



FITCHBURG CITY CLERK  
2020 SEP -1 PM 1:15

## WELCOME TO THE FITCHBURG CITY COUNCIL!

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**

The public is invited to participate in the Zoom webinar of Sep 3, 2020 07:00 PM  
Topic: Fitchburg City Council Meeting - September 3rd, 2020

Register in advance for the Public Comment/Hearing portion of the Agenda by going to:  
[https://us02web.zoom.us/webinar/register/WN\\_jgh0hGNIR9uNMoXnLEO\\_fA](https://us02web.zoom.us/webinar/register/WN_jgh0hGNIR9uNMoXnLEO_fA)

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

Alternatively, comments of not more than two (2) minutes may be sent to the City Clerk's Office by NOON on September 3, 2020 by calling 978-829-1820 or via email at:  
[cityclerk@fitchburgma.gov](mailto:cityclerk@fitchburgma.gov).

## **II. REPORT OF COMMITTEE ON RECORDS**

### **III. COMMUNICATION**

His Honor the Mayor  
Appointment Letters

1. Ms. Michele Marino, as the Veteran's Service Commissioner, term to expire on October 1, 2023. (Re-Appointment)
2. Charles A. Colburn, III and Ryan J. Major as permanent full time Firefighters for the City of Fitchburg.
3. Promotion of Acting Lieutenant Patrick G. Haverty to Permanent fire Lieutenant and Private Jude A. Lambert to Temporary Lieutenant, effective Monday, September 7, 2020.

### **IV. COMMUNICATION**

Chief Ernest Martineau  
Fitchburg Police Department

### **V. COMMUNICATION**

Pension Reserves Investment Management Board

## VI. REPORTS OF COMMITTEES

### City Property Committee Oral Report

#### Meeting of July 28, 2020

- 046-20. Councillors Marisa Fleming and Marcus DiNatale, to declare Ethier Street a Public Way.  
(Petition is laid on the table)
- 159-20. Anne M. Cervantes, City Treasurer, to accept a deed in lieu of foreclosure under G.L. c. 60, s. 77c for a parcel of land at 0 Merrill Street, assessors' parcel 0025-0011-0 containing 0.09 acres, owned by the Estate of Ida Raisanen.

### Public Works Committee

#### Meeting of July 28, 2020

- 162-20. Councillor Paul Beauchemin, to repair the sidewalk at the corner of Pratt Street and Daniels Street, near the Red Dog Roofing Company. There is a big hole, the sidewalk is caving in, and the wall there could be compromised.  
(Be Granted)
- 163-20. Councillor Paul Beauchemin, to repair sidewalk at 37 Chester Street. This is a hazard causing people to trip on the roots of a tree.  
(Be Granted)
- 174-20. Councillors Paul Beauchemin and Marcus DiNatale, on behalf of Mr. Juan Torres at 348 Daniels Street, to install a berm around the perimeter of the property where require to prevent further erosion.  
(Be Granted)
- 175-20. Councillor Amy Green, to petition the City to have the berm at 182 Belmont repaired to prevent further damage at the property.  
(Be Granted)
- 176-20. Councillor Paul Beauchemin, to petition the City to add an apron at 39 Edward Street.  
(Be Granted)
- 177-20. Councillor Paul Beauchemin, to petition the City to add a berm in front of 78 St. Joseph Ave., in order to address water and sand issues faced by residents in the winter. Berm should be placed from the start of the sidewalk to the berm on Daniels St.  
(Be Held)
- 102-20. Councillor Paul Beauchemin, to request Unitil to apply new asphalt around poles 12 to 26 on Franklin Road up to Oak Hill Road.  
(Be Given Leave to withdraw)

