FITCHBURG CITY CLERK
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CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR

April 19, 2016 7:00PM

Memorial Middle School Library
615 Rollstone Street
Fitchburg MA 01420

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. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Two letters of Appointment as follows:

a. Ms. Rosa de Sousa as a member of the Board of Library Trustees for a term to expire January 1, 2019.

b. Mr. David Roth as a member of the Human Rights Commission for a term to expire May 1, 2018.

One Letter of promotion of Lieutenant Chad M. Courtemanche to permanent Fire Captain, and the following Fire fighters to the rank of permanent Fire Lieutenants:

*Edward F. Suarez
*Richard M. Jollimore
*Donald A. Fenwick
*Andrew K. Roy
*Patrick J. Roy
*Gregory J. Morin

III. ANNUAL REPORT

072-16. ANNUAL REPORT: Fitchburg Police Department 2015.

IV. REPORTS OF COMMITTEES

APPOINTMENTS COMMITTEE

Oral Report of meeting to be held on April 19, 2016 at 6:45PM

New Appointments:

Airport Commission

Mr. John Earley, 89 Sunrise Avenue, Fitchburg, MA 01420
(To fill the balance of the term of Mr. Kit Walker, set to expire on February 1, 2017)

Trustee of Public Burial Grounds

Mr. Andrew Hawthorne, 26 Almount Terrace, Fitchburg, MA 01420
(For a term to expire on January 1, 2019)

Water-Wastewater Commission

Ms. Nina Nazarian, 48 Swan Avenue, Fitchburg, MA 01420
(For a term to expire January 1, 2020)

Mr. Joshua Champagne, 20 Mill Street, Unit 11, Fitchburg, MA 01420
(For a term to expire January 1, 2020)

Special Police Officers for the City of Fitchburg

Retired Lieutenant Glenn C. Fossa
Retired Detective Perry Pappas

Tax Increment Financing Board

Mr. Jay Bry, V.P. of Finance and Administration at Fitchburg State University
Mr. Bruce Teittinen, 795 Fisher Road, Fitchburg, MA 01420

City Property Committee Oral Report
Meeting of April 19, 2016

040-13. Councillor Jody Joseph and Councillor Nicholas Carbone, and the Elm St. Neighborhood Association, to institute a Property Registration Ordinance.

215-15. James C. Pappas, Manager, Alex Developers, LLC, to
1. Accept Turkey Hill Road, from Mt. Elam Road westerly approx. 500 feet to Goodfellow Drive as a public way, and
2. Accept Goodfellow drive, a circular road at the terminus of Turkey Hill Road, approximately 1400 feet in length, as a public way.

Attorney George E. Watts will represent the matter.
NOTE: Also Referred to City Property Committee, Planning Board, Public Works Committee-10/20/15

238-15. Lenny Laakso, DPW Commissioner, and Calvin D. Brooks, City Treasurer, to direct the City Solicitor to submit an order transferring ownership of a parcel of land at 3 Fairmount Place, from tax possessions to the control of the Parks Department.

246-15. ORDER: City owned property located at 3 Fairmount Place be transferred to the Parks Department as outlined in the enclosed Order.

047-16. Calvin D. Brooks, City Treasurer, to declare the following properties as excess and refer them to the Chief Procurement Officer for advertising and sale:
21 Goddard St.
43 East St.
16 Market St.

068-16. Calvin D. Brooks, City Treasurer, to declare as excess Property and refer to the Chief Procurement Officer for advertising and sale-21 Oxford Street, as outlined in the enclosed petition.

069-16. Calvin D. Brooks, City Treasurer, to amend the City Code, Ch. 14, article 1: Sale of City-owned Real Estate, Section 1-2 Procedure as outlined in the enclosed Petition.

