



REVISED

10:01 am, Sep 05, 2023

WELCOME TO THE FITCHBURG CITY COUNCIL

September 5, 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 by 12:00 PM (noon) on the day of meeting.

II. ANNOUNCEMENTS

III. REPORT OF THE APPOINTMENTS COMMITTEE

There is no report of the Appointments Committee at this time.

IV. REPORT OF COMMITTEE ON RECORDS

V. COMMUNICATION

His Honor the Mayor

1. Appointment letter:

Sean-Michael Tantarawat, as a member of the Conservation Commission, for a term to expire September 1, 2026.

2. Appointment letter:

Glenn Fossa, to the Board of License Commissioners, for a term to expire January 1, 2026.

3. Appointment letter:

Jorgie Rodriguez, as a member of the Human Rights Commission, for a term to expire October 1, 2026.

4. Re-Appointment letter:

Dan H. Mylott, to the Board of Registrars of Voters, for a term to expire April 1, 2024.

5. Re-Appointment letter:

Joanne Huse, to the Board of Registrars of Voters, for a term to expire April 1, 2025.

6. Re-Appointment letter:

Alice E. Hillman, to the Board of Registrars of Voters, for a term to expire April 1, 2026.

7. Re-Appointment letter:

Dr. Maritza Knight, as a member of the Human Rights Commission, for a term to expire May 1, 2026.

8. Re-Appointment letter:

Cheryl Maguy-Stewart, as a member of the Human Rights Commission, for a term to expire January 1, 2025.

VI. COMMUNICATION

City Clerk

Vote to approve In Person Early Voting for Preliminary and Municipal Election.

City Clerk, Joanna Bilotta, request approval/vote of the following items;

Early Voting schedule for September 26, 2023 Preliminary Election

Early Voting schedule for November 7, 2023 Municipal Election

(See attached)

[EV Schedule September & November](#)

VII. COMMUNICATION

Economic Development Committee

Councilor Van Hazinga respectfully requests a meeting to review the 2018 Economic Development Strategic Plan, including development activities and ongoing implementation of the plan.

(Refer to Economic Development)

VIII. COMMUNICATION

Planning Board

Draft on the minutes for Petition 128-23

[Petition 128-23 draft of minutes](#)

IX. ANNUAL REPORTS

214-23. ANNUAL REPORT: 2022 Annual Report of the City Clerk's Office.

[2022 Annual Report of the City Clerk's Office](#)

X. REPORT OF COMMITTEES

Public Works Committee

Meeting of July 25, 2023

Public Works Minutes

- 182-23. Councilor Beauchemin and Councilor Schultz on behalf of residents, on Kimball Street to remove overgrowing trees pushing on existing wall, causing the said wall to lean.
(Be Adopted)
- 191-23. City Councilor Bernie Schultz, on behalf of Linda and Mike Brousseau of 116 Belmont Street, to install a berm to prevent Mt. Carmel Street runoff from damaging the grass sidewalk in front of 116 Belmont Street.
(Be Adopted)
- 192-23. City Councilor Andrew Couture, on behalf of Mike Hurley, to repair the berm in front of 152 Highview Street.
(Be Adopted)

- 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.
(Be Held)
- 194-24. City Councilor Andrew Couture, on behalf of Joyce Moretto, to repair the berms at the end of Parker and Hollywood.
(Be Adopted)
- 195-23. Councilor Fleming on behalf of several residents, employees and non-residents of Fitchburg, MA. A petition to add streetlights or roundabout to the intersection of North Street / John Fitch Highway and Pearl Hill Rd / John Fitch Highway to mitigate traffic concerns (accidents) and pedestrian crossing (safety) during daytime hours. With the increase in traffic this discussion needs to take place before a tragedy occurs.
(Be Held)
- 204-23. City Councilor Bernie Schultz, on behalf of Catherine Tucker of 308 Milk Street, to request a sidewalk repair in front of 308 Milk Street.
(Be Adopted)
- 212-23. City Councilor Bernie Schultz on behalf of Jimmy Cordero of 58 Forest Street and Carrie Harris of 70 Forest Street to request an improved berm at 70 Forest Street to prevent rainwater from running down the Forest Street hill and damaging property at both the 58 Forest Street and 70 Forest Street addresses. There is also a sidewalk repair needed in front of 58 Forest Street.
(Be Adopted)
- 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.
(Leave to Withdrew)
- 127-23. City Councilor Bernie Schultz and Police Sgt. Dan Boudreau request that the Department of Public Works and the School Department work collaboratively to ensure the widening of Munroe Street to accommodate increased vehicular traffic from South Street School.
(Be Held)
- 128-23. City Solicitor Vincent Pusateri to layout and accept as gift or donation, as a public way, a certain parcel of land known as Either Street Extension also known as Either Street as described in the attached plan.
(Be Held pending Planning Board's recommendation)

XI. ORDERS – FINANCE

- 215-23. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts Executive Office of Public Safety and Security

State 911 Department Support and Incentive Grant in the approximate amount of \$219,574 (TWO HUNDRED NINETEEN THOUSAND, FIVE HUNDRED SEVENTY-FOUR DOLLARS) for the purpose of said grant, which is to support salaries and/or provide repair and enhancement to the E911 service system in the Police Department.

- 216-23. ORDER THAT: there be and hereby is appropriated the sum of EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) same to be charged against the FY2024 TAX LEVY and credited to the Fitchburg Public Schools, for the purpose of supplementing the FY2024 budget approved in June, 2023.

XII. ORDERS – OTHER

- 217-23. ORDER THAT: Authorizing the City Clerk to notify the voters of the Preliminary Election to be held on Tuesday, September 26, 2023.

XIII. LOAN ORDERS-ROLL CALL VOTE

- 211-23. LOAN ORDER: That the City appropriate the amount of Two Million One Hundred Forty Nine Thousand One Hundred Forty Nine Dollars (\$2,149,149.00) for the purpose of paying costs of the boiler replacement at the Arthur Longsjø Middle School located at 98 Academy Street, including the payment of all costs incidental or related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Fitchburg Public Schools. To meet this appropriation the Fitchburg City Council is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that City may receive from the MSBA for the Project shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. The Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes. (Final Reading)

XIV. PETITIONS

- 218-23. Liz Murphy, Economic Director, to designate the Planning Board as Special Municipal Employees pursuant to G.L c268A, §20 (d).
(Legislative Affairs)
- 219-23. Liz Murphy, Economic Director, to designate the FRA as Special Municipal Employees pursuant to G.L c268A, §20 (d).
(Legislative Affairs)
- 220-23. Councilor Anthony Zarrella, to accept M.G.L. c. 41, s. 19H as a local option.
(Legislative Affairs)
- 221-23. Councilor Beauchemin is requesting a loading area at the Senior Center at Elm Street adjacent to the ramp for loading and unloading food and equipment without receiving a parking ticket.
(Public Works)
- 222-23. Councilor Fleming is requesting to repair or replace the guardrail on the North side of Pearl Hill Road just before the Putts Bridge.
(Public Works)

XV. OTHER BUSINESS

Next Regular Meeting
Tuesday, September 19, 2023, at 7:00 PM