

Regular Meeting

The regular meeting of the City Council of the City of Fitchburg was held in the Memorial Middle School Library, 615 Rollstone St., Fitchburg, on January 15, 2019. The meeting was called to order by President Michael Kushmerck at 7:00 P.M. The Clerk called the roll and eleven (11) Councillors were present. The meeting opened with a salute to the Flag led by Councillor Beauchemin.

For the Record

Noted for the record:
FATV was recording the audio and video of the meeting.

Public Forum

PUBLIC FORUM

Mr. Calvin Brooks, City Auditor spoke regarding the status of the recently certified free cash.

Records

REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of December 18, 2018 were correctly recorded. Report accepted and minutes adopted.

Communication
His Honor the
Mayor

COMMUNICATION FROM HIS HONOR THE MAYOR
Appointment Letters

Appointment Letters

1. Permanent Reserve Police Officers for the City of Fitchburg:
Christopher Davis
Sean Maki
Ismael Santiago-Pietri
Dylan Knox



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

CITY CLERK
2819 DEC 19 PM 2:07

STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

AARON TOURIGNY
CHIEF OF STAFF
ATOURIGNY@FITCHBURGMA.GOV
JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

December 19, 2018

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

RE: Appointment of Permanent Reserve Police Officers

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of the following individuals as Permanent Reserve Police Officers for the City of Fitchburg:

- Christopher Davis
- Sean Maki
- Ismael Santiago
- Dylan Knox

All four candidates have satisfied all of the conditional employment requirements.

Thank you for your attention to this appointment matter.

Sincerely,

Stephen L. DiNatale
Mayor

2. Student Police Officers for the City of Fitchburg:
Kelton Stacy
Sean Maki
Christopher Davis
Dylan Knox
Ismael Santiago-Pietri

Communication
His Honor the
Mayor

Appointment
Letters



The City of Fitchburg
FITCHBURG CITY CLERK
Massachusetts
2018 DEC 19 PM 2:07
OFFICE OF THE MAYOR

STEPHEN L. DINATALE
MAYOR
166 BOULDER DRIVE
FITCHBURG, MA 01420
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December 19, 2018

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

RE: Student Police Officers

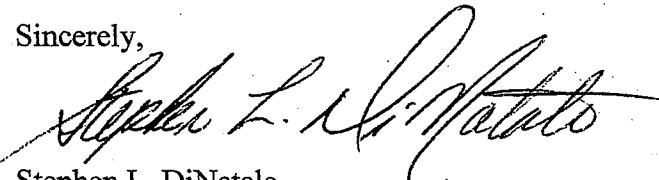
Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of the following individuals as Student Police Officers for the City of Fitchburg:

Kelton Stacy
Sean Maki
Christopher Davis
Dylan Knox
Ismael Santiago

Thank you for your attention to this important matter.

Sincerely,


Stephen L. DiNatale
Mayor

Communication
His Honor the
Mayor

Promotion Letter

Promotion Letter

1. Officer David M. Gordon to the rank of Permanent Police Sergeant, to take effect of on Monday, January 28, 2019.



The City of Fitchburg

FITCHBURG CITY CLERK

Massachusetts 2019 DEC 28 PM 4:01
OFFICE OF THE MAYOR

STEPHEN L. DINATALE
MAYOR

166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

AARON TOURIGNY
CHIEF OF STAFF
ATOURLIGNY@FITCHBURGMA.GOV

JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

December 28, 2019

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby promote Officer David M. Gordon to the rank of Permanent Police Sergeant.
This promotion will take effect on Monday, January 28, 2019.

Sincerely,

Stephen L. DiNatale
Mayor

Appointments read and referred to the Appointments Committee.

COMMUNICATION

Communication
Calvin D. Brooks
City Auditor

Calvin D. Brooks, City Auditor
RE: Community Development Revolving Fund



City of Fitchburg

166 Boulder Drive, Suite 108
Fitchburg, Massachusetts 01420

Office of the City Auditor/Finance Director
Tel: 978-829-1840 • Fax: 978-829-1961

Calvin D. Brooks
City Auditor/Finance Director

Jacquelyn M. Cronin
Deputy City Auditor

December 31, 2018

Mayor Stephen L. DiNatale and
Members of the City Council
166 Boulder Drive
Fitchburg, MA 01420

Re: Community Development Revolving Fund

Dear Mayor and Councilors:

The Director of Community Development Tom Skwierawski has requested the creation of a Community Development Revolving Fund to account for revenues and expenses related to holding community events, such as the Community Resource Fair, and creating marketing events and tools, such as the Welcome to Fitchburg packet. The department intends to seek advertising opportunities when appropriate to sponsor events that the department holds.

