

**CITY COUNCIL REGULAR
MEETING PACKET**

JANUARY 29, 2019

7:00 PM



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

January 29, 2019 7:00PM

**Memorial Middle School Library
615 Rollstone Street
Fitchburg MA 01420**

2019 JAN 24 PM 2:09

FITCHBURG CITY CLERK

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

Appointment Letter:

1. Mr. David Rousseau, as a member of the Fitchburg Housing Authority with a term to expire January 1, 2024.

IV. COMMUNICATION

Vincent P. Pusateri, II, City Solicitor
RE: Open Meeting Law and Council's Subcommittees

V. COMMUNICATION

Department of Environmental Protection
RE: Waterways Application

VI. ANNUAL REPORT

022-19. ANNUAL REPORT: Montachusett Regional Vocational Technical School for the year 2018.

VII. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of January 29, 2019, 6:45 PM

New Appointments

Permanent Reserve Police Officers

Fitchburg Police Department

Christopher Davis

Sean Maki

Ismael Santiago

Dylan Knox

Student Police Officers

Fitchburg Police Department

Kelton Stacy

Sean Maki

Christopher Davis

Dylan Knox

Ismael Santiago

Permanent Police Sergeant

Fitchburg Police Department

Officer David M. Gordon

Finance Committee Meeting
Meeting of January 22, 2019

- 004-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Department of Fire Services grant in the approximate amount of \$1,500.00 (ONE THOUSAND FIVE HUNDRED AND 00/100) for the purpose of said grant, which is to maintain the recently purchased new regional Fire Safety House used in teaching fire safety.
(Be Adopted)
- 005-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$5,454.00 (FIVE THOUSAND, FOUR HUNDRED FIFTY-FOUR AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to teach fire safety to children in elementary schools.
(Be Adopted)
- 006-19. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$2,800.00 (TWO THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to teach senior citizens about the importance of fire safety and avoiding in particular cooking and electric fires.
(Be Adopted)
- 007-19. ORDERED THAT: There be and hereby is appropriated the sum of THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000) same to be charged against AVAILABLE FUNDS and credited to STABILIZATION FUND.
(Be Adopted)
- 008-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) same to be charged against AVAILABLE FUNDS and credited to OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND.
(Be Adopted)

- 009-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED TWO THOUSAND AND 00/100 DOLLARS (\$102,000.00) same to be charged against AVAILABLE FUNDS and credited to AIRPORT REVENUE for the purpose of reducing the airport's deficit fund balance.
(Be Adopted)
- 010-19. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 DOLLARS (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, LONGSJO SCHOOL ROOF REPLACEMENT.
(Be Adopted)
- 011-19. ORDERED THAT: There be and hereby appropriated the sum of FORTY-FIVE THOUSAND, FIVE HUNDRED FORTY-FOUR AND 00/100 DOLLARS (\$45,544.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT, DEP COMPLIANCE for the purpose of DEP compliance at city owned property at 465 Westminster Street, formerly the site of the Central Steam Plant.
(Be Adopted)
- 012-19. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) same to be charged against AVAILABLE FUNDS and credited to BUILDING-TAX POSSESSION MAINTENANCE for the purpose of securing, maintaining, and cleaning tax possessions.
(Be Adopted)
- 013-19. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FOUR THOUSAND, FIVE HUNDRED THIRTEEN AND 00/100 DOLLARS (\$24,513.00) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENITURES, BUILDING REPAIRS for the purpose of replacing two of three HVAC units at the police station.
(Be Adopted)
- 014-19. ORDERED THAT: There be and hereby is appropriated the sum of FIFTY-EIGHT THOUSAND, FIVE HUNDRED NINETY-FOUR DOLLARS (\$58,594.00) same to be charged against AVAILABLE FUNDS and credited to DPW HIGHWAY PERSONAL SERVICES, LABOR (\$38,594.00) and PARKS PERSONAL SERVICES, LABOR (\$20,000.00)
(Be Adopted)

015-19. ORDERED THAT: There be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts for MS4/Stormwater compliance:

| | |
|--|--------------|
| DPW ADMIN. EXPENSES, MS4 CONTRACT SERVICES: | \$300,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 TEMP. LABOR: | 75,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 ENGINEER: | 25,000.00 |

(Be Adopted)

016-19. ORDERED THAT: There be and hereby is appropriated the sum of THIRTY-THREE THOUSAND, ONE HUNDRED NINETY-SEVEN AND 00/100 DOLLARS (\$33,197.00) same to be charged against AVAILABLE FUNDS and credited to ~~LAW OTHER EXPENSES, DAMAGES PERSONS AND PROPERTY (\$20,297.00)~~ and LAW OTHER EXPENSES, REGISTRY AND OTHER FEES (\$12,900.00)
(Be **amended** to strike "\$20,297.00" and be adopted as amended.)

017-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, CAPITAL IMPROVEMENTS for the purpose of replacing the water pipe at the South Street Elementary School West building (\$72,000.00), two FHS water pressure tanks (\$14,000.00), and door replacement at Longsjo Middle School and Crocker Elementary School (\$114,000.00)
(Be Adopted)

018-19. ORDERED THAT: There be and hereby is appropriated the sum of TWO HUNDRED SIXTY-SEVEN THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$267,770) same to be charged against AVAILABLE FUNDS, and credited to FIRE PERSONAL SERVICES (\$258,470) and to FIRE PERSONAL SERVICES OVERTIME (\$9,300).
(Be Adopted)

Legislative Affairs Committee Oral Report
Meeting of January 29, 2019, 6:00 PM

310-18. Councillors Beauchemin and Donnelly, to raise the fee in Chapter 149-10 of the Code of the City of Fitchburg to \$300.00 per day.
In Chapter 149-4 of the Code of the City of Fitchburg strike the phrase "except MGL Ch. 93 section 29-32" and in any other section of the Code where same is referenced.

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.

VIII. ORDERS-OTHER

- 023-19. ORDERED THAT: The City Council authorizes the Superintendent to submit to the MA School Building Authority the Statement of Interest form dated 2/12/19 for the South Street Elementary School located at 376 South Street, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which and application may be submitted to the MA School Building Authority in the future:

South Street West Building Roof.
South Street Building Boilers Priority #5.

- 024-19. ORDERED THAT: The City Council authorizes the Superintendent to submit to the MA School Building Authority the Statement of Interest form dated 2/12/19 for the Goodrich Academy located at 111 Goodrich Street, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which and application may be submitted to the MA School Building Authority in the future:

Goodrich Academy Roof Priority #5.

- 025-19. ORDERED THAT: The City Council authorizes the Superintendent to submit to the MA School Building Authority the Statement of Interest form dated 2/12/19 for the Fitchburg High School located at 140 Arn-How Farm Road, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which and application may be submitted to the MA School Building Authority in the future:

Fitchburg High School Roof Priority #5.

IX. PETITIONS

- 026-19. MA Electric Company, and Verizon New England, Inc., to petition the City of Fitchburg to grant an easement for the right to construct and maintain An "OVERHEAD SYSTEM" (Telephone poles) installed on the easterly side of South Street, on property known as Mare Meadow Reservoir, Westminster, MA, as outlined in the enclosed petition.
(Public Hearing February 19, 2019)

- 027-19. Councilor Anthony M. Zarrella, to amend the rules of the Fitchburg City Council by adopting the following rule relative to the operation of Subcommittee meeting.

At Committee meetings, only Councilors appointed to the Committee in question shall take their place as Councilors at the Council Table or equivalent and participate in proceedings. Other Councilors may attend as members of the public, but shall stand or be seated in the same area as public attendees, shall be subject to all rules governing public comment, and shall not, when addressing the Committee, be addressed as Councilors by the Committee.
(Council as a Whole Committee)

- 028-19. Anna M. Farrell, City Clerk, to establish an Ordinance in the appropriate section of the City Code for wages for City of Fitchburg poll workers, according to the attached table, to be in compliance with minimum wage laws.
(Finance Committee)

- 029-19.. Fitchburg Planning Board, to amend the Fitchburg Zoning Ordinance by amending the Table of Principle Uses concerning Medical Offices and to further define different medical and medical office uses, per vote of the Fitchburg Planning Board January 8, 2019.
(City Council Public Hearing April 2, 2019; Planning Board)

Next Regular Meeting
Tuesday, February 5, 2019, 7:00 PM

COMMUNICATION

HIS HONOR THE MAYOR

APPOINTMENT LETTER



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

FITCHBURG CITY CLERK
2019 JAN 11 AM 9:02

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

January 11, 2019

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

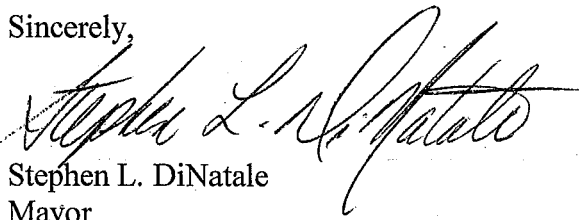
Dear Honorable Councilors,

I hereby reappoint and ask for your confirmation of Mr. David Rousseau of 50 Day St., Apt. 603, Fitchburg, MA, as a member of the Fitchburg Housing Authority.

Mr. Rousseau's appointment is for a term of 5 years and is set to expire on January 1, 2024.

Please feel free to contact me with any questions.

Sincerely,



Stephen L. DiNatale
Mayor

COMMUNICATION

VINCENT P. PUSATERI, II

CITY SOLICITOR

**RE: OPEN MEETING LAW AND
COUNCIL'S SUBCOMMITTEES**

VINCENT P. PUSATERI, II.

CITY SOLICITOR

128 PRICHARD STREET

FITCHBURG, MA 01420

TELEPHONE: (978) 342-6081

FAX: (978) 343-0600

EMAIL: vpusateri@pusaterilaw.com



CHRISTINE M. TREE

ASSISTANT CITY SOLICITOR

128 PRICHARD STREET

FITCHBURG, MA 01420

TELEPHONE: (978) 342-6081

FAX: (978) 343-0600

EMAIL: ctree@pusaterilaw.com

LAW DEPARTMENT OF THE CITY OF FITCHBURG

January 18, 2019

Michael Kushmerek, President
Fitchburg City Council
166 Boulder Drive
Fitchburg, MA 01420

FITCHBURG CITY CLERK
2019 JAN 22 PM 12:29

RE: Open Meeting Law and Council's Subcommittees

Dear President Kushmerek,

Dear Council President Kushmerek,

Kindly accept this letter as an opinion relative to the Open Meeting Law, M.G.L. c. 30A, §§18-25 as it applies to subcommittee meetings of the City Council. Specifically, it is this office's opinion that the City Council is required to change its current mode of operation for subcommittees to avoid a violation of the Open Meeting Law. It is important to avoid the appearance that a quorum of the City Council is meeting when only a subcommittee meeting has been noticed to the public.

As you are aware, councilors enjoy participating in subcommittee meetings regularly. Councilors sit at the Council Table (also known as the Council Dais) during subcommittee meetings and are addressed as councilors during the course of the meeting.¹ Currently councilors attending a subcommittee meeting stop participating in discussions once a motion has been made in an effort to abide by the Open Meeting Law. While the Council is well-intentioned, this is not sufficient to avoid participating in deliberations.

In evaluating whether visiting councilors deliberated, the Office of the Attorney General set forth the test as whether "a reasonable member of the public watching the recording of the meeting would have believed they were watching a joint meeting of the council and the

¹ A similar situation was brought to the Attorney General in 2016. The Attorney General opined "Members of a parent public body may attend the meeting of a subcommittee provided that there is no deliberation. See OML 2013-38. In considering whether members of the parent public body have deliberated during a subcommittee meeting, we look for indicia such as whether the parent public body members were seated with the general public and whether they participated by open participation to conclude that no improper deliberation incurred." OML 2016-117, Page 2.

subcommittee.”² In that case, a quorum of councilors were present at a City Council subcommittee meeting, and non-committee members sat in their usual seats at the Council Table and were addressed as “Councilor.” Those three factors were sufficient to support a finding that the Open Meeting Law was violated.

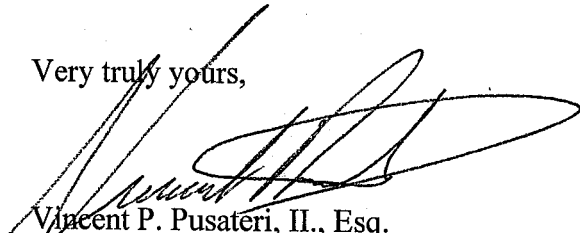
From this and prior decisions it is clear that the presence of a quorum of City Councilors alone will not trigger a violation of the Open Meeting Law. The Attorney General seemed more focused on the public appearance of the meeting and whether topics outside of the subcommittee’s jurisdiction were discussed. Consequently, the presence of a quorum of the City Council or any committee at any other committee or board meeting can call a councilor’s conduct into question.

Therefore, I am recommending a cautious approach to the operation of your subcommittees which would include as follows:

1. Non-committee members should sit in the area designated for public attendance;
2. Recognize councilors who are not committee members by the prefix of Mr., Ms., Mrs., Dr., Attorney, etc. as opposed to the honorific “Councilor”;
3. Councilors should be permitted the same latitude as the general public to address the committee; and
4. Discussion by non-committee member councilors of topics outside the committee’s responsibilities and agenda should be avoided.

I have attached a copy of the Attorney General’s opinion for your review. I would like to thank Councilor Zarrella for bringing this issue to my attention. I look forward to any questions or comments you may have.

Very truly yours,



Vincent P. Pusateri, II., Esq.
Solicitor, City of Fitchburg

VPP/dam
Enclosures

² Id., Page 3.



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

TEL: (617) 727-2200
www.mass.gov/ago

September 1, 2016

OML 2016 – 117

Joseph I. Macy, Corporation Counsel
City of Fall River
1 Government Center
Fall River, MA 02722

RE: Open Meeting Law Complaint

Dear Attorney Macy:

This office received a complaint from CJ Ferry, dated March 30, alleging that the Fall River City Council (the "Council") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Council on February 16, and the Council responded by letter dated March 10.² In his complaint, Mr. Ferry alleges that the Council violated the Open Meeting Law when a quorum of the Council was present at a meeting of the Council's Subcommittee on Ordinances and Legislation (the "Subcommittee") and deliberated, even though the meeting was not noticed as a joint meeting.

We appreciate the patience of the parties while we reviewed this matter. Following our review, we find that the Council violated the Open Meeting Law as alleged. In reaching a determination, we reviewed the original complaint, the Council's response, and the request for further review filed with our office. We also reviewed a video recording of a Subcommittee meeting held on February 16.³

FACTS

We find the facts as follows. The Council is a nine-member public body, thus five members constitute a quorum. At all times relevant to this complaint, five Councilors—Cliff Ponte, Joseph Camara, Pam Laliberte-Lebeau, Stephen Long, and Linda Pereira—were the sole members of the Subcommittee. On February 10, the Subcommittee posted notice of a meeting to be held on February 16. The notice did not state that the meeting would be a joint meeting between the Subcommittee and the Council.

¹ Unless otherwise indicated, all dates in this letter refer to the year 2016.

² We note that the complainant filed an amended complaint on February 22, adding more detail.

³ See <http://vod.frgtv.us/video/155631765>.

The Subcommittee held the February 16 meeting as planned in the Council chambers with four Subcommittee members present. The Subcommittee members sat at a rectangular table in the middle of the room in front of the dais where the Councilors regularly sit. During this meeting, four other Councilors arrived, sitting in their regular seats at the Council's dais, bringing the total present to eight Councilors. During the meeting, Councilors Richard Cabeceiras, Shawn Cadime, Raymond Mitchell, and Steven Camara were recognized to speak. These Councilors, not members of the Subcommittee, addressed the Subcommittee from the Council dais and asked questions. Ultimately, the Subcommittee voted to refer one issue to the Council for full discussion; the Councilors present did not comment on this vote.

DISCUSSION

The Open Meeting Law requires that, except in limited circumstances, "all meetings of a public body shall be open to the public." G.L. c. 30A, § 20(a). Except in an emergency, "a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays." G.L. c. 30A, § 20(b). A subcommittee of a public body is itself a public body subject to the Open Meeting Law. G.L. c. 30A, § 18. The Open Meeting Law defines a "meeting" as "a deliberation by a public body with respect to any matter within the body's jurisdiction," however this definition does not include the "attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate." *Id.* "Deliberation" is defined, in relevant part, as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." *Id.*

The complaint alleges that the presence of five Councilors—a quorum of the Council—on the Subcommittee is a per se violation of the Open Meeting Law. The complaint alleges that every Subcommittee meeting is therefore a meeting at which a quorum of the Council is present. This argument is unavailing. We have previously concluded that a quorum of a public body may sit on its subcommittee without having to post a separate meeting notice, provided that the discussion is limited to matters within the jurisdiction of the subcommittee. *See* OML 2013-155, Fn. 2.⁴ Because we discern from the recording of the February 16 meeting no discussion of topics beyond the Subcommittee's jurisdiction, we find no violation with respect to this allegation.

