



FITCHBURG CITY CLERK

2018 JUN 28 PM 2: 38

**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

July 5, 2018 7:00PM

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

WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATION FROM HIS HONOR THE MAYOR

Appointment Letters

1. Mr. Tyler C. Cote, as a Student Police Officer for the City of Fitchburg.
2. Poll Workers for the period of September 1, 2018, through August 31, 2019.
3. Ms. Mary Giannetti, as a member of the Board of Park Commissioners for a term to expire July 1, 2022.
4. Mr. Stephen Bodurtha, as a member of the Water/Wastewater Commission for a term to expire June 1, 2022.

IV. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of July 5, 2018, 6:45 PM

Re-Appointment:
Fitchburg Disability Commission
(Term to expire February 1, 2021)
Mr. Basil Tolos

Finance Committee
Meeting of June 26, 2018

185-18. LOAN ORDER: Apprpr. \$4,500,000.00 to pay costs of replacing water meters, electronic registers, radio/cellular network and data collection system, and other ancillary equipment, and borrow amount as outlined in the enclosed Loan Order.

(BE ADOPTED - FIRST READING - ROLL CALL VOTE)

188-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Environmental Protection, Recycling IQ grant in the approximate amount of \$40,000.00 (FORTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to reduce contamination in the curbside residential recycling stream.

(BE ADOPTED)

189-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Forest Legacy Program grant (13-DG-11420004-070) in the approximate amount of \$1,070,000.00 (ONE MILLION, SEVENTY THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is for the costs of purchasing a

conservation restriction on a certain parcel of land in Princeton known as the Bomba Property, (\$520,000.00), for the costs of purchasing a conservation restriction on a certain parcel of land in Westminster known as the Nakrosis Property, (\$300,000.00), and for the costs of purchasing a certain parcel of land in Westminster known as the Wright Property, (\$250,000.00)

(BE ADOPTED)

190-18. ORDER: Authorizing the City of Fitchburg to obtain a Conservation Restriction on a parcel of land in Princeton known as the Bomba Property as outlined in the enclosed Order.

(BE ADOPTED)

191-18. ORDER: Authorizing the City of Fitchburg to obtain a Conservation Restriction on a parcel of land in Westminster known as the Nakrosis Property as outlined in the enclosed Order.

(BE ADOPTED)

192-18. ORDER: Authorizing the City of Fitchburg to purchase a certain parcel of land in Westminster known as the Wright Property as outlined in the enclosed Order.

(BE ADOPTED)

Public Works Committee
Meeting of June 26, 2018

038-18. Councillor Paul Beauchemin and City Solicitor Vincent Pusateri petitions the Council to ensure that property located at 150 Legros Street be provided access via public ways. The City will be required to cause a survey, obtain an appraisal, and perform a taking by eminent domain in order to correct the problem.

(BE GRANTED)

048-18. Councilors Elizabeth Walsh and Marcus DiNatale, along with resident Mary Fritz, to erect jersey barriers at the corner of 400 Rollstone Road (intersection of Rollstone road and Brittany Lane) to mitigate frequent motor vehicle accidents occurring on this resident's property. Existing boulders placed there previously are not effectively mitigating encroachment.

(BE GRANTED)

- 131-18. Councillors Marisa Fleming and Marcus DiNatale, on behalf of Raul and Yeydi Jimenez, to investigate and implement remedies to mitigate and/or prevent property damage to 162 Townsend Street resulting from motor vehicle incidents that frequently damage the property's fencing.
(BE HELD IN COMMITTEE)
- 132-18. Councillor Paul Beauchemin, to establish a height limit for utility poles in the City of Fitchburg.
(BE HELD IN COMMITTEE)
- 183-18. Councillor Marisa Fleming, to install a berm at 453 Fisher Road just after the right hand turn from Pearl Hill Road.
(BE GRANTED)
- 184-18. Councillor Amy Green, on behalf of George Schmidt, to place "no parking" signs from FHA at Valley Street to Romano Ave.
(BE HELD IN COMMITTEE)
- 197-18. Councillor Amy Green, to repair sunken man-hole cover at 260 Walton Street.
(BE GRANTED)
- 198-18. Councillor Amy Green, on behalf of Peter Tosoni, 52 Albee Street, to remedy the bamboo issue at the corner of Albee and Nimity property that is causing damage to city and private property.
(BE GRANTED)
- 199-18. Councillor Michael Kushmerek, to repair a city-owned fence on the Marshall Street portion of a property located at 20 Simonds Street.
(BE GRANTED)

