

Regular Meeting

The regular meeting of the City Council of the City of Fitchburg was held over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on September 3, 2020. The meeting was called to order by President Michael Kushmerek at 7:04 P.M. The Clerk stated the names of the Councillors who have logged in and ten (10) Councillors were present. Councillor Fleming was absent. The meeting opened with a salute to the Flag led by Councillor Squailia.

For the Record

Noted for the record:

FATV was recording the audio and video of the meeting.

Public Forum

PUBLIC FORUM

The following statement was issued for anyone wishing to participate the 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

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.

Chief Ernest Martineau joined the City Council meeting to ask that orders 179-20 and 180-20 be granted under Suspension of the Rules. He noted that 179-20 is a grant that the Fitchburg Police Department received from the Federal Government, and will be used for ways to improve the area between the First Street road area and River Street around the rail tracks. As Fitchburg progresses to a Rail Trail, it was considered a great opportunity for police officers to not only provide enforcement but education regarding safety near an active rail. The grant money would go directly to this effort.

Order 180-20 is a recurring grant that is given from the Massachusetts Office of Executive Safety and is a State 911 grant. There had been a significant increase to the amount given from prior years. The number is based upon increased calls to the 911 call service. Money will go to funding 911 dispatchers.

Records

REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of July 21, 2020, and the Special Meeting of August 4, 2020, were correctly recorded. Report accepted and minutes adopted.

Communication
His Honor the
Mayor
Appointment
Letters

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)



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

AARON TOURIGNY
CHIEF OF STAFF
ATOURIGNY@FITCHBURGMA.GOV

JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

August 17, 2020

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby re-appoint and ask for your confirmation of Ms. Michele Marino of 131 Newtonville Avenue, Fitchburg MA, as Veterans Service Commissioner for a three year term scheduled to expire on October 1, 2023.

Please feel free to contact me with any questions.

Sincerely,


Stephen L. DiNatale
Mayor

2020 AUG 17 AM 11:34
FITCHBURG CITY CLERK

Communication
His Honor the
Mayor
Appointment
Letters

2. Charles A. Colburn, III and Ryan J. Major as permanent full time Firefighters for the City of Fitchburg.



The City of Fitchburg

FITCHBURG CITY CLERK

Massachusetts
OFFICE OF THE MAYOR

2020 AUG 20 AM 11:13

STEPHEN L. DINATALE
MAYOR

166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

AARON TOURIGNY
CHIEF OF STAFF

ATOURIGNY@FITCHBURGMA.GOV

JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

August 10, 2020

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

RE: Two Firefighter Appointments

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of the following individuals as permanent full time Firefighters for the City of Fitchburg:

Charles A. Colburn, III

Ryan J. Major

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen L. DiNatale".

Stephen L. DiNatale
Mayor

Appointments read and referred to the Appointments Committee.

Communication
His Honor the
Mayor
Appointment
Letters

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.



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

AARON TOURIGNY
CHIEF OF STAFF
ATOIRIGNY@FITCHBURGMA.GOV

JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

August 31, 2020

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

2020 AUG 31 AM 11:32
FITCHBURG CITY CLERK

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation the promotion of Acting Lieutenant Patrick G. Haverty to permanent Fire Lieutenant, and Private Jude A. Lambert to temporary Lieutenant, effective Monday, September 7, 2020.

These promotions will fill the vacancies created by the passing of Lieutenant Edward Suarez, and the temporary promotion of Captain Andrew K. Roy.

Sincerely,

Stephen L. DiNatale

Promotion letter read and placed on file in the City Clerk's Office.

Communication
Chief Ernest
Martineau
Fitchburg Police
Department

COMMUNICATION
Chief Ernest Martineau
Fitchburg Police Department



ERNEST F. MARTINEAU
CHIEF OF POLICE

**CITY OF FITCHBURG
POLICE DEPARTMENT**

20 Elm Street
Fitchburg, Massachusetts 01420-3204
www.fitchburgpolice.com

DEPARTMENT / OPERATIONS
978-345-4355
FAX: 978-345-4088
DETECTIVE BUREAU
978-345-9850
RECORDS BUREAU
978-345-9843
FAX: 978-342-7608
CHIEF OF POLICE
978-345-9656

2020 JUL 21 PM 12:21

Honorable Mayor Stephen L. DiNatale
Mayor City of Fitchburg
&
Honorable City Council members

As Chief of Police for the City of Fitchburg, and a resident of this city, I feel a need and obligation to respond to the continued cries calling for the divestment of funds from police and the reinvestment of those funds into our community.

You, and other local elected officials, have been receiving a cut and paste response to divest resources from your police department, and to reinvest them in our Community. I would contend that a fully funded police department is an investment in the Community, and one which will continue to pay dividends to the people of Fitchburg. Your continued encouragement and direction in the face of the current outcry is much appreciated by the men and women of the Fitchburg Police Department who tirelessly serve the people of our community.