Per M.G.L Chapter 44, section 53E1/2, revolving funds are established by ordinance and spending is authorized each year during the budget process. However, new funds may be established during the fiscal year, provided the revenue source has not been used in computing the current tax levy. This letter serves as certification that the proposed revenue sources have not been used in computing the FY2019 tax levy.

Furthermore, a request will be made at the time the FY2020 budget is presented to City Council in May to establish this fund by ordinance and set spending limits.

Please let me know if you have any questions. Thank you.

Sincerely,

Calvin D. Brooks
City Auditor

Cc: Tom Skwierawski, Director of Community Development

2018 DEC 31 PM 1:41
FITCHBURG CITY CLERK

Reading waived. Communication read and placed on file in the City Clerk's Office.

Communication
Calvin D. Brooks
City Auditor

COMMUNICATION

Calvin D. Brooks, City Auditor
RE: Free Cash Certification



City of Fitchburg

166 Boulder Drive, Suite 108
Fitchburg, Massachusetts 01420

Office of the City Auditor/Finance Director
Tel: 978-829-1840 ♦ Fax: 978-829-1961

Calvin D. Brooks
City Auditor/Finance Director

Jacquelyn M. Cronin
Deputy City Auditor

January 10, 2019

Mayor Stephen L. DiNatale and
Members of the City Council
166 Boulder Drive
Fitchburg, MA 01420

Re: Free Cash Certification for July 1, 2018

Dear Mayor and Councilors:

Free Cash was recently certified by the Director of Accounts, Department of Revenue in the amount of \$6,819,611.00. The calculation for this figure is as follows:

Actual Revenue over Estimates	\$5.8 million
Actual Expenses under Budget	1.7 million
Fund Balance Deficits	(0.7 million)
	\$6.8 million

Actual tax collections were about \$1.2 million over estimates. Local receipts that came in over estimates include solid waste revenue at about \$1.4 million, motor vehicle excise tax at about \$0.9 million, room tax at about \$0.5 million, Medicaid reimbursement at about \$0.4 million, and others totaling about \$1.4 million.

Health insurance expenses were about \$0.4 million under budget because of a premium holiday that benefited both the employees and the city. State Assessments were under budget by about \$0.2 million because of changes in school choice and charter school tuition. Personal services were under budget by about \$0.7 million because of higher paid longtime employees being replaced by new employees and by gaps occurring when personnel are replaced. The balance of \$0.4 million is spread among all other accounts.

Fund balance deficits are from the airport deficit of about \$0.1 million and from grants for which reimbursements were not received before September 30th.

In looking ahead to FY2020, I expect that free cash will return to a lower amount. The budget for FY2019 included an increase in local estimated receipts of \$1.1 million, a

FITCHBURG CITY CLERK
2019 JAN 10 AM 9:18

Communication
Calvin D. Brooks
City Auditor

figure that is still conservative, helps balance the budget, but will leave the city with less excess revenue at year end and therefore less free cash. These increases include \$0.5 million in motor vehicle excise tax revenues and \$0.3 million in room tax revenue.

Free cash is not recurring revenue and using it for regular budgetary items should be done with care. Historically, the city has used these funds to increase Stabilization and OPEB Trust Funds and as a reserve against snow and ice expenses. It has also judiciously used it to fill unforeseen gaps in the current year budget. The bulk of the funds must be used for capital and other one-time costs. I recommend continuing this practice.

This amount of free cash is an indication that the financial outlook for the city is improving, but there is still more to do. The path the city is traveling is narrow and still very much uphill. The city needs to be careful it doesn't relax too soon and find itself back on a slippery slope to insolvency. I look forward to the upcoming FY2020 budget discussions.

Thank you.

