

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

MONDAY, OCTOBER 26, 2020

JOHN P. MAHAN CITY COUNCIL CHAMBERS

The City Council meeting on October 26, 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 (571) 317-3122 and enter the following code 918-904-717 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on October 13, 2020). The meeting will begin promptly at 6:30 PM on Monday, October 26, 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, 6:30 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; Public Hearing Continued 10/26/2020 @ 6:30 P.M.; Majority Vote*)

The public hearing opened at 6:30PM. Council President Bodanza recused himself from the public hearing and petition as a whole due to a possible conflict of interest. Steve Fraticelli, owner and applicant, gave an overview of his amended permit request. He informed the City Council that he was looking to increase his flammable storage from 335,000 gallons to 575,000 gallons. This increase would be in the form of propane gas. Two 30,000 underground storage tanks, above ground customer empty tanks, and trucks and possible expansion for the future.

Councillor Dombrowski asked how close the tanks would be to Litchfield Street, and Dewey Street. Bob Seppi, engineer for Fraticelli, explained that the closest tank to Litchfield street would be 72 feet away and the closest tank to Dewey Street would be 44 feet away.

Councillor Chalifoux Zephir asked if trucks could store propane inside them while parked. Mr. Fraticelli informed her that they would have propane in the trucks.

Councillor Chalifoux Zephir asked how many trucks, tanks, and customer tanks the company planned to have on premises. Mr. Fraticelli explained it would depend on how much new business they acquired in the years to come.

Councillor David Cormier asked why the applicant was requesting so much extra storage when the current plans do not reflect the need for the amount of storage being requested.

Mr. Seppi explained that the storage being requested would be for the current plan, future expansion, and also for all customer return tanks, and trucks above ground, as per state requirements.

Councillor David Cormier asked if there is any other space for the tanks to go. Mr. Seppi explained that there is not, that this space on the plan meets all legal requirements.

Councillor David Cormier asked if the Fire Chief would recommend any special fire suppression systems for this. Chief Sidileau said that a fire suppression system is not required in this case. He also explained that inspections for this equipment are conducted by MassDOT and the state. He also let the City Council know that they could condition annual or periodic inspections within the permit if they felt it necessary.

Councillor Angelini asked about blast maps. He noted that none were provided. He asked that they be provided to the Council. Mr. Seppi informed the Council that blasts are situational and that a map would be different depending on the scenario. Councillor Angelini informed him that a blast map with different scenarios was still expected as the propane being stored poses a danger.

Councillor Dombrowski asked if the company planned to hire more people. Mr. Fraticelli informed him that they did plan to hire more people.

Councillor Dombrowski asked what the construction time table would be. Mr. Fraticelli informed him Spring 2021. Mr. Seppi informed the council it would be a 2-4month project.

Councillor Pauline Cormier asked how often staff and employees need to be recertified and what certifications they needed for propane work. Mr. Fraticelli informed the Council that a number of certifications were needed and would be required regularly.

Councillor Ardinger asked where the emp[ty customer tanks would be stored. Mr. Fraticelli informed the Council that they would be stored by the fence but would regularly be removed by the manufacturer.

Councillor Feckley asked how big of an area the company serviced. Mr. Fraticelli informed the Council they serviced a 40-mile radius.

Councillor Feckley asked why they were installing two new 30,000-gallon tanks instead of one. Mr. Fraticelli explained that it was more economical.

Councillor Chalifoux Zephir noted that the submitted plan only shows a third of the proposed storage. She requested that a plan be submitted showing the complete total of the storage and where it would be stored.

Councillor Freda asked how long the business had been in Leominster. Mr. Fraticelli informed the Council they had been in business in the city for over 88 years.

Councillor Freda asked if the business has had any issues with spills or blasts in the past 88 years large or small. Mr. Fraticelli informed the Council that there had been none.

Councillor Freda asked what the level of difference was between flammable gas and liquid.

Chief Sidileau informed the council that the gas stored in the ground is less concerning due to the nature of its natural dissipation in its gaseous form.

Councillor Dombrowski asked three times if any member of the public would like to speak for or against the petition. No one spoke. The public hearing was continued to November 9, 2020 at 6:15PM.

PUBLIC HEARING, 6:54 P.M.

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)*

The public hearing opened at 7:51PM. Councillor David Cormier recused himself due to a possible conflict of interest.

Steve Saucey, a National Grid representative, explained that the reason that this pole is needed to increase safety and reliability of service.

