



Parks & Recreation
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CITY OF FITCHBURG

Board of Park Commissioners

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Vice-Chairman
MARY GIANNETTI
DAVE MADIGAN
MARY WHITNEY

NATHAN LAROSE
Recreation Director
BETH ROBBINS
Adm. Assistant

Board of Park Commissioners Meeting

Date: Tuesday, October 1, 2019

Location: Memorial Middle School Cafeteria

Call to Order:

The October 1, 2019 meeting was called to order by Commissioner McGrath at 5:31PM

Commissioner Members Present: Jim McGrath, Dave Brooks, Mary Giannetti, Dave Madigan and Mary Whitney

Also Present: Nathan LaRose, Gary Withington, Mayor Sephen DiNatale, AJ Tourigny, Tom Skwierawski, Vincent Pusateri, Councilor Dave Clark, Marc Dohan, and Steve Cook.

The Meeting opened with Pledge of Allegiance led by Jim McGrath.

Approval of the Minutes: *A motion was made by Mary Whitney and seconded by Dave Madigan to approve the minutes of the August 6, 2019 and the September 3, 2019 meetings. Approved 5-0*

Department Reports:

Parks Maintenance Report: (See Attached)

Report made by Gary Withington

Motion made by Mary Whitney and seconded by Dave Madigan to accept report. Approved 5-0.

Friends of Coggshall Park Report:

Report made by Jim McGrath.

The Friends hosted the 125th Anniversary Dinner at Coggshall Park on September 21, 2019. It was an excellent night, with a turnout of 60-70 people, and even more ticket sales. It was beautiful to see the lights on the gazebo on a night and the reflection on the lake. Thank you to the Board of Park Commissioners for your support. The friends would like to explore doing a similar event in future years.

Motion made by Mary Whitney and seconded by Mary Giannetti to accept the Coggshall report. Approved 5-0.

Community Development Report:

Report made by Tom Skwierawski

The Community Development Department reports that current funding for the Rail Trail project is in a holding pattern. The Rail Trail Bid is being prepared and should be issued soon for construction of Phase I.

Motion made by Mary Whitney and seconded by Dave Madigan to accept the report. Approved 5-0.

Riverfront Parks and Trails Fund Report:

Motion made by Dave Madigan and seconded by Mary Giannetti to table the report. Approved 5-0

Recreation Director's Report: (See Attached)

Report made by Nate LaRose.

A motion was made by Mary Whitney seconded by Dave Madigan to accept the report. Approved 5-0.

Old Business:

Steve Cook of NewVue Connections presented a revised easement area and plan for the Fitchburg Arts Community. Mr. Cook informed the Board that the proposed easement of approx. 21,000 square feet has been adjusted to exclude the proposed parking spaces to be constructed for park use. These spaces will still be constructed. The Board expressed some concern over not being able to see the reported number of parking spaces on the map. The Board asked that NewVue confirm the parking space count for the Board prior to the next meeting.

A motion was made by Mary Giannetti and seconded by Dave Madigan to accept the update. Approved 5-0.

City Solicitor Pusateri informed the board that the City is looking for unanimous votes on the following six items. Commission Whitney confirmed that the Commissioners are only voting on the easement area as provided, and Commission Giannetti asked that votes on each item be held only after discussion on all six proposed votes in conducted.

During discussion on Vote to release the described easement from jurisdiction to the Board of Park Commissioners the Solicitor reported they the City is not going to research the jurisdiction of the land and will instead assume said jurisdiction falls on the Board of Park Commissioners. The Board discussed concerns regarding the number of parking spaces required by the planning board. There was also discussion with NewVue Communities regarding the timeline to begin applying for funding for the current state pre application.

During discussion on the Vote to authorize the City of Fitchburg to pursue the formal release of the easement area from the protections of Article 97 of the Constitution of the Commonwealth of Massachusetts the solicitor informed the board that the in order to apply for the state to remove the land from article 97 the city will need to address any charitable trust issues brought forward through the deed. Solicitor Pusateri feels that State Statue reads that any condition in a deed like the one for Lowe Playground expires after 50 years.

During discussion on the Vote accept land identified in City of Fitchburg Assessors' records as 186-1-0 as parkland Community Development Director Tom Skwierawski presented the board a revised parcel map (See Attached). Mr. Skwierawski presented several options including the original land proposed.

A motion was made by Mary Whitney and seconded by Mary Giannetti that upon review of the proposed parcels the Board of Park Commissioners found no need for the Park Department to take jurisdiction of the parcel and refer the proposals to conservation for acceptance. Approved 5-0.

A motion was made by Mary Giannetti and seconded by Dave Brooks to authorize the City of Fitchburg to pursue the formal release of the easement area from the protections of Article 97 of the Constitution of the Commonwealth of Massachusetts. Motion approved 5-0.

A motion was made by Dave Madigan and seconded by Mary Giannetti to authorize the City of Fitchburg to pursue the formal release of the easement area from the protections of a charitable trust, if any, created by the Grant of the property by Arthur H. and Annie P. Lowe. Motion Approved 5-0.

During discussion on the vote to approve the draft Resolution to City Council granting in the appropriate form a memorialization of the City's intention to fund improvements at the Lowe Park in the amount of \$150,000.00 after the receipt of 40 R funds on account of this project Solicitor Pusateri informed the Board that a requirement for the funding cannot be placed in the easement language as the funding is not being provided by

NewVue, but from the City of Fitchburg, and that the amount of \$150,000 far exceeds the value of the property. Additionally the City cannot legally commit the funds for this project prior to the easement as the funding for the \$150,000 comes from a source which will not be available until the project has been completed and cannot be appropriated at this time.

A motion was made by Dave Madigan and seconded by Mary Giannetti to table the vote on the draft resolution.

The motion was withdrawn by Commissioner Madigan.

A motion was made by Dave Madigan and seconded by Mary Whitney to table votes on the release of the described easement area from Park jurisdiction, the vote to declare the proposed easement area surplus and the vote to approve the draft resolution to City Council. Approved 5-0.

New Business:

The Board discussed the relocation of a flag from an island on Boulder Drive to Monument Park for the memorial for LCPL Geoffrey Robert Cayer. It was discussed that upon review it would be cheaper to purchase a new pole than relocated the original pole.

A motion was made by Mary Giannetti and seconded by Mary Whitney to inform the Historical Commission of the Board of Park Commissioners intention to install a flag pole at Monument Park contingent upon the funding of the purchase of a new pole. Approved 5-0.

Michele Adamu representing Ms. Melanie Kuykendoll requested the use of Riverfront Park on June 20, 2020 from 10am-6pm for the annual Juneteeth Celebration. Ms. Adamu also requested that all park fees be waived.

A motion was made by Mary Whitney and seconded by Dave Madigan to approve the park use request and waive associated fees.. Approved 5-0.

Commissioner McGrath requested that a plaque be ordered for Ms. Darlene Bergeron, formerly President of the Fitchburg Youth Soccer Association and that Ms. Bergeron be invited to a future meeting to receive appreciation from the Board of Park Commissioners.

Adjournment: *A motion was made by Mary Whitney and seconded by Mary Giannetti to adjourn the meeting. Approved 5-0*