



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

July 17, 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. Ms. Milagros Whitfield, as a member of the Fitchburg Cultural Council for a term to expire September 1, 2021.
2. Ms. Miriam Ruiz, as a member of the Fitchburg Cultural Council for a term to expire September 1, 2021.
3. Ms. Emmanuella Demosthenes, as a member of the Fitchburg Cultural Council for a term to expire September 1, 2021.

Promotion Letter:

1. Sergeant Ryan C. Keenan to the rank of Permanent Police Lieutenant.
2. Police Officer Daniel K. Bellofatto to the rank of Permanent Police Sergeant.

IV. COMMUNICATION

Calvin D. Brooks, City Auditor

1. Suspension of the Rules re: Transfer of \$300,000 from Employee Benefits, Health Insurance to School expenses.
2. Suspension of the Rules re: Fire Truck

V. COMMUNICATION

Atty. Richard a. Cella

RE: Lanni Orchards Notice of Intent to Sell.

VI. SPECIAL PRESENTATION

Economic Development Strategic Plan

Informational presentation by Economic Development Director (Mary Jo Bohart) and project consultant Monica Lamboy (of UMass Boston's Collins Center for Public Management), followed by questions from Councilors.

VII. REPORTS OF COMMITTEES

Appointments Committee Oral Report
Meeting of July 17, 2018, 6:45 PM

New Appointments:
Student Police Officer
Fitchburg Police Department
(Effective July 30, 2018)
Mr. Tyler C. Cote

Poll Workers

(For the period of September 1, 2018 through August 31, 2019)

Board of Park Commissioners

(For a term to expire July 1, 2022)

(To fill a vacancy of Andrew Roy)

Ms. Mary Giannetti

Water/Wastewater Commission

(Term to expire June 1, 2022)

Mr. Stephen Bodurtha

City Property Committee Oral Report

Meeting of July 16, 2018

- 315-17. Key Fitchburg, LLC, represented by Elisha W. Erb, Legal Counsel, to petition the City of Fitchburg's Public Works Department to accept a gift of land located on the east side of John Fitch Highway, Parcel 86-4, as described in the enclosed petition.
- 316-17. Key Fitchburg, LLC, represented by Elisha W. Erb, Legal Counsel, to petition the Fitchburg Conservation Commission to accept a gift of three parcels of land located on the east side of John Fitch Highway and small parcel of land at the corner of intersection of Proctor Avenue with Woodbury Street as described in the enclosed petition.
- 007-18. Councillor Paul Beauchemin, to look at the possibility putting in a roadway that connects the 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 Street area.
- 127-18. That the City of Fitchburg grants 431 Westminster, LLC, an ingress/egress and parking easement on certain City land:
431 Westminster, LLC to grant the City an ingress/egress and parking easement on its land, and right to pave and maintain the entire parking area resulting from cross easements;
Westminster Pond, LLC, to grant the City a drainage easement;
The City of Fitchburg to grant Westminster Pond, LLC, a drainage easement and right to construct the drainage system depicted in the easements attached.

- 157-18. ORDERED THAT: That the City of Fitchburg sells 67-69 Myrtle Avenue to Joshua Naughton, Trustee of the 137 Green Street Realty Trust, as approved by the City's Side Yard Sales Program, as outlined in the enclosed Order.
(Reference Petition #235-15)
- 178-18. ORDERED THAT: The Mayor is authorized to execute a deed of conveyance of the 14 Gage Street parcel to abutters Ian Brennan and Kelly Arvidson as outlined in the enclosed Order.
(Reference Petition #210-2017)
- 193-18. Stephen Curry, Board of Health Director, to allow Resource Control, Inc., permission to grant Verizon New England Inc. and Massachusetts Electric Company the exclusive right to maintain and operate the "overhead System", not limited to 9 poles, on City of Fitchburg property located at the Fitchburg/Westminster Sanitary Landfill on Cody Road (a private way) as outlined in the petition.

Public Safety Committee Oral Report
Meeting of July 17, 2018, 6:00 PM

- 184-18. Councillor Amy Green, on behalf of George Schmitt, to place "no parking" signs from FHA at Valley Street to Romano Ave.
- 194-18. Kofi Agyeman, (DBA KB Cars) to petition for a Class II Dealer's License to be located at 285 River Street.
- 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.
- 196-18. Councillors Squailia, Kaddy, Fleming, and Peter Cote, to designate "2 hour parking" for the two (2) Main Street parking spaces between 288 and 310 Main Street adjacent to the existing handicapped parking space.

