



WELCOME TO THE FITCHBURG CITY COUNCIL

May 3, 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 May 3, 2022

New Appointments: Full-Time Student Police Officers Fitchburg Police Department

Anslo Gilot, Jr.
Scott George

III. REPORT OF COMMITTEE ON RECORDS

IV. ANNUAL REPORT

109-22. ANNUAL REPORT: Fitchburg Fire Department for the FY 2021.
[Fitchburg Fire Department 2021 Annual Report](#)

110-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2012.
[Fitchburg Public Library FY2012 Annual Report](#)

111-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2016.
[Fitchburg Public Library FY2016 Annual Report](#)

112-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2017.
[Fitchburg Public Library FY2017 Annual Report](#)

113-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2018.
[Fitchburg Public Library FY2018 Annual Report](#)

114-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2019.
[Fitchburg Public Library FY2019 Annual Report](#)

115-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2020
[Fitchburg Public Library FY2020 Annual Report](#)

116-22. ANNUAL REPORT: Fitchburg Public Library, for the FY 2021.
[Fitchburg Public Library FY2021 Annual Report](#)

V. REPORTS OF COMMITTEES

Economic Development Committee Meeting of May 2, 2022

009-22. The Fitchburg Planning Board, to amend the Fitchburg Zoning Ordinance by making several corrections & clarifications, as described in the enclosed Petition.

Link to proposed changes:

<https://www.fitchburgma.gov/DocumentCenter/View/9377/Memo-re-Jan2022-ZO-minor-amendments-010422>

[Planning Board Recommendation & Draft Minutes](#)

Finance Committee Meeting of April 27, 2022

[Finance Committee Minutes of April 27, 2022](#)

067-22. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY-FIVE THOUSAND (\$55,000) same to be charged against AVAILABLE FUNDS and credited to BUILDING DEPARTMENT-VEHICLE REPLACEMENT for the purpose of replace and inspection vehicle.

(Amend to reduce the amount from \$55,000 to \$40,000)

(Be Adopted as Amended)

098-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Fire Services, Firefighter Safety Equipment grant in the approximate amount of \$25,000.00 (TWENTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to purchase in-suit communication system radios to be used by the Haz-Mat team and a combustible gas meter.

(Be Adopted)

099-22. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Office of Grant and Research grant in the approximate amount of \$2,500.00 (TWO THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to purchase a defibrillator.

(Be Adopted)

100-22. ORDERED THAT: There be and hereby is transferred from within the sum of SIXTEEN THOUSAND, SEVEN HUNDRED FIFTY AND 00/100 DOLLARS (\$16,750.00) same to be charged against HEALTH PERSONAL SERVICES, WEIGHTS & MEASURES INSPECTOR and credited to HEALTH EXPENSE, WEIGHTS & MEASURES CHARGES for the purpose of covering expenses associated with the annual testing and sealing of commercial weighing and measuring devices.

(Be Adopted)

101-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to POLICE PERSONAL SERVICES, OVERTIME.

(Be Adopted)

102-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED SIXTY-ONE THOUSAND, EIGHT HUNDRED SIXTY-FIVE AND 00/100 DOLLARS (\$161,865.00) same to be charged against WASTEWATER ENTREPRISE FUND, RETAINED EARNINGS and credited to the following WASTEWATER PERSONAL SERVICES accounts:

Technicians	\$10,300.00
Maintenance	\$40,861.00
Operators	\$86,006.00
Overtime	\$17,995.00
Clothing Allowance	\$ 3,500.00
Vacation/Sick Buyback	\$ 3,203.00

(Be Adopted)

103-22. ORDERED THAT: there be and hereby is appropriated the sum of FIFTY-SEVEN THOUSAND, NINE HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$57,972.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:

