



**City of Fitchburg
Massachusetts 01420**

FITCHBURG CITY CLERK

Sep 29 2021 1:19 pm

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 at the Legislative Building at 700 Main Street and over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on September 23, 2021. The meeting was called to order by President Anthony Zarrella at 7:02 P.M. The Clerk called the roll and 11 Councilors were present. The meeting opened with a salute to the Flag led by Councillor Walsh.

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 prior to NOON on the day of the meeting.

There were no requests for public comment.

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee Oral Report
Meeting of September 23, 2021

The Appointments Committee recommended the following Appointment be confirmed:

New Appointment:

Water/Wastewater Commission

(Term to expire September 1, 2025)

Mr. Mark F. Piermarini, P.E.

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

III. REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of September 7, 2021 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATION

His Honor the Mayor
Appointment Letters

1. Amanda K. Alford, Assistant City Clerk for the City of Fitchburg, as Provisional City Clerk effective October 9, 2021. Term to fulfill the unexpired term of the current City Clerk Mary de Alderete until January 2023, or until a suitable replacement may be found.

Appointment confirmed under Suspension of the Rules by unanimous consent of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

2. Mr. Daniel J. Cunningham, as a member of the Fitchburg Disability Commission, term to expire on October 1, 2024.

Appointment read and referred to the Appointments Committee.

V. SPECIAL PRESENTATION

Calvin Brooks, City Auditor
Re: Funding from the American Rescue Plan Act

Mayor DiNatale made the following remarks:

“Good Evening Councilors,

“Today, The ARPA working group, composed of myself, Auditor Calvin Brooks, Health Director Stephen Curry, Interim DPW Commissioner Nick Erikson, Community Development and Planning Executive Director Tom Skwierawski, and Chief of Staff Patrick Hare, have prepared for you a presentation on the City of Fitchburg’s allocation of funding from the American Rescue Plan also known as ARPA. The ARPA working group, which was formed after reviewing the eligible expenses of the funds to be representative of the departments that could have the most impact, have been working for the past several months, strategizing how these funds may be best utilized in a deliberate and thoughtful manner.

“The City of Fitchburg received Thirty-one million two-hundred thirty-eight thousand four-hundred fifty-nine dollars (\$31,238,459), of which will be delivered to us in two installments, the first of which, we have already received and includes our County allocation.

“Tonight, we will go over the public health emergency thus far, the history of Covid-19 funding, an overview of ARPA, and how these funds may help our public health, DPW and specific community departments as well as next steps and additional potential sources of funding.

“To date, we have informally requested possible projects from City teams, have explored project eligibility and developed criteria for how we may weigh projects. Additionally, we are planning on creating a community working group to advise us on spending these dollars. That group will have a City Councilor on it as well.

“Folks, I’m proud of the work my team has accomplished so far. Fitchburg is in a once in a lifetime opportunity to spend these dollars. We must ensure that we do so in a responsible and far reaching way. We want these dollars to have a large impact while helping the most residents as possible.

“That said, the theme of tonight is, more to come. There will be numerous questions, I’m sure. Unfortunately, we won’t have many of answers for you. However I do promise, that my team and I will continue to keep you informed, we will engage with the Council and the public, and we will forge a better Fitchburg!

“Now I would like to turn it over to Public Health Director Steve Curry.”

The ARPA Team provided the following Presentation:

<https://www.fitchburgma.gov/DocumentCenter/View/8339/ARPA-Presentation-City-Council-92321-Slides>

After the Presentation, Councilors had questions regarding the scope of the ARPA funding, as well as specific questions for the Board of Health Director.

Complete audio/visual of the questions presented may be found at:

<https://videoplayer.telvue.com/player/yycCAZPb0NN3zj2o5qio-YFMNC43NjCG/playlists/3129/media/669993?sequenceNumber=3&autostart=true&showtabssearch=true> (Timestamp: 57m16s-1h42m18s)

Councilors expressed their thanks to the Team for their hard work.

