



FITCHBURG CITY CLERK

Jan 30 2024 12:12 pm

REVISED

12:13 pm, Jan 30, 2024

WELCOME TO THE FITCHBURG CITY COUNCIL

January 30, 2024

**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 by 12:00 PM (noon) on the day of meeting.

II. ANNOUNCEMENTS

III. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee

Oral Report

Meeting of January 30, 2024

New Appointment:

Permanent Full-Time Firefighter

For the City of Fitchburg

Ian B. Wilder

IV. REPORT OF COMMITTEE ON RECORDS

V. COMMUNICATION

Her Honor the Mayor

1. New Appointment letter:

Mr. Robert J. Talbot, as a member of the Fitchburg Zoning Board of Appeals, for a term to expire February 6, 2029.

2. New Appointment letter:

Mr. Joseph S. Bowen, as a member of the Fitchburg Cultural Council, for a term to expire February 6, 2027.

3. Re-Appointment letter:

Mr. Basil Tolos, as a member of the Fitchburg Disability Commission, for a term to expire February 1, 2027.

4. Appointment letter from Her Honor the Mayor:

Lisa Mead of Mead, Talerman & Costa, LLC to the position of City Solicitor for a one year term set to Expire January 25, 2025.

[Mead, Talerman & Costa, LLC Attorneys at Law](#)

Promotion Letters

1. Promotion letter:

Captain Patrick G. Haverty to Provisional Deputy Chief

2. Promotion letter:

Lieutenant Jude Lambert to Captain

3. Promotion letter:

Lieutenant Kristopher J. Maillet to Captain

4. Promotion letter:

Firefighter John A. Girouard to Lieutenant

5. Promotion letter:

Firefighter Sean M. Joubert to Lieutenant

6. Promotion letter:

Firefighter Francisco Robles III to Lieutenant

VI. REPORT OF COMMITTEES

Finance Committee

Meeting of January 24, 2024

Oral Report

- 276-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of state earmark funds in the approximate amount of \$200,000 (TWO HUNDRED THOUSAND DOLLARS) in support of the production of market-rate apartments. ~~at the Iver Mills housing development project on River Street.~~
(Adopted as Amended)
- 277-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of state earmark funds in the approximate amount of \$150,000 (ONE HUNDRED FIFTY THOUSAND DOLLARS), to be added to the city's Main Street Housing Incentive Program created last year, in support of the production of market-rate housing in ~~upper stories of~~ Main Street buildings.
(Adopted as Amended)
- 278-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds from the Executive Office of Housing and Livable Communities in the approximate amount of \$100,000 (ONE HUNDRED THOUSAND DOLLARS) for the purpose of conducting a study of the Water Street gateway corridor, specifically between the Water Street Bridge and the intersection of Bemis Road and Wanoosnoc Road, to analyze and prioritize redevelopment opportunities and infrastructure needs.
(Adopted)
- 279-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds from the Executive Office of Economic Development Massworks Program in the approximate amount of \$450,000 (FOUR HUNDRED FIFTY THOUSAND DOLLARS) for the creation of engineering designs, including underground utilities, for the reconfiguration of Moran Square.
(Adopted)

Public Safety Committee

Meeting of January 30, 2024

Oral Report

- 274-23. Intercar Motors Group Corp., to petition for a Class II Dealer's License located at: 556 River Street - Fitchburg - Ma – 01420

Public Works Committee
Meeting of January 30, 2024
Oral Report

- 254-23. Councilors Squailia and Van Hazinga to install a berm at 405 Blossom St from the driveway to the existing storm drain to mitigate water intrusion into the landscaped area and sidewalk, approx 50'. Request DPW review height of Driveway Apron as may need to be raised up to direct water flow towards storm drain.
- 255-23. Marisa Fleming in behalf of Dan Sarasin of 75 Klondike Ave to install a berm in front of his property to mitigate flooding from the higher ground across the street.
- 256-23. Andrew Couture on behalf of Brian Rufiange to request a berm to be placed from the intersection of Oak Hill to the storm drain just past 394 Franklin Rd.
- 257-23. Councilor Sam Squailia to remove the large stump in front of 264 Elm St. This stump juts into the roadway and is often obscured due to weed overgrowth, causing damage to vehicles trying to park on the street.
- 193-23. City Councilor Andrew Couture, on behalf of Bev Hofer, to replace the berm in front of 466 Franklin Road to combat runoff from Oak Hill Road.

VII. ORDERS – FINANCE

- 008-24. ORDER THAT: the City of Fitchburg hereby appropriates and transfers the sum of \$42,240 (FORTY-TWO THOUSAND TWO HUNDRED FORTY DOLLARS) from LAW DEPARTMENT- PERSONAL SERVICES to LAW DEPARTMENT- EXPENSES for the appointment of the City Solicitor.
(Refer to Finance and Legislative Affairs)
[Mead, Talerman & Costa, LLC Attorneys at Law](#)
(Refer to Finance and Legislative Affairs)
- 013-24. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Executive Office of Public Safety & Security Violence Against Women Act (VAWA) federal grant program in the approximate amount of \$74,155.78 (SEVENTY-FOUR THOUSAND ONE HUNDRED FIFTY-FIVE AND 78/100 DOLLARS) for the purpose of retaining the Police Department's Domestic Violence Advocate position, as well as to support training and provide supplies during DV awareness month.
(Refer to Finance Committee)
- 014-24. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Executive Office of Public Safety & Security Justice Assistance Grant (JAG) allocation in the approximate amount of \$45,702.51 (FORTY-FIVE THOUSAND SEVEN HUNDRED TWO AND 51/100 DOLLARS) to address unmet criminal justice and officer safety needs in the form of new radios and accessories.
(Refer to Finance Committee)
- 015-24. ORDER THAT: the City of Fitchburg hereby approves the transfer within of \$150,000 (ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS)

from POLICE PERSONAL SERVICES – PATROLMEN to POLICE PERSONAL SERVICES - OVERTIME.
(Suspension of Rules)

VIII. ORDERS – OTHER

- 012-24. ORDER THAT: Authorizing the City Clerk to notify the voters of the Presidential Primary to be held on March 5, 2024.

IX. ORDINANCE

- 009-24. AN ORDINANCE: AN ORDINANCE: Amending Article VIII entitled “Snow or Ice on Motor Vehicles” as outlined in the enclosed Ordinance. Chapter 157-94 shall be amended as outlined in the enclosed Ordinance. Chapter 169-10 entitled “Violations and penalties” shall be renumbered to be Chapter 169-11. A new Chapter 169-10 entitled “Duty to remove snow or ice from motor vehicles” shall be inserted and read as outlined in the enclosed Ordinance.
(Refer to Legislative Affairs)

X. PETITIONS

- 010-24. Counselor Fleming on behalf of Mary Lotze at 349 Pearl Hill Rd. To install a berm that has deteriorated over the years which is now causing flooding onto personal property.
(Refer Public Works)
- 011-24. Confirming that the City is to proceed with Phase II of the Twin Cities Rail Trail Project and to take all necessary actions to appropriate funds, conduct takings of easements as identified on the 100% Plans and any further DOT approved Plans, and any further actions necessary, convenient, and helpful to facilitate the completion of the Phase II project.
[100% Plans](#)
(Refer to City Property)
- 016-24. Councilor Beauchemin to amend Chapter §169-58 of the City Code with respect to penalties for violations of snow parking bans as enclosed in the attached petition.
(Refer to Legislative Affairs)

XI. OTHER BUSINESS

Next Regular Meeting
Tuesday, February 6, 2024, at 7:00 PM