



CITY OF FITCHBURG
NOTICE OF PUBLIC MEETING

Filed in the City Clerk's Office:

CITY COUNCIL REGULAR MEETING

MEETING DATE: Tuesday, April 16, 2019
MEETING TIME: 7:00 AM PM
MEETING PLACE: MEMORIAL MIDDLE SCHOOL LIBRARY
Name of building (if applicable) _____
Room number (if applicable) _____
Address 615 ROLLSTONE STREET
City FITCHBURG, MA 01420

AGENDA ITEMS:* **SEE ATTACHED**

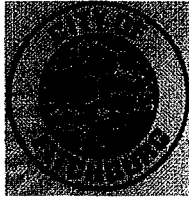
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2019 APR 11 PM 1:59
FITCHBURG CITY CLERK

ANNA M. FARRELL, CITY CLERK

Name and title of person submitting this notice

**Please note: Massachusetts Open Meeting Law requires that all topics that the Chair reasonably anticipates must be listed and that the list of topics must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting.*



WELCOME TO THE FITCHBURG CITY COUNCIL!

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

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Appointment Letter

Troy R. Worthley, as a permanent full time Firefighter for the City of Fitchburg.

IV. COMMUNICATION

Mark Hawke, Mayor
City of Gardner

Re: Montachusett Regional Vocational Technical School FY20
Disapproval vote.

V. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of April 16, 2019, 6:45 PM

Re-Appointment:

City Clerk

(Term to expire May 1, 2022)

Anna M. Farrell

New Appointments:

Fitchburg Redevelopment Authority

(Term to expire April 1, 2024)

Mr. Andrew J. Van Hazinga

Airport Commission

(Term to expire April 2, 2022)

Mr. Daniel J. Cunningham

Finance Committee

Meeting of April 9, 2019

100-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security Grant in the approximate amount of \$7,521.28 (SEVEN THOUSAND, FIVE HUNDRED TWENTY-ONE AND 28/100 DOLLARS) for the purpose of said grant, which is to enhance effective pedestrian, bicycle, and moped-type enforcement.

(Be Adopted)

- 101-19. ORDERED THAT: There be and hereby is transferred from within the sum of EIGHTEEN THOUSAND, EIGHT HUNDRED EIGHTY-THREE AND 00/100 DOLLARS (\$18,883.00) same to be transferred from ELECTION & REGISTRATION, PERSONAL SERVICES, ELECTION WORKERS and credited to ELECTION & REGISTRATION, EXPENSES, VOTING EQUIPMENT.
(Be Adopted)
- 102-19. ORDERED THAT: There be and hereby is appropriated the sum of SEVEN THOUSAND AND 00/100 DOLLARS (\$7,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, HIGHWAY PERSONAL SERVICES, SUMMER HELP (\$6,000.00) and DEPARTMENT OF PUBLIC WORKS, HIGHWAY EXPENSES, SIDEWALK MAINTENANCE (\$1,000.00) for the purpose of performing outside maintenance duties in the downtown area and along main roads.
(Be Adopted)
- 068-19. ORDERED THAT: The Airport Commission be authorized, in accordance with M.G.L. c. 90, s. 51F to lease said Parcel for a period of more than 20 years to the City of Fitchburg as outlined in the enclosed lease agreement.
(Be Amended to change the monthly base rent from \$600 to \$1200 and be adopted as amended.)

Legislative Affairs Committee Meeting Oral Report
Meeting of April 11, 2019

- 075-19. Anna M. Farrell, City Clerk, to discuss the options and vote to designate the Ward 5A and 5B polling locations.

Public Safety Committee Oral Report
Meeting of April 16, 2019, 6:00 PM

- 046-19. Trevor Burt, Twin City Auto, to request a Class II Dealer's License located at 1425 Water Street, Fitchburg.
- 079-19. Carlos Humberto Gastano, CHC Auto Sales, to petition for a Class II Dealer's License to be located at 426 River Street.

