



CITY OF NORTH ADAMS, MASSACHUSETTS
Office of the City Clerk

Meeting of the North Adams City Council
April 25, 2023
7:30 PM

I hereby notify that at twelve noon today, April 19, 2023, 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 April 25, 2023 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.

Joshua Vallieres
City Clerk

AGENDA

REGULAR MEETING OF THE CITY COUNCIL
April 25, 2023

Roll Call

Moment of Silent Remembrance

Pledge of Allegiance

Approval of Minutes – April 11, 2023

Hearing of Visitors on Agenda – This is an opportunity for the public to speak to the Council for two minutes regarding items listed on the agenda

Open Public Hearing

12,256 A petition granting National Grid permission to erect and maintain poles and wires on Massachusetts Avenue.

Close Public Hearing

Old Business

- 11,826 An ordinance amending the Revised Ordinances of the City of North Adams regarding the various fees established in the City Code. Postponed from the meeting of March 28, 2023.
- 12,191 Communication from Councilor Shade requesting the local Department of Health review the rules and regulations to address the storage of garbage. Postponed from the meeting of March 28, 2023.

New Business

- 12,257 Mayor's Communication #45 recommending the reappointment of Sandra Thomas to the Board of Registrars of Voters for a term to expire April 1, 2026.
- 12,258 Mayor's Communication #46 recommending the reappointment of David Willette to the Parks and Recreation Commission for a term to expire May 1, 2028.
- 12,259 Mayor's Communication #47 recommending the appointment of Robert Reynolds to the Conservation Commission filling the unexpired term of Isaiah Moore to expire August 1, 2024
- 12,260 Mayor's Communication #48 recommending the appointment of Marie McCarron to the Youth Commission for a term to expire March 25, 2025.
- 12,261 Mayor's Communication #49 requesting the authorization to execute grant assurances from the Aeronautics Division of Massachusetts Department of Transportation on behalf of the City of North Adams.
- ~~12,261~~ An Order approving the authorization to execute grant assurances from the Aeronautics Division of Massachusetts Department of Transportation on behalf of the City of North Adams.
- 12,262 Communication from Councilor Bona requesting time for Kurt Kolok to speak on the proposal to lease MCLA's Berkshire Towers as a homeless shelter.

Licenses

An application submitted by Mary Ann George to be granted a secondhand dealer license for Maryanntiques & Gifts.

Open Forum – This is the opportunity for the public to speak to the Council for two minutes on issues of Municipal Significance

Mayor's Updates

Committee Reports and Minutes

Liaison Updates and Councilor's Concerns

Correspondence

Adjournment



CITY OF NORTH ADAMS, MASSACHUSETTS
Office of the City Clerk

Meeting of the North Adams City Council
Tuesday, April 11, 2023
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, Blackmer, Bona, Oleskiewicz, Sapienza, Shade and Wilkinson; a quorum was present.

COUNCILORS ABSENT: Councilors Barbeau, Harpin, and Obasohan

A moment of silence was observed. Following the Pledge of Allegiance, the President called for the approval of minutes from the meeting of February 28, 2023.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiewicz, it was VOTED to approve the minutes.

The President called for the approval of minutes from the meeting of March 28, 2023.

On the motion of Councilor Wilkinson, seconded by Councilor Sapienza, it was VOTED to amend the minutes to change a postponing date from April 23 to April 25, as there was not a meeting to be held on April 23.

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

Hearing of Visitors

Robert Cardimino, 173 East Quincy Street, spoke about National Grid saying that it should be in compliance with the ordinances.

12,251 Mayor's Communication #40 recommending the appointment of Robert Grandchamp to the North Adams Airport Commission for a term to expire on April 11, 2026.

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

12,252 Mayor's Communication #41 recommending the appointment of Dean Bullett to the Planning Board to fill the unexpired term of Lynette Bond, for a term to expire February 1, 2028.

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

12,253 Mayor's Communication #42 recommending the appointment of Barbara Murray to the Hoosac Water Quality District for a term to expire April 8, 2026.

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

10,426-3 Mayor's Communication #43 requesting the Council adopt an order to increase the North Adams Retirement Board Cost of Living Adjustment (COLA).

