

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

MAY 9, 2022

JOHN P. MAHAN CITY COUNCIL CHAMBERS

INTERVIEW 6:25 PM

Dean J. Mazarella, Mayor: Requests the appointment of Mary Marotta, 34 Wheeler Street, Leominster, to the Historical Commission, term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Interview 05/09/2022 at 6:25 PM; Majority Vote)

The interview began at 6:25PM. Councillor Pauline Cormier, chair of the Ways and Means Committee, asked that Ms. Marotta introduce herself and summarize her background and experience.

Ms. Marotta informed the City Council that she has been part of the Historical Society for six years. She has experience as a technical writer. She has taken a more leadership oriented role in recent years to enhance the offerings of the society. She explained the difference between the society and the Historical Commission.

Councillor Chalifoux-Zephir, Councillor Deacon, and Councillor Freda all thanked Ms. Marotta for her willingness to volunteer. They were impressed with her background and dedication.

Councillor Bodanza informed the Council that he is also part of the Historical Society. He has worked with Ms. Marotta for years and has seen how she has helped the library and society grow.

INTERVIEW 6:27 PM

Dean J. Mazarella, Mayor: Requests the appointment of Diana Sanabria, 18 Lawrence Avenue, Leominster, to the Historical Commission, term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Interview 05/09/2022 at 6:27 PM; Majority Vote)

The interview began at 6:27PM. Councillor Pauline Cormier, chair of the Ways and Means Committee, asked that Ms. Sanabria introduce herself and summarize her background and experience.

Ms. Sanabria explained that she has also been with the Historical Society for many years. She has also worked at the library. She does a lot of genealogical coordination and helps the commission when they are looking for particular pieces of history or facts. She loves the community, the commission and the society, and the pieces LATV does to highlight Leominster's history.

Councillor Ardinger and Councillor Deacon agreed that she was a good fit and thanked her for her willingness to volunteer.

Councillor Bodanza informed the council that he has worked with Ms. Sanabria for 2 decades.

Councillor Freda and Councillor Chalifoux-Zephir also thanked Ms. Sanabria for volunteering and felt she was a tremendous resource.

PUBLIC HEARING – Continued – 6:30 PM

48-22 Peter Angelini, Ward 5 Councillor: Requests to amend the City of Leominster Revised Ordinances Section 12-2 as attached. This amendment is proposed to take effect July 1, 2022.

RE: To revise the fee schedule in the City of Leominster to begin July 1, 2022 (FY2023)

(Legal Affairs: Regular Course 03/28/2022; Public Hearing 04/11/2022 at 6:45 PM; Public Hearing Continued to 05/09/2022 at 6:30 PM;

REFERRALS OUT: License Commission, Board of Health, Planning and Conservation; 2/3 Vote)

The public hearing opened at 6:46PM with Councillor Angelini, the Legal Affairs chair presiding. Councillor Angelini read the memo from Ms. Wood, the planning director, into the record.

Councillor Chalifoux-Zephir asked why there had not been a subcommittee meeting regarding this petition yet?

Councillor Angelini informed Councillor Chalifoux-Zephir that there had not been a need for one with the public hearings and information provided. He also mentioned that the Council has had this document since March 28, 2022. He informed the council that he was still waiting for referrals to come back before moving forward.

Councillor Freda called a point of order on the basis of debate.

Councillor Angelini ceased the conversation. He opened the floor to member of the public. He asked three times if the public would like to speak in favor or against the petition. No one spoke.

The hearing was continued to June 13, 2022, at 6:50PM.

PUBLIC HEARING – Continued – 6:50 PM

49-22 Elizabeth Wood (On Behalf of the Planning Board) requests to amend the zoning ordinance pertaining to the Solar Ordinance, Article III Table of Uses and Section 22-104 of Zoning, per attached letter.
(Legal Affairs; Regular Course 03/28/2022; Public Hearing 05/09/2022 at 6:50 PM; Further Time 04/11/2022; REFERRALS IN; Planning; REFERRALS OUT: Conservation; Board of Appeals, Fire Department; Department of Public Works; 2/3 Vote)

The public hearing opened at 6:50PM. Councillor Angelini read the referral from the DPW into the record. He informed the Council that the old Conservation agent had submitted comments and he felt that was sufficient for the outstanding Conservation referral.

