



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

RECEIVED CITY CLERK
CITY OF PITTSFIELD, MA
2024 NOV 21 PM 2:24

November 26, 2024, at 6:00 p.m.

REVISED AGENDA

1. Roll Call
2. Open microphone
3. Approval of the November 12, 2024, minutes

APPOINTMENTS

4. A communication from Mayor Marchetti appointing Noel Henebury to the Commission on Tourism
5. A communication from Mayor Marchetti appointing Chloe Rychcik to the Human Services Advisory Council
6. A communication from Mayor Marchetti reappointing Jennifer Stokes and Katelynn Miner to the Homeless Advisory Committee
7. A communication from Mayor Marchetti appointing David Pill to the Pittsfield Housing Authority

COMMUNICATIONS FROM HIS HONOR THE MAYOR

8. A communication from Mayor Marchetti notifying the Council of the appointment of Michael McCarthy to the Pittsfield Housing Authority as the Governor's appointee
9. A communication from Mayor Marchetti notifying the Council of the appointment of JP Murphy as Permanent Lieutenant within the Pittsfield Police Department
10. A communication from Mayor Marchetti on a presentation to the graduates of the Citizens Academy
11. A communication from Mayor Marchetti on an Order to accept a grant of funds in the amount of \$5,777.66 from the Bureau of Justice Assistance
12. A communication from Mayor Marchetti on an Order to accept a grant of funds in the amount of \$60,000.00 from the Massachusetts Executive Office of Public Safety and Security

REPORTS OF COMMITTEES

A Report from the Ordinances and Rules Committee

13. A report from the Ordinances and Rules Committee on a communication from Commissioner Morales concerning snow and ice removal on Private Ways, recommending to place on file 5/0
14. A report from the Ordinances and Rules Committee on an Ordinance amending City Code, Chapter 2, Administration, Article XLII, Commission on Tourism, recommending to approve 5/0

15. A report from the Ordinances and Rules Committee on an Ordinance amending City Code, Chapter 6, Finance and Administration, Article XVI, Senior Work Off Program, Section 6-74, recommending to approve 5/0
16. A report from the Ordinances and Rules Committee on a petition from Councilor Warren and Kronick requesting an Ordinance to discipline an employee who violates a charter provision dealing with finances with a loss of wages, recommending to place on file 5/0
17. A report from the Ordinances and Rules Committee on a petition from Councilor Persip and Warren requesting to amend City Code, Chapter 20, Section 20-21 removal of snow from sidewalks, recommending to approve 5/0
18. A report from the Ordinances and Rules Committee on a petition from Councilor Warren amending City Code by adding Chapter 18 ½ Surveillance Technology oversight

UNFINISHED BUSINESS

19. A communication from Solicitor Pagnotta on a communication from Director Cambi with a code enforcement update on 53 Roberts Street (*Tabled from February 27, 2024*)

NEW BUSINESS

20. A petition from Councilors Warren and Noto requesting to support the appointment of at least one Associate Justice of the Appeals Court from Western Massachusetts, Berkshire County area

MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 27

Referred to the Chief of Police

21. A petition from Councilor Kavey requesting a detailed report on the status of implementing body-worn cameras

Referred to the Community Development Board

22. A petition from the Community Development Board to amend City Code, Chapter 23, Article 23-2, Section 2.2, and Article 23-9, Section 9.101 to allow for Accessory Dwelling Units (ADUs)

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

November 12, 2024, at 6:00 p.m.

President White called the meeting to Order in regular session at 6:00 p.m.

Present: Councilors Amuso, Bandani, Conant, Costa, Kavey, Lampiasi, Persip, Serre,
Warren, White and Wrinn

In accordance with MGL Chapter 30A, Section 20, President White notified those present that the proceedings were being audio and video recorded.

AGENDA

PROCLAMATION

WHEREAS, Anthony “Tony” Salatino was born on November 27, 1922 in Polia, Calabria, Italy and came to Pittsfield, Massachusetts in 1937 with his older brother to join their father; and

WHEREAS, Tony experienced challenging times during the Depression, but always focused on building a strong foundation for his family; and

WHEREAS, Tony joined United States Army in 1943. After completing training in Virginia, Tony was stationed in England and France for approximately three years. As a Corporal, Tony served as a Medical Technician in the Headquarters Medical Corp. He received an honorable discharge in 1946; and

WHEREAS, In 1947, Tony’s many years of hard work paid off when he was able to bring the rest of his family from Italy to Pittsfield, MA and provide them with a home; and

WHEREAS, In 1950, Tony graduated from New England School of Art in Boston, MA where he received a degree in Advertising Design. In 1955, Tony’s artistic talent helped him obtain a position as the first graphic design artist at General Electric Co. where he worked as a supervisor in the Art Department. Tony retired from General Electric after thirty-seven years; and

WHEREAS, Tony married Bettina Mancuso in Guidonia, Italy in 1953. They settled in Pittsfield, MA and raised four children. Tony and Bettina have 7 grandchildren and 8 great-grandchildren. They recently celebrated their 71st wedding anniversary; and

WHEREAS, Tony’s devotion to his family is a testament to his love of life and ability to put others before himself. His selflessness, hard work, and love of family is an inspiration to all. His special talents have led him to live the extraordinary long life he has and continues to.

NOW, THEREFORE, I, Peter M. Marchetti, Mayor of the City of Pittsfield, on behalf of its citizens and city officials do hereby recognize Anthony Salatino for his service to our country as a member of the United States Army and service to Pittsfield as a dedicated member of General Electric, Co. and encourage all citizens to join me in celebrating Mr. Salatino on his 102nd birthday.

The microphone was open to the public.

Daniel Miraglia, 68 Ontario Street, is here to discuss the cost of the speed bump on Holmes Road, he is not in favor of.

Paul Gregory, 25 Roseland Drive, he is reminded of what makes Pittsfield great, honoring Mr. Salatino. He questioned the funding sources of the school department, and the positions filled with the end of the MCAS requirement and the city budget.

Approval of the October 22, 2024, minutes. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

APPOINTMENTS

A communication from Mayor Marchetti appointing Lisa Torrey and Patricia Janchuk to the Council on Aging. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A communication from Mayor Marchetti reappointing Laurie Mick, June Hailer, and Valerie Pease to the Commission on Disabilities. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

COMMUNICATIONS FROM HIS HONOR THE MAYOR

A communication from Mayor Marchetti on an Order to accept a grant of funds in the amount of \$190,080.00 from the Massachusetts Executive Office of Elder Affairs. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A communication from Mayor Marchetti on an Order accepting a grant of funds in the amount of \$850,000.00 from the US Department of Housing and Urban Development. *Councilor Kavey made a motion to approve.* Councilor Kavey asked the mayor to explain this grant. The mayor stated this request was from the former administration looking for grant funds to help repair the training facility on Pecks Road. The funds will be used to begin design work. *The motion to approve was carried by a unanimous vote of the eleven members present.*

A communication from Mayor Marchetti on an Order authorizing the City of Pittsfield to enter into an Intermunicipal Agreement with the Town of Dalton for the creation of a Veterans' Service District. *Councilor Kavey made a motion to approve.* Councilor Kavey asked the mayor about the agreement. The mayor was approached by the town of Dalton about an agreement rather than Dalton sharing with North Adams. Director Clark stated per the agreement we are providing support for Chapter 115, they are responsible for their own cemeteries and other veteran related activities for the town so that it does not take away from our resources. *The motion was carried by a unanimous vote of the eleven members present.*

A communication from Mayor Marchetti on an Order to accept a conveyance and donation of land located at 50 Center Street. *Councilor Kavey made a motion to refer to the Finance Committee carried by a unanimous vote of the eleven members present.*

A communication from Mayor Marchetti on an Order authorizing the City of Pittsfield to enter into an Intermunicipal Agreement with the Town of Richmond for treatments and disposal of wastewater. *Councilor Kavey made a motion to approve.* Councilor Warren stated there is a clause a favored nations clause in the agreement which gives Richmond the lowest price that we give to any other community that joins. *The motion was carried by a unanimous vote of the eleven members present.*

PUBLIC HEARING

A public hearing on a petition from Verizon New England and Eversource Energy requesting to install one (1) jointly owned pole and to relocate (1) jointly owned pole on Newell Street. Don Voner spoke on behalf of the petitioner who stated this is to support the existing pole line and to provide reduced outage to customers and the installation of a new transformer. The public hearing was opened to the public for the first time, second time, and third time. No one appeared to speak for or against the petition. Councilor Kavey stated the documents are very clear and appreciated. Councilor Persip asked why there is a difference in the drawings. Adam Deon is here on behalf of Eversource. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A public hearing on a petition from Verizon New England and Eversource Energy requesting to install one (2) jointly owned poles on Parkside Avenue. Don Voner spoke on behalf of the petitioner and stated this is necessary to mitigate an existing pole-to-tree guying issue. The public hearing was opened to the public for the first time, second time, and a third time. No one appeared to speak for or against the petition. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A public hearing on a petition from Verizon New England and Eversource Energy requesting to install one (1) jointly owned pole on Naples Avenue. Don Voner spoke on behalf of the petitioner and stated this is necessary to support the existing pole line and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current. The public hearing was opened to the public for the first time, second time, and third time. No one appeared to speak for or against the petition. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A public hearing on a petition from Eversource Energy requesting to install one (1) solely owned pole on Larch Street. Ryan Anderson spoke on behalf of Eversource Energy and stated it will allow for the installation of EV car chargers at 2 Larch Street. The public hearing was opened to the public for the first time, second time, and a third time. No one appeared to speak for or against the petition. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

Item 26 was taken out of order.

A Report from the Finance Committee

A report from the Finance Committee on a Tax Increment Financing (TIF) Agreement between the City of Pittsfield and Somnath, LLC, recommending to approve 5/0. *Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

Public Hearing for the Fiscal year 2025 Tax Rate. Laura Catalano, chair of the Board of Assessors, gave the Tax Rate Classification options. She introduced Board members Kari McLain and Emily Wood. Rates are based on the average family home with a value of \$295,291.00, 1,025 square foot ranch style home with four bedrooms and one bath, located in southeast Pittsfield.

State law requires that a comprehensive review of all properties be assessed annually and recertified by the DOR every five years. Municipalities are responsible for developing a reasonable and realistic program to achieve the fair cash valuation of property. For fiscal year 2025 the assessment date is January 1, 2024. The assessments are reflective of calendar year 2023 sales.

The real estate comparison chart was provided which showed the assessed value that increased in all categories except vacant-accessory land. Personal property has increased \$17,987,690 primarily in our public utilities of Berkshire Gas and Eversource. New growth value is \$53,053,759 which equates to tax dollars of \$1,872,514. The Levy Limit is taken from the 2024 levy limit times 2.5%, add in the FY 2025 new growth bringing us to the FY25 levy limit of \$114,615,097. The levy ceiling is \$131,763,478. In FY2016 through FY2021 we hit our levy ceiling. It is important that we have a little room there because Proposition 2.5 puts a restriction that we cannot levy more than 2.5% of its fair cash values and in those years we are not allowed to take our new growth. The excess levy comparisons for FY24 were \$825,822.98 and FY25 \$294,085.80. The FY25 recap, total amount to be raised is \$232,299,670.00, total estimated receipts & other revenue sources \$117,978,659.79 leaves us with a tax levy of \$114,321,011.20. The proposed FY25 residential factor of .8271 and CIP shift factor of 1.75. Residential will pick up 67.2153% and 32.7847 by the Commercial and Industrial personal property. The single tax rate will be \$21.69/\$1,000, Residential tax rate of \$17.94/\$1,000 and CPI of \$37.96/\$1,000. Average and medial tax liabilities FY25, value \$295,291 tax rate of \$17.94, taxes \$5,297.52 with an increase of \$354.51 per year, \$29.54 per month, and \$6.81 per week. On the commercial level FY25 value 4224,250, tax rate \$37.96, taxes \$8,512.53 with an increase of \$135.01 per year, \$11.25 per month, and \$2.59 per week. 568 single families will see a decrease over their 2024 taxes, 1,687 will see an increase of less than \$100.00, 3,777 will see and increase less than the average and 5,294 will see an increase over the average. A sampling of tax increase was provided which showed an increase of 24.37% which is the mayor's home. There are 306 second homes which contribute \$217,179 in personal property tax. The public hearing was opened to the public for the first time, second time, and third time. No one appeared to speak for or against the petition. *Councilor Kavey made a motion to approve the FY25 Residential Factor of .8271 and CIP Shift Factor of 1.75.* Councilor Amuso stated that she put a petition in at the January meeting to be as fiscally responsible as possible. Appraisal values have gone up significantly as they have in other parts of the country. Some will see a significant increase. She believes moving forward, we need to continue to be fiscally responsible. This is the worst meeting for her setting this rate. Councilor Warren asked Director Kerwood about hitting the levy limit and if it is similar to what happened in 2016. Mr. Kerwood stated this is the lowest it has been since 2016 and is very concerning. Councilor Warren asked if this will improve next year. Mr. Kerwood stated that we need to concentrate on new growth as it plays a key factor as this is how you can expand the 2.5. Councilor Warren stated that we had the same amount of free cash as we did last year, and we should take this into consideration during the budget season. He said Mayor Marchetti has been responsive and he will support. Councilor Kavey asked Director Kerwood what would happen if we do not pass the tax rate. Mr. Kerwood stated if the tax bills are not out before December 31st, then the payments will not be due until May 1st or 30 days after the mailing, or whichever is later. This creates a cash flow issue, and we will need to borrow. The taxpayer will have to manage payments in two rather than four payments. Councilor Kavey wanted to make that point clear. Councilor Kavey asked Ms. Catalano about the difference between commercial and residential. Ms. Catalano stated that there is not usually huge movement on the commercial side, it is usually the residential side that we see the most movement. Currently there is a large subdivision around Churchill and Cascade broken down into many lots. She is hopeful that some new growth will happen in the next year. Councilor Kavey asked if there are programs available for residents. Laura stated that we have exemptions and Senior work-off programs that are available, and they can call the Assessor's office for more information. Councilor Kavey asked about the abatement process. Ms. Catalano stated after you receive your tax bill there is a 30 day window before the third quarter payment is due, you can fill out an abatement application, schedule an appointment to inspect the interior and exterior of the home then it is brought to the Board. Councilor Costa asked if we want to decrease the tax rate. Ms. Catalano stated that the tax rate is lower, last year it was \$18.75 and this year it is \$17.94 but the market value has increased. The mayor stated the amount to be raised is \$232

