



**City of Fitchburg  
Massachusetts 01420**

**CITY COUNCIL**

**Councillors at Large**

**Sally H. Cragin  
Marcus L. DiNatale  
Amy Green  
Samantha M. Squailia  
Anthony M. Zarrella**

**President**

**Anthony M. Zarrella**

**Vice President**

**Andrew J. Van Hazinga**

**Ward Councillors**

**Ward 1 – Bernard J. Schultz III  
Ward 2 – Paul R. Beauchemin  
Ward 3 – Andrew J. Couture  
Ward 4 – Andrew J. Van Hazinga  
Ward 5 – Marisa R. Fleming  
Ward 6 – Derrick J. Cruz**

The regular meeting of the City Council of the City of Fitchburg was held at the Legislative Building at 700 Main Street and over the Zoom meeting platform and live streamed at FATV Studios, Fitchburg, on October 17, 2023.

The meeting was called to order by President Zarrella at 7:03 P.M. The meeting opened with a salute to the Flag led by Councilor Couture. The City Clerk called the roll 11 Councilors were present. Board consists of 11 members.

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**I. PUBLIC FORUM**

- Miranda Tozier-Robbins, Fitchburg is opposed to the wording in Petition 239-23

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**II. ANNOUNCEMENTS**

Councilor Schultz: The next two meetings of the Widowed Helping Widowed Support Group will take place on Thursday, October 19 and Thursday, November 2, 2023 from 4 until 5:30 p.m. in Room 203 at the Fitchburg State University Recreation Center, 130 North Street. Kelley Lynn and Bernie Schultz will co-facilitate the meeting.

Fitchburg Historical Commission will be hosting another round of Fitchburg History Trivia at FHS 781 Main St. Have fun identifying moments, places, people in the 1920's here in Fitchburg. We will have a "French" based menu and highlighted cocktail from that era. Amy Green and Susan Navarre are your hosts. Tickets are \$25.00 and can be purchased on our Facebook page.

Fitchburg Community Lions Club for the 1<sup>st</sup> Annual Pumpkin Patch, Saturday, October 21<sup>st</sup> on the side lawn of City Hall. For a \$10.00 donation, you select your pumpkin, take it home to decorate, paint or carve it and then bring it back on Saturday, October 28<sup>th</sup>, at 10:00 AM to be displayed on the front steps of City Hall. Prizes will be awarded for different age groups. Your donation will provide eyeglasses for Fitchburg children in need.

City Clerk: Fitchburg Municipal Election is November 7, 2023, Polls will be open from 7:00 AM – 8:00 PM

Last Day to register to vote for the November 7<sup>th</sup> Municipal Election is Saturday, October 28<sup>th</sup>, 8:30AM – 5:00 PM, at City Hall.

Last Day to request a mail-in Ballot for the November 7<sup>th</sup> Municipal Election is Tuesday, October 31<sup>st</sup> by 5:00 PM.

In-person Early Voting is scheduled for Saturday, October 28<sup>th</sup>, 10:00 AM – 2:00 PM  
Monday, October 30<sup>th</sup> – Friday, November 3<sup>rd</sup>, 8:30 – 4:30 PM, at City Hall.

Last Day to request an Absentee Ballot for the November 7<sup>th</sup> Municipal Election, Monday, November 6, 12:00 PM

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### III. REPORT OF THE APPOINTMENTS COMMITTEE

**Appointments Committee**  
**Oral Report**  
**Meeting of October 17, 2023**

**Re-Appointment:**  
**Veterans Service Commissioner**  
(Term to expire October 1, 2026)  
Michele Marino

Report accepted. Appointment confirmed by unanimous consent 11/0. 11 members present. Board consists of 11 members.

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**New Appointment: (Expiration date correction)**  
**Board of License Commissioners**  
**Was** (Term to expire May 1, 2026)  
**Should be** (Term to expire January 1, 2026)  
Glenn Fossa

Report accepted as amended by unanimous consent 11/0. 11 members present. Board consists of 11 members.

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### IV. REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of October 3, 2023 were correctly recorded. Report accepted and minutes adopted by unanimous consent 11/0. 11 members present. Board consist of 11 members.