VI. RESOLUTION

- 112-19. RESOLUTION: That the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (the "Commonwealth") to qualify under chapter 44A of the General Laws any and all bonds of the City authorized by this Council as of the date hereof, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

VII. ORDERS-FINANCE

- 113-19. ORDERED THAT: There be and hereby is transferred from within the sum of EIGHTEEN THOUSAND, NINE HUNDRED SEVENTY-TWO AND 00/100 DOLLARS (\$18,972.00) same to be transferred from YEAR 43 MOC/UNITED NEIGHBORS OF FITCHBURG, BUILDING EMPOWERED YOUTH AND FAMILIES PROGRAM to year 44 MOC/UNITED NEIGHBORS OF FITCHBURG, BUILDING EMPOWERED YOUTH AND FAMILIES PROGRAM.
- 114-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED THREE THOUSAND, SIX HUNDRED AND 00/100 DOLLARS (\$103,600.00) same to be charged against RESERVED FOR APPROPRIATION, INSURANCE RECOVERIES OVER \$150,000 and credited to SCHOOL EXPENSES.
- 115-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE MILLION DOLLARS (\$1,000,000.00) same to be charged against AVAILABLE FUNDS and credited to TREASURER DEBT SERVICE, MATURING DEBT, for the purpose of paying part of the Longsjø School Roof loan.
- 116-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, CAPITOL IMPROVEMENTS for the purpose of abating asbestos in the basement of Longsjø Middle School in anticipation of replacing a main water pipe.
- 117-19. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$25,000) same to be charged against AVAILABLE FUNDS and credited to INFORMATION TECHNOLOGY EXPENSES, LEGAL COSTS AND EXPENSES.

VIII. ORDERS-OTHER

- 118-19. ORDERED THAT: The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to facilitate and execute the attached Community Host Benefit agreement with Eastern Heirlooms, LLC, ,for a Marijuana Testing Laboratory located at 431 Westminster Street, Fitchburg, MA.
- 119-19. ORDERED THAT: The Executive Director of Planning and Community Development has requested that the City exercise its power of eminent domain for the Twin City Rail Trail Project as outlined in the enclosed Order.
- 127-19. ORDERED THAT: WHEREAS, certain easements are necessary in order to service the City Hall with Gas and electric utilities,
NOW THEREFORE, IT IS ORDERED that the City of Fitchburg shall, through its Mayor Stephen L. DiNatale, approve and authorize the execution and delivery of the four (4) attached gas and electric easement documents, and to authorize all other acts and documents which will be necessary, helpful or convenient, to effectuate and ensure the new city hall is supplied with gas and electricity.

IX. ORDINANCES

- 120-19. AN ORDINANCE: Amending Chapter 147 of the City Code by striking in its entirety and replacing it as outlined in the enclosed Ordinance (Sewers).
(Reference Petition #44-19)
(First Reading)
- 121-19. AN ORDINANCE: Amending Chapter 154 of the City Code by striking in its entirety and replacing it as outlined in the enclosed Ordinance (Stormwater Management).
(Reference Petition #45-19)
(First Reading)
- 106-19. AN ORDINANCE: Chapter 44, Section 10 of the Code of the City of Fitchburg as most recently amended, shall be further amended by inserting a new line where applicable, for City of Fitchburg poll workers, according to the attached table of wage rates, to be in compliance with minimum wage laws of the Commonwealth of Massachusetts.
(Reference Petition #28-19)
(FINAL READING)

- 107-19. AN ORDINANCE: Chapter 44, Section 10 of the Code of the City of Fitchburg as most recently amended, shall be amended by striking where applicable the current rates for temporary seasonal employees and inserting in its place the attached table of wage rates to be in compliance with minimum wage laws. (Table is enclosed with the Ordinance.)
(Reference Petition #66-19)
(FINAL READING)

X. PETITIONS

- 122-19. Councilor Marisa Fleming, on behalf of Mr. James Callahan, 114 Pearl Hill Road, to install a handicap sign in front of his property to slow down the increased traffic from construction.
(Public Safety Committee)
- 123-19. David J. Duval, 100 Falulah Street, Fitchburg, to request the grinding and repaving of Falulah Street from Melrose Street to 100 Falulah Street be completed along with the repair of two storm drains as outlined in the enclosed Petition.
(Public Works Committee)
- 124-19. Councilors Fleming and DiNatale, to clean culvert abutting 429 High Rock Road.
(Public Works Committee)
- 125-19. Councilors Fleming and DiNatale, on behalf of Joseph Novelli, to repair or remove city-installed retaining wall at 430 High Rock Road.
(Public Works Committee)
- 126-19. Councilor Joel Kaddy, to correct water problem at 15 Thurston Place.
(Public Works Committee)

Next Regular Meeting
Tuesday, May 7, 2019, 7:00 PM