VI. REPORTS OF COMMITTEES

Economic Development Committee

Meeting of September 14, 2021

161-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the MassDevelopment TDI Challenge Grant Program in the approximate amount of \$45,000.00 (FORTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to target technological enhancements in the City’s downtown parking system and implement accompanying signage changes.

Parking Study Memo:

https://ma-fitchburg.civicplus.com/DocumentCenter/View/8292/Parking-Study-Memo_063020

Parking Study Final Report:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8293/Fitchburg-Parking-Study-Final-Report-121119>

Parking Study and Phasing Plan:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8294/Parking-Study-and-Phasing-Plan>

Further Information for Parking Grant Orders 160-21 and 161-21 Provided by Community Development and Planning:

<https://www.fitchburgma.gov/DocumentCenter/View/8325/Parking-Grant-Information>

EDC Meeting Minutes:

http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/_09142021-2549

Councilor Van Hazinga explained that that this was a part of a larger effort to overhaul the City's parking system on Main Street. The first phase of the plan was to remove the metered parking and institute time-limited parking as a way to support local businesses. This would be monitored through license plate metered technology. As the usage and availability of spaces was tracked, upon reaching a determined benchmark, the plan would be to institute paid parking to encourage availability. This would be in a future phase, and require additional equipment. Councilor Van Hazinga noted that while there was general support for 161-21, there were some questions regarding how the LPR technology works in practice and that there was a 4 to 1 vote to approve, with the caveat that there would be further discussion at the City Council meeting in order to get further details on the technology.

Motion to Approve 160-21 and 161-21 WITHDRAWN to allow for Mr. Skwierawski to answer questions regarding LPR technology.

Mr. Skwierawski noted that he had heard many great questions related to privacy and how to reach out to people who did not use technology, and immediately following the meeting, he had reached out to Ventek, the vendor the City would be working with, and that Mr. David Trudeau, of Ventek International, was available remotely to answer questions from the Council.

Mr. Skwierawski then read the following into the record:

Q. How is the information stored? How secure is the system?

A. Information is secured on an AWS (Amazon Web Service) server. Only the plate number and image is stored and ultimately was up to the City how long it would be stored, although generally 30 to 60 days for analytic purposes. Mr. Skwierawski noted that the details of the system had been included in the Packet and that it was Cloud-based and extremely secure.

Q. What about "hot lists" which would tell if a car was stolen?

A. Mr. Skwierawski noted that this was a separate module and not one that was purchased with this Program.

Q. Will Ventek be selling any of the data?

A. They will not collect or use any client data

Q. Is there a way for residents to purchase permits in the system without going online?

A. Mr. Skwierawski stated that there was not, and that discussed in the meeting, the compromise was to call City services, the Parking Clerk, in particular, and they could work within the software to get customers a permit. Mr. Skwierawski noted that the other additional factor that had not been mentioned is that the parking garage at Putnam has a kiosk there currently, and it was planned to be kept and could be linked with system, so it could be retained and allowed customers to come up and purchase additional parking by sliding a credit card. This made is a two pronged solution – either calling City Hall, or directed through signage to the Putnam Street garage. This would be a net zero change in how those residents accessed parking downtown. The

Mill Street parking garage currently offered two hours free parking and it would continue to be available. Any permits above and beyond these already required a visit to City Hall to do so.

- Q. If a vehicle is parked in one location and then moved to another spot on the same block, would it be considered a violation?
- A. Mr. Skwierawski noted that this would ultimately be up to the City and what the Ordinance ultimately stated.

President Zarrella thanked Mr. Trudeau for his patience and welcomed him to the meeting. Councilors followed up with additional questions.

Councilor Fleming asked for confirmation that the City would have control of the data and questioned how long Amazon would keep it.

Mr. Trudeau stated that they required the data to be deleted after 30 days.

Councilor Fleming asked whether there would be signage stating this information to let people know their data was being collected.

