

**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 J. Brad

Ward 2 – Pauline M. Cormier

Ward 3 – David R. Cormier

Ward 4 – Mark C. Bodanza

Ward 5 – Peter A. Angelini

RECEIVED  
LEOMINSTER CITY CLERK  
JAN 23 2023  
AM 7:04

**MINUTES**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**JANUARY 23, 2023**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

**INTERVIEW, 6:50 P.M.**

Dean J. Mazzarella, Mayor: Request the appointment of James Chambers, 63 Jamestown Road, Leominster, MA to the Conservation Commission. Term to expire April 15, 2026. (*Ways & Means; Regular Course 01/09/2023; Majority Vote*)

The Ways and Means Committee began the interview at 7:02 PM. Councillor Pauline Cormier asked Mr. Chambers to introduce himself and provide the council with an overview of his experience and work history. He informed the City Council that he has had vast experience as an environmental conservation officer. He has also had experience working with the Federal EPA, DEP, and other similar entities.

The City Council praised Mr. Chambers for his hard work and dedication throughout his years of service and for his many accomplishments. The City Council felt that Mr. Chambers would be a great addition to the Conservation Commission.

**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 David Cormier opened the Public Forum at 6:55 PM. He asked the public three times if anyone wished to speak on any items listed on the agenda. No one spoke. The Public Forum closed at 6:57 PM.**

---

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

**The Regular meeting of the City Council opened at 7:00 PM. Councillor Bodanza made a motion to recess. Councillor Ardinger seconded the motion. By a vote of 9-0 the recess was granted at 7:02 PM. The meeting reconvened at 7:19 PM.**

**II. PLEDGE OF ALLEGIANCE**

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

**Council President David Cormier, Council Vice President Pauline Cormier, Councillor Bodanza, Councillor Ardinger, Councillor Angelini, Councillor Brady, Councillor Chalifoux-Zephir, Councillor Deacon, and Councillor Freda present. Others present Katelyn Huffman, City Clerk, and Maribel Perez Assistant City Clerk.**

**IV. APPROVAL OF RECORDS**

**- January 9, 2023 - Approved and placed on file.**

**V. COMMUNICATIONS FROM THE MAYOR**

Money Orders

C-40 Dean J. Mazarella, Mayor: Request an appropriation of \$51,536.00 be made to the Police Department Replacement Equipment Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular Course 01/23/2023; 2/3 Vote*)

**The Finance Committee recommended that the City Council give the communication Regular Course.**

**By a Vote of 9-0 the Communication was given Regular Course.**

Authorizations

C-41 Dean J. Mazzeola, Mayor: Request that the council authorize the appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the City and for other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents necessary to accomplish the same. *(Legal Affairs; Regular Course 01/23/2023; Majority Vote)*

**The Legal Affairs Committee recommended that the City Council give this Communication Regular Course.**

**Councillor Chalifoux-Zephir recommended the City Council ask the Mayor to attend the next meeting to give specifics details on the documentation.**

**By a Vote of 9-0 this Communication was given regular Course.**

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

17-23 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:

Chalmers St - National Grid to install 1 JO Pole on Chalmers St and Relocate I JO pole on Chalmers St beginning at a point approximately 35 feet west of the centerline of the intersection of Hoover St and continuing approximately 10 feet in a north direction. Install Pole # 15-02 to reconfigure services to house & reduce sag in overhead lines.

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 - Chalmers St - Leominster - Massachusetts. *(Public Service Committee, Regular Course 01/23/2023; Public Hearing February 13, 2023, at 6:45 PM; Majority Vote)*

**This petition was given regular course with a referral to the DPW. It was also recommended that the City Council hold a public hearing for this petition on February 13, 2023 at 6:45 PM. By a vote of 8-0 (Councillor David Cormier abstained due to a conflict of interest) the public hearing was set and the petition was given regular course.**

18-23 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:

Elm St - National Grid to install 1 JO Pole on Elm St beginning at a point approximately 275 feet west of the centerline of the intersection of Hill St and continuing approximately 30 feet in a south direction. Install Pole# 54-5 for new underground service.