The complaint also alleges that the Councilors who were not members of the Subcommittee violated the law when they deliberated during the Subcommittee's February 16 meeting. Members of a parent public body may attend the meeting of a subcommittee provided there is no deliberation. *See* OML 2013-38. In considering whether members of the parent public body have deliberated during a subcommittee meeting, we look for indicia such as whether the parent public body members were seated with the general public and whether they participated by open participation to conclude that no improper deliberation occurred. *Id.* Here, Councilors Cabeceiras, Cadime, Mitchell, and Camara sat in their seats at the Council dais. When they were recognized to speak, it was done with the honorific "Councilor." Based on this,

⁴ Open Meeting Law determinations may be found at the Attorney General's website: www.mass.gov/ago/openmeeting.

a reasonable member of the public watching the recording of the meeting would have believed they were watching a joint meeting of the Council and the Subcommittee. We therefore find that the Council violated the Open Meeting Law by deliberating during the February 16 meeting without posting notice.

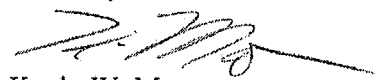
While not raised in the complaint, we note that the Council did not respond to the complaint within the time frame required by law. Unless an extension of time has been granted, a public body must, within 14 business days of receipt of an Open Meeting Law complaint, send a copy of the complaint to the Attorney General's Office and notify the Attorney General's Office of any remedial action taken. G.L. c. 30A, § 23(b); 940 CMR 19.05(5), (6). Here, the complaint was filed with the Council on February 16. The Board did not request an extension, and responded by letter dated March 10. We take this opportunity to remind the Board of its obligations under the Open Meeting Law.

CONCLUSION

For the reasons stated above, we find that the Council violated the Open Meeting Law. We order the Council's immediate and future compliance with the Open Meeting Law, and we caution that similar future violations may be considered evidence of intent to violate the law.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Council. Please feel free to contact the Division at (617) 963-2540 if you have any questions.

Sincerely,



Kevin W. Manganaro
Assistant Attorney General
Division of Open Government

cc: CJ Ferry
Fall River City Council

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

COMMUNICATION

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

RE: WATERWAYS APPLICATION



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

January 11, 2019

Stantec Consulting Service, Inc.
c/o Hillary King
226 Causeway Street, 6th Floor
Boston, MA 02108

RE: Jurisdictional Determination - Waterways Application Number JD19-5436
City of Fitchburg Department of Community Development, 0 Walnut Street
Waters of North Nashua River, Fitchburg, Worcester County

Dear Ms. King:

Enclosed is the Determination of Applicability for the referenced application issued pursuant to Waterways Regulations 310 CMR 9.06. This Determination may be recorded at the Worcester Northern Registry of Deeds and a copy will be maintained in the Department files.

If you have any questions, please contact Chrissy Hopps at (617) 348-4084 or via email at Christine.Hopps@mass.gov.

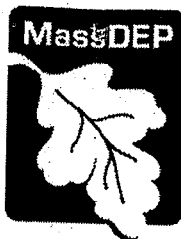
Sincerely,

Ben Lynch
Section Chief
Waterways Regulation Program

Cc: Fitchburg City Council
Fitchburg Planning Board
Fitchburg Conservation Commission

2019 JAN 16 AM 11:15

FITCHBURG CITY CLERK



Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

File No: JD19-5436

Municipality: Fitchburg, Worcester County

DETERMINATION OF APPLICABILITY- 310 CMR 9.00

To: City of Fitchburg
Department of Community Development
c/o Thomas Skwierawski
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Location of Site: 0 Walnut Street
Fitchburg, MA 01420
Tax Assessor's Map No. 69
Parcel No. 69-12-0

Pursuant to 310 CMR 9.06, the Department of Environmental Protection Waterways Regulation Program (the "Department") has reviewed and considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination:

☐ **The Determination is Negative:** A portion of the above referenced site for which this determination is issued includes lands not subject to jurisdiction under M.G.L Chapter 91 and its regulations at 310 CMR 9.00.

☒ **The Determination is Positive:** A portion of the above referenced site for which this determination is issued includes a non-tidal waterway subject to jurisdiction under M.G.L Chapter 91 and its regulations at 310 CMR 9.00.

Stantec Consulting Services, Inc. (Stantec) has requested a Determination of Applicability on behalf of City of Fitchburg Community Development Department c/o Thomas Skwierawski (the "Applicant") regarding proposed construction and maintenance of a new shared use trail bridge located over Waters of North Nashua River at 0 Walnut Street, Fitchburg, Worcester County (the "project site").

Documentation in support of this request included:

- 1) Cover letter and statement of support of this request, dated November 7, 2018;
- 2) Copy of the aerial image of the site and property record cards of two adjacent parcels from the City of Fitchburg Assessor database;
- 3) Copy of an aerial map entitled "Site Location Map" illustrating the proposed rail trail bridge location prepared by Stantec;

0 Walnut St, North Nashua River, Fitchburg, Worcester County

- 4) Plan set entitled "Twin Cities Rail Trail Over North Nashua River and MBTA", 4 sheets, dated October 2018, prepared by Stantec, consisting of location map, channel cross section at existing railroad bridge, bridge plan, and bridge elevation;
- 5) Photographic evidence showing existing conditions of the site;
- 6) Copy of Flood Insurance Rate Map indicating the approximate location of the proposed Pedestrian Bridge; and
- 7) Copy of FEMA Flood Profile showing the stream bed elevation and copy of datum conversion from NGVD 29 to NAVD 88.

Department staff conducted a site inspection and considered the supporting documentation included in the submittal. According to the note on Plan Sheet 2 of 4, Stantec identified the Mean Annual High Water Elevation based on a measurement of the water stain on the existing bridge. The methodology applied by Stantec does not comport with the definition of High Water Mark for Great Ponds, rivers and streams pursuant to 310 CMR 9.02, which shall be the present arithmetic mean of high water heights observed over a one-year period using the best available data as determined by the Department. Although shallow water depths at the proposed project site were documented at the time of inspection by Stantec, the water depths at this location appear to be subject to water supply from upstream and water releases from the downstream dam, and likely change seasonally.

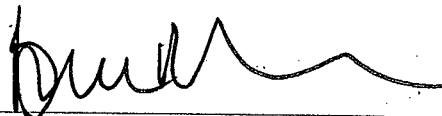
The Department hereby determines that the North Nashua River at the project site is navigable as defined in 310 CMR 9.04(1)(e), is located within Chapter 91 Jurisdiction pursuant to 310 CMR 9.04 and therefore the proposed project requires a Chapter 91 Waterways License.

Please be advised that based on a review of aerial photos, Department records, and a site inspection by Department staff, it appears that filling occurred within the waterway in association with improvements to the sewer manhole and shoreline stabilization, without the benefit of the required Chapter 91 Waterways License. Please either provide documentation of a Chapter 91 authorization or ensure that the Chapter 91 Waterways License Application for the bridge includes a request to authorize the unlicensed work.

This Determination does not relieve the Applicant/Licensee from complying with all other applicable Federal, State, or local statutes, ordinances, by-laws, or regulations.

Issued by the Department of Environmental Protection Waterways Regulation Program.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 11th day of JANUARY in the year two thousand nineteen.


Ben Lynch
Section Chief
Waterways Regulation Program

Encl: Notice of Appeal Rights

NOTICE OF APPEAL RIGHTS

Who has the right to appeal?

The following persons shall have the right to an adjudicatory hearing concerning this decision by the Department to grant or deny a license or permit, in accordance with 310 CMR 9.17(1): (a) an Applicant who has demonstrated property rights in the lands in question, or which is a public agency; (b) any person aggrieved by the decision of the Department to grant a license or permit who has submitted written comments within the public comment period; (c) ten (10) residents of the Commonwealth who, pursuant to M.G.L. Chapter 30A, § 10A, have submitted comments within the public comment period with at least 5 of the 10 residents residing in the municipality(s) in which the license or permitted activity is located. The appeal shall clearly and specifically state the facts and grounds for the appeal and the relief sought, and each appealing resident shall file an affidavit stating the intent to be part of the group and to be represented by its authorized representative; (d) the municipal official in the affected municipality who has submitted written comments within the public comment period; and (e) MassCZM, for any project identified in 310 CMR 9.13(2)(a) for MassCZM participation or, in an Ocean Sanctuary, if it has filed a notice of participation within the public comment period.

How can I request an adjudicatory hearing?

A person requesting an adjudicatory hearing must submit a "Notice of Claim" to the Department, with a copy of the MassDEP Adjudicatory Hearing Fee Transmittal Form and include the details specified below, within twenty-one (21) days of the date of issuance of this decision. The MassDEP Transmittal Form is available at the following website: <http://www.mass.gov/eea/docs/dep/service/adr/adjherfin.doc> The Notice of Claim must be made in writing and sent by certified mail or hand delivery to:

MassDEP
Case Administrator
One Winter Street, 2nd Floor
Boston, MA 02108

A copy of the complete Notice of Claim must be sent at the same time by certified mail or hand delivery to: (1) the Applicant, (2) the municipal official of the city or town where the project is located, and (3) the issuing office of the MassDEP, which in this case is located at:

MassDEP
Waterways Regulation Program
One Winter Street, 5th Floor
Boston, MA 02108

The MassDEP Adjudicatory Hearing Fee Transmittal Form and a valid check payable to "The Commonwealth of Massachusetts" in the amount of one hundred dollars (\$100) must be mailed to:

MassDEP
Commonwealth Master Lockbox
P.O. Box 4062
Boston, MA 02211

What information must be included in the hearing request?

Pursuant to 310 CMR 9.17(3), any Notice of Claim requesting an adjudicatory hearing must include the following:

- (a) the MassDEP Waterways Application File Number;
- (b) the complete name, address, fax number and telephone number of the Applicant;
- (c) the address of the project;
- (d) the complete name, address, fax number, and telephone number of the party filing the request and, if represented by counsel, the name, address, fax number, and phone number of the attorney;
- (e) if claiming to be a person aggrieved, the specific facts that demonstrate that the party satisfies the definition of "aggrieved person" found in 310 CMR 9.02;
- (f) a clear statement that a formal adjudicatory hearing is being requested;
- (g) a clear statement of the facts which are the grounds for the proceedings, the specific objections to the MassDEP's written decision, and the relief sought through the adjudicatory hearing, including specifically the changes desired in the final written decision; and

0 Walnut St, North Nashua River, Fitchburg, Worcester County

- (h) a statement that a copy of the request has been sent to: the Applicant and the municipal official of the city or town where the project is located.

Dismissal of request

The request for appeal will be dismissed if the filing fee is not paid, unless the appellant is exempt or is granted a waiver.

Exemptions

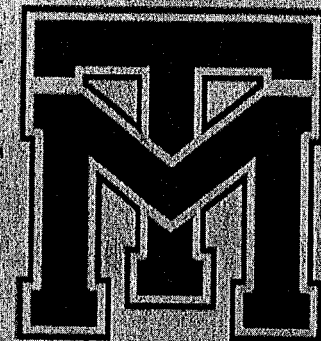
The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

Waiver

The Department may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

ANNUAL REPORT

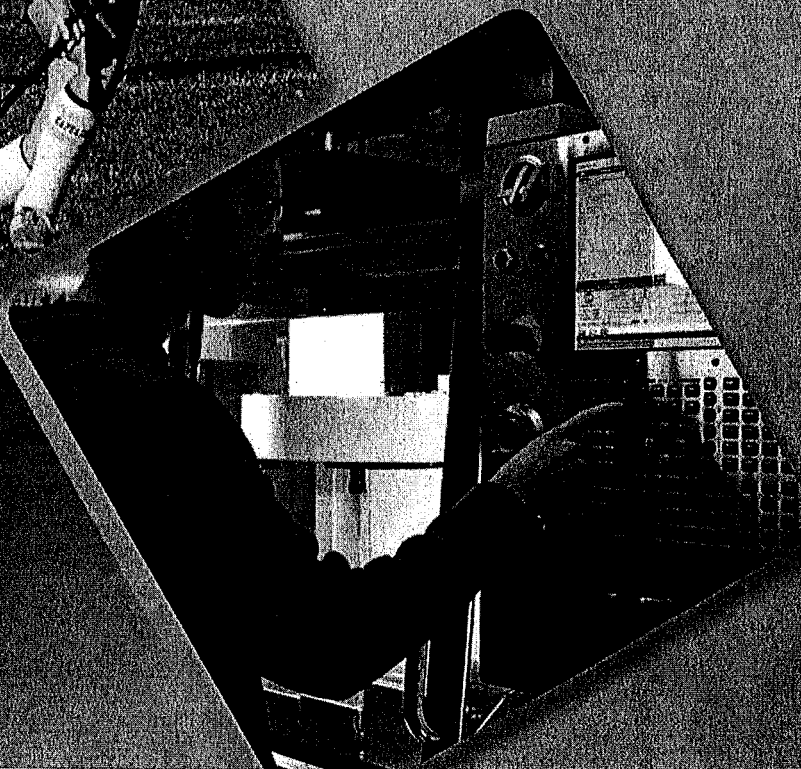
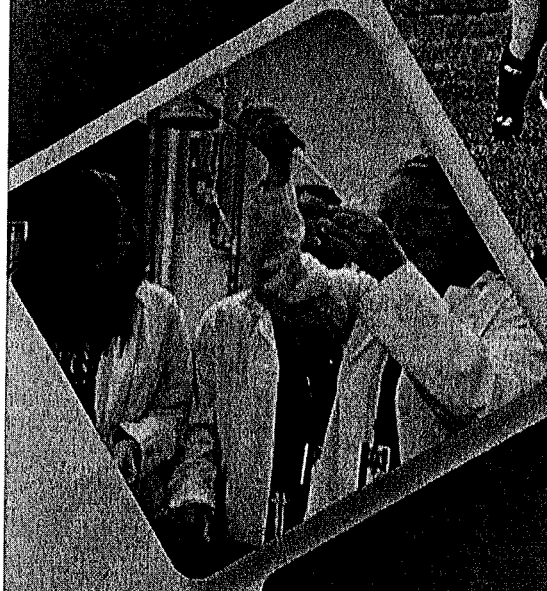
MONTY TECH ANNUAL REPORT 2018



MONTACHUSETT REGIONAL VOCATIONAL
TECHNICAL SCHOOL

1050 Westminster Street, Fitchburg, MA 01420

www.montytech.net



Schools across North Central Massachusetts are filled with eager students, talented educators and supportive administrators, all working together toward common goals: student achievement and academic excellence. While students and teachers at Monty Tech work together toward these goals daily, they also strive to achieve vocational-technical proficiency, assuring our graduates have a choice when they graduate: to pursue college or a career or both. As college costs continue to rise, and the need for qualified tradespeople is expanding across our region, having this choice is becoming increasingly important. Preparing our students to make this choice is a privilege, and so we remain committed to providing the best possible educational programs for our students.

Monty Tech academic programs are effectively serving students at all levels, as indicated on the most recent MCAS scores: 95% of students earned Advanced or Proficient scores in ELA, 85% earned Advanced or Proficient scores in mathematics, and 82% earned Advanced or Proficient scores in Biology. Student performance on this exam met or exceeded state-determined targets in every subgroup. Teachers continue to refine curriculum, incorporate new instructional strategies, and challenge every student to reach new levels, and we couldn't be prouder of the results.

School leaders also closely monitor each of the school's 21 vocational programs, to ensure they align with current industry standards, and that they continue to prepare students for entry-level careers in their chosen field. Whether it means purchasing new equipment, incorporating new certifications or credentials into the curriculum, or seeking new educational partners, vocational instructors and school leaders work collaboratively to ensure vocational programs at Monty Tech are among the most comprehensive, current, and innovative programs across the Commonwealth.

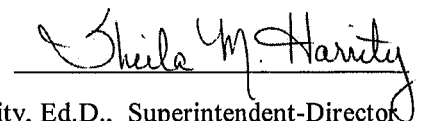
The 2017-2018 school year was marked by countless reasons to celebrate our students and staff, who consistently demonstrate vocational excellence and innovation.

Students and instructors in our Carpentry, Electrical, Plumbing, Masonry, HVAC and Property Maintenance, and Cabinetmaking trades completed a two-year long project – a 7,500 sq. ft. building, now home to the school's newest vocational program, Veterinary Science. This project was funded entirely by private sector donations, gifts, local, state and federal grants, and in-kind support in the form of donated materials and labor, and deep discounts on building materials and supplies. School officials raised an unprecedented \$2.6M to support the establishment of the Monty Tech Veterinary Science program - a tremendous accomplishment that reflects the support our community continues to provide our students, faculty and staff.

The Monty Tech Veterinary Clinic is not the only new and exciting opportunity available to our students. The school was recently awarded a \$500,000 Skills Capital Grant, to improve the Engineering Technology, Electrical, and CAD/Drafting & Design programs. This generous grant has allowed instructors to create two innovative learning spaces, intended to replicate working and learning environments maintained by industry leaders in advanced manufacturing and automation. Using this new equipment, students will prepare to become manufacturing technicians, robotics technicians, automation technicians, moldmakers, and CNC machinists at local corporations, filling the existing skills gap across these industries.

While students and instructors across the school continue to demonstrate creativity, innovation, and leadership, school leaders continue to keep an eye on emerging trends in vocational education. As we prepare these talented students to make important life choices, we are reminded that in the end, the choice is theirs to make: college or career or both. It is our job to support their aspirations and to educate and train them to achieve at the highest possible level. On behalf of our talented educators and administrators, who remain focused on delivering the highest quality academic and vocational-technical education possible, I am delighted to present the District's 2017-2018 annual report to you, providing a snapshot of the wonderful experiences happening on a day-to-day basis here at Monty Tech.