Mr. Trudeau noted that it would be up to the City if they wished to add signage. Mr. Skwierawski said that this would ultimately be a local decision and that there would be cameras as you drive into the parking garage that would capture the license plate number but that signage could be added to indicate that the cameras were there for that purpose.

Councilor Fleming stated that she did not think that people were aware of the fact that data was being collected and felt that signage was necessary along with information posted on the City website explaining what that means.

Mr. Skwierawski said that he agreed that this would require a public information campaign above and beyond signage as they were completely changing the way they were currently handling parking. This effort would require collaboration with the Mayor's Office, the Treasurer's Office, Parking Clerk and the Community Development and Planning Office, as well and their intent was to make as many people aware of it as possible.

Councilor Beauchemin stated that he would prefer to not spend additional funding on signage.

President Zarrella noted for the Council that all of the finer details such as how data would be used, provisions, signage, etc. would come before them at a later date in the process.

Mr. Skwierawski added that part of the overall considerations including investigating how other cities and towns used the system, but thought from a practical point, signage would probably play a role.

Councilor Van Hazinga stated that he felt it was worthwhile to clarify a point regarding the storage of data. While the data was being hosted by the Amazon services, they would not be analyzed by them or used to craft shopping recommendations, but rather it was being used as they had the band-width to basically "hold" the data.

Mr. Trudeau and Mr. Skwierawski agreed that this was a correct statement. President Zarrella noted that Amazon would not be accessing the data as it would violate all of the contracts and provisions that applied.

Councilor Van Hazinga said that it was important to acknowledge that the technology was mature and not experimental and was used across the State and country in many communities and most newly constructed parking garages used LPR technology and kiosks to manage it. He further stated that parking meters were old fashioned and they weren't used and considered "relics". He noted that the Police Department had been using LPR technology for years and there were already scanners in the City that read license plates, so this was not something new, just something that would help the downtown parking situation while helping to support businesses and visitors to the downtown area.

Councilor Squailia noted that she was concerned with the system for a number of reasons, including the upfront and recurring costs along with the parking improvement plan costs. She stated that she felt money was being spent on a problem that didn't exist. Councilor Squailia asked whether Ventek received a percentage of the tickets issued, so felt they had a direct incentive to increase the number and asked if there was a correlation with this.

Mr. Trudeau stated that a separate company was being used for citations, and that Ventek only offered a flat-fee ticketing system, and they did not charge per citation. Mr. Skwierawski noted that perhaps Councilor Squailia was referring to a permit system that they would allow permits to be registered online, and that this did require a \$1.00 transaction fee.

Councilor Squailia asked if someone went online to access the system for a permit for a three hour parking, did Ventek get a \$1.00 for that transaction.

Mr. Trudeau said that the basically that online permitting system would be for long term parking (week, month, etc.) and the kiosks or a smartphone app should be used for shorter term parking and many of the apps were very reasonable in their fees.

Mr. Skwierawski added that they were looking at an all-day or half-day pass that could be purchased, similar to what was currently being done and that this was a part of the ongoing local considerations. He noted that currently the Mill Street garage only allowed 2 hour parking, but longer in the Putnam garage and that would remain using the kiosk system. He further noted with regard to the "problem that doesn't exist" that with the \$400,000 investment, of which this was a fourth, the goal was to phase in a system and this was just the first phase. He agreed that there was not a current need for implementation of \$400,000 worth of parking as they were at about 30% capacity, but that the goal was to setup for success when they got to a place where the parking system was being utilized – at about 75-80% at which time a solution would need to be found. He further noted that the primary solution that they need to find today is how to remove the meters on Main Street as they were a detriment to businesses, and in so doing, how do we have a system of enforcement that is constitutional (as tires could not be chalked) and efficient as well as effective. Businesses had said that it was great to remove the meters, but it would not be great if people parked all day in the same location so they were advocating for enforcement and turnover.

Councilor Squailia asked to explain maintenance of the system and noted that the last parking kiosk that was put in, cost thousands of dollars, and then was broken soon afterwards. She asked for potential costs for damages or maintenance.

