



**Office of the City Clerk**  
**City of North Adams**  
10 Main Street Room 109  
North Adams, Massachusetts 01247  
(413) 662-3000 Ext. 1

Deborah M. Pedercini  
City Clerk

***ORGANIZATION OF GOVERNMENT MEETING***  
***JANUARY 1, 2020***  
***10:00 am City Council Chambers***

**The meeting was called to Order by the City Clerk as the Organization of Government Meeting for 2020**

**The City Clerk gave opening remarks.**

**The Pledge of Allegiance was recited.**

**The Clerk called upon the Rev. Mary Frances Curns from All Saints Episcopal Church to invoke the Inaugural Invocation.**

**The City Clerk administered the oath of office to the following City Councilors who were elected on November 5, 2020, Lisa M. Blackmer, Keith J. Bona, Marie T. Harpin, Paul J. Hopkins, Jason M. LaForest, Benjamin J. Lamb, Robert Moulton, Jr., Jessica Sweeney, and Wayne J. Wilkinson.**

**On roll call the following responded, Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, and Wilkinson.**

**The City Clerk called for nominations for Council President for the year 2020.**

**Councilor Sweeney placed the name of Councilor Hopkins in nomination, seconded by Councilor Bona.**

**With no further nominations, all were in favor of Councilor Hopkins.**

**The City Clerk declared Councilor Hopkins as Council President.**

**The City Clerk administered the oath of office to Council President elect Hopkins.**

**The President took the Chair.**

**The President called for nominations for Council Vice-President.**

**Councilor Lamb nominated Councilor LaForest for Council Vice-President, seconded by Councilor Moulton.**

**With no further nominations to come before the Council, the President closed nominations.**

**Councilor LaForest was declared Vice-President.**

**The President called upon the City Clerk to administer the oath of office to Councilor LaForest.**

**The City Clerk administered the oath of office to Council Vice President elect LaForest.**

**Without objection the President postponed the Rules of Order to the next meeting, so Councilors could review the rules.**

**The President presented the Committee and Liaison assignments for the year 2020.**

**Council President welcomed all and stated, “I look around these Council Chambers and I am encouraged. Among City Councilors I see talent across the spectrum, expertise in many areas, from finance, to community and economic development, education, human services, government, and business; many years of institutional knowledge; hands-on experience; and a boatload of common sense. All of those will be required as we move forward.” Council President continued with his remarks.**

**The President called upon the City Clerk to administer the oath of office to the members-elect of the North Adams School Committee Tara J. Jacobs, Karen M. Bond, and Robert R. Moulton, Jr. Members, Jacobs and Bond were absent. The Clerk administered the Oath of Office to Member Moulton.**

**The President called upon the City Clerk to administer the oath of office to the members-elect of the Northern Berkshire Vocational Regional School Committee Peter E. Breen, George A. Canales, and William R. Diamond.**

**The President called for Councilors Wilkinson and Lamb to draw the seating for 2020.**

**Seat 1 Councilor Harpin; Seat 2 Councilor Lamb; Seat 3 Councilor Wilkinson; Seat 4 Councilor LaForest; Seat 5 Councilor Bona; Seat 6 Councilor Sweeney; Seat 7 Councilor Moulton; Seat 8 Councilor Blackmer.**

**The President called upon Councilors Sweeney and Moulton to escort Mayor-elect Thomas W. Bernard to the Council Chambers.**

**The President called upon the City Clerk to administer the oath of office to the Mayor-elect.**

**His honor, the Mayor, delivered his inaugural address.**

**The President called upon Father Darius Wudarski from St. Elizabeth of Hungary Church to give the Benediction.**

**The President announced the conclusion of the Organization of Government for the year 2020 and called for a motion to adjourn.**

**On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson it was VOTED to adjourn.**

**Adjourned at 10:45am**

**Tara Jacobs, North Adams School Committee was sworn on January 2, 2020. Karen M. Bond, North Adams School Committee was sworn in on January 3, 2016 in the office of the City Clerk.**

**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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

January 14, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson.

A moment of silence was held for Donald Racette, employee at the North Adams Wastewater Treatment.

The President called for the approval of the minutes from the meeting of December 26, 2019.

On motion of Councilor LaForest, duly seconded by Councilor Lamb, it was VOTED: to accept the minutes as presented. Councilors Blackmer, Moulton and Sweeney abstained.

The President called for Hearing of Visitors.

Robert Smith, 140 Pleasant Street stated his opposition to the order regarding the children's pillar art. He questioned the validity of the amount of signatures on the petition; he felt the pillars were a distraction to drivers and that there were more important issues to be resolved in the City.

Ed Morandi, West Shaft Road, spoke on behalf of the children's pillar art, he stated that the City Council makes the laws, and stated that Mass MoCA did not get permission to paint over the pillars.

Frances Buckley, 231 North Street, voiced her support for the children's pillar art. She stated it became a point of destination and many people enjoyed the art, that the art project was also a history lesson. She requested that the Council allow the tests to be done.

Thomas Ryan, 530 Notch Road, stated his frustrations of not being heard by the City's administration on concerns he had.

Joseph Smith, 131 Horrigan Road, Clarksburg, spoke in favor of the children's pillar art and the many signatures on the petition. He stated that the sound installation artist has never been directly asked their position, that the public is aware of, only third party word.

Bryan Sapienza, 113 Pleasant Street, questioned where the funding would come from to test and restore the art pillars.

**11,838** The President presented Mayor's communication #1 requesting time for Stantec to present study of downtown parking.

Zachary Feury from Community Development introduced Liza Cohen from Stantec, Ms. Cohen gave a presentation of the City's downtown parking.

Ms. Cohen spoke about the many parking options throughout the City, and stated that only approximately 40 percent of the downtown parking is being utilized. The presentation showed many different options and scenarios that were proposed for the unused parking areas. There was discussion as to possible acquisition or shared spaces with non-city owned properties.

There was a question and answer period and several councilors inquired if event parking was considered and how data was collected. Other questions were concerning metered parking options.

**11,770-4** The President presented Mayor's communication #2, requesting the transfer of \$71,000 from the Stabilization account to Public Services for analysis of City sewer system.

Without objection, the President filed the communication.

**11,770-4** The President presented an Order authorizing the Mayor to transfer the sum of \$71,000 from the Stabilization account to Public Services, Engineering Expenses, Contracted Services.

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

The Mayor spoke about the I & I, stating it was required by law as of 2017, the City has been operating on a waiver, and the time is appropriate to do this study, stating it will determine how water gets into the sewer system from non-sewer deficiencies, to take corrective action.

Councilor Harpin inquired how the 285 properties that are flagged were identified. The Mayor stated they were previously identified in the Tighe and Bond report.

Councilor Wilkinson stated the more water waste we send increases the cost to the City, and stated it was an important study.

Councilor LaForest inquired if this study is to correct failed septic systems that are dumping inappropriately into the ground and system.

The Mayor stated that it was to reduce the additional inflow into the system due to cracks or water flowing into catch basins.

Councilor Harpin wanted to make sure residents were notified. Michael Canales spoke on the fact that any resident that did have issues would have to rectify the issues, and stated that the residents would be notified.

Councilor LaForest inquired if there would be funds available to residents for repairs, the Mayor stated, not through the City.

Councilor Blackmer noted that this money is for the study and is only the first step.

Councilor LaForest inquired if any of the properties are known to be discharging sewage into the river. The Mayor stated, not to his knowledge.

The Order was adopted by ye and nay vote as follows, ye Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, Nay none.

**11,839**        The President presented Mayor's communication #3 requesting time for update on the status of the Public Safety building.

Without objection, the President filed the communication.

The Mayor spoke regarding the public safety building and stated that the update is the most recent information they have.

Mr. Canales gave a history of the roof repairs, stating that the project started on August 5, 2019, and should have been completed by October 18, 2019, contingent on weather. Construction started September 30, 2019, work stopped on October 24, 2019, and no work was performed for 34 days. On January 6, 2020, after failure to meet schedule, a notice of default was issued, on January 10, 2020 a follow up conference call was made with legal counsel.

Mr. Canales stated there has been water damage, the contractor is verbally committed to make repairs where there was damage. Due to the water damage, samples of insulation are being inspected to make sure they are not saturated with water, and thermal imaging will be done to identify where damage is.

Mr. Canales stated that the City's priorities are to establish a water tight seal for the winter season; from there they will be working with Bradley Architects to determine the critical work needed to receive the twenty year warranty on the roof; any work will be performed in the spring of 2020.

Councilor LaForest inquired if the same contractor will continue doing the work. Mr. Canales stated that they would be. He stated a notice of default to the bond company has effects for the contractor to gain bonds for other projects, therefore there has been an increase of work being done.

Councilor LaForest had concerns with mold issues and questioned if this is going to assure that the building is not going to continue to be hazardous to the Police and Fire department.

Mr. Canales stated that the procedure of core sampling and thermal imaging that is in place has been recommended by the architect and the contractor. The City will select the core sampling and thermal imaging company.

Councilor Harpin inquired why the contractor left the job for 34 days. Mr. Canales stated, at this time, the contractor has not provided an explanation.

Councilor Harpin asked if prior to awarding the bid to the contractor, if the City did seek recommendations on their prior work. Mr. Canales replied yes, and they were DCAM certified,

there were no red flags.

Councilor Moulton felt the project was taking a long time, there were complaints about debris flying in the area and felt it was unusual. He inquired why it took so long, and who the clerk of the works was, or who was in charge of the contractor. Mr. Canales stated that Bradley Architects was in charge and did weekly visits. When the City realized there were problems with the contractor, the City appointed Foster Lewis as clerk of the works for the project in the beginning of October. Councilor Moulton voiced his concern that the ball was dropped and future projects should run smoother.

Councilor Blackmer inquired if there would be any discount or reduction in the cost of the project due to not making the dates and also, have we paid the contractor in full.

Mr. Canales stated that all invoices have not been paid due to lack of progress.

Councilor Harpin wanted to know if the legal fees would be covered. The Mayor stated that would be negotiated.

Councilor LaForest inquired when the testing would be done, Mr. Canales stated it would be done in the spring. Councilor LaForest asked if there would be any recourse for the membrane damage when testing is done. Mr. Canales stated that the membranes are designed for this and would seal properly.

The Mayor voiced his appreciation for Mr. Canales and stated that the City has done its due diligence and has not waived any right to act.

**11,840**        The President presented a communication from Councilor Harpin and LaForest regarding North Adams Pillar Art.

Without objection, the President filed the communication.

**11,840**        The President presented an Order authorizing a study in regards to the restoration of children's pillar art located at Route 2, bridge, Veterans Memorial Drive.

Council President recommended a motion to refer to General Government Committee and postpone to the meeting of February 25, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson, it was VOTED: to refer to General Government Committee and postpone to the meeting of February 25, 2020.

Councilor Harpin read the communication. She gave the history and timeline of the pillar art and plead to the Council to resolve the matter through the Order.

Councilor LaForest stated that there has been a disjointed approach to resolve the issue. He stated that he and Councilor Harpin met with Joseph Thompson, director of Mass MoCA and he indicated that there was a contract between Mass MoCA and the artist. The contract indicated that there would be a long term or permanent exhibition; however, it does not exist on the City side, the City owns the pillars. In the gallery notes in 1997 it was indicated that it would be a long term exhibit, as well as a poetic verse, "sound focuses ones attention on the majestic columns, the grand scale of the area, which combined with the droning, somehow sacral tones brings to mind a gothic naïve." Therefore, the intent on the artist could have been to incorporate

the entire space in the installation, however, it is interpretive. There is no contract; therefore he suggested an amendment to the motion to refer to legal counsel as well.

On motion of Councilor LaForest, duly seconded by Councilor Harpin, it was VOTED: to amend the motion to include referral to the City solicitor.

Councilor Bona stated he would like some answers from the City solicitor, as there are different interpretations of art. There have never been any specs or contracts with the City, there are many unanswered questions, as well as legal issues.

Councilor Lamb stated there have been legal cases where the artist has won several million dollars and are precedent for destroying art with an act that came into effect in 1990. He feels strongly about having the City solicitor's input.

Councilor Bona stated he would like to see a joint public hearing with the Public Arts Commission and the General Government Committee.

On motion of Councilor Bona, duly seconded by Councilor LaForest, it was VOTED to amend the motion to include a joint public hearing with the Public Arts Commission.

Councilor Blackmer stated that she felt it would be best to wait to have a meeting with PAC until there is a legal opinion.

Councilor Harpin stated that both of the installations were prior to the creation of the Public Arts Commission. She stated that the commission stated already that the testing was outside of their purview.

Councilor Bona rescinded his motion to include the Public Arts Commission.

Councilor Wilkinson stated that even if a study is authorized, how will it be funded?

Councilor Harpin stated that it is similar to an engineering study, and there is money available in that budget.

There were no Committee Reports or Minutes.

The President presented an application from Lori M. Spencer, 486 Mohawk Trail, Drury, MA, for a license to drive a taxi for RJ's Taxi.

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

The President presented an application from Lisa A. Walters, 159 Eagle Street, North Adams, for a license to drive a taxi for RJ's Taxi.

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

The President presented an application from Obilio Rodriguez, 38 Meadow Street, North Adams, for a license to drive a taxi for RJ's Taxi.



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

The President called for Open Forum.

Ed Morandi, West Shaft Road, voiced his concerns about the I&I sewer and wanted to point out that there was a study done in 1991, and wanted to know why it had not been rectified.

Joseph Smith, 131 Horrigan Road Clarksburg, stated that someone should be speaking directly to the sound artist. He also stated that a simple test would determine if restoration could take place.

Robert Smith, 140 Pleasant Street, voiced his concerns over the wasted time that was used on discussing the pillar art.

Eric Wilson, Brayton Hill, voiced his opinion on the pillar art and does not want to discriminate against anyone. He stated that they should not have painted over the pillars. He stated that he is continuing to make the City handicapped accessible.

Bryan Sapienza 113 Pleasant Street, thanked Councilor LaForest for bringing the pillar art to Council. He stated there could be legal issues if things are not approached in the proper manner and was supportive of getting the legal opinions.

Jason Smith, spoke in regards to the roof issue, he stated he worked in this field and that it will pass inspection, however years down the road there will be leaks and there are no guarantees. He suggested that MCLA art students do the testing on the pillars and allow the students to receive credit in the process.

There were no liaison updates.

Councilor Wilkinson stated that it was important for the Council to do a site visit to Sullivan School. He stated that he will be posting a Finance Committee meeting to tour the school.

Councilor Moulton stated his concerns for public safety, he spoke about properties in the City, stating falling bricks and liability and will be bringing forth a Council paper regarding this issue.


Councilor Harpin spoke about the Marijuana shops and wanted to get an update for North Adams.

Councilor Blackmer stated that there was a shop approved by the Planning Board in 2018.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED: to adjourn at 9:38 pm.

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**Regular Meeting of the City Council**

January 28, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson.

A moment of silence was held for Edmond William Dupuis, employed for 46 years as a Patrolman with the North Adams Police Department faithfully serving the City of North Adams.

The President called for the approval of the minutes from the meeting of January 14, 2020.

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

The President called for Hearing of Visitors.

Bryan Sapienza, 113 Pleasant Street, stated his concerns about speaking in between each agenda item. He is in favor of this being allowed and feels the input is important.

Robert Smith, 140 Pleasant Street, voiced his concerns for the public being able to be heard on each agenda item. He stated all should be heard and this is a democracy.

**11,790** The President presented communication submitted by Councilor Bona regarding short term rentals and the requirements of the City, which was postponed at the meeting of September 24, 2019.

On motion of Councilor Lamb, duly seconded by Councilor Harpin, it was VOTED: to postpone to the meeting of May 26, 2020.

Councilor Bona handed out literature from several other communities and spoke about how they are dealing with short term rentals. He stated his concerns about the difficulties with inspection and safety.

Councilor Lamb stated that Community Development and the Mayor are working with Berkshire Regional Planning Commission on a plan.

Councilor Blackmer stated that Ordinances are a two meeting process, which would take time, she stated it would be best to return the paper sooner, as the tourist season will be fast approaching.

Councilor Bona noted that there are approximately four hundred units that are not being inspected.

**11,812** The President presented communication from Councilor LaForest regarding Public Arts Commission and Planning Board case number SPA2019-27, regarding Mass MoCA Foundation, Inc. for property located at 25 Marshall Street, which was referred to General Government Committee and Public Arts Commission and postponed at the meeting of September 24, 2019.

On motion of Councilor LaForest, duly seconded by Councilor Lamb, it was VOTED: to postpone to the meeting of March 24, 2020.

Councilor LaForest stated that there has not been enough time for the General Government Committee to review the Public Arts Commission, Mass MoCA Foundation and other entities in the City, and would like to have time to do so, in hopes to avoid conflict.

**11,831** The President presented an Order accepting Massachusetts General Laws, Chapter 90, Section 17C, The Berkshire Scenic Mountain Act which was referred to the Community Development Committee and postponed at the meeting of November 26, 2019.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of February 11, 2020.

Councilor Lamb stated the Community Development Committee did not have a chance to meet on this, however they will meet January 29, 2020, at 6:00.

**11,570-1** The President presented an Order authorizing the Mayor under the provisions of Massachusetts General Laws, Chapter 30B to sell real estate located at 151 Kemp Avenue, Sullivan School which was postponed at the meeting of December 10, 2019.

Councilors Bona and Lamb stepped down and abstained.

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

Councilor Harpin spoke about the tour of Sullivan School, she stated that there had been a fire in the cafeteria, however the damage was contained and minimal, as well as water damage. She stated the building appeared to be in good shape.

Councilor Wilkinson stated the building is beyond hope, stating it would cost more to renovate than the building is worth and considered it a tear down. He stated that in the beginning, he was against selling the property for a \$1.00, however after seeing the property, he stated if someone is willing to purchase this property, then he would vote yes on the order.

Councilor Blackmer stated she did some research about the 501C3 for BAMTEC and also on the zoning allowances for the property, she stated that the property is exempt from zoning

requirements, other than building and safety codes.

Councilor Blackmer inquired whether there would be some kind of payment in lieu of taxes on the property.

The Mayor stated that it has not yet been determined; however, it could be considered.

Councilor LaForest stated he was still unsure as to what the property would be used for. He stated that he had heard concerns from neighbors. The property is 12 acres and valued at \$500,000 and sits in a residential area. He is concerned that the City may get the property back and be responsible for demolishing the building.

Councilor Moulton inquired about the possibility of splitting the property. He stated his concerns as well, over zoning issues.

Council President inquired if this fails, and is rebid, would BAMTEC still have an opportunity to rebid.

The Mayor stated absolutely, anyone would be eligible to bid on the property.

Councilor Moulton asked why the Councilors abstained; Councilor Lamb stated he helped BAMTEC write the proposal. Councilor Bona stated his reason was due to the fact that he did business with one of the other bidders, Eric Rudd.

The Order was adopted by yea and nay vote, yea, Councilors Hopkins and Wilkinson, nay, Councilors Blackmer, Harpin, LaForest, Moulton and Sweeney, abstentions, Councilors Bona and Lamb. Motion fails.

**10,540-4** The President presented an Ordinance amending Chapter 13 of the Revised Ordinances of the City of North Adams, Section 13-61, entitled Fees for parking zones, which was postponed at the meeting of December 26, 2019.

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

Councilor Harpin stated that each department is being reviewed line by line by another order that is in process and this would be part of the new fee schedule.

Councilor Blackmer stated that in the past, these were part of ordinances and actually went through General Government instead of Finance Committee.

**11,841** The President presented North Adams City Council Rules of Order 2020.

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

Councilor Blackmer requested that the motion be rescinded and refer to General Government. Councilor Wilkinson declined.

Councilor Blackmer stated she was in favor of letting the public speak in between papers and feels that the public should be heard.

On Motion of Councilor Blackmer, duly seconded by Councilor LaForest it was VOTED: to amend Rule 16 by inserting “deliberation and” before “the vote”.

The Order was adopted as amended by yea and nay vote, yea Councilors, Bona, Harpin, Hopkins, LaForest, Lamb, Sweeney and Wilkinson, nay, Councilors Blackmer and Moulton. Motion passes.

**11,842** The President presented Mayor’s communication #4 recommending the appointment of Jennifer Breen to the North Adams Housing Authority for a term to expire July 1, 2024 to fill the unexpired term of James M. Neville.

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

**11,843** The President presented Mayor’s communication #5 recommending the reappointment of Paul W. Marino to the North Adams Historical Commission for a term to expire January 2, 2023.

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

**11,844** The President presented Mayor’s communication #6 recommending the appointment of Peter Siegenthaler to the North Adams Historical Commission for a term to expire January 2, 2023.

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

**11,845** Mayor’s communication #7 recommending the appointment of Rebbecca Cohen to the North Adams Redevelopment Authority for a term to expire June 1, 2024 to fill the unexpired term of Paul Hopkins.

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

Councilor Harpin stated that Ms. Cohen was an excellent choice. She inquired if the Governor’s appointment will be decided on in the near future. The Mayor stated that he is still looking for the right person.

There were no committee reports or minutes.

There were no licenses to come before Council.

The President called for Open Forum.

Mr. Robert Smith, 140 Pleasant Street, stated he was pleased that the sale of Sullivan School did not pass. He questioned why the second bid of \$50,000 from Eric Rudd was turned down.

Jason Smith, 55 Whitman Street, stated the Historical Commission website needed attention. He also spoke on the face surveillance moratorium that is currently in legislation, stating many communities have adopted local ordinances banning this technology.

The Mayor spoke about upcoming events, EforAll that will be hosting a business pitch competition, Wednesday, February 5, at The Green, Thursday, February 6, at the Colonial Theater in Pittsfield, Rachel Louise Snyder's No Visible Bruises conversation, Winterfest, Saturday February 15, 2020

The Mayor congratulated Scott McGuire on setting Drury's all time high scoring of 1,457 points, and single game record of 52 points.

Council President moved to liaison updates and Councilor concerns.

Council President spoke about the Massachusetts Municipal Association meeting and felt the City was well represented. Councilors Blackmer and LaForest were elected President and second Vice President of the MMA Councilors Association; which also makes them a Board of Directors MMA member.

Councilor LaForest stated that Councilor Blackmer will also sit on the Local Government Advisory Commission.

Councilor Blackmer stated Councilors Lamb and Sweeney are part of an ad hoc committee to bring things to Council regarding diversity and inclusivity.

With no further business to come before the Council, the President called for a motion to adjourn.

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

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Attest,

  
City Clerk



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## City of North Adams

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City Clerk

### Regular Meeting of the City Council

February 11, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, absent, Councilor Harpin.

A moment of silence was held for Claire Roy, who taught nursing at McCann Technical High School and Robert Kove, a thirty two year math teacher at Drury High School.

The President called for the approval of the minutes from the meeting of January 28, 2020.

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

The President called for Hearing of Visitors, hearing none.

**11,811** The President presented communication submitted by Councilor LaForest requesting a process for appealing to the City Solicitor which was postponed at the meeting of December 26, 2019.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton, it was VOTED: to refer to General Government Committee and postpone to the meeting of March 10, 2020.

**11,831** The President presented an Order accepting Massachusetts General Laws, Chapter 90, Section 17C, The Berkshire Scenic Mountain Act which was postponed at the meeting of January 28, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of February 25, 2020.

Councilor Lamb provided a map to the Councilors showing the overlay of current zoning and the land that would be impacted. He stated the committee would be meeting again on February 20, 2020.

**11,826** The President presented an Ordinance amending the Revised Ordinances of the City of North Adams regarding the various fees established in the City Code which was postponed at the meeting of December 26, 2019.

On motion of Councilor Wilkinson, duly seconded by Councilor Bona, it was VOTED: to postpone to the meeting of March 24, 2020

Councilor Wilkinson stated that the Finance Committee has met on this and there are many fees that need updating, therefore there will be several meetings to complete the schedule.

**11,846** The President presented Mayor's communication #8 setting the bond level for the City Treasurer/Tax Collector in the amount \$250,000.

Without objection, the President filed the communication.

**11,846** The President presented an Order establishing the bond level for the Treasurer/Tax Collector at \$250,000.

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

The Order was adopted by yea and nay vote, yea Councilors Bona, Blackmer, Hopkins, LaForest, Lamb, Sweeney, Wilkinson. Nay, none.

**11,847** The President presented Mayor's communication #9 setting the bond level for the Assistant City Treasurer at \$62,500.

Without objection, the President filed the communication.

**11,847** The President presented an Order establishing the bond level for the Assistant City Treasurer at \$62,500.

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

The Order was adopted by yea and nay vote, yea Councilors Bona, Blackmer, Hopkins, LaForest, Lamb, Sweeney, Wilkinson. Nay, none.

