

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 15, 2020. The meeting was called to order by President Michael Kushmerek at 7:03 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 Walsh.

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 15, 2020 07:00 PM Eastern Time
Topic: Fitchburg City Council Meeting - September 15, 2020

Register in advance for the Public Comment/Hearing portion of the Agenda by going to:
https://us02web.zoom.us/webinar/register/WN_kmNW_rh4Sk6Qu0IjqXv57w

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 15, 2020 by calling 978-829-1820 or via email at: cityclerk@fitchburgma.gov.

REPORT OF COMMITTEE ON RECORDS

Records

The Committee on records reported the minutes of the Regular Meeting of September 3, 2020, were correctly recorded. Report accepted and minutes adopted.

Communication
His Honor the
Mayor
Appointment Letter

COMMUNICATION
His Honor the Mayor
Appointment Letter

1. Mr. Mark A. Barbadoro, as the Building Commissioner, for a term to expire October 1, 2023.



The City of Fitchburg
FITCHBURG CITY CLERK
Massachusetts
2020 SEP -9 AM 10: 07
OFFICE OF THE MAYOR

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September 8, 2020

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

Dear Honorable Councilors,

I hereby reappoint, and ask for your confirmation of Mr. Mark A. Barbadoro of 627 Old Harvard Road, Boxborough, MA 01719 as the Building Commissioner for a three year term scheduled to expire on October 1, 2023.

Thank you for your attention to this important matter.

Sincerely,

Stephen L. DiNatale
Mayor

Appointment read and referred to the Appointments Committee.

Special Presentation
Fitchburg State
University

SPECIAL PRESENTATION
Fitchburg State University
The University's Operations and covid-19 Plan

President Richard Lapidus and Dr. Laura Bayless of Fitchburg State University joined the Council meeting in order to explain the Covid-19 Plan that had gone into effect in order to reopen the University.

President Lapidus noted that they started the planning process when the students were moved off campus in March. They used the summer to address the State's guidance regarding reopening. The first stage was to bring back small groups of staff, then slowly added more people, then students. They spent the summer putting up signage and disinfecting stations and planning for re-opening. They have developed a coronavirus module that is available on their webpage. Students were finally moved back at end of August and started somewhat untraditionally with separate 15 minute increment time slots, and only one parent allowed at a time. This was done to keep the number of people present at any one time limited. Occupancy during a regular year would be 1,700 beds and now there are approximately 1,050 available. Typical room occupancy would be single, double, or triple, but now rooms, with few exceptions due to floor plans, are singles. This reduced the number of people sharing a restroom. Three buildings have been taken off-line in order to create quarantine or isolation spaces. Ideally, if a student is not well, they would be sent home for care with their own physician, but in cases where that is not possible they have the capability of housing them on campus. The halls are stocked with food and class accommodations are made with faculty to facilitate keeping up with their education. Only one student is in that situation right now. With respect to incoming day students, approximately 3,300 enter the campus. 1,000 classes are being offered during the day and about 50% are fully online. 38% percent are remote/hybrid format. Formats are varied depending upon the classes and teaching needs. Labs are typically face to face, as well as nursing classes which require more hands on access.

This means that the campus has only 1/4 to 1/3 of normal occupancy. Masks are required on campus. President Lapidus stated that he has been pleased that most students are being conscientious about protecting themselves and others by remembering to use a mask. The school has supplies for those students who may have forgotten one. He has done spot checks and found that they are diligent in wearing them. Strong messages had been sent to all students regarding observing the rules. With regard to testing, students were tested coming in as a base-line. This was mandatory for students from high risk states and they were quarantined until received a negative test result. Surveillance testing now done for approximately 425 students a week. Dashboard information on the website is available to show weekly test results as well as cumulative tests completed. Four students were identified from other testing facilities. Three students hadn't been on campus, one had. When a positive is found, the University has partnered with Fitchburg Board of Health to work with the Broad Institute to complete tracing. The Broad Institute processing lab does most of testing for higher-ed. They are currently using nasal swab testing. A barcode is placed on the sample that goes to processing. The Broad Institute then sends results to the patient. If a test comes back negative, the student will receive notification on the phone. If positive, then that information goes to the patient, public health, and the University, which starts the tracing process. The University has developed an app which traces every student and their classes, and can extrapolate who they would have been most likely in contact with. This information is shared with public health. Epidemiologists then further identify possible persons that may have been in contact with them. He noted that the Fitchburg Board of Health has been very helpful in this regard. The University is putting out informational messages to eradicate the stigma of people being sick and not being willing to share that information.