Sincerely,



Calvin D. Brooks
City Auditor

Communication
Calvin D. Brooks
City Auditor

Brooks, Calvin

From: dlssupport@dor.state.ma.us
Sent: Tuesday, January 08, 2019 10:02 AM
To: gbourgault@rrgsystems.com; Maillet, Jerri; hscheid@rrgsystems.com; Paquette, Christopher J.; Cervantes, Anne; Goodall, Karen; rivard-diane@montytech.net; Mayor; Brooks, Calvin; dlsitgroup@dor.state.ma.us
Cc: colburnb@dor.state.ma.us
Subject: Notification of free cash approval - Fitchburg
Attachments: Fitchburg FY18.pdf

Massachusetts Department of Revenue Division of Local Services

Christopher C. Harding, Commissioner
Sean R. Cronin, Senior Deputy Commissioner of Local Services

1/8/2019

NOTIFICATION OF FREE CASH APPROVAL - City of Fitchburg

Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2018 for the City of Fitchburg is:

General Fund	\$6,819,611.00
Enterprise Fund Water	\$959,965.00
Enterprise Fund Wastewater	\$9,167,951.00

This certification is in accordance with the provisions of G. L. Chapter 59, §23, as amended.

Certification letters will be emailed to the mayor/manager, board of selectmen, prudential committee, finance director and treasurer immediately upon approval, provided an email address is reported in DLS' Local Officials Directory. Please forward to other officials as you deem appropriate.

Sincerely,



Mary Jane Handy
Director of Accounts
Massachusetts Department of Revenue

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this mail in error please notify the postmaster at dor.state.ma.us.

Reading waived. Communication read and placed on file in the
City Clerk's Office.

Communication
Pension Reserves
Investment Management Board

COMMUNICATION

Pension Reserves Investment Management Board

84 State Street, Suite 250
Boston, Massachusetts 02109

Pension Reserves Investment Management Board

Fitchburg Retirement System
General Allocation Account
November 01, 2018 to November 30, 2018

Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Trotsky, CFA, Executive Director



Your beginning net asset value for the period was:
Your change in investment value for the period was:
Your exchanges from (to) the Cash Fund for the period were:
Your ending net asset value for the period was:

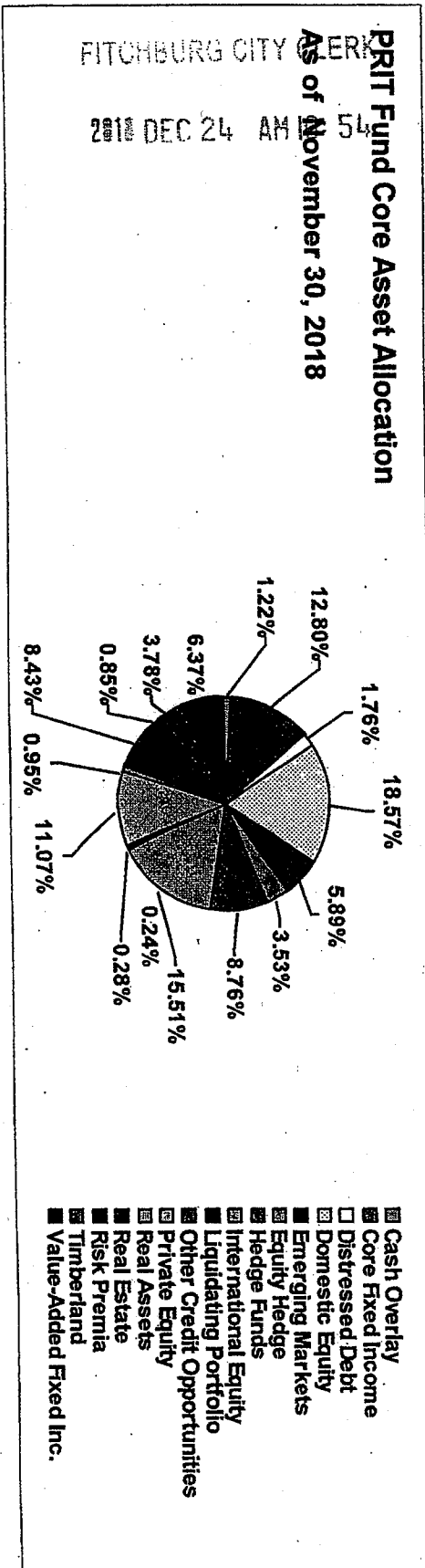
Month To Date	Fiscal Year To Date	Calendar Year To Date
119,953,921.21	114,906,763.07	119,575,030.82
775,188.24	(1,433,387.09)	298,345.16
(1,199,295.47)	6,056,444.00	(343,556.00)
119,529,819.98	119,529,819.98	119,529,819.98

