

**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

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**MINUTES**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**APRIL 13, 2020**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**The City Council meeting on April 13, 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 (786) 535-3211 and enter the following code : 557-899-149 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on March 23, 2020). The meeting will begin promptly at 6:50 PM on Monday, April 13, 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.**

The April 13, 2020 meeting of the City Council was held virtually, via a teleconference call, the audio of which was carried live on local access television. This conference call was recorded and has been made available to the public for listening. This exception to the open meeting law was permitted by an executive order issued by Governor Charles Baker in response to the COVID-19 pandemic. Public participation was also provided by conference call.

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

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; Further Time 3/23/2020; Majority Vote*)

The Ways and Means Committee interviewed **Kristin Howlett**. She expressed her interest in giving back to the community, participating on the License Commission, and shared her past experience on the School Committee.

**INTERVIEW, 6:51 P.M.**

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*)

**The Ways and Means Committee interviewed Jeffrey Goyne. He expressed his interest in becoming involved with the community. He also informed the Council about his experience which included civil engineering for MASSDOT, review of local city projects, and leadership in project development.**

**INTERVIEW, 6:52 P.M.**

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*)

**The Ways and Means Committee interviewed Nathan Fontaine. He expressed continued interest in giving back to the community. He informed the council he is already a member of the Emergency Management Agency and also has vast experience with ecological studies and hands on experience with diving.**

**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.

**The public forum opened at 7:16 PM. No one spoke.**

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**I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 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: Katelyn Huffman, City Clerk; Titi Siriphan, Assistant City Clerk.**

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

- **March 23, 2020 – The meeting minutes were approved and placed on file.**

#### IV. COMMUNICATIONS FROM THE MAYOR

##### COMMUNICATIONS

C-59 Dean J. Mazzearella, Mayor: Request that the Council adopt an Order to authorize the Mayor, on behalf of the City, to accept an easement from the owners of the property described below. A copy of the easement granted by the owner of the property is attached. *(City Property; Regular Course 4/13/2020; 2/3 Vote)*

170 Main Street, Leominster, MA  
174 Main Street, Leominster, MA

**This communication was given regular course.**

##### ORDERS

C-60 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$600,000.00 be made to the Pension Expense Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular Course 4/13/2020; 2/3 Vote)*

**This communication was given regular course. It was also requested that the Mayor and City Comptroller take part in the next teleconference to address questions and concerns regarding this communication.**

C-61 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$400,000.00 be made to the Pension Expense Account; the same amount to be transferred from the Principal-Debt Service Expense Account. *(Finance; Regular Course 4/13/2020; Majority Vote)*

**This communication was given regular course. It was also requested that the Mayor and City Comptroller take part in the next teleconference to address questions and concerns regarding this communication.**

C-62 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$385,000.00 be made to the School Department Transportation Expense Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular Course 4/13/2020; 2/3 Vote)*

RE: Pay ongoing bus service costs.

**This communication was given regular course. It was requested that the Finance Chair reach out to the schools to see if this contract was being renegotiated and to see if there were any savings that would occur due to lack of use of these services.**

**V. MATTERS BEFORE CITY COUNCIL**

**VI. CITY OF LEOMINSTER – FINANCIAL REPORT**

- a. **The balance of the stabilization account was \$15,433,323.55.**

**VII. FINANCE**

- C-58 Dean J. Mazzarella, 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.

**The Finance Committee recommended the communication be GRANTED. Roll Call Vote: 9-0 the communication was GRANTED.**

**ORDERED: Roll Call Vote: 9-0 the communication was ADOPTED.**

**VIII. 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, 3/23/2020; Pending Referral Mayor; Public Hearing TBD; Majority Vote*)

**The Legal Affairs Committee recommended that this communication be tabled for further study. Roll Call Vote: 9-0 the petition was TABLED FOR FURTHER STUDY.**

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, 3/23/2020; Pending Referrals Mayor, Health Director, ZBA; Public Hearing April 27, 2020 at 6:30 PM; Majority Vote*)

**The Legal Affairs Committee recommended that this petition be given further time. Councillor Angelini abstained due to a possible conflict of interest. Roll Call Vote: 8-0 this petition was given FURTHER TIME.**

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-I 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~~, 8<sup>th</sup> floor, Boston, MA 02114-2104; and (*Legal Affairs; Regular Course 02/10/2020; Further Time 2/24/2020, 3/9/2020; 3/23/2020; Pending Referrals **Planning, ZBA,**; Public Hearing 3/9/2020 @ 6:45 P.M.; Public Hearing Continued 3/9/2020; 2/3 Vote*)

**The Legal Affairs Committee recommended that this petition be given further time. Roll Call Vote: 9-0 this petition was given FURTHER TIME.**

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

**The Legal Affairs Committee recommended that this petition be given further time. Roll Call Vote: 9-0 this petition was given FURTHER TIME.**

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

**The Legal Affairs Committee recommended that this petition be GRANTED. Roll Call Vote: 9-0 this petition was GRANTED.**

- 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*)

**The Legal Affairs Committee recommended that this petition be GRANTED and a public hearing be set via teleconference on April 27, 2020 at 6:53 PM. Roll Call Vote: 9-0 this petition was GRANTED and a virtual teleconference for the public hearing was set for April 27, 2020 at 6:53 PM.**

## **IX. 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; Further Time 3/23/2020; Majority Vote*)

**The Ways and Means Committee recommended the confirmation of Kristin Howlett. Roll Call Vote: 9-0 the appointment was CONFIRMED.**

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*)

**The Ways and Means Committee recommended the confirmation of Jeffrey Goyne. Roll Call Vote: 9-0 the appointment was CONFIRMED.**

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*)

**The Ways and Means Committee recommended the confirmation of Nathan Fontaine. Roll Call Vote: 9-0 the appointment was CONFIRMED.**

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

**The Ways and Means Committee recommended that the petition be GRANTED. Roll Call Vote: 9-0 the petition was GRANTED.**

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*)

**The Ways and Means Committee recommended that the petition be GRANTED. Roll Call Vote: 9-0 the petition was GRANTED.**

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*)

**The Ways and Means Committee recommended that the petition be GRANTED. Roll Call Vote: 9-0 the petition was GRANTED.**

**X. NEW BUSINESS**

**There was no new business.**

**XI. OLD BUSINESS**

**Councillor Freda voiced concern about the lack of certification of free cash. It was recommended that she speak with the Comptroller.**

**XII. COMMUNITY CALENDAR**

**There were no items for the community calendar.**

**XIII. ADJOURNMENT**

**The meeting was adjourned at 8:02 PM.**

- Katelyn Huffman, City Clerk