



*Jul 15 2022 8:08 am*

**REVISED**

**8:08 am, Jul 15, 2022**

WELCOME TO THE FITCHBURG CITY COUNCIL

**July 19, 2022**

**Fitchburg Legislative Building  
700 Main Street  
Fitchburg MA 01420**

**7:00 PM**

This meeting can also be viewed live on FATV. Go to [www.fatv.org/watch-fatv](http://www.fatv.org/watch-fatv) for more information on accessing this meeting.

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 Councilor would be happy to assist you.

Thank you for your interest!

## I. PUBLIC FORUM

This meeting will be open to the public. Persons who wish to participate remotely in the Public Forum portion of the meeting may request a remote attendance link by contacting the City Clerk at [cityclerk@fitchburgma.gov](mailto:cityclerk@fitchburgma.gov).

## II. REPORT OF THE APPOINTMENTS COMMITTEE

### **Appointments Committee Oral Report** **Meeting of July 19, 2022**

#### **New Appointments:**

##### **Fitchburg Historical Commission**

(Term to expire July 1, 2025)

Andrew Lipasti

##### **Zoning Board of Appeals**

(Term to expire January 1, 2025)

Eric Chartrand

##### **Zoning Board of Appeals**

(Term to expire October 1, 2023)

James Reynolds

##### **Full-Time Student Police Officers**

##### **Fitchburg Police Department**

Kyle R. Batallas

Sean D. McCue

Florencia J. Rivas

Krish J. Kulka

Travis E. Morcaldi

##### **Conservation Commission**

(Term to expire August 1, 2025)

Joyce Jacobs

### III. REPORT OF COMMITTEE ON RECORDS

#### IV. COMMUNICATIONS

His Honor the Mayor

1. Re-Appointment letter:

**Re-Appointment to the Fitchburg Council on Aging**

(Term to expire March 2, 2025)

George J. Bourque II

2. Poll workers for the period of September 1, 2022, through August 31, 2023.

(To be sworn in during training sessions)

3. Letter from his Honor the Mayor

Regarding Final Financial Report of the City Hall Project

#### V. COMMUNICATIONS

1. Joanna Bilotta, City Clerk

Re: the “VOTES Act” Assignment of Police Officers and Permanent in-person early voting

#### VI. REPORTS OF COMMITTEES

##### Finance Committee

##### Meeting of July 13, 2022

206-22 ORDER THAT: There be and hereby is transferred from within the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be transferred from RESERVE FOR OTHER MUNICIPAL PURPOSES, CAPITAL EXPENSES and credited to POLICE, CAPITAL EXPENDITURES, BUILDING RENOVATION for the purpose of contracting for designer services .

(Be Adopted)

207-22 ORDER THAT: The City of Fitchburg approves the expenditure of additional funds from the Massachusetts Collaborative for Action, Leadership, and Learning 3 Substance Misuse Prevention grant in the approximate amount of ONE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$125,000.00) for the purpose of said grant, which is to prevent and reduce misuse of substances of first use (alcohol, nicotine, cannabis) among youth. This order is in addition to the amount approved in Council Order #077-21.

(Be Adopted)

- 208-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of additional funds from the Massachusetts Public Health Excellence grant in the approximate amount of \$300,000.00 (THREE HUNDRED THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is expand on shared services between municipalities in the Montachusett Public Health Network (MPHN). This order is in addition to the amount approved in Council Order #170-22.  
(Be Adopted)
- 209-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of additional funds from the Massachusetts Department of Public Health, Bureau of Substance Addiction Services grant in the approximate amount of \$16,666.00 (SIXTEEN THOUSAND, SIX HUNDRED SIXTY-SIX AND 00/100 DOLLARS) for the purpose of said grant, which is to assist individuals living in Fitchburg who are experiencing homelessness or who are at risk of overdose and to collaborate with other agencies to assess other city needs. This order is in addition to the amount approved in Council Order #013-20.  
(Be Adopted)
- 210-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division grant in the approximate amount of \$4,400.00 (FOUR THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to upgrade cameras located on the property.  
(Be Adopted)
- 211-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division grant in the approximate amount of \$114,400.00 (ONE HUNDRED FOURTEEN THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to repair roofs on Hangars 2 and 3.  
(Be Adopted)
- 212-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division grant in the approximate amount of \$48,400.00 (FORTY-EIGHT THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS) for the purpose of said grant, which is to repair doors on Hangars 2 and 3.  
(Be Adopted)
- 213-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Transportation, Aeronautics Division grant in the approximate amount of \$8,160.00 (EIGHT THOUSAND, ONE HUNDRED SIXTY AND 00/100 DOLLARS) for the purpose of said grant, which is to upgrade the fuel farm.  
(Be Adopted)

