

*Jun 10 2021 3:18 pm*



WELCOME TO THE FITCHBURG CITY COUNCIL

**June 15, 2021**

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

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

Please note that the Legislative Building will be open to the public for this meeting. For any member of the public that might not be ready to return to a public setting, they are invited to participate in meeting via the Zoom webinar of June 15, 2021 07:00 PM Eastern Time

Topic: Fitchburg City Council Meeting

Register in advance for the Public Comment/Hearing portion of the Agenda by going to:

[https://us02web.zoom.us/webinar/register/WN\\_IRCHgRdHS8CU4Kp330iQ5A](https://us02web.zoom.us/webinar/register/WN_IRCHgRdHS8CU4Kp330iQ5A)

After registering, you will receive a confirmation email containing information about logging in to join the webinar.

## 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

Re-Appointment Letters

1. David Roth, as a member of the Human Rights Commission, term to expire May 1, 2024.
2. Basil Tolos, as a member of the Fitchburg Disability Commission, term to expire February 1, 2024.

Appointment Letters

1. Chris Bujold, as a member of the Fitchburg Redevelopment Authority, term to expire July 1, 2026.
2. Muna Kangsen, as a member of the Trustees of the Public Library, term to expire July 1, 2023.
3. Dennis Pierce, as a member of the Trustees of the Public Library, term to expire July 1, 2023.
4. Robert Raboin, to be promoted to the position of Permanent Police Sergeant for the City of Fitchburg.

## V. CONTINUED PUBLIC HEARING

- 024-21. ORDER OF NOTICE: Setting the date of a public hearing for the Laying out of a portion of Tibbett Circle as a public street or way.  
(Public Hearing March 16, 2021)  
(Reference Petition #227-19)

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/7811/Order-24-2021>

- 025-21. ORDER: Laying out a portion of Tibbett Circle as a public way as outlined in the enclosed Order.

<https://ma-fitchburg.civicplus.com/DocumentCenter/View/7812/Order-25-2021-Tibbet-Circle>

## VI. REPORTS OF COMMITTEES

### Finance Committee Meeting of June 8, 2021

- 110-21. ORDERED THAT: There be and hereby is transferred the sum of SEVEN THOUSAND, TWO HUNDRED TWO AND 00/100 DOLLARS (\$7,202.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:
- PERSONAL SERVICES, OVERTIME
  - EQUIPMENT RENTAL \$7,202.00
  - PLOWS & BLADES
  - SALT
- (Be Adopted)
- 111-21. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against AVAILABLE FUNDS and credited to OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND.
- (Be Adopted)
- 112-21. ORDERED THAT: There be and hereby is appropriated the sum of FOUR THOUSAND AND 00/100 DOLLARS (\$4,000.00) same to be charged against AVAILABLE FUNDS and credited to BUILDING-CONTRACTED SERVICES for the purpose of digitizing Building Department paper documents.
- (Be Adopted)
- 113-21. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED EIGHTY THOUSAND AND 00/100 DOLLARS (\$280,000.00) same to be charged against AVAILABLE FUNDS and credited to LIBRARY CAPITAL, BUILDING RENOVATION for construction of new heating and cooling systems.
- (Be Adopted)
- 114-21. ORDERED THAT: There be and hereby is transferred from within the sum of TWO HUNDRED TWENTY THOUSAND AND 00/100 DOLLARS (\$220,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to LIBRARY CAPITAL, BUILDING RENOVATION for construction of new heating and cooling systems.
- (Be Adopted)
- 115-21. ORDERED THAT: There be and hereby is transferred from within the sum of ONE HUNDRED THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$135,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to AIRPORT EXPENSES, REPAIR & MAINTENANCE OF BUILDINGS for reconditioning of the hangar roofs and replacement of the hangar doors.
- (Be Adopted)

- 116-21. ORDERED THAT: There be and hereby is transferred from within the sum of TWO THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$2,500.00) same to be transferred from AIRPORT, PERSONAL SERVICES, LABOR and credited to AIRPORT, PERSONAL SERVICES, OVERTIME.  
(Be Adopted)
- 117-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Aviation Administration, Airport Coronavirus Response Program grant in the approximate amount of \$23,000.00 (TWENTY-THREE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to cover airport expenses.  
(Be Adopted)
- 118-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Aviation Administration grant in the approximate amount of \$333,333.00 (THREE HUNDRED THIRTY-THREE THOUSAND, THREE HUNDRED THIRTY-THREE AND 00/100 DOLLARS) for the purpose of said grant, which is to develop an Airport Master Plan.  
(Be Adopted)
- 119-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the CARES Act, U.S. Department of Housing and Urban Development, CDBG-CV Program in the approximate amount of \$9,000.00 (NINE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant which is for Pandemic Related Legal Assistance.  
(Be Adopted)
- 120-21. ORDERED THAT: The sum of NINE THOUSAND, NINE HUNDRED NINETY-NINE AND NO/100 DOLLARS (\$9,999.00) be appropriated, same to be credited to the Pawlak Playground Project and charged against the CDBG Year 47.  
(Be Adopted)
- 121-21. ORDERED THAT: The sum of ONE THOUSAND, EIGHT HUNDRED FIFTY-SEVEN AND 20/100 DOLLARS (\$1,857.20) be appropriated, same to be credited to the Small Business Financial Assistance Program and charged against the CDBG Year 47.  
(Be Adopted)
- 122-21. ORDERED THAT: The sum of TWO THOUSAND, SIX HUNDRED EIGHTY-TWO AND 80/100 DOLLARS (\$2,682.80) be appropriated, same to be credited to CDBG Administration and charged against the CDBG Year 47.  
(Be Adopted)