The President filed the Communication without objection.

The Mayor explained that the Council will be approving a 5% increase for Cost of Living Adjustment. She said that the 3% was in the Retirement Board's jurisdiction, but the additional 2% requires it to come before the legislative body.

Shawn Flynn, the administrator of the Retirement Board, explained that the COLA is normally capped by law at 3%, but due to rampant inflation special legislation went through. He said that this would be a one time increase to the COLA for eligible retirees from 3% on their first \$13,000 to 5% on their first \$13,000.

10,426-3 An Order granting a 5% Cost of Living Adjustment (COLA) increase for the North Adams Retirement Board.

The President read the Order into the record.

On the motion of Councilor Wilkinson, seconded by Councilor Oleskiewicz, it was VOTED by roll call to grant the 5% COLA increase; 7 yeas, 0 nays.

12,254 Communication submitted by City Clerk Vallieres submitting his resignation effective May 5, 2023.

The President filed the Communication without objection, and read the letter into the record.

12,255 Communication submitted by President Blackmer presenting a plan to hire a City Clerk.

The President explained that they had posted the position and had received six resumes. She said that a review of the applications will begin on April 19, and the screening committee will consist of herself, Councilor Shade, and Community Development Director and Registrar of Voters Mike Nuvallie.

12,256 A petition from National Grid to hold a public hearing for 2 Pole Locations on Massachusetts Ave.

The president set the Public Hearing for April 25, 2023 at 7:30 PM.

Open Forum

Leigh Uqdah, 20 Frederick Street, expressed her disappointment for not approving Colin Todd's appointment to the North Adams Housing Authority at the previous meeting as they are without a quorum and deadlines upcoming.

Robert Smith, 163 North Street, brought up the sidewalks and how they are dangerous in certain areas of the city for people with mobility issues. He also thanked Mr. Vallieres for his time as the City Clerk.

Robert Cardimino, 173 East Quincy Street, mentioned reports of harassment by the City Council and said that he would vote against anyone who caused trouble for the City Clerk's office.

Mayor's Updates

The Mayor hoped that the Council would act on the request to reconsider Mr. Todd's appointment.

She also explained that they are meeting with engineers soon to go over a sidewalk plan. She said they are currently waiting on the structural engineer to come in for the YMCA, and while the pool remains closed, they are hoping to have an action plan on it soon.

Councilors' Concerns

Councilor Sapienza asked when the police station would be fully operational, and the Mayor said it would be on Wednesday.

Councilor Bona expressed that he felt as though the Council should reconsider the appointment of Mr. Todd.

Councilor Wilkinson indicated as one of the councilors who voted no on the appointment, he asked that it be brought back to the table at a special meeting the following Tuesday.

Councilor Oleskiewicz thanked the members of the North Adams Housing Authority for attending, and thanked the councilors for reconsidering the appointment.

On the motion of Councilor Oleskiewicz, seconded by Councilor Sapienza, it was VOTED to adjourn.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Jennifer A. Macksey

Communication #	Subject	Date
45	Reappointment to the Board of Registrars of Voters	April 25, 2023

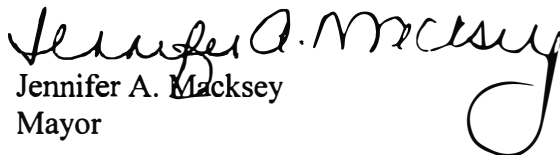
Honorable Members of the City Council
North Adams, Massachusetts

Dear Honorable Councilors:

I am pleased to recommend Sandra Thomas for reappointment to the North Adams Board of Registrars of Voters for a term to expire April 1, 2026. **This recommendation is presented for Council approval.**

I am confident that Ms. Thomas will provide valuable insight and practical experience to the Board of Registrars to conduct city elections in a fair and impartial manner.

Respectfully submitted,


Jennifer A. Macksey
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Jennifer A. Macksey

Communication #	Subject	Date
46	Reappointment to the Parks & Recreation Commission	April 25, 2023


Honorable Members of the City Council
North Adams, Massachusetts

Dear Honorable Councilors:

I am pleased to recommend the reappointment of David Willette to serve as a member of the Parks & Recreation Commission for a term to expire May 1, 2028.