MAYOR, PERSONAL SERVICES	\$ 3,289.00
CITY AUDITOR, PERSONAL SERVICES	\$ 5,691.00
PURCHASING, PERSONAL SERVICES	\$ 2,610.00
ASSESSOR, PERSONAL SERVICES	\$ 2,715.00
TREASURER, PERSONAL SERVICES	\$ 4,959.00
HUMAN RESOURCES, PERSONAL SERVICES	\$ 3,915.00
CITY CLERK, PERSONAL SERVICES	\$ 2,349.00
COMM. DEV., PERSONAL SERVICES	\$ 2,715.00
FACILITIES, PERSONAL SERVICES	\$ 2,454.00
POLICE, PERSONAL SERVICES	\$ 4,907.00
FIRE, PERSONAL SERVICES	\$ 5,481.00
BUILDING, PERSONAL SERVICES	\$ 2,819.00
PUBLIC WORKS, PERSONAL SERVICES	\$ 3,237.00
HEALTH, PERSONAL SERVICES	\$ 2,976.00
COUNCIL ON AGING, PERSONAL SERVICES	\$ 2,349.00
LIBRARY, PERSONAL SERVICES	\$ 2,506.00
EMPLOYEE BENEFITS, OTHER BENEFITS	\$ 3,000.00

(Be Held)

104-22. ORDERED THAT: there be and hereby is transferred from within the following PERSONAL SERVICES accounts the sum of SEVEN THOUSAND, EIGHT HUNDRED THIRTY AND 00/100 DOLLARS (\$7,830.00) same to be credited to the following accounts:

WATER ENTERPRISE FUND	\$ 2,976.00
WASTEWATER ENTERPRISE FUND	\$ 2,715.00
AIRPORT FUND	\$ 2,141.00
(Be Held)	

Public Safety Committee Oral Report
Meeting of May 3, 2022

- 196-21. Councilor Marcus DiNatale, on behalf of resident Barbara Slattery, to install a sidewalk apron at the corner of Old Deerfield Road and Electric Avenue (similar to the one recently installed on same side at Mount Elam Road and Electric Avenue), then allowing for the installation of a crosswalk, to enhance the safety of pedestrian traffic for the residents of Old Deerfield Road who use the adjacent bike path.
(Also referred to the Public Works Committee)
- 199-21. Councilor Marisa Fleming, on behalf of Fisher Road residents Yarisbeth Guzman, Lloyd Wentzall, and Christine Fagone, to request new signs and public lighting for Fisher Road as outlined in the enclosed Petition.
(Also referred to the Public Works Committee)
- 216-21. Sgt. Daniel Boudreau, Councilor Squailia, and Nick Erickson, DPW Commissioner, to petition for: Installation of traffic island between Old Leominster Road and Abbott Avenue. Addition of “no right turn” on Abbott Avenue turning onto Old Leominster Road. Addition of stop sign at the end of Old Leominster Road at Abbott Avenue.
(Also Referred to the Public Works Committee)
- 018-22. Sgt. Daniel Boudreau, Fitchburg Police Traffic Unit, to petition for the installation of “no parking at all times” on both sides of Game On way, from Industrial Road/Victoria Lane intersection to Game on Soccer Facility entrance.
(Also referred to the Public Works Committee)
- 027-22. Councilor Derrick Cruz, on behalf of Bassem Awad, resident at 8 Boylston Street, to install a street light on telephone pole #4 on Boylston Street.
- 058-22. Sgt. Daniel Boudreau, FPD Traffic Unit, to petition for “No Parking at All Times” on Industrial Road and Stevens Road, both sides.
- 059-22. Sgt. Daniel Boudreau, FPD Traffic Unit, to petition for a “No Parking Tow Zone” on both sides of Roper Road from Industrial Road to Westminster Line.
- 060-22. Sgt. Daniel Boudreau, FPD Traffic Unit, to petition for “No Parking During Game On Functions Tow Zone” entire length, both sides of Victoria Lane.