VIII.LOAN ORDER

- 185-18. LOAN ORDER: Appopr. \$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.
(Final Reading)

IX. ORDERS-FINANCE

- 210-18. ORDERED THAT: for the fiscal year ending June 30, 2018, there be and hereby is transferred from within the sum of THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00), same to be transferred from EMPLOYEE BENEFITS, HEALTH INSURANCE and credited to SCHOOL EXPENSES.
- 211-18. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED SEVENTY FIVE THOUSAND AND 00/100 DOLLARS (\$175,000.00), same to be charged against RESERVED FOR APPROPRIATION, INSURANCE RECOVERIES OVER \$150,000.00 and credited to FIRE, CAPITAL EXPENDITURES, VEHICLE REPLACEMENT for the purpose of acquiring a new pumper for the Fire Department.
- 212-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Community Foundation of North Central Massachusetts in the approximate amount of \$13,000.00 (THIRTEEN THOUSAND AND 00/100 DOLLARS), for the purpose of said grant, which is to be used toward the construction of the Rollstone Hill Trail, also known as the Rock Walk.
- 213-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from Domino's Pizza in the approximate amount of \$5,000.00 (FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to acquire the material required to fill potholes on city streets.
- 214-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Substance Abuse Prevention Collaborative grant in the approximate amount of \$200,000.00 (TWO HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to continue to address and prevent underage drinking and other drug use within the Montachusett Public Health Network.
- 215-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Department of Justice, Office of Justice Programs grant in the approximate amount of \$27,569.00 (TWENTY-SEVEN THOUSAND, FIVE HUNDRED SIXTY-NINE AND 00/100 DOLLARS) for the purpose of said grant, which is to purchase departmental software and community policing equipment, as well as support community policing mobilizations.

- 216-18. ORDERED THAT: The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to facilitate and execute the attached Community Host Benefit agreement with Native Sun Wellness located at 140 Industrial Road, Fitchburg, MA.
- 217-18. ORDERED THAT: CAS Foundation, Inc., 1 Oak Hill Road, Fitchburg, to operate and use the facility for both medical and non-medical marijuana cultivation as outlined in the Order.
- 218-18. ORDERED THAT: Cypress Tree Management, 431 Westminster Street, Fitchburg, to operate and use the facility for both medical and non-medical marijuana cultivation as outlined in the Order.

X. 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.
(Final reading)

XI. PETITIONS

- 219-18. Key Fitchburg, LLC, represented by Elisha W. Erb, Legal Counsel, to gift to the City of Fitchburg 5 parcels of land as outlined in the enclosed petition.
(City Property Committee)
- 220-18. Hon. Stephen L. DiNatale, Mayor, to request input from City entities as to whether or not to exercise its right of first refusal to purchase property located at Pearl Hill Road and High Rock Road as outlined in the Petition.
(Planning Board, Assessor, Conservation Commission, Finance Committee, Historical Commission, Parks Board, Water Department)
- 221-18. Peterbilt Store, New England LLC, to petition for a Class One Dealer's License (New Heavy Duty Trucks) located at 215 Crawford Street, Fitchburg.
(Public Safety Committee)
- 222-18. Gerald Blake, Jr., TSI Tank Services, Inc., to petition for a Class One Dealer's License to sell Tanks, Trucks and Trailers at 70 Benson St.
(Public Safety Committee)
- 223-18. Gerald Blake, Jr., TSI Tank Services, Inc., to petition for a Class Two Dealer's License to sell Tanks, Trucks and Trailers at 70 Benson St.
(Public Safety Committee)

- 224-18. Paulos Amanatidis, to revoke the car dealer license issued to Donald Cordio, dba Performance Auto Annex located at 1022 Main Street, Fitchburg.
(Public Safety Committee)
- 225-18. Paulos Amanatidis, to petition for a Class II Dealer's License located at 1022 Main Street, Fitchburg.
(Public Safety Committee)
- 226-18. Councillor Paul Beauchemin, to install an apron at 352 Fairmount Street to mitigate water build up in driveway.
(Public Works Committee)
- 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.
(Public Works Committee)
- 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.
(Public Works Committee)
- 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.
(Public Works Committee)
- 230-18. Comcast of Massachusetts III, Inc., to construct a line of conduits on Water Street as outlined in the enclosed Petition.
(Public Hearing September 6, 2018)

Next Regular Meeting
Thursday, September 6, 2018, 7:00 PM