Mr. Skwierawski said that the difference between that kiosk and now was that there were cameras in the entire Mill Street garage and that he hoped that would act as a deterrent. Putnam Street garage still had a kiosk and he believes cameras play a role to police and monitor them.

Mr. Skwierawski noted that the costs for the fixed systems were roughly \$30-40,000, with different entrances and exits and that was why they weren't putting in a new kiosk at Mill Street garage as that wouldn't be good investment.

Councilor DiNatale noted that there were still many garages that did not use this system. He wondered why they could not have a gated ticket system with number of hours to pay and why that wasn't an option.

Mr. Skwierawski said that it was the preferred option today and they could certainly purchase further options, but felt that this new system was easier for senior citizens as they could pull into the lot and know they had two hours to be there. He noted that he has seen people have to open their door as they could not reach the ticket or back up to do so, so this system would allow quicker in and out and also allows, if you have a permit, to just drive in and you wouldn't have to worry about a ticket at all.

Councilor DiNatale expressed that he was worried about the initial costs of implementation while trying to get to a goal of 85% usage while we were currently only at about 25% and therefore had a long way to go. He stated that he would like to see more redevelopment in the downtown area and then consider the system and this put the investment in upfront. He preferred to see the dividends, first, before implementation of the system that was expensive and required additional yearly maintenance.

President Zarrella asked Mr. Skwierawski to confirm his understanding that the system and the parking utilization targets applied to not only garages, but all metered spaces.

Mr. Skwierawski agreed that this was correct.

Councilor DiNatale reiterated that he remained unsold on the system while the parking garages were heavily under-utilized. He hoped that the redevelopment would foster the anticipated interest.

Mr. Trudeau stated the he understood that gated systems were acceptable in a lot of cities but that his main concern in gated garages is that people lose tickets, and he has seen situations that if someone does that during rush hour, you could be looking at 20-30 cars making a line. He further noted that more garages were putting in cameras and that 70% of the quotes that they were currently sending out were for fixed or mobile LPR cameras and this was across North America. He felt that as we continued, people would be used to cameras being in place.

Mr. Skwierawski added that there was a gate at the Mill Street entrance and that gate had been damaged and was cost prohibitive to replace. He had pulled up the cost of each fixed camera at approximately \$4,900 with multiple cameras in various locations and stated that this was a much more cost effective solution than a gate.

Councilor DiNatale asked for an idea of the timeframe if it was voted.

Mr. Skwierawski said that if voted favorably, they would work on the contract with Ventek and they would come in to do a full audit of what was required and how it would be phased in. He further noted that he would like this to be done when the Main-Boulder project was complete, and hopefully well before that – around May/June, optimistically. He noted that when the Ordinance was put together, the Council would have another chance to address it and before they purchase the equipment.

Councilor Beauchemin said that he agreed with Mr. Skwierawski on the issue of having a ticket dispenser and preferred a system that did not require them.

Councilor Van Hazinga said that the major benefit of enacting the changes was management of on-street parking and that garages would not change that much. He used the example of Joey's Barbershop which had many older residents as clients and said that there wasn't a lot of convenient parking and that elderly residents preferred to park right in front of the building. Although the residents are reminded and sometimes given quarters for the meters, a resident could end up with a \$15.00 parking citation after a \$10.00 haircut, and the owner had often tried to pay for them. He stated the current system made it hard for customers who depend on volume and short visits – that they needed convenient parking and the meters made this harder and they should get rid of them, but once they did that, the parking spaces still needed to be managed. The LPR technology allowed preservation of parking while making it easy to use and make the location more attractive to owners of businesses who are looking to invest in a store in Fitchburg.

Councilor Fleming asked what the recurring charge for the system would be.

