



FITCHBURG CITY CLERK

Mar 29 2024 3:07 pm

WELCOME TO THE FITCHBURG CITY COUNCIL

April 2, 2024

**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

From Her Honor the Mayor

1. Appointment letter:

James P. McNamara, as a member of the Fitchburg Board of Registrars, for a term to expire April 1, 2027.

VI. REPORT OF COMMITTEES

City Property Committee Meeting of March 26, 2024 Oral Report

- 005-24. ORDER THAT: the City of Fitchburg shall, through its Mayor Samantha M. Squailia, approve and authorize the execution of a Conservation Easement Agreement in form substantially similar to that attached hereto and authorize all other acts which will be necessary, helpful or convenient thereto, in order to effectuate the Zoning Board decision of September 27, 2023 as recorded in the Worcester North Registry of Deeds at Book 10655, Page 369.
[1341 Rindge Road Easement](#)
(Be Adopted as amended)

Finance Committee Meeting of March 27, 2024 Oral Report

- 086-24. ORDER THAT: there be and hereby is appropriated the sum of THIRTEEN THOUSAND THREE HUNDRED NINETY DOLLARS (\$13,390) same to be charged against AIRPORT RECEIPTS RESERVED and credited to AIRPORT IMPROVEMENTS.
(Be Adopted)
- 087-24. ORDER THAT: there be and hereby is appropriated the sum of SEVEN HUNDRED TEN THOUSAND AND 00/100 DOLLARS (\$710,000) from AVAILABLE FUNDS to credit SCHOOL DEPARTMENT - SCHOOL EXPENSES.
(Be Adopted)

Public Safety Committee

Meeting of April 2, 2024

Oral Report

- 195-23. Councilor Fleming on behalf of several residents, employee's 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.
- 203-23. Remove the current no parking area on the east side of Snow St. (Snow Street East from Cherry Street to opposite Union Street) and replacing it with time limit parking (Two Hour Parking) to add ten new parking spots.
- 044-24. Marisa Fleming on behalf of Maritza Rivera of 478 Pearl St to install a blind driveway sign. This is to ensure oncoming vehicles traveling in both directions of Pearl St are aware of this hidden driveway. To also change the thru way between the monument and the house from a two way street to a one way street entering one way from Pearl St to Townsend St.
- 045-24. Councilors Marisa Fleming and Beth Walsh, on behalf of Lisa Bailey, to install additional stop signs at the intersection of Billings Road and Arn-How Farm Road, to make the intersection of Billings Road and Arn-How Farm Road a 3-way stop.

Public Works Committee

Meeting of March 26, 2024

Oral Report

- 079-24. City Councilor Bernie Schultz, on behalf of Orlando Jimenez of 507 Water Street, to request removal of dying trees on Lancaster Street located above his home.
(Be Granted)
- 083-24. City Councilor Bernie Schultz, on behalf of The Church of God Pentecostal M.I. at 276 Water Street, to request installation of Rectangular Rapid Flashing Beacons (RRFBs) at the 276 Water Street crosswalk.
(Be Granted)
- 084-24. City Councilor Bernie Schultz, on behalf of Pam Lawrence of 566 Milk Street and Rosemary Reynolds of 570 Milk Street, to request removal of tree stumps from recently cut down city trees, one tree stump in front of 566 Milk Street and the second tree stump in front of 570 Milk Street, and to also include sidewalk repair once the two tree stumps are removed.
(Be Granted)
- 256-23. Andrew Couture on behalf of Brian Rufiange to request a berm to be placed from the intersection of Oak Hill to the storm drain just past 394 Franklin Rd.
(Be Held)

VII. ORDERS – FINANCE

- 088-24. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds from the Department of Fire Services Firefighter Safety Equipment Grant in the approximate amount of TWENTY-FOUR THOUSAND EIGHT HUNDRED FORTY DOLLARS (\$24,840) for the purpose of purchasing an accountability board/mobile command console, scene lighting, a rescue boat, and lifting air bags.
- 089-24. ORDER THAT: there be and hereby is appropriated the sum of ONE MILLION NINE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,900,000) from AVAILABLE FUNDS to credit EMPLOYEE BENEFITS – HEALTH INSURANCE.
- 090-24. ORDER THAT: there be and hereby is appropriated the sum of THREE HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED THIRTY AND 00/100 DOLLARS (\$322,430) from AVAILABLE FUNDS to credit SCHOOL DEPARTMENT - TRANSPORTATION.

