



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

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ORGANIZATION OF GOVERNMENT

January 1, 2018

The Clerk offered a few words of reflection to the newly elected City Council as they begin the New Year representing our community.

It is good to recognize how different we all are, our talents, our dreams and our occupations. No one is exactly like anyone else. Yet we come here today in hopes that even though we are different we can mobilize them for the good of the community and move together towards the common good of our City.

The Pledge of Allegiance was recited

Rabbi Rachel Barenblat from Congregation Beth Israel gave the Inaugural Invocation.

Pursuant to the City Election held on November 7, 2017 the following were elected as City Councilors for the City of North Adams for a term of two years. **Keith J. Bona, Eric R. Buddington, Rebecca A. Cohen, Marie T. Harpin, Paul J. Hopkins, Jason M. LaForest, Benjamin J. Lamb, Joshua J. Moran, Wayne J. Wilkinson.**

The oath of office was administered to the newly elected City Council.

The City Council meeting was called to Order.

On Roll Call the following responded Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Lamb, Wilkinson.

The Clerk called for nominations for the Office of Council President for the year 2018.

Councilor Buddington nominated Councilor Bona, seconded by Councilor Wilkinson.

With no further nominations, Councilor Lamb made a motion to cease nominations, seconded by Councilor Moran.

The Clerk declared Councilor Bona President for the year 2018.

The Clerk administered the oath of office to Councilor Bona.

President Bona takes the chair.

The President conducts the election for the Vice President for the year 2018.

The President called for nominations for the Vice President.

Councilor Hopkins nominated Councilor Lamb for Vice President, duly seconded by Councilor LaForest.

With no other nominations the President declares nomination closed.

The President declared Councilor Lamb as Vice President for the ensuing year 2018.

The Clerk administered the oath to Councilor Lamb.

Inaugurals address by the President.

The President presents the Rules of Order for the City Council for 2018.

Without objection the President postponed the Council Rules to the January 9th meeting.

The President announced the Committee assignments for 2018.

The President announced the Liaison assignments for 2018.

The President called upon the Clerk to administer the oath of office to the members-elect of the North Adams School Committee.

Ian D. Bergeron, Heather Putnam Boulger, James C. Holmes.

The Oath of office was administered to the newly elected North Adams School Committee.

The President calls upon the Clerk to administer the oath of office to the members-elect of the Northern Berkshire Vocational Regional School District, **Paul A. Gigliotti, and Gary F. Rivers**

The newly elected members of the Northern Berkshire Vocational School Committee were not present.

The President announced they would be take their oath a later date.

The President appoints Councilors Harpin and Hopkins to draw the names and numbers for Council seats for 2018.

| | | | |
|---------|---------------------|---------|----------------------|
| Seat 1. | Councilor Harpin | Seat 2. | Councilor Hopkins |
| Seat 3. | Councilor Cohen | Seat 4. | Councilor LaForest |
| Seat 5. | Councilor Wilkinson | Seat 6. | Councilor Moran |
| Seat 7. | Councilor Lamb | Seat 8. | Councilor Buddington |

The President announces that the City Council is ready to receive the Mayor-elect and appoints Councilors Cohen and LaForest to escort the Mayor-elect to the Council Chambers.

The Councilors introduces Mayor-elect, Thomas W. Bernard.

The President called upon the City Clerk, Marilyn Gomeau to administer the oath of office to Mayor-elect Thomas W. Bernard.

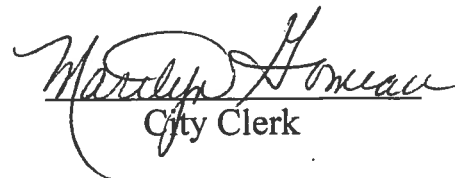
His Honor, the Mayor delivers his inaugural address.

The President called upon Father William Cyr from St. Elizabeth's Church to give the Benediction.

With no further business to come before Council, a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adjourn at 11:40am.

A True Record
Attest.



Marilyn Humeau
City Clerk

*Gary F. Rivers to the oath of office for the McCann Vocational Regional School District on January 2, 2018 in the office of the City Clerk.



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City Clerk Marilyn Gomeau

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REGULAR MEETING OF THE CITY COUNCIL January 9, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson.

A moment of silence was observed, remembering Joshua Aron Sargent, former employee in the Park and Recreation Department for the City of North Adams. Christa Steele-Knudslie advocate for the transgender community.

The President called for Hearing of Visitors, Robert Cardimino, 173 East Quincy Street hopes the new Council will take more consideration when it comes to the budget this year. He also suggested that the Mayor consider changing the title of Police Director and Fire Director to Chief of Police and Fire Chief.

The President called for the approval of the minutes from the December 26th meeting. On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to accept the minutes as presented.

11,640 The President presented Mayor's communication #1 setting the bond level for the North Adams City Treasurer/Tax Collector.
Without objection the President placed the communication on file.

The Mayor noted each year the Commission of Revenue sets forth the minimum bonding levels for the various City Officers.

11,640 The President presented an Order establishing the bond for the Treasurer/Tax Collector at \$250,000.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay none.

- 11,641** The President presented Mayor's communication #2 setting the bonding level for the Assistant Treasurer.

Without objection the President placed the communication on file.

- 11,641** The President presented an Order establishing the bond for the Assistant Treasurer at \$62,500.

On motion of Councilor Cohen, duly seconded by Councilor Buddington it was VOTED: to adopt the Order.

On motion of Councilor Cohen, duly seconded by Councilor Buddington it was VOTED to amend the Order to read Section 39A in place of Section 35.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay none.

- 11,642** The President presented Mayor's communication #3 setting the bonding level for the City Clerk.

Without objection the President placed the communication on file.

- 11,642** The President presented an Order establishing the bond for the City Clerk at \$15,000.

On motion of Councilor Wilkinson, duly seconded by Councilor Buddington it was VOTED: to adopt the Order.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to amend the Order to read Section 13 in place of Section 35.

The Order was adopted by yea and nay vote as follows: yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay none.

- 11,643** The President presented Mayor's communication #4 recommending the re-appointments of Justyna Carlson and Wendy Champney to the North Adams Historical Commission for terms to expire January 1, 2021.

On motion of Councilor Lamb, duly seconded by Councilor Buddington it was VOTED: to confirm the re-appointments.

- 11,644** The President presented Mayor's communication #5 recommending the re-appointment of Lynette Bond to the North Adams Planning Board for a term to expire February 1, 2023 and to appoint Lisa Blackmer to fill the unexpired term of Paul Hopkins for a term to expire February 1, 2019.

On motion of Councilor Buddington, duly seconded by Councilor LaForest it was VOTED: to confirm the appointments. Councilor Wilkinson abstained.

- 11,645** The President presented Mayor's communication #6 recommending the acceptance of a \$5,000 gift from Berkshire Bank Foundation to the Cultural Council of Northern Berkshire.

Without objection the President placed the communication on file.

The Mayor noted the Berkshire Bank Foundation notified the City of a \$5,000 grant payable over two years to the CCNB to support school enrichment programs at Drury High School and BART Charter School as a supplement to State funding through the Massachusetts Cultural Council to local Cultural Councils like CCNB.

11,645 The President presented an Order authorizing the Mayor to accept a gift of \$5,000 from the Berkshire Bank Foundation to the Cultural Council of Northern Berkshire.

On motion of Councilor Buddington, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson.

11,646 The President presented Mayor's communication #7 regarding the formation of Retail Marijuana Zoning Working Group.

Without objection the President placed the communication on file.

The Mayor noted that currently, non-medical marijuana establishments or recreational marijuana establishments is not specifically addressed under the City Zoning Ordinance. The group will include representation from Office of Community Development, North Adams Police Department, Health Department, North Adams Public Schools, City Council, Planning Board, Zoning Board of Appeals, Board of Health, License Commission and two residents of the North Adams Community.

11,647 The President presented Rules and Order of the City Council for 2018, which were postponed at the meeting of January 1st.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED; to refer to the General Government Committee and postpone to the meeting of January 23rd.

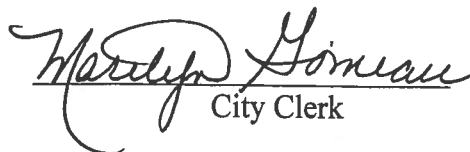
The President called for any Councilor or Mayor's concerns, Councilor Harpin said that residents were concerned about paying their water bills, since the Public Services Office has moved down to the new DPW building, but she noted that water bills can be handled in the Treasurer's Office. Councilor Lamb mentioned that there was a group of Williams Students who were in attendance at the meeting. This group is doing a study on North Adams. Councilor Wilkinson asked the Mayor if the group for the marijuana was going to be looking at retail/warehouse. The Mayor responded, yes, that was going to be addressed. Council President Bona was using the gavel once owned by Mayor Rosasco that he will use during his term as President. Councilor Bona said the gavel was given to him by his cousin Mary Fachini Rosasco, his widow shortly before her death at the age of 99. The Mayor noted that January 18th at 6:00 the North Adams Library will be doing a dedication to Gailanne Cariddi.

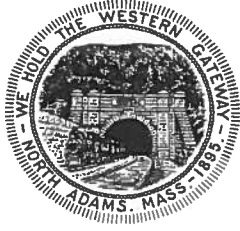
With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adjourn at 7:51PM.

A True Record

Attest,


City Clerk



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City Clerk Marilyn Gomeau

8

REGULAR MEETING OF THE CITY COUNCIL January 23, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Absent Councilor Moran

A moment of silence was observed.

The President called for Hearing of Visitors, Robert Cardimino, 173 East Quincy Street was offended by the word "visitors". He has lived here his whole life and he is not a visitor to the City. David Whitney, 51 Burnham Street said the Mayor and City Council is here to represent the people of our community and nobody listens. Alice Cande, Corinth Street pointed out that the council did not answer questions during hearing of visitors. Several times during the meeting she spoke out without being recognized.

The President called for the approval of the minutes from the January 9th meeting.

On motion of Councilor Buddington, duly seconded by Councilor Wilkinson it was VOTED: to accept the minutes as presented.

11,632 The President presented a Resolution declaring North Adams as a Pollinator Friendly Community, which was postponed at the meeting of December 12th.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to postpone to the meeting of February 27th.

Fred Ferras, facilities manager from MCLA said the college was taking steps with Mass PIRG to become bee friendly campus. They are doing their mowing later in the spring and ending earlier in the fall. Lindsay Vachon a student from MCLA is the coordinator of SAVE TH BEES campaign on campus, said they are working to become certified by See City USA.

11,647-a The President presented a report from the General Government committee regarding Council Rules of Order.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to accept the committee report as presented.

Councilor Buddington read all the recommendations of the committee.

11,647 The President presented Rules and Order of the City Council for 2018, which were referred to the General Government Committee and postponed to the meeting of January 23rd.

On motion of Councilor Harpin, duly seconded by Councilor Hopkins it was VOTED: to adopt the Rules of Order.

Councilors were all in agreement of the amendments suggested by the committee, except Rule 10, which addressed Hearing of Visitors. Council President wanted the language changed to read that disruptive persons who have to be removed by a Police Officer could have their right to attend meetings suspended, for a set amount of time by the Council President.

Councilor Wilkinson said he would not support the amendment that would prohibit the rights of a citizen to speak. Councilor LaForest was in agreement.

Council President noted he was not changing a rule that we already have, just adding to it. He requested a ruling from the Attorney General's Office, Hanne Rush, who said a public body cannot prohibit a member of the public from attending future meetings, however under the Open Meeting Law, a public body can decide whether to restrict or prohibit an individual from speaking during any meeting. MGL Chapter 30A, Section 20(f).

The President called for a roll call vote, yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb. Nay Councilor LaForest, Wilkinson.

Alice Cande, Corinth Street was upset that Open Forum was being moved to the end of the meeting, and does not understand why an elected official cannot answer questions during open forum.

Councilor Cohen and LaForest noted the rules do allow for factual information to be offered by Councilors.

Several Councilors pointed out that their contact information is on the City website, should anyone have questions.

Councilor Lamb made a motion to change Hearing of Visitors to Hearing of Community, duly seconded by Councilor Wilkinson.

It went back and forth on if it should be Hearing of Visitors, Citizens, Public or Open Forum. Council President noted it had always been Open Forum up until 2 years ago, Councilor Lamb rescinded his original motion. Councilor LaForest motioned to change it to Open Forum, duly seconded by Councilor Lamb. Councilors were all in favor.

The amendments were approved as follows, Rule 9 regarding moving the question, motion by Councilor Lamb, seconded by Councilor Wilkinson. Rule 10, Councilor Harpin, Seconded by Councilor Wilkinson regarding changing Near the end of to, "At" every meeting and removing the section about allowing a visitor to return if they have been removed by Public Safety.

The President called for a roll call vote on the approval of the Rules of Order, yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay none.

11,648 The President presented a communication submitted by Councilors Harpin and Lamb requesting that the City Council work with the Mayor's Office regarding domestic violence.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED; to refer to the Mayor's Office and the Public Safety Committee.

Elizabeth Mitchell from the Freeman Center talked about the high rate of domestic violence in North Adams, it is very real, and something that needs to be addressed.


The President called for any Councilor or Mayor's concerns, Councilor Harpin, Cohen and Laforest gave a brief report on their experience at the recent MMA meeting they attended.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adjourn at 9:04PM.

A True Record

Attest,


City Clerk



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City Clerk Marilyn Gomeau

11

REGULAR MEETING OF THE CITY COUNCIL February 13, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson.

A moment of silence was observed, remembering Leonard Keyes who established the Drafting Program at Mc Cann Technical High School.

The President called for the approval of the minutes from the January 27th meeting.

On motion of Councilor Lamb, duly seconded by Councilor Buddington it was VOTED: to accept the minutes as presented.

11,646-a The President presented Mayor's communication #7a regarding a new Zoning Ordinance for retail marijuana.

Without objection the President placed the communication on file.

The Mayor explained the Retail Marijuana working group was introduced in January, The purpose of this group was to provide input on a draft Ordinance compiled by the Berkshire Regional Planning Commission. The group was to ensure that retail marijuana zoning in North Adams aligns with both the State Cannabis Control Commission's regulations as well as with local precedent.

11,646-a The President presented an Ordinance amending Chapter Z of the Revised Ordinance by adding a new section, Section 10.12 entitled Licensed Marijuana Establishments.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to refer to the Planning Board.

Several Councilors questioned if the setbacks would eliminate the downtown from the possibility of having a storefront. Councilor Wilkinson and LaForest noted the Redevelopment Authority has oversight over much of the south side of Main Street all the way to the Oasis Plaza.

Councilor Wilkinson would like to see this referred to committee noting that Council cannot just bolder this through. He said he was simply making a statement saying there was no Councilors at the meeting and they probably do not understand this Ordinance. Councilor Cohen said she did

understand the Ordinance before them, but she had questions about the 500 foot setbacks for the churches and day care facilities.

On motion of Councilor Wilkinson, duly seconded by Councilor Buddington it was VOTED: to amend the motion to include referring it to the Public Safety Committee and postpone to the meeting of February 27th.

The Mayor cautioned Council that time was pressing, and noted Council would be getting three additional items related to this Ordinance.

Councilor Wilkinson thought the speed of this Ordinance pointed to waiting to the last minute. Councilor LaForest noted the State had not drafted the basic language until late December.

11,649 The President presented Mayor's communication #8 recommending the re-appointment of Armand (Paul) Boillat and the appointment of Dean Bullett to the North Adams Airport Commission for a term to expire February 1, 2021. The appointment of Marc Morandi to fill the unexpired term of Trevor Gilman for a term to expire February 1, 2019.

On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED: to confirm the appointments.

11,650 The President presented Mayor's communication #9 recommending the re-appointment of Christine Naughton and the appointment of Ashley Shade to the Human Services Commission, for a term to expire February 1, 2021.

On motion of Councilor Harpin, duly seconded by Councilor LaForest it was VOTED: to confirm the appointments.

11,651 The President presented a communication submitted by Councilor Bona regarding the City's shooting range.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Safety Committee, the Police Director and postpone to the meeting of March 27th.

Robert Lyons, 17 Gunther Street, said there are many issues at the range; locks need to be changed, a security system needs to be installed, the mess that is left is unacceptable, should be open Monday thru Saturday, youth programs, proper training and the City should maintain the plowing.

David Whitney, 51 Burnham Street also noted new benches are needed, they have been there since 1960.

Robert Cardimino, 173 East Quincy Street said sauna tubes could be used to absorb the noise.

The President called for any Community Calendar or Events, Councilor Harpin noted the Hoosac River Revival is meeting February 21st from 11:30 to 1:00 at the Uno Center and February 28th from 5:30 to 7:00 at Green Space at 85 Main Street

The President called for anyone wishing to speak in Open Forum, Robert Cardimino, 173 East Quincy street explained the sign he was wearing, noting Council is in violation of the Constitution. David Whitney asked Councilors if they even knew where the shooting range is located.

The President called for any Mayor's Concerns, the Mayor noted that at the recent School Committee meeting, they voted on sharing the Business Manager and discussion has been ongoing about sharing the Superintendent. He also has been meeting with the cable company to clear up the confusion and frustration residents are having. The Mayor noted that there was a meeting just before Council regarding domestic violence to help understand the gaps that exist. He also noted he would be giving his State of the City Address on February 20th at 7:00pm in City Council Chambers. Work has also been started on the FY'19 budget. The Mayor said the DPW was working hard to keep up with the potholes.

The President called for Liaison updates or Councilor Concerns, Councilor Lamb gave a brief update on MASS MoCA. Councilor LaForest noted he had just been notified by MMA that he will be serving on the policy committee.

The President presented an application submitted by Kenneth Upton, 292 Beaver Street to drive taxi for RJ Taxi.

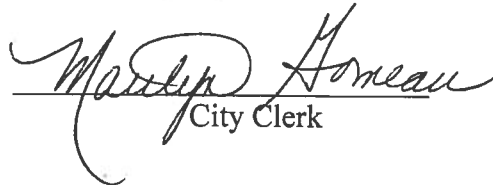
On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to grant the license.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adjourn at 8:37PM.

A True Record

Attest,


City Clerk



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14

REGULAR MEETING OF THE CITY COUNCIL
February 27, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Councilor Lamb absent.

A moment of silence was observed, remembering Rose LeBeau, former employee in the North Adams School System.

The President called for the approval of the minutes from the February 13th meeting.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to accept the minutes as presented.

11,632 The President presented a Resolution declaring North Adams as a Pollinator Friendly Community, which was postponed at the meeting of January 23rd.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to refer to adopt the Resolution.

Councilor Moran gave the report of the Public Service Committee and noted that the City does not use herbicides and was open to using open space behind the new City Yard as a pilot reduced mowing.

Lindsey Vachon of MCLA, coordinator of Save the Bees campaign, said the passage of this Ordinance shows that the City is coming together to support the bees.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to accept the committee report.

Councilor Buddington said the committee added new language to the Resolution and submitted it to Council.

On motion of Councilor Buddington, duly seconded by Councilor Cohen it was VOTED: to adopt the amended Resolution.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to adopt the Resolution.

The Resolution, as amended, was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

11,646-a The President presented an Ordinance amending the Revised Ordinances, Chapter Z by adding a new sub-section, Section 10.12: Licensed Marijuana Establishments, which was referred to the Planning Board and the Public Safety Committee and postponed at the meeting of February 13th.

The President said Council had received a letter from the Planning Board setting the Public Hearing for March 5th at 6:00pm.

Without objection the President postponed the Ordinance until the meeting of March 13th.

11,081-3 The President presented Mayor's communication #10 regarding the Veterans' Service Agreement Addendum for the Town of Dalton.

Without objection the President placed the communication on file.

The Mayor noted that several months ago the City was approached by the towns of Cheshire, Dalton, and Lanesborough about their interest in joining the district. The City consulted with Adams, Williamstown and the Veterans' Officer, Stephen Roy, all parties concurred that the VSO and the office has the capacity to serve these communities. The VSO will be in Dalton five hours per week. This will reduce his time in the North Adams office by five hours. As part of this arrangement, Dalton will assume responsibility for that share 13.33% of the VSO salary and benefits.

11,081-3 The President presented an Order authorizing the Mayor to add an addendum to the Inter Municipal Agreement for Veterans' Services to include the Town of Dalton.

On motion of Councilor Hopkins, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

Councilor Wilkinson said it was unacceptable to be paying the VSO \$90,000.

The Mayor noted that the amount Councilor Wilkinson was referring to was for two salaries, the VSO and the Administrative Assistant.

Councilor Buddington and LaForest were concerned if the VSO would be able to service to the veterans in each town. Stephen Roy noted that the case load in Dalton was very lean and it would not add much to his work load.

Several Councilors questioned if the office was covered during the times that Mr. Roy would be out of the office. The Mayor said the office is open with staff from 8:00 to 4:30 every day.

Councilor Wilkinson apologized for making the incorrect assumption on the salary.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

11,081-4 The President presented Mayor's communication #11 regarding the Veterans' Services Addendum for the Town of Cheshire.

Without objection the President placed the communication on file.

11,081-4 The President presented an Order authorizing the Mayor to add an addendum to the Inter Municipal Agreement for Veterans' Services to include the Town of Cheshire.

On motion of Councilor Buddington, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

Michael Chalifoux, 45 Monroe Street was outraged that the City would even consider this, how can the Veterans' Agent serve all of these communities when you have to wait 11 days to get an appointment here in North Adams. The veterans of this community are not being served well.

Roger Eurbin, 677 Ashland Street commended Stephen Roy on the job he does as the Veterans Agent.

The Order was adopted by yea and nay vote as follows: yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nat none.

11,081-5 The President presented Mayor's communication #12 regarding the Veterans' Services Agreement Addendum for the Town of Lanesborough.

Without objection the President placed the communication on file.

11,081-5 The President presented an Order authorizing the Mayor to add an addendum to the Inter Municipal Agreement for Veterans' Services to include the Town of Lanesborough.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

Councilor Cohen questioned who Mr. Roy was accountable too. The Mayor said that Stephen Roy was employed by the City of North Adams and he would be responsible for Mr. Roy's time.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

The President called for any Community Calendar or Events, Councilor Hopkins noted the AJY, Wine and Chocolate event was being held at the FYP on Sunday from 3:00pm to 6:00pm, tickets are \$25.00.

The President called for anyone wishing to speak in Open Forum, Roger Eurbine, 677 Ashland Street said with the Pollinator Resolution just passed, he hopes that the cemeteries would be exempt from the mowing.

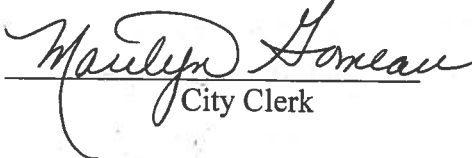
The President called for any Mayor's Concerns, the Mayor noted that he has met with all of the department heads regarding the budget and hopes to present a DRAFT budget to Council the second meeting in March; then he would like to have five meetings with the Finance Committee during April and May. The Mayor said the Zoning Ordinance for Marijuana was moving forward and there was an editorial in the paper commending the City on a job well done. He noted the complexity of the Urban Renewal in the downtown and how it affects the UR-1, south side of Main Street. The North Adams Library is having movie night and the overdue fine for youth books is being waived. The job careers fair is March 28th.

