

May 16 2025 10:54 am

**REVISED**

2:17 pm, May 19, 2025

WELCOME TO THE FITCHBURG CITY COUNCIL**May 20, 2025**

**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 May 20, 2025

New-Appointment letters:

Full-Time Student Police Officers for the City of Fitchburg

Sara Coffey

Tyler Doucette

Angelina Magaw-Chan

Arlene Tostes

New-Appointment letter:

Full-Time Student Police Officer for the City of Fitchburg

Adam Bourgault

New Appointment letter:

Fitchburg Board of Registrars

(For a term to expire April 1, 2028)

Michael T. Hurley

New Appointment letter:

Fitchburg Disability Commission

(For a term to expire May 1, 2028)

Emily Starks

Re-Appointment letter:

Fitchburg Board of Parks Commissioners

(For a term to expire April 1, 2030)

James J. McGrath

Re-Appointment letter:

Fitchburg Human Rights Commission

(For a term to expire May 1, 2028)

Krista Fords-Rhodes

IV. REPORT OF COMMITTEE ON RECORDS

Regular City Council meeting minutes of May 6, 2025

V. COMMUNICATION

Her Honor the Mayor

1. New-Appointment letter:

Brittney Fish, to the position of Human Resources Director for the City of Fitchburg, for a term to expire December 31, 2026.

1. New-Appointment letter:

Felix I. Zemel, to the position of Building Commissioner for the City of Fitchburg, for a term to expire June 1, 2028.

VI. SPECIAL PRESENTATION

Historical Commission
May Preservation Month

VII. REPORT OF COMMITTEES

City Property Committee

Meeting of May 20, 2025

Oral Report

089-25. ORDER THAT: the City Council of the City of Fitchburg, duly elected, qualified, and acting as such, on behalf of the City, votes to authorize the Mayor to execute an extension of the lease by and between the City of Fitchburg and Crown Atlantic Company LLC, as the successor of Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless for the property located at 1078 Franklin Road, Fitchburg, Massachusetts, for the final renewal term of five years commencing on April 15, 2025 and ending on April 15, 2030 and to take any other action necessary or convenient to carry out this vote.

092-25. RESOLUTION THAT: Councilor Andrew Couture, to rename the Crocker Splash Pad at Crocker Park to the Joel Kaddy Memorial Splash Pad.

Economic Development Committee

Meeting of May 20, 2025

Oral Report

- Update on Housing, including InTown Fitchburg HDIP units
- New Businesses opened in Fitchburg since last meeting of ED Subcommittee
- Cultural District Marketing Plan Meeting 5-29
- Other

Finance Committee
Meeting of May 14, 2025
Oral Report

- 083-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds awarded to the Parks Department by CoFF33 Corp. in the approximate amount of NINE THOUSAND DOLLARS (\$9,000) for the purpose of beautifying traffic signal control boxes with murals.
(Be Adopted)
- 084-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of EIGHTY-FOUR THOUSAND FIVE HUNDRED SEVENTY-NINE DOLLARS (\$84,579), representing the Commonwealth of Massachusetts' share of the required match for participation in the U.S. Department of Transportation Safe Streets for All (SS4A) Grant Program.
(Be Adopted)
- 085-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000), from the Executive Office of Housing and Livable Communities – Community Planning Grant Program, to develop a regional housing production plan with the City of Leominster.
(Be Adopted)
- 086-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of THREE HUNDRED THIRTY THOUSAND DOLLARS (\$330,000), from the Executive Office of Housing and Livable Communities – HousingWorks Infrastructure Program, to support the Green Acres Road and Sidewalk Replacement Project.
(Be Adopted)
- 087-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of SIXTY-TWO THOUSAND ONE HUNDRED DOLLARS (\$62,100), from the Community Compact Cabinet – Information Technology Grant Program, to support the city's 40U program with the purchase of handheld ticketing machines and software.
(Be Adopted)
- 088-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of TWO HUNDRED FORTY-THREE THOUSAND ONE HUNDRED THIRTY DOLLARS (\$243,130), from the Department of Energy Resources Green Communities Division, for LED Lighting at Longsjo Middle School.
(Be Adopted)

VIII. BUDGET ORDERS-FY 2026

- 100-25. ORDER THAT: there be and hereby is appropriated the Mayor's Fiscal Year 2026 Operating Budget:

| | |
|-----------------------|----------------|
| General Fund | \$ 181,515,682 |
| Water Enterprise | \$ 9,018,485 |
| Wastewater Enterprise | \$ 20,126,481 |
| Airport Fund | \$ 1,100,437 |

- 101-25. ORDER THAT: there be and hereby is appropriated the sum of SEVEN HUNDRED THOUSAND DOLLARS (\$700,000), same to be credited to the Fiscal Year 2026 TAX LEVY and charged against OVERLAY SURPLUS.

