

Legislative Affairs Meeting Minutes

October 13, 2020

The meeting began at 6:15pm. Councilors present were DiNatale, Zarrella, and Walsh; Councilor Schultz joined for the second item on the agenda. Councilor Couture was not present at all.

Councilor Paul Beauchemin, Police Chief Ernest Martineau, Executive Director for Community Development Tom Skwierawski, Deputy Commissioner of Wastewater Jeff Murawski, and Engineer Neil Cheseldine from Wright Pierce were also present.

The agenda items were addressed in the following order:

192-20 New Vue Communities and 62-82 Academy Street, Inc., to amend the boundaries of the Downtown Smart Grown Zoning District as outlined in the enclosed Petition. (Also referred to the Planning Board and Community Development)

Mr. Skwierawski explained that this amendment would allow the Arts Community project at the former B.F. Brown School to proceed as planned.

Councilor Zarrella made a motion to approve; it was seconded by Councilor DiNatale, and the vote was 3-0 to approve the petition.

204-20 Jeff Murawski, Deputy Commission of Wastewater, to request changes to the City Code, Chapter 147, Sewers, as outlined in the enclosed Petition. (Also referred to the Water/Wastewater Commission)

<https://www.fitchburgma.gov/DocumentCenter/View/6853/Fitchburg-Sewer-Use-Ordinance-Changes-2020>

<https://www.fitchburgma.gov/DocumentCenter/View/6854/JAM-Ordinance-Change-Ltr-2020-09-10>

Mr. Murawski gave a short presentation on the reasons for the changes in the City ordinance regarding 1) Incorporation of EPA-approved "Local Limits," which need to be promulgated into ordinance; 2) Incorporation of changes required by "pretreatment Streamlining Rule" of the National Pretreatment Program (40 CFR 4403), which need to be promulgated ordinance; and 3) Correcting inadvertent erroneous changes from the May 9th, 2019 Mayor-signed, May 7th 2019 Council-approved Ordinance 120-19 amendment to Chapter 147. These changes would bring the City Code, Chapter 147, Sewers, into compliance with EPA requirements. Mr. Murawski suggested 2 amendments to the proposed changes: 1) p. 14/39 of the attached document, Change Alterations (Post-Submission of Petition 204-20), No. 2.C., line 3 should read MGL c. 83 s. 10; and 2) p. 31/39 of the attached document, Specific Local Limitations, A. 1.,

substitute the paragraph in the document for the briefer paragraph that was originally there. (see attached document).

Mr. Cheseldine gave a PowerPoint presentation outlining on the Industrial Pretreatment Program – Local Limits.

Councilor Zarrella made a motion to approve, as amended; motion was seconded by Councilor Schultz. Petition 204-20, as amended, was approved 4-0.

028-20. Councilor Paul Beauchemin, to amend ch. 169-58, (Winter Parking Ban), to increase fee from \$30.00 to \$60.00 per day when the winter parking ban is in place.

Councilor Beauchemin explained that he filed this petition to deter people from parking on city streets during a snowstorm parking ban, and that the current \$30 fine was not sufficient to do so.

Chief Martineau explained that the Fitchburg Police Department wrote over 2000 tickets last year in this regard, that Ward 2 would suffer the most from this petition because there is so little parking available, that it is not time to double fines in order to gain compliance because the FPD would rather work with people to find solutions.

Councilor DiNatale expressed his doubt that this increase in fines would have a deterrent effect. Consensus among those councilors present was that what Chief Martineau suggested, i.e., working with people to find solutions, was a better approach.

Councilor Zarrella made a motion for leave to withdraw; Councilor Schultz seconded the motion. The vote was 4-0 to give this petition leave to withdraw.

128-20. Councilor Paul Beauchemin, to petition that all applications for a Dealer's License must be for ten (10) cars, minimum.
(Also referred to the Public Safety Committee and the Building Commissioner)

Councilor Beauchemin explained that there are several licenses that have been granted for used car lots selling very few cars; he was following "our sister city" which raised the minimum number of cars on such lots to 12.

Chief Martineau explained that he thought that the FPD should not have an opinion on the number of cars to be granted, but that this was more of a regulatory standard dealing with dealer plates and the suitability of the dealer; that this was an issue that would be dealt with by Planning, Zoning, and Building.

The consensus among the councilors present was that this issue would benefit from input from the Planning and Zoning Boards, and the Building Department.

Councilor Schultz made a motion to hold the petition until such time that Planning, Zoning, and Building could give input. Councilor DiNatale seconded the motion. The motion passed by a 4-0 vote.

Councilor Zarrella made a motion to adjourn; Councilor Schultz seconded the motion. The meeting ended at 7:15pm.