



# City of Fitchburg Massachusetts 01420

## CITY COUNCIL

### Councilors at Large

David Clark  
Marcus L. DiNatale  
Samantha M. Squailia  
Anthony M. Zarrella  
E. Thomas Donnelly

### President

Michael P. Kushmerek

### Vice President

Amy L. Green

### Ward Councilors

Ward 1 – Amy L. Green  
Ward 2 – Paul R. Beauchemin  
Ward 3 – Joel R. Kaddy  
Ward 4 – Michael P. Kushmerek  
Ward 5 – Marisa R. Fleming  
Ward 6 – Elizabeth R. Walsh

### Finance Committee

A meeting of the Finance Committee was called to order by Chairman DiNatale on Tuesday, February 13, 2018 at 6:00 p.m. in the Memorial Middle School Library, 615 Rollstone Street, Fitchburg, MA.

Committee Members present: Councilors Paul Beauchemin, Marcus DiNatale, Michael Kushmerek, and Elizabeth Walsh. Councilor Anthony Zarrella arrived during the discussion of order 020-18. Councilor Michael Kushmerek left the meeting during the discussion of order 023-18.

Other Councilors present: Councilor Samantha Squailia.

Others present: City Auditor Calvin Brooks, Fire Chief Kevin Roy, Fire Lt. Phil Jordan, Director of Public Health Stephen Curry, and Food Inspector Stephanie Holinko.

018-18           ORDER:           that there be and hereby is transferred from within the sum of THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) same to be transferred from ASSESSOR, PERSONAL SERVICES, DEPARTMENT HEAD and credited to ASSESSOR EXPENSES, CONTRACTED SERVICES

Discussion: The chairman reported that a presentation for this order is scheduled for the next Finance Committee meeting scheduled for February 27<sup>th</sup>.

Action: Be held in committee (4-0)

020-18           ORDER:           that the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, Department of Fire Services grant in the approximate amount of \$5,407.00 (FIVE THOUSAND, FOUR HUNDRED SEVEN AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to teach fire safety to children in elementary schools.

021-18 ORDER: that the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, Department of Fire Services grant in the approximate amount of \$2,813.00 (TWO THOUSAND, EIGHT HUNDRED THIRTEEN AND 00/100 DOLLARS) for the purpose of said grant, which is to teach senior citizens about the importance of fire safety and avoiding in particular cooking and electrical fires.

Discussion: Chief Kevin Roy and Lt. Phil Jordan spoke on both orders 020-18 and 021-18. They reported that there are three young firefighters who act as instructors and who rotate among the classes for the students. The first grant will allow them to continue meeting with the students for another year. They generally go into first grade classrooms for a lesson and then return with the SAFE trailer for some hands on experience. For the senior grant, the instructors originally went to the various senior housing facilities, but attendance has dropped as seniors have been through the instruction. They are now focusing on community meetings, gatherings, and events to draw in the seniors, although they will still offer their services to housing units. Councilors expressed their congratulations and support for this education outreach to both students and seniors.

Action: Be adopted (5-0)

019-18 ORDER: that the City of Fitchburg hereby approves the expenditure of funds from the U.S. Food and Drug Administration, Retail Standards Grant Program grant in the approximate amount of \$3,000.00 (THREE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to provide funding for staff to attend FDA trainings, workshops, and seminars to maintain food inspection standards.

Discussion: Stephen Curry explained that Stephanie Holinko was responsible for writing this grant, which provides funds for training to standardize food inspection services. While not a large grant, it will assist the department in improving its food inspection services.

Action: Be adopted (5-0)

023-18 PETITION: to approve the attached Board of Health adopted fees for Food Service establishments based on the risk level of the food establishments.

Discussion: Mr. Curry stated that his department is in the process of reviewing health permit fees, and they started with food permit fees which had not been changed in twenty years. The goal is to eventually get revenues to match expenses for the inspectors. Ms. Holinko said that the plan under discussion is to classify food establishments based on risk level and charge fees accordingly. Level 1 would be pre-packaged food establishments; level 2 are retail establishments with some food services; level 3 includes most of the city restaurants; and level 4 are large grocery stores, usually including a deli, produce, and bakery. The risk level and corresponding fees are based on how much time is spent on inspections. The current schedule is based on number of seats or number of registers, both of which favor take out facilities that have few seats, but a large volume of food being processed and much time spent on inspection.

Councilors asked why these fees have not been reviewed more frequently. Mr. Curry responded that it has been hard to establish a fair system; the risk level structure was a good idea. Fees are paid annually (May 1<sup>st</sup> to April 30<sup>th</sup>) so it will be in place for this year. Councilors asked if fees are in line with other towns and were told that while this fee structure is more

progressive than ones used in other towns, fees are ultimately on the low side among neighboring communities. The city wants to maintain a business friendly image, but after twenty years an adjustment was warranted.