This recommendation is presented for City Council confirmation only.

Respectfully submitted,


Jennifer A. Macksey
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Jennifer A. Macksey

Communication #	Subject	Date
47	Appointment to Conservation Commission	April 25, 2023

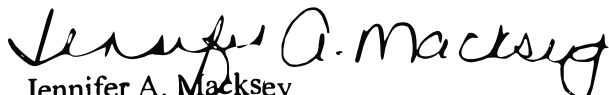
Honorable Members of the City Council
North Adams, Massachusetts

Dear Honorable Councilors:

I am pleased to recommend the appointment of Robert Reynolds to serve as a member of the Conservation Commission for a term to expire August 1, 2024. Mr. Reynolds will be filling the unexpired term of Isaiah Moore.

This recommendation is presented for Council confirmation only.

Respectfully submitted,


Jennifer A. Macksey
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Jennifer A. Macksey

Communication #	Subject	Date
48	Appointment to the Youth Commission	April 25, 2023


Honorable Members of the City Council
North Adams, Massachusetts

Dear Honorable Councilors:

I am pleased to recommend the appointment of Marie McCarron to serve as a member of the Youth Commission for a term to expire March 25, 2025.

This recommendation is presented for Council approval.

Respectfully submitted,


Jennifer A. Macksey
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Jennifer A. Macksey

Communication #	Subject	Date
49	Grant Assurances Northeast Hangar Renovation Project	April 25, 2023

Honorable Members of the City Council
North Adams, Massachusetts

Dear Honorable Councilors:

As part of the grant agreement for the Northeast Hangar Renovation Project at the Harriman and West Airport, the City Council must authorize me to execute the grant assurances on behalf of the City. See attached grant assurances from the Aeronautics Division of Massachusetts Department of Transportation.

The attached order is presented for Council approval to be used as part of the grant documentation.

Respectfully submitted,


Jennifer A. Macksey
Mayor



City of North Adams

In City Council

April 25, 2023

Ordered:

Whereas, the City of North Adams has applied for and has been awarded a grant from the Massachusetts Department of Transportation – Aeronautics Division to continue work on the Northeast Hangar Renovation project at Harriman and West Airports in the amount of \$48,346.89; and

Whereas, pursuant to the Grant Assurances which form an integral part of this grant, the City Council must authorize the Mayor to execute the Grant Assurances on behalf of the City;

Now, therefore, it is ordered, that the North Adams City Council accepts the grant and authorizes the Mayor to execute its Grant Assurances.



Maura Healy, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Flannery, Secretary & CEO
Jeffrey DeCarlo, Administrator



GRANT ASSURANCES

Harriman-and-West Airport

Rehabilitate Northeast Hangar

Project Number: AIP-No-3-25-0036-036-2022

MMARS Number: 77F36362022AQWHGRENO

Project Authorization Date: 04/05/2023

A. Definitions.

1. "Aeronautics Division" shall mean the Massachusetts Department of Transportation (MassDOT) Aeronautics Division.
2. "Airport" shall mean the Harriman-and-West Airport and all appurtenant areas and facilities which are used, or intended for use, for airport buildings, airport facilities, or rights-of-way, together with all buildings and facilities located thereon.
3. "Airport Commission" shall mean the North Adams Airport Commission with members appointed by the City Council, as appropriate pursuant to Section 51 E of Chapter 90 of the General Laws.
4. "City" shall mean the City of North Adams.
5. "FAA" shall mean the Federal Aviation Administration.
6. "Grant" shall mean the Grant referenced above, including the Grant Application, finance plan, and related materials supplied by the Applicant and on which the Aeronautics Division relies in awarding the Grant, all as amended by these Grant Assurances.
7. "Grant Assurances" shall mean the ~~assurances and certifications contained herein and~~ made by the Airport Commission for the purpose of securing the Aeronautics Division's approval and award of the Grant.
8. "Program" shall mean the investigation and analysis, engineering, consulting, planning, design and construction of the subject project.
9. "Project" shall mean the project referenced above by project title and project number and related work included as additional efforts in the Program at the sole discretion of the Aeronautics Division.