million, we have \$117 million, and we need \$114 million. If you have the intent to reduce the tax rate, which is going to lower that number, then we need to reduce the budget by the same amount. Halfway through the year we will need to make double the amount of cuts to be able to get in order to meet your budget number. Councilor Persip asked Director Kerwood about new growth even though we are giving out a TIF. Mr. Kerwood stated without the investment the tax value is based on the land value. With the investment the tax value grows and will continue to be based on the new value in incremental growth. Without the incentive you may not have an investment in the first place growth will come in the future years. Other commercial growth is on the horizon and there needs to be a pipeline of future projects. When people file an abatement, they need to be specific to justify why the assessment is too high.

The motion to approve the FY25 Residential Factor of .8271 and CIP Shift Factor of 1.75 was carried by a unanimous rollcall vote of the eleven members present.

REPORTS OF COMMITTEES

A Report from the Traffic Committee

A report from the Traffic Committee on a traffic order to amend parking regulations on High Street, recommending to place on file 3/0. *Councilor Kavey made a motion to accept the report and place on file, carried by a unanimous vote of the eleven members present.*

A report from the Traffic Committee on a traffic order to amend parking regulations on North Street, recommending to approve 3/0. *Councilor Kavey made a motion to accept the committee report carried by a unanimous vote of the eleven members present. Councilor Kavey made a motion to approve.* Councilor Lampiasi asked Engineer Shedd if the businesses have been communicated with. Mr. Shedd stated that the loading zones have been asked for by the business owners. Councilor Lampiasi asked if there was a loss of parking. Mr. Shedd stated there is a loss of about one or two parking spaces. Councilor Lampiasi asked about the timing in the loading zones. Mr. Shedd stated the 10 minute loading zone was largely because the business owners and residents want somewhere to pull in grab food or drop off groceries. Councilor Lampiasi asked if there was an increase in handicap spaces. Mr. Shedd stated there is an increase of one space. *The motion to approve was carried by a unanimous vote*

A report from the Traffic Committee on a traffic order to amend regulations at the intersection of Dawes Avenue with Edward Avenue and Revere Parkway, recommending to approve 3/0. *Councilor Kavey made a motion to refer back to the Traffic Commission carried by a unanimous vote of the eleven members present.*

A report from the Traffic Committee on a traffic order to extend 90-minute free parking on the west side of South Street, recommending to approve 3/0. *Councilor Kavey made a motion to accept the report carried by a unanimous vote of the eleven members present. Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A report from the Traffic Committee on a traffic order amending parking regulations on Goodrich Street, recommending to approve 3/0. *Councilor Kavey made a motion to accept the report carried by a unanimous vote of the eleven members present. Councilor Kavey made a motion to approve carried by a unanimous vote of the eleven members present.*

A report from the Traffic Committee on a traffic order requesting to prohibit parking on the west side of Newell Street north of Lyman Street, recommending to approve 3/0. *Councilor Kavey made a motion to accept the report carried by a unanimous vote of the eleven members present.*

Councilor Kavey made a motion to approve. Councilor Wrinn believes this is a good idea and will support. The motion to approve was carried by a unanimous vote of the eleven members present.

A report from the Traffic Committee on a petition from Councilor Wrinn requesting a stop sign at the corner of Ontario Street and Elm Street, recommending to approve the traffic order 3/0. *Councilor Wrinn made a motion to accept the report carried by a unanimous vote of the eleven members present. Councilor Wrinn made a motion to approve carried by a unanimous vote of the eleven members present.*

A report from the Traffic Committee on a petition from Councilor Noto requesting a Slow Children at Play signs on Wellington Avenue between Lincoln and Orchard Street, recommending to install the sign 3/0. *Councilor Noto made a motion to accept the report carried by a unanimous vote of the eleven members present.* Councilor Noto stated that the original petition was for two signs and they took out the word slow and questioned if a motion was needed to change. Engineer Shedd stated that he would make sure the traffic superintendent gets it right and he and the Commissioner would speak with him. *President White stated we will go back and amend the report to remove slow and have two signs installed carried by a 9/2 vote with Councilors Warren and Persip in opposition. Councilor Noto made a motion to approve. Councilor Kavey confirmed with the Commissioner that this will be taken care of, and he agreed. The motion to approve was carried by a 10/0 vote with Councilor Costa out of the room.*

A report from the Traffic Committee on a petition from Councilor Kavey requesting to change the solid left turn arrow at the intersection of South Street and South Mountain Road, recommending the arrow be changed to yellow and referred to the Commissioner and City Engineer 3/0. Councilor Kavey stated that residents requested this be changed a red arrow to a flashing yellow arrow. *Councilor Kavey made a motion to approve the report carried by a unanimous vote of the eleven members present. Councilor Kavey made a motion to refer to the Commissioner carried by a unanimous vote of the eleven members present.*

A Report from the Ordinances and Rules Committee

A report from the Ordinances and Rules Committee on three Ordinances to update City Code based on the new trash/recycling collection system: Ordinance 1; to amend Chapter 8, Ordinance 2; to amend Chapter 4 ½ and Ordinance 3; to amend chapter 10, recommending to approve 5/0. *Councilor Kavey made a motion to approve the report carried by a unanimous vote of the eleven members present. Councilor Kavey made a motion to Ordain the first Ordinance carried by a unanimous roll call vote of the eleven members present. Councilor Kavey made a motion to Ordain the second Ordinance carried by a unanimous roll call vote of the eleven members present. Councilor Kavey made a motion to Ordain the third Ordinance carried by a unanimous roll call vote of the eleven members present.*

The following remained tabled.

UNFINISHED BUSINESS

A communication from Solicitor Pagnotta on a communication from Director Cambi with a code enforcement update on 53 Roberts Street *(Tabled from February 27, 2024)*

NEW BUSINESS

A petition from Councilors Wrinn and Persip request to amend city policy and procedures regarding traffic calming measures on city streets. *Councilor Wrinn made a motion to approve.*

Councilor Wrinn asked the Commissioner if there are any policies and procedures in place when developing these calming measures. The Commissioner stated that they follow state and federal guidelines for traffic calming measures. The City Council a grant from the federal government earlier this year SS for a program to proceed with the engineering firm in which we base this grant on. To work under the funding that the grant provides. The program will provide three things, a policy specific to Pittsfield with standards for traffic calming measures and a way for residents to organize and submit requests in their neighborhoods. This will give us a way to develop a rubric to prioritize one project over another. There have been six fatalities over the last two years on our streets and we recognize that calming measures need to be implemented, and we now have the signed grant and are ready to move forward. The process will be public and come back to the council to approve the calming measures in place. Two committees will be created, one will be a technical advisory committee and a community advisory committee. The standards will then be adopted by the city. The grant allows some things to be tested out and Williams Street is one but nothing is set in stone at this time. Councilor Wrinn agrees that something needs to be put in place but has concerns on the size of some of the speed bumps and crosswalks especially the recent one on Holmes Road. The Commissioner stated if there will not be an issue if the required speed limit is driven. Councilor Persip asked if speed bumps, raised crosswalks etc. are supposed to slow you down to the speed limit. The Commissioner stated speed bumps, humps and raised crosswalks are to slow cars down. Councilor Persip stated that is not what he was told in the past. He has a problem that these projects are not thought out and you cannot see the lines that are painted on the Holmes Road crosswalk. This is one of the busiest roads in the city and communication needs to happen. Councilor Persip asked the mayor for his thoughts. The mayor stated he has had this discussion with the Commissioner, and he welcomed the petition because there needs to be procedures in place. He said when the eleven councilors come to his office or the commissioner with a problem you want solved, you want it solved immediately for the residents. In each case, including Holmes Road there was contact with the neighborhood with explanations of what was going to happen. There is an example of a one way street and the neighborhood was all in agreement. Before the next step was taken, spray paint was painted on the street and then all the neighbors agreed that they did not want that next step to be taken. We need to go back to the drawing board and decide what will be done. The mayor stated that he is going to call the resident who requested the raised crosswalk and get her opinion to see if she is in favor of what has been done. Councilor Persip stated it is important that we come up with procedures that everyone is comfortable with. Councilor Warren asked if other communities have done this. The commissioner stated there is a list that he will send out but the one that comes to mind is Burlington, VT. Councilor Warren stated there are federal and state regulations on various speeds and dimensions on speed humps. The commissioner stated there are minimum requirements that can be implemented and lengths of not less than. He stated that they will not try to reinvent the wheel and will use the state and federal guidelines. Councilor Costa stated that the city has done a better job of engaging citizens when they are coming up with a plan up to a decision. However, there is not a lot of communication as to when the work is going to happen, they do not get a notification. Communication should be part of this process. Councilor Wrinn asked if there is a timeline when this will start. The Commissioner stated that they are working on setting dates and announcements for the winter. *The motion to approve was carried by a unanimous vote of the eleven members present.*

At 8:03 p.m., Councilor Kavey moved to adjourn, and it was carried by unanimous vote of the eleven members present.

A true record, attest:
Michele M. Benjamin, City Clerk



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

Peter M. Marchetti
Mayor

November 19, 2024

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 Noel Henebury, of 34 Elmhurst Avenue, Pittsfield, MA to the Commission on Tourism for a three-year term expiring November 26, 2027.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
Enclosure

Noel Henebury is pleased to serve once again on the City of Pittsfield Tourism Commission. Originally a seasonal employee and now a proud homeowner in Pittsfield, Noel has had the pleasure of working with some of the city's most celebrated organizations, including Barrington Stage, Hotel on North, and Blue Q.

Currently, she serves as Nurse Recruiter for Berkshire Health Systems, where she is responsible for attracting new nurses to care for our community. Noel has also made significant contributions to the city as a former Board Member for Downtown Pittsfield Inc. and Chairperson for the Artscape Committee.

In March 2019, Noel was honored with a 40 Under 40 Award from Berkshire Community College for her work at Hotel on North.

Noel is excited to bring her experience and passion back to public service. She is committed to giving back to the community that has given so much to her. The skills she has honed in Pittsfield—focus from Barrington Stage Company (BSC), hospitality from Hotel on North (HON), creativity and fun from Blue Q, and heart from Berkshire Health Systems (BHS)—will guide her in her continued service to the city.



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

Peter M. Marchetti
Mayor

November 19, 2024

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 Chloe Rychcik, of 172 Dalton Division Road, Pittsfield, MA to the Human Services Advisory Council for a three-year term expiring November 26, 2027.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
Enclosure

Chloe Rychcik, MPH

518-728-7421 • chloerychcik@gmail.com • linkedin.com/in/chloe-rychcik

Key Skills

- Highly skilled at relationship-building with clients and organizations.
- Strong analytical interests with the ability to learn and incorporate new technology.
- Exceptional writing, presenting, and interpersonal communication skills.
- Skilled in interpreting and analyzing data sets and creating compelling visualizations to communicate data insights.

Professional Experience

Berkshire United Way | Pittsfield, MA | Data Analytics and Training Manager | October 2022-Present

- Monitor BUW community impact (CI) investments.
- Provide technical support to community partners to ensure their ability to meet benchmarks and service delivery targets.
- Manage reporting systems and conduct statistical measurement and analyses of CI programs.
- Develop individualized approaches to program evaluation.
- Support Director of CI in planning/implementation of in person/virtual events including partner convenings and training sessions.

Berkshire Family YMCA | Pittsfield, MA | Administrative Assistant | April 2022-October 2022

- Assisted CFO and CEO, as needed.
- Acted as staff liaison to Strategic plan committee- scheduled meetings, set deadlines, compiled and presented data from phone interviews of key local stakeholders.
- Prepared childcare billing and coding while monitoring reports for accuracy.
- Became Matter of Balance certified Trainer (an evidence-based health promotion group program utilizing cognitive-behavioral techniques).
- Trained several staff members as Matter of Balance instructors to implement programming through Berkshire Family YMCA resources.