**11,848** The President presented Mayor's communication #10 setting the bond level for the City Clerk in the amount of \$15,000.

Without objection, the President filed the communication.

**11,848** The President presented an Order establishing the bond level for the City Clerk in the amount of \$15,000.

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

The Order was adopted by yea and nay vote, yea Councilors Bona, Blackmer, Hopkins, LaForest, Lamb, Sweeney, Wilkinson. Nay, none.



**11,849** The President presented Mayor's Communication #11 declaring property located at American Legion Drive.

Without objection, the President filed the communication.

**11,849** The President presented an Order authorizing the Mayor in accordance with MGL, Ch. 30B, Sec. 16, to declare property located at American Legion Drive, Map #151, Lot 62 available for disposition.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton, it was VOTED: to postpone to the meeting of February 25, 2020.

Councilor LaForest inquired if a list of City owned properties could be provided at the next meeting. The Mayor stated he would look into it. Councilor Lamb stated that Community Development is presently working on a list.

Councilor Blackmer pointed out that you can go to the Assessor's page on the City' website and find the City owned properties.

**11,850** The President presented an Order calling the Presidential Primary Election for March 3, 2020, from 7:00am to 8:00pm

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

The Order was adopted by yea and nay vote, yea Councilors Bona, Blackmer, Hopkins, LaForest, Lamb, Sweeney, Wilkinson. Nay, none.

**11,851** The President presented a communication from Councilor Moulton regarding public safety issues on Route 2 wall and building.

Councilor Moulton read his communication detailing the safety issues. He stated the sidewalk should be barricaded.

On motion of Councilor Bona, duly seconded by Councilor LaForest, it was VOTED: to refer to the administration for a report on the property and postpone to the meeting of February 25, 2020.

**11,852** The President presented a communication from Councilors Lamb, Blackmer and Sweeney, regarding establishing a working group to improve the lives of members of the community.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to refer to Council President and postpone to the meeting of March 10, 2020.

Councilor Lamb read the communication into the record. considering the creation of a working group to better understand how local legislation may be affecting a broader group of its citizens, especially those underrepresented in decision making. He stated the MMA Conference in

Boston had a speaker from the National League of Cities that spoke in regards to inclusion and best practice initiatives throughout the country.

There was much discussion amongst Councilors as to how we, as a community, interact with diverse groups and how we can improve our practices.

**10,335-3** The President presented a communication submitted by the Traffic Commission regarding ten-minute parking on Summer Street.

Without objection, the President filed the communication.

**10,335-3** The President presented an Ordinance amending Chapter 13 of the Revised Ordinances of the City of North Adams, Section 13-50, entitled Parking, time limited on designated streets.

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

Councilor LaForest inquired if there is 10 minute parking any other place in the City. Councilor Wilkinson stated that there are long term meters in that area, and it is difficult for parking.

Councilor LaForest stated that there were a half dozen spaces added in the same area in the Fall.

The President called for all in favor, Councilor LaForest was opposed.

The President called for committee reports and minutes.

Councilor Lamb stated there would be Community Development upcoming meetings regarding Scenic Mountain Act and short term rentals.

Councilor Bona stated that Public Service will be having a meeting to discuss joining Northern Berkshire Solid Waste.

Councilor Blackmer noted General Government Committee will be meeting February 19, 2020.

There were no licenses to come before Council.

The President called for Open Forum.

Robert Smith, 140 Pleasant Street stated he did not understand how the City can help all people, as all things are not equal and wanted to make sure that money was not taken out of the budget to assist in taxes for this.

Bryan Sapienza, 113 Pleasant Street, had concerns with the property on Route 2 that Councilor Moulton's communication referred to. He felt it was a safety issue, and had concerns if the wall were to collapse did the City have a plan in place.

Several members of the audience voiced their support for Councilors, Lamb, Blackmer and Sweeny's initiative on inclusion and equity.

The Mayor reminded people that the deadline to register to vote in the Presidential Primary is February 12, at 8:00pm. He also spoke about the Winterfest on Saturday.

The Mayor spoke about pedestrian safety at the intersection of East Main, Miner and Pleasant Streets, due to its close proximity to Cole Grove School. He spoke also about the recent incident in this area and how all City departments play a role in this area, making sure safety is a first priority. He spoke about the possibility of a three way stop sign in this area.

The Mayor spoke about the progress of the roof repairs at the Public Safety building

Council President moved to liaison updates and Councilor concerns.

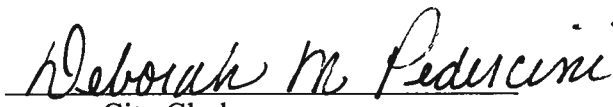
Councilor Lamb spoke about the rail service to the Berkshires and urged residents to advocate for this at a meeting in Springfield at UMASS on Wednesday.

Councilor Bona spoke about the 125<sup>th</sup> anniversary for the City of North Adams and wanted to include the community with any input residents may have.

With no further business to come before the Council, the President called for a motion to adjourn.

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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

February 25, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson.

A moment of silence was held for Joyce Brooks, a teaching assistant at Brayton Elementary School.

The President called for the approval of the minutes from the meeting of February 11, 2020.

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

The President called for Hearing of Visitors.

Bryan Sapienza, 113 Pleasant Street spoke about the pillar art, he stated no more time should be spent on this conflict. He suggested that the pillar artists bring forth a new proposal for a new project and new location in front of the Public Arts Commission. He stated that the public safety building is more of a priority and the City needs to focus on the important issues at hand.

Eric Buddington, Warren Street, spoke on his support for the Berkshire Scenic Mountain act.

Ellen Jannis, Davenport Street, spoke in support of the safety issues paper brought forth by Councilor Lamb.

Amber Besaw, Northern Berkshire Community Coalition stated her enthusiasm for the possibility of attaining the property at American Legion Drive.

Robert Smith, 140 Pleasant Street spoke about the stop sign on East Main Street, stating it would help in slowing traffic in that area.

Sara Farnsworth, 244 East Main Street, stated her support for stop signs.

Without objection, the President moved paper 11,853.

**11,853** The President presented Mayor's communication #12 regarding the swearing in of Public Safety officers.

The City Clerk administered the Oath of Office to the Public Safety officers.

**11,831** The President presented an Order accepting Massachusetts General Laws, Chapter 90, Section 17C, The Berkshire Scenic Mountain Act which was postponed at the meeting of February 11, 2020.

On Motion of Councilor Lamb, duly seconded by Councilor Blacker, it was VOTED: to adopt the Order as amended.

Councilor Lamb made a correction in the Chapter and Section, accepting Chapter 131, section 31a.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay none. Motion passes.

Councilor LaForest spoke about the importance of protecting the mountain views and water runoff.

Councilor Lamb stated that there will be further steps once this is adopted as far as enforcement.

**11,840** The President presented an Order authorizing a study in regards to the restoration of children's pillar art located at Route 2, bridge, Veterans Memorial Drive, which was referred to General Government Committee and postponed at the meeting of January 14, 2020.

On Motion of Councilor Blacker, duly seconded by Councilor Moulton, it was VOTED: to postpone to the meeting of March 24, 2020. Councilor Wilkinson had a nay vote.

Councilor Blackmer spoke about pending issues and updated Councilors on what was discussed at the General Government Committee meeting. She stated that it was voted to send it back to the Council pending a response from the City solicitor.

Councilor LaForest inquired what was sent to the solicitor. Councilor Blackmer stated there was not a point to discuss other questions until the ruling.

Councilor LaForest stated that there was a lack of resolution; he stated they were representing the community as there were many names on the petition who wanted answers. He stated that this is not about being anti Mass MoCA.

Councilor Harpin stated that she spoke to Gail and Phil Sellers and they are willing to use funds to restore the pillar art.

**10,335-3** The President presented an Ordinance amending Chapter 13 of the Revised Ordinances of the City of North Adams, Section 13-50, entitled Parking, time

limited on designated streets, which was passed to a second reading and published as required by law at the meeting of February 11, 2020.

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

Councilor Harpin stated that she was not at the past meeting, and inquired if there were other places in the city that is 15 minutes. She inquired if Mountain One pays for the 15 minute parking. The Mayor was unsure.

The Ordinance was ordained by yea and nay vote, yea, Councilors Blackmer, Bona, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay Councilors Harpin, Hopkins, LaForest. Motion passes.

**11,849** The President presented an Order authorizing the Mayor in accordance with MGL, Ch. 30B, Sec. 16, to declare property located at American Legion Drive, Map #151, Lot 62, available for disposition which was postponed at the meeting of February 11, 2020.

Councilors Lamb and Sweeney recused themselves and left the meeting due to being board members of the Northern Berkshire Community Coalition.

Councilor Bona stated the he currently is doing business with the NBCC and felt being consistent with how he voted in the past, he chose to recuse himself.

There was much discussion on whether or not Councilor Bona should recuse himself.

Councilor Blackmer stated that this will continue to be a problem in the future if Councilors keep recusing themselves. She inquired if the Council will kill this, or continue not to sell City property.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to refer to General Government.

Councilor LaForest stated there was significant knowledge among certain parties that the NBCC was interested in the property, and inquired if there was an ethical conflict for the preexisting knowledge to dispose of the property in this manner.

The Mayor responded that there was no intention, but an understanding that if it was submitted to the RFP competitive process, that anyone can bid, there is no preference given. There is no expectation that it would go to any party.

Councilor LaForest inquired if the City has discussed the potential appearance with the ethics commission. The Mayor stated no.

Councilor Harpin stated she would vote no on this, due to the fact that the City could use the property for a public safety building.

Councilor Wilkinson stated that the location is entirely too small for a public safety building.

Councilor LaForest stated he would vote against going to General Government, due to the appearance of this paper coming to Council for the benefit of NBCC.

Councilor LaForest stated that he received a list of properties prior to the meeting and did not have sufficient time to go through the list of approximately one hundred properties.

Councilor Blackmer inquired if there was an annual report for 2018, the Mayor stated that it is being edited.

Councilor Blackmer stated there is no money for capital, where is the money coming from, by putting the properties up for disposition it will be revenue for the City.

Councilor Harpin stated again that the property is a good location for public safety and wants to hold on to the property.

Councilor Wilkinson stated that he was surprised to hear about the NBCC's interest, as he had asked the Mayor who had an interest in the property and the Mayor stated that he preferred not to say. He felt he was in the dark and would not support referring to General Government Committee.

There was much discussion amongst Councilors as to whether or not the property was large enough for a public safety building.

The Order was adopted by yea and nay vote, yea Councilors Blackmer and Hopkins, nay, Councilors Harpin, LaForest, Moulton, Wilkinson, abstain, Councilors Bona, Lamb, Sweeney. Motion fails.

**11,851** The President presented a communication from Councilor Moulton regarding public safety issues on Route 2 wall and building, which was referred to administration and postponed at the meeting of February 11, 2020.

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

Council President stated that all Councilors received an update from the Building Inspector and engineer for the property.

Councilor Moulton thanked the administration for providing the material. He stated that most of his concerns were addressed. He did inquire if the City would be liable for any mishap, he stated it was still a safety issue and felt the sidewalk should be blocked off.

Councilor Bona stated he spoke to the owner of the property today and he stated that he too had safety concerns; stating that he wanted to have the area blocked off, however the City required them to be removed.

Councilor LaForest stated that there was concern two weeks ago; the report is dated February 11, 2020; the memorandum from the Mayor was dated the 25<sup>th</sup> of February and had concerns that the Council did not have enough time to process the report.

Councilor Wilkinson inquired if the property did in fact have liability insurance, the Mayor

stated that he was unsure and that he would look into it.

Several Councilors questioned whether or not the paper should be filed.

Councilor Blackmer rescinded her motion to file.

On Motion of Councilor Blackmer, duly seconded by Councilor Harpin it was VOTED: to refer to Public Safety Committee and postpone to the meeting of March 24, 2020.

Councilor LaForest read the conclusion of the Building Inspector's report, he stated that the owner of the property who allowed bricks to fall into Route 2, is now going to be responsible for making sure no more bricks fall. He felt the Council had the right to continue to ask for assurance from the administration that the wall will not fall into Union Street.

Councilor Blackmer read the communication from William Meranti stating that he had been in regular communication with the owner. He stated that he had inspected the top of the structure and requested a plan of action from the engineer to insure the safety of the structure.

Councilor Bona stated that he felt the owner and engineer should attend the Public Safety meeting.

Councilor Moulton asked the Mayor if there was a reason the barriers were removed; the Mayor stated that the barriers were protruding into the street and were up for over two years and felt the property owner was using the barriers as an excuse not to act. He felt that putting the barriers back up would only give the owner permission to delay work that they have not done as well as coming up with a long term solution.

**11,854** The President presented Mayor's communication #13 recommending the reappointment of Shaun Dougherty to the North Adams Airport Commission for a term to expire March 1, 2023.

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

**11,855** The President presented Mayor's communication #14 recommending the appointment of Charles Felix, Jr. to the North Adams Historical Commission for a term to expire January 2, 2023.

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

**11,856** The President presented Mayor's communication #15 accepting donation from GreylockWORKS for the City's 125<sup>th</sup> Anniversary.

Without objection, the President placed the communication on file.

**11,856** The President presented an Order authorizing the Mayor in accordance with Massachusetts General Laws, Chapter 44, Section 53A, to accept a donation from GreylockWORKS valued at \$3,500.00



The Mayor stated that work is underway to plan the City's 125<sup>th</sup> anniversary on April 24 and 25. A community celebration will be on Friday April 24<sup>th</sup>, GreylockWORKS offered the space so that it can be affordable to all residents.

Councilor Harpin thanked GreylockWORKS for the donation.

Councilor Bona stated he was a member of the committee putting this together and stated that all proceeds will go to the tower and other amenities at the North Adams Public Library.

**11,857**        The President presented communication from Councilor Bona requesting time for Viviana Dorfman, a student at Technical University in Berlin, Germany to present findings on her Thesis of North Adams.

Without objection, the President filed the communication.

Councilor Bona introduced Viviana Dorfman and stated she has been active in the community for the past five months to study the City for her thesis.

Ms. Dorfman gave a presentation of her findings. She stated her presentation is only a summary of her complete thesis. She spoke about how she arrived at her conclusions including research through Berkshire Regional Planning Commission, health services system and City Government.

**11,858**        The President presented a communication submitted by Councilor Harpin requesting time for Roger Eurbin to speak regarding an initiative to install banners honoring veterans in North Adams.

Without objection, the President filed the communication.

Councilor Harpin asked Mr. Eurbin to speak on the banner program for honoring veterans in North Adams.

Mr. Eurbin stated the banners would be to honor those killed in action and felt it was important to our community and a great way to honor them.

On motion of Councilor Harpin, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Services Commission.

Councilor Blackmer inquired what the time frame would be, Mr. Eurbin stated prior to Memorial Day.

Councilor Harpin rescinded her motion.

**11,859**        The President presented a communication submitted by Councilor Lamb addressing various safety issues regarding sidewalk ordinances.

On motion of Councilor Lamb, duly seconded by Councilor Lamb it was VOTED: to refer to the Public Safety Commission and postpone to April 14, 2020.

Councilor Lamb read the communication.

**11860** The President presented a communication submitted by North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets.

On motion of Councilor Blackmer, duly seconded by Councilor Harpin, it was VOTED: to refer to Public Safety Committee and postpone to the meeting of March 24, 2020.

Councilor Sweeney read the communication. She stated that in light of the recent accident in this area, it is an important issue.

Councilor Blackmer inquired if a map would be available as well as having the Chief or Police at the meeting to answer questions.

Councilor LaForest stated that the Airport Commission met and the Airport has received its certificate of occupancy. With the opening of the building, the maintenance person will be on board; Stantec will be doing a study to address wildlife hazards for the runway, as well as crack sealing.

There were no licenses to come before Council.

The President called for Open Forum.

Robert Smith, 140 Pleasant Street stated he appreciated Councilor LaForest's passion for the pillar art, but wanted to clarify there were not 500 signatures from citizens of the City. He stated that the issue should be put to rest.

Eric Wilson, Brayton Hill Terrace Apt 116-C, He spoke on his representation of the disabled citizens. He stated he would like to see the American Legion property sold.

Bryan Sapienza, 113 Pleasant Street, had concerns with Pleasant Street and East Main Street, he inquired if the children have had any education on where to cross.

Shannon Santelli, Whitman Street, gave her support for educating the children at Cole Grove School on where to cross. She thanked the Mayor for replacing the crosswalks during February vacation and stated the boy who was hit, at the time; there was no crosswalk there from November until February.

Marie McCarron, 106 Pleasant Street, stated that her son was also hit by a car in the same area several years earlier and voiced her support for stop signs.

The Mayor acknowledged City staff for a successful Winterfest as well as restaurants that were involved in the chowder cook-off and ice sculptors. The Mayor spoke about the Census meeting on Friday with Representatives Barrett and Mark in City Council Chambers at 1:00. He stressed the importance of the Federal 2020 Census.

The Mayor reminded residents that the Presidential Primary is Tuesday, March 3, 7:00 am to 8:00 pm. He thanked the City Clerk, staff, and Registrars for their hard work. He noted as well that Early Voting is available through February 28 during regular business hours.

Council President moved to liaison updates and Councilor concerns.

Councilor Harpin stated that North Adams is indeed a “green community”, she spoke about the solar program and its progress with 18 systems coming online. Solar Flair will be donating a complete system to a non-profit in North Adams.

Councilor Bona spoke wanted to clarify why he recused himself from the American Legion disposition, stating he wanted to be consistent, in the past if he has done business with an entity he has recused due to appearance of business conflict.

Councilor Bona stated that there are bricks falling off the building next to the pocket park on Eagle Street.

Councilor Bona made mention of the collapse of the Hoosac Tunnel, inquired if there would be any say in the tunnel due to it being our City seal.

Councilor Lamb emphasized the need to fill out your Federal Census as well as the artist census that is happening in our community now.

Councilor LaForest inquired if there was an update on the Hoosac Tunnel. The Mayor stated that there currently is no plan to “daylight” the tunnel, they’re continuing the stabilization work and removing material. There should be a better sense when the tunnel is shored up.

Councilor Sweeney asked for the community’s support on Saturday at the Norad Mill, for the ROOT’s annual fundraiser

Councilor Blackmer reminded residents of the annual United Way chicken dinner at Bountifare on Thursday, March 5.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 9:20 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

Deborah M. Pedercini  
City Clerk

**Regular Meeting of the City Council**

March 10, 2020

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

**COUNCILORS PRESENT:** Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Moulton, Wilkinson.

The President called for the approval of the minutes from the meeting of February 25, 2020.

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

Council President Hopkins read a statement regarding the COVID-19 contact protocol and disclosed that Governor Baker declared a state of emergency in Massachusetts. He stated that Councilor LaForest was quarantined after being tested for exposure to the virus. He stated that Mayor Bernard has voluntarily quarantined himself as he was with Councilor LaForest recently. Councilor LaForest has only been tested and no results as of yet.

The President called for Hearing of Visitors.

Bryan Sapienza, 113 Pleasant Street spoke about the transfer of \$65,000 to Public Services, he felt the cost of certain items on the estimate were overpriced.

Robert Smith, 140 Pleasant Street, gave his support for the transfer of \$65,000.

The President moved Council paper 11,770-5.

**11,770-5** The President presented Mayor's communication #16 regarding the transfer of \$65,000 from the Stabilization account for water plant upgrades.

Without objection, the President filed the communication.

**11,770-5** The President presented an Order authorizing the Mayor to transfer the amount of \$65,000 from Stabilization account to Public Services, Water Department, Repairs and Maintenance.

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

Director of Public Services, Timothy Lescarbeau, briefly described the funds would be used to upgrade the propane piping that is out of code. He spoke to Mr. Sapienza's concerns about cost of parts, Mr. Lescarbeau stated that this was the low bidder.

Councilor Harpin inquired if she could have a tour of the Public Services, Councilor Wilkinson stated he would also like to see the department. Mr. Lescarbeau stated he would be happy to do so.

The Order was adopted by ye and nay vote as follows, ye, Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Moulton, Wilkinson, nay, none. Motion passes.

**11,811** The President presented a communication from Councilor LaForest requesting a process for appealing to the City Solicitor which was referred to General Government Committee and postponed at the meeting of February 11, 2020.

Councilor Blackmer read the City Ordinance regarding the City Solicitor. She gave a history of the previous policy when the City had its own solicitor, prior to using KP Law. The practice was to vote to refer to the solicitor and the City Clerk would forward request and arrange the response. Councilor Blackmer stated that she would like to see this practice continue.

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to continue with past practice in how the solicitor is contacted.

Councilor Harpin inquired if past practice was an unwritten rule, Councilor Blackmer stated yes. Councilor Harpin stated that she read the Ordinance to allow any Councilor to address the solicitor. Councilor Moulton stated in the past, individual Councilors did contact the solicitor directly.

Councilor Bona stated that the Council as a body, as well as individual Councilors along with the City Clerk did utilize the City solicitor's services. He stated the difference now, is that each question forwarded is billed separately.

Councilor Hopkins stated, his recollection is that due to using KP Law, the process was to go through the administration rather than directly. Therefore a draft form was put together to indicate what should be done prior to consulting the solicitor. He stated he did not feel any one single Councilor should be allowed to consult, should be as a body.

Councilor Lamb stated he felt that this should be postponed and felt that the past practice should be a written documented process.

Considerable discussion among Councilors continued as to what the correct process should be.

Councilor Blackmer rescinded her motion.

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to refer to General Government and postpone to the meeting of April 28, 2020

**11,849** The President presented an Order authorizing the Mayor in accordance with MGL, Ch. 30B, Sec. 16, to declare property located at American Legion Drive, Map #151, Lot 62, available for disposition which was postponed at the meeting of February 25, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton it was VOTED: to postpone to the meeting of March 24, 2020.

Councilor Bona stated that he is able to vote according to ethics.

Councilor Harpin inquired why the paper returned. Council President stated that the proper motion was not made at the previous meeting, therefore needed to return.

**11,852** The President presented a communication from Councilors Lamb, Blackmer and Sweeney regarding establishing a working group to improve the lives of members of the community which was referred to Council President and postponed at the meeting of February 11, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Harpin, it was VOTED: to postpone to the meeting of March 24, 2020.

**11,861** The President presented a communication submitted by Councilor Lamb regarding a proposed City Ordinance of public establishments serving food to provide a designated diaper changing area.

Councilor Lamb read into the record the communication.

Without objection, the President filed the communication

**11,861** The President presented an Ordinance amending Chapter 3 of the Revised Ordinances of the City of North Adams to add Section 50, titled Requirements for Public Amenities, subsection 50.1 and 50.2.

On Motion of Councilor Lamb, duly seconded by Councilor Moulton, it was VOTED: to refer to Community Development and postpone to the meeting of April 28, 2020.

Councilor Wilkinson stated he did not agree with the Ordinance. Councilor Moulton stated the Ordinance was very broad and would like further information.

Councilor Bona stated he would like to see more information from the Board of Health.

Councilor Lamb stated that this has been adopted in other states. The ordinance would only apply to family friendly locations. He stated the language was taken directly from the State and feels it will be mandated soon.

There was much discussion as to the logistics of facilities, cost of changing tables, hardships and

code enforcement.

Councilor Harpin stated that the Board of Health should be involved. She questioned who would have to comply.

Councilor Blackmer stated that she supported the Ordinance, however had concerns for small business and renovations.

Councilor Harpin was concerned with the cost involved to small business owners and the possibility of funding.

Council President called for all in favor, Councilor Wilkinson opposed.

**11,862**        The President presented a communication submitted by Councilor Bona regarding the North Adams Youth Commission.

Councilor Bona stated the Youth Commission has been inactive for several years, he suggested to send paper to General Government, or the Mayor's office. He stated the challenges with the Youth Commission are that there needs to be leadership to run the committee.

On motion of Councilor Bona, duly seconded by Councilor Harpin, it was VOTED: to refer to the Mayor's Office and postpone to the meeting of April 14, 2020.

Councilor Moulton inquired if the Commission was appointed by the Mayor. Councilor Bona stated yes, and approved by Council.

There were no licenses to come before Council.

The President called for committee minutes.

Councilor Lamb stated that there was a Community Development Committee meeting last week and had a presentation from Berkshire Regional Planning Commission on short term rentals. He stated they are receiving public feedback and suggested that residents get involved.

Councilor Harpin gave an update on the next Finance Committee meeting in regards to City fees and changes.

The President called for Open Forum.

Bryan Sapienza, 113 Pleasant Street, Patrick Hernandez was recognized as providing over 800 hours of service to Berkshire Food Project.

