

CITY OF NORTH ADAMS, MASSACHUSETTS  
Office of the City Clerk

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**Meeting of the North Adams City Council**  
**Tuesday, March 8, 2022**  
**7:30 PM**

I hereby notify that at twelve noon today, March 2, 2022, the following items of business have been filed with this office and will be acted upon at the Regular Meeting of the City Council in the City Council Chambers at City Hall, Tuesday evening March 8, 2022 at seven-thirty o'clock according to Section 8, Rules and Orders of the City Council.

This meeting can be viewed live on the Northern Berkshire Community Television station and will be posted to their website as soon as possible.

Marcus J. Lyon  
City Clerk

**AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL**  
**March 8, 2022**

Roll Call  
Moment of Silent Remembrance  
Pledge of Allegiance  
Approval of the Minutes of February 16, 2022 & February 22, 2022  
Hearing of Visitors on Agenda

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|--------|--|
| 11,986 | Communication from Councilor Lamb to request a joint review of the concept of artistic crosswalk installations by the Traffic Commission and Public Arts Commission. |
| 12,051 | Communication from Councilor Shade requesting City Ordinance Chapter 14, Section 14.2 Curfew be repealed.  |

- 12,082      Communication submitted by Councilor Bona requesting time for Mary Scanlon to speak about the Fair Share Amendment.
- 11,790-4      Mayor's communication #43 presenting an Ordinance amending the FY22 Classification and Compensation Plan, Part IV- Fire Scale.
- 11,790-4      An Ordinance amending FY2022 Classification and Compensation Plan, Chapter 2, Section 2-28(a) of the Revised Ordinances of the City of North Adams, Schedule B, Part IV- Fire Scale.
- 12,095      Communication submitted by President Blackmer to discuss a committee resignation and appointment to said committee.
- 12,096      Communication submitted by President Blackmer to appoint additional liaison assignments.
- 12,097      Mayor's communication #44 reappointing Sara Russell-Scholl to the Library Board of Trustees for a term to expire January 2, 2025

Open Forum

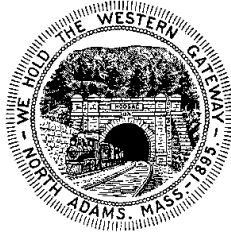
Mayor's Updates

Committee Reports and Minutes

Liaison Updates and Councilor Updates

Correspondence

Adjournment



CITY OF NORTH ADAMS, MASSACHUSETTS  
Office of the City Clerk

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**Special Meeting of the North Adams City Council**  
**Wednesday, February 16, 2022**  
**5:00 PM**

**MINUTES**

A meeting of the North Adams City Council was held at 5:00 PM via Zoom.

COUNCILORS PRESENT: Councilors Blackmer, Barbeau, Harpin, Obasohan, Oleskiewicz, Sapienza, Shade, and Wilkinson; a quorum was present. The Pledge of Allegiance was recited following roll call.

President Blackmer read the follow statement regarding remote meetings:

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so in the following manner: via teleconference at: <https://us02web.zoom.us/j/85366327680>, specific call instructions located at the end of the meeting notice. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the North Adams website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting

12,083      Communication from President Blackmer appointing Marcus Lyon as City Clerk, for a term to expire January 28, 2025.

President Blackmer read the communication into the record. President Blackmer asked if there was any discussion from the Council. Hearing None.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiewicz, it was VOTED by unanimous yea vote of all Councilors present to appoint Marcus Lyon to the position of City Clerk. Councilors Barbeau and Harpin mentioned reservation with the process.

12,084                      Communication from President Blackmer on behalf of Marcus Lyon appointing Joshua Tassone as Assistant City Clerk.

President Blackmer read the communication into the record. Marcus Lyon mentioned that there was a clerical error with the communication stating that Joshua worked elections under 3 different clerks. It should have read 3 elections under 2 clerks. President Blacker asked if there was any discussion from the Council. Hearing none.

