

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

SEPTEMBER 28, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

The City Council meeting on September 28, 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 (646) 749-3122 and enter the following code 260-685-445: (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on September 14, 2020). The meeting will begin promptly at 6:50 PM on Monday, September 28, 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 (but not guaranteed) that the audio phone call will be broadcast on Leominster Access Television.

INTERVIEW, 6:50 P.M.

A measure confirming the Mayor's appointment of **Paul Redmond** to the position of Treasurer/Collector for the City of Leominster for a term of three years; effective October 5, 2020. (*Ways & Means; Regular Course 9/14/2020; Majority Vote*)

The interview for Mr. Redmond began at 6:50PM. He informed the Council that he has had years of experience with MUNIS, Harper Payroll Systems and as a Treasurer Collector for Boxborough and Bellingham. He is confident in the skills he is bringing to the City and looks forward to working with the City in the future.

Councillor Freda asked whether Mr. Redmond was a CMMT. He informed the Council that he just completed the test and was awaiting the results.

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.

The public forum opened at 7:32PM. The City Council President asked three times if anyone from the public wanted to speak regarding any item listed on the agenda. No one spoke. The public forum closed at 7:33PM.

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 at 7:02 PM. Councillor Ardinger seconded the motion. Roll Call Vote: 9-0 the motion carried unanimously, and the meeting went into recess at 7:02PM. The regular meeting was back in session at 7:33PM.

II. ROLL CALL OF COUNCILLORS IN ATTENDANCE

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

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

III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT

- **September 14, 2020 -The meeting minutes were approved and placed on file.**

IV. COMMUNICATIONS FROM THE MAYOR

ORDERS

C-18 Dean J. Mazzearella, Mayor: Request an appropriation of \$231,000.00 be made to the I.T.T.F. Expense Account; same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/28/2020; 2/3 Vote*) RE: Funding for the switches and firewall placements.

This communication was given regular course.

C-19 Dean J. Mazzearella, Mayor: Request an appropriation of \$68,450.00 be made to the Police Department Overtime Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/28/2020; 2/3 Vote*) RE: Firearms training for FY2021 new requirements.

This communication was given regular course.

C-20 Dean J. Mazzearella, Mayor: Request an appropriation of \$23,638.00 be made to the Police Department Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/28/2020; 2/3 Vote*) RE: Ammunition & equipment as attached.

This communication was given regular course.

C-21 Dean J. Mazzearella, Mayor: Request an appropriation of \$52,000.00 be made to the Municipal Building Maintenance Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/28/2020; 2/3 Vote*) RE: New copper gutters and matching slate on city hall roof for repairs where needed.

This communication was given regular course.

C-22 Dean J. Mazzearella, Mayor: Request an appropriation of \$50,000.00 be made to the Forestry Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/28/2020; 2/3 Vote*)

This communication was given regular course.

RESOLUTION

- C-23 A RESOLUTION vote of support to enter into a Tax Increment Financing agreement (TIF) with Girouard Tool Corporation located at 551-602 Research Drive, Leominster, MA. (*Ways & Means; Regular Course 9/28/2020; Majority Vote*)

This communication was given regular course. A referral was requested from the Assessor, and Treasurer/Collector. It was also requested that the principles or representatives be invited to the next meeting for questions.

V. PETITIONS FIRST TIME ON THE AGENDA

- 14-21 Election Order: An Order by the City of Leominster, Relative to the State Election, November 3, 2020. (*Ways & Means; Regular Course 9/28/2020; Majority Vote*)

This petition was given regular course.

- 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 40 (forty) 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; 2/3 Vote*)

This petition was given regular course with a referral to the DPW and traffic agent. A public hearing was set for October 13, 2020 at 6:53PM by Roll Call vote: 9-0.

- 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; 2/3 Vote*)

This petition was given regular course with a referral to the DPW and traffic agent. A public hearing was set for October 13, 2020 at 6:54PM by Roll Call vote: 9-0.

17-20 Stephen Fraticelli of Fraticelli Oil Co., Inc.: Request to amend Flammable Liquids License from 335,000 gallons to 575,000 gallons of flammable liquids. (*Legal Affairs; Regular Course 9/28/2020; Public Hearing 10/13/2020 @ 6:52 PM; Majority Vote*)

This petition was given regular course with a referral to the Health Department and Fire Department A public hearing was set for October 13, 2020 at 6:52PM by Roll Call vote: 9-0.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization fund was \$19,903,773.27.

VIII. FINANCE

C-14 Dean J. Mazzearella, Mayor: Request an appropriation of \$55,105.00 be made to the Treasurer Salary & Wages Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/14/2020; 2/3 Vote*)

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

ORDERED: By a Roll Call Vote of 9-0 the order was ADOPTED.

C-15 Dean J. Mazzearella, Mayor: Request an appropriation of \$500,000.00 be made to the Wastewater Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/14/2020; 2/3 Vote*)

RE: FY 2019 excess rate proceeds closed out to the General Fund to be used for Capital Outlay purposes.

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

ORDERED: By a Roll Call Vote of 9-0 the order was ADOPTED.

C-16 Dean J. Mazzarella, Mayor: Request an appropriation of \$550,000.00 be made to the Water Department Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/14/2020; 2/3 Vote*)

RE: FY 2019 proceeds closed out to General Fund to be used for Morse Dam repair.

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

ORDERED: By a Roll Call Vote of 9-0 the order was ADOPTED.

C-17 Dean J. Mazzarella, Mayor: Request an appropriation of \$10,000.00 be made to the Fire Department Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 9/14/2020; 2/3 Vote*)

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

ORDERED: By a Roll Call Vote of 9-0 the order was ADOPTED.