- 130-20. Councillor Paul Beauchemin, to petition that Unitil repair the sidewalks where new poles have been added for the area of Woodland and Pratt Street and Pratt Road (Poles 5, 6, 7, 8, and 23) with asphalt or cement, as well as the poles at Beech Street and Pratt Road.  
(Be Given Leave to withdraw)
- 144-20. Councillor Paul Beauchemin, to petition the Unitil repair the sidewalk in front of pole number 27 on Pratt Road. The guidewire has raised the sidewalk in this area.  
(Be Given Leave to withdraw)
- 149-20. Councillor Paul Beauchemin, to request Unitil repair the sidewalk at Pole #11 on Plymouth Street. The sidewalk is washing out.  
(Be Given Leave to withdraw)
- 129-20. Councillor Paul Beauchemin, to accept Beech Street Lane as a Street within the City of Fitchburg.  
(Also referred to the City Property Committee and Planning Board)  
(Be Given Leave to withdraw)

## **VII. PUBLIC HEARINGS**

City of Fitchburg Municipal Aggregation Plan

Please see the link below for a Slide Show:

<https://www.fitchburgma.gov/DocumentCenter/View/6823/Fitchburg---Public-Review---20200824>

## **VIII. ORDERS-FINANCE**

- 179-20. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Railroad Administration, Office of Railroad Policy and Development grant in the approximate amount of \$7,500.00 (SEVEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to support mobilizations that will enforce trespass prevention on railroad property.
- 180-20. 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.
- 181-20. ORDERED THAT: There be and hereby is appropriated the Mayor's Fiscal Year 2021 Operating Budget:
- |                        |               |
|------------------------|---------------|
| General Fund:          | \$134,397,026 |
| Water Enterprise:      | \$ 6,778,877  |
| Wastewater Enterprise: | \$ 12,925,648 |
| Airport Fund:          | \$ 817,300    |

- 182-20. ORDERED THAT: There be and hereby is appropriated the sum of SEVEN HUNDRED THOUSAND DOLLARS (\$700,000), same to be credited to the Fiscal Year 2021 TAX LEVY and charged against OVERLAY SURPLUS.
- 183-20. ORDERED THAT: There be and hereby is appropriated the sum of TWO MILLION, ONE HUNDRED NINE THOUSAND DOLLARS (\$2,109,000), same to be charged against AVAILABLE FUNDS and credited to the Fiscal Year 2021 TAX LEVY in order to reduce the tax rate.
- 184-20. ORDERED THAT: there be and hereby is appropriated the sum of TWO HUNDRED EIGHT THOUSAND EIGHTY-THREE DOLLARS (\$209,860.00), same to be charged against PARKING METER/GARAGE RECEIPTS and credited to Fiscal Year 2021 accounts as follows:
- |                             |              |
|-----------------------------|--------------|
| Treasurer Personal Services | \$ 96,860.00 |
| Treasurer Expenses          | \$113,000.00 |
- 185-20. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000), same to be charged against PEG ACCESS AND CABLE RELATED FUND receipts and credited to Fiscal Year 2021 accounts as follows:
- |                                       |           |
|---------------------------------------|-----------|
| Information Technology, PEG expenses: | \$ 25,000 |
|---------------------------------------|-----------|
- 186-20. ORDERED THAT: There be and hereby is appropriated the sum of FIFTEEN THOUSAND (\$15,000), same to be charged against CEMETERY SALE OF LOTS AND GRAVES and credited to Fiscal Year 2021 accounts as follows:
- |                             |           |
|-----------------------------|-----------|
| Cemetery Personal Services: | \$ 15,000 |
|-----------------------------|-----------|
- 187-20. ORDERED THAT: there be and hereby is appropriated the sum of SIX MILLION, SEVEN HUNDRED SEVENTY-EIGHT THOUSAND, EIGHT HUNDRED SEVENTY-SEVEN DOLLARS (\$6,778,877.00), charging \$6,666,500.00 against WATER ENTERPRISE FUND RECEIPTS and \$112,377.00 against WATER ENTERPRISE FUND RETAINED EARNINGS and crediting Fiscal Year 2021 Water Enterprise Fund accounts as follows:
- |                   |                |
|-------------------|----------------|
| Personal Services | \$1,735,312.00 |
| Expenses          | \$1,492,500.00 |
| Indirect Costs    | \$ 920,000.00  |
| Debt Service      | \$2,261,065.00 |
| Capital Expenses  | \$ 370,000.00  |
- 188-20. ORDERED THAT: there be and hereby is appropriated the sum of TWELVE MILLION, NINE HUNDRED TWENTY-FIVE THOUSAND, SIX HUNDRED FORTY-EIGHT DOLLARS (\$12,925,648.00), charging \$11,762,463.00 against WASTEWATER ENTERPRISE FUND RECEIPTS and \$1,163,185.00 against WASTEWATER ENTERPRISE RETAINED EARNINGS and crediting Fiscal Year 2021 Wastewater Enterprise Fund accounts as follows:
- |                   |                |
|-------------------|----------------|
| Personal Services | \$2,331,128.00 |
| Expenses          | \$2,823,500.00 |
| Indirect Costs    | \$1,150,000.00 |
| Debt Service      | \$5,679,020.00 |
| Capital Expenses  | \$ 942,000.00  |