On the motion of Councilor Oleskieiwcz, seconded by Councilor Sapienza, it was VOTED by unanimous yeas of all Councilors present to appoint Joshua Tassone to the position of Assistant City Clerk.

President Blackmer expressed congratulations to Mr. Lyon and Mr. Tassone on their appointments.

Mayor Macksey expressed congratulations to Mr. Lyon and Mr. Tassone.

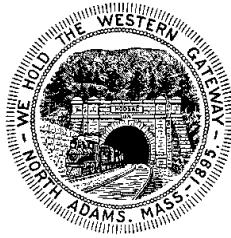
President Blackmer expressed congratulations to Clerk King on her future endeavors.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiewicz, it was VOTED to adjourn at 5:11 PM.

A True Record

Attest,

/Marcus J. Lyon  
City Clerk



CITY OF NORTH ADAMS, MASSACHUSETTS  
Office of the City Clerk

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**Meeting of the North Adams City Council  
Tuesday, February 22, 2022  
7:30 PM**

**MINUTES**

A meeting of the North Adams City Council was held at 7:30 p.m. in Council chambers.

COUNCILORS PRESENT: Councilors Barbeau, Blackmer, Bona, Harpin, Obasohan, Oleskiewicz, Sapienza, Shade, and Wilkinson; a quorum was present.

Following the Pledge of Allegiance, the President called for approval of the minutes for the February 8, 2022 meeting. On the motion of Councilor Oleskiewicz, seconded by Councilor Shade, the minutes were approved.

The President called for the hearing of visitors.

Robert Smith, 163 North Street, spoke regarding paper #12,086. He noted that City Councilors are not hired, but elected by the citizens of North Adams, the Code of Conduct for employees does not apply. Mr. Smith mentioned that professional conduct is when voices are not raised, others are not over-spoken, and you leave your bad day at home. Mr. Smith thanked Councilor Shade for bringing this to the floor.

11,790-b      Communication submitted by President Blackmer to set a second Joint Public Hearing with the Planning Board. She explained the Joint Public Hearing will be virtual and for a length of 2 hours.

The communication was filed without objection and read into the record.

Councilor Harpin inquired whether Short Term Renter Owners will be notified. President Blackmer noted that a legal notice will be published. Additionally, she noted that she was aware that some professional property management companies have notified their clients.

Councilor Bona noted that there is no specific list of Short-Term Rental owners. He mentioned that he originally brought this forward because Short Term Rentals were getting away with not

being inspected, and therefore there is no type of registration on file with the City. Councilor Blackmer added that short term rentals must be registered with the state, not the city.

Councilor Shade inquired what the next steps are after the Joint Public Hearing. President Blackmer mentioned that it will go to the Planning Board for recommendations/edits and provide a notice to the Council President. It would come back to the Council to vote on the ordinance.

Councilor Bona mentioned that Planning Board may make recommendations, but Council has final approval. President Blackmer mentioned that zoning changes must be approved by the Planning Board.

Councilor Bona inquired about how this will move forward in the future. Mayor Macksey mentioned that they will discuss any changes internally and assess from there.

Bill Meranti explained that he did not write this proposed ordinance and it was never assigned to his office to make changes to this ordinance. He mentioned that he thinks this could be streamlined. He noted that regardless of language added, the Building Code still exists and is enforceable.

Councilor Blackmer noted that there have been many meetings surrounding Short Term Rentals and that there are many public comments.

11,790           An ordinance to amend Section 10, entitled “Special Regulation” of Chapter Z of the Revised Ordinances of the City of North Adams regarding short term rentals.

On the motion of Councilor Harpin, seconded by Councilor Oleskiewcz, it was unanimously VOTED to postpone to the meeting of March 22, 2022.

11,985           Communication submitted by former Councilor Lamb to investigate opportunities to help slow traffic speeds and improve pedestrian safety on Eagle Street.

