

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

JUNE 26, 2023

JOHN P. MAHAN CITY COUNCIL CHAMBERS

PUBLIC HEARING, 6:40 P.M.

52-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised ordinance entitled "No Parking on Certain Streets" is hereby amended by **deleting** the following text:

Stearns Avenue (north side) from Highland Avenue to Blossom Street, between the hours of 7:30 AM to 3:30 PM

Stearns Avenue (south side) from Highland Avenue to Blossom Street, between the hours of 7:30 AM to 3:30 PM

Chapter 13, Section 13-24 of the Revised ordinance entitled "No parking on Certain Streets" is hereby amended by **inserting** the following text:

Stearns Avenue (north side) from Highland Avenue to Arlington Street, between the hours of 7:30 AM to 3:30 PM, Monday-Friday

Stearns Avenue (south side) from Highland Avenue to Arlington Street, between the hours of 7:30AM to 3:30 PM, Monday-Friday (*Legal Affairs; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:40 PM; Majority Vote*)

The public hearing opened at 6:40 PM. Councillor Angelini read the referral from the Traffic division into the record. Sgt. Robichaud, of the Leominster Police Department, spoke in favor of the petition. He explained the safety concerns parking along the road created for families and children trying to access the school.

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LEOMINSTER CITY CLERK
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Councillor Bodanza, Councillor Deacon, and Councillor Angelini spoke in favor of the petition.

Councillor Angelini asked three times if anyone from the public wished to speak regarding the petition. No one spoke.

The public hearing closed at 6:52 PM.

PUBLIC HEARING, 6:43 P.M.

53-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised Ordinance entitled "No Parking on Certain Streets" is hereby amended by inserting the following text:

Blossom Street (east side) beginning at the intersection of Stearns Avenue and Blossom Street (headed south) ending at 100 feet from the intersection, between the hours of 7:30 AM to 3:30 PM, Monday-Friday

Blossom Street (west side) beginning at the intersection of Stearns Avenue and Blossom Street (headed south) ending at 100 feet from the intersection, between the hours of 7:30 AM to 3:30 PM, Monday-Friday (*Legal Affairs; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:43 PM; Majority Vote*)

The public hearing opened at 6:52 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 6:55 PM.

PUBLIC HEARING, 6:45 P.M.

45-23 Julio Ramos, Officer; Leominster Police Department: Request an ordinance Amending Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised Ordinance entitled "No Parking on Certain Streets" is hereby amended by inserting the following text:

West Street (north side headed west) from point beginning 709 feet from the intersection of Blossom Street to a point of 794 feet from said intersection. (*Legal Affairs Committee; Regular Course; 06/12/2023; Public Hearing 06/26/2023, at 6:45 PM.*)

The public hearing opened at 6:55 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues

with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 6:58 PM.

PUBLIC HEARING, 6:47 P.M.

47-23 David R. Cormier, Ward 3 Councillor: Request to Amend Chapter 13-77 “Stop signs” and add the following: eastbound traffic on Richard Road at Central Street. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:47 PM)*

The public hearing opened at 7:02 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 7:06 PM.

PUBLIC HEARING, 6:48 P.M.

48-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Richard Road at Sawtelle Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:48 PM)*

The public hearing opened at 7:06 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 7:07 PM.

PUBLIC HEARING, 6:49 P.M.

49-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against northbound traffic on Kurasowicz Lane at Richard Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:49 PM)*

The public hearing opened at 7:07 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 7:09 PM.

PUBLIC HEARING, 6:50 P.M.

50-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Kurasowicz Lane at Sawtelle Road. (*Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:50 PM*)

The public hearing opened at 7:09 PM. Councillor Angelini read the petition into the record. Sgt. Robichaud stated the Police Department had no issues with the petition. Councillor Angelini asked three times if anyone from the public wanted to speak regarding the petition. No one spoke. The public hearing closed at 7:10 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.

The public forum began at 7:10 PM. Council President David Cormier asked three times if anyone from the public wanted to speak on a matter listed on the agenda. No one spoke. The public forum closed at 7:11 PM.

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

The regular meeting of the City Council was called to order at 7:00PM. Councillor Bodanza made a motion to recess. Councillor Ardinger seconded the motion. The motion carried by a vote of 8-0. The regular meeting reconvened at 7:11 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 Deacon, and Councillor Freda, present. Absent: Councillor Chalifoux-Zephir.

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

IV. APPROVAL OF RECORDS

- June 12, 2023 – **These meeting minutes were given FURTHER TIME.**

V. COMMUNICATIONS FROM THE MAYOR

- C-91 Dean J. Mazzarella, Mayor: Request that an appropriation of \$400,000 be made to the Stabilization Fund; the same amount to be transferred from the Barrett Park Grant Fund. This is to reimburse stabilization for the amount that was paid in advance for the project. *(Finance Committee; Regular Course; 06/26/2023; Majority Vote)*

This communication was given regular course.