IX. LEGAL AFFAIRS

9-21 Elizabeth Wood, Planning & Development Director: Request to Amend Article VI, Section 22-34: Special Districts Regulations: Floodplain. (*Legal Affairs; Regular Course 9/14/2020; Pending Referrals Planning, Conservation; 2/3 Vote*)

The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 9-0 the petition was given FURTHER TIME.

X. WAYS & MEANS

APPOINTMENTS

A measure confirming the Mayor's appointment of **Paul Redmond** to the position of Treasurer/Collector for the City of Leominster for a term of three years; effective October 5, 2020. (*Ways & Means; Regular Course 9/14/2020; Majority Vote*)

The Ways and Means Committee recommended that the City Council CONFIRM the appointment for Mr. Redmond. Roll Call Vote: 8-1 (Councillor Freda Nay) the appointment of Mr. Redmond was CONFIRMED.

A measure confirming the Mayor's extended appointment of **William Connor** as Interim Chief Assessor for an additional sixty (60) days for the City of Leominster until the office can be filled by a permanent appointment. (*Ways & Means; Regular Course 9/14/2020; Majority Vote*)

The Ways and Means Committee recommended that the City Council CONFIRM the appointment for Mr. Redmond. Roll Call Vote: 9-0 the appointment of Mr. Redmond was CONFIRMED.

10-21 Ramani M. Ighodaro d/b/a Ramani Motors: Requests a Second Hand Dealers License for Ramani Motors located at 179 Willard Street, #208. (*Ways & Means; Regular Course 9/14/2020; Majority Vote*)

The Ways and Means Committee recommended that the City Council GRANT the second hand dealers license. Roll Call Vote: 9-0 the license was GRANTED.

11-21 Genaro L. Hall d/b/a Scbbuyer: Requests a Second Hand Dealers License for Scbbuyer located at 502 Lancaster Street, suite 102. (*Ways & Means; Regular Course 9/14/2020; Majority Vote*)

The Ways and Means Committee recommended that the City Council GRANT the second hand dealers license. Roll Call Vote: 9-0 the license was GRANTED.

XI. PUBLIC SERVICE

12-21 Susan Chalifoux-Zephir, Councillor at Large and Mark Bodanza, Ward 4 Councillor: Requests two Feedback Speed Zone signs to be installed at each end of Hill Street. (*Public Service; Regular Course 9/14/2020; Majority Vote*)

The Public Service committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 9-0 the petition was given further time.

- 13-21 Susan Chalifoux-Zephir, Councillor at Large and Gail Feckley, Ward 1 Councillor: Request that a crosswalk be installed at Nutting Drive and Prospect Street. (*Public Service; Regular Course 9/14/2020; Majority Vote*)

The Public Service committee recommended that the City Council give the petition LEAVE TO WITHDRAW WITHOUT PREJUDICE. Roll Call Vote: 9-0 the petition was given LEAVE TO WITHDRAW WITHOUT PREJUDICE.

XII. NEW BUSINESS

XIII. OLD BUSINESS

2nd Reading Ordinance

- 1-21 David R. Cormier: Request to install a stop sign against southwest bound drivers on Comstock Road at Birchcroft Road. (*Legal Affairs; Regular Course 7/13/2020; Further Time 7/27/2020, 8/10/2020; Public Hearing 8/24/2020 @ 6:51 PM; Granted 8/24/2020; 1st Reading 9/14/2020; 2/3 Vote*)

The Legal Affairs committee recommended that the City Council ADOPT the second reading of the ordinance. Roll Call Vote: The second reading of the ordinance was ADOPTED.

2nd Reading Ordinance

- 2-21 David R. Cormier: Request to amend Chapter 13, Section 13-34 to read the following: No parking on Albert Drive. Albert Drive, southbound, from the North intersection of Central Street (rear of 424 Central Street) to the southernmost point of the rear of 444 Central Streets property (right side only). Albert Drive, north bound, along the length of 40 Albert Drive (right side only). (*Legal Affairs; Regular Course 7/13/2020; Further Time 7/27/2020, 8/10/2020; Public Hearing 8/24/2020 @ 6:54 PM; Granted as amended 8/24/2020; 1st Reading 9/14/2020; 2/3 Vote*)

The Legal Affairs committee recommended that the City Council ADOPT the second reading of the ordinance. Roll Call Vote: The second reading of the ordinance was ADOPTED.

2nd Reading Ordinance

7-21 John Dombrowski, Councillor at Large: Request to amend Chapter 13, Section 13-77 to read the following: Install a stop sign against East bound drivers on Birchcroft Road at Comstock Road. (*Legal Affairs; Regular Course 8/10/2020; Public Hearing 8/24/2020 @ 6:52 P.M.; Granted 8/24/2020; 1st Reading 9/14/2020; 2/3 Vote*)

The Legal Affairs committee recommended that the City Council ADOPT the second reading of the ordinance. Roll Call Vote: The second reading of the ordinance was ADOPTED.

XIV. TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

C-54 (of FY2020)

Dean J. Mazarella, 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; Public Hearing TBD; Tabled 4/13/2020; Majority Vote*)

The Legal Affairs committee recommended that the City Council leave the communication on the table. Roll Call Vote: 9-0 the petition was left on the table.

XV. COMMUNITY CALENDAR

Councillor Freda informed the City Council that a new sketch of the proposed Police Station was sent to them via email.

XVI. ADJOURNMENT

The meeting adjourned at 8:40PM.

- Katelyn Huffman, City Clerk