



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

October 2, 2018

**Immediately following the Council as a Whole Committee Meeting that is scheduled to
begin at 6:00 PM**

**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. Richard Sarasin, as a member of the Capital Improvements Commission for a term to expire on September 1, 2021.
2. Ms. Lola Haimaila, as a member of the Fitchburg Cultural Council for a term to expire on October 1, 2021.
3. Mr. Harald M. Scheid, as a member of the Board of Assessors for the City of Fitchburg for a term to expire on January 1, 2021.

IV. COMMUNICATION

John Bosk, Attorney at Law
Re: Petition 224-18

V. REPORTS OF COMMITTEES

City Property Committee Oral Report
Meeting of October 1, 2018

- 007-18. Councillor Paul Beauchemin, to look at the possibility of putting in a roadway that connects Crawford/Airport Road area to the Summer Street area (via land or right of way to be acquired). This would be to alleviate traffic backups that occur in the Bemis Road area.
- 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.
- 044-18. Councilors Squailia and Zarrella, and David Thibault-Munoz, to postpone the listing of the 116-118 Day Street property to the side yard sales program in order to explore the possibility of creating a Pocket Park to honor Abolitionist Benjamin Snow.
- 243-18. Vincent P. Pusateri II, City Solicitor, to review the provisions of the Side Yard Sales Program and determine whether an amendment should be made to the Side Yard Sales Program so that merger of the Side Yard Sales lot with the abutting parcel of the purchaser is not required, or not required in all cases.

- 244-18. A.J. Tourigny, Chief of Staff to the Mayor, to declare a certain parcel of land, 0 North Street, as surplus property and sell the same to the FSU Foundation Supporting Organization, Inc. for the amount of \$1.00 in addition to closing and administrative costs.
- 246-18. Councillor Amy Green, on behalf of the Fitchburg Historical Society, to remove the deed restriction in place for said deed book 2142 page 178. The parcel/parcels located at Grove St. & Vine St.

Council as a Whole Committee Oral Report
Meeting of October 2, 2018

- 254-18. Mary Jo Bohart, Economic Development Director, pursuant to an economic development strategic planning process that commenced in July 2017, and through technical expertise and consulting support from UMass Boston's Edward J. Collins Jr. Center for Public Management, I hereby request that the Fitchburg City Council vote to accept the resulting *Economic Development Strategic Plan* for the City of Fitchburg.

Public Works Committee
Meeting of September 25, 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 Held)
- 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)
- 132-18. Councillor Paul Beauchemin, to establish a height limit for utility poles in the City of Fitchburg.
(Be Held)
- 184-18. Councillor Amy Green, on behalf of George Shmidt, to place "no parking" signs from FHA at Valley Street to Romano Ave.
(Be given leave to withdraw)

- 195-18. Councillors Squailia, Green, & Walsh, to establish the existing pedestrian crosswalk across Electric Ave. at the westerly intersection of Drake Road as an official crosswalk and install neon reflective pedestrian crossing signs.
(Be Held)
- 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.
(Be Granted)
- 208-18. Councillor Paul Beauchemin, to place a berm at the corner of California Ave. and 75 Reingold Ave.
(Be Granted)
- 209-18. Multiple citizens, to repair McTaggart's Dam to refill pond and restore wildlife population.
(Be Held)
- 226-18. Councillor Paul Beauchemin, to install an apron at 352 Fairmount Street to mitigate water build up in driveway.
(Amend to 532 Fairmount Street and grant as amended)
- 227-18. Councillor Beth Walsh, on behalf of Don & Therese Garner, to replace the berm in front of 396 Wanoosnoc Road. There had been a berm on both sides of their driveway, but the berm has deteriorated as to be nonexistent, resulting in problems with water drainage and cars driving onto and damaging their property.
(Be Granted)
- 228-18. Councillors Squailia and Green, to install a berm at 144 Belmont St. from the driveway on St. Anthony St. to the corner at Belmont St. to mitigate erosion due to new paving.
(Be Granted)