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East Boston, MA 02128

Tel 617-412-3680 TDD 617-973 7306

www.mass.gov/massdot

10. The project will be conducted upon Airport property as well as outside the Airport boundaries with funding from the Airport Commission and the Aeronautics Division.

B. General.

1. These Grant Assurances shall be complied with in the performance of the obligations imposed upon the Airport Commission, the City and its respective successors pursuant to the Grant.
2. Upon acceptance of the Grant by the Airport Commission and the execution of the Grant by the Airport Commission, the City and the Aeronautics Division, these Grant Assurances shall be incorporated in and become a part of the Grant without further reference.

C. Duration.

1. The terms and conditions of these Grant Assurances shall take full force and effect on the date the Grant is executed by the Aeronautics Division and shall remain in full force and effect for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission or from the Aeronautics Division, whichever occurs later.

D. Certifications by the Airport Commission

1. The Airport Commission hereby assures and certifies that it will comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.
2. The Airport Commission hereby assures and certifies that:
 - a. oversight of the Airport is exclusively held by the Airport Commission and that the Airport Commission has sole custody and control of the Airport pursuant to Chapter 90, Section 51 E of the General Laws;
 - b. the state funds from previous grants from the Aeronautics Division, and the physical assets they produced, were sought by the Airport Commission on the basis that they would ensure the continued fiscal and operational stability of the Airport;
 - c. the state funds from this Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;

- d. the Airport Commission has the legal authority to apply for, accept, and be bound by this Grant and the understandings and assurances contained therein;
- e. the Airport Commission has the legal authority to oversee the performance of all of the obligations imposed upon the Airport Commission and the City by this Grant;
- f. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project;
- g. the Airport Commission shall submit within thirty (30) days of the date the Aeronautics Division executes this Grant a finance plan with details as to the total cost to design and construct the subject project and the sources and amounts of funds the Airport Commission has available to it to pay those costs;
- h. the Airport Commission shall not take any action which would deprive the Airport Commission of, or otherwise diminish, any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary to exercise the custody, care and management of the Airport or to perform the terms, conditions, and assurances in this Grant, previous grants and future grants from the Aeronautics Division without the prior written approval of the Aeronautics Division. The Airport Commission will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;
- i. the Airport Commission shall not sell, encumber, other than leasing, or otherwise transfer or dispose of the title to or interests in the physical assets and real property located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld;
- j. the Airport Commission shall not eliminate all or any portion of the physical assets and real property previously purchased through a Aeronautics Division grant, located at the Airport without the prior approval of the Aeronautics Division, which shall not be unduly withheld; and
- k. The Airport Commission has authorized the Chairman of the Airport Commission to execute the Grants and the Grant Assurances on behalf of the Airport Commission and has attached hereto a copy of the Airport Commission meeting minutes, certified by the Secretary of the Airport Commission to be a true copy of said minutes, documenting such authorization.

E. Certification of the Mayor of North Adams.

- 1. Notwithstanding any powers that may be granted to the City Council of North Adams the City agrees not to attempt to reorganize the Airport Commission, or in any way to interfere with the autonomy and authority of the Airport Commission as created under

Chapter 90, Section 51E of the General Laws, without the express approval of the Aeronautics Division.

2. The City assures and certifies that it will take no actions that would interfere with the Airport Commission's ability to comply with:
 - a. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the acceptance, application, and use of state funds for this Project; and
 - b. all applicable federal, state and local laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the custody, care, management and operation of the Airport.