Respectfully submitted,



Sheila M. Harrity, Ed.D., Superintendent-Director

Our Mission

Every student will graduate from Montachusett Regional Vocational Technical School with the skills, knowledge, and abilities to be a productive and effective member of an ever-changing society.

Our District

Montachusett Regional Vocational Technical School is a four-year career and technical high school serving the member towns of:

Ashburnham
Ashby
Athol
Barre
Fitchburg
Gardner

Harvard
Holden
Hubbardston
Lunenburg
Petersham
Phillipston

Princeton
Royalston
Sterling
Templeton
Westminster
Winchendon

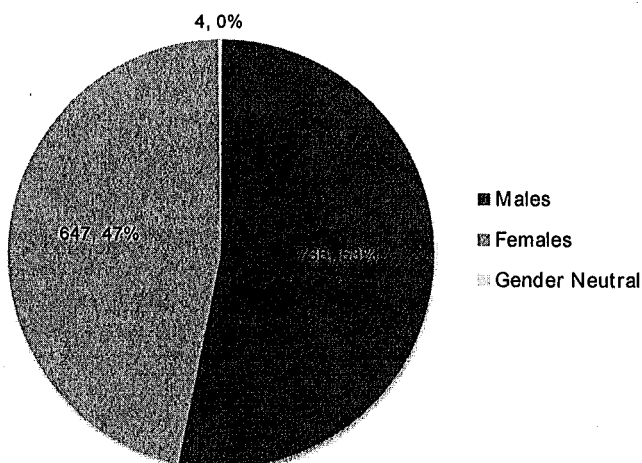
Leadership

The leadership team at Montachusett Regional Vocational Technical School is comprised of ten talented administrators whose varied educational backgrounds, professional experiences, and areas of expertise contribute to the success of the school. Working collaboratively, and under the direction of the Superintendent and Principal, the team has transformed the school into one of the most sought-after high schools in North Central Massachusetts.

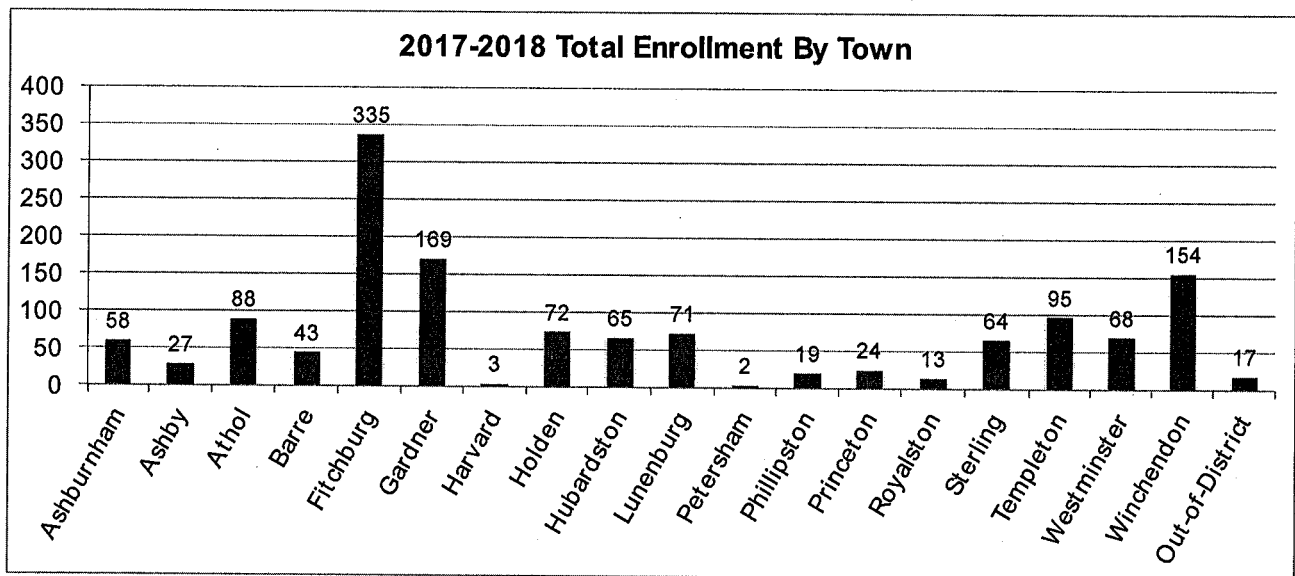
Sheila M. Harrity, Superintendent-Director
Tom Browne, Principal
Dayana Carlson, Assistant Principal
Tammy Crockett, Business Manager
Pamela Pothier, Director of Technology

Christina Favreau, Director of Academic Programs
Jim Hachey, Director of Vocational Programs
Michael Gormley, Director of Facilities
Katy Whitaker, Development Coordinator
Victoria Zarozinski, Director of Student Support Services

Enrollment



On June 1, 2018, student enrollment at Monty Tech included 1,387 students in grades nine through twelve, representing each of the district's eighteen sending communities. Each class of students is comprised of a relatively equal balance of male vs. female students, and each student attending Monty Tech has elected to do so, prepared to explore an interest in one of the school's twenty-one rigorous vocational-technical programs. While the school currently offers only five programs non-traditional for male students, and twelve programs non-traditional for female students, we are proud to have a student population that is well- balanced by gender and a variety of academic interests and achievements.



Throughout 2017-2018, Monty Tech offered a variety of opportunities for students, parents, and community members to learn about and visit the school. In October 2017, approximately 700 district eighth graders participated in the annual "Tour Day" event. Students toured our twenty vocational- technical areas and learned about the school's challenging academic offerings and exciting athletic and extracurricular programs. Career Awareness Night offered interested students the opportunity to return in the evening with their family members to further explore the facilities and speak with staff members.

The Vocational Interest Program (V.I.P.) offers area seventh and eighth grade students the chance to visit Monty Tech after school and participate in hands-on learning experiences across a variety of vocational/technical areas. The program continued to attract a large number of students during the 2017-2018 school year, serving approximately 600 area students.

Class of 2018 Awards

Members of the Class of 2018 were awarded approximately \$97,000 in scholarships. The Monty Tech Foundation generously provided \$37,250 in scholarships to graduating seniors, ranging in amounts of \$100 to \$2,600. The Foundation also awarded \$3,240 to the Practical Nursing graduates. Once again, local and state organizations, as well as generous individuals, continue to recognize the ability and potential of Monty Tech graduates in the form of financial donations. The School Committee, administration, faculty, and graduates themselves, are grateful for this support.

Articulation Agreements with local colleges also play an important role in helping reduce the cost of higher education. Qualified Monty Tech students are eligible to receive college credits through a number of articulation agreements with public and private colleges across the country. Approximately 57% of the graduating class of 2018 reported plans to enroll at a 4-year college/university upon graduation. By earning college credits while still in high school, these students will save both time and money as they pursue advanced educational programs.

Financial Report

A great deal of effort was put forth by the School Committee, administration, and staff to develop a cost- effective budget for the fiscal year 2017-2018. The final fiscal year 2017-2018 Educational Plan totaled \$26,895,680, which represents a 2.0% increase over the 2016-2017 Educational Plan. The District's FY17 budget exceeds the minimum spending required by Massachusetts General Law Chapter 70 by only \$41,379 or .2%.

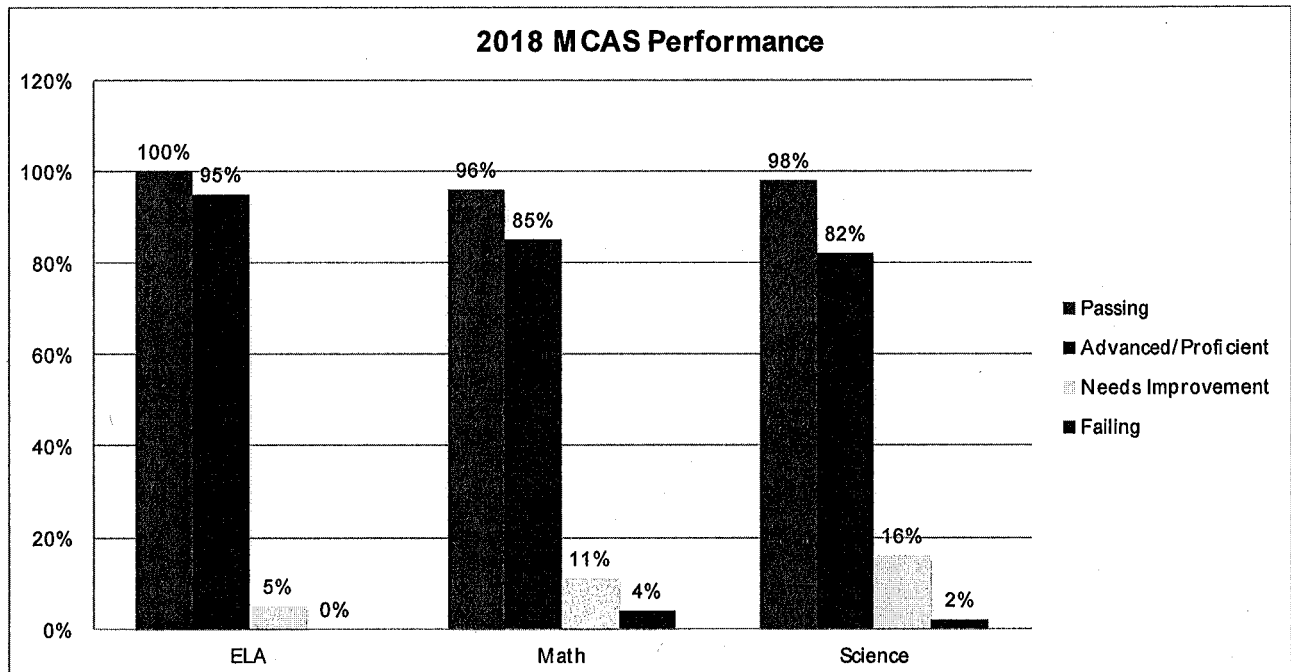
The District was audited in November 2018 as part of the yearly financial audit by the accounting firm of Melanson, Heath and Co. from Greenfield, MA, and received a very good report.

Grants and Contracts

Monty Tech continues to pursue grant funding on an annual basis. These funds help provide many educational and social services to the student population. For fiscal year 2018, state and federal grant sources provided the school with \$991,611. Programs funded by these grants include: Essential Health Services, Social Intervention and Mediation, Improving Teacher Quality, Special Education Services and Program Improvement, Title I Support, Perkins Occupational Education, and Marine Corp Junior Reserve Officer Training. The District also received more than \$508,000 in competitive grants, including a Skills Capital Grant for \$495,000 to purchase equipment for the Electrical, Engineering and CAD/Drafting and Design programs, and a grant from the Community Foundation of North Central Massachusetts in the amount of \$13,919 to expand the school's continuing education program to include an Oil Burner Technician training program. Using these allocation and competitive funds, the school was able to purchase a variety of instructional technology, equipment, and supplies to enhance the learning experience across both academic and vocational programs.

Academic Achievement

In 2017-2018, students at Montachusett Regional Vocational Technical School continued to demonstrate high academic achievement, earning commendable MCAS scores in English Language Arts, Mathematics and Biology. For Spring 2018, Monty Tech's passing rate on the English Language Arts was 100%, Mathematics 96%, Biology 98%.



Monty Tech is committed to providing students with rigorous STEM learning opportunities, and so in recent years, the curriculum has been expanded to include Advanced Placement Programs (two ELA courses, two mathematics courses, two science courses, and one computer science course) and teachers have participated in meaningful, high-quality professional development which will enable us to roll-out two Project Lead the Way biomedical courses in the 2018-2019 school year.

The school is in its 6th year of administering Advanced Placement exams, and students enrolled in AP courses continue to improve their performance. In 2017-2018, Monty Tech had forty-six students achieve qualifying scores, earning advanced standing and/or college credit. More than half of the students who tested in the following subjects received qualifying scores: AP Computer Science Principles (66%), AP Chemistry (53%), and AP BC Calculus (100%). In addition, the AP Chemistry program experienced the most growth in terms of qualifying score as their passing rate increased by 44.7% from 2017 to 2018.

| AP Exam Results, 5-Year Review | | | | | | |
|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| | 2012-2013 | 2013-2014 | 2014-2015 | 2015-2016 | 2016-2017 | 2017-2018 |
| Total AP Students | 69 | 57 | 89 | 145 | 120 | 135 |
| Number of AP Exams | 69 | 62 | 116 | 187 | 148 | 133 |
| AP Students with Qualifying Scores | 36.2% | 57.9% | 52.8% | 26.9% | 44.2% | 48.9% |
| Qualifying Scores (State) | 72.6% | 72.2% | 70.9% | 70.5% | 69.7% | 69.9% |
| Qualifying Scores (Global) | 60.9% | 61.3% | 60.7% | 60.3% | 60.3% | 61.3% |
| Courses Offered | 2 | 2 | 3 | 5 | 7 | 7 |

Data provided by College Board, July 2018

Vocational Projects in the District Communities

Unlike students in traditional, comprehensive high schools, students at Monty Tech are asked to put their education into practice on a daily basis. Students across the twenty different vocational-technical education programs are building homes, reconstructing damaged properties, repairing service vehicles, making walkways more accessible, and performing countless community services.

The 2017-2018 school year was a busy one for our vocational educators, as each trade aimed to provide practical, hands-on learning experiences for our students, while helping to improve each of the eighteen member communities.

Auto Body Collision Repair Technology: The Monty Tech Auto Body shop benefited from new instructional equipment this year. Eight new welding stations were installed, allowing instructors to expand the welding curriculum in an effort to better align with industry standards. New textbooks and a new nitrogen welder were critical as instructors worked to implement a more extensive plastic welding program. In addition to the 100+ community service projects completed last year, students and instructors repaired a trailer for the Westminster Police and clear coated the 9/11 Memorial for the Fitchburg Fire Department. Seniors received their EPA 6 H Certificate, I-Car Pro Level 1 in Refinishing and Non-Structural Repair. And, for the fourth consecutive year, Monty Tech Auto Body students won the coveted World of Wheels Pedal car competition. Seven students earned co-op placements, and one Senior traveled to Louisville, KY, competing in the SkillsUSA national competition in June 2018. Instructors are incredibly proud of his performance, as he was won at the national level and has qualified to compete in the Collision Repair World Competition in Russia, scheduled for summer 2019. (Total student enrollment: 65)

Automotive Technology: As in past years, the Monty Tech Automotive Technology program continues to service a variety of vehicles. Over 400 vehicles were serviced and repaired during the 2017-2018 school year, including vehicles brought in by faculty, staff, public, school and students. Students performed extensive repairs, to include head gaskets, timing belts, and various other technical repairs. Thanks for funding provided by the school's Perkins grant, every student enrolled in the program earned at least one industry-recognized certification, and Senior students were able to participate in the widely renown ASE Testing. A total of eight students earned co-op placements throughout the school year, which is a testament to the strength of the program, that continues to be the areas premier workforce pipeline for area automotive dealerships and businesses. (Total student enrollment: 70)

Business Technology: Monty Tech's Business Technology program continues to benefit from a unique partnership with Workers Credit Union. The opportunity to participate in teller training and financial literacy workshops has been met with great enthusiasm from students, who completed 9 modules and earned a financial literacy certificate. As a member of the Massachusetts Schools Bank Association through the Federal Reserve Bank of Boston, Monty Tech students are able to compete in the Banking Bowl and Marketing Competitions. Monty Tech Business Technology instructors, in collaboration with their post-secondary colleagues, continue to refine and develop new articulation agreements. These agreements, with Mount Wachusett Community College and New England Institute of Technology, will provide qualified students with college credits at no cost to the student. Students are eligible to receive 18 credits from Mount Wachusett Community College and 16 credits from New England Institute of Technology. Opportunities to demonstrate customer service, cash handling, and accounting skills are ever-present as the Business Technology students successfully operate an in-house retail location, The Gear House School Store, and the Monty Tech Greenhouse. Seven Seniors and nine Juniors were out on co-op placements during the 2017-2018 school year. (Total student enrollment: 68)

Cabinetmaking: Students and instructors in the school's Cabinetmaking program spent a majority of their time during the 2017-2018 school year manufacturing, assembling and installing classroom cabinets, clinic casework, and solid surface countertops in the school's new Veterinary Science training center. Sophomore students crafted 400 maple bread boards with a purple heart accent strip for guests at the 2018 Superintendent's Dinner. Upperclassmen fabricated two credenzas and a bench for Mount Wachusett Community College. These unique pieces were made from the reclaimed maple trees that were cut from the site of their new science wing. Students and instructors completed an additional 40+ projects throughout the school and surrounding communities, to include: three canopy gutter enclosures for the Veterinary Center, a wall of upper cabinets and a computer station for the Electrical shop, two base cabinets and maple doors for Machine Technology, and 36 cosmetology nail tables for Cosmetology. A total of 14 students (9 seniors and 5 juniors) earned co-op placements. (Total student enrollment: 70)

CAD/Drafting & Design: The Monty Tech CAD/Drafting & Design program is increasingly busy each year with outside projects, completing miscellaneous signs and banners for community sports events, craft fairs, and non-profit events. Students also played an instrumental role in 2018 Superintendent's Dinner, designing the layout and décor for this annual fundraising event, and ended the year by designing and installing signage throughout the building for the 2018 graduation exercises. A total of six students were awarded co-op placements, working and learning in area businesses. Four students advanced to the SkillsUSA states competition, representing the program well. Over the course of the 2017-2018 school year, CAD/Drafting & Design students achieved over 100 industry-recognized certifications in AutoCAD, Inventor, Revit, and Solidworks. Program instructors were instrumental in the success of the school's 2018 Skills Capital Grant application, and, as a result, the school was awarded \$500,000. A portion of these funds will be used to establish a fabrication lab for 3D printing, 3D scanning, Injection molding, CNC work, and Laser cutting. (Total student enrollment: 62)