Sustainable Hudson Valley | Rhinebeck, NY | Program Outreach Intern | July 2021- February 2022

- Participated with local organizations to create and advance sustainable efforts within Hudson Valley.
- Assisted in creating actionable programs and language with regards to behavioral frameworks.
- Researched and analyzed results of regionally collaborative event and plan to produce an evaluation and recommendation report.
- Continued personal education attending planning meetings for state/local governments and in-network educational events.

Taconic Biosciences | Germantown, NY | Gnotobiotic Specialist | August 2019- March 2020

- Documented work, completed weekly reports, and efficiently entered data in appropriate databases.
- Followed procedures and required laws to maintain health status of designated areas and ensure high standards of animal welfare were met.
- Assisted in training of new employees.

Comprehensive Neuropsychological Services | Albany, NY | Office Assistant | April 2019 - August 2019

- Supported victims of workplace and no-fault accidents with resulting traumatic brain injuries.
- Composed and authored comprehensive review of relevant psychological literature.

- Administered neuropsychological and behavioral inventories.
- Organized and tracked results of intake process surveys while maintaining confidentiality.
- Advocated for mental health support and awareness through development of local contacts.

Nassau Veterinary Clinic | Nassau, NY | Veterinary Assistant/Inventory Manager | April 2016-April 2019

- Promoted within a year to manage inventory of 7 doctor practice.
- Initiated and maintained industry contacts, strengthening business connections.
- Scheduled patient admissions and discharge, and appointments.
- Understood individual client/patient needs and managed appropriate care plans.
- Educated owners and families on health care needs, conditions, options etc.
- Maintained patient charts and confidential files.

Aspen Meadow Veterinary Specialists | Longmont, CO | Emergency Vet Tech | August 2014-February 2016

- Triage incoming patients and managed clients throughout their visit.
- Obtained and processed laboratory samples.
- Utilized different modalities of imaging for patient assessment.
- Performed critical care and emergency monitoring of assigned patients.

Education

Master of Public Health | Southern New Hampshire University- Manchester, NH | March 2022

Related Coursework: Population Based Epidemiology, Program Planning & Evaluation, Research Methods, Health Policy and Management, Biostatistics

Bachelor of Science in Biology | Rochester Institute of Technology- Rochester, NY | May 2014

Professional Affiliations

Member, American Public Health Association (APHA)



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

Peter M. Marchetti
Mayor

November 19, 2024

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 following reappointments to the Homeless Advisory Committee for three-year terms expiring December 8, 2027:

Jennifer Stokes, 269 First Street, Pittsfield, MA 01201

Katelynn Miner, 475 Tyler Street, Pittsfield, MA 01201

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw



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Peter M. Marchetti
Mayor

November 19, 2024

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 David Pill, of 17 Holmes Road, Pittsfield, MA to the Pittsfield Housing Authority to fill the remainder of a term which will expire October 25, 2027.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
Enclosure

**David Pill
17 Holmes Road
P.O. Box 2224
Pittsfield, Massachusetts 01202**

Telephone 413-443-9077

My objective is to employed in an environment where my skills and desire for learning and knowledge fit together nicely.

EMPLOYMENT:

Berkshire Homestead Farm II, Inc.
Owner/President
2012-2015 and 2018-Present

I am the Property manager for Morgan Manor Condominiums in Lenox MA. I am responsible for the day-to-day operations of this 69-unit condominium near downtown Lenox. I perform some common area repairs, landscape, lawn care, some snow removal duties, handle all of the financial activities, plan and oversee capital projects as well. I am responsible for the enforcement of the condominium rules and ensure compliance with laws and regulations pertinent to condo operations and projects being in compliance with building codes.

Pittsfield Housing Authority
65 Columbus Ave.
Pittsfield MA

2015-2017

Position Held: Maintenance Director

I was responsible for the maintenance activities at the PHA including staff oversight, unit turnover, and daily maintenance operations at the Authority's developments which encompassed 765 units of elderly, family, program homes for developmentally or mentally disabled individuals at 17 different sites throughout the City to provide decent and affordable housing to the community.

Berkshire Housing Development Corp. and Berkshire Housing Services, Inc.
1 Fenn St
Pittsfield MA

1986-1990 Controller
1990-1994, 1999 – 2001, 2005-2012 Property Manager and after 2005, Sr. Property Manager

Most of my tenure at Berkshire Housing was a manager of properties of all types: residential, commercial, summer home communities, condominiums, subsidized and market rate, housing with social service components, and participated in the transition of properties from the developmental stage through occupancy and continuing operations. I managed resident and owner relations, worked with owner Boards of Directors, finance agencies, oversight agencies, and various programs for funding and subsidy types. I was responsible for collections of rent and HOA fees, capital budgets and oversight of projects stemming from the needs identified by myself and others. I hired and managed staff at properties as well as (once the Sr. Property Manager) other Property Management staff. I prepared and reviewed budgets and was responsible to live with in their constraints. I assisted other departments and took on roles as assigned in that capacity as well.

Other Employment:

I began my career at Riley, Haddad and Lombardi CPA's as a staff accountant in 1984 and at various times worked as the Controller for different area businesses including ArrowPress, Inc., The Berkshire Eagle, and a few other smaller companies. I was responsible for overseeing (or performing) billing, payable functions, monitoring cash flow or budgets, payroll, and supervising any accounting or bookkeeping staff at these various entities.

Since 1975 I have operating ABC Trucking and that business has evolved doing cleanouts, trash removal and hauling, caretaking of seasonal properties, moving of equipment and other things (such as artwork or art installations). It has generally been the side business that allowed for extra income tailored to coexist with other employment.

My career has been one where I have been tasked with making sure that things run and run correctly – all the while being in compliance with any number of laws and program regulations. My work has been audited by any number of audit professionals and various State and Federal Agencies. I am used to working in a fish bowl.

EDUCATION:

1982-84 University of Massachusetts/Amherst
Bachelor of Science in Accounting

1980-82 Berkshire Community College
Enrolled in Business Administration Program

1980 graduate of Pittsfield High School

I enjoy outdoor sports such as snowshoeing, hiking, and gardening. I am a voracious reader. I regularly have been volunteering by taking trips to areas hard hit by hurricanes to rebuild facilities such as playgrounds or housing units with Habitat for Humanity.



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

Peter M. Marchetti
Mayor

November 19, 2024

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

Dear Councilors,

I am submitting this communication to notify you of the appointment of Michael McCarthy, of 16 Meadow Ridge Drive, Pittsfield, MA to the Pittsfield Housing Authority as the Governor's appointee for a term expiring December 9, 2027.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
Enclosure



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

November 8, 2024

Michael J. McCarthy
16 Meadow Ridge Drive
Pittsfield, MA 01201

Dear Michael,

I am pleased to appoint you as a member of the Pittsfield Housing Authority. Your commitment to active citizenship is a tremendous asset to your community, the Commonwealth, and the complex housing challenges we face.

Before commencing your responsibilities, you must take an oath of office. The appointment will be void unless that oath is taken within three months of the date of this letter. Consistent with the statute under which you were appointed, your term will expire on December 9, 2027.

Lieutenant Governor Driscoll and I appreciate your willingness to serve the Commonwealth in this capacity.

Congratulations on your appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "M. T. Healey", written over a horizontal line.

Maura T. Healey

cc: Kimberley Driscoll, Lieutenant Governor
William Francis Galvin, Secretary of the Commonwealth
William J. McNamara, Comptroller of the Commonwealth
Edward Augustus Jr., Secretary of the Office of Housing and Livable Communities



THE CITY OF PITTSFIELD
OFFICE OF THE MAYOR
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Peter M. Marchetti
Mayor

November 19, 2024

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

Dear Councilors:

I am submitting this communication to notify you that I am appointing JP Murphy as Permanent Lieutenant within the Pittsfield Police Department.

Respectfully submitted,



Peter M. Marchetti, Mayor

PMM/bmw
Enclosure



CITY OF PITTSFIELD POLICE DEPARTMENT

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

OF POLICE

(413) 448-9717

OFFICE OF THE CHIEF

PROFESSIONALISM • ETHICS INTEGRITY • SENSITIVITY • ACCOUNTABILITY

November 20, 2024

Mayor Peter Marchetti
Pittsfield City Hall
70 Allen Street
Pittsfield, MA. 01201

Mayor Marchetti,

Submitted for your consideration is a request to appoint the following Officer to Permanent Position:

JP Murphy— Permanent Lieutenant

Respectfully Submitted,

A handwritten signature in cursive script, reading "Thomas C. Dawley", is written over the typed name and title.

Thomas C. Dawley
Chief of Police



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

Peter M. Marchetti
Mayor

November 19, 2024

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

Dear Councilors:

Please accept a brief certificate presentation to the graduates of the Citizens Academy Program. Over the course of 12 weeks, 20 community members gained insight and fresh perspectives into the daily operations of several city departments, fostering a deeper understanding of municipal operations.

It is my hope that this program will inspire each participant to continue finding ways of participating in their local government through service on boards and commissions and/or running for local office.

Respectfully submitted,

Peter M. Marchetti
Mayor

PMM/CVB

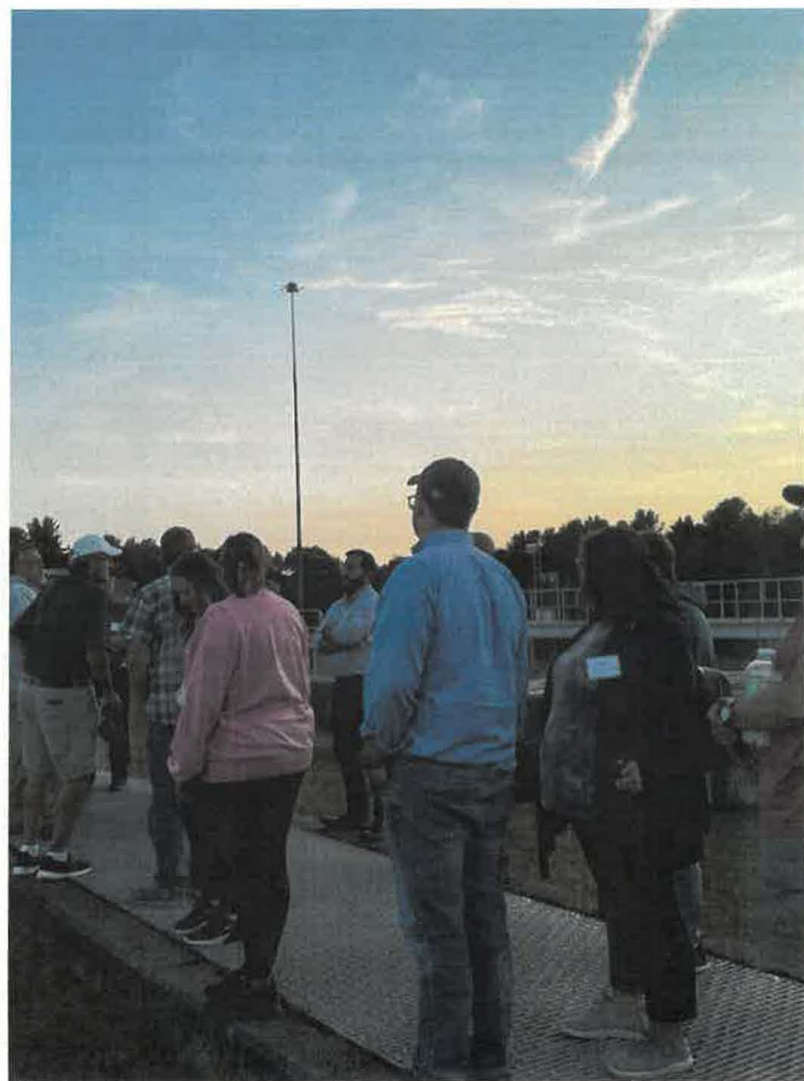
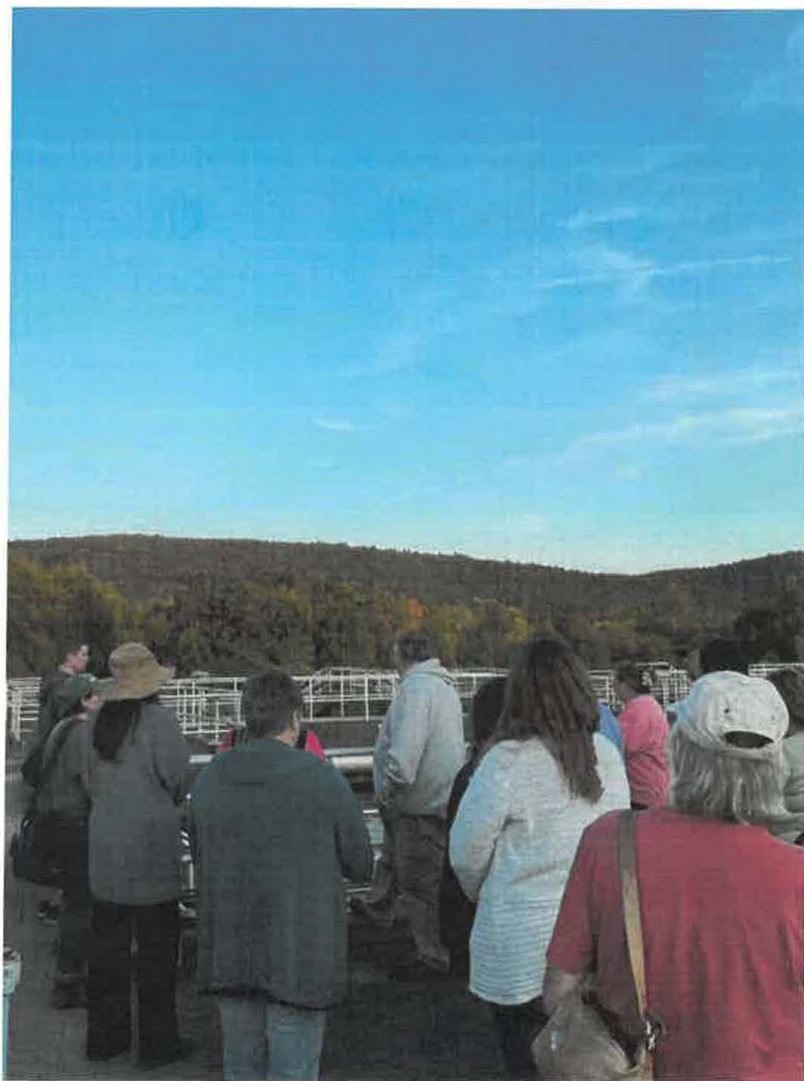
CITIZENS ACADEMY

Class of 2024



















Congratulations to the Class of 2024!