- 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.
- 107-22. Michael Jreige and Taleh Mammodov, River Street Auto Sales, DBA J & G Auto Sales, to petition for a class II Dealer's License located at 369 River Street.
(Note: There is a current Dealer's license at this location – this is for change of ownership)

Planning Board
Meeting of April 26, 2022

- 090-22. Marc Dohan, Exe. Director, NewVue Communities, property owner of 62 Academy Street, to amend the 40R Smart Growth District (181.84) by adding the following properties: 0 Elm Street (19-2-A) - Ref. Petition #192-20, granted October 13, 2020). and 49 Snow Street.
(Be Granted)

[Planning Board Recommendation](#)

Public Works Committee
Meeting of April 26, 2022

[Public Works Committee Meeting Minutes or April 26, 2022](#)

- 094-22. Councilor Marisa Fleming, on behalf of Tom Siart, to install a berm on the backside of 280 Arn How Farm Road to mitigate flooding in his yard from water running down Billings Road.
(Be Granted)
- 095-22. Councilor Marisa Fleming, on behalf of Cindy Cote, to install well-constructed asphalt, stone or granite berm at 161 Marshall Road to reduce any further erosion to the front of property due to increased traffic during the summer months as well as winter plowing during the snowy months.
(Be Granted)
- 096-22. Councilor Andrew Van Hazinga, to install a berm on the western side of Longwood Avenue approximately 86 feet north of its intersection with Pearl Street to prevent storm-water runoff from washing out the area along the street.
(Be Granted)
- 097-22. Councilor Sam Squailia to petition the city to repair and/or replace existing trash barrels, and add new trash barrels as required on Main Street between Moran Square and Academy Street. Trash cans should be placed one at each block and strategically located at busy pedestrian transition points.
(Be Granted)

VI. PUBLIC HEARINGS

- 009-22. The Fitchburg Planning Board, to amend the Fitchburg Zoning Ordinance by making several corrections & clarifications, as described in the enclosed Petition.
- 090-22. Marc Dohan, Exe. Director, NewVue Communities, property owner of 62 Academy Street, to amend the 40R Smart Growth District (181.84) by adding the following properties: 0 Elm Street (19-2-A) - Ref. Petition #192-20, granted October 13, 2020). and 49 Snow Street.

VII. LOAN ORDER

- 064-22. LOAN ORDER: Approp. \$2,750,000.000 to pay the cost of demolishing the existing and constructing a new Oak Hill Water Storage Tank in the City and construction a new Oak Hill Water Storage Tank in the City as outlined in the enclosed Order. (Final reading-2/3 roll call vote)

VIII. ORDERS – FINANCE

- 117-22. ORDERED THAT: There be and hereby is transferred from within the sum THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00) same to be transferred from FIRE, PERSONAL SERVICES, INCENTIVES and credited to FIRE, PERSONAL SERVICES, OVERTIME.
- 118-22. ORDERED THAT: There be and hereby is transferred from within the sum of TWELVE THOUSAND, ONE HUNDRED EIGHTY-SIX AND 00/100 DOLLARS (\$12,186.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE and credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, FOOD INSECURITY ASSISTANCE.
- 119-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FOUR THOUSAND, FOUR HUNDRED SIXTY-EIGHT AND 00/100 DOLLARS (\$44,468.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, PURCHASE OF PPE (\$4,468.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, BUSINESS ASSISTANCE.
- 120-22. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$45,000.00) same to be transferred from COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, SUPPORT FOR STUDENTS (\$40,000.00) and COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMELESSNESS SERVICES (\$5,000.00) credited to COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19, HOMEOWNER AND RENTER ASSISTANCE.

