



WELCOME TO THE FITCHBURG CITY COUNCIL

February 7, 2023

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

7:00 PM

This meeting can also be viewed live on FATV. Go to www.fatv.org/watch-fatv for more information on accessing this meeting.

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 Councilor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

This meeting will be open to the public. Persons who wish to participate remotely in the Public Forum portion of the meeting may request a remote attendance link by contacting the City Clerk at cityclerk@fitchburgma.gov.

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee
Oral Report
Meeting of February 7, 2023

Re-Appointment:
Planning Board
(Term to expire January 1, 2026)
Alex Lopez

Re-Appointment:
Planning Board
(Term to expire January 1, 2026)
Tracy McGrath

Re-Appointment:
Planning Board
(Term to expire January 1, 2028)
Paul Fontaine Jr.

Re-Appointment:
Fitchburg Redevelopment Authority
(Term to expire July 1, 2024)
Charles Caron

New Appointment:
Trustees of Public Library
(Term to expire January 12, 2026)
Sabrina Holley-Williams

New Appointments:
Special Police Officers
Sergeant Michael Turner
Officer Elijah Weiss

III. REPORT OF COMMITTEE ON RECORDS

IV. COMMUNICATION

His Honor the Mayor

Appointment letter:

Jacqueline T. Lessard, as a member of the Board of Health, term to expire February 6, 2026.

Permanent Full Time Firefighters

For the City of Fitchburg

Ryan M. Preville

Patrick Swenson

Seth Viles

Promotion Letters

1. Promotion letter:

Firefighter John Girouard to Provisional Lieutenant

2. Promotion letter:

Lieutenant Jude Lambert to Provisional Captain

3. Promotion letter:

Captain Anthony Castelli to Provisional Deputy

4. Promotion letter:

Permanent Deputy Dante Suarez to Acting as Provisional Fire Chief

American Rescue Plan Act Budget

[Link to the American Rescue Plan Act Budget](#)

V. COMMUNICATION

Mr. Peter Delorme, as the Inspector of Weights and Measure for the City of Fitchburg. This appointment is in accordance with Chapter 49 of the Fitchburg City Code.

VI. COMMUNICATION

Anthony M. Zarrella, City Council President

Re: Assistant City Clerk Appointment

VII. ANNUAL REPORT

039-23. ANNUAL REPORT: Montachusett Regional Vocation Technical High School for the year 2022.

[2022 Annual Report Montachusett Regional Technical High School](#)

VIII. REPORTS OF COMMITTEES

City Property Committee Oral Report Meeting of January 24, 2023

- 277-22. ORDERED THAT: WHEREAS, the City has certain easement rights for pole lines, as more fully described in an unrecorded plan dated 1968 and revised in 1969, prepared by the City of Fitchburg, Department of Public Works, as indicated in Deed in Worcester North Registry of Deeds Book 1042, Page 522, that no longer exist but the easement is encumbering a portion of property owned by SIGNCO Realty Trust utd dated January 22, 2004;
WHEREAS, the City intends to release, relinquish and terminate any and all rights that it has or may have reserved in the Deed referenced above;
WHEREAS, SIGNCO Realty Trust hereby accepts and consents to such release, relinquishment of termination by the City of Fitchburg;
WHEREAS, both Parties agree that any and all rights of the City and to the easement located over, upon and across the property owned by SIGNCO are terminated and shall no longer be in further force and affect;
NOW THEREFORE, IT IS ORDERED, that the Honorable Mayor Stephen L. DiNatale be hereby authorized for and on behalf of, the City of Fitchburg, to execute and deliver any and all documents and to take any and all acts necessary, convenient and helpful to facilitate and execute the Release and Termination of Easement Rights as attached or in form substantially similar thereto.
- 282-22. We humbly request that the City Council of Fitchburg consider our petition to honor the late Henry F. McKenna of 97 Pleasant St., Fitchburg, by naming the intersection of Spring, Pleasant, Blossom, and Jay Streets Henry McKenna Square, in order to honor a faithful son of Fitchburg and his contributions to our community through both his decorated valor in key battles of WWII and through his addictions counseling work and co-founding of local meetings of Alcoholics Anonymous.

