

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

MINUTES
CITY OF LEOMINSTER
CITY COUNCIL
FEBRUARY 27, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS

RECEIVED
LEOMINSTER CITY CLERK
2023 MAR 28 AM 9:11

INTRODUCTION FROM LATV EXECUTIVE DIRECTOR, 6:00 P.M.

Introduction of Executive Director of LATV Scott Kurland.

Scott Kurland, the new executive director of LATV introduced himself to the City Council. He informed the City Council that he has had over 13 years of experience as a PA/Gopher. He has worked for Comedy Central and many public access television channels.

Councillor David Cormier asked if Mr. Kurland had any new ideas to get LATV involved in, as FATV does with local businesses and groups. Mr. Kurland informed the City Council that he does plan to reach out to local businesses and citizens to provide them with access and knowledge about community access television and how it can benefit them.

Councillor Chalifoux-Zephir asked about Mr. Kurland's plan to provide community outreach. Mr. Kurland informed the City Council that he would work to find different local organizations to spread the word.

Councillor Ardinger asked what Mr. Kurland saw as his biggest challenge entering into this new role. Mr. Kurland explained that the transition into digital realignment would be the hardest part as he teaches the community how to use new tools.

Councillor Freda acknowledged a good base for his new venture with long time members Jack Celli, Keith DiPerri, Robert Pepler and Alan Redstone.

INFORMATION SESSION WITH THE MAYOR, 6:05 P.M.

- **Hazard Mitigation Plan – The Mayor made a PowerPoint presentation regarding the Cities hazard mitigation plan. He informed the Council that many hearings have**

been had regarding this plan and it is in its final stages. The PowerPoint presentation is attached to these minutes for more details.

- **ARPA Funds Round 2 – The Mayor made a PowerPoint presentation regarding the current balance of the cities ARPA Funds Round 2. It outlined what has been spent, what has not been spent, and what initiatives are underway or completed thus far with the funds. The PowerPoint presentation is attached to these minutes for more details.**
- **C-41- The Mayor and Mr. O'Rourke made a presentation regarding Community Electricity Aggregation. Mr. O'Rourke explained what it was, how it would impact citizens, and how it would be implemented if approved. Many Councillors voiced concern regarding the model, as it appeared that it may be more expensive than current rates offered from National Grid. Other Councillors were concerned due to the lack of outreach and public knowledge regarding this communication. The PowerPoint presentation regarding C-41 is attached to these minutes for more details.**
- **Free Cash – Jennifer Reddington, Comptroller, informed the City Council that free cash had been accepted. The amount certified was about 14,000,000. This is due to an increase in hotel taxes being collected, more payments on overdue tax bills, and other similar scenarios. The Comptroller noted it is likely a one time occurrence. The typical funding would be transferred back to the Sewer and Water accounts as per past practice. The amount borrowed from stabilization was also being paid back. The rest of the Free Cash is being looked at to develop a Capital Plan. The Council requested a copy of the Capital Plan.**

PUBLIC HEARING, 6:40 P.M.

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 1 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)*

The public hearing opened at 7:37 PM. Councillor David Cormier abstained due to a possible conflict of interest. Councillor Chalifoux-Zephir informed the City Council that National Grid sent an email informing her that they would be revising these plans and would submit them at a later time once they were finished. It was recommended that the petition be given LEAVE TO WITHDRAW WITHOUT PREJUDICE.

Councillor Chalifoux-Zephir asked three times if anyone from the public wanted to speak for or against the petition. No one spoke.

The public hearing closed at 7:39 PM.

INTERVIEWS, 6:45 P.M.

Dean J. Mazarella, Mayor: Request the appointment of the following individuals to the Zoning Board of Appeals, terms to expire April 15, 2026.

Mark Piscione 35 Oakwind Hollow Road Leominster, MA

Suzanne Koehler 541 Merriam Avenue Leominster, MA

It was requested that the interviews for the appointments listed above be extended to the next City Council meeting. These interviews were rescheduled to March 13, 2023, at 6:35 PM.

INTERVIEWS, 6:50 P.M.