The President filed the communication without objection. The President deferred to the Public Safety Committee and Traffic Commission for updates. There were no updates. On the motion of Councilor Harpin, seconded by Councilor Sapienza, it was unanimously VOTED to postpone to the meeting of March 22, 2022.

12,082           Communication submitted by Councilor Bona requesting time for Mary Scanlon to speak about the Fair Share Amendment.

The President filed the communication without objection. On the motion of Councilor Bona, seconded by Councilor Shade, it was unanimously VOTED to postpone to the meeting of March 8, 2022.

11,231-2a       A report submitted by the General Government Committee regarding Chapter 2, Administration, Article 1, Section 2-1.

The President filed the report without objection. Discussion ensued; Councilor Wilkinson mentioned that he brought up the change of time to 6:00 PM. He mentioned Councilor Oleskiewicz thought it was too early, a compromise was made for 6:30 PM. It passed 2-1 at the

General Government Committee of February 14, 2022 to recommend City Council Meetings change from starting at 7:30 PM to starting at 6:30 PM.

11,231-2      An Ordinance amending Chapter 2, entitled Administration, of the Revised Ordinances of the City of North Adams, Article 1, Section 2-1.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiwicz, it was VOTED to pass to a second reading and publish as required by law.

The President asked if there was any discussion.

Councilor Wilkinson mentioned that this was a second attempt to change the start of council time as times have changed and he is concerned with the attendance of City Council Meetings. Councilor Wilkinson then asked for the Mayor's opinion the change of start time to 6:30 PM.

Mayor Macksey mentioned that she was in favor of the time change to 6:30 PM. Mayor Macksey mentioned that she is attempting to get her team more engaged in Council meetings.

Councilor Bona mentioned that this has come up 4 times since has served and that he will continue to oppose the change. He mentioned that the later times was appreciated when he had young children. It was very helpful to be able to go home and spend time with his family prior to the meeting. Additionally, Councilor Bona expressed concerns with changing the start time of City Council meetings at this point in the year. He mentioned that perhaps, others may or may not have run for City Council if the time was changed prior to a term starting. Councilor Bona mentioned that he was doubtful that a time change would change attendance of meetings.

Councilor Shade expressed concerns with a 6:30 PM start time due to the fact that many people use public transportation and that may too early of a start time. She mentioned she did not have a strong objection of changing the time to an earlier start time, but would not want to see it before 7:00 PM.

Councilor Harpin mentioned that she agreed with Councilor Bona's concern with having small children. With a 6:30 PM start time you would miss out on time with your family. Additionally, her other concern was the fact that "Hearing of Visitors" is at the beginning of the meeting and that some people may not be able to make it in time.

Councilor Obasohan agreed with Councilor Harpin. He mentioned that a good compromise would be 7:00 PM and that 7:30 PM is on the later side.

Councilor Sapienza mentioned that he would certainly support an earlier start time, however, a 6:30 PM start time may be too early for some. He mentioned that a good compromise would be 7:00 PM.

Councilor Barbeau mentioned that she was not in support of changing the time to 6:30 PM. She mentioned that she agreed with Councilor Bona's comments. She mentioned she could not support the argument regarding an increase in attendance.

President Blackmer mentioned that she understands a 6:00 PM start time, as originally mentioned, would not work. However, many other Committees and Commissions meet earlier. She mentioned that she would like to see 6:30 PM.

Councilor Bona mentioned that there are times committee meetings are scheduled prior to a Council meeting. That may be the only time that a committee can meet from time to time.

The President called for a roll call vote on the original motion. On roll call, the following responded: yea, Councilors Blackmer, Oleskiewicz, Wilkinson, nay Councilors Barbeau, Bona, Harpin, Obasohan, Sapienza, Shade. Motion fails.

12,085            Submission of North Adams City Council Rules of Order of 2022, as approved by the General Government Committee.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiewicz, it was VOTED to adopt the Council Rules of Order 2022. Discussion Ensued.