Amy Bonacquisti
Andrew Ferrara
Charles Wixsom
David Wiechecki
Emily Schilling
George Hamaoui
Jennifer Bell
Mary Seidel Wright
Patrick Santolin
Richard Senzel
Ryan Gooch
Sai Kamasani
Scott Schmidt
Shari Foucher
Shenna Connors
Tina Danzy
Tony Gattuso
Tracey Richards
Victoria Edwards
Yamilee Collazo



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

Peter M. Marchetti
Mayor

November 19, 2024

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 \$5,777.66 from the Bureau of Justice Assistance for the FY24 Patrick Leahy Bulletproof Vest Partnership grant.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
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

November 14, 2024

Honorable Peter Marchetti
Mayor-City of Pittsfield
70 Allen St
Pittsfield, MA 01201

Dear Mayor Marchetti,

Submitted for your consideration is an authorization requesting that the City of Pittsfield accept a FY24 Patrick Leahy Bulletproof Vest Partnership (BVP) Grant award in the amount of \$5,777.66 from the Bureau of Justice Assistance (BJA) to the Pittsfield Police Department.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Thomas C. Dawley", is written over a light gray circular stamp. The stamp contains the text "PITTSFIELD POLICE DEPARTMENT" and "NOV 14 2024".

Thomas C. Dawley
Chief of Police

c: Matthew Kerwood, Director of Finance
Rachel Jingst, City Accountant

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 ACCEPT A FY24 PATRICK LEAHY
BULLETPROOF VEST PARTNERSHIP (BVP) GRANT AWARD IN THE AMOUNT OF
\$5,777.66 FROM THE BUREAU OF JUSTICE ASSISTANCE (BJA)**

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 FY24 Patrick Leahy Bulletproof Vest Partnership (BVP) Grant award in the amount of \$5,777.66 from the Bureau of Justice Assistance to the Pittsfield Police Department.

APPLICATION DETAILS

APPLICATION PROFILE

Participant	PITTSFIELD CITY
Fiscal Year	2024
Number of Agencies Applied	0
Total Number of Officers for Application	91
Number of Officers on Approved Applications	91

APPLICATION PROFILE

Fiscal Year	2024
Vest Replacement Cycle ⓘ	3
Number of Officers	91
Number of Emergency Replacement Needs ⓘ	Number of Stolen or Damaged Officer Turnover
	0
	0

APPLICATION DETAILS

NIJ#	Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
BA-2000S-SX03	13	\$900.00	\$11,700.00	\$0.00	\$11,700.00
Grand Totals	13		\$11,700.00	\$0.00	\$11,700.00

AWARD SUMMARY FOR FY2024 REGULAR FUND

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$11,700.00	\$5,777.66	09/26/24	Approved by BVP
Grand Totals:	\$11,700.00	\$5,777.66		

RETURN

Gregory - Bilotta, Margaret

From: Dawley, Thomas
Sent: Thursday, September 26, 2024 3:14 PM
To: Gregory - Bilotta, Margaret
Cc: Gaynor, Nicole
Subject: FW: BJA Patrick Leahy Bulletproof Vest Partnership (BVP) – FY 2024 Award Announcement

From: Bureau of Justice Assistance <BJA@public.govdelivery.com>
Sent: Thursday, September 26, 2024 12:27 PM
To: Dawley, Thomas <tdawley@cityofpittsfield.org>
Subject: BJA Patrick Leahy Bulletproof Vest Partnership (BVP) – FY 2024 Award Announcement

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

[View as a webpage / Share](#)



Dear BVP Applicant:

The Bureau of Justice Assistance (BJA) is pleased to inform you that your jurisdiction will receive an award under the Fiscal Year (FY) 2024 Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the **BVP System**. A complete list of FY 2024 BVP awards is now available at the following link: [2024 BVP awards](#).

Important: Jurisdictions must be registered and include updated banking information in the System for Award Management (SAM) (<https://www.sam.gov/SAM/>) to receive reimbursement. For more information about renewing and updating your existing SAM registration, or registering in SAM as a new entity, please visit: <https://sam.gov/content/help>. The SAM Helpdesk can be reached at 866-606-8220.

The FY 2024 award may be used for National Institute of Justice (NIJ) compliant armored vests that were ordered after April 1, 2024. The deadline to request payments from the FY 2024 award is August 31, 2026, or until all available funds have been requested. Awards will not be extended past that date, and any unused funds will be forfeited.

As a reminder, body armor vests purchased with BVP funds must have been tested through the NIJ Compliance Testing Program and found to comply with the most current NIJ body armor standards, appear on the NIJ Compliant Products List as of the date the body armor was ordered, be uniquely fitted, and be made in the United States. In addition, applicants must have a written mandatory wear policy for uniformed patrol officers in place at the time of application.

In addition, the federal portion of the costs for body armor vests purchased under the BVP Program may not exceed 50 percent. However, jurisdictions may request a financial or natural disaster hardship waiver during the payment request process and receive up to 100 percent of the cost of each body armor vest submitted for reimbursement. Additional information regarding match waivers can be found in the BVP FAQs, and detailed instructions on the process for requesting a waiver and the documentation required can be found in the Submitting Payment Requests in BVP User Guide.

Please contact the BVP Helpdesk at 1-877-758-3787 or email vests@usdoj.gov if you have any questions regarding the above information. Please also visit the BVP website for additional information regarding the BVP Program.

In addition, please visit BJA's Officer Robert Wilson III Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability (VALOR) Initiative website to obtain other information regarding officer safety. The VALOR Initiative is a comprehensive set of programs that deliver no-cost officer safety, wellness, resilience training, resources, and technical assistance to law enforcement throughout the country. VALOR brings together the latest research and practices to address current and emerging officer safety and wellness issues and threats. Please see the VALOR Initiative Overview booklet for additional details about this initiative.

Sincerely,

BVP Program Team
Bureau of Justice Assistance

<https://www.ojp.gov/program/bulletproof-vest-partnership>



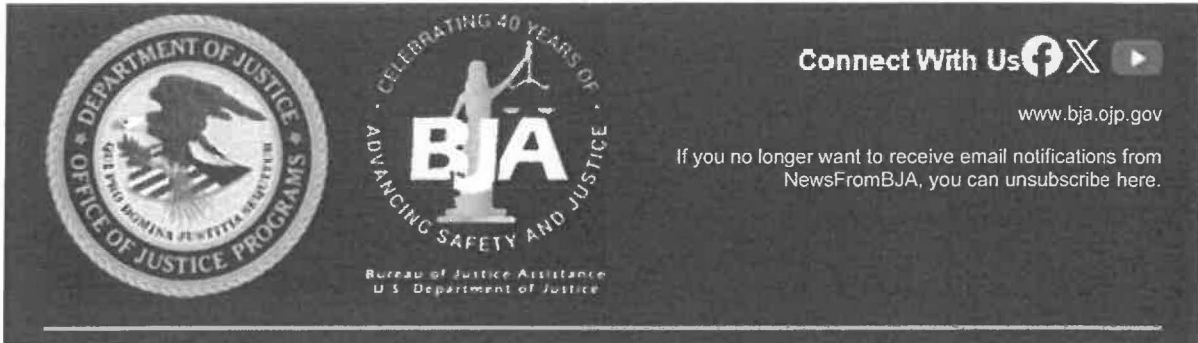
PUBLIC SAFETY OFFICERS' BENEFITS (PSOB) PROGRAM

Enacted in 1976, the PSOB Program provides death, disability, and education benefits to those eligible for the program. For details regarding these federal benefits for law enforcement officers, firefighters, and other first responders who have died or become

catastrophically injured in the line of duty, call the PSOB Office at 888-744-6513 or visit us online at [online](#).

BJA offers many resources, training and technical assistance, and policy development services to support local, state, and tribal governments in achieving safer communities.

If you haven't already, [subscribe to the News From BJA](#) subscription list to stay up to date on the latest information and news from BJA. If you are already a subscriber, [update your subscription preferences](#) to receive information that is most relevant to you.



This email was sent to tdawley@cityofpittsfield.org using GovDelivery Communications Cloud on behalf of Department of Justice Washington, DC



Thomas Dawley
Chief of Police

Police Department
City of Pittsfield
39 Allen Street
Pittsfield, MA 01201
(413) 448-9700 x717
tdawley@cityofpittsfield.org
www.cityofpittsfield.org

FY 2024 BVP Awards

AK	BRISTOL BAY BOROUGH	\$2,214.77
AK	HOMER CITY	\$2,666.62
AK	JUNEAU CITY AND BOROUGH	\$6,617.28
AK	KODIAK CITY	\$2,666.62
AK	NORTH SLOPE BOROUGH	\$6,000.87
AK	SITKA CITY AND BOROUGH	\$4,812.25
AK	SOLDOTNA CITY	\$4,910.52
AK	WRANGELL CITY	\$2,331.81
	Totals for AK(8 Jurisdictions):	\$32,220.74
AL	ABBEVILLE CITY	\$2,772.79
AL	ADAMSVILLE CITY	\$3,067.94
AL	ALABASTER CITY	\$5,919.35
AL	ALBERTVILLE CITY	\$3,499.93
AL	ANNISTON CITY	\$4,807.31
AL	ARAB CITY	\$4,112.02
AL	ATHENS CITY	\$9,770.42
AL	AUTAUGA COUNTY	\$5,148.54
AL	BAY MINETTE CITY	\$1,799.97
AL	CALERA CITY	\$3,602.89
AL	CHEROKEE COUNTY	\$6,321.48
AL	CLEBURNE COUNTY	\$6,407.38
AL	COTTONWOOD TOWN	\$370.37
AL	CULLMAN CITY	\$20,740.32
AL	CULLMAN COUNTY	\$5,074.71
AL	DAPHNE CITY	\$8,231.44
AL	DECATUR CITY	\$11,407.18
AL	DOTHAN CITY	\$22,123.00
AL	ENTERPRISE CITY	\$4,385.10
AL	EUFAULA CITY	\$6,419.53
AL	FAIRHOPE CITY	\$3,357.96
AL	FLORENCE CITY	\$10,107.87
AL	FULTONDALE CITY	\$7,082.76
AL	GADSDEN CITY	\$16,198.19
AL	GUNTERSVILLE CITY	\$5,860.62
AL	HALEYVILLE CITY	\$5,876.43
AL	HARTSELLE CITY	\$7,673.92
AL	HELENA CITY	\$3,185.12
AL	HIGHLAND LAKE TOWN	\$1,311.58
AL	HOOVER CITY	\$35,779.51
AL	HUEYTOWN CITY	\$9,788.44
AL	JACKSONVILLE CITY	\$1,697.59
AL	JASPER CITY	\$10,823.24
AL	LINCOLN CITY	\$2,219.71
AL	MADISON CITY	\$8,789.95
AL	MOUNDVILLE TOWN	\$4,306.80
AL	MOUNTAIN BROOK CITY	\$5,066.57
AL	NORTHPORT CITY	\$7,121.34