Cosmetology: The Monty Tech Cosmetology program welcomed a new instructor for the 2017-2018 school year, Stephanie Delphia, whose considerable experience in the field, and business acumen as a salon owner, brought fresh perspective and valuable lessons to the students enrolled in the program. Students and instructors in the program provided numerous community services, including basic manicures to the residents at Heywood Wakefield Commons, services to parents who work with disadvantaged children, and numerous walk-in clients. Senior students held three staff appreciation nights, raising funds so that they could travel to New York's International Hair show. Eleven seniors earned co-op placements - the largest number of Cosmetology students placed in the program's history. Finally, for the second consecutive year, every senior successfully passed the Massachusetts Cosmetology State Boards, earning licenses to practice. (Total student enrollment: 87)

Culinary Arts: Monty Tech Culinary Arts students and instructors are always busy with the daily operation of the Mountain Room Restaurant, which is open for lunch from 11:30 am to 1:00 pm Monday through Friday. In addition to operating a full-service restaurant and bakery, serving 90-120 patrons daily, culinary students showcase their talents throughout the year, providing outstanding service at events that include the following: two Program Advisory Committee dinner meetings, four Monty Tech Foundation breakfasts, Monty Tech's Retirees holiday luncheon, a graduation reception, the Women in Technology event, Principal and Counselors' Day, the Monty Tech homecoming dance, MAVA meetings, all School Committee meetings and sub-committee meetings, Gardner AARP luncheon and MHCC volunteer luncheon. Community service opportunities for students are always a highlight, and this year our students prepared meals for Our Father's House, and NEADS events. Students and instructors also prepared and donated pastry and baked goods to the House of Peace and Education in Gardner. The program's greatest undertaking is always the Annual Superintendent's Dinner scholarship fundraiser, during which students work side-by-side with some of the area's finest chefs, preparing a six-course dinner with extensive hors d'oeuvres for more than three hundred guests. Culinary Arts students value industry-recognized credentials, and were proud to earn Allergen Awareness and ServeSafe Certifications. A senior student was recognized by the Massachusetts Restaurant Association with a \$10,000 Scholarship to Johnson & Wales University. (Total student enrollment: 95)

Dental Assisting: A critical component of the Monty Tech Dental Assisting curriculum is the preparation for the Dental Assisting National Board certification exams. Every sophomore passed the DANB Infection Control exam, and every senior passed the DANB Radiology exam. In addition, all senior students successfully completed two full-mouth x-rays on live patients during the affiliation experience, meeting a state requirement for program completion. Three students (one senior and two juniors) earned co-op placements, while the remaining 22 students participated in affiliation/externship experiences in area dental clinics and offices. Students and instructors welcomed Community

Health Connections, a school-based dental hygiene program, and provided dental services to more than 60 students in need. Monty Tech Dental Assisting students were given valuable hands-on experience, assisting the staff from CHC during each dental procedure performed. Junior students provided dental education to students at Winchendon Memorial Elementary School and Meetinghouse Elementary School in Westminster, and two sophomore students delivered a presentation on oral care to community members at Gardner Golden Age. (Total student enrollment: 54)

Early Childhood Education: Students and instructors in the Monty Tech Early Childhood Education program are committed to community service activities, and the 2017-2018 school year was no exception. In addition to studying early education and care concepts, students worked collaboratively to raise funds for Lucy's Love Bus, an agency that provided grants for children with cancer that are not covered by health insurance; helped various clubs raise funds for SkillsUSA Change for Children; provided gifts for a child through Kylee's Kare Kits; and provided supplies to Department of Children & Families, in support of foster families taking in infants in emergency situations. Two outstanding program graduates earned their CDA (Child Development Associate) credential, and the Monty Tech Child Care Center continues to operate at full capacity with a waiting list, providing meaningful hands-on learning opportunities for all students in the Early Childhood Education program. (Total student enrollment: 60)

Electrical: Throughout 2017-2018, students and instructors in the Monty Tech Electrical program completed all wiring the school's new Veterinary Science Training Center. This included all underground raceway installations, as well as installing conduits within the walls for all the wiring throughout the building. Program graduates are entering the trade at a prime time, as the electrical contracting business continues to reach new heights. To that end, program instructors worked diligently to place as many students on Co-op as possible, preparing them for a seamless transition from school to work. The program continued to support the building maintenance department by repairing numerous small electrical issues throughout the building. Program instructor, Dean Lepkowski, worked closely with several program advisory committee members to develop a proposal for the school's 2018 Skills Capital Grant application. Their efforts resulted in an outstanding grant application and an award of \$500,000, a portion of which will be used to establish a state-of-the-art A.R.M. (Automation, Robotics, and Mechatronics) Lab, responding to regional workforce needs, student interest, and the critical shortage of high-quality electronic system control and fabrication training programs in the area. (Total student enrollment: 82)

Engineering Technology: The Engineering Technology program at Monty Tech is a rigorous program, infused with nationally certified curriculum provided by Project Lead the Way, and countless hands-on learning opportunities that provide students with opportunities to demonstrate creativity, make connections with prior learning, and earn college credits. During the 2017-2018 school year, 13 sophomore students took the Introduction to Engineering end-of-course assessment, and performed quite well. Seven students earned college credits, with scores of Advanced or Proficient. Eight juniors took the Principles of Engineering and Computer Integrated Manufacturing assessments, and six earned college credits in both areas. In addition, all freshmen completed the OSHA 10-hour General Industry training. Engineering program instructors were pivotal in determining the equipment and materials that should be included in the school's 2018 Skills Capital Grant application, and, as a result, the school was awarded \$500,000. A portion of these funds will be used to purchase a robotic arm, 3D printers and related software, which will benefit the program for years to come. (Total student enrollment: 41)

Graphic Communications: Throughout the 2017-2018 school year, the students in Monty Tech's Graphic Communications shop produced numerous projects for our district cities and towns, and a variety of non-profit organizations in the district. In total, students successfully produced approximately 400 orders, saving cities, towns and non-profit organizations more than \$200,000. The program welcomed 24 freshmen students to the shop, one of whom earned a gold medal at the SkillsUSA district competition. The program was enhanced with the addition of new equipment, which included a popular wide format printer. Of the 21 talented seniors who graduated from the Graphic Communication program, 18 were accepted into colleges/universities and three chose to enter the workforce in related careers. (Total student enrollment: 87)

Health Occupations: The Health Occupations program at Monty Tech continues to educate a large number of students, providing a rigorous education grounded in current medical knowledge and practice. A unique collaboration with Mount Wachusett Community College enables Senior students to participate in an Emergency Medical Technician training program, earning eight college credits at no cost; 11 Seniors completed the EMT Course in 2017-2018. In addition, 15 seniors earned co-op placements, and 24 seniors received their clinical medical assistant certificate. Every junior enrolled in the Health Occupations program earned CPR certification, as well as a certificate in dementia care from the

Alzheimer's Association. Students and instructors in the Health Occupations program are particularly invested in community service, and as a result, students hand-made veteran's day cards and sent them to Bedford VA Hospital; bought gifts and clothing for the Fitchburg Community Christmas party; hosted an American Red Cross Blood drive; and held a "Baby Shower" benefiting Battered Women's Resources, Inc. (Total student enrollment: 107)

House Carpentry: In addition to completing construction of the school's new 7,500 sq. ft. Veterinary Science training center, students and instructors in Monty Tech's House Carpentry program supported a number of community organizations, by building and installing window boxes, picnic tables, and even dugout benches for Quabbin Regional High School's softball field. Students also handcrafted countless adirondack chairs for charitable donations. A total of nine students (five seniors and four juniors) earned co-op placements throughout the school year, while all sophomore students successfully completed the OSHA 10-hour Construction training, which enables the students to work on outside projects and qualifies them for the school's popular co-op program in their junior year of study. (Total student enrollment: 59)

HVAC & Property Maintenance: Students and instructors in the HVAC & Property Maintenance program were pivotal in the completion of the new Veterinary Science training center, installing more than 1,000 feet of combined non-potable water, drain and refrigerant lines throughout the building. Five VRF wall units and 14 VAV modules designed to heat and cool the building were also installed. Students earned National EPA Certification for refrigerant recovery, and a total of 12 students (8 seniors and 4 juniors) were placed in area businesses through the school's popular co-op program. Instructors worked throughout the year with colleagues at partner institution, Mount Wachusett Community College, in an effort to share and align curriculum to a newly proposed post-secondary program at the college, a partnership that would yield benefits to program graduates in the form of articulated credits and/or advanced standing in the post-secondary training program. (Total student enrollment: 58)

Information Technology: The Information Technology program continues to offer students more industry-recognized certificates than any other program at Monty Tech. It is an accomplishment our instructors are so proud of, as these certifications affirm the technical skill proficiency needed for so many entry-level careers in networking and information technology. All Freshmen completed their OSHA 10-hour General Industry training, and completed their VEX Robot Certification. The Sophomores have the opportunity to pass the IC3 Certificate Exam for basic computer hardware, software, and internet knowledge and skills. All Sophomores also passed the Test-out PC Pro Certificate exam and the Cisco IT Essential course for computer repair and maintenance, and the introduction to Networking course. Eight exceptional Sophomores also earned COMPTIA A+ credentials. All Juniors completed the Linux Essentials course, and five passed the CIW Advanced HTML5 & CSS3 Certification exam. All Seniors and one Junior completed the Linux Essentials course, and all Seniors also completed the Python Programming course. Seniors who were not placed in the co-op program were able to participate in the AP Computer Science Principles course, which resulted in four students earning qualifying scores. A total of nine students earned co-op placements, applying their technical skills in area businesses. In total, more than 400 hours of community tech support was completed, which involved hardware and software troubleshooting on desktops, laptops, printers, and mobile devices. (Total student enrollment: 61)

Machine Technology: The 2017-2018 school year brought new technology, curriculum, and a renovated instructional space to the students and instructors in the school's Machine Technology program. As recipients of a \$435,000 Skills Capital Grant, instructors were able to train students in precision measurement, and granted more than 300 certifications to students accordingly. The program also received an additional \$12,000 Gene Haas Scholarship Grant, and used those funds to sponsor four students in advanced training endeavors, and award two college-bound students substantial scholarships. All freshmen received their OSHA 10-hour general industry certification, while 12 upperclassmen earned co-op placements, working and learning in area machine shops. Machine Technology students and instructors also completed a number of outside projects, which included engraving school plaques and cutting key tags for the Fitchburg Police Department. (Total student enrollment: 48)

Masonry: The talents of Monty Tech Masonry students are on display for all to see, with the completion of a beautiful stone veneer on the exterior of the new Veterinary Science training center. In addition, students and instructors poured several concrete pads, installed pavers, and tiled almost every room in the 7,500 sq. ft. clinic. Students also helped to maintain the main campus by replacing four sets of concrete steps at the busy Dukakis Performing Arts Center. Program instructors remain committed to community service, and as a result, worked with students to complete a number of projects in neighboring communities, to include repairing the memorial brick walk at the Winchendon Veterans Cemetery. Students were introduced to the new OSHA silica standard, and the program benefitted from new equipment,

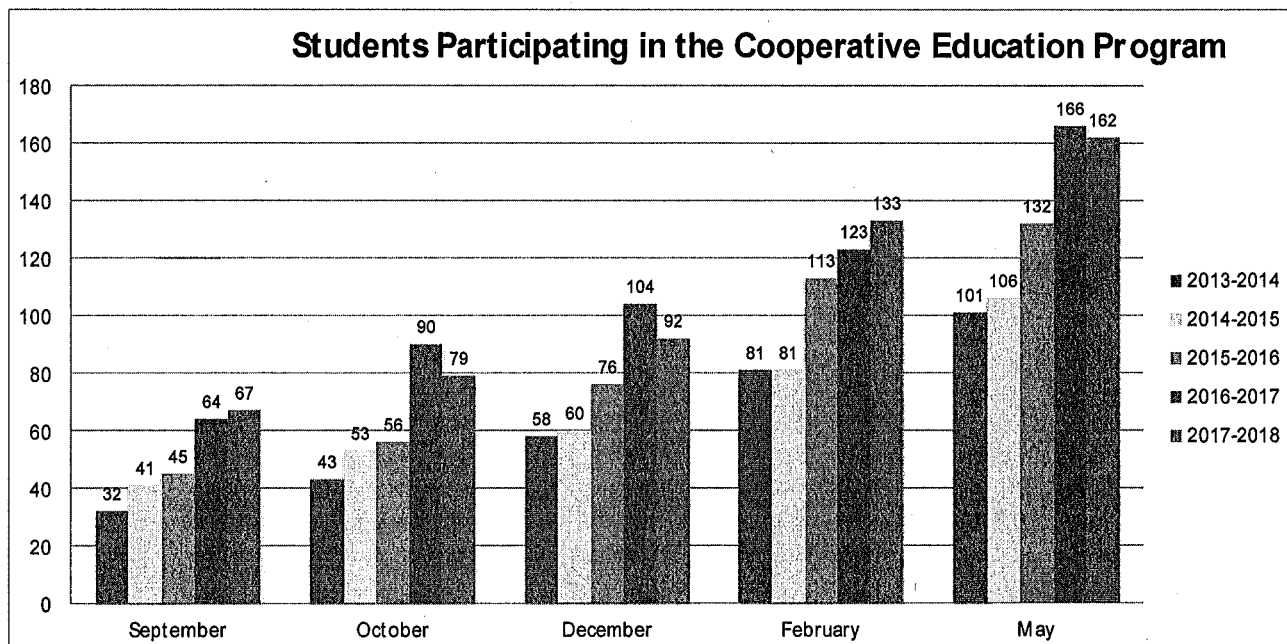
dust free saws and grinders, and continues to operate in compliance with trade regulations. Three students earned co-op placements, and continued to refine their skills working with business partners through the school's co-op program. (Total student enrollment: 60)

Plumbing: The 2017-2018 school year welcomed a new plumbing instructor, Christopher Morrisette, and 18 freshmen to the Plumbing trade. All freshmen successfully completed the OSHA 10-hour General Industry safety training, while the sophomores completed the OSHA 10-hour Construction Training. Seniors also earned the Mega-Press gas piping certification at the Viega training facility in Nashua, NH. Students and instructors worked diligently to complete the Veterinary Science training center, and completed a variety of plumbing repairs throughout the main building. A total of 13 students (nine seniors and four juniors) participated in the school's popular co-op program. Two outstanding seniors were recognized for their outstanding technical skills, receiving scholarships from the Plumbing, Heating, and Cooling Contractors Association of Massachusetts, and from the Central Mass Plumbing & Gas Inspectors Association, which will be used to continue their education. (Total student enrollment: 71)

Veterinary Science: In 2017-2018, Monty Tech launched its 21st vocational-technical education program, Veterinary Science. After a very successful exploratory program, 22 students were accepted into the program and are proud to be Monty Tech's first class of Veterinary Science students. All freshmen completed the OSHA 10-hour healthcare training, and spent the second semester engaged in introductory animal science lessons, as well as a number of valuable field trips to support the new curriculum, with trips to: UMASS Amherst to study Equine Reproduction Medicine, Lilac Hedge Farm and Jordan's Dairy to observe agricultural production facilities in Massachusetts, Feed Commodities International to observe individualized rations being created for dairy farms, and Dakin Humane Society to discuss the industry of animal sheltering, with particular emphasis on the veterinary care required. (Total student enrollment: 22)

Welding/Metal Fabrication: The 2017-2018 school year brought new equipment to the students in the school's Welding/Metal Fabrication program, which enabled instructors to incorporate pipe welding, light gauge material welding and grinding techniques into the curriculum. Numerous projects were completed by talented students, including more than fifty requests for individual projects from community members residing in the school's sending district. All freshmen students successfully completed the OSHA 10-hour General Industry training, and a total of 11 upperclassmen (eight seniors and three juniors) were placed in area shops, working and learning from trade professionals who support the school's co-op program. (Total student enrollment: 60)

Co-operative Education and Student Placement



The Cooperative Education Program is an extension of the student's technical education that combines classroom instruction with on-the-job-training. The Co-op Program provides students the opportunity to further develop academic, technical and employability skills in an industry work environment. All students are eligible to participate in Co-op Program, provided they satisfy state and school grade, attendance and performance requirements. All Co-op students have completed the OSHA recognized Career Safe online health and safety course.

The Cooperative Education Program is beneficial for both student and employer. For the student, it is a chance to gain on-the-job training that improves both their technical and employability skills. Additionally, making industry connections enhances post-graduate employment opportunities. The Co-op Program allows students to earn while they learn.

Employer benefits include addressing workforce needs in an efficient manner. Coop students provide a pool of temporary and potential full-time employees who are already trained, thus reducing employer training costs. Co-op work hours may be tailored to suit the needs of partnering employers. During school year 2017-2018, approximately 25% of qualified students (Juniors and Seniors) earned Co-op placements, working, learning and applying their technical skills related in area businesses.