President Blackmer mentioned she would like to add the following groups under “Rule 15 - Liaisons”:

- MCLA
- 1Berkshire
- North Adams Chamber of Commerce
- Northern Berkshire Community Coalition
- Northern Berkshire Regional Emergency Planning Committee
- North Adams Board of Health

Additionally, President Blackmer added that Liaison Groups will update the Council twice per year, once in the first half of the year, and once in the second half of the year.

Councilor Harpin mentioned that “The IDEA Commission” listed under Rule 15 Section E, should be corrected to read “The IDEA Commission Member” because the liaison for the IDEA Commission is a voting member.

Councilor Oleskiewicz confirmed that these comments are edits to the original motion. President Blackmer confirmed.

On the motion of Councilor Oleskiewicz, seconded by Councilor Shade, it was VOTED to adopt the edits made to Council Rules of Order 2022.

Councilor Bona mentioned that he would oppose the addition of the liaisons. He explained that it was very time consuming to go over the liaison reports.

In response, President Blackmer explained the importance behind the addition to these liaison groups.

Councilor Barbeau inquired how these were chosen, as some are non-profits, and there are many non-profits within the City.

President Blackmer mentioned that she was reverting back to liaisons groups that were originally on the list. The only new one is the North Berkshire Regional Emergency Planning Committee because they have been very active.



Councilor Bona mentioned that it is not the Council's job to be the reporters for these organizations.

Councilor Sapienza mentioned that he agreed with Councilor Bona. He explained that he thought some of these additions were redundant. He mentioned that he would not support these additions.

The President Called for a roll call vote on the amendments. On roll call, the following responded: yea, Councilors Blackmer, Harpin, Obasohan, Oleskiewicz, and Wilkinson, nay Councilors Barbeau, Bona, Sapienza, Shade. Motion Carries.

Councilor Harpin mentioned that Rule 16, regarding Voting, is in conflict with Massachusetts General Law. She mentioned that sections a-f are for non-profit boards, which the Council is not.

President Blackmer gave background on why the rule was originally implemented.

Councilor Barbeau mentioned the Rule is in conflict with Massachusetts General Law.

Councilor Bona inquired how an abstention is counted towards a vote.

President Blackmer explained that if, for example, there were 4 yeas and 4 nays on the table, the abstention would be considered a no vote. With 2/3 Votes, abstentions are considered a no vote.

The amendment to Rule 16- Voting is as follows: "Every member present at City Council and Committee meetings shall vote yea or nay or abstain when a motion is put forward." Striking all remaining language of Rule 16.

On the motion of Councilor Harpin, seconded by Councilor Sapienza, it was unanimously VOTED to adopt the amendments to Rule 16-Voting.

President Blackmer mentioned that the voters of the City of North Adams elected us to do the business of the City, and we, as a council should do our best to make a vote.

Councilor Shade mentioned that due to the ordinance failing to change council start time, Rule 1- Meetings should be changed back to 7:30 PM, striking "6:30pm."

On the motion of Councilor Wilkinson, seconded by Councilor Shade, it was VOTED to strike "6:30p.m." within Council Rule 1- Meetings, and replace it with "7:30p.m. 8 yeas, 1 nay by Councilor Wilkinson.

President Blackmer called for any final amendments to Council Rules of Order 2022. Hearing none.

It was VOTED on the original motion to adopt the City Council Rules of Order 2022, as amended. 8 yeas, 1 nay by Councilor Wilkinson. Motion Carries.

12,086            Communication from Councilor Shade to review and implement a rule that pertains to an expected code of conduct or standards of behavior for the City Council.

The President filed the communication without objection.

Councilor Shade mentioned that it was discussed during a General Government Committee meeting to potentially add the employee handbook to Council Rules. She explained that because there is no way to enforce an employee handbook on an elected official of the city, it was felt that was not the appropriate way to go. Additionally, she thought that it was important to have a discussion with the full council to propose a code of conduct.

President Blackmer inquired whether or not Councilor Shade would be interested in drafting language to propose on a future agenda.

Councilor Shade confirmed.