Robert Smith, 140 Pleasant Street stated he felt the public amenities ordinance would be putting a burden on business owner. He appreciated the idea, but had mixed feelings on it.

Council President moved to liaison updates and Councilor concerns.

Councilor Lamb spoke in regards to safe crossing at the schools. He met with Kim Morandi and she informed him that each student does get information at the beginning of the school year.

Councilor Blackmer stated that Massachusetts Municipal Association meetings have been cancelled.

Councilor Harpin stated he read to Ms. Meehan's class at Cole Grove Elementary School last week and tonight was greeted with several drawings and thank you notes.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 9pm.

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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

March 24, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Wilkinson, Lamb, Moulton, Sweeney, (remote access).

The President called for the approval of the minutes from the meeting of March 10, 2020.

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

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen or view this meeting while in progress may do so by tuning in to Northern Berkshire Community Television public access and will be posted on the Northern Berkshire Community Television's website as soon as possible.

The President requested a motion to suspend City Council Rules #10 and #11, Hearing of Visitors.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

Due to the remote access to Councilors Lamb, Moulton and Sweeney, on motion on Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to recess for five minutes to verify Councilor Moulton was made accessible to the meeting.

Councilor Moulton is available to the meeting along with the other remote Councilors.

Council President moved paper #11,863.

**11,863** The President presented Mayor's communication #17 requesting time to provide updates on the COVID-19 pandemic.

Without objection, the president placed the communication on file.

The Mayor gave a detailed status update on the COVID-19 pandemic relating to Berkshire County and the effects on our City. He praised City departments for their efforts as well as all first responders for their service. He spoke about the measures taken for the safety and health of all residents. He spoke about the services available throughout the City.

Councilor Bona inquired if there are any costs associated with COVID-19 changes and if there are any savings. The Mayor stated they are tracking this.

Councilor Bona inquired the number of meals distributed to students through the North Adams Public School Department's program. The Mayor stated approximately two thousand meals were provided last week.

Councilor Harpin mentioned that the Spitzer Center also had meals available to seniors.

Councilor Wilkinson stated that he wanted the residents to know that their City government is working for them. He wanted to reassure the citizens they are working diligently to assure the safety of all.

Councilor Bona inquired what testing for COVID-19 is available to Berkshire County residents.

The priority would be individuals at risk and authorization from their doctor; at this time, Berkshire Medical Center in Pittsfield's drive up testing is the primary site.

Councilor LaForest stated that if you feel you are experiencing a medical emergency, or if you feel you have symptoms, you should dial 911.

Council President inquired if the Mayor could speak about the local operations center.

The Mayor stated the operations center is for the members of the operations team, not a public facility. There are eight communities working together at the center. This allows for each region to maintain local relationships. The Mayor stated they had a model operation

Councilor Blackmer stated that she was involved with RECP years ago. She stated it's more than just the first responders, it is the Board of Health, Mayor, etc. Berkshire County has been a model for the state. She stated that these people have been working together for quite some time and are extremely prepared to proceed with the processes necessary.

Councilor Lamb echoed Councilor Blackmer, stating that the group is a model organization.

The Mayor stated that One Berkshire has a business support list on their website and wants residents to know that they have his support.

**11,812** The President presented a communication from Councilor LaForest regarding Public Arts Commission and Planning Board, Case number SPA2019-27, regarding Mass MoCA Foundation, Inc., for property located at 25 Marshall Street, which was postponed at the meeting of January 28, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to postpone to the meeting of May 26, 2020.

**11,826** The President presented an Ordinance amending the Revised Ordinances of the City of North Adams regarding the various fees established in the City Code which was postponed at the meeting of February 11, 2020.

On motion of Councilor Harpin, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of May 26, 2020.

Councilor Wilkinson abstained, pending that he will be out of the country at this meeting.

**11,840** The President presented an Order authorizing a study in regards to the restoration of children's pillar art located at Route 2, bridge, Veterans Memorial drive which was postponed at the meeting of February 25, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to postpone to the meeting of May 26, 2020.

**11,849** The President presented an Order authorizing the Mayor in accordance with MGL, Ch. 30B, Sec. 16, to declare property located at American Legion Drive, Map #151, Lot 62 available for disposition which was postponed at the meeting of March 10, 2020.

Council President stated that the Mayor will be withdrawing his Order.

The Mayor withdrew the Order.

**11,851** The President presented a communication from Councilor Moulton regarding public safety issues on Route 2, wall and building, which was postponed at the meeting of March 10, 2020.

On motion of Councilor LaForest, duly seconded by Councilor Harpin, it was VOTED: to postpone to the meeting of June 9, 2020.

**11,852** The President presented a communication submitted by Councilors Lamb, Blackmer and Sweeney regarding establishing a working group to improve the lives of members of the community which was postponed at the meeting of March 10, 2020.

On motion of Councilor Hopkins, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of June 9, 2020.

**11,860** The President presented a communication submitted by the North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets which was referred to the Public Safety Committee and postponed at the meeting of February 25, 2020.

On motion of Councilor LaForest, duly seconded by Councilor Harpin it was VOTED: to

postpone to the meeting of June 9, 2020.

Councilor Wilkinson stated that he would attend the Public Safety meeting to request an additional sign prior to the stop sign, that read, "stop sign ahead" to slow the traffic.

**11,864** The President presented Mayor's communication #18 recommending the reappointment of Robert Burdick to the North Adams Planning Board, for a term to expire February 1, 2025.

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

**11,865** The President presented Mayor's communication #19 regarding Chapter 13, Section 13-52, overnight parking ban.

Without objection, the President placed the communication on file.

**11,865** The President presented an Order authorizing the Mayor to supersede Chapter 13, of the Revised Ordinances of the City of North Adams, Section 13-52, lifting the all night parking ban, 12:00 am, April 1, 2020.

The Mayor stated this is just a small gesture on the part of the City to aid the residents. If weather becomes an issue, the City can declare a state of emergency for the parking ban.

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

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, no nays. Motion passes.

**11,866** The President presented a communication submitted by the Department of Conservation and Recreation regarding the acquisition of land in the City of North Adams.

The Mayor stated a similar letter was sent to him, he stated he consented to it after discussing with his staff.

Council President stated that there is language that indicates approval from City Council.

On motion of Councilor Bona, duly seconded by Councilor Blackmer, it was VOTED: to accept the communication.

On motion of Councilor Bona, duly seconded by Councilor Harpin, it was VOTED: to approve the request.

Councilor Harpin stated that the City Clerk needs to certify the request, and wanted to insure that this was considered a public meeting, not a public hearing.

Councilor Wilkinson stated he was unsure if the City indeed owned the land.

The City Clerk provided the Council President with a document from Berkshire National

Resources Council, stating the property was not owned by the City

After discussion and concerns amongst several councilors as to the ownership of the property in North Adams; Councilor Bona rescinded his motion.

On motion of Councilor Wilkinson, duly seconded by Councilor Blackmer it was VOTED: to postpone to the meeting of April 14, 2020.

Councilor Blackmer requested that Berkshire National Resources call in for any questions Council may have. Council President stated he would get answers.

Council President called for Mayors Concerns.

The Mayor stated he did not know what the future practices would bring, however, the remote process will continue and they will work out any bugs.

He stated that the community should know the public servants to the City of North Adams have addressed new ways of working in this difficult time and praised them for their efforts.

The President called for Liaison updates and Councilor Concerns.

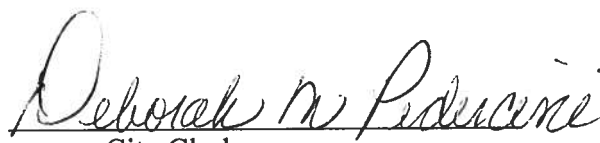
Councilor Wilkinson stated that even with a few technical flaws, he would like to continue doing Council meetings and hopes things will continue.

Councilor LaForest stated that the attempt not to spread the COVID-19 has left nursing home patients lonely. He asked that students at home could make a card or write a note to brighten a patient's day.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor Harpin, it was VOTED: to adjourn at 8:42pm.

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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

April 14, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Lamb, Moulton, Sweeney Wilkinson (remote access). Council President Hopkins present in Council Chambers, Councilor LaForest, absent.

A moment of silence was held remembering Louis Ziter, Chairman and member of the North Adams Recreation Commission and Mayor's Blue Ribbon Commission, John Carrier, assistant teacher at Johnson School, Nan Vareski, member of the administrative staff at North Adams Middle School and Mary Ellen Perrault, special education and elementary school teacher.

The President called for the approval of the minutes from the meeting of March 24, 2020.

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

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. The President requested a motion to suspend City Council Rules #10 and #11, Hearing of Visitors.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

**11,867** The President presented Mayor's communication #20 requesting time to provide updates on the COVID-19 pandemic.

Without objection, the president placed the communication on file.

The Mayor gave a detailed status update on the COVID-19 pandemic relating to Berkshire County and the effects on our City. He praised City departments for their efforts as well as all first responders for their service. He spoke about the measures taken for the safety and health of all residents. He spoke about the services available throughout the City.

Councilor Moulton inquired if the City has cut back on any City employees. The Mayor stated that there were no staff cuts at this time.

Councilor Blackmer inquired if there is any indication that taxpayers are having difficulties due to unemployment. The Mayor replied that the number of filers are concerning and the City is being respectful of this fact.

Councilor Harpin inquired if fees would be waived, the Mayor replied until the end of the fiscal Year; to extend it any further would require legislation.

Councilor Blackmer inquired if the City is looking at a 112 budget. The Mayor stated they were considering this, but unclear at this time. Councilor Blackmer stated her concerns about having a predictable state aid.

Councilor Harpin asked for clarification of a 112 budget. Councilor Blackmer stated that a 112 budget simply means that if your FY 2021 budget is not approved by year end, you need approval from the state.

**11,859**        The President presented communication submitted by Councilor Lamb addressing various safety issues regarding sidewalk ordinances, which was referred to Public Safety Committee and postponed at the meeting of February 20, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of July 14, 2020.

**11,862**        The President presented communication submitted by Councilor Bona regarding the North Adams Youth Commission which was postponed at the meeting of March 10, 2020.

On motion of Councilor Bona, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of May 26, 2020.

**11,866**        The President presented communication submitted by the Department of Conservation and Recreation regarding the acquisition of land in the City of North Adams which was postponed at the meeting of March 24, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED to approve the waiver of a 120 day notice period.

**11,868** The President presented communication submitted by Councilor Lamb requesting time for a presentation by Zach Feury, Office of Community Development, regarding property disposition plan and Urban Renewal plan.

All Councilors were provided with a copy of the presentation.

Council President stated due to his previous membership on the North Adams Redevelopment Authority, he received a ruling from the Ethics Commission that there was no conflict of interest for him to participate in the discussions and he filed proper paperwork with the City Clerk's office.

Councilor Lamb stated that Zach Feury had previously presented this to the Community Development Committee last week. Due to the challenging timeline, it is imperative to present this to Council to decide whether or not they will recommend that work continue on these pieces of information. So as not to use time in the department that essentially may not be at the pleasure of the Council in the long term, he would like to make a recommendation on both the property disposition and Urban Renewal Plan.

Mr. Feury gave his presentation detailing the property disposition plan which is available in the City Clerk's office.

Councilor Harpin thanked Mr. Feury for his efforts; she inquired what the time frame was, due to the pandemic, not being able to conduct community engagement. Mr. Feury stated there is a lot of data analysis to be collected and would move forward in order to be ready when that time is available.

Councilor Wilkinson inquired how many properties this would involve, the Mayor stated several hundred.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: for the Office of Community Development to continue the work of disposition of property planning.

Council President allowed Mr. Feury to continue with the second part of his presentation, Urban Renewal Plan.

Mr. Feury began by noting that Urban Renewal is not a philosophy, rather a tool, municipalities can use to either enhance or expedite redevelopment in targeted areas. He stated that it is a tool that has historically been misused in numerous cities, including North Adams. He stated that what they are discussing is not eminent domain, demolition, relocation, but something much simpler.

He gave a brief description of Urban Renewal, MGL 12, established to enable municipalities to revitalize blighted or substandard areas, stimulate job creation and retention, provide for low to moderate income housing and enhance private investments. Redevelopment cannot happen without public sector participation.



Mr. Feury continued with his presentation, stating the Urban Renewal Plan requires a lot of effort; the current plan would need to be amended to address a number of factors including developer goals and criteria, and approved by the Redevelopment Authority, City Council and Planning Board. The goal is to have a plan drafted by February 2021 and approved by March 2021. This plan would expand the area and extend the life of the plan until 2031.

The amended plan would also take into account the addition of a parcel owned by the City to the south of the Sons of Italy and a building on the north side of the railroad pedestrian bridge. This would resolve a parcel split between zones and would extend the benefits of the Urban Renewal Plan to include the entire area.

Councilor Blackmer thanked Mr. Feury and stated her support.

Councilor Lamb stated his support and would like to see the efforts continued.

Councilor Harpin stated it was heartbreaking to see the demise of Heritage Park and the history of vacant properties, lawsuits and failed development plans. She inquired as to how Urban Renewal came about.

Mr. Feury gave a brief history of the URP. He stated it is possible for cities to have multiple Urban Renewal areas. Main Street expired in 2007, later became UR1 district, the new zoning map was recently incorporated into the central business district, subject to the Planning Board. Currently the only URP is in the Heritage State Park area.

Councilor Bona inquired what was being voted on tonight. Councilor Lamb stated, allowing the Community Development office to continue their work on the URP.

Mr. Feury felt it was necessary to insure the redevelopment of Heritage State Park and reinvestment in that area. He stated that many hours of work will go into the plan in hopes of support from the Council and thus the reason for being here tonight.

Councilor Moulton inquired if the vote was not to continue with the Urban Renewal Plan, what would happen to the property. The City would lose all of the benefits mentioned in the presentation. The ownership of the land would not change hands. If the plan expires, a new zoning plan would have to be created.

Councilor Moulton inquired if an RFP could be put out if expired. Mr. Feury stated an RFP can be put out regardless of an URP.

Councilor Harpin stated she would not be voting for the plan going forward, due to the time frame and not knowing the timeliness for the public input. She stated "it's one thing to have a public meeting, it's one thing to get the whole city involved in this and it's something that affects the entire City. It's a very important property in the City." She thought any amended plan should be overseen by new members of the Redevelopment Authority

Councilor Bona stated that he had opposition due to the Redevelopment Authority having different rules than the rest of the downtown; he felt we would be giving equity to one entity, particularly the railroad museum if this goes through with the plans to purchase the park.

Councilor Lamb noted that this is a tool that can be lost and it is important to realize that it takes a lot of effort to create and easy to lose. Regardless of the proposed plans for the property it is imperative to urge the development in that area to give it life for an additional ten years.

Council President and Councilor Wilkinson echoed Councilor Lamb in support.

Councilor Sweeney stated that she was also in support and stated the strong connection to the downtown and felt it was beneficial.

Councilor Bona stated that the park has been in the Redevelopment Authority for over thirty years and there has been no change; he stated he is pessimistic.

Councilor Moulton stated there has been ample time to do something with the property and would be voting against it.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to continue to pursue action for the Urban Renewal Plan.

The vote was adopted by yea and nay vote, yea, Councilors Blackmer, Hopkins, Lamb, Sweeney, Wilkinson, nay, Councilors Bona, Harpin, Moulton. Motion passes.

The President presented an application from James Montepare, 100 McClain Court, Williamstown, for a secondhand license under the business name of Empire Antiques, located at 432 State Road, North Adams.

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

The President presented an application from James Montepare, 100 McClain Court, Williamstown, for a secondhand license under the business name of Empire Antiques, located at 63 Main Street, North Adams.

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

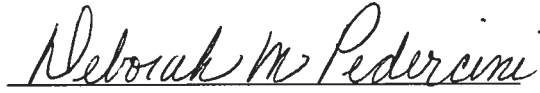
The President presented an application from Mary Ann George, 656 Ashland Street for a secondhand license under the business name of Maryanntiques Gifts, located at 615 Ashland Street, North Adams

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

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Harpin, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 9:03 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

Deborah M. Pedercini

City Clerk

### Regular Meeting of the City Council

April 28, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, LaForest, Lamb, Moulton, Sweeney, (remote access), Councilor Wilkinson attempted remote, unable to join. Council President Hopkins present in Council Chambers,

A moment of silence was held remembering Arthur Harrington, computer and graphic arts teacher at Drury High School and grants writer for the North Adams school system.

The President called for the approval of the minutes from the meeting of April 14, 2020.

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

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

**11,872** Mayor's communication #21 requesting time to give an update on the COVID-19 pandemic.

Without objection, the President placed the communication on file.

The Mayor spoke about the importance of a complete and accurate count for the 2020 Federal Census and encouraged all residents to respond online, by mail or by phone. North Adams is currently at approximately 48% return.

The Mayor gave a detailed status update on the COVID-19 pandemic relating to Berkshire County and the effects on our City.

He stated that Governor Baker extended the limit on gatherings until May 18, 2020. He reiterated that gatherings in parks are only used for running and walking; the skate park, ball fields and other recreational facilities are closed. He empathized with residents, however stressed that we cannot put others at risk.

The stay at home advisory remains in effect; however, if you need medical attention, certainly this should be addressed. The Mayor also emphasized the importance of wearing a mask if you do have to go out.

The Mayor gave kudos to Superintendent Malkas and the North Adams School department; while the schools are closed, learning is still continuing. He also stated that the Governor has deemed this Friday as "School Lunch Hero Day" to recognize the staff making sure the meal programs continue.

**11,811** The President presented a communication submitted by Councilor LaForest requesting a process for appealing to the City Solicitor which was referred to General Government and postponed at the meeting of March 10, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Harpin, it was VOTED: to postpone to the meeting of May 26, 2020.

**11,861** The President presented an Ordinance amending Chapter 3 of the Revised Ordinances of the City of North Adams to add Section 50, titled Requirements for Public Amenities, subsection 50.1 and 50.2 which was referred to Community Development Committee and postponed at the meeting of March 10, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Harpin, it was VOTED: to postpone to the meeting of August 11, 2020.

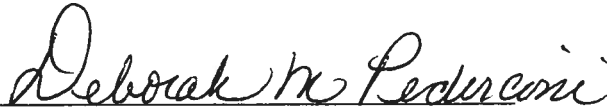
The President requested a motion to suspend City Council Rules #10 and #11, Hearing of Visitors.

On motion of Councilor Harpin, duly seconded by Councilor LaForest, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor LaForest, duly seconded by Councilor Harpin, it was VOTED: to adjourn at 7:55 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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

May 12, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Lamb, Moulton, Sweeney, Wilkinson (remote access), Council President Hopkins present in Council Chambers, Councilor LaForest, absent.

The President called for the approval of the minutes from the meeting of April 28, 2020.

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

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

The President requested a motion to suspend City Council Rules #10 and #11, Hearing of Visitors.

On motion of Councilor Harpin, duly seconded by Councilor Lamb, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

**11,869** Mayor's communication #22 requesting time to give an update on the COVID-19 pandemic.

Without objection, the President placed the communication on file.

The Mayor spoke about the importance of a complete and accurate count for the 2020 Federal Census and encouraged all residents to respond online, by mail or by phone. The City

received a \$10,000 grant to promote the 2020 Census and is currently working on ways to utilize these monies to reach targeted areas throughout the City such as lawn signs, billboards, etc.

The Mayor gave a detailed status update and presentation on the COVID-19 pandemic relating to Berkshire County and the effects on our City. The stay at home advisory remains in effect; however, if you need medical attention, certainly this should be addressed. The Mayor also emphasized the importance of wearing a mask if you do have to go out.

The Mayor gave kudos to Superintendent Malkas and the North Adams School department; while the schools are closed, learning is still continuing.

There was discussion in regards to the City's Fiscal 2021 Budget and finance issues, he stated that there are many unknowns and at this time did not have a definitive answer as to what the financial circumstances will be.

**11,870** Mayor's communication #23 recommending the reappointment of Michael Canales to the Hoosac Water Quality District for a term to expire April 8, 2023.

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

**11,871** Mayor's communication #24 recommending the reappointment of Timothy Lescarbeau to the Hoosac Water Quality District for a term to expire April 1, 2023

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

**11,873** Mayor's communication #25 recommending the reappointment of Elizabeth Dilego to the Registrar of Voters for a term to expire April 1, 2023

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

The President called for Committee reports.

Councilor Harpin stated that the Finance Committee meeting is scheduled for May 19, 2020.

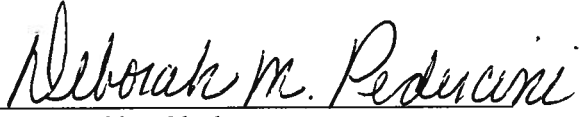
Councilor Lamb stated Community Development Committee will be meeting soon to discuss the work being done in conjunction with the Office of Community Development and Zachary Feury.

There were no licenses to come before Council.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor Harpin, it was VOTED: to adjourn at 7:50 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

Deborah M. Pedercini  
City Clerk

**Regular Meeting of the City Council**

May 28, 2020

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

**COUNCILORS PRESENT:** Councilors Blackmer, Bona, Harpin, LaForest, Lamb, Moulton, Sweeney, Wilkinson (remote access), Council President Hopkins, present in Council Chambers.

A moment of silence was held remembering Jeanette Lesage, guidance counselor at North Adams Middle and Drury High School and Maurice “Buddy” Maroni, 36 year veteran of the North Adams Police Department.

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

The President requested a motion to suspend City Council Rules #10 and #11, Hearing of Visitors.

On motion of Councilor LaForest, duly seconded by Councilor Moulton, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

Councilor Blackmer opposed.

**11,874** Mayor’s communication #26 requesting time to give an update on the COVID-19 pandemic.

Without objection, the President placed the communication on file.

The Mayor thanked everyone who participated in the Memorial Day virtual presentation from Northern Berkshire Community Television.

The Mayor stated they are still working on scenarios for the City’s Fiscal 2021 Budget and he

stated that he is waiting to see what the State appropriation looks like.

The Mayor stated that there was a jump of 14 new COVID-19 cases today and cited the article in the Boston Globe suggesting that the numbers are actually higher than reported.

The Mayor spoke about the Reopening of Massachusetts Plan which launched May 11, that provides guidance and restrictions that residents and businesses must follow. He also emphasized the importance of continuing hand washing, face covering and social distancing. He further stated that progress will be based on the data when it is safe; stating that individuals should continue to follow the guidelines.

In regards to businesses, it is up to them to comply with the regulations and there are no expectations by the Board of Health, therefore if there are complaints, there is a process for investigating and responding at the local and state levels.

The City and the Chamber of Commerce released the Back to Business guide that is available on the City's website.

He discussed the plan for Phase one is a minimum of three weeks, however the public health data will be the guide. There are many questions in regards to Phase 2 as it affects our restaurants. The message to be shared, is to do as much as possible and to understand that you may need to adapt.

The Mayor shared that the Office of Community Development would be holding a meeting to discuss the Cares Act and CDBG program for small businesses with five or less employees.

Councilor Harpin inquired if the GDGB grant is something that is normally available, the Mayor stated that it was not, it was through the COVID-19 Cares Act.

Councilor LaForest inquired about the FY'2021 Budget questioning the extended timeline.

The Mayor stated that 44 percent of our budget comes from the state and at this time it is difficult to predict. Councilor LaForest asked if there have been any contingencies or ways to trim the already lean budget. The Mayor stated that they were looking at ways to shift operations in the City's finance office to streamline positions while making operations function properly.

Councilor Bona inquired if there has been any news on COVID-19 testing sites. The Mayor stated that currently the CVS in Pittsfield will be open with PCR testing, with the same set of restrictions that already exist.

Councilor Moulton had concerns about a provisional plan for the FY'2021 Budget, the Mayor stated that they are considering a continuation budget. The Mayor stated he would like to hear a definitive plan from the legislature and what their plans are going to be. Councilor Moulton inquired if there was a deadline for the budget decision. The Mayor replied that it is normally 170 days after Organization of Government, which is around June 18, 2020, however it has been extended until July.

Councilor Wilkinson stated that the Finance Committee really has no direction to go at this point, he questioned if the School Department arrived at the proper data, their numbers would decide the City's numbers. The Mayor stated that the School Department is in the same dilemma on their budget due to the unknown numbers from the state.

Councilor Blackmer had concerns about getting the numbers for the budget sooner than later, stating it is harder to cut in December than it is in September, cuts are difficult. She stated she also had concerns in regards to the City's police force, stating that the City has spent several years building up the police force and stated that she would not want to see this department cut.

Councilor Lamb stated at the private side of budgets, he has seen businesses setting up 5/10/15 percentage cuts. He inquired if this would be an approach that the City would go. The Mayor stated that this would be ballpark numbers and not specifically all departments at those levels.

