

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 9, 2020. The meeting was called to order by President Michael Kushmerek at 7:05 P.M. The Clerk called the roll and ten (10) Councillors were present. Councillor Van Hazinga was absent. 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.

Records

REPORT OF COMMITTEE ON RECORDS

The Committee on records reported the minutes of the Regular Meeting of December 17, 2019, were correctly recorded. Report accepted and minutes adopted.

Communication
His Honor the
Mayor
Re-Appointment
Letter

COMMUNICATION

His Honor the Mayor
Re-Appointment Letter

- 1. Atty. Vincent Pusateri, II, to the position of City Solicitor for a one year term, to begin January 1, 2020.



The City of Fitchburg
FITCHBURG CITY CLERK
Massachusetts
DEC 20 PM 3:46
OFFICE OF THE MAYOR

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 20, 2019

Mary de Alderete
City Clerk
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Ms. De Alderete,

Pursuant to Chapter 3, § 49 of the Fitchburg City Code, I am writing to inform you that, as Mayor, I hereby reappoint Vincent Pusateri, II to the position of City Solicitor for a one year term, to begin on January 1, 2020.

Sincerely,

Stephen L. DiNatale
Stephen L. DiNatale
Mayor

Cc: Fitchburg City Council
Vincent Pusateri, II
Susan Davis, Human Resources Director

Communication accepted. 10 members present. Board consists of 11 members.

Appointment Letter

1. Mr. Adam G. Goodwin, as a member of the Fitchburg Housing Authority, term to expire March 1, 2023 (to fill the remaining term of Mr. Andrew Van Hazinga).

Communication
His Honor the
Mayor
Appointment
Letter



The City of Fitchburg

FITCHBURG CITY CLERK

Massachusetts

DEC 24 AM 10: 20

OFFICE OF THE MAYOR

STEPHEN L. DINATALE
MAYOR

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

AARON TOURIGNY
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JDAVID@FITCHBURGMA.GOV

December 24, 2019

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

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of Mr. Adam G. Goodwin of 252 Milk St., Fitchburg, MA, as a member of the Fitchburg Housing Authority.

Mr. Goodwin will be filling the position of Mr. Andrew Van Hazinga whose appointment expires on March 1, 2023.

Please feel free to contact me with any questions.

Sincerely,

Stephen L. DiNatale
Mayor

Appointment read and referred to the Appointments Committee.

Communication
Pension Reserves
Investment
Management
Board

COMMUNICATION
Pension Reserves Investment Management Board

Pension Reserves Investment Management Board

84 State Street, Suite 250
Boston, Massachusetts 02109



Fitchburg Retirement System
General Allocation Account
November 01, 2019 to November 30, 2019

Deborah B. Goldberg, Treasurer and Receiver General, Chair
Michael G. Troitsky, 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
130,722,169.83	118,903,475.64	115,145,453.84
1,373,891.76	4,787,960.89	15,745,982.69
(1,200,000.00)	7,204,625.06	4,625.06
<u>130,896,061.59</u>	<u>130,896,061.59</u>	<u>130,896,061.59</u>

Net Change in Investment Value represents the net change through investment activities as follows:

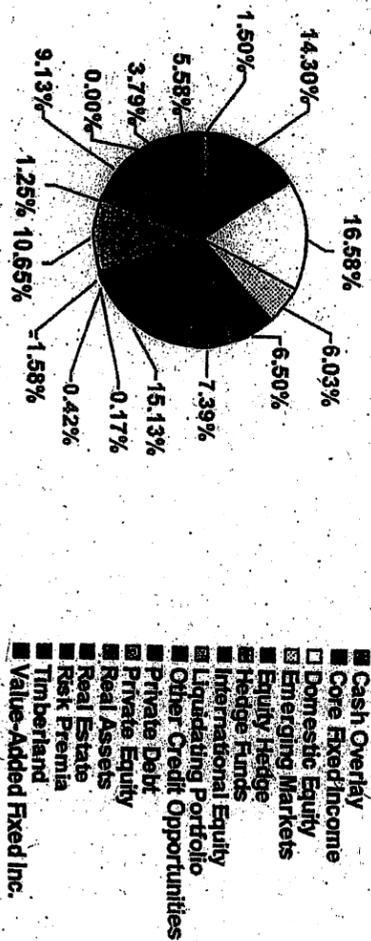
Gross Investment Income:	202,684.77	1,221,385.98	2,918,246.96
Less Management Fees:	(25,186.68)	(204,533.90)	(508,627.15)
Net Investment Income:	177,498.09	1,016,852.08	2,409,619.81
Net Fund Unrealized Gains/Losses:	974,180.43	1,925,831.87	8,407,606.82
Net Fund Realized Gains/Losses:	222,213.24	1,845,276.94	4,928,756.06
Net Change in Investment Value as Above:	<u>1,373,891.76</u>	<u>4,787,960.89</u>	<u>15,745,982.69</u>

As of November 30, 2019 the net asset value of your investment in the PRIT Fund was:

\$130,896,061.59

PRIT Fund Core Asset Allocation

As of November 30, 2019



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.