Councilors asked why the fee increase was relatively large and were told that the department is trying to recoup the costs of inspection and are also engaged in more outreach and education than in the past. It is the responsibility of the businesses to cover these costs rather than the taxpayer.

Temporary fees are increasing from \$25 to \$45, so as to cover the costs of inspection and clerical work. The increase also creates an incentive for food trucks to get an annual permit instead of a temporary one.

A plan review fee has been added to account for remodeling and new construction projects. The department wants to review plans before work is started to be sure the proper food code is met.

Some large operations carry multiple permits, so if there is a problem in one section then only that section needs to be closed and not the whole operation.

Councilors expressed the view that the fees are not burdensome for the food trucks, because they can make a lot of money at a city event. Councilors also expressed the view that service and inspection costs should be paid by those getting the benefit. Broken down by month, the fee increase is not significant and the city's service level has gone up.

Action: Be granted (4-0)

The meeting adjourned at 6:49 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Calvin D. Brooks".

Calvin D. Brooks, Clerk

**City of Fitchburg  
Available Funds Summary  
Fiscal Year 2018**

<b>Available Funds Certified as of July 1, 2017</b>			<b>4,948,341</b>
<b>Less Approved Appropriations:</b>			
11/21/17	258-17	School Expenses	-632,438
11/21/17	259-17	Stabilization Fund	-300,000
11/21/17	260-17	OPEB Fund	-250,000
11/21/17	261-17	Supplemental Appropriation to Several Departments	-123,433
11/21/17	262-17	Building - BOA building maintenance & additional electrical	-18,000
11/21/17	263-17	Election & Registration - Special Elections	-9,934
11/21/17	264-17	DPW - Oak Hill Road Bridge (\$85,000 - \$25,000 Host Money)	-60,000
11/21/17	266-17	Community Development - DEP Compliance	-9,825
12/07/17	289-17	Fire - "Jaws of Life"	-165,000
12/07/17	290-17	Fire - North Street Station Driveway	-20,000
12/07/17	291-17	Fire - Support Vehicle	-36,000
12/07/17	292-17	Police - Vehicle Replacement (5 vehicles)	-154,532
12/07/17	293-17	General Insurance - Insurance Advisor	-30,000
01/16/18	003-18	City Hall Renovation	-1,000,000
02/06/18	010-18	Snow & Ice	-300,000
<b>Subtotal - Approved Appropriations</b>			<b>-3,109,162</b>
<b>Balance Available</b>			<b>1,839,179</b>
<b>Less Proposed Appropriations:</b>			
<b>Subtotal - Proposed Appropriations</b>			<b>0</b>
<b>Balance Available if Proposed Appropriations are Approved</b>			<b>1,839,179</b>
<b>Possible Appropriations:</b>			
		Snow & Ice	
		Old City Hall - Preservation and Asbestos Clean-Up	
		Labor Contracts	
		Veterans - Cash Benefits	
		Assessors - Contracted Services	
		Demolition	
		Building - Organizing Files	
		Fire - Replace Engine 2	
		Police - Carpeting & Flooring	
		Marketing City	
		Crocker Field Lighting	
		DPW - Oak Hill Road Bridge	
		DPW - Street Paving	
		Schools - Crocker School Feasibility Study (80% MSBA)	
		Schools - Phone System	
		Schools - Longsjo Compressor	
		Schools - Complete FHS Auditorium project	
		Schools - Longsjo Roof and Cupola	
		Schools - South Street School - West Building Façade	

**Proposed Food Permit Fee Schedule**  
**By: Stephanie Holinko**  
**Submitted to the Fitchburg Board of Health**

**Rational:** This revised a fee schedule is being proposed to more accurately reflect the amount of service time the health department dedicates to the administrative duties, permitting and inspection of each food service establishment.

Plan review fees are being proposed as often times several hours are dedicated by the health department staff before prior permit approval. Plan reviews are important to ensure that the food service establishment are in full compliance with the state sanitary codes before given approval and issuance a food permit by the health department. Plan reviews are not only important but are required of the health department before the initial issuance of a food permit or changes being made to an existing establishment.

Plan reviews are a timely process as many factors and calculations have to be made. For example, the food storage requirements of a food service establishment are calculated based on the size of the menu, frequency of food deliveries, and number of seats or meals being served. This is important information to determine before permitting a food service establishment because lack of adequate food storage can lead to several food storage and sanitation violations. We also verify other information such as if equipment is NSF certified to ensure that the equipment is appropriate for a commercial food establishment. Plan reviews include reviewing many required documents and applications, meetings with the owners and/or developers, and often times several pre-opening inspections before final permit approval. I estimate on average, 10-15 hours of time dedicated to the plan review process for a full service food establishment prior to the issuance of the food permit.