Dean J. Mazarella, Mayor: Request the appointment of Robert Sicard, 261 Granite Street, Leominster, MA to the Conservation Commission. Term to expire April 15, 2026. (*Ways & Means, Regular Course 02/13/2023; Interview 02/27/2023 at 6:50 PM; Majority Vote*)

The interview for Robert Sicard began at 7:41 PM. He gave an overview of his qualifications to the Council. He explained he has been a local resident for quite some time and is a scientist at Behr Air Quality. He specializes in H2s and has no conflicts of interest if he is on the board. He explained his passion and eagerness to learn and assist this commission.

The City Council thanked him for his willingness to be a volunteer and assisting Leominster with his skillset.

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 7:56 PM. Council President David Cormier asked three times if anyone wanted to speak regarding any matter listed on the agenda. No one spoke. The Public Forum closed at 7:57 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 Chalifoux-Zephir made a motion to recess. Councillor Freda seconded the motion. By a vote of 9-0 the City Council went into recess at 7:03 PM. The regular meeting reconvened at 7:57 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, Councillor Freda present.

Others Present: Katelyn Huffman, City Clerk; Maribel Perez, Assistant City Clerk.

IV. APPROVAL OF RECORDS

- **January 23, 2023 – The City Clerk informed the City Council that she just received the updates for the minutes via email from Councillor Chalifoux-Zephir an hour before the meeting and would include those updates in the minutes. Councillor Brady stated that he felt more comfortable reviewing the minutes with the updates**

included and asked that they be provided at the next meeting to review.

- February 13, 2023 – These meeting minutes were approved and placed on file.

V. COMMUNICATIONS FROM THE MAYOR

Money Orders, Street Acceptance, Land Taking

- C-47 Dean J. Mazzarella, Mayor: Request an appropriation of \$12,000.00 be made to the City Council Advertising Account; the same to be transferred from the Excess and Deficiency Account. *(Finance; Regular Course 02/27/2023; Majority Vote)*

This communication was given regular course.

- C-48 Dean J. Mazzarella, Mayor: Request that the City Council accept Orchard Hill Park Extension. See “Leominster City Council Orchard Hill Park Drive Extension” as attached. *(Legal Affairs; Regular Course 02/27/2023; Majority Vote)*

This communication was given regular course with a referral to DPW and Planning Board. It was also requested that a larger set of plans be submitted because the original set were not legible.

- C-49 Dean J. Mazzarella, Mayor: Request that the City Council grant the Order of Taking in relation to the extension of Orchard Hill Park Drive. See “ORDER OF TAKING” as attached. *(Legal Affairs; Regular Course 02/27/2023; 2/3 Vote)*

This communication was given regular course with a referral to DPW and Planning Board. It was also requested that a larger set of plans be submitted because the original set were not legible.

- C-50 Dean J. Mazzarella, Mayor: Request an appropriation of \$4,000,000 be made to the Stabilization Fund; the same amount to be transferred from the Excess and Deficiency Account (Undesignated Fund Balance). *(Finance; Regular Course 02/27/2023; Majority Vote)*

This communication was given regular course.

- C-51 Dean J. Mazzarella, Mayor: Request an appropriation of \$382,351.90 be made to the Water Department Capital Outlay Expense Account. The same amount to be transferred from the Excess and Deficiency Account. *(Finance; Regular Course 02/27/2023; Majority Vote)*

This communication was given regular course.

C-52 Dean J. Mazzarella, Mayor: Request an appropriation of \$902,226.56 be made to the Sewer Department Capital Outlay Expense Account; the same amount to be transferred from the Excess and Deficiency Account.
(Finance; Regular Course 02/27/2023; Majority Vote)

This communication was given regular course.

Appointments

Dean J. Mazzarella, Mayor: Request the appointment of the following individual to the Leominster Housing Authority. Term to Expire 4/15/2026.

Yaw Asante Addow 20C Crossman Avenue Leominster, MA

(Ways & Means; Regular Course 02/27/2023; Interview 03/13/2023 @ 6:45 PM; Majority Vote)

This appointment was given regular course and an interview was set for March 13, 2023.

Dean J. Mazzarella, Mayor, Request the appointment of the following individual to the Cultural Commission. Term to expire 4/15/2026.

Matthew Valeri 92 Keeneland Circle Leominster, MA

(Ways & Means; Regular Course 02/27/2023; Interview 03/13/2023 @ 6:50 PM; Majority Vote)

This appointment was given regular course and an interview was set for March 13, 2023.

