

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

MINUTES

CITY OF LEOMINSTER

CITY COUNCIL

MARCH 9, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

INFORMATION SESSION, 6:20 P.M.

Informational meeting relative to the impact of the Health Alliance Emergency Room on local Fire and Police resources with a vote to invite the Leominster Fire Chief, the Leominster Police Chief and Steve Roach President and Chief Executive Officer of Health Alliance – Clinton Hospital to attend. (*Under Suspension of the Rules 2/24/2020*)

The information session opened at 6:20 P.M. Correspondences between Steve Roach and City Councillors were read into the record by Council President Bodanza.

Fire Chief Sideleau and Deputy Chief Kirouac were present to speak to the public and City Council.

- **Chief Sideleau is on his 39th year with the Leominster Fire Department and supports the nurses.**
- **He voiced his concerns regarding closing pediatric care.**
- **They are constantly meeting with the hospitals and how to handle call volumes. The ambulance services are non stop.**
- **Mental Health is one of the main issues. These cases occur more often than usual.**
- **He has seen 3 different CEO's at HealthAlliance in the past 10 years.**
- **There are 4 main departments that impact the City and the emergency services, Fire, Ambulance, Police, and Emergency Room. If anything happens to one department, it effects the others.**
- **Ambulance calls go up every year. 95% of them go to Leominster.**
- **There is a shortage of paramedics and the pay is lousy.**

Deputy Kirouac has been the EMS Director for over 30 years.

- **One of the concerns he has is ambulance turnaround time. It is taking longer for the ambulances to come back get and ready for the next service in a timely manner.**
- **A fear they have is the uncertainty of the existence of an emergency room. They will have to start transporting patients to UMASS or Emerson and it will take even longer for the ambulances to return. They will have to start hiring or contracting private services to keep up with the calls.**

Councillor Freda stated that it was insulting that Mr. Roach was not present to speak at the information session. All other CEO's have come down to speak with the Council when requested. He is able to speak with the newspapers yesterday, but not the City Council? To not know if the ER is closing at this point is ridiculous. For the Council to go to the hospital and meet with him would violate open meeting laws.

Councillor Pauline Cormier stated any meeting with Mr. Roach, no matter how or where, should take place. She would like to have some answers so that the City has a plan in place.

Councillor David Cormier made a motion to invite Mr. Roach to attend a meeting with the City Council, seconded by Councillor Chalifoux-Zephir. The motion carried unanimously. Vote: 9-0
information session closed at 7:17 P.M.

INTERVIEW, 6:42 P.M.

A measure confirming the Mayor's appointment of **Paul Brennan** to the Office of Emergency Management; volunteer. (*Ways & Means; Regular Course 2/24/2020; Majority Vote*)

A communication was submitted by Mayor Dean Mazarrella to appoint Paul Brennan to the Office of Emergency Management; volunteer, along with a copy of his resume. Mr. Brennan was interviewed by the Ways and Means Committee.

- **He is well known by the City Council and the community.**
- **His wife is also a volunteer at the OEM.**
- **Experienced Strategic professional with over twenty years of developing clients, driving hiring processes and developing successful interviewing techniques for clients.**
- **Experienced with several industries including Hi-Tech, Biotech/Pharma, Manufacturing and Professional Services.**
- **Advise Senior Leadership within clients on hiring practices and expectations on process.**
- **Interview closed at 7:23 P.M.**

PUBLIC HEARING, 6:43 P.M.

50-20 National Grid: Mechanic Street - Request permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Mechanic Street – Leominster - Massachusetts. (*Public Service; Regular Course 2/24/2020; Public Hearing 3/9/2020 @ 6:43 P.M.; Majority Vote*)

The public hearing opened at 7:24 P.M. Robert Williams a representative of National Grid was present to speak. He stated that there is a new solar site coming up down the street and there will be new wires and poles needed. The location of these poles and wires have a curve in the road and it makes it difficult to put wires overhead. It is easier to have the wires go underground.

Councillor Freda asked three times if anyone would like to speak for or against the petition. No one spoke. The public hearing was closed at 7:27 P.M.

PUBLIC HEARING, 6:44 P.M.

51-20 National Grid and Verizon: Mechanic Street- Requests to install 2 Jointly Owned Poles on Mechanic Street beginning at a point approximately 950 feet east of the centerline of the intersection of Mechanic Street and White Pond Road and continuing approximately 510 feet in an east direction. Installing 2 new poles (pole 111-50 & pole 115-50 on Mechanic Street). (*Public Service; Regular Course 2/24/2020; Public Hearing 3/9/2020 @ 6:44 P.M.; Majority Vote*)

The public hearing opened at 7:28 P.M. Robert Williams a representative of National Grid was present to speak. This petition is the same as petition 50-20, but 2 public hearings are required. There are 2 existing poles, but realistically they need 4 for the solar site.

Councillor Freda asked three times if anyone would like to speak for or against the petition. No one spoke. The public hearing was closed at 7:29 P.M.

PUBLIC HEARING, 6:45 P.M.

