



FITCHBURG CITY CLERK

Oct 06 2021 10:15 am

**City of Fitchburg
Massachusetts 01420**

CITY COUNCIL

Councillors at Large

**Marcus L. DiNatale
Amy Green
Thomas C. Hughes
Samantha M. Squallia
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 October 5, 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 (Fleming via remote access). The meeting opened with a salute to the Flag led by President Zarrella.

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.

There were no requests for public comment.

II. REPORT OF THE APPOINTMENTS COMMITTEE

The Appointments Committee recommended the following Appointment be confirmed:

Appointments Committee Oral Report
Meeting of October 5, 2021

New Appointment:
Fitchburg Disability Commission
(Term to expire October 1, 2024)
Mr. Daniel J. Cunningham

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 23, 2021 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATION

His Honor the Mayor
Appointment Letters

1. Ms. Liz Murphy, as a member of the Fitchburg Cultural Council, term to expire October 1, 2024.
2. Mr. Gary N. Kirschke, as an Associate Member of the Zoning Board of Appeals, term to expire on October 1, 2023.

Appointment read and referred to the Appointments Committee.

Councilor Squailia noted for the record that Rule 2.5 required resumes for Appointees and they had not been in the Packet. When the Appointment Agenda is prepared, this will be addressed.

V. COMMUNICATION

Pension Reserves Investment Management Board

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.

VI. REPORTS OF COMMITTEES

Public Safety Committee Oral Report **Meeting of October 5, 2021**

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.

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

VII. ORDERS-FINANCE

Reading Waived. The following Orders were referred to the Finance Committee by unanimous consent 11/0:

- 177-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness Program Action Grant in the approximate amount of \$173,350.00 (ONE HUNDRED SEVENTY-THREE THOUSAND, THREE HUNDRED FIFTY AND 00/100 DOLLARS) for the purpose of said grant, which is to explore ways to mitigate flooding in the Baker Brook drainage Basin.
- 178-21. ORDERED THAT: there be and hereby is transferred from within the sum of TWO HUNDRED TWELVE THOUSAND AND 00/100 DOLLARS (\$212,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to POLICE, CAPITAL EXPENDITURES, VEHICLE REPLACEMENT for the purpose of replacing four police vehicles.
- 179-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the American Rescue Plan Act, Funds Available for Projects in the approximate amount of \$500,000.00 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to increase Covid-19 testing, vaccination, and contact tracing activities.

VIII. ORDINANCE

Motion to take up Ordinance 180-21 under Suspension of the Rules was approved by unanimous roll call vote 11/0. 11 members present. Board consists of 11 members.

- 180-21. AN ORDINANCE: Amending the City Code by inserting the words “and the property owner as identified in the city assessor’s records” at the end of the definition of PERMIT HOLDER in s 140-2 and at the end of s140-3 C1.

And further amended by inserting a new s140-11 F as follows:

S140-11 F. Failure to pay amounts due may in the discretion of the Chief become a municipal charges lien and will be collected as such in the ordinary course.

(Reference Petition #020-21)

(First Reading)

Motion to forward 180-21 to a First Reading was approved by unanimous consent 11/0. 11 members present. Board consists of 11 members.

Motion to forward Ordinance 181-21 and 182-21 to Council as a Whole Meeting under Suspension of the Rules was approved by unanimous roll call vote 11/0. 11 members present. Board consists of 11 members

181-21. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg, re: Fire Chief (Matrix) (First Reading)

182-21. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg, re: Fire Chief (Table) (First Reading)

181-21 and 182-21 were referred to a Council as a Whole meeting by unanimous consent 11/0:

IX. PETITIONS

Petitions 183-21 and 184-21 were referred to the Public Works Committee:

183-21. Councilors Sam Squailia and Andrew Couture to replace asphalt berm and add apron to alleviate water erosion occurring at 25 Mayland Street as detailed below and show in attached diagrams:

1. Replace worn out berm approx. 23 feet from edge of stair walkway.
2. Add new raised apron at existing stair walkway to height of berm to avoid water washout.
3. Replace washed out berm approx.. 15' from edge of stair walkway down hill to driveway.
4. Raise driveway apron approx.. 30' to direct water down hill.

(Public Works Committee).

184-21. Councilor Andrew Van Hazinga, on behalf of Laurie Brown, to repair the sidewalk in front of 11 Nutting Street.
(Public Works Committee)

Petitions 185-21 was referred to a Public Hearing on Tuesday, October 19, 2021:

185-21. Game on Way, to install four 1,000 gallon propane tanks above ground and four 1,000 gallon propane tanks underground at 200 Game on Way.
(Public Hearing October 19, 2021)

XIV. ANNOUNCEMENTS

President Zarrella stated the following Announcements:

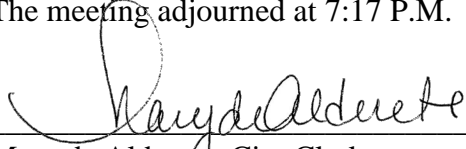
On Monday, 10/25/21, a Ward 1 Meeting is scheduled for 6:30 p.m. in the Legislative Building, 700 Main Street to be hosted by Fitchburg Ward 1 City Councilor Bernie Schultz. Tom Skwierawski, Fitchburg Executive Director of Planning and Community Development, will make a presentation. Additional presenters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

Councilor Schultz noted that the DPW would also be present at the meeting.

IX. OTHER BUSINESS

Councilor Beauchemin asked whether there could be a meeting with various departments to discuss overgrowth of trees and visibility. President Zarrella noted that the first course of action should be to contact those departments, directly, and if necessary, place a Petition on the Agenda.

The meeting adjourned at 7:17 P.M.



Mary de Aldere, City Clerk