The President called for Liaison updates or Councilor Concerns, Councilor Buddington noted he was working on the street map relative to where marijuana facilities are located and would welcome anyone who would like to help with this.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to adjourn at 8:26PM.

A True Record
Attest,


City Clerk



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10 Main Street Room 109
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City Clerk Marilyn Gomeau

18

JOINT PUBLIC HEARING NORTH ADAMS PLANNING BOARD and NORTH ADAMS CITY COUNCIL

March 5, 2018

CITY COUNCIL MEMBERS PRESENT: Bona, Buddington, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Absent Councilor Cohen.

PLANNING BOARD MEMBER PRESENT: Leary, Taft, Blackmer, Burdick, Senecal, Holmes, Miksic, Hanlon. Absent Bond.

Council President called the meeting to order.

Chairman Leary opened the hearing for discussion; Councilor Lamb gave the report of the Public Safety Committee. The committee recommended amending sub section C clause 3 by deleting it in its entirety and insert new language as follows;

All LME must be set back at least five hundred feet (500) from any school, daycare facility or similar facility where organized youth activities occur. Distance shall be measured by a straight line between the nearest structure of the said facility and the LME building. Outdoor facilities or structures, such as playgrounds, shall be considered part of the facility.

Councilor Lamb said the committee learned the State's definition of an institutional day care; such as preschools, or YMCA's was to use the term center.

Ross Jacobs, 35 East Quincy Street commented that the taxes generated by the marijuana sales could benefits groups battling addictions. He believes the guidelines should be close to those of the package stores.

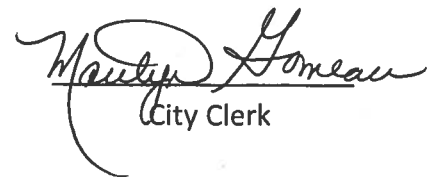
Dan Randall, pastor of the New Hope Methodist Church wondered how it would affect youth programs held in churches.

Councilor Lamb said he Planning Board would be able to make those determinations. Councilor Moran noted the goal had been to align the Ordinance similar to liquor regulations to give the Planning Board flexibility.

Wendy Penner from Northern Berkshire Coalition would like to see retail marijuana prohibited from the downtown. Perhaps it would be better suited on the commercial corridors of Route 2 and 8. Her concerns are the youth of our community and she is a voice for them. Ms. Penner is very concerned about the early and chronic use of substances make youth more open to addiction.

With no further discussion the President declared the Public Hearing closed at 6:35pm.

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City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

20

REGULAR MEETING OF THE CITY COUNCIL March 13, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson, Lamb.

A moment of silence was observed, remembering Pearl Mullett – North Adams Housing Authority member and longtime President of North Adams Triad.

The President called for the approval of the minutes from the February 27, 2018 meeting.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to accept the minutes as presented. Councilor Lamb abstained.

11,646-a The President presented a recommendation of the Planning Board, regarding the Zoning Ordinance for Licensed Marijuana Establishments.

Without objection the President placed the communication on file.

11,646-a The President presented an ordinance amending the Revised Ordinance Chapter Z by adding a new subsection, Section 10.12: Licensed Marijuana Establishments.

Councilor LaForest requested clarification on the Planning Board's recommendation; there was discussion by Councilors Wilkinson and Lamb. The President stated that there needed to be a motion prior to discussion.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED: to pass to a second reading and post as a municipal bulletin as required by law.

The President clarified that there are recommendations from the Planning Board, Public Safety Committee, and other Councilors, however the Council's role tonight is to approve the ordinance.

Councilor Buddington requested to take each amendment individually, he stated he had objections to the third one.

On motion of Councilor Buddington, duly seconded by Councilor LaForest it was VOTED: to amend the ordinance by changing Section C.3, daycare facility to center.

The President asked for discussion from Councilors. Councilor Lamb made a clarification that the first edit was only part of the paragraph that would be amended, and clarified the difference between a daycare center and facility. Councilor LaForest spoke about the references and final regulations of the CCC, regarding daycare centers and setbacks.

On Motion of Councilor Buddington duly seconded by Councilor LaForest it was VOTED: to amend the ordinance as referenced in the second proposed revision by the Planning Board, giving the Special Permit Granting Authority the ability to waive or modify the 500 foot setback by using the same language used in Section H.4 "The Special Permit Granting Authority may modify or waive this requirement, except in the Urban Renewal District, where the Special Permit Granting Authority is by the North Adams Redevelopment Authority."

Councilor Lamb inquired where the amendment would be placed in the ordinance, and whether it would have a new number. Councilor LaForest, wanted to read for the record the intent of the Planning Board. The intent was to amend Section C.3 to read: "All LMEs must be set back at least five hundred feet (500') from any school, daycare center or similar facility where organized youth activities occur. Distances shall be measured by a straight line between the nearest structure of the said facility and the LME building. Outdoor facilities or structures, such as playgrounds, shall be considered part of the facility. The Special Permit Granting Authority may modify or waive this requirement." Councilor LaForest clarified the H.4; language is now attached to this.

Councilor Lamb noted that the motion was done out of sequence, and that the Public Safety amendments should have come prior to the Planning Board amendments, because the Planning Board edits are from language that was proposed at Public Safety.

Councilor Buddington attempted to clarify the edits. Councilor Lamb requested that Councilor Buddington rescind his motion to amend.

Councilor Buddington rescinded his motion.

On motion of Councilor Buddington, duly seconded by Councilor Lamb, it was VOTED: to amend replacing C (3) as stated above and continued to read the edit.

Councilor Harpin had concerns about the last sentence in the edit that states: "The Special Permit Granting Authority may modify or waive this requirement". She stated that she had full confidence that the Planning Board and Redevelopment Authority would make a good decision, however was concerned about the public input, and the forum for which they could voice their opinion. She stated she felt it was more of a public issue, and that some people did have concerns.

Councilor Wilkinson stated that there were several meetings, and the wording should be mimicking the States language. Councilor Hopkins stated he understood Councilor Harpin's concerns, however, assured that any waiver that would go before the board would be publicized and go through a public hearing as part of the Planning Board process.

Councilor Lamb stated that in terms of the distance piece, there was discussion at earlier meetings referring to setbacks, but did not know if the State actually had a specific distance from each type of event. For example, 100 feet from a park, etc.

Councilor LaForest spoke about the State regulations, stating there is a default buffer for schools, preexisting private, or public unless a local ordinance or bylaw produces the distance requirement. Many communities have reduced the buffer to 250 feet or lesser distance, but the Planning Board with the input from BRPC stated that the line would be helpful if an applicant chose to site somewhere that the Planning Board deemed appropriate, and would fall in the 500 foot buffer, therefore in rare circumstances, it clarifies that the board may allow, as set up in the charter.

Councilor Buddington wanted to show his support for Councilor Harpin, stating that by adding the last sentence allowing the Planning Board to waive the setback, we are essentially making it discretionary. His feeling was that life would be simpler if the rules were followed as set.

Councilor Cohen questioned if the wording mimicked the sale of alcohol. She would support consistency.

President Bona, stated there are certain circumstances where the City does allow special permitting. For example if a daycare center were 490 feet from where an LME wanted to locate, given the ten foot distance, the board would have the authority to allow. This would allow for the gray areas in specific circumstances.

Councilor Wilkinson stated "we should allow the Planning Board and Redevelopment Authority to do their job. Both are good organizations."

Councilor Moran stated that he believed that the comments from the BRPC were, that once the ordinance takes place, they are no longer suggestions, they are set in stone. By adding the line, "The Special Permit Granting Authority may modify or waive this requirement." it allows them to operate within the means that they typically operate in. The special permit process is extremely vetted, and you have to abide by the public process, but this will give them a bit of wiggle room.

President Bona, agrees with the flexibility. Councilor LaForest agrees that the Planning Board is very knowledgeable, and if the language is too concrete, they will be stuck by inches and feet in making a decision, or not being allowed to make a decision. If the application for an LME coming into the City is extremely formidable, to meet all requirements, it's a lengthy and expensive process. He agrees the Planning Board has the public process.

Councilor LaForest asked for clarification on what exactly they were voting on.

On motion of Councilor Harpin duly seconded by Councilor Buddington it was VOTED to strike the last sentence from the amendment that states: "The Special Permit Granting Authority may modify or waive this requirement."

President Bona questioned as to whether or not it was an amendment within an amendment and asked for clarification from Councilor Lamb.

Councilor Lamb suggested that the original amendment would fail, and discussed Robert's Rule could go either way.

Councilor Hopkins stated that he would reiterate what Councilor Wilkinson stated, that the Planning Board are already in place to make these decisions, and this would be limiting them, and by not giving them that ability would be a mistake.

Councilor LaForest stated that ordinances are specific legislation and guidance for the Planning Board, and if we remove the ability for the Planning Board to do this within the ordinances, he was not sure why we would continue to have a Planning Board. He feels they should be allowed to evaluate the applicant's business plan, site plan, and the City would be essentially prohibiting them any wiggle room, any variance. He felt the City should not deny a business the opportunity to come into the community. Councilor LaForest argued to allow the Planning Board to execute its function.

Councilor Buddington disagreed with the flexibility, if they are suggestions rather than rules; it makes it hard for the Planning Board. If a business knows that these terms are required, it will save time, because they will not consider properties that are not compliant. However if it is phrased as a suggestion, and not a requirement, it leaves for uncertainty.

Councilor Harpin wanted to clarify that she has full confidence in the Planning Board; that was not her concern. Her concern is that there were several meetings, and input from the public, and came up with this method of Marijuana use and how we were to put these retail establishments in our City. It is important that once it is established, we should honor the people that came out to have input. However, she was not against that in the future if there were many instances where there were minimal fees, then, possibly, a change could come back to the Council for amendment.

Councilor Moran, spoke about the flipside of the change, that if they could modify, then they could actually say no. And if there were concerns, they could deny. We are also supporting the community to know that there are unforeseen circumstances they will not be able to predict.

Councilor Hopkins stated the Planning Board always has the ability of Special Permit request, subject to appeal.

Councilor Lamb questioned about the process for LME to enter a community, there is a required agreement between the City and the organization. The Mayor stated there was a community host agreement, but the first step would be either a letter of endorsement or non-objection that the City would not oppose an entity locating at a specific site in the City.

Councilor Lamb questioned whether a location would be designated. The Mayor replied that it would be done through the State process with several application procedures prior to the local

municipal zoning component. Councilor Lamb agreed with Councilor LaForest and Hopkins that leaving the language gives the board opportunities to deny.

President Bona spoke about the process and the notification to abutters. Councilor Hopkins stated that if you own property within 300 feet, you will get a notice.

Councilor LaForest stated a proposed LME needs to meet the requirements of the local ordinances prior to submitting application to the State. Before that, the burden is on the LME. Within the regulations, according to the CCC, they are responsible for the public hearing, before they are even allowed to move forward.

The President reminded that they are amending, the amendment by removing the last line that states "The Special Permit Granting Authority may modify or waive this requirement."

Councilor Laforest asked for clarification on what was actually being voted on.

The President clarified that if the vote fails, then the original amendment brought forward stays as is. If it passes, it changes to remove the language.

The President called for a roll call vote. Yea; Councilor Buddington, Harpin. Nay, Bona, Cohen, Hopkins, Lamb, LaForest, Moran, Wilkinson.

Councilor Lamb read the actual amendment for the record.

If was VOTED: to adopt the amendment Yea, Bona Buddington, Cohen, Harpin, Hopkins, Lamb, Laforest, Moran, Wilkinson. No Nays.

The President moved on to the third recommended amendment. Councilor Buddington read the amendment. Change Section E. 1 to the Special Permit Granting Authority for any LME shall be the Planning Board except in the Urban Renewal District, where the permit granting authority is the North Adams Redevelopment Authority.

Councilor Buddington stated he felt the language was unnecessary.

Councilor Lamb disagreed, stating people coming into the area may not know the Urban Renewal even exists. He stated it would be good to have it in the amendment for clarification.

Councilor Wilkinson agreed with Councilor Lamb.

Councilor Buddington stated that he looked through sections for the permits that the Planning Board issues, there were only two that reference this.

Councilor Harpin mentioned that North Adams Redevelopment Authority may be dissolved, and asked if the Authority does dissolve, would it be redundant. Councilor Wilkinson stated that it takes a long process, the Authority will most likely be around in five years.

The Mayor responded about the future of the Authority, that he is still looking into it and working with DHCD. The City Solicitor is doing one more look into the expiration of the Urban Renewal Plan. However, currently the Authority still has jurisdiction over UR-1 zone. The Mayor stated he would update as clarification becomes available.

Councilor Moran noted there are several areas in the downtown where LMEs may exist. If they do not have to follow the guidelines of the Planning Board

Councilor Lamb stated that the intent of the amendment is to refer to the Redevelopment Authority and create consistency across the various bodies that are approving.

The President noted if the Redevelopment Authority did dissolve, it would still be in the ordinance, and cannot just be eliminated. If that was the case, it would not be effective or unenforceable, because it doesn't exist.

Councilor LaForest stated that it was an area of evolving law, and there is no harm in clarifying that questions of ordinances in the Redevelopment Authority should be directed there.

The President called for a roll call vote on the amendment; Yea, Bona, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay, Buddington.

On motion of Councilor Buddington, duly seconded by Councilor Moran, it was VOTED: to amend the ordinance to lessen the redundancy of Section C. and replaced with new language referring to the Appendix A, which makes the ordinance easier to read.

Councilor Hopkins clarified, sections C 1, 2 and 4 should be removed due to redundancy. Councilor Cohen inquired if the new language would refer to the table. Councilor Buddington stated it was referenced elsewhere.

Councilor Wilkinson asked if 1 and 2 would be removed. Councilor Buddington clarified the same information is in the table.

Councilor Buddington rescinded his original motion.

On motion of Councilor Buddington duly seconded by Councilor Harpin it was VOTED to amend Section 10.2, C. Designated Locations for Marijuana Establishments. The locations designated by the City of North Adams where an LME may be sited are delineated in Appendix A (Use Regulation Schedule): Retail, Sales and Commercial Uses – Wholesale, Utilities, Transportation and Industrial Uses:

Councilor Lamb clarified that the motion is to make edits to the initial phrasing of Section C, and then remove bullets 1, 2 and 4, leaving only bullet 3, changing it to bullet 1.

Councilor Cohen requested that the Council receive a copy of the changes.

The President remarked that this will pass to a second reading, and at that time, the proper language will be clearly stated.

Wendy Penner, NBCC asked whether or not the 500 foot setback near places of worship is addressed. Councilor Lamb clarified that the places of worship was removed. Ms. Penner stated she missed her opportunity to comment at the last meeting, she stated she wanted to at this point. The President asked her to wait until the end of this discussion.

Wendy Penner, NBCC, discussed about the marijuana use and stated she had reason to believe that how we zone for alcohol and marijuana will have an impact on the community. She asked the Councilors to keep in mind what can be done by controlled marijuana use. She encouraged the Councilors to attend the NBCC workshops. Councilor Lamb asked when the meetings are. Ms. Penner stated the next meeting is Thursday at 10:00 AM.

Councilor Cohen commended the NBCC, and stated she had concerns over the entire process, and has been trying to educate herself. She will be going to all education related forums and push for this in the schools. She stated she was concerned with the fact that marijuana is the gateway drug for children. She thanked Wendy for her advocacy.

Councilor Buddington had concerns about commercial advertising for children. Councilor LaForest stated that there are specific regulations by CCC guidelines regarding signage. He stated also that he as a parent had concerns as well, that marijuana was the gateway drug for children.

Councilor Harpin also thanked Wendy Penner for her efforts and voicing her opinion. This is one of the reasons why she attempted to amend the language removing the waiver for the 500 foot setback, for the safety of the children.

The President called for a roll call vote: yea: Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,014-2 Mayor's communication #13 recommending proposed Public Consumption of Marijuana bylaw.

Without objection the President place the communication on file.

The Mayor shared that the working group developed framework that included a recommendation of three corollary items. This covers the first of them, which is proposed Public Consumption bylaw for the Council's consideration, and asked for their approval.

11,014-2 An ordinance amending Chapter 14 of the Revised Ordinances of the City of North Adams, by adding a new Section 14-3.2 Public Consumption of Marijuana or Marijuana Products

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to pass to a second reading and publish as required by law.

Councilor Lamb inquired if the language was in house. The Mayor stated that there was input from BRPC, then the working group did tailoring.

Councilor Lamb asked if they had to abide by the same timeline as the larger zoning ordinance piece or could it be delayed?

The Mayor stated until the licensing is in place, the bylaw isn't as necessary. But he argued that doing them as a package is beneficial. Councilor Buddington stated they were two separate items, and did not feel they needed to be tied if the Council felt it needed more time to discuss it.

Councilor LaForest stated they were not tied to the Ordinance. In terms of smoking in public, this is already prohibited by existing laws. This was brought about to cover other marijuana products.

On motion of Councilor Buddington duly seconded by Councilor Wilkinson, it was VOTED: to amend Section 14-3.2 (a), "no public consumption", strike the list beginning with "while in or upon

any street” and continuing to the end of the section, and replace it with “while in any area owned by or under control of the City, or in any place accessible to the public.”

Councilor Lamb rescinded his motion to pass to a second reading and publish as required by law.

On motion of Councilor LaForest duly seconded by Councilor Cohen, it was VOTED: to refer to the Public Safety Committee

Councilor Lamb commented on the timeline, through the chair to the Mayor. The Mayor stated the sooner the better. If it could return to the first meeting in April that is close to the kick off of the licensing.

Councilor Wilkinson stated it has been vetted to death, He understands that the public has the right, but stated there have been ample meetings to discuss this matter. He stated that he would vote no on referring this to Public Safety.

The President wanted to clarify that most of the meetings had been about zoning, and not on the penalties. The Mayor affirmed this was the first time, and has not been brought to any other board other than the Working Group. Councilor Cohen stated it was the Council’s job to beat something to death. She stated that healthy discussion is necessary.

Councilor Buddington stated that the use restrictions will not hold back the licensing.

Councilor LaForest stated that there was not much time spent on this issue, and stated the public has a right to make comment on this.

Wendy Penner, NBCC, wanted clarification on smoking marijuana, The Mayor stated he would verify and get back to her. Councilor LaForest stated there are State laws that address that, while we do not have a local law. Councilor Hopkins stated that smoking in public was not allowed.

Brian Sapienza, 113 Pleasant Street, had concerns about smoking marijuana in vehicles while they are in a public area.

Councilor Hopkins stated rules are similar to open container law. Councilor LaForest stated the same feeling after speaking with Director Cozzaglio. Councilor Harpin and Cohen both agreed that it is similar to alcohol, so that there is no confusion.

The President stated that there can be more discussion at the Public Safety meeting.

Councilor Cohen commented on the theory that Marijuana and Marijuana products should mirror the alcohol and smoking laws, so that people can relate the laws.

The President called for a roll call vote to refer to Public Safety Committee. yea, Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay Wilkinson,.

10,393-9 Mayor’s communication #14 recommending proposed Public Consumption of Marijuana Fines.

Without objection, the President placed the communication on file.

The Mayor read the ordinance, and spoke on how the paper was related to the previous ordinance.

10,393-9 An ordinance amending Chapter 29; Noncriminal Disposition, Severability, of the Revised Ordinances of the City of North Adams by adding a new Section 29-2 (d) Public Consumption of Marijuana or Marijuana Products.

On Motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to refer to Public Safety Committee. Councilor Wilkinson opposed.

Henry Jaeschke, 62 Chase Avenue, stated his concerns about the marijuana laws and jails being filled.

11,646-1 Mayor's Communication #15 recommending the proposed Recreational Marijuana Excise Tax.

The Mayor recommended to refer the communication back to his office.

The Mayor stated, essentially the Clerk discovered a discrepancy in the MGL wording and legislation, and the Mayor's Office would like to return with the correct language.

Councilor Wilkinson inquired about the 3 percent revenue generated.

The Mayor cited "the Marijuana retailer shall pay the local sales tax proposed under this section to the Commissioner at the same time and at the same manner as the sales tax due to the Commonwealth".

11,646-1 An order accepting M.G.L. c. 64N, Section 3, regarding the rate of local excise tax of 3% on Marijuana or Marijuana Products.

Without objection the President referred the paper to the Mayor's Office.

11,652 The President presented a petition submitted to Council President Bona from F. Sydney Smithers on behalf of Greylock Works, LLC to amend the Zoning Ordinance.

Without objection, the President referred to the Planning Board.

The President called for any Calendar or Community Events.

Councilor Cohen stated there would be a chicken dinner to benefit Northern Berkshire United Way on April, 5th at 6:00 PM at the Bountifare Restaurant.

Councilor Harpin stated there would be a Northern Berkshire Community Coalition forum on Friday, 10:00 to 2:00 at the First Baptist Church. The forum is on understanding and responding to relational violence and safety in our homes.

The President announced that ROOTS Northern Berkshire Teen Center will be holding an evening affair at the Richmond Grill on April 14, 2018.

The President called for anyone wishing to speak at open forum, hearing none, the President called for Mayor's Concerns.

The Mayor wanted to briefly update the FY' 19 Budget process. He stated that they are on target to present the draft budget to the Council at the next meeting.

The Mayor also spoke in regard to Zoning and is currently checking with the City Solicitor that the advice received from DHCD is accurate in terms of how the Zoning relates to the Redevelopment Zone and what authority the body has. He also stated he would like to clean up the Zoning across the City, stating he will be working with Larysa Bernstein, from Community Development on this.

The Mayor wanted to acknowledge the work of the Public Services department, particularly during last week's storm, when the crew worked a 36 hour shift. He received largely positive feedback.

The Mayor requested that citizens comply with the overnight parking ban, as well as the sidewalk ordinance. He will be looking at enforcement on the ordinance in the next winter season. It is important for the safety and for civic pride in the neighborhoods.

The Mayor wanted to offer his congratulations to Maude Mandel who has been appointed the 18th President of Williams College, and wanted to acknowledge how fortunate the community is to have both Williams College and MCLA.

The President asked for Liaison and Councilor Concerns.

Councilor Lamb wanted to mention that tomorrow the Public Safety Committee will be meeting to discuss the Shooting Range at 6:00 PM.

Councilor LaForest commented on Spectrum; stating that if you are a subscriber through Spectrum, and are paying a monthly fee to use the box, you are able to access the local television stations. Unfortunately if you are using the Spectrum app, you are unable to access. Spectrum is essentially forcing the consumer to pay the additional fee in order to access. He requested that the Mayor check into this.

Councilor Buddington received requests for livestreaming, and is looking into it.