- 229-18. Councillors Squailia and Walsh, to replace the missing berm at 442 Shea St. (along Hollywood St.), install a new driveway apron, and to investigate the existing area storm drainage functionality and install a new catch basin near the 442 Shea Street driveway as required to properly remove storm water.
(**Amended to read:** replace the missing berm at 442 Shea Street (along Hollywood Street), install a new driveway apron, and to investigate the existing area storm drainage functionality and mill pavement and slope new pavement to catch basin on Hollywood Street side of property near the 442 Shea Street driveway as required to properly remove stormwater.
(Be granted as amended)
- 250-18. Councillors Elizabeth Walsh and Marcus DiNatale, on behalf of resident Mike Peters, to install a berm at 59 Boylston Street.
(Amended to read: Councillors Elizabeth Walsh and Marcus DiNatale, on behalf of Mike Perry, to install a berm at 39 Boylston Street.)
(**RE-AMENDED** to read: Councillors Elizabeth Walsh and Marcus DiNatale, on behalf of Mike Perry, to install a berm at 59 Boylston Street.
(Be granted as amended)
- 257-18. Councillor Michael P. Kushmerek, to repair a section of sidewalk in front of 158 Marshall Street that is sinking and cracking due to the prior removal of a city-owned tree.
(Be Granted)
- 258-18. Councillor Amy Green, on behalf of Barbara Eisenzopf, to request a berm at 15 Warren Street to stop lawn damage.
(Be Granted)
- 259-18. Councillor Amy Green, on behalf of various residents of 350 Water Street, to request sidewalk repairs at the 350 Water Street, Fitchburg Green Housing. The said repairs are located at the Middle Street area of Property. Pictures are enclosed.
(Be Granted and request the DPW Commissioner apply for CDBG funds)
- 260-18. Councillor Amy Green, on behalf of Peter Tossoni, 52 Albee Street, to request another solution to the knotweed problem destroying the city sidewalk located at the corner of Albee and Haskell Streets.
(Be given leave to withdraw)

- 261-18. Councillors Squailia & Walsh to install a new berm in front of 42 Old Deerfield Road.
(Councillor Kaddy recused himself.)
(Be Granted)

VI. ORDERS-FINANCE

- 262-18. ORDERED THAT: The Fitchburg City Council does hereby confirm it's affirmative vote on petition 245-2018, approving the vote of the Fitchburg Contributory Retirement Board taken on June 26, 2018 to increase the supplemental annual allowance from \$6,000 to \$12,000 provided to the surviving spouses of accidental disability retirees who were unable to provide for any annual allowance to be paid the their spouses at the time of their death.
- 263-17. ORDERED THAT: The City agrees to execute a revised PILOT agreement with NEW ENGLAND SOLAR GARDEN CO. AND MATTHEW FOURNIER as outlined in the enclosed Order.

VII. ORDER-OTHER

- 264-18. ORDERED THAT: the City Clerk be authorized to notify the voters of the State Election to be held on Tuesday, November 6, 2018.

VIII. ORDINANCE

- 242-18. AN ORDINANCE: Two-hour parking spaces shall be installed between 288 and 310 Main Street, by amending the Section 169-26, titled "Time limit parking" as follows:
A new line shall be inserted below the line beginning "Lunenburg Street" and following words shall be inserted thereon:
The words "Main Street" shall be inserted under the "Name of Street or Parking Lot" column;
The word "South" shall be inserted under the "Side" column;
The words "2hr.; 8:00 a.m. to 8:00 p.m./except Sundays and legal holidays" shall be inserted under the "Time Limit; Hours/Days" column; and
The words "From #288 to #310 Main Street (westerly of existing handicap parking space" shall be inserted under the "Location" column.

The resulting inserted line shall read as follows:

Name of Street or Parking Lot	Side	Time Limit; Hours/Days	Location
Main Street	South	2hr; 8:00 a.m. to 8:00 p.m./except Sundays and legal holidays	From #288 to #310 Main Street (westerly of existing handicap parking space)

(Reference Petition #196-18)
(FINAL READING)

IX. PETITIONS

265-18. Councillor Marisa Fleming, to request the City Council vote on a Resolution pertaining to PAS (Physician Assisted Suicide).
(Legislative Affairs Committee)

Next Regular Meeting
Tuesday, October 16, 2018, 7:00 PM