Finance Committee Meeting of January 25, 2023

- 015-23. ORDER THAT: there be and hereby is transferred from within the sum of FORTY-TWO THOUSAND, NINE HUNDRED FIFTY-FIVE AND 00/100 DOLLARS (\$42,955.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to BUILDING, CAPITAL EXPENDITURES, VEHICLE REPLACEMENT for the purpose of replacing one vehicle used by the Building Department Inspectors.
(Be Adopted)
- 016-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$5,481.00 (FIVE THOUSAND, FOUR HUNDRED EIGHTY-ONE AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to teach fire safety to students.
(Be Adopted)

- 017-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$2,477.00 (TWO THOUSAND, FOUR HUNDRED SEVENTY-SEVEN AND 00/100 DOLLARS) for the purpose of said grant, which is to educate seniors in the community regarding fire and life safety topics.
(Be Adopted)
- 018-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security VAWA grant in the approximate amount of \$60,530.07 (SIXTY THOUSAND, FIVE HUNDRED THIRTY AND 07/100 DOLLARS) for the purpose of said grant, which is to support the Domestic Violence Advocate position within the Police Department.
(Be Adopted)
- 019-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, FY23 Shannon Community Safety Initiative grant in the approximate amount of \$416,812.00 (FOUR HUNDRED SIXTEEN THOUSAND, EIGHT HUNDRED TWELVE AND 00/100 DOLLARS) for the purpose of said grant, which is to reduce gang and youth related violence.
(Be Adopted)
- 020-23. ORDER THAT: there be and hereby is transferred from within the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00) same to be transferred from POLICE, PERSONAL SERVICES, CIVILIAN DISPATCHERS and credited to POLICE, PERSONAL SERVICES, DISPATCHER OVERTIME.
(Be Adopted)
- 021-23. ORDER THAT: there be and hereby is transferred from within the sum of TWO HUNDRED THIRTY-SEVEN THOUSAND, FIFTY-FOUR AND 20/100 DOLLARS (\$237,054.20) same to be transferred from POLICE, PERSONAL SERVICES, PATROLMAN (\$200,000.00) and from POLICE, PERSONAL SERVICES, PROFESSIONAL STANDARD (\$37,054.20) and credited to POLICE, PERSONAL SERVICES, OVERTIME.
(Be Adopted)
- 022-23. ORDER THAT: there be and hereby is appropriated the sum of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00) same to be charged against AVAILABLE FUNDS and credited to STABILIZATION FUND.
(Be Adopted)
- 023-23. ORDER THAT: there be and hereby is appropriated the sum of TWO THOUSAND, SIX HUNDRED TWENTY AND 00/100 DOLLARS (\$2,620.00) same to be charged against AVAILABLE FUNDS and credited to ASSESSORS EXPENSES, CONTRACTED SERVICES.
(Be Adopted)
- 024-23. ORDER THAT: there be and hereby is appropriated the sum of FOURTEEN THOUSAND, EIGHT HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS

(\$14,885.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

FACILITIES, PERSONAL SERVICES \$ 2,454.00
COUNCIL ON AGING, PERSONAL SERVICES \$ 6,708.00
LIBRARY, PERSONAL SERVICES \$ 5,723.00
(Be Adopted)

0025-23. ORDER THAT: there be and hereby is appropriated the sum of FOUR HUNDRED THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$435,000.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

POLICE, PERSONAL SERVICES \$398,000.00
POLICE, PERSONAL SERVICES, OVERTIME \$ 30,000.00
EMPLOYEE BENEFITS, OTHER BENEFITS \$ 7,000.00
(Be Adopted)

026-23. ORDER THAT: there be and hereby is appropriated the sum of ~~FIVE HUNDRED THIRTY-TWO THOUSAND AND 00/100 DOLLARS (\$532,000.00)~~, FOUR HUNDRED SIXTY FIVE THOUSAND AND 00/100 DOLLARS (\$465,000.00) same to be charged against AVAILABLE FUNDS and credited to

FIRE, PERSONAL SERVICES ~~\$494,000.00~~ \$420,000.00
FIRE, PERSONAL SERVICES, OVERTIME ~~\$ 15,000.00~~ \$18,000.00
EMPLOYEE BENEFITS, OTHER BENEFITS ~~\$ 23,000.00~~ \$27,000.00
(Be Adopted)

Public Safety Committee
Oral Report
Meeting of February 7, 2023

244-22. Councilor Derrick Cruz on behalf of Tyrone and Sheila Tines, residents of Clyde Street. I request that the City of Fitchburg implement either “No Parking from Here to the Corner” or “No Parking Signs” at the corner of Hancock and Summer Street, an appropriate distance on both sides. As residents exiting Hancock Street cannot see past the row of cars parked there, it has become a public safety concern for them.

