

Council President

David R. Cormier

Council Vice President

Pauline M. Cormier



Councillors-at-Large

Thomas F. Ardinger
Susan Chalifoux-Zephir
Todd M. Deacon
Claire M. Freda

Ward Councillors

Ward 1 – William A. Brady
Ward 2 – Pauline M. Cormier
Ward 3 – David R. Cormier
Ward 4 – Mark C. Bodanza
Ward 5 – Peter A. Angelini

AGENDA

CITY OF LEOMINSTER

CITY COUNCIL

AUGUST 28, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS

RECEIVED
LEOMINSTER CITY CLERK
2023 AUG 24 PM 12:31

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.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF COUNCILLORS IN ATTENDANCE

IV. APPROVAL OF RECORDS

- August 14, 2023

V. COMMUNICATIONS FROM THE MAYOR

C-9 Dean J. Mazzearella, Mayor: Request the appointment of the following:

Culture Commission: term to expire 4/15/2026

Joy Majwega 25 Malburn Terrace Leominster, MA
Donna Fiore 27 Castle St Leominster, MA
(Ways & Means Committee; Regular Course 08/28/2023; Majority Vote)

C-10 Dean J. Mazzearella, Mayor; Request that an appropriation of \$52,873.38 be made to the Highway Capital Account; the same amount to be transferred from the Capital Stabilization Fund. *(Finance Committee; Regular Course 08/28/2023; 2/3 Vote)*

C-11 Dean J. Mazzearella; Mayor: Request that the attached list of Election workers for the 2023-2024 election season be appointed. *(Ways & Means Committee; Regular Course 8/28/2023; Majority Vote)*

VI. PETITIONS FIRST TIME ON THE AGENDA

4-24 Katelyn Huffman, City Clerk; Request that the City Council adopt the Election Order for the November 7, 2023, Municipal General Election. *(Ways and Means Committee; Regular Course 8/28/2023; Majority Vote)*

5-24 Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Mechanic St - National Grid to install 1 JO Pole on Mechanic St beginning at a point approximately 130' feet east of the centerline of the intersection of Johnny Appleseed Lane and continuing approximately 45 feet in a north direction. Install midspan pole approximately 40' west of Pole # 89-50 for new service from DOT traffic cameras on I-190. Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked- Mechanic St – Leominster - Massachusetts. No. 30611455 July 28, 2023.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the

PETITIONS FIRST TIME ON THE AGENDA, continued

municipality and used by it exclusively for municipal purposes.

(Public Service Committee; Regular Course 08/28/2023; Public Hearing; 09/11/2023, at 6:50 PM. Majority Vote)

- 6-24 Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Maple Ave - National Grid to install 1 JO Pole on Maple Ave beginning at a point approximately 200' feet north of the centerline of the intersection of Maple Ave and West St. Install new Pole # 1-84 on Maple Ave.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-Maple Ave - Leominster - Massachusetts. No. 30786056 July 18, 2023

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.
(Public Service Committee; Regular Course 08/28/2023; Public Hearing 09/11/2023 at 6:51 PM. Majority Vote)

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT

IX. FINANCE

- C-8 Dean J. Mazzearella, Mayor; Request the City Clerk receives a stipend for being the City's registrar for elections. It is governed by Chapter 41 Section 19G and is based on the City's population with a max of \$1,500.00. *(Finance Committee; Regular Course 08/14/2023; Majority Vote)*
- 3-24 Claire Freda, Councillor At-large, prohibit the City of Leominster from retaining any equity remaining on a taxpayer's property after all Municipal tax liability, incurred fees and charges have been satisfied after a foreclosure auction. If a property is sold after the city's liability has been met, all equity shall be returned to the property owner. Also, that the City shall not engage with any third party that would participate in the practice of "equity theft". *(Finance Committee; Regular Course 08/14/2023; Majority Vote)*

X. LEGAL AFFAIRS

- C-5 Dean J. Mazzearella, Mayor: MOVED: That the City Council of the City of Leominster, on behalf of the City and by virtue of and in accordance with the authority granted by Chapter 82, Sections 21-24 and Chapter 79 of the Massachusetts General Laws, as amended, and any and every other power and authority which is hereunto in any way enabling, take by eminent domain, for public way purposes, the fee simple title in and to the roadways shown as "Sawtelle Road", "Richard Road," and "Montrose Street" on a plan entitled "Road Acceptance Plan Leominster, Mass. Prepared for Johnny Appleseed Realty, LLC," dated May, 2019, prepared by David E. Ross Associates, LLC, and recorded with the Worcester North Registry of Deeds in Plan Book 523, Page 25, and to confirm the rights granted to the City by deed recorded with said Deeds in Book 9733, Page 174, which roadways were accepted by the City Council as public ways pursuant to a vote taken by the City Council on January 13, 2020, and, in connection with the foregoing, adopt and execute the Order of Taking provided this date by counsel, and, having determined that no damages are due for said taking and the owners affected by the taking having waived all damages, hereby award no damages for the taking of said land, and, further, execute any and all other documents and take any and all other action as may be necessary or appropriate to accomplish the foregoing. *(Legal Affairs; Regular Course 07/24/2023; 2/3 Vote)*

XI. PUBLIC SERVICE

- 2-24 Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Manchester St - National Grid to install 1 JO Pole on Prospect St beginning at a point approximately 335 feet southeast of the centerline of the intersection of Main St and Prospect St. Install new Pole# 3-50 on Prospect St.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Prospect St - Leominster - Massachusetts. No. 30785769 June 20, 2023

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes. *(Public Service; Regular Course 07/24/2023; Public Hearing 08/14/2023 at 6:50 PM; Majority Vote)*

XII. WAYS AND MEANS

Appointments

- C-7 Dean J. Mazzarella, Mayor; Request the reappointment of the following individuals to Weights and Measures for a three-year term. Terms expire 04/15/2026.

Joseph A. Quinn: Inspector of Weights and Measures (Sealer)

Mark Stiles: Deputy Inspector of Weights and Measures.

William Charpentier: Deputy Inspector of Weights and Measures.

(Ways and Means Committee; Regular Course 08/14/2023; Majority Vote)

XIII. NEW BUSINESS

XIV. OLD BUSINESS

Second Reading of an Ordinance

- 1-24 Mark C. Bodanza, Ward 4 Councillor; Request to Amend Chapter 13 entitled “Motor Vehicles and Traffic,” Section 13-75 “Speed Limits-Specific Streets” by inserting the following: “Manchester Street, at twenty-five miles per hour.” (Legal Affairs Committee; Regular Course 07/10/2023; Public Hearing 07/24/2023 at 6:59 PM; Majority Vote)

XV. COMMUNITY CALENDAR

- Future of High School Band – Email that was sent to Superintendent shared with City Council.
- Oak Hill Solar Field
- Letter to National Grid – City Clerk drafted and sent to Chair of Public Service for review via email 8/15/2023 at 9:30 AM.

XVI. ADJOURNMENT

- Katelyn Huffman, City Clerk