Mr. Skwierawski stated that they would be about \$7,000. He further noted that meters currently brought revenue into the City and Councilors would need to consider this when the Ordinance is drafted and he thinks the Finance Committee should investigate a way to recoup that revenue (approximately \$45,000 from all meters) through additional revenue sources or that this would be considered a subsidy towards supporting downtown business, so along with the \$7,000 this amount should be looked at.

Councilor Fleming asked whether this would be something that would increase the taxes.

Mr. Skwierawski said not unless the permit fees were considered a tax and as they moved to a pay to park system, this would bring in revenue, which would be the goal.

Councilor Schultz stated that he agreed with Councilor Van Hazinga and if they were promoting Main Street and they thought that Main Street would bring in investment that they should look to invest in the technology now and hoped it would be passed.

President Zarrella agreed with the plan, and noted that he had been a person who had received a ticket in front of Joey's Barbershop so was sympathetic to those that used the business. He further said that people, in general, were moving away from using cash, especially change. He noted that they wanted to make going downtown and patronizing businesses an easy, smooth process and this was a major step in that direction and had been requested by numerous residents and businesses.

Motion to Approve 160-21- and 161-21 REINSTATED.

Orders 160-21 and 161-21 adopted by vote of 9/2 (DiNatale, Squailia). 11 members present. Board consists of 11 members.

Finance Committee
Meeting of September 14, 2021

Report Reading Waived.

The Finance Committee recommended the following RESOLUTION be adopted:

144-21. RESOLUTION: To Fund Improvements to Lowe Park.

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

Resolution signed by the Mayor September 24, 2021.

Councilor Beauchemin noted for the record that while he was in favor of the Resolution, he would like NewVue to donate funds towards the Park.

The Finance Committee recommended the following Orders be adopted:

152-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, State 911 Department grant in the approximate amount of \$174,594.00 (ONE HUNDRED SEVENTY-FOUR THOUSAND, FIVE HUNDRED NINETY-FOUR AND 00/100 DOLLARS) for the purpose of said grant, which is to support salaries and provide repair and enhancement to the E911 service system in the Police Department.

153-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, State 911 Department Training Grant in the approximate amount of \$44,690.39 (FORTY-FOUR THOUSAND, SIX HUNDRED NINETY AND 39/100 DOLLARS) for the purpose of said grant, which is to train both Fire and Police Department dispatchers in medical and 911 emergency procedures.

154-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, Highway Safety Division grant in the approximate amount of \$3,300.00 (THREE THOUSAND, THREE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to purchase federally approved child passenger safety seats.

155-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Digital Federal Credit Union gift in the approximate amount of \$7,500.00 (SEVEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said gift, which is to support the Police Department efforts in providing quality programs to our city's youth.

Orders adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Orders signed by the Mayor September 24, 2021.

The Finance Committee recommended the following Order be adopted:

- 156-21. ORDERED THAT: There be and hereby is transferred from within the sum of FIFTEEN THOUSAND, SEVEN HUNDRED SIXTY-EIGHT AND 00/100 DOLLARS (\$15,768.00) same to be transferred from HEALTH, PERSONAL SERVICES, FOOD & MILK INSPECTOR and credited to HEALTH, EXPENSES, FOOD CONSULTANT EXPENSES.
(Be Adopted)

Order adopted by a vote of 10 in favor and 1 opposed (Beauchemin). 11 members present. Board consists of 11 members. Order signed by the Mayor September 24, 2021.

The Finance Committee recommended the following Orders be adopted:

- 157-21. ORDERED THAT: There be and hereby is transferred from within the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to COMMUNITY DEVELOPMENT EXPENSES, DOWNTOWN CLEANUP.
- 158-21. ORDERED THAT: there be and hereby is transferred from within the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00) same to be transferred from CDBG YEAR 47 DOWNTOWN CLEANUP PROGRAM and credited to CDBG YEAR 47 STREETSCAPES PROJECT.

President Zarrella noted for the Council that a project that had originally been allocated with a particular funding stream was ineligible for that source, so the transfer was to move that funding to something it was eligible, creating a net zero transfer.