Dr. Bayless added that they also offered to test every employee and they are part of the effort. President Kushmerek questioned what would happen if a student were to not follow the guidelines and rules set up by the University.

Dr. Bayless noted that there were items in the Code of Conduct that the students had received in their notifications. If needed, formal and informal accountability could be used when it came to public health. This could be in the form of a conversation with Dean of Students, through and including suspension and dismissal. If the University was not sure of the risk a student might pose to the campus, they could do an interim restriction or trespass order and then release it if it was determined to not be a risk. They have an educational component in order to help students follow guidance which includes an online module to help students understand how following public health guidelines is important.

President Kushmerek asked what the correct procedure would be for someone to report concerning behavior from the students. Dr. Bayless stated that if anyone saw concerning behavior they should go to Dean of Students website and they would be able to document any type of incident, including public health.
President Kushmerek thanked President Lapidus and Dr. Bayless for their collaboration and hard work and collaboration with the Mayor's Office in order to address concerns and protect the public health.

MOMENT OF SILENCE

President Kushmerek asked the Council to observe a moment of silence for the recent passing of Councilor Fleming's mother, Palma Sandrelli.

REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of September 15, 2020

The Appointments Committee recommended the following Appointments be confirmed:

Re-Appointment:

Veteran's Service Commissioner
(Term to expire October 1, 2023)
Ms. Michele Marino

New Appointments:
Permanent Full Time Firefighters
For the City of Fitchburg
Charles A. Colburn, III
Ryan J. Major

Report accepted. Appointments confirmed by unanimous consent 10/0. 10 members present.
Board consists of 11 members.

ORDERS-FINANCE

Tom Skwierawski, Executive Director of Community Development, was present to speak with Council regarding reprogramming CDBG funding. He noted that they had sent out for bids from demo round and they had come back lower than anticipated and a few projects fell of the list. He felt that it was an important time to build up community and as there were now some extra funds in the demo fund. He has also submitted for a grant for a Park Grant for Sam Pawlak Community Playground. He will need to set funding aside in order to accept the grant due to matched funds requirements. They are trying to be fiscally responsible in planning ahead. There are economic needs in the small business community and they are hoping to be able to address them. He noted that they had already invested over \$450,000 in the small business community and hoped to continue with the zero percent loan program, as well as plan for unforeseen expenses. Although they have supported many small businesses in the community, they are hoping for more flexibility, especially with the colder months coming up, which might bring other needs. Some of the funds would be used to support staff time for the Crocker Field project. Councilor Squailia questioned whether the criteria for the business loan would be different than that of the grants that had already been given out. Mr. Skwierawski noted that there were two different rounds of funding. The first round completely depleted the loan fund. They currently offer a 5-year term and competitive interest rate loan. For restaurants and downtown businesses, in particular, after 55 qualifying payments, loan forgiveness was offered for last six payments. They have \$215,000 in applications currently in the loan fund. This will allow for more flexibility in case of needing additional grants, as reprogramming would bring the funds in the right spending line. If reprogramming is approved this would bring the balance to \$386,000 available for business support. Mr. Skwierawski thought it was likely that applications would continue to be brought forward for consideration. This would allow more support to be offered, if necessary.