Councilor Harpin thanked Councilor Shade for bringing this forward. She mentioned that she would have liked to add something related to using the employee handbook as a guide.

Councilor Sapienza mentioned that as elected officials, the council is under a spotlight.

Councilor Obasohan agreed, mentioning that there has been a lot of back and forth on social media, and that there needs to be language added regarding social media.

12,087            Mayor's communication #35 appointing Lawrence Jowett to the Windsor Lake Commission for a term to expire April 1, 2024.

On the motion of Councilor Harpin, seconded by Councilor Sapienza, it was unanimously VOTED to approve the appointment.

12,088            Mayor's communication #36 appointing Mary Lou Accetta to the Commission on Disabilities for a term to expire December 1, 2024.

On the motion of Councilor Obasohan, seconded by Councilor Shade, it was unanimously VOTED to approve the appointment.

12,089            Mayor's communication #37 appointing Jessica Lincourt to the Board of Assessors to fill the unexpired term of Ross Vivori, for a term to expire December 31, 2022.

On the motion of Councilor Oleskiewicz, seconded by Councilor Bona, it was unanimously VOTED to approve the appointment.

12,090            Mayor's communication #38 appointing Barbara Murray to the Tree Commission for a term to expire January 1, 2025.

On the motion of Councilor Oleskiewicz, seconded by Councilor Sapienza, it was unanimously VOTED to approve the appointment.

12,091 Mayor's communication #39 appointing Stephen Betti to the Tree Commission for a term to expire January 1, 2025.

On the motion of Councilor Harpin, seconded by Councilor Oleskiewicz, it was unanimously VOTED to approve the appointment.

12,092 Mayor's communication #40 appointing Carol Boucher to the Parks & Recreation Commission for a term to expire May 1, 2027.

On the motion of Councilor Harpin, seconded by Councilor Oleskiewicz, it was unanimously VOTED to approve the appointment.

12,093 Mayor's communication #41 appointing Paul King to the Traffic Commission for a term to expire January 10, 2025.

On the motion of Councilor Sapienza, seconded by Councilor Shade, it was unanimously VOTED to approve the appointment.

12,094 Mayor's communication #42 appointing Jonna Blair to the Council on Aging for a term to expire January 1, 2025.

On the motion of Councilor Oleskiewicz, seconded by Councilor Sapienza, it was unanimously VOTED to approve the appointment.

The President called for Open Forum.

Eric Wilson, 85 Eagle Street, addressed the council on public attendance. He mentioned that sometimes people do not like to attend because they do not feel heard. He mentioned that when attendees speak during open forum, there may be questions from other public attendees, however, they may not be able to ask those questions.

The President called for Mayor's Concerns.

The Mayor mentioned that the Administration is working with Mass DOT regarding traffic concerns in the area of the intersection of Walmart. Update to follow at a future meeting.

The Mayor mentioned that two focus group meetings will be held in regard to the Mohawk Theater RFP Process. These meetings will be open to the public. The first meeting will be at 6pm, Monday March 7<sup>th</sup>, and the 2<sup>nd</sup> at 6pm on Thursday, March 10<sup>th</sup> in Council Chambers. The purpose is to gather input from the community.

The Mayor thanked Suzie Helm and all of the volunteers who made Winterfest possible.

The President called for Committee Reports and Minutes.

Hearing none.

The President called for Liaison Updates and Councilor Concerns.

Councilor Bona inquired, through the Chair, to the Mayor, how many vacant seats were left on the City Board's and Commission.

The Mayor explained that there are quite a few open seats.

Councilor Bona asked if the Councilors should help spread the word.

The Mayor explained that would be great, and the website is up-to-date with vacancies.

Councilor Obasohan asked if the Mayor is considering appointing to students to any Boards and Commissions.

The Mayor mentioned that members must be over 18 years of age and a permanent resident of North Adams.

President Blackmer mentioned that Winterfest was fun, and the snow was nice and unexpected. She was happy we were able to have it this year.