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; and (*Legal Affairs; Regular Course 02/10/2020; Pending Referrals Planning, ZBA, Engineer; Public Hearing 3/9/2020 @ 6:45 P.M.; 2/3 Vote*)~~

Elizabeth Wood, Planning Director was present to speak. She stated that this is a proposal recommended by Joy Duperrault, Flood Hazard Management Program Director for the Commonwealth of Massachusetts, and the states NFIP Coordinator & Deputy Hazard Mitigation officer. She circulates around municipalities to make sure they are up to standard. If the City wanted to get up to States and Federal standards, the City would need to amend the section of the city's zoning ordinances that were relevant.

Councillor Dombrowski read referral letters and correspondences into the record from Ms. Wood, Conservation Agent Angela Chebuske, and Building Commissioner, Peter Niall. Councillor

Dombrowski recommends that they wait for the Planning Board to have their meeting in April with responses from Ms. Chebuske's recommendations.

Councillor Dombrowski asked three times if anyone would like to speak for or against the petition. No one spoke. The public hearing was continued to a future date at 7:35 P.M.

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.

Councillor Bodanza opened the public forum at 7:42 P.M. He reminded the public that speakers are only allowed a 2 minute limit to speak and only speak about items on the agenda. He would like all the speakers to be respectful and have the forum move in a timely fashion.

Linda Grossi, 99 Hickory Road, Leominster, MA. A nurse at Leominster Hospital gave an introduction of her coworkers who will be speaking later. She expressed her concerns that the hospital is expanding the departments but there aren't enough nurses to cover.

Kelly McKenna, 50 Linda Street, Leominster, MA. A nurse for almost 18 years, an ER nurse for the past 12 years at the Leominster Hospital. She stated that if they cut the ER, it will affect the surrounding cities and the safety of the public. It puts a strain on EMS and Fire. Assaults on staff are at an all-time high. There used to be 4 security officers but now they only allow 2 security officers on staff. One for the metal detectors and the other for the entire hospital. They have been told to call 911 for emergencies.

Kristy Savatelli, 59 Caspian Way, Fitchburg, MA. A nurse who works in the foster wing at the Leominster Hospital. She stated her concerns about the foster wing that holds 35 patients. The max for each nurse is 5 patients. Hospital is proposing six to one patient to nurse ratio. It would not be safe for nurses and patients. The hospital is already short staffed, morale is low, and the job is already stressful as is.

Natalie Williams, 100 Ashley Drive, Gardner, MA. A registered nurse at Health Alliance. Has been there for 13 years and stat nurse for 2 years. They are proposing to eliminate her position. Their role is to respond to urgent patient needs, including the ER and assist other nurses with patient care. They are also part of Rapid Response Team with a primary focus on stabilization. There are about 10 incidents a month. In January 2020, there were 39 incidents. Stat nurses are needed.

Laura Howard, 76 Lee Avenue, Fitchburg, MA. Works with Kristy in the Fostering unit for the past 11 years. She expressed her concerns that morale is down, patient safety, bare bone staffing, and they can't get turnover done fast enough. She is in support in having a stat nurse role and not eliminate positions.

Amy St. Jean, 416 North Street, Leominster, MA. She stated that proposed cuts have a trickle effect on everyone in the emergency room. Floors are always full and it causes delays. Patients are waiting hours for rooms.

Sarah Shan, 19 Chapel Street, Ashburnham, MA. A nurse in the ER unit for the past 4 years and was also a firefighter. She stated that ambulance crews wait over 20 minutes for beds. There have been a lot of assault on the nurses, techs and doctors because there is not enough security. They are constantly calling 911 for help.

The public forum closed at 8:15 P.M.

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

The regular meeting of the City Council opened at 7:00PM. Councillor David Cormier made a motion to recess. Councillor Claire Freda seconded the motion. The motion carried unanimously. Vote: 9-0. The Council went into recess at 7:01 P.M. The regular meeting resumed after the completion of the public forum at 8:15 P.M.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

Others Present: Titi Siriphan, Assistant City Clerk.

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

- February 24, 2020 - These minutes were approved and placed on file with a correction on page 9, petition 37-20.

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

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*)

This appointment was given regular course and an interview was arranged for the next Council Meeting on March 23, 2020.

ORDERS

C-57 Dean J. Mazarrella, 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*)

This communication was given regular course.

V. PETITIONS FIRST TIME ON THE AGENDA

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*)

This communication was given regular course.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

The balance of the stabilization fund was \$15,445,323.55.

VIII. FINANCE

C-55 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$7,600.00 be made to the Emergency Management Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 2/24/2020; 2/3 Vote*)

The Finance Committee recommended that the communication be GRANTED. Vote: 9-0 the communication was GRANTED.

ORDERED: By a vote of 9-0 the communication was ADOPTED.

C-56 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$250,000.00 be made to the Fire Department Overtime Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 2/24/2020; 2/3 Vote*)

Councillor David Cormier recused himself due to a conflict of interest. The Finance Committee recommended that the communication be GRANTED. Vote: 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the communication was ADOPTED.

