



**CITY OF PITTSFIELD  
REGULAR MEETING  
PITTSFIELD CITY COUNCIL  
CITY COUNCIL CHAMBERS**

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2023 JAN -5 PM 1:25

January 10, 2023, at 6:00 p.m.

**AGENDA**

1. Open microphone

**APPOINTMENTS**

2. A communication from Mayor Tyer reappointing Michael Blewitt to the Sister Cities Commission
3. A communication from Mayor Tyer reappointing Karen Roche to the Human Services Advisory Council
4. A communication from Mayor Tyer appointing Patricia Molina to the Human Services Advisory Council

**COMMUNICATIONS FROM HER HONOR THE MAYOR**

5. A communication from Mayor Tyer submitting an Order to accept Chapter 269 of the Acts of 2022, "An Act Relative to Cost-of-Living Adjustments for Retirees"
6. A communication from Mayor Tyer submitting an Order to accept a deed in lieu of foreclosure for three properties located on Robbins Avenue
7. A communication from Mayor Tyer submitting an Order to accept a grant of funds in the amount of \$394,319.78 from the Executive Office of Public Safety and Security for the FY23 Senator Charles E. Shannon Jr. Community Safety Initiative Grant
8. A communication from Mayor Tyer submitting an Order requesting \$250,000.00 in Pittsfield Economic Development Funds to assist Electro Magnetic Applications, Inc.
9. A communication from Mayor Tyer submitting three Orders: 1. Transferring and appropriating \$2,000,000 from Certified Free Cash to the General Stabilization Account, 2. Transferring and appropriating \$2,000,000 from Certified Free Cash to the Public Works Stabilization Account, 3. Transferring and appropriating \$2,000,000 from Certified Free Cash to the OPEB Trust Account

**PUBLIC HEARING**

10. A public hearing on the revocations of inflammable fluid licenses issued under Chapter 148, Section 13
11. A public hearing on a petition requesting a zoning map amendment from Compass Ridge, LLC for property located on outer West Housatonic Street (*Continued to the January 24, 2023 meeting*)

**COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND BOARDS**

12. A communication from the conservation agent on a petition from Councilor Kalinowsky concerning the drawdown of Pontoosuc Lake

## **UNFINISHED BUSINESS**

13. A communication from Director Dodds on a petition from Councilor Kronick requesting an honorary street sign for Reverend Samuel Harrison (*tabled from November 29, 2022*)
14. A communication from Attorney Pagnotta on a petition requesting a legal opinion as to all the steps necessary to create a new position (*tabled February 8, 2022*)
15. A petition from Councilor Kronick requesting a funding plan for the erection of a statue to honor Reverend Samuel Harrison (*tabled October 25, 2022*)

## **NEW BUSINESS**

16. A petition from Councilor Warren requesting to correct the listing of the ownership of Parcel I160001002, last owned by the Pittsfield Sportsmen's Club, Inc.
17. A petition from Councilor Kronick concerning Storm Elliot

## **MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 27**

### **Referred to the Commissioner**

18. A petition from President Marchetti, Councilor White and Persip requesting the Commissioner provide a full report of the issue that resulted in poor road plowing conditions
19. A petition from Councilor Persip requesting the Commissioner provide costs for new equipment to use Magnesium Chloride

### **Referred to the Traffic Commission**

20. A petition from Councilor Kronick requesting a no parking zone at the corner of Second Street and Lincoln Street

### **Referred to the Health Director**

21. A petition from Councilor Kronick requesting information on emergency treatment for drug abuse and suicide attempts for the years 2019 to present

### **Referral to the Mayor**

22. A petition from Councilor Warren requesting to reopen the entrances to City Hall
23. A petition from Alex Blumin requesting to approve and fund a mandatory tree replacement program

### **Referred to the City Solicitor**

24. A petition from Councilor Warren requesting to review the policy on the repair or replacement of mailboxes damaged by snowplows



**THE CITY OF PITTSFIELD**  
OFFICE OF THE MAYOR  
70 Allen Street, Pittsfield, MA 01201  
(413) 499-9321 • [ltyer@cityofpittsfield.org](mailto:ltyer@cityofpittsfield.org)

**Linda M. Tyer**  
Mayor


January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

It is my sincere privilege to submit herewith for your consideration the reappointment of Michael Blewitt, of 517 Church Street, North Adams, MA to the Sister Cities Commission for a term expiring January 14, 2026.

Respectfully submitted,

  
Linda M. Tyer  
Mayor



# THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

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(413) 499-9321 • ltyer@cityofpittsfield.org

**Linda M. Tyer**  
Mayor

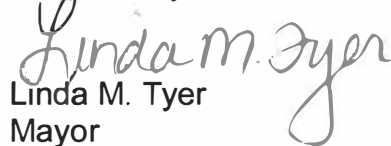
January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

It is my sincere privilege to submit herewith for your consideration the reappointment of Karen Roche, of 108 Elizabeth Street, Pittsfield, MA to the Human Services Advisory Council for a term expiring January 14, 2026.

Respectfully submitted,

  
Linda M. Tyer  
Mayor





# THE CITY OF PITTSFIELD

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**Linda M. Tyer**  
Mayor

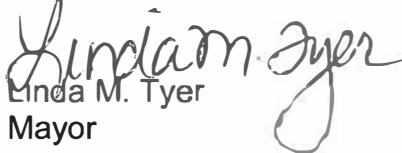
January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

It is my sincere privilege to submit herewith for your consideration the appointment of Patricia Molina, of 796 Williams Street, Pittsfield, MA to the Human Services Advisory Council for a term expiring January 10, 2026.

Respectfully submitted,

  
Linda M. Tyer  
Mayor



# PATRICIA MOLINA

PatriciaMolina1417@gmail.com | 413-770-1417

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## EXPERIENCE

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### Hillcrest Educational Centers

- *Youth Development Counselor, Teacher's Assistant | 2004 – 2009, 2020-2021*

Provided individual and group instruction to students in a school setting. Collaborated to provide instruction based on students' individual needs. Responsible for leading a variety of enrichment activities directed by lead teacher. Participated in team meetings with treatment team to ensure students academic and basic needs were met. Assessed students for their physical, emotional, and mental well-being continuously throughout assigned shifts.

- *HEC Family Permanency Specialist | 2020-2021*

Consult with clinicians to develop safety plans for students and co-facilitate cognitive behavioral therapy groups and decision-making groups. Liaison between family and state agencies. Collaborated with treatment team to ensure student's success. Provided group SEL instruction under the direction of the lead clinician.

### Cavalier Management

- *Principal Manager | 2011 – 2017*

Overseeing the daily operations of the company; financial and maintenance operations.

### Pittsfield Public Schools

- *Business Office Administrative Assistant | 2017 – 2021*

Point of contact for all incoming communication to business office. Worked together with other administrative school departments. Responsible for ordering and monitoring PPS spending.

- *Egremont Elementary School Teacher | 2021*

Co-teacher in the sub-separate classroom for grades 3-5. Collaborated in overseeing a classroom of 10+ students. Provided instruction and hands on support under DESE License #524700

- *THS Family Engagement and Attendance Coordinator | July 2021 – August 2022*

Monitor student attendance, collect data & report to superintendent. Liaison with DCF and other community agencies. Attend student support meetings & connect with community organizations.

- *PPS School Adjustment Counselor Intern | July 2021 – December 2022*

*Caseload of 60+ students between PHS & THS. Attend team, IEP & 504 meetings. Provide students with proper social emotional skills and facilitate ongoing lunch group.*

- *Pittsfield Schools Eagle Academy Teacher of Department | New Hire, December 2022*

**Century 21 Northeast Massachusetts REALTOR | National Association of Realtors**

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## **EDUCATION**

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**Berkshire Community College, A.A 2004**

**Massachusetts College of Liberal Arts, B.A. 2020**

**Louisiana State University, M.S.W. 2022**

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## **AWARDS AND ACKNOWLEDGEMENTS**

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Bilingual (Spanish/English)

Computer Skills; proficient in Microsoft Office

Certified in Therapeutic Crisis Intervention

Berkshire Regional Housing Mentoring Certificate

Former Hillcrest Educational Centers Employee of the Month

Actively seeking LCSW licensure

Member of Berkshire Business Professional Women

Active Member of Berkshire Fitness and Wellness, Yoga Level I Certified

Pittsfield Citizen's Academy Program, Certificate of Completion

Member of the Diversity, Equity, Inclusion and Fair Housing Berkshire Realtors Committee



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**Linda M. Tyer**  
Mayor

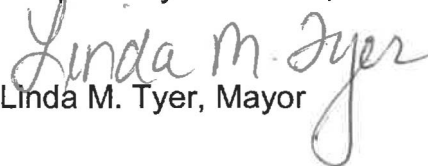
January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

Submitted herewith for your consideration is an Order to accept Chapter 269 of the Acts of 2022 "An Act Relative to Cost of Living Adjustments for Retirees", which was signed into law by Governor Baker on November 16, 2022. Acceptance of this act will allow the Pittsfield Contributory Retirement System to increase the Fiscal Year 2023 Cost of Living adjustment from recently approved 3% on the base to a maximum of 5%.

Respectfully submitted,

  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



**CITY OF PITTSFIELD**

**PITTSFIELD RETIREMENT SYSTEM, 114 FENN STREET, PITTSFIELD, MA 01201  
PHONE 413-499-9468 FAX 413-499-9328**

January 3, 2023

Honorable Linda M. Tyer, Mayor  
City Of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

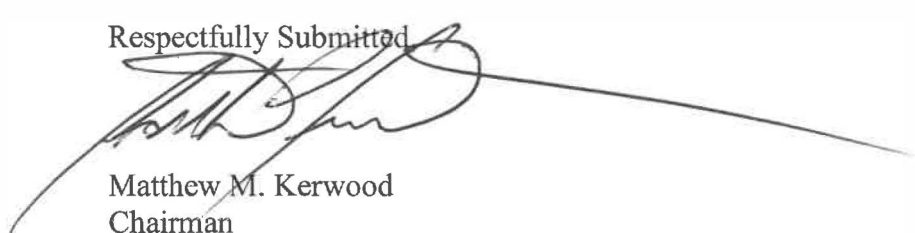
Dear Mayor Tyer:

Submitted for your consideration, is an Order accepting Chapter 269 of the Acts of 2022, "An Act Relative to Cost-of Living Adjustments for Retirees" which was signed into law by former Governor Baker on November 16, 2022.

This local option Act allows for an increase in the Fiscal Year 2023 Cost-of Living-Adjustment (COLA) on the base amount of a retirees' pension of \$16,000 from the current 3% to a maximum of 5%. In accordance with the Act, the Board of the Pittsfield Contributory Retirement System voted to accept the provisions of the Act and increase the COLA to 5% at its December 15, 2022 meeting and now acceptance must be approved by the City Council upon recommendation of the Mayor.

Therefore, on behalf of the Pittsfield Contributory Retirement System Board of Directors and the retirees it represents, I would ask that this Order be submitted to the City Council for its consideration.

Respectfully Submitted



Matthew M. Kerwood  
Chairman

# City of Pittsfield

M A S S A C H U S E T T S

IN CITY COUNCIL

AN ORDER

No. \_\_\_\_\_

AN ORDER ACCEPTING THE PROVISIONS OF CHAPTER 269 OF THE ACTS OF 2022  
“AN ACT RELATIVE TO COST-OF LIVING ADJUSTMENTS FOR RETIREES”

**Ordered:**

That the City of Pittsfield, through its City Council and Mayor, accepts Chapter 269 of the Acts of 2022, which allows the Pittsfield Contributory Retirement System to increase the Fiscal Year 2023 Cost of Living adjustment from recently approved 3% on the base to a maximum of 5%.

FURTHER ORDERED:

That this Order shall be retroactive to July 1, 2022

## MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director 

RE: 5% Local COLA option

DATE: November 18, 2022

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment (“COLA”) for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval.**

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer<sup>1</sup> - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

<sup>1</sup> As defined in G.L. c. 4, § 7, “chief executive officer”, when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.



MEMORANDUM - Page Two

TO: All Retirement Boards  
FROM: John W. Parsons, Esq., Executive Director  
RE: 5% Local COLA option  
DATE: November 18, 2022

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at [judith.a.corrigan@mass.gov](mailto:judith.a.corrigan@mass.gov).



## Acts (2022)

### Chapter 269

#### AN ACT RELATIVE TO COST-OF-LIVING ADJUSTMENTS FOR RETIREES

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide for increased cost-of-living adjustments for retirees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. (a) (1) Notwithstanding section 103 of chapter 32 of the General Laws or any other general or special law to the contrary, the retirement board of any system that has accepted said section 103 may elect to establish a cost-of-living adjustment increase of not less than 3 per cent and not greater than 5 per cent on the base amount provided for in said section 103 for fiscal year 2023.

(2) The sum of the dollar amount of the cost-of-living increase on the base amount, together with the amount of retirement allowance, pension or annuity to which the cost-of-living increase is applied,

shall become the fixed retirement allowance, pension or annuity for all future purposes, including the application of subsequent cost-of-living adjustments in future years.

(b) A retirement board may grant a cost-of-living increase of not less than 3 per cent and not greater than 5 per cent on the base amount for fiscal year 2023 at any time during the fiscal year.

(c) This section shall take effect for the members of a retirement system by a majority vote of the board of such system and upon local acceptance: (i) of the city council upon recommendation of the mayor in a city, (ii) of the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, (iii) of the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town, (iv) of the county commissioners in a county and (v) by vote of the governing board, commission or committee in a district or other political subdivision of the commonwealth. For any retirement system comprising more than 1 political subdivision of the commonwealth, this section shall be effective by a majority vote of the board of such system and upon the acceptance of two-thirds of cities and towns within the system by approval of: (i) the city council upon recommendation of the mayor in a city, (ii) the city council upon recommendation of the city manager in a city having a Plan D or Plan E charter, and (iii) the chief executive officer, as defined in section 7 of chapter 4 of the General Laws, in a town.

SECTION 2. This act shall take effect on July 1, 2022.

*Approved, November 16, 2022.*



**THE CITY OF PITTSFIELD**  
OFFICE OF THE MAYOR  
70 Allen Street, Pittsfield, MA 01201  
(413) 499-9321 • ltyer@cityofpittsfield.org

**Linda M. Tyer**  
Mayor

January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

Submitted herewith for your consideration is an Order to accept a deed in lieu of foreclosure for three properties located on Robbins Avenue in accordance with the provisions of Massachusetts General Law Chapter 60, Section 77C.

Respectfully submitted,

*Linda M. Tyer*  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



## CITY OF PITTSFIELD

OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201  
(413) 499-9466

December 29, 2022

Honorable Linda M. Tyer, Mayor  
City Of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

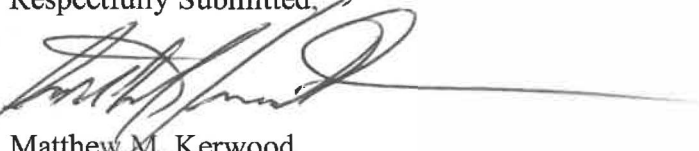
Dear Mayor Tyer:

Submitted for your consideration, is an order authorizing the City through you and the City Council to accept a deed for three properties located on Robbins Avenue in lieu of the city moving to foreclose on the property in Land Court.

The properties subject to this request is owned by Mr. Sylvester Eason and are currently in tax title. Two of the parcels are vacant lots with the third having a home which is disrepair and is no longer habitable. Mr. Eason's son recently came to my office to express his father's desire to forfeit the property thus ending the Land Court foreclosure process. Mr. Eason willing signed the Deed in Lieu of Foreclosure as allowed by Massachusetts General Law Chapter 60 Section 77C. I believe that taking possession of these properties in this manner is in the best interest of both the City and Mr. Eason. I have worked closely with the Department of Community Development on this matter and there are plans for the City to partner with Habitat for Humanity in the redevelopment of this property through the demolition of the existing structure and the construction of two new affordable housing units.

I would request that you transmit this Order to the City Council for its consideration and approval.

Respectfully Submitted,



Matthew M. Kerwood  
Director of Finance & Administration/Treasurer



**CITY OF PITTSFIELD**

DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY HALL, 70 ALLEN STREET, RM 205, PITTSFIELD, MA 01201

January 3, 2023

Honorable Linda M. Tyer, Mayor  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Mayor Tyer,

The Department of Community Development has a strong commitment to addressing housing issues in Pittsfield, particularly in the City's Westside neighborhood. The Westside neighborhood of Pittsfield is the oldest neighborhood in Pittsfield and surrounds the City's downtown. It contains the oldest housing stock in the City and the most affordable housing in the City. The neighborhood has suffered decades of disinvestment, lower appraised values than the balance of the City and a high rate of vacant and abandoned properties.

In recent years the City has focused multiple efforts in the Westside neighborhood, including investments in sidewalks, parks, neighborhood clean ups, social service programs and significant investment in concentrated rehabilitation programs that focus on improving the condition of the aging housing stock and preserving the existing housing in the neighborhood. Programs like the Community Development Block Grant funded housing rehab program and the At Home in Pittsfield are working to preserve and improve the existing housing stock. Combined with a robust code enforcement team that meets monthly to address code enforcement issues and prioritize vacant, abandoned and deteriorating structures, this coordinated approach is used to determine how best to approach each property and determine future city actions. These actions include identifying and prioritizing structures that may be good candidates for receivership, properties that should be proactively cleaned and boarded up, and structures that, as a last resort, should be demolished. Preventing the loss of critical housing units that are in short supply in the City have focused the code enforcement team's efforts on how to reverse the deterioration of properties as early as possible after a property becomes vacant. With the tax title foreclosure process taking years to conclude, strategies to avoid this lengthy process are important. Taking a Deed in Lieu of Foreclosure for the property at 112 Robbins Avenue will allow the City to have control of the property and ensure it is returned to productive reuse as much affordable housing as soon as possible.

DCD has been working with Habitat for Humanity in planning a future reuse for the property that benefits both the neighborhood and the community. DCD plans to demolish the existing structure on the property with City CDBG funds. DCD and Habitat are actively seeking funding through a number of different grant sources to construct two units of affordable housing on the property. The redevelopment of this blighted property into two quality affordable housing units would be transformative for the neighborhood.

Sincerely,

Justine Dodds  
Community Development Director

# City of Pittsfield

M A S S A C H U S E T T S

No. \_\_\_\_\_

IN CITY COUNCIL

**AN ORDER**

AUTHORIZING THE CITY OF PITTSFIELD BY AND THROUGH ITS MAYOR AND CITY COUNCIL TO ACCEPT A CERTAIN DEED IN LIEU OF FORECLOSURE IN ACCORDANCE THE PROVISIONS OF M.G.L., CHAPTER 60, SECTION 77C

**Ordered:**

That the City of Pittsfield, by and through its Mayor and City Council, hereby accepts a conveyance of three parcels of real estate located Robbins Ave (Assessor's map # G09-0016-014, #G09-0016-15, #G09-0016-016) Pittsfield, Massachusetts by virtue of a deed in lieu of foreclosure in accordance with the provisions of Massachusetts General Laws, Chapter 60, Section 77C. A copy of the deed herein referenced is attached hereto and made a part hereof.

That the City of Pittsfield, acting by and through its Mayor and City Council, is hereby authorized to execute any and all other documents necessary to implement this Order.

**DEED IN LIEU OF FORECLOSURE**

I, SYLVESTER B. EASON, of Pittsfield, Berkshire County, Massachusetts ("Grantor") for consideration paid and in full release by the Grantee hereinafter defined of the Grantor of all real estate taxes, water charges, and other municipal debts, costs and charges existing on account of a Real Estate Tax Lien which is hereinafter defined grants to the CITY OF PITTSFIELD, ("Grantee") with a principal place of business at 70 Allen Street, Pittsfield, Massachusetts 01201, with QUITCLAIM COVENANTS, the land and buildings thereon located in Pittsfield, Massachusetts, bounded and described as follows:

**LEGAL DESCRIPTION:**

**PARCEL 1:**

Beginning at a point in the northeast corner of Lot 232 as shown on a Plan of Lots entitled "Childs Farm", plan is recorded in Drawer No. 1, High Desk, Berkshire Middle District Registry of Deeds, said place of beginning being the northeast corner of land conveyed to Isodore Goodman et als by Louis Samuels et ux by deed dated November 15, 1946 and recorded in said Registry in Book 524, Page 547, which place of beginning is also 132 feet more or less easterly from the easterly line of Robbins Avenue;

Thence southerly in the easterly line of land conveyed to Isodore Goodman et als by said Samuels as aforesaid a distance of 36 feet more or less to a point in the northeast corner of land conveyed by Isodore Goodman et als to Joseph F. Guitian et ux by deed dated May 16, 1947 and recorded in said Registry of Deeds;

Thence westerly at right angles along the northerly line of said land so conveyed to Guitian a distance of 54.5 feet more or less to a point;

Thence northerly at right angles a distance of 36 feet more or less to a point in the northerly line of land conveyed to Isodore Goodman et als by said Samuels as aforesaid;

Thence easterly at right angles along the northerly line of land of Isodore Goodman et als a distance of 54.5 feet more or less to the place of beginning.

Being a portion of Lot 232 as shown on the Plan of Childs Farm above referred to.