**Public Safety Oral Report**  
**Meeting of July 19, 2022**

214-22 Desilets Auto Inc, to petition for a Class II Dealer's License located at 650 John Fitch Highway, Fitchburg, MA.

**VII. ORDERS – FINANCE**

216-22 ORDER THAT: There be and hereby is transferred from within the FY2022 Budget the sum of THREE HUNDRED NINETY-SEVEN THOUSAND AND 00/100 DOLLARS (\$397,000.00) same to be credited to EMPLOYEE BENEFITS, HEALTH INSURANCE and transferred from the following accounts:

MONT. REG. VOC. TECH. SCHOOL ASSESSMENT	\$205,000.00
VETERANS BENEFITS, CASH BENEFITS	\$140,000.00
RESERVE FOR SNOW & ICE REMOVAL	\$ 17,000.00
RESERVE FOR CAPITAL EXPENSES	\$ 35,000.00.

217-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Department of Fire Service grant in the approximate amount of \$1,806.74 (ONE THOUSAND, EIGHT HUNDRED SIX AND 74/100 DOLLARS) for the purpose of said grant, which is to maintain the SAFE trailer which is used in teaching fire safety.

218-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Health and Human Services, Department of Mental Health grant in the approximate amount of \$65,000.00 (SIXTY-FIVE THOUSAND AND 00/100 DOLLARS) for the purpose of said grant, which is to support a police based Jail Diversion Program for individuals with mental illnesses or emotional disturbances.

219-22 ORDER THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Railroad Administration, Office of Railroad Policy and Development grant in the approximate amount of \$42,892.00 (FORTY-TWO THOUSAND, EIGHT HUNDRED NINETY-TWO AND 00/100 DOLLARS) for the purpose of said grant, which is to support mobilizations that will enforce trespass prevention on railroad property.

**VIII. LOAN ORDER**

198-22 LOAN ORDER: The City appropriate the amount of Four Million, Eight Hundred Thousand Dollars (\$4,800,000.00) for the purpose of paying costs of an Accelerated Repair Project at the Arthur M. Longsjo Middle School, located at 98 Academy Street, Fitchburg, Massachusetts, to replace windows and doors, as outlined in the enclosed order.  
(Be Adopted, Final Reading)

## **IX. ORDERS – OTHER**

220-22 ORDER THAT: Authorizing the City Clerk to notify the voters of the Primary Election to be held on Tuesday, September 6, 2022.

188-22. ORDERED THAT: WHEREAS, the Commonwealth of Massachusetts has permitted the legal cultivation, processing, sale and use of marijuana for non-medical purposes through M.G.L. c. 94G and implementing regulations of the Cannabis Control Commission (the “CCC”) at 935 CMR 500.000 et seq. (the “CCC Regulations”); and

WHEREAS, SPEEDY CANNABIS, (the “Company”) proposes to locate and operate a Non-Medical manufacturing facility at 339 River Street, Fitchburg, MA 01420, Fitchburg, Massachusetts (the “Facility”) in accordance with the Regulations issued by the CCC; the Parties agree that the site 339 River Street, Fitchburg, MA 01420, shall be considered the “area” in which the Facility is located and shall extend no further than the property boundaries of the premises leased or owned by the Company as outlined in the enclosed order. (Reference Petition #106-22)

## **X. ANNOUNCEMENTS**

## **XI. OTHER BUSINESS**

Next Regular Meeting  
Thursday, September 8, 2022 - 7:00 PM