- 189-20. ORDERED THAT: there be and hereby is appropriated the sum of EIGHT HUNDRED SEVENTEEN THOUSAND, THREE HUNDRED DOLLARS (\$817,300.00), same to be charged against AIRPORT RECEIPTS RESERVED and credited to Fiscal Year 2021 Airport Fund accounts as follows:
- |                   |              |
|-------------------|--------------|
| Personal Services | \$277,550.00 |
| Expenses          | \$539,750.00 |

#### **IX. ORDER-OTHER**

- 190-20. ORDERED THAT: Authorizing the City of Fitchburg to accept the donation of a certain property known as the Dimmick Property located off Grimes Road in Hubbardston, MA as outlined in the enclosed Order.  
(Refer to the City Property Committee)

#### **X. PETITIONS**

- 191-20. Councillor Andrew Van Hazinga, to approve Mayor DiNatale's proposed Tax-Increment Exemption (TIE) agreement for 18 Blossom Street, pursuant to the city of Fitchburg's Housing Development incentive Program (HDIP) market-rate housing district.  
(Finance Committee)
- 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.  
(Planning Board, Legislative Affairs Committee, Community Development)
- 193-20. Sgt. Daniel Boudreau, FPD Traffic Unit, and Nicolas Bosonetto, DPW Commissioner, to amend Section 169, ch. 24, Parking Prohibited at all times: Beech St. East side from Litchfield St. south to Kimball St.  
Beech St. West side from Kimball St. to Pratt St.  
(Public Safety Committee)
- 194-20. Councillor Andrew Van Hazing, on behalf of James Cormier, to repair the sidewalk along Blossom Street between Elm and Mechanic Streets.  
(Public Works Committee)
- 195-20. Councillor Andrew Van Hazinga, on behalf of James Cormier, to install a guardrail along Blossom Street at 612 Elm Street.  
(Public Works Committee)
- 196-20. Councillors DiNatale and Schultz, on behalf of Elizabeth Carbone, to install a new berm at 261 Albee Street and replace the sidewalk in front of the same address.  
(Public Works Committee)
- 197-20. Councillor Paul Beauchemin, to petition the City to have a berm placed in the front of 107-93 York Avenue, and an apron added to the driveway on 107 York Avenue due to washout caused by rainwater.  
(Public Works Committee)

- 198-20. Councillor Andrew Van Hazinga and Susette Roman, to repair the sidewalk at 153 Prichard Street.  
(Public Works Committee)
- 199-20. Councillor Andrew Van Hazinga & Susette Roman, to repair the sidewalk at 100 Elm St.  
(Public Works Committee)

Next Regular Meeting  
Tuesday, September 15, 2020, 7:00 PM