



# CITY OF FITCHBURG

*Filed in the City Clerk's Office:*

## NOTICE OF PUBLIC MEETING

### CITY COUNCIL REGULAR MEETING

**MEETING DATE:** Tuesday, March 05, 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

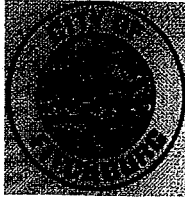
**AGENDA ITEMS:\*** **SEE ATTACHED**

2019 FEB 28 PM 2:37  
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

Re-Appointment Letters:

1. Cheryl Maguy-Stewart, as a member of the Human Rights Commission, for a term to expire January 1, 2022.
2. David Roth, as a member of the Human Rights Commission, for a term to expire May 1, 2021.

Appointment Letter:

1. George J. Bourque II, as a member of the Fitchburg Council on Aging, for a term to expire March 2, 2022.

Year 45 Community Block Grant Application.

V. COMMUNICATION

Pension Reserves Investment Management Board

VI. COMMUNICATION

Montachusett Regional Vocational Technical High School

Re: 2019-2020 Educational Plan

VII. ANNUAL REPORTS

- 047-19. ANNUAL REPORT: 2018 Annual Report of the City Clerk's Office.
- 048-19. ANNUAL REPORT: 2018 Annual Report of the Fitchburg Fire Department.
- 049-19. ANNUAL REPORT: 2018 Annual Report of the Fitchburg Redevelopment Authority and the Audited Financials for Fiscal Year 2017.

VIII. REPORTS OF COMMITTEES

Appointments Committee Oral Report  
Meeting of March 5, 2019, 6:45 PM

Re-Appointments:

Fitchburg Disability Commission

(Term to expire February 1, 2022)

Mr. Nicholas Carbone

Ms. Mary Ann Guichard

Ms. Doris Matte

Ms. Carolyn Quirk

**Fitchburg Cultural Council**

(Term to expire March 1, 2022)

Mr. Leandro Lopez

Ms. Casandra Taylor

Ms. Tamar Russell Brown

Mr. Matthew J. Bruun

**Public Safety Committee Meeting Oral Report**

**Meeting of March 5, 2019, 6:00 PM**

- 284-18. Councillor Marisa Fleming, to turn private street Eastlin Way into a public way. This street connects East Street to Lincoln Street and cannot be blocked so that the FPD and FFD have access to emergencies.
- 041-19. Francis Seme Miezán, to petition for a Class II Dealer's License to be located at 132 Highland Ave. and a Commercial Storage Unit located 59 Upham St., Fitchburg, MA.
- 046-19. Trevor Burt, Twin City Auto, to request a Class II Dealer's License located at 1425 Water Street, Fitchburg.

**Public Works Committee Meeting**

**Meeting of February 26, 2019**

- 131-18. Councillors Marisa Fleming and Marcus DiNatale, on behalf of Raul and Yeydi Jimenez, to investigate and implement remedies to mitigate and/or prevent property damage to 162 Townsend Street resulting from motor vehicle incidents that frequently damage the property's fencing.  
(Be Held)
- 132-18. Councillor Paul Beauchemin, to establish a height limit for utility poles in the City of Fitchburg.  
(Be Held)
- 195-18. Councillors Squailia, Green, & Walsh, to establish the existing pedestrian crosswalk across Electric Ave. at the westerly intersection of Drake Road as an official crosswalk and install neon reflective pedestrian crossing signs.  
(Be Granted)
- 209-18. Multiple citizens, to repair McTaggart's Dam to refill pond and restore wildlife population.  
(Be Held)

- 285-18. Councillor Marisa Fleming, to request the DPW repair the catch basin that is collapsing at 1495 Pearl Hill Road.  
(Be Granted)
- 286-18. Councillor Marisa Fleming, to have the City place bales of hay at the top of High Rock Road where it meets the paper road portion of High Rock Road. During heavy rain the water runs down into the back yards of 1191 and 1179 Ashby State Road causing flooding and debris.  
(Be Held)
- 287-18. Councilor Marisa Fleming, to have the culverts beginning at 676 Townsend Street to the Lunenburg Line cleaned. They are full of overgrowth and debris which is causing the road to flood.  
(Be Granted)
- 288-18. Councillor Paul Beauchemin, to have a sidewalk and berm put in front of 137 Beech Street to Federal Street.  
(Be Granted)
- 289-18. Councilor Paul Beauchemin, to repair sidewalk in front of 121 Beech Street, and install a berm from 121 Beech Street to Federal Street.  
(Be Granted)
- 300-18. Councilor Michael P. Kushmerek, to repair or reinstall a section of sidewalk located at 261 Blossom Street.  
(Be Granted)
- 307-18. Councilors Green and DiNatale, on behalf of resident Timothy St. Jean, to inspect and find a remedy to a water run-off issue beginning at 113 Payson Street that is causing recurring ice beds to form during cold weather on remainder of the street.  
(Be Held)
- 042-19. Councilors Marcus DiNatale and Joel Kaddy, on behalf of Lisa Boulay, to install a berm at 270 Fifth Mass. Turnpike.  
(Be Granted)