The President requested from the Mayor to update the Council on the status of Windsor Mill, Heritage Park, DPW, Ashland Street, Notre Dame, the Pownal land sale, and watershed when time permits.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor LaForest, duly seconded by Councilor Buddington it was VOTED: to adjourn at 9:12 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

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REGULAR MEETING OF THE CITY COUNCIL March 27, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Wilkinson, Lamb. Councilor Moran absent.

A moment of silence was observed.

The President called for the approval of the minutes from the March 13th meeting.

On motion of Councilor Hopkins, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented.

11,456-1 The President presented a communication submitted by Council President Bona regarding the City's shooting range, which was referred to the Public Safety Committee and the Police Director at the meeting of February 13th.

Councilor Lamb gave a brief committee report, noting the committee has come up with several suggestions and forwarded them to the Mayor and the Police Director. Councilor Lamb said based on the number of questions that came about, it may take some time.

Councilor Cohen questioned if there was any immediate safety issues, Councilor Lamb responded that there were no red flags. Councilor Bona also noted the condition of the road.

The Mayor said the he and the Police Director have met and are putting forward a response for the shooting range.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to postpone to June 26th.

11,646-a The President presented an Ordinance amending the Revised Ordinance Chapter Z by adding a new subsection, Section 10.12: Licensed Marijuana Establishments, which was amended and passed to a second reading and published as required by law at the meeting of March 13th.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to adopt the Ordinance.

Several Councilors had questions on the new amendments being proposed. Councilor Wilkinson said the amendments were very confusing. It seems we should approve what is before us and deal with these amendments at a later date.

Council President clarified the options; one is to approve the Ordinance and amend at a later date or two discuss all the amendments, but he cautioned this would then be a working meeting. He also noted these amendments are not on the agenda and we do not want to be in violation of the open meeting laws.

Councilor Lamb felt Council should approve as is, so the City will have something in place by April 1st.

The Mayor noted the reason for the amendments was to address the medical piece. He said Chris Gruba of BRPC was in attendance of the meeting and would be happy to address this issue.

Again Council President reminded Council to be cautious because these amendments were not on the agenda and the paper before them did not include the amendments. He felt that opening up discussion on the amendments would be confusing at this point.

Councilor Lamb felt since Mr. Gruba was in attendance why not capitalize on what he has to say for future meetings.

Councilor Wilkinson made a motion to move the question, seconded by Councilor LaForest.

Council President called for a roll call vote on moving the question.

On roll call the following responded, yea Councilor LaForest, Wilkinson. Nay Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb. Motion fails.

Chris Gruba, who held facilitate the Ordinance, said it was kind of thought the medical marijuana would be going away because who would open a business to sell to only people who have prescriptions. He noted a situation could happen where the City has the recreational ordinance in place that's airtight and then someone approaches the City to do a medical. He said his concern was there would be a loophole down the road that did not address medical marijuana.

Robert Cardimino, 173 East Quincy said the side effects of marijuana are inconclusive and what about the impairment marijuana has on driving.

The Ordinance, as amended was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Nay none.

11,393-a The President presented the report of the Public Safety Committee regarding the Public Consumption of Marijuana and Marijuana Products.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to accept the committee report.

Councilor Lamb gave the recommendations of the committee saying Chapter 29 fines, there were no edits. The committee recommended Chapter 14 be amended by deleting the entire language and inserting the following: "In accordance with General Laws Chapter 94G, Section 13(c), no person shall smoke, ingest, or otherwise use or consume marijuana or marijuana products (as defined in General Laws Chapter 94G, Section 1) while on, or upon any public way, public place to which the public has a right of access, where smoking tobacco is prohibited, or private lands without the consent of the owner or person in control thereof".

Councilor Lamb noted an edit was suggested by the Police Director by removing smoking and inserting consumption. The Director said it may not seem significant; however there are other ways of using tobacco (chewing, spitting, eating, vaping with nicotine or its derivatives).

Robert Cardimino, 173 East Quincy Street said there should be smoke free areas.

10,393-a The President presented an Ordinance amending Chapter 29 entitled Noncriminal Disposition, Severability of the Revised Ordinances of the City of North Adams by adding a new section 29-2(d), Public Consumption of Marijuana or Marijuana Products, which was referred to the Public Safety Committee and postponed at the meeting of March 13th.

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

11,014-2 The President presented an Ordinance amending Chapter 14 entitled Offenses-Miscellaneous, Section 3 of the Revised Ordinances of the City of North Adams, by adding a new Section 14-3.2, Public Consumption of Marijuana of Marijuana Products, which was referred to the Public Safety Committee and postponed at the meeting of March 13th.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to pass to a second reading and publish as required by law.

Councilor Lamb motioned to amend the language from smoking tobacco to tobacco consumption, seconded by Councilor Hopkins.

Councilor Harpin would like to amend by adding smoking, consuming or chewing, noting it was too vague, most people know smoking tobacco.

Councilor Buddington asked for clarification if we were working off the recommendation of the committee.

Councilor Buddington noted the Police Director's recommendation left a gray area and would like it to be more specific, such as any consumption. He noted he does not like a long list, this ordinance will cover consumption in any public place.

Councilor Lamb rescinded his original motion, seconded by Councilor Hopkins.

Councilor Lamb motioned to amend it to consumption, chewing, or smoking of tobacco, seconded by Councilor Hopkins.

Discussion continued by Councilors over consumption, but Councilor LaForest asked why do we need multiple words to say what consumption addresses.

Councilor Buddington said the language the committee came back with before the amendments covered all the places prohibited.

Councilor LaForest felt that Council was getting lost in all of this discussion and Councilors should vote on the amendment.

Councilor Cohen motioned to take out smoking and include consumption only, seconded by Councilor Wilkinson.

The President called for a roll call vote on the amendment to remove chewing or smoking to consumption of tobacco.

On roll call the following responded; yea Councilor Cohen, LaForest, Wilkinson. Nay Councilor Bona, Buddington, Harpin, Hopkins, Lamb. Motion fails.

Council President said they were now back to the original amendment to consumption, chewing or smoking tobacco. This amendment will replace what was presented originally.

The President called for a roll call vote on the amendment.

On roll call the following responded yea Councilor Bona, Harpin, Hopkins, Lamb. Nay Councilor Buddington, Cohen, LaForest, Wilkinson. Motion fails.

The President said now we are back to the original ordinance the Mayor presented to Council.

Councilor Buddington motioned to replace with what the text the Public Safety Committee recommended, duly seconded by Councilor LaForest.

Councilor Lamb reminded the Council this does not include the recommendation of the Police Director.

The President called for a roll call vote on the amendment.

On roll call the following responded; yea Councilor Buddington, Cohen, Hopkins, Bona. Nay Councilor Harpin, Lamb, LaForest, Wilkinson. Nay none.

Councilor Wilkinson motioned to add the language recommended by the Police Director back into the Ordinance, seconded by Councilor LaForest.

Councilor LaForest read the complete amendment for the vote. "In accordance with General Laws Chapter 94G, Section 13 (c), no person shall smoke, ingest, or otherwise use or consume marijuana or marijuana products (as defined in General Laws Chapter 94G, Section 1) while on, in, or upon any public way, public place to which the public has a right of access, where tobacco consumption is prohibited, or private lands without the consent of the owner or person in control thereof".

The President called for a roll call vote on the amendment.

On roll call the following responded; yea Councilor Bona, Cohen, Lamb, LaForest, Wilkinson. Nay Councilor Buddington, Harpin.

A final motion to pass to a second reading and publish as required by law, as amended was made by Councilor Cohen, duly seconded by Councilor Lamb. All were in favor.

11,646-1a The President presented Mayor's communication #15-a recommending the proposed Recreational Marijuana Sales Tax.

Without objection the President placed the communication on file.

The Mayor noted this is based on the preliminary recommendations of the Commonwealth's Cannabis Control Commission.

11,646-1a The President presented an Order accepting MGL, Chapter 64N, Section 3 adopting a 3% Sales Tax applicable to Marijuana Retailers.

On motion of Lamb, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Nay none.

11,569-1 The President presented Mayor's communication #16 regarding Ashland Street property taking by eminent domain.

Without objection the President placed the communication on file.

The Mayor noted in order to complete the sale of the City Yard to Cumberland Farms, the City needs to take both lots 4 and 5, as allowed by law.

Councilor Buddington asked if this was a acceptable use of eminent domain, The Solicitor said it was under the law.

Councilor Lamb wondered why when the RFP was done this was not found. The Solicitor explained it would not be found until a title search is done. The City owns it by process of the law. Councilor Buddington asked if lot 5 also had a clean title. The Solicitor said the City is just confirming what we have and correcting the title. The Solicitor noted the City has occupied the property for at least 100 years.

- 11,569-1** The President presented an Order authorizing the Mayor to take by eminent domain property located on Ashland Street under the provisions of MGL, Chapter 40, Section 14 and MGL, Chapter 79.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Nay Councilor Buddington.

- 11,567-1** The President presented Mayor's communication #17 authorizing the Superintendent to submit a Statement of Interest for Greylock School, to Massachusetts School Building Authority.

Without objection the President placed the communication on file.

The Mayor noted submitting an SOI secures the City and school district's eligibility to pursue MSBA. Submitting the SOI creates no obligation to the City.

This step establishes the City's place in the priority list of projects and puts us in line for future funding consideration.

- 11,567-1** The President presented a Resolution authorizing the Superintendent to submit a Statement of Interest for Greylock School.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to adopt the Resolution.

The Resolution was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Nay none.

- 11,653** The President presented Mayor's communication #18 presenting the DRAFT Budget for FY'19.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to refer to the Finance Committee.

Councilor LaForest questioned the Mayor if there was a structural deficit. The Mayor said there was no deficit, it is a gap.

David Whitney, 51 Burnham Street noted that every budget that comes before Council is padded.

- 11,654** The President presented a communication submitted by Councilor Buddington regarding a plastic Bag and Styrofoam Ban.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to refer to the General Government Committee and postpone to the meeting of April 24th.

Councilor Buddington noted in his communication that plastic bags and Styrofoam are a significant source of litter and are often made from non-renewable sources.

Councilor Cohen said that many communities already have measures in place for plastic and styrofoam.

Bryan Sapienza, 119 Pleasant Street noted that he himself does not like plastic but big box stores will have to absorb the cost and it will be a burden to the residents.

Barbara May, 110 Summit Ave is in favor of banning plastic and Styrofoam.

Robert Cardimino, 173 East Quincy Street was strongly opposed.

The President called for any Calendar or Community Events, hearing none the President moved to Open Forum.

Bryan Sapineza, 119 Pleasant Street would like to see the art work restored that was on the pillars under the bridge. He wonders what gave Moca the right to cover them up. Barbara May, 119 Summit Ave said the pillars were misunderstood, they were a visual piece and the City allowed them to paint the pillars. She suggested maybe the City would allow them to be painted in another place.

The President called for Mayor's Concerns. The Mayor thanked Council for the work that was put forth on the marijuana ordinance and apologized for the confusion. Larysa Bernstein, the Working Group and the State process ran parallel to each other. He thanked his finance team for the work they did on the draft budget. The Mayor acknowledged the years of service that John DeRosa has given to the City. He noted that he has appointed KP Law for Legal Counsel. He said the clear title for Cumberland Farms needed to be completed to move the sale for Cumberland Farms, an environment study will be done April 19th. The Mayor gave an update on Sullivan School, the Salt Shed on Ashland Street, Notre Dame Church and the Pownal land, which was requested by Council President. So far they have nothing on any of these properties; new RFP's will be needed. There is an active agreement with Windsor Mill, once the environmental study is complete, the City can move forward. There is a one year extension on the purchase agreement with Heritage Park, which is coming due May 12th with an additional \$30,000 deposit. The Mayor also noted that Brewhaha will be closing March 31st and will be opening at their new location on West Main Street.

The President asked for Liaison and Councilor Concerns.

Councilor Harpin complimented Deborah Pedercini for the great job she did in the absence of the clerk. Her minutes were right on. Councilor LaForest echoed the same. Councilor LaForest wondered if the delay in the Chapter 90 money would have anything to do with the pot holes in the City. The Mayor said the City crews are out patching.

The President presented an application submitted by Emily Breen, 549 Church Street to drive taxi for RJ's Taxi.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to grant the license.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to adjourn at 9:22 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

39

City Clerk Marilyn Gomeau

JOINT PUBLIC HEARING NORTH ADAMS PLANNING BOARD and NORTH ADAMS CITY COUNCIL

April 9, 2018

CITY COUNCIL MEMBERS PRESENT: Bona, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson.
Absent Councilor Buddington, Cohen, Moran.

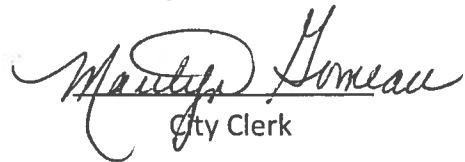
PLANNING BOARD MEMBER PRESENT: Leary, Taft, Bond, Burdick, Senecal, Holmes, Miksic,
Hanlon. Absent Blackmer

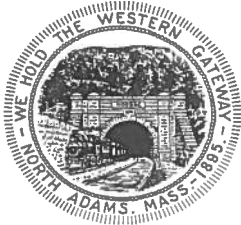
Council President called the meeting to order.

Chairman Leary opened the hearing for discussion; no one was there to answer any questions of the board member.

With no further discussion the President declared the Public Hearing closed at 6:34pm.

A True Record
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City Clerk



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10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

40

REGULAR MEETING OF THE CITY COUNCIL April 10, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Councilor Moran absent.

A moment of silence was observed, remembering Helen Peterson, English and Literature teacher in the North Adams Public School. Joan Trimarchi, 20 years business teacher at McCann Technical High School and formerly taught at Drury High School.

The President called for the approval of the minutes from the March 27th meeting.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented.

10,393-9 The President presented an Ordinance amending Chapter 29 of the Revised Ordinances entitled, Noncriminal disposition, Severability by adding a new Section 29-2, Public Consumption of Marijuana Products, which was passed to a second reading and published as required by law at the meeting of March 27th.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to adopt the Ordinance.

The Ordinance, as amended was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Wilkinson. Nay none.

11,014-2 The President presented an Ordinance amending Chapter 14, Section 3 of the Revised Ordinances, entitled Offenses-Miscellaneous by adding a new section 14-3.2 entitled Public Consumption of Marijuana or Marijuana Products, which was passed to a second reading and published as required by law at the meeting of March 27th.

The Ordinance, as amended was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

11,646-b The President presented Mayor's communication #7-b regarding amendments to the Marijuana Zoning Ordinance.

Without objection the President placed the communication on file.

The Mayor noted these changes do not change the substance or intent of the recently approved Ordinance. These changes reflect suggestions for clarification from the Berkshire Regional Planning Commission.

11,646-b The President presented an Ordinance amending Chapter Z of the Revised Ordinances of the City of North Adams, entitled Licensed Marijuana Establishments, Section 10.12.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Safety Committee.

Councilor Wilkinson suggested it also be referred to the Planning Board.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to amend the original motion to include the referring to the Planning Board.

11,655 The President presented Mayor's communication #19 recommending an appropriation of \$25,500 from Certified Free Cash to purchase new voting machines.

Without objection the President placed the communication on file.

The Mayor noted the current machines have reached the end of their serviceable life and critical parts are no longer available. This is an investment the City needs to make.

11,655 The President presented an Order appropriating the sum of \$25,500 from Certified Free Cash to Capital Expenses, Miscellaneous Purchases.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

Councilor Harpin noted it was important for us to support this, and wondered about the training.

Councilor Cohen asked what the life expectancy of the machines was.

The Clerk explained the present machines were purchased in 2007 at a cost of \$32,500 and the new ones are \$26,000. The company will also take the old machines in for trade. LHS will offer training for all workers and staff and be available on Election Day. The life span of the image cast machine is 20+ years. They are made in the US and are used by 110 cities and towns in Massachusetts. The machines meet all the requirements for the State.

Brian Sapienza, 119 Pleasant Street questioned if the new machines could be hacked. Councilor Wilkinson remarked that the machines are not computers they are optical scanners.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson, Nay none.

- 11,656** The President presented Mayor's communication #20 transferring \$4,000 from the Tinker Fund to support Hillside Cemetery restoration.

Without objection the President placed the communication on file.

The Mayor said to continue the Hillside cemetery restoration efforts, Mr. Eurbin who heads the group, has requested \$4,000 from the Tinker Fund for the upcoming work in 2018.

Roger Eurbin, 677 Ashland Street said the group has been working for the last three years on the Restoration. Mr. Eurbin said the funds will be used for material such as concrete, wood and tools as needed.

- 11,656** The President presented an Order appropriating the sum of \$4,000 from the Tinker Fund to Department of Public Services, Cemetery Repairs and Maintenance.

On motion of Councilor Wilkinson, duly seconded Councilor Lamb it was VOTED: to adopt the Order.

Roger Eurbin, 677 Ashland Street reminded Council that the Tinker Fund was specifically for the repairs and equipment of Hillside Cemetery. He noted that Edward Tinker set up a fund to maintain the Tinker mausoleum and surrounding cemetery.

The group introduced themselves; Jim Roberts of Clarksburg, Lily Marceau, Edward Marino, Randy Andrews and Larry Burdick.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

- 11,657** The President presented a communication submitted by Council President Bona appointing an ad hoc committee for the future of the City Clerk's Office.

Council President said we are aware that the City Clerk will be retiring at the end of her term and the Council needs to begin to put thought into what the future of the office is going to be.

Councilor Cohen questioned if the Clerk would be staying on as a consultant.

Councilor Bona explained although we appoint both the Clerk and the Assistant, we cannot control the budget.

- 11,658** The President presented Mayor's communication #21 recommending the overnight parking ban be lifted as of April 16th.

Without objection the President placed the communication on file.

The Mayor noted if by chance we had a snow storm, he then would then call a snow emergency.

11,658 The President presented an Order authorizing the Mayor to lift the overnight parking ban effective April 16th at 12:00am.

On motion of Councilor Buddington, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

The President called for any Calendar or Community Events, Councilor Lamb noted Friday the 13th the NBCC is holding a monthly forum at 10:00am. Saturday the 14th from 10:00 to 6:00 at the Green on Main Street there will be pop-up art and storytelling. Councilor Harpin said Thursday April 19th from 4:00 to 6:00 a rally will be held to support sexual awareness. Councilor Wilkinson noted the Finance Committee will be holding the first of four meetings to discuss the budget.

The President called for anyone wishing to speak in Open Forum, hearing none, the President called for any Mayor's Concerns. The Mayor noted Monday April 23 from 3:30 to 5:00 at the Green on Main Street BRTA will be discussing reducing a couple of bus routes. On Friday April 13th there will be a Public Hearing at the Greylock Works to discuss proposed retail marijuana to be located at 1499 South State Street.

The President asked for Liaison and Councilor Concerns.

Councilor Cohen wanted an update on the pot holes in the City. The Mayor said they are working daily on patching the roads and doing their best to keep up with it.

The President presented an application for a renewal of a secondhand license submitted by Mary Ann George, 656 Ashland Street in the business name of Mary Ann-tiques.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to grant the license. Councilor Bona abstained.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adjourn at 8:10 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

44

REGULAR MEETING OF THE CITY COUNCIL April 24, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed, remembering Alma Benedetti, teacher at Haskins School and art teacher in the elementary schools. She also served on the Tree Commission and Friends of the Library. Margaret Gagliardi home economics at Drury High School. James Shaker, High School basketball referee and statistician for Drury High School basketball.

The President called for the approval of the minutes from the April 10th meeting.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented. Councilor Moran abstained.

Council President stepped down from the chair before the next paper was presented, noting he would like to address this issue since he is a business owner.

Vice President Lamb stepped into the chair.

11,654 The President presented a communication submitted by Councilor Buddington regarding a Plastic Bag and Styrofoam Ban, which was referred to the General Government Committee and postponed at the meeting of March 27th.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to postpone to the meeting of July 24th.

Robert Cardimino, 173 East Quincy Street felt that Councilor Buddington was overstepping his bounds. What right do you have to tell retailers what they should use for bags, not to mention the cost.

Council President stepped back into the chair.

11,659 The President presented Mayor's communication #22 requesting the approval of an overhanging sign for Melanie St. Pierre, located at 151 Eagle Street.

Without objection the President placed the communication on file.

The Mayor noted that the applicant has approvals from the Planning Board, insurance bond and approval of the City Solicitor.

11,659 The President presented an Order authorizing the installation of an overhanging sign for Melanie St. Pierre located at 151 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,660 The President presented Mayor's communication #23 acknowledging Children's Mental Health Awareness Week, May 6th – 12th.

Without objection the President placed the communication on file.

The Mayor presented the proclamation to Carrie Crews, the Brien Centers family support and training program director.

11,655-1 The President presented an Order authorizing the discontinuance of the Accu-Vote machines and switch to the Image Cast Precinct Optical Scan Tabulator.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

The President called for any Calendar or Community Events, Councilor Cohen noted MAC is holding a community meeting on May 3rd. Councilor Lamb said the Dog Museum is having a grand opening this week-end. The Mayor's Fitness Challenge begins May 19th, they are adding a bike event this year.

The President called for anyone wishing to speak in Open Forum, Robert Cardimino, 173 East Quincy again stated he was against the ban of plastic bags, it would be a huge burden to the elderly. Roger Eurbine, 677 Ashland Street said at the last meeting he had misinformed Council on the number of stones that have been repaired at Hillside Cemetery, to date they have repaired 913 stones. Weather depending they plan to start clean up on Saturday. The President called for any Mayor's Concerns; the Mayor noted he is suggesting a community meeting similar to what Pittsfield had. There are still enough people upset with Spectrum that it would be worth inviting them to have a

meeting. He noted that customers are dealing with poor customer service, slow internet and pricey new digital boxes along with channels being dropped. The Mayor's Fitness Challenge starts May 5th thru the 19th. Pittsfield Mayor Linda Tyler is doing the challenge along with North Adams. The Mayor also noted the 4 Freedom Coalition is having a Day of Civic Empowerment, Saturday April 28th.

The President asked for Liaison and Councilor Concerns.

Councilor Cohen said she went out on Earth Day and picked up trash with her daughter and would like to remind everyone that every day is Earth day. Council President noted that Michael Chalifoux and his friends, continually pick up trash around the City. Councilor Wilkinson was upset that people from the community and Councilors have failed to attend Finance Committee meetings and provide input into a \$44 million fiscal 2019 budget. It is a shame that there is no interest in how taxpayer's money is being spent.

The President presented an application submitted by James Montepare, 100 McLain Court, Williamstown for a renewal of a secondhand license in the business name of Empire Antiques, located at 63 Main Street.

On motion of Councilor Harpin, duly seconded by Councilor Cohen it was VOTED: to grant the license. Councilor Bona abstained.

The President presented an application submitted by James Montepare, 100 McLain Court, Williamstown for a renewal of a secondhand license in the business name of Empire Antiques, located at 432 State Road.

On motion of Councilor Harpin, duly seconded by Councilor Cohen it was VOTED: to grant the license. Councilor Bona abstained.

