

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 May 5, 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 eleven (11) Councillors were present. 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 May 5, 2020 07:00 PM Eastern Time (US and Canada)  
Topic: Fitchburg City Council Meeting

Register in advance for the Public Comments or Public Hearing portion of the Agenda by going to:

[https://us02web.zoom.us/webinar/register/WN\\_Hm7KnX\\_5RJGP1TAanfVQAQ](https://us02web.zoom.us/webinar/register/WN_Hm7KnX_5RJGP1TAanfVQAQ)

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 May 5, 2020 by calling 978-829-1820 or via email at: [cityclerk@fitchburgma.gov](mailto:cityclerk@fitchburgma.gov).

Mr. John M. Deline, Jr., Deputy Commissioner of Water Supply, attended the Public Comments portion of the meeting and asked the City Council to pass 112-20 through 116-20 under suspension of the rules. He noted that the reason for the request was that the information for reimbursement from the grant was due by the end of June and he had just received information regarding the funding.

Later in the meeting, Mr. Tom Skwierawski, Executive Director of Community Development spoke briefly regarding Order 029-20, which is Phase 1 of changes to the Zoning Bylaws, and explained that the changes were outlined in a redline draft as well as clean copy and he would be happy present more information at the Public Hearing to be held on May 19, 2020.

Records

**REPORT OF COMMITTEE ON RECORDS**

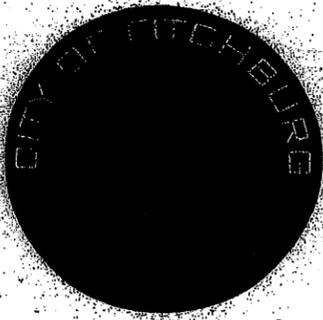
The Committee on records reported the minutes of the Regular Meeting of April 21, 2020, were correctly recorded. Report accepted and minutes adopted.

**COMMUNICATION**

His Honor the Mayor  
Appointment Letter

Communication  
His Honor the  
Mayor  
Appointment Letter

1. Ms. Maritza Knight, as a member of the Human Rights Commission, term to expire May 1, 2023.



*The City of Fitchburg*  
 FITCHBURG CITY CLERK  
*Massachusetts*  
 2020 APR 17 AM 10:48  
 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

April 17, 2020

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

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of Ms. Maritza Knight of 126 Victoria Lane, Fitchburg, as a member of the Human Rights Commission for a term scheduled to expire on May 1, 2023.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale  
 Mayor

Appointment read and referred to the Appointments Committee.

**COMMUNICATION**

Pension Reserves Investment Management Board

**Pension Reserves Investment Management Board**

84 State Street, Suite 250  
Boston, Massachusetts 02109

2020 APR 27 PM 2:18

**Fitchburg Retirement System**

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

Deborah B. Goldberg, Treasurer and Receiver General, Chair  
Michael G. Troisky, 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:

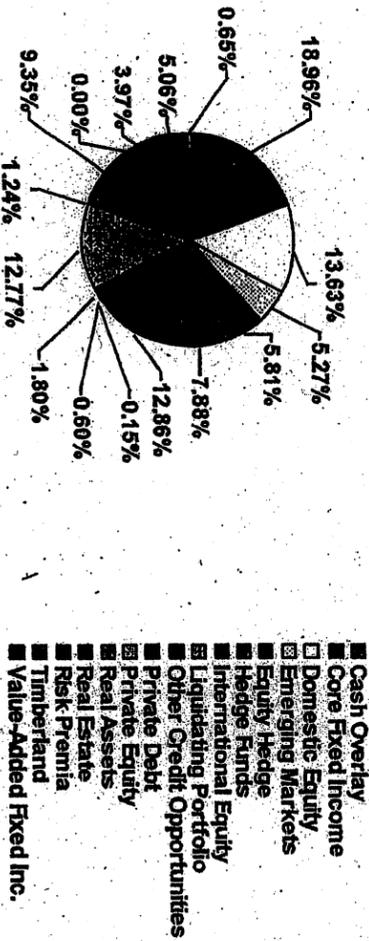
Month To Date	Fiscal Year To Date	Calendar Year To Date
125,437,330.40	118,903,475.64	132,259,241.63
(6,612,566.58)	(5,683,336.88)	(13,034,477.81)
(1,200,000.00)	2,404,625.06	(3,600,000.00)
115,624,763.82	115,624,763.82	115,624,763.82

