

**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 22, 2023**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

RECEIVED  
LEOMINSTER CITY CLERK  
2023 JUN 21 AM 11:18

**CONTINUED PUBLIC HEARING, 6:25 P.M.**

38-23 North Central MA Launch, LLC D/B/A Launch Leominster: Request a bowling alley license for Launch Leominster, 118 Commercial Road, Leominster, MA. (*Ways and Means; Regular Course 04/24/2023; Public Hearing May 8, 2023, at 6:50 PM; Continued Public Hearing May 22, 2023, at 6:25 PM; Majority Vote*)

**The continued public hearing opened at 6:25 PM. Mark Emma, owner of Launch Leominster, provided the City Council with an overview of his establishment. He informed the City Council that is a family recreation center with bowling, a trampoline park, and other amenities. He also explained that he was unaware that he was in need of a bowling alley license and apologized for the oversight.**

**The City Clerk informed the City Council that she had happened upon the bowling alley by visiting the establishment. She sent a letter immediately after and Mr. Emma responded quickly. The City Clerk was also unaware of the bowling alley as it was not communicated that one would be installed by the building department.**

**The City Council welcomed Mr. Emma and his business to the City.**

**Councillor Pauline Cormier asked three times if anyone from the public wanted to speak for or against the petition. No one spoke. The public hearing closed at 6:38 PM.**

**PUBLIC HEARING, 6:30 P.M.**

C-78 Dean J. Mazzarella, Mayor: Request that a total appropriation of \$6,501,996.00 be made to the FY 2024 Water Department Budget; the same amount to be raised/offset by Fiscal Year 2024 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:30 PM; Majority Vote)*

**The public hearing opened at 6:38 PM. Jacob Fleming, Business Manager, gave the City Council an overview of the water budget for FY24. He informed City Council that some money would go to debt service, and some would also go to capital projects.**

**Councillor Bodanza asked three times if anyone wanted to speak regarding this matter. No one spoke.**

**The public hearing closed at 6:49 PM.**

**PUBLIC HEARING, 6:35 P.M.**

C-79 Dean J. Mazzarella, Mayor: Request that a total appropriation of \$6,613,919.00 be made to the FY 2024 Sewer Department Budget; the same amount to be raised/offset by Fiscal Year 2024 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:35 PM; Majority Vote)*

**The public hearing opened at 6:38 PM. Jacob Fleming, Business Manager, gave the City Council an overview of the sewer budget for FY24.**

**Councillor Bodanza asked three times if anyone wanted to speak regarding this matter. No one spoke.**

**The public hearing closed at 6:59 PM.**

**PUBLIC HEARING, 6:40 P.M.**

C-80 Dean J. Mazarella, Mayor: Request that the Fiscal Year 2024 Budget which totals \$161,872,478.00 be adopted: \$161,426,478 to be raised by Fiscal 2024 Revenues, \$136,000 to be transferred from the Gallagher building special revenue fund, \$60,000 to be transferred from the Cemetery Trust Fund and \$250,000 from overlay.

RE: Attached Fiscal Year 2024 Budget document. (*Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:40 PM; Majority Vote*)

**The public hearing opened at 7:01 PM. Jennifer Reddington, Comptroller, gave an overview of the proposed FY25 general budget. She informed the City Council that the budget started level funded and it was reviewed for increases. ALS has been added to the budget.**

**Paula Deacon, Superintendent of schools, and Melanie Michaels Business Manager of schools, gave an overview of the school department budget. Councillor Deacon recused himself due to a possible conflict of interest for this portion of the budget.**

**Ms. Deacon informed the Council that the school is working toward creating more progressive programs for alternative learning, and is also using funds to work on infrastructure and capital expenses to improve the schools, curriculum and buildings.**

**Councillor Chalifoux-Zephir asked about school choice funds. Ms. Michaels informed the council that the money has been in a fund and they are assessing the best use for it. It can be used on any pupil related matter.**

**Councillor Chalifoux-Zephir asked about sustainability once the correction monies were depleted or stopped. Ms. Deacon informed the Council that they have positioned themselves so that the end of the money would not impact teachers and students negatively.**