Councilor Harpin thanked all for their patience and stated that the City is so reliant on state aid that it is difficult for the City to make financial decisions at this point. However the Finance Committee will do its best to expedite the budget process.

The President called for a motion to accept the City Council minutes of May 12, 2020.

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

Councilor LaForest and Wilkinson abstained due to their absence at the meeting.

**11,790** The President presented communication submitted by Councilor Bona regarding short term rentals and requirements of the City which was postponed at the meeting of January 28, 2020.

On motion of Councilor Bona, duly seconded by Councilor Lamb, it was VOTED: to postpone to the meeting of July 28, 2020.

Councilor Lamb stated this paper has gone before Planning Board as well as Community Development Committee. The next step would be for a joint public hearing with the Planning Board so that it can be accessible to public input.

Councilor Harpin inquired if there are any COVID-19 regulations through the state.

Councilor Blackmer replied that the Planning Board took no action, however there is a subcommittee at the state level that is looking at this.

Councilor Lamb noted that there are regulatory components that are being worked on due to different scenarios such as cabins or hotels and mitigating interactions with others.

**11,811** The President presented communication submitted by Councilor LaForest requesting a process for appealing to the City Solicitor, which was postponed at the meeting of April 28, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton it was VOTED: to postpone to the meeting of July 14, 2020. Councilor Harpin opposed.

There was much discussion regarding the appealing to the City Solicitor.

Councilor Harpin inquired about the legal correspondence from the City Solicitor that was emailed to the Council today. She stated that the correspondence in regards to the Pillar Art went through the administration and not through the solicitor directly and has taken a long time for a response. Councilor Hopkins agreed with Councilor Harpin.

Councilor Blackmer called for point of order, she stated that the discussion is in regard to the Pillar Art and is a separate issue to be addressed.

Councilor LaForest inquired as to when the paper was brought to KP Law. Councilor Blackmer clarified that this particular paper was never brought to KP Law. Councilor LaForest was not in agreeance.

Councilor Harpin stated that there are two issues; one is the Pillar Art and the other is the issue of Councilors being able to access the solicitor. She stated that too much time has passed since the original paper and felt the Council should have been able to address this by their own body.

Councilor Blackmer attempted to clarify and stated that a General Government meeting still needs to be held on the Pillar Art to clarify what the City Ordinance states. She stated that she did not feel any one Councilor should be spending money on the tax payers singly, there is a process to follow.

Councilor Lamb stated that there should be some sort of recordkeeping when we do approach the solicitor as a Council body and we do have a limited resource and it should be strategic as to how questions are asked. This process has been a challenge.

Councilor Harpin inquired as to the amount that has been spent from the Council's FY'2020 line item of \$5,000. She stated that she did not see why the Ordinance is unclear; she read from the City Ordinance "the City Solicitor shall whenever so required by Mayor, the City Council, or any officer of the City Government who may need the same in the discharge of their official duty, furnish them or any of them with his legal opinion". Councilor Harpin voiced her concern over the length of time that has lapsed since Councilor LaForest brought forth this paper. She stated that the City Council is fully capable of contacting the City Solicitor on behalf of the citizens of North Adams and address the issues.

Councilor Blackmer stated that she disagreed with Councilor Harpin, not all things should be addressed to the City Solicitor, someone in the local administration could have an answer or someone at the state level may have the answer avoiding paying costly legal fees. There is no

other official in the City that can spend money without another set of eyes.

Councilor LaForest stated that this issue is very simple and has taken much too long. This evening at 5:46 the Council received an email from KP Law that was basically a recap of what was submitted to them by the administration and it indicated that further information was necessary before they could look into it. Councilor LaForest was concerned that this is holding up Council business and should have been expedited.

Councilor Harpin voiced her frustration, she stated that when she first became a Councilor, there were many transfers at the end of the fiscal year, there were many changes and when questioning of the transfers amongst other Councilors, she was informed that this was normal business. She stated that she was degraded for asking questions about the changes. She stated all the money that is being spent and moved around in other departments or shortfalls, is considered normal business, however, inquiries to our City Solicitor as a Councilor is an issue; she stated she was offended.

Councilor Blackmer stated that things happen with budgets and to have overages is relatively common and has been that way for the years that she was on Council.

Councilor LaForest stated the Ordinance is clear and it is also the intent of the administration by approving the line item of \$5,000 for the City Solicitor.

Councilor Lamb stated that at this point, no money has been spent from the Council's \$5,000 budget and questioned if it would matter who is requesting the solicitor's opinion billing wise. Council President Hopkins stated that would be something to discuss at the committee meeting.

Councilor Moulton stated that in the past, he had gone to the solicitor and there were never any issues. Councilor LaForest stated that councilors should be contacting the Attorney of Day for assistance as well.

Council President called for a vote, all in favor, Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, opposed, Councilor Harpin, motion passes.

**11,812** The President presented communication submitted by Councilor LaForest regarding Public Arts Commission and Planning Board, case number SPA2019-27, Mass MoCA Foundation, Inc., for property located at 25 Marshall Street which was postponed at the meeting of March 26, 2020.

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

Councilor LaForest stated that when the paper was submitted, there was a breakdown of process that was concerning. There was also the perception that the correct channels had not been followed previously when the Leu lot was donated to the Mass MoCA Commission. He stated that it is time to put this to rest. The function of the Foundation versus the Commission will need

to be clarified and unfortunately, there is a lot of missing paperwork.

Councilor Harpin inquired if any contribution to the City by any entity has to be approved by City Council. Councilor LaForest stated yes, however, at the time, Council suggested (not in writing), that it was not necessary because the Foundation is a legislative entity of the City; which later became an ethics issue. He stated that at this time he did not have the paperwork for clarification.

**11,826** The President presented an Ordinance amending the revised Ordinances of the City of North Adams regarding the various fees established in the City Code, which was postponed at the meeting of March 24, 2020.

On motion of Councilor Harpin, duly seconded by Councilor Lamb, it was VOTED: to postpone to the meeting of August 11, 2020.

**11,840** The President presented an Order authorizing a study in regards to the restoration of “children’s pillar art” located at Route 2, bridge Veterans Memorial Drive, which was postponed at the meeting of March 24, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest it was VOTED: to postpone to the meeting of July 14, 2020.

Councilor Blackmer stated that there were discussions at the General Government meeting regarding million dollar law suits where the artists have won. She stated that at this time things are unclear and we would need to clarify with legal.

Council President called for a vote, all in favor, Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Moulton, Sweeney, opposed, Councilor Wilkinson. Motion passes.

**11,862** The President presented communication submitted by Councilor Bona regarding the North Adams Youth Commission, which was postponed at the meeting of April 14, 2020.

On motion of Councilor Bona, duly seconded by Councilor Lamb, it was VOTED: to postpone to the meeting of August 25, 2020.

Councilor Bona stated that at this time we are waiting for a response from the Mayor’s office.

Councilor Sweeney stated she had conversations with the Mayor and sees potential for things to happen, possibly after the COVID-19.

**11,875** The President presented a Resolution submitted by Councilor Harpin in support of expanded Absentee Voting and Vote by Mail, during the COVID-19 global pandemic.

On motion of Councilor Harpin, duly seconded by Councilor Blackmer it was VOTED: to adopt

the Resolution.

Councilor Hopkins stated he was in full support of the Resolution.

Councilor Wilkinson stated he was all in favor of absentee ballots, however it is too easy for fraud through the mail and jeopardizes elections and stated he was against vote by mail.

Councilor Lamb was in support of the Resolution, he stated that during this period, it is necessary that the public can engage in an election and democracy. He stated that we can already do absentee ballots, file our taxes and other important documents through the mail and there can be fraud there as well.

Councilor Moulton stated he was for absentee ballots, however as the resolution is written he cannot support it. This reminded him of 911, the Patriot Act, as he felt his constitutional rights were infringed upon. He stated that there were only five states to his knowledge, that vote by mail.

Councilor LaForest thanked Councilor Harpin for bringing this forward and was happy to see the support. He supports the Resolution and as a democratic body we need to expand voting opportunities.

Councilor Blackmer thanked Councilor Harpin as well, she stated in most cities and towns poll workers are in the high risk category for COVID-19; therefore, you would have a smaller pool of workers to pull from. Currently in Massachusetts you can fill out an absentee ballot and get a ballot mailed to you. She also noted that you get a passport through the mail, which would be another example where fraud could come into play.

Councilor Harpin thanked the Councilors for their support and stated that this would enable elderly citizens to vote and feel a part of the process. She stated that it was important to share democracy in the City and allow all to vote.

Councilor Harpin agreed that there are only five states that currently have mail in voting, however, there are 28 states that have no-excuse voting, as well as more states considering, including New York, New Hampshire and Maryland.

The Resolution was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Sweeney, nay, Councilors Moulton and Wilkinson. Motion passes.

**11,876**      The President presented a communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area.

On motion of Councilor Lamb, duly seconded by Councilor Sweeney, it was VOTED: to refer to the Traffic Commission and postpone to the meeting of July 14, 2020.

Councilor Lamb stated recently there have been at least three families with younger children in this area that had concerns due to speed. He stated that the signage for speed limits in the area needs to be referred to the Traffic Commission as well as “Children at Play” signage for drivers to use caution.

The President called for Committee Reports. Councilor Lamb stated that the Community Development Committee will be scheduling a meeting with updates on projects and initiatives very soon.

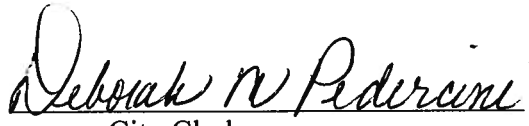
The President presented an application from Timothy Randall, 55 Cummings Avenue, Williamstown, MA, for a secondhand license under the business name of Sanford & Kid, located at 160 Houghton Street, North Adams.

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

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to adjourn at 8:42 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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

June 9, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, LaForest, Lamb, Moulton, Sweeney, Wilkinson (remote access), Council President Hopkins, present in Council Chambers.

A moment of silence was held remembering Jeffrey Polucci, longtime member of the North Adams License Commission.

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

Council President called for the approval of the minutes for the City Council meeting of May 26, 2020.

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

Council President stated that he would like to bring the Council back to Council Chambers in person, whether it is next week at a budget meeting or the next regular scheduled Council meeting. Secondary to that, he would like to reintroduce public comment.

Councilor Blackmer stated that other communities are allowing public comment and stated she would also like to do the same. Councilor Harpin echoed Councilor Blackmer.

Councilor Blackmer stated she was apprehensive about meeting in person, Councilor LaForest stated that he felt that there was ample space in Council Chambers to meet and comply with the guidelines. He felt that individuals should have their voices heard for open forum period, which may mean limiting to the beginning of the meeting and possibly have one individual come in and then leave for the next person.

Councilor Sweeney stated that she has had feedback from residents wanting to engage with the Council during the meetings. She stated that possibly there could be a video system or some other way for the public to participate.

Councilor Harpin stated that the Town of Adams is still at their regular location, not zooming. Councilor Blackmer stated most other communities are zooming; Adams seems to be the exception to the rule.

Councilor Wilkinson stated he does not care for Zoom format and would like to get back to the Council Chambers, Councilor Moulton agreed.

On motion of Councilor Wilkinson, duly seconded by Councilor Moulton, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

Councilors Blackmer, Harpin and Sweeney opposed, motion passes.

**11,882**        The President presented Mayor's communication #30 requesting time to give an update on the COVID-19 pandemic.

The Mayor thanked businesses and residents for following the Governor's orders. Phase two opened on June 8, there is a full list available online, he gave a listing of what would be opening; retail, child care facilities, outdoor seating at restaurants, lodging, personal services/no close physical contact, certain youth sports.

The Mayor spoke about the restaurants phase two guidelines and stated that he met with several City boards. He extended his condolences in the loss of Jeffrey Polucci, member of the License Board. The Mayor stated that parks and playground guidance and restrictions will be set soon.

The Mayor stated he is requesting a Special City Council meeting next week to present the City's FY' 2021 budget, as this will be a starting point of review with the Finance Committee. He is anticipating several amendments prior to setting the tax rate in the Fall.

The Mayor spoke about the past several weeks on giving COVID-19 updates and the many changes that have occurred. He acknowledged that the work residents have done has helped flatten the curve and helped move towards the reopening of some of these phases.

He stated that we have asked our students and teachers to adapt and learn differently and they have done a great job. The Drury Class of 2020 will have a car parade on Thursday for a diploma and graduation ceremony. He credited the students and school district administration for putting together a respectful and celebratory event.

The Mayor stated that we have gained a greater understanding of populations facing vulnerability in our community; he stated that he wanted to acknowledge the safety of our LGBTQ community. This comes at a time where we should be celebrating Pride Month and the 50<sup>th</sup> Anniversary of Pride observances.

He discussed the current protests in response to George Floyd and others systemic racism has brought the City to a moment of accountability everywhere, including North Adams. It's a moment that demands support of protests in support of Black Lives Matter with voices to be heard in our community. The Mayor stated he looked forward to working with the diversity group that the Council has put together to address these issues.

The responsibility of our health and safety remains with our community, the commitment is being carried out by this Council, School Department, City Staff, operation center, human service providers, faith community as well as everyday acts of kindness from our residents. He thanked all that have put their best efforts forward.

Councilor Harpin inquired if the Fall Foliage Parade is still expected to continue. The Mayor stated that there have been a few meetings, at this time, he is unsure how it will look. He stated that it would be hard to imagine how bands would be ready to march, bussing, safe distancing, etc.

Councilor Harpin inquired if there is a route for the Drury graduation, Mayor did not have that information. Councilor Blackmer inquired if the public would be able to participate, he was unsure.

Councilor Bona spoke about the Governor's statement stating there would be additional COVID-19 testing sites, currently there are only three sites in Berkshire County; has there been any discussion of a testing site for Northern Berkshire. He stated he was frustrated that there is not at this time. The Mayor stated that he believed Berkshire Health Systems is looking at an antibody testing program in the county.

Councilor Sweeney stated there were concerns regarding protesting and the safety of social distancing. The Mayor stated that the Governor was clear, the gathering order is a protected right. He said he has noticed the practicing of face coverings and distancing.

**11,852-1** The President presented communication submitted by Council President regarding the appointments to the Diversity, Equity and Inclusion Working Group.

On Motion of Councilor Wilkinson, duly seconded by Councilor Blackmer, it was VOTED: to approve the appointments.

Councilor Lamb stated that this had originally been put on hold, however based on the current events, there is a need to move on this. From this list of the working group, there will be meetings scheduled and we will get things moving forward.

Councilor Harpin voiced her support for the working group and stated it was important as a City Council to be aware what is happening in our community and be supportive.

Council President inquired from Councilor Lamb if he currently had a timeline as to when the group would assemble. Councilor Lamb stated as soon as possible, it will be difficult managing many calendars, but the group should be moving soon, no end term and it is critical work that will

continue and evolve.

Councilor Blackmer stated that she was moving toward these diversity issues for the Massachusetts Councilors Association that was disrupted in March, but hoping to do things in the Fall at the workshops. She hopes that the workshops will contribute to the working group.

**11,852**        The President Presented communication submitted by Councilors Lamb, Blackmer and Sweeney regarding establishing a working group to improve the lives of members of the community, which was postponed at the meeting of March 24, 2020.

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

**11,860**        The President presented communication submitted by the North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets, which was postponed at the meeting of March 24, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to refer to the Public Safety Committee and postpone to the meeting of July 14, 2020.

Councilor LaForest stated that the City replaced the crosswalks in this area recently, he felt a traffic study would be needed for stop signs.

Councilor Blackmer stated that she travels this route daily and there are stop signs at the intersecting streets. She felt enforcement should be considered before more stop signs are put in place. She stated vehicles use Miner street as a cut through to route 2 to downtown, she again stated enforcement first.

Councilor Wilkinson stressed the importance of doing something soon, in light of the recent accident; he is in support of stop signs.

Councilor Lamb is looking for direction from the Traffic Commission, he agreed with Councilor Wilkinson. Councilor Harpin stated there were several neighbors that were concerned at the meeting and this needs to be addressed; she travels it frequently and recognizes the danger in that area.

Councilor Blackmer stated she favored the idea of a “dangerous intersection ahead” or “crosswalk ahead” signage. She reiterated she feels that traffic enforcement is important.

Councilor LaForest stated that a stop sign at the bottom of East Main Street can be dangerous and traffic study needs to be looked at.

**11,851** The President presented communication submitted by Councilor Moulton regarding public safety issues on Route 2 wall and building, which was postponed at the meeting of March 24, 2020.

On motion of Councilor LaForest, duly seconded by Councilor Harpin, it was VOTED: to refer to Public Safety Committee and postpone to the meeting of September 8, 2020.

Councilor LaForest stated he has been keeping an eye on the property; the building inspector is confident that the engineering inspections by the property owner and his own inspections have secured the building.

Councilor Moulton stated that there was a meeting with the owner and engineer and he stated that he had liability insurance.

Councilor Lamb stated that issues could arise when colder weather comes; he felt that the barriers are on site and ready to preserve safety if needed.

**9,513-28** The President presented Mayor's communication #27 regarding the Transfer Station rates for FY' 2021.

Without objection, the President filed the communication.

**9,513-28** The President presented an Ordinance amending Chapter 7, Section 7-11 of the Revised Ordinances of the City of North Adams, entitled Public Services, Disposal of Waste at Transfer Station.

On motion of Councilor Bona, duly seconded by Councilor Lamb to refer to Public Services and postpone to the meeting of June 23, 2020.

The Mayor spoke about the increase and asked Michael Canales to speak on the recommendation. Mr. Canales spoke about the expected charges and expenses. He stated that the major concerns are education on what is recyclable, many times things are contaminated, causing the City to be charged as trash and not recyclable.

Councilor Blackmer called for point of order, she would like to amend the original motion. On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED: to pass to a second reading and publish as required by law.

After discussion amongst several councilors, Councilor Blackmer withdrew her motion.

Councilor Bona inquired if there would be any elimination of days of operation at the landfill. Mr. Canales felt that would not be happening, as the operation is covering itself.

Councilor LaForest questioned whether going to committee was actually necessary at this time.

He stated he would rather vote tonight. Councilor Harpin agreed, but had specific questions on a line item of \$25,000 in Miscellaneous. Mr. Canales stated that line item is used for repairs of heavy equipment and can be very costly repairs.

Councilor Wilkinson stated that he would rather vote on this tonight. Councilor Bona felt it would be best to go to committee to break it down for the Council, but either way would be okay with him. Council President stated that he felt going to Public Services committee seems to be the right path.

Councilor Harpin stated that the Miscellaneous amount of \$25,000 should be looked at possibly moved to the School Department.

Councilor Bona requested that Mr. Canales put together the numbers on repairs from previous years to provide at the Public Services Committee meeting.

**11,883** Mayor's communication #28 presenting the City's FY'2021 Classification Plan.

Without objection, the President filed the communication.

**11,883** The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances, Schedule A, Classification Plan FY'2021.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to pass to a second reading and post as a municipal bulletin as required by law and refer to the Finance Committee.

Councilor Wilkinson stated that if there were no changes from last year's budget, there would be no reason to refer to the Finance Committee. The Mayor clarified that there were no changes made to the Classification Plan from FY' 2020.

Councilors LaForest, and Harpin both agreed there would be no need to refer to Finance Committee.

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, the motion was amended to pass to a second reading and post as a municipal bulletin.

**11,883-1** The President presented Mayor's communication #29 presenting the City's FY'2021 Compensation Plan.

Without objection, the President filed the communication.

**11,883-1** The President presented an Ordinance amending Chapter 2, Section 2-28(a), of the Revised Ordinances, Schedule B, Compensation Plan FY'2021.

On motion of Councilor Blackmer, duly seconded by Councilor Moulton, it was VOTED: to pass to a second reading and post as a municipal bulletin as required by law and refer to the Finance Committee.

Councilor LaForest stated that he did not feel it was necessary to refer to the Finance Committee seeing that there were no changes to the Compensation Plan.

Councilor Harpin inquired if there were any changes, the Mayor stated that the only change would be the increase for minimum wage.

Councilor Wilkinson and Lamb agreed that it would not be necessary to refer to the Finance Committee.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, the motion was amended to pass to a second reading and post as a municipal bulletin as required by law.

The President called for Committee Reports. Councilor Lamb stated that the Community Development Committee had a meeting, Councilor Sweeney was in attendance. Zach Feury gave a presentation on the work happening in the Community Development Office. He stated that there will be a video on the City's website.

Councilor Harpin stated there is a schedule for the Finance Committee meetings, with the first meeting taking place June 17, and two others, June 22, and 23.

Council President called for Mayor's Concerns. The Mayor expressed his appreciation to the Council for establishing the working group and felt it was important that we all worked together on this.

Councilor Lamb expressed his gratitude to the members of the working group for their efforts.

Councilor Harpin had complaints from residents that live in the Windsor Lake area due to parking in the road. She wanted to clarify that residents should park in the Lake's parking lot. She also mentioned that the parking lot next to the Greylock Club is available for the AT and requested that residents did not park on Massachusetts Avenue.

Councilor Hopkins inquired about parks reopening. The Mayor stated that the cleaning protocol is in place, but did not have a date certain at this time. Councilor Sweeney received a lot of feedback for the City and leaders and felt the residents are listening and engaged.

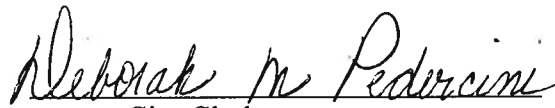
Councilor Blackmer noted that the locals should be supporting our small businesses and nonprofits.

Councilor Bona inquired about an update of future RFP process for properties that are abandoned. He mentioned that the RFP for Notre Dame was approved twenty months ago, originally the Council was told the process would go no longer than a year. With the current economic situation, it would be good to have an update on the properties. Several properties could be sold and the City could be receiving revenue.

With no further business to come before the Council, the President called for a motion to adjourn.

On motion of Councilor LaForest, duly seconded by Councilor Moulton, it was VOTED: to adjourn at 8:56 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

Deborah M. Pedercini  
City Clerk

**Special Meeting of the City Council**

June 16, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, LaForest, Lamb, Moulton, Sweeney, Wilkinson (remote access), Council President Hopkins, present in Council Chambers.

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Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

The President called for suspension of rules #10 and #11.

On motion of Councilor Moulton, duly seconded by Councilor Lamb, it was VOTED: to suspend City Council Rules #10 and #11, Hearing of Visitors.

Council President stated that he would like to bring back hearing of visitors by the next scheduled council meeting, however it would be in a webinar format.

Council President requested that Councilor Lamb explain the process for doing a webinar zoom.

Councilor Lamb stated Zoom meetings do not allow you to mitigate who is on the traditional screen, the Zoom webinar allows you to have panelists who would be the Councilors or anyone who is speaking on the agenda. You could have a hundred people watching and they can raise their hand and be heard at open forum, however, it also allows you to manage the format. Currently, Pittsfield City Council is using the webinar system. Councilor Lamb stated that this process would require all Councilors to provide an email to log into Zoom.

Councilor Harpin inquired if it would still be broadcast live on NBCTV 1303 as well. Council President Hopkins stated, yes.

Councilor LaForest stated that he would be voting no on the motion to suspend the rules for open forum, due to the fact that too much time has passed and feels that this issue should have been resolved by this point. Councilor Moulton agreed with Councilor LaForest. Councilor Blackmer wanted to clarify that the Council is currently voting on tonight's meeting, not a future meeting.

President Hopkins called for all in favor, opposed, motion fails.

Councilor Blackmer inquired if the Zoom meeting link is included in the Council's agenda. Councilor Lamb stated that it was not, other Council subcommittee meetings did include them.

Council President stated that Councilor Wilkinson joined the meeting at 7:12 PM.

Council President requested to move paper 11,885, without objection.

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**11,885**      The President presented Mayor's communication #32 requesting the appointment of Michael Obasohan to the North Adams Board of License for a term to expire June 1, 2021, to fulfil the unexpired term of Jeffrey Polucci.

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

Councilor LaForest inquired if there was an urgent need to put this agenda item on tonight's meeting. The Mayor stated that it was an important step to take due to the fact that the License Board is down a member due to Mr. Polucci's passing. There are a number of things that the board is taking up because they are tasked with additional responsibilities because of changes ABCC has made as part of the reopening plan. The board has had to approve outdoor dining plans and expects to have more of them coming forward.

Councilor Blackmer stated she did not see the need to suspend the rules tonight, this could be brought before Council at the next regular meeting; due to the fact, there is enough members currently to provide for a quorum of the board.

