



Feb 16 2023 3:46 pm

WELCOME TO THE FITCHBURG CITY COUNCIL

February 21, 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 city of residence.
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 21, 2023

New Appointment:

Board of Health

(Term to expire February 6, 2026)

Jacqueline T. Lessard

See Below Communication His Honor the Mayor

Permanent Full Time Firefighters

For the City of Fitchburg

Ryan M. Preville

Patrick Swenson

Seth Viles

New Appointment:

Assistant City Clerk

(Term to expire February 21, 2026)

Elizabeth McNiff

III. REPORT OF COMMITTEE ON RECORDS

IV. COMMUNICATION

His Honor the Mayor

Withdrawal letter for the January 19, 2023 appointment requesting City Council to confirm Ms. Jacqueline T. Lessard to serve as a member of the Fitchburg Board of Health.

1. Re-Appointment letter:

Richard Liberatore, as a member of the Airport Commission, term to expire July 1, 2025.

2. Re-Appointment letter:

Deborah Dion, as member of the Fitchburg Council on Aging, term to expire January 1, 2026.

3. Re-Appointment letter:

Joseph Byrne, as member of the Fitchburg Council on Aging, term to expire December 31, 2025.

4. Re-Appointment letter:

Bonnie Hautala, as member of the Fitchburg Council on Aging, term to expire December 31, 2025.

5. Appointment letter:

Ingrid Wheeler, as a member of the Agricultural Commission, term to expire April 1, 2026.

6. Appointment letter:

Yonna Coon, as a member of the Agricultural Commission, term to expire April 1, 2026.

7. Appointment letter:

Jen Barlow, as a member of the Agricultural Commission, term to expire April 1, 2025.

8. Appointment letter:

James K. Momanyi, as a member of the Agricultural Commission, term to expire April 1, 2025.

9. Appointment letter:

Evan Halstead, as a member of the Agricultural Commission, term to expire April 1, 2024.

10. Appointment letter:

Mary Cringan, as a member of the Board of Park Commissioners, term to expire May 1, 2028.

Community Development Block Grant Year 49

(To be referred to the Finance Committee)

[CDBG Year 49](#)

V. SPECIAL PRESENTATIONS

Presentation from National Grid the A1/B2 Asset Condition Refurbishment Project

[National Grid Presentation](#)

VI. REPORTS OF COMMITTEES

Finance Committee

Meeting of February 8, 2023

[Finance Committee Minutes](#)

- 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.
(Be Adopted)
- 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.
(Be Adopted)

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.
(Be Adopted)

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.

(Be Adopted)

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.
(Be Adopted)

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.
(Be Adopted)

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.
(Be Adopted)

American Rescue Plan Act Budget

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

(Be Adopted)

Legislative Affairs Committee

Oral Report

Meeting of February 16, 2023

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 to be in compliance with minimum wage laws, wage rates.

- 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

Public Safety Committee

Oral Report

Meeting of February 21, 2023

- 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

Public Works Committee

Oral Report

Meeting of January 31, 2023

Public Works Minutes

- 280-22. Councilor Bernie Schultz, to request the paving of a small stretch of sidewalk on Charles Street from the corner of Forest Street. (This sidewalk exists to the side of 44 Forest Street) Paving the sidewalk would allow a nearby resident to remove the snow from the sidewalk in the winter with a snow blower.
(Be Granted)
- 281-22. Councilor Marisa Fleming on behalf of Ronald Varney of 45 Clinton St. to repair the damaged sidewalk in front of his home caused from the uprooted tree.
(Be Granted)
- 13-23. Councilors Marcus DiNatale and Andrew Couture, on behalf of Mark Balfe, to inspect and seek remedy to recurring water runoff problem occurring at 178 Stickney Road, including probable installation and/or repair of berm to the right of the driveway. Water entering property and causing signification property damage.
(Be Granted)
- 14-23. Councilors Marcus DiNatale and Andrew Couture, to install new streetlights where appropriate along McIntire Road where new home development have/are taking place up to the corner of Alpine Road.
(Leave to Withdraw)
- 089-20. Councilor Bernie Schultz and resident Alex Freeman to remove the “No Turn on Red” sign at the intersection of John T. Cetrino Memorial Drive and Water Street.
(Be Held)
- 093-22. Councilor Sam Squailia on behalf of resident Nick Hains, to add a 4-way controlled stop at the intersection of Victoria Lane, Industrial Drive and Game-On Way. During times of heavy traffic flow in or out of the Game-On facility, residents of Victoria Lane do not have the right of way to cross, and thus must wait for long periods while

the traffic lines go through. If a 4-way stop sign is not feasible, an alternate solution shall be investigated by the City.

(Be Held)

243-22. City Councilor Bernie Schultz and Judy Perla of 236 Walton Street to install a yield sign on Pole 1615 facing out on Munroe Street at the intersection of Fairbanks and Munroe Streets to improve traffic safety when motorists depart from South Street Elementary School.

(Be Held)

244-22. City 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.

(Be Held)

VII. ORDERS

041-23. ORDER THAT: there be and hereby is appropriated the sum of FOUR HUNDRED FIFTY-THREE THOUSAND, THREE HUNDRED AND 00/100 DOLLARS (\$453,300.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

HIGHWAY, PERSONAL SERVICES	\$291,900.00
HIGHWAY, PERSONAL SERVICES, OVERTIME	\$ 39,400.00
HIGHWAY, SNOW & ICE, OVERTIME	\$ 41,900.00
CEMETERY, PERSONAL SERVICES	\$ 42,000.00
CEMETERY, PERSONAL SERVICES, OVERTIME	\$ 5,700.00
PARKS, PERSONAL SERVICES	\$ 25,200.00
PARKS, PERSONAL SERVICES, OVERTIME	\$ 3,200.00
EMPLOYEE BENEFITS, OTHER BENEFITS	\$ 4,000.00

042-23. ORDER THAT: there be and hereby is appropriated the sum of TWO HUNDRED ELEVEN THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS (\$211,400.00) same to be charged against WATER ENTREPRISE FUND, RETAINED EARNINGS and credited to the following accounts:

WATER PERSONAL SERVICES	\$158,900.00
WATER PERSONAL SERVICES, OVERTIME	\$ 52,500.00

043-23. ORDER THAT: there be and hereby is appropriated the sum of ONE HUNDRED THOUSAND, TWO HUNDRED AND 00/100 DOLLARS (\$100,200.00) same to be charged against WASTEWATER ENTREPRISE FUND, RETAINED EARNINGS and credited to the following accounts:

WASTEWATER PERSONAL SERVICES	\$ 93,300.00
WASTEWATER PERSONAL SERVICES, OVERTIME	\$ 6,900.00

044-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the MassDevelopment, Brownfields Site Remediation Grant in the approximate amount of \$250,000.00 (TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to remediate soil contamination at 80 Lunenburg Street.

VIII. ORDER – OTHER

045-23. ORDER THAT: Establishing the dates of the City of Fitchburg 2023 Municipal Election Calendar.

IX. RESOLUTION

046-23. RESOLUTION: A resolution by Councilor Marcus DiNatale seeking a vote of no confidence in curbside collection service provider Waste Management. The resolution states as follows as outlined in the enclosed Resolution.

X. UNFINISHED BUSINESS

01-23. ORDER: Amending Rules of the City Council for the year 2023.

XI. ANNOUNCEMENTS

XII. OTHER BUSINESS

Next Regular Meeting
Tuesday, March 7, 2023, at 7:00 PM