- 102-25. ORDER THAT: there be and hereby is appropriated the sum of THREE MILLION EIGHT HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED SIXTY-THREE DOLLARS (\$3,847,163), same to be charged against AVAILABLE FUNDS and credited to the Fiscal Year 2026 TAX LEVY in order to reduce the tax rate.

- 114-25. ORDER THAT: there be and hereby is appropriated the sum of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000), same to be charged against the STABILIZATION FUND and credited to the Fiscal Year 2026 TAX LEVY in order to reduce the tax rate.

- 103-25. ORDER THAT: there be and hereby is appropriated the sum of ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000), same to be charged against PARKING METER/GARAGE RECEIPTS and credited to Fiscal Year 2026 accounts as follows:

| | |
|-----------------------------|-----------|
| Treasurer Personal Services | \$ 40,000 |
| Treasurer Expenses | \$ 80,000 |

- 104-25. ORDER THAT: there be and hereby is appropriated the sum of FIFTY-FIVE THOUSAND DOLLARS (\$55,000), same to be charged against PEG ACCESS AND CABLE RELATED FUND RECEIPTS and credited to Fiscal Year 2026 accounts as follows:

| | |
|---------------------------------------|----------|
| Information Technology - PEG Expenses | \$25,000 |
| Information Technology - PEG Capital | \$30,000 |

- 105-25. ORDER THAT: there be and hereby is appropriated the sum of FORTY-FIVE THOUSAND DOLLARS (\$45,000), same to be charged against CEMETERY SALE OF LOTS AND GRAVES and credited to Fiscal Year 2026 CEMETERY PERSONAL SERVICES.

106-25. ORDER THAT: there be and hereby is appropriated the sum of NINE MILLION EIGHTEEN THOUSAND FOUR HUNDRED EIGHTY-FIVE DOLLARS (\$9,018,485) same to be charged against WATER ENTERPRISE FUND RECEIPTS and credited to Fiscal Year 2026 Water Enterprise Fund accounts as follows:

| | |
|-------------------|-------------|
| Personal Services | \$2,417,125 |
| Expenses | \$2,421,000 |
| Indirect Costs | \$1,452,300 |
| Debt Service | \$2,178,060 |
| Capital Expenses | \$ 550,000 |

107-25. ORDER THAT: there be and hereby is appropriated the sum of TWENTY MILLION ONE HUNDRED TWENTY-SIX THOUSAND FOUR HUNDRED EIGHTY-ONE DOLLARS (\$20,126,481), charging \$18,344,495 against WASTEWATER ENTERPRISE FUND RECEIPTS and \$1,781,986 against WASTEWATER ENTERPRISE FUND RETAINED EARNINGS, and credited to Fiscal Year 2026 Wastewater Enterprise Fund accounts as follows:

| | |
|-------------------|-------------|
| Personal Services | \$3,183,418 |
| Expenses | \$6,313,005 |
| Indirect Costs | \$1,555,300 |
| Debt Service | \$6,673,958 |
| Capital Expenses | \$2,400,800 |

108-25. ORDER THAT: there be and hereby is appropriated the sum of ONE MILLION ONE HUNDRED THOUSAND FOUR HUNDRED THIRTY-SEVEN DOLLARS (\$1,100,437) same to be charged against AIRPORT RECEIPTS RESERVED and credited to Fiscal Year 2026 Airport Fund accounts as follows:

| | |
|-------------------|------------|
| Personal Services | \$ 354,799 |
| Expenses | \$ 745,638 |

