

Regular Meeting of the City Council

October 27, 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, 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.

A moment of silent remembrance was held remembering Daryl Roy, police officer for the City of North Adams.

The President called for a motion to approve the minutes for the meeting of October 13, 2020.

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

The President called for hearing of visitors.

Bryan Sapienza, 113 Pleasant Street, gave his support about Council paper 11,683-1a, Notre Dame Church sale to David Moresi, stating he was looking forward to the positive things to come in that area. He also inquired about Councilor paper 11,910 for a pet ordinance and how it would affect the local breeders.

Leslie Lupino, Pittsfield, MA, Berkshire Voters for Animals, spoke about the ban of retail sale of cats and dogs from pet stores. Gave a history of the organization and spoke about six other towns across the Commonwealth that have passed ordinances on this issue.

Stacey Ober, Yarmouth, MA, Community outreach for the AKC in New England, she stated that the draft language in the proposed ordinance is inconsistent with state regulatory for animal rescue and would like to be a resource to the Council as they gather information prior to a vote on the ordinance.

Colin Lovas, Stockbridge, MA, volunteer, Humane Society and member of Berkshires Voters for Animals, gave his support for the banning of sale of pets and the ordinance.

Judy Embry, 51 Blackstone Road, Florida, MA, gave her support for the ordinance and spoke on the puppy mill process and the abuse and illnesses that arise from the sale of these animals.

Marty Meyers, Windsor, MA gave her support, she stated that reputable breeders would not be a part of this. She stated that over many years they have adopted several puppy mill and abused dogs and can attest to the need for this ordinance.

11,908 The President presented Mayor's communication #60 recommending the reappointment of Gail Sellers to the Massachusetts Museum of Contemporary Art Cultural Development Commission for a term to expire February 1, 2023.

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

11,909 The President presented Mayor's communication #61 recommending the appointment of Robert Davis to the Massachusetts Museum of Contemporary Art Cultural Development Commission for a term to expire February 1, 2023.

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

11,683-1a The President presented Mayor's communication #62 regarding the sale of real estate, Notre Dame Church and School located at 222 and 214 East Main Street.

The Mayor gave a brief history of the RFP process and stated that Mr. Moresi's proposal is before the Council for approval and he gave support for the proposal.

11,683-1a The President presented an Order authorizing the Mayor to sell property located at 222 and 214 East Main Street, Notre Dame Church and School, Map#125 Lots 55 and 56 that are available for disposition, to Moresi Commercial Investments, LLC, for \$10,000.

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

Councilor Wilkinson inquired as to what the assessed rate the property would be taxed at. The Mayor stated that it would be the current assessment.

Councilor LaForest stated he was happy to see this move forward, however, would have liked to have seen it happen two years ago. He gave his support for the proposal and felt that it would be a good fit for the downtown area.

Councilor Blackmer gave her support and inquired if the taxes would change, after a re-valuation, the Mayor Stated that it quite possibly could change.

Councilor Lamb gave his support, especially in the investment of housing in the downtown as there currently is a need. He stated that Mr. Moresi has a proven record and is excited to see the project moving forward.

Councilor Harpin echoed other Councilors in their support for the project and Mr. Moresi's commitment. She also thanked Eric Rudd for his efforts in his proposal.

Councilor Oleskiewicz gave his support and stated that Mr. Moresi is a man of action and thanked him for his commitment to the City.

Councilor Wilkinson stated his support and stated there was no disrespect toward Mr. Rudd, he has done wonderful creative work in the City.

The Order was adopted by yea and nay vote as follows; yea Councilor Blackmer, Bona, Harpin, Hopkin, LaForest, Lamb, Oleskiewicz, Sweeney, Wilkinson, nay none.

8,717-39 The President presented Mayor's Communication #63 setting the public hearing date for Tax Classification for Fiscal Year 2021 at November 10, 2020 at 7:30 PM.

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

11,910 The President presented communication submitted by Councilor Harpin regarding puppy mills in pet stores and sale of dogs, cats and rabbits in retail stores, unless they are obtained from an animal shelter or rescue organization.

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

11,910 The President presented an Ordinance amending Chapter 27, entitled Dog Regulations, adding a new Section 27-12, entitled Prohibition of the Sale of Dogs, Cats, or Rabbits by Pet Shops.

Councilor Harpin made a motion to refer to Public Safety Committee.

Councilor Oleskiewicz stated he felt that this Ordinance should be referred to General Government Committee.

On motion of Councilor Harpin, duly seconded by Councilor Bona, it was VOTED: to refer to Public Safety.

Councilor LaForest echoed Councilor Oleskiewicz stating revision of Ordinances are typically General Government Committee.

Councilor Bona stated that the reason he feels it should go to Public Safety Committee is that it could involve enforcement and animal control, inspections and license.

Councilor LaForest stated that there are statutory language issues and there currently are several bills before the Commonwealth that will be affected by revision and legislature, therefore it should be before General Government.

Councilor Blackmer agreed with Councilor LaForest stating that if the state is working on something, we should wait and adopt the ordinance accordingly at that time.

Councilor Lamb stated it does require some discussion, however, felt that if more communities support the action, it will help inform the legislators to move forward.

Councilor Harpin stated that there is no guarantee that it would be passed by the state; in the mean time we could move forward and it would be progress for the safety of the animals. She stated whatever committee the Council decides is fine.

On motion of Councilor Wilkinson, duly seconded by Councilor Harpin it was VOTED: to amend to refer to General Government and postpone to the meeting of December 8, 2020.

Councilor Blackmer stated that what is done regionally will affect our community and there is no control, only our community. She did not want to have an impact on the responsible breeders and AKC.

Councilor Bona inquired how you would determine the breeders and what the definition would be.

Leslie Lupino, Berkshire Voters for Animals, stated it was directed towards retail sale, not to inhibit the responsible breeders.

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, and stated how important it was for residents to get a flu shot and continue social distancing and the use of face coverings.

The Mayor spoke about the North Adams Microenterprise Assistance Program in collaboration with the Franklin County CDC, that the Office of Community Development is offering to local

small businesses. In addition, the Commonwealth of Massachusetts is offering a COVID-19 Small Business Grant Program.

The Mayor provided the hours for Halloween, 5:30 to 7:00 PM and encouraged all to participate in a contactless manner and wear a mask in addition to costume mask.

The Mayor spoke about the winter parking ban beginning November 1, 12:00 AM through April 15, stating no parking on sidewalks at any time.

The Mayor provided the information on the State Election on November 3, 2020 from 7:00 AM to 8:00 PM.

The President called for Committee Reports, hearing none.

The President called for Liaison Updates and Councilor Concerns.

Councilor Sweeney thanked the City Clerk's office for their hard work on the election.

Councilor Sweeney spoke about her concerns over the recent Zoom meeting that was racially attacked.

Councilor Harpin stated that October is Domestic Violence Awareness month and wanted to thank all the parties that contributed to the programs. She provided the 24-hour Elizabeth Freeman Hotline number.

Councilor Bona inquired from the City Clerk what the early voting numbers were. He also inquired about the water levels.

The City Clerk gave an update on the number of voters. The Mayor stated that the water levels are being monitored and the reservoirs continue to keep balance.

Councilor Blackmer stated that it is Breast Cancer Awareness month and wanted to remind all to get their mammograms.

The President called for a motion to adjourn.

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

A True Record
Attest,

City Clerk