

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

JUNE 22, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

The City Council meeting on June 22, 2020 will be held virtually, by a conference telephone call only. All City Councillors, 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 \(408\) 650-3123](tel:+14086503123) and enter the following code : 582-442-789 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on June 8, 2020). The meeting will begin promptly at 6:45 PM on Monday, June 22, 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.

INTERVIEW, 6:45 P.M.

A measure confirming the Mayor's appointment of **Susan Shelton** to the Library Board of Trustees; term to expire 4/15/2023. (*Ways & Means; Regular Course 6/8/2020; Majority Vote*)

The Ways and Means Committee conducted an interview with Susan Shelton for the position of Library Board of Trustees member. Susan informed the committee that she was previously the Library Director for the City of Leominster before she retired. She also has history assisting and direction other libraries within Massachusetts. She explained her passion for the position and her enthusiasm in joining the Board to give back to the community.

PUBLIC HEARING, 6:50 P.M.

- 66-20 Comcast of Massachusetts III, Inc.: Requests permission to install a new underground conduit to service number 1 Main Street. **Water Street:** Starting at Utility Pole No.3 excavating to place (2) 4" PVC Conduits 295'+/- to a proposed 24"x36" vault. From the newly placed vault continuing with the excavation with (2) 4" PVC Conduits 355'+/- to a proposed 24"x36" vault located on Mechanic

Street. From the newly placed vault the conduit will continue 3'+/- and on to the property of 1 Main Street. In addition (2) 4" PVC Conduits will be stubbed out of the vault for a future take off. *(Public Service; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:50 P.M.; Majority Vote)*

Dave Fwelling, a representative of Comcast, spoke in favor of the petition. He informed the City Council that the project is meant to provide service to a 1 main street and to improve safety in the area.

The public hearing closed at 6:59PM.

PUBLIC HEARING, 6:51 P.M.

C-71 Dean J. Mazarella, Mayor: Request that the Fiscal Year 2021 Water Department Budget which totals \$5,876,865.00 be adopted as listed; the same amount to be raised as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:51 P.M.; Majority Vote)*

RE: Attachment FY 2021 Water Department Budget.

The public hearing opened at 6:53 PM. Councillor Chalifoux Zephir recused herself from the discussion due to a possible conflict of interest.

Councillor David Cormier gave an overview of the proposed budget and how it would impact the City moving forward. He also cited the hardships that the budget may face moving forward due to the strains of the COVID-19 pandemic.

The Councillors agreed with the budget as proposed. No one from the public spoke. The public hearing closed at 6:55PM.

PUBLIC HEARING, 6:52 P.M.

C-72 Dean J. Mazarella, Mayor: Request that the Fiscal Year 2021 Sewer Department Budget which totals \$5,511,549.00 be adopted as listed; the same amount to be raised as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:52 P.M.; Majority Vote)*

RE: Attachment FY 2021 Sewer Department Budget.

The public hearing opened at 6:55PM. Councillor Chalifoux Zephir recused herself from the discussion due to a possible conflict of interest.

Councillor David Cormier gave an overview of the proposed budget and how it would impact the City moving forward. He also cited the hardships that the budget may face moving forward due to the strains of the COVID-19 pandemic.

The Councillors agreed with the budget as proposed. No one from the public spoke. The public hearing closed at 7:00 PM.

PUBLIC HEARING, 6:53 P.M.

C-74 Dean J. Mazzarella, Mayor: Request that the Fiscal Year 2021 Budget which totals \$133,457,622.00 be adopted; the same amount to be raised by Fiscal Year 2021 Revenue. (*Finance; Regular Course 6/8/2020 Public Hearing 6/22/2020 @ 6:53 P.M.; Majority Vote*)

RE: Attached Fiscal Year 2021 Budget document.

The public hearing opened at 7:08PM

Councillor David Cormier gave an overview of the proposed budget and how it would impact the City moving forward. He also cited the hardships that the budget may face moving forward due to the strains of the COVID-19 pandemic. He felt it was a best case scenario budget as presented.

John Richard, the City Comptroller, explained to the Council that a level budget was being proposed for the next fiscal year. He informed the Council that due to the COVID-19 pandemic receipts were down which means revenues were also down. He also explained that there was no money going toward OPEB liability.