Net Change in Investment Value represents the net change through investment activities as follows:
Gross Investment Income:
Less Management Fees:
Net Investment Income:
Net Fund Unrealized Gains/Losses:
Net Fund Realized Gains/Losses:
Net Change in Investment Value as Above:

216,474.30	1,221,686.65	2,939,179.02
(17,433.50)	(191,021.61)	(504,122.48)
199,040.80	1,030,665.04	2,435,056.54
375,036.32	(4,303,759.60)	(7,464,477.57)
201,111.12	1,839,707.47	5,327,766.29
775,188.24	(1,433,387.09)	298,345.16
		\$119,529,819.98

As of November 30, 2018 the net asset value of your investment in the PRIT Fund was:

\$119,529,819.98



If you have any questions regarding your statement, please contact your Senior Client Services Officer Paul Todisco (617) 946-8423. A detailed statement of your account is attached to this summary sheet.

Pension Reserves Investment Management Board

84 State Street, Suite 250
Boston, Massachusetts 02109



Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Troisky, CFA, Executive Director

Fitchburg Retirement System

Cash Investment

November 01, 2018 to November 30, 2018

	Month To Date	Fiscal Year To Date	Calendar Year To Date
Your beginning net asset value for the period was:	704.58	0.00	0.00
Your investment income for the period was:	0.00	3,557.05	3,557.05
Your total contributions for the period were:	0.00	12,052,887.00	12,052,887.00
Your total redemptions for the period were:	(1,200,000.00)	(6,000,000.00)	(12,400,000.00)
Your total exchanges for the period were:	1,199,295.47	(6,056,444.00)	343,556.00
Your state appropriations for the period were:	0.00	0.00	0.00
Your ending net asset value for the period was:	0.05	0.05	0.05

As of November 30, 2018 the net asset value of your investment in the Cash Fund was:

\$0.05

If you have any questions regarding your statement, please contact your Senior Client Services Officer Paul Todisco (617) 946-8423.
A detailed statement of your account is attached to this summary sheet.

Communication
Pension Reserves
Investment
Management Board

Communication read and placed on file in the City Clerk's Office.

Reports of Committees

Appointments Committee Oral Report

REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of January 15, 2019

The Appointments Committee recommended the following Appointments be confirmed:

New Appointments

Board of Registrars of Voters

(Term to expire April 1, 2020)

Mr. Dan Mylott

Fitchburg Council on Aging

(Term to expire March 1, 2020)

Ms. Margaret Padovano

Report read and accepted. Appointment confirmed by unanimous vote. 11 members present. Board consists of 11 members.

Public Safety Committee Oral Report

Meeting of January 15, 2019

The Public Safety Committee recommended the following Petition be amended to change #1 to read:

1. "Add 6 **two hour parking spaces** on the Easterly side" and grant as amended:

- 248-18. Officer Leroy Jackson, to request re: Oliver Street:
 - 1. Add 6 ~~parking meters~~ on the Easterly side.
 - 2. Add 1 loading zone on the Easterly side.
 - 3. Make Oliver Street a one way from Elm Street heading southerly toward Main Street.
 - 4. Eliminate the No Parking Tow Zone and Stop sign on the Easterly side.

Report accepted. Petition granted as amended by unanimous vote. 11 members present. Board consists of 11 members. Petition forwarded to the City Solicitor for Ordinance preparation.

The Public Safety Committee recommended the following Petition be amended to change "6 metered parking spots" to "6 **two hour parking spaces**" and grant as amended:

- 255-18. Police Chief Ernest Martineau, to recommend Putnam Street be converted to a one way (1) lane roadway from Main Street to Boulder Drive. The addition of 6 ~~metered parking spots~~, and one loading zone be approved.