**Councilor Chalifoux-Zephir asked about school funds being used for capital improvements.**

**Councilor Chalifoux-Zephir asked about sustainability of the school budget once the ESSR funds go away and the Foundation Budget formula is reduced in two years.**

**Councillor Bodanza asked three times if anyone wanted to speak regarding this matter.**

**Gary Zimmerman, 47 Lynnhaven Rd, spoke about the proposed FY24 budget. He spoke about concerns regarding pay, other pay, OPEB, retirement, full time school, and bonding. He opposed the overall cost of the budget and felt the city could do more to help improve circumstances for tax payers.**

**The public hearing closed at 7:43 PM.**

#### **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 7:43 PM. Gary Zimmerman, 47 Lynnhaven Rd, spoke about the proposed FY24 budget. He spoke about concerns regarding pay, other pay, OPEB, retirement, full time school, and bonding. He opposed the overall cost of the budget and felt the city could do more to help improve circumstances for tax payers.**

**The public forum closed at 7:45 PM.**

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

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

**Councillor Bodanza made a motion to recess.**

**Councillor Chalifoux-Zephir seconded the motion.**

**The motion carried unanimously by a vote of 9-0. The meeting went into recess at 7:01 PM and reconvened at 7:46 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; Maribel Perez, Assistant City Clerk**

**IV. APPROVAL OF RECORDS**

- April 24, 2023 – **These minutes were approved and placed on file.**
- May 8, 2023 – **These minutes were given further time.**

**V. COMMUNICATIONS FROM THE MAYOR**

Money Orders

C-82 Dean J. Mazzearella, Mayor: Request an appropriation of \$44,180.15 be made to the Library's Operating Account; the same amount to be transferred from the Library's State Aide to Public Library Account. RE: Security camera replacement project. *(Finance Committee; Regular Course 05/22/2023; Majority Vote)*

**This communication was given regular course.**

C-83 Dean J. Mazzearella, Mayor: Request an appropriation of \$20,000.00 be made to the Library's Operating Account; the same amount to be transferred from the Library's State Aid to Public Library Account. RE: Book purchases. *(Finance Committee; Regular Course 05/22/2023; Majority Vote)*

**This communication was given regular course.**

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

**VII. MATTERS BEFORE THE CITY COUNCIL**

**VIII. FINANCIAL REPORT – STABILIZATION BALANCE: \$21,900,120**

**IX. FINANCE**

C-78 Dean J. Mazzearella, Mayor: Request that a total appropriation of \$6,501,996.00 be made to the FY 2024 Water Department Budget; the same amount to be raised/offset by Fiscal Year 2024 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. *(Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:30 PM; 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-79 Dean J. Mazzearella, Mayor: Request that a total appropriation of \$6,613,919.00 be made to the FY 2024 Sewer Department Budget; the same amount to be raised/offset by Fiscal Year 2024 Receipts as authorized by Massachusetts General Law Chapter 44 Section 53E. (*Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:35 PM; 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-80 Dean J. Mazzearella, Mayor: Request that the Fiscal Year 2024 Budget which totals \$161,872,478.00 be adopted: \$161,426,478 to be raised by Fiscal 2024 Revenues, \$136,000 to be transferred from the Gallagher building special revenue fund, \$60,000 to be transferred from the Cemetery Trust Fund and \$250,000 from overlay.

RE: Attached Fiscal Year 2024 Budget document. (*Finance Committee; Regular Course 05/08/2023; Public Hearing 05/22/2023 @ 6:40 PM; Majority Vote*)

**The Finance Committee Recommended that the City Council GRANT the communication. Councillor Deacon recused himself for all portions regarding the school budget, Councillor David Cormier recused himself from all portions regarding the Fire Department or Disability Commission portion. By a vote of 9-0 (With a two recusals as noted above) the communication was GRANTED.**

**ORDERED: By a vote of 9-0 (Except for the two recusals listed above) the order was ADOPTED.**

C-66 Dean J. Mazzearella, Mayor: Request to Authorize the City of Leominster to pursue \$253,000.00 through the state Department of Environmental Protection.  
(*Finance Committee; Regular Course 05/08/2023; Majority Vote*)

