



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

March 20, 2018 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. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATION FROM HIS HONOR THE MAYOR

Re-Appointment Letters

1. Mr. George Leonhardt, as a member of the Fitchburg Redevelopment Authority Board of Directors for a term to expire July 1, 2021.
2. Mr. David Brassard, as a member of the Board of Commissioners of Trust Funds for a term to expire on January 1, 2021.
3. Mr. John Antilla, as a member of the Fitchburg Council on Aging, for a term to expire March 1, 2021.

Appointment Letters

1. Ms. Nancy Fors, as a member of the Fitchburg Council on Aging for a term to expire March 1, 2021.
2. Ms. MaryAnn Melanson, as a member of the Fitchburg Council on Aging for a term to expire March 1, 2021.

IV. ANNUAL REPORT

- 052-18. ANNUAL REPORT: Fitchburg Redevelopment Authority for the years 2016 and 2017.

V. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of March 20, 2018, 6:45 PM

New Appointments:

Student Police Officers; effective April 2, 2018:

Brian M. Withington
Sarrah N. Wing
Mark R. Kaddy
Hiram J. Velasquez
Daniella Lopez

Permanent Police Sergeant for the City of Fitchburg:

John E. Maki
Christopher K. Bellofatto

Council as a Whole Committee

Meeting of March 12, 2018

- 032-18. AN ORDINANCE: Amending Chapter 56 of the City Code by adding a new Section 56-5, "Local Marijuana Sales Tax Rate" as outlined in the enclosed Ordinance.
(Be Adopted 10/0)
(FIRST READING)

- 033-18. AN ORDINANCE: Amending chapter 56 of the City Code, entitled "Alcoholic Beverages", shall be amended by changing the title to "Alcoholic Beverages and Marijuana" as outlined in the enclosed Ordinance.
(Be Adopted 9/1 Beauchemin opposed)
(FIRST READING)
- 034-18. AN ORDINANCE: Amending Chapter 56 of the City Code by adding a new Section 56-3, "Marijuana Retailers" as outlined in the enclosed Ordinance.
(Be amended to allow 40% of the number of liquor licenses - 6 in favor of the amendment and 4 opposed to the amendment - Fleming, Green, Walsh, Zarrella opposed.
Be adopted as amended 9/1 Green opposed)
(FIRST READING)
- 035-18. AN ORDINANCE: Amending Chapter 56 of the City Code by adding a new Section 56-4, "Social Marijuana Consumption" as outlined in the enclosed Ordinance.
(Be adopted 9/1 Squailia opposed)
(FIRST READING)
- 036-18. AN ORDINANCE: Amending Section 132-63 of the City Code by inserting the following Paragraph defining the term "marijuana" after the definition of the word "drug" in the existing Ordinance as outlined in the enclosed Ordinance.
(Be adopted 9/1 Squailia opposed)
(FIRST READING)
- 037-18. AN ORDINANCE: That Paragraph A of Section 132-64 of the City Code, entitled "Prohibited Acts", shall be amended by inserting the words, "drugs, marijuana," after the words "any other private or public property where"; by inserting the words "drugs, marijuana," after the words "an underage person will or does consume any"; by inserting the words "drugs, marijuana," before the words "alcohol or alcoholic beverage with the intent to consume it" As outlined in the enclosed Ordinance.
(Be adopted 10/0)
(FIRST READING)

Finance Committee Oral Report
Meeting of March 15, 2018

043-18. 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 \$55,000.00 (FIFTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to support the Domestic Violence Advocate position within the Police Department.

COMMUNICATION: from the Mayor concerning the Community Development Block Grant Program for year 44.

VI. ORDERS-FINANCE

053-18. ORDERED THAT: The City of Fitchburg appropriated the amount of \$1,000,000.00 in order #005-2018, for the purpose of paying the cost of a feasibility study on Crocker Elementary School, and the MA School Building Authority requires the Fitchburg City Council to authorize the City to enter into and be bound by the attached Feasibility Study Agreement.

054-18. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-TWO THOUSAND, THREE HUNDRED THIRTY-ONE AND 00/100 DOLLARS (\$22,331.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, DAMAGES TO PERSONS AND PROPERTY for the purpose of paying the deductible incurred in connection to the fire damage to the Crocker Field Concession Stand.

055-18. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED THIRTY THOUSAND TWO HUNDRED EIGHTY-THREE DOLLARS (\$130,283), same to be charged against AVAILABLE FUNDS and credited to accounts as follows:

FIRE-Personal Services:	\$ 520
DPW-Highway General Personal Services	\$81,391
DPW-Snow & Ice Personal Services	\$15,015
DPW-Cemetery Personal Services	\$18,422
DPW-Parks Personal Services	\$14,935

056-18. ORDERED THAT: There be and hereby is transferred from within the following Personal Services Accounts the sum of EIGHTY-ONE THOUSAND THREE HUNDRED NINETY-FOUR DOLLARS (\$81,394), same to be credited to the respective Fiscal Year 2018 Personal Services Accounts:

Water Enterprise Fund	\$64,488
Wastewater Enterprise Fund	\$16,906

057-18. ORDERED THAT: There be and hereby is transferred from within the sum of THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) same to be transferred from YEAR 41 HOMEOWNER REHABILITATION PROGRAM to YEAR 43 DOWN PAYMENT ASSISTANCE PILOT PROGRAM.

