



FITCHBURG CITY CLERK

Feb 15 2022 9:55 am

**City of Fitchburg
Massachusetts 01420**

CITY COUNCIL

Councillors at Large

Sally H. Cragin
Marcus L. DiNatale
Amy Green
Samantha M. Squailia
Anthony M. Zarrella

President

Anthony M. Zarrella

Vice President

Andrew J. Van Hazinga

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 – Derrick J. Cruz

The regular meeting of the City Council of the City of Fitchburg was held at the Legislative Building at 700 Main Street and over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on February 1, 2022.

Also recording the meeting was Miranda Tozier-Robbins of Shorty Productions LLC.

The meeting was called to order by President Anthony Zarrella at 7:03 P.M. The meeting opened with a salute to the Flag led by Councilor Cragin. The Clerk called the roll and 11 Councilors were present.

I. PUBLIC FORUM

This meeting will be open to the public. Persons who wish to participate remotely in the Public Forum portion of the meeting may request a remote attendance link by contacting the City Clerk at cityclerk@fitchburgma.gov.

II. REPORT OF THE APPOINTMENTS COMMITTEE

There is no report of the Appointments Committee at this time.

III. REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of January 18, 2022 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATION

His Honor the Mayor

1. Appointment Letter

Mr. Colby J. O'Brien, as a member of the Water/Wastewater Commission, term to expire February 1, 2026.

Appointment read and referred to the Appointments Committee.

2. Letter from his Honor the Mayor

Regarding Section 19 of the City Charter.

President Zarrella read the letter of communication into the record and offered the floor to Mayor DiNatale.

Mayor DiNatale made the following statement:

Good evening members of the City Council and the viewing public,

Thank you for the opportunity to share with you my effort to enhance delivery of effective municipal government to the citizens of Fitchburg.

Earlier this month I began discussions with Council President Zarrella regarding City Counselors contact with Department Heads. I informed him of my intent to establish a new policy which would require City Councilors to forward their questions and concerns through my office. On the agenda tonight is my letter of Communication to the City Council dated January 27, 2022.

Since issuing this letter there has been a tremendous overreaction. You may hear terms for example that I am killing democracy or preventing City Council to operate as legislators. Need I say, this is absolutely not true. Who has ever been denied information from my office?

The implementation of this policy will promote the rule of law in our city. Our Charter, as with all other similarly situated cities, requires separating power between the Mayor's Office, the City Council and the various quasi-judicial Commissions and Boards. City Councilors will not be able to usurp the Mayoral position of overseeing and directing the various departments of the city. City Counselors should not act as the Mayor and Department Heads should not be distracted from their primary workday functions.

Moving forward, I want to ensure Councilors, that just as you have been informed over the past six years, you will continue to be fully informed. I have always believed and still do that maintaining an informed Council will provide for better legislation. However, the other concerns that I reference in my letter are of equal importance.

I have come to learn over my tenure as your Mayor that these debates are not, good versus bad, but most often, good versus good. As with all other issues debated in this Council I am sure the majority of us in our city government will work in good faith to resolve this, consistent with the best interest of the City of Fitchburg.

In fact this process has already begun with a constructive meeting between Councilors Zarrella, Cruz and Van Hazinga. Unfortunately, I don't believe that anything I say tonight will appease some of you.

I am simply asking that the City Council allow some time to pass as we work together to navigate this new procedure. Again, I reiterate, if you have constructive comments on this process I will be happy to receive them.

V. COMMUNICATION Pension Reserves Investment Management Board

Communication placed on file in the City Clerk's Office.

VI. ANNUAL REPORT

010-22. ANNUAL REPORT: Montachusett Regional Vocation Technical High School for the year 2021.

[2021 Annual Report](#)

Reading waived. Report placed on file in the City Clerk's Office by unanimous consent 11/0. 11 members present. Board consists of 11 members.

VII. REPORTS OF COMMITTEES

Finance Committee

Meeting of January 25, 2022

[Finance Committee Meeting Minutes of January 25, 2022](#)

The Finance Committee recommended the following Order be adopted:

218-21. ORDERED THAT: There be and hereby is appropriated the sum of NINE THOUSAND AND 00/100 DOLLARS (\$9,000.00) same to be charged against AVAILABLE FUNDS and credited to FACILITIES REPAIR & CARE, TAX POSSESSION MAINTENANCE.