The President presented an application submitted by Minerva Arts Center, 115 Water Street, Williamstown for a renewal of a secondhand license in the business name of MAC Treasures, located at 350 State Road.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to grant the license. Councilor Bona abstained.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to adjourn at 8:00 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

47

REGULAR MEETING OF THE CITY COUNCIL May 8, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed.

The President called for the approval of the minutes from the April 24th meeting.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to accept the minutes as presented.

11,652 The President presented a petition submitted by Council President Bona from F. Sydney Smithers on behalf of Greylock Works, LLC to amend the Zoning Ordinance, a Public Hearing was Held May 8th.

Without objection the President placed the communication on file.

11,652 The President presented an Ordinance amending Chapter Z, entitled Zoning Appendix A, entitled Use Regulation Schedule, Principal Uses 52, and 54.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to pass to a second reading and publish as required by law.

Councilor Buddington would like some clarification in the wording.

Councilor Lamb rescinded his original motion.

Councilor Buddington motioned to amend by removing the I-2 District.

After many questions and concerns by the Council, who expressed they were confused by the Ordinance, Councilor Buddington rescinded his motion.

Councilor Lamb motioned to refer to the Solicitor for clarification, seconded by Councilor Hopkins.

Council President suggested the next step should be to invite Mr. Smithers to the next meeting.

On motion of Councilor Buddington, duly seconded by Councilor Cohen it was VOTED: to postpone to the meeting of May 22nd and invite Mr. Smithers to attend the meeting for clarification.

11,646-c The President presented a communication from the Planning Board scheduling a Joint Public Hearing amending the Marijuana Zoning Ordinance.

Without objection the President set the Public Hearing for May 14th at 5:30pm.

11,662 The President presented Mayor's communication #24 requesting the appropriation of \$5,000 from Certified Free Cash for Zoning Ordinance Revisions.

Without objection the President placed the communication on file.

The Mayor noted the City of North Adams received a District Local Technical Assistance grant of \$10,000 from Berkshire Regional Planning Commission to support a comprehensive zoning update project that will focus on aligning zoning more closely with the City's comprehensive plan.

11,662 The President presented an Order appropriating the sum of \$5,000 from Certified Free Cash to Unclassified, Ordinance Revision.

On motion of Councilor Wilkinson, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

Councilor Buddington said he was happy to see this, getting things in the GIS format.

The Order was adopted by yea and nay as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Nay none.

11,663 The President presented Mayor's communication #25 requesting a review of the Transfer Station Operations for FY'19.

Without objection the President placed the communication on file.

Michael Canales gave a Power Point presentation, which was the same one that he presented to the Committee.

Several Councilors and the general public had questions for Mr. Canales mostly on the operations of the facility.

11,664 The President presented Mayor's communication #26 recommending the reappointment of Marilyn DeRosa as a Registrar of Voters, for a term to expire April 1, 2021.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to confirm the reappointment.

The President called for any Calendar or Community Events, Councilor Lamb noted the Public Safety Committee would meet on Wednesday at 6:00pm regarding the gun range. Councilor Wilkinson said the Finance cCmmittee would be meeting for the final time on May 31st at 6:00pm. Councilor Hopkins noted the Ad Hoc Committee was holding a meeting on May 16th at 5:30 in regards to the City Clerk's Office. Councilor Moran said Friday May 11th, 10:00 to noon at the Green on Main Street there will be a community forum sponsored by the coalition. Councilor Hopkins noted that BFAIR is hosting a walk-a-thon on June 23rd. Roger Eurbine reminded residents that every Saturday the Cemetery Commission is doing clean up at Hillside Cemetery.

The President called for anyone wishing to speak in Open Forum, Robert Cardimino, 173 East Quincy, said he was collecting signatures against the plastic bag ban.

The President called for any Mayor's concerns, the Mayor said he would be having a hearing on Monday, May 21st from 6:00 to 8:00 pm at the American Legion related to Charter Spectrum's compliance with the contract it has with the City. The cable and internet provider has come under fire for channel changeups, poor customer service and the imposition of high fees for digital boxes. The Mayor encouraged residents to attend the meeting to have their voices heard. Teacher's appreciation day is today so he wanted to acknowledge the educators in our community. MCLA commencements are Saturday and would like to welcome family and friends of the graduates. May 17th is Northern Berkshire United Spirit Awards, Richard Alcombright, Christine Hoyt and Alan Nelson will be receiving the awards.

The President asked for Liaison and Councilor Concerns.

Councilor Harpin gave her liaison report of the Retirement Board.

The President presented an application submitted by Timothy Randall, 181 Bracewell Avenue for the renewal of a secondhand license in the business name of Sanford & Kid, located at 160 Bracewell Avneue.

On motion of Councilor Hopkins, duly seconded by Councilor Wilkinson it was VOTED: to grant the license. Councilor Bona abstained.

With no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to adjourn at 8:50 PM.

A True Record
Attest,


City Clerk



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10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

50

REGULAR MEETING OF THE CITY COUNCIL May 22, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Absent Councilor Wilkinson.

A moment of silence was observed remembering Cecelia Garner, Active volunteer and past President of the Friends of the North Adams Library and assisted at the North Adams Tourist Booth.

The President called for the approval of the minutes from the May 8th meeting.

On motion of Councilor LaForest, duly seconded by Councilor Hopkins it was VOTED: to accept the minutes as presented.

11,646-c The President presented a communication from the Planning Board scheduling a Joint Public Hearing amending the Marijuana Zoning Ordinance. The Public Hearing was held on May 14th.

Without objection the President placed the communication on file.

11,646-c1 The President presented a communication from the Planning Board regarding recommendations for the Marijuana Ordinance.

Without objection the President placed the communication on file.

11,646-b The President presented an Ordinance amending Chapter Z of the Revised Ordinances of the City of North Adams, Licensed Marijuana Establishments, Section 10.12, which was referred to the Public Safety Committee and the Planning Board. The Public Hearing was held.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to pass to a second reading and publish as required by law.

11,652 The President presented an Ordinance amending Chapter Z, entitled Zoning Appendix A, entitled Use Regulation Schedule, Principal Uses 52, and 54, which was postponed at the meeting of May 8th. Council requested Attorney Smithers attend the meeting for clarification.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to pass to a second reading and publish as required by law.

Councilor Buddington would like to amend to omit the I-2 District.

Mr. Smithers, attorney from Cain, Hibbard & Myers represents Greylock Works, said it would be no problem to delete that from the Ordinance.

Councilor Buddington motioned to amend by deleting the I-2 District, seconded by Councilor Lamb.

Councilor Cohen motioned to amend the typo in the document, seconded by Councilor Lamb.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to pass to a second reading and publish as required by law, as amended.

11,665 The President presented Mayor's communication #27 relative to approval of a permit for the Installation of an overhanging sign for Persnickety Toys located at 13 Eagle Street.

Without objection the President placed the communication on file.

11,665 The President presented an Order granting permission to install an overhanging sign to Monique Suters, Persnickety Toys, located at 13 Eagle Street.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

Councilor Lamb explained to the Council that he was involved in the Eagle Street project, although he is putting in many hours, he is not gaining anything from this project.

Council President explained that Council had three options to consider for Councilor Lamb's participation.

1. Continue to participate and vote, since he has no financial gain.
2. Abstain from the vote.
3. Step down from his chair and speak as a citizen.

All Councilors had no concerns with Councilor Lamb participating in the discussion and voting on this matter.

Council President called for a voice vote on Councilor Lamb's participation; all were in favor.

Councilor Lamb explained that some businesses were not interested, but most of them were very interested.

Councilor Hopkins asked if there would be any impact on window signage. Councilor Lamb said it would not.

Councilor Harpin said the designs were very impressive and wondered what the time line was.

Councilor Lamb said they had hoped it would all be done by the end of June. He said the signs were 18" round, double sided and the bracket was black metal with a metal eagle.

Councilor LaForest questioned who owned the signs. Councilor Lamb said once the signs are installed, the store owner will own the sign. The bracket will stay with the building.

Councilor Bona said the reason the sign permits were before them is because they are overhanging on City property.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, Lamb, LaForest, Moran. Nay none.

11,666 The President presented Mayor's communication #28 relative to approval of a permit for the installation of an overhanging sign for Desperados, located at 23 Eagle Street.

Without objection the President placed the communication on file.

11,666 The President presented an Order granting permission to install an overhanging sign to Peter Oleskiewicz, owner of Desperados, located at 23 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay none.

11,667 The President presented Mayor's communication #29 relative to approval of a permit for the installation of an overhanging sign for Martha Flood Fabrics & Studio, located at 38 Eagle Street and Gravity Gallery, located at 44 Eagle Street.

Without objection the President placed the communication on file.

11,667 The President presented an Order granting permission to install an overhanging sign to Martha Flood Fabrics & Studio, located at 38 Eagle Street and Gravity Gallery, located at 44 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay none.

- 11,668** The President presented Mayor's communication #30 relative to approval of a permit for the installation of overhanging signs for ROOTS Northern Berkshire Teen Center, located at 43a Eagle Street; and Northern Berkshire Interfaith Action Initiative's Friendship Center located at 43b Eagle Street.

Without objection the President placed the communication on file.

- 11,668** The President presented an Order granting permission to install overhanging signs to ROOTS Northern Berkshire Teen Center, located at 43a Eagle Street; and the Northern Berkshire Interfaith Action Initiative's Friendship Center, located at 43b Eagle Street.

On motion of Councilor Harpin, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb. Councilor Bona and Moran abstained.

- 11,669** The President presented Mayor's communication #31 relative to approval of a permit for the installation of an overhanging sign for Installation Space, located at 49 Eagle Street.

Without objection the President placed the communication on file.

- 11,669** The President presented an Order granting permission to install an overhanging sign to Anna Farrington, owner of Installation Space, located at 49 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay none.

- 11,670** The President presented Mayor's communication #32 relative to approval of a permit for the installation of an overhanging sign for Village Pizza, located at 51 Eagle Street.

Without objection the President placed the communication on file.

- 11,670** The President presented an Order granting permission to install an overhanging sign to Christina Randall, owner of Village Pizza, located at 51 Eagle Street.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay none.

11,671 The President presented Mayor's communication #33 recommending the re-appointment of Michael Leary to the Redevelopment Authority for a term to expire June 1, 2023.

On motion of Councilor Hopkins, duly seconded by Councilor Cohen it was VOTED: to confirm the appointment.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, Councilor Lamb noted Monday is Memorial Day and the parade kicks off at 9:30am. Councilor Harpin said there is a seminar regarding the conflict of interest law, June 19th from 3:30 to 5:30 at City Hall. Councilor LaForest noted the North Adams Ambulance was celebrating their 40th anniversary at MoCA on Wednesday from 6:00pm to 8:00pm.

Roger Eurbin, 677 Ashland Street noted his committee has finished putting flags out at Hillside and they will complete Southview on Wednesday. Henry Jaeschke of Chase Avenue said the Farmer's Market starts on June 19th and the Steeplecats open on June 7th.

The President called for anyone wishing to speak in Open Forum, Robert Cardimino, 173 East Quincy, voiced his opinion again on the plastic bag ban.

The President called for any Mayor's concerns, hearing none, the President asked for Liaison and Councilor Concerns.

Councilor Cohen gave her liaison report for McCann School.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to adjourn at 8:10 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

55

REGULAR MEETING OF THE CITY COUNCIL June 12, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed.

The President called for the approval of the minutes from the May 22nd meeting.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to accept the minutes as presented. Councilor Wilkinson abstained.

Without objection the President moved Council paper 11, 673 forward at the request of the Mayor.

11,673 The President presented Mayor's communication #38 recommending participation in the Massachusetts Property Assessed Clean Energy (PACE) Program.

Without objection the President placed the communication on file.

The Mayor explained this program provides a financing framework for owners of commercial, industrial, nonprofit and multi-family units of five or more to make energy improvements to their properties.

Julie Cowan, Mass Development's Vice President for Business Development in Western Massachusetts, said PACE provides access to long term financing. Ms. Cowan said the obligation of the City would be to collect the loan as part of the tax form and remit the funds to PACE.

Several Councilors had questions regarding the program and wanted to be sure the City will not be liable for the loan. Councilor Wilkinson said it was stealing equity; Ms. Cowan was quick to answer that was not the case. Councilor Lamb wondered how many communities were taking part in the PACE program. Ms. Cowan said that there are 10 communities, 6 are in Western Massachusetts.

11,673 The President presented an Order authorizing the City to participate in the Massachusetts Property Assessed Clean Energy (PACE) Program.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

The Order was adopted by yea nad nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay Councilor Wilkinson,

11,648 The President presented a communication submitted by Councilors Harpin and Lamb requesting that the City Council work with the Mayor's Office regarding domestic violence.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to file the communication.

11,648-1 Mayor's communication #40 regarding domestic violence.

Without objection the President placed the communication on file.

The Mayor noted he has been working with several human service groups to convene community meetings on the subject of domestic violence as well as to support survivors of domestic abuse.

Councilor Lamb noted that it would be good to also have a men's group for domestic violence. Councilor Cohen said that animal abuse and domestic abuse should be linked. Councilor Harpin noted there is a 24hour hotline at the Freeman Center for domestic violence.

11,676 The President presented a petition submitted by F. Sydney Smithers requesting to amend the North Adams Zoning Map to be rezoned to CC-1.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to refer to the Planning Board.

Attorney Smithers noted it was the parcels of land on State Road by the Tourist complex.

11,646-b The President presented an Ordinance amending Chapter Z of the Revised Ordinances of the City of North Adams, Licensed Marijuana Establishments, Section 10.12, which was passed to a second reading and publish as required by law at the meeting of May 22nd.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to adopt the Ordinance.

The Ordinance, as amended was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

- 11,652-1** The President presented an Ordinance amending Chapter Z, entitled Zoning Appendix A, entitled Use Regulation Schedule, Principal Uses 52, and 54, which was passed to a second reading and publish as required by law at the meeting of May 22nd.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adopt the Ordinance.

The Ordinance, as amended was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,653-a** The President presented Mayor's communication #34 presenting the FY'19 Budget.

Without objection the President placed the communication on file.

The Mayor noted the budget was slightly less than 2% from 2018. He also said the bottom line was \$827 lower than the figure. Councilor Harpin's sharp eyes picked up on the error, therefore there is an amendment to the budget. The Mayor thanked the finance committee for all their work and also his finance team.

- 11,653-a** The President presented an Order appropriating the sum of \$40,722,185 to be raised by taxation for FY'19.

On motion of Councilor Wilkinson, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

Councilor Wilkinson, Chairman of the Finance Committee gave the report of the committee. He noted the budget had been well vetted. The budget is very lean, there are no extras and there is nothing to talk about. The committee recommends the presented budget to the full Council.

On motion of Councilor Buddington, duly seconded by Councilor Cohen it was VOTED: to accept the committee report as presented.

Councilor Harpin and Councilor Wilkinson read the budget for approval.

General Government

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to accept the total for General Government at \$1,303,976.

Public Safety

On motion of Councilor Harpin, duly seconded by Councilor Lamb it was VOTED: to amend Police to \$1,992,306.

On motion to LaForest, duly seconded by Councilor Harpin it was VOTED to accept the total for Public Safety at \$5,012,705.

Public Services

On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED: to accept the total for Public Services at \$3,242,664.

School Department

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to accept the total for the School Department at \$17,420,661. Councilor Lamb abstained.

Pensions

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to accept the total for Pensions at \$2,813,381.

Unclassified

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to amend FICA-City's Share to \$104,438.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to accept the total for Unclassified at \$8,110,336.

Capital

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to accept the total for Capital at \$775,000.

Interest

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to accept the total for Interest at \$363,294.

Debt

On motion of Councilor LaForest, duly seconded by Councilor Hopkins it was VOTED: to accept the total for Debt at \$1,679,341.

Recapitulation

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to amend Public Safety to \$5,012,705.

On motion of Councilor Harpin, duly seconded by Councilor LaForest it was VOTED to amend Unclassified to \$8,110,336.

Amounts to be appropriated for operations

On motion of Councilor Harpin, duly seconded by Councilor LaForest it was VOTED: to amend Real Estate Revenue to \$17,520,225.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to amend to total amount to be raised by taxation to \$40,721,358.

On motion of Councilor LaForest, duly seconded by Council Cohen it was VOTED: to amend the written language to read the correct total of the budget.

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to adopt the budget as amended.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,672 The President presented Mayor's communication #35 recommending a change to the FY'19 Classification Plan.

Without objection the President placed the communication on file.

The Mayor explained that there were two changes to the Classification Plan, Community Development Officer, Special Projects Coordinator changed from S-18 to S-27 and the Public Building Division, Junior Building Custodian changed from S-12 to S-22B.

11,672 The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances, Schedule A, Classification Plan for FY'19.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to pass to a second reading and publish as a municipal bulletin.

11,672-1 The President presented Mayor's communication #36 presenting the FY'19 Compensation Plan for July 1, 2018 to December 31, 2018.

Without objection the President placed the communication on file.

The Mayor said the Police will receive a 2% increase effective July 1, 2018. Firefighters will receive a 1% increase effective July 1, 2018 and an additional 1% in January 2019. DPW will receive a 1% increase effective July 1, 2018 and an additional 1% in January 2019. Non-union employees will receive a 1% increase effective July 1, 2018.

11,672-1 The President presented an Ordinance amending Chapter 2, Section 2-28(a), Schedule B, Compensation Plan for FY'19, July 1, 2018 through December 31, 2018.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to pass to a second reading and publish as a municipal bulletin.

11,672-1a The President presented Mayor's communication #37 presenting the FY'19 Compensation Plan for January 1, 2019 through June 30, 2019.

Without objection the President placed the communication on file.

11,672-1a The President presented an Ordinance amending Chapter 2, Section 2-28(a), Schedule B, Compensation Plan for FY'19, January 1, 2019 through June 30, 2019.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to pass to a second reading and publish as a municipal bulletin.

- 11,674** The President presented Mayor's communication #39 requesting an appropriation of \$28,000 to support information technology review.

Without objection the President placed the communication on file.

The Mayor explained he was hoping to have a study done so as to have a strategic guide prior to hiring an assistant MIS person. His plan was to hire Edward Collins, Jr. Center for Public Management.

- 11,674** The President presented an Order appropriating the sum of \$28,000 from Municipal Tech Fund to General Government, Miscellaneous Expense, and Miscellaneous Purchased.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

Councilor Buddington said there is a lot we can do to simplify and have better access to information. Several Councilors were unsure of this investment for the City. Councilor LaForest was very concerned with Collins Center for Public Management, noting he felt the money could be better spent. Many of the Councilors shared his concerns. After a lengthy discussion Councilor Buddington withdrew his original motion.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Service Committee and postpone to the meeting of July 10th.

- 11,675** The President presented the report of the Ad Hoc Committee for the Office of the City Clerk submitted by Councilor Hopkins.

Without objection the President placed the communication on file.

Councilor Harpin gave the report of the Committee, noting that Clerk Gomeau made recommendation to the committee which would hopefully bring in a new person in July or August to begin the training process, presuming this new person would be promoted to the position of the Assistant, the current Assistant, Ms. Pedercini would be promoted to the City Clerk. Upon the Clerk's retirement she would continue to help in the transition on a part-time basis to take advantage of her experience and institutional knowledge.

The committee recommends that the position be posted, first internally and then externally to begin July 2018 if possible.

Council President reminded Council that the City Clerk and Assistant City Clerk are the Council's appointments. So hopefully the person hired will become a recommendation of the City Clerk otherwise we will be looking again in December-January to fill the Assistant position.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to accept the committee report as presented.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, Council President said the North Adams Elks Lodge is doing a wreath ceremony at the Elk War Memorial on the trail, Saturday June 16th at 1:00pm, with a reception to follow at the lodge.

The President called for anyone wishing to speak in Open Forum, Robert Smith, 140 Pleasant Street mentioned the case of a resident and a Police Officer in the City from 2016. If this is going to become a trend, the City could be facing a large amount of loss.

The President called for any Mayor's concerns, the Mayor again thanked the Finance Committee, his Finance Team and the Council for their work on the budget. He is working with Spectrum on their terms, which they have violations, after 3 years things are still not done. The Mayor noted the conflict of interest law seminar will be June 19 from 3:30 to 5:00. He attended a conference in West Springfield regarding a law suit against drug companies. A strong statement was made against the opioid crisis. The Mayor congratulated the graduating classes from Drury, McCann and BART. Disc golf at Windsor Lake on Friday at 5:30, Concerts have begun on Wednesday's at the lake. The Mayor also noted the exhibit regarding baseball is on Main Street. Down Street Art is June 28th.

The President called for Liaison and Councilor Concerns, Councilor Lamb was glad to see the Mayor's support in the opioid crisis.

The President presented an application submitted by Raymond Foster, 140 Church Street to drive for RJ's Taxi.


On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to grant the license.

The President noted all Councilors had a copy of the correspondence.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adjourn at 10:20 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

62

REGULAR MEETING OF THE CITY COUNCIL June 26, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Councilor Moran absent.

A moment of silence was observed remembering Alphonse Torchia former City Engineer and Michael Chalifoux longtime advocate for the Veterans in the City and took pride in cleaning up the City.

The President called for the approval of the minutes from the June 12th meeting.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to accept the minutes as presented.

Without objection the President moved Council paper 11,681 and 11,682 forward.

11,681 The President presented a communication submitted by Councilor Cohen regarding the Wreaths Across America Program.

Without objection the President placed the communication on file.

Councilor Cohen explained that this was to honor our men and women that served in our armed forces.

Kris Maloney, 477 Walnut Street, spokesperson for the group said these are remembrance wreaths that will be put on each grave stone of veterans in the three cemeteries. They need to raise \$25,000 for this project and they are looking for volunteers. The wreaths will cost \$15.00 for each veteran. They are asking for some help from the City as far as distributing the wreaths to the cemeteries and the clean up after they are removed. They believe this is a benefit to the entire community. The community will be able to remember and honor the veterans on December 15th by participating in the ceremony and wreath laying.

11,682 The President presented a communication submitted by Councilor Harpin requesting consideration of a stipend for the Retirement Board members.

On motion of Councilor Harpin, duly seconded by Councilor Lamb it was VOTED: to postpone to the meeting of August 28th.

Councilor Harpin explained that the board members are responsible to file a yearly financial report and complete 18 credits of education within a three year term. The Retirement Board is not run by the City and the stipends will not affect the City budget. In Western Massachusetts, 14 of the 16 retirement systems pay their boards a stipend.

Beth Matson, administrator for the Retirement Board answered questions for the Council. Ms. Matson noted that there are many years of experience on the board.

Several Councilors thought that Ms. Matson should poll the membership to see what the consensus on paying the board is.

11,651 The President presented a communication submitted by Council President regarding the City's shooting range, which was postponed at the meeting of March 27th.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to refer to the Public Safety Committee and postpone to the meeting of September 25th.

