



0

CITY OF FITCHBURG

Filed in the City Clerk's Office:

NOTICE OF PUBLIC MEETING

CITY COUNCIL REGULAR MEETING

2019 AUG 29 PM 12: 1 9

PTCHBURG CITY CLERK

MEETING DATE: Tuesday, September 03, 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

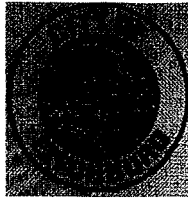
City FITCHBURG, MA 01420

AGENDA ITEMS:* **SEE ATTACHED**

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. COMMUNICATION

His Honor the Mayor
Re-Appointment Letters

1. Ms. Tracy Betts Sarefield, as a member of the Conservation Commission, term to expire on January 1, 2022.
2. Mr. Harris Karis, as a member of the Conservation Commission, term to expire January 1, 2022.

Appointment Letters

1. Mr. Jamie Darcangelo, as a member of the Human Rights Commission, term to expire September 1, 2022.
2. Mr. Adam Stone, as a member of the Human Rights Commission, term to expire September 1, 2022.
3. Mr. Jarrod Roy, as a member of the Fitchburg Redevelopment Authority, term to expire September 1, 2024.
4. Mr. Sean C. Goodlett, as a member of the Fitchburg Cultural Council, term to expire September 1, 2022.
5. Ms. Mary Heline, as a member of the Conservation Commission, term to expire September 1, 2022.
6. Mr. Timothy J. Stewart, as a Permanent Reserve Police Officer for the City of Fitchburg.

IV. COMMUNICATION

Pension Reserves Investment Management Board

V. REPORTS OF COMMITTEES

Appointments Committee Oral Report September 3, 2019, 6:45 PM

Re-Appointments:

Board of Registrars of Voters

(Term to expire April 1, 2022)

Ms. Joanne Huse

Planning Board

(Term to expire September 1, 2024)

Ms. Amanda Koeck

Conservation Commission

(Term to expire January 1, 2021)

Mr. John Cordio

New Appointments:

Fitchburg Cultural Council

(All Terms to expire September 1, 2022)

Ms. Audrey Pendleton-Chow

Ms. Jessie Olson

Ms. Eileen K. Berger

Board of License Commissioners

(Term to expire April 1, 2024)

(To fill the balance of the term of Ms. Donna Pawlak)

Mr. Richard J. Boscardin

Ad Hoc Committee on Rules

Meeting of August 22, 2019

Attached six documents consisting of existing Rules and various stages of proposals for changes, ranging from organizational to substantive.

(Be approved)

VI. ORDERS-FINANCE

- 211-19. ORDERED THAT: The City of Fitchburg hereby rescinds the unissued balance of Loan Order #308-14 for construction of a new airport administration building and related projects in the amount of \$724,840.00 (SEVEN HUNDRED TWENTY-FOUR THOUSAND, EIGHT HUNDRED FORTY AND NO/100 DOLLARS)
- 212-19. ORDERED THAT: There be and hereby is transferred from within the sum of SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$75,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to CAPITAL PROJECTS, SOUTH STREET SCHOOL ROOF for the purpose of a schematic design study for replacing the roof of the West Wing.
- 213-19. ORDERED THAT: There be and hereby is transferred from within the sum of FORTY THOUSAND AND 00/100 DOLLARS (\$40,000.00) same to be charged against RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to CAPITAL PROJECTS, SOUTH STREET SCHOOL BOILER for the purpose of a schematic design for replacing the boilers in the South Wing.
- 214-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of additional funds from the Commonwealth of Massachusetts Community Compact Best Practices Program in the approximate amount of \$20,000.00 (TWENTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to support the City's zoning update.