Seeing no correspondence, on the motion of Councilor Harpin, seconded by Councilor Sapienza, it was VOTED to adjourn at 8:48 pm.

A True Record

Attest,

/Marcus J. Lyon  
City Clerk



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
**Jennifer A. Macksey**

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Communication #	Subject	Date
43	Classification and Compensation schedule adjustment	March 8, 2022

Honorable Members of the City Council  
North Adams, Massachusetts

Dear Honorable Councilors:

Enclosed with this communication is an Ordinance amending the City of North Adams Fiscal Year 2022 Classification and Compensation Plan, Section IV Fire Scale, to reflect the negotiated contractual settlements with the North Adams Fire Union. The 1.5% increase settlement for FY 2022 is retroactive to July 1, 2021.

I request Council approval of the enclosed Ordinance as presented.

Respectfully submitted,

Jennifer A. Macksey  
Mayor



# City of North Adams

In City Council

March 8, 2022

BE IT ORDAINED by the City Council of the City of North Adams that *PART IV – Fire Scale of Chapter 2, section 2-28(a) of the Revised Ordinances of the City of North Adams, Schedule B, the so-called Compensation Plan, be and is hereby amended to read as follows:*

## **Schedule B – The Compensation Plan** **Effective July 1, 2021 through June 30, 2022**

### Part IV – Fire Scale

Grade #	Minimum	Step 1	Maximum	3-9 Yrs.	10-14 Yrs.	15-19 Yrs.	20-24 Yrs.	25-29 Yrs.	30 -Yrs.
<b>F-1</b>	43,675.94	45,092.96	46,420.69	48,020.69	48,395.69	48,485.69	48,625.69	48,765.69	49,145.69
<b>F-2</b>	45,618.76	47,088.90	48,415.39	50,015.39	50,390.39	50,480.39	50,620.39	50,760.39	51,140.39
<b>F-4</b>	49,622.97	-	51,962.63	53,562.63	53,937.63	54,027.63	54,167.63	54,307.63	54,687.63
<b>F-5</b>	53,606.20	-	55,072.63	56,672.63	57,047.63	57,137.63	57,277.63	57,417.63	57,797.63



CITY OF NORTH ADAMS, MASSACHUSETTS

North Adams City Council  
President, Lisa Blackmer

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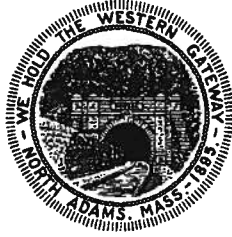
Dear Honorable City Council members,

At this time, I would like to discuss a committee resignation and appointment to said committee.

Best regards,

Lisa

President, Lisa Blackmer  
North Adams City Council  
413-884-5874



CITY OF NORTH ADAMS, MASSACHUSETTS

North Adams City Council  
President, Lisa Blackmer

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Dear Honorable City Council members,

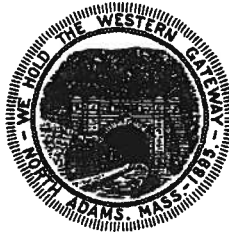
At this time, I would like to appoint the additional liaison assignments.

Best regards,

Lisa

President, Lisa Blackmer  
North Adams City Council  
413-884-5874





CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
**Jennifer A. Macksey**

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Communication #	Subject	Date
44	Appointment to Library Board of Trustees	March 8, 2022

Honorable Members of the City Council  
North Adams, Massachusetts

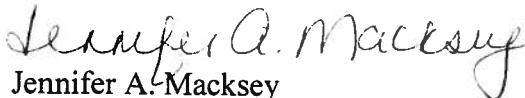
Dear Honorable Councilors:

I am pleased to recommend the reappointment of Sara Russell-Scholl to serve as a member of the Library Board of Trustees for a term to expire January 2, 2025.

This recommendation is presented for City Council confirmation only.

I request Council confirmation of this appointment.

Respectfully submitted,

  
Jennifer A. Macksey  
Mayor