Report accepted. Petition granted as amended by unanimous vote. 11 members present. Board consists of 11 members. Petition forwarded to the City Solicitor for Ordinance preparation.

Public Safety Committee Oral Report

Reports of
Committees
Public Safety
Committee
Oral Report

The Public Safety Committee recommended the following Petition be amended to change #3 to read:

3. Remove 1 space, 1 parking meter at Elm Street and **Grove Street.**

256-18. Police Chief Ernest Martineau, to:

1. Remove 4 spaces, 2 double meters in front of Fitchburg District Court.
2. Replace with "No Parking Anytime".
3. Remove 1 space, 1 parking meter at Elm Street and Oliver Street.
4. Replace with "No Parking Prisoner Loading Area".

Report accepted. Petition granted as amended by unanimous vote. 11 members present. Board consists of 11 members. Petition forwarded to the City Solicitor for Ordinance preparation.

ORDERS-FINANCE

Orders-Finance

003-19. ORDERED THAT: The City of Fitchburg hereby amends Order #189-18 by removing "which is for costs of purchasing a conservation restriction on a certain parcel of land in Princeton known as the Bomba Property (\$520,000.00)" and inserting in its place "which is for cost of purchasing a certain parcel of land in Westminster known as the Wildes Property (\$420,000.00)".

Order adopted under Suspension of the Rules by unanimous vote. 11 members present. Board consists of 11 members. Order signed by the Mayor January 16, 2019.

The following Orders were referred to the Finance Committee:

004-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Department of Fire Services grant in the approximate amount of \$1,500.00 (ONE THOUSAND FIVE HUNDRED AND 00/100) for the purpose of said grant, which is to maintain the recently purchased new regional Fire Safety House used in teaching fire safety.

005-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$5,454.00 (FIVE THOUSAND, FOUR HUNDRED FIFTY-FOUR AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to teach fire safety to children in elementary schools.

006-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$2,800.00 (TWO THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to teach senior citizens about the importance of fire safety and avoiding in particular cooking and electric fires.

- 007-19. ORDERED THAT: There be and hereby is appropriated the sum of THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000) same to be charged against AVAILABLE FUNDS and credited to STABILIZATION FUND.
- 008-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) same to be charged against AVAILABLE FUNDS and credited to OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND.
- 009-19. ORDEED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWO THOUSAND AND 00/100 DOLLARS (\$102,000.00) same to be charged against AVAILABLE FUNDS and credited to AIRPORT REVENUE for the purpose of reducing the airport's deficit fund balance.
- 010-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 DOLLARS (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, LONGSJO SCHOOL ROOF REPLACEMENT.
- 011-19. ORDERED THAT: There be and hereby appropriated the sum of FORTY-FIVE THOUSAND, FIVE HUNDRED FORTY-FOUR AND 00/100 DOLLARS (\$45,544.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT, DEP COMPLIANCE for the purpose of DEP compliance at city owned property at 465 Westminster Street, formerly the site of the Central Steam Plant.
- 012-19. 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 BUILDING-TAX POSSESSION MAINTENANCE for the purpose of securing, maintaining, and cleaning tax possessions.
- 013-19. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FOUR THOUSAND, FIVE HUNDRED THIRTEEN AND 00/100 DOLLARS (\$24,513.00) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENITURES, BUILDING REPAIRS for the purpose of replacing two of three HVAC units at the police station.
- 014-19. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY-EIGHT THOUSAND, FIVE HUNDRED NINETY-FOUR DOLLARS (\$58,594.00) same to be charged against AVAILABLE FUNDS and credited to DPW HIGHWAY PERSONAL SERVICES, LABOR (\$38,594.00) and PARKS PERSONAL SERVICES, LABOR (\$20,000.00)
- 015-19. 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 the following accounts for MS4/Stormwater compliance:
- | | |
|--|--------------|
| DPW ADMIN. EXPENSES, MS4 CONTRACT SERVICES: | \$300,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 TEMP. LABOR: | 75,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 ENGINEER: | 25,000.00 |