The Mayor presented Councilors with the administration's decision on the range. He noted without the restrictions provided by the range rules and given the impending loss of insurance coverage, the North Adams shooting range will be closed to public use effective December 31, 2018. The Mayor noted it would only be used for police training.

Councilors were disappointed by this decision for several reasons; one is that Councilors were not notified by the Mayor that this was going to be presented tonight and the fact that the committee consisting of Councilor Lamb and LaForest have been meeting and working hard to come up with a solution that would be acceptable to everyone involved. Councilor Wilkinson said it appears to be a dead issue. Giving the committee the opportunity to meet again would allow them to have conversation to brainstorm some alternatives to present to the administration.

Several guests in attendance were very upset at the outcome of this. Alison Lyons a resident of Gunther Street said there are 11 other communities that operate a public range, maybe the City should look at them. Mrs. Lyons noted they would be willing to pay if necessary.

11,672 The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances, Schedule A, Classification Plan for FY'19, which was passed to a second reading and publish as a municipal bulletin at the meeting of June 12th.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Ordinance.

The Ordinance, as amended, was ordained by yea and nay vote as follows; Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

- 11,672-1** The President presented an Ordinance amending Chapter 2, Section 2-28(a), Schedule B, Compensation Plan for FY'19, July 1, 2018 through December 31, 2018, which was passed to a second reading and publish as required by law at the meeting of June 12th.

On motion of Councilor Harpin, duly seconded by Councilor Cohen it was VOTED: to adopt the Ordinance.

The Ordinance, as amended, was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

- 11,672-1a** The President presented an Ordinance amending Chapter 2, Section 2-28(a), Schedule B, Compensation Plan for FY'19, January 1, 2019 through June 30, 2019, which was passed to a second reading and publish as required by law at the meeting of June 12th.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to adopt the Ordinance.

The Ordinance, as amended, was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

- 11,677** The President presented Mayor's communication #41 requesting year end transfers for FY'2018.

Without objection the President placed the communication on file.

The Mayor noted these transfers were to close out the fiscal year.

- 11,677** The President presented an Order transferring the sum of \$661,488.71 from several accounts to several accounts.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

Councilors LaForest and Harpin were concerned that these papers were not submitted to them in a timely fashion, allowing them time to review what is before them. They would like to see this referred to committee. Councilor LaForest said we just passed a budget and now with these figures before them, possibly we would have voted differently. We have a position in the MIT department that has not been filled for several years, yet it is a line item in the budget. Councilor LaForest noted there was \$679,790 in receipts that were not collected and wondered if this was due to lack of income. Councilor Lamb and Buddington felt if this went to committee it would allow a better explanation of streaming revenue. Councilor Hopkins felt there was no need for this to be referred to committee. Several Councilors felt this information should have been given to them at the Finance Committee meetings, so they would have been more prepared for this. Councilor Wilkinson said this

was routine and there is no need for it to go to committee. Councilor LaForest said that it is Council's responsibility to ask questions, are we not the check and balance? Councilor Harpin said she likes to review the papers before her, this is my job as a Councilor.

Councilor LaForest motioned to refer this to the Finance Committee, seconded by Councilor Buddington.

The President requested a roll call vote, yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb. Nay Councilor Wilkinson.

11,677-1 The President presented an Order transferring the sum of \$272,632 from Certified Free Cash to Public Safety and Public Services.

On motion of Councilor Cohen, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson. Nay none.

11,583-1 The President presented Mayor's communication #42 recommending an appropriation from Certified Free Cash to the Stabilization Account to balance the FY'18 budget.

Without objection the President placed the communication on file.

11,583-1 The President presented an Order appropriating the sum of \$21,000 from Certified Free Cash to Stabilization to balance the FY'18 budget.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Wilkinson, Nay none.

11,678 The President presented Mayor's communication #43 recommending an appropriation Order to borrow the sum of \$425,000 for the purchase of Fleet Vehicles.

Without objection the President placed the communication on file.

The Mayor noted this is to fund the purchase of vehicles for the departments of Public Services and Building and Inspection Services.

11,678 The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$425,000 for the purchase of Fleet Vehicles for the Public Services and Building and Inspection Services under the provisions of MGL, Chapter 44, Section 7.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, Councilor Lamb noted the North County Men's Group will meet July 24th.

The President called for anyone wishing to speak in Open Forum, Robert Smith, 140 Pleasant Street questioned what was happening with the Bike Path, Notre Dame School, Pownal Land and the land at St. Francis. Brian Sapienza of Pleasant Street said improvements are needed at parks that would benefit all the children. Councilor Bona noted the passing of Michael Chalifoux a supporter of the local Veterans.

The President called for any Mayor's concerns, the Mayor mentioned upcoming events, bike around, movie in Colgrove Park, concerts at Windsor Lake, downtown street art, baseball exhibit on Main Street, end of year school party at the UNO center, LaFesta ziti supper and the Steeplecats Cub Club. He also noted the skills grant that was awarded to McCann School. He thanked everyone for the Library cleanup day.

The President called for Liaison and Councilor Concerns, Councilor Cohen was concerned about the rising gas prices in the City and would like the City to work with the State leaders to stop the increases in gas.

The President presented an application submitted by Edward LaCosse, 125 Brayton Hill Terrace to drive for RJ's Taxi.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to grant the license.

The President noted all Councilors had a copy of the correspondence from the Planning Board.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adjourn at 10:25 PM.

A True Record
Attest,


City Clerk



Office of the City Clerk

City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

JOINT PUBLIC HEARING

NORTH ADAMS PLANNING BOARD and NORTH ADAMS CITY COUNCIL

JULY 09, 2018

CITY COUNCIL MEMBERS PRESENT: Councilors Hopkins, LaForest, Lamb, Moran, Wilkinson. Absent Councilors Bona, Buddington, Cohen, Harpin.

PLANNING BOARD MEMBERS PRESENT: Blackmer, Bond, Burdick, Hanlon, Holmes, Leary, Miksic, Senecal Absent, Taft.

Council Vice President Lamb called the meeting to order.

Chairman Leary opened the hearing for discussion; member Miksic recused himself from the discussion.

F. Sydney Smithers representing his associates, Courtney Burns, Ben Svenson, and Eric Kerns, presented his proposed zoning changes. There was much discussion as to the benefits that the City would be receiving from these changes. Mr. Smithers spoke of the four different zones, and how expanding the current CC-1 zone, without adding a new zone would be beneficial. He also reassured that the new zoning changes would not be considered "Spot Zoning", in so much that Tourists would not be the sole benefit; that it would continue to be an economic benefit to the City as well.

Eric Kerns, on behalf of Tourists, presented media showing current and proposed zoning, as well as previous uses in the Blackinton area. Mr. Kerns also spoke about the future plans for this area, including the proposed 48 room expansion at the Blackinton Mill, and the financial benefit of approximately \$140,000 revenue to the City with a 6% room tax as well as meals tax.

Member Hanlon spoke in favor of the proposed changes however was concerned about the church building in the R-2 zone, as well as the current business, McLain Electric.

Chairman Leary questioned Mr. Smithers regarding Spot Zoning stating that it would be an economic benefit for the proposed projects.

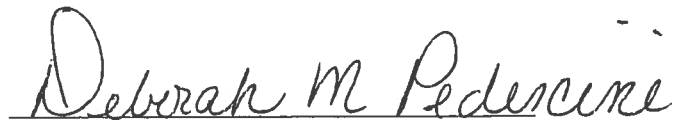
Councilor Moran asked about the Fish and Game near the boat launch, Mr. Smithers replied that the Commonwealth of Massachusetts has no objections.

Councilors Lamb and Hopkins had questions regarding the strip of land near the Mill Pond.

Councilor Moran read the communication from Councilor Buddington in his absence that suggested a CA-1 zone (light retail) instead of a CC-1 zone, due to its compatibility with the Vision 2030 being a mixed use with small-scale commercial.

With no further discussion, Council Vice President Lamb called for a motion to adjourn. On motion of Councilor Wilkinson, duly seconded by Councilor Moran, the Public Hearing closed at 6:05 PM.

A True Record Attest


Assistant City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

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City Clerk Marilyn Gomeau

REGULAR MEETING OF THE CITY COUNCIL July 10, 2018

A meeting of the North Adams City Council was held at 7:30 PM in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Councilor Buddington absent.

A moment of silence was observed remembering Mildred Manson who became the North Adams City Clerk in 1951 after service as the Assistant Clerk. She served as City Clerk for 25 years. She also served as City Councilor for two years, and as a Friend of the North Adams Public Library. David Lowry, mathematics teacher at Drury High School.

The President called for the approval of the minutes from the June 26th meeting.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to accept the minutes as presented. Councilor Moran Abstained.

11,674 The President Presented an Order appropriating the amount of \$28,000 from Municipal Tech Fund to General Government, Miscellaneous Expense, Miscellaneous Purchased which was referred to Public Services Committee and postponed at the meeting of June 12th.

On motion of Councilor Moran, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

Councilor Moran summarized the Public Services meeting noting that the Collins review for the City would only give recommendations; will not endorse specific products. Mayor Bernard felt that the assessment would help to determine what type of employee to hire for the MIS department and an overall path and plan for upgrades. It was the general consensus of the Committee that the Collin's Center assessments would be generic and common sense; that MIS Director, Kathy Wall would be supplying 75% of the information, and has already identified the issues that currently exist such as the software that is dated, and data center needs.

The Committee's Motion was to deny the appropriation.

Councilor LaForest echoed Councilor Moran, and felt the \$28,000 would be better used toward new software.

President Bona was in favor of appropriating the funds, stating the report would help in finding the right IT person. He felt that the City has spent money wisely in the past for feasibility studies, and would support the Order.

Mayor Bernard stated that there is a difference of opinions, but would not belabor the point, as it had already been brought to Committee.

Joseph Smith, 131 Horrigan Road, Clarksburg, MA questioned why the City has had an IT position in its budget for several years without filling the position.

Bryan Sapienza, , 113 Pleasant Street, said the study seems too generic and felt the \$28,000 could be spent in a better manner, elsewhere.

The Order failed by yea and nay vote as follows; yea Councilor Bona, nay, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

11,677 The President presented an Order transferring the sum of \$661,488.71 from several accounts to several accounts which was referred to the Finance Committee and postponed at the June 26th meeting.

On motion of Councilor Hopkins, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

Councilor Wilkinson gave a report of the Finance Committee, stating that there were many questions in regard to the many transfers, for the Council to approve. He felt it was a productive meeting.

Councilor Harpin stated it was a good meeting, albeit a lot to absorb, but as a new councilor felt it was a good experience. Councilor Harpin commented on how difficult the antiquated system reports were to read.

Councilor Lamb spoke about Capital Items figures; which was due to the solar array which is producing more energy than anticipated.

Councilor LaForest stated his concerns regarding filling the IT position, Mayor Bernard responded that the position was posted; however there was not a sufficient candidate.

Councilor Harpin spoke about the responsibility of the Council to question the budget, and to use it as a tool to make it a more efficient process in the next budget year.

Councilor Bona suggested that a salary increase should be considered for the IT position.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson, nay none.

- 11,678** The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$425,000 for the purchase of Fleet Vehicles for the Public Services and Building and Inspection Services under the provisions of MGL, Chapter 44, Section 7, which was passed to a second reading and publish as required by law and referred to Public Services Committee at the June 26th meeting.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

Councilor Moran gave a report of the Public Services Committee meeting, he spoke about the efficiency of the vehicles, one being a hybrid, he noted that the Ford F550 trucks are considered green vehicles, and better mileage.

Councilor Harpin commented on the rough condition of the current Public Services fleet, she stated how important it is that the vehicles are cost effective and safe for our employees and City, and noted the extreme amounts of money being spent on repairs.

Councilor LaForest commented on how the vehicles are not in compliance with the Federal standards due to the age and disrepair, as well as the amount of employees spending time to work on the vehicles doing repairs. With limited staff, they are unable to work on projects throughout the City.

Councilor Lamb thanked the administration for the work that was done in regard to making sure the vehicles are green and aligning with our resolution for the Paris Climate.

Joseph Smith, 131 Horrigan Road, Clarksburg, noted that he hopes as other departments, in the future purchase vehicles, such as Police, that the City would again look at efficient vehicles.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson, nay none.

- 11,683** The President presented Mayor's communication #46 regarding RFP timeline for sale of City owned properties.

The Mayor gave a brief update and timeline for the Ashland Street/Salt Yard, Notre Dame Church and School, Pownal Land, and Sullivan School properties that will be out for RFP on July 11, 2018.

President Bona inquired as to whether the Council would be made part of any negotiations,

Mayor Bernard stated, only if the amounts came below the assessed value.

Councilor Lamb questioned if the assessments had changed, Mayor Bernard verified that since last year, they had been updated slightly.

President Bona asked what the current status of the Windsor Mill was, Mayor Bernard stated it was a slow moving process, but by Summer's end, he feels it should be complete.

The President called for Community Calendar and Events.

Councilor Moran announced that on July 28th the 4th Annual Appalachian Trail celebration will be held at Greylock School, north lawn.

Councilor Lamb announced the 20th Eagle Street Beach Party will be July 14th.

President Bona mentioned the Piano project, Summer of the Berkshires, there will be a piano in front of the Library in memory of Gailanne Cariddi. The piano will be painted with eight galaxies; the significance being that Ms. Cariddi had a love for astronomy, and she represented eight communities during her time as our State Representative.

The President called for Open Forum.

Joseph Smith, 131 Horrigan Road, Clarksburg asked about the Pillar Art, created by students of North Adams, would like a decision on whether or not the artwork would be restored, and when. Also, noted that the Unicom device at the North Adams Airport was stolen, and would like information in regard to the police investigation, it poses a danger not having the device at the Airport.

Paul Dugal, Jr. Ashland Park High Rise, North Adams, MA wanted to voice his concern about unsightliness and blight at former St Francis Church sidewalk recommended 9 or 10 foot concrete walls be removed.; sand, gravel, and fill should be removed and trucked away. Grass and trees and flowers then planted.

The President called for Mayor's Concerns

Mayor Bernard spoke about the available position in the City Clerk's Office that will be posted soon, as well as the Fiscal and Compliance Officer position in the Office of Community Development which is currently posted.

There will be a Regional Emergency Preparedness workshop held on July 26, from 8- 1:30, St. Elizabeth's Parish Center.

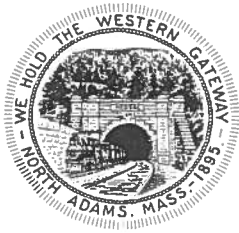
Mayor Bernard spoke about having gone through the zoning changes; the City currently has the opportunity of working with its first host community agreement drafted by KP Law, and there will be more communication about it at a later meeting.

The President called for Liaison Updates and Councilor Concerns, hearing none, and no further business to come before the Council, a motion to adjourn was in order.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED: to adjourn at 8:20 PM.

A True Record,
Attest,


Assistant City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

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REGULAR MEETING OF THE CITY COUNCIL July 24, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed remembering Arlon "Al" Nelson, Community Activist, Director of Northern Berkshire United Way, Board member and Treasurer of the Northern Berkshire Community Coalition, co-founder of both the Northern Berkshire Faith Action Initiative and the Friendship Food Pantry.

The President called for the approval of the minutes from the July 10th meeting.

On motion of Councilor Harpin, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented.

11,654 The President presented a communication submitted by Councilor Buddington regarding a Plastic bag and Styrofoam Ban, which was postponed at the meeting of April 24, 2018.

Councilor Buddington gave the committee report and the committee recommends no action at this time. He noted they thought it would be a huge cultural shock to the residents and they felt educating the public would make the transition easier. The committee also noted the State is looking into legislation governing the use of plastic bags and felt it would be better to wait and see what the state regulations may be.

Councilor Cohen did a survey of the residents and the businesses and the results showed about a 50/50 split. Councilor Hopkins noted the vast majority did use plastic bags for one or more other uses. Several residents in attendance were in agreement that the City should wait for the State regulations.

11,676 The President presented a petition submitted by F. Sydney Smithers requesting to amend the North Adams Zoning Map to be rezoned to CC-1. A Public Hearing was held on July 9th.

Without objection the President placed the communication on file.

- 11,676-1** The President presented a communication submitted by the Planning Board recommending an amendment to the City of North Adams Zoning Map.

Without objection the President placed the communication on file.

- 10,674-6** The President presented an Ordinance amending the revised Zoning Map of the City of North Adams from R2-2, I-1 and I-2 to CC-1.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to pass to a second reading and publish as required by law. Councilor Buddington opposed.

Councilor Buddington is opposed to this change noting there is some very attractive green space along the river and Mass Ave. He felt that a CA-1 zone would be more appropriate than a CC-1.

Councilor Wilkinson noted the area in question was land that was not adequate for development for several reasons.

Councilor Harpin and LaForest had concerns regarding the parking. Eric Kerns noted that there was a plan for parking in the back, which was the ball field.

- 11,684** The President presented Mayor's communication #46 recommending the appointment of Bryan Sapienza to the North Adams Public Arts Commission for a term to expire May 1, 2019, to fill the unexpired term of Nancy Ziter.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED; to confirm the appointment.

- 11,685** The President presented Mayor's communication #47 recommending the appointment of Derek Parker to the North Adams Public Arts Commission for a term to expire May 1, 2023.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to confirm the appointment.

- 11,686** The President presented Mayor's communication #48 relative to approval of a permit for the installation of an overhanging sign for Kim's Kuts Salon located at 9 Eagle Street.

Without objection the President placed the communication on file.

- 11,686** The President presented an Order granting permission to install an overhanging sign to Kim's Kuts Salon, located at 9 Eagle Street.

On motion of Councilor Hopkins, duly seconded by Councilor Buddington it was VOTED: to adopt the Order.

Councilors were concerned that the application was not completed and did not understand why they were signed by the Solicitor when they were not complete.
Councilor Hopkins rescinded his original motion.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to postpone.

11,687 The President presented Mayor's communication #49 relative to approval of a permit for the installation of an overhanging sign for Mia's Exchange located at 11 Eagle Street.

Without objection the President placed the communication on file.

11,687 The President presented an Order granting permission to install an overhanging sign to Maria Carmain owner of Mia's Exchange, located at 11 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

Councilors had the same concerns as the previous overhanging sign, therefor Councilor LaForest rescinded his original motion.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to postpone.

11,688 The President presented Mayor's communication #50 relative to approval of a permit for the installation of an overhanging sign for Jack's Hot Dog Stand, located at 12 Eagle Street.

Without objection the President placed the communication on file.

11,688 The President presented an Order granting permission to Jeffrey Levanos, owner of Jack's Hot Dog Stand, Located at 12 Eagle Street.

On motion of Councilor Buddington, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson, Nay none.

11,689 The President presented Mayor's communication #51 relative to approval of a permit for the installation of an overhanging sign for Klipper Kingz, located at 12 Eagle Street.

Without objection the President placed the communication on file.

11,689 The President presented an Order granting permission to install an overhanging sign to Christopher Barton, owner of Klipper Kingz, located at 12 Eagle Street.

On motion of Councilor Hopkins, duly seconded by Councilor LaForest it was VOTED: to postpone.

11,690 The President presented Mayor's communication #52 relative to the approval of a permit for the installation of an overhanging sign for Adams Community Bank located at 31 Eagle Street.

Without objection the President placed the communication on file.

11,690 The President presented an Order granting permission to install an overhanging sign to Charles O'Brien, owner of Adams Community Bank, located at 31 Eagle Street.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to deny.

Councilor Wilkinson said this was a fraudulent application, Mr. O'Brien does not own the building.

Councilors had a lengthy discussion on this application and Councilor Wilkinson withdrew his motion.

On motion of Councilor Hopkins, duly seconded by Councilor Cohen it was VOTED: to postpone.

11,691 The President presented Mayor's communication #53 relative to approval of a permit for an overhanging sign for Birdsong Gallery, located at 36 Eagle Street.

The Mayor asked to amend the address to 40 Eagle Street.

Without objection the President placed the communication on file.

11,691 The President presented an Order granting permission to install an overhanging sign to Flat Iron Condominium Trust, for Birdsong Gallery, located at 36 Eagle Street.

On motion of Councilor Cohen, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

On motion of Councilor Hopkins, duly seconded by Councilor Cohen it was VOTED: to amend to 40 Eagle Street.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to adopt as amended.

Councilors again were questioning the application, Councilor Cohen rescinded her motion.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to postpone. Councilor Lamb opposed.

The Mayor noted that the Solicitor was only confirming that the applicant had adequate insurance for the permit, not the signatures of the applicant or the owner.

- 11,692** The President presented Mayor's communication #54 relative to approval of a permit for the installation of an overhanging sign for Galen Gallery, located at 44 Eagle Street.

The Mayor noted it should be 48 Eagle Street.

Without objection the President placed the communication on file.

- 11,692** The President presented an Order granting permission to install an overhanging sign to Flat Iron Trust, Galen Gallery, located at 44 Eagle Street.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to postpone. Councilor Lamb opposed.

- 11,693** The President presented a communication from the Traffic Commission creating a No Parking Zone on the westerly side of Ashland Street.

Without objection the President placed the communication on file.

- 11,693** The President presented an Ordinance amending Chapter 13 of the Revised Ordinances of the City of North Adams, entitled Stopping, Standing or Parking Generally, Section 13-50 entitled Parking Time Limited on Designated Streets, Ashland Street.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to pass to a second reading and publish as required by law.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, hearing none, the President called for anyone wishing to speak in Open Forum, Roger Eurburn, 677 Ashland Street noted his group has restored 1,027 stones in Hillside Cemetery.

The President called for any Mayor's concerns, the Mayor mentioned upcoming events, bike around, movies in Colegrove Park, concerts at Windsor Lake, Downtown Street Art. The Mayor thanked all those involved in the 20th annual Beach Party. The President called for Liaison and Councilor Concerns, Councilor Harpin asked the Mayor about traffic concerns on Phelps Avenue and what the status of the lawsuit with the cable company was.

With no further business to come before the Council, Council President adjourned the meeting at 9:03pm

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

77

REGULAR MEETING OF THE CITY COUNCIL AUGUST 14, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Councilor Lamb absent.

A moment of silence was observed remembering David Shaker former member of the Board of Assessors.

The President called for the approval of the minutes from the July 24th meeting.

On motion of Councilor LaFoest, duly seconded by Councilor Wilkinson it was VOTED: to accept the minutes as presented.

10,674-6 The President presented an Ordinance amending the revised Zoning Map of the City of North Adams from R2-2, I-1 and I-2 to CC-1, which was passed to a second reading and publish as required by law at the meeting of July 24th.

On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to adopt the Ordinance.

The Ordinance was ordained by yea and nay vote as follows; yea Councilor Bona, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay Councilor Buddington and Cohen.

11,686 The President presented an Order granting permission to install an overhanging sign to Kim's Kuts Salon, located at 9 Eagle Street, which was postponed at the meeting of July 24th.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none

- 11,689** The President presented an Order granting permission to install an overhanging sign to Christopher Barton, owner of Klipper Kingz, located at 12 Eagle Street, which was postponed at the meeting of July 24th.