Report read and accepted. Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Order signed by the Mayor February 3, 2022

The Finance Committee recommended the following Ordinance be amended to add: Contact Tracing Resource Coordinator @ \$32.00/hr and be sent to a First and Second Reading as amended:

219-21. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg, as most recently amended, be further amended by adding thereto the following:

Under positions paid hourly	Effective 12/1/2021
Epidemiologist	\$50.00
Contact Tracer Supervisor	\$48.00
Contact Tracer/Case Investigator	\$32.00
Contact Tracer (Part-time)	\$30.00

Report accepted. Ordinance amended to add: Contact Tracing Resource Coordinator @ \$32.00/hr and sent to First and Second Reading and ordered advertised as amended by a roll call vote of 8 in favor and 3 opposed (Couture, DiNatale and Fleming). 11 members present. Board consists of 11 members.

The Finance Committee recommended the following Orders be adopted:

003-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Department of Public Health grant in the approximate of \$480,000.00 (FOUR HUNDRED EIGHTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to support the staffing for COVID-19 Contact Tracing and related services in the thirteen communities of the Montachusett Public Health Network (MPHN).

004-22. ORDERED THAT: That the City of Fitchburg hereby approves the expenditure of funds from the Executive Office of Energy and Environmental Affairs, Planning Assistance Grant Program grant in the approximate amount of \$32,500.00 (THIRTY-TWO THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to update the city's Open Space and Recreation Plan.

005-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the MassDevelopment, Brownfields Redevelopment Fund grant in the approximate amount of \$65,000.00 (SIXTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to assess and plan for remediation at 173 Bemis Road.

Report read and accepted. Orders adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Orders signed by the Mayor February 3, 2022.

The Finance Committee recommended the following Order be adopted:

006-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the MassDevelopment, Real Estate Technical Assistance Program grant in the approximate amount \$45,000 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to help prepare the city for the sale of 44 Wanoosnoc Road.

Report read and accepted. Order adopted by a vote of 10 in favor and 1 opposed (Beauchemin). 11 members present. Board consists of 11 members.
Orders signed by the Mayor February 3, 2022.

Public Works Committee Oral Report
Meeting of January 25, 2022

The Public Works Committee recommended the Petition be granted pending results of a traffic study to be conducted in-house by the Department of Public Works with support from Fitchburg Police Department. Anticipated timeline for completion of the traffic study is April 2022. If the traffic study concludes a crosswalk is acceptable at this location, it will be installed pending availability of funding:

196-21. Councilor Marcus DiNatale, on behalf of resident Barbara Slattery, to install a sidewalk apron at the corner of Old Deerfield Road and Electric Avenue (similar to the one recently installed on same side at Mount Elam Road and Electric Avenue), then allowing for the installation of a crosswalk, to enhance the safety of pedestrian traffic for the residents of Old Deerfield Road who use the adjacent bike path.
(Also referred to the Public Safety Committee)

Report accepted by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petitions be granted for spring construction:

- 197-21. Councilors Sam Squailia and Elizabeth Walsh, to petition to the city to replace the broken guardrail boards along Harvard Street between Boutelle and St. Bernard Street as shown in the attached pictures.
- 198-21. Councilors Marcus DiNatale and Bernard Schultz, on behalf of resident Carrie Harris, to install a new fence on the right side of forest Street just right after Maple Street (and 70 Forest Street) if going down the hill from Pine Street.

Report accepted. Petitions granted for spring construction by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended that the Signage and Jersey barriers be approved. Lighting and bridge repairs approved pending funding, which will need to be sourced outside of the DPW's annual budget, either through grant programs or other sources of funding:

- 199-21. Councilor Marisa Fleming, on behalf of Fisher Road residents Yarisbeth Guzman, Lloyd Wentzall, and Christine Fagone, to request new signs and public lighting for Fisher Road as outlined in the enclosed Petition.
(Also Referred to the Public Safety Committee)

Report accepted. Signage and Jersey barriers approved by unanimous consent 11/0. Lighting and bridge repairs approved pending funding by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be granted pending funding:

- 215-21. Councilors Marisa Fleming and Andrew Van Hazinga, to install a streetlight on pole #5 in front of the Abolitionist Park located on Snow Street.

Report accepted. Petition granted pending funding by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be granted pending a traffic/engineering study to determine correct placement of signage. Study to be conducted in-house by the Department of Public Works and the Fitchburg Police Department.