Subject to a reservation to Isodore Goodman et als reserving the right to maintain the land herein conveyed sewer, gas and water pipes and electric and telephone poles and lines and to enter upon the land hereby conveyed for the purpose of examining, repairing, relaying and removing said pipes, poles and lines when necessary. This applies to present installations.

Together with a right of way to be used in common with others for all the usual purposes of a way over a strip of land 10 feet wide and 77.50 feet in depth extending in an easterly direction from the easterly line of Robbins Avenue to a portion of the westerly line of the parcel herein described, which right of way is adjacent to the northerly line of the parcel conveyed by Isodore Goodman et als to Alice M. St. Peter by deed dated April 11, 1947 and recorded in said Registry of Deeds.

Granting to the Grantee herein the right to maintain upon remaining portions of Lots 232, 233 as shown on Plan of Childs Farm above referred to sewer, gas and water pipes and electric and telephone poles and lines and to enter upon said remaining portions of Lots 232, 233 herein referred to for the purpose of examining, repairing, relaying and removing said pipes, poles and lines when necessary. This applies to present installations, if any.

Together with a right of way to be used in common with others for all the usual purposes of a way, if applicable, more particularly described in a deed from Isodore Goodman et als to Millard E. Snyder et ux dated February 13, 1947 and recorded in said Registry of Deeds in Book 536, page 78&c, to which deed reference is made.

Together with the fee in the strip of land 10 feet wide and 77.50 feet in depth hereinbefore referred to, subject to rights of way granted by Isodore Goodman et als herewith and in other deeds.

Being the same premises conveyed to Sylvester B. and Norma J. Eason by deed of The City of Pittsfield dated November 10, 1986 and recorded in said Registry of Deeds in Book 1170, Page 28. The said Norma J. Eason died on October 26, 2007. See Death Certificate recorded simultaneously herewith.

**PARCEL 2:**

Beginning at a point in the easterly line of Robbins Avenue ten (10) feet southerly from the northwest corner of Lot No. 232 as shown on a Plan of Lots entitled "Childs Farm", which plan is recorded in Drawer no. 1, High Desk, Berkshire Middle District Registry of Deeds;

Thence southerly in said easterly line of Robbins Avenue, thirty-eight and eighty one-hundredths (38.80) feet to a point;

Thence easterly at right angles to the easterly line of Robbins Avenue sixty-five (65) feet to a point;

Thence at an interior angle of 135° 00' in an northeasterly direction seventeen and sixty one hundredths (17.60) feet to a point;

Thence northerly at an interior angle of 135° 00' twenty-six and thirty one-hundredths (26.30) feet to a point;

Thence at right angles in a westerly direction seventy-seven and fifty one-hundredths (77.50) feet to the place of beginning.



Being a portion of Lot 232 as shown on the plan of Childs Farm above referred to.

Subject to the reservations to maintain upon the land herein conveyed sewer, gas and water pipes and electric and telephone poles and lines and to enter upon the land hereby conveyed for the purpose of examining, repairing, relaying and removing said pipes, poles and lines when necessary. This applies to present installations.

Together with a right of way to be used in common with others for all the usual purposes of a way, more particularly described in a deed from Isodore Goodman et als to Millard E. Snyder et ux, dated February 13, 1947 and recorded in said Registry of Deeds in Book 536, Page 78&c, to which deed reference is made.

Together with a further right of way to be used in common with others for all the usual purposes of a way over a strip of land ten feet wide adjacent to the northerly line of the parcel herein conveyed and extending from the easterly line of Robbins Avenue in an easterly direction seventy-seven and fifty one-hundredths (77.50) feet.

Granting to the grantee herein the right to maintain upon remaining portions of Lots 232, 233 as shown on Plan of Childs Farm above referred to, sewer, gas and water pipes and electric and telephone poles and lines and to enter upon said remaining portions of Lots 232, 233 herein referred to for the purpose of examining, repairing, relaying and removing said pipes, poles and lines when necessary. This applies to present installations, if any.

Being the same premises conveyed to Sylvester B. Eason and Norma J. Eason by deed of the City of Pittsfield dated November 10, 1986 and recorded in said Registry of Deeds in Book 1170, page 30. The said Norma J. Eason died on October 26, 2007. See Death Certificate recorded simultaneously herewith.

**PARCEL 3:**

Beginning at a point in the southeasterly corner of land conveyed by Isodore Goodman, et als to Robert F. Hunt by deed dated May 28, 1947 and recorded with the Berkshire Middle District Registry of Deeds in Book 531, Page 353&c, said place of beginning begin also the northeast corner of land conveyed to John A. Reid and Frances M. Reid by Joseph F. Guitian et ux by deed dated August 1, 1947, and recorded in said registry of Deeds in Book 531, Page 416&c;

Thence southerly in the easterly line of land conveyed to said Reid's by the said Guitian et ux a distance of thirty-four and sixty one-hundredths (34.60) feet to a point;

Thence westerly fifty-four and five tenths (54.5) feet more or less to a point in the southeast corner of a right of way hereinafter referred to;

Thence northerly at right angles in the easterly line of said right of way thirty-four and sixty one-hundredths (34.60) feet to a point;

Thence easterly at right angles along the southerly line of land of said Hunt fifty-four and five-tenths (54.5) feet more or less to the place of beginning.

Being a portion of lots 232 and 233 as shown on a Plan of Lots entitled "Childs Farm" which Plan is recorded in said Registry in Drawer no. 1, High Desk.

Subject to a reservation to others reserving the right to maintain upon the land herein conveyed, sewer, gas and water pipes and electric and telephone poles and lines and to enter upon the land hereby conveyed for the purpose of examining, repairing, relaying, replacing and removing said pipes, poles and lines when necessary.

Granting to the Grantee herein the right to maintain upon remaining portions of Lots 232, 233 as shown on Plan of Childs Farm above referred to, sewer, gas and water pipes and electric and telephone poles and lines and to enter upon said remaining portions of Lots 232, 233 herein referred to for the purpose of examining, repairing, relaying, replacing and removing said pipes, poles and lines when necessary. This applies to present installations, if any.

Also hereby granting and conveying all of our right, title and interest in and to that certain other piece or parcel of land situated in said Pittsfield, bounded and described as follows:-

Beginning at a point in the easterly line of Robbins Avenue which is the northwest corner of the parcel conveyed by Isodore Goodman et als to Millard E. Snyder et ux by deed dated February 15, 1947 and recorded in said Registry of Deeds in Book 536, Page 778;

Thence running easterly along the northerly line of the parcel conveyed to Snyder as aforesaid a distance of sixty-five (65) feet to a point;

Thence deflecting to the right  $112^{\circ} 27'$  a distance of thirteen and nine one-hundredths (13.09) feet;

Thence easterly a distance of seven and fifty one-hundredths (7.50) feet to a point;

Thence northerly at right angles to the angles to the line last mentioned a distance of thirty-four and sixty one-hundredths (34.60) feet;

Thence southwesterly at an angle of  $45^{\circ}$  in a southwesterly direction, seventeen and sixty one-hundredths (17.600) feet to a point;

Thence westerly a distance of sixty-five (65) feet to the easterly line of Robbins Avenue;

Thence southerly along the easterly line of Robbins Avenue ten (10) feet to the place of beginning.

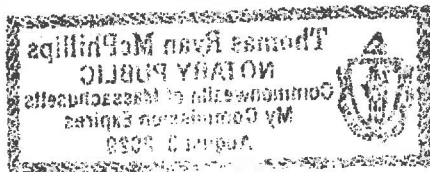
Subject to rights of way therein for all the usual purposes of a way over and upon said described parcel as previously conveyed, which rights of way are to be used in common with others.

Being the same premises conveyed to Sylvester B. Eason and Norma J. Eason by deed of George D. Russell dated November 9, 1977 and recorded in the Berkshire Middle District Registry of Deeds in Book 997, Page 920. The said Norma J. Eason died on October 26, 2007. See Death Certificate recorded simultaneously herewith.

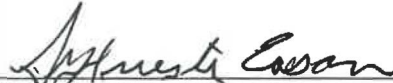
As per M.G.L.c. 188, §13, the Grantor, under oath and subject to the pains and penalties of perjury, do hereby depose, state and certify that; (i) I release all rights of Homestead in the subject realty, (ii) that no spouse, no non-owner spouse, former spouse, or any other person resides in the home, and (iii) at the time of delivery of this deed, no spouse, former spouse or any other person is entitled to claim the benefit of an existing estate of Homestead.

The term "Real Estate Tax Lien" means that certain lien(s) placed on the above-described property by the Grantee as a result of the Grantor's non-payment of municipal real estate taxes in accordance with the provisions of Massachusetts General Law, Chapter 60, Section 43, and recorded in the Berkshire Middle District Registry of Deeds in Book 1491, Page 863, 865 & 866. The term "Real Estate Tax Lien" shall also include (1) any water and sewer charges that may be due and owing on the property; and (2) any costs or charges incurred in connection with the foreclosure process.

This Deed is an absolute conveyance of title in effect as well as form and it is not intended as a mortgage, trust conveyance or security of any kind. In accordance with the provisions of Massachusetts General Law, Chapter 60, Section 77C, this conveyance completely extinguishes the real estate tax lien described herein as well all other municipal liens and charges that exist on the property described herein and shall have the same effect as if the Massachusetts Land Court had issued a judgment of foreclosure in favor of the Grantee.




Witness my hand and seal this 7 day of December, 2022.

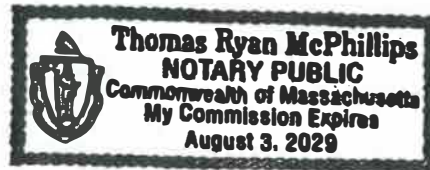
  
\_\_\_\_\_  
SYLVESTER B. EASON

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss.

On this 7 day of December, 2022, before me, the undersigned notary public, personally appeared SYLVESTER B. EASON, proved to me through satisfactory evidence of identification, which was MA License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/3/2029





## CITY OF PITTSFIELD

OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201  
(413) 499-9466

12/29/22  
Date

Re: \_\_\_\_\_

Robbins Ave  
Address

609-0016-014  
Parcel ID

Interest to: 1/10/23

Checks must be issued as follows: **Cash, certified checks or money orders only**  
**\*\*\* Do not combine the checks \*\*\***

- |   |                    |
|---|--------------------|
| 1. Commonwealth of Massachusetts (redemption fee)       | \$105.00           |
| 2. City of Pittsfield – Tax Collector<br>Current Taxes  | \$ <u>43.09</u>    |
| 3. City of Pittsfield – Tax Collector<br>Water/sewer    | \$ _____           |
| 4. City of Pittsfield – Tax Collector<br>40U Fines      | \$ _____           |
| 5. City of Pittsfield – Treasurer<br>Back taxes         | \$ <u>2,168.36</u> |
| 6. City of Pittsfield – Solicitor's Office<br>Legal fee | \$ _____           |

We should also have a letter from you stating why you are paying these taxes off (lawyer for a sale or refinance mortgage company, etc.). Please send a copy of this form with your checks.



## CITY OF PITTSFIELD

OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201  
(413) 499-9466

12/29/22  
Date

Re: \_\_\_\_\_

Robbins Ave  
Address

609-0016-015  
Parcel ID

Interest to: 1/10/23

Checks must be issued as follows: **Cash, certified checks or money orders only**  
**\*\*\* Do not combine the checks \*\*\***

- |   |                    |
|---|--------------------|
| 1. Commonwealth of Massachusetts (redemption fee)       | \$105.00           |
| 2. City of Pittsfield – Tax Collector<br>Current Taxes  | \$ <u>55.12</u>    |
| 3. City of Pittsfield – Tax Collector<br>Water/sewer    | \$ _____           |
| 4. City of Pittsfield – Tax Collector<br>40U Fines      | \$ _____           |
| 5. City of Pittsfield – Treasurer<br>Back taxes         | \$ <u>2,459.50</u> |
| 6. City of Pittsfield – Solicitor's Office<br>Legal fee | \$ _____           |

We should also have a letter from you stating why you are paying these taxes off (lawyer for a sale or refinance mortgage company, etc.). Please send a copy of this form with your checks.



## CITY OF PITTSFIELD

OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201  
(413) 499-9466

12/29/22  
Date

Re: \_\_\_\_\_

112 Robbins Ave  
Address

609-0016-016  
Parcel ID

Interest to: 1/10/23

Checks must be issued as follows: **Cash, certified checks or money orders only**  
**\*\*\* Do not combine the checks \*\*\***

1. Commonwealth of Massachusetts (redemption fee)	\$105.00
2. City of Pittsfield – Tax Collector Current Taxes	\$ <u>4,659.34</u>
3. City of Pittsfield – Tax Collector Water/sewer	\$ <u>310.18</u>
4. City of Pittsfield – Tax Collector 40U Fines	\$ _____
5. City of Pittsfield – Treasurer Back taxes	\$ <u>120,731.07</u>
6. City of Pittsfield – Solicitor's Office Legal fee	\$ _____

We should also have a letter from you stating why you are paying these taxes off (lawyer for a sale or refinance mortgage company, etc.). Please send a copy of this form with your checks.







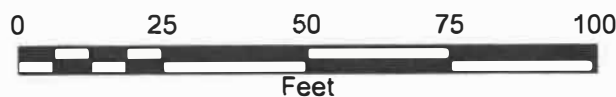
# City of Pittsfield

112 Robbins Avenue



## Legend

-  112 Robbins Ave
-  3 Individual Parcels



Map for Reference Only  
Not a Legal Document

The City of Pittsfield makes no claims, no representations, and no warranties, expressed or implied, concerning the validity (expressed or implied), the reliability, or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data. The use of this data, in any such manner, shall not supercede any federal, state, or local laws or regulations





**THE CITY OF PITTSFIELD**  
OFFICE OF THE MAYOR  
70 Allen Street, Pittsfield, MA 01201  
(413) 499-9321 • ltyer@cityofpittsfield.org

**Linda M. Tyer**  
Mayor

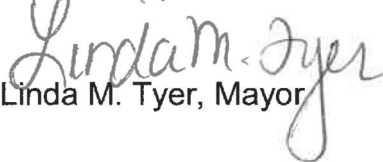
January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

Submitted herewith for your consideration is an Order to accept a grant of funds in the amount of \$394,319.78 from the Executive Office of Public Safety and Security, Office of Grants and Research for the FY23 Senator Charles E. Shannon Jr. Community Safety Initiative (Shannon CSI) Grant.

Respectfully submitted,

  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



**CITY OF PITTSFIELD  
POLICE DEPARTMENT**

POLICE HEADQUARTERS, 39 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201 (413) 448-9700, FAX (413) 448-9733

OFFICE OF THE CHIEF OF POLICE

(413) 448-9717

PROFESSIONALISM • ETHICS • INTEGRITY • SENSITIVITY • ACCOUNTABILITY

December 30, 2022

Honorable Linda Tyer  
Mayor-City of Pittsfield  
70 Allen St  
Pittsfield, MA 01201

Dear Mayor Tyer,

Submitted for your consideration is an authorization requesting that the City of Pittsfield accept a FY23 Senator Charles E. Shannon Jr. Community Safety Initiative (Shannon CSI) Grant of funds in the amount of \$394,319.78 from the Executive Office of Public Safety and Security/ Office of Grants and Research to the Pittsfield Police Department.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael J. Wynn". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

Michael J. Wynn  
Chief of Police

c: Matthew Kerwood, Director of Finance  
City Accountant

# City of Pittsfield

No. \_\_\_\_\_

M A S S A C H U S E T T S

IN CITY COUNCIL

**A N O R D E R**

**AUTHORIZING THE CITY OF PITTSFIELD TO ACCEPT A FY23 CHARLES E. SHANNON JR. COMMUNITY SAFETY INITIATIVE GRANT IN THE AMOUNT OF \$394,319.78 FROM THE MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY**

**Ordered:**

That the City of Pittsfield, acting through its Mayor and City Council, and pursuant to M.G.L. Chapter 44, Section 53A, is hereby authorized to accept a FY23 Charles E. Shannon CSI Grant in the amount of \$394,319.78 from the Massachusetts Executive Office of Public Safety & Security to the Pittsfield Police Department.

**Gregory - Bilotta, Margaret**

---

**From:** Fontaine, Emily (OGR) <emily.fontaine@state.ma.us>  
**Sent:** Monday, December 5, 2022 11:30 AM  
**To:** mwynn@pittsfieldpd.com; Bryan House; Gregory - Bilotta, Margaret  
**Cc:** Flynn, Elizabeth M (OGR); Stanton, Kevin (OGR)  
**Subject:** 2023 Senator Charles E. Shannon Jr. Community Safety Initiative - Pittsfield  
**Attachments:** FY23 Attachment C-CASL.rtf; FY23 Attachment H-Partner Selection Workbook.xlsx; OGR General Subrecipient Grant Conditions Updated 102122.doc; City of Pittsfield\_Shannon\_SFY23\_Standard Contract 11222022.pdf; Attachment C- Budget Worksheet.xlsm; Pittsfield GOV.pdf; Pittsfield OGR.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Congratulations! Your Shannon Site has been awarded **\$394,319.78** in FY 2023 Senator Charles E. Shannon Jr. Community Safety Initiative grant funding. *Please note, the Office of Grants and Research (OGR) respectfully requests that you do not share your award information with the general public (refrain from any local press announcement, etc.) so that the Administration can issue a statewide press release. You will be notified when the press release has been shared.*

The documents listed below must be reviewed, completed and signed/dated by the authorized signatory. These must all be submitted **electronically**; please review the acceptable forms of an electronic signature (*Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or b. An uploaded picture of the signatory's hand drawn signature 3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory's name and title, and must be accompanied by a signature date.*)

- Standard Contract form
- OGR General Subrecipient Grant Conditions
- Contractor Authorized Signatory Form
- Attachment H Excel Partner Selection Workbook – only to be submitted if not previously submitted in **excel form**. Scanned PDF version is not acceptable.
- Budget Excel Form

Please submit the completed required documentation to me by Friday December 16<sup>th</sup> or sooner. All documents must be submitted electronically. Once all documents are received and processed, the contract will be signed by the OGR authorized signatory. Once signed by OGR, you will be informed that your contract period has officially begun. The FY2023 contract will expire on December 31, 2023 and the city will NOT be reimbursed for any funding spent outside the contract period.

*Keep in mind that any unused funds for FY22 will need to be reverted to our office before your site will receive FY23 funds. In order to receive your first 50% payment, you must have submitted all quarterly reports for FY22 as well as reverted any unused funds.*

Please contact me with any questions.

Thank you!

**Commonwealth of Massachusetts  
Executive Office of Public Safety and Security  
Office of Grants and Research**

**Availability of Grant Funds (AGF)  
2023 Competitive Senator Charles E. Shannon, Jr. Community Safety Initiative**

**Applicant Name:** City of Pittsfield Police Department

**Proposed Funding Request:** \$394,319.78

**Project Name:** Pittsfield Community Connection

Applicant Mailing Address (Formal address reported on 1099I tax form)

Street: 39 Allen St City: Pittsfield Zip+4: 01201-6226

Phone: 413-448-9717 Fax: 413-395-0131

**Senior/Municipal Department Official:** Michael J. Wynn Title: Chief of Police

Agency/Organization City of Pittsfield Police Department

Senior/Municipal Department Official Mailing Address

Street: 39 Allen St City: Pittsfield Zip+4: 01201-6226

Phone: 413-448-9717 Fax: 413-395-0131

Email: mwynn@cityofpittsfield.org

**Finance Officer:** Mathew Kerwood Title: Director of Finance

Agency/Organization: City of Pittsfield

Finance Officer Mailing Address

Street: 70 Allen St City: Pittsfield Zip+4: 01201-6223

Phone: 413-499-9466 Fax: 413-443-6502

Email: mkerwood@cityofpittsfield.org

**Project Manager:** Bryan House Title: VP of Youth Development

Agency/Organization: Pittsfield Community Connection

Project Manager Mailing Address

Street: 480 West St City: Pittsfield Zip+4: 01201-6250

Phone: 413-448-8281 Fax: 413-496-4032

Email: bhouse@18degreesma.org

**Partner Cities/Towns: Pittsfield**

**I am pleased to submit this application and the required documents to the Executive Office of Public Safety and Security, Office of Grants and Research. I have reviewed and if funded, agree to abide by the sub-grantee requirements indicated in the Availability of Grant Funds (AGF) including all applicable state grant requirements. This application includes a 25 per cent match provided by either municipal or private contributions.**

**Senior/Municipal Department Official Printed Name: Michael Wynn**

**Title: Chief of Police**

**Senior/Municipal Department  
Official Signature:**

A handwritten signature in black ink, appearing to read "Michael Wynn", written over a horizontal line.

**Date:** 10/4/2022

**Commonwealth of Massachusetts  
Executive Office of Public Safety and Security  
Office of Grants and Research**

**Availability of Grant Funds (AGF)  
2023 Senator Charles E. Shannon, Jr. Community  
Safety Initiative**

*Program Narrative (Attachment B)*

**Instructions:** Use the following pages to complete this section. Insert additional attachments as noted.

# City of Pittsfield

Applicant Name: \_\_\_\_\_

## *Program Narrative: Gang Violence Problem Statement*

*Instructions:* Use this page to complete the *Gang Violence Problem Statement*.

