

**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**

**JULY 10, 2023**

**JOHN P. MAHAN CITY COUNCIL CHAMBERS**

RECEIVED  
LEOMINSTER CITY CLERK  
2023 JUL 25 AM 8:49

**PUBLIC HEARING, 6:50 P.M.**

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 Ave and continuing approximately 20 feet in a north direction. Install 1X 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)

**The public hearing opened at 6:50 PM. Councillor David Cormier recused himself due to a possible conflict of interest. The National Grid representative informed the City Council that there are two currently existing poles in the area. A new transformer is needed and both of the current poles are at capacity. The new pole would be installed to house the new transformer with their one pole one purpose policy.**

**Karen Lacas, of 19 Hannah Street, asked if this would effect her power. National Grid informed her that it should not.**

**Councillor Chalifoux-Zephir asked three times if anyone else from the public would like to speak in regards to the petition. No one spoke. The public hearing closed at 7:07 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 asked three times if anyone from the public wanted to speak regarding any item listed on the agenda. No one spoke. The public forum closed at 7:08 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.**

### **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 Chalifoux-Zephir, Councillor Deacon, and Councillor Freda present. Councillor Brady absent.**

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

**IV. APPROVAL OF RECORDS**

- June 12, 2023 – **These minutes were approved and placed on file.**
- June 26, 2023 – **These minutes were approved and placed on file.**

**V. COMMUNICATIONS FROM THE MAYOR**

Exemptions

C-1 Dean J. Mazzearella, Mayor: Request that Brittany Ayers-Ianachino be exempt from the provisions of M.G.L. Chapter 268A, s. 20 (Conflict of Interest Law). Ms. Ayers-Ianachino is currently employed by the City of Leominster School Department and will be taking a position as an Assistant Program Director for our summer programs for the Recreations Department. (Ways & Means; Regular Course 07/10/2023; Majority Vote)

**This communication was given Regular Course.**

C-2 Dean J. Mazzearella, Mayor: Request that an appropriation of \$50,000 be made to the FY23 State & County Expense line; the same amount to be transferred from the surplus in the unfunded liability expense line. (Finance; Regular Course 07/10/2023; Majority Vote)

**This communication was given Regular Course.**

C-3 Dean J. Mazzearella, Mayor: Request that the expenses for the Fiscal Year 2024 School Budget for the school, which totals \$99,599,001.00 be reclassified to the following categories.

School Department		
90010000	School Salaries & Wages	\$62,426,431
90020000	School Expenses	31,536,913
90220000	School Transportation	5,588,074
90310000	Crossing Guards	46,428
90320000	Crossing Guard Expense	1,155
	<b>TOTAL:</b>	<b>\$99,599,001</b>

*(Finance; Regular Course; 07/10/2023; Majority Vote)*

**This communication was given Regular Course.**

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

1-24

Mark C. Bodanza, Ward 4 Councillor; Request to Amend Chapter 13 entitled "Motor Vehicles and Traffic," Section 13-75 "speed Limits-Specific Streets" by inserting the following: "Manchester Street, at twenty-five miles per hour." (Legal Affairs Committee; Regular Course 07/10/2023; Public Hearing 07/24/2023 at 6:50 PM; Majority Vote)

**This communication was given regular course with a referral to the Traffic Division. A Public Hearing was set for July 24, 2023 at 6:59 PM by a vote of 8-0.**

**VII. MATTERS BEFORE THE CITY COUNCIL**

**VIII. FINANCIAL REPORT – STABILIZATION BALANCE: \$21,487,193.00**

**IX. FINANCE**

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)

**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-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)

**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.**

**FINANCE, continued**

C-94 Dean J. Mazzearella, 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 authority which is hereunto in any way enabling, authorize the Mayor to acquire by gift, purchase, or eminent domain, the fee interest in the land and improvements thereon 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 limitation, funds received from grant from the Massachusetts Executive Office of Energy and Environmental Affairs ("EEA"), and funds received in connection with the American Rescue Plan Act ("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)

**The Finance Committee recommended that the City Council GRANT the communication. Councillor Freda asked if this was the piece through Carter Park. Councillor Bodanza stated that it was. Councillor Chalifoux-Zephir stated that the drawings were hard to read and asked if the new terminus was at the train depot. Councillor Bodanza informed her that this was where the new end would be.**

**By a vote of 8-0 the communication was GRANTED.**

**X. LEGAL AFFAIRS**

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 grant this petition FURTHER TIME. By a vote of 8-0 the petition was given FURTHER TIME.**

**XI. PUBLIC SERVICE**

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:

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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)*

**The Public Service Committee recommended that the City Council GRANT the petition. By a vote of 7-0-1 (Councillor David Cormier recused himself due to a possible conflict of interest) the petition was GRANTED.**

## XII. WAYS AND MEANS

- C-92 Dean J. Mazzarella, Mayor: Request that Emma Barnaby be exempt from the provisions of M.G.L. Chapter 268A, s. 20 (Conflict of Interest Law). 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)

**The Ways and Means Committee recommended that the City Council GRANT the communication. By a vote of 8-0 the communication was GRANTED.**

## XIII. NEW BUSINESS

### First Reading of an Ordinance

- 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 ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

- 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 ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

- 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 ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

- 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 ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

- 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 ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

- 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 Legal Affairs Committee recommended that the City Council ADOPT the first reading of the ordinance. By a roll call vote of 8-0 the first reading was ADOPTED.**

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 Legal Affairs Committee recommended that the City Council grant the first reading of the ordinance FURTHER TIME. By a vote of 8-0 the first reading of the ordinance was given FURTHER TIME.**

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

- May 25<sup>th</sup>, 2023, Letter From HealthAlliance
  - **Council President Cormier informed the Council that he researched what happened to the letter that was allegedly sent to him from the Hospital regarding the closure of the Labor and Delivery ward at HealthAlliance Leominster. IT found no emails sent to his email and there was no record of the letter making it to his email. After further investigation it came to his attention that the website housed an email error for his email. This error has been corrected. He also informed the Council that during this he was informed that the public hearing for the closure would take place on July 24, 2023, at 6:00 PM.**
  - **Councillor Freda asked if the meeting could be postponed or changed so that Council could show up to the meeting. Councillor David Cormier responded that the Council must meet by law and that only a recess could potentially occur.**
  - **A motion for reconsideration was made to change the public hearing time from 6:50 to 6:59 for 1-24 on July 24 to accommodate more time for the public hearing for the hospital. This motion was seconded and by a vote of 8-0 the public hearing time was changed.**

**XV. COMMUNITY CALENDAR**

**Councillor David Cormier announced that Leominster Day would occur at Polar Park in Worcester. He asked that the City Clerk place it on the next agenda so that it could be reiterated.**

**XVI. ADJOURNMENT**

**Councillor Chalifoux-Zephir made a motion to adjourn. Councillor Ardinger seconded the motion. By a vote of 8-0 the meeting adjourned at 8:02 PM.**

- Katelyn Huffman, City Clerk