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

C-68 Dean J. Mazzearella, Mayor: Request that an appropriation of \$17,406.50 be made to the Police Department Bullet Proof Vests Account; the same amount to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 05/08/2023; 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-69 Dean J. Mazzearella, Mayor: Request that an appropriation of \$250,000.00 be made to the Fire Department Public Safety Overtime Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 05/08/2023; Majority Vote)*

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

**ORDERED: By a vote of 8-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the order was ADOPTED.**

C-70 Dean J. Mazzearella, Mayor: Request that an appropriation of \$30,000.00 be transferred to the Library's Operating Account from the following Accounts:

Clerk's:	\$14,000.00
Part Time:	\$12,000.00
Librarians:	<u>\$ 4,000.00</u>
Total:	\$30,000.00

*(Finance Committee; Regular Course 05/08/2023; Majority Vote)*

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

C-71 Dean J. Mazzarella, Mayor: Request that an appropriation of \$118,572.05 be transferred from the Snow and Ice Overtime Account to the Snow and Ice Expense Account. *(Finance Committee; Regular Course 05/08/2023; Majority Vote)*

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

C-72 Dean J. Mazzarella, Mayor: Request that an appropriation of \$97,079.62 be made to the Snow and Ice Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 05/08/2023; Majority Vote)*

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

C-73 Dean J. Mazzarella, Mayor: Request that an appropriation of \$23,075.00 be made to the Street Signs & Fences Account; the same amount to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 05/08/2023; Majority Vote)*

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

C-74 Dean J. Mazzarella, Mayor: Request that an appropriation of \$349,430.37 be made to the OPIOID Stabilization Fund: the same amount to be transferred from the Excess and Deficiency Account (Undesignated Fund Balance). *(Finance Committee; Regular Course 05/08/2023; Majority Vote)*



**Councillor Bodanza made a motion to recess. Councillor Chalifoux-Zephir seconded the motion. By a vote of 9-0 the motion carried unanimously. The City Council went into recess at 8:10 PM and reconvened at 8:18 PM.**

**During the recess, Jennifer Reddington, Comptroller, was invited into chambers. She provided the City Council with an update on the status of the Opioid funds, how the account work, and amounts expected over time.**

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

C-76 Dean J. Mazzarella, Mayor: Request that an OPIOID Stabilization fund be established to account for the Opioid settlement receipts that the City is receiving, under MGL. CH.40 S5B. (*Finance Committee; Regular Course 05/08/2023; Majority Vote*)

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

C-75 Dean J. Mazzarella, Mayor: Request that the City dedicate all of the Opioid settlement receipts to the OPIOID Stabilization Fund established under MGL CH.40 S. 5B, effective for fiscal year 2023 beginning on May 3, 2023. (*Finance Committee; Regular Course 05/08/2023; Majority Vote*)

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

C-81 Dean J. Mazzarella, Mayor: Request that an appropriation of \$103,590.00 be made to the Police Department Replacement Equipment Account; the same amount to be transferred from the Excess and Deficiency Account. (*Finance Committee; Regular Course 05/08/2023; 2/3 Vote*)

**The Finance Committee Recommended that the City Council GRANT the communication. By a vote of 9-0 (Councillor David Cormier Recused himself due to a potential conflict of interest) the communication was GRANTED.**

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

**X. LEGAL AFFAIRS**

- 42-23 David R. Cormier, Ward 3 Councillor, Request to rename the most northerly portion of Montrose Street (between Richard Road and Sawtelle Road) to Kurasowicz Lane. (*Legal Affairs; Regular Course 05/08/2023; Majority Vote*)

**The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 9-0 the petition was GRANTED.**

**XI. CITY PROPERTY**

Discontinuance of Pioneer Drive Extension (Portion)