The Fitchburg Police Department once employed 96 police officers, while today we have a complement of only 79 sworn police officers. Despite not having the resources once available, the officers of the Fitchburg police department continue to make daily investments in our community. Faced with daily uncertainty during the COVID-19 pandemic your officers have reported for duty every day, putting the needs of our citizens first without regard for their own personal safety.

In 2015, President Barack Obama's task force on 21st Century Policing developed what is considered to be a transformational campaign. Law enforcement was given the final report to use as a guide for the future development of policing. Trust between law enforcement and the people they protect and serve is essential. Law enforcement leaders were given the following six pillars designed to achieve this trust: Building trust and legitimacy, policy and oversight, technology and social media, community policing and crime reduction, training and education, and officer wellness and safety. The Fitchburg Police Department embraced the challenge set forth in the President's report. The policies and practices are evident in the daily interactions of your Police Department. Sound policy and standards are in place and embedded in the day to day operations of the Fitchburg Police Department.

Communication
Chief Ernest
Martineau
Fitchburg Police
Department

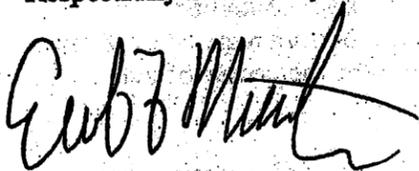
Strong supervision and oversight result in the implementation of sound policy and standards. A commitment to "Community Policing" is making community engagement the norm, not the exception. Our robust jail diversion program, is focused on early intervention, community outreach, and solutions beyond incarceration. Police officers are trained on how to recognize implicit bias, and to respond with fair and impartial policing. Highly trained police officers are equipped with de-escalating skills and advanced training in crisis intervention. Dedicated school resource officers are forging lasting relationships with the City's youth. The resource officers are involved in various youth programs including the Junior Police Academy, PAL, summer programs, and coaching, all the while ensuring a safe environment to learn. The members of the Fitchburg Police Department are dedicated to making Fitchburg a better place to call home. I am proud of the officers who, despite the controversy and almost daily assaults by the media and anti-police organizations, report to work day in and day out to safeguard the citizens of Fitchburg.

To the concerned residents who are sharing this mass mailing and demanding the Fitchburg Police Department do certain things; I share the following. "Duty to Intervene" has been woven into the policies of the Fitchburg Police Department for many years. Training in de-escalation, procedural justice, and bias based policing are the norm and not the exception. All forms of neck restraint have been banned by policy, and have not been a part of our police training for decades. Your police department does not engage in the practice of utilizing tear gas and other military-style tactics as asserted. The members of the department have diligently worked side by side with community and spiritual leaders to forge friendships and partnerships to better protect the citizens of our great city.

I will be the first to say we all have room to improve, and that no one person or profession is without fault. After witnessing George Floyd's death, I was outraged. The police officers' actions were depraved, indifferent, and senseless. That was an unlawful killing. Now is the time to listen, accept criticism, and make change where needed. I am willing to implement change. However, we must choose change carefully and implement that change critically, not succumb to a knee-jerk reaction implementing what appears to be a quick solution. Our mission is to protect and serve the citizens of Fitchburg. To be successful in that mission we must engage the help and support of all of our community members.

We must ensure that Fitchburg remains safe and that we emerge stronger, as one multicultural community. Now is not a time to divest in policing. It is a time to invest, not only in policing, but in humanity. One cannot happen without the other and I am optimistic transformational change is at hand.

Respectfully Submitted,



Ernest Martineau
Chief of Police.

President Kushmerek read the letter into the record.

Communication
Pension Reserves
Investment
Management Board

COMMUNICATION
Pension Reserves Investment Management Board

Pension Reserves Investment Management Board

84 State Street, Suite 250
Boston, Massachusetts 02109

Fitchburg Retirement System

General Allocation Account
July 01, 2020 to July 31, 2020

Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Trojsky, CFA, Executive Director



Your beginning net asset value for the period was:
Your change in investment value for the period was:
Your exchanges from (to) the Cash Fund for the period were:
Your ending net asset value for the period was:

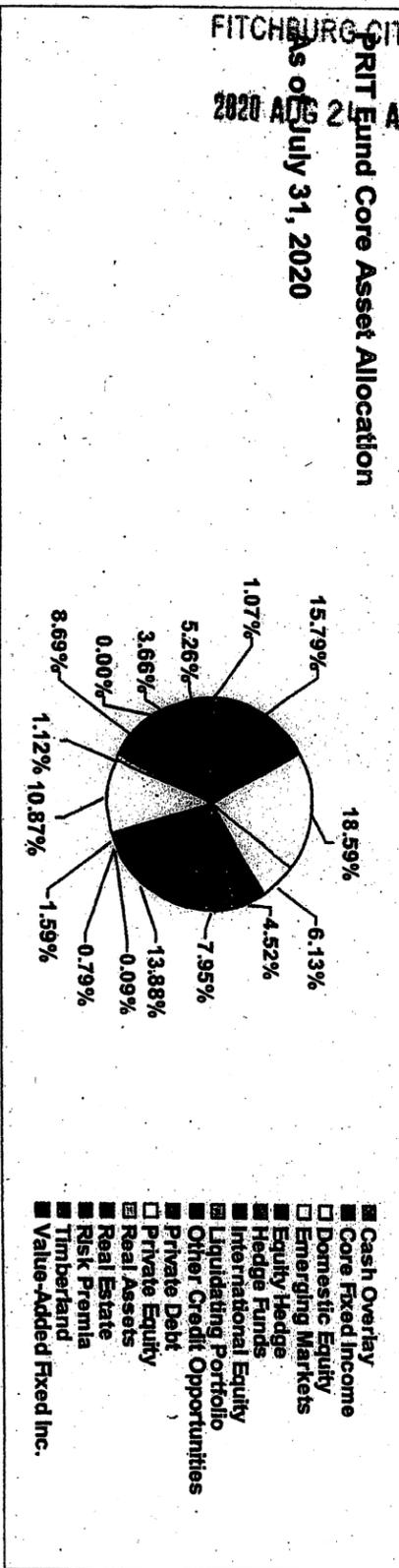
Month To Date	Fiscal Year To Date	Calendar Year To Date
120,226,217.97	120,226,217.97	132,259,241.63
3,661,931.31	3,661,931.31	(1,171,092.35)
(1,200,000.00)	(1,200,000.00)	(8,400,000.00)
<u>122,688,149.28</u>	<u>122,688,149.28</u>	<u>122,688,149.28</u>

Net Change in Investment Value represents the net change through investment activities as follows:

Gross Investment Income:	172,266.86	172,266.86	1,576,653.45
Less Management Fees:	(17,598.01)	(17,598.01)	(322,856.38)
Net Investment Income:	154,668.85	154,668.85	1,253,797.07
Net Fund Unrealized Gains/Losses:	2,646,515.11	2,646,515.11	(4,068,298.27)
Net Fund Realized Gains/Losses:	860,747.35	860,747.35	1,643,408.85
Net Change in Investment Value as Above:	<u>3,661,931.31</u>	<u>3,661,931.31</u>	<u>(1,171,092.35)</u>

As of July 31, 2020 the net asset value of your investment in the PRIT Fund was:

\$122,688,149.28



If you have any questions regarding your statement, please contact your Senior Client Services Officer Paul Todisco (617) 946-8423.
A detailed statement of your account is attached to this summary sheet.

Pension Reserves Investment Management Board

84 State Street, Suite 250
Boston, Massachusetts 02109



Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Trotsky, CFA, Executive Director

Fitchburg Retirement System

Cash Investment

July 01, 2020 to July 31, 2020

Your beginning net asset value for the period was:
Your investment income for the period was:
Your total contributions for the period were:
Your total redemptions for the period were:
Your total exchanges for the period were:
Your state appropriations for the period were:
Your ending net asset value for the period was:

Month To Date	Fiscal Year To Date	Calendar Year To Date
0.00	0.00	0.00
488.38	488.38	488.38
13,831,012.00	13,831,012.00	13,831,012.00
(1,200,000.00)	(1,200,000.00)	(8,400,000.00)
1,200,000.00	1,200,000.00	8,400,000.00
0.00	0.00	0.00
13,831,500.38	13,831,500.38	13,831,500.38

As of July 31, 2020 the net asset value of your investment in the Cash Fund was:

\$13,831,500.38

FITCHBURG CITY CLERK

2020 AUG 24 AM 10: 07

If you have any questions regarding your statement, please contact your Senior Client Services Officer Paul Todisco (617) 946-8423.
A detailed statement of your account is attached to this summary sheet.

Communication
Pension Reserves
Investment
Management Board

Pension Reserves Investment Management Board
64 State Street, Suite 250
Boston, Massachusetts 02109

Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Trostsky, CFA, Executive Director



Fitchburg Retirement System

General Allocation Account
June 01, 2020 to June 30, 2020

Your beginning net asset value for the period was:
Your change in investment value for the period was:
Your exchanges from (to) the Cash Fund for the period were:
Your ending net asset value for the period was:

Month To Date	Fiscal Year To Date	Calendar Year To Date
121,071,368.86	118,903,475.64	132,259,241.63
354,849.11	2,518,117.27	(4,833,023.66)
(1,200,000.00)	(1,195,374.94)	(7,200,000.00)
<u>120,226,217.97</u>	<u>120,226,217.97</u>	<u>120,226,217.97</u>

Net Change in Investment Value represents the net change through investment activities as follows:

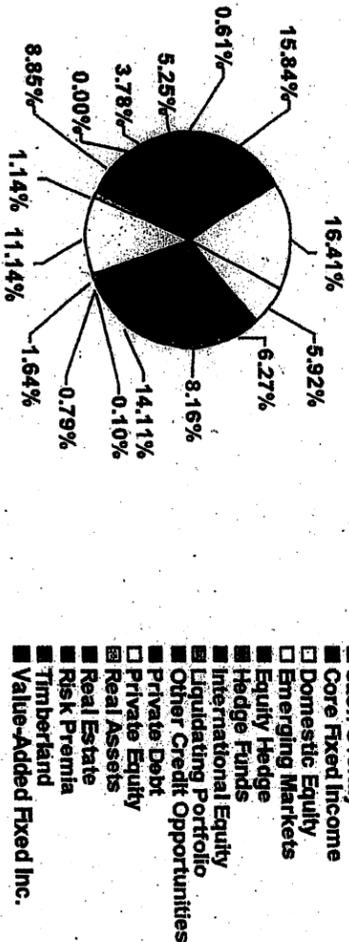
Gross Investment Income:	365,338.95	2,994,260.11	1,404,386.59
Less Management Fees:	(113,614.90)	(636,126.24)	(305,258.37)
Net Investment Income:	251,924.05	2,358,133.87	1,099,128.22
Net Fund Unrealized Gains/Losses:	(446,706.43)	(3,661,430.56)	(6,714,813.38)
Net Fund Realized Gains/Losses:	549,631.49	3,821,413.96	782,661.50
Net Change in Investment Value as Above:	<u>354,849.11</u>	<u>2,518,117.27</u>	<u>(4,833,023.66)</u>

As of June 30, 2020 the net asset value of your investment in the PRIT Fund was:

\$120,226,217.97

PRIT Fund Core Asset Allocation

As of June 30, 2020



FITCHBURG CITY CLERK

2020 JUL 27 AM 9:48

If you have any questions regarding your statement, please contact your Senior Client Services Officer Paul Todisco (617) 946-8423. A detailed statement of your account is attached to this summary sheet.

Communication read and placed on file in the City Clerk's Office.

REPORTS OF COMMITTEES

City Property Committee Oral Report
Meeting of July 28, 2020

The City Property Committee recommended the following Petition be held in Committee:

- 046-20. Councillors Marisa Fleming and Marcus DiNatale, to declare Ethier Street a Public Way.

Report accepted. Petition held by unanimous consent 10/0. 10 members present. Board consists of 11 members.

The City Property Committee recommended the following Petition be granted:

- 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.

Report accepted. Petition granted by unanimous consent 10/0. 10 members present. Board consists of 11 members.

Public Works Committee
Meeting of July 28, 2020

The Public Works Committee recommended the following Petitions be granted:

- 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.
- 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.
- 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.
- 175-20. Councillor Amy Green, to petition the City to have the berm at 182 Belmont repaired to prevent further damage at the property.
- 176-20. Councillor Paul Beauchemin, to petition the City to add an apron at 39 Edward Street.

Report read and accepted. Petitions granted by unanimous consent 10/0. 10 members present. Board consists of 11 members.

The Public Works Committee recommended the following Petition be held:

- 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.

Report read and accepted. Petition held by unanimous consent 10/0. 10 members present. Board consists of 11 members.

Reports of
Committees
Public Works
Committee

The Public Works Committee recommended the following Petitions be given leave to withdraw:

- 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.
- 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.
- 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.
- 149-20. Councillor Paul Beauchemin, to request Unitil repair the sidewalk at Pole #11 on Plymouth Street. The sidewalk is washing out.
- 129-20. Councillor Paul Beauchemin, to accept Beech Street Lane as a Street within the City of Fitchburg.

Report read and accepted. Petitions given leave to withdraw by unanimous roll call consent. 10 members present. Board consists of 11 members.

Public Hearing
City of Fitchburg
Municipal Aggregation
Plan

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>

**NOTICE OF PUBLIC REVIEW AND PUBLIC HEARING
CITY OF FITCHBURG MUNICIPAL AGGREGATION PLAN**

On May 7, 2019, the City Council of the City of Fitchburg unanimously passed a resolution to accept the provisions of M.G.L. c. 164, § 134(a) and publicly declared its intent to become an aggregator of electric power on behalf of its residential and business electric customers and the authorize the Mayor, as provided by such statute, to research and develop a plan, for review by the citizens of the City of Fitchburg, detailing the processes and consequences of aggregation and to negotiate and enter into such contracts for power supply pursuant to the plan with the understanding that if a power supply contract is executed, individual consumers would retain the option not to participate in the aggregation plan.