Councillor Freda asked if there were any objections from the abutters. Mr. Saucey explained that there had been none that he is aware of.

Councillor Freda asked three times if anyone from the public wanted to speak for or against the petition. No one spoke. The public hearing closed at 8:01PM.

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.

Council President Bodanza asked three times whether any member of the public wanted to speak for or against any matter on the agenda. No one spoke,

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

The regular meeting of the City Council opened at 7:00PM. Councillor Chalifoux Zephir made a motion to recess. Councillor Freda seconded the motion. Roll Call Vote: 9-0 the meeting went into recess. The regular meeting resumed at 8:03PM.

Councillor Angelini made a motion to recess at 8:34PM to allow Nikki Peters, Dan Botwinik, and William Connor to speak regarding C-26. The regular meeting resumed at 8:53PM.

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

- **October 13, 2020 – The meeting minutes were approved and placed on file.**

IV. COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

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*)

The appointment was given regular course and an interview was set for November 9, 2020 at 6:10PM. A resume was also requested.

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*)

The appointment was given regular course and an interview was set for November 9, 2020 at 6:10PM. A resume was also requested.

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

Councillor Feckley made a motion to amend the appointment to read "the Zoning Board" instead of Planning Board. Councillor Angelini seconded the motion. Roll Call Vote: 9-0 the appointment was amended.

The appointment was given regular course and an interview was set for November 23, 2020 at 6:45PM. A resume was also requested.

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; Majority Vote*)

The appointment was given regular course and an interview was set for November 23, 2020 at 6:50PM. A resume was also requested.

ORDERS

C-28 Dean J. Mazarella, 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.

This communication was given regular course.

COMMUNICATIONS FROM THE MAYOR, continued

C-29 Dean J. Mazzearella, 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.

This communication was given regular course and a list of proposed repairs was requested.

COMMUNICATIONS

C-30 Dean J. Mazzearella, 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

This communication was given regular course.

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

This communication was given regular course.

C-32 Dean J. Mazzearella, 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; Majority Vote*)

This communication was given regular course.

V. PETITIONS FIRST TIME ON THE AGENDA

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*)

This communication was given regular course.

VI. MATTERS BEFORE CITY COUNCIL

VII. CITY OF LEOMINSTER – FINANCIAL REPORT

a. The balance of the stabilization account was \$19,703,030.46.

VIII. FINANCE

C-24 Dean J. Mazzarella, 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*)

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 order was ADOPTED.

C-25 Dean J. Mazzarella, 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.

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 order was ADOPTED.

- 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*)

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

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; Public Hearing 10/13/2020 @ 6:52 PM; Public Hearing Continued 10/26/2020 @ 6:30 P.M.; Majority Vote*)

The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0-1 (Councillor Bodanza abstained due to a possible conflict of interest) the petition was given FURTHER TIME. The public hearing was continued to November 9, 2020 at 6:15PM by a vote of 8-0-1 (Councillor Bodanza abstained due to a possible conflict of interest).

X. WAYS & MEANS

- C-26 Dean J. Mazarella, 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*)

Dan Botwinik, owner, gave the City Council an overview of the project. He informed the Council that this would create 21 market rate apartments in an otherwise blighted area. He also informed them that he is applying for State Historic moneys (it is in a historic district), applying for an H-Dip award, and the TIF to help the project become economical. He informed them that the initial investment will be 3.2 Million dollars and the anticipated value of the project when complete will be 2 million dollars.

Councillor Feckley asked where this project was in terms of the Planning Board process. Mr. Botwinik informed her that it already has planning board approval.

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

- C-27 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*)

The City Clerk informed the Council that she was told about the Grant through the Massachusetts Municipal Clerk Association. She then applied for the grant in order to receive assistance for funding for personal protective equipment, additional election staff, equipment and other items for elections as needed.

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

XI. PUBLIC SERVICE

- 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*)

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

XII. NEW BUSINESS

1st 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; 1st Reading 10/26/2020; 2/3 Vote*)

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

1st 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; 1st Reading 10/26/2020; 2/3 Vote)*

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

XIII. OLD BUSINESS

XIV. COMMUNITY CALENDAR

The City Clerk informed the public that Early Voting ended this week on October 30, 2020. During the week it would be held during normal business hours. She also informed the public that the Election is November 3, 2020 from 7:00Am-8:00PM.

XV. ADJOURNMENT

The meeting adjourned at 9:10PM.

- Katelyn Huffman, City Clerk