MA	LEICESTER TOWN	\$1,148.13
MA	LEOMINSTER CITY	\$16,180.21
MA	LEVERETT TOWN	\$2,074.04
MA	LINCOLN TOWN	\$3,977.70
MA	LITTLETON TOWN	\$3,111.05
MA	LONGMEADOW TOWN	\$2,176.75
MA	LUDLOW TOWN	\$6,222.10
MA	LYNNFIELD TOWN	\$2,666.62
MA	MANCHESTER-BY-THE-SEA TOWN	\$8,434.89
MA	MARBLEHEAD TOWN	\$3,451.79
MA	MARLBOROUGH CITY	\$24,530.61
MA	MARSHFIELD TOWN	\$11,511.86
MA	MAYNARD TOWN	\$2,370.33
MA	MEDFORD CITY	\$11,110.89
MA	MENDON TOWN	\$1,185.17
MA	METHUEN CITY	\$10,177.57
MA	MIDDLEBOROUGH TOWN	\$3,143.15
MA	MILLBURY TOWN	\$21,287.46
MA	MILTON TOWN	\$5,308.54
MA	MONSON TOWN	\$2,222.18
MA	NAHANT TOWN	\$2,024.65
MA	NATICK TOWN	\$19,150.22
MA	NEEDHAM TOWN	\$4,861.63
MA	NEW MARLBOROUGH TOWN	\$2,469.09
MA	NEWBURY TOWN	\$2,419.71
MA	NEWTON CITY	\$22,221.77
MA	NORFOLK TOWN	\$3,111.05
MA	NORTH ATTLEBOROUGH TOWN	\$3,977.70
MA	NORTH BROOKFIELD TOWN	\$888.88
MA	NORTHAMPTON CITY	\$10,110.91
MA	NORTON TOWN	\$1,919.67
MA	NORWOOD TOWN	\$11,962.72
MA	NORTH READING	\$1,243.25
MA	ORLEANS TOWN	\$4,866.57
MA	OXFORD TOWN	\$10,123.25
MA	PALMER TOWN	\$3,802.40
MA	PEABODY CITY	\$29,629.02
MA	PEMBROKE TOWN	\$6,365.30
MA	PITTSFIELD CITY	\$5,777.66
MA	PLYMOUTH TOWN	\$17,021.87
MA	PRINCETON TOWN	\$1,777.75
MA	PROVINCETOWN TOWN	\$1,325.90
MA	RANDOLPH TOWN	\$10,666.45
MA	RAYNHAM TOWN	\$8,318.35
MA	READING TOWN	\$10,713.54
MA	REVERE CITY	\$10,141.03
MA	ROCHESTER TOWN	\$2,934.76
MA	ROCKLAND TOWN	\$3,977.70
MA	ROWLEY TOWN	\$3,735.43



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

Peter M. Marchetti
Mayor

November 19, 2024

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 an additional grant of funds in the amount of \$60,000.00 from the Massachusetts Executive Office of Public Safety and Security's State 911 Department for the FY25 State 911 Department Support and Incentive Grant Program.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
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

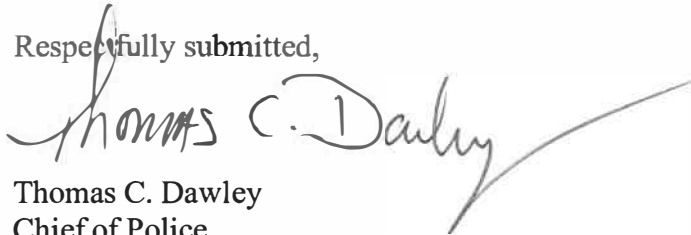
November 13, 2024

Honorable Peter Marchetti
Mayor-City of Pittsfield
70 Allen St
Pittsfield, MA 01201

Dear Mayor Marchetti,

Submitted for your consideration is an authorization requesting that the City of Pittsfield accept additional funds from the FY25 State 911 Support & Incentive Grant in the amount of \$60,000.00 from the Executive Office of Public Safety and Security State 911 Department to the Pittsfield Police Department.

Respectfully submitted,



Thomas C. Dawley
Chief of Police

c: Matthew Kerwood, Director of Finance
Rachel Jingst, City Accountant

City of Pittsfield

No. _____

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

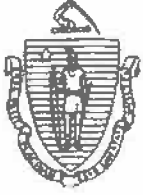
IN CITY COUNCIL

AN ORDER

**AUTHORIZING THE CITY OF PITTSFIELD TO ACCEPT ADDITIONAL FUNDS IN
THE AMOUNT OF \$60,000.00 FROM THE MASSACHUSETTS EXECUTIVE OFFICE
OF PUBLIC SAFETY – STATE 911 DEPARTMENT**

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 additional funds from the FY25 State 911 Department Support & Incentive Grant in the amount of \$60,000.00 from the Massachusetts Executive Office of Public Safety & Security – State 911 Department to the Pittsfield Police Department.



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT
151 Campanelli Drive, Suite A ~ Middleborough, MA 02346
Tel: 508-828-2911 ~ TTY: 508-947-1455
www.mass.gov/e911



MAURA T. HEALEY
Governor

TERRENCE M. REIDY
Secretary

KIMBERLEY DRISCOLL
Lieutenant Governor

FRANK POZNIAK
Executive Director

November 12, 2024

Chief Thomas C. Dawley
Pittsfield Police Department
39 Allen Street
Pittsfield, MA 01201

Dear Chief Dawley:

The Commonwealth of Massachusetts, State 911 Department would like to thank you for participating in the FY 2025 State 911 Department Support and Incentive Grant Program. For your files, please find attached a copy of the contract amendment signed by both parties. Please note your amended contract in the amount of **\$293,940** will run through June 30, 2025.

We have made the request for payment forms available on our website www.mass.gov/e911. For any questions related to this process, please contact Angela Pilling at 508-821-7305.

If, in the future, you would like to make any changes to the authorized signatory, the contract manager, personnel, and/or the budget worksheet, please e-mail those proposed changes to 911DeptGrants@mass.gov.

Sincerely,

Frank P. Pozniak
Executive Director

cc: FY 2025 Support and Incentive Grant File

FY 2025 SUPPORT AND INCENTIVE GRANT COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions and Contractor Certifications, the Commonwealth Terms and Conditions for Human and Social Services or the Commonwealth IT Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.masscomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Pittsfield (and d/b/a): Pittsfield Police Department		COMMONWEALTH DEPARTMENT NAME: State 911 Department MMARS Department Code: EPS	
Legal Address: (W-9, W-4): 70 Allen Street, Pittsfield, MA 01201		Business Mailing Address: 151 Campanelli Drive, Suite A, Middleborough, MA 02345	
Contract Manager: Thomas C. Dowley	Phone: 413-448-8717	Billing Address (if different):	
E-Mail: tdowley@cityofpittsfield.org	Fax: 413-395-0131	Contract Manager: Cindy Reynolds	Phone: 508-821-7299
Contractor Vendor Code: VC 6000192128		E-Mail: 911DeptGrants@mass.gov	
Vendor Code Address ID (e.g. "AD001"): AD 001. (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT EPS SUPG 1004240000000000715	
NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (Includes all Grants - §15 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		X CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior to Amendment:</u> June 30, 2025. Enter Amendment Amount: \$ 80,000.00 (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input checked="" type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services <input type="checkbox"/> Commonwealth IT Terms and Conditions			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under §15 CMR 9.00. <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ 293,940.00.			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days — % PPD; Payment issued within 15 days — % PPD; Payment issued within 20 days — % PPD; Payment issued within 30 days — % PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle — statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); — only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Contract Amendment is for the reimbursement of funds under the State 911 Department FY 2025 Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant as authorized and awarded in compliance with the grant guidelines and the grantee's approved application.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2025</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>§ 20 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: (Signature and Date Must Be Captured at Time of Signature) Print Name: Thomas C. Dowley Print Title: Chief of Police		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: (Signature and Date Must Be Captured at Time of Signature) Print Name: Frank Pozniak Print Title: Executive Director	

FY 2025 SUPPORT AND INCENTIVE GRANT

RECEIVED
NOV 12 2024

Type of PSAP: (please check one)

☒ Primary ☐ Regional ☐ Regional Secondary
☐ Regional Emergency Communication Center

STATE 911 DEPARTMENT

Name of Eligible Entity (PSAP/RECC)

City of Pittsfield Police Department

Address

39 Allen Street

City/Town/Zip

Pittsfield/ 01201

Telephone Number

413-448-9717

Fax Number

413-395-0131

Website

www.pittsfieldpd.org

Name & Title of Authorized Signatory

Thomas C. Dawley

Telephone Number

413-448-9717

Email Address

tdawley@cityofpittsfield.org

Name & Title of Grant Contract Manager

Margaret Gregory

Telephone Number

413-449-5257

Email Address

mggregory@cityofpittsfield.org

Total Grant Program funds requested:

\$ 60,000.00

Authorization and Certification

Through its submission of this application to the State 911 Department, the applying governmental entity and the authorized signatory of the applying governmental entity affirms and declares that all information submitted to the State 911 Department regarding the application, reimbursements, budget modifications, reporting, and any and all other submissions required throughout the duration of the grant process, its award and execution shall be true and verifiable through source documentation. The above noted documents, excluding this application, will no longer require a signature at the time of submission. Submission of this application by the applying governmental entity and authorized signatory shall be applicable to any and all transactions submitted under a contract awarded as the result of this application.

Sign below to acknowledge having read and agreed to the Authorization and Certification above and the grant conditions and reporting requirements listed in the grant guidelines.

Signed under the penalties of perjury this 7th day of November, 2024.


ORIGINAL SIGNATURE OF AUTHORIZING SIGNATORY

FY 2025 SUPPORT AND INCENTIVE GRANT

BUDGET SUMMARY

Primary PSAP, Regional PSAP, Regional Secondary PSAP, & RECCs	
CATEGORY	AMOUNT
A. Enhanced 911 Telecommunicator Personnel Costs	\$
B. Heat, Ventilation, Air Conditioning, and Other Environmental Control Equipment	\$
C. Computer-Aided Dispatch Systems	\$
D. Radio Console	\$
E. Console Furniture and Dispatcher Chairs	\$
F. Fire Alarm Receiving and Alerting Equipment Associated with Providing Enhanced 911 Service	\$
G. Other Equipment	\$
REGIONAL PSAPs and RECCs ONLY	\$
H. Public Safety Radio Systems	\$
REGIONAL SECONDARY PSAP ONLY	\$
I. PSAP Customer Premises Equipment Maintenance	\$
SUB-TOTAL/FY25 ALLOCATION	\$

APPENDIX B: Mobile Behavioral Health Crisis Response Services REVIEW FOR ELIGIBILITY & ENTER AMOUNT HERE	\$60,000.00
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REGIONAL PSAPs and RECCs ONLY	
APPENDIX C: Up to 60% of one (1) Annual Maintenance Contract (not to exceed \$314,000)	\$

GRAND TOTAL*	\$60,000.00
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*Grand Total = Total allocation and, if requesting, Mobile Behavioral Health Crisis Response Services and Annual Maintenance Contract amounts

FY 2025 SUPPORT AND INCENTIVE GRANT

Appendix B: Mobile Behavioral Health Crisis Response Services

In addition to the allocation amount noted in the Appendix A of the grant guidelines, Primary PSAPs, Regional Secondary PSAPs, Regional PSAPs, and Regional Emergency Communications Centers that dispatch mobile behavioral health crisis response services shall receive additional Support Grant funding to be used for allowable expenses under this grant program as follows:

2023 911 Call Volume	Funding Amount
0 - 2,999	\$15,000
3,000 – 3,999	\$20,000
4,000 – 4,999	\$25,000
5,000 – 9,999	\$35,000
10,000 – 19,999	\$45,000
20,000 – 39,999	\$60,000
40,000 – 59,999	\$80,000
60,000 – 99,999	\$100,000
100,000 or more	\$125,000

The calendar year 2023 call volume is available on our website at www.mass.gov/e911.

The following information is required:

1. Grantee's requesting this additional funding **must** include a copy of its PSAP's/RECC's policy/procedure detailing the dispatching of mobile behavioral health crisis response services that clearly explains how the certified telecommunicator dispatches the Behavioral Health Clinician.

Please note the PSAP's/RECC's policy/procedure is a requirement for all requesting this funding. {NOT THE POLICE DEPARTMENT'S POLICY ON MENTAL HEALTH}

2. Who are you partnered with for the provision of providing the mobile behavioral health crisis response services? The Pittsfield Police Department hired three (3) Mobile Behavioral Health Crisis Emergency Responders that work directly for the Pittsfield Police Department. Also known as Co-Responders, they are: Social Worker/Supervisor, Richard Collins and two (2) Emergency Co-Responders, Anthony Melillo and Claudia Stewart.
3. In the section below, enter the amount(s) in the funding category(ies) [A – G] where the additional mobile behavioral health crisis response service funds are to be added. **Please note this appendix, and the Budget Summary page are where you identify the additional funding, DO NOT add these funds to the funding category(ies) in the budget narrative.**

Funding Category	Amount
A: Personnel Costs	\$
B: Heat, Ventilation, Air Conditioning	\$
C: Computer-aided Dispatch Systems	\$
D: Radio Consoles	\$
E: Console Furniture & Dispatch Chairs	\$
F: Fire Alarm Receiving & Alerting	\$
G: Other Equipment	\$
TOTAL	\$

If requesting funds in Category B – G, you must provide the vendor quote(s) AND the detailed description including quantity and the use and location of the requested item(s) below. Please use additional page(s) if needed.