Moment of Silence

Reports of
Committees
Appointments
Committee
Oral Report

Orders-Finance

Orders-Finance

Councilor Squailia asked Mr. Skwierawski to explain what type of business the loan would be best suited for, as well as the range of loan amounts. Mr. Skwierawski stated that these were best suited for small businesses, and there were two criteria, the first being for micro-enterprises which are businesses of 5 employees or less, with no job requirements associated with these. If larger than 5 employees it is based upon jobs, with approximately \$35,000 per job created or retained. Currently, the largest loan provided has been \$110,000 and smallest \$5,000.

Restaurants and food industry businesses have been funded in the past.

Councilor Green asked how many businesses to date had been supported through these funds.

Mr. Skwierawski responded that 4 businesses were currently in the loan fund, and there were 4 that had applied and were awaiting funding. Some were for covid reasons, and some were looking to grow their businesses. Over 60 businesses have been given grants. Councilor Green asked how quickly the demo budget could be rebuilt. Mr. Skwierawski noted that it had become increasingly difficult to find projects for demo. The ones they hope to do would be publicly owned. Privately held properties needed to be deemed a public health or safety concern and without that, it would be an example of taking the property by eminent domain. They would be reviewing properties over the coming year and he hoped that the next CDBG round would rebuild the funds. Councilor Green stated that she believed that property received in lieu of taxes should be looked at very carefully as they had ended up costing the City more than their value, and hoped that as planning moves forward, this should be considered. Mr. Skwierawski agreed and stated that they are looking at a grant from EPA which would help with this.

Councilor Beauchemin asked whether the loans would only be for Fitchburg businesses. Mr. Skwierawski confirmed this and noted that for restaurants, and Main Street businesses, it would be at zero percent. This was being used as a mechanism to incentivize growth in these areas. In other cases it would be based on market rates.

Motion to suspend the rules passed by roll call vote of 10 in favor and 0 opposed.

- 200-20. That there be and hereby is transferred from within the sum of SEVENTY-SIX THOUSAND, ONE HUNDRED SIXTY AND 00/100 DOLLARS (\$76,160.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 BUSINESS LOAN POOL.
- 201-20. That there be and hereby is transferred from within the sum of ONE HUNDRED SIXTY THOUSAND, EIGHTEEN AND 00/100 DOLLARS (\$160,018.00) same to be transferred from YEAR 46 DEMOLITION to YEAR 46 BUSINESS LOAN POOL.
- 202-20. That there be and hereby is transferred from within the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 PARKS AND PLAYGROUNDS.
- 203-20. That there be and hereby is transferred from within the sum of TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 CROCKER FIELD.

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

Orders signed by the Mayor September 17, 2020.

PETITIONS

The following Petition was referred to the Water/Wastewater Commission and the Legislative Affairs Committee:

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

OTHER

President Kushmerek recused himself from the meeting and turned the meeting over to Vice-President Walsh to moderate the meeting.

- 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.

Mr. Nick Pelletier, Developer for the Project, was present for this portion of the meeting and Mr. Skwierawski returned, as well. Mr. Skwierawski explained that HDIP is a special incentive offered by the State offering a State level tax credit and a locally negotiated tax increment exemption agreement (TIF) for market rate housing projects in gateway cities. This is only available to gateway cities who have taken advantage of creating an HDIP district, which in Fitchburg is the downtown area and the River Street corridor. The property being discussed was located at 18 Blossom Street, which is right at the entrance to the downtown area. It is a site that had originally been proposed for a ten two-bedroom condo units. Mr. Skwierawski noted that Mr. Pelletier had taken on the Project with the same building program, but removed 3 units, so there would be 7 units of 2 bedroom condos, at approximately \$1,500 a month for rent. It is in the corner of Blossom and Crescent. The Project cost is approximately \$1.6 million. Base level for the land is calculated at \$132,000. Through the HDIP Plan, the developer needs to bring the TIE approval to the State as part of their application. The Mayor's Office had convened an HDIP committee consisting of the Treasurer, Auditor, a Member of Board of Assessors, and Councilor Van Hazinga as representative of the Economic Development Committee. The Agreement can be structured between 5-20 years for 10-100% of the increment value created. The HDIP Committee determined that a 5 year tax increment with 100% the first year, then 95%, 90%, 85% and 80% in the subsequent years would be a good incentive for the Project. On year 6, they would pay 100% of their tax burden. It is one of hopefully many HDIP projects to come to the City. This particular plan would provide 7 market-rate housing units. Currently, the site takes in about \$2,700 in taxes a year, after it is completed it should be approximately \$33,000 a year, as well as rehabilitating a vacant property in the downtown area. Councilor Green questioned the market rate at \$1,500 a month and asked where the value had been determined. Mr. Pelletier stated that he owns 15 units in Fitchburg and his experience has shown this, as the units have a garage. He feels this is a conservative budget. She further asked whether Mr. Pelletier could foresee a large number of children living in this development, which would impact the school system budget. Mr. Pelletier mentioned that while they obviously would not discriminate, it was more likely a mix of graduates, grad students, professors, or those attending Fitchburg State. Councilor Green thanked Mr. Pelletier for working closely with the Community Development Office, as well as the Mayor's Office, and wished him luck with the Project.