- C-92 Dean J. Mazzarella, Mayor: Request that Emma Barnaby be exempt from the provisions of M.G.L. Chapter 268A, (20B) Conflict of Interest. Emma is currently employed by the City of Leominster School Department and will be taking a position as a Program Director for the Leominster Recreation Department. *(Ways & Means Committee; Regular Course 06/26/2023; Majority Vote)*

This communication was given regular course.

- C-93 Dean J. Mazzarella, Mayor: Request that an appropriation of \$55,000 be made to the OPEB contributions line; the same amount to be transferred from the surplus in the general fund Group Insurance line. *(Finance Committee; Regular Course 06/26/2023; Majority Vote)*

This communication was given regular course.

- C-94 Dean J. Mazzarella, Mayor: MOVED, in connection with the Twin City Rail Trail Project:

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 Massachusetts General Laws Chapter 40, Section 14, as amended, and any and every other power and attorney which is here unto in any way enabling, authorize the Mayor to acquire by gift, purchase, or eminent domain, the fee interest in the land and improvements thereon described as mile post QBU 4.19 – QBU 4.58 as shown on an aerial plan entitled “Leominster Mechanic Street Site: MA-027-1083544” on file with the City Engineer, and as shown on a plan of land prepared by CSX Transportation, Inc., entitled “Exhibit A” GIS #55541-001 Leominster Mechanic Street, dated June 30, 2022, on file with the City Engineer;

And, further to appropriate and transfer the sum of \$1,200,000.00 from available funds, including without limitations, funds received from grant from the

Massachusetts Executive Office of Energy and Environmental Affairs (“ARPA”), and further, to transfer and dedicate the said property to be acquired for purposes of establishing, constructing, operating, improving, and maintaining an improved multi-use trail for transportation, open space and active recreation purposes, including access thereto, and for all other purposes for which rail trails are used in the Commonwealth; and further to authorize the Mayor to take all such actions and to execute all such documents and agreements as are necessary and/or appropriate to accomplish the foregoing. (*Finance Committee; Regular Course 06/26/2023; 2/3 Vote*)

Councillor Freda made a motion to amend the language by striking the words described through City Engineer. Councillor Brady seconded the motion. By a vote of 8-0 the language was amended. This communication was given regular course.

VI. PETITIONS FIRST TIME ON THE AGENDA

54-23 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:

Manchester St - National Grid to install 1 JO Pole on Manchester St beginning at a point approximately 215 feet west of the centerline of the intersection of Lawrence St and continuing approximately 20 feet in a north direction. Install IX pole for new transformer for new solar installation.

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 - Manchester St - Leominster - Massachusetts.

No. 30734708 May 12, 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 06/26/2023; Public Hearing 07/10/2023 at 6:50 PM; Majority Vote)

Councillor Brady made a motion to amend the language of the petition by striking Lancaster St and replacing it with Lancaster Ave. Councillor Angelini seconded the motion. The motion carried unanimously by a vote of 8-0. The petition was given regular course with a referral to the DPW. The public hearing was set for July 10, 2023 at 6:50 PM by a vote of 8-0.

VII. MATTERS BEFORE THE CITY COUNCIL

VIII. FINANCIAL REPORT – BALANCE: \$21,046,586.00

IX. FINANCE

- C-85 Dean J. Mazzarella, Mayor: Request that an appropriation of \$58,000.00 be made to the Election Capital Account and the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

- C-86 Dean J. Mazzarella, Mayor: Request that an appropriation of \$45,000.00 be made to the Medicare Insurance Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

- C-87 Dean J. Mazzarella, Mayor: Request that an appropriation of \$2,000,000 be made to the Capital Stabilization Fund; the same amount to be transferred from the Excess and Deficiency Account (undesignated Fund Balance). *(Finance Committee; Regular Course; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

C-88 Dean J. Mazzearella, Mayor: Request that an appropriation of \$10,000.00 be transferred from the Library's Personnel Budget to the Library's Operating Budget:

\$8,000.00 from Part-time to Light

\$1,000.00 from Clerk's to Light

\$1,000.00 from Librarians to Light

(Finance Committee; Regular Course 06/12/2023; Majority Vote)

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

C-89 Dean J. Mazzearella, Mayor: Request that an appropriation of \$25,000.00 be made to the department of Public Works Highway Overtime Account; the same to be transferred from the Excess and Deficiency Account. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

C-90 Dean J. Mazzearella, Mayor: Request to accept the local transportation funding aid of \$1,132,023.00 from the Massachusetts Department of Transportation into the Highway State Aid Receipts Reserved for Appropriation Account. RE: Chapter 90 Supplement Budget Award for Fiscal Year 2024. *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

ORDERED: By a vote of 8-0 the order was ADOPTED.

51-23 Gregory C. Chapdelaine, Purchasing Agent: Request to allow the Purchasing Agent to award a contract for the lease of space for a five-year period. **RE: Petition to enter into five-year contract – Lease of Space for Leominster Center for Excellence.** *(Finance Committee; Regular Course 06/12/2023; Majority Vote)*

The Finance Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.