- 121-22. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, ARCHITECTURAL/ENGINEERING for design of a stage at Riverfront Park.
- 122-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT CAPITAL EXPENSES, CONSTRUCTION for construction of the Oliver Street Parking Lot.
- 123-22. ORDERED THAT: There be and hereby is transferred the sum of FIFTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$58,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:
SALT \$58,000.00
- 124-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited DPW STREET LIGHTS EXPENSES, STREET LIGHT MAINTENANCE.
- 125-22. ORDERED THAT: There be and hereby is transferred the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to DPW TRAFFIC SIGNAL EXPENSES, TRAFFIC SIGNAL MAINTENANCE.
- 126-22. ORDERED THAT: There be and hereby is transferred from within the sum of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to DPW CAPITAL EXPENSES, STREET REPAIR and the purpose of paving Industrial Road.
- 127-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW ADMIN. EXPENSES, STORMWATER CONTRACT SERVICES.
- 128-22. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$460,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, EQUIPMENT.
- 129-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED NINETY-SIX THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$196,500.00) same to be charged against AVAILABLE FUNDS and credited to PARKS CAPITAL EXPENSES, PARKS AND PLAYGROUNDS.

- 130-22. ORDERED THAT: There be and hereby appropriated the sum of EIGHT HUNDRED THOUSAND AND 00/100 (\$800,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, STREET REPAIR for the purpose of paving Clarendon Street.
- 131-22. ORDERED THAT: There be and hereby is appropriated the sum of FIVE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$575,000.00) same to be charged against AVAILABLE FUNDS and credited to DPW CAPITAL EXPENSES, OAK HILL ROAD BRIDGE REPAIR.
- 132-22. ORDERED THAT: There be and hereby appropriated the sum of SIXTY-FIVE THOUSAND, FORTY-FOUR AND 00/100 DOLLARS (\$65,044.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts:
- | | |
|-----------------------------------|-------------|
| TREASURER, PERSONAL SERVICES | \$ 1,138.00 |
| POLICE, PERSONAL SERVICES | \$62,972.00 |
| EMPLOYEE BENEFITS, OTHER BENEFITS | \$ 934.00 |
- (To fund a new 3-year contract with Local 492, Police Dispatchers Union)
- 133-22. ORDERED THAT: There be and hereby is transferred from within the following PERSONAL SERVICES account the sum of THIRTEEN THOUSAND, SEVENTY-EIGHT AND 00/100 DOLLARS (\$13,078.00) same to be credited to the following account: AIRPORT FUND, PERSONAL SERVICES \$13,078.00.
- 134-22. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWENTY-TWO THOUSAND, ONE HUNDRED TWENTY-EIGHT AND 00/100 DOLLARS (\$122,128.00) same to be charged against AVAILABLE FUNDS and credited to accounts as listed in the enclosed Order.
(To fund a new 3-year contract with Local 888 Inspectors, Service Employees International Union.

IX. ORDINANCES

- 135-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.
(Table)
(First Reading)
- 136-22. AN ORDINANCE: Amending Chapter 44 of the Fitchburg City Code as outlined in the enclosed Ordinance.
(Matrix)
(First Reading)

X. PETITIONS

- 137-22. Unutil, to petition for a new pole on Prichard Street, approx. 453' North of Elm Street and approx. 190' South of Oliver Street, as outlined in the enclosed Petition.
(Public Hearing May 17, 2022)

138-22. Councilors DiNatale and Couture, to insert a City Council Rules that states as follows:

Any and all public announcements that a councilor or councilors wish to have announced at the bi-weekly regular city council meetings must be submitted to the Council President no later than 48 hours prior to the meeting in writing and said announcements shall be recited by the Council President.

(Legislative Affairs Committee)

139-22 Tom Skwierawski, Exe. Director of Community Development and Planning, and Amy Leblanc, Senior Project Manager, to make a series of amendments to Chapter 169 of the City Code, as well as road closure changes, to correspond to the two-way conversion project, scheduled for a June 30, completion. Proposed changes are attached.

(Legislative Affairs Committee)

[Chapter 169 Proposed Changes](#)

140-22. Councilor Bernie Schultz and police Sgt. Dan Boudreau to erect “No Parking from Here to the Corner” signs that measure 50 feet from all four corners of Charles Street at the intersection of Charles and Forest Streets.

(Public Works Committee)

XI. ANNOUNCEMENTS

XII. OTHER BUSINESS

Next Regular Meeting
Tuesday, May 17, 2022 - 7:00 PM