VIII. ORDINANCE

- 078-24. AN ORDINANCE: Article 2 § 169-58 entitled Violations and Penalties be amended as follows (**bold and underline** is new language and ~~cross through~~ is omitted language):
- B. Pursuant to the provisions of MGL c. 90, § 20A 1/2, any person violating any provision of any rule, regulation, order or ordinance regulating the parking of motor vehicles shall be punished by a fine for each offense as hereinafter set forth:
- (1) Group A, \$300.
- (a) 01. Handicapped parking.
- (b) 02. Blocking a wheelchair ramp.
- ~~(2) Group B, \$30.~~ **(2) Group B, \$100.**
- (a-1) 03. Parking ban/snow emergency.**
- ~~(a) 03. Tow zone — no parking area.~~
- ~~(b) 04. Within 10 feet of a hydrant.~~
- ~~(c) 05. Double parking.~~
- ~~(d) 06. Within an intersection.~~
- ~~(e) 07. Less than 10 feet from an unobstructed way.~~
- ~~(f) 08. Fire lane.~~
- ~~(g) 09. Within five feet of a driveway or alley.~~
- ~~(h) 10. Within 20 feet of an intersecting way.~~
- (3) Group C, \$30.
- (a) 04. Tow zone — no parking area.**
- (b) 05. Within 10 feet of a hydrant.**
- (c) 06. Double-parking.**
- (d) 07. Within an intersection.**
- (e) 08. Less than 10 feet from an unobstructed way.**
- (f) 09. Fire lane.**
- (g) 10. Within five feet of a driveway or alley.**
- (h) 11. Within 20 feet of an intersecting way.**
- ~~(a) 11 (i) 12. All-night parking.~~
- ~~(a-1) 11.1. Parking ban/snow emergency.~~
- [Added 4-21-2015 by Ord. No. 076-2015]

- ~~(b)~~ ~~12~~ **(j) 13**. Right wheels not at curb.
 - ~~(e)~~ ~~13~~ **(k) 14**. Wheels more than one foot from curb.
 - ~~(d)~~ ~~14~~ **(l) 15**. On a sidewalk.
 - ~~(e)~~ ~~15~~ **(m) 16**. On a crosswalk.
 - ~~(f)~~ ~~16~~ **(n) 17**. No parking area.
 - ~~(g)~~ ~~17~~ **(o) 18**. Within a bus stop.
 - ~~(h)~~ ~~18~~ **(p) 19**. Ten-hour meter violation.
 - ~~(i)~~ ~~18.1~~ **(q) 19.1**. Parking of nonmotorized vehicle or trailer.
 - (4) Group D, \$15.
 - (a) 19. Within a loading zone or taxi stand.
 - (b) 20. Meter violation.
 - (c) 21. Overtime parking.
- (Third and Final Reading)

XI. PETITIONS

- 091-24. City Councilor Bernie Schultz, on behalf of Milk Street residents, to connect existing sections of sidewalk on one side of Milk Street from the corner of Electric Avenue to Ellis Street (sidewalk side to be chosen by Department of Public Works) to help school children walking to the bus stop at the corner of Electric Avenue and Milk Street.
(Refer to Public Works)
- 092-24. Pursuant to M.G.L. 64G §3A, amend the City of Fitchburg local room occupancy excise to the rate of SIX PERCENT (6%).
(Refer to Legislative Affairs)

X. OTHER BUSINESS

- 051-24. LOAN ORDER: the sum of Thirty Nine Million Five Hundred Thousand Dollars (\$39,500,000) be and hereby is appropriated to pay the cost of various sewer separation projects including, but not limited to, sewer separation project CSO 032, 045 and 083 Separation/Rehabilitation; and that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow all or part of said amount under and pursuant to M.G.L. Chapter 44, Section 7(1) or 8(14), from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, or pursuant to any other enabling authority, to issue bonds or notes of the City therefor, and to file or execute all necessary documents with the Municipal Finance Oversight Board to qualify such bonds under M.G.L. Chapter 44A; and that the Mayor or other relevant City official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.
(Re-Vote on and sent to a first reading)

Next Regular Meeting
Tuesday, April 16, 2024, at 7:00 PM