

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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**MINUTES**  
**CITY OF LEOMINSTER**

**CITY COUNCIL**

**DECEMBER 9, 2019**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**PUBLIC HEARING, 6:00 P.M.**

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*)

**The public hearing opened at 6:03 PM. Councillor Freda asked three times whether anyone wanted to speak for or against the petition. No one spoke. The public hearing closed a 6:04PM.**

**PUBLIC HEARING, 6:01 P.M.**

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*)

**The public hearing opened at 6:04 PM. Councillor Freda asked three times whether anyone wanted to speak for or against the petition. No one spoke. The public hearing closed a 6:05PM.**

**PUBLIC HEARING, 6:02 P.M.**

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*)

**The public hearing opened at 6:05 PM. Councillor Freda asked three times whether anyone wanted to speak for or against the petition. No one spoke. The public hearing closed a 6:06PM.**

## **PUBLIC HEARING, 6:05 P.M.**

C-38 Dean J. Mazzarella, 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*)

**The public hearing opened at 6:07 PM. The Assessors explained that the annual factor for FY19 and FY20 was determined based off sales during that time. Each class increased differently depending on market trend and values. The increase in taxes depends on class type. Overall there was a 7% value increase in Leominster. Looking at a \$17.98 per thousand dollars increase overall. There was also new growth in Leominster. The assessors explained that the council would need to decide whether or not to vote on a factor of 1 or split the rate. Councillor Bodanza asked three times whether anyone would like to speak for or against the communication. No one spoke. The public hearing closed at 6:30 PM.**

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

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 public hearing opened at 6:40 PM. James Whitney explained that the reason for the zoning change would allow drive thru windows by special permit. Councillor Dombrowski asked three times whether anyone wanted to speak for or against the petition. No one spoke. The public hearing closed a 6:45PM.**

## **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.

**John Sousa, 347 Prospect St, spoke on behalf of C-40, and the Rotary club flowers downtown. Would request that the Rotary club be part of the new proposed flower program.**

**Steve Souse, National Grid, spoke for the National Grid Petitions, explained most of it was for safety upgrades.**

**Peter Campobasso, 3 Park Street, spoke in favor of C-37, accept Chapter 44 Section 55F.**

**Wendy Wiiks, 142 Blossom Street, Spoke in favor of C-42, ask for support, received Grant money for the program already, this would be the rest that would finish it to match it. Also spoke in support of C-40, park grant, it would be a reimbursement grant, we would put the money forward and be reimbursed for it later.**

**The public forum closed at 6:55 PM.**

**APPOINTMENT, 6:46 P.M.**

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*)

**The interview began at 6:50 PM. Councillor Feckley asked that Ms. Ramos tell the council more about herself. She explained she is an LPN working on her RN, she wants to give back to the community and enjoys volunteering.**

**APPOINTMENT, 6:50 P.M.**

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*)

**The interview began at 6:50 PM. Councillor Feckley asked that Mr. Butler tell the council more about himself. He explained he is a newer Leominster resident, a former Boy Scout Troop Leader, and enjoys giving back to the community and volunteering.**

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

**The regular meeting of the City Council opened at 7:00PM. Boy Scout Troop #16 lead the Council in the Pledge of Allegiance.**

**II. ROLL CALL OF COUNCILLORS IN ATTENDANCE**

**Council President Marchand, Council Vice President Feckley, Councillor Bodanza, Councillor Ardinger, Councillor Pauling Cormier, Councillor David Cormier, Councillor Freda, Councillor Dombrowski and Councillor Chalifoux Zephir were present.**

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

**III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

November 25, 2019 – **These meeting minutes were approved and placed on file.**

**IV. COMMUNICATIONS FROM THE MAYOR**

ORDERS

C-42 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$4,000.00 be made to the Highway Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 12/9/2019; 2/3 Vote*)

RE: OSHA compliance grant match.