Orders-Finance

- 016-19. ORDERED THAT: There be and hereby is appropriated the sum of THIRTY-THREE THOUSAND, ONE HUNDRED NINETY-SEVEN AND 00/100 DOLLARS (\$33,197.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, DAMAGES PERSONS AND PROPERTY (\$20,297.00) and LAW OTHER EXPENSES, REGISTRY AND OTHER FEES (\$12,900.00)
- 017-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, CAPITAL IMPROVEMENTS for the purpose of replacing the water pipe at the South Street Elementary School West building (\$72,000.00), two FHS water pressure tanks (\$14,000.00), and dobr replacement at Longsjo Middle School and Crocker Elementary School (\$114,000.00).
- 018-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED SIXTY-SEVEN THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$267,770) same to be charged against AVAILABLE FUNDS, and credited to FIRE PERSONAL SERVICES (\$258,470) and to FIRE PERSONAL SERVICES OVERTIME (\$9,300).
-

ORDERS-OTHER

019-19. ORDER: Setting the dates for the City of Fitchburg 2019 Municipal Election Calendar.

City of Fitchburg

FITCHBURG CITY CLERK

In City Council, 2019 JAN -8 AM 9:51

ORDERED:- That

CITY OF FITCHBURG 2019 MUNICIPAL ELECTION CALENDAR

- Monday, February 4, 2019 Nomination papers available in the City Clerk's office
- Tuesday, August 6, 2019 5:00 PM Deadline to file nomination papers with Registrars of Voters for the certification of signatures
- Tuesday, August 20, 2019 5:00 PM Deadline to file certified nomination papers, including Statement of Candidacy, with the City Clerk
- Wednesday, August 21, 2019 City Clerk posts list of candidates
- Thursday, August 22, 2019 5:00 PM Deadline to file withdrawals of or objections to all nomination papers with the City Clerk
- Thursday, August 22, 2019 5:30 PM Drawing for position of names on Preliminary ballot
- Wednesday, September 4, 2019 Last day to register to vote in the Preliminary Election 8:30 a.m. to 8:00 p.m.
- Tuesday, September 17, 2019 Posting deadline for Warrant for Preliminary
- Monday, September 23, 2019 12:00PM Deadline to apply for absentee ballots for the Preliminary
- Tuesday, September 24, 2019 PRELIMINARY ELECTION (if required) 7:00 a.m. to 8:00 p.m.
- Monday, September 30, 2019 5:00 PM Deadline for filing withdrawals of or objections to nominations made at the Preliminary and for filing written acceptances by write-in or sticker candidates who won in the Preliminary with the City Clerk
- Wednesday, October 16, 2019 Last day to register to vote in the Municipal Election. 8:30 a.m. to 8:00 p.m.
- Tuesday, October 29, 2019 Posting deadline for Warrant for Municipal Election
- Monday, November 4, 2019 12:00PM Deadline to apply for absentee ballots for the Municipal Election
- Tuesday, November 5, 2019 MUNICIPAL ELECTION 7:00 a.m. to 8:00 p.m.
- Friday, November 15, 2019 5:00PM Deadline for filing petition for a recount of results for all offices and questions decided in the Municipal Election

Order adopted under Suspension of the Rules by unanimous vote. 11 members present. Board consists of 11 members. Order signed by the Mayor January 16, 2019.

Orders-Other

020-19. ORDERED THAT: Beginning in the fiscal year when any Economic Benefit to the Municipality (as hereinafter defined) is realized, the City of Fitchburg shall include in its annual budget a line item requiring payment to MassDevelopment of an amount equal to 15% of any Economic Benefit to the Municipality, until the earlier of: (i) full repayment of the amount of the Recoverable Grant that has been disbursed and has not already been repaid to MassDevelopment, (ii) the expiration of 30 years from the date on which the first Economic Benefit to the Municipality is realized, or (iii) if no redevelopment on the Site commences, the expiration of 30 years from the date of the Recoverable Grant, as outlined in the enclosed Order.
 (Reference Petition #273-18).