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 - Elm St - Leominster - Massachusetts. *(Public Service Committee, Regular Course 01/23/2023; Public Hearing February 13, 2023, at 6:50 PM; Majority Vote)*

**This petition was given regular course with a referral to the DPW. It was also recommended that the City Council hold a public hearing for this petition on February 13, 2023 at 6:50 PM. By a vote of 8-0 (Councillor David Cormier abstained due to a conflict of interest) the public hearing was set and the petition was given regular course.**

## **II. MATTERS BEFORE THE CITY COUNCIL**

### **III. FINANCIAL REPORT**

**The balance of the Stabilization Fund was \$16,854,093.**

### **IV. FINANCE**

C-36 Dean J. Mazzarella, Mayor: Request an appropriation of \$50,000.00 be made to the Fire Department Automotive Repair Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular 01/09/2023; 2/3 Vote)*

**The Finance Committee recommended that the City Council GRANT the communication.**

**ORDERED: The Finance Committee recommended to Grant the communication. By a Vote of 9-0 the Communication was GRANTED.**

C-37 Dean J. Mazzarella, Mayor: Request a transfer of funds to/from the following accounts:

Account:	Org/Object:	Amount:
Park Maintenance PY	67090000/524100	\$5,861.52
Park Maintenance	67020000/524100	\$2,119.31
Forestry Exp. PY	29420000/546300	\$4,519.17

To:  
Tree Survey Grant Account: 1451490/546300 \$12,500.00  
*(Finance; Regular Course 01/09/2023; Majority Vote)*

**The Finance Committee recommended that the City Council GRANT the communication.**

**ORDERED: The Finance Committee recommended to Grant the communication. By a Vote of 9-0 the Communication was GRANTED.**

C-38 Dean J. Mazzarella, Mayor: Request an appropriation of \$250,000.00 be made to the Fire Department Public Safety Overtime Account; the same amount to be transferred from the Stabilization Fund. *(Finance; Regular 01/09/2023; 2/3 Vote)*

**The Finance Committee recommended that the City Council GRANT the communication. Councillor David Cormier abstained due to a conflict of interest. By a vote of 8-0 (Councillor David Cormier abstained) the communication was GRANTED.**

**ORDERED: The Finance Committee recommended to Grant the communication. By a Vote of 8-0 (Councillor David Cormier abstained) the Communication was GRANTED.**

For Ratification

- C-39 Dean J. Mazzarella, Mayor; Request that an appropriation of \$250,000.00 be made to the Police Department Emergency Overtime Account; the same amount to be transferred from the Stabilization Fund. (*Finance; Regular 01/09/2023; 2/3 Vote*)

**The Finance Committee recommended that the City Council ratify the Communication.**

**By a Vote of 9-0 the communication was Ratified.**

V. NEW BUSINESS

First Reading of an Ordinance

- C-35 Dean J. Mazzarella, Mayor: Request that the following section of the City of Leominster Revised Ordinance, Chapter 8: Fire Protection, Section 8-19: Fees for ambulance service:

The chief of the fire department shall establish the rates to be charged as fees for the city fire department ambulance service within the commonwealth. The rates to be established shall be the local or city limit charge or other city and town charges for ambulance service set at current recommended allowances as set forth by the Medicare program, plus an additional one hundred fifty percent of such charges for Basic Life Support (BLS) service and an additional one hundred fifty percent of such charges for Advance Life Support (ALS) service. The chief of the fire department shall furnish the city treasurer with a list of the persons transported monthly and the fee to be charged, and the city collector shall bill and collect the same.