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to amend the Order to read 14 Eagle Street.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adopt the Order as amended.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

- 11,690** The President presented an Order granting permission to install an overhanging sign to Charles O'Brien, owner of Adams Community Bank, located at 31 Eagle Street, which was postponed at the meeting of July 24th.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran. Nay Councilor Wilkinson.

- 11,691** The President presented an Order granting permission to install an overhanging sign to Flat Iron Condominium Trust, for Birdsong Gallery, located at 36 Eagle Street, which was postponed at the meeting of July 24th.

On motion of Councilor Cohen, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

The Order was adopted by yea and ay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

- 11,692** The President presented an Order granting permission to install an overhanging sign to Flat Iron Trust, Galen Gallery, located at 44 Eagle Street, which was postponed at the meeting of July 24th.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to amend the location to 48 Eagle Street.

On motion of Councilor Hopkins, duly seconded by Councilor Harpin it was VOTED: to adopt the Order as amended.

The Order was adopted by yea and nay vote as follows: yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

- 11,693** The President presented an Ordinance amending Chapter 13 of the Revised Ordinances of the City of North Adams, entitled Stopping, Standing or Parking Generally, Section 13-50, entitled Parking Time Limited on Designated Streets. Ashland Street, which was passed to a second reading and publish as required by law at the meeting of July 24th.

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Ordinance.

The Ordinance, as amended was ordained by yeas and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

- 11,694** The President presented Mayor's communication #55 recommending the appointments of the Elections Officers beginning September 1, 2018.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to confirm the appointments.

- 11,407-2** The President presented Mayor's communication #56 amending Chapter 2 of the Revised Ordinances of the City of North Adams, Public Arts Commission.

Without objection the President placed the communication on file.

The Mayor noted the change to the Ordinance would remove the commission's control on approving public art installations and make the commission a recommending body. Mayor Bernard referred to the Parks and Recreation, Human Services and Windsor Lake Commissions that are recommending bodies. This is about bringing all boards in line with each other. Many of the changes are addressing grammar and word changes.

- 11,407-2** The President presented an Ordinance amending Chapter 2, Article XXXIV (Public Arts Commission) of the Revised Ordinances of the City of North Adams.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to refer to the General Government Commission and Public Arts for a joint meeting.

Councilor Buddington acknowledged that the Mayor did give the changes in a readable format and lay out all the facts and history of what happened.

Councilor Cohen feels this is a direct reflection on the issue with the pillars. She noted she is not in favor of leaving the decisions up to one person.

Councilor LaForest said he was concerned about many things including the tone of the communication, and the ability of the Public Arts Commission to work with the Mayor and the City. Councilor LaForest hopes it improves and it certainly needs to be professional.

Councilor Harpin spoke against the amendment saying she has heard from residents and former Councilors.

Julia Dixon chair of the Public Arts Commission spoke in disagreement with the changes, she said she was speaking on her own behalf and not that of the commission. Ms. Dixon said this new Ordinance places all the decisions regarding public art in the hands of a single elected official. Robert Smith, 140 Pleasant Street and Vincent Melito, 174 Marion Avenue were in agreement; were concerned about the Mayor's refusal to test the art work on the pillars to see if they could be restored. William Blackmer, 74 Cleveland Ave., a founding member of the commission, said the Ordinance that was crafted is only a couple of years old; there was not an error in writing it and it went to the City solicitor and he approved it.

Councilor Wilkinson said Councilor's should not be making up their minds about the Ordinance before the General Government and the Public Arts Commission had a chance to meet. Council President Bona agreed with Councilor Wilkinson and felt there is a fear that the Mayor will stop art from happening here, I think if that happens, the Mayor won't happen here.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to refer with a return date of October 23rd.

11,695 The President presented an Order calling the State Primary Election for September 4, 2018 from 7:00am to 8:00pm.

On motion of Councilor Buddington, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Moran, Wilkinson. Nay none.

11,696 The President presented a communication submitted by Councilor LaForest regarding a crosswalk at the intersection of Church and Bradley Streets.

On motion of Councilor Cohen, duly seconded by Councilor Buddington it was VOTED: to file the communication.

Councilor LaForest said this was three years ago and he was wondering why this has not happened.

The Mayor said he believed there were questions about the site line from south to north.

Mary Ann King, from the Traffic Commission said this had been approved and she had sent a letter to Mr. & Mrs. Wilson explaining that it had been approved, but it was late in the year and it would be done in the spring. She noted for whatever reason it was decided on by the Michael Canales that it was not needed.

Councilor LaForest said there is a cut away for wheelchairs and children cross there to wait for the bus.

Councilor Bona said this should have been done because it was originally approved.

11,697 The President presented a communication submitted by Councilor Lamb regarding MCLA's tobacco free campus.

On motion of Councilor Hopkins, duly seconded by Councilor Buddington it was VOTED; to file the communication.

Catherine Holbrook and Barbara Chaput from MCLA explained the new policy the college was doing in regards to being a tobacco free environment. They are also offering resources to help people quit smoking.

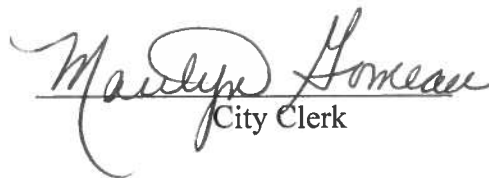
The Mayor complimented MCLA on their efforts and said this was a longtime coming.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, Robert Smith noted downtown celebration was Wednesday the 15th and Motorama was August 25th and 26th. The President called for any Mayor's concerns, the Mayor mentioned the last day to register to vote was the 15th, City Hall would be open till 8:00pm. He also noted the monthly transaction for property sales showed about 10 properties sold higher than the assessed value. The UNO celebration was this past Saturday and commended Shirley Davis on her 30 years of service to the City. The President called for Liaison and Councilor Concerns, Councilor Hopkins was concerned if the position in the Clerk's office was moving forward. He also mentioned the high gas prices in the City. Councilor Harpin questioned where the City was with Spectrum. Councilor Wilkinson gave a brief liaison report for the Planning Board noting there were 10 applicants at the last meeting, 7 of which were at the Norad Mill. The Wigwam is going to be restored and real estate is doing well. Councilor LaForest mentioned the great work being done at the Norad Mill, with no TIF agreement.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED; to adjourn at 9:26pm

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

82

REGULAR MEETING OF THE CITY COUNCIL August 28, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed.

The President called for the approval of the minutes from the August 14th meeting.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented. Councilor Lamb abstained.

11,682 The President presented a communication submitted by Councilor Harpin requesting consideration of a stipend for the Retirement Board Members, which was postponed at the meeting of June 8th.

On motion of Councilor Harpin, duly seconded by Councilor Hopkins it was VOTED: to postpone to the meeting of September 11th.

11,683-1 The President presented Mayor's communication #57 regarding an update on RFP's for the sale of City-owned property.

Without objection the President placed the communication on file.

The Mayor gave a brief background of the RFP's. Proposals were due August 13th and were reviewed by a committee representing the offices of the Assessor, Community Development, Mayor and the Procurement Officer. He noted this falls under MGL Chapter 30.

11,683-1a The President presented Mayor's communication #58 regarding the sale of Notre Dame Church and School.

Without objection the President placed the communication on file.

11,683-1a The President presented an Order authorizing the sale of Notre Dame Church and School to the Square Office, LLC in the amount of \$253,000.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

Several Councilors had concerns about the traffic in the area with the school just across the street. Other concerns by Councilors was the amount of money already spent on the building due to water issues and structural concerns.

Councilor Cohen had concerns about the proposal noting it would forever change the neighborhood. Councilor LaForest questioned why Square Office, LLC applied for an LLC with the Secretary of State Office on the 10th of August and the bid closed on August 13th. It was noted that this is a very common practice.

Councilor LaForest and Harpin were willing to send this to committee if other Councilors wished to review some of the issues raised.

Councilor Hopkins said we have a very strong site plan review process in the City and they will address all of the concerns Councilors have. Councilor Wilkinson agreed with Councilor Hopkins.

The Mayor and the committee felt that this was the most advantageous proposal. He also noted that he had filed a 23B disclosure with the State Ethics because Mr. Wallis was a volunteer on his campaign.

Emily Daunis, Cherry Street said she also walks her children by Notre Dame every day to school and I have been looking at the Church and School wondering what could be done for the neighborhood. This is a very serious bid that we are making.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Cohen.

11,683-1b The President presented Mayor's communication #59 regarding the sale of City of North Adams Salt Shed.

Without objection the President placed the communication on file.

11,683-1b The President presented an Order authorizing the Mayor to negotiate the sale of the City of North Adams Salt Shed to B&B Micro Manufacturing Inc. in the amount of \$75,000.

On motion of Councilor Harpin, duly seconded by Councilor Buddington it was VOTED: to adopt the Order.

Councilor Lamb noted he was abstaining from discussion and voting on this issue because of transactions he has had with B&B.

The Mayor noted this was not the highest bid, but they felt it was the best use of the property.

Councilors were happy to see that this company was growing and it was a home based company.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,698 The President presented Mayors' communication #60 requesting a transfer from Parking Meter Reserve Account to Public Safety Account.

Without objection the President placed the communication on file.

11,698 The President presented an Order appropriating the sum of \$44,044.31 from Parking Meter Reserve Account to Public Safety Account to Police Expenses, Miscellaneous Purchased.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

Councilor Lamb noted that this is common practice using the parking meter account to purchase vehicles.

Councilor LaForest asked if this is replacing or adding to the fleet.

Michael Cozzaglio, Public Safety Director noted it was replacing.

Councilor Cohen asked if there was a reason for purchasing Fords. The Mayor said this is a standard Vehicle for the Police Department.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,699 The President presented Mayor's communication #61 regarding North Adams Recovery Month.

Without objection the President placed the communication on file.

The Mayor presented Wendy Penner with the proclamation.

11,700 The President presented Mayor's communication #62 recommending the appointment of William Archer to the North Adams Local Historic District Committee to replace Emily Schiavoni.

On motion of Councilor Hopkins, duly seconded by Councilor Wilkinson it was VOTED; to confirm the appointment.

11,701 The President presented Mayor's communication #63 recommending the appointment of Richard Lavigne to the North Adams Housing Authority to replace the un-expired term of Michelle Martinez, for a term to expire, March 25, 2019.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to confirm the appointment.

11,702 The President presented Mayor's communication #64 recommending the appointment of Rachelle Smith to the Human Services Commission for a term to expire May 1, 2019.

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to confirm the appointment.

The Mayor requested to amend the expiration date to February 1, 2019 and include that Ms. Smith is replacing Jennifer Bernard.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED: to amend the communication and confirm the appointment.

11,703 The President presented Mayor's communication #65 in response to Council Paper 11,696 regarding a crosswalk at the intersection of Bradley and Church Street.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to refer to the Traffic Commission and the Mayor's Office. VOTED: to postpone to the meeting of September 25th.

The Mayor noted marked crosswalks at uncontrolled locations must be carefully selected and designed to ensure that they enhance rather than reduce safety.

All Councilors were concerned about the safety of the children. With school starting next week, they asked if signage could be put up children crossing or possibly reduce the speed limit.

The Mayor said there needs to be an engineering study for the site line.

The President called for any Committee reports, hearing none the President called for any Calendar or Community Events, Councilor Lamb noted Thursday in Down Street Art.

The President called for Mayor's concerns, the Mayor noted the parking issues at BrewHAHA is being reviewed and there will be no parking to Richview Ave. The State Primary Election is Tuesday September 4th from 7:00am to 8:00pm. Absentee ballots are available until 1:00pm on Friday. The school year begins next week; BART began last week and McCann's starts on Thursday next week. He welcomed MCLA students who will be arriving this week-end. Councilor Bona noted the Clekr's Office will be closed on Election Day.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED; to adjourn at 9:26pm

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

86

REGULAR MEETING OF THE CITY COUNCIL September 11, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed, remembering victims of 9/11.

The President called for the approval of the minutes from the August 28th meeting.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to accept the minutes as presented.

11,682 The President presented a communication submitted by Councilor Harpin requesting consideration of a stipend for the Retirement Board Members, which was postponed at the meeting of August 28th.

Without objection the President placed the communication on file.

11,682-1 The President presented a communication submitted by Councilor Harpin regarding a stipend for the Retirement Board Members.

Without objection the President placed the communication on file.

11,682-1 The President presented an Order accepting the provisions of Massachusetts General Laws, Chapter 32, Section 6 regarding a stipend for the Retirement Board.

On motion of Councilor Harpin, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

Councilor Harpin motioned to amend the Order to insert Section 20, Subsection, seconded by Councilor Lamb.

Councilor Harpin noted she had included a funding schedule for each of you to review with a contact number for an Actuary from PERAC to contact with any questions. It was requested by Council for the board to poll their members, which they did, noting 82% of the membership was in favor of the stipend.

Councilors were confused with exactly where the stipend was coming from, it was indicated that it would be coming out of the investment revenue under the board's control, but now we are hearing it affects the City budget.

Councilor Buddington was concerned about giving a stipend to one board and not the many other boards who are not paid.

Councilor Wilkinson said he was in favor of this before tonight's meeting, now he has found out it will in fact affect the budget.

Councilor Harpin objected, saying there has been no trickery and the process was completely transparent. This is not directly hitting the City's budget, the stipend is not going to change the budget, and it has been appropriated in the portfolio.

Beth Matson of the Retirement Board tried to explain the process of how the stipends would be paid.

The Mayor said the stipend would impact the budget by \$15,000 to \$25,000 a year.

Council President suggested maybe Council should consider sending this to committee for further discussion.

Councilor Harpin amended her original motion to add referring it to the Finance Committee and postpone to the meeting of September 25th, duly seconded by Councilor Cohen.

11,704 The President presented Mayor's communication #66 regarding a Proclamation for Childhood Cancer Awareness Month.

Without objection the President placed the communication on file.

The Mayor presented Joe and Kathy Arabia with a Proclamation declaring September as Childhood Cancer Awareness Month.

11,705 The President presented Mayor's communication #67 regarding a Proclamation supporting Start with Hello Week.

Without objection the President placed the communication on file.

The Mayor presented Superintendent Malkas with a Proclamation declaring September 24-28 as Start with Hello Week.

Superintendent Malkas noted September 24th is wear Green Day. September 25th is Walk A Safe Way to School Day. September 26th is Nobody Eats alone Day. September 27th is Compliment Day and September 28th in Community Welcome Day.

11,617-1 The President presented Mayor's communication #68 requesting a re-appropriation of funds to complete the Armory repairs.

Without objection the President placed the communication on file.

- 11,671-1** The President presented an Order re-appropriating the sum of \$90,000 from the original \$176,000 for the purpose of repairs to the Armory in accordance with Chapter 44 of the MGL.

On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

The Mayor noted that the City awarded a bid for the next phase of the exterior repair work at the Armory. The CDBG funds will be used to complete the majority of the work, there is still a shortfall in the project to repair the stairs on the Porter Street side. Therefore the \$90,000 originally appropriated for the dam study be re-appropriated to complete this project.

Councilor Buddington asked the Mayor how much has been spent on the Armory so far. The Mayor did not have the figure for him.

The Mayor said this will complete everything from the first floor up. The only exception is the lower garage level.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nay Councilor Wilkinson.

The President presented an application submitted by Joel Cross, 12 Eagle Street to drive taxi for RJ's Taxi.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to grant the license.

The President presented an application submitted by Korey Baskin, 271 Tunnel Street, Readsboro, Vermont to drive taxi for RJ's Taxi.

On motion of Councilor Cohen, duly seconded by Councilor Buddington it was VOTED: to grant the license.

The President called for any Committee reports, Councilor Lamb said the Public Safety Committee will be meeting on the gun range. They are strongly in favor of keeping the range open. Councilor Buddington noted the General Government Committee met regarding the Public Arts Commission and they will be bringing forward their recommendations.

The President called for any community events, Robert Smith noted that September 29th is the Fall Foliage Dog Parade and the 63rd Fall Foliage Parade is September 30th.

Councilor Lamb said the Northern Berkshire Coalition is meeting on Friday from 9:00 to noon. Council President said Fresh Grass is this week-end and the City wide tag sale is on Saturday.


The President called for anyone wishing to speak in Open Forum, Roger Eurbin, 677 Ashland Street spoke about the Veterans Memorial Park and he is working on another memorial for Veterans at the park.

The President called for Mayor's concerns, the Mayor noted Walk A Mile In My Shoes is next Thursday in Pittsfield, the annual Library Book Sale is September 21st and 22nd from 9:00 to 4:00 at St. Elizabeth's. The Mayor also thanked the election workers for all their hard work and dedication. This is the 17th anniversary of 9/11 and we should remember all the first responders. The Mayor also noted the loss of Molly, the City's first canine with the Police Department, thanking Sargent Zoito and his wife for caring for Molly after her retirement.

The President called for any Councilor concerns, Councilor Lamb said he would be bringing forward the speed of traffic on Eagle Street between the hours of 6:00am and 8:00am. Councilor Harpin said residents should take the time to read the Mayor's notes on the North Adams web site, it has great information. Councilor Cohen noted with the events this week-end at MoCA, residents should plan accordingly. The Farmers Market will be on Center Street this Saturday. Councilor LaForest is still concerned that the signs have not been posted by the Bradley and Church Street intersection as suggested.

With no further business to come before the Council a motion to adjourn was in order.
On motion of Councilor Harpin, duly seconded by Councilor Wilkinson it was VOTED; to adjourn at 8:39pm

A True Record
Attest,


City Clerk



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10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

90

REGULAR MEETING OF THE CITY COUNCIL September 25, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed, remembering Molly, first K-9 Officer of the North Adams Police Department and Daniel Perreault former member of the Northern Berkshire Vocational Regional School Committee.

The President called for the approval of the minutes from the September 11th meeting.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented.

11,651 The President presented a communication submitted by Council President Bona regarding the City's shooting range, which was referred back to the Public Safety Committee and postponed at the meeting of September 25th.

Councilor Lamb gave a verbal report of the committee and noted the committee has drafted a Resolution which will be presented at the next meeting.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to postpone to the meeting of October 9th.

11,682-1 The President presented an Order accepting the provisions of Massachusetts General Laws, Chapter 32, Section 6 regarding a stipend for the Retirement Board, which was amended, referred to the Finance Committee and postponed at the meeting of September 11th.

On motion of Councilor Wilkinson, duly seconded by Councilor Cohen it was VOTED: to postpone to the meeting of October 23rd.

Councilor Wilkinson noted the committee did not meet and they are scheduling a meeting for October 10th.

Councilor Cohen encouraged Councilors to attend a Retirement Board meeting, she did and found it to be very informative.

- 11,706** The President presented Mayor's communication #69 regarding a Proclamation for Domestic Violence Awareness Month.

Without objection the President placed the communication on file.

The Mayor presented Liz Mitchell from the Elizabeth Freeman Center the Proclamation.

- 11,707** The President presented Mayor's communication #70 recommending the re-appointment of Randall Kemp to the North Adams Commissions on Disabilities for a term to expire December 1, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to confirm the appointment.

- 11,708** The President presented Mayor's communication #71 recommending the re-appointment of Suzanne Wick to the Mobile Home Rent control Board for a term to expire September 25, 2023.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to confirm the appointment.

- 11,709** The President presented Mayor's communication #72 recommending the re-appointment of Paul Senecal to the North Adams Mobile Home Rent Control Board for a term to expire September 25, 2023.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to confirm the appointment.

- 11,710** The President presented Mayor's communication #73 recommending the appointment of Sarah Sutro to the North Adams Public Arts Commission to fill the unexpired term of Gail Sellers to expire May 1, 2022.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to confirm the appointment.

- 11,711** The President presented Mayor's communication #74 recommending the City of North Adams establish a Senior Tax Work off Pilot Program.

Without objection the President placed the communication on file.

- 11,711** The President presented an Order accepting Massachusetts General Law, Chapter 59, Section 5K to establish a property tax liability reduction in exchange for volunteer services, persons over 60.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

Councilor Buddington was very opposed to this, he would much rather see people employed for these Positions and pay seniors directly for any work provided.

Several Councilors were in agreement that this was a good program, wondered what impact this would have on the budget. Councilor Lamb questioned if people who already receiving an abatement on their taxes, would they be eligible for both. The Mayor said they would not.

Councilor Wilkinson was concerned about discrimination laws if the City only hired people over 60. Councilor Harpin noted there are many seniors who are already volunteering, who could benefit from this program. Councilor Harpin referenced the restoration group at Hillside Cemetery. What they have done is worth far more than \$1500.

Councilor Bona just hoped it would not become political.

The Mayor noted it would be geared to the specific need within the City and not general volunteering.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Buddington.

11,712 The President presented Mayor's communication #75 recommending the City of North Adams Establish a Veteran's Tax Work off Pilot Program.

Without objection the President placed the communication on file.

11,712 The President presented an Order accepting Massachusetts General Law, Chapter 59, Section 5N, reduction of property tax obligation of Veteran's in exchange for volunteer services.

On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED; to adopt the Order.

Councilor Cohen was again concerned that this could become political and wants to make sure it goes to those in need.

Councilors again were concerned about the application process. The Mayor said the particulars of the application have not been worked out as of yet, he wanted to make sure this passed through the Council.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Buddington.

11,713 The President presented Mayor's communication #76 regarding the removal of North Adams Police Department from Civil Services.

Without objection the President placed the communication on file.

11,713 The President presented an Order accepting the proposal to exempt the North Adams Police Department from Civil Service.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

Council President noted he would be abstaining, since his son is a dispatcher with the department. Councilor Wilkinson also realized he should abstain from discussion, so he withdrew his original motion to adopt.

On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED to adopt the Order.

Police Director Michael Cozzaglio explained how difficult it is to recruit police officers from the Civil Service list. Civil Service has been in the City since 1940, it's antiquated. He said that the written exam shrinks the pool of qualified candidates for North Adams, once we get through our local list there is not one left. The Director said he would like to look into neighboring communities as well as looking at veterans, college-educated officers, first responders and people with fluency in other languages. Civil Service does not look at that, it does not matter to them, they take the test, score the test, that's it. The individuals could be very intelligent but lack common sense. We need to find the in-between. Mr. Cozzaglio noted the union fully supports removing Civil Service.

Councilors were all in agreement with removing Civil Service from the Police Department.

The Order was adopted by yeas and nays vote as follows; yeas Councilor Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran. Nays none. Councilor Bona and Wilkinson abstained.

11,714 The President presented Mayor's communication #77 recommending the appointment of Permanent Reserve Firefighter Mitchell Meranti.

Without objection the President placed the communication on file.

11,714 The President presented an Order accepting the appointment of Mitchell Meranti as a Permanent Reserve Firefighter.

On motion of Councilor Hopkins, duly seconded by Councilor Buddington it was VOTED: to adopt the Order.