The Legal affairs committee felt it was time to move forward with he petition as it was in better shape, except for a few Scribner's errors that were noted for amendment.

Ms. Wood, planning director, gave an overview of the history of the ordinance, its importance, and informed the Council that the Planning Board is happy with it minus the Scribner's errors.

Councillor Ardinger informed the Council that the original petition submitted on 3/24/2022 and the one with the Scribner's errors marked are the same except one is in color and one is in black and white. He

informed the Council that he is comfortable moving forward with the petition.

Councillor Chalifoux-Zephir asked why there was not a subcommittee meeting regarding this petition.

Councillor Freda asked what the DPW received for comment.

The City Clerk explained that she sent the original petition to the DPW. It did not note the Scribner's errors, but it was the same document.

Councillor Bodanza informed the Council that the petition allows ground-mounted solar in the village district, tweaked some restrictions slightly and made the ordinance overall more restrictive and includes more requirements to be met for commercial entities vs residential entities.

The Legal Affairs Committee felt comfortable with moving forward with this petition. The public hearing was closed at 7:19PM.

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 7:19PM. Pat Lapointe, of 39 Carolyn St, spoke in favor of the Historical Commission appointments.

Mike Carrigan, 165 Summer St, Lunenburg, spoke in favor of the Historical Commission appointments.

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

The regular meeting opened at 7:00PM. Councillor Pauline Cormier made a motion to recess. Councillor Angelini seconded the motion. By a vote of 9—0 the Council went into recwess at 7:01PM. The recess ended at 7:22PM.

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

IV. APPROVAL OF RECORDS

- April 25, 2022 – **these meeting minutes were approved and placed on file.**

V. COMMUNICATIONS FROM THE MAYOR

C-75 Dean J. Mazzearella, Mayor: Requests an appropriation of \$37,000.00 be made to the Snow & Ice Expense Account; the same amount to be transferred from the Snow & Ice Overtime Account.

RE: Equipment Repairs and restocking of consumables
(Finance; Regular Course 05/09/2022; Majority Vote)

This communication was given REGULAR COURSE.

C-76 Dean J. Mazzearella, Mayor: Requests an appropriation of \$900,000.00 be made to the School Transportation Expense Account; the same amount to be transferred from the Excess and Deficiency Account.
(Finance; Regular Course 05/09/2022; Majority Vote)

This communication was given REGULAR COURSE.

C-77 Dean J. Mazzearella, Mayor: Requests an appropriation of \$450,000.00 be made to the Street Resurfacing Expense Account and \$550,000.00 be made to the Sidewalk Expense Account; the same amount to be transferred from the Excess and Deficiency Account.
(Finance; Regular Course 05/09/2022; Majority Vote)

This communication was given REGULAR COURSE.

C-78 Dean J. Mazzearella, Mayor: Requests an appropriation of \$250,000.00 be made to the Fire Department Overtime Account; the same amount to be transferred from the Excess and Deficiency Account.

RE: Overtime funding for the remainder of the fiscal year.
(*Finance; Regular Course 05/09/2022; Majority Vote*)

This communication was given REGULAR COURSE.

C-79 Dean J. Mazzearella, Mayor: Requests the Fiscal Year 2023 Budget, which totals \$150,624,467.00 be adopted. \$150,416,047 to be raised by Fiscal Year 2023 Revenues, \$133,000 to be transferred from the Gallagher building special revenue fund, and \$75,420.00 to be transferred from the Cemetery Trust Fund.

(*Finance; Regular Court 05/09/2022; Public Hearing 05/23/2022 at 6:00 PM; 2/3 Vote*)

This communication was given REGULAR COURSE. By a vote of 9-0 the public hearing was set for 05/23/2022 at 6:00PM.

C-80 Dean J. Mazzearella, Mayor: Requests a total of appropriation of \$6,499,451.00 be made to the FY2023 Water Department Budget; the same amount to be raised/offset by Fiscal Year 2023 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E.