City of Fitchburg

In City Council,

FITCHBURG CITY CLERK
2019 DEC 26 PM 2:54

ORDERED:- That

WHEREAS, the land located at 62 Academy Street (the "Site") has become a public safety danger due to the substantial presence of hazardous materials, and remediation has become the only viable option for the property to be redeveloped;

WHEREAS, NewVue Affordable Housing Corporation has been awarded a Brownfields recoverable grant in the amount of \$20,000 from MassDevelopment (the "Recoverable Grant") for the assessment and redevelopment of the Site (the "Project");

WHEREAS, to foster its own economic development, the City of Fitchburg has agreed to repay the Recoverable Grant pursuant to the terms of the grant agreement;

WHEREAS, NewVue Communities petitioned the Fitchburg City Council to participate in the redevelopment of the site by Petition 273-2018, which petition was approved by the Council on November 8, 2018, and

NOW, THEREFORE, the City Council votes as follows:

Beginning in the fiscal year when any Economic Benefit to the Municipality (as hereinafter defined) is realized, the City of Fitchburg shall include in its annual budget a line item requiring payment to MassDevelopment of an amount equal to 15% of any Economic Benefit to the Municipality, until the earlier of: (i) full repayment of the amount of the Recoverable Grant that has been disbursed and has not already been repaid to MassDevelopment, (ii) the expiration of 30 years from the date on which the first Economic Benefit to the Municipality is realized, or (iii) if no redevelopment on the Site commences, the expiration of 30 years from the date of the Recoverable Grant.

For the purposes of this vote, "Economic Benefit to the Municipality" means any increase in the annual property tax and/or other municipal revenues for the Site (including but not limited to nonprofit PILOT revenue, local hotel- or restaurant-tax revenue, and new local revenues derived from municipally-owned redevelopment projects) attributable to development of the Property above the Baseline Value of the property (as hereinafter defined). The "Baseline Value" means the amount of property tax and related tax revenue assessed by the City of Fitchburg on the Site in the fiscal year of the execution of the agreement governing the Recoverable Grant, such amount having been calculated by the municipality and determined to be \$105.05 (the "Baseline").

Order adopted by unanimous vote. 11 members present. Board consists of 11 members.
Order signed by the Mayor January 16, 2019.

021-19. RESOLUTION and ORDER this ____ day of _____, 2019 authorizing the City of Fitchburg (1) purchase a certain parcel of land in Westminster known as the **Wildes Property (hereinafter, "Property")**, said Property being a 15.81 acre parcel of land located on Minott Road in Westminster within the watershed of Mare Meadow Reservoir; (2) the purchase of said Property will be funded through a combination of federal Forest Legacy Program and Division of Water Supply funds; (3) to place the Property under the control, supervision and management of the Board of Water/Wastewater Commissioners; (4) to authorize the Board of Water/Wastewater Commissioners, the DPW Division of Water Supply, its municipal agents and the Mayor to carry out the intent and purposes of this Order by signing contracts, recordable instruments and any other instruments in the name of and on behalf of the City of Fitchburg to carry out these purposes, in the public interest pursuant to Section 32 of Chapter 184 of the General Laws of Massachusetts.

NOW THEREFORE BE IT RESOLVED and ORDERED that the Wildes Property conveyed to the City of Fitchburg shall be subject to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts as open space for drinking water supply protection purposes and that the Property shall be placed in the control, care and custody of the Board of Water/Wastewater Commissioners of the City of Fitchburg, and it is further,

ORDERED that the Board of Water/Wastewater Commissioners, the Deputy Commissioner of the City of Fitchburg D.P.W. - Division of Water Supply and municipal agents are hereby authorized to execute contracts and any other instruments as are necessary or helpful for carrying out this Order, and it is further,

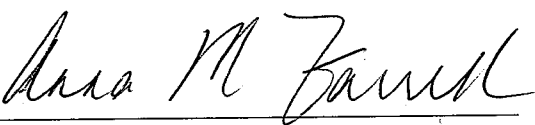
ORDERED that the Mayor of the City of Fitchburg is authorized to execute contracts and restrictions and any other instruments as he, in his discretion, shall determine necessary or helpful for carrying out this Order. Third parties may rely upon the representation of the Mayor as to his authority to execute any such instrument in the name of the City of Fitchburg.

VOTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FITCHBURG
this ____ day of _____, 2019 at Fitchburg, Massachusetts.

A TRUE COPY ATTEST: _____
Anna Farrell, City Clerk

Order adopted under Suspension of the Rules by unanimous vote.
11 members present. Board consists of 11 members.
Order signed by the Mayor January 16, 2019.

The meeting adjourned at 7:20 P.M.



Anna M. Farrell, Clerk