The President called for all in favor, Bona, Hopkins, Lamb, opposed, Blackmer, Harpin, LaForest, Moulton, Sweeney. Motion fails.

**11,882**      The President presented Mayor's communication #31 presenting the City's Municipal Budget for Fiscal Year 2021.

Without objection, the President filed the communication.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to refer to the Finance Committee and postpone to the Special Meeting of June 30, 2020.

The Mayor stated that due to the pandemic, we are in the midst of one of the worst economies on

record; there is much uncertainty regarding funding to develop a reliable budget plan. He stated that state revenue shortfalls and more questions than answers and still not knowing what we will see in the way of federal relief make it difficult. He went on to say that the budget that the Council would be considering tonight and through the Finance Committee process is in many ways a placeholder, understanding that it will need numerous reviews and amendments between now and the time the tax rate is set.

The Mayor gave a presentation of the Fiscal 2021 budget.

The \$41,000,236 proposal is up only \$194,698 over this year. It includes increased fixed costs in municipal interest and debt (\$159,319), retirement contribution (\$128,312) and health insurance (\$118,685).

Those increases are being offset by reductions totaling \$282,683 in Public Services of seasonal workers (\$92,820) and one highway position being left vacant (\$45,236), Veterans Services (\$75,000 based on actual payments), Information Technology (\$30,839), auditor (\$20,288 for a half-time position), and traffic and parking (\$18,400).

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State aid is \$19,486,362, property taxes at \$18,405,776, and local receipts at \$6,550,056 but the mayor warned that those numbers are unlikely to hold. A one-point drop in revenue is comparable to \$200,000.

The School Department is also working with a level-funded budget but is preparing for more severe cuts, including adding a fourth option of 11.5 percent in reductions and additional use of school-choice funds that was explained to the School Committee on Monday night.

Councilor LaForest inquired if the School Department anticipates using a level funded budget considering the new requirements in the Fall. The Mayor stated at this point, he was unsure. The school department has developed several budget options; however, at this point felt it was important to try to stay level-funded.

Councilor LaForest stated that funding will be cut across the board, from property taxes, receipts, etc., so all this considered, why are we continuing with a budget that does not contain any cuts. He felt this was a very optimistic plan, unless there will be higher tax rates in the Fall. He inquired if there were solid plans in place currently? The Mayor stated that he has no optimism on this budget. Councilor LaForest inquired why we would start with a budget that inevitably would be cut later. The Mayor responded by stating that the Council does not have the ability to add back to the budget, only cut. He stated that there is a forced reduction plan in place for cuts if necessary, starting with temporary positions, part-time, then full-time, with consideration given to specific skills, then redeployment of bargaining. We elected not to hire seasonal workers this summer, for a savings to the budget.

Councilor Lamb inquired if the line-by-line process would be helpful when the Finance Committee meets. He also inquired if the ballots coming into the elections would have any budget impacts, such as vote by mail. He also questioned if all the Public Safety positions in the budget currently full staffing. The Mayor replied that those represent actual positions and not vacancies.

Councilor Moulton inquired if the City has percentages such as the school department did their scenarios. The Mayor stated he could walk through those scenarios during the Finance Committee meetings.

Councilor Harpin stated that there will be three Finance Committee meetings next week; Monday, Tuesday and Wednesday starting at 6:00 pm., they will be televised and Zoom webinar for the public to

access. She asked the Mayor what the fiscal shortfalls if any will be for Fiscal 2020 and will we be using reserves. The Mayor stated he did not have the final numbers as yet. He referred to the stabilization fund and stated that we are trying to manage as tightly as possible to avoid this.

Councilor Blackmer inquired if the Council will be receiving May's expense report in time for the Monday's Finance Committee meeting, the Mayor stated they would get that information to them. Councilor Blackmer asked the Mayor if July would be on a 1/12 budget. He stated he would prefer not to, stating that the Council meets biweekly and feels that the budget can be reviewed in real time.

Councilor LaForest inquired if the school department has access to the School Choice account for mitigating any Chapter 70 cuts. The Mayor stated that they did and the budget scenarios have included these funds.

Councilor Harpin stated that the three Finance Committee meeting that will be held next week are Monday, General Government, School Department and McCann School, Tuesday, Unclassified, Capital, Pension, Interest and Debt, Wednesday, Public Safety and Public Services.

The Mayor stated that there will be a Special Council Meeting on June 30, 2020.

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The Council President called for Mayor's and Councilor Concerns, hearing none, a motion to adjourn was in order.

On motion of Councilor LaForest, duly seconded by Councilor Moulton, it was VOTED: to adjourn at 8:56 pm.

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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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

June 23, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, LaForest, Lamb, Moulton, , Wilkinson (remote access), Council President Hopkins, present in Council Chambers. Absent, Councilors Moulton and Sweeney.

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Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

Council President called for the approval of the minutes for the City Council meeting of June 9, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to approve the minutes.

The President called for Hearing of Visitors, hearing none.

**9,513-28** The President presented an Ordinance amending Chapter 7, Section 7-11 of the Revised Ordinances of the City of North Adams, entitled Public Services, Disposal of Waste at Transfer Station, which was referred to the Public Services Committee and postponed at the meeting of June 9, 2020.

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

Councilor Bona stated that the Public Services Committee met and gave a brief update. He stated that the price per pound and bag would be an average annual increase of \$22.19 per household. He went on to note that the largest costs are the removal of trash; currently, the City's revenues are covering costs. The City has decided not to join the Northern Berkshire Solid Waste District as was discussed as an option in the past, currently we are able to do many of the services in house. However, the City is looking into educating students in the community through "Green Teen", in return the City would help them with disposal of large items. He stated that landfill stickers are available for purchase to residents at the Vietnam Veterans Skating Rink. The Public Services Committee voted to approve the Ordinance increase.

**11,883** The President presented an Ordinance amending Chapter 2, Section 2-27 of the Revised Ordinances, Schedule A, Classification Plan FY'2021, which was passed to a second reading and posted as a municipal bulletin as required by law at the meeting of June 9, 2020.

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

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Wilkinson, motion passes.

**11,883-1** The President presented an Ordinance amending Chapter 2, Section 2-28(a), of the Revised Ordinances, Schedule B, Compensation Plan FY'2021, which was passed to a second reading and posted as a municipal bulletin as required by law at the meeting of June 9, 2020.

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

Councilor Harpin questioned why the MIS Director, 26-A, classification salary starts at year four instead of year one. She stated that last year's budget contained two positions as Assistant MIS Directors at a salary of S-25. She noted that the salary was a big jump, if the employee has not been there for four years, she suggested to put in years one through three.

The Mayor stated that due to the retirement of a long serving MIS director, there were two assistants hired, with one of them to be appointed as the director at a later date. One of the MIS assistants received another offer and left the position, leaving the other to become the director. He explained that the classification starting salary has been set up at year four and there are no other levels at that position.

Councilor LaForest inquired that the MIS director left the position at a specific salary and the

employee who replaced her then jumped \$20,000? He stated that the City is budgeting for a director and an assistant, which seems more than what the office previously had. The Mayor stated that two positions were brought in as well as the director last year; currently there are only two positions. He stated it was not unreasonable to have a CIO at this level, the employee was promoted to this level from within.

Administrative Officer, Michael Canales stated that two positions were added last year as assistant MIS directors with the future decision to choose one of the employees as director. One of the employees chose to leave for a higher salaried position elsewhere, this is when the promotion within happened. In regards to the step increases, there are several positions that are scheduled in this manner of year four as starting rate. The Mayor stated that there is a need to adjust the compensation plan in a more comprehensive way.

Councilor Blackmer stated that the position has historically had consulting services that were being paid at higher rates. She stated in these times, the position commands the salary for someone with training and expertise that is needed and she is comfortable with the salary for this position.

Councilor Harpin stated she agreed with Councilor Blackmer, the salary should commensurate with the expertise of the employee and the competitiveness, it just seemed like a large jump from the previous year. She noticed that the remaining step increases throughout the plan only amounted to approximately two thousand dollars, which seemed low and needed to be looked at further. Several Councilors agreed that the history of the plan needs to be looked at and adjusted.

Councilor Lamb agreed that the position does require a high level of competence and expertise and should be compensated as such.

The Ordinance was adopted by yea and nay votes, yea councilors Blackmer, Bona, Harpin Hopkins, LaForest, Lamb, Wilkinson, nay, none, motion passes.

At this time, Councilor Moulton joined the meeting remotely.

**11,885-1**      The President presented Mayor's communication #32-1 requesting the appointment of Michael Obasohan to the North Adams Board of License for a term to expire June 1, 2021, to fulfil the unexpired term of Jeffrey Polucci.

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

Councilor LaForest praised Mr. Obasohan and stated he would be an excellent choice, however, according to MGL, two things were not addressed, regulatory boards need to be balanced politically; meaning one member needs to be a democrat, one republican and the third from either party. He inquired if the Mayor had taken this law into account and secondly, the Mayor appoints the chairperson and questioned if he would be appointing Mr. Obasohan as chair. The Mayor responded that he would not be appointing him as chair and he did not consider the MGL when appointing Mr. Obasohan.

Councilor Blackmer clarified that at last week's meeting when she made her voting decision not to suspend the rules and appoint at that time was not due to the candidate, she fully supports Mr. Obasohan; she did so because she did not feel it was an emergency, there still was a quorum sufficient to vote on any issues.

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Councilor Harpin inquired if Mr. Obasohan would be appointed as chairperson, the Mayor stated no. Councilor LaForest stated that the position he is replacing was the chairperson, procedurally can we confirm the appointment for the non-chair to the chair position. The Mayor stated that all we are doing is appointing a member and it would be incumbent on the Mayor to then appoint a chair. Councilor Lamb reiterated that Mr. Obasohan is an excellent choice for this board bringing with him an intellectual capacity, knowledge and awareness and is a younger member of our community. He inquired about the MGL in regards to filling future appointments, but has faith in the Mayor and deciding the appointment of chair. Councilor Blackmer stated that we are only voting for a member and not the chair. Councilor LaForest stated he would vote no, due to procedural error and the appearance of adding a fourth member. Council President stated he disagreed, Councilor LaForest stated the language is very clear and would not belabor.

The President called for all in favor, Councilors Blackmer, Bona, Hopkins, Lamb, Wilkinson, opposed, Harpin, LaForest, Moulton, motion passes.

**11,886**        The President presented Mayor's communication #33 regarding the acceptance of CARES Act funds to the City of North Adams.

Without objection, the President filed the communication.

**11,866**        The President presented An Order authorizing the Mayor to accept funds in the amount of \$1, 137,716 from the CARES Act, Coronavirus Relief Fund, pursuant to MGL, Chapter 44, Section 53A.

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



The Mayor spoke about the CARES Act funds and how they will be used and restrictions on the usage; currently this money cannot be used as revenue relief. There is advocacy at the state and federal levels that might change that. We are asking the Council to accept this allocation which will allow the City to provide needed funds for the COVID-19 expenses such as cleaning supplies, PPE and technology for the school department into FY 21.

Councilor Harpin stated that expense accounts will need to be set up and she inquired if the Council would be provided monthly expense reports. The Mayor stated that they would be provided these reports.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Wilkinson, nay, none, motion passes.

The President called for Councilor reports or minutes. Councilor Harpin spoke about the Finance Committee meeting, stating that the Mayor received a bulletin that the budget would be based on Fiscal 2020 for the months of July and August on a 1/12 budget. The Finance Committee voted unanimously to accept the proposed budget and recommend the Mayor produce a 1/12 budget which the Mayor agreed to.

Council President inquired what that meant for the Council's schedule going forward. The Mayor stated that he was in communication with the Department of Revenue for procedural guidance whether the budget is brought forward informationally or needs Council approval; he will request one more meeting to introduce the 1/12 budget for July.

The President called for Hearing of Visitors, hearing none, moved on to Mayor's concerns. The Mayor thanked the Council for its flexibility during the budget process that will continue to be reviewed.

Councilor LaForest thanked the Mayor and Finance Committee for their hard work and effort on the budget. He stated that he would like to have the Council meet in Council chambers, stating that there was never a vote as to how and where they would meet. Council President agreed that he would like to hold meeting in Council chambers in person, however there are glitches that still need to be addressed as far as sufficient bandwidth, etc. Councilor Blackmer stated that this discussion should be put on the agenda to discuss. Councilor LaForest stated it was a "house rule" and could be discussed. Councilor Harpin stated that during the Finance Committee meeting, after speaking with Peter, from NBCTC, she felt this process could be done.

Considerable discussion continued amongst Councilors; Councilor Bona wanted to pursue what the capacity would be and possibly go to committee for discussion.

Councilor Bona inquired if and when flowers would be planted on Main Street, the Mayor stated that would be up to the school department. He stated that a resident inquired about when picnic

tables would be put up at Windsor Lake, he spoke to Public Works, the response was, when the Mayor gives the go ahead.

Councilor LaForest inquired why the information specialist that is earning over \$80,000 a year would not be able to coordinate nine ethernet cables for the Council, this is not the first time he has raised this concern and there should have been a resolution to this prior to this meeting.

Councilor Harpin had complaints from residents that live in the Windsor Lake area due to parking in the road. She wanted to clarify that residents should park in the Lake's parking lot.

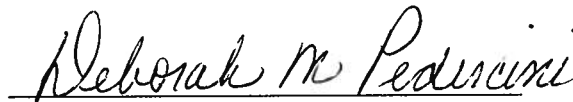
Councilor Blackmer requested that the issue of how the Council will be meeting should be put on the agenda, whether it is the next Special meeting or the Regular meeting as they are making a decision and discussion that the public should have input on. Council President stated that with the interest of meeting in chambers, he would look into it further.

With no further business to come before the Council, the President called for a motion to adjourn.

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On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 8:22 pm.

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# Office of the City Clerk

## City of North Adams

10 Main Street Room 109

North Adams, Massachusetts 01247

(413) 662-3000 Ext. 1

Deborah M. Pedercini

City Clerk

### Special Meeting of the City Council

June 30, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson.

A moment of silence was held remembering Barbara Chesboro, a 28-year mathematics teacher at McCann Technical High School and Richard "Gabby" Gibson, North Adams Cemetery Department employee.

Council President Hopkins read the following statement regarding the COVID-19; Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. The President stated that some City Councilors had chosen to be in person at chambers and some chose to participate remotely as was their choice.

The President called for Hearing of Visitors.

Trevor Gilman, 45 Meade Avenue, discussed the hydrant situation in the west end of the city; he wanted to make sure the budget addressed the issue as it was in the last budget to be completed last summer and was not completed.

11,883      The President presented Mayor's communication #34 submitting the City's FY 2021 Municipal Spending Plan for July 2020.

Without objection, the President filed the communication.

11,883        The President presented an Order authorizing the Mayor under MGL Chapter 44, Section 32, to submit a continuing appropriation budget commencing July 1, 2020 and ending July 31, 2020.

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

The Mayor gave a brief overview regarding the continuing appropriation for July, the information received for state aid is for at least the first two months of FY 2021; July and August will be based on the FY 2020 budget. He stated that the Division of Local Services states that a continuation budget is in no way required to be equal to 1/12 of the previous budget. He stated that budget detail was provided to the Councilors and continued to go over the budget in detail. He stated that the insurance was paid in full so that a discount could be received and spoke about other line items that would not need to be funded in the month of July.

Councilor Harpin thanked the Mayor for the overview and getting information to the Councilors.

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She stated that she did have one concern with the General Government line, relating to the Office of Tourism. The month of July shows a zero-budget due to not having any events; and commented that the person that holds that position was promoted to the Fiscal and Compliance Officer in the Office of Community Development. She stated her concerns over following the federal government guidelines in the department, her concern was that there was no posting of this position. She stated that there were over 200 people laid off in the City, stating there were qualified people that could have applied for this position. She stressed that equal opportunity employment should be followed. She stated the position that this employee is being paid at, is a higher rate than her previous position. She emphatically stated that if you are for diversity, how can we allow this position to go unposted.

Councilor Blackmer stated that administration has been asking to move people within the City, rather than lay off, if there are other tasks they can do, then they should be reassigned to the position temporarily. She stated that filling from within the city first has always been a practice. She stated that with COVID-19 grants coming through, CDBG grants and other funding sources; we need someone that can work on that, and this person is a temporary fill-in to keep our City employees employed. She felt it was important, and she would vote no on cutting the budget for this line item.

The Mayor stated that the position is a temporary assignment due to a vacant position, to keep the necessary work happening; the employee is doing the job well. If they laid off or furloughed and had a new hire, there would be additional benefit costs. There is a fiscal responsibility and a state of emergency piece of this as well as a qualification piece.

Councilor Moulton inquired if the temporary position was advertised and at the end of the month will it be posted as permanent position. The Mayor stated that it would depend on where the City was at that time with other parts of the state of emergency.

Councilor Harpin stated that she agreed with Councilor Blackmer's statement that it was important to keep the City employees employed, however, it is just as important to keep other citizens employed who may be a better candidate for the position. She voiced her concerns stating "I really hope that this council understands what they're doing when they say that this is okay. It's okay for the Mayor to shuffle people

around to jobs that are open and not post publicly. It's really, really upsetting that you would think that this is okay."

Councilor Bona questioned if there is an event coming up where the Director of Tourism is needed, can this person work both positions, or is it considered two jobs.

The Mayor stated that they are looking only on current events in July and there are no activities planned. If there were events in August then funds would be allocated appropriately.

Councilor Harpin stated that the position that the Director of Tourism held, has a lesser compensation of approximately \$4,000 than the Fiscal and Compliance Officer; therefore, could be used for the argument that the money that would be saved would offset the benefits of hiring outside of the City.

The President asked for any other discussion, hearing none, a roll call vote was in order.

The Order was adopted by ye and nay vote, ye, Councilors Bona, Blackmer, Hopkins, LaForest, Lamb, Sweeney, Wilkinson, nay, Councilors Harpin and Moulton, motion passes.

The Council President called for Mayor's Concerns, the Mayor stated that he would be back in another month to review the budget again for August with Finance Committee.

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Councilor Harpin stated that she has seen articles in regards to a group, including members of the City Council, that is moving forward with a six-foot mural on the high rise building on Ashland Street. She stated that nowhere in the articles did she see any form of approval of any board or any community meetings. She was concerned that a small group of people could decide to go forward with no community input.

Councilor Bona inquired if the fall foliage parade would be cancelled, the Mayor is unsure at this time.

Councilor Lamb stated that indeed he and Councilor Sweeney and several other community members have been involved in a project to add esthetics and pedestrian friendly improvements in the Ashland Street area which was a continuation of the Eagle Street initiative. There was a Massachusetts Development grant received by the City for seeking out artists, there were paper surveys distributed to all residents of the building for input, as well as with the Director of the Housing Authority. To the concerns raised, he stated he understood the concerns for community input, but stated there is still a lot of work remaining and this is not signed, sealed as yet. Councilor Moulton began to discuss this issue, Councilor LaForest interrupted and called point of order due to this not being on the agenda. Council President was in agreeance.

Councilor Harpin stated she would like clarification as to what "Councilor Concerns" entailed, she was concerned that there is an agenda item for Councilor Concerns and is unable to talk about them. She stated she would put this on an agenda item. Councilor LaForest stated Councilors should be able to speak on any concerns they may have, however, there was too much back and forth on this issue.

Councilor Lamb stated that there will be a brief presentation at the next meeting of July 14, regarding outside dining.

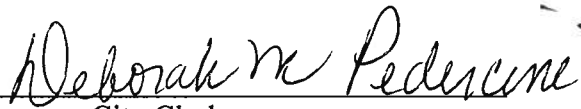
Councilor Wilkinson stated that even though all Councilors are not present in chambers, it is nice being back in Council Chambers even in these strange circumstances.

Councilor Harpin inquired if the picnic tables at Windsor Lake would be returning, as well as concerns for the bathroom facilities, as they are sporadically open or closed. It is important to provide these for the citizens of North Adams. The Mayor replied that he was unsure about the facilities but would look into it; as far as the picnic tables, the City is following guidance from the state that the tables would need to be sanitized and at this time we do not have anyone doing this, therefore, will wait for the next reopening phase. Councilor Harpin stated all the state parks have picnic tables.

The President called for hearing of visitors, hearing none, a motion to adjourn was in order.

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to adjourn at 8:07 pm.

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Attest,

  
City Clerk

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# Office of the City Clerk

## City of North Adams

10 Main Street Room 109

North Adams, Massachusetts 01247

(413) 662-3000 Ext. 1

Deborah M. Pedercini

City Clerk

### Regular Meeting of the City Council

July 14, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. The President stated that some City Councilors had chosen to be in person at chambers and some chose to participate remotely as was their choice.

A moment of silence was held remembering Carol Lu Dupuis employed at the North Adams Municipal Credit Union and McCann Technical High School and Marylou Hynes, teacher's aide in the North Adams School System for over 20 years.

The President called for a motion to approve the minutes for the meeting of June 23, 2020.

On motion of Councilor Moulton, duly seconded by Councilor LaForest, it was VOTED: to approve the minutes.

Without objection, the President moved to paper #9,513-28.

**9,513-28** The President presented an Ordinance amending Chapter 7, Section 7-11 of the Revised Ordinances of the City of North Adams, entitled Public Services, Disposal of Waste at Transfer Station, which was passed to a second reading and published as required by law at the meeting of June 23, 2020.

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

The Ordinance was ordained by yea and nay vote, yea Councilors Blackmer, Bona, Harpin Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay, none.

**11,770-05** The President presented Mayor's communication #35 regarding Fiscal 2020 budget closeout, account-to-account transfers.

Without objection, the President filed the communication.

**11,770-05** The President presented an Order appropriating the sum of \$466,964.09 for internal account-to-account transfers required to close out the Fiscal Year 2020 budget.

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

At this time, Councilor Harpin joined the meeting in session.

The Mayor stated that this Order is the annual exercise that they bring forward each year to balance the books. The fiscal year ended on June 30 and the City has until July 15 to complete this process; there are several transfers necessary to close out and balance.

Councilor Blackmer stated that year end transfers of 1.05% seemed reasonable. Due to the fact she assumed the Building Department transfer was due to not filling a position. The Veterans Department had a \$140,000 savings which could be due to moving, etc.; there were retirements and sick time paid out, as well as a raise in MIS department, Snow and Ice was not bad, health insurance is erratic due to employee changes, hires, marriages, etc. She stated that the City did a really good job on the budget and thanked the Mayor.

Councilor Wilkinson questioned the Assessor's department salary, the Mayor stated a new employee training and employee retirement sick time buyout was the reason for the increase.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay none.

**11.887** The President presented Mayor's communication #36 regarding acceptance of easement agreement for 227 and 245 Ashland Street.

Without objection, the President filed the communication.

**11,887** The President presented an Order authorizing the Mayor to enter into an easement agreement for 227 and 245 Ashland Street.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to



adopt the Order.

The Mayor read the Order and it was due to the new Cumberland Farms on Ashland street.

Councilor Wilkinson inquired if there was a consideration, such as an amount of \$1.00. Michael Canales stated, there was not any consideration, only that the easement is to allow the City access to infrastructure.

Councilor Wilkinson had concerns over the square footage of the easement, the exhibit appeared to say that the amount of square footage was 1.146 acres. There was a large discrepancy, stating the easement is not over an acre and asked for clarification. The Clerk provided the Councilor with a clearer view of the actual space of the easement.

There was clarification by Mr. Canales on the consideration, as it stated “no cost” in the agreement.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay none.

**11,888**           The President presented Mayor’s communication #37 regarding acceptance of easement and agreement for 1476 Massachusetts Avenue.

Without objection, the President filed the communication.

**11,888**           The President presented an Order authorizing the Mayor to enter into an easement agreement for 1476 Massachusetts Avenue.

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

The Mayor stated that the City received a Mass Works grant for water and infrastructure work in the Massachusetts Avenue area. In order to complete this work, the easement is necessary. He thanked the Mayor, Zachary Feury, the Community Development Office and all involved with any effort to acquire this grant. The grant was initially denied and the Mayor worked hard with the Lieutenant Governor so that this project could go through.

The Mayor added his gratitude to Adam Hinds for his help as well. The Mayor then turned the meeting over to Zachary Feury, Office of Community Development for a presentation.

Mr. Feury gave a presentation and history of the Blackinton Mill area and the impediments of the past to proceed forward with any improvements. Mr. Feury stated that with the City’s partnership with Tourists, and the support of our legislation, applied for and was awarded, a

Mass Works grant in the amount of 2, 436,000 for failed infrastructure, inadequate stormwater drainage and blighted open space.

