



FITCHBURG CITY CLERK

*May 13 2022 11:29 am*

WELCOME TO THE FITCHBURG CITY COUNCIL

**May 17, 2022**

**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](http://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 Councillor 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](mailto:cityclerk@fitchburgma.gov).

**II. REPORT OF THE APPOINTMENTS COMMITTEE**

**Appointments Committee Oral Report**  
**Meeting of May 17, 2022**

**New Appointments:**  
**Full-Time Student Police Officers**  
**Fitchburg Police Department**

Dawson Stacy  
Ashley Perez  
Auria Rojas

**III. REPORT OF COMMITTEE ON RECORDS**

**IV. COMMUNICATIONS**

His Honor the Mayor

1. Appointment letter:  
Special Police Officers  
Officers Leroy M. Jackson and Dean D. Romano
2. Appointment letter:  
Nicholas J. Carbone, as a member of the Fitchburg Disability Commission, term to expire June 1, 2025.
2. Amendment to Order #117-22

**V. REPORTS OF COMMITTEES**

**Finance Committee**  
**Meeting of May 11, 2022**

103-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTY-SEVEN THOUSAND, NINE HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$57,972.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

MAYOR, PERSONAL SERVICES	\$ 3,289.00
CITY AUDITOR, PERSONAL SERVICES	\$ 5,691.00
PURCHASING, PERSONAL SERVICES	\$ 2,610.00
ASSESSOR, PERSONAL SERVICES	\$ 2,715.00
TREASURER, PERSONAL SERVICES	\$ 4,959.00
HUMAN RESOURCES, PERSONAL SERVICES	\$ 3,915.00

CITY CLERK, PERSONAL SERVICES	\$ 2,349.00
COMM. DEV., PERSONAL SERVICES	\$ 2,715.00
FACILITIES, PERSONAL SERVICES	\$ 2,454.00
POLICE, PERSONAL SERVICES	\$ 4,907.00
FIRE, PERSONAL SERVICES	\$ 5,481.00
BUILDING, PERSONAL SERVICES	\$ 2,819.00
PUBLIC WORKS, PERSONAL SERVICES	\$ 3,237.00
HEALTH, PERSONAL SERVICES	\$ 2,976.00
COUNCIL ON AGING, PERSONAL SERVICES	\$ 2,349.00
LIBRARY, PERSONAL SERVICES	\$ 2,506.00
EMPLOYEE BENEFITS, OTHER BENEFITS	\$ 3,000.00
(Be Adopted)	

104-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of SEVEN THOUSAND, EIGHT HUNDRED THIRTY AND 00/100 DOLLARS (\$7,830.00) same to be credited to the following accounts:

WATER ENTERPRISE FUND	\$ 2,976.00
WASTEWATER ENTERPRISE FUND	\$ 2,715.00
AIRPORT FUND	\$ 2,141.00
(Be Adopted)	

117-22. ORDERED THAT: There be and hereby is transferred from within the sum ~~THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00)~~ same to be transferred from FIRE, PERSONAL SERVICES, INCENTIVES and credited to FIRE, PERSONAL SERVICES, OVERTIME.  
(Be amended from \$35,000.00 to **\$55,000.00** and be adopted as amended)

118-22. ORDERED THAT: There be and hereby is transferred from within the sum of TWELVE THOUSAND, ONE HUNDRED EIGHTY-SIX AND 00/100 DOLLARS (\$12,186.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE and credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, FOOD INSECURITY ASSISTANCE.  
(Be Adopted)

119-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FOUR THOUSAND, FOUR HUNDRED SIXTY-EIGHT AND 00/100 DOLLARS (\$44,468.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE (\$4,468.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, BUSINESS ASSISTANCE.  
(Be Adopted)

- 120-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMELESSNESS SERVICES (\$5,000.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMEOWNER AND RENTER ASSISTANCE.  
(Be Adopted)
- 121-22. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, ARCHITECTURAL/ENGINEERING for design of a stage at Riverfront Park.  
(Be Adopted)
- 122-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, CONSTRUCTION for construction of the Oliver Street Parking Lot.  
(Be Adopted)
- 123-22. ORDERED THAT: There be and hereby is transferred the sum of FIFTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$58,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:  
SALT \$58,000.00  
(Be Adopted)
- 124-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited DPW STREET LIGHTS EXPENSES, STREET LIGHT MAINTENANCE.  
(Be Adopted)
- 125-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to DPW TRAFFIC SIGNAL EXPENSES, TRAFFIC SIGNAL MAINTENANCE.  
(Be Adopted)
- 126-22. ORDERED THAT: There be and hereby is transferred from within the sum of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to DPW CAPITAL EXPENSES, STREET REPAIR and the purpose of paving Industrial Road.  
(Be Adopted)