3. The City hereby assures, certifies and acknowledges that:
 - a. notwithstanding any powers, authority of responsibility that may be granted to the City, it agrees not to interfere unlawfully with the powers, authority and responsibilities granted to the Airport Commission by Chapter 90, Section 51 E of the General Laws; provided, however, that this provision shall not preclude the establishment of a management agreement or agreements between the Airport Commission and the City to contract for services, resources and skills of the City offices or any department of the City; provided further that each such agreement shall not take effect until approved by the Aeronautics Division in writing;
 - b. the state funds from the Grant, and the physical assets they will produce, are sought by the Airport Commission on the basis that they will ensure the continued fiscal and operational stability of the Airport;
 - c. The Airport Commission has the legal authority to apply for and accept this Grant and the understandings and assurances contained therein;
 - d. The Airport Commission has the legal authority to oversee the performance of all the obligations imposed upon the Airport Commission and the City by this Grant; and
 - e. the Airport Commission, with the acceptance of this Grant, has sufficient state and local funds to finance and carry out this Project.

4. The City hereby assures and certifies that:
 - a. the City shall not take or permit any action which would dissolve the Airport Commission or deprive the Airport Commission of any of the rights, privileges, responsibilities or powers of the Airport Commission as are necessary for it to exercise the custody, care and management of the Airport or to perform any or all of the terms, conditions, and assurances in the Grant, previous grants and future grants

from the Aeronautics Division without the prior written approval of the Aeronautics Division, and the City will act promptly to acquire, extinguish or modify any outstanding rights or claims of rights of others which would interfere with such performance by the Airport Commission;

- b. the City shall not take any actions which would have the effect of modifying or terminating any of the obligations and responsibilities imposed upon and accepted by the Airport Commission pursuant to this Grant without the prior written approval of the Aeronautics Division; and
 - c. the City shall not take any action which would have the effect of altering, modifying, expanding, or eliminating all or any portion of the physical assets and real property located at the Airport without the prior written approval of the Aeronautics Division.
5. The City Council hereby assures and certifies that it has authorized their Mayor to execute these Grant Assurances on behalf of the City and has attached hereto a copy of the meeting minutes, certified by the Secretary to be a true copy of said minutes, documenting such authorization.

F. Accounting System, Audit and Record Keeping Requirements.

- 1. The Airport Commission hereby covenants and agrees to:
 - a. deposit all funds received for this Project into an Airport Commission segregated account and to disburse said funds solely for the purposes for which they were paid;
 - b. keep all Project accounts and records which fully disclose: i) the total cost of the Project. ii) the amount and disposition by the Airport Commission of the proceeds of all grants and other funds received by the Airport Commission for this Project. iii) the amount and nature of the funds supplied by each source for this Project. and, iv) such other financial records as are pertinent to the Project;
 - c. keep all Project accounts and records in accordance with an accounting system that will facilitate an effective financial audit of the Project; and
 - d. upon request, make available to the Aeronautics Division or its designated representative for the purpose of audit and examination, any books, documents, papers, and records of the Airport Commission or City that is pertinent to the Project.

G. Conformity to Plans, Specifications and Aeronautics Division Approvals.

- 1. The Airport Commission shall execute the Project subject to the plans, specifications, budgets and schedules reviewed and approved by the Aeronautics Division and such other guidance as the Aeronautics Division deems appropriate. All modifications to the

approved plans, specifications, budgets and schedules shall also be subject to the review and approval of the Aeronautics Division.

2. The Airport Commission shall provide and maintain competent technical and administrative supervision throughout the duration of the Project to ensure the Project is completed in accordance with the terms of the Grant, these Assurances, the approved plans, specifications, budgets and schedules.

H. Airport Operation and Maintenance.

1. The Airport Commission shall operate the Airport for:
 - a. the aeronautical benefit of the public using the Airport;
 - b. the uses intended by the Aeronautics Division in the approval of the Airport Certificate;
 - c. the uses intended by the Aeronautics Division in the award of this funding grant; and
 - d. such non-aeronautical uses as are explicitly approved in writing by the FAA and the Aeronautics Division.
2. The Airport Commission shall suitably operate and maintain the Airport and all facilities located thereon or connected therewith with due regard to climatic and flood conditions. The Airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned and controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by federal or state agencies for airport maintenance and operation.
3. Except as provided for in Section I (5) below, the Airport Commission shall not cease to operate, abandon, or dispose of the Airport, or any part thereof, without the prior written consent of the Aeronautics Division.
4. The Airport Commission or the City Council of the City shall not close the Airport or restrict the use of the Airport or any of the facilities located thereon or connected therewith without the prior written permission of the Aeronautics Division.
5. The Airport Commission, the Airport Manager or, in the absence of the Airport Manager, the Assistant Airport Manager, may suspend the operation of the Airport for aeronautical use only during temporary periods when a climatic condition or other condition identified as a reason for suspension of airport operations in applicable federal or state aeronautical laws, rules, regulations, advisories, or orders, interferes with the safe operation and maintenance of the Airport. The Airport Commission, the Airport Manager or, in the