**This communication was given regular course.**

C-43 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$3,300.00 be made to the Building Department Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 12/09/2019; 2/3 Vote*)

**This communication was given regular course.**

**V. PETITIONS FIRST TIME ON THE AGENDA**

24-20 National Grid to install 1 Jointly Owned Pole on Hamilton Street beginning at a point approximately 126 feet southwest of the centerline of the intersection of Main Street & Hamilton Street. Install P44 Hamilton Street. (*Public Service; Regular Course 12/09/2019; Majority Vote*)

**This communication was given regular course and it was recommended that a public hearing be set for January 13, 2019 at 6:35PM.**

**VI. MATTERS BEFORE CITY COUNCIL**

## VII. CITY OF LEOMINSTER – FINANCIAL REPORT

**The stabilization account had a balance of \$16,449,299.00.**

## VIII. FINANCE

C-37 Dean J. Mazzearella, 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)*

**The Finance Committee recommended to GRANT the communication. Vote: 9-0 the communication was GRANTED.**

C-38 Dean J. Mazzearella, 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)*

**The Finance Committee recommended to establish a factor of 1 for the annual tax classification. Vote: 9-0 the communication was GRANTED.**

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.

**The Finance Committee recommended to GRANT the communication. Councillor Freda and Councillor Ardinger recused themselves from the vote due to a possible conflict of interest. Vote: 7-0 the communication was GRANTED. ORDERED: 7-0 the order was ADOPTED.**

### FINANCE, continued

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)*

**The Finance Committee recommended to GRANT the communication. Vote: 9-0 the communication was GRANTED. ORDERED: The communication was ADOPTED vote: 9-0.**

**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 further time. Vote: 9-0 further time was granted. The Legal Affairs Committee also recommended that this petition be reviewed by Police and Fire for a possible name change because a Montrose Street already exists in Leominster.**

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; Pending Referrals Planning; Majority Vote*)

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

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

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

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; Public Hearing 1/13/2020 @ 6:37 P.M.; Pending Referrals Police, Traffic; 2/3 Vote*)

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

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; Public Hearing 1/13/2020 @ 6:38 P.M. 2/3 Vote*)

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

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; Public Hearing 1/13/2020 @ 6:39 P.M.; Pending Referral Traffic; 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.

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

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; Public Hearing 1/13/2020 @ 6:39 P.M.; 2/3 Vote*)

**The Legal Affairs Committee recommended further time. Vote: 9-0 further time was granted.**

## **X. PUBLIC SERVICE**

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*)

**The Public Service Committee recommended to GRANT the petition. Vote: 9-0 the petition was GRANTED.**

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*)

**The Public Service Committee recommended to GRANT the petition. Councillor David Cormier recused himself from the petition due to a possible conflict of interest. Vote: 8-0 the petition was GRANTED.**

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)*

**The Public Service Committee recommended to GRANT the petition. Vote: 9-0 the petition was GRANTED.**

**XI. WAYS & MEANS**

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)*

**The appointment was pulled to the front of the agenda by the City Council President at 7:07 PM. The Ways and Means Committee recommended the appointment of Melissa Ramos. Vote: 9-0 the appointment was CONFIRMED.**

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)*

**The appointment was pulled to the front of the agenda by the City Council President at 7:07 PM. The Ways and Means Committee recommended the appointment of Raymond Butler. Vote: 9-0 the appointment was CONFIRMED.**

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)*

**The Ways and Means Committee recommended the exemption be GRANTED. Vote: 9-0 the exemption was GRANTED.**

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)*

**The Ways and Means Committee recommended the resolution be GRANTED. Councillor Freda and Councillor Ardinger recused themselves from the communication due to a possible conflict of interest. Vote: 7-0 the resolution was GRANTED.**



## **XII. NEW BUSINESS**

**President's Gavel – Council Vice President Feckley presented to Council President Marchand the President's Gavel and thanked him for his service. The other Councillors also thanked Council President Marchand for his time in office.**

## **XIII. OLD BUSINESS**

- **The Legal Affairs Chairman requested that a referral for the Montrose Street acceptance be sent to Fire and Police.**

## **XIV. COMMUNITY CALENDAR**

- **January 11, 2020 – Rotary Club Build a Bear Event**
- **December 14, 2019 – Drake House Open 1-4PM**

## **XV. ADJOURNMENT**

**The meeting adjourned at 8:00PM.**

**- Katelyn Huffman, City Clerk**