- 127-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW ADMIN. EXPENSES, STORMWATER CONTRACT SERVICES.  
(Be Adopted)
- 128-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$460,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, EQUIPMENT.  
(Be Adopted)
- 129-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED NINETY-SIX THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$196,500.00) same to be charged against AVAILABLE FUNDS and credited to PARKS CAPITAL EXPENSES, PARKS AND PLAYGROUNDS.  
(Be Adopted)
- 130-22. ORDERED THAT: There be and hereby appropriated the sum of EIGHT HUNDRED THOUSAND AND 00/100 (\$800,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, STREET REPAIR for the purpose of paving Clarendon Street.  
(Be Adopted)
- 131-22. ORDERED THAT: There be and hereby is appropriated the sum of FIVE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$575,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, OAK HILL ROAD BRIDGE REPAIR.  
(Be Adopted)
- 132-22. ORDERED THAT: There be and hereby appropriated the sum of SIXTY-FIVE THOUSAND, FORTY-FOUR AND 00/100 DOLLARS (\$65,044.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:
- |                                   |             |
|-----------------------------------|-------------|
| TREASURER, PERSONAL SERVICES      | \$ 1,138.00 |
| POLICE, PERSONAL SERVICES         | \$62,972.00 |
| EMPLOYEE BENEFITS, OTHER BENEFITS | \$ 934.00   |
- (To fund a new 3-year contract with Local 492, Police Dispatchers Union)  
(Be Adopted)
- 133-22. ORDERED THAT: There be and hereby is transferred from within the following PERSONAL SERVICES account the sum of THIRTEEN THOUSAND, SEVENTY-EIGHT AND 00/100 DOLLARS (\$13,078.00) same to be credited to the following account: AIRPORT FUND, PERSONAL SERVICES \$13,078.00.  
(Be Adopted)

134-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWENTY-TWO THOUSAND, ONE HUNDRED TWENTY-EIGHT AND 00/100 DOLLARS (\$122,128.00) same to be charged against AVAILABLE FUNDS and credited to accounts as listed in the enclosed Order.  
(To fund a new 3-year contract with Local 888 Inspectors, Service Employees International Union.  
(Be Adopted)

135-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.  
(Table)  
(Be Adopted - First Reading)

136-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.  
(Matrix)  
(Be Adopted - First Reading)

## VI. PUBLIC HEARINGS

137-22. Unitil, to petition for a new pole #4A on Prichard Street, approx. 453' North of Elm Street and approx. 190' South of Oliver Street, as outlined in the enclosed Petition.  
(Petitioner is requesting a continuance of the Public Hearing to June 7, 2022)

## VII. ORDERS – FINANCE

141-22. ORDERED THAT: there be and hereby is appropriated the sum of TWO HUNDRED NINETY-EIGHT THOUSAND AND 00/100 DOLLARS (\$298,000.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

HIGHWAY, PERSONAL SERVICES	\$231,000.00
CEMETERY, PERSONAL SERVICES	\$ 40,000.00
PARKS, PERSONAL SERVICES	\$ 27,000.00

142-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of ONE HUNDRED SEVENTY-ONE THOUSAND AND 00/100 DOLLARS (\$171,000.00) same to be credited to the following accounts:

WATER ENTERPRISE FUND, PERSONAL SERVICES	\$125,000.00
WASTEWATER ENTERPRISE FUND, PERSONAL SERVICES	\$ 46,000.00

143-22. ORDERED THAT: there be and hereby is transferred from within the sum of FOUR THOUSAND, SEVENTY-ONE AND 00/100 DOLLARS (\$4,071.00) same to be transferred from CITY CLERK PERSONAL SERVICES, CLERICAL and credited to CITY CLERK EXPENSES, TEMPORARY PERSONNEL SERVICES.

