

**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**

**MAY 11, 2020**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**The City Council meeting on May 11, 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, or a scheduled public hearing, are requested to call the following number : +1 (872) 240-3412 and enter the following code : 993-435-957 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on April 27, 2020). The meeting will begin promptly at 6:53 PM on Monday, May 11, 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.**

**PUBLIC HEARING, 6:53 P.M.**

- 59-20 National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Water St. National Grid to install 1 JO Pole on Water St beginning at a point approximately 90 feet southwest of the centerline of the intersection of Prescott St and continuing approximately 17 feet in a southeast direction. Install 1 pole #5-84 across Water St, between poles #4 and #5 as a stub pole with an anchor to support pole #5 when it feeds 3 phase primary down Prescott St for a new service. *(Public Service; Regular Course 04/27/2020; Public Hearing 05/11/2020 at 6:53PM; Majority Vote)*

**The public hearing opened at 6:53pm. Mark Tapley, representative from National Grid, spoke in favor of the petition. He explained that the nature of the petition is to install a new pole for a new service in the area.**

**Councillor Angelini asked if the transformer that is being replaced used underground cable.**

**Mr. Tapley explained that the new pole will have underground wires.**

**Councillor Freda asked three times whether anyone would like to speak for or against the petition. No one spoke. The hearing closed at 6:59 PM.**

### **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 6:55PM. Council President Bodanza asked three times whether anyone would like to speak regarding an item on the agenda. No one spoke.**

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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.**

### **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**

- April 13, 2020 – **The minutes were approved and placed on file.**
- April 27, 2020 - **The minutes were approved and placed on file.**

#### **IV. COMMUNICATIONS FROM THE MAYOR**

##### **COMMUNICATIONS**

C-63 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$250,000.00 be made to the Pension Expense Account; the same amount to be transferred from the Principal-Debt Service Expense Account. (*Finance; Regular Course 5/11/2020; Majority Vote*)

**This communication was given regular course.**

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

62-20 Best Buy Stores LP: Renew the Second Hand Dealers License for Best Buy Stores LP #1433, located at 33 Orchard Hill Park Drive. (*Ways & Means; Regular Course 5/11/2020; Majority Vote*)

**This petition was given regular course.**

63-20 GameStop Inc.: Renew the Second Hand Dealers License for GameStop Store #3594 located at 26 Orchard Hill Park Drive. (*Ways & Means; Regular Course 5/11/2020; Majority Vote*)

**This petition was given regular course.**

64-20 GameStop Inc.: Renew the Second Hand Dealers License for GameStop Store #1485 located at 100 Commercial Road. (*Ways & Means; Regular Course 5/11/2020; Majority Vote*)

**This petition was given regular course.**

#### **VI. MATTERS BEFORE CITY COUNCIL**

#### **VII. CITY OF LEOMINSTER – FINANCIAL REPORT**

**a. The balance of the stabilization fund was \$14,952,968.52.**

#### **VIII. LEGAL AFFAIRS**

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; 4/13/2020; 4/27/2020 Pending Referrals Mayor, Health Director, ZBA; Public Hearing April 27, 2020 at 6:30 PM CANCELLED; Public Hearing rescheduled 5/26/2020 at 6:30 PM; Majority Vote*)

**Councillor Angelini abstained from this petition due to a possible conflict of interest. The Legal Affairs Committee recommended to give the petition further time. Roll Call Vote: 8-0-1 (abstention from Councillor Angelini) the 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-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~~, 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; 4/13/2020; 4/27/2020 Pending Referral, ZBA,; Public Hearing 3/9/2020 @ 6:45 P.M.; Public Hearing Continued 3/9/2020; 2/3 Vote*)

**The Legal Affairs Committee recommended to give the petition further time and schedule a continued public hearing date for May 26, 2020 at 6:28PM via teleconference. Roll Call Vote: 9-0 the petition was given FURTHER TIME and a continued public hearing date for May 26, 2020 at 6:28PM via teleconference was set.**

## **LEGAL AFFAIRS, continued**

53-20 Jill A. Natola: Petition for acceptance of Sheldon Hill Drive and Pheasant Run Circle. (*Legal Affairs; Regular Course 3/23/2020; Further Time; 04/13/2020; 04/27/2020; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council GRANT the petition. Roll Call Vote: 9-0 the petition was GRANTED.**

## **IX. PUBLIC SERVICE**

59-20 National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Water St. National Grid to install 1 JO Pole on Water St beginning at a point approximately 90 feet southwest of the centerline of the intersection of Prescott St and continuing approximately 17 feet in a southeast direction. Install 1 pole #5-84 across Water St, between poles #4 and #5 as a stub pole with an anchor to support pole #5 when it feeds 3 phase primary down Prescott St for a new service. (*Public Service; Regular Course 04/27/2020; Public Hearing 05/11/2020 at 6:53PM; Majority Vote*)

**The Public Service Committee recommended that the City Council GRANT the petition. Councillor David Cormier abstained due to a possible conflict of interest. Roll Call Vote: 8-0-1 (Councillor Cormier Abstained) the petition was GRANTED.**

## **X. WAYS AND MEANS**

A measure confirming the Mayor's appointment of **William Connor** to perform the duties of Interim Chief Assessor on a temporary basis for sixty (60) days until the office can be filled by a permanent appointment. (*Ways & Means; Regular Course 4/27/2020; Majority Vote*)

**The Ways and Means Committee recommended that the appointment of William Connor be CONFIRMED. Roll Call Vote: 9-0 the appointment was CONFIRMED.**

A measure confirming the Mayor's reappointment of **Susan Chalifoux-Zephir** to the Library Board of Trustees; term to expire 4/15/2023. (*Ways & Means; Regular Course 4/27/2020; Majority Vote*)

**The Ways and Means Committee recommended that the appointment of Susan Chalifoux Zephir be CONFIRMED. Councillor Chalifoux Zephir abstained due to a possible conflict of interest). Roll Call Vote: 8-0-1(Councillor Chalifoux Zephir abstained) the appointment was CONFIRMED.**

60-20 Sterling Jewelers, Inc.: Renew the Second Hand Dealers License for Kay Jewelers #1285 located at 100 Commercial Road. (*Ways & Means; Regular Course 4/27/2020; Majority Vote*)

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

61-20 Albert D. Mason of Mason Investments Inc.: Renew Bowling Alley License for Mason Recreation Center located at 640 North Main Street. (*Ways & Means; Regular Course 4/27/2020; Majority Vote*)

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

## **XI. NEW BUSINESS**

### **1<sup>st</sup> Reading of an Ordinance**

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, **around** the cul-de-sac, and back westerly to the 1163 feet starting point. (*Legal Affairs; Regular Course 3/23/2020; Public Hearing April 27, 2020 at 6:53 PM; Granted 04/27/2020; First Reading 05/11/2020; 2/3 Vote*)

**The Legal Affairs Committee recommended to ADOPT the first reading of the ordinance. Roll Call Vote: 9-0 the first reading of the ordinance was ADOPTED.**

## **XII. OLD BUSINESS**

- C-59 Dean J. Mazzarella, 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*)

(Relative to the necessity of a Public Hearing)

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

**City Council President Bodanza explained that after speaking with the City solicitor it was determined that no public hearing was necessary for this communication.**

## **XIII. COMMUNITY CALENDAR**

- **Memorial Day Ceremony will be broadcasted on LATV. Limited cemetery visits and a pre-recorded address will be available. More updates will come as released.**

## **XIV. ADJOURNMENT**

**The meeting adjourned at 7:28 PM.**

- Katelyn Huffman, City Clerk