As Pittsfield communities continue to struggle with the ongoing effects of the COVID-19 pandemic in 2022, many of the pre-pandemic community challenges still persist. Risk factors facing youth and families served by 18 Degrees continue to be barriers to individual and family progress, and induce young people to participate in dangerous and criminal behavior, as their vulnerability increases in direct relation to uncertainty and insecurity within their lives. Exposure to interpersonal and community violence, food insecurity, lack of transportation, unstable housing situations, and low levels of educational achievement continue to impact youth and young adults most severely.

An example of the challenges facing school aged youth in Pittsfield is demonstrated by a review of recent Pittsfield Public School attendance data. Pittsfield schools showed a dramatic increase in “chronic absenteeism” during the 2021-2022 school year, as compared to previous years, according to the most recent data from the Massachusetts Department of Elementary and Secondary Education. Educators say the pandemic was to blame, aggravating an existing problem (Berkshire Eagle, June 30, 2022). This data is in line with the national trend that showed nearly 40 percent of schools saying chronic absenteeism had increased since the 2020-2021 pandemic-altered school year. Schools in cities -- or with higher levels of students in poverty or students of color -- reported greater percentages of chronic absenteeism in 2021-2022. According to the federal data in this report, compared with a typical year before the pandemic, 56 percent of schools reported a rise in classroom disruptions because of student misconduct in 2021-2022. Nearly half of schools pointed to increases in out-of-classroom rowdiness, with 46 percent of schools reporting more fighting and threats of physical attacks between students, according to the NCES data (*The Washington Post*, July 6, 2022). Students who are chronically absent are more likely to develop mental health issues later on and are more prone to delinquent behavior.

In the summer of 2021, with a decrease in Covid-19 cases and the increase of vaccinations, many Pittsfield community members emerged from their homes after long periods of social isolation. As we all adjusted to integrating back into society, we witnessed an increase in violent crime in Pittsfield, including gun arrests associated with the possession or use of a gun and shootings. These guns are easily linked to gangs' criminal activity: in Pittsfield, as is true nationally, gang involvement or proximity to gangs is often accompanied by association with illegal guns and gun violence (Roberto, 2018).

“The city of Pittsfield is a destination for trafficking criminal guns; that's not a myth. Guns are being purchased and stolen in other states and sold in other states, and they're ending up on the streets of Pittsfield,” acknowledged Chief Michael Wynn of the Pittsfield Police Department (The Berkshire Eagle, July 13, 2021). In June, Pittsfield Mayor Linda Tyer noted that the “challenge of gun violence in our city has been something that we've struggled with and it goes back to the city of Pittsfield being a destination and a pipeline for the illegal gun trade” (Spectrum 1 News, June 9, 2021). Pittsfield's location - within an easy drive of New York City and Boston, and close to the gun trafficking hub of Springfield - makes it a convenient staging ground for illegal gun storage and distribution. Gang members from these bigger cities recruit local youth in Pittsfield as carriers and distributors, and while the youth may not be official gang members, affiliation becomes appealing due to their young age and lack of resources. Our outreach workers report that many youth identify with gangs, although they shift their gang allegiance depending on which criminal organization they are aiding at any point in time.

Human trafficking has become apparent in Pittsfield, particularly among female youth and the grooming of





*Program Narrative: Proposed Strategy*  
**STRATEGY DEVELOPMENT**

*Instructions:* Use this page to complete the *Strategy Development*.

In 2017, 18 Degrees' Pittsfield Community Connection (PCC) conducted a Community Gang Assessment in which respondents reported several factors driving gang activity. We received similar results from subsequent stakeholder assessments, comprised of business owners, community leaders, and educators. Our findings suggest people do not feel safe in their communities (89%), and that this insecurity stems from gang activity (79%). Among solutions identified to alleviate gang activity is to address poverty, which 89% of survey respondents identified as a contributing factor to gang activity. A pathway from poverty was identified by respondents to include jobs and job training (83.3%) mentoring (76.7%) and increased parental involvement (63%). These are the core activities of our Pittsfield Community Connection approach.

Conducting an updated Assessment in 2022 was paused because we were not able to secure a Lead Action Research Partner (LARP); unexpected circumstances caused the first candidate to drop out close to the application deadline. Westfield State University has agreed to partner with us as our LARP moving forward, and our new timeline is to have the Assessment completed during FY23.

Northeastern University was instrumental in connecting PCC to Westfield State and has agreed to provide free strategic evaluation support through its Northeastern University Public Evaluation Lab (NUPEL). NUPEL, in partnership with the School of Public Policy and Urban Affairs, will support PCC's evaluation efforts. PCC will receive guided metrics and data for suggested program improvements, deliverables of a process overseen by Dr. Tiana Yom, Director of NUPEL, and supported by Master's level students participating in a rigorous course on evaluation, and a dedicated Service-Learning Teaching Assistant. With Dr. Yom's supervision and guidance, master's level students will gain valuable real-world experience working closely with PCC to create a strategic evaluation plan at no cost.

After this measurement and evaluation framework is constructed with the assistance of NUPEL, PCC will utilize the OJJDP Comprehensive Community Gang Assessment strategy to mobilize the community and identify common perceptions and strategies to combat the violence in Pittsfield. PCC will apply current and past input from stakeholders, review current interventions and best practices and continue ongoing data collection and analysis to continuously inform our strategy development and implementation. Input from our stakeholders will be critical and will be gathered through ongoing meetings and discussions focused on the type of interventions and the effectiveness of both service delivery and quality of service for individual program participants.

*Program Narrative: Proposed Strategy*  
STRATEGY DESCRIPTION

*Instructions:* Use this page to complete the *Strategy Description*.

**Strategy Description:**

PCC utilizes a program design based on the OJJDP Comprehensive Gang Model (Community Mobilization, Provision of Opportunities, Social Intervention, Suppression, and Organizational Change & Development) with the addition of a mentoring component based on the Mass Mentoring design that is financially supported by the Shannon Grant, Mass Mentoring, Berkshire United Way, and the Massachusetts Office of Juvenile Probation. PCC activities - like all of those within 18 Degrees - aim to reduce the impact of negative events, enhance the strength of protective factors, and increase the likelihood of positive events. PCC's strategies benefit from multiple programs at 18 Degrees, including the Family Resource Center, which allows PCC staff and clients to access social supports designed to increase individual and household stability. Across all of our programs, 18 Degrees focuses on the strengths and capabilities of our program participants. Our approach is to start with participants' goals and their dreams, and our work is to guide participants to the resources, skills, and support that will help them reach these goals. Our work is under-girded by evidence-based practices including the Strengthening Families and Youth Thrive frameworks, Positive Youth Development, Motivational Interviewing, Trauma Informed Care, all delivered through a strengths based lens. Staff receive regular training on these approaches and on how to build a welcoming and accessible environment that values diversity, equity, and inclusion both for participants and for their colleagues.

**Community Mobilization:**

PCC continues to hold virtual steering committee meetings with representatives from various community interest groups; these have assisted in identifying access for opportunities for our at-risk Shannon Grant youth. We plan to form another, core steering committee that will provide input for the assessment with the assistance of the LARP. This committee will consist of a small group of thought partners from various backgrounds and organizations who live and work in the community. They will meet eight times per year to give perspective on emergent community issues and incidents to provide input, connections, and advocacy for action. We also plan to host an incentivized event to recruit youth that will feed the assessment.

PCC increased its electronic outreach through social media, phone, text, video calls, and emails, working to ensure that even when in-person opportunities do not exist, the community and its members know about PCC. PCC staff "took to the streets" in what we called "High Visibility, High Mobility" actions to talk with youth and other community members in these neighborhoods. We improved our visibility in target areas by increasing outreach at public parks and community events, increasing our visibility at schools by working with Pittsfield Public Schools (PPS) in ensuring PCC staff can access schools during lunch periods to check in with PCC youth and recruit new youth who may benefit from services. PPS recognized the benefit of having PCC staff do check-ins during lunch as youth are more receptive to PCC staff redirection. Several incidents were prevented that could have led to a physical altercation. One of the high schools reached out to request we increase our time at that high school as they have seen a significant change during lunch when our staff are there. We shifted our schedules to accommodate this high school for two check-ins a week as we visited 2 middle schools, 2 high schools, 1 alternative middle school and 1 alternative high school. We are continuing collaboration with other youth-involved agencies. PCC staff wear identifiable PCC shirts when in public or interacting with other agencies to ensure visibility and exposure. Many residents from the Westside and Morningside areas recognize our staff when in their neighborhoods and youth recognize our staff in school at the lunch check-ins; we receive consistent and regular, positive feedback from all levels of school-based staff about our presence on campus. Ongoing, positive interactions with PCC staff informs the community to let them know we are here, concerned, and available to provide services where needed.

*Program Narrative: Proposed Strategy*  
PARTNER SELECTION

*Instructions:* Use this page to complete the *Partner Selection*.

Pittsfield Police Department (PPD) collaborates with Pittsfield Community Connection (PCC) of 18 Degrees to be the lead agency in providing services for youth through the Shannon Grant. In 2014, the City of Pittsfield created PCC as the primary agency to administer the Shannon grant. From that point, PCC has grown and established working relationships with numerous agencies, organizations, and government offices that allow PCC to serve youth in our Pittsfield community, moving under the umbrella of 18 Degrees in 2017. PCC maintains active outreach, caseworker, clinical, mentoring, and employment components, which are utilized to engage with youth, organize youth goals, and provide guidance.

Pittsfield Mayor Linda Tyer and Pittsfield Police Chief Michael Wynn both agreed that a strong relationship with local human service programs is a useful tool that Pittsfield is fortunate to have. They believe that these programs, assistance from the state, technology, and increased police presence in hotspot areas are the solution to the increased violence. "I strongly believe that the combination of human service interventions along with law enforcement is equally necessary for our city to be safe, just, and thriving," Tyer said. (*iberkshires*, July 14, 2021).

The methods utilized by PCC have shown great potential. For example, we have a long-time program participant who has been engaged with PCC since the age of 15. This participant witnessed major violent events that had him struggling with his academics and experiencing peer pressure to become involved in dangerous situations. He had been exposed to drugs and alcohol and knew where he could find more; he was aware of youth carrying weapons and knew how to obtain those weapons. Through the dedication of a mentor who developed a relationship spanning six years, this young man has successfully graduated from high school and enrolled in the Criminal Justice Program at Berkshire Community College. However, due to the pandemic, his college courses were switched from in person to online. At the same time, his hours at his retail job were cut, affecting his ability to pay his tuition. Through staying in close contact with his mentor, he was able to participate in the Academic Incentive program. Incentives earned went straight towards his tuition bill. Instead of falling into hopelessness and despair, he was able to count on the positive influence, and trusted life-long friendship of his mentor. He has grown into a calm, self-confident young man who drives and owns his own car, holds down two jobs, and aspires to be in law enforcement so he can give back to his own community. This young man was recently hired by 18 Degrees as an outreach worker. He expressed interest in giving back and successfully passed the interview process with flying colors. He will be an integral part of the program as he is a recognized youth in the community. This is where we begin to see long-term success. The young man facing so many threatening obstacles - ones that so often lead youth down that dangerous path - who with the assistance of the PCC program, has chosen a road leading to a bright future.

Another example is how a younger female youth's insight and self-awareness has improved since working with us. Although we still are working on increasing responsible decision making and reducing risk-taking behaviors, this youth has shown progress in her ability to take responsibility for her actions and positive communication. Since joining our mentoring program, the youth has been connected to many other outside resources that have instilled confidence and a sense of identity: she has taken on leadership duties at a camp, and joined the Pittsfield-based Rights of Passage and Empowerment group, a non-profit that nurtures and supports young women of color. In addition, she has transitioned into high school where she has joined the cheer team, and is in five honors classes.

PCC continues to collaborate and maintain working relationships with many of our community service providers. While PCC employs a full-time clinical staff member for Shannon Grant program participants, we also have agreements with our local mental health clinic to provide emergency crisis intervention and prescriber

*Program Narrative: Proposed Strategy*  
**PARTNER SELECTION (Continued)**

*Instructions:* Use this page to complete the *Partner Selection*.

**All included on previous section for Partner Selection.**

*Program Narrative: Proposed Strategy*  
COLLABORATION WITH OTHER FUNDING SOURCES

*Instructions:* Use this page to complete the *Collaboration with Other Funding Sources*.

PCC receives funding for our Mentoring Program from the Berkshire United Way, Mass Mentoring Partnership, and the Massachusetts Department of Juvenile Probation (Juvenile Diversion). Funding received from the Shannon Grant, Berkshire United Way, and the Mass Department of Juvenile Justice pays the Mentor Coordinator salary for activities, program recruiting, and mentor/mentee training. The mentoring program enhances the Shannon program by providing youth with caring adult partners that provide protective factors such as positive role models coupled with recreational activities such as sports, arts, and music.

**Impact of Covid:**

With the pandemic still a factor, our focus is to ensure we deliver programming safely, in a way that fully follows all COVID-19 state and federal safety guidelines and in accordance with our agency COVID-19 Operations and Services Protocol (CPROS). The health and welfare of our staff, program participants, and community partners are of the utmost importance to us. At the onset of the pandemic, our mission was to ensure the youth we work with had their basic needs met as many of the services and places they go to for assistance or food were closed. We ensured that each family of the youth we worked with was aware of the services available in the community. PCC staff worked closely with families over years of program participation to build trusting relationships and offer support and navigation to address barriers related to poverty and parenting. Because this trust was already in place, our families felt comfortable reaching out to our PCC staff members to learn more about the resources available to them during the pandemic. With even more certainty that it is a critical part of child and family well-being, 18 Degrees will continue to provide wrap-around family supports.

We adapted with changes such as meeting virtually and offering safe and socially distanced spaces, venues for outdoor gatherings or choosing outdoor activities. We will continue to incorporate virtual meetings and outdoor gatherings in our programming to ease the transition should the need to go back to these processes on a full-time basis arise. Our entire community continues to feel the effects of Covid-19: We asked people to resume life as it was, without adequate time to acknowledge and process what has happened - and without providing them with the strategies to cope. Our young people are particularly struggling. We are not adequately addressing the toll on their mental health that these past two years have taken. Our young people need to rebuild their connections to re-establish their well-being and safety. Due to Covid-19, we believe that our services will be in even greater demand due to the economic and psychological effects of the pandemic. Ongoing, we will continue to work with families to individualize services and support for greater wellbeing.

**Executive Office of Public Safety and Security  
Office of Grants and Research  
FY 2023 Senator Charles E. Shannon Jr., Community Safety Initiative  
Attachment B - City of Pittsfield**

**INSTRUCTIONS:** This is a macro-enabled document. Please make sure that you have enabled macros when prompted upon opening this document. The items marked as Example are only examples, and do not necessarily reflect items in your requested budget. Please note that the subtotals will auto-populate based on the numbers reported within each category. Your requested budget per cost category shall be entered in the rows below the Examples using the "Add" command button to add another row if needed. If you have any questions, please contact your grant manager.

Authorizing legislation mandates that preference be given to applicants submitting a match commitment of 25%. The 25% matching funds may be in the form of municipal or private contributions. The Match amount must be entered into the Match Expenditures column (Column F) in order for the requested amount to be calculated from the Total Expenditures. To determine the 25% match, divide the state funding request by three (3). The resulting figure will equal 25% of the total project cost. Example: If requesting \$300,000 in state funds to support the project, the applicant must provide an additional \$100,000 in matching funds. (\$300,000 / 3 = \$100,000). State funds total \$300,000 (75%), Match funds total \$100,000 (25%), and the Total Project Costs total \$400,000 (100%).

**PERSONNEL:** Full or part-time regular salaried employees working on the grant. Click the "Add Personnel" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Employee Name	Pay Rate	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Sue Smith</i>	\$ 23.4875	300.00	<i>Employee is projected to work a total of 300 hours during the grant at \$23.4875/hr.</i>	\$ 7,046.25	\$ -	\$ 7,046.25
<b>Subtotal(s):</b>				\$ -	\$ -	\$ -

**OVERTIME:** Law enforcement only. Allowable only for sworn law enforcement personnel working on the grant. Click the "Add Overtime" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Employee Name	Pay Rate	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Sue Smith</i>	\$ 40.0000	104.00	<i>Advocate worked a total of 104 hours for follow-up investigation of DV cases during the quarter at \$40.00/hour. Reporting \$2,500.00 match for S. Smith.</i>	\$ 1,660.00	\$ 2,500.00	\$ 4,160.00
Pittsfield Police Department	\$ 20,000.0000	1.0000		\$ 20,000.00	\$ -	\$ 20,000.00
<b>Subtotal(s):</b>				\$ 20,000.00	\$ -	\$ 20,000.00

**FRINGE AND PAYROLL TAX:** Employer Fringe benefits requested to be paid by this grant can be based on either: 1) actual known municipally paid costs for each benefit category, or 2) an established formula applied to the base salary number shown in Personnel broken out by the benefit category. Fringe benefits are for the personnel listed in the Personnel cost category and only for the percentage of time devoted to the project. Eligible costs include the employer share of the following: life insurance, health insurance, social security costs, pension costs, unemployment insurance costs, workers compensation insurance, FMLA costs, and payroll taxes. Include copy of approved rate agreement in the application response. Click the "Add Fringe" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Employee Name	Pay Rate	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures

Employee Name	Wages Applied to Fringe	Contract Fringe Rate	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Sue Smith</i>	\$ 7,046.25	21.00%	<i>Per the fringe rate agreement, find the applicable cost categories to apply fringe to. In this example, the applicable cost category is "Personnel." Take Sue Smith's total wages reported on this worksheet under the "Personnel" section and multiply by the federally approved fringe rate or the fringe rate that was proposed and approved by OGR in the application process. (\$7,046.25 * 21%). Match expenditures should be in relation to the match in the applicable category.</i>	\$ 1,479.71		\$ 1,479.71
<b>Subtotal(s):</b>				\$ -	\$ -	\$ -

**CONTRACTS/CONSULTANTS:** For contracts, a competitive process based on the municipality's procurement policy should be followed when procuring contracted services. Contract salary, fringe benefits, travel, and other costs should be placed within this cost category and follow instructions within direct salary, fringe benefit, travel, and other cost categories. This includes consultant or contractor fees. The maximum rate for consultants is \$650 for an eight hour day or \$81.25 per hour (excluding travel and subsistence costs). Any request for compensation over \$650 per 8 hour day or \$81.25 per hour requires prior written approval by EOPSS. This rate is the exception, not the rule. *Contract salary, fringe benefit, travel, and other costs should follow instructions within direct salary, fringe benefit, travel, and other cost categories.* Click the "Add C/C" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Contractors/Consultants Name	Pay Rate	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: JJ Counseling</i>	\$ 200.0000	24.00	<i>Counseling of domestic violence survivors; \$200 per day x 24 days. Submitting reimbursement for \$2,800.</i>	\$ 2,000.00	\$ 2,800.00	\$ 4,800.00
18 Degrees, Inc	\$ 24.7400	1950.0000	Team Lead	\$ 48,243.00		\$ 48,243.00
18 Degrees, Inc	\$ 22.1010	1950.0000	Case Manager	\$ 43,096.95		\$ 43,096.95
18 Degrees, Inc	\$ 22.1010	1950.0000	Case Manager	\$ 43,096.95		\$ 43,096.95
18 Degrees, Inc	\$ 21.4426	1950.0000	Case Manger	\$ -	\$ 41,813.07	\$ 41,813.07
18 Degrees, Inc	\$ 22.1010	1950.0000	Outreach	\$ 43,096.95		\$ 43,096.95
18 Degrees, Inc	\$ 24.8503	975.0000	Mentor Coordinator	\$ -	\$ 24,229.04	\$ 24,229.04
18 Degrees, Inc	\$ 24.7400	1950.0000	Clinician	\$ 24,121.50	\$ 24,121.50	\$ 48,243.00
18 Degrees, Inc	\$ 33.7949	19.5000	Director of Grants	\$ 659.00		\$ 659.00
18 Degrees, Inc	\$ 46.8513	97.5000	VP Youth Development	\$ 2,284.00	\$ 2,284.00	\$ 4,568.00
18 Degrees, Inc	\$ 52.8718	19.5000	Vice President of Community & Donor Relations	\$ 1,031.00		\$ 1,031.00
18 Degrees, Inc	\$ 24.5846	487.5000	Community Outreach & Engagement Specialist	\$ 11,984.99		\$ 11,984.99
18 Degrees, Inc	\$ 310,061.9500	0.1000	Payroll Taxes (10%)	\$ 21,761.44	\$ 9,244.76	\$ 31,006.20
18 Degrees, Inc	\$ 310,061.9500	0.1300	Fringe (13%)	\$ 28,289.86	\$ 12,018.19	\$ 40,308.05
<b>Subtotal(s):</b>				\$ 267,665.64	\$ 113,710.56	\$ 381,376.20

**TRAVEL:** Travel directly related to the purpose of the grant. In-state travel costs associated with the grant shall include mileage rates not in excess of \$0.62 per mile, as well as the actual costs of tolls and parking. No grant funds may be spent for out-of-state conference fees, out-of-state travel or out-of-state lodging without prior written approval from OGR. Click the "Add Travel" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Employee Name	Rate	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Sue Smith</i>	\$ 0.6200	125.00	Travel related to grant; \$0.62/mile x 125 miles	\$ 77.50	\$ -	\$ 77.50
Travel	\$ 0.5400	10000.0000	10000 miles @ .54/Mile	\$ 5,400.00		\$ 5,400.00
<b>Subtotal(s):</b>				\$ 5,400.00	\$ -	\$ 5,400.00

**EQUIPMENT:** Tangible non-expendable personal property having a useful life of more than one year; cost based on classification of equipment. Click the "Add Equipment" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Equipment	Cost	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Laptop</i>	\$ 1,200.0000	1.00	(1) Dell 1000 Laptop at \$1,200.00.	\$ 1,075.00	\$ 125.00	\$ 1,200.00
<b>Subtotal(s):</b>				\$ -	\$ -	\$ -

**SUPPLIES:** General supplies required for program (pens, pencils, postage, training materials, copying paper, and other expendable items such as books, ink, etc.). Click the "Add Supplies" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Supplies/Company	Cost	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Copy Paper</i>	\$ 50.0000	4.00	\$50.00/box, 4 boxes.	\$ 100.00	\$ 100.00	\$ 200.00
Supplies	\$ 8,529.7200	1.0000	Office supplies and program support - copy paper, folders, pens, publications allocation, payroll processing fees, etc.	\$ 7,529.72	\$ 1,000.00	\$ 8,529.72
<b>Subtotal(s):</b>				\$ 7,529.72	\$ 1,000.00	\$ 8,529.72

**OTHER:** Direct and/or support service costs relevant to the proposed project that cannot be listed within the Personnel, Fringe, Contracts, Travel, and/or Supplies cost category can be included in the "Other" cost category. Please be sure to itemize each cost type and detail as to how the amount budgeted was calculated. No grant funds may be used for incentives without prior written approval from OGR. No grant funds may be used for a cash reserve. No grant funds may be spent on food or beverages. Click the "Add Other" button to add a new record. To delete an unwanted record, click into the cell that you want to delete, and click the "Delete Row" button.