absence of the Airport Manager, the Assistant Airport Manager, shall comply with all applicable federal or state aeronautical laws, rules, regulations, advisories, or orders governing said suspension of operations.

6. The obligation to operate the Airport as prescribed above shall run for twenty (20) years from the date of the receipt of funds for this Project by the Airport Commission from the Aeronautics Division.

I. Compatible Land Use.

1. The Airport Commission and the City shall take appropriate action to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

J. Economic Nondiscrimination.

1. The Airport Commission and the City Council of the City shall make the Airport available as an airport for public use on fair and reasonable terms and without unjust discrimination, to all types, kinds and classes of aeronautical use.
2. Every agreement, contract, lease or other arrangement under which a right or a privilege is granted to any person, firm, or corporation to conduct or engage in any activity at the Airport, shall require such person, firm, or corporation to conduct or engage in their respective activity(ies) in a fair, reasonable and not unjustly discriminatory manner.
3. Each person, firm, or corporation operating at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other persons, firms, or corporations making the same or similar uses of the Airport and utilizing the same or similar facilities.
4. The Airport Commission and City Council of the City shall not exercise or grant any exclusive right or privilege which operates to prevent any person, firm or corporation from providing the same or similar service at the Airport.
5. Subject to the prior written approval of the Aeronautics Division, the Airport Commission may prohibit or limit any given type, kind or class of aeronautical use of the Airport if such action is necessary for the safe operation of the Airport or necessary to serve the civil aviation needs of the public.
6. The Airport Commission shall establish such fair, equal and not unjustly discriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport.

K. Airport Revenues.

1. The Airport Commission shall maintain a fee and rental structure for all Airport property, facilities and services. Said fee and rental structure shall be constructed so as to make the Airport as self-sustaining as possible under the circumstances existing at the Airport. A copy of said fee and rental structure and any future amendments thereto shall be provided to the Aeronautics Division, upon request.
2. All revenues generated at the Airport and payable to the Airport Commission plus any local taxes on aircraft fuel established after December 30, 1987, shall be deposited in an Airport Commission segregated account and expended by the Airport Commission for the capital or operating costs of the Airport.

L. Reports and Inspections.

1. The Airport Commission shall, upon reasonable request:
 - a. submit to the Aeronautics Division such annual or special financial and operations reports to the Aeronautics Division;
 - b. make available to the public at reasonable times and places a report of the airport budget in a format satisfactory to the Aeronautics Division;
 - c. make all Airport and Airport Commission records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Aeronautics Division; and
 - d. in a format prescribed by the Aeronautics Division, provide to the Aeronautics Division and make available to the public, not later than one hundred and twenty (120) days following each of its fiscal years, an annual report listing in detail:
 - i. all amounts paid by the Airport to any other unit of government and the purposes for which each such payment was made; and
 - ii. all service and property provided by the Airport to other units of government and the amount of compensation received for providing each such service and property.