109-25. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from the following Revolving Funds, authorized by City Ordinance, up to the amount available in the fund or \$100,000 (except Public Health Sustainability which shall have a FY2026 limit of \$750,000), whichever is less:

| <u>Revolving Fund</u> | <u>Authorized Official</u> |
|---------------------------------|---|
| Animal Control | Police Chief |
| Civic Days | Mayor or Mayor's Designee, Recreation Director |
| Communication Tower & Equipment | Fire Chief |
| Community Development | Community Development Director or Designee |
| Demolition | Community Development Director or Designee |
| Public Cemetery | Cemetery Superintendent, Public Works Commissioner |
| Public Health Sustainability | Public Health Director |
| Public Library | Library Trustees, Chief Librarian |
| Traffic Enforcement | Police Chief |
| Traffic Safety Equipment | Police Chief |
| Senior Center Activities | Executive Director of the Council on Aging |
| Sidewalk | Public Works Commissioner |
| Stormwater Maintenance | Public Works Commissioner |

IX. ORDINANCES

090-25. AN ORDINANCE: Amending Chapter 44 Section 10 (Council on Aging hourly positions) of the code of the City of Fitchburg.
(Final Reading)

- 091-25. AN ORDINANCE: by the City Council of the City of Fitchburg that a new Section 23-36 is inserted into Chapter 23 Fire Department, Article II Chief Engineer, reading as follows:

§ 23-36 Fire Alarm System Monitoring License Fee

The following rate is to be the fee charged for the City Fire Department to issue a license to monitor fire alarm systems: \$300. This section shall take effect January 1, 2026.

(Final Reading)

- 110-25. AN ORDINANCE: Chapter 181, § 181.66.A.2 of the Code of the City of Fitchburg be amended as follows:

That the General Ordinances of the City of Fitchburg, Chapter 181, § 181.66.A.2, as most recently amended, be further amended by deleting the language denoted with strikethrough and replacing with the language denoted as emboldened:

2. For the reasons set forth above and notwithstanding any other provision of the Zoning Ordinance to the contrary, the City hereby adopts a temporary moratorium on the permits for and use of land for large scale ground mounted solar photovoltaic facilities. The moratorium shall be in effect through May 31, 2025 ~~October 15, 2025~~, unless adoption of new Zoning Ordinance addressing Large Scale Ground-Mounted Solar Photovoltaic Facilities is in effect, whichever is earlier. During the moratorium period, the City shall undertake a planning process to address the potential impacts of large-scale ground mounted solar photovoltaic facilities and related uses, and shall consider adopting new Zoning Ordinances to better address the impact and construction of same in the City.

(Public Hearing June 3, 2025)

X. PETITIONS

- 111-25. Councilor Marcus L. DiNatale and Andrew Couture, on behalf of multiple Fitchburg residents, to abolish the use of fluoride treatments in the city's public water supply. (Council as a Whole)

- 112-25. Councilor Beauchemin, to PETITION TO ENACT A MORATORIUM ON THE NAMING OF CITY BUILDINGS AFTER INDIVIDUALS

WHEREAS, the City Council of Fitchburg recognizes the importance and permanence of naming municipal buildings and facilities; and

WHEREAS, the naming of public buildings after individuals is a significant civic gesture that should reflect broad community values and historical context; and

WHEREAS, recent discussions and public feedback have indicated the need to review and potentially revise the city's policies and procedures regarding such dedications;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fitchburg that:

A moratorium is hereby established on the naming or renaming of any city-owned building, facility, or public space after any individual for a period of five (5) years from the date of adoption of this resolution.

During this moratorium, no new dedications, plaques, signage, or official designations of any kind shall be approved by any department or board of the city in honor of a specific individual.

This moratorium shall not apply to dedications previously authorized by formal vote of the City Council prior to the adoption of this resolution.

The City Council reserves the right to review and amend this policy or adopt formal criteria and procedures for naming city properties during the moratorium period.

(Legislative Affairs)

- 113-25. Unitil, to petition to relocate p#14, 14's as painted on ground for new driveway. The proposed p#14 would be 95' from Columbus St. and 103' from St. Joseph St., Fitchburg, as outlined in the enclosed Petition.
(Public Hearing June 3, 2025)

XI. OTHER BUSINESS

Next Council as a Whole - 5 Year Budget Planning Meeting
Tuesday, May 27, 2025 @ 6:00 PM

Next Council as a Whole Meeting – Budget Hearing
Wednesday, May 28, 2025
Begins Immediately following Finance, at 6:00 PM

Next Council as a Whole Meeting – Budget Hearing
Thursday, May 29, 2025 @ 6:00 PM

Next Regular Meeting
Tuesday, June 3, 2025 7:00 PM