

**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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**CITY OF LEOMINSTER**

**CITY COUNCIL**

**MONDAY, NOVEMBER 9, 2020**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**The City Council meeting on November 9, 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 \(224\) 501-3412](tel:+12245013412) and enter the following code 154-599-429 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on October 26, 2020). The meeting will begin promptly at 6:10 PM on Monday, November 9, 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, 6:10 P.M.**

A measure confirming the Mayor's appointment of **Dean Valliere** to the position of the Planning Board: term to expire 4/15/2025. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

A measure confirming the Mayor's appointment of **Jason Pare** to the position of the Planning Board: term to expire 4/15/2025. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

**PUBLIC HEARING, 6:15 P.M.**

17-21 Stephen Fraticelli of Fraticelli Oil Co., Inc.: Request to amend Flammable Liquids License from 335,000 gallons to 575,000 gallons of flammable liquids at 239 Litchfield Street. (*Legal Affairs; Regular Course 9/28/2020; Further Time 10/13/2020, 10/26/2020; Public Hearing 10/13/2020 @ 6:52 PM; Public Hearing Continued 10/26/2020 @ 6:30 P.M., 11/9/2020 @ 6:15 p.m.; Majority Vote*)

## **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 time frame. The Council will not be responding or answering any questions; however, at the discretion of the Council President, clarification may be given.

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- I. REGULAR MEETING OF THE CITY COUNCIL, 7:00 P.M.**
- II. ROLL CALL OF COUNCILLORS IN ATTENDANCE**
- III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

- October 26, 2020

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

### ORDERS

C-33 Dean J. Mazzarella, Mayor: Request an appropriation of \$1,846,172.00 to be made to the School Department Expense Account; the same amount to be raised by Fiscal Year 2021 Revenue. (*Finance; Regular Course 11/9/2020; Majority Vote*)

RE: State Aid estimate for tax rate setting purposes.

C-34 Dean J. Mazzarella, Mayor: Request an appropriation of \$220,534.00 to be made to the School Department Expense Account; the same amount to be raised by Fiscal Year 2021 Revenue. (*Finance; Regular Course 11/9/2020; Majority Vote*)

RE: Estimate FY 2021 E-Rate Revenue.

C-35 Dean J. Mazzarella, Mayor: Request an appropriation of \$25,000.00 be made to the Landfill Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 11/9/2020; Majority Vote*)

RE: Landfill Repairs.

**COMMUNICATIONS FROM THE MAYOR, continued**

C-36 Dean J. Mazzearella, Mayor: Request an appropriation of \$16,000.00 be made to the Police Department Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 11/9/2020; Majority Vote*)

RE: Boiler Replacement.

C-37 Dean J. Mazzearella, Mayor: Request an appropriation of \$57,463.00 be made to the Cemetery Capital Outlay Account; the same amount to be transferred from the Cemetery Perpetual Care Income Account. (*Finance; Regular Course 11/9/2020; Majority Vote*)

RE: Cemetery Truck.

COMMUNICATIONS

C-38 Dean J. Mazzearella, Mayor: Request that Cheryl Canedo be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. (*Ways & Means; Regular Course 11/9/2020; Majority Vote*)

RE: Election Work.

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

21-21 Pauline Cormier, Ward 2 Councillor: On behalf of residents of Johnny Appleseed Lane, in the City of Leominster, respectfully requests the installation of streetlights, specifically the area of the home number 172 Johnny Appleseed Lane. (*Public Service: Regular Course 11/9/2020; Majority Vote*)

22-21 Mark C. Bodanza, Ward 4 Councillor, and David R. Cormier, Ward 3 Councillor: Request to amend Section 2-14 of Article III of the Revised Ordinances for City of Leominster as follows:

**By deleting** “All meetings of the council shall be held in the municipal building. In the event of a public emergency or other condition which renders it impossible for the council to hold any meeting in the City Hall, the council will hold a meeting at the Leominster High School” **and substituting in its place the following language therein;**

“All meetings of the council shall be held in the municipal building. In the event of a public emergency or other condition which renders it impossible for the council to hold any meeting in the City Hall, the council shall be permitted to conduct its meetings at the Emergency Management Operation Center or the Leominster High School”. (*Legal Affairs; Regular Course 11/9/2020; 2/3 Vote*)

## VI. MATTERS BEFORE CITY COUNCIL

## VII. CITY OF LEOMINSTER – FINANCIAL REPORT

## VIII. FINANCE

C-28 Dean J. Mazzarella, Mayor: Request an appropriation of \$6,600.00 be made to the Emergency Management Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/26/2020; 2/30 Vote*)

RE: Completion of removal of underground storage tank.

