

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

TUESDAY, OCTOBER 13, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

The City Council meeting on October 13, 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 and enter the following code 349-511-245: (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on September 28, 2020). The meeting will begin promptly at 6:52 PM on Tuesday, October 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.

PUBLIC HEARING, 6:52 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; Public Hearing 10/13/2020 @ 6:52 PM; Majority Vote*)

The public hearing opened at 6:52PM. Stephen Fraticelli, owner, spoke in favor of the petition. He informed the City Council that he would like to add underground storage of propane to his license so that he can expand his business. He informed them that he currently has one truck that holds propane on the business premises that has been approved by the Fire Department.

Councillor Dombrowski read the recommendation of the Fire Chief into the record. He informed the City Council that the Fire Chief had not yet received engineered plans for this proposed increase and needs them before approval of the permit.

Councillor Freda, Angelini and Cormier requested that the applicant provide the City Council with blast zone maps before the vote.

Councillor Chalifoux-Zephir asked how long customer tanks would be stored outside before being purged. Mr. Fraticelli informed her that they would be purged the same day.

Councillor Dombrowski asked what paperwork and permitting was needed from the State and local governments to comply. Mr. Fraticelli informed him that local approval from the Fire Department was necessary.

Robert Collette, an abutter, voiced concern about the storage of propane and spoke against the petition.

Council President Bodanza recused himself from the petition due to a possible conflict of interest.

The public hearing was continued to October 26, 2020 at 6:30PM.

PUBLIC HEARING, 6:53 P.M.

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*)

The public hearing opened at 7:34PM. Councillor Dombrowski made a motion to amend the petition to read “60 (sixty) feet” instead of “40 (feet)”. Councillor Chalifoux-Zephir seconded the motion. Roll Call Vote: 9-0 the motion carried unanimously.

Councillor Dombrowski asked three times if any member of the public wanted to speak for or against the petition. No one spoke. The public hearing closed at 7:38PM.

PUBLIC HEARING, 6:54 P.M.

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*)

The public hearing opened at 7:38PM. Councillor Dombrowski read the referrals from Lt. Amico into the record. He informed the Council that the traffic agent felt

this petition would create more safety for Leominster. It was also decided that the petition would stand as is and another petition would be submitted at a later time to address the other side of the street.

Councillor Dombrowski asked three times if any member of the public wanted to speak for or against the petition. No one spoke. The public hearing closed at 7:44PM.

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 7:45PM. Council President Bodanza asked three times if any member of the public wanted to speak for or against any matter on the agenda. No one spoke. The public forum closed at 7:46PM.

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. Councillor Pauline Cormier seconded the motion. Roll Call Vote the motion carried unanimously. Recess began at 7:04PM. The regular meeting resumed at 7:45PM.

At 8:21PM Councillor Dombrowski made a motion for recess to allow the Planning Department Director to Speak. Councillor David Cormier seconded the motion. Roll Call vote: The motion carried unanimously. The regular meeting resumed at 8:26PM.

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

- September 28, 2020 – **The minutes were approved as amended and placed on file.**

IV. COMMUNICATIONS FROM THE MAYOR

ORDERS

C-24 Dean J. Mazzearella, Mayor: Request an appropriation of \$150,000.00 be made to the Fire Department Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/13/2020; 2/3 Vote*)

This communication was given regular course.

C-25 Dean J. Mazzearella, Mayor: Request an appropriation of \$66,887.00 be made to the Parks Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 10/13/2020; 2/3 Vote*)

RE: Grant match for Monoosnock Brook Improvement Project.

This communication was given regular course.

COMMUNICATIONS

C-26 Dean J. Mazzearella, Mayor: A RESOLUTION vote of support for Summer Street Apartments, LLC located at 41 Summer Street, Leominster, MA. (*Ways & Means; Regular Course 10/13/2020; Majority Vote*)

This communication was given regular course. Referrals from the Treasurer/Collector, the Assessor were requested. It was also requested that the principles be invited to the next meeting to speak about this TIF.