V. PUBLIC HEARING

- 180-18. SPECIAL PERMIT PETITION: Francis Dower, for a Special Permit at 783 Water Street, to install on 1/3 of the property a "Fun Stuf & Get-It-Done" Rental Store, and on 2/3 of the property a "Fun Stuf Party Place" (Indoor inflatable party playground).

VI. ORDERS-FINANCE

- 200-18. ORDERED THAT: there be and hereby is transferred from within the sum of EIGHT THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS (\$8,500.00) same to be transferred from FIRE PERSONAL SERVICES, FIREFIGHTERS and credited to FIRE BUILDING MAINTENANCE, HOUSEHOLD.

201-18. ORDERED THAT: there be and hereby is transferred from within the sum of ONE THOUSAND, THREE HUNDRED SEVENTY-NINE AND 00/100 DOLLARS (\$1,379.00) same to be transferred from VETERANS BENEFITS, CASH BENEFITS and credited to VETERANS PERSONAL SERVICES, LONGEVITY.

202-18. ORDERED THAT: there be and hereby is transferred from within the sum of THREE THOUSAND, EIGHT HUNDRED AND 00/100 DOLLARS (\$3,800.00) same to be transferred from BUILDING REPAIR & CARE, TAX POSSESSION MAINTENANCE and credited to BUILDING EXPENSES, CONTRACTED SERVICES.

203-18. ORDERED THAT: The Mayor is authorized for and behalf of the City of Fitchburg to execute and deliver any and all documents and take any and all acts necessary, convenient and helpful to facilitate and execute the Community Host Benefit Agreement for Non-Medical Marijuana cultivation and processing facility with Massachusetts Patient Foundation, Inc.

VII. ORDERS-OTHER

204-18. ORDERED THAT: the City Clerk be authorized to notify the voters of the State Primary to be held on Tuesday, September 4, 2018.

VIII. RESOLUTION

205-18. BE IT RESOLVED: That the Fitchburg City Council is opposed to the proposed healthcare services consolidation by HealthAlliance, namely the closure of the Burbank Campus Urgent Care Center.

IX. ORDINANCE

206-18. AN ORDINANCE: Amending Chapter 44, Section 10 of the Code of the City of Fitchburg: Under Positions Paid Yearly-City Solicitor and Assistant City Solicitor.
(FIRST READING)

X. PETITIONS

207-18. Councillor Paul Beauchemin, to place a berm at the corner of Bishop Rd. and Westminster Hill Rd. heading West past 381 Westminster Hill Rd. with an apron in front of the driveway.
(Public Works Committee)

208-18. Councillor Paul Beauchemin, to place a berm at the corner of California Ave. and 75 Reingold Ave.
(Public Works Committee)

209-18. Multiple citizens, to repair McTaggart's Dam to refill pond and restore wildlife population.
(Public Works Committee)

XI. MATTER TO BE TAKEN FROM FINANCE COMMITTEE FOR VOTE

187-18

ORDERED THAT: the City of Fitchburg approves the expenditure of funds from the MA Executive Office of Energy and Environmental Affairs grant in the amount of \$375,000.00 to start the process of removing or repairing McTaggart's Dam.

Next Regular Meeting
July 17, 2018, 7:00 PM