

*Sep 03 2021 9:21 am*



WELCOME TO THE FITCHBURG CITY COUNCIL

**September 7, 2021**

**Fitchburg Legislative Building  
700 Main Street  
Fitchburg MA 01420**

**7:00 PM**

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

#### Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

#### OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

##### Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

##### Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

## 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](mailto:cityclerk@fitchburgma.gov) prior to NOON on the day of the meeting.

## II. REPORT OF THE APPOINTMENTS COMMITTEE

There is no report of the Appointments Committee at this time.

## III. REPORT OF COMMITTEE ON RECORDS

### IV. COMMUNICATION

His Honor the Mayor  
Appointment Letters

1. Mr. Mark F. Piermarini, P.E., as a member of the Water/Waste Water Commission, term to expire September 1, 2025.

### V. COMMUNICATION

Meagen Donoghue, Director  
Re: FRA Renewal Plan Update

### VI. COMMUNICATION

Pension Reserves Management Board

### VII. SPECIAL PRESENTATION

City Hall Building Committee/Project Team  
Final Report

## VIII. ANNUAL REPORT

151-21. ANNUAL REPORT: Fitchburg Police Department for the year 2020.  
Link to the report: <https://www.fitchburgma.gov/DocumentCenter/View/8235/Police-Annual-Report-Final-2020>

## IX. REPORTS OF COMMITTEES

### **Public Works Committee** **Meeting of July 27, 2021**

- 135-21. Councillor Marisa Fleming, to install a barrier at 113 Summit Street to mitigate property damage caused from driver error at this dangerous corner.  
(Be Held)
- 137-21. Councillor Marisa Fleming, to assess the sidewalk located in front of (6 Myrtle Ave.), Moran Square Diner, to ensure individuals with a handicap are able to walk, use wheelchairs, walkers and canes on a smooth surface. Currently, private property is being used as the through way.  
(Be Given Leave to Withdraw)

- 146-21. Councillors Sam Squailia and Andrew Couture, to petition the City to replace the broken Guardrail Boards along the street at 97 Appleton Circle as shown in the pictures.  
(Be Granted)
- 089-20. Councillor Bernie Schultz, and resident Alex Freeman of 70 Rainville Avenue, to remove the “No Turn on Red” sign at the intersection of John T. Cetrino Memorial Drive and Water Street.  
(Be Held)

## **X. ORDERS-FINANCE**

- 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.
- 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.
- 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 STREETSAPES PROJECT.
- 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.
- 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.
- 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.
- [https://ma-fitchburg.civicplus.com/DocumentCenter/View/8292/Parking-Study-Memo\\_063020](https://ma-fitchburg.civicplus.com/DocumentCenter/View/8292/Parking-Study-Memo_063020)
- <https://ma-fitchburg.civicplus.com/DocumentCenter/View/8293/Fitchburg-Parking-Study-Final-Report-121119>
- <https://ma-fitchburg.civicplus.com/DocumentCenter/View/8294/Parking-Study-and-Phasing-Plan>
- 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.

## **XI. ORDERS-OTHER**

- 163-21. ORDERED THAT: The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to facilitate and execute the attached Community Host Benefit agreement with Green Meadow Farm LLC located at 50 Whalon Street, Fitchburg, MA.

**View full Order:**

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/8273/Green-Meadows-Host-Agreement>

## **XII. ORDINANCE**

- 164-21. AN ORDINANCE: Amending the City of Fitchburg Zoning By-Law in accordance with its provisions as outlined in the enclosed Ordinance.  
(First 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](https://ma-fitchburg.civicplus.com/DocumentCenter/View/8296/062221-Working-Draft-for-June-Planning-Board_track-changes)

## **XIII. PETITIONS**

- 165-21. Councilors Marcus DiNatale, Marisa Fleming, and Bernard Shultz, to amend City Council rule 3.5 by removing “by unanimous consent” and inserting in its place “by simple majority vote of the City Council which shall be recorded by roll call”.  
(Legislative Affairs Committee)
- 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.  
(Public Safety Committee)
- 167-21. Councilor Bernard Schultz III, for Tom Caputi, 52 Warren Street, to install a berm in order to alleviate water erosion on the road and property.  
(Public Works Committee)
- 168-21. Councilor Andrew Van Hazinga, on behalf of Kristine Schneider, to repair the sidewalk in front of 99 Pleasant Street.  
(Public Works Committee)
- 169-21. Councilors Anthony Zarrella and Bernard Schultz, to amend the City Council Rules as outlined in the enclosed Petition.  
(Legislative Affairs Committee)

## **XIV. ANNOUNCEMENTS**

Next Regular Meeting  
Thursday, September 23, 2021 - 7:00 PM