



FITCHBURG CITY CLERK

May 04 2021 8:42 am

**City of Fitchburg
Massachusetts 01420**

CITY COUNCIL

Councillors at Large

**Marcus L. DiNatale
Amy Green
Thomas C. Hughes
Samantha M. Squailia
Anthony M. Zarrella**

President

Anthony M. Zarrella

Vice President

Elizabeth R. Walsh

Ward Councillors

**Ward 1 – Bernard J. Schultz III
Ward 2 – Paul R. Beauchemin
Ward 3 – Andrew J. Couture
Ward 4 – Andrew J. Van Hazinga
Ward 5 – Marisa R. Fleming
Ward 6 – Elizabeth R. Walsh**

The regular meeting of the City Council of the City of Fitchburg was held over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on April 20, 2021. The meeting was called to order by President Anthony Zarrella at 7:07 P.M. The Clerk called the roll and 11 Councilors were present, with 7 Councilors present in the Legislative Building and 4 Councilors logged in remotely (DiNatale, Fleming, Green, Schultz). The meeting opened with a salute to the Flag led by Councillor Walsh.

I. PUBLIC FORUM

As the meeting location will not be open to the public, the public is invited to participate in the Zoom webinar of April 20, 2021 07:00 PM Eastern Time.

Topic: Fitchburg City Council Meeting

Register in advance for the Public Comment/Hearing portion of the Agenda by going to:

https://us02web.zoom.us/webinar/register/WN_LM9yep1RSmylZ8VUTANvHA

After registering, you will receive a confirmation email containing information about logging in to join the webinar.

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee Oral Report

Meeting of April 20, 2021

The Appointments Committee recommended the following Appointments be confirmed:

New Appointment:

Fitchburg Cultural Council

(Term to expire April 1, 2024)

Mr. Derrick Cruz

Full-Time Student Police Officer

For the City of Fitchburg

Angelo J. Ramos, Jr.

Report read and accepted. Appointment confirmed by unanimous consent 11/0. 11 members present. Board consists of 11 members. Chief Martineau and Officer Ramos were present at the meeting. The Clerk swore Officer Ramos in to the faithful performance of his duties.

III. REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of April 6, 2021 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATION

His Honor the Mayor
Re-Appointment Letters

1. Mr. Richard Liberatore, as a member of the Airport Commission, term to expire July 1, 2022.
2. Mr. Clayton R. Raymond, as a member of the Airport Commission, term to expire February 1, 2024.

Appointments read and referred to the Appointments Committee.

V. SPECIAL PRESENTATION

Crocker School Building Committee

Superintendent Robert Jokela, Anthony DiLuzio, Senior Project Manager for Colliers Project Leaders, and Diana Nicklaus, President and CEO of Saam Architecture were present via remote connection in order to present an overview of the proposed Crocker School Building Project, funding, and timeline.

Links to the two presentations are below:

<https://www.fitchburgma.gov/DocumentCenter/View/7877/City-Council-Crocker-Presentation-2021-04-20>

<https://www.fitchburgma.gov/DocumentCenter/View/7878/Crocker-Presentation-Update-2021-04-19>

VI. REPORTS OF COMMITTEES

Council as a Whole Committee **Meeting of April 13, 2021**

The Council as a Whole Committee recommended the following Ordinances be held in Committee:

- 068-21. AN ORDINANCE: Amending the Fitchburg City Code, Chapter 44, re: Fire Chief.
- 069-21. AN ORDINANCE: Amending the Fitchburg City Code, Chapter 44, re: Fire Chief.

Report accepted. Ordinances held in Committee by vote of 10 in favor and 1 opposed (DiNatale). 11 members present. Board consists of 11 members.

The Council as a Whole Committee recommended the following Petition be held in Committee:

- 073-21 Council President Anthony Zarrella: to set the salary of the Fire Chief, pursuant to City Code § 23-26 which instructs that, "The compensation of the Chief Engineer shall be fixed by the Council, with the approval of the Mayor and in accordance with the provisions of the Civil Service Act."

Chief Ernest Martineau stated that the Petition may create conflicts with Chapter 40, section 24, of the City Code - Compensation of Chief of Police and Police Captains (<https://www.ecode360.com/10430295>).

Report accepted. Petition held in Committee by vote of 8 in favor and 3 opposed (Beauchemin, DiNatale, Squailia). 11 members present. Board consists of 11 members.

Legislative Affairs Committee **Meeting of April 13, 2021**

The Legislative Affairs Committee recommended the following Petition be given Leave to Withdraw as it was addressed in the new Zoning update:

- 128-20. Councillor Paul Beauchemin, to petition that all applications for a Dealer's License must be for ten (10) cars, minimum.

Report accepted. Petition granted Leave to Withdraw by unanimous consent. 11 members present. Board consists of 11 members.

The Legislative Affairs Committee recommended the following Petition be granted:

- 020-21. Vincent P. Pusateri, II, Esquire, to Convert False alarm notifications fees to a municipal charge lien, as outlined in the enclosed petition.

Report accepted. Petition granted by unanimous consent. 11 members present. Board consists of 11 members.

Petition forwarded to the City Solicitor for Ordinance preparation.

The Legislative Affairs Committee recommended the following Petitions be Held in Committee:

046-21. Councillor Marcus DiNatale, to petition that the new Fitchburg City Hall Legislative Building be named the “David Clark Legislative Building” in honor of former School Committee Member, City Councillor, WEIM/WPKZ radio and FATV Sports Broadcaster David Clark for his many decades of public service to the City of Fitchburg.

Report accepted. Petition Held in Committee by vote of 8 in favor and 3 opposed (Beauchemin, Schultz, Squailia). 11 members present. Board consists of 11 members.