Student Support Services

During the 2017-2018 school year, Montachusett Regional Vocational Technical School District provided special services to approximately three hundred students – measuring progress of over two hundred students on Individual Education Plans (IEPs) and just under one hundred students adhering to individualized Section 504 plans. While the Student Support Services (SSS) Department encompasses special education, the department provides support and is available to all Monty Tech students.

The department includes a full-time nursing staff that administers medications, performs state-mandated health screening exams, and provides, when necessary, health information to the special education team for a student's IEP meeting. The department benefits from a full-time school social worker that participates in departmental meetings and assists students who have needs concerning finances, family issues, homelessness, maternity, health issues, and proper food and clothing. The school is also fortunate to have on staff a full-time psychologist, whose role it is to evaluate all students referred for an initial evaluation or who require a three- year re-evaluation. In addition, we have a full-time speech language pathologist, who is available to assist students with disabilities, assess these students and consult with teachers. Our students also have access to the services of a full-time adjustment counselor and part-time school psychologist. All of these individuals are available for scheduled counseling sessions, mental health emergency treatment, medical/mental health re-entry and transition support and services, as well as crisis intervention.

The school's Director of Student Support Services oversees the District's Special Education Program, which is reviewed annually in May, in accordance with regulatory requirements. The comprehensive review and evaluation are done in collaboration with the Parent Advisory Council, and the results of the evaluation are used to improve the special education procedures and programs in place at Montachusett Regional Vocational Technical School.

SkillsUSA

SkillsUSA is a partnership of students, teachers and industry working together to ensure America has a skilled workforce. Through the school's association with SkillsUSA, our students develop job skills, leadership and professional skills, as well as provide community service. The 2017-2018 school year was an extraordinary one for our chapter of Skills USA. The students met the challenges of district competitions, performed well at the state level, and prepared for the national conference. They also conducted several community service projects and raised money for various deserving charities. Serving as co-advisors were Michael Forhan, Auto Body Instructor, Anne Marie Cataldo, Early Childhood Education Instructor, and Brad Pelletier, Special Education Instructor. Highlights of the year include:

- In September 2017, twenty-seven students applied and were accepted to form the Monty Tech SkillsUSA Leadership Team. After two leadership training sessions, seven officers were elected.

- In November 2017, twenty students, consisting of chapter officers and Leadership Team members attended the Annual Fall State Leadership Conference, where they participated in workshops and leadership exercises and performed community service at an area YMCA Day Camp.
- The SkillsUSA local competitions took place November 27th – December 13th, and the students learned on December 15th who would advance to the next round of competition.
- In December, the chapter adopted twenty-five children from Kylee's Kare Kits and provided gifts for these underserved children. Several members of the leadership team assisted wrapping and packaging gifts for the children.
- A total of forty-two medals were captured at the District Competition held in March 2018 at Bay Path Regional Vocational Technical School: sixteen gold, thirteen silver, and thirteen bronze medals were awarded.
- Samantha Collette, a senior in the CAD/Drafting & Design program, was selected to serve on the State Advisory Committee to help aid in the planning of the State Conference.
- Thirty-six district medalists and qualifiers, thirteen local leadership and occupational related event contestants, one state officer, and sixteen voting delegates attended the State Leadership and Skills Conference, held in April 2018 at Blackstone Valley Vocational Technical School. There, five students were awarded gold medals, and earned the right to compete at the very competitive National Leadership & Skills Conference held in late June.
- Thirteen students and five instructors attended the National Leadership & Skills Conference in Louisville, KY in June 2018, where Kayla Gerry, a 2018 graduate of the Health Occupations program, earned a silver medal.

Technology

The 2017-2018 school year brought increased access to technology for all students, through the school's popular 1:1 Chromebook initiative. Google Cloud Print and numerous printers located throughout the building provide students with options to print or share their work with classroom instructors. Two Chromebook charging stations, located in the cafeteria and library, give an added layer to support to students who may need to charge their devices throughout the day.

An outstanding Instructional Technologist, Ellen Gammel, was hired, bringing expertise across a broad spectrum, to include educational technology, software, and troubleshooting tips. Several members of the school's leadership team joined Ms. Gammel, traveling to Orlando, FL to attend the annual Future of Education Technology Conference, with the goal of identifying new solutions, technologies, and best practices that will enhance the school's technology-driven approach to education.

To support the 1:1 Chromebook initiative and other technology needs, Monty Tech successfully completed a number of necessary infrastructure upgrades, using federal e-rate dollars totaling \$109,114.70. The school's external bandwidth speeds have been increased to 1.5 GB and internal bandwidth to 10GB to better ensure continued connectivity and speeds appropriate with a high-use learning community.

Marine Corps JROTC

The Monty Tech Marine Corps Junior Reserve Officer Training Corps (MCJROTC) had an extraordinary 2017-2018 school year. Perhaps the most noteworthy accomplishment was the cadet corps' remarkable response to Hurricane Harvey. With the support of the surround communities, the cadets were able to raise almost \$100,000 in cash and materiel for relief efforts. With the assistance of the United States Marine Corps, 56 cadets and 15 adults flew to the Houston area where they spent 7 days working on homes that were damaged by the storm.

The Monty Tech JROTC Cadet Corps was honored to host the Wreaths Across America Convoy with a remembrance ceremony as it made its way down to Arlington National Cemetery.

The Cyber Security Team received national recognition by securing a place to compete in the Air Force Association's National Cyber Security Competition held in Baltimore, MD, for the eighth consecutive year. The competition field began with over 1900 hundred teams battling for just 13 seats, and Monty Tech placed 6th in the highly competitive field.

The 2017-2018 Corps of Cadets completed over 10,000 hours of community service, conducting a major food drive with United Way, working side-by-side with the Marine Corps Reserve in a national Toys for Tots campaign, and spending six weekends working with the local Salvation Army helping to raise over \$25,000 for needy families.

During the summer of 2018, our Cadet Cyber Team was asked to support a Cyber STEM camp for the National Marine Corps JROTC program. The Cyber Team coordinated the 8-day camp that focused on defending cyber networks from attacks. The camp also offered an introduction to robotics programming using the VEX Robotics System and computer programming using the CanaKit Raspberry Pi 3's. The camp was attended by 120 students, representing twelve states, and was a wonderful success for all involved.

Student Athletics

The Monty Tech athletic program was proud to provide meaningful extracurricular activities to more than 500 students during the 2017-2018 school year, participating on our freshmen, junior varsity, or varsity teams. Seventeen teams competed in the fall 2017, thirteen during the winter season and 11 represented the school in the spring of 2018.

The varsity football team struggled the first part of the season, but won the two non-playoff games against Gardner and Tyngsboro, ending the season with a 2 – 9 record. The varsity boys soccer team finished the regular season with a 10 – 5 – 2 record, led by Charlie Kelley, with 23 goals and 8 assists on the season. The JV boys soccer team is expected to have a promising future, as the young team finished 7 – 7 – 2. The varsity girls soccer team finished at 5 – 9 – 3, while the junior varsity girls soccer team finished with a record of 7 – 3 – 5. The varsity field hockey team finished the season with a 10 – 7 – 2 record, losing 3-0 to Quaboag in the district tournament. The young freshman/sophomore JV field hockey team ended their season with a 3 – 2 – 4 record. The varsity golf team earned a spot in the district tournament, with a record of 7-7, while the junior varsity team participated in a handful of tournaments and official matches, working on improving their scores. The varsity girls volleyball team had a disappointing year, finishing 3 – 17, but the JV team may be able to help build a stronger program in future years, as they finished with an improved record of 7 – 9. The varsity boys cross country team finished 9 – 3 overall and 6 – 3 in the Colonial Athletic League, while the girls cross country team finished 6 – 4 overall and 3 – 4 in the league.

The boys varsity basketball team qualified for the district tournament, with a record of 13 – 7, losing in a thrilling home game with Marian, 80 – 76. The JV boys basketball team finished at 9 – 10 and looks to send some talented players to the varsity team next. The freshmen boys basketball team finished 5 – 14, winning three of their last four games. The varsity girls basketball team had a very successful campaign, with a regular season finish of 16 – 4. They extended their season, qualifying for the district tournament, where they defeated Tahanto 57 – 33 and Main South 40 – 36, and advanced to the semi-finals, where they played a hard fought game against Maynard, losing 60 – 54. With the core of the team retuning next year, it should be a very interesting season. The JV girls basketball team were 15 – 4 on the season, and expects to send some talented players to the varsity level during the 2018-2019 school year. The freshmen girls basketball team finished with a record of 9 – 7. The Monty Tech wrestling team finished with a record of 7 – 18, but were still able to place second in the Colonial Athletic League. The indoor track and field teams look to improve in the coming years, with a finish from the boys at 1 – 7 and the girls team recorded a 0 – 8 finish. The varsity boys ice hockey team finished 10 – 9 – 1, losing to the Worcester team 4 – 3 in the tournament. The girls ice hockey team continues to improve each year, and after graduating three players, hopes to recruit some new players in the coming school year.

Due to poor field conditions, the varsity baseball team was unable to host a home game, finishing the season with a record of 5 – 15. The JV baseball team finished 1 – 10, and freshman baseball team struggled with a record of 2 – 5. The varsity softball team continues to excel, finishing the regular 16 – 4, and winning the first two games in the district tournament, before losing to Hopedale 11-5 in the finals. The JV girls softball team finished 12 – 3 and should provide

some talented players to future teams. Boys varsity lacrosse finished with a 5 – 13 record, while the JV boys lacrosse team had a solid season, finishing 8 – 5. The varsity girls lacrosse team ended with a 3 – 14 record, while the JV girls lacrosse had 5 – 5 season. Finally, with more than 50 student athletes participating, the boys and girls track and field teams both had a very successful season; the boys finished at 5 – 3, while the girls ended with a record of 4 – 5.

Congratulations to the Outstanding Male and Female athletes for 2017-2018, Nick McDermott and Erica Regan.

Monty Tech School of Continuing Education

The Monty Tech School of Continuing Education continues to update and add courses that emphasize a commitment to excellence by offering affordable, quality, and enjoyable educational experiences. For the Fall of 2017, Monty Tech offered 140 classes with 871 registrations, and during the Spring 2018 semester, there were 114 post-graduate and continuing studies courses, with 671 registrations.

The program is on track to support North Central Massachusetts workforce readiness pipeline with an increase in career and licensure courses. The students earn industry-recognized credentials, and participate in externships to support the hands on learning component. We continue to increase our small business partnerships, and the number and quality of personal enrichment classes - sewing, knitting, acrylic painting and glass fusing, to name a few. Catalog distribution has more than doubled, from 80,000 to 170,000 copies, and the relatively new online registration feature continues to add value to our students and instructors.

Spring 2019 will see an Oil Burner Technician certification prep courses come to fruition. This will provide our community members with a high quality, affordable entry into a viable career pathway. Upon completion of the 120-hour program, students will have the opportunity to sit for the oil burner technician state licensing exam, and begin their work in the oil burner industry.

The continued success and sustainability of an adult education program is based on hiring quality instructors and meeting the needs of the community and supporting workforce development. Our goal in the coming year includes increasing our adult education course offerings, with a continued concentration on career programs. Stay tuned for Pharmacy Technician, Medical Billing and Coding, Manufacturing Boot Camp and Apprenticeship opportunities at the Monty Tech School of Continuing Education.

Practical Nursing Program

The Monty Tech Practical Nursing Program is designed to prepare graduates to practice safely, ethically and in a caring manner for patients who are experiencing common variations in health status in diverse health care settings. On June 28, 2018, a graduating class of 35 students completed the Practical Nursing Program and entered the nursing profession. The class achieved an initial pass rate of 77%, with 27 of the 35 graduates passing the NCLEX-PN exam. Five graduates are waiting to take their NCLEX- PN exam, and three graduates are expected to retake the examination in the coming months.

All of the 2018 graduates are currently employed in the health care profession throughout Massachusetts, and many are working within the eighteen cities and towns of the Monty Tech school district as LPNs in various health care settings, ranging from long term care, sub-acute care to mental health facilities.

The Monty Tech Practical Nursing Program continues to develop the “LPN to BSN Bridge” relationship with Fitchburg State University. Several 2018 graduates are pursuing seats in the LPN to BSN program at FSU and will be continuing their education to the Bachelors in Nursing. Many class applicants cited their attraction to Monty Tech as the opportunity to complete a ten-month accelerated program and then bridge to Fitchburg State University.

Monty Tech Practical Nursing students are now completing patient scenarios in the Sim Lab on a weekly basis in Terms 2 and 3. The Faculty Sim team has implemented National League of Nursing (NLN) patient scenarios consistent with our curriculum frameworks, and have also utilized the Sim lab setting to instruct students in developing nursing skills that they may not be experiencing in the clinical setting. Instructors have successfully developed and implemented a

Maternity Sim lab boot camp where students utilize the new simulation models to simulate the birthing process. Student feedback has been positive regarding these new maternity scenarios, stating it better prepares them for an unexpected outcome during a delivery.

Substance abuse and the mental health setting job opportunities have increased with more funding being provided to combat the opiate crisis. Having a clinical rotation at AdCare Hospital in Worcester, and performing simulation scenarios involving substance abuse clients, has better prepared our graduates to work in a substance abuse clinical setting, as well.

Looking Ahead

While the Montachusett Regional Vocational Technical School District educational community is certainly proud of the achievements of our talented students, faculty, and staff, we continue to have an eye toward the future, always committed to improving our vocational and academic programming, strengthening key partnerships, and maintaining facilities that contribute to student success and achievement. As we look ahead, there are a number of programs and initiatives that we expect will have a positive impact on our school and students for years to come.

Expand science offerings to include new biomedical courses: For several months, school officials worked to launch an exciting new biomedical science program. Using grant funds, a science lab was renovated, transforming it into a biomedical science laboratory, aligned with current industry standards. In addition, one talented instructor, Mr. Dylan Hager, attended four weeks of intensive teacher training (2 weeks during summer 2017 at the University of San Diego, and 2 weeks during the summer of 2018 at the University of Washington). While Mr. Hager spent weeks preparing this exciting new coursework, school officials purchased the supplies and materials necessary to deliver two rigorous Project Lead the Way courses, Human Body Systems and Principles of Biomedical Sciences. These courses, which will be available to students Fall 2018, are expected to engage students in a variety of hands-on learning opportunities in a newly renovated laboratory environment that replicates industry standards. Students will be trained in the safe and effective use of the same tools that professionals in hospitals and laboratories are currently using and will work together to find solutions to real-world problems by analyzing medical histories, reading and interpreting autopsy reports, and understanding basic biology and human physiology.

Celebrate the completion of the school's newest instructional space: For two years, students and instructors in our Carpentry, Electrical, Plumbing, Masonry, HVAC and Property Maintenance, and Cabinetmaking trades worked to complete an incredible project – a 7,500 sq. ft. building, which would become home to the school's newest vocational program, Veterinary Science. With construction of this state-of-the-art facility completed during the summer months, school officials celebrated the finished product with local and state officials, donors, and community members who helped bring the innovative animal science program to Monty Tech. While the facility will not be open to serve pets until Fall 2019, Monty Tech Veterinary Science students will work and learn in the new space in the 2018-2019 school year, preparing for a successful opening September 2019.

Expand post-secondary and continuing education opportunities: Montachusett Regional Vocational Technical School is home to a very popular evening program that, in recent years, has expanded to include countless workforce readiness programs. A generous grant provided by the Community Foundation of North Central Massachusetts has enabled school officials to begin developing a new, meaningful workforce training program that will have an immediate and positive impact on regional workforce needs. In 2018-2019, an Oil Burner Technician Certification course will be made available to non-traditional students with an interest in pursuing entry-level careers in HVAC trades. This evening program, the only such course in North Central Massachusetts, will include three industry-recognized certification opportunities and will undoubtedly benefit dislocated workers who have been interested in related careers but unable to participate in the required training, due to lack of offerings or high costs associated with similar training programs.

Expand the school's marketing efforts: A Monty Tech high school experience is one students must choose, and to ensure that every interested student in our sending district has access to information needed to make sound decisions regarding his/her high school experience, it is imperative that the school's marketing efforts are expanded to include a variety of social media platforms. While the school currently hosts an updated website and Facebook page, school officials are exploring adding Twitter and Instagram accounts, in an effort to continue to engage interested students and parents.

The Monty Tech School Committee

The Montachusett Regional Vocational Technical School District Committee is comprised of twenty-one dedicated individuals, whose expertise proves invaluable in advising the district's operations, policies, and procedures. Our students continue to benefit from the broad scope of their experiences and varying perspectives, and we are thankful to the following members of the 2017-2018 School Committee for their outstanding service.