Mr. Feury presented the Scope of Work to facilitate the plans which will enable redevelopment of the Blackinton Mill as well as public benefit to residents in the Blackington area, this project is also in line with the plans set forth in the Vision 2030 Plan for the City.

Councilor Blackmer gave kudos to all involved for working so hard on attaining the grant and is in full support.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Moulton, Sweeney, Wilkinson, nay none.

**11,859**        The President presented communication submitted by Councilor Lamb addressing various safety issues regarding sidewalk ordinances which was postponed at the meeting of April 14, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of August 25, 2020.

**11,811**        The President presented communication from Councilor LaForest requesting a process for appealing to the City Solicitor which was referred to the General Government Committee and postponed at the meeting of March 10, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to postpone to the meeting of July 28, 2020.

Councilor Blackmer stated that the General Government Committee meeting was unable to meet due to technical issues.

Councilor Wilkinson stated his frustrations on not being able to have a meeting and the IT issues in the Chambers.

Councilor LaForest stated he feels the room needs to be hardwired and the Council needs to be able to do the work that is expected of them. He stated that he would be voting yes on the postponement, however, he does not believe that the Council needs to modify the Ordinance to create an inhouse rule to access the City Solicitor.

**11,840**        The President presented an Order authorizing a study in regards to the restoration of children's pillar art located at Route 2, bridge, Veterans Memorial Drive which was postponed at the meeting of May 26, 2020.

On Motion of Councilor Blackmer, duly seconded by Councilor Moulton, it was VOTED: to postpone to the meeting of July 28, 2020.

Councilor LaForest stated he would vote no on this, due to the fact that this process has taken much too long. "This has been requested many months ago, the people of the City deserve better" Councilor Wilkinson stated he would vote no, he feels they are "beating a dead horse."

The President called for all in favor, motion fails.

On Motion of Councilor Wilkinson, duly seconded by Councilor Blackmer, it was VOTED: to table the paper.

Councilor LaForest stated that the residents requested to hear their concerns, he will vote no.

Councilor Blackmer stated that the solicitor is looking into this issue, most solicitors have been extremely busy with COVID.

Councilor Bona stated that he is frustrated as well as to the amount of time that has passed, this was well before COVID, and feels that we are more of a number than a client. He does not want to see the paper tabled, rather postponed.

Councilor LaForest stated he would vote no.

Councilor Wilkinson stated "all that can be done has been done, the City offered a new space, Mass MoCA offered the paint, they wanted all or nothing" Councilor Wilkinson reiterated his opinion that this will go nowhere.

Councilor Lamb stated that he will vote no, he feels that there needs to be a legal opinion and this has to be done correctly. He stated that it is irresponsible and unacceptable that it has taken this long, but also irresponsible for the Council to make decisions that will set the City up for lawsuits in the future. He stated there is actual live cases that are going on now, with damages and feels that we could, if found in violation, cause tax dollars to be spent on legal issues.

Councilor LaForest agreed with Councilor Lamb. He continued to give a history of the pillar art and the sound installation. He stated that Mass MoCA put up a sign on the installation recently, where they were in violation, the City had the sign removed, which caused damage. He stated also that clarification is necessary on this issue, we cannot put the City at risk surrounding public

art.

Councilor Wilkinson stated he would not want to put the City at legal risk; he withdrew his motion.

On Motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of July 28, 2020.

The President called for all in favor, Councilor Harpin voted no, motion passed

**11,876**        The President presented communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area which was referred to the Traffic Commission and postponed at the meeting of May 26, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of August 11, 2020.

**11,860**        The President presented communication from the North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets which was postponed at the meeting of March 24, 2020.

On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED: to refer to the Mayor's Office and postpone to the meeting of July 28, 2020.

Councilor LaForest stated that the Traffic Commission made its wishes known, he feels that a traffic study needs to be done in order to go forward.

The President called for Hearing of Visitors.

Trevor Gilman, 45 Meade Avenue, wanted to update the Council that the hydrant was replaced on Meade Avenue immediately after the last meeting and was appreciative.

Vincent Melito, 74 Marion Avenue, inquired if any of the Council procedures have been changed, was there any discussion from the gallery regarding the pillars. Council President stated that there are no public comments at this time. Mr. Melito stated he wanted to clarify the history; that the Mayor offered a site on Summer Street, to paint over the Egyptian art, however, they chose not to do this, as it was not any different than what happened to them. There is a strong support in the community, with over 500 signatures for the pillar art and stated there were no signatures on the negative side.

The President called for Councilors Concerns.

Councilor LaForest gave a report on the Public Safety Committee regarding dangerous animals in the community, after hearing sworn testimony for over two hours, a decision to euthanize two of the dogs and re-home a third was made. The owners of the animals have petitioned the court, which is their right. The City is doing all they can, if there is a concern for safety, please contact 911.

Councilor LaForest stated his frustrations in regards to the technical difficulties with Zoom for the Council Chambers, again stating the room needs to be hard wired. "The Mayor's office needs to direct staff to run ethernet cables in the room and this should only cost a few hundred dollars. The work that the Council does is critical and they need to move forward."

Councilor Wilkinson agreed with Councilor LaForest and stated that we have given the IT department a raise and understands this is what they need to be paid, however, the technology needs to be addressed.

Councilor Moulton stated he was looking forward to the opening of City Hall and stated it was time to move forward. Councilor Blackmer stated, per the Governor, if you can work from home, you should work from home; many municipalities are still working from home across the state. She also requested that attendees be muted when they are done speaking as not to get feedback, she feels it is not a hard wire problem, rather that they are all in the same room, she stated that she Zooms all the time without issue. Councilor Blackmer stated that putting the IT concerns on the agenda for the General Government Committee, would be something she could do. Council President stated he had spoken to Councilor Blackmer previously to see if General Government Committee wanted to take it on as an issue, he would be more than happy to hear their opinion.

Councilor Lamb gave a report on the Diversity Equity and Inclusion Committee and stated they will be meeting every first and fourth Thursday at 6:00 pm beginning Thursday, July 26.

Councilor Bona would like to see updates on properties that are out for acquisition, stating that it has been almost two years for the Notre Dame property and its been over a year on the Mohawk Theater. He also was curious on the progress of the new website.

On motion of Councilor LaForest, duly seconded by Councilor Moulton, it was VOTED: to adjourn at 8:42 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

Deborah M. Pedercini

City Clerk

### Regular Meeting of the City Council

July 28, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Sweeney, Wilkinson, absent, Councilors Harpin and Moulton

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. The President stated that some City Councilors had chosen to be in person at chambers and some chose to participate remotely as was their choice.

A moment of silence was held remembering James Hayes, a twenty-one-year member of the North Adams Fire Department and President of its Local 1781 Union. Diane DiSanti, a paraprofessional in the North Adams school system.

The President called for a motion to approve the minutes for the meeting of July 14, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to approve the minutes.

The President called for Hearing of Visitors, hearing none.

**11,790** The President presented communication submitted by Councilor Bona regarding short term rentals and the requirements of the City which was postponed at the meeting of May 26, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of August 25, 2020.

Councilor Lamb stated that the goal was to bring Zachary Feury in for the August meeting for a Presentation.

**11,811** The President presented communication submitted by Councilor LaForest requesting a process for appealing to the City Solicitor which was postponed at the meeting of July 14, 2020.

There were technical difficulties with Zoom, which had outages throughout the website. The President requested a five-minute recess.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of August 11, 2020.

Without objection, the President moved to Council Paper 11,883-a.

**11,883-a** The President presented Mayor's communication #38 presenting the spending plan for August 2020.

Without objection, the President filed the communication.

**11,883-a** The President presented an Order authorizing the Mayor under MGL Chapter 44, Section 32 to submit a continuing appropriation budget commencing August 1, 2020 and ending August 31, 2020

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

The Mayor stated that there was a motion on the House and Senate side that would fund communities through October which would support local aid. This includes level funding for Chapter 70, Education Aid and Unrestricted Government Aid.

Michael Canales gave a brief explanation of the continuing appropriation budget for the month of August.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Sweeney, Wilkinson, nay none.

Without objection the President moved to Paper 11,569-b.

**11,569-b** Mayor's communication #39 requesting transfer from Sale of Land account regarding 227 and 246 Ashland Street.

Without objection, the President filed the communication.

**11,569-b** An Order authorizing the Mayor to appropriate the sum of \$33,925.04 from the Sale of Land account to Public Services, reimburse remediation cost.

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

The Mayor stated that in 2017, the City entered into a purchase and sale agreement with Cumberland Farms for property located on Ashland Street, where the City would be responsible for up to one half of the environmental remediation of the property. This is the amount that is represented.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Sweeney, Wilkinson, nay none.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest, it was VOTED; to adjourn.

Councilor Wilkinson expressed his frustration with the Zoom technical difficulties. Councilor LaForest stated given the situation, he felt it would be appropriate to adjourn and reconvene.

He noted that the IT tech stated that the Wi-Fi router needs to be replaced, and voiced his frustrations.

Councilor Blackmer stated that the other agenda items not moved on, should be postponed to the August 11, 2020 meeting.

Councilor Bona stated his frustrations as well, he said when he was Zooming the meeting from home, the meeting was much more successful and that he would most likely participate remotely at the next meeting.

Councilor LaForest requested that the Council suspend the motion to adjourn so that the discussion of a candidate for replacement of Councilor Moulton could be discussed.

Council President stated that he would like to discuss this matter. Councilor Wilkinson stated he did not wish to withdraw his motion to adjourn. The President asked if Councilor Wilkinson would reconsider, Councilor Wilkinson withdrew his motion to adjourn.



Council President requested that there be a ten-day period for letters of interest for the vacant Council seat; he stated the deadline would be August 7, 2020 at 1:00PM. Interested parties are to send their letters of interest to the Office of the City Clerk.

Councilor LaForest agreed with the timeline, however, requested that the Council have an understanding of the process before the August 11, 2020.

Councilor Lamb stated that he felt that was appropriate.

Councilor Sweeney asked if the residents would have input. Councilor Lamb recalled that he was on Council when Councilor Bullet resigned and said individuals had two or five minutes to talk about themselves. As long as the candidates names are on the agenda, residents could be heard at Hearing of Visitors at the beginning the meeting.

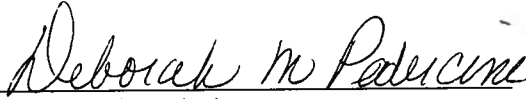
Councilor LaForest inquired if the Councilor would be sworn in that evening or at the next meeting. Councilor Blackmer stated she felt the Council was going too far with deliberation. Councilor LaForest noted that it was home rules. She recalled that typically they are sworn at a later date.

Councilor LaForest inquired if Councilor Wilkinson was sworn in that evening when he was appointed; Councilor Wilkinson stated, "no, at the next meeting".

Council President stated that Councilor Harpin stepped down from the Finance Committee, he appointed Councilor Blackmer as Finance Committee Chairperson.

On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 8:12 pm.

A True Record  
Attest,

  
City Clerk

## **Regular Meeting of the City Council**

August 11, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Wilkinson, absent, Councilor Sweeney.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

The President called for a motion to approve the minutes for the meeting of July 21, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to approve the minutes.

The President called for Hearing of Visitors, hearing none.

Without objection the President moved to paper 11,894.

**11,894**        The President presented Letters of Interest submitted by candidates to fill the unexpired term of Councilor Moulton.

Without objection, the President filed the communication.

The following candidates were given time to speak for an appointment to the City Council in the order the letters of interest were received.

1. Peter J. Oleskiewicz
2. Bryan K. Sapienza
3. Ronald K. Sheldon

4. Gina Maria Consolini, not present.
5. J. McConnell
6. Ashley Shade
7. Wayne S. Gelinas
8. Howard Carter

Councilor Bona, Lamb and Harpin all stated they were impressed with the number of candidates and the quality and diversity of all.

Councilor LaForest thanked all candidates for taking the time and interest in becoming a member of the City Council. He stated he hoped that the candidates that did not get chosen would still consider a run for City Council in the next election.

Councilor Blackmer thanked all candidates for applying, stating that it is a daunting task to apply in front of so many people.

Council President called for a motion to appoint.

On motion of Councilor Wilkinson, duly seconded by Councilor LaForest, it was VOTED to appoint Peter Oleskiewicz as Councilor.

The appointment was adopted by yea and nay vote, yea, Councilor Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Wilkinson, nay none.

Council President thanked all candidates and encouraged them to continue to run for office.

Councilor Wilkinson stated one of the reasons he nominated Mr. Oleskiewicz was that he too, was the tenth seat when there was a vacancy. He felt that the position should be an elected one and as Mr. Oleskiewicz did run for office and received many votes, he is deserving of the seat.

The Mayor thanked all candidates and congratulated Mr. Oleskiewicz on his appointment.

Council President moved to paper 11,889.

**11,889**           The President presented Mayor's communication #40 requesting time for the City website presentation.

The Mayor spoke about the City's new website and turned it over to Mark Pierson, MIS director.

There were technical difficulties, the President moved to paper 11,811.

**11,811**           The President presented communication submitted by Councilor LaForest requesting a process for appealing to the City Solicitor which was postponed at the meeting of July 28, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to file

the communication.

**11,811-1** The President presented communication submitted by Councilor Blackmer regarding changes to Council Rules and Ordinance change to Chapter 2, Article V, Section 2-37, legal opinions.

Councilor Blackmer read the new addition to the City Council Rules of Order.

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED to amend the City Council Rules of Order as stated.

Councilor Harpin noted that the Ordinance has been in place since 1986. She stated seventeen City Councils over the years have worked within the restraints of the current Ordinance.

Councilor Bona clarified that currently they are only approving the amendment to the rules of order, not the Ordinance change. He stated that since they are discussing this, he would vote no against the Ordinance, agreeing with Councilor Harpin.

He stated that on a number of occasions throughout his time on the Council he was a sole Councilor with an issue or opinion that was not supported by full Council and feels this Ordinance change would limit access to legal counsel.

Councilor Lamb stated that he fully agrees with complying within the budget and having a check and balance. However, he stated that he did not want that to get in the way of accessing legal resources and there should be a different route to go.

Councilor Blackmer stated that she has worked for three mayors and during her time as a Councilor, there was access to the City Solicitor, however there are many other avenues to access prior to directly addressing issues with the solicitor; such as, Lawyer of the Day, MGL, DOR, Attorney General's office. She stated she was concerned about spending money without exhausting these areas first.

Councilor LaForest stated the intent of his original communication was to address the breakdown of communication and confusion between administration as it pertained to the City Solicitor and no intent to change the Ordinance. He stated there needs to be a process that should not hinder access to the solicitor. He stated he is in favor of a process, however this change could have a negative effect, if you have questions, you should have the access, therefore he would be voting no.

Councilor Lamb gave kudos to Councilor Blackmer for also addressing the gender issue that many of our City Ordinances contain.

Councilor Bona stated that there could be an amendment to the rule, as the last sentence could be removed.

Councilor Wilkinson stated there were several meetings to work on this change, however, the Councilors that are speaking against the additional rule were not there at the meetings to give their input.

Councilor LaForest stated the current City Ordinance affords every Councilor access to the City Solicitor, as well as Massachusetts General Law, he thanked Councilor Harpin for forwarding the language to all Councilors. The Original question was a process only, not a revision to the Ordinance.

Councilor Bona stated he has no issue with the process, only that there is not access to the Solicitor other than through the administration. Again, he stated he would amend the rule by deleting the last two sentences.

Councilor Blackmer stated that for clarification, MGL, Section 22 talks about criminal activity for your own personal self.

Councilor Bona stated that he is not comfortable voting on a communication. Councilor Blackmer stated that due to not being a separate paper, it should be readdressed.

Councilor Blackmer withdrew her original motion.

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

Councilor Harpin stated that a simple process such as this has taken almost a year already.

Councilors Harpin, LaForest, and Wilkinson, voted no on the motion, motion passed 4-3.

**11,811-1** The President presented an Ordinance amending Chapter 2, Article V, Section 2-37, entitled "Duty to furnish legal opinions."

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of August 25, 2020.

Council President returned to the presentation of the new website.

MIS Director, Mark Pierson spoke about the importance of a new website, stating the current website had several security issues, not modern, clumsy and editing the site is difficult and content is limited containing several bugs requiring outside help, leaving the site down for long periods of time; nor is the site ADA compliant.

Mr. Pierson gave kudos to Michelle Ells, Administrative Assistant to the Mayor for all of her efforts on the website, he stated that due to COVID restrictions, the process took much longer than anticipated. The director continued with presentation.

**11,890** The President presented Mayor's communication #41 requesting time for an update on the City's property disposition strategy.

Without objection, the President filed the communication.

The Mayor introduced Zachary Feury, Office of Community Development, to give a presentation on RFP's and where they stand and how we intend to move forward.

Mr. Feury gave a presentation discussing approximately 200 properties that are out for RFP disposition and the different uses of the properties such as residential, commercial, industrial and open space.

There was a brief question and answer period.

The Mayor thanked Michael Nuvallie, Director of Office of Community Development and Mr. Feury. The Mayor gave a brief update on properties currently out for RFP, he anticipates closing on the Johnson School property shortly as well as executing a purchase and sale agreement on the Pownal land. He stated that unfortunately, the City was not able to close on Notre Dame and the property will be put back out for RFP.

Councilor Bona inquired what the reason for Notre Dame's lapse in time of two years was. The Mayor replied that the determination was they could not come to an agreement, quite possibly financial reasons.

Councilor Wilkinson inquired as to the status of Heritage State Park, as the train museum is not happening in that space. The Mayor replied that there currently is no option on the property.

Councilor Lamb inquired as to who the committee composition was that reviews the RFPs. The Mayor replied that usually it would be departments such as Community Development, Inspection Services and Assessor, that makes recommendation to the Mayor's Office for review. Councilor Lamb inquired about updated appraisals on the properties as he felt property values are on the rise. The Mayor said the reissue for Notre Dame and Sullivan School are using FY20 appraisals.

Councilor LaForest questioned if the RFP for Heritage State Park property extended to the Sons of Italy parcel. The Mayor stated the party did not execute the agreement to date.

Without objection, the President filed the communication.

**11,826** The President presented an Ordinance amending the Revised Ordinances of the City of North Adams regarding various fees in the City Code which was postponed at the meeting of May 26, 2020.

On Motion of Councilor Bona, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of September 8, 2020.

Councilor Wilkinson stated there were several meetings and it was much more complicated then Anticipated. It was decided that there was so much information that it kept getting postponed. He stated that postponing this paper for another two weeks will change nothing, unless the committee gets together to work on it. Councilor Bona stated that the document could be broken down, possibly just work on the fines for now. He stated there is a new chair to the Finance Committee, possibly there could be a meeting to discuss. He stated that Mr. Canales will be leaving soon and decisions will need to be made.

Councilor LaForest stated that processes are taking much too long, possibly a flat percentage increase could be discussed.

Councilor Harpin stated that many of the fees and fines were archaic and they were referred to administration and that is where it was left.

Councilor Lamb stated that possibly it would be best to request a report back from the administration regarding the archaic fees and move to the matters that do need to be addressed.

Councilor Wilkinson stated that request was already made. Councilor Bona agreed with Councilor Wilkinson, stating that so many fees were unnecessary and referred to Mr. Canales to go to the specific departments to verify the need of the fees or fines. However, there has been no response at this time. When he spoke to Mr. Canales recently, he stated that at this time, he felt that fees should not be increased.

Councilor Lamb voted no on the motion. Motion passed.

**11,840**        The President presented an Order authorizing a study in regards to the restoration of children's pillar art located at Route 2, bridge Veterans Memorial Drive which was postponed at the meeting of July 28, 2020.

On motion of Councilor Laforest, duly seconded by Councilor Blackmer, it was VOTED: to deny.

Councilor Wilkinson asked Councilor Blackmer to explain why the motion to deny. Councilor Blackmer read the recommendation from KP Law, stating that litigation with the City could be found in violation. In short, they recommend not to pursue.

Councilor LaForest stated that in no way does this motion to deny, mean that the citizens' concerns were not warranted or appreciated. However, we as Councilors, have a responsibility not to put the City in a legal situation.

Councilor Harpin thanked Councilor LaForest for his help on this petition and to the group and community that wanted to preserve the pillar art, and stated how proud she was to work with them.

Councilor Lamb echoed Councilor Harpin and LaForest and stated that they deserve to be heard and a similar format should be able to be displayed in our City and is appropriate for administration to work on finding locations for community art.

The motion to deny was adopted by yea and nay vote, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Councilor Wilkinson, absent, nay, none.

**11,860**           The President presented communication from the North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets which was postponed at the meeting of July 28, 2020.

The Mayor stated that there was a request for quotes for the engineer to do the work.

On motion of Councilor Blacker, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of August 25, 2020.

Councilor Blackmer asked if there were any decisions made on erecting the stop signs. The Mayor stated that the request was to do a traffic study, that is what they will be doing.

**11,861**           The President presented an Ordinance amending Chapter 3 of the Revised Ordinances of the City of North Adams to add Section 50, entitled Requirements for Public Amenities, subsection 50.1 and 50.2 which was postponed at the meeting of April 28, 2020.

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

Councilor Lamb stated that at this time, it does not make sense to pursue this.

**11,876**           The President presented communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area which was postponed at the meeting of July 28, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of September 8, 2020. Councilor Lamb stated that the Traffic Commission did meet and a communication will be forthcoming to the Council.

**11,891**           The President presented communication submitted by Councilor Harpin regarding parking concerns on Protection Avenue which was postponed at the meeting of July 28, 2020.



On motion of Councilor Harpin, duly seconded by Councilor Lamb, it was VOTED, to postpone to the meeting of August 25, 2020.

**11,892** The President presented a Resolution submitted by Council President Paul Hopkins, Vice President Jason M. LaForest and Councilor Benjamin J. Lamb, Coordinator of the Working Group on Diversity, Equity and Inclusion, to Censure Councilor Robert R. Moulton, Jr.

On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED, to file the Resolution.

Councilor LaForest stated that former Councilor Moulton has since resigned, but he just wanted to discuss the reasoning for the Resolution. He stated that Councilor Moulton made negative comments about Black Lives Matter and discussed COVID-19 advice and mocked the Mayor, Governor of Massachusetts, as well as referred to the Governor of New York as a killer. There were also negative comments about the Council. Mr. Moulton made comments about the Police, Fire and Teacher's union negotiations. There were no apologies and he stated it was an unfortunate situation.

**11,893** The President presented Mayor's communication #42 recommending the appointment of Election Wardens and Inspectors for a term to expire August 31, 2021.

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

Councilor LaForest inquired as to whether there has been any effort to recruit next generation election workers due to the age of some of the seasoned election workers and the threat of COVID-19. The City Clerk stated that currently there are several current workers that will be manning the polls for the September Primary Election, however, efforts to attain additional workers for the November 3<sup>rd</sup> election are underway.

**11,883-b** The President presented Mayor's communication #43 appropriating \$55,704 from Parking Meter Reserve Account for purchase of a police vehicle.

Without objection, the President filed the communication.

**11,883-b** The President presented an Order appropriating \$55,704 from Parking Meter Reserve Account to Public Safety, Police Expense, Miscellaneous Purchased.

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

Councilor LaForest stated that many of the vehicles the officers are using are very old and have over 100,000 miles, there is a need to have safe vehicles for our officers.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Councilor Wilkinson absent, nay none.

**11,833-c** The President presented Mayor's communication #44 requesting appropriation of \$30,000 from Parking Meter Reserve Account to support Police Department fleet replacement plan.

Without objection, the President filed the communication.

**11,833-c** The President presented an Order appropriating \$30,000 from Parking Meter Reserve Account to Public Safety, Police Expense, Miscellaneous Purchased.

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

The Mayor introduced Officer Kevin Stant and Michael Canales to give a presentation for the ten-year plan for the Police Department's fleet replacement. Officer Stant thanked the administration for the help in putting together this plan, he stated his, as well as Chief Wood's support.

Councilor LaForest gave kudos to Officer Stant for his hard work on the plan and feels strongly about the officers able to be in a safe vehicle and to be able to arrive on calls safely.

Councilor Lamb thanked all involved and inquired about hybrid vehicles. It was noted that there were indeed hybrid vehicles and he gave kudos for doing this.

The Order was adopted by yea and nay vote, yea Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Wilkinson absent, Councilor Harpin, abstained, nay none,

**11,895** The President presented communication submitted by Councilor LaForest regarding referrals to the Public Safety Committee.

On motion of Councilor LaForest, duly seconded by Councilor Lamb, it was VOTED: to postpone to the meeting of September 8, 2020

**11,896** The President presented an Order calling the State Primary Election for September 1, 2020.

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

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins,

LaForest, Lamb, Councilor Wilkinson, absent. Nay none.