*Finance Committee Meeting Minutes of June 8, 2021*

[http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/\\_06082021-2427](http://www.ci.fitchburg.ma.us/AgendaCenter/ViewFile/Minutes/_06082021-2427)

## VII. ORDERS-FINANCE

- 094-21 **LOAN ORDER:** Appropriate FOUR MILLION DOLLARS (\$4,000,000) to pay costs of various Wastewater Infrastructure Projects as outlined in the enclosed Loan Order.  
(Final Reading)

124-21. ORDERED THAT: The City of Fitchburg approves the expenditure of funds from the Worcester County District Attorney's Office grant in the approximate amount of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) for the purpose of said grant, which is to assist with funding for the Social Host Liability Billboards Program.

125-21. ORDERED THAT: There be and hereby is transferred from within the sum of ONE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$160,000.00) same to be credited to DPW CAPITAL, EQUIPMENT and charged against the following accounts:

DPW HIGHWAY EXPENSES, GAS & OIL	\$30,000.00
DPW, HIGHWAY PERSONAL SERVICES, SUPERINTENDENT	\$10,000.00
DPW, HIGHWAY PERSONAL SERVICES, LABOR	\$90,000.00
DPW, HIGHWAY PERSONAL SERVICES, SUMMER HELP	\$15,000.00
DPW, HIGHWAY PERSONAL SERVICES, OVERTIME	\$15,000.00

126-21. ORDERED THAT: There be and hereby is transferred from within the sum of ONE HUNDRED FOURTEEN THOUSAND AND 00/100 DOLLARS (\$114,000.00) same to be credited to DPW CAPITAL, BUILDING RENOVATION and charged against the following accounts:

DPW ADMIN. PERSONAL SERVICES, CLERICAL	\$20,000.00
DPW ADMIN. PERSONAL SERVICES, CIVIL ENGINEER	\$83,000.00
DPW ADMIN. PERSONAL SERVICES, MS4 TEMP. LABOR	\$11,000.00

127-21. 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 CEMETERY PERSONAL SERVICES, SUMMER HELP and credited to CEMETERY PERSONAL SERVICES, OVERTIME.

128-21. ORDERED THAT: There be and hereby is transferred from within the sum of FOUR HUNDRED SEVENTEEN AND 00/100 DOLLARS (\$417.00) same to be transferred from LICENSE COMMISSION EXPENSES, OFFICE SUPPLIES and credited to LICENSE COMMISSION PERSONAL SERVICES, LICENSE COMMISSIONER.

129-21. ORDERED THAT: There be and hereby is transferred from within the sum of THREE THOUSAND, THREE HUNDRED AND 00/100 DOLLARS (\$3,300.00) same to be transferred from MONTACHUSETT REGIONAL VOCATIONAL TECHNICAL SCHOOL ASSESSMENT and credited to INFORMATION TECHNOLOGY PERSONAL SERVICES, HELP DESK TECHNICIAN.

130-21. ORDERED THAT: There be and hereby is transferred from within the sum of SEVEN THOUSAND AND 00/100 DOLLARS (\$7,000.00) same to be transferred from MONTACHUSETT REGIONAL VOCATIONAL TECHNICAL SCHOOL ASSESSMENT and credited to TREASURER EXPENSES, POSTAGE.

- 131-21. ORDERED THAT: There be and hereby is transferred from within the sum of THIRTEEN THOUSAND, SIX HUNDRED AND 00/100 DOLLARS (\$13,600.00) same to be transferred from PURCHASING PERSONAL SERVICES, ASSISTANT TO DEPARTMENT HEAD and credited to COUNCIL ON AGING PERSONAL SERVICES, PROGRAM COORDINATOR.

### **VIII. ORDERS-OTHER**

- 132-21. ORDERED THAT: Mayor Stephen L. DiNatale be authorized to execute the release deed for Parcel A of 16 Market Street as outlined in the enclosed Order and Release deed.
- 133-21. ORDERED THAT: Mayor Stephen L. DiNatale be authorized to execute the release deed for Parcel B of 16 Market Street as outlined in the enclosed Order and Release deed.

### **IX. PETITIONS**

- 134-21. Councillors Paul Beauchemin and Samantha Squailia, to petition the City to conduct a study to investigate the possibility of transporting sludge, in-house, by the Wastewater Department, instead of outsourcing this task.  
(Water/Wastewater Commission)
- 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.  
(Public Works Committee)
- 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.  
(Legislative Affairs Committee)
- 137-21. Councillor Marisa Fleming, to assess the sidewalk located in front of (6 Myrtle Ave.), Moron 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.  
(Public Safety Committee, Public Works Committee)

### **X. ANNOUNCEMENTS**

Next Regular Meeting  
Tuesday, July 6, 7:00 PM