

Jun 21 2022 9:25 am**REVISED****9:23 am, Jun 21, 2022**

WELCOME TO THE FITCHBURG CITY COUNCIL

June 21, 2022

**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 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.

II. REPORT OF THE APPOINTMENTS COMMITTEE

Appointments Committee Oral Report Meeting of June 21, 2022

New Appointments:
Permanent Full Time Firefighter
Fitchburg Fire Department
Jacob G. Morin

Designee to the Montachusett Regional Commission
(Annual Appointment)
Mary Jo Bohart, Director of Economic Development

III. REPORT OF COMMITTEE ON RECORDS

IV. COMMUNICATIONS His Honor the Mayor

1. Appointment letter:
Barbara Slattery, as a member of the Fitchburg Disability Commission, term to expire July 1, 2025.

V. COMMUNICATION

VI. REPORTS OF COMMITTEES

Council as a Whole Committee Meeting of June 14, 2022

- 109-21. Joanna Bilotta-Simeone, City Clerk, to review the Mayor's salary and the City Councilors' salary, as required by Chapter 3-43 of the Code of the City of Fitchburg.
Referred Council as a Whole/FY 2022 Budget-5/18/21
Referred back to Council as a Whole-6/15/21
(Council as a Whole Committee)

Finance Committee
Meeting of June 8, 2022

- 171-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the U.S. Environmental Protection Agency, Brownfields Assessment Grant Program in the approximate amount of \$300,000.00 (THREE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to conduct environmental assessments of several key properties over the next four years.
- 172-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Republic Services Foundation's National Neighborhood Promise Fund in the approximate amount of \$200,000.00 (TWO HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is construct a stage at Riverfront Park.
- 173-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the MassDevelopment, Site Readiness Grant Program in the approximate amount of \$100,000.00 (ONE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to conduct assessment/development studies on reuse of portions of the Fitchburg Municipal Airport.
- 174-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Shared Streets and Spaces Program grant in the approximate amount of \$199,646.64 (ONE HUNDRED NINETY-NINE THOUSAND, SIX HUNDRED FORTY-SIX AND 64/100 DOLLARS) for the purpose of said grant, which is to fund the Franklin Road Sidewalk/Safe Routes to School Enhancement project.
- 175-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Shared Streets and Spaces Program grant in the approximate amount of \$47,00.00 (FORTY-SEVEN THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to fund the Boutelle Street Traffic Calming project.
- 176-22. ORDERED THAT: the City of Fitchburg hereby approves the expenditure of funds from the Federal Aviation Administration, Airport Rescue Grant in the approximate amount of \$59,000.00 (FIFTY-NINE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to repair the hangers at the airport, or other projects which may arise.
- 177-22. ORDERED THAT: there be and hereby is transferred from within the sum of TWO HUNDRED SIXTY AND 00/100 DOLLARS (\$260.00) same to be transferred from VETERANS BENEFITS, CASH BENEFITS and credited to VETERANS EXPENSES, MEMORIAL DAY CELEBRATION.

- 178-22. ORDERED THAT: there be and hereby is appropriated the sum of TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00) same to be charged against AVAILABLE FUNDS and credited to the following FACILITIES PERSONAL SERVICES accounts:
- | | |
|--------------------|----------|
| CUSTODIAN | \$700.00 |
| CLOTHING ALLOWANCE | \$750.00 |
| OVERTIME | \$550.00 |
- 179-22. ORDERED THAT: there be and hereby is appropriated the sum of SEVEN THOUSAND, ONE HUNDRED NINETY-NINE AND 00/100 DOLLARS (\$7,199.00) same to be charged against AVAILABLE FUNDS and credited to TREASURER PERSONAL SERVICES, ASSISTANT TO DEPARTMENT HEAD.
- 180-22. ORDERED THAT: there be and hereby is appropriated the sum of TWELVE THOUSAND AND 00/100 DOLLARS (\$12,000) same to be charged against AVAILABLE FUNDS and credited to COUNCIL ON AGING PERSONAL SERVICES, SICK TIME BUYBACK for the purpose of paying a retiring employee.
- 181-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTY-TWO THOUSAND AND 00/100 DOLLARS (\$52,000.00) same to be charged against AVAILABLE FUNDS and credited to EMPLOYEE BENEFITS, WORKERS COMPENSATION.
- 182-22. ORDERED THAT: there be and hereby is appropriated the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) same to be charged against AVAILABLE FUNDS and credited to EMPLOYEE BENEFITS, POLICE CHAPTER 41.
- 183-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTY-FOUR THOUSAND, TWO HUNDRED SEVENTY-NINE AND 00/100 DOLLARS (\$54,279.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:
- | | |
|-------------------------------------|-------------|
| ASSESSOR, PERSONAL SERVICES | \$ 6,133.00 |
| TREASURER, PERSONAL SERVICES | \$ 9,147.00 |
| CITY CLERK, PERSONAL SERVICES | \$ 7,760.00 |
| COMM. DEV., PERSONAL SERVICES | \$ 744.00 |
| POLICE, PERSONAL SERVICES | \$ 8,674.00 |
| FIRE, PERSONAL SERVICES | \$ 2,328.00 |
| BUILDING, PERSONAL SERVICES | \$ 5,767.00 |
| HEALTH, PERSONAL SERVICES | \$ 5,924.00 |
| COUNCIL ON AGING, PERSONAL SERVICES | \$ 4,990.00 |
| VETERANS, PERSONAL SERVICES | \$ 1,990.00 |
| EMPLOYEE BENEFITS, OTHER BENEFITS | \$ 822.00 |
- 184-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of TWO THOUSAND, NINE HUNDRED SIXTY-TWO AND 00/100 DOLLARS (\$2,962.00) same to be credited to the following accounts:
- | | |
|-----------------------|-------------|
| WATER ENTERPRISE FUND | \$ 2,962.00 |
|-----------------------|-------------|