There were no licenses to come before Council.

The President called for open forum, hearing none.

The President called for Mayor's Concerns. The Mayor gave a plea to all residents to fill out and return their Federal Census. Currently the City is about 10% lower than where they were in 2010. The cost of an inaccurate count is about \$2,500 per person, per year in federal funding.

The President called for Committee Reports. Councilor LaForest gave an update on the recent dog issue that was before the Public Safety Committee. Currently two of the dogs are in the care of a rescue in Connecticut, the two dogs that will remain in the home, have been spayed and neutered and are up to date on all vaccines, he thanked Carrie Loholdt, Animal Control Officer for her efforts. Council President thanked Councilor LaForest and the Public Safety Committee for their work on an incredibly difficult situation.

Councilor Lamb gave an update on the Diversity, Equity, Inclusion Group that has now met twice and is starting to get into regular meetings on the first and fourth Thursday of the month consistently. He gave kudos to all involved.

Councilor LaForest voiced his concerns about not meeting in Council chambers. He plead to have the technology updated. He stated that he had concerns for the students that will be remotely learning and wanted to make sure technology was up to the standards necessary.

Councilor Lamb reiterated the plea for the Federal Census, due to the shortened timeline. He noted the Census Bureau would like any vacant rentals reported as zero, saving time for the workers that are in the field.

The President called for a motion to adjourn.

On motion of Councilor LaForest, duly seconded by Councilor Blackmer, it was VOTED: to adjourn at 10:17 pm.

A True Record  
Attest,

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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

Deborah M. Pedercini

City Clerk

### Regular Meeting of the City Council

August 25, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Sweeney, Wilkinson, absent, Councilor LaForest.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

Council President Hopkins welcomed newly appointed City Councilor Peter Oleskiewicz to the Council.

Councilor Blackmer welcomed Councilor Oleskiewicz and invited him to attend any Council Committee meetings.

The President called for a motion to approve the minutes for the meeting of August 11, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Wilkinson, it was VOTED: to approve the minutes. Councilor Oleskiewicz and Sweeney abstained.

The President called for Hearing of Visitors, hearing none.

The President moved to paper 11,883-d

**11,883-d** The President presented Mayor's communication #45 presenting the spending plan for September 2020.

Without objection, the President filed the communication.

**11,883-d** An Order authorizing the Mayor under MGL Chapter 44, Section 32 to submit a continuing appropriation budget commencing September 1, 2020 and ending September 30, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to discuss.

The Mayor stated that this was the third month with a one twelfth budget.

Councilor Blackmer stated that the budget looked straight forward, but is looking forward to a full budget. Councilor Wilkinson agreed.

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

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Sweeney, Wilkinson. Nay none.

**11,790** The President presented communication submitted by Councilor Bona regarding short term rentals and the requirements of the City, which was postponed at the meeting of July 28, 2020.

Councilor Bona moved to a presentation from Zachary Feury, Community Development.

Zachary Feury gave a presentation on the requirements of short-term rentals pertaining to the City's Zoning Ordinances. He spoke about the rooms tax and regulatory authority to municipalities. There was discussion classifying operator-owned, owner-adjacent and professionally-managed properties. Mr. Feury gave a review of the existing municipal regulations, as well as information regarding a prior local discussion enabling legislation.

There was a question and answer period for Councilors. Councilor Wilkinson inquired whether or not the City would be able to tax the short-term rentals the same as the hotel, motels and if so, why would it be different than the present tax. He also inquired what the 35% requirement entailed. Mr. Feury stated that the City is currently applying the 6% tax to the short-term rentals and stated that the City has a requirement that 35% of the funds be dedicated to affordable housing or local infrastructure in accordance with Massachusetts General Law; this being for the community impact. Councilor Blackmer clarified that her understanding was that tax does not apply to the residents that live in the household and rent out a room a few times a year for example. The Community Impact fee is for people who are building for this purpose. Mr. Feury concurred with Councilor Blackmer, there will not be a fee to the owner-occupied units. However, the City can levy a 3% impact fee for professionally managed properties or

multi-units.

Councilor Blackmer stated what was happening was, that commercial property owners were transferring their permanent resident properties and putting them into the transitional short-term rental category. This is where the impact fees began, stating that if property owners decrease the permanent housing, then there needs to be a way for the community to build more affordable housing.

Councilor Lamb stated he has been working since 2015 on this and would like to expedite it; he thanked Mr. Feury for his diligence. He stated that currently, the Berkshires is 150% over what Air B&B rentals were in 2019, which can be a great revenue maker. He also stated that inspection services will be impacted as more hours will be spent inspecting and handling these units and that fees should be discussed as we are currently updating our fee schedule.

**11,826**            An Ordinance amending the Revised Ordinances of the City of North Adams regarding the various fees established in the City Code which was postponed at the meeting of August 11, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of September 22, 2020.

**11,851**            The President presented communication from the North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant and Miner Streets which was referred to the Mayor's Office and postponed at the meeting of July 14, 2020.

On motion of Councilor Sweeney, duly seconded by Councilor Wilkinson, it was VOTED: to postpone to the meeting of September 8, 2020.

Councilor Blackmer stated that she is very much against the stop signs, she felt that it is an enforcement issue.

Councilor Bona stated he felt this should go to Public Safety Committee for an Ordinance change.

Council President stated that this has already been to Public Safety. Councilor Lamb stated that he felt it did not need to go back to Public Safety. Councilor Bona stated that the Ordinance should be worked out at the Public Safety meeting. Councilor Blackmer voiced her concern for the dangerous area, stating it should be an enforcement of speed and following the traffic rules and needs to be addressed.

Councilor Wilkinson stated that he felt it needed to go to Public Safety Committee and that Councilors should attend that meeting.

Councilor Lamb stated that previously, the City addressed the speed limit issue and a police officer checked the speed of residents with a radar gun. The conclusion was that no one was actually speeding; however, 30 miles per hour in that area seemed too fast.

Councilor Sweeney withdrew her motion.

On motion of Councilor Sweeney, duly seconded by Councilor Blackmer, it was VOTED: to refer to the Public Safety Committee and postpone to the meeting of September 22, 2020.

**11,811-1** The President presented communication submitted by Councilor Blackmer regarding changes to the Council Rules of Order and Ordinance change to Chapter 2, Article V, Sec. 2-37, legal opinions which was postponed at the meeting of August 11, 2020.

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

**11,811-1** The President presented an Ordinance amending Chapter 2, Article V, Section 2-37, entitled "Duty to furnish legal opinions", which was postponed at the meeting of August 11, 2020.

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

Councilor Harpin stated that her basic understanding is that this Ordinance has been in place for forty years and it has worked for over fifty City Councilors over the years. She stated that she would support the Ordinance that is currently in place.

Councilor Blackmer stated that she does not agree, the City does not have a solicitor readily available as in past years. She also stated that there is no other person that can arbitrarily spend money without knowing the cost. The billing cycle is billed monthly and there is no way to know how much money is being spent. Also, many times, there are many resources available that should be used prior to going to the City Solicitor.

Council President stated that there were two General Government Committee meetings and this was the recommendation, he echoed Councilor Blackmer. Councilor Wilkinson stated there is only a small change to the Ordinance, the real change would be to Council rules.

The motion to pass to a second reading and publish as required by law was voted by yea and nay vote, yea Councilors Blackmer, Hopkins, Lamb, Oleskiewicz, Sweeney, Wilkinson, nay, Councilors Harpin and Bona, motion passes.

**11,811-1** The President presented communication submitted by Councilor Blackmer recommending an additional rule to the North Adams City Council Rules of Order regarding legal opinions.

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to adopt Rule #27 of the City Council Rules of Order.

Councilor Bona stated that he would not support this rule, as he feels the majority can deny a sole Councilor from getting an answer. He agreed that Councilors should be accountable to seek out other avenues prior, but did not want to see a Councilor be turned down.

Councilor Lamb agreed with Councilor Bona. He would rather it would become a communication to the Council and not a request for approval to force a majority rule.

Council President stated he supported the rule, primarily, because two meetings reached the same conclusion.

Councilor Blackmer asked if the Council would be willing to change to "Council or Council President or a majority of the Committee".

Council President stated he did not feel anyone should be spending tax dollars without prior authorization.

Councilor Lamb suggested a change to the rule on agenda to discuss, with no voting.

Councilor Harpin stated her concerns that the City may not be in compliance with Massachusetts General Laws. Councilor Blackmer stated that the section Councilor Harpin referred to does not apply here.

Councilor Bona agreed with Councilor Lamb, he would like to see the rule end with "discuss", it is not one person spending the funds. The effort of putting on the agenda will possibly deter from just bringing issues to City Solicitor.

Councilor Blackmer stated that she still had concerns about just spending tax dollars. Councilor Harpin took offense.

On motion of Councilor Lamb, duly seconded by Councilor Bona, it was VOTED: to amend the Council Rule to "If a Councilor or Councilors want a legal opinion from the City Solicitor, they must provide a communication on the agenda with an explanation of what they have done to date to take advantage of freely available information. The Council will then discuss."

The amendment to the Council Rule #27 was adopted by ye and nay vote, ye Councilors Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Sweeney, nay, Councilors Harpin and Wilkinson.

The addition of Rule #27 to the City Council Rules of Order was adopted by ye and nay vote, ye Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Sweeney, Wilkinson, nay none.



**11,862** The President presented communication from Councilor Bona regarding the North Adams Youth Commission which was postponed at the meeting of May 26, 2020.

The Mayor stated that he and Councilor Sweeney attended a meeting and discussed the importance of the youth and their opinions. Since this commission was formed there have been many changes; there has been good feedback from the Northern Berkshire Community Coalition. A needs assessment should be made to look at what needs can to be served.

Councilor Bona requested that this should not be filed and feels that the Youth Commission should be active.

On motion of Councilor Bona, duly seconded by Councilor Sweeney, it was VOTED: to postpone to the meeting of January 11, 2020.

**11,891** The President presented communication submitted by Councilor Harpin regarding parking concerns on Protection Avenue which was postponed at the meeting of July 28, 2020.

Councilor Harpin stated that the Traffic Commission will be sending a communication.

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

**11,897** Communication submitted by Council President Hopkins recommending Ashley Shade to fill a vacancy on the Diversity, Equity and Inclusion Working Group.

Councilor Blackmer stated that she welcomes Ms. Shade to the group.

Councilor Lamb stated he was happy to have Ms. Shade to join the group.

There were no licenses to come before Council. The Council President called for Open Forum, hearing none.

The President called for Mayor's Concerns. The Mayor gave an update on COVID-19, there is information available on the state website, he stated no positive or active cases in over 14 days. MCLA will be having a testing site and will be working with our local health department. He stated that all students will need to have a flu shot before January 1. The Mayor spoke about a drought issue, the City of Pittsfield had a restriction, however, he stated that there are not restrictions here at this time. He stated cutting back lawn and garden watering and restraint on washing vehicles. He stated that the City's website will be going live tomorrow.

The President called for Committee Reports and Minutes. Councilor Lamb stated the Diversity, Equity and Inclusion Working Group is now changed to Inclusion Diversity, Equity Access

Working Group, IDEA.

The President called for Councilor Concerns. Councilor Wilkinson inquired who he would contact when the City Administrator leaves the City. The Mayor stated he would get the information out to him.

Councilor Lamb spoke on the Federal Census 2020, asking residents to please work with Census workers, they are in the field, door to door now. He also requested that residents dispose of masks, that have recently been littered throughout the City properly.

Councilor Sweeney stated that the next Traffic Commission is on September 16, 2020.

Councilor Bona commented that things are starting to reopen this weekend.

The President asked the City Clerk to give an update on the Early Voting for the September 1, State Primary election.

The City Clerk gave a brief overview of the Early Voting process and

The President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED: to adjourn at 9:19 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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

September 8, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Sweeney, Wilkinson, absent, Councilor LaForest.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

The President called for a motion to approve the minutes for the meeting of August 25, 2020.

On motion of Councilor Oleskiewicz, duly seconded by Councilor Blackmer, it was VOTED: to approve the minutes, Councilor LaForest abstained.

The President called for Hearing of Visitors, hearing none.

Without objection, the President moved to paper 11,898.

**11,898** The President presented Mayor's communication #46, a proclamation in support of Childhood Cancer Awareness Month.

The Mayor presented a proclamation in support for Cancer Awareness Month and introduced Joseph and Kathy Arabia, representing the AYJ Fund. The Arabias thanked the Mayor, Council and community for their support. They spoke about children that are fighting cancer right now, locally and gave updates on the mission and the strides that the medical community has made. They voiced their appreciation to the local residents and businesses that have been continually supporting the AYJ Fund.

Councilor Oleskiewicz thanked the Arabias and stated he would continue supporting the fund. Councilor Lamb thanked them for the work that they are doing and appreciates their dedication and persistence.

**11,826** The President presented an Ordinance amending the Revised Ordinances of the City of North Adams, regarding the various fees established in the City Code, which was postponed at the meeting of August 11, 2020.

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to postpone to the meeting of November 10, 2020.

**11,851** The President presented communication submitted by Councilor Moulton regarding public safety issues on Route 2, wall and building, which was referred to Public Safety Committee and postponed at the meeting of June 9, 2020.

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

Councilor LaForest stated that the Public Safety Committee heard testimony from the building owner and building inspector and safety has been maintained; they will continue to monitor.

Councilor Bona noted that he saw the safety barricades in the parking lot and stated that they are available if the need arises. Councilor LaForest again, reiterated that the area is safe at this time.

**11,876** The President presented communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area, which was postponed at the meeting of August 11, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of September 22, 2020.

Councilor Lamb stated that this was on the Public Safety Committee agenda, they are currently waiting for a report from the Traffic Commission.

Councilor LaForest stated that one of the discussion points, is the notion that if you invest in someone to do grants writing, the return is worth the investment. Currently, the City has approximately \$15,000 in a fund, this would provide the police department with additional resources to provide officers to enforce the ordinances that are on the books.

Councilor Lamb stated that the “hot spots” need to be addressed to keep people safe in areas, especially where there are children. He stated this supports the role in citing violations.

**11,811-1** The President presented an Ordinance amending Chapter 2, Article V, Section 2-37, entitled “Duty to furnish legal opinions”, which was passed to a second reading and published as required by law at the meeting of August 25, 2020.

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

The Ordinance was ordained by yea and nay vote, yea, Councilors Blackmer, Bona, Hopkins, Lamb, Oleskiewicz, Sweeney, nay, Councilors Harpin and LaForest, motion passes.

**11,895** The President presented communication submitted by Councilor LaForest regarding referrals to the Public Safety Committee which was postponed at the meeting of August 11, 2020.

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

Councilor Harpin inquired if there was any response to Councilor Laforest’s inquiries. Councilor LaForest stated that this communication no longer needs to be on Council. He stated that they will continue to work with the administration. He also stated that vehicle procurement was previously discussed as well.

**11,899** The President presented Mayor’s communication #47 a proclamation in support of Start with Hello Week.

The Mayor read the Start with Hello Week proclamation. Councilor Harpin stated that she participated in this last year and inquired if Councilors could participate again this year. The Mayor stated that at this time, he is unsure what it will look like virtually, but he will let the public and Council know sometime next week.

**11,900** The President presented Mayor’s communication #48, acceptance of donation from Ocean State Job Lot.

Without objection, the President filed the communication.

**11,900** The President presented an Order authorizing the Mayor in accordance with Massachusetts General Law, Chapter 44, Section 53A, to accept a donation from Ocean State Job Lot valued at \$11,000.

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

The Mayor stated that over the past weeks, Job Lot has been taking donations, they chose the City of North Adams' Police and Fire departments to donate the funds to. Councilor Blackmer inquired if this money was coming directly from Job Lot or from the local appeal. The Mayor was unsure how the funds were collected.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, nay none, motion passes.

**11,901**        The President presented Mayor's Communication #49 regarding acceptance of a grant through Massachusetts Department of Transportation, Shared Streets and Spaces program.

Without objection, the President filed the communication.

**11,901**        The President presented an Order authorizing the Mayor to accept a grant in the amount of \$44,483 from Mass DOT, Shared Streets and Spaces grant, in accordance with Massachusetts General Laws, Chapter 44, Section 53A.

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

The Mayor spoke about the grant that focused on how the City supports businesses downtown and pilot programs to use streets and sidewalks to promote outdoor dining through November. They worked with Stantec and hosted a meeting in July, he stated that these are temporary, flexible ideas.

Councilor Blackmer inquired what the timeline was, she stated tomorrow would be best. Zachary Feury, Office of Community Development, stated that it will begin shortly and wrap up around the beginning of October. Councilor Lamb inquired if this would continue into next year. The Mayor stated that it will be reconsidered in the future. However, it would need to be seen in practice to see if it is successful.

Councilor Bona stated that he would vote against this Order, reason being, he felt that other than restaurants, very few residents or businesses were consulted or involved in the process. He stated he has seen how this has affected other businesses in the area. Councilor Blackmer stated typically, it is easier to attract a restaurant than it is a store. She stated that she was disappointed, however, in how long it has taken to get this into action. Councilor Harpin stated that Autumn is a great time in the Berkshires and was curious as to the ending time for outdoor seating. The Mayor stated that November first would be the end time.

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Harpin, Hopkins,

LaForest, Lamb, Oleskiewicz, Sweeney, nay, Councilor Bona, motion passes.

**11,902** The President presented Mayor's communication #50 regarding transfer from the Tinker Fund to support Hillside Cemetery Restoration Project.

Without objection, the President filed the communication.

**11,902** The President presented an Order authorizing the Mayor to appropriate \$450.00 from the Tinker Fund to the Department of Public Services, Repairs, Maintenance.

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

The Mayor stated that the members of the restoration group requested these funds in order to finish their work through November. The Mayor stated that to date, there has been approximately 1,500 gravesites restored.

Councilor Lamb gave kudos to the group, stating that the work they do is impressive and appreciates their volunteer efforts.

Councilor LaForest inquired as to the balance of funds in the Tinker Fund. The Mayor stated he did not have that answer, he estimated \$40,000, but would let them know.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, nay none, motion passes.

**11,891-1** The President presented a report Submitted by Councilor Sweeney on behalf of the North Adams Traffic Commission regarding Protection Avenue.

On motion of Councilor Sweeney, duly seconded by Councilor LaForest, it was VOTED: to file the report.

Councilor Sweeney spoke about the Protection Avenue area with the S curve being dangerous. There was a Traffic Commission meeting and many residents attended, voicing concerns.

**11,891-1** The President presented an Ordinance amending Chapter 13, Article V, Section 13-49, entitled "Parking prohibited on certain streets", relative to expanding no street parking on Protection Avenue.

On motion of Councilor Harpin, duly seconded by Councilor Blackmer, it was VOTED: to pass

to a second reading and publish as required by law.

**11,891-1** The President presented an Order regarding installation of “No Parking” signage on the easterly and westerly sides of Protection Avenue.

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

Councilor Blackmer inquired what the reference was to Quincy Street, southerly side. Councilor Lamb stated that the Ordinances are written in alphabetical order, so therefore, we wanted to make it as straightforward as possible. By adding “insert” before or after the alphabetical order in the Ordinance itself.

The City Clerk inquired if the Order can be passed prior to the Ordinance, as it still needs to be passed to a second reading. The President confirmed with Councilor Lamb that the Order specifically references the Ordinance, therefore would not be in effect until that time.

The Order was adopted by yea and nay vote, yea, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, nay none, motion passes.

**11,860-1** The President presented an Ordinance amending Chapter 13, Article IV, Section 13-42, entitled “Obedience to isolated stop signs or signals,” relative to adding stop signs to the intersection of East Main Street, Miner Street and Pleasant Street.

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

Councilor Blackmer stated that there was a short study, there was no long-term observation. She stated the problem is Miner Street, there should be a “slowdown” or “no left turn” going up East Main Street. She stated that the issue should be addressed by enforcement. She requested statistics as to the amount of accidents in this area. Councilor LaForest stated his reservations of inserting a “Stop” sign with no other warning signs or safety signage erected there. He stated he felt there is an enforcement issue as well, however, a self-policing effort should be addressed.

Councilor Lamb stated that the up-coming papers all coincide with this area. He stated that signage, decreasing the speed limit. as well as enforcement, all need to work together. He stated that even if one more accident is avoided in this area, these orders will have done thier job; it will be a much safer area. He stated, when school is back in session, it will be a primary area for pedestrians. Councilor Oleskiewicz stated that he agreed with Councilor Blackmer, he stated safety signs and a lesser speed limit would suffice, he did not agree with a “Stop” sign.

Councilor Harpin agreed that it is a dangerous intersection, she stated that several neighbors wanted to see a change in this area. She stated a “Stop” sign may prevent residents for using it



as a short cut to Main Street. She inquired if there could be some type of solar powered signage in that area to deter the speed.

Councilor LaForest stated he would certainly look into the signage.

Councilor Blackmer stated Miner Street is used for a cut through and she stated she has had several issues in that area. She stated her husband, who has public safety experience disagrees with a "Stop" sign in this area as well.

Councilor Bona stated he would support the sign, if it does not work, it can always be removed. He stated his concern would be enforcement, it will be a difficult task, as the police do not seem to have the time to police all the areas.

Councilor Sweeney stated that the Traffic Commission meeting was a very well attended meeting and many residents had concerns. She stated she would support the Order.

Councilor LaForest stated that this Order has been before Council for ten months. He stated, "we cannot underfund our police department and expect them to man all stop signs and red lights throughout the community; there is a responsibility to the Council and executive office of the City and residents to self-police." He stated that this is not a reason not to make laws and Ordinances.

The Ordinance was passed to a second reading by voice vote. Councilor Blackmer and Oleskiewicz voted no, motion passes.

**11,860-1** The President presented an Order regarding installation of "Stop" sign on East Main Street, westbound drivers, at Miner Street and Pleasant Street and a "Stop Sign Ahead" sign no less than 100 feet east of aforementioned "Stop" sign to inform drivers.

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

Councilor Lamb stated that this sign will coincide with the signage in the previous Ordinance.

The Order was adopted by ye and nay vote, ye, Councilors, Bona, Harpin, Hopkins, LaForest, Lamb, Sweeney, nay Councilor Blackmer and Oleskiewicz, motion passes.

**11,860-2** The President presented an Ordinance amending Chapter 13, Article IV, Section 13-26, entitled, "Special speed regulations," relative to lowering speed limits at and around the intersection of East Main Street, Miner Street and Pleasant Street.

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

Councilor Lamb stated that this road has been a challenge as a pass-through. A 25 mile and hour speed limit will contribute to safety and help with behaviors in this area.

**11,860-2** The President presented an Order regarding installation of revised “Special speed regulations” speed limit signage at intersection of East Main Street, Church Street and Route 2.

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

The Order was adopted by ye and nay vote, ye, Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, nay none, motion passes.

The President called for Hearing of Visitors, hearing none.

The President called for Mayor’s Concerns. The Mayor stated that the current balance in the Tinker Fund was, \$41,160.56, inclusive of the amount approved. He stated that the East Main Street line painting should be completed this week; the contractor had a limited number of line painters.

The Mayor stated the School Committee met this evening regarding a memorandum of agreement with the North Adams Teachers bargaining unit that was approved. This paves the way for the start of the school year. He thanked the School Committee and teachers.

The President called for Committee Reports, hearing none.

The President called for Liaison Updates and Councilor Concerns. Councilor Sweeney stated that the Artist Impact Coalition has been hosting monthly anti-racism conversations. The comments have been powerful and has been well received. They are Zoom calls and more information can be found on Common Folk’s Facebook page.

Councilor Blackmer stated there is an MMA meeting on “social media”, next Wednesday night discussing engaging constituents and using it effectively. She stated there would be one in November as well, on immigration. She encouraged Councilors to attend.

Councilor Lamb thanked the Office of the City Clerk for their work on the September 1, State Primary Election.

Councilor Lamb stated the Inclusion Diversity Equity and Access group has been meeting and one thing that has come up is Councilors’ participation.

Councilor Lamb spoke about the Elizabeth Freeman Center, “Walk a Mile” fundraiser, stating that there is a walk at 5:30 on Monday in North Adams, if anyone would like to support the walk.

Councilor Oleskiewicz echoed Councilor Lamb and thanked the City Clerk’s Office for their work on the election.

The President also thanked the Clerk and stated that there was a great turnout for the election, with over 1,800 mail-in ballots and 100 absentee ballots sent out.

The President called for a motion to adjourn.

On motion of Councilor Lamb, duly seconded by Councilor Oleskiewicz, it was VOTED: to adjourn at 8:52 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

Deborah M. Pedercini

City Clerk

### Regular Meeting of the City Council

September 22, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson, absent, Councilor Sweeney.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

A moment of silent remembrance was held for Karen Freitag, site coordinator, North Adams School department.