Councilor Beauchemin asked that it be noted for the record that he objected as River Street was no longer included in the project.

Orders 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 September 24, 2021.

The Finance Committee recommended the following Order be adopted:

- 159-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Shared Streets and Spaces Program grant in the approximate amount of \$197,950.00 (ONE HUNDRED NINETY-SEVEN THOUSAND, NINE HUNDRED FIFTY AND 00/100 DOLLARS) for the purpose of said grant, which is to convert Cushing Street into a pedestrian plaza.

Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor September 24, 2021.

160-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Housing and Community Development, 40R Zoning Incentive Payment in the approximate amount of \$75,000.00 (SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS) ~~for the purpose of said grant~~, which is to target technological enhancements in the City's downtown parking system and implement accompanying signage changes.
(Amend to striking the words "for the purpose of said grant" and Adopt as amended)

Orders 160-21 and 161-21 adopted by vote of 9/2 (DiNatale, Squailia). 11 members present.
Board consists of 11 members.
Orders signed by the Mayor September 24, 2021.

The Finance Committee recommended the following Order be held in Committee:

162-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts Community Compact Best Practices Program in the approximate amount of \$40,000.00 (FORTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is for a review and analysis of the city's staffing levels in all departments, excluding public safety and school departments.
(Be Held)

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

Finance Committee Minutes:

http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/_09142021-2550

Public Safety Committee Oral Report
Meeting of September 23, 2021

The Public Safety Committee recommended the following Petition be granted:

166-21. Councilor Bernard Schultz III and Amy Green, to amend the Code of the City of Fitchburg, Section 169, No Parking on Ellis Street as outlined in the enclosed Petition.

Councilor Green noted that the Petition had been approved previously, but that due to an error, the signs needed to be updated to the correct hours.

Report read and accepted. Petition granted by unanimous consent 11/0. 11 members present.
Board consists of 11 members.
Petition forwarded to the City Solicitor for Ordinance Preparation.

VII. ORDERS-FINANCE

Motion to take up 170-21 under Suspension of the Rules was approved by unanimous roll call vote 11/0. 11 members present. Board consists of 11 members.

170-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Fire Service grant in the approximate amount of \$1800.00 (ONE THOUSAND, EIGHT HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to maintain the SAFE trailer which is used in teaching fire safety.

Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Order signed by the Mayor September 24, 2021.

VIII. ORDERS-OTHER

Motion to take up 171-21 through and including 174-21 under Suspension of the Rules was approved by unanimous roll call vote 11/0. 11 members present. Board consists of 11 members.

City Solicitor Vincent Pusateri was present to answer questions from the Council.

171-21. ORDERED THAT: WHEREAS the City and the City of Leominster, have entered into an Easement Agreement to facilitate the development of the Leominster wastewater disposal system in exchange for the consideration of \$8,680.00.

WHEREAS the amount of consideration is considered to be the fair market values of the interest conveyed.

NOW THEREFORE, IT IS ORDERED that the City of Fitchburg shall, through its Mayor Stephen L. DiNatale, approve and authorize the execution and delivery of the Grant of Easement attached here to, between the City and the City of Leominster and to authorize all other acts and documents which will be necessary, helpful or convenient, to effectuate and ensure the completion of the Easement Deed.

Grant of Easement:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8307/Mooreland-Avenue-Land-Leominster-002>

Map:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8308/Easement-Plan-of-Land---Off-Mooreland-Avenue>

Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members.
Order signed by the Mayor September 24, 2021.

172-21. ORDERED THAT: Approving the filing of Special Legislation which authorized the use of certain portion of the parcel of lands described in the enclosed Order, for the purposes of construction a water or wastewater system, Town of Westminster.

Easement Documentation:

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8319/special-Legislation-for-easement-in-the-town-of-Westminster-waterwastewater>

Solicitor Pusateri noted that 172-21 was required as the land had been set aside for environmental purposes.

Order adopted by unanimous roll call vote of 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor September 24, 2021.