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; Pending Referral Mayor; Public Hearing TBD; Majority Vote*)

The Legal Affairs Committee recommended that the communication be given FURTHER TIME. Vote: 9-0 the communication was given further time due to the outstanding referrals from the Mayor and Unions.

26-20 Jeffrey D. Nickel and ten registered voters to accept Dobson Circle as a street in the City of Leominster. (*Legal Affairs; Regular Course 1/13/2020; Further Time 1/27/2020, 2/10/2020, 2/24/2020; 2/3 Vote*)

The Legal Affairs Committee recommended that the communication be TABLED. Vote: 9-0 the communication was tabled. Councillor David Cormier recommended that the petition be removed from the table in early June for action. The committee requests monthly reports from the Planning Director while the petition is on the table.

27-20 Beth Spinelli and ten registered voters to accept Massapoag Road as a street in the City of Leominster. (*Legal Affairs; Regular Course 1/13/2020; Further Time 1/27/2020, 2/10/2020, 2/24/2020; 2/3 Vote*)

The Legal Affairs Committee recommended that the communication be TABLED. Vote: 9-0 the communication was tabled. Councillor David Cormier recommended that the petition be removed from the table in early June for action. The committee requests monthly reports from the Planning Director while the petition is on the table.

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; Pending Referrals Mayor, Health Director, ZBA; Public Hearing TBD; Majority Vote*)

Councillor Peter Angelini recused himself due to a conflict of interest. The Legal Affairs Committee recommended that this petition be given FURTHER TIME to allow for pending referrals to be submitted. Vote: 8-0 the petition was given FURTHER TIME. Council President Mark Bodanza

also requested another referral from the Planning Board as they are not satisfied with the previous referral submitted.

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; and (Legal Affairs; Regular Course 02/10/2020; Further Time 2/24/2020; Pending Referrals Planning, ZBA; Public Hearing 3/9/2020 @ 6:45 P.M.; 2/3 Vote)~~

~~**The Legal Affairs Committee recommended that this petition be given FURTHER TIME. Vote: 9-0 the petition was given FURTHER TIME.**~~

X. PUBLIC SERVICE

50-20 National Grid: Mechanic Street - Request permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Mechanic Street – Leominster - Massachusetts. (Public Service; Regular Course 2/24/2020; Public Hearing 3/9/2020 @ 6:43 P.M.; Majority Vote)

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

51-20 National Grid and Verizon: Mechanic Street- Requests to install 2 Jointly Owned Poles on Mechanic Street beginning at a point approximately 950 feet east of the

centerline of the intersection of Mechanic Street and White Pond Road and continuing approximately 510 feet in an east direction. Installing 2 new poles (pole 111-50 & pole 115-50 on Mechanic Street). *(Public Service; Regular Course 2/24/2020; Public Hearing 3/9/2020 @ 6:44 P.M.; Majority Vote)*

Councillor David Cormier abstained from the vote due to a possible conflict of interest.

The Public Service committee recommended to GRANT the petition. Vote: 8-0 the petition was GRANTED unanimously.

XI. WAYS & MEANS

A measure confirming the Mayor’s appointment of **Paul Brennan** to the Office of Emergency Management; volunteer. *(Ways & Means; Regular Course 2/24/2020; Majority Vote)*

The Ways and Means Committee recommended to CONFIRM this appointment. Vote: 9-0 the appointment was CONFIRMED.

42-20 S&F Corp.: Renew the Second Hand Dealers License for Sam and Friends located at 710 N. Main Street. *(Ways & Means; Regular Course 2/10/2020; Further Time 2/24/2020; Majority Vote)*

The Ways and Means Committee recommended to GRANT this petition. Vote: 9-0 the petition was GRANTED.

XII. NEW BUSINESS

1st 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; 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

Councillor Chalifoux-Zephir recused herself due to a conflict of interest. The Legal Affairs Committee recommended that the first reading of the ordinance be ADOPTED. Roll Call Vote: 8-0 the first reading of the ordinance was ADOPTED.

1st 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; 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

Councillor Susan Chalifoux-Zephir recused herself due to a conflict of interest.

The Legal Affairs Committee

recommended that the first reading of the ordinance be ADOPTED. Roll Call Vote: 8-0 the first reading of the ordinance was ADOPTED.

XIII. OLD BUSINESS

2nd Reading Ordinance

28-20 Officer Julio Ramos: Install no parking signs on Research Drive. (*Legal Affairs; Regular Course 1/13/2020; Amended 1/27/2020; 2/10/2020 to “no parking”; Granted 1/27/2020; Public Hearing 2/24/2020 @ 6:46 P.M.; 1st Reading 2/24/2020; 2nd Reading 3/09/2020; 2/3 Vote*)

The Legal Affairs Committee recommended that the second reading of the ordinance be ADOPTED. Roll Call Vote: 9-0 the second reading of the ordinance was ADOPTED.

XIV. COMMUNITY CALENDAR

XV. ADJOURNMENT – THE MEETING ADJOURNED AT 8:48 P.M.

Minutes Respectfully Submitted By:
Titi Siriphan, Assistant City Clerk