City officials with the assistance of aggregation consultant Good Energy, LP, researched and developed a municipal aggregation plan for submission to the Department of Public Utilities ("Department") for approval pursuant to M.G.L. c. 164, § 134(a) which authorizes a municipality to procure electric supply on behalf of consumers within its municipal borders through a municipal aggregation program. The objectives of a municipal aggregation program are to give residents more competitive choice for their electric supply, achieve longer-term price stability, offer more renewable energy options and lower the cost of electricity, although savings are not guaranteed. Eligible electricity consumers not already enrolled with a competitive electric supplier would be automatically enrolled in the municipal aggregation program unless they chose to opt-out, in which case they would continue to receive basic service provided by Unitil. During the aggregation program, any participant can opt-out of the aggregation program at any time without penalty or termination fee.

A copy of the municipal aggregation plan of the City of Fitchburg is available for review on the City website (<https://www.fitchburgma.gov/aggregation>) and at the following locations: Fitchburg Public Library, 610 Main Street, the Mayor's Office, 166 Boulder Drive, and Strong Style Coffee, 37 Boulder Drive, Fitchburg. The Department requires a two-week public review period for residents to review and comment on the municipal aggregation plan. The public review period, as announced on the City website (<https://www.fitchburgma.gov/aggregation>), will be conducted from **July 21 to September 3, 2020**. Written comment can be submitted via email to atourigny@fitchburgma.gov, or through mail with attention to A.J. Tourigny, Boulder Drive, Suite 108, Fitchburg, MA 01420.

The City Council will hold a public hearing at their meeting on **September 3, 2020** for any residents that wish to make oral comments on the municipal aggregation plan. A representative of the aggregation consultant, Good Energy, LP, will be present at the public hearing to answer any questions.

2020 JUL 11 10:27 AM
 PUBLIC HEARING

Any person desiring further information regarding the municipal aggregation plan of the City of Fitchburg or this notice of public review and public hearing can contact

From: Keith Pendergrass [mailto:klpendergrass@gmail.com]
Sent: Monday, July 27, 2020 4:01 PM
To: Tourigny, AJ <ATourigny@fitchburgma.gov>
Subject: Public Comment for Fitchburg Municipal Aggregation Plan

FITCHBURG CITY CLERK

2020 AUG 17 AM 11: 20

Mr. Tourigny,

I support the City of Fitchburg's efforts to create and implement a municipal aggregation plan, and especially the options for adding MA Class 1 Renewable Energy Certificates in addition to the State's RPS mandate.

I also support the choice of Good Energy, LP as the aggregation consultant; their proven administrative track record for municipal aggregations in Massachusetts should serve Fitchburg well.

I strongly encourage the City to alter the default product option and the opt-in/out process between the options in the draft plan.

To have the aggregation be truly aligned with the City's environmental sustainability goals, the default product should contain more MA Class 1 RECs than the MA RPS. Only in this way can our community's buying power be put toward accelerating the transition to renewable electricity sources. The Green Energy Consumers Alliance, a non-profit in MA and RI, has shown that Massachusetts communities have saved millions of dollars through municipal aggregation, even when the standard option contains a modest amount of renewable energy above the MA RPS, such as the optional 5% in Fitchburg's plan (see, <https://info.greenenergyconsumers.org/gmareport2>). Using the \$10-\$40 range for Class 1 RECs given in the draft aggregation plan, having 5% above the RPS as the default product would result in only an additional \$0.0005-\$0.002/kWh, a truly reasonable amount for a significant increase in renewable energy.

I also suggest that, with a change to the 5% Local Green as standard, participants can then either opt-up to 100% Green or opt-down to the Basic product.

This would result in:

- Fitchburg Local Green: default product
- Fitchburg Premium 100% Local Green: opt-up product

Public Hearing
City of Fitchburg
Municipal Aggregation
Plan

- Fitchburg Basic: opt-down product

When it comes time to implement the aggregation, the City should prioritize purchasing and retiring MA Class 1 RECs from generators that are non-emitting (solar, wind, hydro) or that have proven reductions in global warming potential such as the conversion of methane emissions to carbon emissions (landfill gas, biogas digestion) over those that emit fine particulate and other chemical pollution and are questionable in terms of life cycle carbon emission reductions (biomass, refuse). Otherwise, the City risks directing the renewable energy premiums from participants to generation sources that do not have a measurable positive impact on our air quality or GHG emissions.

I would be pleased to answer any follow-up questions on these comments.

Keith Pendergrass

42 Dudley St

FITCHBURG CITY CLERK
2020 AUG 17 AM 11:28

Tourigny, AJ

From: Keith Pendergrass <klpendergrass@gmail.com>
Sent: Friday, July 31, 2020 12:43 PM
To: Tourigny, AJ
Subject: Re: Public Comment for Fitchburg Municipal Aggregation Plan

A.J.,

Thank you for reviewing my comment, for forwarding it to Good Energy, and for the quick reply. I appreciate it.