Description:

The Dispatch Center

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of the Dispatch Center. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Pittsfield Police Department to provide 24-hour, toll-free telephone service to the public for information and for routine or emergency assistance (G.L. c. 6A, § 18C). The Department provides two-way radio capability for continuous communication between the Dispatch Center and department members in the field.

801.3 THE DISPATCH CENTER SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of the Dispatch Center, its members, and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for the Dispatch Center.

Access to the Dispatch Center shall be limited to the Dispatch Center members, the Shift Commander, command staff, and department members with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 DISPATCH SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Dispatch Supervisor. The Dispatch Supervisor is directly responsible to the Uniformed Patrol Division Commander or the authorized designee.

The responsibilities of the Dispatch Supervisor include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Dispatch Center in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training, and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
- (e) Processing requests for copies of the Dispatch Center Information for release.
- (f) Maintaining the Dispatch Center database systems.
- (g) Maintaining and updating the Dispatch Center procedures manual.
 - 1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim

Pittsfield Police Department

Policy Manual

The Dispatch Center

of a sexual assault to ensure that the victim's health and safety needs are met, as well as steps that the victim may take to preserve evidence.

2. Ensuring dispatcher compliance with established policies and procedures.
- (h) Maintaining procedures for monitoring and responding to security and private alarms.
- (i) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (j) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.
- (k) Maintaining a current list of contact phone numbers or radio access for authorized service providers (e.g., fire suppression, ambulance or emergency medical services (EMS), tow trucks, road/highway departments, animal control).

801.4.2 DISPATCHERS

Dispatchers report to the Dispatch Supervisor. The responsibilities of the dispatcher include but are not limited to:

- (a) Receipt and handling of all incoming and transmitted communications, including:
 1. Emergency 9-1-1 lines.
 2. Business telephone lines.
 3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
 4. Radio communications with department members in the field and support resources (e.g., fire department, EMS, allied agency law enforcement units).
 5. Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through the Dispatch Center, department, and other law enforcement database systems (e.g., Criminal Justice Information Services (CJIS), Registry of Motor Vehicles (RMV), National Crime Information Center (NCIC), Massachusetts Missing Children Clearinghouse (MMCC)).
- (d) Monitoring department video surveillance systems.
- (e) Maintaining the current status of members in the field, their locations, and the nature of calls for service.
- (f) Notifying the Shift Commander or field supervisor of emergency activity, including but not limited to:
 1. Vehicle pursuits.
 2. Foot pursuits.
 3. Assignment of emergency response.

Pittsfield Police Department

Policy Manual

The Dispatch Center

801.5 CALL HANDLING

This department provides members of the public with access to the 9-1-1 system for a single emergency telephone number. Specific 9-1-1 procedures that meet the criteria of 560 CMR § 5.10 should be established in a separate operations manual for the Dispatch Center.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location, and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known, and a language-appropriate authorized interpreter is available in the Dispatch Center, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual, and the interpreter.

Dispatchers should be courteous, patient, and respectful when dealing with the public.

801.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

The caller shall be advised whether department members will respond directly or the call will be referred to another agency to handle.

Emergency calls should be dispatched immediately. The Shift Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

Pittsfield Police Department
Policy Manual

The Dispatch Center

801.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

801.5.3 MISDIRECTED CALL PROCEDURE

The Dispatch Supervisor should ensure that all dispatchers are aware of the following procedures for handling misdirected emergency calls:

- (a) If a call is received for an emergency service that this department does not provide or that is outside this department's jurisdiction, the dispatcher receiving the call should do one of the following, depending on the nature of the call:
 - 1. Transfer the caller to the appropriate agency. The dispatcher should monitor the call to confirm that a connection was made and to ascertain whether further assistance is needed.
 - 2. Collect all pertinent information and contact the appropriate agency to relay the request.
- (b) Any emergency call received on a non-emergency number will be handled as a 9-1-1 call.
- (c) When misdirected non-emergency calls are received by the Dispatch Center, a dispatcher should provide the caller with the telephone number of the appropriate service provider, if practicable.

801.5.4 EMERGENCY MEDICAL DISPATCH

Only department members trained in Emergency Medical Dispatch (EMD) shall provide medical instructions over the telephone or radio. Instructions should be consistent with approved emergency medical guidelines or materials.

The Department should use EMD protocols established by the Association of Public-Safety Communications Officials, the emergency medical service provider for the jurisdiction, or an authorized EMD authority.

801.5.5 EMERGENCY MESSAGE PROCEDURES

Upon receiving a message from another agency, hospital, or other source requesting that a death, serious injury, serious illness, or any other type of emergency message be delivered, a dispatcher should:

- (a) Obtain the following:
 - 1. Full names and addresses of the person or persons to be notified
 - 2. Name and callback number of the person conveying the information

Pittsfield Police Department
Policy Manual

The Dispatch Center

3. Any other pertinent information that may help the officer making the notification
- (b) Notify the Shift Commander once the above information has been obtained.
- (c) For emergency notification requests from other agencies, request that the emergency request be backed by a teletype message or some other form of written confirmation.

When all information has been verified, notifications should be carried out promptly and in a considerate manner.

Requests for message deliveries of a non-emergency nature may be delivered if approved by the Shift Commander.

801.5.6 SECURITY ALARM PROCEDURES

Upon receiving a call of a residential alarm or commercial alarm outside of normal business hours, the dispatcher will:

- a.) Obtain the address of the alarm.
- b.) Obtain the residence owner/care taker information
- c.) Obtain the specific location of the activation within the residence if possible.
- d.) Dispatch a minimum of two officers.

Upon receiving a call of a commercial alarm during normal business hours such as for a bank or merchant, the dispatcher will:

- a.) Obtain the address of the alarm and specific location of activation (if possible)
- b.) Immediately dispatch officers
- c.) Attempt to make contact with the business
 - 1.) If contact is made and the alarm is found to be false, dispatch will inform responding units and request a representative of the facility to meet officers outside to confirm the false alarm.
 - 2.) If contact is made and/or the alarm is confirmed as valid, dispatch will advise responding/arriving units and keep the reporting party on the line if possible
 - 3.) If contact is not made, officers will respond as if it is a valid alarm and dispatch will advise of negative contact.

801.5.7 MOBILE BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES PROCEDURES

Upon receiving a call, the dispatcher will assess the nature of the incident to determine if a mobile behavioral health crisis provider is needed. Indicators include but are not limited to:

- a.) Behavioral health crisis
- b.) Substance abuse issues
- c.) Domestic disputes without immediate violence
- d.) Welfare checks

Pittsfield Police Department

Policy Manual

The Dispatch Center

e.) Deaths/Death Notifications

Dispatchers will gather essential information, including:

- a.) Caller's location
- b.) Nature of the incident
- c.) Any immediate threats or safety concerns
- d.) Caller's relationship to the person in crisis (if applicable)

If the call meets the criteria for a mobile behavioral health crisis responder, the dispatcher will:

a.) Notify the department's behavioral health clinician via their radio identification call signal (950,951,952, etc) 

b.) Provide them with all of the pertinent information that was able to be ascertained

c.) Dispatch the behavioral health clinician with a law enforcement officer to the obtained location. 

Dispatchers will maintain open communication with law enforcement as well as the responding behavioral health clinician. Updates will be provided to all parties of any changes in the situation or if additional information is received by dispatch until such time that the call for service has been resolved.

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include but not be limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their in-service status (e.g., vehicle stops, on-scene, end of shift), location, and out-of-service status.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Dispatch Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Pittsfield Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

Pittsfield Police Department
Policy Manual

The Dispatch Center

801.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment, and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

801.7 DOCUMENTATION

It shall be the responsibility of the Dispatch Center to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document, and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs, and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

801.7.1 9-1-1 CALL DETAIL RECORDS

All 9-1-1 call detail records shall be maintained in accordance with commonwealth or local laws and the established records retention schedule, but in no event for less than three years.

801.8 CONFIDENTIALITY

Information that becomes available through the Dispatch Center may be confidential or sensitive in nature. All members of the Dispatch Center shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as RMV records, warrants, criminal history information, records of internal police files, or medical information, shall only be made available to authorized law enforcement personnel.

Pittsfield Police Department
Policy Manual

The Dispatch Center

Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

801.9 TRAINING AND CERTIFICATION

All dispatchers should successfully complete training provided by the Commonwealth of Massachusetts or this department (560 CMR § 5.04; G.L. c. 6A, § 18B(g)).

801.10 DISPATCHER ACCESS TO RESOURCES

Dispatchers shall have immediate access to current information, including but not limited to:

- Maps detailing the Pittsfield Police Department's entire service area.
- A duty roster of all members working in the field.
- Telephone numbers of every department member.
- Name and contact information of an on-duty officer-in-charge.
- On-duty officer status indicators (e.g., on-call, court, training, out of service).
- Procedures and telephone numbers for procuring emergency and external services.
- Emergency and tactical plans as appropriate (e.g., readily available instructions for handling low-frequency incidents such as plane crashes, major fires, Special Response Team responses).

801.11 RECORDINGS

All 9-1-1 telephone calls and all two-way radio traffic shall be recorded consistent with the following:

- (a) Recordings shall be made using equipment in accordance with the manufacturer's manuals.
- (b) Recording equipment shall allow for immediate playback at the Dispatch Center positions to allow for dispatcher review of information.
 1. All other emergency telephone lines shall continue to be recorded during any playback.

801.11.1 STORAGE AND RETENTION

Recordings should be stored as follows:

- (a) All recordings should be securely stored in a location defined by the Department consistent with security protocols outlined in the manufacturer's guidelines.
- (b) Recordings reasonably believed to contain evidence or that are relevant to pending litigation should be submitted to the Crime Scene Services in accordance with the protocols outlined in the Crime Scene Services Policy.
- (c) Access to stored recordings should be limited to the Dispatch Supervisor or the authorized designee.

Pittsfield Police Department
Policy Manual

The Dispatch Center

All recordings shall be retained for a period consistent with commonwealth and local laws and the established records retention schedule, but in no event for less than one year (G.L. c. 6A, § 18G).

801.11.2 REVIEW, COPYING, AND RELEASE OF RECORDINGS

Upon approval by the Dispatch Supervisor, recorded files may be reviewed:

- (a) By any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation, subject to approval by a supervisor.
- (b) By supervisors reviewing member conduct, for training purposes, or when review of a recording might be beneficial in reviewing a member's performance.
- (c) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (d) By media personnel with permission of the Chief of Police or the authorized designee.
- (e) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All requests for the release of recordings shall be processed in accordance with the Records Maintenance and Release Policy.

801.12 PROTECTION OF EQUIPMENT

All equipment used to maintain continuous operation of the Dispatch Center shall be protected to meet the needs of the Department and have backup power available.

801.13 ALTERNATE POWER SOURCE

The Department shall have an alternate source of electrical power that is sufficient to ensure the continued operation of the emergency communication equipment if the primary power source fails.

- (a) The alternate power source should be inspected and tested at least monthly or in accordance with the manufacturer's recommendations.
- (b) The alternate power source should be tested annually under full load either through scheduled testing or in an actual documented power loss that occurs with successful alternate power source restoration.
- (c) A documented evaluation of the alternative power source should be conducted at least once every three years, confirming that the source is in good working condition and is sufficient to meet current needs.



City of Pittsfield

November 13, 2024

To the City Council of the City of Pittsfield: —

The Committee on
Ordinances and Rules Committee

to whom was referred the

A report from the Public Works Committee, on a communication from Commissioner Morales concerning snow and ice removal on Private Ways, recommending to refer to Ordinances and Rules Committee for codification

having considered the same, report and recommend that

to place on file

Voted unanimously 5/0

Respectfully submitted,

Dina Lamplasi

Chairman



City of Pittsfield

March 22, 2023

To the City Council of the City of Pittsfield: —

The Committee on Public Works

to whom was referred the a communication from Commissioner Morales concerning
snow and ice removal within Private Ways

having considered the same, report and recommend that

to send to the City Council for referral to the
Ordinances and Rules Committee for further
codification, voted 3-0, Councilors Kavey,
Sherman and Warren in favor

Respectfully submitted,

Patrick T. Kavey

Chairman



CITY OF PITTSFIELD

DEPARTMENT OF PUBLIC SERVICES & UTILITIES, 100 NORTH ST, PITTSFIELD, MA 01201 413-499-9330

November 3, 2022

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

Re: Snow and Ice Removal within Private Ways

Honorable Council Members,

A significant number of private ways have recently been added to the list of streets from which the city must remove snow and ice. This was made possible when the residents adopted MGL Chapter 40, sections 6C and 6D on November 6, 1945. This law is a local option statute which allows a city, upon and after accepting its provisions, to authorize funding for the removal of snow and ice from private ways which are accessible to the general public.

This subject has been discussed in the past, establishing a precedent for the way in which a City Council in Pittsfield handles the specific requests to add private streets. Although having a precedent does not imply that it must be handled the same way in future iterations, it is important to note the reasoning and logic behind it.

The statute adopted by Pittsfield in 1945 allows the City Council to designate private ways from which snow and ice may be removed, subject to the satisfaction of the two factual pre-conditions contained expressly in the statute – That the private way is within the City's limits and that it is open to public use.