## IX. ORDERS-FINANCE

- 050-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$125,000.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT EXPENSES, ZONING ORDINANCE UPDATE account for the purpose of procuring a consultant to assist in the updating of the city's Zoning Ordinance.
- 051-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division, Airport Safety and Maintenance Program grant in the approximate amount of \$640,000.00 (SIX HUNDRED FORTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to pay for the installation of a self-serve fueling station at the airport.
- 052-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$160,000.00) same to be charged against AVAILABLE FUNDS and credited to AIRPORT CAPITAL, SELF-SERVE FUELING STATION account, for the purpose of installing a self-serve fueling station at the airport.
- 053-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENDITURES, BUILDING REPAIRS for the purpose of replacing the main HVAC roof top unit and thermostat and PVC control valves regulating HVAC functions.
- 054-19. ORDERED THAT: There be and hereby is appropriated the sum of NINE THOUSAND AND 00/100 DOLLARS (\$9,000.00) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENDITURES, BUILDING REPAIRS for the purpose of construction design services for expansion of the female locker room.
- 055-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED NINETY THOUSAND AND 00/100 DOLLARS (190,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, STREET REPAIR for the purpose of repairing and repaving city streets.

- 056-19. ORDERED THAT: There be and hereby is appropriated the sum of THIRTY-FIVE THOUSAND AND 00/100 DOLLARS (\$35,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, ARBOR WAY for the purpose of designing repairs to the Arbor Way retaining wall.
- 057-19. ORDERED THAT: There be and hereby is appropriated the sum of EIGHTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$88,000.00) same to be charged against AVAILABLE FUNDS and credited to DEPARTMENT OF PUBLIC WORKS, CAPITAL, BUILDING RENOVATION for the purpose of designing and installing a new roof over the DPW Office Building.
- 058-19. ORDERED THAT: There be and hereby is transferred from within the sum of TWENTY-FOUR THOUSAND AND 00/100 DOLLARS (\$24,000.00) same to be transferred from DPE HIGHWAY, EXPENSES, GAS & OIL (\$20,000.00) and DPW HIGHWAY, EXPENSES, BUILDING & GROUNDS (\$4,000.00) and credited to DPW HIGHWAY, PERSONAL SERVICES, OVERTIME.
- 059-19. ORDERED THAT: There be and hereby is transferred from within the sum of ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00) same to be transferred from PARKS, PERSONAL SERVICES, CERTIFICATIONS and credited to PARKS, PERSONAL SERVICES, OVERTIME.
- 060-19. ORDERED THAT: There be and hereby is transferred from within the sum of THREE THOUSAND AND 00/100 DOLLARS (\$3,000.00) same to be transferred from CEMETERY, PERSONAL SERVICES, LABOR and credited to CEMETERY, PERSONAL SERVICES, OVERTIME.

#### X. RESOLUTION

- 061-19. RESOLUTION: Of the City Council endorsing the Fitchburg Housing Authority's Pathway to Success Plan, as outlined in the enclosed Resolution.

#### XI. PETITIONS

- 062-19. Councilor Amy Green, on behalf of Martha Lalancette, 389 South Street, to request that the City of Fitchburg turn Colburn Street into a public way. (City Property Committee, Planning Board, Public Works Committee)

- 063-19. Councilors Michael Kushmerek and Amy Green, to install a crosswalk at Water Street, connecting the newly constructed Water Street Plaza with the Central Plaza (Market Basket), and if necessary, explore pedestrian crossing signalization.  
(Public Safety Committee)
- 064-19. Councilors Sam Squailia & Joel Kaddy with David Siefert, 96 Alpine Road, to request the DPW find remedy for drainage of Alpine Road between 96 and 142 Alpine Rd. Water flowing down from 142 is eroding the street and embankment and causing dangerous ice buildup in the cold weather, and additionally, blocked culverts under the roadway are causing the water levels to rise to the level of the roadway during heavy rain.  
(Public Works Committee)
- 065-19. Councilors Sam Squailia & Joel Kaddy on behalf of Paul Agnese to install a berm from his asphalt driveway down as required to mitigate washout from street water runoff.  
(Public Works Committee)
- 066-19. Lenny Laakso, DPW Commissioner, to amend Chapter 44, Section 10 of the code of the City of Fitchburg by deleting the current rates for temporary seasonal employees and adding the attached table of wage rates, to be in compliance with minimum wage laws.  
(Finance Committee)

Next Regular Meeting  
Tuesday, March 19, 2019, 7:00 PM