173-21. ORDERED THAT: Authorizing the Mayor to approve the attached Easement Deed, to convey Easements to the Town of Westminster as outlined in the enclosed Order.

Easement Agreement

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8320/Route-140-Westminster-Easement>

Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor September 24, 2021.

174-21. ORDERED THAT: WHEREAS the City and Clearwater Real Estate Investment Group LLC, a Massachusetts Limited Liability Company, having a principal address of 1118 Water Street, Fitchburg, Massachusetts 01420 have entered into an Agreement for the City to sell property known as 130 Lunenburg Street Lot authorized by the City Council pursuant to Petition 281-18, approved on February 5, 2019.

NOW THEREFORE, IT IS ORDERED that the City of Fitchburg shall, through its Mayor Stephen L. DiNatale, approve and authorize the execution and delivery of the Deed for 130 Lunenburg Street, between the City and Real Estate Investment Group LLC and to authorize all other acts and documents including all closing document and agreements which will be necessary, helpful or convenient, to effectuate and ensure the completion of the Easement Deed.

RFP Information Provided by Community Development and Planning:

<https://www.fitchburgma.gov/DocumentCenter/Index/883>

Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor September 24, 2021.

IX. ORDINANCE

164-21. AN ORDINANCE: Amending the City of Fitchburg Zoning By-Law in accordance with its provisions as outlined in the enclosed Ordinance.
(Final Reading)

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8295/20210902-Zoning-corrections>

https://ma-fitchburg.civicplus.com/DocumentCenter/View/8296/062221-Working-Draft-for-June-Planning-Board_track-changes

Ordinance was sent to a third and final reading and adopted to be enrolled by unanimous roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.
Ordinance signed by the Mayor September 24, 2021.

X. PETITIONS

President Zarrella noted that Petition 175-21 would not be sent to Legislative Affairs, unless there was an objection. As no objection was raised, the following Petition was referred to the City Property and Public Works Committees:

175-21. Councilors Fleming and Hughes, to rename Union Street, located in Ward 5B to Adrian Ford Way.

The following Petition was referred to the Public Safety Committee:

176-21. Aurelio & Lovely Lacombe, dba Aurelove Motors, to petition for a Class II Dealer's License located at 71 John Fitch Highway, Fitchburg, MA.

XIV. ANNOUNCEMENTS

President Zarrella stated the following Announcements:

On Monday, 10/25/21, a Ward 1 Meeting is scheduled for 6:30 p.m. in the Legislative Building, 700 Main Street to be hosted by Fitchburg Ward 1 City Councilor Bernie Schultz. Tom Skwierawski, Fitchburg Executive Director of Planning and Community Development, will make a presentation. Additional presenters from city government may also speak at the meeting depending on the urgency of their information.

Representative Kushmerek has partnered with Representatives Higgins and Zlotnik, as well as Senator Cronin, in their mutual goal of addressing the mental health crisis.

As such, there have been two public listening sessions scheduled for individuals to share their experiences with the mental health system in North Central MA.

The sessions will take place on Wednesday, September 28th from 5:30 – 7 PM in Fitchburg, or on Tuesday, October 5th from 5:30 – 7 PM in Leominster.

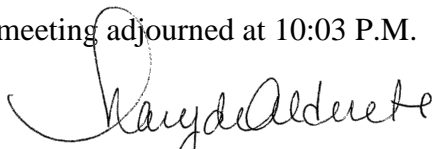
For more information, including Registration links, visit the City website, or contact Representative Kushmerek's Office directly at 978-829-1954

Councilor Squailia noted the following:

The Local Cultural Council Open Studios event would take place on Saturday, September 25th and Sunday, September 26th. There would be 30 artists represented in the event.

The 18th Annual Fitchburg Blacksmith Festival would take place, rain or shine, on Saturday, September 25th at Riverfront Park from 10AM to 4:30 PM.

The meeting adjourned at 10:03 P.M.



Mary de Alderete, City Clerk