I completely understand the need to prioritize cost savings for Fitchburg's residents and am hopeful that as Fitchburg's resurgence continues, we can explore increasing the percentage of renewables in the default and 5% Local Green products in subsequent procurements. I am also hopeful that those who have the means to do so, including prominent businesses, institutions, and residents, will opt-in to one of the higher renewable energy products to take a leadership role in contributing to the City's sustainability goals. It's great to hear that the RECs will be purchased and retired through Green Energy Consumers Alliance, ensuring that the premiums paid by Fitchburg residents go toward tangible local health and environmental improvements from a greener grid.

I look forward to the eventual approval and implementation of the plan.

Keith Pendergrass

On Wed, Jul 29, 2020 at 10:37 AM Tourigny, AJ <ATourigny@fitchburgma.gov> wrote:

Good morning Keith,

Thank you for submitting public comment for Fitchburg's Community Aggregation Plan.

I have forwarded your questions to our vendor, GoodEnergy, and I am happy to provide you with a response below:

"The points that Mr. Pendergrass expresses as a member of the Energy Commission are common to a number of our aggregation clients. Energy Committees / Commissions tend to want more renewable energy in the default product since their goal is to quickly increase the amount of renewable energy in the energy mix of the residents and businesses in the municipality.

In my initial meeting with you, Mary Delaney and Mayor DiNatale the objective expressed was to provide the most economical default product for the City with additional options including one with an additional 5% renewable energy and one with 100% renewable energy. This was seen by Mayor DiNatale as the best product mix for the income profile

2020 AUG 17 AM 11:28
FITCHBURG CITY CLERK

Public Hearing
City of Fitchburg
Municipal Aggregation
Plan

of the City. We have found that in municipalities with larger low income populations, it is most important to give individual consumers the choice of selecting options with more renewable energy. This model maximizes participation in the aggregation.

We have partnered with Green Energy Consumers Alliance (GECA) for our MA Class I RECs. They are the gold standard for MA Class I RECs in Massachusetts. All of the renewable energy facilities from which they purchase RECs are non-emitting, non-biomass facilities in Massachusetts, Rhode Island and Maine and are mostly wind with some solar and anaerobic digestion. It is important that GECA can measure the positive impact of the renewable energy facilities from which they purchase their RECs.

The overall objective for any municipality should be to balance the economic and environmental goals based on the income profile and environmental desires of their residents. I think you, Mary Delaney and Mayor DiNatale have selected the best model for the City for the initial electricity supply agreement. After the initial term of the aggregation and residents and businesses are familiar with participating, the City could change the default product for the renewal of the electricity supply agreement if that is the sentiment of the participating residents and businesses."

All the best,

-A.J.

A.J. Tourigny

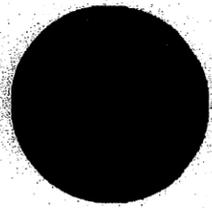
Chief of Staff to the Mayor

The City of Fitchburg

978-829-1803

atourigny@fitchburgma.gov

<http://www.fitchburgma.gov/>



FITCHBURG CITY CLERK
2020 AUG 17 AM 11:20

Public Hearing
City of Fitchburg
Municipal Aggregation
Plan

Tourigny, AJ

From: J Wehtje <wehtje@gmail.com>
Sent: Wednesday, July 22, 2020 4:53 PM
To: Tourigny, AJ
Subject: Aggregation

I support aggregation as a short-term measure but your long term goal should be to get rid of Unitil. Are you doing anything about that?

If the Merrimack Valley can get rid of Columbia Gas we should be able to dump Unitil. They are horrible.

Jacquelyn Wehtje
170 Belmont Street

REC'D
2020 AUG 17 AM 11:29
FITCHBURG CITY CLERK

Public Hearing
City of Fitchburg
Municipal Aggregation
Plan

The public hearing was declared open at 7:24 PM on September 3, 2020.

A.J. Tourigny, Mayoral Chief of Staff, introduced John P. O'Rourke, Energy Specialist and Director of Marketing Northeast for Good Energy, to the City Council.

Mr. Tourigny explained that the Hearing was one step on the process of moving forward with the Aggregation plan. He also noted that two written communications of public comment had been presented in the meeting Packet.

Mr. O'Rourke presented a brief slide show to the Council outlining the history of the Aggregation process so far, including that Good Energy had been chosen by the City to move forward with the Aggregation Plan. He noted that there had been a public review period from July 21st through September 3rd before the Hearing that was now taking place, and that the Plan has been available on the Fitchburg City website, at the Mayor's Office, the Library, and at Strong Style Coffee so that residents would be able to review and make comments.

Mr. O'Rourke noted that the default product in the Plan had the same amount of renewable energy as required by the Commonwealth of Massachusetts. The options would be 5% more or 100% more green energy. A review by the Department of Energy Resources (DOER) had taken place on August 27th. DOER determined that the Plan was in compliance with MGL 164, sec. 134a. DOER had issued a consultation letter to the Mayor that the Plan was in compliance. Any oral or written comments submitted for or during the Hearing would become part of the Plan and would be submitted to the Department of Public Utilities, which is the approving body, and the process usually took 6-8 months.