Brian J. Walker, Fitchburg
Chair

Diane Swenson, Ashburnham
Vice Chair

Peter Capone, Ashby
Toni L. Phillips, Athol
Whitney Marshall, Barre
Claudia Holbert/ Dr. Robert Babineau, Fitchburg
Dr. Ronald Tourigny, Fitchburg
Melanie Weeks, Fitchburg
Eric D. Commodore/ Matthew Vance, Gardner
James S. Boone, Gardner
Vacant Seat, Harvard
James Cournoyer, Holden
Kathleen Airoidi, Hubbardston
Barbara Reynolds, Lunenburg
Edward Simms, Petersham
Eric Olson, Phillipston
John P. Mollica, Princeton
Mary C. Barclay, Royalston
Dr. Kenneth I.H. Williams/ William Brassard, Sterling
James M. Gilbert, Templeton
Ross Barber, Westminster
Austin Cyganiewicz, Winchendon

Terri Hillman
Secretary

Norman J. LeBlanc
District Treasurer

Respectfully Submitted By:

Sheila M. Harrity, Ed.D., Superintendent-Director
January 17, 2019

Montachusett Regional Vocational Technical School
1050 Westminster Street
Fitchburg, MA 01420
(978) 345-9200
www.montytech.net

REPORTS OF COMMITTEES

APPOINTMENTS COMMITTEE

ORAL REPORT

JANUARY 29, 2019

6:45 PM



FITCHBURG CITY CLERK

**City of Fitchburg
Massachusetts 01420**

2019 JAN 16 AM 10:30

CITY COUNCIL

Councillors at Large

David Clark
Marcus L. DiNatale
E. Thomas Donnelly
Samantha M. Squailia
Anthony M. Zarrella

President
Michael Kushmerek

Vice President
Amy Green

Ward Councillors

Ward 1 – Amy L. Green
Ward 2 – Paul R. Beauchemin
Ward 3 – Joel R. Kaddy
Ward 4 – Michael P. Kushmerek
Ward 5 – Marisa R. Fleming
Ward 6 – Elizabeth R. Walsh

January 16, 2019

Dear Councillors;

A Meeting of the COMMITTEE ON APPOINTMENTS will be held on Tuesday,
January 29, 2019, at 6:45 P.M. in the Memorial Middle School Library,
615 Rollstone St., Fitchburg, MA.

The Agenda will consist of the following:

New Appointments

Permanent Reserve Police Officers

Fitchburg Police Department

Christopher Davis
Sean Maki
Ismael Santiago
Dylan Knox

Student Police Officers

Fitchburg Police Department

Kelton Stacy
Sean Maki
Christopher Davis
Dylan Knox
Ismael Santiago

Permanent Police Sergeant
Fitchburg Police Department
Officer David M. Gordon

Very truly yours,

Michael Kushmerek, Chairman

Committee on Appointments

A handwritten signature in cursive script, appearing to read "Anna M. Farrell".

By: Anna M. Farrell, Clerk

REPORTS OF COMMITTEES

FINANCE COMMITTEE MEETING

JANUARY 22, 2019



FITCHBURG CITY CLERK

City of Fitchburg
Massachusetts 01420

2019 JAN 24 AM 11:29

CITY COUNCIL

Councilors at Large

David Clark
Marcus L. DiNatale
E. Thomas Donnelly
Samantha M. Squailia
Anthony M. Zarrella

President

Michael P. Kushmerek

Vice President

Amy L. Green

Ward Councilors

Ward 1 – Amy L. Green
Ward 2 – Paul R. Beauchemin
Ward 3 – Joel R. Kaddy
Ward 4 – Michael P. Kushmerek
Ward 5 – Marisa R. Fleming
Ward 6 – Elizabeth R. Walsh

Finance Committee

A meeting of the Finance Committee was called to order by Chairman DiNatale on Tuesday, January 22, 2019 at 6:02 PM in the Memorial Middle School Library, 615 Rollstone Street, Fitchburg, MA.

Committee Members present: Councilors Paul Beauchemin, Marcus DiNatale, and Elizabeth Walsh. Councilor Anthony Zarrella arrived late.

Committee Members absent: Councilor Michael Kushmerek

Other Councilors present: Councilor Samantha Squailia arrived late.

Others present: City Auditor Calvin Brooks, Fire Chief Kevin Roy, Police Chief Ernest Martineau, Interim School Superintendent Robert Jokela, Mayor Stephen L. DiNatale, Mayor's Chief of Staff A. J. Tourigny, DPW Commissioner Lenny Laakso, City Engineer Nicholas Erickson, City Solicitor Vincent Pusateri, Assistant City Solicitor Christine Tree, Airport Manager Scott Ellis, City Treasurer Anne Cervantes, Human Resources Director Susan Davis, and members of the Fitchburg Fire Department.

018-19 ORDER: that there be and hereby is appropriated the sum of TWO HUNDRED SIXTY-SEVEN THOUSAND, SEVEN HUNDRED SEVENTY-TWO DOLLARS (\$267,770.00), same to be charged against AVAILABLE FUNDS and credited to FIRE, PERSONAL SERVICES (\$258,470) and FIRE , PERSONAL SERVICES, OVERTIME (\$9,300).

Discussion: The chairman read the letter from Human Resources Director Susan Davis dated January 9, 2019. Ms. Davis and Fire Chief Kevin Roy were asked if there was anything new in the contract and replied that the only changes were wages and some housekeeping. It is a one year contract and new negotiations start on Thursday. Chief Roy did state that there is a change to require three people in a ladder company for better safety and the timing of job bids was

changed. Ms. Davis indicated that an additional \$1,500 stipend was added for EMT certification to cover the time and cost of getting the training. The Chief said that the state had shifted to national certification, so there are greater costs for the firefighters.

Councilors thanked the men and women of the Fire Department for their work to ensure the safety of the community and that a 2% increase was a small price to pay.

Action: Be adopted (4-0)

004-19 ORDER: that the City of Fitchburg hereby approves the expenditure of funds from the Department of Fire Services grant in the approximate amount of \$1,500.00 (ONE THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to maintain the recently purchased new regional Fire Safety House used in teaching fire safety.

005-19 ORDER: that the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$5,454.00 (FIVE THOUSAND, FOUR HUNDRED FIFTY-FOUR AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to teach fire safety to children in elementary schools.

006-19 ORDER: that the City of Fitchburg hereby approves the expenditure of funds from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security, SAFE grant in the approximate amount of \$2,800.00 (TWO THOUSAND, EIGHT HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to teach senior citizens about the importance of fire safety and avoiding in particular cooking and electrical fires.

Discussion: The chairman announced that he was taking up together Orders #004-19, #005-19, and #006-19. Chief Roy stated that they were originally not sure they would get the \$1,500 grant for the SAFE trailer, but are now able to do some work on the new trailer.

Councilors asked about the locations of the fire protection grants for seniors. Lt. Phil Jordan said that there had been ten community events in the past year in various locations. The department has been focused on high-rise facilities and multi-family dwellings. Councilors congratulated the department on obtaining almost \$10,000 in grants.

Action: Orders #004-19, #005-19, and #006-19 Be adopted (4-0)

013-19 ORDER: that there be and hereby is appropriated the sum of TWENTY-FOUR THOUSAND, FIVE HUNDRED THIRTEEN AND 00/100 DOLLARS (\$24,513.00) same to be charged against AVAILABLE FUNDS and credited to POLICE, CAPITAL EXPENDITURES, BUILDING REPAIRS for the purpose of replacing two of three HVAC units at the police station.

Discussion: The chairman read the letter from Chief Ernest Martineau dated November 5, 2018. Chief Martineau stated that this work is the beginning of a larger project, with the large HVAC unit being next. He thanked the Councilors for their support.

Action: Be adopted (4-0)

014-19 ORDER: that there be and hereby is appropriated the sum of FIFTY-EIGHT THOUSAND, FIVE HUNDRED NINETY-FOUR DOLLARS (\$58,594.00), same to be charged against AVAILABLE FUNDS and credited to DPW HIGHWAY PERSONAL SERVICES, LABOR (\$38,594.00) and PARKS PERSONAL SERVICES, LABOR (\$20,000.00).

Discussion: The chairman read a letter from DPW Commissioner Lenny Laakso dated September 17, 2018. Mr. Laakso stated that the letter says it all and because of the need, they have hired in anticipation of funding.

Councilors asked how many more employees the DPW needs to run properly. Mr. Laakso replied that a half dozen would make a difference.

Action: Be adopted (4-0)

015-19 ORDER: that there be and hereby is appropriated the sum of FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00) same to be charged against AVAILABLE FUNDS and credited to the following accounts for MS4/stormwater compliance:

| | |
|---|--------------|
| DPW ADMIN. EXPENSES, MS4 CONTRACT SERVICES | \$300,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 TEMP. LABOR | 75,000.00 |
| DPW ADMIN. PERSONAL SERVICES, MS4 ENGINEER | 25,000.00 |

Discussion: City Engineer Nicholas Erickson handed out a breakdown of spending expectations for this appropriation. Any funds not needed for MS4/Stormwater compliance would be used for roadway repairs to lessen storm water issues. At budget time, the city was not sure that a Stormwater Permit from EPA would be in place for July 1st, so these line items were not funded. The EPA has issued a permit, which should last for ten years, and the \$400,000 would likely be required for future budgets. Future funding possibilities are still to be explored and that work is part of this appropriation. Reporting to the EPA is at year end, with a set of finite requirements and measurable goals.

Councilors asked about the prior year appropriation and were told it was used to acquire a Vac Truck, to do stormwater work on Kimball Street, and \$4,000 spent on joining the stormwater coalition, which has provided useful information. Councilors asked who would be doing the catch basin maintenance and were told it would be a combination of city employees and outside contractors. Councilors differed on which they felt was better, since in house gives city employees work, but contracting out avoids long term costs of pension and insurance.

Councilors also briefly discussed future funding via the general fund, enterprise fund, or dedicated revenue source. Currently, all taxpayers are paying, because funding is from an appropriation from available funds.

Councilors asked what residents will see. Because the city has a lot of hills, it uses a lot of sand in the winter, causing the catch basins to fill. They should not be more than 50% full. The city will do a lot of work sweeping streets and repairing sunken catch basins. The EPA permit also has a public outreach component, so there will be information on the city website.

Action: Be adopted (4-0)

010-19 ORDER: that there be and hereby is appropriated the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, LONGSJO SCHOOL ROOF REPLACEMENT.

Discussion: The chairman read the letter from the mayor dated January 10, 2019. Interim School Superintendent stated that the added \$150,000 should wrap up the project once roof work recommences in the spring.

Councilors expressed concerns about additional costs on this project. Mr. Jokela said there is a small cushion, but that this appropriation should meet project needs.

Action: Be adopted (4-0)

017-19 ORDER: that there be and hereby is appropriated the sum of TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00) same to be charged against AVAILABLE FUNDS and credited to SCHOOL DEPARTMENT, CAPITAL IMPROVMENTS for the purpose of replacing the water pipe at the South Street Elementary School West building (\$72,000), two FHS water pressure tanks (\$14,000), and door replacement at Longsjö Middle School and Crocker Elementary School (\$114,000).

Discussion: The chairman read the letter from Superintendent Jokela dated January 8, 2019. Mr. Jokela stated that the projects are high priority. The water pipes are from the 1940's and the door replacement is necessary to provide a safe environment.

Councilors asked about qualifying for net school spending. City Auditor Calvin Brooks said that the previous order did not qualify, but that this one may. The threshold for each project to count toward net school spending is \$150,000. Councilors were pleased that the mayor is putting money into the schools and asked what the maintenance allotment in the school budget is. Mr. Jokela replied it is about \$150,000 to \$200,000. They asked about any frozen pipes over the last few days and were told that the School Department has taken precautions and instituted building inspections during severe cold. Councilors said it is better to be proactive on repairs and improvements to avoid bigger problems and costs.

Action: Be adopted (4-0)

016-19 ORDER: that there be and hereby is appropriated the sum of THIRTY-THREE THOUSAND, ONE HUNDRED NINETY-SEVEN AND 00/100 DOLLARS (\$33,197.00) same to be charged against AVAILABLE FUNDS and credited to LAW OTHER EXPENSES, DAMAGES PERSONS AND PROPERTY (\$20,297.00) and LAW OTHER EXPENSES, REGISTRY AND OTHER FEES (\$12,900.00).

Discussion: The chairman read a letter from Christine Tree dated January 7, 2019. City Solicitor Vincent Pusateri and Assistant City Solicitor Christine Tree asked that the order be reduced by \$20,297.00 because they were able to use Participation Credits to offset the cost of deductibles.

Action: Be amended by reducing the order by \$20,297.00 (4-0)

The new balance for the order is \$12,900.00.

Action: Be adopted as amended (4-0)

009-19 ORDER: that there be and hereby is appropriated the sum of ONE HUNDRED TWO THOUSAND AND 00/100 DOLLARS (\$102,000.00) same to be charged against AVAILABLE FUNDS and credited to AIRPORT REVENUE for the purpose of reducing the airport's deficit fund balance.

Discussion: The chairman read a letter from Airport Manager Scott Ellis dated January 16, 2019. In reply to a question from Councilors, Mr. Ellis stated that this request comes on the recommendation of the City Auditor to cover the deficit in last year's budget.

Councilors asked about the restricted area over Fort Devens. Mr. Ellis replied that the new runway will be shifted slightly to avoid that restricted area.

Councilors stated that keeping the airport operational is not optional; the City has to keep it going. They need help staying solvent until the capital work is done. Councilors stated that they don't have a problem with a subsidy while improvements are ongoing; however, they will have a problem if they persist after the project is complete.

Mr. Ellis indicated that based on the project estimate, the project should be done in 2020 (FY2021). They may be able to start sooner if a different funding source covering 100% of the cost is granted. A new runway will allow jet traffic to expand and closing the second runway will allow for development of that land. This appropriation is for the FY2018 deficit.

Action: Be adopted (3-1, Councilor Beauchemin in opposition)

012-19 ORDER: that there be and hereby is appropriated the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) same to be charged against AVAILABLE FUNDS and credited to BUILDING-TAX POSSESSION MAINTENANCE for the purpose of securing, maintaining, and cleaning tax possessions.

Discussion: The chairman read a letter from Building Commissioner Mark Barbadoro dated November 6, 2018. City Treasurer Anne Cervantes reported that the majority of the money was used in preparing properties for a tax possession auction held last month. She spent \$16,000 to clean up four of nine properties and the auction brought in \$386,000. This account is also used to board and secure new tax possessions.

Councilors noted that the city is being more aggressive about dealing with neglected properties. The faster properties are cleaned up, the faster crime is avoided and neighborhoods look better.

Action: Be adopted (4-0)

011-19 ORDER: that there be and hereby is appropriated the sum of FORTY-FIVE THOUSAND, FIVE HUNDRED FORTY-FOUR AND 00/100 DOLLARS (\$45,544.00) same to be charged against AVAILABLE FUNDS and credited to COMMUNITY DEVELOPMENT, DEP COMPLIANCE for the purpose of DEP compliance at city owned property at 465 Westminster Street, formerly the site of the Central Steam Plant.

Discussion: Mayor's Chief of Staff A. J. Tourigny said that because of a continuing issue with oil seeping into the river, the DEP is requiring compliance with environmental regulations. To stay in compliance, the city intends to hire a consultant to help with the paperwork and filing requirements. The city is also looking to put the property out to bid, so that if sold, it can make use of a Mass Development grant to clean up the property. The grant would be similar to one

approved for the BF Brown project, a thirty year note with payments based on 15% of the increase in tax revenue.

Councilors asked if the prior owners could be on the hook for cleanup costs. City Auditor Calvin Brooks stated his opinion that it was not likely, since the property was purchased by the city and not taken for taxes and that the prior owner was in bankruptcy at the time and is most likely no longer in existence.

Action: Be adopted (4-0)

007-19 ORDER: that there be and hereby is appropriated the sum of THREE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$350,000.00) same to be charged against AVAILABLE FUNDS and credited to STABILIZATION FUND.

Discussion: Councilors expressed the view that it is important to put money into the Stabilization Fund. It protects against unforeseen events and helps with bond ratings.

Action: Be adopted (4-0)

008-19 ORDER: that there be and hereby is appropriated the sum of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) same to be charged against AVAILABLE FUNDS and credited to OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND.

Discussion: The chairman reported that this appropriation will bring the OPEB Trust Fund balance to \$1,153,000 with accumulated interest.

Action: Be adopted (4-0)

The meeting adjourned at 7:40 PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Calvin D. Brooks".