- C-67 Dean J. Mazzarella, Mayor: Request that the City Council of the City of Leominster, on behalf of the City and by virtue of and acting pursuant to Chapter 82, Section 21 of the Massachusetts General Laws, hereby discontinues a portion of Pioneer Drive Extension as a public way. The portion discontinued by this vote is shown as "Proposed Lot 2", containing approximately 5,474 square feet, on the plan entitled "Plan of Land Orchard Hill Park Drive Extension", dated February 13, 2023, prepared by Control Point Associates, Inc. (3 sheets), recorded in the Worcester Northern District Registry of Deeds in Plan Book 536, Page 18, which discontinuance does not release the sewer line easement that the City has in Proposed Lot 2; and, further, to transfer said Proposed Lot 2 from the City Council for public way purposes to the Mayor for general municipal purposes and for the purpose of conveyance and to authorize the Mayor to convey said Proposed Lot 2 on such terms and conditions and for such consideration as the Mayor deems appropriate. (*Legal Affairs Committee, City Property; Regular Course 05/08/2023; 2/3 Vote*)

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

**XII. WAYS & MEANS**

- 38-23 North Central MA Launch, LLC D/B/A Launch Leominster: Request a bowling alley license for Launch Leominster, 118 Commercial Road, Leominster, MA. (*Ways and Means; Regular Course 04/24/2023; Public Hearing May 8, 2023, at 6:50 PM; Continued Public Hearing May 22, 2023, at 6:25 PM; Majority Vote*)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 9-0 the petition was GRANTED.**

43-23 Paul's Tools: Request to renew license to deal secondhand articles, 345 Central Street, Leominster, MA. (Ways & Means; Regular course 05/08/2023; Majority Vote)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 9-0 the petition was GRANTED.**

44-23 ECOATM, LLC: Request to renew license to deal secondhand articles, 11 Jungle Road, Leominster, MA. (Ways & Means; Regular Course 05/08/2023; Majority Vote)

**The Ways and Means Committee recommended that the City Council GRANT the petition. By a vote of 9-0 the petition was GRANTED.**

C-77 Dean J. Mazzarella, Mayor: Request that Joan Kelly be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. (Ways & Means Committee; Regular Course 05/08/2023; Majority Vote)

**The Ways and Means Committee recommended that the City Council GRANT the communication. By a vote of 9-0 the communication was GRANTED.**

### **XIII. NEW BUSINESS**

#### First Reading of an Ordinance

C-60 Dean J. Mazzarella Mayor: Request an amendment to the Non-Union employee's salary and wage scale for FY2024 with the attached scale. Also, please amend the ordinance to Non-Union positions and classifications based on the support attached. (Legal Affairs; Regular Course 03/27/2023; Majority Vote)

**The Legal Affairs Committee recommended that the City Council ADOPT the ordinance as read by the City Clerk.**

**Councillor Freda requested that it be noted that this was not an official first reading at the time, due to lack of ordinance form from the City Solicitor.**

**The City Solicitor has rendered an opinion that this vote did constitute a first reading. The Legal Opinion is attached to the minutes for reference.**

**By a vote of 6-3 (Councillor Brady, Chalifoux-Zephir and Freda NAY) the reading was ADOPTED.**

#### **XIV. OLD BUSINESS**

##### Second Reading of an Ordinance

35-23            John Fraher, Captain Leominster Police Department: Accept a new section of the City of Leominster Revised Ordinances Chapter 14 Section 22. Regarding prohibitions and requirements for the commercial sale of firearms & ammunition (gun shops) within the City of Leominster. See attached proposed ordinance. (*Legal Affairs; Regular Course 04/10/2023; Public Hearing 04/24/2023 at 6:40 PM; Majority Vote*)

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

##### Second Reading of an Ordinance

36-23            John Fraher, Captain Leominster Police Department: Accept a new section of the City of Leominster Revised Ordinances Chapter 11 Section 7.1. Regarding the sale of firearms & ammunition by pawnshops within the City of Leominster. See attached proposed ordinance. (*Legal Affairs; Regular Course 04/10/2023; Public Hearing 04/24/2023 at 6:45 PM; Majority Vote*)

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

#### **XV. COMMUNITY CALENDAR**

- **MEMORIAL DAY CEREMONY – COUNCIL PRESIDENT DAVID CORMIER GAVE AN OVERVIEW OF THE MEMORIAL DAY**

**CEREMONY AND PLANNED EVENTS.**

**XVI. ADJOURNMENT**

**Councillor Chalifoux-Zephir made a motion to adjourn. Councillor Angelini seconded the motion. By a vote of 9-0 the meeting adjourned at 9:03 PM.**

- Katelyn Huffman, City Clerk