



**City of Fitchburg
Massachusetts 01420**

FITCHBURG CITY CLERK

Jul 23 2021 4:23 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 July 20, 2021. The meeting was called to order by President Anthony Zarrella at 7:01 P.M. The Clerk called the roll and 11 Councilors were present (Walsh via remote access). The meeting opened with a salute to the Flag led by Councillor Schultz.

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.

The Council President welcomed friends and family of the David Clark family and the following members of the community spoke in favor of the naming of the Legislative Building in his honor:

Janet Yost
Kimberly Clark
Kaitlyn Mitchell
Courtney Clark
Sherry Clark
Justin Thibault
Sharon McClusky
Kevin Starr
Mark Clark
Vince Clark

A complete video transcript of the Public Forum portion of the meeting may be found beginning at timestamp 1min09sec to 23min37sec.

<https://videoplayer.telvue.com/player/yycCAZPb0NN3zj2o5qio-YFMNC43NjCG/playlists/3129/media/656655?sequenceNumber=1&autostart=true&showtabssearch=true#t=23m37s>

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee Oral Report Meeting of July 20, 2021

The Appointments Committee recommended the following Appointments be confirmed:

New Appointments: Poll Workers

(For the period of September 1, 2021 through August 21, 2022)

Report 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 July 6, 2021 were correctly recorded. Report accepted and minutes adopted.

IV. COMMUNICATION

His Honor the Mayor
Appointment Letters

1. Officer Frederick C. Lake, as a Special Police Officer for the City of Fitchburg.
2. Permanent Full Time Firefighters for the City of Fitchburg:
Robert P. Barrett
Lorenzo Calderon
Noah P. Emslie
Brian P. Nielsen
Daniel J. Voutila

Re-Appointment Letter

1. Re-Appointment to the Water/Wastewater Commission:
Michael McLaughlin, term to expire January 1, 2025.
George Siener, term to expire April 1, 2025.
Richard Healey, term to expire July 15, 2025.

Appointments read and referred to a Special Appointments Committee on July 27, 2021.

V. COMMUNICATION

Tom Skwierawski, Executive Director
Planning and Community Development

<http://www.ci.fitchburg.ma.us/DocumentCenter/View/8198/DOC071421-003>

Reading waived, information discussed during the Planning Board report.

VI. REPORTS OF COMMITTEES

City Property Committee Oral Report **Meeting of July 20, 2021**

106-21. Robert M. Jokela, Superintendent of Schools, to declare 253 Laurel Street as excess/surplus property.

The City Property unanimously recommended that the Petition be Granted.

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

107-21. Robert M. Jokela, Superintendent of Schools, to declare 44 Wanoosnoc Road as excess/surplus property.

The City Property recommended on a vote of 3/2 (Van Hazinga, Zarrella).that the property be Retained.

Motion to Amend 107-21 from “Retain” to “HOLD” was approved by unanimous consent 11/0.

Councilor DiNatale asked that a request to rescind the Motion (Squailia) be granted. As unanimous consent was not given, Motion was not rescinded.

Motion to Accept amended report FAILED 8/3 (Couture, DiNatale, Fleming, Hughes, Schultz, Van Hazinga, Walsh, Zarrella)

Motion to Accept 107-21 as excess/surplus property was approved by a vote of 8/3 (Beauchemin, Green, Squailia)

108-21. Meagen P. Donoghue, Exec. Director, Fitchburg Redevelopment Authority, to authorize the Mayor to sign and deliver to the Fitchburg Redevelopment Authority the Entire Release of Easement as outlined in the enclosed Petition.

The City Property unanimously recommended that the Petition be granted.

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

Finance Committee **Meeting of July 13, 2021**

143-21. **LOAN ORDER:** That the City of Fitchburg appropriate the amount of Sixty-five Million, Fifty Thousand Dollars (\$65,050,000) for the purpose of paying costs of MSBA Core Project to construct a new Crocker Elementary School with a grade configuration of 1 to 5, located at 200 Bigelow Road, Fitchburg, including the payment of all costs incidental or related thereto (the “Project”), as outlined in the enclosed Order.
(Be Adopted)

Finance Committee Meeting Minutes of July 13, 2021

http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/_07132021-2474

Jean LaBelle-Pierce, School Committee Member, was present at the meeting and asked for the Council's support of the Loan Order.

Loan Order was sent to a final reading, adopted, and ordered advertised by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

Loan Order signed by the Mayor July 21, 2021.

Legislative Affairs Committee

Meeting of July 13, 2021

- 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.
(Be given leave to withdraw)

Mayor DiNatale offered the following prepared comments in support of Petition 046-21.

"Good evening Councilors, and members of the community, both at home and present tonight. Thank you for the opportunity to speak on behalf of my friend David Clark. I won't prolong these proceedings by adding my voice to the others who have pointed out that David is indeed worthy of this honor. I will be brief. The degree of hesitancy on the part of those who oppose this proposal is unfortunate. David's contributions certainly rise to a level that warrants such an honor. You may be reluctant to establish a precedent when buildings or spaces are brought forth in this naming process. What is before you is an opportunity to recognize and memorialize one of Fitchburg's favored sons who exemplified humility and a powerful love of his city. Ladies and gentlemen seize this opportunity to demonstrate the gratitude and thanks for a selfless life that contributed to making our lives a bit better, you will not regret your decision. Thank you."