The President called for a motion to approve the minutes for the meeting of September 8, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to approve the minutes, Councilor Wilkinson abstained.

The President called for Hearing of Visitors, hearing none.

**11,790** The President presented communication submitted by Councilor Bona regarding short term rentals and the requirements of the City that was postponed at the meeting of August 25, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to postpone to the meeting of March 9, 2021.

**11,860** The President presented communication submitted by North Adams Traffic Commission recommending stop signs at the intersection of East Main, Pleasant

and Miner Streets which was referred to Public Safety Committee and postponed at the meeting of August 25, 2020.

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

**11,859** The President presented communication submitted by Councilor Lamb addressing various safety issues regarding sidewalk ordinances, which was postponed at the meeting of August 25, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of November 10, 2020.

**11,876** The President presented communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area, which was postponed at the meeting of September 8, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of October 13, 2020.

**11,891-1** The President presented an Ordinance amending Chapter 13, Article V, Section 13-49, entitled "Parking prohibited on certain streets", relative to expanding no street parking on Protection Avenue which was passed to a second reading and published as required by law at the meeting of September 8, 2020.

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

The Ordinance was ordained by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**11,860-1** The President presented an Ordinance amending Chapter 13, Article IV, Section 13-42, entitled "Obedience to isolated stop signs or signals," relative to adding stop signs to the intersection of East Main Street, Miner Street and Pleasant Street, which was passed to a second reading and published as required by law at the meeting of September 8, 2020.

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

Councilor Blackmer discussed the data that was collected for the area and stated her concerns that a stop sign in this area would be dangerous and feels it will cause more accidents. She stated she hoped other Councilors would reconsider.

Councilor Harpin thanked Councilor Blackmer for gathering the information and stated it was informative. However, she feels there have been too many accidents in the area and felt that the Stantec report was reliable and will approve the stop sign.

Councilor Blackmer clarified there was not an engineering study done, they came, looked and were gone within fifteen minutes.

The Ordinance was ordained by yea and nay vote as follows; yea, Councilors, Bona, Harpin, Hopkins, LaForest, Lamb, nay, Councilors Blackmer and Oleskiewicz. Councilor Wilkinson absent for vote.

**11,860-2** The President presented an Ordinance amending Chapter 13, Article IV, Section 13-26, entitled, "Special speed regulations," relative to lowering speed limits at and around the intersection of East Main Street, Miner Street and Pleasant Street, which was passed to a second reading and published as required by law at the meeting of September 8, 2020.

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

Councilor Bona inquired if the Council should continue as Councilor Wilkinson is absent. It was decided to continue.

The Ordinance was ordained by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, nay none. Councilor Wilkinson absent for vote.

**11,883-e** The President presented Mayor's communication #51 presenting the Operating Budget for Fiscal Year 2021.

Without objection, the President placed the communication on file.

**11,883-e** The President presented an Order appropriating the sum of \$41,006,102 to be raised by taxation for FY 2021.

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

On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED: to amend the budget to read the sum of \$40,939,756.

Councilor Blackmer clarified why the budget was amended; the original Order was being offset, therefore, not being included, it was realized by the finance Committee that it was incorrectly presented. The orders that are forthcoming makes this budget work.

Councilor LaForest called for clarification on the upcoming Orders transferring funds. The Mayor stated at this time, he wanted to go through the budget presentation.

The Mayor presented the City's FY2021 budget. The expense budget of \$40,939,756 consists of funds raised by taxation; there are additional offsets totaling \$3,000,000, however those are not covered by the expense budget, offset items are not included. The Mayor apologized for the confusion.

The Mayor stated that as this year is unusual due to the shut down at the State and Federal level there was much uncertainty. It was decided to present continuation budgets with the goal of October 1 as a passed budget. The Mayor gave a slideshow presentation of the full budget and discussed the past three months spending plans.

Councilor Harpin inquired if there would be any decrease in services to the community.

Councilor LaForest inquired as to how the funds were reduced. The Mayor stated there were cuts to seasonal workers in the amount of approximately \$92,000 as well as Veterans Services projections in the amount of \$125,000 and minor shifts in various departments.

The Mayor discussed the proposed budget offsets in several categories in the total of \$320,427.

Councilor LaForest stated he had concerns about how the funds are pulled. He inquired about the Capital outlay plan that is supposed to be submitted each year to the Council. He stated that the Council has not seen this plan and is concerned that there is not a plan going into the next decade. Further, he stated that some of the expenses do not seem to be consistent with the intent of the accounts. For example, the Landfill Reserve Account is specific to the Landfill, however \$40,000 is being appropriated for paving in a following Order. He stated there have not been any layoffs or cuts in what has been a very difficult year, he stated he certainly understands that each month finances have been uncertain. However, "we are level-funding the school when they are sitting on a million-dollar tuition reimbursement account and is concerned about the tax rate".

Councilor LaForest stated, "North Adams seems to be running a city it cannot afford to run and at some point, it is going to catch us".

The Mayor stated that he has some of the same concerns that Councilor LaForest spoke about and stated he would like to continue with the presentation.

Councilor Harpin stated her concerns for all the difficult decisions that will need to be made. She voiced her concern for the City and the money that is being used from the reserves stating that we don't know where the City will be in a year from now. She echoed Councilor LaForest with regards to having no cuts made.

The Mayor responded stating that he agrees with Councilor Harpin and this is not a choice that he makes with excitement, he stated that it is a recommendation to balance the impact of the tax burden versus the burden on the reserves.

Councilor Wilkinson stated that he is "offended that the Council is spending so much time on items that were already discussed at the Finance Committee meetings." He stated that he was

“especially offended by Councilor Harpin, who bailed out on us and now wants us to answer all these questions, this is absolutely ridiculous.” Council President asked Councilor Wilkinson to refrain. Councilor Wilkinson apologized.

Councilor Bona stated there are times that Councilors are not able to make the meetings, and felt it was important to ask questions. He asked the Mayor what the difference would be on the average tax bill. He stated that he would support the plan in front of the Council, in light of the situation this year. However, the funds that are being used are coming from the Cemetery line item; seasonal workers were cut, therefore causing the regular workers to maintain the cemeteries, which is taking time away from maintaining the usual work throughout the City, including the downtown. He further stated that similar to the Parking Meters money, that is used to fund police vehicles, even though it is money being generated because of downtown. He again stated that he would support the Order.

Councilor LaForest read the Ordinance from Section 7-11 subsection H, “all funds generated from the operation of the Transfer Station shall not be expended, but shall be accounted for in a separate ledger account, marked “Transfer Station Receipts” and such funds shall be, in each fiscal year, reserved for future appropriation. It is the intent of this section to reserve these funds for Transfer Station operating costs, capital expenditures at the Transfer Station and future landfill closure costs as the City Council in any fiscal year shall deem appropriate.”

He voiced his dismay with Councilor Wilkinson and stated that the recommendation of the Finance Committee is insufficient and feels that more questions need to be answered. He stated “the City cannot continue to spend what it has always been spending, what year are we actually going to worry about how much money the City is spending and how much money we are putting on the backs of the taxpayers.” He further stated “if we put this budget out to vote, it would be voted down by the taxpayers.”

Councilor Lamb stated that we need to keep in mind that the state is doing the same thing on a larger scale. He stated that besides the local taxes, the state will most likely be raising the state rates as well. He feels any buffer that can be done for this given year is important as the coming years will be equally as difficult. He did further state that there a number of things that need to be addressed that have been put off for several years. He referred to the infrastructure and watermain and how costs have risen to complete the work. He stated that he looks forward to seeing the plan from the Mayor as to how these things will be addressed.

Councilor Blackmer stated that the Lieutenant Governor confirmed today that UGA funding to the communities is official. In 2009 the City had to deplete reserves, she stated it was detrimental to the City and is happy to see the commitment from the state.

Councilor Blackmer inquired if the transfer from the Landfill Reserve was for paving at the landfill. The Mayor stated that it was for general paving, therefore, the Order for \$40,000 from the Landfill should not be approved if Councilor LaForest’s findings are correct; the labor piece of the Order is however eligible. He further stated that this does not change taxation amount, just the category.



Councilor Harpin stated that she ran to be a City Councilor to represent the people of North Adams and she has done this to the best of her ability. She stated “when I feel like I am being attacked or threatened for questions that I ask in my role as a City Councilor then it is not a role I am really apt to pursue.” She stated that due to those reasons she left the Finance Committee. She hopes that she can go back on without being attacked. She feels that she is asking questions of the budget on behalf of the residents and that it should be televised for all to see. She stated that it is a difficult situation and everyone is doing their best.

The Mayor stated that he would like to continue with the revenue side with assessments. He continued to present the breakdown of revenue to the City. He spoke about the tax levy and the 2.5% above the prior year plus new growth, which is the new development or changes to properties. He stated that they could not tax to the limit this year, however, this was a property evaluation year.

Councilor Bona stated that there actually was a decrease in the budget, if you consider level funding. He stated that it is a challenge every year with the budget, he was hopeful that additional taxes will come into play such as Cumberland Farms, Greylock Works and Wallstreeter buildings.

Councilor Lamb inquired as to what the amount of the increase to each household would be. The Mayor stated he did] not have a calculation at this time.

Councilor LaForest stated that level funding is inconsistent, the following year will not be better, we need to be prepared. He stated that the properties that Councilor Bona mentioned should be paying taxes right now. He stated that the City has a huge shortfall with things not being taxed the way they are supposed to be and we are hearing that if we do not take the funds out of savings, we are going to have to put it on the property owners. He stated “that is not how it works, you just cut the budget beyond the 2%; we are screaming down a slippery slope and at some point, we are going to run into something.”

Councilor Blackmer sated that this was addressed by the Assessor, the new growth needs to be assessed, she stated that the properties are not complete and has to be approved by the DOR. She stated that she trusts the Assessors actions.

Councilor Harpin inquired if the valuations would be going up. The Mayor stated he did not have the new growth number at this time.

The Budget was read by Councilors Blackmer and Bona.

### **General Government**

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to accept the total for General Government at \$1,245,525.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**Public Safety**

On motion of Councilor Bona, duly seconded by Councilor Oleskiewicz, it was VOTED: to accept the total for Public Safety at \$5,124,867.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none, Councilor Harpin abstained.

**Public Services**

On motion of Councilor Bona, duly seconded by Councilor Wilkinson, it was VOTED: to accept the total for Public Services at \$3,218,864.

Councilor LaForest inquired if the staff at the Library are currently working. The Mayor stated some employees are working from home and some are in the Library. He stated there was a lot of circulation happening and that the staff is catching up on projects and cleaning.

Councilor Harpin inquired if the Public Services building and City Hall are open yet. The Mayor stated that they are by appointment only at this time and staff is reporting.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**School Department**

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to accept the total for School Department at \$17,769,074.

Councilor LaForest stated he would vote no on this, due to the fact the School Department has an abundance of funds from the School Choice funds. The Mayor clarified that there was \$233,000 that the School Committee approved already coming from these funds. Councilor LaForest thanked the Mayor for the clarification.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Oleskiewicz, Wilkinson. Councilor Lamb abstained.

**Pensions**

On motion of Councilor Blackmer, duly seconded by Councilor Wilkinson, it was VOTED: to accept the total for Pensions at \$3,077,869.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**Unclassified**

On motion of Councilor Blackmer, duly seconded by Councilor Lamb, it was VOTED: to accept the total for Unclassified at \$8,453,921.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**Capital**

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to accept the total for Capital at \$858,700.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**Interest**

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to accept the total for Interest at \$444,624.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**Debt**

On motion of Councilor Blackmer, duly seconded by Councilor Bona, it was VOTED: to accept the total for Debt at \$746,312.

The line item was approved by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

On motion of Councilor Blackmer, duly seconded by Councilor Oleskiewicz, it was VOTED: to adopt the Order as amended for a total of \$40,939,756.

The Order was adopted as amended by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**11,883-f**      The President presented Mayor's communication #52 regarding the transfer of \$82,593 from Municipal Access Technology Fund to the Information Technology Account.

Without objection, the President placed the communication on file.

**11,883-f**      The President presented an Order authorizing the appropriation of \$82,593 from the Municipal Access Technology Fund Account to General Government, Information Technology Fund Account.

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

Councilor Lamb inquired if this is an allowable function of the reserve fund. The Mayor clarified that it was.

The Order was adopted by yea and nay vote as follows; yea Councilors Blackmer, Bona,

Harpin, Hopkins, Lamb, Oleskiewicz, Wilkinson, nay, Councilor LaForest.

**11,883-g** The President presented Mayor's communication #53 regarding the transfer of \$18,400 from Parking Meter Reserve Account to the Traffic and Parking Control budget.

Without objection, the President placed the communication on file.

**11,883-g** The President presented an Order appropriating the sum of \$18,400 from the Parking Meter Reserve Account to General Government, Traffic and Parking Control.

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

Councilor LaForest inquired if the appropriations from the ten-year purchase plan will affect the budget. The Mayor stated it would not negatively affect the account.

The Order was adopted by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, Wilkinson, nay, Councilor LaForest.

**11,883-h** The President presented Mayor's communication #54 regarding the transfer of \$129,553 from the Landfill Reserve Account to Capital Expense budget.

Without objection, the President placed the communication on file.

**11,883-h** The President presented an Order appropriating the sum of \$129,553 from the Landfill Reserve Account to Public Safety, Health Inspection Services, Capital Expenses.

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

Councilor LaForest reiterated his concerns with the funds being inappropriate; he read the Ordinance stating the use of funds were to be used for operation of the Transfer Station, operating costs and landfill closure costs.

Councilor Bona inquired if he could have clarity on this. Councilor Lamb stated that based on the reading of the Ordinance it does not comply.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to amend the Order to \$89,553.

Councilor Bona inquired how this would affect the budget. The Mayor stated that it would add \$40,000 to the amount to be raised by property tax.

The Order was adopted as amended by ye and nay vote as follows: ye Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

**11,883-i** The President presented Mayor's communication #55 regarding the transfer of \$89,881 from the Sale of Cemetery Lots Account to the Public Services budget.

Without objection, the President placed the communication on file.

**11,883-i** The President presented an Order appropriating the sum of \$89,881 from the Sale of Cemetery Lots Account to Public Services Administration, Cemetery.

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

The Order was adopted by ye and nay vote as follows: ye Councilors Blackmer, Bona, Harpin, Hopkins, Lamb, Oleskiewicz, nay, Councilors, LaForest and Wilkinson.

**11,883-j** The President presented Mayor's communication #56 regarding Aquatic Vegetation Management, Windsor Lake.

Without objection, the President placed the communication on file.

The Mayor spoke about the invasive vegetation that are out of control at Windsor Lake and the need to address the issue in order to protect the lake.

The Mayor stated that the City will put the \$10,000 recommended by the ESS Group aside each fiscal year thereafter to address this issue.

**11,883-j** The President presented an Order appropriating the sum of \$35,100 from the Stabilization Account to Windsor Lake Services Purchased.

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

On motion of Councilor LaForest, duly seconded by Councilor Harpin, it was VOTED: to amend the Order to read the sum of 35,100 be and is hereby appropriated from the Stabilization account to Windsor Lake Services Purchased, pull the Capital Expense out of the Landfill Reserve and add into Stabilization in the amount of \$40,000 to road paving.

Councilor Bona inquired as to what Councilor LaForest's reasoning was.

Councilor LaForest stated that the pot holes need to be filled, the \$40,000 needs to be found somewhere. He did not want to see this amount tacked on to the tax rate. He felt that this solution would comply with our Ordinances.

Councilor Lamb agreed that the work on the roads needs to be done, however felt that possibly at the next meeting there could be an additional Order from Stabilization to keep the transfers cleaner.

Councilor Bona did not believe that the Council had the authority to change where the appropriation is coming from.

Councilor LaForest rescinded his motion.

Councilor Blacker stated that the money should be put in the budget, not out of the Windsor Lake. Councilor LaForest clarified that it would be coming from the Stabilization account.

The Order was adopted by yea and nay vote as follows; yea Councilors Blackmer, Bona, Harpin, Hopkins, LaForest, Lamb, Oleskiewicz, Wilkinson. Nay none.

There were no licenses to come before Council.

The President called for Hearing of Visitors, hearing none.

The President called for Mayor's Concerns. The Mayor gave a last call to respond to the Federal 2020 Census.

The Mayor spoke about voter registration and the upcoming election.

There will be an Urban Agenda input session September 30 in collaboration with NBCC and BRPC, there will be presentations and information. He spoke about COVID-19, stating there are 57 cases, testing site near the Library is open. The Mayor congratulated Councilor LaForest and gave recognition for being part of Berkshire 25.

The President called for Committee Reports, hearing none.

The President called for Liaison Updates and Councilor Concerns.

Councilor Harpin inquired when the training for Councilors will be. Councilor Lamb stated that the draft dates are getting established and there is a meeting coming up and should have the training piece shortly.

Councilor Lamb requested a report from the Mayor in regards to the drought at the Reservoir. The Mayor stated that he would provide information shortly.

Councilor Bona commented that the local COVID center only allows for surgical only, you still have to travel to Pittsfield.

Councilor LaForest inquired if there would be Christmas lights on Main Street this year. The Mayor responded, that there would be lights.

Councilor Oleskiewicz gave recognition to police officer, Rob Barrett, who is being deployed and thanked him for his service

The President called for a motion to adjourn.

On motion of Councilor Blackmer, duly seconded by Councilor LaForest, it was VOTED: to adjourn at 9:53 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

Deborah M. Pedercini  
City Clerk

### Regular Meeting of the City Council

October 13, 2020

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

COUNCILORS PRESENT: Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, Wilkinson, absent, Councilor Harpin.

Council President Hopkins read the following statement regarding COVID-19. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Adams City Council is being conducted via remote participation and in City Council Chambers. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

A moment of silent remembrance was held remembering Neil Giroux, who served the City as a City Council member and as its City Solicitor.

The President called for a motion to approve the minutes for the meeting of September 22, 2020.

On motion of Councilor Lamb, duly seconded by Councilor Blackmer, it was VOTED: to approve the minutes, Councilor Sweeney abstained.

The President called for Hearing of Visitors, hearing none.

**11,876** The President presented a communication submitted by Councilor Lamb addressing speed limits and safety concerns in the Autumn Drive and Birchwood Terrace area, which was postponed at the meeting of September 8, 2020.

On motion of Councilor Lamb, duly seconded by Councilor LaForest, it was VOTED: to postpone to the meeting of November 10, 2020.

Councilor Lamb stated that there were delays due to Traffic Commission meetings and that there was a traffic study done and a report is forthcoming.



**11,903** The President presented Mayor's communication #57 regarding the acceptance of COVID-19 Response Grant for Election Support.

Without objection, the President filed the communication.

The Mayor gave credit to the City Clerk for obtaining the grant and thanked her for her hard work during a challenging election season and stated that the resources will help with the conduct of our election.

**11,903** The President presented an Order authorizing the Mayor to accept a grant from the Center for Tech and Civic Life in the amount of \$7,742 for the purpose of safe and secure election administration.

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

**11,904** The President presented Mayor's communication #58 regarding the acceptance of Community Choice Power Supply Program aggregation plan.

Without objection, the President filed the communication.

**11,904** The President presented an Order authorizing the Mayor to accept the Community Choice Power Supply program as prepared by Colonial Power Group, Inc.

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

Mark Cappadona, a principal with Colonial Power Group, Inc. said the rate will be going down to \$9.95 per kilowatt-hour in November compared to the National Grid rate of \$12.388. more than a hundred plants across the state have been added and that this version will update those changes.

Councilor Blackmer gave her support and stated it was a good idea to give the residents an opportunity to make a choice.

Councilor Wilkinson inquired as to the savings to residents, Mr. Cappadona stated about \$12.00 per month.

Councilor Bona inquired if all residents would be put on the program and then have the option to opt out. Mr. Cappadona stated that you can opt out at any time, this would be for new customers

that have moved in the community. If you opted out in the past, you will not automatically be put on the program.

Councilor Bona inquired if they would lose any benefits. Mr. Cappadona stated that the service would be exactly the same.

Councilor Oleskiewicz wanted clarification if the Commercial rate would be different, Denise Allard, Colonial Power gave the rates.

Councilor Bona stated he would support the program and stated he has been happy with service.

The Order was adopted by yea and nay vote as follows; yea Councilors Blackmer, Bona, Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, Wilkinson. Nay none.

**11,905** The President presented Mayor's communication #59 recommending Michael F. Nuwallie for appointment to the Hoosac Water Quality District to fill the unexpired term of Michael Canales for a term to expire April 8, 2023.

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

**11,906** The President presented communication submitted by Councilor Lamb regarding Inclusion, Diversity, Equity, Access Working Group training program for City Councilors.

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

**11,906-a** The President presented communication adding Council Rule #28 regarding Inclusion, Diversity, Equity Access required training for City Councilors.

On motion of Councilor Blackmer, duly seconded by Councilor Laforest, it was VOTED: to adopt the Council Rule.

Councilor Lamb read the communication into the record.

Councilor Lamb read the Council Rule #28 as follows: Council Rule 28 – Required Training

As part of their role as a City Councilor, each duly elected councilor must participate in the Inclusion, Diversity, Equity and Access training program during each 2-year term in office. This training will be offered during the first 60-90 days of each year. This training will provide a core

set of information and tools that councilors are expected to integrate into their work on the council. Participation in these trainings will be recorded through the City Clerk's office and reported out publicly at the first regular City Council meeting of April of each year to indicate who has and has not completed said training.

Councilor Lamb stated that having a public awareness for public accountability was important.

Councilor Wilkinson inquired what the training involved. Councilor Lamb stated that there was a survey sent to all Councilors as well as the Mayor. The training has not taken shape as of yet, the goal is to make it fit as well as possible for time restrains and the first round will be virtual but will take shape and the Council will be updated on progress.

Councilor Bona inquired if it would be similar to the ethics training on your own schedule. He stated that the Council would be approving something without not knowing what the training will be.

Councilor Lamb stated that the Council did approve moving forward with a training protocol. The IDEA is looking at best practices and are developing as they go; part of the training will be in real time due to conversations that need to be in person. He stated that the AG's office stated it would be a training and not a public meeting that would need to be recorded or viewed by the public.

Councilor Bona stated that he would support the training. Councilor Wilkinson stated he would support the training as well.

Councilor Lamb stated that there have been many hours put into this and he stated he appreciated the support.

Councilor Sweeney stated that if a new set of Councilors were elected they would have to continue with training.

Councilor Bona inquired what would happen if a Councilor chooses not to participate. Councilor Lamb stated that it would ultimately be an accountability issue, as the Councilors would be singled out publicly.

**11,907**            The President presented an Order calling the State Election for November 3, 2020, 7:00 AM to 8:00 PM.

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

The Order was adopted by yea and nay vote as follows; yea Councilors Blackmer, Bona,

Hopkins, LaForest, Lamb, Oleskiewicz, Sweeney, Wilkinson. Nay none.  
There were no licenses to come before Council.

The President called for Hearing of Visitors, hearing none.

The President called for Mayor's Concerns.

The Mayor gave a report on COVID-19, he stated there has been a very low incidence, but we will continue to monitor. He stated it is important for residents to get a flu shot and continue social distancing and the use of face coverings.

The Mayor gave an update on the water levels at the Reservoir stating that the levels are on the rise and in a positive direction, there are no restrictions at this time. He did however caution of fires with the dry areas.

The Mayor congratulated Councilor Lamb on achieving recognition to "Forty under Forty".

The Mayor gave brief information regarding the State Election.

The President called for Committee Reports, hearing none.

The President called for Liaison Updates and Councilor Concerns.

Councilor Bona asked the City Clerk to give the Early Voting information. The City Clerk provided the dates and times for Early Voting at City Hall from October 17 through October 30, 2020.

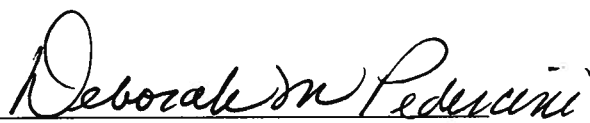
Councilor Lamb reminded the Councilors to fill out the survey form for the IDEA meeting. He mentioned that it is Domestic Violence Awareness month and there will be a standout in front of City Hall at 5:30 to 6:30 pm with Men Initiating Change in North County against domestic violence, on October 20, 2020.

Councilor Sweeney mentioned that on October 20 there will be a conversation on anti-racism hosted by Artists Impact Coalition and Common Folk, you can reach out to Councilor Sweeney.

The President called for a motion to adjourn.

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

A True Record  
Attest,

  
City Clerk