



Sep 12 2024 3:19 pm

WELCOME TO THE FITCHBURG CITY COUNCIL

September 17, 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

Appointments Committee

Oral Report

Meeting of September 17, 2024

New Appointments:

Fitchburg Cultural Council

(Term to expire September 17, 2027)

Mike Amadeo

Daniel Dow

Jennifer Hemenway

Liliana Gomez Fernandez

IV. REPORT OF COMMITTEE ON RECORDS

(September 5, 2024)

V. REPORT OF COMMITTEES

Board of Health

Meeting of August 8, 2024

https://www.fitchburgma.gov/AgendaCenter/ViewFile/Minutes/_07112024-4125

030-24. Andrew Couture on behalf of the residents of Oak Ridge Condominiums to investigate an offensive odor (suspected from Grief paper).
(Continued)

Finance Committee

Meeting of September 11, 2024

Oral Report

162-24. ORDER THAT: the City of Fitchburg hereby approves the expenditure of funds from Massachusetts Emergency Management State Homeland Security Program Grant (SHSP) in the approximate amount of FIVE THOUSAND DOLLARS (\$5,000) for the purpose of purchasing equipment for the Fire Department's Community Emergency Response Team (CERT).
(Be Adopted)

- 163-24. ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000), received from Fitchburg State University and originating from Mass Development, for creation of a Downtown Management Organization.
(Be Adopted)
- 164-24. ORDER THAT: there be and hereby is appropriated the sum of SEVENTEEN THOUSAND DOLLARS (\$17,000) same to be charged against the FY2025 TAX LEVY and credited to LAW EXPENSES – Damages – Persons & Property.
(Be Adopted)
- 165-24. ORDER THAT: the City of Fitchburg hereby approves the transfer of TEN THOUSAND DOLLARS (\$10,000) from Community Development Expense – Municipal Hearing Officer to Community Development Personal Services – Municipal Hearing Officer.
(Be Adopted)

VI. ORDERS - FINANCE

- 172-24: ORDER THAT: there be and hereby is appropriated the sum of THIRTY-SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$37,800) same to be charged against the FY2025 TAX LEVY and credited to POLICE – MAINTENANCE OF BUILDING – Repair & Care.
- 173-24: ORDER THAT: the City of Fitchburg hereby approves the expenditure of grant funds in the approximate amount of EIGHTEEN THOUSAND NINE HUNDRED SIXTY-THREE AND 57/100 DOLLARS (\$18,963.57), received from Fitchburg State University and originating from Mass Development, to fulfill TDI/InTown commitments made to fund programming, marketing and needed repairs at Mill Street.
- 174-24. ORDER THAT: there be and hereby is appropriated the sum of ONE HUNDRED ELEVEN THOUSAND TWO HUNDRED SIXTY-ONE AND 32/100 DOLLARS (\$111,261.32) from RESERVE FOR APPROPRIATION - PEG ACCESS CABLE FRANCHISE FEE for the purpose of remitting to FATV the second quarter 2024 franchise fee.
(Suspension of Rules)

VII. LOAN ORDER

- 160-24. LOAN ORDER: that \$12,700,000 aggregate amount is appropriated for the following projects, including all costs incidental and related thereto, which amount may be apportioned to such projects as needed to accomplish the projects: (i) rehabilitation and/or upgrade of the Meetinghouse Gatehouse and Mare Meadow Pump Station, at an estimated cost of \$4,400,000; (ii) Main Street water main replacement project, at an estimated cost of \$6,000,000, which amount is expected to be used in addition to certain American Rescue Plan Act funds available for the project; and (iii) Regional Water Treatment Plant roof replacement and weatherproofing project, at an estimated cost of \$2,300,000; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$12,700,000 under G.L. c.44, §8 or any other enabling authority; that the Mayor is authorized to contract for and expend any

federal or state aid available for the projects; that the Mayor is authorized to take any other action necessary to carry out the projects; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.
(Final Reading)

VIII. ORDINANCE

175-24. AN ORDINANCE: Section 1, Chapter 170 Vehicles, Impoundment of, is hereby amended by inserting at the end of the chapter the following new Article III Violations in connection with Recreational Vehicles and Snow Vehicles.
(First Reading)

IX. PETITIONS

176-24. City Councilor Derrick Cruz and cosponsored by Councilor Cragin and Councilor Walsh. The City of Fitchburg shall adopt a fee structure for public records requests, in accordance with the Massachusetts Public Records Law, as follows:

1. Copying Costs: The City of Fitchburg will charge up to 5 cents per page for standard black-and-white paper copies or printouts of public records.
2. Electronic Records: For records provided electronically, no per-page fee will be charged, though charges may apply for staff time as outlined below.
3. Personnel Costs: The City will charge for the time required to search for, compile, segregate, and redact public records if the time exceeds two hours. The hourly rate will be based on the hourly wage of the lowest-paid employee capable of performing the task, not exceeding \$25 per hour, unless otherwise approved by the Supervisor of Public Records (City Clerk).
4. Preliminary Cost Estimate: Upon receiving a public records request, the City of Fitchburg shall provide the requester with a written, itemized, good-faith estimate of the expected fees before processing the request, if applicable.
5. Effective Date: These changes shall take effect immediately upon approval by the City Council.
(Legislative Affairs)

177-24. The Community Development & Planning Department is requesting that City Council designate the new Municipal Hearing Officer as a Special Municipal Employee.
(Legislative Affairs)

178-24. City Councilor Bernie Schultz, on behalf of Roseann Addorisio of 84 Newton Street, to install a berm to replace a previous berm located at this address many years ago. Recently, the previous berm's location washed away in creating a trench at that location.
(Public Works)

X. OTHER BUSINESS

1. Review Submitted Open meeting Law Complaint

Next Regular Meeting
Tuesday, October 1, 2024, at 7:00 PM