FITCHBURG CITY CLERK
RECEIVED
DEC 23 AM 11:14

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 9, 2020

The Appointments Committee recommended the following Appointments be confirmed:

Re-Appointments:

Fitchburg Council on Aging

(Term to expire December 31, 2022)

Mr. Joseph Byrne

(Term to expire December 31, 2022)

Mr. Richard Hautala

Fitchburg Trustees of Public Burial Grounds

(Term to expire on January 1, 2023)

Ms. Diane Ouellette

(Term to expire February 1, 2023)

Ms. Andrienne G. Clark

Report accepted. Appointments confirmed by unanimous vote. 10 members present. Board consists of 11 members.

The Appointments Committee recommended the following Appointment be amended to remove "Associate" and be confirmed as a full member of the Planning Board:

New Appointment:

Associate Member of the Planning Board

(Term to expire January 1, 2021)

Ms. Alyne Butland

Report accepted. Appointment confirmed as amended by unanimous vote. 10 members present. Board consists of 11 members.

ORDERS-FINANCE

Orders-Finance

The following Orders were referred to the Finance Committee:

003-20. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the MEMA Emergency Management Performance grant in the approximate amount of \$15,500.00 (FIFTEEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to purchase a fire extinguisher demonstration prop, equipment for heavy vehicle extraction, and hands free lighting for the Dive Team.

004-20. ORDERED THAT: There be and hereby is transferred the sum of THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00) same to be charged against RESERVE FOR SNOW & ICE REMOVAL and credited to the following DEPARTMENT OF PUBLIC WORKS, SNOW & ICE accounts:
PERSONAL SERVICES, OVERTIME\$ 60,000.00
EQUIPMENT RENTAL\$ 80,000.00
PLOWS & BLADES\$ 40,000.00
SALT \$120,000.00

Order-Other

The following Order was referred to the City Property Committee and the Wastewater Division:

005-20. WHEREAS, on March 13, 1995, the City of Fitchburg (City) entered into an agreement with the Town of Westminster whereby the City agreed to accept and treat the wastewater from the Town. WHEREAS, the term of the agreement is set to last for twenty (25) twenty-five years and provides for an extension of additional time. WHEREAS, the City is currently in good faith negotiations with the Town of Westminster. 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 Second Amendment to the Certain Intermunicipal Agreement for Wastewater Collection, Treatment and Disposal between the City of Fitchburg and the Town of Westminster, in the current or substantially similar form, and to authorize all other acts and the execution of all other documents which may be necessary, helpful or convenient, to effectuate the purposes of the same in good order.

SECOND AMENDMENT TO THE CERTAIN INTERMUNICIPAL AGREEMENT FOR WASTEWATER COLLECTION, TREATMENT AND DISPOSAL BETWEEN THE CITY OF FITCHBURG, MASSACHUSETTS AND THE TOWN OF WESTMINSTER, MASSACHUSETTS

WHEREAS the Parties have entered into the Agreement wish to enter into good faith negotiations relative to the terms of the new Intermunicipal Agreement.

WHEREAS the Parties will not be able to do so until the completion of the Comprehensive Wastewater Management Plan which will allow the City to plan for the development of both the City and the Town.

WHEREFORE IT IS AGREED;

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Fitchburg ("City") and the Town of Westminster ("Town") hereby enters into this Extension to said certain Intermunicipal Agreement for Wastewater Collection, Treatment and Disposal between the City of Fitchburg, Massachusetts and the Town of Westminster, Massachusetts executed as of March 13, 1995, and amended on May 27, 1998 ("Agreement"). The parties hereto agree as follows:

- 1. Pursuant to Paragraph 23 of the Agreement, the parties hereby extend the term of the Agreement for two (2) years, until March 13, 2022 ("Extension Term").

Executed under seal as of the ____th day of _____, 2020.