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

Gross Investment Income:	325,123.83	2,282,815.10	692,941.58
Less Management Fees:	(119,587.13)	(483,428.58)	(157,560.71)
Net Investment Income:	205,536.70	1,799,386.52	540,380.87
Net Fund Unrealized Gains/Losses:	(8,192,101.83)	(10,706,209.15)	(13,759,591.97)
Net Fund Realized Gains/Losses:	(626,001.45)	3,223,485.75	184,733.29
Net Change in Investment Value as Above:	(\$612,566.58)	(\$683,336.88)	(13,034,477.81)

As of March 31, 2020 the net asset value of your investment in the PRIT Fund was: **\$115,624,763.82**

**PRIT Fund Core Asset Allocation**  
As of March 31, 2020



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**

**Appointments Committee Oral Report**  
**Meeting of May 5, 2020**

The Appointments Committee recommended the following Appointments be confirmed:

**City Auditor and Finance Director for the City of Fitchburg**

(Term to expire May 1, 2023)  
Mr. Calvin D. Brooks

**City Treasurer and Tax Collector for the City of Fitchburg**

(Term to expire May 1, 2023)  
Ms. Anne M. Cervantes

**New Appointments**

**Human Rights Commission**

(Term to expire May 1, 2023)  
Ms. Senovia Bolivar

**Board of License Commissioners**

(Term to expire January 1, 2026)  
Mr. John Zarrella

Councillor Fleming and Councillor Zarrella recused themselves from the vote.

Report accepted. Appointment confirmed by roll call vote of 9 in favor and 0 opposed. 9 members present. Board consists of 11 members.

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**City Property Committee Oral Report**  
**Meeting of April 28, 2020**

City Property  
Committee

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

041-20. ORDERED THAT: The Mayor is authorized to execute the Lease (to be supplied) relative to AKS Recycling, Inc.

042-20. ORDERED THAT: The Mayor is authorized to execute the Host Agreement (to be supplied) relative to AKS Recycling, Inc.

Report accepted. Orders held in Committee by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

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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 in Committee by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

## Orders-Finance

**ORDERS-FINANCE**

The following Orders were referred to the Finance Committee:

- 104-20. ORDERED THAT: there be and hereby is transferred the sum of ONE HUNDRED THIRTY-TWO THOUSAND AND 00/100 DOLLARS (\$132,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:
- EQUIPMENT RENTAL \$ 82,000.00  
SALT \$ 50,000.00.
- 105-20. ORDERED THAT: there be and hereby is transferred from within the sum of ONE HUNDRED SIXTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$168,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to CEMETERY CAPITAL EXPENSES, CEMETERY EXPANSION for the purpose of expanding the Forest Hill Cemetery.
- 106-20. 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 charged against SNOW & ICE, OVERTIME and credited to CEMETERY CAPITAL EXPENSES, CEMETERY EXPANSION for the purpose of expanding the Forest Hill Cemetery.
- 107-20. ORDERED THAT: there be and hereby is appropriated the sum of SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$600,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, CONSTRUCTION account, for the Downtown Transformation Project.
- 108-20. ORDERED THAT: there be and hereby is transferred from within the sum of FOUR HUNDRED FIFTY-FIVE THOUSAND AND 00/100 DOLLARS (\$455,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to CAPITAL FUND, PARKING GARAGE RENOVATION account, for the purpose of repairing the stairwells at the Putnam Place Garage.
- 109-20. ORDERED THAT: there be and hereby is transferred from within the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to LIBRARY CAPITAL EXPENSE, BUILDING RENOVATION for the purpose of preparing and repainting the exterior windows of the library building.
- 110-20. ORDERED THAT: there be and hereby is transferred from within the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to CAPITAL PROJECTS, FITCHBURG HIGH SCHOOL LIGHTING CONVERSION for the purpose of converting to LED lighting.

Orders-Finance

111-20. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division grant in the approximate amount of \$23,332.00 (TWENTY-THREE THOUSAND, THREE HUNDRED THIRTY-TWO AND 00/100 DOLLARS) for the purpose of said grant, which is to repair the downed fence lengths surrounding the airport property.

112-20. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs, Division of Conservation Services, Drinking Water Supply Protection grant program in the approximate amount of \$219,276.00 (TWO HUNDRED NINETEEN THOUSAND, TWO HUNDRED SEVENTY-SIX AND 00/100 DOLLARS) for the purpose of said grant, which is for the costs of purchasing a conservation restriction on a certain parcel of land in Ashby known as the Jewell Hill Property.