(*Finance; Regular Course 05/09/2022; Public Hearing 05/23/2022 at 6:15 PM; 2/3 Vote*)

This communication was given REGULAR COURSE. By a vote of 9-0 the public hearing was set for 05/23/2022 at 6:15PM.

C-81 Dean J. Mazzearella, Mayor: Requests a total appropriation of \$6,538,048.00 be made to the FY2023 Sewer Department Budget; the same amount to be raised/offset by Fiscal Year 2023 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E.

(*Finance; Regular Course 05/09/2022; Public Hearing 05/23/2022 at 6:30 PM; 2/3 Vote*)

This communication was given REGULAR COURSE. By a vote of 9-0 the public hearing was set for 05/23/2022 at 6:30PM.

VI. PETITIONS FIRST TIME ON THE AGENDA

53-22 Nellye Molina, on behalf of J & J Consignment: request to renew license to deal secondhand articles at 285 Central Street.
(Ways and Means; Regular Course 05/09/2022; REFERRALS IN: Treasurer; Police) Majority Vote)

This petition was given REGULAR COURSE.

54-22 Paul Rouleau, on behalf of Protechs Solutions: Request to renew license to deal secondhand articles at 345 Central Street.
(Ways and Means; Regular Course 05/09/2022; REFERRALS IN: Treasurer; Police; Majority Vote)

This petition was given REGULAR COURSE.

55-22 Verizon New England, Inc. requests permission to locate poles, wires, cables, and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

MERRIAM AVENUE: Place one (1) solely owned pole numbered T.104S on the east side of Merriam Avenue at a point approximately one hundred sixty-three (163) feet northerly from the center line of Shadow Lawn Drive.

Reason: Place one (1) solely owned pole on Merriam Avenue at the request of an abutter to remove a trespass; and to provide for the distribution of intelligence and telecommunications.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked VERIZON No. 1A5F8DP, dated February 16, 2022.

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 petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire and police telephone and telegraph signal

wires belonging to the municipality and used by it exclusively for municipal purposes.
(Public Service; Regular Course 05/09/2022; Public Hearing 05/23/2022 at 6:45 PM; Majority Vote)

This petition was given REGULAR COURSE with a referral to the DPW. By a vote of 8-0-1 (Councillor David Cormier abstained due to a possible conflict of interest) the public hearing was set for 05/23/2022 at 6:45PM.

56-22 Mason Investments Inc.: Renew Bowling Alley License for Mason Bowling Center located at 640 North Main Street.
(Ways & Means; Regular Course; 05/09/2022; REFERRALS OUT: Treasurer; Police; Majority Vote)

This petition was given REGULAR COURSE.

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT - STABILIZATION BALANCE - \$19,808,219.00

IX. FINANCE

C-70 Dean J. Mazzearella, Mayor: Requests an appropriation of \$39,000.00 be made to the Library Operating Expense Account; the same amount to be transferred from the Library Personnel Account.

RE: Funding book purchases for the rest of the fiscal year.
(Finance; Regular Course 04/25/2022; Majority Vote)

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

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

C-71 Dean J. Mazzearella, Mayor: Requests an appropriation of \$217,755.00 be made to the Water Debt Service-Principle; the same amount to be transferred from Water Support Services.

RE: Allows DPW to pay off existing debt service before maturity.
(Finance; Regular Course 04/25/2022; Majority Vote)

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0-1 (Councillor Chalifoux-Zephir

abstained due to a possible conflict of interest) the communication was GRANTED.

ORDERED: By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the order was ADOPTED.

C-72 Dean J. Mazzarella, Mayor: Requests an appropriation of \$353,988.00 be made to the Water Debt Service-Principle; the same amount to be transferred from Water Capital Outlay.

RE: Allows DPW to pay off existing debt service before maturity.
(*Finance; Regular Course 04/25/2022; Majority Vote*)

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the communication was GRANTED.

ORDERED: By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the order was ADOPTED.

