12, 2019 at 6:34 PM.

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)*

The Legal Affairs Committee recommended to GRANT the petition and set a public hearing for November 12, 2019 at 6:36 PM. Vote: 7-0 the petition was GRANTED and a public hearing was set for November 12, 2019 at 6:36 PM.

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)

The Legal Affairs Committee recommended to GRANT the petition and set a public hearing for November 12, 2019 at 6:38 PM. Vote: 7-0 the petition was GRANTED and a public hearing was set for November 12, 2019 at 6:38 PM.

X. WAYS & MEANS

C-28 Dean J. Mazzaella, 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)*

The Ways and Means Committee recommended to GRANT the communication. Vote 7-0 the communication was GRANTED.

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*)

The Public Service Committee recommended that the petition be GRANTED. Councillor David Cormier abstained from the vote due to a possible conflict of interest. Vote 6-0 the petition was GRANTED.

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).

The City Property Committee recommended to GRANT the petition. Vote: 7-0 the petition was GRANTED.

XIII. NEW BUSINESS

XIV. OLD BUSINESS

XV. COMMUNITY CALENDAR

- **November 7, 2019 – Veteran’s Day Concert, 6:00PM.**
- **Veteran’s Breakfast November 9, 2019 at 8:00AM.**
- **November 2, 2019, 6:00PM, Vet Together, hosted by Blue Star Mothers.**
- **November 10, 2019, Veteran Rifle and Pistol Ceremony, 11:00AM**
- **November 11, 2019, Veteran Center Ceremony, 10:30AM**
- **November 12, 2019, Summit – Elder Veterans at Recreation**
- **November 13, 2019, Veteran’s Breakfast 8:30-10:00 and lunch at 11:30 at Sterling Senior Center.**
- **November 13, 2019 – Veteran’s Dinner at 5-7L30PM in Devens.**

- **November 24, 2019 Rotary Club Veterans Tribute, 8:00AM.**
- **November 2, 2019 – Drake House 1:00-4:00PM.**
- **December 14, 2019 – Holiday Open House at Drake House, 1:00PM-4:00PM/**
- **November 8, 2019 at 11:30AM Samoset Veteran’s Lunch**
- **November 8, 2019 at 9:30AM Veteran’s Ceremony at St. Anna’s.**

XVI. ADJOURNMENT

The meeting adjourned at 7:45 PM.

- Katelyn Huffman, City Clerk