President Kushmerek noted that two (2) letters of public comment, from Mr. Keith Pendergrass, 42 Dudley Road, and Ms. Jacquelyn Wehtje, 170 Belmont Street, were included in the Council packet.

Mr. Tourigny noted that he wished to recognize Mary Delaney, Chief Procurement Officer, who had been instrumental in the process, as well as Mayor DiNatale, who wished to help defray as many costs as possible to the citizens of Fitchburg.

Councilor Squailia questioned what an average bill would look like at the 5% or 100% choice.

Mr. O'Rourke stated that the Plan was structured so that the least expensive option would be the default and then the 5% or 100% would be available. He noted that he had responded to the email from Mr. Pendergrass, and essentially, this was the best way for the program to start, and upon renewal, once people got used to the program, that would be time to look at options. The difference between basic and 5% would be price of Class 1 RECs at the time of bid. A usual range from ½ to 1 cent per kilowatt hour, but the Mayor was looking for least expensive alternative. Upon being asked what that would equate to in typical bill, Mr. O'Rourke responded that at 7,500 kW per year, this would add approximately \$75.00 a year. For the 100% range it was closer to 2 ½ to 3 cents difference, which would equate to approximately \$200-225.00.

Residents would automatically start with default minimum and then could opt in to other options.

Councilor Green questioned how automatic enrollment worked and whether it would be everyone who uses to Unitil. Mr. O'Rourke stated that essentially the process for the 30-day opt out period is that anyone who does not opt out within this time is automatically put into the Plan. Information is given out at the time so the public would understand the process. Councilor Green then asked what the longest term for opt-in would be allowed. Mr. O'Rourke said that there were currently many different options, including 12, 18, 24, 30, 36 months. The City would decide which term best met their needs. In the most recent bids the best rates had been between 30 and 36 months. He stated that more could be determined when the time to go out to bid approached. Usually longer term is best pricing. Mr. O'Rourke noted that Good Energy does not handle any billing, Unitil would service the account and service, the only change is who the supplier was. This meant that utility poles would still be owned by Unitil.

Councilor DiNatale asked Mr. O'Rourke to explain what the next steps would be in the process as he was concerned with the public not being fully aware of what was happening. Mr.

O'Rourke stated that the Aggregation Plan would be submitted to Department of Public Utilities and that there would be another Public Hearing. This portion of the process was expected to take 6-8 months. Therefore bidding would not happen before this time. During this time press releases, and information to be handed out in Municipal Offices would be given by Good Energy. When 30-day opt out process was coming up, there would be ramped up information being offered through public meetings, meetings with local/civic groups, a website that is put up for public comment and questions, as well as public access TV. In that 30 day period every eligible customer will get a notification and allows them the choice of taking no option and opting in, or sending in an opt-out card. This would be sent under the auspices of the City.

Councilor Beauchemin asked when someone could opt-out of the Program. Mr. O'Rourke explained that although the official requirement by the Department of Public Utilities was 30 days, at any point, any customer may opt-out without any penalties. Mr. O'Rourke pointed out

that unless they could get a better price, they would not go out to bid. They would wait for the most competitive time. He also stated that the service was provided at no cost to the City. Councilor Van Hazinga asked whether the objective was to provide electric at a lower price. Mr. O'Rourke confirmed this by saying that they were able to go out at strategic times for bidding, whereas Unitil could only do so at two specific times of the year, regardless of the market. Councilor Van Hazinga asked whether Mr. O'Rourke was able to provide any recent figures or percentages. Mr. O'Rourke offered to send the information to the Mayor's Office. Councilor Van Hazinga asked whether distribution rates would be affected due to changing supplier. Mr. O'Rourke stated that since deregulations in the 1990s, no utility companies make money on supply – they do so on transmission, maintenance, and billing, so they are not concerned with where the supply comes from.

President Kushmerek stated that offering this option was a great service to those that were bearing the Unitil rates and was excited to support the efforts of the Administration. He also thanked the Mr. Pendergrass and Ms. Wehtje for offering their comments in favor of the Aggregation Plan.

No one chose to speak in favor or opposition to the Petition.

The public hearing was declared closed at 7:47 PM.

ORDERS-FINANCE

Motion to Suspend the Rules passed by unanimous consent 10/0:

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.

Orders adopted by unanimous consent 10/0. 10 members present. Board consists of 11 members.

Orders signed by the Mayor September 10, 2020.

The following Orders were referred to the Council as a Whole Committee:

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.

