



FITCHBURG CITY CLERK

*Sep 30 2021 2:54 pm*

WELCOME TO THE FITCHBURG CITY COUNCIL

**October 5, 2021**

**Fitchburg Legislative Building  
700 Main Street  
Fitchburg MA 01420**

**7:00 PM**

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 October 5, 2021

#### New Appointment:

#### Fitchburg Disability Commission

(Term to expire October 1, 2024)

Mr. Daniel J. Cunningham

## III. REPORT OF COMMITTEE ON RECORDS

### IV. COMMUNICATION

His Honor the Mayor  
Appointment Letters

1. Ms. Liz Murphy, as a member of the Fitchburg Cultural Council, term to expire October 1, 2024.
2. Mr. Gary N. Kirschke, as an Associate Member of the Zoning Board of Appeals, term to expire on October 1, 2023.

### V. COMMUNICATION

Pension Reserves Investment Management Board

## VI. REPORTS OF COMMITTEES

### Public Safety Committee Oral Report Meeting of October 5, 2021

- 176-21. Aurelio & Lovely Lacombe, dba Aurelove Motors, to petition for a Class II Dealer's License located at 71 John Fitch Highway, Fitchburg, MA.

## VII. ORDERS-FINANCE

- 177-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness Program Action Grant in the approximate amount of \$173,350.00 (ONE HUNDRED SEVENTY-THREE THOUSAND, THREE HUNDRED FIFTY AND 00/100 DOLLARS) for the purpose of said grant, which is to explore ways to mitigate flooding in the Baker Brook drainage Basin.

178-21. ORDERED THAT: there be and hereby is transferred from within the sum of TWO HUNDRED TWELVE THOUSAND AND 00/100 DOLLARS (\$212,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to POLICE, CAPITAL EXPENDITURES, VEHICLE REPLACEMENT for the purpose of replacing four police vehicles.

179-21. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the American Rescue Plan Act, Funds Available for Projects in the approximate amount of \$500,000.00 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to increase Covid-19 testing, vaccination, and contact tracing activities.

### **VIII. ORDINANCE**

180-21. AN ORDINANCE: Amending the City Code by inserting the words “and the property owner as identified in the city assessor’s records” at the end of the definition of PERMIT HOLDER in s 140-2 and at the end of s140-3 C1.

And further amended by inserting a new s140-11 F as follows:  
S140-11 F. Failure to pay amounts due may in the discretion of the Chief become a municipal charges lien and will be collected as such in the ordinary course.  
(Reference Petition #020-21)  
(First Reading)

181-21. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg, re: Fire Chief (Matrix)  
(First Reading)

182-21. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg, re: Fire Chief (Table)  
(First Reading)

### **IX. PETITIONS**

183-21. Councilors Sam Squailia and Andrew Couture to replace asphalt berm and add apron to alleviate water erosion occurring at 25 Mayland Street as detailed below and show in attached diagrams:

1. Replace worn out berm approx. 23 feet from edge of stair walkway.
2. Add new raised apron at existing stair walkway to height of berm to avoid water washout.
3. Replace washed out berm approx.. 15’ from edge of stair walkway down hill to driveway.
4. Raise driveway apron approx.. 30’ to direct water down hill.

(Public Works Committee).

- 184-21. Councilor Andrew Van Hazinga, on behalf of Laurie Brown, to repair the sidewalk in front of 11 Nutting Street.  
(Public Works Committee)
- 185-21. Game on Way, to install four 1,000 gallon propane tanks above ground and four 1,000 gallon propane tanks underground at 200 Game on Way.  
(Public Hearing October 19, 2021)

## **X. ANNOUNCEMENTS**

Next Regular Meeting  
Tuesday, October 19, 2021 - 7:00 PM