058-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Stanton Foundation grant in the approximate amount of \$201,015.00 (TWO HUNDRED ONE THOUSAND, FIFTEEN AND 00/100 DOLLARS) for the purpose of said grant, which is to construct a Municipal Dog Park at Coolidge Park.

059-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Friends of Fitchburg Dogs gift in the approximate amount of \$22,335.00 (TWENTY-TWO THOUSAND, THREE HUNDRED THIRTY-FIVE AND 00/100 DOLLARS) for the purpose of said gift, which is to construct a Municipal Dog Park at Coolidge Park.

VII. ORDERS-OTHER

060-18. ORDERED THAT: The Mayor is authorized to execute a deed of conveyance of the 133 Mechanic Street parcel to abutters Hugh and Karen Leahy as outlined in the enclosed Order.
(Reference Petition #78-2017)

061-18. ORDERED THAT: The Mayor is authorized to execute a deed of conveyance of the 48 Hartwell Street parcel to abutters Michael and Denise Tully as outlined in the enclosed Order.
(Reference Petition #78-2017)

VIII. ORDINANCES

051-18. A stop sign shall be installed at the intersection of Vernon and Sanborn Street.

Section 169-76 of the City Code, titled "Stop intersections" shall be amended by striking the word "South" under the "Direction of Travel" column in the line beginning "Sanborn Street" in regards to its intersection at "Vernon Street" and inserting in its place "Both."

(Reference Petition #297-17)
(Final Reading)

- 062-18. AN ORDINANCE: Amending Section 169-76 of the City Code titled "Stop Intersections" (re: Stop sign on Columbus St. at intersection of St. Joseph Ave.) (Reference Petition #119-17) (First Reading)
- 063-18. AN ORDINANCE: Amending Section 169-76 titled "Stop Intersections" (re: Stop signs on Mt. Globe St. at its intersection with Davis St.) (Reference Petition #299-17) (First Reading)
- 064-18. AN ORDINANCE: Amending Section 169-17 of the City Code titled "Stop Intersections" (re: Stop sign on Amriott St. at its intersection with King St.) (Reference Petition #280-17) (First Reading)
- 065-18. AN ORDINANCE: Amending Section 169-76 "Stop Intersections" and Section 169-77 "Yield Intersections" to replace a stop sign with a yield sign at the corner of Daniels St. and River St. (Reference Petition 229-17) (First Reading)
- 066-18. AN ORDINANCE: Be it ordained by the City Council of the City of Fitchburg that Chapter 147-35 of the Code of the City of Fitchburg relative to the adoption of charges and fees, be and hereby is amended as follows; By inserting the following table of Chapter 147, Section 35.2;

Minimum Monthly Sewer Use Charges (includes usage of up to and including 300 cubic feet per month)					
Current Rate	June 1, 2018	June 1, 2019	June 1, 2020	June 1, 2021	June 1, 2022
\$18.85	\$20.36	\$21.99	\$23.53	\$25.17	\$26.81

Monthly Sewer Rate to be charged for usage in excess of 300 cubic feet per month						
	Current Rate	June 1, 2018	June 1, 2019	June 1, 2020	June 1, 2021	June 1, 2022
Rate per 100 cubic feet (which equals 748 gallons)	\$7.30	\$7.88	\$8.51	\$9.11	\$9.75	\$10.38

(Refer to the Council as a Whole Committee)

IX. PETITIONS

- 067-18. Councilor Michael Kushmerek to require all short-term rental units to register and have a regular inspection as outlined in the attached document. (Legislative Affairs Committee)

- 068-18. Councillor Elizabeth Walsh, to grant a special permit to James Lillie, 31 St. Martin St., to allow 13 year old Nathan Lillie to raise 6-8 chicks for a 4-H Challenge project. Nathan Lillie has been involved in 4-H for 8 years.
(Board of Health)
- 069-18. Councillor Amy Green and Tricia Pistone, MOC, to install two (2) handicap spaces at the entrance to Hosmer School.
(Public Safety Committee)
- 070-18. Councillor Marcus DiNatale and resident Lorelei McClure to re-pave the portion of Rindge Road just after McKay Elementary School. This stretch of roadway is a critical pathway for parents, faculty, and university students to and from both McKay and the University.
(Public Works Committee)
- 071-18. Councillor Elizabeth Walsh and John Carbone, to address drainage problem at 33 Damon Road that is creating a road hazard.
(Public Works Committee)
- 072-18. Councillor Elizabeth Walsh and Sam Erhagbai to address drainage problem at 96 Lancaster Ave. Each time it rains, water runs into the driveway and results in standing water in his garage.
(Public Works Committee)
- 073-18. Councillor Elizabeth Walsh, to address drainage problem at 264 Boutelle St., install a berm along the East side at Boutelle St. from Harvard St. to St. Bernard St., and pave the sidewalk.
(Public Works Committee)
- 074-18. Lightower Fiber Networks, to place and maintain approx. 700 feet of underground micro conduit from telephone pole #5542 River Road to 22 Kimball Pl. in accordance with that attached plan.
(Public Hearing April 3, 2018)
- 075-18. Comcast of Massachusetts III, Inc., to request a hearing for a grant of location, to install a new conduit system to provide service to 175 Old Princeton Road.
(Public Hearing April 3, 2018)

Next Regular Meeting
Tuesday, April 3, 2018, 7:00 PM