Paula Deacon, Superintendent of Schools, spoke against the budget. She informed the Council that due to the extreme lack of funds for the school portion of the budget, the school would be forced to layoff over one hundred teachers and possibly make additional cuts. She asked the Council to vote against the budget.

Councillor Freda responded to Finance Chair's suggestion that we should know what our role is by stating that after 32 years in office she clearly understands her role.

17 people spoke tonight- some with very good points. Finance Committee should have a meeting to discuss the concerns before making a recommendation. How have the finance committee discussed line items and different aspects of the budget? For example, debt service \$900,000+- for

high school track which has been in every year; \$4m for OPEB, no deadline for this. Unfounded liability \$5.9m prior years.

My suggestion is to look at these numbers and put them on hold until we have our state numbers. I made NO suggestion that we should raise people's taxes to fund the schools. A 1/12 budget would help that determination. We keep hearing, "this is what the mayor says", "this is what the comptroller says". Shouldn't the Superintendent be the expert on education?

This is the year the schools need help. If there is, in fact, a 10-20% cut where is that money going to come from? Schools could possibly not open if these cuts happen. The mayor stated in his cover letter with the budget that he would cut if the state reduced our aid.

These issues are never going to be resolved. We have the same discussion every year. According to DESE Leominster is rated 291 out of 319 for student spending.

This city has been fiscally responsible. The mayor, city council and comptroller have done a great job over the years.

If we approve this budget tonight, those line items mentioned to possibly help the budget will no longer be an option. We will not have it available. Councillor Freda clearly disagreed with the council President's point of order and concluded her comments with allowing the taxpayer to decide which opinion they choose to believe.

Erin O'Toole, Eileen Griffin, Lea Burns, Brandon Robbins, Isabelle Alera, Carrie Noseworthy a previous band teacher, Rachel Barton, Michael Stassen, and Linden Laundry spoke against the acceptance of the budget. These members of the public expressed concern that the schools were under budgeted, that the City was moving too quickly and should alternatively approve a 1/12 budget, and that there should be more discussion overall. They felt that the needs of the students and staff were not being met. They felt that state minimum standards needed to be met and technology needed to be expanded.

Bonnie Budd, Ron Houle, were in favor of passing the budget as proposed. They expressed that they trusted that if need arose, the Mayor and Council could appropriate more funds if necessary for schools and that it would be easier to run on a full budget rather than a 1/12 budget.

Councillor Freda, Councillor Chalifoux Zephir were against adopting the budget as is. They felt that it would be more appropriate to adopt a 1/12 or continued budget due to the circumstances. They also felt that the schools were under funded.

Councillor Bodanza, Councillor David Cormier, Councillor Pauline Cormier, Councillor Ardinger, Councillor Angelini, Councillor Dombrowski and Councillor Feckley were in favor of adopting the budget as presented. They expressed their understanding of the trying times due to the pandemic but felt that the budget as proposed was the best option for the City.

The public hearing closed at 8:52PM.

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 8:53PM. Peter Haigis, spoke against the general budget for fiscal year 2021 as proposed. He recommended that a 1/12 budget be adopted instead and that the budget as a whole be further debated at a later time.

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

The regular meeting of the City Council opened at 7:00PM. Councillor Ardinger made a motion to recess. Councillor Freda seconded the motion. The motion carried unanimously.

The regular meeting of the City Council reconvened at 8:53PM.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

- **June 8, 2020- These minutes were approved and placed on file.**

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

A measure confirming the Mayor's reappointment of **Rocco Palmieri** to the Historical Commission; term to expire 4/15/2023. (*Ways & Means; Regular Course 6/22/2020; Majority Vote*)

This communication was given regular course.

ORDERS

C-76 Dean J. Mazzearella, Mayor: Request that the attached Loan Order be adopted. (*Finance; Regular Course 6/22/2020; Public Hearing 7/13/2020 @ 6:50 P.M.; 2/3 Vote*)

RE: Notown and Fallbrook Water Treatment Plants Upgrades.

This communication was given regular course. A public hearing was set for July 13, 2020 at 6:50PM.