M. Airport Layout Plan.

1. The Airport Commission shall maintain an up to date Airport Layout Plan (ALP) of the Airport which shall show:

- a. the boundaries of the Airport and all proposed additions thereto or deletions therefrom, together with the boundaries of all offsite areas owned or controlled by the Airport Commission for Airport purposes and any proposed additions thereto or deletions therefrom;
 - b. the location and nature of all existing and proposed Airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, other buildings and structures, and roads) including all proposed extensions and reductions of existing airport facilities; and
 - c. the location and nature of all existing and proposed non-aviation areas at the Airport and of all existing or proposed improvements located thereon.
2. The ALP, and each amendment, revision or modification thereof, shall be subject to the approval of the Aeronautics Division, which approval shall be evidenced by the signature of a duly authorized representative of the Aeronautics Division on the face of the ALP.
3. The Airport Commission and/or City Council shall not make or permit any changes or alterations in the Airport or any of the facilities at the Airport thereby causing non-conformity with the ALP as approved by the Aeronautics Division and which might, in the opinion of the Aeronautics Division, adversely affect the safety, utility or efficiency of the Airport. If a change or alteration of the Airport or the facilities is made which the Aeronautics Division subsequently determines adversely affects the safety, utility or efficiency of the Airport, the Airport Commission and the City Council shall, if requested by the Aeronautics Division:
- a. eliminate such adverse effect in a manner approved by the Aeronautics Division; or,
 - b. bear all costs of relocating such property (or replacement thereof) to the level of safety, utility, efficiency and cost of operation existing prior to the unapproved change in the Airport or its facilities.

N. Civil Rights.

- f. ~~The Owner and their~~ respective agents, employees and representatives, shall comply with applicable federal, state, and local laws, regulations, rules and orders to assure that no person shall, based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-Era Veterans), be excluded from participating in any activity conducted with or benefiting from funds received from this Grant.

O. Disposal of Land and Airport Facilities.

1. The Airport Commission and City Council shall not sell or otherwise transfer or dispose of the title to or interests in the Airport, its facilities, real property or personal property without the prior approval of the Aeronautics Division, which will not be unduly withheld.

P. Foreign Market Restrictions.

1. The Airport Commission and City Council shall not allow funds provided under this Grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

Q. Future Grants.

1. This Grant is being awarded in the expectation that the Airport Commission will complete the scope of work associated with this Project.
2. The Airport Commission and City Council (collectively referred to here as "the local entities") and the Aeronautics Division jointly and severally acknowledge and agree that this Grant is awarded and accepted on the explicit understanding that this Grant and any future grant or grants, anticipated to fund further development of the Airport will have included in its (their) terms a guarantee by the local entities that no part of the assets or income of the Airport, whether presently existing or to be created pursuant to these grants, will be diverted to non-airport uses without the express prior written approval of the Aeronautics Division, the granting of such approval being universally recognized to be considered as highly unlikely.

R. Successors.

1. This Grant, as amended by these Assurances, shall be binding upon and shall inure to the benefit of the successors of the parties hereto.

IN WITNESS WHEREOF, the Airport Commission and the City of North Adams certify that the information contained herein and attached hereto is accurate and complete and that we agree with the assurances herein, as represented by the signatures of the persons below:

<p>North Adams Airport Commission</p> <p>By: _____</p> <p>Title: Chair</p> <p>Date: _____</p>	<p>I hereby certify that _____ is the Chair of the North Adams Airport Commission and was authorized to execute these Grant Assurances on behalf of the North Adams Airport Commission by a vote taken on _____, a copy of which is attached and made a part hereof.</p> <p>Reporting Secretary</p>
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<p>Chair, City Council</p> <p>By: _____</p> <p>Date: _____</p>	<p>I hereby certify that _____ is the Chair for the City Council of North Adams and has been authorized to execute these Grant Assurances on behalf of the City of North Adams on this day _____, 20</p> <p>_____ City Clerk, City of North Adams</p>
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April 18, 2023

Kurt Kolok
12 Elmwood Avenue
North Adams, MA 01247

Dear Council Members and Mayor Macksey,

I would request that you include the topic of MCLA's recent proposal to lease the Berkshire Tower dorms for use as a homeless shelter on the City Council agenda for the next meeting on April 25, 2023.

MCLA is directly responsible for 451 jobs in North Adams (not including any indirect employment or businesses hired or supported by students, faculty, staff, or visitors) and therefore its decisions have a significant impact on our community. MCLA's Fall 2019 semester saw 1,400 enrolled students (both undergrad and graduate). Between Fall 2019 and Fall 2022 there was an average decline in national undergraduate enrollment of almost 8% among all colleges, however public colleges during that same period had a slight increase. Based on the published enrollment numbers, MCLA's admission between Fall 2019 and Fall 2023 will result in a decline of nearly 50%. Fall 2023 is expected to reach a maximum of 700 students. This makes me think that the college has some huge challenges ahead that could result in added challenges for North Adams. What is MCLA doing to stop this rapid decline?