- 144-22. ORDERED THAT: there be and hereby is transferred from within the sum of SIXTY-TWO THOUSAND AND 00/100 DOLLARS (\$62,000.00) same to be transferred from POLICE PERSONAL SERVICES, PATROLMENT and credited to the following POLICE, EQUIPMENT AND REPAIR accounts:
- |             |             |
|-------------|-------------|
| AUTO REPAIR | \$25,000.00 |
| GAS AND OIL | \$17,000.00 |
| TRAINING    | \$20,000.00 |
- 145-22. ORDERED THAT: there be and hereby is appropriated there be and hereby is appropriated the sum of ONE HUNDRED EIGHTY-FIVE THOUSAND, SIX HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$185,672.00) same to be charged against AVAILABLE FUNDS and credited to POLICE DEPARTMENT, CAPITAL EXPENDITURES, BUILDING RENOVATION for the purpose of hiring a project management team to assist with the renovation of the police station.
- 146-22. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000.00) same to be charged against AVAILABLE FUNDS and credited to FIRE DEPARTMENT EQUIPMENT & REPAIR, GAS AND OIL.
- 147-22. ORDERED THAT: there be and hereby is appropriated the sum of NINETY THOUSAND, SEVEN HUNDRED THIRTY-EIGHT AND 00/100 DOLLARS (\$90,738.00) same to be charged against AVAILABLE FUNDS and credited FACILITIES—CITY HALL, REPAIR AND CARE SUPPLIES OTHER for the demolition of the pedestrian bridge off Kimball Street over the railroad tracks.
- 148-22. ORDERED THAT: there be and hereby is transferred from within the sum of SEVENTY THOUSAND AND 00/100 DOLLARS (\$70,000.00) same to be transferred from DPW ADMIN/ENGINEERING PERSONAL SERVICES, CIVIL ENGINEER (\$50,000.00) AND ASSISTANT CITY ENGINEER (\$20,000.00) and credited to DPW CAPITAL EXPENSES, EQUIPMENT for the purpose of replacing vehicles and equipment.
- 149-22. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY-THREE THOUSAND, TWO HUNDRED AND 10/100 DOLLARS (\$23,200.10) same to be charged against RESERVED FOR APPROPRIATION, TNC PER RIDE ASSESSMENT and credited to DPW CAPITAL EXPENSES, STREET REPAIR for the purpose of road repaving.
- 150-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Housing & Economic Development earmark in the approximate amount of \$25,000.00 (TWENTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said earmark, which is to purchase concrete blocks to extend a retaining wall at the Forest Hill Cemetery.
- 151-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Winter Recovery Assistance Program grant in the approximate amount of \$601,957.73 (SIX HUNDRED ONE THOUSAND, NINE HUNDRED FIFTY-SEVEN AND 73/100 DOLLARS) for the purpose of said grant, which is to repair city streets and sidewalks impacted by the past harsh winter.

## VIII. LOAN ORDERS-ROLL CALL VOTE

- 152-22. LOAN ORDER: Appropriate \$3,300,000.00 to pay the cost of demolishing the existing and constructing a new Oak Hill Water Storage Tank and complete misc. repairs/work at the Overlook, Scott and Falulah Water Storage Tanks as outlined in the enclosed Loan Order.  
(First Reading)
- 153-22. LOAN ORDER: Appropriate \$30,000,000.00 to pay the cost of various sewer separation projects including, but not limited to sewer separation project CSO 010, 032, 045, and 083 Separation/Rehabilitation as outlined in the enclosed Loan Order.  
(First Reading)

## IX. BUDGET ORDERS-FY 2023

**(Budgets will be distributed at the Council Meeting of May 17, 2022)**

- 154-22. MAYOR'S FY23 BUDGET
- 155-22. OVERLAY SURPLUS.
- 156-22. AVAILABLE FUNDS.
- 157-22. PARKING METER/GARAGE RECEIPTS
- 158-22. PEG ACCESS AND CABLE RELATED FUND RECEIPTS
- 159-22. CEMETERY SALE OF LOTS AND GRAVES
- 160-22. WATER ENTERPRISE FUND RECEIPTS
- 161-22. WASTEWATER ENTERPRISE FUND RECEIPTS
- 162-22. AIRPORT RECEIPTS
- 163-22. REVOLVING FUNDS



## **X. PETITIONS**

- 164-22. Anne Cervantes, City Treasurer, to have the following properties be declared as excess and designate to the Side Yard Sales Program:
- 0 Clarendon Street
  - 12 Martel Street
  - 223 Mechanic Street
  - 46 Mt. Vernon Street
  - 10 Northmen Passway
  - 70 Clarendon Street
  - 110 Fairmount Street
  - 137 Blossom Street
- (City Property Committee and Excess Needs Survey)
- 165-22. Councilors Squailia & Cruz, for a traffic study to improve bicycle and pedestrian safety at the Twin City Rail Trail crossing and Bemis Road and Water Street, to determine best solutions for improving safety; ie, a “No Right Turn on Red” on Bemis Road turning right onto Water Street and on Water Street turning right onto Bemis Road and/or Rectangular Rapid-Flashing Beacon.  
(Public Safety Committee)
- 166-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service on Sawyer Passway in Fitchburg.  
(Public Hearing June 7, 2022)
- 167-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service to 180 Main Street, Fitchburg.  
(Public Hearing June 7, 2022)
- 168-22. Comcast, to request a grant of location for the purpose of installing a new conduit to provide the Comcast service on Main Street, Fitchburg.

## **XI. ANNOUNCEMENTS**

## **XII. OTHER BUSINESS**

Next Regular Meeting  
Tuesday, June 7, 2022 - 7:00 PM