

**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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**MINUTES  
CITY OF LEOMINSTER**

**CITY COUNCIL**

**MONDAY, DECEMBER 28, 2020**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**The City Council meeting on December 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](tel:+16467493122) and enter the following code 152-892-589 (Please note: the call in number and code are different than the call in number and code from the last meeting conducted on December 14, 2020). The meeting will begin promptly at 6:55 PM on Monday, December 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 that the audio phone call will be broadcast on Leominster Access Television.**

**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 6:55PM. Council President Bodanza asked three times if there was anyone who wanted to speak regarding any matter listed on the agenda. No one spoke. The public forum closed at 6:65PM.**

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

**The regular meeting of the City Council opened at 7:00PM.**

**II. ROLL CALL OF COUNCILLORS IN ATTENDANCE**

**Council President Bodanza, Council Vice President Feckley, Councillor Freda, Councillor Chalifoux Zephir, Councillor Angelini, Councillor Arding, Councillor Pauline Cormier and Councillor David Cormier present. Councillor Dombrowski absent.**

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

**III. APPROVAL OF RECORDS PRESENTED BY THE VICE PRESIDENT**

- December 14, 2020 – **These meeting minutes were given further time.**

**IV. COMMUNICATIONS FROM THE MAYOR**

ORDERS

C-50 Dean J. Mazarella, Mayor: Request that an appropriation of \$18,600.00 be made to the Police Department Capital Outlay Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 12/28/2020; 2/3 Vote*)

**The communication was given regular course.**

C-51 Dean J. Mazarella, Mayor: Request that an appropriation of \$1,125,956.00 be made to the Street Resurfacing Expense Account; the same amount to be transferred from the Highway State Aid Account. (*Finance Committee; Regular Course 12/28/2020; Majority Vote*)

RE: FY 2021 Letter of Credit Award.

**The communication was given regular course.**

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

29-21 Massapoag Road Corporation, c/o Lisciotti Development Corporation: Request to accept Massapoag Road and Dobson Circle as public ways along with associated storm water drainage easement. (*Legal Affairs; Regular Course 12/28/2020; Majority Vote*)

**The communication was given regular course with a referral to the Planning Board, Planning Director, Building Commissioner, City Solicitor and Department of Public Works (DPW).**

30-21 Gregory C. Chapdelaine, Purchasing Agent: Request to allow the Purchasing Agent to award a contract for School Bussing Services for a five-year period. *(Finance; Regular Course 12/28/2020; Majority Vote)*

**This petition was given regular course.**

31-21 Gregory C. Chapdelaine, Purchasing Agent: Request to allow the Purchasing Agent to award a contract for Forestry Management Services for a ten-year period. This will be a new contract, but it is not the first time the City has hired such consultant to assist with forestry matters. *(Finance; Regular Course 12/28/2020; Majority Vote)*

**This petition was given regular course.**

## **VI. MATTERS BEFORE CITY COUNCIL**

### **VII. CITY OF LEOMINSTER – FINANCIAL REPORT**

- **The balance of the stabilization account was \$18,795,950.46.**

### **VIII. FINANCE**

C-44 Dean J. Mazzearella, Mayor: Request that an appropriation of \$32,000.00 be made to the Gallagher Building Expense Account; the same amount to be transferred from the Gallagher Building Revolving Fund. *(Finance Committee; Regular Course 12/14/2020; Majority Vote)*

**The Finance Committee recommended that the City Council give the communication LEAVE TO WITHDRAW WITHOUT PREJUDICE. Roll Call Vote: 8-0 the petition was given LEAVE TO WITHDRAW WITHOUT PREJUDICE.**

C-45 Dean J. Mazzearella, Mayor: Request that an appropriation of \$75,000.00 be made to the Gallagher Building Salary & Wages Account; the same amount to be transferred from the Gallagher Building Revolving Fund. *(Finance Committee; Regular Course 12/14/2020; Majority Vote)*

RE:	Craftsman:	\$60,684.00
	Overtime:	<u>\$14,316.00</u>
		\$75,000.00

**The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 8-0 the petition was GRANTED. ORDERED: By a Roll Call Vote of 8-0 the communication was ADOPTED.**

C-46 Dean J. Mazzarella, Mayor: Request that an appropriation of \$50,000.00 be made to the Unemployment Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 12/14/2020; 2/3 Vote*)

**The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 7-0 the petition was GRANTED. ORDERED: By a Roll Call Vote of 7-0 the communication was ADOPTED.**

**Councillor Chalifoux Zephir was not in attendance during this vote due to technical difficulty and therefore the total number Councillors present was seven at the time of this vote.**

C-47 Dean J. Mazzarella, Mayor: Request that an appropriation of \$210,000.00 be made to the Park Capital Outlay Monument Park Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 12/14/2020; 2/3 Vote*)

RE: Bid response came in higher than anticipated.

**The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 7-1 (Councillor Freda NAY) the petition was GRANTED. ORDERED: By a Roll Call Vote of 7-1 (Councillor Freda NAY) the communication was ADOPTED. Councillor Chalifoux Zephir was able to reconnect for the rest of the meeting.**

C-48 Dean J. Mazzarella, Mayor: Request that an appropriation of \$200,000.00 be made to the Police Department Overtime Account; the same amount to be transferred from the Stabilization Fund. (*Finance Committee; Regular Course 12/14/2020; 2/3 Vote*)

**The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 8-0 the petition was GRANTED. ORDERED: By a Roll Call Vote of 8-0 the communication was ADOPTED.**

C-49 Dean J. Mazzearella, Mayor: Request that an appropriation of \$32,000.00 be made to the Gallagher Building Capital Outlay Expense Account; the same amount to be transferred from the Gallagher Building Revolving Fund. (*Finance Committee; Regular Course 12/14/2020; Majority Vote*)

RE: Holding cell and restroom, renovation plans and construction oversight.