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### V. COMMUNICATIONS

His Honor the Mayor

**1. New Appointment letter:**  
**Full-Time Student Police Officers for the Fitchburg Police Department**  
Joshua M. Loureiro-Nieves  
Florenca J. Rivas  
Jacob M. Boivin

**2. New Appointment letter:**

Christine G. Hudson, as Municipal Hearing Officer, for a term to expire November 1, 2026.

**3. New Appointment letter:**

Richard Doucette, as a member of the Council on Aging, for a term to expire November 1, 2026.

Report accepted. Appointment referred to the Appointments Committee by unanimous consent 11/0. 11 members present. Board consists of 11 members.

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**VI. SPECIAL PRESENTATION**

Mary Jo Bohart, Economic Development Director, to provide an update on a recently completed Downtown Fitchburg Consumer Market Analysis Report.  
(Refer to Economic Development)

**[Exploring Market Potential for Businesses in Downtown Fitchburg](#)**

**[Exploring Market Potential for Businesses in Downtown Fitchburg Summary of Key Findings](#)**

President Zarrella referred to Economic Development.

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Peter Kettle, Airport Manager, to provide a presentation on Non-Aviation land at the Fitchburg Airport.  
(Refer to City Property)

President Zarrella referred to City Property.

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**VII. ORDERS – FINANCE**

Motion and second for suspension of rules on Orders 239-23 and 240-23 by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

239-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the FY24 Department of Justice JAG Award in the approximate amount of \$23,966 for the purpose of community policing overtime, professional development, and training opportunities.

Order adopted by unanimous consent 11/0. 11 members present. Board consist of 11 members.

Order signed by Mayor on October 18, 2023

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240-23. ORDER THAT: there be and hereby is appropriated the sum of ONE HUNDRED FIFTY-EIGHT THOUSAND EIGHT HUNDRED NINETY-SEVEN AND 26/100 DOLLARS (\$158,897.26) from RESERVE FOR APPROPRIATION, PEG ACCESS and credited to INFORMATION TECHNOLOGY, FRANCHISE FEE for the purpose of remitting to FATV the second quarter 2023 franchise fees, and its share of annual capital grant proceeds.

Order adopted by unanimous consent 11/0. 11 members present. Board consist of 11 members.

Order signed by Mayor on October 18, 2023

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### **VIII. ORDERS – OTHER**

Motion and second for suspension of rules on Order 241-23 by roll call vote of 11 in favor and 0 opposed. 11 members present. Board consists of 11 members.

241-23. ORDER THAT: WHEREAS, K. William Krikorian, Trustee of the Trifecta Realty Trust, u/d/t October 27, 2021, with a principal address of 196 Bemis Road, Fitchburg, MA 01420, is the owner of certain property located at 49 Snow Street, Fitchburg, MA 01420, which includes a portion which was once Cherry Street.

WHEREAS, pursuant to City Council Order 185-13, Cherry Street was discontinued and abandoned, as described in Order and Description of Discontinuance and Abandonment recorded in the Worcester North Registry of Deeds at Book 7942, Page 339.

WHEREAS, the City owns cable fiber that is within the above-described parcel, specifically under a portion of the parcel which was once Cherry Street.

WHEREAS, in order access to the fiber that is contained within this parcel and maintain the City network, an easement must be conveyed with an area of 4,549.60 square feet (0.104 acres), as described in the attached Plan.

WHEREAS, Trifecta Realty Trust has agreed to gift this easement to the City for no additional cost.

NOW THEREFORE IT IS ORDERED that Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for an on behalf of the City, to acknowledge and accept a grant of easement in form substantially similar to that attached hereto, and to take any other action and execute other documents required or convenient for conclusion of grant of easement thereof.

Order adopted by unanimous consent 11/0. 11 members present. Board consist of 11 members.

Order signed by Mayor on October 18, 2023

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242-23.

