

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

NOVEMBER 25, 2019

JOHN P. MAHAN CITY COUNCIL CHAMBERS

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.

Peter Campabasso, 3 Park Street, spoke in support of communication C-37. He explained the is the legal representative for LTV, and that new State regulations require that money be set aside in a special account after they renegotiate the cable contract.

Carl Piermarini, 435 Lancaster Street, spoke in support of communication C-37.

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

The regular meeting of the City Council opened at 7:00PM.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

- October 15, 2019 – **The meeting minutes were approved and put on file.**
- October 28, 2019 - **The meeting minutes were approved and put on file.**
- November 12, 2019 - **The meeting minutes were approved and put on file.**

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's Appointment of **Melissa Ramos** to Office of Emergency Management, EMS Unit; volunteer. (*Ways & Means; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course and it was requested that an interview be set up with the appointee and a resume be submitted.

A measure confirming the Mayor's Appointment of **Raymond Butler** to Office of Emergency Management, Emergency Operations Unit; volunteer. (*Ways & Means; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course and it was requested that an interview be set up with the appointee and a resume be submitted.

COMMUNICATIONS

C-36 Dean J. Mazarella, Mayor: Request that Samantha Comeau be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. (*Ways & Means; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course.

C-37 Dean J. Mazarella, Mayor: Request that the Leominster City Council accept the provisions of M.G.L. Chapter 44 §53 F1/2 to establish an Enterprise Fund for all franchise fees, license fees and cable related monies negotiated in cable television agreements between the City of Leominster and cable operators. (*Finance; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course.

C-38 Dean J. Mazarella, Mayor: Request that the annual Tax Classification Hearing be scheduled for December 9, 2019 for the purpose of setting the

annual factor used for Fiscal Year 2020. (*Finance; Regular Course 11/25/2019; Public Hearing 12/09/2019 @ 6:05 P.M.; 2/3 Vote*)

This communication was given regular course and a public hearing was set on December 9, 2019 at 6:05PM. Vote 8-0 the public hearing was set.

- C-39 A RESOLUTION to file and accept grants with and from the Commonwealth of Massachusetts, Executive office of Energy and Environmental Affairs for the Parkland Acquisitions and Renovations for communities grant program for the creation of a park at Monument Square, downtown Leominster. (*Ways & Means; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course.

ORDERS

- C-40 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$669,000.00 to be made to the Park Capital Outlay Expense Account; same amount to be transferred from the stabilization Fund. (*Finance; Regular Course 11/25/2019; 2/3 Vote*)

RE: Creation of park in front of the Woodblock Building.

This communication was given regular course.

- C-41 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$200,000.00 to the Police Department Overtime Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 11/25/2019; 2/3 Vote*)

This communication was given regular course.

V. PETITIONS FIRST TIME ON THE AGENDA

- 15-20 Jill A. Natola: Petition for acceptance of Sawtelle Road, Montrose Street and a portion of Richard Road. (*Legal Affairs; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course with a referral to DPW and Planning Board.

16-20 Jill A. Natola: Petition for acceptance of easement for Research Drive Extension. (*Legal Affairs; Regular Course 11/25/2019; Majority Vote*)

This communication was given regular course with a referral to DPW and Planning Board.

17-20 David R. Cormier: Request a stop sign on South Street against southbound drivers at Tisdale Street. (*Legal Affairs; Regular Course 11/25/2019; 2/3 Vote*)

This communication was given regular course with a referral to the Traffic Agent and a public hearing was set for January 13, 2020 at 6:37PM. Vote: 8-0.

18-20 David R. Cormier: Request to install a stop sign on South Street against northbound drivers at Crown Street. (*Legal Affairs; Regular Course 11/25/2019; 2/3 Vote*)

This communication was given regular course with a referral to the Traffic Agent and a public hearing was set for January 13, 2020 at 6:38PM. Vote: 8-0.

19-20 David R. Cormier: Request to Amend Chapter 13, Section 13-77 Stop Signs and add the following: (*Legal Affairs; Regular Course 11/25/2019; 2/3 Vote*)

- Comstock Road against southbound drivers at Union Street.
- Comstock Road against eastbound drivers at Duggan Drive.
- Duggan Drive against southeast bound drivers at Union Street.
- Duggan Drive against westbound drivers at Glenwood Drive.

This communication was given regular course with a referral to the Traffic Agent and a public hearing was set for January 13, 2020 at 6:39PM. Vote: 8-0.

20-20 Patrick Bresnahan, Leominster Police Officer: Requests “no parking” signs on North Main, East, and Priest Street. Also “no parking between signs” on poles #24 and #25 located in front of 227 Priest Street. (*Legal Affairs; Regular Course 11/25/2019; 2/3 Vote*)

This communication was given regular course and a public hearing was set for January 13, 2020 at 6:40PM. Vote: 8-0.

21-20 National Grid of North Andover: Hamilton Street – 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. *(Public Service; Regular Course 11/25/2019; Public Hearing 12/9/2019 @ 6:00 P.M.; Majority Vote)*

This communication was given regular course and a public hearing was set for December 9, 2019 at 6:00PM. Vote: 8-0.