X. LEGAL AFFAIRS

52-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

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The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

53-23 Julio Ramos, Officer; Leominster Police Department: Request to Amend Chapter 13 of the Revised Ordinance entitled "Motor Vehicles and Traffic."

Chapter 13, Section 13-24 of the Revised Ordinance entitled "No Parking on Certain Streets" is hereby amended by inserting the following text:

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The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

45-23 Julio Ramos, Officer; Leominster Police Department: Request an ordinance Amending Chapter 13 of the Revised Ordinance entitled “Motor Vehicles and Traffic.”

Chapter 13, Section 13-24 of the Revised Ordinance entitled “No Parking on Certain Streets” is hereby amended by inserting the following text:

West Street (north side headed west) from point beginning 709 feet from the intersection of Blossom Street to a point of 794 feet from said intersection. *(Legal Affairs Committee; Regular Course; 06/12/2023; Public Hearing 06/26/2023, at 6:45 PM.)*

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

47-23 David R. Cormier, Ward 3 Councillor: Request to Amend Chapter 13-77 “Stop signs” and add the following: eastbound traffic on Richard Road at Central Street. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:47 PM)*

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

48-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Richard Road at Sawtelle Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:48 PM)*

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

49-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against northbound traffic on Kurasowicz Lane at Richard Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:49 PM)*

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

50-23 David R. Cormier, Ward 3 Councillor: Request to install a stop sign against southbound traffic on Kurasowicz Lane at Sawtelle Road. *(Legal Affairs Committee; Regular Course 06/12/2023; Public Hearing 06/26/2023 at 6:50 PM)*

The Legal Affairs Committee recommended that the City Council GRANT the petition. By a vote of 8-0 the petition was GRANTED.

13-18 Accept the deed for Katie Lane and request the street be taken by eminent domain by the City of Leominster. Petitioner offers to pay any legal fees that may be incurred. *(Legal Affairs; Removed From Table 06/12/2023; Majority Vote)*

The Legal Affairs Committee recommended that the City Council give the petition FURTHER TIME. By a vote of 8-0 the petition was given FURTHER TIME.

XI. WAYS AND MEANS

Appointments

Dean J. Mazarella, Mayor: Request confirmation of the appointment of Nicole LaPlante to the position of Treasure/Collector for the City of Leominster for a term of three years; effective June 27, 2023. *(Ways & Means Committee; Regular Course 06/12/2023; Majority Vote)*

Councillor Pauline Cormier made a motion to recess. Councillor Freda seconded the motion. By a vote of 8-0 the meeting went into recess. Ms. Nicole LaPlante provided an overview of her educational background and work experience. She informed the City Council that she had been working with the City for the past 5 years in the Collector's office and looks forward to continuing as the Treasurer/Collector.

The Ways and Means Committee recommended that the City Council CONFIRM the appointment. By a roll call vote of 8-0 the appointment was CONFIRMED.

Dean J. Mazarella, Mayor: Request the confirmation of the permanent appointment of Aaron F. Kennedy to the position of Chief of Police for the City of Leominster for a term of five years, effective July 1, 2023. *(Ways & Means; Regular Course 06/12/2023; Majority Vote)*

Mr. Aaron Kennedy provided the City Council with an overview of his experience on the Police Force in Leominster. He informed the Council that he has been part of the Leominster Police Department for the past 28 years. He has worked hard through COVID and manpower shortages and looks forward to continuing to work with the City to make it a better place.

The Ways and Means Committee recommended that the City Council CONFIRM the appointment. By a roll call vote of 8-0 the appointment was CONFIRMED.

*****The City Council went back into session at 7:37 PM. They then deliberated and voted for each appointment. *****

XII. NEW BUSINESS

Councillor Freda stated that she received a phone call from the hospital stating that they had sent a letter regarding the closure of the Labor and Delivery Ward to the Mayor and City Council President. She asked why the City Council never received it. She stated she received a copy of the letter that was sent from the hospital on June 14, 2023.

Council President David Cormier informed Councillor Freda that he had not received a letter regarding this matter. He stated he would follow up to see why this was the case.

Councillor Freda stated that in the letter, it references a phone call that the City Council President received regarding the matter.

Council President Cormier stated that he did receive an email but by the time the next agenda was being created, the Resolution was already being petitioned regarding the news.

Councillor Bodanza asked Councillor Freda when she received the email. He asked if she would provide it to the clerk to distribute to the Council.

Councillor Freda stated she received the letter on June 14. The letter was dated May 25, and that she would provide the letter to the City Clerk to distribute.

XIII. OLD BUSINESS

XIV. COMMUNITY CALENDAR

Councillor Freda requested that the City Clerk reach out to the Band Director or Principal of the High School and ask what the plans were for the band in the future for the Veteran's and Memorial Day programs. The City Clerk asked if she Superintendent should be copied on the email. It was stated that it would be acceptable to copy the Superintendent on the email.

XV. ADJOURNMENT

Councillor Pauline Cormier made a motion to adjourn. Councillor Ardinger seconded the motion. The meeting adjourned at 8:20 PM.

- Katelyn Huffman, City Clerk