Be amended to the following:

The chief of the fire department shall establish the rates to be charged as fees for the city fire department ambulance service within the commonwealth. The rates to be established shall be the local or city limit charge or other city and town charges for ambulance service set at current recommended allowances as set forth by the Medicare program, plus an additional **two hundred fifty percent of such charges for Basic Life Support (BLS) service and an additional two hundred fifty percent of such charges for Advance Life Support (ALS) service.** The chief of the fire department shall furnish the city treasurer with a list of the persons

transported monthly and the fee to be charged, and the city collector shall bill and collect the same. (Legal Affairs; Regular Course 12/12/2022; Public Hearing January 9, 2023, at 6:45 PM; 2/3 Vote)

**The Legal Affairs Committee recommended that the City Council ADOPT the first reading of the ordinance. By a vote of 9-0 the first reading of the ordinance was ADOPTED.**

## VI. WAYS AND MEANS

Dean J. Mazarella, Mayor: Request the appointment of James Chambers, 63 Jamestown Road, Leominster, MA to the Conservation Commission. Term to expire April 15, 2026. (*Ways & Means; Regular Course 01/09/2023; Majority Vote*)

**Councillor Brady disclosed that Mr. Chamber's wife's firm, had represented his own firm in the past.**

**The Ways and Means Committee recommended that the City Council confirm the appointment of James Chambers.**

**By a Roll Call Vote of 9-0 this appointment was confirmed.**

16-23 Katelyn Huffman, City Clerk: Request a vote to accept the Election Calendar for the 2023 Municipal Elections. Calendar as attached. (*Ways and Means; Regular Course 01/09/2023; Majority Vote*)

**The Ways and Means Committee recommended that the City Council GRANT the Municipal Election Calendar for 2023. By a vote of 9-0 the 2023 Municipal Election Calendar was GRANTED.**

## VII. OLD BUSINESS

### Second Reading of an Ordinance

10-23 Elizabeth Wood, Planning Director, on behalf of the Planning Board: Request to amend the zoning ordinance pertaining to lot width requirement for lots in the Rural Residential Zone. (*Legal Affairs; Regular Course 9/26/2022; Further Time 10/11/2022; 10/24/2022; 11/14/2022; Public Hearing 11/28/2022 at 6:40 PM; First Reading 12/12/2022; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a vote of 9-0 the first reading of the ordinance was ADOPTED.**

11-23 David Cormier Ward 3 Councillor and Pauline Cormier Ward 2 Councillor; Request to amend Chapter 13 Section 13-29 of the revised ordinances entitled Handicapped parking spaces and add the following, add three handicap parking spaces in the Carter Park parking lot on Main Street, Map 24 Parcel 9, at the southern most part of the lot. (*Legal Affair; Regular Course 10/11/2022; Public Hearing 11/28/2022 at 6:50 PM, First Reading 12/12/2022; 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a vote of 9-0 the first reading of the ordinance was ADOPTED.**

13-23 Officer Julio Ramos, Police Department, Request to Amend Chapter 13-24 of the Revised Ordinances entitled "Motor Vehicles and Traffic" Chapter 13, Section 13-24 of the Revised Ordinances entitled "No Parking on certain Streets" is hereby Amending by inserting the following text: State Street (both sides) from point beginning 20 feet from the intersection of North Main Street to a point 302 feet from said intersection. (*Legal Affairs; Regular Course 11-14-2022; Further Time 11-28-2022, 2/3 Vote*)

**The Legal Affairs Committee recommended that the City Council ADOPT the second reading of the ordinance. By a vote of 9-0 the first reading of the ordinance was ADOPTED.**

Appointment of Legal Counsel

**Councillor Pauline Cormier informed the Council that Attorney Madaus accepted the appointment of Legal Counsel.**

**Councillor Chalifoux-Zephir asked for more information on Communication C-41.**



## VIII. TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

C-63 (2021)

Dean J. Mazzarella, Mayor: Request that the City Council establish the creation of a Human Rights Commission for the City of Leominster.