C-77 Dean J. Mazzearella, Mayor: Request that an appropriation of \$1,250.00 be made to the Conservation Commission Expense Account; the same amount to be transferred from the Wetland Fee's Reserved for Appropriation Account. (*Finance; Regular Course 6/22/2020; Majority Vote*)

This communication was given regular course.

C-78 Emergency Preamble

Dean J. Mazzearella, Mayor: Request that an appropriation of \$35,000.00 be made to the Police Department Overtime Account; the same amount to be transferred from the Police Salary & Wages Account. (*Finance; Regular Course 6/22/2020; Majority Vote*)

The communication was presented as an emergency preamble. The City Council voted via roll call vote: 9-0 to accept the communication as an emergency preamble.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 9-0 the communication was GRANTED.

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

C-79 Emergency Preamble

Dean J. Mazzearella, Mayor: Request that an appropriation of \$30,000.00 be made to the Fire Department Overtime Account: same amount to be transferred from the Fire Department Salary & Wages Account. (*Finance; Regular Course 6/22/2020; Majority Vote*)

The communication was presented as an emergency preamble. The City Council voted via roll call vote: 9-0 to accept the communication as an emergency preamble.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 9-0 the communication was GRANTED.

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

V. PETITIONS FIRST TIME ON THE AGENDA

67-20 Verizon New England, Inc.: Requests permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

FRANKLIN STREET: Relocate one (1) solely owned pole numbered T.5-1 to a point on the northerly side of Franklin Street approximately three hundred twenty (320) feet easterly from the center line of Pleasant Street.

Reason: Relocate one (1) solely owned pole on Franklin Street at the request of an abutter; and to provide for the distribution of intelligence and telecommunications. (*Public Service; Regular Course 6/22/2020; Public Hearing 7/13/2020 @ 6:54 P.M.; Majority Vote*)

The petition was given regular course. A public hearing was set for July 13, 2020 at 6:54PM.

PETITIONS FIRST TIME ON THE AGENDA, continued

68-20 National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Vinton St - National Grid to install one (I) SO Pole on Vinton Street beginning at a point approximately 20' feet south/southwest of the centerline of the intersection of Mechanic St and continuing approximately 270' feet in a south/southwest direction. Per request of customer at 17 Vinton St, National Grid will remove a tree guy and install a new stub pole w/anchor. P2-84 will be set approximately 43' south of pole 2 and an anchor will be set approximately 6' feet from pole 2-84. Location approximately as shown on plan attached. *(Public Service; Regular Course 6/22/2020; Public Hearing 7/13/2020 @ 6:53 P.M.; Majority Vote)*

The petition was given regular course. A public hearing was set for July 13, 2020 at 6:53PM.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization account was \$14,181,804.04.

VIII. FINANCE

C-67 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$71,492.00 be made to the Cemetery Salary & Wages Account; the same amount to be transferred from the Cemetery Perpetual Care Income Account. *(Finance; Regular Course 6/8/2020; Majority Vote)*

RE: Cemetery Labor	\$38,446.00
Cemetery Part-time	\$15,585.00
Cemetery Clerical	<u>\$17,461.00</u>
	\$71,492.00

The Finance Committee recommended that the City Council GRANT The communication. Roll Call Vote: 7-2(Councillor David Cormier and Councillor Ardinger Nay), the communication was GRANTED.

ORDERED: Roll Call Vote: 7-2 (Councillor David Cormier and Councillor Ardinger Nay) the communication was ADOPTED.

C-68 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$45,000.00 be made to the Library Expense Account; the same amount to be transferred from the Library State Aid Account. *(Finance; Regular Course 6/8/2020; Majority Vote)*

RE: Library Books.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 9-0 the communication was GRANTED.

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

C-69 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$73,080.00 be made to the Cemetery Capital Outlay Expense Account; the same amount to be transferred from the Cemetery Sale of Lots Fund. (*Finance; Regular Course 6/8/2020; Majority Vote*)

RE: 144 Units \$73,080.00

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 9-0 the communication was GRANTED.

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

C-70 Dean J. Mazzarella, Mayor: Relative to the appropriation of \$400,000.00 be made to the Pension Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 6/8/2020; 2/3 Vote*)

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 6-3 (Councillor Freda, Councillor Dombrowski, Councillor Feckley Nay) the communication was GRANTED.