It is therefore important to determine what it means, for the purposes of this statute, for a private way to be open for public use. This very question has been addressed in the past in both local legal opinions (c. 1994) as well as the legal opinion of the Justices to the Senate – the phrase "Open to public use" when applied to a private way, connotes that the private way is open to the public at large for ordinary travel, and not just for the owner's use.

"[O]pen to public use" as applied to a private way naturally means that such way is actually susceptible of use by the public other than for the purposes that are merely incidental to the use of the way by the owner thereof, and also that the way is open to the public at large for purposes of travel, not merely incidental to its use by the owner thereof, in a manner similar to the ordinary use for purposes of travel of a public way of the same general nature."

Opinion of the Justices to the Senate, 313 Mass. 779, 783 – 1943

A private way which is gated, posted as "private" or "open to residents only" would generally not be considered as "open to public use".

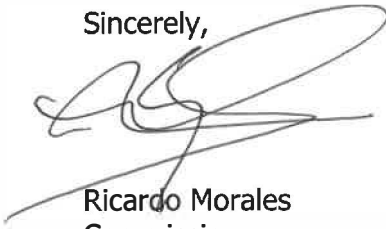
I would recommend that the City adopt standards, policies or regulations, which are reasonable and consistent with the statute, concerning the conditions under which the Council will authorize snow plowing of any private way. In addition to the factual pre-conditions set out in Section 6C, the Council's policy or regulations may consider many factors, relating to the degree to which a public purpose is served by plowing, as well as concern for public safety and efficient use of limited city funds. For example, the Council could consider the following items in establishing reasonable conditions for private way to be eligible for snow plowing:

- Road design relative to safe plowing
- Degree to which road handles public traffic, relative to other roads
- Timing of request by petitioners, relative to winter season
- Relative number of residents using the road; and
- Length of road per resident or relative to its importance for maintaining traffic circulation or alternate routing,

Accepting a private way for snow and ice removal does not make it a public way and the City Council may reconsider its authorization to plow and remove ice at any time.

It may be appropriate for the City Council to refer this matter to the Department of Public Services & Utilities to recommend a policy the Council might adopt when considering whether to remove snow and ice from a particular private way.

Sincerely,

A handwritten signature in black ink, appearing to be 'RM', with a long horizontal stroke extending to the right.

Ricardo Morales
Commissioner
Department of Public Services and Utilities



City of Pittsfield

November 13, 2024

To the City Council of the City of Pittsfield: —

The Committee on
Ordinances and Rules Committee

to whom was referred the

A communication from Mayor Marchetti on an Ordinance
amending City Code, Chapter 2, Administration, Article XLII,
Commission on Tourism

having considered the same, report and recommend that

to approve

Voted unanimously 5/0

Respectfully submitted,

Dina Lampiasi

Chairman



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

Peter M. Marchetti
Mayor

September 17, 2024

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 Ordinance amending the City Code, Chapter 2, Administration, Article XLII , Commission on Tourism.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw
Enclosure

No.



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD, CHAPTER 2, ADMINISTRATION, ARTICLE XLII COMMISSION ON TOURISM

Be it ordained by the City Council of the City of Pittsfield, as follows:

SECTION I

That the Code of the City of Pittsfield Chapter 2, Administration, Article XLII, Section 2-243 Functions, powers, and duties and Section 2-244 Meetings be amended by striking it in their entirety and replacing it with the following language:

Section 2-243 Functions, powers, and duties

“The function of the Commission on tourism shall be to encourage and stimulate tourism and to promote and market the City of Pittsfield for the purposes of vacation, visitor, recreation, and convention business. The Commission shall seek to find new ways to attract visitors and tourists to the City and to provide services to the City’s visitors and tourists. In furtherance of these purposes, the Commission shall collaborate with 1Berkshire and the Massachusetts Office of Travel and Tourism.”

Section 2-244 Meetings

“The Commission shall establish rules governing its meetings in accordance with Article 10, Section 10-6(b) of the City Charter enacted by Chapter 72 of the Acts of 2013. The Commission on Tourism shall meet quarterly.”

SECTION II

This ordinance shall become effective upon enactment.



City of Pittsfield

January 22, 2024

To the City Council of the City of Pittsfield: —

The Committee on Ordinances and Rules Committee

to whom was referred the

A communication from Mayor Marchetti submitting an Ordinance amending City Code, Chapter 6, Finance and Administration, Article XVI, Senior Work Off Program, Section 6-74

having considered the same, report and recommend that

to approve

Voted unanimously 5/0

Respectfully submitted,



Dina Lampiasi

Chairman



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

Peter M. Marchetti
Mayor

January 2, 2024

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 Ordinance amending the City Code, Chapter 6, Finance and Administration, Article XIV Senior Work Off Program, Section 6-74.

Respectfully submitted,

Peter M. Marchetti, Mayor

PMM/bmw

Enclosure



CITY OF PITTSFIELD

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

January 2, 2024

The Honorable Peter M. Marchetti, Mayor
City Of Pittsfield
70 Allen Street
Pittsfield, MA 01201

Dear Mayor Marchetti:

Submitted for your consideration, is an Ordinance amending the City Code to increase the maximum abatement amount that can be granted through the Senior Work-Off Program from \$1000 to \$2,000.

Since fiscal year 2014, the City has offered the opportunity for eligible seniors to gain an abatement on their real estate by participating in the Senior Work-Off Program. A recent change in state law increased the maximum amount that can be "earned" to \$2,000. The proposed amendment would reflect this change in the law and has the support of the Chief Assessor who along with the Mayor's office administers the program. Given the program has concluded for fiscal year 2024, this change would be effective for the program beginning in fiscal year 2025.

I would request that you submit this to the City Council for its consideration and adoption.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Matthew M. Kerwood", is written over the typed name and title.

Matthew M. Kerwood
Director of Finance & Administration/Treasurer

CC: Steve Pagnotta, City Solicitor



No.

City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 6, ARTICLE XIV SENIOR CITIZEN TAX WORK-OFF PROGRAM TAX

Be it ordained by the City Council of the City of Pittsfield, as follows:

That City Ordinance Chapter 6, Article XIV Senior Citizen Tax Work-Off Program Tax is hereby amended by deleting Section 6-74 Purpose and replacing it with the following Section 6-74 in its stead:

Section I

Sec. 6-74 Purpose.

Pursuant to the provisions of MGL c. 59, § 5K, homeowners who are age 60 or older are provided the opportunity to participate in a property tax relief program in return for volunteer service to the City. Participants in the program are compensated for services at an hourly rate equal to the state's minimum wage. The maximum amount of the abatement shall be \$2,000 and shall be in addition to any other property tax abatement or exemptions any such person is otherwise entitled to receive.

Section II

This ordinance shall take effect upon enactment.

Approved as to Form and Legality,

City Solicitor

Chapter 6. Finance and Taxation

Article XIV. SENIOR CITIZEN TAX WORK-OFF PROGRAM

Sec. 6-74. Purpose.

[Ord. No. 1067, 4-9-2013]

Pursuant to the provisions of MGL c. 59, § 5K, homeowners who are age 60 or older are provided the opportunity to participate in a property tax relief program in return for volunteer service to the City. Participants in the program are compensated for services at an hourly rate equal to the state's minimum wage. The maximum amount of the abatement shall be \$1,000 and shall be in addition to any other property tax abatement or exemptions any such person is otherwise entitled to receive.

Sec. 6-75. Administration.

[Ord. No. 1067, 4-9-2013]

The program shall be administered through the Mayor's office. The Mayor shall annually determine the number of volunteer positions available. Interested participants must complete an application, meet eligibility guidelines for the program, and have the appropriate skills for available positions. Said positions shall not include any positions staffed by RSVP.

Sec. 6-76. Application of credits to tax bills.

[Ord. No. 1067, 4-9-2013]

The program shall run annually from December 1 to November 30. All work must be completed by November 30 and submitted to the Assessor's office by December 15. Reductions earned by November 30 will be applied to the actual tax bills for the fiscal year, and shall be equally split between the third and fourth quarter tax bills. Any unused credits (due to the credits being larger than the tax bills) shall be lost and not carried forward to a future tax year. Earned abatements may only be applied to the percentage of the property that is owner occupied. There will be a limit up to 25 persons or/households per year.

Sec. 6-77. Eligibility guidelines.

[Ord. No. 1067, 4-9-2013; Ord. No. 1079, § 1, 2-11-2014; Ord. No. 1161, § I, 9-29-2015]

Participants must be age 60 or over at the time of application. Eligible properties must be classified as residential. The eligible property must be owned and occupied by the participant. If the property is subject to a trust, the participant must be one of the trustees on the applicable January 1 assessment date, or at the time the work is performed. There shall be a limit of two participants per eligible property but only one abatement will be applied. Eligibility shall be defined using the locally adopted income eligibility guidelines of MGL c. 59, § 5, Clause 41D, plus \$5,000.

Selection for participation in the program will be based on need and shall be valid for one year. Neediest applicants will be selected first. Needs shall be determined based on an applicant's income as a

percentage of his/her income to the top income of his/her eligibility category. Applicants not selected will be placed on a waiting list in order of need. Applicants not selected will be placed on a waiting list in order of need in the event that any selected volunteer withdraws from the program or if other volunteer opportunities become available. Any volunteer who is chosen from the waiting list shall be entitled to the full benefit. The City is not obligated to offer another position if a volunteer refuses an assignment. Municipal employees may not work in the Senior Citizen Tax Work-Off Program.

Sec. 6-78. Certificate of service.

[Ord. No. 1067, 4-9-2013]

The board, officer, or department supervising the volunteer service must certify to the Assessor the hours of services performed.

Sec. 6-79. Status of volunteers.

[Ord. No. 1067, 4-9-2013]

In accordance with MGL c. 258, volunteers participating in the program are considered employees for purposes of municipal tort liability. Municipalities are liable for damages, for injuries to third parties and for indemnification of the volunteers to the same extent as they are in the case of injuries caused by regular municipal employees.

Sec. 6-80. Tax withholding.

[Ord. No. 1067, 4-9-2013]

The amount of the abatement that the participant receives is not considered income or wages for purposes of state income tax or workers' compensation. The abatement amount is considered income for both federal income tax and Federal Insurance Contribution Act (FICA) tax purposes.

Sec. 6-81. Funding source.

[Ord. No. 1067, 4-9-2013]

Funding for the program comes from the allowance for abatements/exemptions which is an amount raised annually, during the tax rate setting process, and is used to fund all statutory personal exemptions such as veterans, blind and elderly. In no case may the total funds expended under this ordinance exceed \$40,000.

Acts (2023)

Chapter 50

AN ACT TO IMPROVE THE COMMONWEALTH'S COMPETITIVENESS, AFFORDABILITY, AND EQUITY

*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. Section 2H of chapter 29 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 29, the figure “15” and inserting in place thereof the following figure:- 25.5.

SECTION 2. Section 5K of chapter 59 of the General Laws, as so appearing, is hereby amended by striking out, in lines 14 and 39, the figure “\$1,500” and inserting in place thereof, in each instance, the following figure:- \$2,000.

SECTION 3. Said chapter 59 is hereby further amended by inserting after section 5N the following section:-

Section 5O. (a) In any city or town that accepts this section, the board of selectmen or select board of the town, the town council of a municipality having a town council form of government, the city manager, with the approval of the city council, in the case of a city with a plan D or plan E form of government, or the mayor, with the



City of Pittsfield

January 22, 2024

To the City Council of the City of Pittsfield: —

The Committee on
Ordinances and Rules Committee

to whom was referred the

A petition from Councilor Warren & Kronick requesting to draft an Ordinance if any city employee violates a charter provision dealing with finances shall be subject to discipline and loss of wages

having considered the same, report and recommend that

to place on file

Voted unanimously 5/0

Respectfully submitted,

Dina Lampiasi

Chairman



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2023 OCT 18 PM 1:29

October 18 20 23

To the City Council of the City of Pittsfield:-

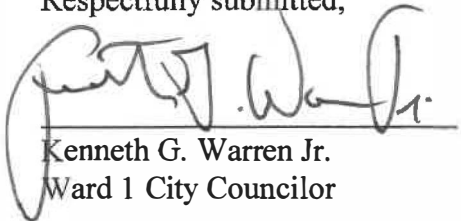
The undersigned respectfully

Requests that the Charter and its enforcement be clarified by ordinance as specified below:

1. Refer this petition to the Committee on Ordinance & Rules to draft an ordinance that provides in substance that any city employee who intentionally violates a material Charter provision dealing with finances and budgets shall be subject to discipline of the loss of wages or salary of up to one pay period. This shall be after a public hearing and two thirds vote of the City Council.
2. Obviously this is to be prospective and there couldn't be a more opportune time than the change in city administration.

The goal is to encourage and provide the necessary respect for the duly enacted Charter for city government. Our residents can't have confidence in our city government if there is no accountability.