**Councillor David Cormier informed the Council that via Rule 29, three Councillors can petition to have an item that was tabled be placed on the agenda for consideration.**

**Councillor Chalifoux-Zephir summarized her intent. She informed the City Council that due to recent emails from prior students of LHS citing instances of racism, as well as other similar experiences in the City, she felt it would be a good time to bring this back onto the table for a discussion.**

**Council President David Cormier asked for a vote to take the petition off the table.**

**By a vote of 4 yay (Councillor Chalifoux-Zephir, Councillor Brady, Councillor Freda, Councillor Pauline Cormier)- 5 nay (Councillor Deacon, Councillor David Cormier, Councillor Bodanza, Councillor Ardinger, Councillor Angelini) the motion was defeated.**

**Councillor Freda called a point of order. She stated that the Legal Affairs Chairman refused to put the item on the calendar to take it off the table. She also stated that it was the chairman's job to review and take items like this off the table within a certain time period, and asked why it was not being done.**

**Councillor Chalifoux-Zephir called a point of order. She stated that the council needed to have a discussion regarding this due to the seriousness of racism and discrimination in the City.**

**Councillor Angelini stated that he had had a conversation with Councillor Chalifoux-Zephir. She had called him the Wednesday before the agenda deadline to request this item be placed on the table for consideration. He informed her at that time that with less than 24 hours notice, he did not feel prepared to place it on the agenda, and wanted to do more research on the communication, as he was not the Legal Affairs chair when it was originally proposed. He told Councillor Chalifoux-Zephir that he would discuss the original communication with the petitioner, and also acquire the file**

from the City Clerk to review it. After the review and conversation he could make a determination to place it on the table for consideration. At that point, he had not had enough information nor, time to take action.

Councillor Angelini informed the City Council that the Petitioner informed him that he was uninterested in pursuing the communication as proposed, and instead, was seeking a better model that would meet the needs of Leominster in a more productive manner.

Councillor Freda states that just because the item is taken off the Table does not mean that it has to be supported, it could be given leave to withdraw without prejudice. She states that every Councillor received the letter from a prior LHS student, and that the rules say that it should be taken off the Table.

Councillor Chalifoux-Zephir agreed with Councillor Freda. She stated that she did not expect Councillor Angelini to have items together with such short notice, just asked to have the item taken off the table to go through the process and schedule subcommittee meetings to bring information to the discussion.

Councillor Angelini stated that the item had been on the table for almost two years, and did not see the sudden urgency.

Councillor Chalifoux-Zephir stated that she was shocked that no Councillor wanted to support this communication coming off the table with the state of things as they were, and the letter they received.

Councillor Brady asked for a reconsideration of the vote.

Councillor David Cormier asked if any Councillor wanted to make a motion for reconsideration.

Councillor Chalifoux-Zephir made a motion to reconsider the vote.

Councillor David Cormier stated that only the members in the majority of the vote could ask for a reconsideration.

Councillor Chalifoux-Zephir stated that the schools are doing a lot to promote diversity, inclusion, and equity in the school system, that she wanted to bring this back to have a discussion, and that she could not believe not a single Councillor in the

**majority was willing to support that. She further stated that the City Council should work with the petitioner and would love to have the City Council provide leadership on this.**

**Councillor Deacon stated that he has done a lot of research on the topic. He stated that there are options for people seeking help with these types of issues, including MCAD. He agreed there is not enough information to move further with the communication as of now. He also stated that the implementation of a new commission with new rules, and regulations would be costly to taxpayers, especially if they would need a new office, staff, and legal support.**

**Councillor Bodanza stated that he would not vote to reconsider the communication as no further information was given to the City Council to pursue the topic, and the Council could not vote without the basics.**

#### **IX. COMMUNITY CALENDAR**

**Councillor Freda gave congratulations to the Girls Under 14 Flag Football team. They won the national championship. She asked if the Council would entertain inviting the team down to provide them with a certificate of acknowledgement. The Council agreed.**

#### **X. ADJOURNMENT**

**Councillor bodanza made a motion to adjourn. councillor pauline cormier seconded the motion. the motion carried by a vote of 9-0. the meeting adjourned at 8:27 pm.**

**- Katelyn Huffman, City Clerk**