070-21. Councillor Amy Green, on behalf of the Board of Directors of FATV, Mike Flynn and “Broadcast Buddies” of Dave Clark to petition to have the booth named and dedicated in Dave Clark’s name.

Amended to read as follows:

Councillor Amy Green, on behalf of the Board of Directors of FATV, Mike Flynn and “Broadcast Buddies” of Dave Clark to petition to have the booth at Crocker Field named and dedicated in Dave Clark’s name.

Report accepted noting motion to amend the petition to a resolution, which would then be forwarded, upon approval by the City Council, to the School Committee for their consideration, approved by unanimous consent. 11 members present. Board consists of 11 members.

The Legislative Affairs Committee recommended the following Petition be given Leave to Withdraw:

044-21. AN ORDINANCE: Strike § 3-208, entitled “Deputy Procurement Officer” in its entirety and replace with the following:
3-208 Procurement Support Staff

The Chief Procurement Officer shall be authorized to fill any administrative support staff position that is provided for and funded by appropriation.

Report accepted. Petition granted Leave to Withdraw by unanimous consent. 11 members present. Board consists of 11 members.

The Legislative Affairs Committee recommended the following Ordinance be Adopted as amended:

172-20. AN ORDINANCE: amending the Zoning By-Law be amended by striking the By-Law in its entirety and inserting in its place the attached Zoning By-Law represent phase one of rewriting the City's Zoning By-Law.

(Reference Petition #29-2020, Petition #221-20, and Petition #005-21)
(First Reading, as Amended was completed April 7, 2021)

Final Amendment, please see links below:

https://www.fitchburgma.gov/DocumentCenter/View/7869/Final-Zoning-Ordinance-with-all-Amendments-FINAL_041521

Minutes of the Legislative Affairs Meeting April 13, 2021:

<http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/04132021-2336>

Report accepted with amendments. Ordinance approved by vote of 10 in favor and none opposed. 10 members present (DiNatale not present). Board consists of 11 members.

Tom Skwierawski, Executive Director of Community Development and Planning, provided an additional update on some further changes of inconsequential changes: adjusting numbering, primarily, and addressing a few typos.

https://www.fitchburgma.gov/DocumentCenter/View/7879/Final-Zoning-Ordinance-with-all-Amendments-FINAL_042021

Report accepted with further amendments Ordinance approved by vote of 10 in favor and none opposed. 10 members present (DiNatale not present). Board consists of 11 members.

Final Ordinance adopted to be enrolled and ordained by vote of 10 in favor and none opposed. 10 members present (DiNatale not present). Board consists of 11 members.

The Council expressed their appreciation to Mr. Skwierawski with a round of applause for his hard work.

VII. ORDERS-FINANCE

The following Orders were referred to the Finance Committee:

- 075-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Fire Services, Firefighter Safety Equipment grant in the approximate amount of \$19,075.00 (NINETEEN THOUSAND, SEVENTY-FIVE AND 00/100 DOLLARS) for the purpose of said grant, which is to upgrade communications equipment in the Fire Department.
- 076-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Environmental Protection, Sustainable Materials Recovery Program grant in the approximate amount of \$42,000.00 (FORTY-TWO THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to provide residents with more robust information about waste disposal and recycling, purchase additional carts for the curbside program, expand the current program, and reduce, reuse, and recycle in school cafeterias.
- 077-21. ORDERED THAT: The City of Fitchburg approves the expenditure of funds from the Massachusetts Collaborative for Action, Leadership, and Learning 3 Substance Misuse Prevention grant in the approximate amount of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00) for the purpose of said grant, which is to prevent and reduce misuse of substances of first use (alcohol, nicotine, cannabis) among youth.
- 078-21. ORDERED THAT: There be and hereby is transferred from within the sum of TWENTY TWO THOUSAND, SIX HUNDRED NINETY-EIGHT AND 00/100 DOLLARS (\$22,698.00) same to be transferred from HEALTH, PERSONAL SERVICES, FOOD AND MILK INSPECTOR and credited to HEALTH, EXPENSES, FOOD CONSULTANT EXPENSES.
- 079-21. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000) same to be charged against AVAILABLE FUNDS and credited to HEALTH, EXPENSES, FOOD CONSULTANT EXPENSES to cover the duties of the Food & Milk Inspector.
- 080-21. ORDERED THAT: There be and hereby is appropriated the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, BUILDING RENOVATION for the purpose of installing a new roof over the DPW Office Building.
- 081-21. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW ADMIN. EXPENSES, STORMWATER CONTRACT SERVICES.

082-21. ORDERED THAT: There be and hereby is appropriated the sum of THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, STREET REPAIR for the purpose of paving a portion of Oak Hill Road.

IX. PETITIONS

083-21. Councilor Anthony Zarrella to Adopt Chapter 48, Section 57G of Massachusetts General Law.

Petition was taken out of order with 073-21 and held in Committee by vote of 8 in favor and 3 opposed (Beauchemin, DiNatale, Squailia). 11 members present. Board consists of 11 members.

X. ANNOUNCEMENTS

Councillor Beauchemin noted that there were road sweeping cleanup efforts taking place in his Ward and in the City. He noted that residents could assist with the effort by sweeping down their sidewalks and placing sand in the street. Councilor Beauchemin also thanked the Cemetery workers for doing an exemplary job.

Councilor Van Hazinga and Councilor Couture also noted that cleanup days for their Wards would also be taking place.

The current posted street sweeping schedule is:

Ward 1	April 19 - April 27
Ward 2	April 28 - May 7
Ward 3	May 10 - May 19
Ward 4	May 20 - May 28

The meeting adjourned at 9:19 PM

Mary de Alderete, City Clerk