C-73 Dean J. Mazzarella, Mayor: Requests an appropriation of \$112,654.00 be made to the Water Debt Service-Principle; the same amount to be transferred from Sewer Support Services.

RE: Allows DPW to pay off existing debt service before maturity.
(*Finance; Regular Course 04/25/2022; Majority Vote*)

Councillor Pauline Cormier made a motion to amend the communication to strike the word Water and replace it with the word Sewer. Councillor Angelini seconded the motion. The motion carried unanimously by a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest).

The Finance Committee recommended that the City Council GRANT the amended communication. By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the communication was GRANTED.

ORDERED: By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the amended order was ADOPTED.

C-74 Dean J. Mazzarella, Mayor: Requests an appropriation of \$118,213.00 be made to the Water Debt Service-Principle; the same amount to be transferred from Sewer Capital Outlay.

RE: Allows DPW to pay off existing debt service before maturity.
(*Finance; Regular Course 04/25/2022; Majority Vote*)

Councillor Pauline Cormier made a motion to amend the communication to strike the word Water and replace it with the word Sewer. Councillor Angelini seconded the motion. The motion carried unanimously by a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest).

The Finance Committee recommended that the City Council GRANT the amended communication. By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the communication was GRANTED.

ORDERED: By a vote of 8-0-1 (Councillor Chalifoux-Zephir abstained due to a possible conflict of interest) the amended order was ADOPTED.

I. LEGAL AFFAIRS

20-22 Elizabeth Wood (on Behalf of the Planning Board) requests to amend the zoning ordinance pertaining to the parking of unregistered vehicles.

RE: Overflow lots
(*Legal Affairs; Regular Course 06/14/2021; Public Hearing; January 10, 2022 @ 6:50PM; Cont. Public Hearing February 14, 2022 @ 6:50 PM; Cont to 03/14/2022 at 6:50 PM; Public Hearing Continued to 04/11/2022 at 6:50 PM; Public Hearing Continued to 05/23/2022 at 6:50 PM; REFERRALS IN: Planning Director; REFERRALS OUT: Building Inspector, Zoning Board of Appeals; FURTHER TIME 04/25/2022; 2/3 Vote*)

The Legal Affairs committee recommended that the City Council grant this petition FURTHER TIME. By a vote of 9-0 the petition was given further time.

48-22 Peter Angelini, Ward 5 Councillor: Requests to amend the City of Leominster Revised Ordinances Section 12-2 as attached. This amendment is proposed to take effect July 1, 2022.

RE: To revise the fee schedule in the City of Leominster to begin July 1, 2022 (FY2023)

(Legal Affairs: Regular Course 03/28/2022; Public Hearing 04/11/2022 at 6:45 PM; Public Hearing Continued to 05/09/2022 at 6:30 PM; FURTHER TIME 04/25/2022; 2/3 Vote)

The Legal Affairs committee recommended that the City Council grant this petition FURTHER TIME and to establish a public hearing on June 13, 2022, at 6:50PM. By a vote of 9-0 the petition was given further time and the public hearing was established.

49-22

Elizabeth Wood (On Behalf of the Planning Board) requests to amend the zoning ordinance pertaining to the Solar Ordinance, Article III Table of Uses and Section 22-104 of Zoning, per attached letter.

(Legal Affairs; Regular Course 03/28/2022; Public Hearing 05/09/2022 at 6:50 PM; Further Time 04/11/2022, 04/25/2022; 2/3 Vote)

The Legal Affairs committee recommended that the City Council GRANT the petition.

Councillor Freda asked why the petition was not being given further time if certain Councillors had questions regarding it.

Councillor Chalifoux-Zephir voiced concern that the Fire department had not commented yet.

Councillor Bodanza reminded the council that there are still two readings left of the ordinance. If there is an issue Fire finds, then the ordinance can be amended at the time to accommodate those concerns.

Councillor Freda wanted to get clarification whether or not this ordinance protects the City or not while it is being deliberated.

By a roll call vote of 9-0 the petition was GRANTED.