- 216-21. Sgt. Daniel Boudreau, Councilor Squailia, and Nick Erickson, DPW Commissioner, to petition for: Installation of traffic island between Old Leominster Road and Abbott Avenue. Addition of "no right turn" on Abbott Avenue turning onto Old Leominster Road. Addition of stop sign at the end of Old Leominster Road at Abbott Avenue.
(Also Referred to the Public Safety Committee)

Report accepted. Petition granted pending a traffic/engineering study by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be granted pending availability of funding:

217-21. Councilors Marcus DiNatale and Paul Beauchemin, on behalf of Jorge Rodriguez, to install a streetlight on Wall Street between the corner of Wall and Beech Street and 20 Wall Street. Pole number for placement would be #631.

Report accepted. Petition granted pending availability of funding by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be granted:

220-21. Councilor Marisa Fleming, to install barriers or guardrails at all culverts along Billings Road to mitigate any vehicles sliding into them. Markers have been placed, but once it snows, these markers are no longer visible.

Report accepted. Petition granted by unanimous consent 11/0. 11 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be held in Committee:

089-20. Councillor Bernie Schultz, and resident Alex Freeman of 70 Rainville Avenue, to remove the "No Turn on Red" sign at the intersection of John T. Cetrino Memorial Drive and Water Street.

Report accepted. Petition held in committee by unanimous consent 11/0. 11 members present. Board consists of 11 members.

VII. ORDERS-FINANCE

Motion for suspension of the rules to refer the following Order to an Executive Session at the Council Meeting scheduled for February 19, 2022 was granted by unanimous roll call vote.

011-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTEEN THOUSAND AND 00/100 (\$115,000.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, LITIGATION AND SPECIAL COUNSEL.

Order referred to an Executive Session at the Council Meeting scheduled for February 19, 2022 by unanimous roll call vote. 11 members present. Board consists of 11 members.

The following Orders were referred to the Finance Committee:

012-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from a contribution from B.O.T. Realty, LLC in the approximate amount of \$21,500.00 (TWENTY-ONE THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is for the paving and reconstruction of Perkins Street.

013-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security VAWA grant in the approximate amount of \$69,027.00 (SIXTY-NINE THOUSAND, TWENTY-SEVEN AND 00/100 DOLLARS) for the purpose of said grant, which is to support the Domestic Violence Advocate position within the Police Department.

014-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Department of Justice, Bureau of Justice Affairs, Comprehensive Opioid, Stimulant, and Substance Abuse Program in the approximate amount of \$504,061.86 (FIVE HUNDRED FOUR THOUSAND, SIXTY-ONE AND 86/100 DOLLARS) for the purpose of said grant, which is to contract a licensed clinical social worker to provide follow-up and case management to persons who are suffering from substance abuse and co-occurring disorders, as well as training and data tracking.

VIII. PETITIONS

The following Petitions were referred to the Council as a Whole Committee:

015-22. Liz Murphy, chair, NICE TASK FORCE, Director of Housing and Development, to approve the enclosed petition to accept M.G.L. Chapter 40U in its entirety.

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/9409/legislation-to-adopt-40U>

016-22. Liz Murphy, chair, NICE TASK FORCE, Director of Housing and Development, To accept the enclosed petition to establish a residential and commercial Vacant Property Registry Ordinance with minimum requirements.

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/9408/Vacant-Property-Registry-Ordinance-with-maintenance-requirements-01262>

The following Petition was referred to the Public Works Committee:

017-22. Councilor Bernard Schultz and Mari Barroso of 155 Milk Street, owner of adjacent property, to repair a retaining wall at rear of 155 Milk Street extending onto Maple Street.

The following Petition was referred to the Public Safety Committee and the Public Works Committee:

018-22. Sgt. Daniel Boudreau, Fitchburg Police Traffic Unit, to petition for the installation of “no parking at all times” on both sides of Game On way, from Industrial Road/Victoria Lane intersection to Game on Soccer Facility entrance.

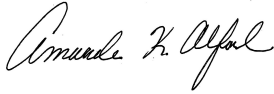
IX. ANNOUNCEMENTS

President Zarrella made the following announcement:

Ward 1 City Councilor Bernie Schultz is hosting a Ward 1 Meeting on Wednesday, February 16, 2022 at 6:30 p.m. right here in the Fitchburg Legislative Building, 700 Main Street. Fire Chief Dante Suarez and Director of Facilities Russell Karlstad will make presentations, and then answer questions following their presentations.

X. OTHER BUSINESS

The meeting adjourned at 8:36 P.M.



Amanda K. Alford, Provisional City Clerk