ORDERED: Roll Call Vote: 6-3 (Councillor Freda, Councillor Dombrowski, Councillor Feckley Nay) the communication was ADOPTED.

C-71 Dean J. Mazzarella, Mayor: Request that the Fiscal Year 2021 Water Department Budget which totals \$5,876,865.00 be adopted as listed; the same amount to be raised as authorized by Massachusetts General Law Chapter 44 Section 53E. (*Finance; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:51 PM; Majority Vote*)

RE: Attachment FY 2021 Water Department Budget.

Councillor Chalifoux Zephir recused herself from the communication due to a conflict of interest.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 8-0-1(Councillor Chalifoux Zephir abstained) the communication was GRANTED.

ORDERED: Roll Call Vote: 8-0-1(Councillor Chalifoux Zephir abstained) the communication was ADOPTED.

C-72 Dean J. Mazzearella, Mayor: Request that the Fiscal Year 2021 Sewer Department Budget which totals \$5,511,549.00 be adopted as listed; the same amount to be raised as authorized by Massachusetts General Law Chapter 44 Section 53E. (*Finance; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:52 P.M.; Majority Vote*)

RE: Attachment FY 2021 Sewer Department Budget.

Councillor Chalifoux Zephir recused herself from the communication due to a conflict of interest.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 8-0-1(Councillor Chalifoux Zephir abstained) the communication was GRANTED.

ORDERED: Roll Call Vote: 8-0-1 (Councillor Chalifoux Zephir abstained) the communication was ADOPTED.

C-73 Dean J. Mazzearella, Mayor: Relative to the appropriation of \$100,000.00 be made to the Gallagher Building Salary & Wages Account; the same amount to be transferred from the Gallagher Building Revolving Fund. (*Finance; Regular Course 6/8/2020; Majority Vote*)

RE: FY2021 Operating Expenses.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 9-0 the communication was GRANTED.

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

C-74 Dean J. Mazarella, Mayor: Request that the Fiscal Year 2021 Budget which totals \$133,457,622.00 be adopted; the same amount to be raised by Fiscal Year 2021 Revenue. (*Finance; Regular Course 6/8/2020 Public Hearing 6/22/2020 @ 6:53 P.M.; Majority Vote*)

RE: Attached Fiscal Year 2021 Budget document.

The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 7-2 (Councillor Chalifoux Zephir and Councillor Freda Nay) The communication was GRANTED.

ORDERED: Roll Call Vote: 7-2 (Councillor Chalifoux Zephir and Councillor Freda Nay) The communication was ADOPTED.

IX. PUBLIC SERVICE

66-20 Comcast of Massachusetts III, Inc.: Requests permission to install a new underground conduit to service number 1 Main Street. **Water Street:** Starting at Utility Pole No.3 excavating to place (2) 4" PVC Conduits 295'+/- to a proposed 24"x36" vault. From the newly placed vault continuing with the excavation with (2) 4" PVC Conduits 355'+/- to a proposed 24"x36" vault located on Mechanic Street. From the newly placed vault the conduit will continue 3'+/- and on to the property of 1 Main Street. In addition (2) 4" PVC Conduits will be stubbed out of the vault for a future take off. (*Public Service; Regular Course 6/8/2020; Public Hearing 6/22/2020 @ 6:50 P.M.; Majority Vote*)

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

X. WAYS & MEANS

A measure confirming the Mayor's reappointment of **Nancy King** to the Cultural Commission; term to expire 4/15/2023. (*Ways & Means; Regular Course 6/8/2020; Majority Vote*)

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

A measure confirming the Mayor's reappointment of **Elizabeth Raymond** to the Cultural Commission; term to expire 4/15/2023. (*Ways & Means; Regular Course 6/8/2020; Majority Vote*)

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

A measure confirming the Mayor's appointment of **Susan Shelton** to the Library Board of Trustees; term to expire 4/15/2023. (*Ways & Means; Regular Course 6/8/2020; Majority Vote*)

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

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. COMMUNITY CALENDAR

Councillor Freda informed

XIV. ADJOURNMENT

- Katelyn Huffman, City Clerk