Steven Meranti, Fire Director said the Firefighters are Civil Service also and there were four on the top of the list and Mitchell and Ryan were on the list. They are both employed by the City so therefore they have to go through this process of approval. The third candidate does not work for the City and the fourth chose not to sign with the City.

Several Councilors were concerned about the overtime these individuals would have to be paid. Councilor Harpin suggested waiting for the next examination list in November, She also was concerned about their physical ability to do the job after working 40 hours.

The Fire Director noted most volunteer companies have people who work 40 hours at regular jobs. They would be part time filling in mostly weekends and nights, also for vacations and injuries.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Harpin.

- 11, 715** The President presented Mayor's communication #78 recommending the appointment of Ryan Richards as a Permanent Reserve Firefighter.

Without objection the President placed the communication on file.

- 11,715** The President presented an Order accepting the appointment of Ryan Richards as a Permanent Reserve Firefighter.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Harpin.

- 11,703** The President presented Mayor's communication #65 in response to Council Paper #11,696 regarding a crosswalk at the intersection of Bradley and Church Streets.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to refer to the Traffic Commission and postpone to the meeting of October 23rd.

Councilor LaForest and Cohen were outraged that this is still going on, when we are talking about the safety of the children. It has already been three years and a few meeting ago we were told signage would be done and nothing has been done. The evaluation of the consulting services is not an answer to the problem.

Councilor Moran thought a simple phone call tomorrow morning to request that there be a bus stop on both sides of the street could be a solution and secure the safety of the children.

Several residents were disgusted that the City is putting the safety of the children at risk.

- 11,703-1** The President presented Mayor's communication #65-a regarding the intersection on Bradley and Church Streets.

Without objection the President placed the communication on file.

- 11,716** The President presented a communication submitted by Councilor Lamb regarding traffic concerns on Eagle, Ashland and Pleasant Streets.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED to refer to the Traffic Commission and postpone to the meeting of October 23rd.

The President called for any Committee reports, hearing none, the President called for any community events, Councilor Lamb reminded everyone that Sunday is the Fall Foliage Parade.

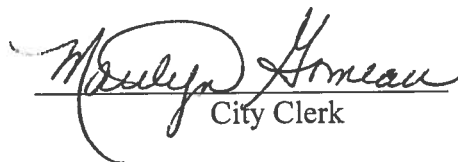
The President called for Mayor's concerns, the Mayor noted many community events.

The President called for any Councilor concerns, Councilor LaForest noted there are many loose dogs in the west end of the City. Councilor Cohen asked the Mayor for an update on Spectrum.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED; to adjourn at 10:10pm

A True Record
Attest,



City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

96

REGULAR MEETING OF THE CITY COUNCIL October 9, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed, remembering Charles Arthur Sanguinet former teacher at Brayton Elementary School and Evelyn Gooch, longtime member and Secretary of the Friends of the North Adams Public Library.

The President called for the approval of the minutes from the September 25th meeting.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to accept the minutes as presented.

11,651 The President presented a communication submitted by Council President Bona regarding the City's shooting range, which was referred back to the Public Safety Committee and postponed at the meeting of September 25th.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to file the communication.

11,651-1 The President presented a Resolution supporting maintaining use of the City Gun Range by permitted gate key holders.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to adopt the Resolution.

Councilor Lamb gave a recap of the meetings that brought the committee to this point. The Mayor ordered the gun range be closed effective January 1, 2019, due to the fact the City's insurance company will no longer cover it for liability reasons. The Resolution is not binding but it strongly disagrees with the proposed decision to close the range.

Bruce Grinnell of Pattison Road felt there is an issue with zoning and the gun range is clearly annoying to the residents who live there.

Councilor Buddington noted there will always be noise issues in every neighborhood.

Robert Lyons of Gunther Street said the number of permits for the range has risen to 82, which shows there is interest in keeping the range open. The number of permits sold would cover the cost of insurance. Many of the key holders indicated they would be willing to pay \$20.00 a year to support the insurance.

Councilor LaForest said the resolution focused on the insurance issues. He said if there is another valid reason to close the range, it was never provided to the Council or the committee.

Council President Bona said once the range closes it will be closed to the public for good. If it is grandfathered in, it cannot come back.

The Resolution was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,717 The President presented a communication submitted by Council President regarding parking options for the Holden Street Condominium owners.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to refer to the Traffic Commission and the Mayor's Office.

Councilor Wilkinson amended the motion to postpone to the meeting of November 13th.

William Oberst, chairman of the association said the curved entrance and exit into the Center Street lot from the Holden Street side was dangerous for motorist and pedestrians. He suggested possibly a speed bump.

Laura Smalarz, trustee, noted the other issue was the \$35.00 a month parking fee for condominium owners to park downtown.

Councilor Bona said the Mayor thought the parking lot needs to be redesigned, especially with the talk of hotels being established downtown.

11,718 The President presented a communication submitted by Councilor Cohen regarding the need to access healthy food and gas stations in the west end of the City.

On motion of Councilor Cohen, duly seconded by Councilor Buddington it was VOTED: to refer to the Community Development Committee and postpone to the meeting of November 27th.

Councilor Cohen noted that the families living in the west end of the City need better and easier access to healthy foods. Councilor also noted that their choices now depend on convenience stores which specialize in cigarettes, candy, alcohol and junk food. The closest market going east is 1.8 miles from Thrifty Bundle and to the west it is 1.2 miles.

11,719 The President presented an Order calling the State Election for November 6, 2018 from 7:00am to 8:00pm.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkin, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,720 The President presented a communication submitted by Councilor Buddington regarding the use of City Hall for committee meetings.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to refer to the General Government Committee.

Councilor Buddington suggested that some meetings could be held outside of City Hall, but that was highly opposed by Councilors. Councilors pointed out this would also be in violation of ADA, since most places would not be in compliance.

Robert Cardimino, 173 East Quincy Street also voiced his opposition noting for those who are hearing impaired, it would not be in compliance.

Councilors were all disturbed that they cannot use Council Chambers when they want to have a meeting.

Councilor Bona noted that Council Chambers is our meeting space, as well as the Clerk's Office is Council Office.


On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED: to amend to postpone to the meeting of November 13th.

The President called for any Committee reports, hearing none, the President called for any community events, hearing none, the President called for anyone wishing to speak in Open Forum. Roger Eurbine, 277 Ashland Street thanked the football team from Drury High School for volunteering this past Saturday at Hillside Cemetery. They repaired 27 stones; to date the volunteers have repaired 1,153 stones.

The President called for any Councilor concerns, Councilor LaForest noted there has been no alternatives for Bradley and Church Street as of yet. Councilor Lamb noted that there is a lack of signage for Cascade Trail.

With no further business to come before the Council a motion to adjourn was in order. On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED; to adjourn at 8:45pm

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

99

REGULAR MEETING OF THE CITY COUNCIL October 23, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed, remembering Elaine Darling former employee for the City of North Adams.

The President called for the approval of the minutes from the October 9th meeting.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to accept the minutes as presented.

11,407-2a The President presented a report of the General Government Committee regarding the Public Arts Commission.

On motion of Councilor Hopkins, duly seconded by Councilor LaForest it was VOTED: to accept the committee report as presented.

11,407-2 An Ordinance amending Chapter 2, Article XXXIV (Public Arts Commission) of the Revised Ordinances of the City of North Adams, which was postponed at the meeting of October 23rd.

On motion of Councilor Buddington, duly seconded by Councilor Hopkins it was VOTED: to postpone to the meeting of November 13th.

Council President Bona noted that the committee will be holding another meeting and it is important that members of the public attend the subcommittee meetings because this is where you can share all of your concerns before it is brought back to the Council.

11,682-1a The President presented a report of the Finance Committee regarding the stipend for the Retirement Board.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to accept the committee report as presented.

Councilor Wilkinson noted the committee had a very good meeting and discussed some very important issues. Beth Matson gave a great presentation to the committee. He said the bottom line was how it was going to affect the budget, noting the 2019 budget is already set so we will not see it, but eventually it will come out of the administrative expenses. Councilor Wilkinson said he was not in favor of the stipend at first, but when he saw what other board members were receiving, he now felt they deserve to receive the stipend.

11,682-1 The President presented an Order accepting the provisions of Massachusetts General Laws, Chapter 32 Section 6 regarding a stipend for the Retirement Board, which was postponed at the meeting of September 25th.

On motion of Councilor Harpin, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

Councilor Lamb said he was unable to be at the meeting, but had sent question to Beth Matson, and all of his question had been answered. If feel confident in voting for the stipend.

Councilor LaForest said it was not an easy decision to come to and the committee spent a lot of time on this issue. It is important to note that Councilors do not always agree, but we can come to an agreement.

Councilor Harpin said she appreciated all the work the committee has done on this, the board is working with a \$65million dollar budget and they do put many hours into serving on the board.

Councilor LaForest indicated that if the board did approve anything more than the minimum, he would be very disappointed.

Councilor President Bona said he would be voting against the stipend and did not want the board to think this was anything against them, but he was concerned about setting a precedence.

The Order, as amended, was adopted by yea and nay vote as follows; yea Councilor Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Bona.

11,716 The President presented a communication submitted by Councilor Lamb regarding traffic concerns on Eagle Street, Ashland and Pleasant Streets, which was referred to the Traffic Commission and postponed at the meeting of September 23rd.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to file the communication.

Councilor Lamb said the Traffic Commission met just last night and there is a traffic control study being done on Eagle Street. In regards to Pleasant and Ashland streets it is an enforcement issue. State policies regulate the number of speed limit signs that can be on streets.

- 11,720** The President presented Mayor's communication # 79 recommending the appointment of Kayla Hollins to the Planning Board to fill the unexpired term of Allyson Holmes for a term to expire February 1, 2022.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to confirm the appointment.

- 11,721** The President presented Mayor's communication #80 regarding the Winter Parking Ban, effective November 1, 2018 through April 30, 2019.

Without objection the President placed the communication on file.

- 11,722** The President presented Mayor's communication #81 regarding Clarksburg sewer connection requested for Lily Kuzia.

Without objection the President placed the communication on file.

- 11,722** The President presented an Order accepting the request from Lily Kuzia, North Eagle Street, Clarksburg for a sewer connection to the North Adams sewer.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran Wilkinson. Nay none.

- 10,674-6** The President presented Mayor's communication #82 regarding zoning revisions to the Zoning Map and Land Use.

Without objection the President placed the communication on file.

- 10,674-6** The President presented an Ordinance amending Chapter Z of the Revised Ordinances of the City of North Adams Section 2.1 entitled Divisions.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to refer to the Community Development Committee.

Councilor Wilkinson said he realizes that a lot of good work has been done on this, but it still needs more clarity.

All Councilors were in agreement that this needs to be reviewed further, since there are so many changes.

Councilor LaForest referenced the letter Council received from David Moresi of Moresi & Associates quoting that “the zoning changes would have a negative impact on the Norad Mill”.

Mr. Moresi wrote that while he applauds the City for taking this proactive move to correct our antiquated zoning and allow for future growth and development I strongly urge the Council to take the time to fully review the changes. I feel it is important that this matter be given more time for both Council and public review as there may be some unintended consequences that were merely oversights when the new proposed zoning maps were created. One such issue is the removal of the area which the Norad Mill sits on from the present Industrial zone to the newly proposed B-1 Local Business Zone. This will have a significant impact upon not just the mill but other businesses presently located in this zone. Should the property be rezoned as Local Business uses which are presently integral to the redevelopment of the Norad Mill building as well as that of other buildings in the immediate area will no longer be permitted. Some prohibited uses are, warehousing, research and development, storage of products, publishing firms, manufacturing, processing, assembling and finishing of goods. I am sure it is apparent to all that these are key uses to the redevelopment of the Norad Mill and the success it has had with bringing businesses and jobs to North Adams. I would ask that you consider this while reviewing the proposed new zoning changes and take the time to ensure that there are no other unintended consequences created within the City. I would also ask that an amendment to the proposed new zoning district map be made to keep the area boarded by Roberts Drive, West Main Street and Route 2 industrial and designated as an I-1 district.

Several Councilors were concerned that the changes had not been fully communicated to property owners who might be affected. Councilor Lamb said if his property zone was changing, he would like to be informed.

On motion of Councilor Wilkinson, duly seconded by Councilor Lamb it was VOTED to amend the original motion to include a returning date of November 27th.

11,723 The President presented a request from H.A. George for a Public Hearing to install additional tanks at 651 Ashland Street.

Without objection the President set the Public Hearing for November 13th at 7:30pm.

The President called for anyone wishing to speak in Open Forum.

Roger Eurbin, 277 Ashland Street said the local Veteran’s office is collecting items to make Christmas bags for Veteran’s and any donations would greatly be appreciated.

Robert Lyons of Gunther Street did not understand why it has taken so long for the Mayor to get quotes for the insurance on the gun range. The longer the Mayor holds off the closer we get to December 31st, once the range closes it will not open again.

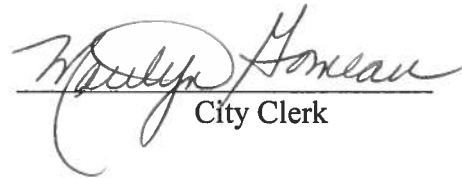
The President called for any Community events, Councilor Hopkins noted that Saturday October 27th at MCLA at 1:00pm is Once Upon a Dream to benefit AYJ Fund.

The President called for any Councilor concerns hearing none, the President called for any Mayor’s concerns, the Mayor thanked the Coalition and the Freeman Center for their work on domestic violence. History Harvest is November 3rd from 10 to 3 at the Library. Congregational Beth Israel is celebrating its 100th anniversary. Roots is holding haunted harvest this week.

Halloween hours are from 5:30 to 7:00 on the 31st. The 5k run and walk in memory of Michael DeMarsico is on Veterans Day and the parade starts at 10:40 from the American Legion. We are going to be applying of a municipal waiver for the library fund. North Adams is going to be featured on Cronicle this Thursday on Channel 5, which we do not receive on cable, but it is going to be available through the internet. It is featuring good things that are happening in North Adams.

With no further business to come before the Council a motion to adjourn was in order.
On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED; to adjourn at 9:00pm.

A True Record
Attest,



City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

104

REGULAR MEETING OF THE CITY COUNCIL November 13, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Absent Councilor Cohen.

A moment of silence was observed, remembering Donato Dagnoli, former City Councilor from 1960 to 1965 in ward 7 and Raymond Gaudette, Jr, School Phycologist in the North Adams School System.

The President called for the approval of the minutes from the October 23rd meeting.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED: to accept the minutes as presented.

The President declared the Public Hearing open.

11,723 The President presented a request from H.A. George to install additional tanks at 651 Ashland Street.

There was no discussion during the public hearing.

The President declared the Public Hearing closed.

11,723 The President presented an Order granting permission to H.A. George to install additional tanks at 651 Ashland Street.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to grant the license.

Bryce George, 651 Ashland Street explained this would hold an additional 30,000 gallons. They will be looking to do more in the future if the business continues to grow.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,407-2b** The President presented a report of the General Government Committee submitted by Councilor Buddington.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED: to accept the committee report as presented.

Councilor Buddington noted the committee would be holding a meeting on Monday November 19th.

- 11,407-2** An Ordinance amending Chapter 2, Article XXXIV (Public Arts Commission) of the Revised Ordinances of the City of North Adams, which was postponed at the meeting of October 23rd.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to postpone to the meeting of December 11th.

- 11,703** The President presented a report of the Traffic Commission regarding Church and Bradley Streets and Holden Street parking lot.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to accept the committee report as presented.

- 11,703** The President presented Mayor's communication #65 in response to Council paper #11,696 regarding a crosswalk at the intersection of Bradley and Church Streets, which was referred to the Traffic Commission and postponed at the meeting of September 25th.

On motion of Councilor LaForest, duly seconded by Councilor Wilkinson it was VOTED; to refer to the Public Safety Committee and postpone to the meeting of December 11th.

Councilor Wilkinson noted that Council did not have any detail on the engineering study. Councilor Buddington said the engineering study noted there was not enough sight line to allow a crosswalk.

Councilor LaForest read a statement from the Traffic Committee report, which noted the commission voted against the crosswalk due to the report from the engineering firm. The committee suggested asking Dufour Bus Company if they would add an extra stop to the Church Street route at Bradley Street so children would not have to cross the road.

Councilor LaForest said it still remains to be a safety issue and the City still needs to do something. At a meeting regarding this issue we were told that signage could be put in place that would help the situation.

- 11,717** The President presented a communication submitted by Council President regarding parking options for the Holden Street Condominium owners, which was referred to the Traffic Commission and the Mayor's Office at the meeting of October 9th.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to postpone to the meeting of February 12, 2019, which will allow the Traffic Commission to review this matter.

11,720 The President presented a communication submitted by Councilor Buddington regarding use of the City Council Chambers for committee meetings, which was referred to the General Government Committee and postponed at the meeting of October 9th.

On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to file the communication.

11,720 The President presented a Resolution regarding the use of City Council Chambers.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED; to adopt the Order.

Councilor LaForest said the Resolution is non-binding and this should be an Order or standard operating procedures.

Councilor Harpin agreed with Councilor LaForest and noted it should be communicated with the administration.

Councilor Lamb questioned if some of the reason for this may be due to the changes in City Hall. The Mayor does not believe this should be a Resolution, this is procedural.

The Order **failed** by yea and nay vote as follows; yea Councilor Buddington, Hopkins, Lamb. Nay Councilor Bona, Harpin, LaForest, Moran, Wilkinson.

8,717-35 The President presented Mayor's communication #83 requesting a Public Hearing for November 27th at 7:30 regarding the percentage of tax levy to be set for FY'19.

Without objection the President set the Public Hearing for November 27th at 7:30pm.

11,724 The President presented Mayor's communication #84 recommending the appointment of Rachel Branch to the North Adams Housing Authority to fill the unexpired term of Christopher Tremblay, which expires July 1, 2019.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED: to confirm the appointment.

11,725 The Mayor's communication #85 recommending a borrowing order in the sum of \$351,000 for repairs to the Public Safety roof.

Without objection the President placed the communication on file.

- 11,725** The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$351,000 for the purpose of repairs to the roof at the Public Safety Building under MGL Chapter 44, Section 20.

On motion of Councilor LaForest, duly seconded by Councilor Hopkins it was VOTED: to pass to a second reading and publish as required by law. FIRST READING

Councilors were all in agreement that this was a significant amount of money to be putting into a building that needs to be replaced. This has been a discussion for many years, but that fact is that it is unsafe for the employees that serve the City.

Councilors asked the Mayor what the process was to replace the structure. The Mayor said there is 1.2 million approved but not appropriated funds in a state capital facilities bond that could be used for a feasibility study.

Steven Meranti, Fire Director said that there are so many issues in addition to the roof, we have mold issues, water seeps into the insulation and drips on the fireman while they are sleeping. Tarps are hanging over the gear, the boiler is old and the windows rattle. Police Director Michael Cozzaglio noted that there is one tarp that is situated so the water flows out a window.

Councilor LaForest told Director Meranti and Director Cozzaglio that he was sorry they had to work in this building all these years; it is embarrassing.

Council President Bona did not want this to halt the efforts of finding a solution. I feel that putting the roof on would not give us the comfort of waiting a little longer. The Mayor said this would not be the case.

The Order was passed to a second reading and publish as required by law, yea Councilor Bona, Buddington, Harpin, Lamb, LaForest, Moran, Wilkinson. Nay none.

- 11,726** The President presented Mayor's communication #86 recommending a borrowing Order in the sum of \$146,300 for upgrades to data and telephone systems.

Without objection the President placed the communication on file.

- 11,726** The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$146,300 to update the data center and phone systems under MGL Chapter 44, Section 20.

On motion of Councilor Wilkinson, duly seconded by Councilor Hopkins it was VOTED: to pass to a second reading and publish as required by law. FIRST READING

Councilors were also in agreement that this upgrade was long overdue. Councilor Wilkinson questioned why a person has not been hired in the IT department when it was in the budget, where do we stand on that. The Mayor said they were moving forward on getting someone hired.

Councilor Harpin questioned why this could not come from the reserves instead of borrowing the money. The Mayor noted this is a 5 year borrowing order and this way we can preserve the technology funds. Councilor Harpin said basically this is for hardware, not software. The Mayor responded that this is the first phase to upgrade the infrastructure.

Kathleen Wall, IT Director noted the infrastructure connects all City's facilities including, Police, Fire, the Water Treatment Plant, the Library and the Spitzer Center. The School Department also shares some of the financial software.

The Order was passed to a second reading by yea and nay vote as follows; yea Councilor Bona, Buddington, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none. FIRST READING

11,729 The President presented a communication submitted by Councilor Buddington regarding amending Council Rule #1.

On motion of Councilor Buddington, duly seconded by Councilor Lamb it was VOTED: to amend Council Rule #1.

Councilor Buddington feels that the Council should be more flexible in their meeting place. He feels that we would get more public input.

Councilor Wilkinson respected Councilor Buddington's thoughts, but we are a legislative body and Committee meetings should be at City Council Chambers.

Councilor Harpin, LaForest and Lamb did not agree with the language being proposed. Councilor Harpin amended the original motion to change the language to include on special occasions meet at City owned properties, seconded by Councilor Lamb. Council President asked Councilor Harpin to put her amendment in writing.

Discussion continued with some Councilors agreeing that it was important to reach out to the community.

Councilor LaForest was totally against the language noting that Council is a legislative body and all meetings should take place here in Council Chambers. If this is going to happen, then are we going to include the north end, east side and south end of the City.

Councilor Moran said we have done tours of different facilities on occasions.

Council President Bona said there are other ways to reach out to the community. Organizations can host an event in which we can attend, and we also have e-mail that we can be reached at. I believe we should not hold any meetings out of City Hall.

The President called for a roll call vote on the amendment to the language; yea Councilor Harpin, Lamb. Nay Councilor Bona, Buddington, Hopkins, LaForest, Moran, Wilkinson. Motion failed.

The President called for a roll call vote on the original motion to change Council Rule #1, yea Councilor Buddington. Nay Councilor Bona, Harpin, Hopkins, Lamb, LaForest, Moran, Wilkinson. Motion failed.

11,730 The President presented an application submitted by Cumberland Farms requesting a Public Hearing for an underground fuel storage located at 245 Ashland Street.

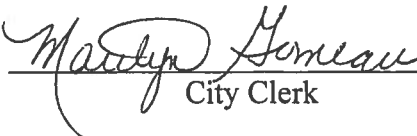
Without objection the President set the Public Hearing for November 27th at 7:30pm.

The President called for anyone wishing to speak in Open Forum, hearing none. The President called for any Community events, Councilor Hopkins noted that Wreaths Across America is December 15th at noon. The committee is placing flags to mark the graves and they are asking families to leave them so they will know where to put the wreaths.