22-20 National Grid and Verizon New England: White Pond Road – to install 1 Jointly Owned Pole on White Pond Road beginning at a point approximately 600 feet south of the centerline of the intersection of Mechanic Street and White Pond Road. *(Public Service; Regular Course 11/25/2019; Public Hearing 12/9/2019 @ 6:01 P.M.; Majority Vote)*

This communication was given regular course and a public hearing was set for December 9, 2019 at 6:01PM. Vote: 8-0.

23-20 National Grid of North Andover: Nashua Street – to install conduit from MH #5229 Main street to MH #5230. MH #5230 to be installed on Nashua Street. Install conduit from MH #5230 to riser P2 Nashua Street. *(Public Service; Regular Course 11/25/2019; Public Hearing 12/9/2019 @ 6:02 P.M.; Majority Vote)*

This communication was given regular course and a public hearing was set for December 9, 2019 at 6:02PM. Vote: 8-0.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization fund was \$16,456,598.55

VIII. FINANCE

C-35 Dean J. Mazzarella, Mayor: Request that the Council vote to grant the attached Petition to allocate funds to leverage the Principal Planning Clerk’s stipend. *(Finance; Regular Course 11/12/2019; 2/3 Vote)*

Councillor Bodanza made a motion to amend the communication to read “To appropriate the sum of \$1,600.00 to the Planning Department Salary and Wages Account same to be transferred from the Stabilization fund.” Councillor David Cormier seconded the motion. Vote: 8-0 the motion carried unanimously. Councillor

Bodanza made a motion to recess at 7:17PM. Councillor Chalifoux Zephir seconded the motion. The motion carried unanimously. The Council invited Elizabeth Wood, Planning Director, to the Chamber floor. The council asked whether this increase was similar to what other people in similar positions received. Ms. Wood explained that in some cases it was but in other cases it was not. The Council agreed that to support the increase. The City Council resumed their regular meeting at 7:22PM. The Finance Committee Recommended that the communication be GRANTED. Vote: 8-0 the communication was GRANTED. ORDERED: Vote: 8-0 the order was ADOPTED.

IX. LEGAL AFFAIRS

59-18 James Whitney and ten registered voters: Amend the Zoning Ordinance to add drive through to the allowable uses under MU-1 zoning. (*Legal Affairs; Regular Course 4/09/2018; Further Time 4/23/2018, 5/14/2018; Public Hearing 5/14/2018; Public Hearing Continued to 5/29/2018; Granted 5/29/2018; Public Hearing 12/09/2019 @ 6:40 P.M.*)

The Legal Affairs committee recommended to give the petition further time and set a public hearing for December 9, 2019 at 6:40PM. Vote: 8-0 the petition was given further time and a public hearing was set for December 9, 2019 at 6:40PM.

X. NEW BUSINESS

XI. OLD BUSINESS

2nd Reading Ordinance

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; Granted 10/28/2019; 1st Reading 11/12/2019; 2nd Reading 11/26/2019; 2/3 Vote*)

The Legal Affairs Committee recommended to ADOPT the second reading of the ordinance. Role Call Vote: 8-0 the second reading of the ordinance was ADOPTED.

2nd Reading Ordinance

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; Granted 10/28/2019; Public Hearing 11/12/2019 @ 6:34 P.M.; 1st Reading 11/12/2019; 2nd Reading 11/26/2019; 2/3 Vote*)

The Legal Affairs Committee recommended to ADOPT the second reading of the ordinance. Role Call Vote: 8-0 the second reading of the ordinance was ADOPTED.

OLD BUSINESS, continued

2nd Reading Ordinance

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; Granted 10/28/2019; Public Hearing 11/12/2019; 1st Reading 11/12/2019; 2nd Reading 11/26/2019; Pending Referrals Mayor; 2/3 Vote*)

The Legal Affairs Committee recommended to ADOPT the second reading of the ordinance. Role Call Vote: 8-0 the second reading of the ordinance was ADOPTED.

2nd Reading Ordinance

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; Granted 10/28/2019; Public Hearing 11/12/2019 @6:38 P.M.; 1st Reading 11/12/2019; 2nd Reading 11/26/2019; 2/3Vote)

The Legal Affairs Committee recommended to ADOPT the second reading of the ordinance. Role Call Vote: 8-0 the second reading of the ordinance was ADOPTED.

XII. COMMUNITY CALENDAR

- **Council President Marchand commended Councillor Chalifoux Zephir for her work at Ginny's for giving out 410 baskets to needy families. Also thanked Leominster Fire Department 1841 and Fallbook School for their generous donations.**
- **The Rotarian Veteran breakfast was great and served over 900 people.**
- **There will be an Elk's banquet on Wednesday.**
- **December 7, 2019 Winter Stroll.**

XIII. ADJOURNMENT

The meeting adjourned at 7:45PM.

Minutes Respectfully Submitted By:
Katelyn Huffman, City Clerk