ORDER THAT: WHEREAS, on March 17, 2017, the Collector of Taxes of the City of Fitchburg executed a taking for municipal charges and real property taxes for Fiscal Year 2016 on a certain parcel of land located at 116-118 Day Street, Fitchburg, MA 01420 and described as Map 32, Block 3, Lot 0 and was recorded with the Worcester North Registry of Deeds in Book 8790, Page 73; and

WHEREAS, the City Council of the City of Fitchburg accepted this parcel in lieu of foreclosure payments on March 7, 2018;

WHEREAS, a Quitclaim Deed from The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificate holders of CWABS, Inc., Asset-Backed Certificates, Series 2005-AB2 to the City of Fitchburg dated March 29, 2018, was recorded in the Worcester North Registry of Deeds in Book 9056, Page 152, on April 20, 2018; and

WHEREAS, the City of Fitchburg no longer has any use for the aforesaid parcel and the purchaser, Antonio F. Pennetti, owner of abutting property located at 110 Day Street, Fitchburg, Worcester County, Massachusetts, 01420, has a particular use for the same; and

WHEREAS, the City Treasurer, Anne M. Cervantes, petitioned the City Council under Petition No.: 272-18, to declare this property as surplus property and designate to the Side Yard Sales program and was approved on February 19, 2019; and

WHEREAS, the Side Yard Sales Committee voted on October 3, 2023 to recommend the sale of said parcel to Antonio F. Pennetti, owner of abutting property located at 110 Day Street, Fitchburg, Worcester County, Massachusetts, 01420; and

NOW THEREFORE IT IS ORDERED that in consideration of the payment of Three Hundred (\$300.00) Dollars, to be paid to the City Treasurer, inclusive of the cost of recording and a pro forma tax as required by M.G.L. c. 44, §63A, the City of Fitchburg sells the above-described parcel of land to said purchaser through the City's Side Yard Sales Program, subject to the following restrictions, which shall run with the parcel and be enforceable by the City that said parcel:

1. Shall be kept free from garbage and debris; and
2. Shall, be subject to the City maintaining the right of first refusal as described in the attached Agreement of First Refusal, and
3. Shall henceforth be conveyed in tandem with the abutting lot and into the same record of ownership.

AND IT IS FURTHER ORDERED AND VOTED: That Stephen L. DiNatale, Mayor of the City of Fitchburg, be and is hereby authorized for and on behalf of said City to execute, acknowledge and deliver said deed of conveyance in form substantially similar to that attached hereto, and execute the Agreement for Right of First Refusal and to take any other action and execute any other documents required or convenient for conclusion of the sale thereof.

Order adopted by unanimous consent 11/0. 11 members present. Board consist of 11 members.  
Order signed by Mayor on October 18, 2023

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## IX. PETITIONS

The following petition was referred to the City Property Committee:

- 243-23. To authorize the City to transfer property located at 130 Academy Street (Assessors Map 31, Block 12, Lot 0) owned by the City of Fitchburg Treasurer's Office which was conveyed via tax taxing, to the Fitchburg School Department. The School Department intends to use this parcel as parking and/or open space for Longsjo Middle School.  
(City Property)
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The following petition as amended was referred to the City Property Committee:

- 244-23. After receiving a surplus need survey from the City Clerk, declare as excess the following property and refer them to the Chief Procurement Officer for advertising and long term lease:
1. Portions of 567 Crawford Street, more specifically identified in the attached Plan entitled Non-Aviation Use.  
The Airport Master Plan was recently revised and approved by the Planning Board and the long-term leasing of this area is in the best interest of the City of Fitchburg and the Fitchburg Municipal Airport.  
(City Property)
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The following petition was referred to the City Property Committee:

- 245-23. The Community Development & Planning Department is requesting that City Council declare the following parcel as surplus property:
- 84 Elm Street,  
Assessor's Map 42/27/0  
(City Property)
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The following petition was referred to the Public Works Committee:

- 246-23. City Councilor Bernie Schultz, on behalf of Pam Lawrence of 566 Milk Street and Rosemary Reynolds of 570 Milk Street, to request removal of dying trees, one tree in front of 566 Milk Street and the second tree in front of 570 Milk Street, and to also include sidewalk repair once the two city trees are removed.  
(Public Works)
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**X. OTHER BUSINESS**

Next Regular Meeting  
Wednesday, November 8, 2023, at 7:00 PM

The meeting adjourned at 7:39 P.M.

*Joanna Bilotta-Simeone*

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Joanna Bilotta-Simeone, City Clerk