**The Finance Committee recommended that the City Council GRANT the communication. Roll Call Vote: 8-0 the petition was GRANTED. ORDERED: By a Roll Call Vote of 8-0 the communication was ADOPTED.**

## **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, 11/9/2020, 12/14/2020; Special Meeting 12/21/2020; 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.; 11/23/2020 @ 6:00 PM, 12/14/2020 @ 6:20 P.M., 1/11/2021 @ 6:00 P.M.; Majority Vote*)

**The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Councillor Bodanza recused himself from the petition due to a possible conflict of interest. Roll Call Vote: 7-0-1 (Councillor Bodanza abstained) the petition was given FURTHER TIME.**

25-21 Elizabeth Wood, Economic Development and Planning Director: Request to amend the zoning ordinance pertaining to Home Occupations. See attached letter. (*Legal Affairs; Regular Course 11/23/2020; Further Time 12/14/2020, 12/28/2020; Public Hearing; January 11, 2021 @ 6:35PM; Pending Referrals ZBA, Planning Board Director, Planning Board; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0 the petition was given FURTHER TIME.**

26-21 Elizabeth Wood, Economic Development and Planning Director: Request to amend the zoning ordinance pertaining to Lot Frontage and adding a definition for Paper Streets. See attached letter. (*Legal Affairs; Regular Course 11/23/2020; Further Time 12/14/2020, 12/28/2020; Public Hearing; January 11, 2021 @ 6:40PM; Pending Referrals ZBA, Planning Board Director, Planning Board; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0 the petition was given FURTHER TIME.**

27-21 Elizabeth Wood, Economic Development and Planning Director: Request to amend the zoning ordinance pertaining to Solar. See attached letter. (*Legal Affairs; Regular Course 11/23/2020; Further Time 12/14/2020, 12/28/2020; Public Hearing; January 11, 2021 @ 6:45PM; Pending Referrals ZBA, Planning Board Director, Planning Board, Health; 2/3 Vote*)

RE: Amend Article III Table of Uses re: Solar Use and Article XV Section 22-104 Solar Ordinance.

**The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0 the petition was given FURTHER TIME.**

28-21 Elizabeth Wood, Economic Development and Planning Director: Request to amend the zoning ordinance to include provision for regulating commercial kitchens. See attached letter. (*Legal Affairs; Regular Course 11/23/2020; Further Time 12/14/2020, 12/28/2020; Public Hearing; January 11, 2021 @ 6:50PM; Pending Referrals ZBA, Planning Board Director, Planning Board, Health; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. Roll Call Vote: 8-0 the petition was given FURTHER TIME.**

**X. WAYS & MEANS**

A measure confirming the Mayor's appointment of **Kristine Lacerda** to the position of the Cultural Commission; term to expire 4/15/2024. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:30 PM; Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

A measure confirming the Mayor's appointment of **Kaitlyn Montagna** to the position of the Cultural Commission; term to expire 4/15/2024. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:30 PM; Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

A measure confirming the Mayor's appointment of **Brian Harper** to the position of the Office of Emergency Management; volunteer. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:31 PM; Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

A measure confirming the Mayor's appointment of **Joseph Kenny** to the position of the Office of Emergency Management; volunteer. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:31 PM Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

A measure confirming the Mayor's appointment of **Joseph Carlino** to the position of the Office of Emergency Management; volunteer. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:31 PM Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

A measure confirming the Mayor's appointment of **Alex Ostroff** to the position of the Office of Emergency Management; volunteer. (*Ways & Means; Regular Course 12/14/2020; Further Time 12/28/2020; Interview scheduled 1/11/2021 @ 6:31 PM Majority Vote*)

**The Ways and Means Committee recommended that the City Council give the appointment FURTHER TIME. Roll Call Vote: 8-0 the appointment was given FURTHER TIME.**

## **XI. PUBLIC SERVICE**

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; Further Time 11/23/2020, 12/14/2020; Pending Referral Mayor; Majority Vote*)

**The Public Service Committee recommended that the City Council GRANT the petition. Roll Call Vote: 8-0 the petition was GRANTED.**

## **XII. NEW BUSINESS**

### **1<sup>st</sup> Reading Ordinance**

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; Further Time; 11/23/2020; Public Hearing 12/14/2020 @ 6:50PM; 2/3 Vote*)



**The Legal Affairs Committee recommended that the City Council ADOPT the first reading of the Ordinance. Roll Call Vote: 8-0 the first reading of the ordinance was ADOPTED.**

**Notice**

Resignation of the Assistant City Clerk.

**Council President Bodanza informed the City Council that the Assistant City Clerk has turned in her resignation. She is accepting a new position as the City Clerk in Gardner. The City Council wished her will in her endeavors.**

**XIII. OLD BUSINESS**

**XIV. COMMUNITY CALENDAR**

**XV. ADJOURNMENT**

**The meeting adjourned at 8:00PM.**

- Katelyn Huffman, City Clerk