VI. PETITIONS FIRST TIME ON THE AGENDA

- 19-23 William Brady, Ward 1 Councillor: Request to Amend Chapter 13 entitled “Motor Vehicles and Traffic”, Section 13-34 “No parking on certain streets” by inserting the following:

“No parking on Lock Drive, on both sides, for the entirety of the street”
(Legal Affairs; Regular Course 02/27/2023; Majority Vote)

Councillor Angelini recused himself from this petition due to a possible conflict of interest. This petition was given regular course with a referral to the Traffic Division.

- 20-23 Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Litchfield St - National Grid to install 1 SO Pole on Litchfield St beginning at a point approximately 630' feet southwest of the centerline of the intersection of Elm Hill Ave and continuing approximately 20' feet in a western direction. Install 1, 45ft class HI Pole to support a load break switch to deenergize the primary conductor in the location of the upcoming culvert construction by the Leominster DPW.

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 - Litchfield St - Leominster - Massachusetts. No.# 30378259 February 9, 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 Committee; Regular Course 02/27/2023; Public Hearing 03/13/2023 at 6:50 PM; Majority Vote)*

This petition was given regular course with a referral to the DPW and a public hearing was scheduled for March 13, 2023 at 6:50 PM by a voter of 9-0.

21-23 Peyton's Flea Market: Request to renew license to deal secondhand articles at 107 Union Street. (Ways & Means; Regular course; 02/27/2023; Majority Vote)

This petition was given regular course. The City Clerk informed the Ways and Means Chairperson, Councillor Pauline Cormier, that the police chief had signed off on the approval of the petition and was delivering it the next day, so all referrals were in order.

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT – STABILIZATION FUND BALANCE: \$ 20,904,427

IX. FINANCE

C-42 Dean J. Mazzearella, Mayor: Request an appropriation of \$32,163.00 be made to the Cemetery Capital PY- Building Rehab Account; the same amount to be transferred from the Cemetery Perpetual Care Account. (*Finance, Regular Course 02/13/2023; Majority Vote*)

The Finance Committee recommended that the City Council GRANT the communication. By a voter of 9-0 the communication was GRANTED.

ORDERED: By a vote of 9-0 the communication was ADOPTED.

C-43 Dean J. Mazzearella, Mayor: Request an appropriation of \$9,000.00 be made to the Police Department Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance, Regular Course 02/13/2023; 2/3 Vote*)

The Finance Committee recommended that the City Council GRANT the communication. By a voter of 9-0 the communication was GRANTED.

ORDERED: By a vote of 9-0 the communication was ADOPTED.

FINANCE, continued

- C-44 Dean J. Mazzarella, Mayor: Request an appropriation of \$7,100.00 be made to the Collective Bargaining Contract Services Account; the same amount to be transferred from the Stabilization Fund. RE: Assessment Center for the Police Chief. (*Finance, Regular Course 02/13/2023; 2/3 Vote*)

The Finance Committee recommended that the City Council GRANT the communication. By a voter of 9-0 the communication was GRANTED.

ORDERED: By a vote of 9-0 the communication was ADOPTED.

Councillor Freda asked if the Act had been passed. Councillor Bodanza informed the City Council that according to the Police Chief the act had been passed. The Council requested a copy of the accepted Act.

Item for Ratification

- C-46 Dean J. Mazzarella, Mayor: Request an appropriation of \$20,000.00 be made to the Building Department Expense Account; the same amount to be transferred from the Stabilization Fund. (*Finance, Regular Course 02/13/2023; Ratification 02/27/2023; 2/3 Vote*)

The Finance Committee recommended that the City Council RATIFY the communication. Councillor Freda asked if there was any indication that the owner will pay the City back the city for this. Councillor Bodanza informed the City Council that it was unlikely and that a lien would be placed on the home for the costs.

By a vote of 9-0 the communication was ratified.

X. LEGAL AFFAIRS

C-41 Dean J. Mazarella, 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; Further Time 02/13/2023; Majority Vote)*

The Legal Affairs Committee recommended that the City Council give this communication FURTHER TIME.

Councillor Angelini informed the Council that he wanted to further look into this proposed program, and wanted feedback from the public about it. He stated that most want to be educated before entering into the program, and that other people in different communities with similar programs felt forced into the program.