256-22 PCM Auto Repair and Sales, Inc., to petition for a Class II Dealer's License located At: 33 Prichard St. Fitchburg, MA 01420

283-22. Union Auto Repair to petition for a Class II Dealer’s License located at: 232 River St. Fitchburg, MA 01420

IX. ORDERS

028-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Environmental Protection, Sustainable Materials Recovery Program grant in the approximate amount of \$27,000.00 (TWENTY-SEVEN THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to provide residents with more robust information about waste disposal

and recycling, purchase additional carts for the curbside program, expand the current program, and reduce , reuse, and recycle in school cafeterias.

029-23. ORDER THAT: there be and hereby is appropriated the sum of SIXTY THOUSAND AND 00/100 DOLLARS (\$60,000.00) same to be charged against AVAILABLE FUNDS and credited to FIRE, EQUIPMENT & REPAIR, GAS & OIL.

030-23. ORDER THAT: there be and hereby is transferred from within the sum of SIX THOUSAND AND 00/100 DOLLARS (\$6,000.00) same to be transferred from PARKS PERSONAL SERVICES, SUMMER HELP and credited to PARKS PERSONAL SERVICES, OVERTIME.

031-23. ORDER THAT: there be and hereby is transferred the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:

EQUIPMENT RENTAL	\$100,000.00
SALT	\$300,000.00.

032-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness Program Action Grant in the approximate amount of \$109,000.00 (ONE HUNDRED NINE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to develop nature-based solutions to stormwater issues in the area north of the western end of Main Street.

033-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Division of Ecological Restoration, Culvert Replacement Municipal Assistance Grant in the approximate amount of \$143,500.00 (ONE HUNDRED FORTY-THREE THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to design two replacement culverts along Ashby West Road.

034-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Energy and Environmental Affairs, Dam & Seawall Repair or Removal Grant in the approximate amount of \$38,925.00 (THIRTY-EIGHT THOUSAND, NINE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS) for the purpose of said grant, which is to complete the design work and file permits for the removal of McTaggart's Pond Dam.

035-23. ORDER THAT: authorizing the Mayor to execute a lease with Solect Energy Development with Fitchburg High School as outlined in the enclosed order.

X. ORDINANCES

- 027-23. AN ORDINANCE: §3-160 entitled “Establishment; composition” under Article XVII Insurance Commission, of the City Code shall be amended by striking the words “the Superintendent of Public Buildings” and inserting in its place “the Director of Facilities” and shall now read as follows:

“§3-160 Establishment; composition.

There shall be an Insurance Commission, the membership of which shall consist of the following: City Auditor, the Director of Facilities and the Chair of the Board of Assessors.” (Referenced Petition 105-22)
(Final Reading)

- 036-23. AN ORDINANCE: The following be added as Chapter 3-19 to the Fitchburg City Code, with following sections of this chapter renumbered accordingly. As enclosed in the Ordinance.

3-19 Commemorative Flags

- 040-23. AN ORDINANCE :Chapter 44, Section 10 of the Code of the City of Fitchburg as most recently amended, shall be amended by striking where applicable the current rates for temporary seasonal employees and inserting in its place the attached table of wage rates to be in compliance with minimum wage laws.

XI. PETITIONS

- 037-23. City Councilor Bernie Schultz and Anthony Velardi of 229 Rollstone Street to request continuation of sidewalk paving on Rollstone Street from the corner of Charles Street and Rollstone Street to Kimball Street.
- 038-23. Councilor Andy Van Hazinga to repair approx. 6 feet of plow-damaged berm at 201 Scott Rd.

XII. ANNOUNCEMENTS

XIII. OTHER BUSINESS

Next Regular Meeting
Tuesday, February 21, 2023, at 7:00 PM