113-20. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from The Trustees of Reservations in the approximate amount of \$209,000.00 (TWO HUNDRED NINE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is for the costs of purchasing a conservation restriction on a certain parcel of land in Ashby known as the Jewell Hill Property.

114-20. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY-EIGHT THOUSAND, FIFTY-TWO AND 00/100 DOLLARS (\$28,052.00), same to be charged against FUND BALANCE RESERVED FOR LAND PURCHASES and credited to WATER CAPITAL EXPENDITURES, LAND PURCHASES.

Orders adopted under Suspension of the Rules by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

Orders signed by the Mayor May 8, 2020.

**ORDERS-OTHER**

Orders-Other

115-20. ORDERED THAT: the mayor is hereby authorized to execute contracts, agreements and any amendments thereto for the purchase of a conservation restriction, as defined in and authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, on approximately 84 acres of land in Ashburnham, known as Jewell Hill Farm, being Assessors parcels 38/9; 38/10, said conservation restriction to be held jointly by the Town of Ashburnham Conservation Commission and the City of Fitchburg Water and Wastewater Commission, for conservation and water supply protection purposes, pursuant to Massachusetts General Laws, Chapter 40, Sections 8C, 39B, 39E, and 41, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

Orders-Other

116-20. ORDERED THAT: the mayor is hereby authorized to execute contracts, agreements and any amendments thereto for the purchase of a conservation restriction, as defined in and authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, on approximately 76 acres of land on Jewell Hill Road in Ashby, known as Jewell Hill Farm, being Assessors map/parcels 13/12/2; 13/12/3; 13/12/4; 13/12/5, said conservation restriction to be held by the City of Fitchburg Water and Wastewater Commission, for conservation and water supply protection purposes, pursuant to Massachusetts General Laws, Chapter 40, Sections 8C, 39B, 39E, and 41, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

Orders adopted under Suspension of the Rules by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.  
 Orders signed by the Mayor May 8, 2020.

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**RESOLUTION**

Resolution

117-20. RESOLUTION: That the City of Fitchburg is resolute in its stand against bigotry, hatred, indifference and racism in our City and society, as outlined in the enclosed Resolution.

FITCHBURG CITY CLERK

**BE IT RESOLVED** that the City of Fitchburg is resolute in its stand against bigotry, hatred, indifference and racism in our City and society.

2020 APR 30 AM 9: 01

**WHEREAS**, acts and expressions of bigotry and racism have become increasingly prevalent across social media and other forums, both locally and nationally; and

**WHEREAS**, hateful expressions of intolerance are contradictory to the values and aspirations that define the City of Fitchburg; and

**WHEREAS**, principles of tolerance and religious freedom, fundamental to American democracy, are threatened by such behavior and indifference; and

**WHEREAS**, Fitchburg is home to a diverse array of ethnicities, nationalities, and religions that contribute to the rich cultural tapestry that is our city and region; and

**WHEREAS**, the City views unity and cohesion as critical amid a global pandemic; and

**WHEREAS**, it is incumbent upon city officials to conduct themselves, through their personal and professional lives, as the models of behavior it seeks from its residents.

**THEREFORE, BE IT RESOLVED** that the City of Fitchburg take a stand against hate, division and racism in our community and ensure that the City acts with the same compassion, kindness and respect that we ask from our citizens.

Respectfully Submitted,

Michael P. Kushmerek, City Council President  
 Elizabeth R. Walsh, City Council Vice President  
 Stephen L. DiNatale, Mayor

Resolution adopted by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.  
 Resolution signed by the Mayor May 8, 2020.  
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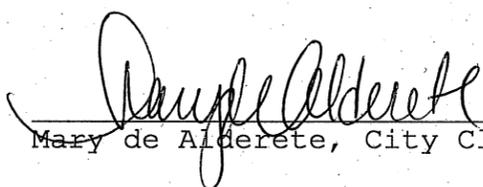
**COMMITTEE MATTERS**

089-20. Councillor Bernie Schultz, and resident Alex Freeman of 70 Rainville Avenue, to remove the "No Turn on Red" sign at the intersection of John T. Centrino Memorial Drive and Water Street.  
(Referred 3/17/20 to the Public Safety Committee)

Motion to request more time for this petition passed by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

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The meeting adjourned at 7:45 P.M.

  
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Mary de Alderete, City Clerk