The determined risk level of an establishment is correlated with the amount of regulatory time spent monitoring the food service establishments through inspection. According to the FDA document Conducting Risk Based Inspections: *"Studies have shown that the types of food served, the food preparation processes used, the volume of food, and the population served all have a bearing on the occurrence of foodborne illness risk factors in retail and foodservice establishments. Standard 3 of the Program Standards requires that regulatory jurisdictions develop and use a process that groups food establishments into at least three categories based on potential and inherent food safety risks. In addition, Standard 3 requires that regulatory jurisdictions assign inspection frequency based on the risk categories to focus program resources on food operations with the greatest food safety risk. With limited resources, creating a variable inspection frequency for each category will allow inspection staff to effectively spend more time in high risk establishments that pose the greatest potential risk of causing foodborne illness."*

<http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm187947.htm>

**ALL FOOD PERMIT FEES ARE NON-REFUNDABLE**

**Annual Food Establishment:**

**Risk Level 1:** \$50.00/Annually

Plan review fee: \$25.00 (Non-refundable)

**Currently Risk Level 1 would translate to a Retail ONLY food permit. Retail Only Food Permits are currently: \$50.00 (First register) plus \$10.00 for each additional register.**

**Risk Level 2:** \$100.00/Annually  
Plan review fee: \$50.00 (Non-refundable)

**Risk Level 3:** \$200.00/Annually (Originally proposed \$250.00)  
Plan review fee: \$100.00 (Non-refundable)

**Risk Level 4:** \$250.00/Annually (Originally proposed \$350.00)  
Plan review fee: \$150.00 (Non-refundable)

**Frozen Dessert License:** + \$25 for the review of frozen dessert test results

**Currently:**

**Food Service – 50 seats or less: \$50**

**Food Service – 51-199 seats: \$100**

**Food Service – Restaurants 200 or more Seats: \$200**

**Frozen Dessert License: Add \$50.00 to permit.**

**Catering: Add \$75.00 to permit.**

**Sale of Milk: Add \$2.00 to permit**

**Retail Food Only: \$50.00**

**Retail Food with Food Service: \$75.00**

**Bakery: Add \$50.00 to permit**

**Food Vending Machine: \$25.00**

**Mobile Food:**

**Sale of retail pre-packaged food only (i.e. pre-packaged ice cream): \$100/Annually**

**Food Service: \$200.00/Annually**

**Plan Review fee: \$100.00 (Non-refundable)**

**All Mobile Food Establishment food permits are currently \$150.00/annually.**

**Residential Kitchen:**

**Residential Kitchen for retail sale: \$100.00/Annually**

Residential Kitchen for bed and breakfast: \$100/Annually  
Plan Review fee: \$50.00 (Non-refundable)

**All Residential Kitchen food permits are currently \$100.00/annually.**

**Seasonal Food Establishments (operates six months or less per year):**

½ the cost of the annual food permit

**Temporary Food Establishment (up to 14 days):**

\$45.00/One day (Non-refundable)

\$30.00 for each additional day up to 14 days

**Temporary Food Establishment permits are currently \$25.00/per event.**

**Plan Review Fees (Non-refundable):**

Renovation of an existing permitted establishment: \$50.00

Change of ownership of an existing establishment: \$50.00

HACCP Plan Review of an existing permitted establishment: \$75.00

**We currently have NO plan review fees.**

**Annual permit renewal late fee and incomplete application fee:**

Late fee: **\$35.00** if the permit renewal application and payment is submitted after April 1, 2017.

Incomplete permit renewal application fee: **\$25.00** if the permit renewal application is submitted to the health department with missing documents and/or missing information.

If a permit renewal application is submitted incomplete after April 15, 2017, you will be charged **\$50.00**

**We currently have NO late fees**

**Comparison of Food Service Fees:**

**Risk Level 2 Establishments:**

1) Family Dollar currently pays: \$62.00/annually  
They will pay: \$100.00/annually

2) Tedeschi Food Shops currently pays: \$52.00/annually  
They will pay: \$100.00/annually

3) Nutrishop Fitchburg currently pays: \$50.00/annually  
They will pay: \$100/annually

4) Super Liquors currently pays: \$60.00/annually  
They will pay: \$100/annually