Report accepted. Petition given Leave to Withdraw by roll call vote of 6/5 (Couture, DiNatale, Fleming, Hughes, Schultz). 11 members present. Board consists of 11 members.

- 136-21. Vincent P. Pusateri, II, City Solicitor, to appoint certain Special Counsel as Special Municipal Employees including Joseph Baldiga and the firm Mirick, O'Connell, DeMallie & Bougee,LLP., as outlined in the enclosed Petition. (*Amended June 22, 2021*).
(Be granted)

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

Legislative Affairs Committee Meeting Minutes of July 13, 2021

http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/_07132021-2459

Councilor DiNatale excused himself from the meeting at 9:30 PM and returned at 9:40 PM.

Planning Board
Meeting of July 13, 2021

Section 181.14, Minor Amendments to the Fitchburg Zoning Ordinance.

Planning Board Recommendation:

<https://www.fitchburgma.gov/DocumentCenter/View/8199/18115-Minor-Zoning-Amendments---PlngBd-OK-07-13-21>

Current Zoning Bylaw:

<https://www.fitchburgma.gov/DocumentCenter/View/2069/Fitchburg-Zoning-Ordinance?bidId=>

Track Changes Document:

http://www.ci.fitchburg.ma.us/DocumentCenter/View/8197/062221-Working-Draft-for-June-Planning-Board_track-changes

Updated Document after Changes:

http://www.ci.fitchburg.ma.us/DocumentCenter/View/8196/062221-Working-Draft-for-June-Planning-Board_clean

Report accepted. Amendments passed pursuant to Zoning Ordinance 181.15 (below) by unanimous consent 11/0. 11 members present. Board consists of 11 members.

181.15: "This Ordinance may from time to time be changed by amendment, addition, or repeal by the City Council in the manner provided in G.L. c. 40A, s. 5, and any amendments thereto. The Director of Planning and Community Development may, with a two-thirds approval of the Planning Board, update figures and photos; correct scrivener's errors, table and figure numbers, capitalization of defined words, correct cross references; and add or correct street names or districts labels subject to the following expedited procedure for City Council approval".

VII. PUBLIC HEARING

145-21. Verizon New England, Inc., to request permission to place 1 four inch conduit on Game on Way as outlined in the enclosed Petition.
(Public Hearing July 20, 2021)

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8200/Public-Hearing-145-21>

President Zarrella called the Public Hearing open. Mr. Voner, Verizon Representative, was present at the meeting.

Councilor Beauchemin asked Mr. Voner to clarify if the pole had already been placed in the specified location as he had been out to the site and it appeared that it had been done. Mr. Voner stated that he was unaware of that happening, but would check in the morning and report back to the Council as soon as possible.

No one spoke in favor or opposition of the Petition.

Public Hearing of was closed.

Petition was approved by unanimous consent 11/0. 11 members present. Board consists of 11 members.

Note for the record: Commissioner Bosonetto of the DPW will be contacted to verify if there is a pipe already installed and whether it pertains to this Petition.

Mr. Voner noted that if the results of the inquiry showed that this was the case, he would speak to the installers to let them know that installations shouldn't be done without a Public Hearing taking place and prior approval from Council.

VIII. ORDERS FINANCE FY 2021 BUDGET ORDER

147-21. ORDERED THAT: There be and hereby is transferred from within the Fiscal Year 2021 Budget the sum of EIGHTY-SIX AND 00/100 DOLLARS (\$86.00) same to be transferred from VETERANS EXPENSES, TRAVEL AND MEETINGS and credited to VETERANS PERSONAL SERVICES, LONGEVITY.

Motion to Suspend the Rules passed by roll call vote of 11 in favor and 0 opposed. Order adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor July 21, 2021.

FY 2022 BUDGET ORDERS

148-21. ORDERED THAT: There be and hereby is transferred from within the sum of SIX THOUSAND AND 00/100 DOLLARS (\$6,000.00) same to be transferred from FACILITIES PERSONAL SERVICES, RECEPTIONIST and credited to CITY CLERK PERSONAL SERVICES, RECEPTIONIST.

149-21. ORDERED THAT: There be and hereby is transferred from within the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to LAW OTHER EXPENSES, LITIGATION AND SPECIAL COUNSEL.

150-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Technology Collaborative, Community Wi-Fi Hotspots Program grant in the approximate amount of 40,220.00 (FORTY THOUSAND, TWO HUNDRED TWENTY AND 00/100 DOLLARS) for the purpose of said grant, which is to support the deployment of two wireless access points to the internet.

Motion to Suspend the Rules passed by roll call vote of 11 in favor and 0 opposed.

Councilor Green asked that a request to rescind the Motion on 149-21 (Squailia) be granted. Unanimous consent was achieved and request to rescind the motion was granted. Motion to approve reinstated after discussion.

Orders 148-21, 149-21 and 150-21 adopted by unanimous consent 11/0. 11 members present. Board consists of 11 members. Order signed by the Mayor July 21, 2021.

IX. ANNOUNCEMENTS

The City Clerk would like to remind any voter who wishes to run for elected office that the deadline to return nomination paperwork is Tuesday August 3, 2021 by 5PM. Contact the City Clerk's Office for further information.

Councilor Beauchemin asked residents to clean out any catch basins in front of their property that had dirt or leaves blocking them, in order to mitigate flooding.

The meeting adjourned at 9:50 PM



Mary de Alderete, City Clerk