Item/Company	Cost	Quantity	Description	Cash Expenditures	Match Expenditures	Total Expenditures
<i>Example: Telephone</i>	\$ 65.0000	6.00	Verizon: January-June at \$65 per month	\$ 390.0000	\$ -	\$ 390.0000
Occupancy Costs	\$ 13,000.0000	1.0000	Occupancy costs	\$ 13,000.00		\$ 13,000.00
Client/Mentor Activities & Community Events	\$ 22,500.0000	1.0000	Team building activities for clients/mentors to build relationships and community events	\$ 7,500.00	\$ 15,000.00	\$ 22,500.00





**Commonwealth of Massachusetts  
Executive Office of Public Safety and Security  
Office of Grants and Research**

**Availability of Grant Funds (AGF)  
2023 Competitive Senator Charles E. Shannon, Jr. Community Safety Initiative**

*Budget Narrative (Attachment D)*

Section III: Budget Narrative Summary The budget narrative shall provide a justification on the basis of each proposed cost category in the budget and how the cost supports the goals and objectives of the proposed project(s). Please describe each cost category, the amount requested for the category, and the purpose of the cost/purchase. All costs must be justified in this section.

**Overtime for the City of Pittsfield Police Department for continuance of hot spot patrols. Pittsfield Police Department will receive \$20,000 in funding.**

**18 Degrees, Inc./Pittsfield Community Connection is the designated lead agency for this grant. The lead agency total program budget this year exceeds last year's, but 18 Degrees is able to pledge a much larger match percent than last year.**

**(1) In our Consultant & Contract cost category, our total budget is \$381,376.20, of which 18 Degrees will provide 29.8% in matched funds. This will pay for the following positions:**

- Team Lead (1 FTE): For administrative supervision and program compliance
- Case Manager (3 FTE): For group and one-on-one support of young people; one of these case managers will be paid for through our agency match
- Outreach Worker (1 FTE): to create connections to the program with young people, their families, and community agencies
- Mentor Coordinator (0.5 FTE): to provide positive connections between youth and adult mentors; this allocation will be paid through our agency match.
- Clinician (1 FTE): will provide one-on-one support to youth and support the case manager and outreach team. Half of this position will be paid through agency match.
- Director of Grants & Outcomes (0.01FTE): to prepare reports and monitor program schedule
- VP Youth Development (0.05 FTE): for program oversight, supervision, and strategic guidance; half of this salary will be paid through agency match.
- Vice President of Community & Donor Relations (0.01FTE): to amplify program and engage partners, community members, and other stakeholders
- Community Outreach & Engagement Specialist (0.25): to engage community members and agencies in all aspects of the program, including mentor recruitment, community referrals, and development of partnerships to benefit youth and their families

**(2) In our Travel cost category, we are requesting \$5400 for 10,000 miles of travel for program staff and participants - for home visits, travel to activities, schools, and other events.**

**(3) In our Supplies cost category, our total budget is \$8529.72, of which 18 Degrees will provide an 11.7% match. This will support office supplies and administrative fees associated with the program.**

**(4) In our Other cost category, the total budget is \$133,365.89, of which 18 Degrees will provide a 29.7% match. This will pay for the following costs:**

- Occupancy costs associated with maintaining the program offices, including utilities and rent.
- Client and Mentor activities, which include opportunities for young people and their mentors to build and strengthen their relationships. 66% of this budget allocation will be supported by the agency through match.
- Staff & mentor trainings, including DEI trainings for mentors, to strengthen our ability to support, respond to, and connect with youth and their families.
- Client assistance, to provide incentives for participants and mitigate any emergency circumstance that place youth in jeopardy. Half of this budget item will be supported through agency match.
- Telephone services prorated for program FTE.
- Administrative costs represent 15% of the program total; the agency is assuming 25% match of this budget item.





**THE CITY OF PITTSFIELD**  
OFFICE OF THE MAYOR  
70 Allen Street, Pittsfield, MA 01201  
(413) 499-9321 • ltyer@cityofpittsfield.org

**Linda M. Tyer**  
Mayor

January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

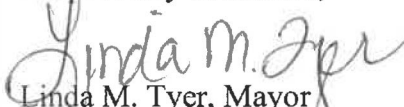
Dear Councilors:

Submitted herewith for your review and consideration is an Order requesting \$250,000.00 in Pittsfield Economic Development Funds to assist Electro Magnetic Applications, Inc. (EMA) with the development of a characterization testing chamber and related equipment. Since 2019, EMA has operated a Space Environment and Radiation Effects (SERE) laboratory with great success at the Berkshire Innovation Center. The laboratory is the only third-party commercial facility of its kind in the world and has established the City and BIC as a hub in the space industry. EMA is now poised to replicate this success in the emerging metalens industry with plans to expand the SERE laboratory at the BIC to include a metalens characterization chamber. This augments the expertise EMA has in test, measurement, and simulation capabilities.

In a unique partnership with the University of Massachusetts Amherst, who will manufacture and design for integrated optics, EMA will evaluate the designs in a real world environment at their laboratory at the BIC. An important part of this expansion is the collaboration with the BIC, UMass, Berkshire Community College and Springfield Technical Community College to create a pipeline of faculty expertise and skilled workers to support this emerging new industry. The City's initial investment in EMA in 2019 has already been rewarded. With 8 full time staff in Pittsfield, new office space in Downtown Pittsfield and an expanded facility at the BIC, EMA has demonstrated an ability to exceed expectations.

The Pittsfield Economic Development funds will directly result in the creation of an additional 8 new full-time jobs with minimum salaries of \$65,000 per job. EMA's plans include an initial capital investment of \$3,000,000. Thank you in advance for your consideration and support of this business and job growth in Pittsfield. Please refer this to the City Council's Committee on Community and Economic Development.

Respectfully submitted,

  
Linda M. Tyer, Mayor

# City of Pittsfield

No. \_\_\_\_\_

M A S S A C H U S E T T S

IN CITY COUNCIL

AN ORDER

**AUTHORIZING THE CITY OF PITTSFIELD TO USE \$250,000 FROM THE  
PITTSFIELD ECONOMIC DEVELOPMENT FUND FOR THE ACQUISITION OF  
EQUIPMENT BY ELECTRO MAGNETIC APPLICATIONS, INC**

**Ordered:**

That the City of Pittsfield is hereby authorized to make an allocation of \$250,000 in Pittsfield Economic Development Funds to be used for the acquisition of equipment by Electro Magnetic Applications, INC. This funding will be secured by a deferred payment, forgivable ten (10) year Promissory Note and appropriate security against the equipment to be acquired.



## CITY OF PITTSFIELD

DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY HALL, 70 ALLEN STREET, RM 205, PITTSFIELD, MA 01201

**TO:** Honorable Members of the Pittsfield City Council

**CC:** Mayor Linda M. Tyer

**FROM:** Justine Dodds, Director

**DATE:** January 3, 2023

**SUBJECT:** Electro Magnetic Applications (EMA)  
Mayoral Request for Pittsfield Economic Development Funding

### COMPANY BACKGROUND

Electro Magnetic Applications, Inc. (EMA) was incorporated in New Mexico in 1977 by Dr. Rodney A. Perala, a recognized authority in electromagnetic effects. The company is based in Lakewood, Colorado. In its early years, EMA focused on the effects of nuclear weapon induced ionizing and non-ionizing radiation on a wide variety of military and civilian systems as well as lightning effects on systems. These efforts included the analysis, hardening and testing of systems such as the Space Shuttle, military and civilian aircraft, missiles, ships, tanks, and armored personnel carriers, as well as strategic and mobile Command, Control and Communication (C3) facilities. These activities were carried out both in the USA and in Western Europe. EMA expanded its focus to commercial applications of electromagnetics, including full size aircraft and ground-based systems, such as railroad signal and communication systems. EMA developed a user-friendly EM simulation software that is widely utilized as well as a providing a wide range of consultant services on electromagnetic R&D matters.

In 2019, existing staff members Cody Weber, Matt Miller and Tim McDonald purchased EMA from Dr. Perala and EMA established an office and facility in Pittsfield at the Berkshire Innovation Center. At the BIC, EMA operates the world's first commercial third-party space radiation effects test facility. EMA has been performing test and measurement programs in its facility for NASA, major Department of Defense prime contractors, and international space agencies. EMA designed and built this globally unique capability (and manufactured much of the equipment needed to realize this facility) thanks in large part to previous support provided by M2I2, NASA, the National Science Foundation, and the City of Pittsfield.

In 2019, EMA had one full time staff in Pittsfield. This has grown rapidly to 8 full time staff, all of whom are highly regarded experts in various aspects of electromagnetic

effects and space radiation and many of whom have been relocated from outside the state due to the unique nature of the business.

EMA is poised to further expand its current test, measurement and simulation capabilities to service a rapidly growing new industry, metalenses. Metalenses are ultrathin planar lenses comprising nanofeatures that efficiently diffract light. These next generation lenses possess additional degrees of freedom compared to traditional optical elements. They can be designed to achieve any desired amplitude, phase, or polarization distribution while eliminating the bulkiness of traditional optics. This allows for vastly increased utility and function in a substantially lighter and smaller volume. Metalenses are currently being used in Augmented Reality/Virtual Reality, radar applications, terrain mapping, imaging and medicine.

EMA is partnering with the University of Massachusetts Amherst, who has deep expertise in the advanced optic technology, including metalens and integrated optics design and testing. UMass Amherst is establishing an additive manufacturing and design and test facility for these advanced optical components. EMA will then evaluate these designs in real world and other environments. To perform this work, EMA plans to invest \$3,000,000 to construct a metalens characterization chamber and lab at the BIC over the next three years.

Massachusetts is uniquely positioned to lead this industry transformation. The Commonwealth possesses a powerful consortium of legacy precision optics companies, academic centers of excellence in emerging optics designs (spawning innovative startups), and an internationally unique test and simulation capability for various harsh environments. By capitalizing on the existing talent and expertise across the Commonwealth, this project will establish a powerful ecosystem that will become a global leader in the production and evaluation of metalenses, nanostructures, and the ability to evaluate their properties and behaviors in nearly any operating environment.

New technologies and markets require a new labor force and new expertise. There are currently several programs of study in the commonwealth, namely the Advanced Manufacturing curricula at Berkshire Community College (BCC) and the Optics and Photonics curricula at Springfield Technical Community College (STCC). A key part of this collaboration is the expansion and evolution of these programs. EMA, UMass, the Berkshire Innovation Center, STCC and BCC are partnering to create a pipeline of faculty expertise and program expansion. BCC has committed to sending 3-5 existing faculty to UMass for professional development and workforce training to expand their capability in expertise through this program. Staff in the educational sector have very limited means for professional development, especially in emerging areas of science. This has created a gap in the ability for the region to produce skilled workers and in-state expertise needed to support these areas. This partnership will close that gap. After expertise is developed, the participating faculty will develop course modules to enhance their existing manufacturing, additive, and engineering courses that integrate the manufacturing facility at UMass in Amherst and EMA's facility at the Berkshire Innovation Center. Mapping module outcomes to skills and competencies that are identified by industry is a major role played by the BIC and will ensure the academic quality and professional relevance of the project. As this process matures, it will

culminate in stackable pathways from BCC education and Certificate/Associate's degree courses through to UMass for continuing education and possibly complementary four-year degrees. This same model is being deployed for STCC.

The Berkshire Innovation Center is a key partner in this project. EMA will be allocating \$150,000 over the course of this program to establish and support an Academic Liaison to coordinate and support the partnerships with BCC, STCC and others. This includes helping to develop academic modules, integrating projects and research with BIC assets, EMA's capabilities, UMass' capabilities, and more. The BIC will serve as the hub and focal point of this project, with EMA's test capabilities being exclusively located in Pittsfield at the BIC.

The partnership represents a unique public and private collaboration and will enable Massachusetts based metalens, optics and coatings manufacturers to qualify parts for use in aerospace and defense platforms and to measure their characteristics, performance over time, aging and process impacts. These capabilities are directly applicable to thin coatings heavily used in automotive radar and many military and defense applications. It will provide a major economic and technological impact to MA based companies and establish the Commonwealth and Berkshire County as a hub for innovation and cutting-edge research.

## **PROPOSED BUSINESS ASSISTANCE**

In 2019, EMA received assistance from the City to establish their space effects testing facility in Pittsfield. EMA received a five (5) year TIF for the forgiveness of a portion of the company's personal property tax liability owed to the City. EMA also received state tax credits through the Massachusetts Economic Assistance Coordinating Council for state tax credits. In November of 2019, the City Council awarded \$ 140,000 in funding from the Pittsfield Economic Development Fund to support EMA with the purchase of a high vacuum chamber equipped with radiation sources to mimic the space environment and instrumentation to measure the effects of this simulated environment on materials and components. The company committed to adding one new employee per year in Pittsfield over a four-year period of time for a total of 6 employees in Pittsfield. These positions were to consist of a mix of scientists and technicians with an average starting salary of \$60,000 plus benefits. This funding was secured by a ten (10) year priority security interest in the chamber. Over the past three years, EMA has exceeded the goals set for them in 2019. They currently have eight full time employees working in Pittsfield, all of whom have an average starting salary above \$60,000 per year. EMA has expanded into office space at 66 West Street in downtown Pittsfield, while keeping the Space Environment and Radiation Effects (SERE) lab at the BIC.

The Mayor has proposed \$250,000 from the Pittsfield Economic Development Fund to support EMA in their further expansion at the BIC and the creation of the characterization chamber and lab. The required Director's review of this request follows below.



## **Company Commitments**

The company is proposing to expand their testing facility space in Pittsfield at the BIC. City funds will support the purchase of a Focused Beam System and Sputtering/Deposition system. The estimated cost of this equipment is \$446,000 for a Focused Beam System, contaminant and characterization system.

In addition to the eight full time employees currently employed in Pittsfield, the company commits to adding eight additional jobs in Pittsfield for a cumulative total of 16 full time staff in Pittsfield. This staff will consist of a mix of scientists and technicians with a minimum starting salary of \$65,000 plus benefits.

## **Proposed Funding Structure**

The Mayor has proposed the following structure for up to \$250,000 in funding to be provided from the City's Economic Development Fund:

\$150,000 – This portion of the funding is to be used toward the purchase of a Focused Beam System and a Sputtering/Deposition system. Funds will be disbursed upon the execution of a purchase order.

\$50,000 – Funds to be released six months after EMA documents three new jobs, for a cumulative total of eleven full-time employees in Pittsfield, with minimum salaries of \$65,000 per job plus benefits, if accomplished not later than December 31, 2026.

\$50,000 – Funds to be released six months after EMA documents five new jobs, for a cumulative total of 16 full-time employees in Pittsfield, with minimum salaries of \$65,000 per job plus benefits, if accomplished not later than December 31, 2032.

This funding will be secured by a ten (10) year priority security interest in the lens characterization equipment and laboratory to be acquired by EMA. In addition, the Pittsfield Economic Development Funding would only be released if and when the conditions set forth above are satisfied.

For ten years, EMA will provide an annual report to the City due by January 31 of each calendar year, summarizing its accomplishments during the prior calendar year and documenting that it is in good standing and not in violation of any financial covenants or agreements with any financial institutions or any governmental entity. The City will also maintain the right to verify at EMA's expense, EMA's business records, including but not limited to payroll records, job descriptions, unaudited and audited balance sheets and statements of income, changes in stockholder's and members' equity and cash flow, and federal and state tax returns for a ten (10) year period.

During this ten (10) year period all disbursed Pittsfield Economic Development funds shall become immediately due and payable to the City if:

- ◆ EMA relocates the equipment out of the City within ten (10) years of the City Council's approval of funding;

- ◆ Employment during the ten (10) year period drops below a total of two for more than a eighteen (18) month period:
- ◆ Or immediately upon the filing of a petition in bankruptcy by or against the Corporation or any proceeding in bankruptcy or under any acts of Congress relating to the relief of debtors for the relief or adjustment of any indebtedness of the Corporation, either through reorganization, composition, extension, or otherwise, is commenced and not dismissed within sixty (60) days or the inability of the undersigned to meet obligations as they come due.

## **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

As required by City Council Rule 38, I am providing the following supporting narrative to the Mayor's request for Pittsfield Economic Development funding for EMA. My department, with the assistance of a representative from the Board of the Pittsfield Economic Revitalization Corporation, reviewed the structure of the organization, financial information for the past three years, and information regarding their expansion plans. The Mayor's proposal has been structured to recognize, encourage and incentivize the continued expansion of company operations in Pittsfield at the Berkshire Innovation Center. Our review indicates EMA has the financial and technical ability to successfully complete their capital investment and business expansion plans in Pittsfield.

### **Financial Capacity**

The company has been profitable for the past three years, with gross revenues approaching \$7 million in 2021. Much of the company's current revenue stream is generated from the development, application and licensing of modeling software, testing applications, and consulting services to governmental entities such as NASA and the space industry. Based on information reviewed, the company's current backlog meets or exceeds revenue needs for the next 18 months.

### **Public Benefits & Relationship to City's overall Economic / Community Development Goals and Objectives**

Since locating their Space Environment and Radiation Effects (SERE) facility at the Berkshire Innovation Center in 2018, EMA has become a center for excellence for space radiation effects. The facility at the BIC is the only third-party commercial space radiation effects facility in the world. With eight full time staff in Pittsfield, all of whom are industry leaders and possess advanced degrees in specialized areas, EMA has outgrown its current space, moving their business operations to downtown Pittsfield and expanding their current space at the Innovation Center.

As part of this new expansion, EMA has established a unique partnership between UMass Amherst and Berkshire Community College. This partnership will establish a professional development program for BCC staff and a manufacturing course work/curriculum in this emerging technology at UMass Amherst, with EMA providing measurement and testing. It will also catalyze collaboration among UMass Amherst, EMA, Springfield Technical Community College (STTC), and Berkshire Community College (BCC) to deliver cutting edge curriculum and real-world experience to students

at those institutions majoring in Optics, Photonics, and Advanced Manufacturing. These activities will help prepare the students to meet the growing and unmet need for a trained workforce in these areas either directly prior to moving to industry or indirectly by preparing them for continued study at four-year institutions. Critically STCC and BCC serve large populations that are underrepresented in STEM fields and/or first-generation college students. These activities will help recruit students to augment and diversify the work force. Further, the lesson plans and demonstrations can be modified to be accessible to high school and middle school students. EMA plans to use its access to faculty, students, and post-docs to provide outreach to high school students, particularly at Taconic High School.

### **Other Eligibility Criteria**

Job Creation – one new job per year over the next eight years in addition to the eight positions currently located in Pittsfield, the funding equals \$31,250 per job created, below the maximum of \$35,000 allowed by the City Council’s Rule 38.

Investment and leveraging potential of the project – the potential to locate this cutting-edge science and technology-based company in the city and at the BIC, help the BIC achieve its goals as well as establishing the city and region as an innovation hub.

As predicted in the 2019 DCD Directors’ report, the initial investment in the chamber has resulted in a high demand for EMA’s services and capital investment in Pittsfield. Known globally as having the world’s foremost expertise in space effects, electromagnetic effects and test, measurement and simulation, EMA now exceeds the size and capabilities of internal groups at major industrial companies and has become an electromagnetic effects provider for the world. The proposed expansion continues this forward progression.

EMA’s presence in Pittsfield also creates an unlimited potential to attract other related companies and innovations to the city, particularly if the BIC is able to establish itself as a hub of innovation in the emerging metalense industry. Based on their previous experience with similar aerospace related initiatives, EMA’s presence in Pittsfield will attract other related companies to the BIC, city and region. As we have seen between 2019 and the present day, EMA has already outgrown their original space at the BIC. The space effects testing facility and this new lens characterization chamber and lab will be moving into a larger space at the BIC, which will free up space within the BIC for other emerging innovation activities and businesses.