The President called for any Councilor concerns hearing none, the President called for any Mayor's concerns, the Mayor thanked the Clerk and all the workers for a good election. It was a great Veterans Day celebration. There is a City wide food drive; the food will be delivered to the Food Pantry on November 16th. Friday November 16th is the forum for the Coalition from 9:30am to noon at the Green. The Mayor thanked the Peter Wright family for their donation of the Christmas trees. Friday December 1st in the lobby of City Hall Kids for Harmony will perform. The Mayor wished the entire community a Happy Thanksgiving.

With no further business to come before the Council a motion to adjourn was in order. On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED; to adjourn at 9:25pm.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

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REGULAR MEETING OF THE CITY COUNCIL November 27, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson.

A moment of silence was observed.

The President called for the approval of the minutes from the November 13th meeting.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to accept the minutes as presented. Councilor Cohen abstained.

The President declared the Public Hearing open.

11,730 The President presented a request from Cumberland Farms for underground fuel storage located at 245 Ashland Street.

Councilor Buddington questioned the need for 8 pumps. Councilor Harpin asked why the City of North Adams was still listed as the owner. Councilor LaForest questioned how many gallons were stored at the current Ashland Street site.

Thomas Reidy, legal Counsel for Cumberland Farms said this was all reviewed through the Planning Board and there would be 4 fueling stations, one on each side. He also noted Cumberland Farms has not purchased the property as of yet, he handles all the permitting process and said all signs point to closing between now and April. He did not know the exact amount at the current site, but the 48,000 gallons would mean less delivery trucks on site.

Councilor LaForest said there were errors in the amount of gallons on the application. It was correct in one spot and wrong in another. Councilor Harpin also noted the date was missing where the signatures were. Attorney Reidy apologized for the error and said he would submit a new application with the corrections.

On motion of Councilor Harpin, duly seconded by Councilor Cohen it was VOTED: to continue the Public Hearing for Cumberland Farms to December 11th at 7:30pm.

Second item on the Public Hearing

8,717-36a The President presented Mayor's communication #83-a regarding the tax classification for FY'19.

The Mayor's proposal would make the shift at 1.73, making the tax rate \$42.10 per \$1,000 valuation on commercial and industrial.

Ross Vivori, City Assessor gave a power point presentation showing that the City's valuation has fallen in all three areas. Valuation is down, even though growth is up. The largest increase in valuation is in personal property valuation, which he said was due to the large solar arrays in the City.

Councilor LaForest said each year we pass this on to the small business owners to keep the tax rate lower, but we are making it harder for small businesses to survive.

Councilor Lamb felt it was really dangerous to be raising the commercial tax rate to \$42.10. Councilor Bona, Wilkinson and Cohen, all involved in small business, were concerned about the added burden it will put on small businesses. They are already being mandated to increase minimum wage and contribute to employee health insurance. Councilor Bona notes this could mean an employee gets their hours cut or prices will go up for the consumer. Councilor LaForest is concerned that increasing the CIP would deter small businesses from coming to North Adams. We have seen an impressive amount of small businesses coming to our City. Councilor Buddington questioned why we needed more than we did 10 years ago. Councilor Moran noted that last year under the previous administration the shift was more of a burden to the residential side as a gesture to local businesses, somewhat of a thank you to small businesses. I would like to be number 1 in the City for a lot of things, but not number 1 in the highest commercial tax rate. Councilor Harpin was concerned about the entire process, especially with the budget going up and the City's valuation going down. The estimated tax increase of \$110 on the residential side will hurt the elderly and others who are on fixed incomes. We keep increasing their taxes and give them nothing in return. Councilor Harpin questioned if the reserves could be used to offset the tax rate. Councilor Bona noted the City has had a split tax rate since 1981.

Mr. Vivori, City Assessor noted the analysis looks back over a two year period and some of the larger projects, such as the Tourists hotel or the increase in housing sales. If we go through the same process next year, growth will pick up. There are no guarantees but if things like Cumberland Farms happen quickly and other projects happen, we will see more growth.

The Mayor noted his recommendation was based on the most equitable approach for all taxpayers. The 1.73 shift was midway between the three, 1.71, 1.73 and 1.75. He said that the administration is being as fiscally responsible as we can within the budget we have. We are operating on a maintenance budget. In answer to using reserves, the Mayor said currently the reserves has \$2 million but it is recommended to have 5 % of its budget on hand. This would mean higher bond ratings and affect the ability to borrow.

Michael Canales, Administrative Officer said that the City was getting about 54% State Aid prior to 2008. It has never fully recovered and is now about 45%.

The President declared the Public Hearing closed.

11,730 The President presented an application submitted by Cumberland Farms for underground fuel storage located at 245 Ashland Street.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED: to postpone to the meeting of December 11th.

8,717-36a The President presented an Order establishing the percentages of tax levy for the various classes of property for FY'19.

On motion of Councilor Cohen, duly seconded by Councilor Hopkins it was VOTED: to adopt the Order.

Councilors continued their discussion about the shift and felt it should remain at the 1.71 shift.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED to amend the Order to read Class 1 Residential 60.2767%; Class 2 Open Space 0.00%; Class 3 Commercial 26.1225%; Class 4 Industrial 5.2066%; Class 5 Personal Property 8.3942%. Councilor Harpin was opposed.

The Order was adopted by yea and nay votes as follows; yea Councilor Bona, Buddington, Cohen, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay Councilor Harpin.

10,674-6 The President presented an Ordinance amending Chapter Z of the Revised Ordinances of the City of North Adams Section 2.1 entitled Divisions, which was referred to the Community Development Committee and postpone to the meeting of November 27th.

On motion of Councilor Hopkins, duly seconded by Councilor Wilkinson it was VOTED: to postpone to the meeting of January 8, 2019.

11,718 The President presented a communication submitted by Councilor Cohen regarding the need to access healthy food and gas station in the west end of the City, which was referred to the Community Development Committee and postpone at the meeting of October 9th.

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to postpone to the meeting of January 8, 2019.

- 11,725 The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$351,000 for the purpose of repairs to the roof at the Public Safety Building under MGL Chapter 44, Section 20, which was passed to a second reading and publish as required by law at the meeting of November 13th.
FIRST READING

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adopt the Order. SECOND READING.

Michael Canales noted there was an error in the language and suggested that Council amend the Order.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to amend the Order by deleting the last paragraph and insert new language.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,727 The President presented Mayor's communication #86 recommending a borrowing Order in the sum of \$146,300 for upgrades to data and telephone systems.

Without objection the President placed the communication on file.

- 11,727 The President presented an Order authorizing the Treasurer with the approval of the Mayor to borrow the sum of \$146,300 to update the data center and phone systems under MGL Chapter 44, Section 20, which was passed to a second reading and publish as required by law at the meeting of November 13th. FIRST READING

On motion of Councilor Cohen, duly seconded by Councilor Wilkinson it was VOTED: to adopt the Order.

Michael Canales noted there was an error in the language and suggested that Council amend the Order.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED: to amend the Order by deleting the last paragraph and insert new language.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Nay none.

The President called for anyone wishing to speak in Open Forum, Patrick Priester of Gallup Street was concerned about overnight parking on streets.

The President called for Mayor's concerns, the Mayor thanked everyone involved with the Tree Lighting. Sunday at 5:00pm in Dr. Rosenthal Square the lighting of the Menorah.

The President called for any Community events, Councilor Moran noted at 6:30 on Wednesday there will be a Public Hearing for the Bike Trail.

The President called for any Councilor concerns Councilor Harpin said the Retirement Board approved their stipend at \$3,000. Councilor LaForest noted the parking ban and parking on sidewalks has been in effect since 1965.

With no further business to come before the Council a motion to adjourn was in order.
On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED; to adjourn at 9:35pm.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

115

REGULAR MEETING OF THE CITY COUNCIL December 11, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Councilor Hopkins absent.

A moment of silence was observed remembering Mary Madelyn Clermont, cafeteria manager at the North Adams Middle School for 20 years. President George Herbert Walker Bush.

The President called for the approval of the minutes from the November 27th meeting.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to accept the minutes as presented.

The President declared the continued Public Hearing from November 27th open; regarding underground fuel storage for Cumberland Farms located 245 Ashland Street.

There were no questions from Council or the public.

The President declared the Public Hearing closed.

11,730 The President presented an application submitted by Cumberland Farms for underground fuel storage located at 245 Ashland Street, which was postponed at the meeting of November 27th.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to grant the license.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,407-2a The President presented the report of the General Government Committee submitted by Councilor Buddington.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to accept the committee report as presented.

Councilor Buddington noted that the committee has submitted amendments to the Ordinance for review.

11,407-2 The President presented an Ordinance amending Chapter 2, Article XXXIV, Public Arts Commission of the Revised Ordinances of the City of North Adams, which was postponed at the meeting of October 23rd.

On motion of Councilor Buddington, duly seconded by Councilor Cohen it was VOTED: to pass to a second reading and publish as required by law.

Councilor Lamb was concerned about the 90 days of submission. Council President said most of these will have to go to City Council which would add another two weeks.

Councilor LaForest was also concerned that there was no mechanism in place if the Mayor disagreed with PAC, how would it be resolved? He also said there was no time limit for the Mayor to review and respond. Councilor Harpin said it was important to let artists be artists. Councilor Harpin asked for an explanation of Section 29. Councilor Buddington said it was in the City Charter that a contract over \$2,000 would need to be signed by the Mayor.

Councilor Buddington noted that there was a joint public meeting with the Public Arts Commission.

Councilor Buddington withdrew his original motion. Councilor Buddington made a motion to refer to the Solicitor for review, seconded by Councilor LaForest.

The President called for a roll call vote on the motion to refer; yea Councilor Buddington, Nay Councilor Bona, Cohen, Harpin, LaForest, Lamb Moran, Wilkinson. Motion failed.

On motion of Councilor Lamb, duly seconded by Councilor Harpin it was VOTED: to postpone to the meeting of January 8, 2019.

11,703 The President presented Mayor's communication #65 in response to council paper #11,696 regarding a crosswalk at the intersection of Bradley and Church Streets, which was referred to the Public Safety Committee and postponed at the meeting of November 13th.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to file the communication.

Councilor Lamb noted the engineering study said there was not enough site lines for the crosswalk, but we were told there would be signage and as of yet this has not happened and we should be demanding it happen. Councilor LaForest said that as of this morning there were signs in place on both the north and south side. Council President said that Council has the authority to instruct Public Services where to install the signs.

11,609-2 The President presented Mayor's communication #87 accepting a gift from the estate of Gailanne Cariddi.

Without objection the President placed the communication on file.

- 11,609-2** The President presented an Order authorizing the Mayor to accept a gift in the sum of \$210,000 from the estate of Gailanne Cariidi for the purpose of maintaining and upkeep of the bike/pedestrian path.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,731** The President presented Mayor's communication #88 regarding a Tax Increment Financing Agreement with Stanley Black & Decker/TOG Machine.

Without objection the President placed the communication on file.

- 11,731** The President presented an Order authorizing the Mayor to enter into a Tax Increment Agreement with the City and Stanley Black & Becker/Tog Machine.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to adopt the Order.

The Mayor said this was a great agreement which includes investment to the facility as well as creating jobs. He said the company was doing an addition on the present building. They are investing about 3.5 million in improvements to the building and hope to create 28 new jobs by 2022. Currently they have 29 employees.

Councilors were all in agreement with the TIF noting this was a good chance for growth in the community. Councilor Lamb however has requested annual updates on the progress of the company to make sure they are meeting their obligations. Councilor Buddington said he was not a big fan of TIF agreements but this is one of the nicer ones I have seen.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,732** The President presented Mayor's communication #89 regarding the sale of City owned land on Leonard Street to Centerville Sticks, LLC.

Without objection the President placed the communication on file.

- 11,732** The President presented an Order authorizing the Mayor to sell City owned land on Leonard Street to Centerville Sticks, LLC for the sum of \$768.00.

On motion of Councilor LaForest, duly seconded by Councilor Cohen it was VOTED: to adopt the Order.

Ross Vivori, City Assessor, explained the process of selling these properties to abutters. The dollar amount was set at 10 cents per square foot. Selling these properties will return them to the City tax rolls.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,733 The President presented Mayor's communication #90 regarding the sale of City owned land on Temple Street to Shelby Walden.

Without objection the President placed the communication on file.

11,733 The President presented an Order authorizing the Mayor to sell City owned land on Temple Street to Shelby Walden in the sum of \$1,180.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest it was VOTED: to adopt the Order.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,734 The President presented Mayor's communication #91 regarding the sale of City owned land on Adams Street to David, Susan and Matthew Berger.

Without objection the President placed the communication on file.

11,734 The President presented an Order authorizing the Mayor to sell City owned land on Adams Street to David, Susan and Matthew Berger in the sum of \$698.50.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

11,735 The President presented Mayor's communication #92 regarding the sale of City owned land on Massachusetts Avenue to Centerville Sticks, LLC.

Without objection the President placed the communication on file.

11,735 The President presented an Order authorizing the Mayor to sell City owned land on Massachusetts Avenue to Centerville Sticks, LLC in the sum of \$6,882.40.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,736** The President presented Mayor's communication #93 regarding the sale of City owned land on State Street to Robert Davis.

Without objection the President placed the communication on file.

- 11,736** The President presented an Order authorizing the Mayor to sell City owned land on State Street to Robert Davis in the sum of \$963.60.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 11,737** The President presented Mayor's communication #94 regarding the sale of City owned land on State Street to Michael Cozzaglio and Charles Burnell.

Without objection the President placed the communication on file.

- 11,737** The President presented an Order authorizing the Mayor to sell City owned land on State Street to Michael Cozzaglio and Charles Burnell in the sum of \$668.50.

The Order was adopted by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none.

- 8,815-12** The President presented Mayor's communication #95 renaming the Police and Fire Director positions as Police and Fire Chiefs.

Without objection the President placed the communication on file.

The Mayor explained that this would change the structure that was established in 1981, with the upcoming retirement of Director Cozzaglio we need to make the positions more desirable. People are less likely to apply for a Director's position because they are looking for a Police Chief position.

Fred Dupre, Labor Counsel for the City said by changing from Director to Chief it is the best way to move forward. He noted the change would have no effect on the rest of the Ordinances where it refers to the Police Director because they have the same authority as a Chief.

Councilors agreed it was the logical thing to do, they were concerned about the shifting of the Classification and Compensation Plan. Councilor LaForest asked if the Mayor would continue to oversee them.

- 8,815-12** The President presented an Ordinance amending Chapter 8, Section 8-4 and Section 8-6 of the Revised Ordinances of the City of North Adams entitled Head of Departments, regarding Police and Fire Chiefs.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED: to pass to a second reading and publish as required by law.

11,672-a The President presented Mayor's communication #96 regarding the classification plan.

Without objection the President placed the communication on file.

11,672-a The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances of the City of North Adams, Schedule A, the Classification Plan.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED; to pass to a second reading and publish as required by law.

The Mayor requested the Police Chief change from a S-33B to S-27B to attract a wider field of applicants. S-33B has a starting pay of \$76,748 to a max of \$81,505; S-27B is a flat rate of \$85,535. The Mayor said The Police Director was currently at \$81,007. He noted it was to have a higher rate on the books when the job is posted. Michael Cozzaglio is retiring February 8th. The Mayor said compared to surrounding communities the difference in salary ranges from \$5,000 to \$30,000 less, and the director oversees a larger department.

Councilor LaForest asked why we would limit ourselves rather than negotiate with the applicant, should we not be sending this to committee. Councilor Harpin was in agreement with sending it to committee, to take the time to do it right the first time. Councilor Cohen said she did not see this to be a great leverage for the job. Councilor Lamb said the pay scale is low but this will give us time to look at a classification change. Councilor Moran was in favor of letting it play out, this gives us a jumping off point at \$85,000. Councilor Buddington was comfortable in the change.

Councilor Bona and Wilkinson abstained form discussion because of family working in the department.

Fred Dupre said it is possible to negotiate rather than going by the Compensation Plan. Several Councilors thought this was a good option.

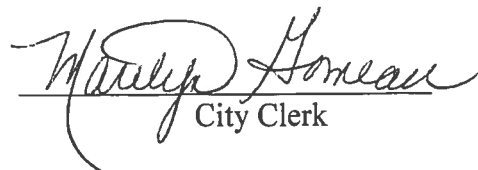
The President called for anyone wishing to speak in Open Forum, hearing none, the President called for Mayor's concerns, the Mayor thanked everyone involved with the Tree Lighting, Sunday at 5:00pm in Dr. Rosenthal Square the lighting of the Menorah.

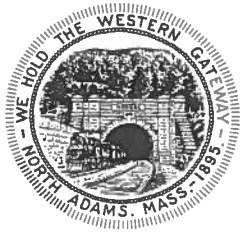
The President called for any Community events, Councilor Moran noted at 6:30 on Wednesday there will be a Public Hearing for the Bike Trail.

The President called for any Councilor concerns, Councilor Buddington thanked everyone involved in the PAC meetings.

With no further business to come before the Council a motion to adjourn was in order. On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED; to adjourn at 10:09 pm.

A True Record
Attest,


City Clerk



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3000 Ext. 1

City Clerk Marilyn Gomeau

120

REGULAR MEETING OF THE CITY COUNCIL December 26, 2018

A meeting of the North Adams City Council was held at 7:30pm in City Council Chambers with the following present:

COUNCILORS PRESENT: Councilor Bona, Cohen, Harpin, Hopkins, LaForest, Lamb, Moran, Wilkinson. Councilor Buddington absent.

A moment of silence was observed remembering Georgette Mancuso, teacher at Drury High School for over 30 years as the head of home economics department and after retirement she was a substitute teacher in the language department for another seven years. Robert Kateley served as, Commander Sergeant Major for Massachusetts National Guard in North Adams for 41 years. The President called for the approval of the minutes from the November 27th meeting.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to accept the minutes as presented. Councilor Hopkins abstained.

Councilor Buddington entered the meeting at 7:31pm.

8,815-12 The President presented an Ordinance amending Chapter 8, Section 8-4 and Section 8-6 of the Revised Ordinances of the City of North Adams entitled Head of Departments, regarding Police and Fire Chiefs, which was passed to a second reading and published as required by law at the meeting of December 11th.

On motion of Councilor Lamb, duly seconded by Councilor LaForest it was VOTED: to adopt the Ordinance.

The Ordinance, as amended, was ordained by yea and nay vote as follows; yea Councilor Bona, Buddington, Cohen, Harpin, LaForest, Lamb, Moran, Wilkinson. Nay none. Councilor Hopkins abstained.

11,672-a The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances of the City of North Adams, Schedule A, the Classification Plan, which was passed to a second reading and published as required by law at the meeting of December 11th.

On motion of Councilor Cohen, duly seconded by Councilor Harpin it was VOTED; to adopt the Ordinance.

Councilor LaForest was still very concerned about the salary noting this was just to the Police Chief and not the Fire Chief, was this just done for the benefit of the Police Director. Councilor LaForest objected to limiting the pay according to the Classification Plan rather than negotiating with the candidate. At the last meeting Fred Dupere said that it could be done and I see no reason why we are not going that way.

Councilors were in agreement that it would be better to negotiate with the candidate. It is pointless to change the Compensation Plan now and then bring it back if it does not work. Councilor Buddington was comfortable with making the change to the compensation plan as presented. Councilor Moran noted that the only one who would gain from this right now was the current Police Chief.

The Mayor said he wants the wage in place before posting the position, which he intends to do at the beginning of the year.

Councilor Harpin asked the Mayor how he was going to proceed with the hiring process, could a base salary be a benefit or a hindrance. The Mayor said negotiating would provide more freedom. He said he would forward a copy of the MGL regarding the appointing authority to Councilors.

Councilor LaForest was frustrated that rather than referring things to committee, we debate issues at the Council meetings instead of investigating the agenda item, I do not believe we are fully using our legislative powers.

The Ordinance failed by yea and nay vote as follows; yea Buddington, Hopkins. Nay Councilor Cohen, Harpin, LaForest, Lamb, Moran. Councilor Bona and Wilkinson abstained.

11,657-1 The President presented a communication submitted by the Ad Hoc Committee to the City Clerk's Office recommending the appointment of Deborah Pedercini as the City Clerk upon the retirement of Marilyn Gomeau.

On motion of Councilor Cohen, duly seconded by Councilor LaForest it was VOTED: to confirm the recommendation.

Councilor Hopkins, chairman of the Committee had high praise for Ms. Pedercini's work when she was associated with the Planning Board and highly endorses her for the job.

11,739 The President presented Mayor's communication #97 recommending the re-appointment of Joanne Hurlbut to the North Adams Historical Commission for a term to expire January 2, 2022.

On motion of Councilor Cohen, duly seconded by Councilor Lamb it was VOTED: to confirm the appointment.

11,740 The President presented Mayor's communication #98 recommending the re-appointment of Christopher Wondoloski to the North Adams Historical Commission for a term to expire January 2, 2022.

On motion of Councilor Lamb, duly seconded by Councilor Hopkins it was VOTED; to confirm the re-appointment.

- 11,741** The President presented Mayor's communication #99 recommending the appointment of Andrew Barsotti to the North Adams Local Historic District Study Commission to replace Kurt Koloc.

On motion of Councilor Lamb, duly seconded by Councilor Cohen it was VOTED: to confirm the appointment.

- 11,231-1** The President presented a communication submitted by Councilor Wilkinson requesting consideration of changing the start time of the City Council meetings.

Without objection the President placed the communication on file.

- 11,231-1** The President presented an Ordinance amending Chapter 2, entitled Administration of the Revised Ordinances of the City of North Adams Article I, Section 2-1.

On motion of Councilor LaForest, duly seconded by Councilor Lamb it was VOTED: to refer to the General Government Committee.

Councilor Wilkinson said he appreciated the Mayor's robust, but he would much prefer getting home a little earlier. He said he has heard from residents that the meetings are running late and they do enjoy hearing Councilor and Mayor's concerns. Councilor Wilkinson noted that the Planning Board had meetings at 7:00pm and they moved them to 6:00pm and they have worked out fine. Councilor Cohen noted the times of surrounding city and towns have start times of 6:30 and 7:00. Councilor Lamb thought that 6:00pm was too early, since he has to commute from Pittsfield. Councilor LaForest also wondered about the early start times if it would affect the limited space for meetings. Councilor Wilkinson said he started at 6:00 hoping we could come to a middle ground.

Councilor LaForest amended his original motion, seconded by Councilor Cohen to have a returning date of February 12, 2019.

There were no committee reports or community events for this meeting.

The President called for anyone wishing to speak in Open Forum, there was nothing new for this meeting.

The President called for any Mayor or Councilor concerns, the Mayor wished everyone a Happy New Year. Council President thanked fellow Councilors for their support this past year; you have made my job easier. We may not always agree on issues but we can come to a common ground. We are not just a rubber stamp council.

With no further business to come before the Council a motion to adjourn was in order.

On motion of Councilor Hopkins, duly seconded by Councilor Lamb it was VOTED; to adjourn at 8:12pm.

A True Record

Attest,

City Clerk