Councillor Chalifoux-Zephir informed the Council that she supported the petition. Citizens had the option to opt out if they did not want to participate and they were not being forced into anything.

Councillor Brady informed the Council that he agreed with further time and reminded the Council that individuals could opt in at any time.

Councillor Ardinger stated that many residents feel forced into these agreements and do not see the ability to opt out. He felt more education was needed.

Councillor Chalifoux-Zephir suggested that a subcommittee meeting be held regarding this matter.

Councillor Angelini agreed and informed the Council that he would set a date for a subcommittee meeting and research further into this.

By a vote of 9-0 the communication was given FURTHER TIME.

XI. PUBLIC SERVICE COMMITTEE

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 1 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)*

Councillor David Cormier abstained from this petition due to a possible conflict of interest. Councillor Bodanza made a motion to waive the reading. By a vote of 8-0-1 (Councillor David Cormier abstained) the reading was waived.

The Public Service Committee recommended that the City Council give the petition LEAVE TO WITHDRAW WITHOUT PREJUDICE. By a vote of 8-0-1 (Councillor David Cormier abstained) the petition was given LEAVE TO WITHDRAW WITHOUT PREJUDICE.

XII. WAYS & MEANS

Appointments

Dean J. Mazzearella, Mayor: Request the appointment of Robert Sicard, 261 Granite Street, Leominster, MA to the Conservation Commission. Term to expire April 15, 2026. (*Ways & Means, Regular Course 02/13/2023; Interview 02/27/2023 at 6:50 PM; Majority Vote*)

The Ways and Means Committee recommended that the City Council CONFIRM the appointment of Robert Sicard. By a vote of 9-0 the appointment was CONFIRMED.

Dean J. Mazzearella, Mayor: Request the appointment of the following individuals to the Zoning Board of Appeals, terms to expire April 15, 2026.

Mark Piscione 35 Oakwind Hollow Road Leominster, MA

Suzanne Koehler 541 Merriam Avenue Leominster, MA

The Ways and Means Committee recommended that the City Council give these appointments FURTHER TIME and that a new interview be scheduled for March 13, 2023. By a vote of 9-0 the appointments were given FURTHER TIME.

Dean J. Mazzearella, Mayor: Request that the City Council approve the attached membership of the School Building Committee for Fall Brook Elementary School. (See Attached). (*Ways & Means, Regular Course 02/13/2023; Majority Vote*)

The Ways and Means Committee recommended that the City Council CONFIRM the appointments of the School Building Committee for Fall Brook Elementary School.

Councillor Bodanza recused himself from voting for his own appointment, but voted in favor of the remaining appointments.

Councillor Angelini recused himself from voting for his own appointment, but voted in favor of the remaining appointments.

Councillor Deacon recused himself from voting for Paula Deacon, but voted in favor of the remaining appointments.

Councillor Freda stated that she was disappointed that there were no parent representatives on the committee and that in the past there were.

Councillor Bodanza informed the Council that he would look into the issue with the parent representatives.

These appointments were read aloud to the Public, a copy of which is available at the City Clerk's office for review. By a vote of 9-0 (with the recusals as listed above having a vote of 8-0) the appointments were CONFIRMED.

Resolution

C-45 Dean J. Mazarella, Mayor: Request that the City Council support a resolution to adopt the City of Leominster's final Hazard Mitigation Plan. *(Ways & Means. Regular Course 02/13/2023; Majority Vote)*

The Ways and Means Committee recommended that the City Council ADOPT the resolution. By a vote of 9-0 the resolution was ADOPTED.

XIII. NEW BUSINESS

- **Councillor Freda proposed a moment of silence for Congressman Olver. A moment of silence took place in his memory.**

XIV. OLD BUSINESS

XV. COMMUNITY CALENDAR

- **Councillor Pauline Cormier informed the Public that trash was delayed one day due to the impending snowstorm.**
- **Councillor Pauline Cormier informed the Public that a parking ban was in effect due to the impending snowstorm.**
- **The City Clerk informed the Public that the City Hall would have a delayed opening by 2 hours the following day due to the impending snowstorm.**

XVI. ADJOURNMENT

Councillor Chalifoux-Zephir made a motion to adjourn. Councillor Bodanza seconded the motion. By a vote of 9-0 the motion carried unanimously. The meeting adjourned at 8:48 PM.

- Katelyn Huffman, City Clerk