EMA has demonstrated that projects from all over the world have come to Pittsfield, many of the customers utilizing the environment effects testing chamber travel to Pittsfield to witness the testing, providing a secondary benefit to the city’s and region’s economy.

This investment is consistent with the city's objective of supporting the expansion of the innovation technology sector and offers the opportunity to provide the BIC who already has a presence in the emerging space industry due to EMA another foothold in the emerging metalenes, optical coating and surfaces and related technologies industry.

EMA is investing \$3,000,000 to construct the characterization chamber and lab over the next three years. The company continues to actively seek state and federal contracts to assist in achieving its goals and vision for the Pittsfield facility. These include state funding in the amount of \$6 million through MassTechnology, with an anticipated award in 2023.

Status of taxes, licenses and fees due the City – The company has no current tax obligations to the City. The company is in good standing with the Commonwealth and, based on the information provided, is current with regard to its federal tax responsibilities. It is also a recognized consultant and service provider to federal agencies.



**THE CITY OF PITTSFIELD**  
OFFICE OF THE MAYOR  
70 Allen Street, Pittsfield, MA 01201  
(413) 499-9321 • ltyer@cityofpittsfield.org

**Linda M. Tyer**  
Mayor

January 4, 2023

To the Honorable Members of the City Council  
City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Councilors,

Submitted herewith for your consideration are three Orders:

- An Order transferring and appropriating \$2,000,000 from Certified Free Cash to the General Stabilization Account.
- An Order transferring and appropriating \$2,000,000 from Certified Free Cash to the Public Works Stabilization Account.
- An Order transferring and appropriating \$2,000,000 from Certified Free Cash to the OPEB Trust Account.

Respectfully submitted,

  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



## CITY OF PITTSFIELD

OFFICE OF DIRECTOR OF FINANCE AND ADMINISTRATION, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201  
(413) 499-9466

December 29, 2022

Honorable Linda M. Tyer, Mayor  
City Of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

Dear Mayor Tyer:

Submitted herewith for your consideration are three orders transferring and appropriating a total of \$6,000,000 from Certified Free Cash in \$2,000,000 increments to the City's General Stabilization Account, the Public Works Stabilization Account, and OPEB Trust Account.

As you are aware, the Department of Revenue recently certified the City's Free Cash for Fiscal year 2022 in the amount of \$17,130,565. The contributing factors to this unrepresented amount of Free Cash can be attributed to three one-time occurrences. The first is the receipt of the city's allocation of ARPA funds, the second is the payment made by Eversource for its 4 years of unpaid personal property taxes with interest which totaled over \$7.8 million dollars, and the City receiving the final payment for the state for the Taconic High School project with was in excess of \$4.7 million.

To maximize this one-time windfall for the long-term financial benefit of the City and in accordance with the City Use of Reserves Policy, I am proposing to transfer a portion of the Free Cash to the City's two Stabilization Accounts and its OPEB Trust Funds. The transfer to the General Stabilization Account will bring the balance of that account to \$7,069,881. Bringing the General Stabilization Account to this level will assist in advancing the recommendations of both the Department of Revenue and our outside auditors of achieving a total reserve amount between 7 and 10 percent of our operating budget.

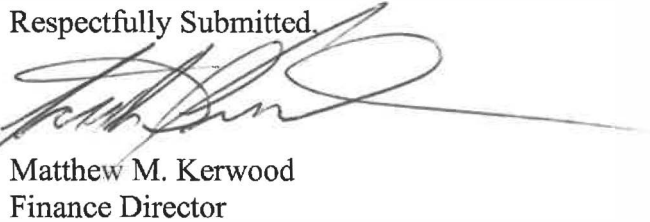
The transfer to the Public Works Stabilization Account would allow the city the option to use those funds with the approval of the City Council to purchase highway equipment and vehicles in lieu of purchasing them through the issuance of debt. This is what did as part of the fiscal year 2023 budget process.

The transfer to the OPEB Trust Fund, will provide a long overdue real investment into this Trust. The balance of the Trust is currently \$307,269. As you are aware, as of June 30, 2022,

the City's unfunded OPEB liability is over \$337 million dollars and while this investment is far from what is truly required it will assist the City in its discussions with Bond rating agencies which have consistently expressed concern about the City's non-action in this area. It is my intention to invest these funds in a manner that creates the best rate of return in accordance with Massachusetts General Law.

I would request that you transmit these Orders to the City Council for its consideration and approval.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Matthew M. Kerwood", with a long horizontal flourish extending to the right.

Matthew M. Kerwood  
Finance Director

# City of Pittsfield

No. \_\_\_\_\_

M A S S A C H U S E T T S

IN CITY COUNCIL

AN ORDER

**AN ORDER TRANFERRING AND APPROPRIATING \$2,000,000 FROM  
CERTIFIED FREE CASH TO THE GENERAL STABILIZATION ACCOUNT**

**Ordered:**

That the sum of \$2,000,000.00 from Certified Free Cash be transferred and appropriated to the General Stabilization Account. (82502)



# City of Pittsfield

M A S S A C H U S E T T S

IN CITY COUNCIL

**AN ORDER**

**AN ORDER TRANSFERRING AND APPROPRIATING \$2,000,000 FROM  
CERTIFIED FREE CASH TO THE PUBLIC WORKS STABILIZATION  
ACCOUNT**

No. \_\_\_\_\_

**Ordered:**

That the sum of \$2,000,000.00 from Certified Free Cash be transferred and appropriated to the Public Works Stabilization Account. (82510)

# City of Pittsfield

M A S S A C H U S E T T S

IN CITY COUNCIL

AN ORDER

**AN ORDER TRANSFERRING AND APPROPRIATING \$2,000,000 FROM  
CERTIFIED FREE CASH TO THE OPEB TRUST ACCOUNT**

No. \_\_\_\_\_

**Ordered:**

That the sum of \$2,000,000.00 from Certified Free Cash be transferred and appropriated to the OPEB Trust Account. (82600)

**Kerwood, Matthew**

---

**From:** dlsgateway@dor.state.ma.us  
**Sent:** Thursday, December 15, 2022 3:45 PM  
**To:** Kerwood, Matthew; McLain, Kari; Schilling, Emily; Catalano, Laura; nboucher@cityofpittsfield.org; Tyer, Linda; Crespo, Allison; Guzzo, Donna; dlsgateway@dor.state.ma.us  
**Cc:** podolakj@dor.state.ma.us  
**Subject:** Notification of free cash approval - Pittsfield  
**Attachments:** FreeCashCertification.PDF

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**Massachusetts Department of Revenue Division of Local Services**

Geoffrey E. Snyder, Commissioner  
Sean R. Cronin, Senior Deputy Commissioner of Local Services

12/15/2022

**NOTIFICATION OF FREE CASH APPROVAL - City of Pittsfield**

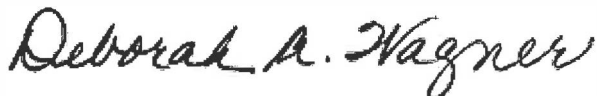
Based upon the un-audited balance sheet submitted, I hereby certify that the amount of available funds or "free cash" as of July 1, 2022 for the City of Pittsfield is:

General Fund		\$17,130,565.00
Enterprise Fund	Water	\$1,488,977.00
Enterprise Fund	Sewer	\$1,613,780.00

This certification is in accordance with the provisions of G. L. Chapter 59, §23, as amended.

Certification letters will be emailed to the mayor/manager, board of selectmen, prudential committee, finance director and treasurer immediately upon approval, provided an email address is reported in DLS' Local Officials Directory. Please forward to other officials as you deem appropriate.

Sincerely,



Deborah A. Wagner  
Director of Accounts  
Massachusetts Department of Revenue

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this mail in error please notify the postmaster at [dor.state.ma.us](mailto:dor.state.ma.us).

12/28/2022 16:01  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 1  
glytdbud

FOR 2023 12

ACCOUNTS FOR: 082 STABILIZATION	ORIGINAL APPROP	TRANFRS/ ADJSTMS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
82502 STABILIZATION FUND							
82502 40000 BALANCE -	4,980,157	0	4,980,157	.00	.00	4,980,156.57	.0%
82502 46000 STATE REVE	0	0	0	-87,819.54	.00	87,819.54	100.0%
82502 49000 INTEREST	0	0	0	-1,905.88	.00	1,905.88	100.0%
TOTAL STABILIZATION FUND	4,980,157	0	4,980,157	-89,725.42	.00	5,069,881.99	-1.8%
TOTAL STABILIZATION	4,980,157	0	4,980,157	-89,725.42	.00	5,069,881.99	-1.8%
TOTAL REVENUES	4,980,157	0	4,980,157	-89,725.42	.00	5,069,881.99	



12/28/2022 16:01  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 2  
glytdbud

FOR 2023 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	4,980,157	0	4,980,157	-89,725.42	.00	5,069,881.99	-1.8%

\*\* END OF REPORT - Generated by Matthew Kerwood \*\*



12/28/2022 16:03  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 1  
glytdbud

FOR 2023 12

ACCOUNTS FOR: 082 STABILIZATION	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
82510 PUBLIC WORKS STABILIZATION							
82510 40000 BAL FWD	731,338	0	731,338	.00	.00	731,337.93	.0%
82510 46000 STATE REV	0	0	0	-87,819.55	.00	87,819.55	100.0%
82510 48200 EARNINGS O	0	0	0	-72.35	.00	72.35	100.0%
TOTAL PUBLIC WORKS STABILIZATION	731,338	0	731,338	-87,891.90	.00	819,229.83	-12.0%
TOTAL STABILIZATION	731,338	0	731,338	-87,891.90	.00	819,229.83	-12.0%
TOTAL REVENUES	731,338	0	731,338	-87,891.90	.00	819,229.83	



12/28/2022 16:03  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 2  
glytdbud

FOR 2023 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	731,338	0	731,338	-87,891.90	.00	819,229.83	-12.0%

\*\* END OF REPORT - Generated by Matthew Kerwood \*\*



12/28/2022 16:04  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 1  
glytdbud

FOR 2023 12

ACCOUNTS FOR: 082 STABILIZATION	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
82510 PUBLIC WORKS STABILIZATION							
82510 59000 TRNFRS OUT	0	0	0	412,000.00	.00	-412,000.00	100.0%*
TOTAL PUBLIC WORKS STABILIZATION	0	0	0	412,000.00	.00	-412,000.00	100.0%
TOTAL STABILIZATION	0	0	0	412,000.00	.00	-412,000.00	100.0%
TOTAL EXPENSES	0	0	0	412,000.00	.00	-412,000.00	

12/28/2022 16:04  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 2  
glytdbud

FOR 2023 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	0	0	0	412,000.00	.00	-412,000.00	100.0%

\*\* END OF REPORT - Generated by Matthew Kerwood \*\*

12/28/2022 16:04  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 1  
glytdbud

FOR 2023 12

ACCOUNTS FOR:  
082 STABILIZATION

ORIGINAL  
APPROP

TRANFRS/  
ADJSTMTS

REVISED  
BUDGET

YTD EXPENDED

ENCUMBRANCES

AVAILABLE  
BUDGET

PCT  
USED

82600 OPEB TRUST

82600 40000 BAL FWD	306,543	0	306,543	.00	.00	306,543.15	.0%
82600 49000 INTEREST	0	0	0	-726.28	.00	726.28	100.0%
TOTAL OPEB TRUST	306,543	0	306,543	-726.28	.00	307,269.43	-.2%
TOTAL STABILIZATION	306,543	0	306,543	-726.28	.00	307,269.43	-.2%
TOTAL REVENUES	306,543	0	306,543	-726.28	.00	307,269.43	

12/28/2022 16:04  
mkerwood

CITY OF PITTSFIELD  
YEAR-TO-DATE BUDGET REPORT

P 2  
glytdbud

FOR 2023 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	306,543	0	306,543	-726.28	.00	307,269.43	-.2%

\*\* END OF REPORT - Generated by Matthew Kerwood \*\*

## FINANCIAL RESERVES

### PURPOSE

The City of Pittsfield's reserves provide resources that help the municipality to stabilize finances and to sustain operations during difficult economic periods. It is therefore important to have a policy that establishes prudent and consistent practices for appropriating to and expending these funds. With well-planned sustainability, the City can use its reserves to finance emergencies and other unforeseen needs, to hold money for specific future purposes, or in limited instances, to serve as revenue sources for the annual budget. Reserve balances and policies can also positively impact the City's credit rating and consequently its long-term cost to fund major projects.

### APPLICABILITY

This policy pertains to short- and long-range budget decision making and applies to the Mayor, School Committee, and City Council in those duties.

### POLICY

The City of Pittsfield commits to building and maintaining its reserves so as to have budgetary flexibility for unexpected events and significant disruptions in revenue-expenditure patterns and to provide a source of available funds for future capital expenditures. Adherence to this policy will help the City withstand periods of decreased revenues and control spending during periods of increased revenues. There are multiple types of reserves, including free cash, stabilization funds, retained earnings, and overlay surplus.

#### A. Free Cash

The Division of Local Services (DLS) must certify a community's free cash before it can be appropriated. DLS defines free cash as "the remaining, unrestricted funds from operations of the previous fiscal year, including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line items."

The City shall set a year-to-year goal of maintaining its free cash in the range of three to five percent of the annual budget. To achieve this, the Finance Director shall assist the Mayor in proposing budgets with conservative revenue projections, and department heads shall carefully manage their appropriations to

produce excess income and budget turn backs. Further, budget decision makers will avoid fully depleting the City's free cash in any year, so that the succeeding year's calculation can begin with a positive balance. Moreover, as much practicable, the City will limit its use of free cash to funding one-time expenditures (like capital projects or emergencies and other unanticipated expenditures) and any excess above five percent of the annual budget will be appropriated to reserves or used to offset unfunded liabilities.

#### B. Stabilization Fund

A stabilization fund is a reserve account allowed by state law to set aside monies to be available for future spending purposes, including emergencies or capital expenditures, although it may be appropriated for any lawful purpose. Prior to the adoption of this policy, the City established and appropriated to a general stabilization fund.

**General Stabilization:** The City will endeavor to build and maintain a minimum balance of five percent of the current operating budget in its general stabilization fund. Withdrawals from general stabilization should only be used to mitigate emergencies or other unanticipated events that cannot be supported by current general fund appropriations. When possible, withdrawals of funds should be limited to the amount available above the five percent minimum reserve target level. If any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to one-third of the general stabilization fund balance. Further, the Mayor shall develop a detailed plan to replenish the fund to the minimum level within the next two fiscal years.

#### C. Retained Earnings

The City has two business-type operations, whose accounting is done in the manner of enterprise funds: the Water and Wastewater Departments. By accounting for the revenues and expenditures of each of these operations in individual funds segregated from the general fund, the City can effectively identify their true service delivery costs—direct, indirect, and capital—and to recover them through user fees. Under this accounting, the City may reserve each operation's generated surplus (referred to as retained earnings or, alternatively, as net assets unrestricted) rather than closing the amount out to the general fund at year-end.

For each of the two business-type operations, the City will maintain a reserve amount at 20 percent of the operation's total budget, at minimum, but any reserve may be significantly higher if major infrastructure improvements are necessary. These reserves will be used to provide rate stabilization and to fund major, future capital projects.

#### D. Overlay Surplus

The overlay is a reserve that is used to offset unrealized revenues resulting from property tax abatements and exemptions. The City will prudently manage the overlay to avoid the need to raise overlay deficits in the tax levy.

At the conclusion of each fiscal year, the Board of Assessors shall submit to the Mayor and Finance Director an update of the overlay reserve, including but not limited to, current balances, potential abatement liabilities, and any transfers to surplus. If the balance of the overlay exceeds the amount of potential liabilities, the Mayor may request the Board to vote to declare those balances surplus and available for use in the City's capital improvement plan or for any other onetime expense.

#### **EFFECTIVE DATE**

This policy was approved by the Mayor-April 2017



OFFICE OF THE CITY CLERK, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MA 01201 (413) 499-9361

December 6, 2022

To the Honorable Members  
Of the City Council  
Of the City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

**RE: Revocations of Licenses issued under Chapter 148**

Councilors:

M.G.L. Chapter 148, Section 13 requires that properties holding licenses for the storage of inflammable fluids submit a Certificate of Registration annually. These certificates are due by April 30 of each year. The following property owners have failed to submit these certificates for 2022:

Owner	Property Address	License #	Quantity
Daniel A. Norton	97 Appleton Ave	1	5 vehicles
Floyd Passardi	129 Francis Ave	16	5 vehicles

I recommend that each of the licenses above be revoked in accordance with said law.

*Michele M Benjamin*  
Michele M. Benjamin  
City Clerk

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 DEC - 6 AM 9:18



# Berkshire County Classifieds



To advertise call 413-496-6365 or email [classifieds@newenglandnewspapers.com](mailto:classifieds@newenglandnewspapers.com)

The Berkshire Eagle

**Public Notices**      **Public Notices**      **Public Notices**      **Public Notices**      **Public Notices**      **Public Notices**

**CITY OF PITTSFIELD  
NOTICE OF PUBLIC HEARING  
REVOCATION OF LICENSE**

In accordance with Massachusetts General Law, Chapter 14B, Section 13, notice is hereby given that a public hearing will be held on Tuesday, January 10, 2023 at 6:00 p.m. in the Pittsfield City Council Chambers, Pittsfield City Hall, on the revocation of land licenses issued under said chapter for the storage of explosives and/or inflammable materials issued in the following names and locations: Daniel A. Norton (97 Appleton Avenue), and Floyd Passaroli (129 Francis Avenue).

By Order of the Pittsfield City Council  
Michelle M. Benjamin  
City Clerk

Ad# 71283  
12/23/2022

**CARE AND PROTECTION,  
TERMINATION OF  
PARENTAL RIGHTS,  
SUMMONS BY PUBLICATION,  
DOCKET NUMBER 22CP048PT,**  
Trial Court of Massachusetts,  
Juvenile Court Department,  
COMMONWEALTH OF  
MASSACHUSETTS,  
Berkshire County Juvenile Court,  
190 North Street,  
Pittsfield, MA 01201

TO: Adrianna Rebhae Rangel, mother, and any unknown, unnamed father of Rayna Jade Rangel born on 7/19/22 in Pittsfield; A petition has been presented to this court by DCF, seeking, as to the following child, Rayna J. Rangel, that said child be found in need of care and protection and committed to the Department of Children and Families. The court may dispense the rights of the person(s) named herein to receive notice of or to consent to any legal proceeding affecting the adoption, custody, or guardianship or any other disposition of the child named herein, if it finds that the child is in need of care and protection and that the best interests of the child would be served by said disposition. You are hereby ORDERED to appear in this court, at the court address set forth above, on the following date and time: 01/17/2023 at 09:00 AM Other Hearing. You may bring an attorney with you. If you have a right to an attorney and if the court determines that you are indigent, the court will appoint an attorney to represent you. If you fail to appear, the court may proceed on that date and any date thereafter with a trial on the merits of the petition and an adjudication of this matter. For further information, call the Office of the Clerk- Magistrate at (413) 664-8700.

WITNESS:  
Hon. Joan M. McMenemy,  
FIRST JUSTICE,  
Mary-Gallant-Cote,  
Clerk-Magistrate,  
DATE ISSUED: 12/07/2022

Ad# 71475, 71476  
12/23/2022, 12/27/2022,  
01/03/2023

**Commonwealth of  
Massachusetts  
The Trial Court  
Probate and Family Court  
Berkshire Division  
44 Bank Row  
Pittsfield, MA 01201  
(413)442-6941**

**CITATION ON PETITION FOR  
FORMAL ADJUDICATION**  
Docket No. BE22P0979EA

Estate of: Gerald Michael Monterosso  
Date of Death: 09/21/2022

To all interested persons:  
A Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative has been filed by Teresa Monterosso of Pittsfield, MA requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition. The Petitioner requests that Teresa Monterosso of Pittsfield, MA be appointed as Personal Representative of said estate to serve With Corporate Surety on the bond in unsupervised administration.

**IMPORTANT NOTICE**  
You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on the return day of 01/17/2023. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection.

WITNESS:  
Hon. Joan M. McMenemy,  
FIRST JUSTICE,  
Mary-Gallant-Cote,  
CLERK-MAGISTRATE,  
DATE ISSUED: 11/30/2022

Ad# 71488, 71500  
12/23/2022, 12/27/2022,  
01/03/2023

**CARE AND PROTECTION,  
TERMINATION OF  
PARENTAL RIGHTS,  
SUMMONS BY PUBLICATION,  
DOCKET NUMBER: 22CP0101BNA,**  
Trial Court of Massachusetts,

In Springfield, MA: A petition has been presented to this court by DCF, seeking, as to the following child, Amyah Manoogian, that said child be found in need of care and protection and committed to the Department of Children and Families. The court may dispense the rights of the person(s) named herein to receive notice of or to consent to any legal proceeding affecting the adoption, custody, or guardianship or any other disposition of the child named herein, if it finds that the child is in need of care and protection and that the best interests of the child would be served by said disposition. You are hereby ORDERED to appear in this court, at the court address set forth above, on the following date and time: 01/17/2023 at 09:00 AM Other Hearing. You may bring an attorney with you. If you have a right to an attorney and if the court determines that you are indigent, the court will appoint an attorney to represent you. If you fail to appear, the court may proceed on that date and any date thereafter with a trial on the merits of the petition and an adjudication of this matter. For further information, call the Office of the Clerk- Magistrate at (413) 664-8700.