Calvin D. Brooks, Clerk

City of Fitchburg
Available Funds Summary
Fiscal Year 2019

| | | |
|--|---|------------|
| Available Funds Certified as of July 1, 2018 | | 6,819,611 |
| Less Approved Appropriations: | | |
| | | |
| | | |
| Subtotal - Approved Appropriations | | 0 |
| Balance Available | | 6,819,611 |
| Less Proposed Appropriations: | | |
| 01/15/19 | Stabilization Fund | -350,000 |
| 01/15/19 | OPEB Fund | -250,000 |
| 01/15/19 | Airport Revenue | -102,000 |
| 01/15/19 | School-Longsjo School Roof | -150,000 |
| 01/15/19 | Community Development - DEP Compliance | -45,544 |
| 01/15/19 | Building - Tax Possession Maintenance | -20,000 |
| 01/15/19 | Police - Building Repairs - HVAC Units | -24,513 |
| 01/15/19 | DPW/Parks - Labor | -58,594 |
| 01/15/19 | DPW - MS4/Stormwater Expenses | -400,000 |
| 01/15/19 | Law - Other Expenses | -33,197 |
| 01/15/19 | School - Capital Projects | -200,000 |
| 01/15/19 | Fire - Personal Services - Firefighter Contract | -267,770 |
| 01/15/19 | | |
| 01/15/19 | | |
| Subtotal - Proposed Appropriations | | -1,901,618 |
| Balance Available if Proposed Appropriations are Approved | | 4,917,993 |
| Possible Appropriations: | | |
| Snow & Ice | | |
| Stabilization Fund 5% - \$6,250,000 7% - \$8,750,000 Current - \$6,153,641 | | |
| OPEB Fund | | |
| Host Fee / Mitigation | | |
| Airport Subsidy | | |
| Airport Self-service Fuel | | |
| Labor Contracts | | |
| Comp Time | | |
| Health Insurance | | |
| Legal - Code Enforcement | | |
| Insurance Claim | | |
| Demolition - Laurel Street School | | |
| Community Development - Zoning Rewrite | | |
| Community Development - Rail Trail Land Acquisition | | |
| Building - Organizing Files | | |
| Police - Vehicles | | |
| Police - Handicap Accessibility | | |
| Steam Plant Cleanup | | |
| Marketing City | | |
| Cemetery Software | | |
| Crocker Field Lighting | | |
| DPW - Oak Hill Road Bridge | | |
| DPW - Vehicles | | |
| DPW - Street Paving | | |
| Health - Scalemaster and Inspector Salaries - review in May | | |
| Veterans Benefits review in May | | |
| Library - Custodian Clothing Allowance - review in May | | |
| Library - Asbestos Abatement on windows and HVAC pipes | | |
| Parks - Maintenance | | |
| Other - Longsjo Bike Race and other civic events | | |
| Schools - Longsjo Roof - Debt Paydown | | |
| Schools - Phone System | | |
| Schools - South Street School - West Building Façade and Roof | | |

**City of Fitchburg
Department of Public Works**

FY19 Free Cash Appropriation

| ITEM | | | |
|---|----|------------|---|
| DPW Admin. Expenses, MS4 Contract Services | \$ | 300,000.00 | Consultant for permit compliance work/reporting, capital improvement projects |
| DPW Admin. Personal Services, MS4 Temp. Labor | \$ | 75,000.00 | Permit compliance work/reporting, system maintenance, permits, permit compliance work/reporting |
| DPW Admin. Personal Services, MS4 Engineer | \$ | 25,000.00 | Budget for Civil Engineer and GIS Engineer to free up other DPW budget for road maintenance, etc. |

Key Assumptions:

DPW Admin. Expenses, MS4 Contract Services

1. Approx. \$200,000 to consulting engineer to assist with development of required written plans, perform illicit discharge detection and elimination, and subcatchment evaluations.
2. Approx. \$100,000 to contractor for capital improvements (fixing collapsing culverts, rebuilding sunken manholes and catch basins, etc.)

DPW Admin. Personal Services, MS4 Temp. Labor

1. Approx. \$50,000 for temporary labor (2-3 employees, 40 hrs./week, 20 weeks) to perform required stormwater system maintenance (street sweeping, cleaning and rebuilding catch basins, clearing culverts, fixing erosion areas, etc.)
2. Approx. \$25,000 for interns (2 interns, 40 hrs./week, 20 weeks) to assist with mapping of the stormwater system, sampling, and various administrative tasks.

DPW Admin. Personal Services, MS4 Engineer

1. Approx. \$12,500 to reimburse Wastewater's GIS engineer for mapping assistance (1 day/week, 52 weeks).
2. Approx. \$12,500 to reimburse DPW's Civil Engineer for MS4 permit work, which frees up some DPW budget for additional items like road maintenance.

NOTE: Balances will be monitored closely throughout the remainder of the fiscal year. Any leftover funds will go towards various system repairs and capital improvement projects.

REPORTS OF COMMITTEES

LEGISLATIVE AFFAIRS COMMITTEE

ORAL REPORT

MEETING OF JANUARY 29, 2019

6:00 PM



**City of Fitchburg
Massachusetts 01420**

FITCHBURG CITY CLERK
2019 JAN 10 PM 2:05

CITY COUNCIL

Councillors at Large

David Clark
Marcus L. DiNatale
E. Thomas Donnelly
Samantha M. Squailia
Anthony Zarrella

President
Michael Kushmerek

Vice President
Amy Green

Ward Councillors

Ward 1 – Amy L. Green
Ward 2 – Paul R. Beauchemin
Ward 3 – Joel R. Kaddy
Ward 4 – Michael P. Kushmerek
Ward 5 – Marisa R. Fleming
Ward 6 – Elizabeth R. Walsh

January 10, 2019

AGENDA

Dear Councillor:

A meeting of the COMMITTEE ON LEGISLATIVE AFFAIRS will be held on:

Tuesday, January 29, 2019, at 6:00 PM
Memorial Middle School Library,
615 Rollstone St., Fitchburg

The Agenda will consist of the following:

- 310-18. Councillors Beauchemin and Donnelly, to raise the fee in Chapter 149-10 of the Code of the City of Fitchburg to \$300.00 per day.
In Chapter 149-4 of the Code of the City of Fitchburg strike the phrase “except MGL Ch. 93 section 29-32” and in any other section of the Code where same is referenced.
- 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.

Respectfully submitted,

Councillor Elizabeth Walsh
Chairman

By:

Anna M. Farrell, Clerk

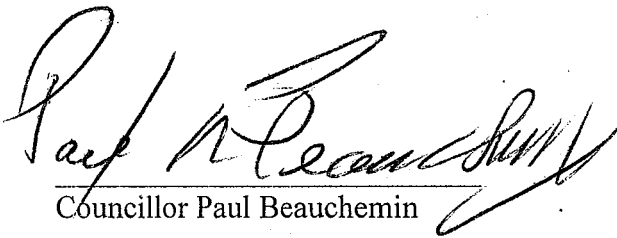
TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

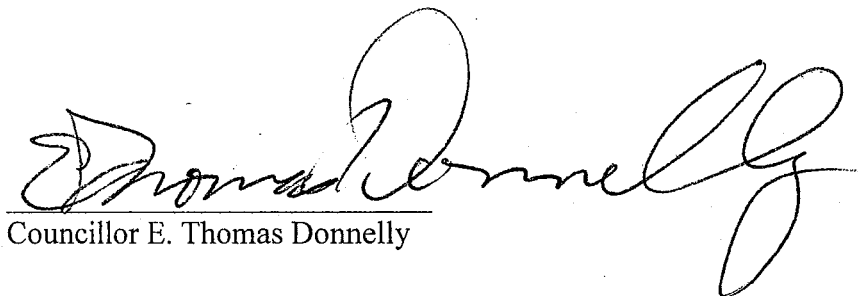
The undersigned Petition your Honorable Body to

In Chapter 149-10 of the Code of the City of Fitchburg raise the fee to \$300 per day.

In Chapter 149-4 of the Code of the City of Fitchburg strike the phrase "except MGL Ch. 93 section 29-32" and in any other section of the Code where same is referenced.



Councillor Paul Beauchemin



Councillor E. Thomas Donnelly

2010 OCT -5 PM 3:07
FITCHBURG CITY CLERK

*City of Fitchburg, MA
Monday, December 10, 2018*

Chapter 149. Signs

§ 149-10. Violations and penalties.

Any person placing or maintaining any such structure contrary to the provisions of this chapter or of the zoning ordinances and building codes of the City shall be punishable by a fine not exceeding \$5 for each day during which such structure is placed or maintained contrary to such provisions after five days' notice to remove the same has been given by the City Council or by a public officer acting by the Chief of Police. Upon violation of this chapter or other provisions regulating signs in the City, the City Council may revoke any permit granted hereunder. (See MGL c. 85, § 8.)

*City of Fitchburg, MA
Monday, December 10, 2018*

Chapter 149. Signs

§ 149-4. Issuance of permit.

Permits for the erection and alteration of signs will be issued by the Inspector of Buildings in compliance with the provisions of this chapter, zoning regulations and the building codes of the City, except for signs regulated by MGL c. 93, §§ 29 through 32, inclusive.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

2018 MAR 12 PM 1:19

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

Short Term Rental Safety Requirement Recommendations:

Any residence or commercial property not already licensed as a motel, hotel, inn or bed and breakfast, being used to accommodate travelers either as a Bed and Breakfast Home, Bed and Breakfast Inn, Airbnb, Couchsurfing, VRBO, YourHomeSuite, or any other online or other format service for providing short (less than 1 month) rentals, regardless of the total space included in the service (bedroom, full apartment, full house, couch, etc.) shall register with the City as a business, apply for a victualer license and shall conform to the following safety requirements:

- Fire Code inspection and Fire Alarm System updates to bring to current code.
- Building Code inspection and Building Code updates to bring to current code.
- In the case of a Bed and Breakfast, or other operation providing food, Board of Health Inspections and any Board of Health code requirements to bring to current code.
- Comply with all applicable zoning codes for the zoned district in which the business exists and apply for any applicable variances.
- Comply with all applicable planning board requirements for the type of business operation taking place and apply for any applicable special licenses.

The purpose of this ordinance is to assure that travelers into the city shall be afforded proper safety system and minimum emergency exit requirements during their stay.

Any such home, apartment or subsection of a home or apartment or commercial property not already zoned for such accommodations that is presently operating through one of the services for providing for short term travelers shall cancel existing bookings, cease taking any new guest accommodations immediately, and not accept any traveler bookings until such time as all of the above requirements are complied with.

Failure to comply with this ordinance or to cease operations as an accommodation shall result in a fine of _____ per day.



Metro

Residents jump to safety after 3-alarm blaze rips through home



DAVID L. RYAN/GLOBE STAFF

Residents had to jump from this Appleton Street home in Somerville early Friday to escape a three-alarm blaze.

By Eric Moskowitz

GLOBE STAFF JANUARY 27, 2017

Article LXXXIX.

Article II of the Articles of Amendment to the Constitution of the Commonwealth, as amended by Article LXX of said Articles of Amendment, is hereby annulled and the following is adopted in place thereof:

Article II. Section 1. Right of Local Self-Government. - It is the intention of this article to reaffirm the customary and traditional liberties of the people with respect to the conduct of their local government, and to grant and confirm to the people of every city and town the right of self-government in local matters, subject to the provisions of this article and to such standards and requirements as the general court may establish by law in accordance with the provisions of this article.

Section 2. Local Power to adopt, revise or amend Charters. - Any city or town shall have the power to adopt or revise a charter or to amend its existing charter through the procedures set forth in sections three and four. The provisions of any adopted or revised charter or any charter amendment shall not be inconsistent with the constitution or any laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

No town of fewer than twelve thousand inhabitants shall adopt a city form of government, and no town of fewer than six thousand inhabitants shall adopt a form of government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

Section 3. Procedure for Adoption or Revision of a Charter by a City or Town. - Every city and town shall have the power to adopt or revise a charter in the following manner: A petition for the adoption or revision of a charter shall be signed by at least fifteen per cent of the number of legal voters residing in such city or town at the preceding state election. Whenever such a petition is filed with the board of registrars of voters of any city or town, the board shall within ten days of its receipt determine the sufficiency and validity of the signatures and certify the results to the city council of the city or board of selectmen of the town, as the case may be. As used in this section, the phrase "board of registrars of voters" shall include any local authority of different designation which performs the duties of such registrars, and the phrase "city council of the city or board of selectmen of the town" shall include local authorities of different designation performing the duties of such council or board. Objections to the sufficiency and validity of the signatures on any such petition as certified by the board of registrars of voters shall be made in the same manner as provided by law for objections to nominations for city or town offices, as the case may be.

Within thirty days of receipt of certification of the board of registrars of voters that a petition contains sufficient valid signatures, the city council of the city or board of selectmen of the town shall by order provide for submitting to the voters of the city or town the question of adopting or revising a charter, and for the nomination and election of a charter commission.

If the city or town has not previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to frame a charter for (name of city or town)?" If the city or town has previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to revise the charter of (name of city or town)?"

The charter commission shall consist of nine voters of the city or town, who shall be elected at large without party or political designation at the city or town election next held at least sixty days after the order of the city council of the city or board of selectmen of the town. The names of candidates for such commission shall be listed alphabetically on the ballot used at such election. Each voter may vote for nine candidates.

The vote on the question submitted and the election of the charter commission shall take place at the same time. If the vote on the question submitted is in the affirmative, the nine candidates receiving the highest number of votes shall be declared elected.

Within [ten months] after the election of the members of the charter commission, said commission shall submit the charter or revised charter to the city council of the city or the board of selectmen of the town, and such council or board shall provide for publication of the charter and for its submission to the voters of the city or town at the next city or town election held at least two months after such submission by the charter commission. If the charter or revised charter is approved by a majority of the voters of the city or town voting thereon, it shall become effective upon the date fixed in the charter. [See Amendments, Art. CXIII.]

Section 4. Procedure for Amendment of a Charter by a City or Town. Every city and town shall have the power to amend its charter in the following manner: The legislative body of a city or town may, by a two-thirds vote, propose amendments to the charter of the city or town; provided, that [1] amendments of a city charter may be proposed only with the concurrence of the mayor in every city that has a mayor, and [2] any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city

manager or the board of selectmen or town manager shall be made only by the procedure of charter revision set forth in section three.

All proposed charter amendments shall be published and submitted for approval in the same manner as provided for adoption or revision of a charter.

Section 5. Recording of Charters and Charter Amendments. - Duplicate certificates shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved, and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the secretary of the commonwealth and the other shall be recorded in the records of the city or town and deposited among its archives. All courts may take judicial notice of charters and charter amendments of cities and towns.

Section 6. Governmental Powers of Cities and Towns. - Any city or town may, by the adoption, amendment, or repeal of local ordinances or by-laws, exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the constitution or laws enacted by the general court in conformity with powers reserved to the general court in conformity with powers reserved to the general court by section eight, and which is not denied, either expressly or by clear implication, to the city or town by its charter. This section shall apply to every city and town, whether or not it has adopted a charter pursuant to section three.

Section 7. Limitations on Local Powers. - Nothing in this article shall be deemed to grant to any city or town the power to (1) regulate elections other than those prescribed by sections three and four; (2) to levy, assess and collect taxes; (3) to borrow money or pledge the credit of the city or town; (4) to dispose of park land; (5) to enact private or civil law governing civil relationships except as an incident to an exercise of an independent municipal power; or (6) to define and provide for the punishment of a felony or to impose imprisonment as a punishment for any violation of law; provided, however, that the foregoing enumerated powers may be granted by the general court in conformity with the constitution and with the powers reserved to the general court by section eight; nor shall the provisions of this article be deemed to diminish the powers of the judicial department of the commonwealth.

Section 8. Powers of the General Court. - The general court shall have the power to act in relation to cities and towns, but only by general laws which apply alike to all cities or to all towns, or to all cities and towns, or to a class of not fewer than two, and by special laws enacted (1) on petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city; or the town meeting of a town, with respect to a law relating to that city or town; (2) by a two-thirds vote of each branch of the general court following a recommendation by the governor; (3) to erect and constitute metropolitan or regional entities, embracing any two or more cities or towns or cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes, and to grant to these entities such powers, privileges and immunities as the general court shall deem necessary or expedient for the regulation and government thereof; or (4) solely for the incorporation or dissolution of cities or towns as corporate entities, alteration of city or town boundaries, and merger or consolidation of cities and towns, or any of these matters.

Subject to the foregoing requirements, the general court may provide optional plans of city or town organization and government under which an optional plan may be adopted or abandoned by majority vote of the voters of the city or town voting thereon at a city or town election; provided, that no town of fewer than twelve thousand inhabitants may be authorized to adopt a city form of government, and no town of fewer than six thousand inhabitants may be authorized to adopt a form of town government providing for town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

This section shall apply to every city and town whether or not it has adopted a charter pursuant to section three.

Section 9. Existing Special Laws. - All special laws relating to individual cities or towns shall remain in effect and have the force of an existing city or town charter, but shall be subject to amendment or repeal through the adoption, revision or amendment of a charter by a city or town in accordance with the provisions of sections three and four and shall be subject to amendment or repeal by laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

Article XC.

SOMERVILLE -- The woman's screams cut through the quiet on Appleton Street just after 2 a.m. They rattled Adam Lawrence awake on the other side of the building, jolted Dave Queenan in bed across the street, and roused John McWeeny's son all the way out on Josephine Avenue, 100 yards away.

By the time they realized what the screams meant, a roaring fire was sweeping through the apartment house at 8-10 Appleton on Friday, flames shooting from windows, thick smoke gathering inside. Queenan sprinted over to find two people lying on the sidewalk, then watched others jump from the second floor, with one man crashing onto a trash barrel before hitting the driveway, he said.

ADVERTISING



"I thought this whole block was going up," said McWeeny, a 61-year-old electrician. Queenan feared there might still be people inside, tried to run in, but choked immediately on the smoke, he said.

For a minute or two, confusion reigned, as neighbors ran to aid neighbors and police and firefighters began arriving. "My baby, my baby!" multiple people heard a woman scream. Panic spread -- before a small white dog crawled from beneath smoke and flames, the "baby" the woman feared lost.

Soon, it became clear everyone had made it out, though the blaze ravaged the house.

Somerville and state officials said they were still investigating the cause of the fire, which

displaced at least 13 people. At least eight were treated at area hospitals for minor injuries or smoke inhalation, officials said.

“Everyone was out of the building when we got there,” said Chief Engineer Patrick J. Sullivan III, Somerville’s chief, though firefighters remained on scene for more than eight hours, extinguishing the blaze and investigating.

Jennifer Mieth, spokeswoman for the Office of the State Fire Marshal, late Friday put the estimated damage at more than \$500,000 and said investigators were still interviewing some victims.

The 2 1/2-story, gambrel-roofed home -- listed as “9+ bedrooms” on city records -- is one of more than two dozen in Somerville owned by landlord Tony Madan, who has been the subject of multiple public complaints in Somerville and Cambridge in recent years. Madan, who owns the home through Trio Enterprises LLC, did not respond to an email and phone message seeking comment. Three of his Boston Investments partners also did not respond to emails Friday.