C-29 Dean J. Mazzarella, Mayor: Request an appropriation of \$16,000.00 be made to the Police Department Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/26/2020; 2/30 Vote*)

RE: Repairs at 210 Lancaster Street.

## IX. LEGAL AFFAIRS

17-21 Stephen Fraticelli of Fraticelli Oil Co., Inc.: Request to amend Flammable Liquids License from 335,000 gallons to 575,000 gallons of flammable liquids at 239 Litchfield Street. (*Legal Affairs; Regular Course 9/28/2020; Further Time 10/13/2020, 10/26/2020; Public Hearing 10/13/2020 @ 6:52 PM; Public Hearing Continued 10/26/2020 @ 6:30 P.M., 11/9/2020 @ 6:15 p.m.; Majority Vote*)

C-32 Dean J. Mazzarella, Mayor: Request that the City Council review and accept the Water Supply and Development Agreement between the City of Leominster and 702, LLC. (*Legal Affairs; Regular Course 10/26/2020; Pending Referral DPW; Majority Vote*)

## X. WAYS & MEANS

A measure confirming the Mayor's appointment of **Dean Valliere** to the position of the Planning Board: term to expire 4/15/2025. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

A measure confirming the Mayor's appointment of **Jason Pare** to the position of the Planning Board: term to expire 4/15/2025. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

## WAYS & MEANS, continued

A measure confirming the Mayor's appointment of **Henry Frye** to the position of the Board of Appeals: term to expire 4/15/2023. (*Ways & Means; Regular Course 10/26/2020; Further Time 11/9/2020, 11/9/2020; Majority Vote*)

A measure confirming the Mayor's appointment of **Virginia Tocci** to the position of the Housing Authority: term to expire 4/15/2025. (*Ways & Means; Regular Course 10/26/2020; Further Time 11/9/2020, 11/9/2020; Majority Vote*)

C-30 Dean J. Mazarella, Mayor: Request that Nicole Laplante be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

RE: Election work

C-31 Dean J. Mazarella, Mayor: Request the approval of the CDBG-CV Budget/Action Plan. (*Ways & Means; Regular Course 10/26/2020; Pending Referral Mayor; Majority Vote*)

20-21 Claire M. Freda, Councillor at Large: Request that the City Council amend Rule #1 of the Leominster City Council Rules and Procedures entitled "Meetings" by adding the following after the second paragraph that refers to public emergency: In the event that in-person meetings are rendered impossible or a public safety issue, all meetings and public hearing be held virtually by Zoom, Google or other virtual means in order to provide clear transparency to the public and media. (*Ways & Means; Regular Course 10/26/2020; Majority Vote*)

## XI. NEW BUSINESS

## XII. OLD BUSINESS

### 2<sup>nd</sup> Reading Ordinance

15-21 Susan Chalifoux-Zephir, Councillor at Large, and Mark C. Bodanza, Ward 4 Councillor: Request to Amend Article III, Division 2, Section 13-34 – No Parking on Certain Streets of the amended ordinances of the City of Leominster to add: No Parking along the side of Chestnut Street for cars heading East, extending approximately 60 (sixty) feet up Chestnut Street from the intersection of Chestnut Street and Pleasant Street. (*Legal Affairs; Regular Course 9/28/2020; Public Hearing 10/13/2020 @ 6:53 PM; 10/13/2020 Granted as Amended from 40 (forty) to 60 (sixty) feet; 1<sup>st</sup> Reading 10/26/2020; 2<sup>nd</sup> Reading 11/9/2020; 2/3 Vote*)

**OLD BUSINESS, continued**

**2<sup>nd</sup> Reading Ordinance**

16-21 Mark C. Bodanza, Ward 4 Councillor: Request to Amend Section 13-34 of the Leominster Revised Ordinances as follows: “By adding a No Parking Zone on ADAMS STREET (Southerly Side), beginning at the intersection with Cotton Street then Westerly to the intersection of BOWEN PLACE.” *(Legal Affairs; Regular Course 9/28/2020; Public Hearing 10/13/2020 @ 6:54 PM; Granted 10/13/2020; 1<sup>st</sup> Reading 10/26/2020; 2<sup>nd</sup> Reading 11/9/2020; 2/3 Vote)*

**XIII. COMMUNITY CALENDAR**

**XIV. ADJOURNMENT**

- Katelyn Huffman, City Clerk