WITNESS:  
Hon. Joan M. McMenemy,  
FIRST JUSTICE,  
Mary-Gallant-Cote,  
Clerk-Magistrate,  
DATE ISSUED: 12/07/2022

Ad# 71475, 71476  
12/23/2022, 12/27/2022,  
01/03/2023

**Commonwealth of  
Massachusetts  
The Trial Court  
Probate and Family Court  
Berkshire Division  
44 Bank Row  
Pittsfield, MA 01201  
(413)442-6941**

**CITATION ON PETITION FOR  
FORMAL ADJUDICATION**  
Docket No. BE22P0979EA

Estate of: Gerald Michael Monterosso  
Date of Death: 09/21/2022

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A Petition for Formal Adjudication of Intestacy and Appointment of Personal Representative has been filed by Teresa Monterosso of Pittsfield, MA requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition. The Petitioner requests that Teresa Monterosso of Pittsfield, MA be appointed as Personal Representative of said estate to serve With Corporate Surety on the bond in unsupervised administration.

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WITNESS:  
Hon. Joan M. McMenemy,  
FIRST JUSTICE,  
Mary-Gallant-Cote,  
CLERK-MAGISTRATE,  
DATE ISSUED: 11/30/2022

Ad# 71488, 71500  
12/23/2022, 12/27/2022,  
01/03/2023

**CARE AND PROTECTION,  
TERMINATION OF  
PARENTAL RIGHTS,  
SUMMONS BY PUBLICATION,  
DOCKET NUMBER: 22CP0101BNA,**  
Trial Court of Massachusetts,

**A Personal Representative  
appointed under the MUPC In an  
unsupervised administration is  
not required to file an inventory or  
annual accounts with the Court.  
Persons interested in the estate  
are entitled to notice regarding  
the administration directly from  
the Personal Representative and  
may petition the Court in any  
matter relating to the estate,  
including the distribution of  
assets and expenses of  
administration.**

WITNESS  
Hon. Richard A. Simons  
First Justice of this Court.  
Date: 12/20/2022

Anthony P. Patelia  
Register of Probate

Michael J. Martin, Esq.  
Martin Oliveira, LLP  
75 S Church Street, Ste 550  
Pittsfield, MA 01201  
Ad# 71503  
12/23/2022

**Commonwealth of  
Massachusetts  
The Trial Court  
Probate and Family Court  
Berkshire Division  
44 Bank Row  
Pittsfield, MA 01201  
(413) 442-6941**

**INFORMAL PROBATE  
PUBLICATION NOTICE**  
Docket No. BE22P0959EA

Estate of: EMILY E. PTAK  
Also known as: EMILY PTAK  
Date of Death: 10/05/2022

To all persons interested in the above captioned estate, by Petition of Petitioner FLORIAN M. PTAK of PITTSFIELD, MASSACHUSETTS. a Will has been admitted to Informal probate.

FLORIAN M. PTAK of PITTSFIELD, MASSACHUSETTS has been Informally appointed as the Personal Representative of the estate to serve without surety on the bond.

The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representatives appointed under informal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner.

PAUL F. BRENNAN  
399 Main St  
Suite 2C  
DALTON, MASSACHUSETTS 01226

Ad# 71514  
12/23/2022

**COMMONWEALTH OF  
MASSACHUSETTS  
The Trial Court  
Probate and Family  
Court Department  
Berkshire Division  
44 Bank Row**

Florida and Kristina L. Malcomb of Medway, Massachusetts ("Petitioners"), representing that they hold as tenants in common an undivided part or share in certain real estate situate in Pittsfield, Berkshire County, Massachusetts, and described as follows:  
(Locus: 290 Barker Road, Pittsfield, MA)

Being Lot 6A as shown on a Plan entitled "Land on Barker Road - Pittsfield, Mass., Being a Revision of Lots 5 & 6 prepared for Delalba Realty, Inc., Scale: 1" = 30', May 31, 1985, John J. Unwin, Reg. Land Surveyor, 74 North Street, Pittsfield, Mass.," which plan was recorded in the Berkshire Middle District Registry of Deeds on January 4, 2002, in Book 417-P, Page 87 (Containing 0.65 Acres, more or less).

The said Jacqueline J. Lynch died on October 25, 2018; See Death Certificate and Affidavit recorded in said Registry of Deeds simultaneously herewith.

The common title to the land is derived under a deed of Frank W. Lynch grantor dated July 26, 2021 and recorded with the Berkshire Middle District Registry of Deeds in Book 6978, Page 68.

Subject to a 20' wide sewer easement reserved by Delalba Realty, Inc., as shown on said Plan. See Revised Sewer Easement Plan recorded in said Registry in Book 4171, Page 36A. Subject to the rights, privileges and easement granted to Western Massachusetts Electric Company by Elizabeth P. McDonough, et als, dated April 4, 1958, and Recorded in said Registry in Book 672, Page 213, to the extent the same may be applicable.

And setting forth that they desire that all of said land may be sold at private sale for not less than \$350,000.00 and praying that partition may be made of all the land aforesaid according to law, and to that end that a commissioner be appointed to make such partition of all, or any part of said land which the Court finds cannot be advantageously divided at private sale; and be ordered to distribute the net proceeds thereof in such manner as to make the partition just and equal.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at 44 Bank Row, Pittsfield, MA 01201, before ten o'clock in the forenoon on the 23rd day of January, 2023, the return day of this citation.

WITNESS,  
The said Jacqueline J. Lynch died on October 25, 2018; See Death Certificate and Affidavit recorded in said Registry of Deeds simultaneously herewith.

The common title to the land is derived under a deed of Frank W. Lynch grantor dated July 26, 2021 and recorded with the Berkshire Middle District Registry of Deeds in Book 6978, Page 68.

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**CITY OF PITTSFIELD  
NOTICE OF PUBLIC HEARING  
REVOCAION OF LICENSE**

In accordance with Massachusetts General Law, Chapter 148, Section 13, notice is hereby given that a public hearing will be held on Tuesday, January 10, 2023 at 6:00 p.m. in the Pittsfield City Council Chambers, Pittsfield City Hall, on the revocation of land licenses issued under said chapter for the storage of explosives and/or inflammable materials issued in the following names and locations: Daniel A. Norton (97 Appleton Avenue), and Floyd Passardi (129 Francis Avenue).

**By Order of the Pittsfield City Council**

Michele M. Benjamin  
City Clerk

Publish on December 23, 2022

PO: 220307

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 DEC 28 AM 10:21

CITY CLERK, 70 ALLEN STR

December 6, 2022  
DANIEL NORTON  
97 APPLETON AVENUE  
PITTSFIELD, MA 01202

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Description  
**DANIEL NORTON  
99 ESSEX STREET  
PITTSFIELD, MA 01201**



9590 9402 7755 2152 3853 49

2 Article Number (Transfer from service label)  
322 2410 0001 4652 5625

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *[Signature]*  Agent  
 Addressee

B. Received by (Printed Name)  
*[Signature]*

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt

Dear Daniel Norton:

While preparing the renewals for the storage of flammable fluids, it has come to our attention that your 2022 registration has not yet been paid. The registration for the property at 97 Appleton Avenue you hold expired on April 30, 2022. Failure to renew this permit annually results in revocation.

Please complete the enclosed documents for last year and this year to have your registration be current. Return them to this office immediately with a check in the amount of \$5.00. A public hearing will be held on January 10, 2023, to revoke this permit. A legal notice will be posted on December 23, 2022, in the Berkshire Eagle. The hearing will take place at City Hall, Council Chambers, 70 Allen Street, Pittsfield, MA at 6:00PM.

If you have sold the business or premises covered by the license, kindly notify this office of the name and address of the new owner.

If you have no longer wish to continue to hold this license, please sign below and return to my office. We will then take the necessary steps to proceed with a revocation of your land license. Please be advised that once the license is modified to reflect its revocation, you will not be able to resume the use of storage on the property without reapplication to the Pittsfield City Council.

Thank you for your assistance in resolving this matter. If you have any questions, please feel free to contact me.

Sincerely yours,

*[Signature: Michele M. Benjamin]*

Michele M. Benjamin  
City Clerk

I wish to proceed with revocation of the above referenced land license.

*[Signature: Daniel Norton]*  
Signature

*[Date: 12/17/22]*  
Date

**U.S. Postal Service™**  
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Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

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Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage  
\$ \_\_\_\_\_

Total Postage and Fees  
\$ \_\_\_\_\_

Postmark  
Here

**CITY OF PITTSFIELD**

MA 01201 - TEL. (413) 499-9361 ~ FAX (413) 499-9463

Sent To Floyd Passardi

Street and Apt. No., or P.O. Box No. 129 Francis Ave

City, State, Zip+4 Pittsfield MA 01201

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**POST REQUESTED**

**Floyd Passardi**  
**129 Francis Avenue**  
**Pittsfield, MA 01201**

To Whom It May Concern:

Please be advised that the following land license for the storage of explosives and inflammable materials on your property located at **129 Francis Avenue**, in the City of Pittsfield, will be revoked for non-renewal by a public hearing of the Pittsfield City Council on Tuesday, December 13, 2022 at 6:00 p.m. in the Pittsfield City Hall, City Council Chambers:

License No.	Quantity Licensed	License Period	Renewal Fee
16	5 Vehicles	04-2022 – 04-2023	\$2.50

The land licenses for the storage of inflammable fluids on the above-referenced property expired on **April 30, 2022**. Massachusetts General Laws, Chapter 148 requires that land licenses issued for this purpose be renewed annually.

If you have any questions, please feel free to contact me.

Sincerely yours,

*Michele M Benjamin*  
**Michele M. Benjamin**  
**City Clerk**

I wish to proceed with revocation of the above referenced land license.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

# MARTIN & OLIVEIRA

MICHAEL J. MARTIN, ESQ.

Direct: (413) 347-8964

MJM@martinoliveira.com

A Professional Limited Liability Partnership

Attorneys and Counselors at Law

THE CLOCKTOWER

75 SOUTH CHURCH STREET, SUITE 550

PITTSFIELD, MASSACHUSETTS 01201-6145

TELEPHONE (413) 443-6455

FAX (413) 445-5883

www.martinoliveira.com

Kelly M. Koperek, Paralegal

Direct: (413) 347-8969

KMK@martinoliveira.com

November 29, 2022

[mbenjamin@cityofpittsfield.org](mailto:mbenjamin@cityofpittsfield.org)

Attn.: Michele Benjamin

City of Pittsfield

City Council

70 Allen Street

Pittsfield, MA 01201

**RE: Compass Ridge Zoning Petition for Zoning Amendment  
Request for Continuance of November 29, 2022 Hearing**

Dear Clerk Benjamin and Members of the City Council:

As you know, this firm represents Compass Ridge, LLC in connection with its Petition and Application to Amend the Zoning Map as related to 0 West Housatonic. This matter is scheduled to heard by the City Council at the November 29, 2022 meeting.

Please continue this matter for sixty (60) days. Compass Ridge LLC is aware that this will require additional cost related to a new publication. In response to the community feedback and comments from the Community Development Board, please note that we are working with SK Design Group to prepare a plan for a proposed use and that a continuance is necessary to allow the plans to be prepared. A supplemental filing will be provided once the plans are complete.

We look forward to presenting the updated application to you at the January 24, 2023 meeting.

Thank you for your attention to this matter.

Cordially yours,

*/s/ Michael J. Martin, Esq.*

Michael J. Martin

MJM/kmk

Enclosure

cc. CJ Hoss, City Planner



## CITY OF PITTSFIELD

PITTSFIELD CONSERVATION COMMISSION, CITY HALL, 70 ALLEN STREET & HEALTH DEPARTMENT, 100 NORTH STREET, PITTSFIELD, MA 01201

January 3, 2023

Honorable City Council of the City of Pittsfield  
70 Allen Street  
Pittsfield, MA 01201

re: A referral regarding the 2022 drawdown of Pontoosuc Lake

Honorable Council Members,

Drawdowns of the surface waters of Pontoosuc Lake have been performed since the late 1940's when large volumes of water were drawn throughout the year to provide power for the manufacturing processes associated with downstream mill complexes. Over time, these practices continue to be refined in a way that attempts to best balance dam safety, flood water and invasive species control, and concerns with the beneficial ecological aspects that the lake and adjoining wetlands resources provide. Numerous studies, management plans, guidance materials, and environmental permit processes have been completed over the years to determine how to best achieve these objectives.

Today, the dam is monitored and maintained by Massachusetts Department of Conservation (DCR). DCR is also in the process of preparing a series of voluminous permit applications for Pontoosuc Lake drawdown as a way to continue to ensure the most sound drawdown management practices are being implemented. These applications will, at minimum, be submitted to and reviewed by the Executive Office of Energy and Environmental Affairs (EOEEA) under the Massachusetts Environmental Policy Act (MEPA) review process; Massachusetts Department of Environmental Protection (Mass DEP); and to both the Lanesborough and Pittsfield Conservation Commissions. Ample public engagement and public comment is a part of the process for all of these entities.

The Conservation Commission relies on the staff of DCR to manage the drawdown in compliance with the local Order of Conditions. Because the lake is shared with another municipality, the Orders of Conditions prepared by the Lanesborough Conservation Commission and Pittsfield Conservation Commission mirror one another. This is to prevent confusion when checking for compliance with the permit. The annual lake drawn down is approximately three feet, beginning in October and refilling in April. The current permit allows for up to a five foot drawdown, with certain caveats.

The lake can be drawn down one of two ways. The first way is through a lower gated spillway. When the gate is raised, the crest of the spillway is exposed, allowing water to discharge. The crest elevation is three feet lower than the crest of the primary spillway. In 2007, this was designed and built into the dam for the purposes of drawdown and maintaining a thirty-six inch draw down depth.

The other way of drawdown is through an eight-foot diameter low level pipe that is controlled inside the lakes gatehouse. This can provide for deeper drawdown, such as the drawdowns from three feet to five feet. When this is not open during drawdown, the stable pool elevation is around three feet.

On November 28, 2022, this office received a complaint that the lake had been drawn down beyond three feet to three and one-half feet. Measurement were taken from a watermark along the sheet pile retaining wall on the dam's western face. While this was not a violation of the permits (the Order of Conditions allows a drawdown of up to five feet before December 1), the general practice has been to maintain a drawdown of three feet. Because of this, an inquiry was made to the DCR requesting to see the drawdown data logs (attached). These logs show a maximum drawdown depth of thirty-six inches measured from the crest of the dam's primary spillway (per DCR staff). There was no indication as to whether or not the low level pipe was opened.

Fish mortality was not evident in any information presented to the Pittsfield Conservation Office. Documentation was however provided that showed a population of young of year fish, primarily yellow perch, schooled near the toe of the downstream face of the dam. Though this population of fish may have made their way downstream, in part, because of the drawdown, fish movement over the dam occurs throughout the year, despite drawdown. Without means of making their way over the dam (such as with a fish ladder), it is common to find fish, and other aquatic organisms, populate at the toe of dams. Unfortunately, dams do often disconnect waterways from upgradient waterways within the watershed. It is for this reason that the Pittsfield Conservation Commission continually supports stream continuity projects, such as replacing failed and inadequate culvert pipes. While the Pontoosuc Dam will likely never completely be removed (promoting stream continuity), the Commission can ask the applicant of the pending permit applications(s) to consider ways to incorporate aquatic organism passage from areas downstream of the to the lake.

The question of the impact that lake drawdown has on the lakes ecosystem is quite broad. The Pittsfield Conservation Commission concerns itself with compliance under the Massachusetts Wetlands Protection Act and its accompanying regulations. When the drawdown was last permitted, Conservation Commissioners from two municipalities, Mass DEP, and other applicable public agencies agreed that with the Order of Conditions imposed the action of drawdown would be in compliance with those rules. These rules would have considered Land Under the lakes Water, the Banks of the lake, wetland areas contiguous to the lake, and the floodplain areas associated with the lake. Together in 2004, Mass EOEEA, Mass DEP, and Mass DCR prepared a document as part of a Generic Environmental Impact Report entitled "The Practical Guide to Lake Management of Management" that lake managers and regulators use to help make sound lake management decisions. This document provides an abundance of information that would be useful in providing answers to both the negative and positive impacts of lake draw down. The drawdowns at Pontoosuc generally require adhering to recommendations outlined in this document.

Lake management is a very complex and challenging task as there are many factors to consider. Lake management at Pontoosuc Lake follows the advice and recommendations by experts across the state with the intent of striking the best balance.

Please do not hesitate to contact me with any questions.



Thank you,

Robert J Van Der Kar, PWS

**Pontoosuc Lake Dam  
Daily Drawdown Water Level Measurements**

<b>Date</b>	<b>Time</b>	<b>Lake Water Level Measured from Spillway Crest to Water Surface (Inches)</b>
10/13/2022	10:00 AM	+1.5
10/14/2022		
10/15/2022	8:30 AM	+1
10/16/2022	8:30 AM	+0.5
10/17/2022	8:30 AM	-1
10/18/2022	11:30 AM	-2
10/19/2022	12:00 PM	-4
10/20/2022	11:00 AM	-6
10/21/2022	9:00 AM	-7
10/22/2022	2:00 PM	-8
10/23/2022	8:00 AM	-10
10/24/2022	9:30 AM	-12
10/25/2022	9:00 AM	-14
10/26/2022	12:00 PM	-16
10/27/2022	9:30 AM	-18
10/28/2022	10:00 AM	-20
10/29/2022	9:00 AM	-22
10/30/2022	12:00 PM	-24
10/31/2022	12:00 PM	-26
11/1/2022	9:30 AM	-27
11/2/2022	11:00 AM	-28
11/3/2022	10:00 AM	-29
11/4/2022	10:00 AM	-30
11/5/2022	8:30 AM	-31
11/6/2022	9:00 AM	-32
11/7/2022	10:30 AM	-33
11/8/2022	11:30 AM	-34
11/9/2022	9:30 AM	-35
11/10/2022	9:00 AM	-36
11/11/2022	9:15 AM	-34
11/12/2022	10:30 AM	-35
11/13/2022	11:30 AM	-35
11/14/2022	11:00 AM	-35
11/15/2022	9:00 AM	-35
11/16/2022	8:30 AM	-35
11/17/2022	10:00 AM	-35
11/18/2022	11:30 AM	-35
11/19/2022	1:30 PM	-35
11/20/2022	2:45 AM	-35
11/21/2022	8:30 AM	-35
11/22/2022	9:30 AM	-35
11/23/2022	10:30 AM	-35
11/24/2022	8:00 AM	-35
11/25/2022	8:30 AM	-35
11/26/2022	9:00 AM	-35
11/27/2022	9:00 AM	-35
11/28/2022	8:30 AM	-34
11/29/2022	10:30 AM	-34
11/30/2022	11:00 AM	-34
12/1/2022	8:30 AM	-34



PONTOOSUC LAKE DAM DATA LOG

2022

DATE	TIME	LOWER GATE		SLUICE GATE		LAKE LEVEL or-crest readout	OPERATOR	COMMENTS	FLOW	
		INCHES UP	INCHES DOWN	FINAL POSITION	FINAL POSITION				Date	Time
10/13	10AM			+6"		+1 1/2 NCH	CH	Heavy Rain Draw Down started		
10/15	8:30			+9"		+1 1/2	KM			
10/16	8:30AM	73		+12"		+1 1/2	CH			
10/17	8:30			+12"		-2	CH			
10/18	11:30			+12"		-4	KM			
10/19	12PM			+12"		-6	CH			
10/20	11AM			+12"		-8	KM			
10/22	2:00			+12"		-10	KM			
10/23	8AM			+12"		-12	CH			
10/24	9:30AM			+12"		-14	CH			
10/25	9AM			+12"		-16	CH			
10/26	12PM			+12"		-18	CH			
10/27	9:30AM			+12"		-20	KM			
10/28	10:00			+12"		-22	KM			
10/29	9:00			+12"		-24	CH			
10/30	12			+12"		-26	CH			
10/31	12		-2	+10		-27	KM			
11/1	9:30			+10		-28	KM			
11/2	11			+10		-28	KM			
11/3	10			+10		-29	KM			

2022

## PONTOOSUC LAKE DAM DATA LOG

data

DATE	TIME	LOWER GATE			SLUICE GATE			LAKE LEVEL or Elect readout	OPERATOR	COMMENTS	FLOW			
		INCHES UP	INCHES DOWN	FINAL POSITION	INCHES UP	INCHES DOWN	FINAL POSITION				Date	Time	Gage feet	Flow cfs
11/4	10		2"	8"			+1	-30	KM					
11/5	8:30			8"			+1	-31	KM					
11/6	9			8"			+1	-32	CH					
11/7	10:30			8"			+1	-33	CH	:				
11/8	11:30			8"			+1	-34	KM					
11/9	9:30			8"			+1	-35	KM					
11/10	9:00		5"	3"			+30	-36	KM	- Draw Down -				
11/11	9:15			3"			Open	-34	KM	Complete				
11/12	10:30	3		6"			"	-35	KM	Heavy Rain				
11/13	11:30			6"			"	-35	CH					
11/14	11:00			6"			"	-35	CH					
11/15	9:00			"			"	-35	KM					
11/16	8:30			"			"	-35	KM					
11/17	10			"			"	-35	KM					
11/18	11:30			"			"	-35	KM					
11/19	1:30			"			"	-35	KM					
11/20	2:45			"			"	-35	CH					
11/21	8:30			"			"	-35	CH					
11/22	9:30			"			"	-35	KM					
11/23	10:30			"			"	-35	KM					
11/24	8:00			"			"	-35	KM					



December 7, 2022

To the City Council of the City of Pittsfield

The undersigned respectfully

A request for a representative of the Conservation Commission to come before the City Council on Tuesday January 10 to explain why Pontoosuc Lake was drawn down lower than normal causing the death of thousands of fish and the impact this has on the lake ecosystem.