- 185-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTEEN THOUSAND, TWO HUNDRED AND 00/100 DOLLARS (\$15,200.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, DAMAGES PERSONS AND PROPERTY to cover compensation to property owners affected by the Circle Street Bridge project.
- 186-22. ORDERED THAT: there be and hereby is appropriated the sum of NINE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$950,000.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, DAMAGES PERSONS & PROPERTY to settle a claim at the airport.
- 187-22. ORDERED THAT: there be and hereby is appropriated the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against AVAILABLE FUNDS and credited to the following LAW OTHER EXPENSES accounts:
- | | |
|------------------------------|-------------|
| LITIGATION & SPECIAL COUNSEL | \$50,000.00 |
| LABOR NEGOTIATOR | \$50,000.00 |

VII. ORDERS – FINANCE

- 152-22. LOAN ORDER: Appropriate \$3,300,000.00 to pay the cost of demolishing the existing and constructing a new Oak Hill Water Storage Tank and complete misc. repairs/work at the Overlook, Scott and Falulah Water Storage Tanks as outlined in the enclosed Loan Order.
(Final Reading and roll call vote)
- 153-22. LOAN ORDER: Appropriate \$30,000,000.00 to pay the cost of various sewer separation projects including, but not limited to sewer separation project CSO 010, 032, 045, and 083 Separation/Rehabilitation as outlined in the enclosed Loan Order.
(Final Reading and roll call vote)
- 194-22. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts earmark in the approximate amount of \$75,000.00 (SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said earmark, which is for training and equipment related to our newly established crisis response clinician. **(Suspension of the Rules)**
- 195-22. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, Highway Safety Division grant in the approximate amount of \$2,810.60 (TWO THOUSAND, EIGHT HUNDRED TEN AND 60/100 DOLLARS) for the purpose of said grant, which is to purchase and install federally approved child passenger safety seats.
- 196-22. ORDER THAT: there be and hereby is transferred from within the sum of TWELVE THOUSAND AND 00/100 DOLLARS (\$12,000.00) same to be transferred from POLICE, PERSONAL SERVICES, CIVILIAN DISPATCHERS and credited to POLICE, PERSONAL SERVICES, DISPATCHER OVERTIME.

197-22 ORDER THAT: there be and hereby is transferred from within the sum of THIRTEEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$13,500.00) same to be transferred from HUMAN RESOURCES PERSONAL SERVICES, HUMAN RESOURCES GENERALIST and credited to the following accounts:
HUMAN RESOURCES, PERS. SERV., OVERTIME \$5,000.00
HUMAN RESOURCES, EXPENSES, TEMP. P.S. \$8,500.00

198-22 LOAN ORDER: the City appropriate the amount of Four Million, Eight Hundred Thousand Dollars (\$4,800,000.00) for the purpose of paying costs of an Accelerated Repair Project at the Arthur M. Longsjo Middle School, located at 98 Academy Street, Fitchburg, Massachusetts, to replace windows and doors, as outlined in the enclosed order.
(Refer to Finance Committee)

VIII. ORDINANCES

190-22. AN ORDINANCE: That a vacant property and registration be added to Chapter 137 of the Fitchburg City Code, as outlined in the enclosed Ordinance.
(Final Reading)

191-22. An ORDINANCE: Amending Section 181.2112 “Business Districts” inserting the following paragraph underneath the paragraph entitled “Downtown Business” as outlined in the enclosed Ordinance.
(Final Reading)
[Track Changes](#)
[Zoning Map 191-22](#)

192-22. An ORDINANCE: Amending Chapter 139 of the Fitchburg City Code (Noncriminal Disposition of Violations and Municipal Fine Procedures as outlined in the enclosed Ordinance).
(Final Reading)

193-22. An ORDINANCE: That the Downtown Smart Growth District shall be reflected pursuant to the attached map.
(Final Reading)
[Downtown Smart Growth Zoning District](#)
[West Smart Growth Zoning District](#)

199-22 An ORDINANCE: Amending Chapter 169-24 entitled “parking prohibited at all times”. (Relating to Boulder Dr. as in the enclosed order)
(First Reading)

IX. PETITIONS

- 200-22 Tom Skwierawski Executive Director of Community Development and Planning, to accept the proposal of WCHR to purchase 80 Lunenburg St. as outlined in the enclosed petition.
(City Property Committee)
- 201-22 Residents of Bella Vista I Condominiums located at 875 John Fitch Highway, to request support for our neighborhood improvement petition as outlined in the enclosed document.
(Parks Commission, Public Safety Committee, Public Works Committee)
- 202-22 Councilor Marisa Fleming, to fix cracking sidewalks due to overgrown tree roots in Stoneybrook Village, begin at the side of 170 Village Crossing and continue around to 108 Village Crossing.
(Public Works Committee)
- 203-22 Residents of Bella Vista II Condominiums located at 855 John Fitch Highway, to request support for our neighborhood improvement petition as outlined in the enclosed document.
(Park Commission, Public Safety Committee, Public Works Committee)

XI. ANNOUNCEMENTS

X. OTHER BUSINESS

Next Regular Meeting
Tuesday, July 5, 2022 - 7:00 PM