### **Risk Level 3 Establishments:**

- 1) Market Basket currently pays: \$202.00/annually  
They will pay: \$200.00/annually Fee decrease
- 2) Dairy Queen currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 3) King Buffet currently pays: \$252.00/annually  
They will pay: \$200.00/annually Fee decrease
- 4) McDonalds currently pays: \$152.00/annually  
They will pay: \$200.00/annually
- 5) Burger King currently pays: \$152.00/annually  
They will pay: \$200.00/annually
- 6) Buffalo Wild Wings currently pays: \$202.00/annually  
They will pay: \$200.00/annually Fee decrease
- 7) Boston Market currently pays: \$177.00/annually  
They will pay: \$200.00/annually
- 8) Taco Bell currently pays: \$102/annually  
They will pay: \$200.00/annually
- 9) Slattery's Restaurant currently pays: \$277.00/annually  
They will pay: \$200.00/annually Fee decrease
- 10) Dario's currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 11) Singapore Restaurant currently pays: \$202.00/annually  
They will pay: \$200.00/annually Fee decrease
- 12) 99 Restaurant and Pub currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 13) Il Forno Restaurant currently pays: \$177.00/annually  
They will pay: \$200.00/annually
- 14) Bombay Tandoor Grill currently pays: \$177.00/annually  
They will pay: \$200.00/annually
- 15) El Bohio Restaurant currently pays: \$52.00/annually  
They will pay: \$200.00/annually



- 16) SS Lobster Ltd. currently pays: \$152.00/annually  
They will pay: \$200.00/annually
- 17) Il Ricordi currently pays: \$177.00/annually  
They will pay: \$200.00/annually
- 18) Zeda's Pizza currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 19) 50-50 Diner currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 20) Godfrey's Grille and Pizzeria currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 21) Espresso Pizza currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 22) Fitchburg Jade currently pays: \$50.00/annually  
They will pay: \$200.00/annually
- 23) Barb's Riverside Café currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 24) Subway currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 25) Dunkin Donut's currently pays: \$52.00/annually - \$102.00/annually (depending on seating)  
All locations will pay: \$200.00/annually
- 26) Centre Pizza currently pays: \$77.00/annually  
They will pay: \$200.00/annually
- 27) La Bella currently pays: \$50.00/annually  
They will pay: \$200.00/annually
- 28) 5<sup>th</sup> Street Diner currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 29) Bombay Tandoor Grill currently pays: \$177.00/annually  
They will pay: \$200.00/annually
- 30) Destare currently pays: \$202.00/annually  
They will pay: \$200/annually Fee decrease
- 31) Major's Café currently pays: \$102/annually  
They will pay: \$200.00/annually

- 32) Little Caesars Pizza currently pays: \$50.00/annually  
They will pay: \$200.00/annually
- 33) River City Diner currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 34) Red Star Café currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 35) Super Fans Deli and Pizzeria currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 36) Moran Square Diner currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 37) Papa John's currently pays: \$50.00/annually  
They will pay: \$200.00/annually
- 38) Cleghorn House of Pizza currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 39) Liberty Pizza currently pays: \$50.00/annually  
They will pay: \$200.00/annually
- 40) Kiki's Kitchen currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 41) Campus Pizza currently pays: \$87.00/annually  
They will pay: \$200.00/annually
- 42) Dickie's Grillin currently pays: \$102.00/annually  
They will pay: \$200.00/annually
- 43) Gold Bowl currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 44) Park Hill Pizza currently pays: \$52.00/annually  
They will pay: \$200.00/annually
- 45) Partner's Pub currently pays: \$102.00/annually  
They will pay: \$200.00/annually

## Updated Food Permit Fees for BOH Vote on August 3, 2017

All food permit fees and plan review fees are **NON-REFUNDABLE**

### Annual Food Establishment:

**Risk Level 1:** \$50.00/Annually  
Plan review fee: \$25.00

**Risk Level 2:** \$100.00/Annually  
Plan review fee: \$50.00

**Risk Level 3:** \$200.00/Annually  
Plan review fee: \$100.00

**Risk Level 4:** \$250.00/Annually  
Plan review fee: \$150.00

**Frozen Dessert License:** Add \$25 for the review of monthly frozen dessert test results

### Seasonal Food Establishments (operates six months or less per year):

½ the cost of the annual food permit

### Mobile Food:

Sale of retail pre-packaged food only (i.e. pre-packaged ice cream): \$100/Annually

Food Service: \$200.00/Annually

Plan Review fee: \$100.00

### Residential Kitchen:

Residential Kitchen for retail sale: \$100.00/Annually

Residential Kitchen for bed and breakfast: \$100/Annually

Plan Review fee: \$50.00

### Temporary Food Establishment (up to 14 days):

\$45.00/One day

\$30.00 for each additional day up to 14 days

### Additional Plan Review Fees:

Renovation of an existing permitted establishment: \$50.00

Change of ownership of an existing establishment: \$50.00

HACCP Plan Review: \$75.00

**Annual permit renewal late fee:** \$35.00 if the permit renewal application and payment is submitted after April