070-16. Mary Jo Bohart, Economic Development Director, to declare as excess the following properties and refer them to the Chief Procurement Officer for advertising and sale:
617 Water Street and "0" Lancaster Street
50 Laurel Street

Council as a Whole Committee
Meeting of April 12, 2016

20-16. ORDINANCE: That Chapter 181, section 3561 of the Code of the City of Fitchburg (Zoning - Special Permit for Nonconforming Structures Abandoned or Not Used for More Than Two Years) as most recently amended, be further amended by striking the words: "City Council" and by inserting the words "Board of Appeals".
(Be sent to a Third and Final reading)

21-16. ORDINANCE: That Chapter 181, section 356 of the Code of the City of Fitchburg (Zoning - Abandonment or Non-use" as most recently amended, be further amended by adding:
"This section shall not apply to the re-use of a lawfully existing nonconforming single or two family structure where the principle use is permitted by right in the specified district under 181.313, and provided that no modification of the use or structure is accomplished unless authorized under the provisions of 181.35.
(Be Given Leave to Withdraw)

Legislative Affairs Committee Oral Report
Meeting of April 19, 2016

30-2016. Vincent Pusateri,II, City Solicitor-to designate the positions of Zoning Board of Appeals members as special municipal employees.

31-2016. Vincent Pusateri, II, City Solicitor-to request that the City Council approve FPD Chief Martineau's designation of the Deputy Chief of Police as the Solicitor's Assistant in accordance with Chapter 40 section 27 of the Code of the City of Fitchburg.

46-2016. AN ORDINANCE: Establishing a West Fitchburg Corridor Overlay District as outlined.

V. HEARINGS

066-16. Mark Brideau, Brideau Oil Co, to be granted a license pursuant to MGL ch. 148, for the storage of propane cylinders, total 80,000 gallons at 49 Cobbler Drive (114R, block 10, Lot 2A) as outlined in the enclosed petition.

067-16. Comcast of MA III, Inc., to request a hearing with the Fitchburg City Council for a grant of location. The purpose of the grant of location request is to install a new conduit system to provide service to 881 Main St., as outlined in the enclosed petition.

VI. ORDERS - FINANCE

073-16. LOAN ORDER: that the sum of Nine Hundred Thousand Dollars ($900,000) be and hereby is appropriated to pay the cost of parking garage repairs, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow $900,000 under G.L. c.44, s 7(3A) or any other enabling legislation; that the Mayor is authorized take any other action necessary or convenient to carry out this project; 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.

074-16. ORDER: Transfer $37,000 to TREASURER-TAX TITLE FORECLOSURE from accounts as follows: $10,000 from TREASURER PERSONAL SERVICES, and $27,000 from TREASURER DEBT SERVICE.

075-16. ORDER: Transfer $39,000 from DPW-MUNICIPAL GARAGE EXPENSES to accounts as follows:
$25,000 to DPW-STREETLIGHTS
$10,000 to DPW HIGHWAY GENERAL PERSONAL SERVICES OVERTIME
$ 4,000 to DPW-SNOW AND ICE EXPENSES

076-16. ORDER: Appropr. $60,000, same to be credited to FIRE PERSONAL SERVICES OVERTIME and charged against AVAILABLE FUNDS.

ORDER-OTHER

077-16. ORDER: Effective immediately, the polls shall be open from 7AM until 8PM at all municipal elections and preliminaries.
(Reference Petition 231-15)

VII. ORDINANCE

064-16. AN ORDINANCE: Amending Chapter 177, Art. VI, s.177-15, subsection C. of the City Code of the City of Fitchburg, re: **Water Rates** as outlined in the enclosed Ordinance.
(Reference Petition #28-16)
(Final Reading)

VIII. PETITIONS

078-16. Councillor Dean Tran, to develop a plan and invest in a Business Incubator.
(Economic Development Committee)

079-16. Councillor Marcus DiNatale and James Alexander, 30 Parker Hill Drive, to have Police Traffic Bureau assess and place either stop signs or yield signs at the following two intersections: Brierwood Drive/Parker Hill Drive and Parker Hill Drive/Colony Road.
(Public Safety Committee)

080-16. Jeffrey Knowlton, Froshow Customs, for a Class II Dealer's License located at 200 River Street.
(Public Safety Committee)

081-16. Councillor Marcus DiNatale and Jim Viola, to repair/replace berms located on both sides of resident's driveway. Berms were significantly damaged during the winter plowing. Location is 635 Mount Elam Road.
(Public Works Committee)

Next Regular Meeting
7:00PM, Tuesday, May 3, 2016