



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

March 7, 2017 7:00PM

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

2017 MAR -3 AM 9:02

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. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Appointment Letters:

1. Ms. Pauline C. Basque, to be re-appointed to the Fitchburg Council on Aging, term to commence on March 1, 2017 and expire on March 1, 2020.
2. Ms. Joan McWilliams, as a member of the Board of Library Trustees, for a term to expire January 1, 2020. (To replace Mr. Jonah P. McKenna Moss)

Other:

3. Letter regarding the recommendation of the Planning Board re: Year 43 Community Development Block Grant Program.

IV. COMMUNICATION-DEPARTMENT HEADS

1. Vincent P. Pusateri II, Esq.
City Solicitor
Re: Conflict of Interest
2. Vincent P. Pusateri II, Esq.
City Solicitor
Re: Petition to take property by eminent domain certain parcels of land in Leominster required for Avigation Easements for the Fitchburg Airport.

V. COMMUNICATION-OTHER

1. Unitil-to withdraw Pole Petition #26-17.
2. Pension Reserves Investment Management Board.

VI. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of March 7, 2017, 6:45 PM

New Appointments:

Interim City Auditor
(To begin on March 11, 2017)
Ms. Jacquelyn Cronin

Student Police Officer for the City of Fitchburg
Eldred T. Wright

Permanent Full Time Firefighters for the City of Fitchburg
Skylar Eric Kozloski
Paul Andrew Duquette

Finance Committee

Meeting of February 28, 2017, 6:00 PM

20-17. ORDERED THAT: The City of Fitchburg hereby accepts the grants and gifts totaling approximately \$31,838.25 for the restoration of the City's two Civil War cannons, from those as follows: \$16,838.25 grant from the George R. Wallace Foundation, \$5,000.00 grant from the Douglas and Isabella Crocker Foundation, and the balance of approximately \$10,000.00 from various grant and fundraising efforts.
(Be Adopted)

21-17. ORDERED THAT: There be and hereby is appropriated the sum of NINETY THOUSAND DOLLARS (\$90,000), same to be charged against AVAILABLE FUNDS and credited to BUILDING EXPENSES-CITY HALL FEASIBILITY STUDY.
(Be Held in Committee)

Public Works Committee

Meeting of February 28, 2017, 5:00PM

181-15. Councillor Michael Kushmerek, to increase the height of a city-owned fence on Blossom Street between the intersections of Elm and Mechanic Streets.
(Be Held in Committee)

214-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of John Fitch Highway & Summer Street as outlined in the enclosed petition.
(Be given leave to withdraw)

215-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of Whalon Street & Pierce Avenue as outlined in the enclosed petition.
(Be given leave to withdraw)

285-16. Councillor Angelo Bisol and Michael Hurley, to install streetlights at the intersection of Pearl Hill Road and John Fitch Highway.
(Be Granted)

289-16. Councillor Paul Beauchemin, to request that Utility companies installing a second utility pole, in the same location, that have not removed the original pole, be charged \$300.00 fee per month, until such time the original pole is removed.
(Be held in Committee)

- 19-17. Councillor David Clark, to remedy barriers located at 1298 Water Street with pipe and cement.
(Be held in Committee)
- 27-17. Councillor Jody Joseph and Councillor Marcus DiNatale, to install a guard rail at the corner of 400 Rollstone Road and Brittany Lane for the purposes of preventing further property damage to the resident due to multiple car accidents at this location.
(Be held in Committee)

VII. RECESSED HEARING

- 26-17. Unitil, Fitchburg Gas and Electric Light Company, to install two (2) new sole owned poles, on Westminster Hill Road, approximately 70' north from Industrial Road, as outlined in the enclosed petition.

VIII. ORDERS - FINANCE

- 35-17. ORDERED: That the Mayor be authorized to sell a parcel of land located on 17 Second Street, Assessor's Map 69, Block 56, Lot 0, (Parcel A) and to execute a deed of conveyance as outlined in the enclosed Order.
- 36-17. ORDERED: That the Mayor be authorized to sell a parcel of land located on 17 Second Street, Assessor's Map 69, Block 56, Lot 0, and (Parcel B) and to execute a deed of conveyance as outlined in the enclosed Order.
- 37-17. ORDERED: That the Mayor be authorized to sell a parcel of land located on 11 Orange Street, Assessor's Map 32, Block 162, Lot 0, and to execute a deed of conveyance as outlined in the enclosed Order.
- 38-17. ORDERED: That the Mayor be authorized to sell a parcel of land located on 25 Albee Street, Assessor's Map 95, Block 67, Lot 0, and to execute a deed of conveyance as outlined in the enclosed Order.
- 39-17. ORDERED: That the Mayor be authorized to sell a parcel of land located on 73 Fairmount Street, Assessor's Map 50, Block 4, Lot 0, and to execute a deed of conveyance as outlined in the enclosed Order.
- 40-17. ORDERED THAT: There be and hereby is appropriated the sum of TWENTY-FOUR THOUSAND SEVEN HUNDRED FIFT DOLLARS (\$24,750), same to be charged against AVAILABLE FUNDS and credited to LAW EXPENSES-APPRAISALS.

- 41-17. ORDERED THAT: There be and hereby is appropriated the sum of FORTY THOUSAND DOLLARS (\$40,000), same to be charged against AVAILABLE FUNDS and credited to LAW EXPENSES-DAMAGES TO PERSONS AND PROPERTY.
- 42-17. ORDERED THAT: There be and hereby is confirmed the appropriation of THREE HUNDRED FIFTY-FIVE THOUSAND NINE HUNDRED DOLLARS (\$355,900), from the Airport Easements Phase Two and Phase Three for the taking by eminent domain certain avigation easements more clearly identified as per the attached.

IX. PETITIONS

- 43-17. Attorney Vincent P. Pusateri II, City Solicitor, to authorize and approve the Fitchburg Airport Commission to accept as gift, purchase, or to take by eminent domain under the authority granted by M.G.L. c90, Sec. 51G, M.G.L. c.79, and Fitchburg Ordinance Sec. 3-174, as well as any other statute or ordinance providing for such acceptance, purchase or taking, permanent easements over certain parcels of land in Leominster required for Avigation Easements for the Fitchburg Airport, as specifically described in the Petition.
(Planning Board and City Council Public Hearing April 4, 2017)
- 44-16. A.J. Tourigny, Chief of Staff to the Mayor, to ratify and confirm the following attached documents:
1. Power Purchase Agreement with Loadstar Energy, LLC
2. Payment in Lieu of Taxes Agreement with Fitchburg Solar, LLC, and Bruce and Angela Willard
3. Payment in Lieu of Taxes Agreement with 225 Industrial Fitchburg Solar, LLC
(Legislative Affairs Committee)
- 45-16. Councillor Dean Tran, to review all No Right Turn sign locations and remove those that are unnecessary.
(Public Safety Committee)
- 46-17. Councillor Joel Kaddy, to investigate the possibility to install barriers at Westminster Hill Road and Sanborn Street protecting the "Cannon".
(Public Works Committee)