Councilor DiNatale asked how long the lot had been vacant. Mr. Pelletier noted that the Project initially started in 2005-2006 when foundations went in, but approximately 15 years. Councilor DiNatale, noted that it had been vacant before that time. He pointed out that \$2,700 was now being collected in taxes, and it would potentially be about \$30,000 more when complete. He also stated that more importantly this Project would bring people to the downtown area. He hoped that this would be infectious in helping others to make decisions to develop in the City as well. He noted there were many things happening in the area, and looked forward to seeing dividends from it. He said that without approving the TIF, the Project might be lost.

Councilor Zarrella stated that this was the type of project is what we need more of, especially as they are taking a blighted property and making an investment in the City.

Councilor Squailia thanked Mr. Pelletier for his investment in the City. She asked whether they could reuse the existing foundations. Mr. Pelletier stated that they had used a structural engineer and it had been determined that they would be able to do so. They redid the original plan to

Other

remove 3 units as they did not wish to max out the lot and have a parking issue. There is no parking on the side streets so he wanted to make sure there was parking potential as well as green space. The new plan with 7 units allows that. Councilor Squailia asked whether there would be garages. Mr. Pelletier confirmed that there would be garages underneath, and there would be an industrial look to make it blend better with what is currently downtown. Councilor Squailia questioned Mr. Pelletier as to the anticipated timeline for getting approval from the State and construction, once received. Mr. Pelletier stated that HDIP was unique in that they must complete the work before full approval. They currently had a financing commitment from Main Street Bank, and could start with site work now. Without the HDIP credit, it would not be feasible. He hoped for a spring completion and stated that the lot had been cleared, and hoped that winter would not be much of a factor. When asked to describe the entry point, Mr. Pelletier stated that there would be an entrance only on Crescent Street.

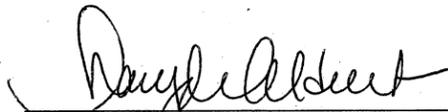
Councilor Beauchemin noted that the cost was projected around \$230K a unit and asked whether there was an intention to sell them. Mr. Pelletier stated that this was not financially feasible at this time and their only plan was to move forward as rentals.

Councilor Van Hazinga spoke to the process. He noted that the HDIP Committee is targeting properties at the top of the market, as well as properties that currently have a detrimental effect on the surrounding area, including properties in the downtown and commuter rail area, as well as projects that will not put a large strain on the school system. The current TIE is limited to 5 years, which would be a good incentive to get it to move forward. He looked forward to the completed project.

Vice-President Walsh agreed with Councilor Van Hazinga and DiNatale and stated she was in favor of the project.

Motion to suspend the rules passed by roll call vote of 9 in favor and 0 opposed. Petition granted by roll call vote of 9 in favor and 0 opposed. 9 members present. Board consists of 11 members.

The meeting adjourned at 8:12 P.M.


Mary de Alderete, City Clerk

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