II. WAYS AND MEANS
APPOINTMENTS:

Dean J. Mazzearella, Mayor: Requests the appointment of Mary Marotta, 34 Wheeler Street, Leominster, to the Historical Commission, term to expire April 15, 2025.
(Ways and Means; Regular Course 04/25/2022; Interview 05/09/2022 at 6:25 PM; Majority Vote)

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

Dean J. Mazzearella, Mayor: Requests the appointment of Diana Sanabria, 18 Lawrence Avenue, Leominster, to the Historical Commission, term to expire April 15, 2025.
(Ways and Means; Regular Course 04/25/2022; Interview 05/09/2022 at 6:27 PM; Majority Vote)

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

RE-APPOINTMENTS:

Dean J. Mazzearella, Mayor: Requests the reappointment of Joseph Tocci, 334 Hill Street, Leominster, to the Board of Appeals; term to expire April 15, 2025.
(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

Dean J. Mazzearella, Mayor: Requests the reappointment of Nicholas Preville, 127 Spruce Street, Leominster, to the Board of Appeals as an Alternate Member; term to expire April 15, 2023.
(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

Dean J. Mazzaella, Mayor: Requests the reappointment of Richard Dondero, 691 Lancaster Street, Leominster, to the Board of Assessors; term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

Dean J. Mazzaella, Mayor: Requests the reappointment of Martin Turbide, 99 Scenic Drive, Leominster, to the Disability Commission; term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

Dean J. Mazzaella, Mayor: Requests the reappointment of Gail Turbide, 99 Scenic Drive, Leominster, to the Disability Commission; term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

Dean J. Mazzaella, Mayor: Requests the reappointment of James Despo, 2 Helena Street, Leominster, to the Library Board of Trustees; term to expire April 15, 2025.

(Ways and Means; Regular Course 04/25/2022; Majority Vote)

The Ways and Means Committee recommended that the City Council CONFIRM the reappointment. By a vote of 9-0 the reappointment was confirmed.

52-22 Vincent Ciccolini, on behalf of Sterling Jewelers, Inc. dba Kay Jewelers #1285: request to renew license to deal secondhand articles at 100 Commercial Rd.

(Ways and Means; Regular Course 04/28/2022; REFERRALS IN: Treasurer; Police; Majority Vote)

The Ways and Means Committee recommended that the City Council GRANT the renewal of the secondhand dealers license. By a vote of 9-0 the secondhand dealers license renewal was GRANTED.

III. NEW BUSINESS

First Reading of an Ordinance:

C-69 Dean J. Mazzarella, Mayor: Request that the following sections of the City of Leominster Revised Ordinance, Chapter 16 – Personnel, Article II – Personnel, Wage and Salary Plan, Division 3 – Classification Plan, Section 16-34 ‘Classification of positions’ be amended, effective immediately to replace the existing Classification with the new Classification plan presented below.

Class Title	Classification
Assistant Purchasing Agent	S-5

And inserting in their place the following:

Class Title	Classification
Assistant Purchasing Agent	S-7

(Legal Affairs; Regular Course 04/11/2022; Public Hearing 04/25/2022 @ 6:50PM; 2/3 Vote)

Councillor Angelini read the ordinance into the record. The Legal Affairs Committee recommended that the City Council ADOPT the first reading of the ordinance. By a roll call vote of 9-0 the first reading of the ordinance was ADOPTED.

Councillor Freda requested that the chairman of the Public Schools committee set up a meeting with the superintendent and principal to discuss why the Leominster CTEI ranked so lowly in the US News World Report. It is ranked as one of the 40 worst schools in MA. Does CTEI need more money?

Councillor Brady, the chairman of the Public Schools committee thought this was a reasonable request.

IV. OLD BUSINESS

Councillor Chalifoux-Zephir asked for a list of sidewalks and paved streets that will be done with the money from C-77 and the WRAP or ARPA monies.

V. COMMUNITY CALENDAR

VI. ADJOURNMENT

- Katelyn Huffman, City Clerk

**Councillor Pauline Cormier made a motion to adjourn.
Councillor Ardinger seconded the motion.**

The meeting was adjourned by a unanimous vote At 8:18PM.