As a North Adams citizen and a very supportive neighbor to MCLA for over 22 years I have to do what I can to make sure that what has been a very secretive process instead be addressed publicly and transparently. Just as it's facing an unprecedented decline in its enrollment numbers (FAR worse than the national averages) and only months after an entire block of buildings bordering the campus were turned into housing for people in addiction recovery it is seeking to relocate 50-75 homeless families from outside North Adams on a "temporary basis" through Summer 2024 without engaging the local community and, until very recently, without publishing certain process documents that are required by law to be made public.

I am not against providing housing for anyone who needs it, I just don't believe this particular choice is a suitable option for MCLA's future stability or for the strength and stability of our city. Such a proposal would require many additional city resources or deplete any we may already have to an unsustainable level. As I seek answers through my own inquiries and conversations, I would like to present a list of questions to the council and the mayor for serious consideration and public conversations in the coming days and weeks.

–Will the campus police be responsible for any additional security assistance, or will MCLA require help from the NAPD? If so, where does funding come for additional officers and/or how would that impact their ability to address existing community needs?

–Designated parking for the two towers is limited to 50 spaces, for normal bed and breakfast operations city zoning requires 2 parking spots per room, where will any overflow parking occur?

–The college has yet to engage the community in discourse on the topic, even though they claimed in minutes from a November board meeting that they saw that as a priority. Will the city council or mayor request that President Birge attend a future council meeting or arrange a public forum to address any questions or concerns MCLA's neighbors and city residents may have?

–What is city leadership doing to work with MCLA to protect the 400+ jobs it represents in direct hires?

–What are the impacts/expectations re: support services & resources required by the proposed new residents (schools—additional teachers, bussing, special needs resources, class size, costs/budget increases; public safety—police, EMTs, etc...; health & mental health resources (already not able to meet the needs of the local community)—primary care physicians, dentists, mental health professionals. Public transport—will bus service be expanded so these new residents can get to jobs and appointments.

–What is city leadership doing to ensure that existing North Adams residents have affordable housing (both subsidized and non-subsidized)?

–Where would children housed on campus play?

–Where would the adults housed on campus relax & engage in outdoor activities?

–Is there a designated outdoor smoking area, including disposal containers? (MCLA did not provide an answer to this in the survey they provided to MEMA) There is no local park, so it should be assumed that they would walk across the street and socialize on campus grounds.

–How would the proposal ensure the future stability and success of MCLA?

–How would the proposal impact future enrollment numbers?

–Are there other facilities within North Adams that could be used or built out to provide this type of temporary housing for homeless families?

–What, if anything, can be done to encourage the MCLA president and board of directors to engage the community and seek input prior to making significant campus changes that would have major impacts on the city?

COMMONWEALTH OF MASSACHUSETTS
CITY OF NORTH ADAMS

Fee: \$100.00

1/3/23
Date

I HEREBY MAKE APPLICATION TO BE GRANTED A LICENSE

As a dealer in and keeper of a shop for the purchase, sale, or barter of junk, old metals or secondhand articles as defined in Chapter 10, Section 10-1 and Section 10-2(a) of the Revised Ordinances.

In the business name of North Adams Jewelry & Gifts
located at 615 Ashland St. North Adams, MA
hours of operation 8-8

I hereby certify that, if granted this license, I will strictly conform and adhere to the laws of the Commonwealth, the ordinances of the City of North Adams and such rules and regulations as the City Council may establish.

I further certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State Tax Returns and paid all State Taxes as required by law.

Nancy Ann George
Signature of Applicant

Social Security Number or
Federal Identification Number

656 Ashland St. North Adams MA
Residential Address

This license will not be issued unless this certification clause is signed by the applicant. Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of MGL Chapter 62C Section 49A.

DEPARTMENT OF PUBLIC SAFETY

The above application is hereby APPROVED _____ DISAPPROVED _____

This 11th day of April in the year 2023
[Signature]
Signature/Chief of Police