Residents said the right half of the house was a triplex occupied by friends in a band that practiced in the basement. The left half contained a first-floor apartment, rented conventionally, and a four-bedroom duplex above it that rented by the room on Airbnb, multiple residents said.

Adam Lawrence had just arrived to rent one of those rooms a week ago, a college junior from California with a semester internship at a software company. He initially mistook those screams for an argument, then perceived faint beeping. Groggy, opening his door to the second-floor living room, he smelled smoke -- and snapped awake in the dark, realizing “this is real.”

He turned around, threw on jeans, grabbed his phone, and tried to go left toward the kitchen, hoping to flee out the back. The kitchen was impassable.

“I saw this huge orange glow. It was terrifying. You just can’t believe what you’re seeing,” Lawrence said. Pivoting toward the front of the house, he now saw “this thick black layer of smoke clinging to the top of the ceiling,” illuminated by the glow behind him.

Lawrence felt trapped, but he resolved to race through. "I was like, this needs to be the way out, or else I'll have to jump."

Dashing downstairs, smoke searing his lungs, Lawrence reached the door and tiny front porch and sprinted down the six final steps to the sidewalk. Soon, "flames [were] just shooting out the front door" behind him, he said.

Airbnb spokeswoman Crystal Davis said the company was working to rebook and assist displaced guests. "The entire Somerville community is in our thoughts during this time of need," she said by email.

Kevin Merrill, a retired construction worker who lives diagonally behind the house, said he initially saw flames "shooting out the cellar door in back, and the first floor [back] porch was on fire." He ran to Appleton just ahead of police and saw a young man open a second-floor window on the right side and climb onto the front-porch roof, he said. "As soon as he opened that window, the whole building just burst into flames."

Merrill said he screamed "jump!", but the man feared the drop, 10 feet at least, and appeared to turn back toward the window. But Merrill and an officer eventually coaxed him to slide off, grabbing him on the way down.

Queenan, from across the street, said he told his girlfriend to call 911, then sprinted over -- and in that time alone, the fire seemed to double. Soon, he and other neighbors were handing out clothing -- many victims had run out in pajamas -- and allowing people to warm up and make calls from their homes.

Records show Madan and his wife purchased 8-10 Appleton in 2011 for \$775,000, then transferred it to one of many LLCs. Neighbors expected condo conversions, but rentals soon came on the market.

Dan Griffin, a teacher then in graduate school, rented one of the units with friends. Griffin said Madan had made "cursory cosmetic" touch-ups, like new appliances, but dragged his feet on responding to problems. Griffin said he and his friends moved out after a rat chewed through particle board that had been put up in place of a missing basement window, formed a nest amid construction debris, then died, causing an insect infestation.

John R. Ellement of the Globe staff contributed to this report. Eric Moskowitz can be reached at eric.moskowitz@globe.com. Follow him on Twitter [@GlobeMoskowitz](https://twitter.com/GlobeMoskowitz).

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ORDERS-OTHER

City of Fitchburg

In City Council, _____

ORDERED:-- That

Having convened in an open meeting on _____, prior to the SOI submission closing date, the City Council of the City of Fitchburg, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 2/12/2019 for the South Street Elementary School located at 376 South Street, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

South Street West Building Roof;

South Street South Building Boilers Priority #5;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

2019 JAN 24 PM 1:11
FITCHBURG CITY CLERK

City of Fitchburg

In City Council, _____

ORDERED:-- That

Having convened in an open meeting on _____, prior to the SOI submission closing date, the City Council of the City of Fitchburg, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 2/12/2019 for the Goodrich Academy located at 111 Goodrich Street, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

Goodrich Academy Roof Priority #5;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

FITCHBURG CITY CLERK
2019 JAN 24 PM 1:11

City of Fitchburg

In City Council, _____

ORDERED:-- That

Having convened in an open meeting on _____, prior to the SOI submission closing date, the City Council of the City of Fitchburg, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 2/12/2019 for the Fitchburg High School located at 140 Arn-How Farm Road, Fitchburg, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

Fitchburg High School Roof Priority #5;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City to filing an application for funding with the Massachusetts School Building Authority.

2019 JAN 24 PM 1:11
FITCHBURG CITY CLERK

PETITIONS

Property Address: Mare Meadow Reservoir, South Street, Westminster, MA (Worcester North)

FITCHBURG CITY CLERK
2019 JAN 15 AM 10:58

GRANT OF EASEMENT

CITY OF FITCHBURG, a municipal corporation having an address at 1200 Rindge Road, Fitchburg, Massachusetts 01420 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation, and **VERIZON NEW ENGLAND, INC.**, a New York corporation, having a local address of 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110 (hereinafter referred to as the Grantees) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, one (1) pole, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the “OVERHEAD SYSTEM”) over, across, under and upon the Grantor’s land in Westminster, Worcester County, Massachusetts, to serve Grantor’s property and others.

Said “OVERHEAD SYSTEM” is to be installed on Grantor’s property, known as Mare Meadow Reservoir, which is located on the easterly side of South Street, to originate from Pole P.75, which is located on the easterly side of South Street, then proceed in an easterly direction over, across and upon land of the Grantor to new Pole P.75-84, to become established by and upon the final installation thereof by the Grantees.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said “OVERHEAD SYSTEM” and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantees, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the “OVERHEAD SYSTEM” is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantees, interfere with the efficient and safe operation and maintenance of the “OVERHEAD SYSTEM”.

WR#26273303

Address of Grantee:

Mass. El., 40 Sylvan Road, Waltham, Massachusetts 02451

Verizon, 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110

After recording return to:

Christina A. Klein

National Grid USA

Service Company, Inc.

40 Sylvan Road

Waltham, MA 02451

05 WMINMA GEN

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantees, their successors and assigns, and that the Grantees, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantees, for themselves, their successors and assigns, that this Grant of Easement and the location of the Overhead System may not be changed or modified without the written consent of the Grantees, their successors and assigns, which consent may be withheld by the Grantees in their sole discretion. The rights and easement herein granted are over, across and upon those parcels of land being more particularly described in an Order of Taking dated July 15, 1954, recorded with the Worcester North District Registry of Deeds in Book 742, Page 261.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "Designer: Prasad Nair WR#: 26273303; Easement Sketch; national **grid**; CONSTRUCTION DETAILS: Install 35ft class 3 pole, down guy and anchor with 8ft lead across from pole 75 South St. Pole will be located on private property at Mare Meadow Reservoir.; **Exhibit A-Not to Scale**", a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantees herein, but the final definitive locations of said "OVERHEAD SYSTEM" shall become established by and upon the installation and erection thereof by the Grantees.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within a portion of the Grantor's land an "OVERHEAD SYSTEM" for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "OVERHEAD SYSTEM".

For Grantor's title, see Order of Taking dated July 15, 1954, recorded with the Worcester North District Registry of Deeds in Book 742, Page 261.

IN WITNESS WHEREOF, the City of Fitchburg has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by John M. DeLine, Jr., its Deputy Commissioner of Water Supply, and by Stephen L. DiNatale, its Mayor, being thereto duly authorized this _____ day of _____, 2018.

RECOMMENDED:
Department of Public Works
Division of Water Supply

CITY OF FITCHBURG

John M. DeLine, Jr.
Deputy Commissioner

Stephen L. DiNatale
Mayor

APPROVED AS TO LEGAL FORM:

By:
Its:

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, 2018, before me,

Name of Notary Public

the undersigned Notary Public,

personally appeared John M. DeLine, Jr. and Stephen L. DiNatale, proved to me through satisfactory evidence of identity, which were

Description of Evidence of Identity

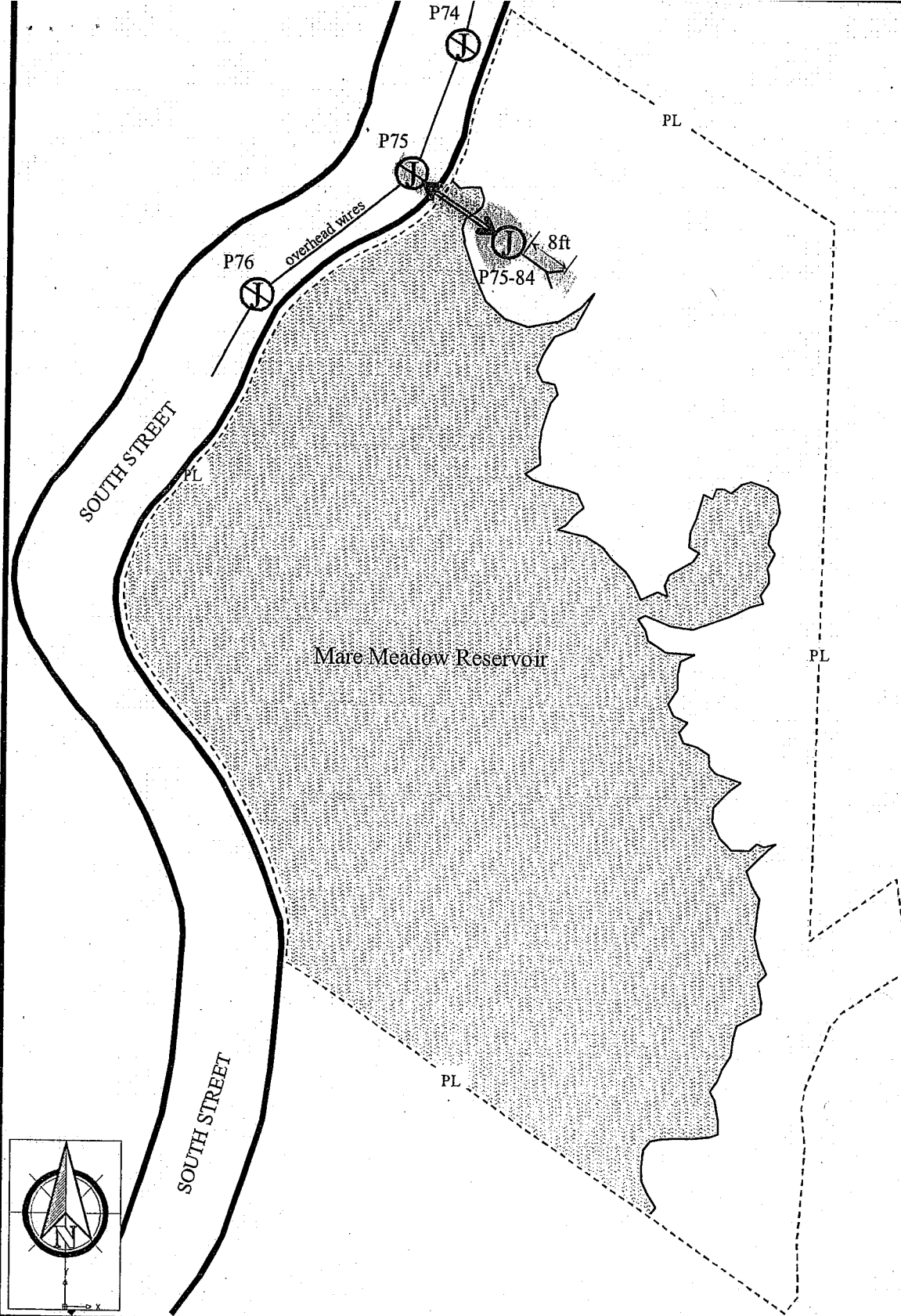
to be the persons whose names are signed on the preceding Grant of Easement and acknowledged to me that they signed it voluntarily for its stated purpose, as Deputy Commissioner of Water Supply, and as Mayor, respectively, of the city of Fitchburg.

Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above



| Legend: | |
|--------------------------|--|
| Existing Pole (JO/SO)- | |
| New Pole (JO/SO)- | |
| New Anchor and Down Guy- | |
| New Pole To Pole Guy- | |
| Road Take Boundary- | |
| Property Line- | |

Designer: Prasand Nair
WR#: 26273303

Easement Sketch

nationalgrid

CONSTRUCTION DETAILS:

Install 35ft class 3 pole, down guy and anchor with 8ft lead across from pole 75 South St. Pole will be located on private property at Mare Meadow Reservoir.

Exhibit A-Not to Scale

The Exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

To Amend the Rules of the Fitchburg City Council by adoption the following rule relative to the operation of Subcommittee meetings.

At Committee meetings, only Councilors appointed to the Committee in question shall take their place as Councilors at the Council Table or equivalent and participate in proceedings. Other Councilors may attend as members of the public, but shall stand in or be seated in the same area as public attendees, shall be subject to all rules governing public comment, and shall not, when addressing the Committee, be addressed as Councilors by the Committee.

Respectfully submitted,

Anthony M. Zarrella

Anthony M. Zarrella

Councilor-at-Large

2019 JAN 18 PM 2:25

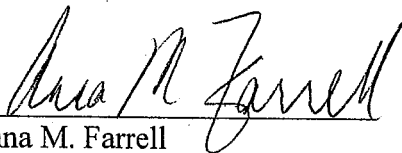
FITCHBURG CITY CLERK

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

Establish an ordinance in the appropriate section of the City Code for wages for City of Fitchburg poll workers, according to the attached table, to be in compliance with minimum wage laws.


Anna M. Farrell
City Clerk

FITCHBURG CITY CLERK
2019 JAN 23 PM 2:21

| January 1 2018 rates | | \$11 minimum wage | Baseline |
|--------------------------|-------|----------------------|----------------|
| Position | Hours | Rate | Total paid |
| Warden | 15.5 | \$18.00 | \$279.00 |
| | | | |
| Clerk | 15 | \$14.00 | \$210.00 |
| | | | |
| Inspector | 15 | \$11.00 | \$165.00 |
| | | | |
| AutoMARK/float | 15 | \$12.00 | \$180.00 |
| | | | |
| Inactive voter processor | 15 | \$13.00 | \$195.00 |
| | | | |
| Bi-lingual voter assist | 15 | \$11.00 | \$165.00 |
| | | | |
| January 1 2019 rates | | \$12 minimum wage | .09 % increase |
| Position | Hours | Rate | Total paid |
| Warden | 15.5 | \$19.62 | \$304.11 |
| | | | |
| Clerk | 15 | \$15.26 | \$228.90 |
| | | | |
| Inspector | 15 | \$12.00 | \$180.00 |
| | | | |
| AutoMARK/float | 15 | \$13.08 | \$196.20 |
| | | | |
| Inactive voter processor | 15 | \$14.17 | \$212.55 |
| | | | |
| Bi-lingual voter assist | 15 | \$12.00 | \$180.00 |
| | | | |
| January 1 2020 rates | | \$12.75 minimum wage | .06 % increase |
| Position | Hours | Rate | Total paid |
| Warden | 15.5 | \$20.80 | \$322.36 |
| | | | |
| Clerk | 15 | \$16.18 | \$242.63 |
| | | | |
| Inspector | 15 | \$12.75 | \$191.25 |
| | | | |
| AutoMARK/float | 15 | \$13.86 | \$207.97 |
| | | | |
| Inactive voter processor | 15 | \$15.02 | \$225.30 |
| | | | |
| Bi-lingual voter assist | 15 | \$12.75 | \$191.25 |

| January 1 2021 rates | | | |
|--------------------------|-------|----------------------|----------------|
| Position | Hours | \$13.50 minimum wage | .05 % increase |
| Warden | 15.5 | \$21.84 | \$338.47 |
| Clerk | 15 | \$16.98 | \$254.77 |
| Inspector | 15 | \$13.50 | \$202.50 |
| AutoMARK/float | 15 | \$14.56 | \$218.37 |
| Inactive voter processor | 15 | \$15.77 | \$236.57 |
| Bi-lingual voter assist | 15 | \$13.50 | \$202.50 |
| January 1 2022 rates | | | |
| Position | Hours | \$14.25 minimum wage | .05 % increase |
| Warden | 15.5 | \$22.93 | \$355.40 |
| Clerk | 15 | \$17.83 | \$267.50 |
| Inspector | 15 | \$14.25 | \$213.75 |
| AutoMARK/float | 15 | \$15.29 | \$229.29 |
| Inactive voter processor | 15 | \$16.56 | \$248.40 |
| Bi-lingual voter assist | 15 | \$14.25 | \$213.75 |
| January 1 2023 rates | | | |
| Position | Hours | \$15.00 minimum wage | .05 % increase |
| Warden | 15.5 | \$24.08 | \$373.17 |
| Clerk | 15 | \$18.73 | \$280.88 |
| Inspector | 15 | \$15.00 | \$225.00 |
| AutoMARK/float | 15 | \$16.05 | \$240.75 |
| Inactive voter processor | 15 | \$17.39 | \$260.82 |
| Bi-lingual voter assist | 15 | \$15.00 | \$225.00 |

REPORT

The Committee on

to which was referred this petition recommend that the petition be granted, be given leave to withdraw.

No. _____

PETITION

of

Fitchburg Planning Board

In City Council

Referred to Committee on

Report Read and Accepted

Clerk

Clerk

TO THE HONORABLE CITY
COUNCIL OF THE CITY OF
FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

Amend the Fitchburg Zoning Ordinance by amending the Table of Principal Uses concerning Medical Offices and to further define different medical and medical office uses.

Per vote of the Fitchburg Planning Board
1/8/2019.

Paula Brown
(MCH)

2019 JAN 24 AM 10:10
FITCHBURG CITY CLERK