Karen Kalinowsky  
Councilor At-Large

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 DEC - 7 PM 2: 54



## CITY OF PITTSFIELD

DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY HALL, 70 ALLEN STREET, RM 205, PITTSFIELD, MA 01201

November 16, 2022

To the Honorable Members  
Of the City Council  
Of the City of Pittsfield

Re: Petition re: the request for an honorary way honoring the Reverend Samuel Harrison on the corner of Third Street and Fenn Street

Dear Councilors:

The Department of Community Development reviewed this request in consultation with the Commissioner of Public Services. We agree that such signage will not be confusing to the public and is an appropriate designation to honor the Reverend Samuel Harrison. The Department of Community Development has no concern over the designation.

The petition does not state the specific naming of the signage (e.g., Rev. Samuel Harrison Way). The Council should clearly state the intended street naming as part of an approval to be directed to the Department of Public Services.

Sincerely,

A handwritten signature in black ink, appearing to read "Justine Dodds", is written over a faint, larger version of the same signature.

Justine Dodds  
Director



City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 OCT 12 AM 8:44

10/11 2022

To the City Council of the City of Pittsfield

The undersigned respectfully

propose placement of a commemorative street sign on the corner of 3rd and Fenn Streets in honor of the Presbyterian Minister, Reverend Samuel Harrison (1818-1900). Reverend Harrison, a former slave, was a vocal abolitionist and chaplain of the famed 54th Massachusetts Regiment. Among his many accomplishments Harrison collaborated with Massachusetts Governor Andrew petitioning President Lincoln for equal pay for black soldiers. Equal pay for African American soldiers was secured by Congress in 1864.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Charles I. Kronick".

Charles I. Kronick

Councilor Ward 2



**CITY OF PITTSFIELD**  
OFFICE OF THE CITY SOLICITOR, CITY HALL, 70 ALLEN STREET, SUITE 200,  
PITTSFIELD, MASSACHUSETTS 01201

Tel. (413) 499-9352  
[solicitor@cityofpittsfield.org](mailto:solicitor@cityofpittsfield.org)

January 31, 2022

To the Honorable Members  
of the City Council  
of the City of Pittsfield

Dear Councilors:

On December 15<sup>th</sup>, 2021 the following matter was referred to this office:

“That the recent creation of new positions, including but not limited to the Special Projects Manager, appear to be in violation of the City Code. It seems the City did not create any positions by the amending of the "compensation tables" salary schedule. That would only indicate the potential salary range once the position is created. It would seem more specific steps are necessary.

Therefore, I request that this matter be referred to the City Solicitor for a legal opinion as to all the steps necessary to create a new position.”

Under the City’s Charter, the Administration hires and fires all employees.

The City Council’s role is:

- To approve or reject the budget which contains the appropriation funding the position(s);
- To approve or reject the appointment of an individual as a department head (Section 2-10);
- To approve or reject administrative orders submitted by the mayor to create or reorganize city agencies;
- To accept or reject grants which may specifically include funding for personnel to manage the grant or which permit grant funding to be used to hire and pay for personnel to manage the grant.

If the City Council votes to accept a grant which includes funding for personnel or which permits the funds to be used for personnel and expenses to oversee the grant, the management of the grant is within the purview of the administration. Any personnel position created to manage the grant do not require the City Council to raise and appropriate funds.

These are temporary grant funded positions which will end when the grant funds are exhausted.

Respectfully submitted,

Stephen N. Pagnotta  
City Solicitor



# City of Pittsfield

RECEIVED BY CLERK  
CITY OF PITTSFIELD  
2021 DEC -8 PM 12:31

December 06 2021

To the City Council of the City of Pittsfield:-

The undersigned respectfully

That the recent creation of new positions, including but not limited to the Special Projects Manager, appear to be in violation of the City Code. It seems the City did not create any positions by the amending of the "compensation tables" salary schedule. That would only indicate the potential salary range once the position is created. It would seem more specific steps are necessary.

Therefore, I request that this matter be referred to the City Solicitor for a legal opinion as to all the steps necessary to create a new position.

This is very important to clarify because there is a basic principle of municipal law that if all the technical requirements are not complied with by the municipality, money due from and/or paid by the city are subject to being deemed unenforceable or requiring reimbursement to the city even if the recipient has validly provided goods or services.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kenneth G. Warren Jr.", written over a horizontal line.

Kenneth G. Warren Jr.  
Ward 1 City Councilor Elect





City of Pittsfield

RECEIVED CITY CLERK  
CITY OF PITTSFIELD, MA

2022 OCT 12 AM 8:44

10/11 2022

To the City Council of the City of Pittsfield

The undersigned respectfully

propose that a committee be formed by the City Council whose goal is to present to the Council and Mayor a design and funding plan for the erection of a statue on the Tyler Street circle of the esteemed Reverend Samuel Harrison (1818-1900). This statue will pay long overdue honor to the significant contributions of the Reverend to the struggles to overcome the legacies of slavery in our Nation. Further, it will have numerous other benefits such as increasing general pride in our City by honoring the contribution of blacks to our City and Nation, encouraging the study of history and its intersection with art by our children, bringing regional and National attention to Pittsfield and finally serve as a lovely crown for the Tyler Street renovation project.

Respectfully Submitted,

Charles I. Kronick

Councilor Ward 2



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 DEC 27 AM 11:31

December 26 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the City Solicitor investigate the steps necessary to correct the listing of the ownership of Parcel I160001002 in the records of the Assessors which was last owned of record by the Pittsfield Sportsmens Club Inc. which was returned to the City of Pittsfield by a notice of reverter which was accepted by the City Council January 14, 2014, a copy of the paperwork which is attached hereto.

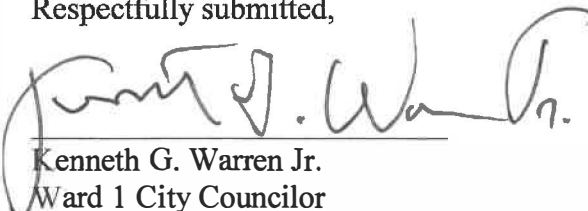
**RATIONALE:**

While some believe that a deed transferring the interest back to the City is required, others such as myself believe that a deed is the better course of action in any event.

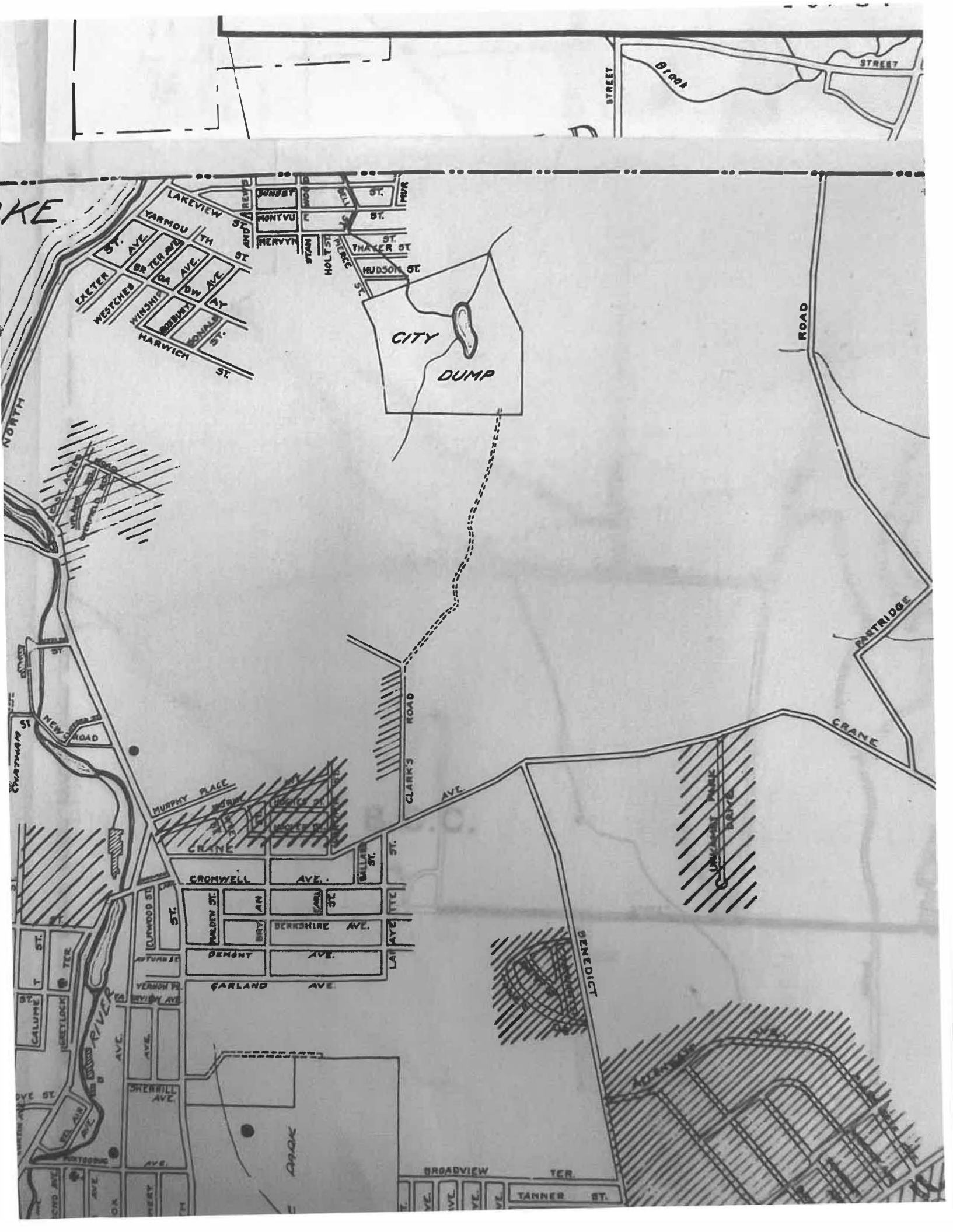
This may explain why the owners designation has not been changed on the official records of the City of Pittsfield.

Note: This piece of property was apparently the city dump which was accessed off of Clark Road (see attached map) until the mid-forties when the City moved the landfill and built an incinerator on East Street. It then became a firing range for the community until it was transferred to the Pittsfield Sportsmens Club Inc in 1971 with conditions.

Respectfully submitted,

  
Kenneth G. Warren Jr.  
Ward 1 City Councilor

KE



NORTH

STREET

Brook

STREET

ROAD

CITY  
DUMP

CARTRIDGE

CRANE

MURPHY PLACE  
CRANE  
CROWWELL AVE.  
MILDEN ST.  
BRYAN  
BERKSHIRE AVE.  
DERRONT AVE.  
GARLAND AVE.

BENEDICT

ADIRONDACK

BROADVIEW TER.  
TANNER ST.

ARROW

CLARKWOOD ST.  
VERNON ST.  
MERRILL AVE.  
BROADWAY



No. 114

**City of Pittsfield**  
M A S S A C H U S E T T S  
IN CITY COUNCIL  
AN ORDER

**Ordered:** AUTHORIZING THE MAYOR AND CITY COUNCIL PRESIDENT TO ACCEPT THE REVERSIONARY INTEREST IN A CERTAIN PARCEL CONVEYED TO THE PITTSFIELD SPORTSMEN'S CLUB ON MAY 13, 1971. (I16-0001-002 "Parcel")

**WITNESSETH:**

WHEREAS, the City conveyed a certain Parcel of land to the Pittsfield Sportsmen's Club, Inc (the "Club") on May 13, 1971, as recorded with the Berkshire (Middle) District Registry of Deeds in Book 905, Page 360;

WHEREAS, in the Deed to the City, the City reserved to itself a reversionary interest of the underlying fee interest to the Parcel in the event that the Club ceases to use the land as a firing range or for the purposes and objects stated in the original Agreement (unavailable for review) between the Club and the City;

WHEREAS, the Club has communicated to the City that it no longer uses the Parcel as a firing range and desires that the City take it back. See attached transmittal letter and a copy of the Deed in question;

NOW THEREFORE, the City Council of the City of Pittsfield, acting pursuant to all acts, statutes, laws, and ordinances or parts thereof and applicable thereto, does hereby vote, declare, specify and ORDER:

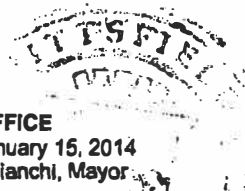
1. That the Honorable Daniel L. Bianchi, Mayor of the City of Pittsfield, and City Council President Kevin Sherman, are hereby authorized to accept the reversion of the Parcel back to the City.

2. That this Order shall take effect upon enactment.

IN CITY COUNCIL  
January 14, 2014  
Read and adopted - 10 Yeas 1 Nays  
/s/Melissa Mazzeo, City Council President  
/s/Linda M. Tyer, City Clerk

MAYOR'S OFFICE  
Approved: January 15, 2014  
/s/ Daniel L. Bianchi, Mayor

A true copy Attest:

  
*Linda M. Tyer*  
Linda M. Tyer, City Clerk



RECEIVED

*"In the Heart of the Berkshires"*  
PITTSFIELD, MASSACHUSETTS 01202  
P.O. BOX 1436

[www.pittsfieldsportsmensclub.org](http://www.pittsfieldsportsmensclub.org)

City Solicitor  
70 Allen Street, Room 201  
Pittsfield, MA 01201

Dear Solicitor:

On 13 May 1971 the City of Pittsfield executed a land lease with the Pittsfield Sportsmen's Club (hereafter PSC). This lease afforded the PSC the right to use land situated to the north of the General Electric Athletic Association, to the east of State Route 7, and south of Mervyn Street, described as Lot Number 206 on Map 281B.

The Pittsfield Sportsmen's Club has not utilized this parcel of land for several years and wishes to return the land to the grantor pursuant to article two (2) of the lease (see attached photocopy).

Please advise us of the proper avenue to rescind the lease.

Thank you

David Pemble  
President

Travis DelRatez  
2<sup>nd</sup> Vice President

Travis B. Sawyer  
Secretary / Clerk

Edward Bushey  
Vice President

Sandra Bushey  
Treasurer

A N D E R E S E P R E S E N T S

That, the CITY OF PITTSFIELD, a municipal corporation with its principal place of business located at 66 Allen Street, Pittsfield County of Berkshire, Commonwealth of Massachusetts, in consideration of ONE (\$1.00) DOLLAR, grant to PITTSFIELD SPORTSMEN'S CLUB, INC., a Massachusetts corporation, whose principal place of business is in care of James H. Calnan, Esquire, 28 North Street, Pittsfield, Massachusetts, without covenants, the land in Pittsfield, in the County of Berkshire, Massachusetts, bounded and described as follows:

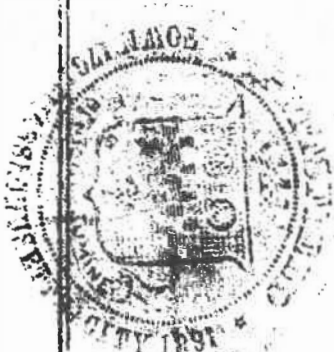
A parcel of land shown as Lot No. 206 on Map 281B in the office of the Board of Assessors in the City of Pittsfield. A sketch of said parcel of land is annexed hereto and made a part hereof.

The above described parcel is conveyed subject to the following restrictions, conditions and limitations to which the grantee covenants and agrees for itself and its assigns to conform:

- 1) The grantee shall permit the Police Department of the City of Pittsfield to use the facilities of the firing range free of charge.
- 2) That in the event the said land ceases to be used for the purposes of a firing range and for the purposes and objects stated in the original Agreement of Association of the grantee, or the corporation is dissolved, then in either event, title and ownership in the above parcel of land shall revert to the City of Pittsfield.
- 3) Anything to the contrary notwithstanding, title and ownership to the above described property shall revert to the grantor automatically six months after the filing of a notice of the grantor's intent to have the title and ownership revert to the grantor. A copy of said notice shall be sent to the grantee.
- 4) The grantee hereby makes, constitutes and appoints the grantor as its lawful attorney with full power to act for it in the execution of any deed or instrument necessary to transfer title to the grantor herein in the event of a breach of any condition contained in this deed.

IN WITNESS WHEREOF, the said City of Pittsfield has caused its corporate seal to be hereto affixed and these presents to be signed in its name and in its behalf by Donald G. Butler, Mayor and John J. Fitzgerald, Treasurer, both thereto duly authorized

by Order No. 46, adopted by the City Council on April 13, 1971  
and approved by the Mayor on April 14, 1971.



CITY OF PITTSFIELD  
By Donald G. Butler  
Donald G. Butler, Mayor  
By John J. Fitzgerald  
John J. Fitzgerald, Treasurer

COMMONWEALTH OF MASSACHUSETTS

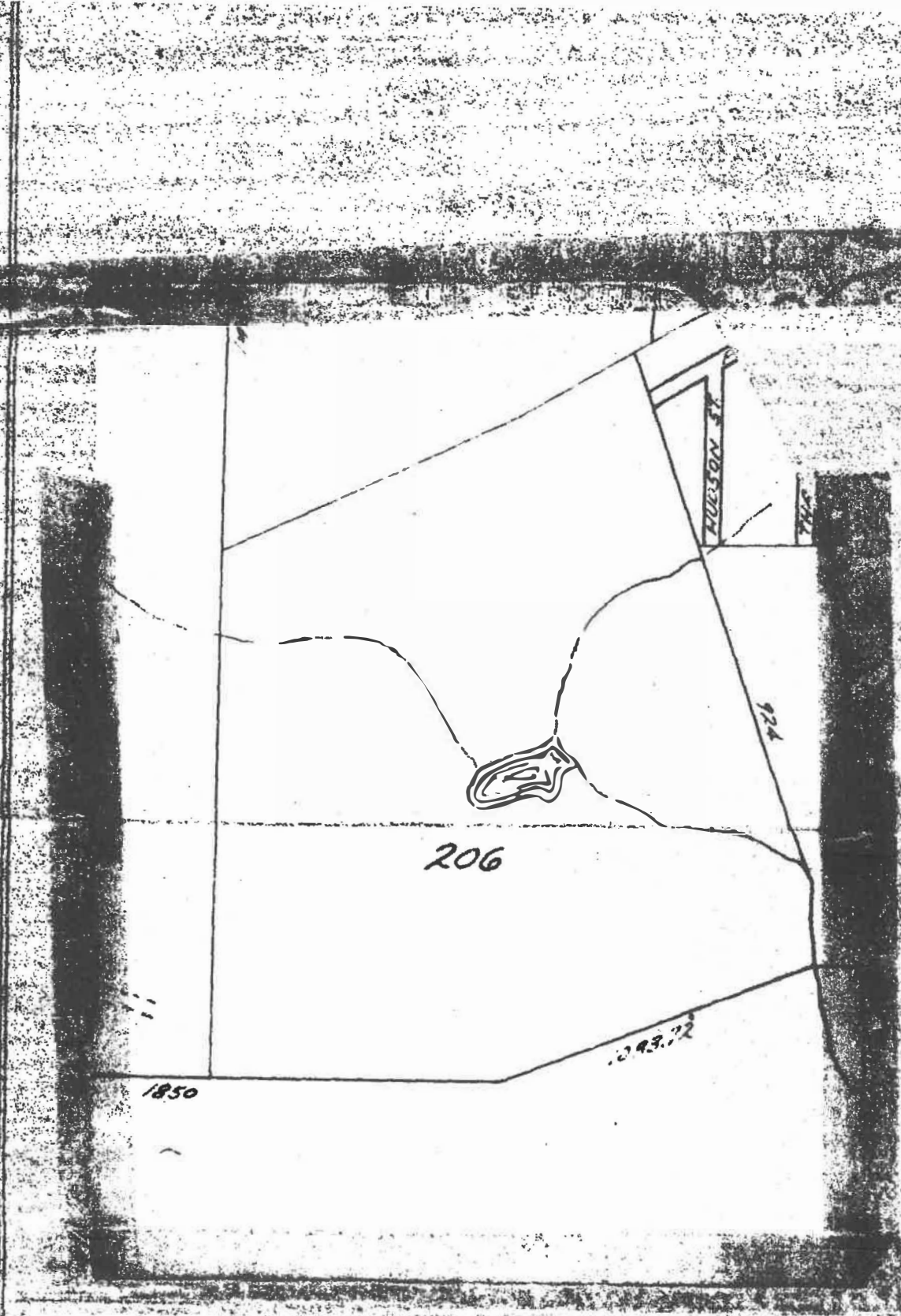
BERKSHIRE, SS.