CITY OF FITCHBURG

By: _____
Stephen L. DiNatale, Mayor

Approved by Fitchburg Water & Wastewater Commission

By: _____
Richard Healey, Chairman

Approved As To Form And Legality:

By: _____
Vincent Pusateri, City Solicitor

Order-Other

TOWN OF WESTMINSTER

By: _____
Selectman, _____

By: _____
Selectman, _____

By: _____
Selectman, _____

By: _____
Selectman, _____

Westminster Public Works Commission

By: _____
Commissioner, _____

By: _____
Commissioner _____

By: _____
Commissioner, _____

Approved As To Form And Legality

By: _____

Ordinance

ORDINANCES

272-19. AN ORDINANCE: Amending Chapter 134 (Peddling and Soliciting), Section 16 (Police Investigation of applicant, contents of license) re: Fingerprints.

CITY OF FITCHBURG

IN THE YEAR

2019

AN ORDINANCE

2019 OCT 25 AM 10:27
FITCHBURG CITY CLERK

Be it ordained by the City Council of the City of Fitchburg, as follows:

Chapter 134. Peddling and Soliciting

§ 134-16. Police investigation of applicant; contents of license.

[Added 12-7-1976 by Ord. No. 685-76; amended 6-6-1978 by Ord. No. 322-78]

A.
Upon receipt of the application, the Principal Clerk shall request a Board of Probation Record check in accordance with MGL c. 6, § 172(c), through the Criminal History Systems Board (COR). This investigation will check the applicant's criminal history and reputation as to morals and integrity.

Applicants for the permits and licenses list below shall submit a full set of fingerprints to the Chief of Police for the purpose of conducting a state and national criminal history records check pursuant to 28 U.S.C. § 534 and M.G.L. c. 6, § 172B1/2. Federal Bureau of Investigation (FBI) records may be used for screening applicants. Fingerprints shall be submitted to the Identification Unit within the Department of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), or its successor, for a state criminal history records check and to the FBI, or its successor, for a national criminal history records check, as may be applicable and consistent with this chapter. The Licensing Commission, Health Department, City Clerk and Police Department are authorized to receive and utilize these state and FBI records in connection with such background checks, consistent with this section.

Any applicant for a license to engage in any of the following occupational activities within the City shall submit, within 10 days of application, a full set of fingerprints taken by the Police Department for the purpose of conducting a state and national criminal history record check to determine the suitability of the applicant for said license: Liquor, Car Dealership, Hawkers and Peddlers, Ice Cream Vendors, License to Peddle (commonwealth), Taxi Drivers, Taxi/Livery, a Pawnbrokers and Secondhand Dealers, Lodging Houses, and Solicitors. At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's state and FBI criminal history records.

The Police Department shall provide the applicant with a copy of the results of his or her fingerprint-based criminal history record check and provide the applicant an opportunity to complete or challenge the accuracy of the information contained therein, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 CFR Part 16.34, pertaining to FBI identification records. Implementation of this chapter and the conducting of fingerprint based criminal record background checks by the City shall be in accordance with all applicable laws, regulations, and policies, including, but not limited to, the City's policy applicable to licensing related criminal record background checks which shall include record retention and confidentiality requirements. The City shall not disseminate the results of fingerprint-based criminal background checks except as may be provided by law, regulation, and City policy. The City shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

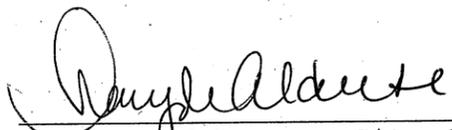
Ordinance was sent to a third and final reading and adopted to be enrolled and ordained by unanimous vote. 10 members present. Ordinance signed by the Mayor January 10, 2019.

PETITIONS

The following Petitions were referred to the Public Safety Committee:

- 06-20. Baraka Bitariho, to petition for a Class II Dealer's License located at 426 River Street.
 - 007-20. Sgt. Boudreau, Fitchburg Police Department, to petition for an FGO prohibiting anyone from throwing, snow blowing or plowing snow from private property back into the roadway after it has been plowed as outline in the enclosed petition.
 - 008-20. Sgt. Boudreau, Fitchburg Police Department, for an Ordinance re: All motorists shall remove snow and ice from their motor vehicles and trailers while in operation with special attention to the following: hoods, roofs, windows and bumpers, and any vertical or horizontal surfaces that could hold snow or ice. Violators will be fined \$55.00 for violation of this ordinance.
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The meeting adjourned at 7:12 P.M.



Mary de Alderete, City Clerk