- 215-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of additional funds from the Commonwealth of Massachusetts, Community Compact Best Practices Program in the approximate amount of \$10,000.00 (TEN THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to be allocated to the Fitchburg Redevelopment Authority to support an update of their Urban Renewal Plan.
- 216-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, State 911 Department grant in the amount of \$140,227.00 (ONE HUNDRED FORTY THOUSAND, TWO HUNDRED TWENTY-SEVEN AND 00/100 DOLLARS) for the purpose of said grant, which is to support salaries and provide repair and enhancement to the E911 service system in the Police Department.
- 217-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Digital Federal Credit Union gift in the approximate amount of \$7,500.00 (SEVEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said gift, which is to support the Police Department efforts in providing quality programs to our city's youth.
- 218-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Digital Federal Credit Union gift in the approximate amount of \$7,500.00 (SEVEN THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said gift, which is to support the Fire/EMS Equipment Fund, which is used for the purchase of necessary equipment and supplies to keep the firefighters and citizens of Fitchburg safe.
- 219-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Emergency Management Agency grant in the approximate amount of \$5,000.00 (FIVE THOUSAND AND 00/100 DOLLARS) for the purposes of said grant, which is to purchase equipment for the city's Community Emergency Response Team (CERT).
- 220-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of additional funds from the Massachusetts Department of Transportation's Municipal Small Bridge Program in the approximate amount of \$500,000.00 (FIVE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to repair the Westminster Hill Road Bridge over Phillips Brook.

221-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Energy and Environmental Affairs, Municipal Vulnerability Preparedness grant in the approximate amount of \$102,000.00 (ONE HUNDRED TWO THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to conduct a preliminary vulnerability assessment of the US Army Corps of Engineer's Nashua Flood Damage Reduction System.

222-19. LOAN ORDER: Appropriate \$8,200,000.00 to pay the cost of various sewer separation projects as outlined in the enclosed Loan Order.

VII. ORDER-OTHER

223-19. ORDER: Authorizing the City Clerk to notify the voters of the Preliminary Election to be held on September 24, 2019.

224-19. ORDER: That the City Council submit a Home Rule Petition to the Massachusetts Legislature to waive the mandatory retirement age of Kevin D. Roy, Chief of the Fitchburg Fire Department as outlined in the enclosed Order.
(Reference Petition #206-19)

225-19. 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 226 Westminster Corp. located at 226 Westminster Street, Fitchburg, MA

VIII. ORDINANCE

226-19. AN ORDINANCE: To amend the General Ordinances of the City of Fitchburg, Chapter 44, Section 10, by striking the following:

Under Positions Paid Yearly	Effective July 1, 2018
City Solicitor	\$97,000.00 (\$1,865.38/week)
Assistant City Solicitor	\$65,000.00 (\$1,250.00/week)

And inserting in its place:

Under Positions Paid Yearly	Effective July 1, 2019
City Solicitor	\$100,000.00 (\$1,937.88/week)
Assistant City Solicitor	\$ 67,516.00 (\$1,298.38/week)

(First Reading)

IX. PETITIONS

- 227-19. Deloge Heights, Inc., represented by Atty. Donald J. O'Neil, to accept a portion of Tibbett Circle as a public way as outlined in the enclosed Petition. (City Property Committee, Planning Board, Public Works Committee)
- 228-19. Robert Thompson, owner of 69 and 70 Greenhurst Avenue, Fitchburg, to acquire the street right of way between the two lots as outlined in the enclosed Petition. (City Property Committee)
- 229-19. Councilor Michael Kushmerek, to delete city ordinance, chapter 42 and replace with the enclosed "Wage Theft and Responsible Employer" ordinance. (Legislative Affairs Committee)
- 230-19. Councilor Michael Kushmerek, to institute no parking Monday through Friday 8AM to 6PM on the north side of Pleasant Street from Davis Street to Taft Street. Removal of handicapped parking spaces on the north side of Pleasant Street and the addition of two handicapped parking spaces on the south side of Pleasant Street and one "30 minute school business parking only" located near the school main entrance. Addition of two "30 minute school business parking only" spots on the east side of Davis Street. (Public Safety Committee)

Next Regular Meeting
Tuesday, September 17, 2019, 7:00 PM