C-27 Suspension of the Rules:
Dean J. Mazzearella, Mayor: Request that the City Council accept the Center For Tech And Civic Life Grant in the amount of \$27,391.50 for the purpose of planning and operationalizing safe and secure election administration in Leominster City in 2020. (*Ways & Means; Regular Course 10/13/2020; Majority Vote*)

Councillor Ardinger made a motion to suspend the rules. Councillor Pauline Cormier seconded the motion. Roll Call Vote: 9-0 the rules were suspended.

The communication was given regular course and a verbal referral was requested from the City Clerk.

V. PETITIONS FIRST TIME ON THE AGENDA

18-21 Gregory C. Chapdelaine, Purchasing Agent: Request to allow the Purchasing Agent to award a contract for Bill Printing & Mailing Services for the Treasurer & Collector’s Office for a six-year period. (*Finance; Regular Course 10/13/2020; Majority Vote*)

This petition was given regular course.

19-21 National Grid and Verizon New England: Keystone Drive – Request to install 1 Jointly Owned Pole on Keystone Drive beginning at a point approximately 162 feet east of the centerline of the intersection Industrial Road and Keystone Drive and continuing approximately 19 feet in a south direction. Install P6-50 for relocation of load break device. (*Public Service; Regular Course 10/13/2020; Public Hearing 10/26/2020 @ 6:54 P.M.; Majority Vote*)

This petition was given regular course. By a Roll Call Vote of 8-0-1 (Councillor David Cormier abstained due to a conflict of interest) a public hearing was set for October 26, 2020 at 6:54PM.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization fund was \$19,686,891.27.

VIII. FINANCE

C-18 Dean J. Mazzarella, 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.

Councillor David Cormier read a referral from the Mayor and ITTF Chairman into the record. They recommended that the communication be granted and informed the Council it was the third and last part of the cities major computer systems upgrade.

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

ORDERED: By a roll call voter of 9-0 the communication was ADOPTED.

C-19 Dean J. Mazzarella, 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.

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

ORDERED: By a roll call voter of 9-0 the communication was ADOPTED.

C-20 Dean J. Mazzarella, 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.

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

ORDERED: By a roll call voter of 9-0 the communication was ADOPTED.

C-21 Dean J. Mazzarella, 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.

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

ORDERED: By a roll call voter of 9-0 the communication was ADOPTED.

- C-22 Dean J. Mazzarella, 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*)

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

ORDERED: By a roll call voter of 9-0 the communication 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; Further Time 9/28/2020; Pending Referrals Planning, Conservation; 2/3 Vote*)

The City Council went into recess to speak to the Planning Director regarding this petition. It was decided mutually that it would be most beneficial to give this petition LEAVE TO WITHDRAW WITHOUT PREJUDICE and that a new petition be submitted with the updated information.

The Legal Affairs 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.

- 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*)

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

- 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)*

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

- 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; Public Hearing 10/13/2020 @ 6:52 PM; Majority Vote)*

The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0-1 (Council President Bodanza recused himself due to a possible conflict of interest) the petition was given FURTHER TIME.

X. WAYS & MEANS

- 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; Pending Referral Treasurer/Collector, Assessor; Majority Vote)*

The Ways and Means Committee recommended that the City Council give the communication LEAVE TO WITHDRAW WITHOUT PREJUDICE.

Roll Call Vote: 9-0 the petition was given LEAVE TO WITHDRAW WITHOUT PREJUDICE.

- 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)*

The Ways and Means Committee recommended that the City Council GRANT the Election order. Roll Call Vote: 9-0 the Election Order 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; Further Time 9/28/2020; Majority Vote*)

The Public Service Committee recommended that the City Council give the communication 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

XIV. COMMUNITY CALENDAR

- **The City Clerk informed the public that Early Voting would begin October 17, 2020 and end on October 30, 2020. She also informed the public times were listed on the City of Leominster Website.**

XV. ADJOURNMENT

The meeting adjourned at 8:40PM.

- Katelyn Huffman, City Clerk