May 13<sup>th</sup>, 1971

Then personally appeared the above named JOHN J. FITZGERALD,  
and acknowledged the foregoing instrument to be the free act and  
deed of the City of Pittsfield, before me,

Samuel L. Loda  
Notary Public  
My Commission Expires: June 7, 1972





"SKETCH"





# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2023 JAN -4 PM 2: 34

*January 4 20 23*

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Honorable members of the City Council,

In response to the reports of the City's response to Storm Elliot December 23, 2022, I present the following conclusion. It should be the resolution of the City Council to not authorize further expenses and purchasing of capital equipment as a result of the City's performance in this storm. The final conclusion must focus on those steps that were not followed as these following observations should guide future responses, regardless of the season.

Following the Storm that began 12/23/2022, the DPW and the Mayor's office claim that an effective and prompt response - both plowing and salt - were impossible. Given the advance warning of this storm including temperature drop with combined sleet and snow and the rapid deterioration of the roads' safety, activating the CodeRED alert and requesting that residents avoid non-essential commutes would have been essential acts. For reference, CodeRED was activated 12/15/22 to warn residents from parking on street in preparation for that snow storm.

Activating a CodeRED phone alert and announcing a weather emergency with recommendation against driving would have served three purposes.

- Alerted drivers to dangerous conditions and reduced accidents
- Made roads more safe for essential workers
- Granted employment absence excuses for workers unable to commute

Signed: *Charles Kronick* This Day, *January 4 2023*  
Charles Kronick, Councilor, Ward 2



RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

# City of Pittsfield

2022 DEC 30 AM 11:51

December 27, 22

20

To the City Council of the City of Pittsfield:-

The undersigned respectfully

The undersigned respectfully request that Commissioner Morales provide a full report of the issue that resulted in poor road plowing conditions over the holiday weekend and proposed solutions that this does not happen in the future

Respectfully,

Peter M. Marchetti  
City Council President

Peter White  
At-Large Councilor

Earl Persip  
At-Large Councilor



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2023 JAN -4 PM 1:34

January 4, 2023

To the City Council of the City of Pittsfield:-

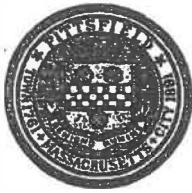
The undersigned respectfully

Request to have the Commissioner provide the City Council what the cost would be for the following items

1. The trucks or equipment need to be able to use Magnesium Chloride when snow emergencies happen.
2. What the yearly cost that would be added to the budget if we had the correct equipment to pre-treat with Magnesium Chloride
3. Any other one-time cost or annual cost to be able to use Magnesium Chloride when needed to keep our roads safe.

Respectfully submitted,

Earl G. Persip  
Councilor At-Large



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2023 JAN -4 PM 2: 34

*January 4* 2023

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Honorable members of the City Council,

I am requesting a date certain to be set by the Traffic Commission to review the petition submitted to this Council on May 24, 2022 to accommodate a disabled child on Second Street. The petition, pending referral, follows:

Requesting a no parking zone to extend from the corner of Second Street & Lincoln to 214 Second Street to accommodate a school bus stop for a disabled child residing at 214 Second Street. The bus makes a unique stop at that house to accommodate the disability, but parked cars make it hard and intimidating for the child to negotiate. I propose to prohibit parking there during the school bus pick up and drop off times, between 7:00-9am and 2-4pm.

*Chad Don Perriello  
Councilor, Ward 2  
January 3, 2023*



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2023 JAN -4 PM 2: 34

*January 3* 20 *23*

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Honorable members of the City Council,

On November 29, 2022, the Council referred the following request for information to Health Director A. Cambi to determine the extent of knowledge about drug use in Pittsfield. The impact of illegal drug on our residents, families, and businesses is a serious health and safety concern which is borne by the community as a whole. This request is wanting a response.

Submitted, November 29, 2022.

Request for Health Director A. Cambi to provide a report the following information:

Number of emergency treatment (ER) for drug abuse for the years, 2019, 2020, 2021, and 2022 YTD. In detail, I request breakdown of treatment by drug (e.g. fentanyl, heroin), and breakdown by age, ethnicity, and income (if available).

Number of suicides and suicide attempts for years 2019, 2020, 2021, 2022 YTD. In detail, I request a breakdown by age, ethnicity, and income.

*Charles Ivan Monick*  
*Councilor, Ward 2*  
*January 3, 2023*



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 DEC 27 AM 11:31

December 26 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

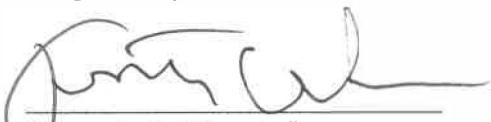
Request that the City welcome in the 2023 New Year by welcoming all of Pittsfield's citizens into City Hall in order to conduct "the people's business" if they so choose. We should reopen the entrances including but not limited to the back door.

**RATIONALE:** The trials and tribulations of what became the pandemic that everyone had to face and deal with exploded into the consciousness of our daily life almost 3 years ago. Fortunately things have significantly improved over that time.

Now is the time to return the open access to our City Hall Pittsfield residents are physically used to back to pre-pandemic norms.

In the unlikely event that there is some legitimate security concerns, they can be handled with security cameras and entry buzzers

Respectfully submitted,

  
Kenneth G. Warren Jr.  
Ward 1 City Councilor



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 DEC 12 AM 11:59

December 12, 2022

To the City Council of the City of Pittsfield:-

The undersigned respectfully

*Alex Blumin*

I Alex Blumin, resident of Pittsfield ask City of Pittsfield Councilors and Honorable Mayor, Linda M. Tyer to approve and fund Mandatory Tree Replacement Program in Pittsfield.

City cut old/sick/rotten trees but never replace, never replant them back.

On my Hamlin Street 6 trees were cut, nothing was planted. The same goes for 2<sup>nd</sup> Street.

Number of healthy and powerful trees keep coming down due to that effect.

Trees capture Carbon dioxide in the atmosphere and replace it by Oxygen—nothing else can do it!

Also according to Massachusetts Clean Energy and Climate Plan for 2020 "Tree Retention and Planting

To Reduce Heating and Cooling Loads' and

## 42 U.S. Code Chapter 85 - AIR POLLUTION PREVENTION AND CONTROL

—it is Mandatory for Municipality to replace cut trees.

So, please approve new Rule/Ordinance for Mandatory Tree replacement program in Pittsfield and ask

Honorable Mayor Linda M. Tyer to fund it using State and/or Federal grants/programs or find local money as City budget in about \$200 Millions.

Respectfully submitted by –Alex Blumin, 16 Hamlin St, Pittsfield, MA 01201

413-770-6203 email:sky037@yahoo.com

*Alex Blumin*



2015 Update

# Massachusetts Clean Energy and Climate Plan for 2020



A report to the Great and General Court pursuant to the  
Global Warming Solutions Act  
(Chapter 298 of the Acts of 2008, and as codified at M.G.L. c. 21N)

Secretary of Energy and Environmental Affairs Matthew A. Beaton

December 31, 2015



## Tree Retention and Planting to Reduce Heating and Cooling Loads

**Policy Summary:** Since the Clean Energy and Climate Plan for 2020 was released, EEA—in partnership with the Department of Conservation and Recreation (DCR), the Department of Energy Resources (DOER), the Department of Housing and Community Development (DHCD), UMass Amherst, and several Gateway Cities and local non-profit organizations—has launched the Greening the Gateway Cities (GGC) urban tree planting program. The funding for this program is a mixture of DOER’s Alternative Compliance Fund and the state capital and operating funds. At the 2016 investment rate of \$8 million per year, the 57,000 target urban acres in the 26 Gateway Cities will have 5 trees per acre planted by 2026.

The EEA has recently worked with consultants to research and propose recommendations for a tree retention program. Retaining shade trees that otherwise would be removed during development or re-development is attractive, because research shows that removal of mature tree canopy around residences can quickly cause increased energy use. A tree retention program would provide best practices for tree retention during construction of housing within forested areas and within existing neighborhoods. It would provide model bylaws to municipalities, and propose incentives for municipalities and housing developers to encourage the retention of trees on construction sites using proven best practices.

	Savings from full policy implementation	% of 1990 level
Economy-wide GHG reductions in 2020	<<0.1 MMTCO <sub>2</sub> e <sup>54</sup>	<<0.1%

**Clean Energy Economy Impacts:** At full implementation in 2016, the GGC program will create 132 jobs for tree planters, foresters and administrative staff. It is anticipated that these jobs will be maintained from 2016 to 2026 to complete the Gateway City plantings. Tree planting is one of the only energy efficiency tools where all investments go to the local economy (tree nurseries are close by, tree planting crews are hired from the cities where planting occurs, etc.). A USDA economic study of tree planting reported a 2:1 economic multiplier when direct and indirect economic benefits are calculated. For an \$8 million annual investment, this will result in \$16 million of economic benefit to the Gateway Cities economies (and surrounding nurseries and their suppliers) per year for a 10 year period for a total of \$160 million economic benefit. A benefit/cost analysis for the energy savings for this program found a 2.2 to 1 benefit to cost ratio over the 30 years of the program (present value at 4% discount rate and 1.5% increase in energy costs), and does not take into account economic or other benefits of tree planting.

**Rationale:** Many modeling studies conclude that planting trees in residential areas reduces summer cooling and winter heating costs. A large-scale tree planting program by the electric

<sup>54</sup> The GHG reduction is shown as <<0.1 MMTCO<sub>2</sub>e (<<0.1%), because no significant reductions are expected by 2020.

utility in Sacramento, CA planted over 500,000 trees since the 1990's, and has seen significant reductions in summer cooling energy, including peak load reductions. The EEA and DCR utilized the Asian Longhorned Beetle disaster in Worcester, MA to measure electricity usage before and after tree removal. This study showed that each 1% of canopy cover reduced summer electric usage by over 1%. A study in Hutchinson, MN measured neighborhood canopy cover and actual home energy usage, and found a similar correlation.

The benefit-to-cost ratio for retaining a mature tree that under business as usual would be removed is even more beneficial than planting trees. It takes an average of 30 years to grow a mature tree that will occupy about 550 square feet. Retaining mature trees when new homes are built would provide immediate heating and cooling savings.

**Design Issues:** The implementation of energy efficiency measures is more challenging in low income communities where there are high percentage of renters, old housing stock, and challenges with matching rebate offers. Neighborhoods where the majority of residents are renters have a unique challenge as both tenants and landlords must see the benefits to energy efficiency tools. The GGC has successfully implemented tree planting in high renter neighborhoods due to the unique appeal of new trees. The challenge with a tree density goal involves buy-in by many residents, especially renters and landlords, as most of the trees are planted in private yards where they can be cared for by residents and planting conditions are preferable to city streets. Based on research and the results of pilot implementation of the GGC program in three cities over the past four planting seasons, the program has adopted a goal of planting 5 trees per acre. This intensity of planting will result in approximately 5% of new urban tree canopy within the 57,000 target acreage in 30 years, when trees are fully grown. The GGC is the first of such program to have a neighborhood per-acre tree density target to reach energy efficiency goals.

Tree retention has several challenges to be effective. A baseline for business as usual needs to be established via tree inventories within the municipalities and a database for avoidable tree loss. Model best practices for construction approaches that can avoid tree damage or removal during construction typical of Massachusetts communities need to be developed utilizing well-tested best practices from other similar regions. Based on examination of similar programs across the country, EEA's consultants have developed a model by-law that includes commonly employed tree retention strategies such as requirements for minimum tree density, tree removal fees, and requirements for developers to place bonds on certain trees. Another outstanding design issue is how to structure an incentive program that could encourage developers to maintain tree cover beyond the minimum required level. This could be done by increasing density bonuses or adjusting setback requirements for developers who maintain tree cover beyond the required levels. A few communities do have tree retention bylaws, and there needs to be further examination of their effectiveness.

**GHG Impact:** The GGC program is scheduled to expand to eleven cities by the end of 2016 and will plant 8,800 trees per year. At this rate, the 57,000 acres will be planted by 2026. Based on tree size by 2050, it is estimated that the GGC program will be responsible for a reduction of

473,600 metric tons of CO<sub>2</sub>e per year by 2050. The EEA is not projecting measureable GHG reductions by 2020.

Each average mature tree that is retained instead of being removed under business as usual represents about 1% of the canopy on an acre of residential land. Research by EEA shows that each 1% of canopy cover in a neighborhood will save 0.1 MMTCO<sub>2</sub>e.

**Other Benefits:** Urban tree planting and retention have been demonstrated to have additional benefits including reducing air pollution, reducing stormwater and flooding, extending pavement life, reducing summer "Heat Island Effect" impacts, reducing peak load energy demand, and increasing property values and municipal tax revenues.

**Costs:** The GGC program will cost \$8 million per year when fully implemented at the end of 2016. From 2014 to 2016, the program will expend \$10 million. From 2017 to 2026, the program will cost \$80 million. Thus, the total program cost will be \$90 million. These costs assume a mix of program administration, direct costs (principally with DCR tree planting crews but also including local non-profits, private firms, and municipalities) that leverage the program with assistance with street tree planting and tree care.

More analysis is needed before piloting a tree retention program geared at reducing a significant amount of GHG emissions when compared to the business as usual.

**Equity Issues:** The GGC program focuses only on Environmental Justice (EJ) neighborhoods within the poorest cities in the Commonwealth. The program will provide 132 jobs per year for over 10 years. Crews are hired from the neighborhoods where planting is occurring so additional economic benefits accrue from this program in EJ neighborhoods. Early results indicate that many tree crew members are able to get full time jobs in the landscaping industry or local city DPW's due to training received.

Environmental Justice neighborhoods have the lowest tree canopy cover across the state. For example, Chelsea has just 9% canopy cover while the average suburban neighborhood has more than 40% canopy cover. With less access to open space and parks in the Gateway Cities, the GGC program will measurably enhance the quality of life for Gateway City residents.

While tree retention would principally focus on suburban neighborhoods, a companion tree retention program could assist the Gateway City EJ neighborhoods in protecting existing tree canopy from a largely different set of threats.

**Experience in Other States:** The GGC program has reviewed other significant urban tree planting programs across the U.S. such as New York, Philadelphia, and Washington D.C. Staff have also contacted other energy saving tree planting programs such as the well established program in Sacramento, CA. The GGC program has utilized the experiences of other urban tree planting programs in designing the approach and best practices of the program.

The EEA's consultants conducted a thorough literature review of other states and municipalities that have implemented tree retention programs for housing development and re-development.

**Legal Authority:** The Massachusetts Public Shade Tree Law G.L. Chapter 87 gives guidance to tree planting in cities and towns and municipalities authority over shade trees within the right of way of municipal streets.

**Implementation Issues:** Unique issues with tree planting and retention are described in the Design Issues section above. There are also a number of questions about how to structure a tree retention program, which could be addressed through a pilot educational program that would encourage a range of model best practices and bylaws and test a range of incentives to determine their effectiveness.

**Uncertainty:** There is a high degree of certainty regarding the positive results that will occur when a significant number of mature trees are retained in a municipality. There is uncertainty as to how to measure positive results compared with the baseline and which educational or incentives programs will be the most effective. These uncertainties can be resolved via a carefully thought out pilot program.

The EJ neighborhoods within the Gateway Cities were chosen because they have the oldest, least insulated housing stock that would benefit the most from an extensive tree planting program. The average housing stock in the Gateway Cities dates from 1939 to 1963. Given the lack of insulation in this housing stock and the challenges with implementing energy efficiency, it is uncertain if the results of tree planting and retention could exceed the predicted GHG reductions, because the two study areas (Worcester, MA and Hutchinson, MN) have newer housing stock than the average Gateway City housing stock. Another uncertainty is the impacts of climate change. With predictions for significant increases in the number of above 90 degree days and the amount of air conditioning predicted to be installed, the GHG savings may be greater than is predicted in the current climate.



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 DEC 27 AM 11:31

December 26 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

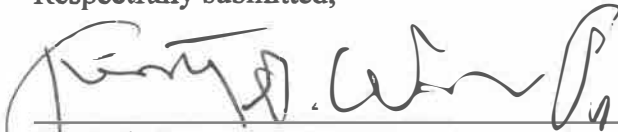
Request that the City review its policy on the repair or replacement of mailboxes damaged by snowplows operated by or at the direction of the City of Pittsfield. This should include the following:

1. An update on the current claim procedure involving the City's insurer.
2. Provide for an option to file a claim form ONLINE.
3. Provide for a streamlined claim form in place of the standard form for specifically this purpose.
4. Place the city policy online using the attached or something similar.
5. Establish a fund that would reimburse homeowners up to a maximum of \$100 subject to a right of subrogation to the City if it desires to pursue any claims.

**RATIONALE:** One of my 1<sup>st</sup> calls after being elected involved the damage to a mailbox that was completely snapped off from a direct hit. Last year when I inquired about the process to assist my constituent it became cumbersome, so much so, that they unhappily decided to handle it themselves.

This year I was notified of another destroyed mailbox and I gave them the information I learned last year. I didn't feel that this was adequate and should be reviewed.

Respectfully submitted,




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Kenneth G. Warren Jr.  
Ward 1 City Councilor

## MAILBOX POLICY

The Department of Public Services' implementation of the below mailbox policy is with specific regards to the repair(s)/replacement of residential mailbox damage(s) as a result of snow plowing equipment during winter season. The City of Pittsfield will only be responsible to repair/replace damaged property having been in actual contact with snow removal equipment if it is on private property.

### COMPLAINTS

All complaints will be investigated by the Commissioner of the Department of Public Services or his Designee, in order to determine if the damage was the cause of a direct hit by a City operated vehicle.

### DAMAGE TO PRIVATE PROPERTY

The City of Pittsfield is NOT held responsible for damage to private property located within the public right of way. The right of way (ROW) is often much wider than the pavement and is often confused by property owners as their own property. In most cases, the ROW extends 10'-15' beyond the edge of the paved or gravel road. Most owners maintain this area, place mailboxes in these areas, which improve the appearance of the street, but are obstructive to good maintenance from being conducted on the roadway.

The snow window must be pushed back as far as possible for many reasons, some of which include:

1. traffic safety
2. future snow being plowed
3. opening of storm drains and curb lines for proper drainage of melting snow
4. to allow for maximum visibility for drivers from all roads

Mailboxes located within ROW limits exist by *sufferance only*, with the responsibility assumed by the homeowner. It is not possible for the City to replace or repair any type of structure erected by an abutting landowner within the ROW that has been damaged as a result of highway maintenance or construction work. In the event of personal property damage, the City of Pittsfield will only be responsible to repair/replace damaged mailboxes having been in actual contact with the snow removal equipment if it is on private property, and not within the public right of way.

### CLAIM/CLAIM QUESTIONNAIRE

All mailbox damage complaints will be addressed in the order they are received. Requests are to be submitted in writing by the form entitled "**Claim for Mailbox Damage.**" This form must be completed in full by the resident and/or property owner.

## **CLAIM NOTIFICATION OF DAMAGES**

ALL claims will be handled in the following manner and in the order they are received.

1. Claims must be made within 72 hours of storm event. A “Claim for Mailbox Damage” Form is available on the City of Pittsfield’s’ Department of Public Services website or can be obtained in person at Department of Public Services . This form must be completed and submitted in order to have your request acknowledged.
2. Upon return of the “Claim Questionnaire for Mailbox Damage”, determination of damage(s) and notification will be made within 10 days of the date the claim was filed, for repair(s)/replacement as needed. Once a determination is made, a work order will be issued to the Department of Public Services Maintenance Division to proceed.
3. Due to frozen ground conditions, work may commence in the Spring or at earliest winter thawing ground conditions, determined by the Commissioner of the Department of Public Services or his designee.

## **MAILBOX REPLACEMENT SPECIFICATIONS**

All Mailbox replacements will be regulated by the Department of Public Services, and per the approval of the Commissioner.

### **Option 1:**

Residents may opt to conduct repairs/replacements on their own (proof of purchase(s)/and receipts must be provided).The Department will provide reimbursement, as per costs stated on the claim form, in the amount not to exceed fifty-dollars \$50.00.

### **Option 2:**

The Department will repair/replace damaged mailbox of the following types and specification. Replacement will consist of a **standard generic metal (plastic depending upon availability) no ornate or specialty boxes.**

### **Post Mount Rural Mailbox-(black)**

Each mailbox shall consist of a Post Mount Rural Mailbox constructed from galvanized steel for durability, and U.S. Postmaster General approved. Mailbox shall be of standard-sized design with approximate specifications:

Depth: 20 inches x Height: 9 inches x Width: 7 inches, (20” x 9” x 7”).

**Pressure Treated Post-**

Each mailbox post shall be 4 inches x 4 inches, (4" x 4"). Lumber is pressure treated in order to protect it from termites, fungal decay and rot. Post installation shall be non-cemented into the ground.

**Letters & Numbering-**

The Department of Public Services is not responsible for residential numbering or lettering upon the mailbox. Residents are required to re-affix, at their own expense, any/all lettering and numbers, as per postal service requirements listed below, after the departments new mailbox installation.

**POSTAL CURBSIDE MAILBOX REGULATIONS**

All homeowners must keep the area around their mailboxes clear of anything that will not obstruct the safe delivery of mail. If the United States Postal Service employee cannot safely reach in and deliver the mail, the postmaster may withdraw delivery to that mailbox.

Any curbside mailbox which is to be installed at the edge of the roadway or curbside of the street and allowed it to be served by a mail carrier from a vehicle in any city route, rural route or highway must be approved by the United States Postal Service.