



**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 special 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 August 16, 2022.

The meeting was called to order by President Anthony Zarrella at 7:02 P.M. The meeting opened with a salute to the Flag led by Councilor Van Hazinga. The City Clerk called the roll and 8 Councilors were present (Councilor Fleming joined via remote access at 7:47PM). Councilor Cragin and Green and Councilor were absent.

I. PUBLIC FORUM

Jacquelyn Wehtje, spoke in opposition of petition 222-22 and the cost impact to the residents of Fitchburg.

David Maki, spoke in support of the concept of petition 222-22, recommends looking at different financial opportunities for petition 222-22.

James Norris, spoke in opposition of petition 222-22 and the cost impact to the residents of Fitchburg.

Bruce Cote, requested more detailed information pertaining to petition 222-22.

Teresa Pierce, requested reviewing all city revenue sources to support petition 222-22.

Motion to take petition 222-22 out of order. Motion failed by roll call vote of 5 opposed 3 in favor (Couture, DiNatale, Squailia). 8 members present. Board consists of 11 members.

II. REPORT OF THE APPOINTMENTS COMMITTEE

The Appointments Committee recommended the following Appointment be confirmed:

Appointments Committee Oral Report
Meeting of August 16, 2022

New Appointments:

Poll Workers

For the period of September 1, 2022, through August 31, 2023.

(To be sworn in during training sessions)

Report read and accepted. Appointments confirmed by unanimous consent 8/0. 8 members present. Board consists of 11 members.

III. COMMUNICATIONS

1. Joanna Bilotta, City Clerk

Re: the “VOTES Act” Assignment of Police Officers and Permanent in-person early voting

Action is requested in response to the changes made to section 72 of MGL 54 which now charges the City Council, rather than person in charge of the police force, with detailing a sufficient number of police officers or constables for each polling location I recommend the following action:

MOTION: Order to approve a sufficient number of police officers, but not less than 1, at each polling location at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54 which was changed in section 13 of Chapter 92 of the Acts of 2022. Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability. The City Clerk will advise the Police Chief on the polling locations and time the police officers are needed.

Order adopted by roll call vote 8/0. 8 members present. Board consists of 11 members.

IV. ORDER

Motion to suspend the rules passed by roll call vote of 8 in favor and 0 opposed. 8 members present. Board consists of 11 members.

221-22. Eminent Domain for Circle Street Bridge Replacement Project (Circle Street, Broad Street and Main Street). Temporary and permanent easements are outlined in the Order.

Order adopted by unanimous consent 8/0. 8 members present. Board consists of 11 members.

V. PETITION

Motion to suspend the rules passed by roll call vote of 8 in favor and 0 opposed. 8 members present. Board consists of 11 members.

092-22. Chief Ernest Martineau, Fitchburg Police Department, to add to Chapter 40, relative to the Fitchburg Police Department, re: Civilian Traffic Control Specialists.

President Zarrella will pair petition 092-22 with Ordinance 223-22 and requested Council vote the Ordinance 223-22.

Motion to suspend the rules to refer to Council as a Whole passed by roll call vote of 5 yes in favor and 3 opposed (Couture, DiNatale, Squailia). 8 members present. Board consists of 11 members.

222-22 Councilors Paul Beauchemin and Anthony Zarrella, to place on the November General Election ballot a question substantially similar to that outlined in the enclosed petition, relative to an annual road use fee, and to research the steps necessary to implement such a policy if approved by the voters.

President Zarrella is going to introduce this petition to clarify. This is a question to put on the ballot for the voters. The residents express the need to repairs roads, at budget time we cannot find money and the state is not going to give us additional funding. The two options would be a debt exclusion or a tax override, there has not been an appetite to go for those options. This proposal is

a rough draft to discuss by the council, before petition would go to a ballot question to the voters. The fee, subject of the petition and amendments, generate quite a bite of revenue for roads only.

Councilor Beauchemin is asking his councilors to please not defeat this. Let's sit down as 11 Councilors and discuss this.

President Zarrella want to make sure this is not a reflection of the DPW, it is a budget issue.

Councilor DiNatale asked for a motion of the suspension of the rules for the purpose of not sending this petition to committee.

Councilor Fleming joined meeting at 7:47 PM via remote access.

Motion to suspend the rules to not refer to committee failed by roll call vote of five opposed and four in favor (Couture, DiNatale, Squailia, Fleming). 9 members present. Board consists of 11 members.

Petition 222-22 was referred to the Legislative Affairs Committee.

IV. ORDINANCE

Ordinance was taken out of order and was voted with Petition 092-22

Motion to suspend the rules passed by roll call vote of 8 in favor and 0 opposed. 8 members present. Board consists of 11 members.

223-22. An ORDINANCE: The Chief of Police may appoint, subject to the approval of the Mayor and the City Council, such number of civilian traffic control specialists as required by the Chief of Police. All civilian traffic control specialists are subject to the authority of the mayor and the Chief of Police, or the designee of the Chief of Police. No civilian traffic control specialist shall exercise police powers or authority. They shall be under the direction and control of the Chief Police and subject to all rules, regulations, policies, and procedures as prescribed by the Chief of Police. Specifically, civilian traffic control specialist shall be guided by the Fitchburg Police General Orders as related to paid details and civilian traffic control.

Order adopted for final reading by roll call vote 8/0. 8 members present. Board consists of 11 members.

Attorney Putustari informed the council that order 221-22 was advertised as a public hearing. President Zarrella canceled previous vote and will open the public hearing.

Attorney Zarrella opened the public hearing at 7:50 PM

221-22. Eminent Domain for Circle Street Bridge Replacement Project (Circle Street, Broad Street and Main Street). Temporary and permanent easements are outlined in the Order.

President Zarrella asked if anyone here to speak in favor of the petition, no one from the public Addressed the council.

President Zarrella asked if anyone is here to speak in opposition of the petition, no one from the public addressed the council.

Public Hearing closed at 7:52 PM

Order adopted by roll call vote 9/0. 9 members present. Board consists of 11 members.

X. ANNOUNCEMENTS

Councilor Schultz submitted:

The first in-person meeting of the Widowed Helping Widowed Support Group will take place on Thursday, August 25, 2022 from 4:00 p.m. until 5:30 p.m. in Room 203 at the Fitchburg State University Recreation Center, 130 North Street. Kelley Lynn and Bernie Schultz will co-facilitate the meeting.

Councilor Bernie Schultz is hosting a Ward 1 Community Meeting on Monday, September 19, 2022 at 6:30 p.m. right here in the Fitchburg Legislative Building, 700 Main Street. Economic Development Director Mary Jo Bohart and Mayor DiNatale's Chief of Staff Natalia Oliver will make presentations, and then answer questions following their presentations.

City Clerk, Joanna Bilotta would like to remind residents of the upcoming State Primary Election Tuesday, September 6, 2022.

- The last day to register to vote for the State Primary is Saturday, August 27, 2022, at City Hall from 9:00AM – 5:00PM
- Early Voting for the State Primary will be held August 27th – September 2nd at the Legislative Building, the hours are posted on City website.

XI. OTHER BUSINESS

Next Regular Meeting
Thursday, September 8, 2022 - 7:00 PM

The meeting adjourned at 7:50 P.M.

Joanna Bilotta-Simeone

Joanna Bilotta-Simeone, City Clerk