Orders-Finance

- 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

ORDER-OTHER

The following Order was referred to the City Property Committee:

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.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 2020 AUG 26 PM 1:42

ORDERED:-- That

RESOLUTION and ORDER this ____ day of _____, 2020 authorizing the City of Fitchburg to (1) Accept the donation of a certain property, known as the **Dimmick Property** (hereinafter, "Property"), said Property being a 60 acre parcel of land located off Grimes Road in Hubbardston, Massachusetts, adjacent to land owned by the City of Fitchburg within the watershed of Mare Meadow Reservoir; (2) to place the Property under the control, supervision and management of the Board of Water/Wastewater Commissioners; (3) to authorize the Board of Water/Wastewater Commissioners, the DPW Division of Water Supply, its municipal agents and the Mayor to carry out the intent and purposes of this Order by signing contracts, recordable instruments and any other instruments in the name of and on behalf of the City of Fitchburg to carry out these purposes, in the public interest pursuant to Sections 39B and 41 of Chapter 40 of the General Laws of Massachusetts.

NOW THEREFORE BE IT RESOLVED and ORDERED that the Dimmick Property conveyed to the City of Fitchburg shall be subject to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts as open space for drinking water supply protection purposes and that the Property shall be placed in the control, care and custody of the Board of Water/Wastewater Commissioners of the City of Fitchburg, and it is further,

ORDERED that the Board of Water/Wastewater Commissioners, the Deputy Commissioner of the City of Fitchburg D.P.W. - Division of Water Supply and municipal agents are hereby authorized to execute contracts and any other instruments as are necessary or helpful for carrying out this Order, and it is further,

ORDERED that the Mayor of the City of Fitchburg is authorized to execute contracts and restrictions and any other instruments as he, in his discretion, shall determine necessary or helpful for carrying out this Order. Third parties may rely upon the representation of the Mayor as to his authority to execute any such instrument in the name of the City of Fitchburg.

VOTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FITCHBURG this ____ day of _____, 2020 at Fitchburg, Massachusetts.

A TRUE COPY ATTEST: _____
Mary de Alderete, City Clerk

		Project Budget						
		Appraised	City Cost	Landowner	%	Landowner	Landowner	TOTAL
Fitchburg Southern Watershed								
Tax Credit Properties 2020								
Owner								
Dimmick Family Trust		<u>Value</u>	<u>City Cost</u>	<u>Donation</u>	<u>Donation</u>	<u>CLTC</u>	<u>NET</u>	
		\$90,000	\$13,245	\$90,000	100.00%	Yes	\$45,000	
		<u>Survey</u>	<u>Legal Drafting</u>	<u>Cons. Services</u>	<u>Baseline</u>	<u>MLC</u>	<u>Closing</u>	<u>Recording</u>
			\$550	\$3,000		\$50	\$695	\$550
EXPENSES (City of Fitchburg)								\$13,245

FITCHBURG CITY CLERK

2020 AUG 26 AM 7:51

Order-Other

FITCHBURG CITY COUNCIL

Dimmick Property_Hubbardston

Acres 60
Appriased Value \$90,000

FITCHBURG CITY CLERK
2020 AUG 26 AM 7:51

Project Budget

Purchase Price \$0
Due Diligence & Project Costs \$13,245
Total **\$13,245**
Cost as percent of Value 14.72%

Recording Fees 2020
DOCUMENT COST
Deed \$155
Municipal Vote \$105
MLC \$80
Trustee Certificate \$105
Survey \$105
TOTAL \$550

FITCHBURG CITY CLERK
2020 AUG 26 AM 7:51

Legal Drafting
DOCUMENT COST
Deed \$200
Trustee Certificate \$150
City Council Petition \$100
City Council Resolution & Order \$100
\$550

FITCHBURG CITY CLERK
2020 AUG 26 AM 7:51

PETITIONS

The following Petition was referred to the Finance Committee:

- 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.

The following Petition was referred to the Planning Board, Legislative Affairs Committee and Community Development:

- 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.

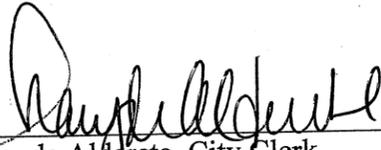
The following Petition was referred to the Public Safety Committee:

- 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.

The following Petitions were referred to the Public Works Committee:

- 194-20. Councillor Andrew Van Hazinga, on behalf of James Cormier, to repair the sidewalk along Blossom Street between Elm and Mechanic Streets.
- 195-20. Councillor Andrew Van Hazinga, on behalf of James Cormier, to install a guardrail along Blossom Street at 612 Elm Street.
- 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.
- 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.
- 198-20. Councillor Andrew Van Hazinga and Susette Roman, to repair the sidewalk at 153 Prichard Street.
- 199-20. Councillor Andrew Van Hazinga & Susette Roman, to repair the sidewalk at 100 Elm St.

The meeting adjourned at 7:53 P.M.


Mary de Alderete, City Clerk