Respectfully submitted,


Kenneth G. Warren Jr.
Ward 1 City Councilor

Charles Kronick
Ward 2 City Councilor



City of Pittsfield

November 13, 2024

To the City Council of the City of Pittsfield: —

The Committee on
Ordinances and Rules Committee

to whom was referred the

A petition from Councilors Persip and Warren requesting to review the feasibility of amending the City Ordinances dealing with the removal of snow from sidewalks

having considered the same, report and recommend that

to approve

Voted unanimously 5/0

Respectfully submitted,

Dina Lampiasi

Chairman



City of Pittsfield

RECEIVED CITY CLERK
CITY OF PITTSFIELD, MA
2021 NOV 21 PM 12:35

November 22 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the City Council refer to the Ordinance & Rules Committee to review the feasibility of amending the City Ordinances dealing with the removal of snow from sidewalks to add a provision that authorizes City officials, after appropriate notices, to abate the unsafe sidewalk condition on primary and secondary streets and charge the owner of the property which could then be added to the property tax bill.

A secondary consideration would be the development and recruitment of a list of individuals, with a priority for young adults, who would be available to remove snow from city sidewalks on behalf of the city for this purpose or any city resident who would like to employ someone to do this.

The gist of this proposal is based on the suggestion of Berkshire Eagle columnist Mitchell Chapman who referenced a program in Ann Arbor Michigan.

This would provide another avenue of enforcement to provide safe pedestrian travel especially for children attending school.

Respectfully submitted,

Earl G. Persip III

Earl G. Persip III
City Councilor at Large

Kenneth G. Warren Jr.

Kenneth G. Warren Jr.
Ward 1 City Councilor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 20, SECTION 20-21 REMOVAL, ETC., OF SNOW AND ICE FROM SIDEWALKS

Be it ordained by the City Council of the City of Pittsfield, as follows:

The Code of the City of Pittsfield, Chapter 20-21, Removal, etc., of snow and ice from sidewalks be deleted in its entirety and replaced with the following Sec. 20-21:

Section 1

Sec. 20-21 Removal, etc., of snow and ice from sidewalks—Duty of owner of abutting property to remove, etc.; Director of Public Health, or his or her designee, to prosecute violators.
[R. O. 1947, ch. 24, § 33; Ord. No. 746, § 1, 3-9-1994; Ord. No. 806, § 1, 7-10-1996; Ord. No. 1044, § 1, 7-13-2010; Ord. No. 1256, § 1, 11-15-2022]

The owner responsible for land or a building abutting a paved sidewalk shall, after snow has ceased to fall thereupon or whenever snow shall have collected or deposited upon any such sidewalk, within 24 hours, remove the same or cause the same to be removed from such sidewalk; and also remove or cause to be removed from such sidewalk, or cover or cause to be covered with sand or some other suitable substance, within 24 hours after it has formed or appeared, any ice with which the same may be encumbered, in such way as to render such sidewalk safe and convenient for travel, to a width of 36 inches. In the event that the sidewalk has a width of less than 36 inches, the owner may only remove snow to the width of the sidewalk. If a person is found to be violating the provisions of this section, it shall be the duty of the Director of Public Health, or his or her designee, to assess a fine to any such person pursuant to MGL Chapter 40U in accordance with the fine schedule set forth in Chapter 4 1/2 entitled "Noncriminal and Criminal Enforcement," § 4 1/2-2.

If the owner responsible for land or a building abutting a paved sidewalk fails to remove the snow which has collected or been deposited upon any such sidewalk, and/or fails remove, or cover with sand or some other suitable substance, within 24 hours after it has formed or appeared, any ice with which the same may be encumbered, in such way as to render such sidewalk safe and convenient for travel within 48 hours, the City may remove such snow or cover such ice at the owner's expense. The cost of such snow and/or ice removal or covering if unpaid by the owner along with the administrative fee assessed may be enforced pursuant to MGL Chapter 40U.

The cost of removing snow and ice or covering ice shall be assessed against the owner at a rate which shall be twice the then current hourly rate paid by the City to the contractor the City hires to remove the snow and ice, with a minimum of 1 hour to be charged. In addition, the owner shall be assessed a \$50.00 administrative fee for each violation which results in the City's contractor being sent out to remove snow and ice from the sidewalk.

Section II

This ordinance shall take effect upon enactment.

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

September 23, 2024

To the City Council of the City of Pittsfield: —

The Committee on Ordinances and Rules Committee

to whom was referred the A petition from Councilor Warren on the ACLU model for
Community Control Surveillance Technology

having considered the same, report and recommend that

to approve as amended. Section 7 page 4 -
first line- Surveillance use policy; remove
"legally". Section 7,D Exceptions, g remove
"including criminal defendants" as they are
not a separate class of citizens.

Voted unanimously 5/0

Respectfully submitted,

Dina Lampiasi

Chairman



City of Pittsfield

RECEIVED CITY CLERK
CITY OF PITTSFIELD
2022 APR 28 PM 3:02

April 28 20 22

To the City Council of the City of Pittsfield:--

The undersigned respectfully

Request that the draft ordinance attached hereto based on the **Town of Amherst modified version of the City of Cambridge Ordinance which used an ACLU MODEL for COMMUNITY CONTROL SURVEILLANCE TECHNOLOGY for Municipalities** be referred to the Ordinance & Rules Committee for final drafting and approval.

DISCUSSION & CONCLUSION

Some commentators have raised concerns about the ever increasing use of surveillance technology. Communities may need to take a closer look at regulating what their local government authorizes.

This model by that very same group (that created the body camera model), the ACLU of Massachusetts, which has been adopted in essentially the same form by several municipalities, attempts to raise awareness and address potential problem areas.

Like the body camera task force, it would be no surprise that this eventually becomes encompassed in a statute setting statewide standards.

DISCUSSION & CONCLUSION

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kenneth G. Warren Jr.", is written over a horizontal line.

Kenneth G. Warren Jr.
Ward 1 City Councilor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

CHAPTER 18 ½ SURVEILLANCE TECHNOLOGY OVERSIGHT

Section I

Sec. 18 ½ -1. **PURPOSE.**

The purpose of this Ordinance is to provide for the regulation of Surveillance Technology acquisition or use by the City of Pittsfield or the use of the Surveillance Data it provides, to safeguard the right of individuals to privacy balanced with the need to promote and provide safety and security.

Sec. 18 ½ -2 **DEFINITIONS.**

(a) "Disparate Impact" means an adverse effect that is disproportionately experienced by individual(s) having any traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the Commonwealth of Massachusetts, or the Pittsfield Home Rule Charter or any law of the City of Pittsfield than by similarly situated individual(s) not having such traits, characteristics, or status.

(b) "Exigent Circumstances" means the Police Chief's or the Police Chief's designee's good faith belief that an emergency involving danger of death or physical injury requires use of the Surveillance Technology or the Surveillance Data it provides. The use of Surveillance Technology in Exigent Circumstances shall not infringe upon an individual's right to peacefully protest and exercise other lawful and protected Constitutional Rights.

(c) "Marginalized Communities" means communities that are defined by a common race, ethnicity, religion, national origin, disability, income level, sexual orientation, or political perspective.

(d) "Personal Communication Device" means a cellular telephone that has not been modified beyond stock manufacturer capabilities, a personal digital assistant, a wireless capable tablet, or similar wireless two-way communications and/or portable Internet-

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

accessing devices, whether procured or subsidized by a City entity or personally owned, that is used in the regular course of conducting City business.

(e) "Surveillance Data" means any electronic data collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology acquired by the City or operated at the direction of the City.

(f) "Surveillance Technology" means any software, electronic device, system utilizing an electronic device, or similar used, designed, or primarily intended to collect, retain, process, or share audio, electronic, visual, location, thermal, biometric, olfactory or similar information specifically associated with, or capable of being associated with, any individual or group.

(i). "Surveillance Technology" includes, but is not limited to:

1. International Mobile Subscriber Identity ("IMSI") catchers and other cell site simulators;
2. Automatic license plate readers;
3. Electronic toll readers;
4. Closed-circuit television cameras except as otherwise provided herein;
5. Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;
6. Mobile DNA capture technology;
7. Gunshot detection and location hardware and services;
8. X-ray vans;
9. Video and audio monitoring and/or recording technology, such as surveillance cameras, vehicle cameras, and wearable body cameras;
10. Tools, including software and hardware, used to gain unauthorized

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

access to a computer, computer service, or computer network;

11. Social media monitoring software;

12. Radio-frequency identification (RFID) scanner; and

13. Software designed to integrate or analyze data from Surveillance Technology, including surveillance target tracking and predictive policing software.

(ii) For the purposes of this Ordinance, "Surveillance Technology" does not include the following devices, hardware, or software:

1. Office hardware, such as televisions, computers, credit card machines, copy machines, telephones, and printers that are in widespread use by the City and are used for routine City business and transactions;

2. City databases and enterprise systems that contain information kept in the ordinary course of City business, including, but not limited to, human resources, permits, licenses, and business records;

3. City databases and enterprise systems that do not contain any data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology, including payroll, accounting, or other fiscal databases;

4. Information technology security systems, including firewalls and other cybersecurity systems;

5. Physical access control systems, employee identification management systems, inventory control systems, and other physical control systems;

6. Infrastructure and mechanical control systems, including those that control or manage street lights, traffic lights, electrical, natural gas, or water or sewer functions;

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

7. LiDAR technology and systems used for Geographic Information Systems imagery purposes;
8. Global Positioning System technology used to collect field data or track City-owned vehicles that are stored on City property when not in use;
9. Computers, software, hardware, or other devices used in monitoring the work and work-related activities involving City employees, contractors and volunteers or used in conducting internal investigations involving City employees, contractors and volunteers;
10. Cameras installed on the exterior or the interior of City property solely for security purposes, such as to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose maintaining the safety of City employees and visitors to City buildings, protecting City property, or to protect the physical integrity of City infrastructure;
11. Cameras, computers, software, hardware, or devices used for videoconferencing or to facilitate broadcast or recording if public meetings;
12. Police department interview room, holding cell, and police department internal security audio/video recording systems;
13. Police department computer-aided dispatch (CAD), records/case management, Live Scan, booking, Department of Motor Vehicles, 9-1-1, and related dispatch and operation or emergency services systems;
14. Police department early warning systems;
15. Parking Ticket Devices ("PTDs") and related databases;
16. Manually-operated, handheld cameras, audio recorders, and video recorders whose functionality is limited to manually capturing and manually downloading video and/or audio recordings;

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

17. Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles;

18. Manually-operated technological devices that are used primarily for internal City communications, such as radios, personal communications devices, and email systems; and

19. Parking access and revenue control systems, including proximity card readers and transponder readers at City-owned or controlled parking garages.

(g) "Surveillance Use Policy" means a publicly-released written policy for governing the City's use of Surveillance Technology, approved by the City Attorney as to form, and submitted by the Mayor to and approved by the City Council. The Surveillance Use Policy shall at a minimum, include the following:

(i) Purpose: The specific purpose(s) that the Surveillance Technology item is intended to advance;

(ii) Authorized Use: The uses that are authorized, the rules and processes required prior to such use, the location(s) it may be deployed, and uses of the Surveillance Technology that will be expressly prohibited;

(iii) Data Collection: What types of Surveillance Data will be collected, captured, recorded, intercepted, or retained by the Surveillance Technology;

(iv) Data Access: The category of individuals who can access or use the collected information, and the rules and processes required prior to access or use of the information;

(v) Data Protection: The general safeguards that protect information from unauthorized access, including encryption and access control mechanisms;

(vi) Data Retention: The limited time period, if any, that information collected by the Surveillance Technology will be routinely retained, the reason such retention

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

period is appropriate to further the purpose(s) enumerated in the Surveillance Use Policy, the process by which the information is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond that period;

(vii) Public Access: How collected information can be accessed or used by members of the public, consistent with the provisions of the Public Records Law and its implementing regulations;

(viii) Third-Party Data-Sharing: If and how other Pittsfield or non-Pittsfield entities, agencies, departments, bureaus, divisions, or units can access or use the data collected by the Surveillance Technology, including any required justification or legal standard necessary to share that data, and how City of Pittsfield will ensure that any entity sharing or receiving such data complies with the Surveillance Use Policy;

(ix) Maintenance: Whether use or maintenance of the Surveillance Technology will require data gathered by the Surveillance Technology to be handled or stored by a third-party vendor on an ongoing basis and, if so, the parameters of the third-party vendor's use, handling, or storage;

(x) Training: The training required for any individual authorized to use the Surveillance Technology or to access information collected by the Surveillance Technology;

(xi) Complaints: What procedures will be put in place by which members of the public can register complaints or concerns, or submit questions about the deployment or use of a specific surveillance technology, and how the municipal entity will ensure each question and complaint is responded to in a timely manner; and

(xii) Auditing and Oversight: The mechanisms to ensure that the Surveillance Use Policy is followed, including internal personnel assigned to ensure compliance with the policy, internal record keeping of the use of the technology or access to

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the legally enforceable sanctions for violations of the policy.

h. "City of Pittsfield" means any department, agency, bureau, and/or subordinate division of the City of Pittsfield, except those under the jurisdiction of the School Committee, Regional School Committee, or Library Trustees.

Sec. 18 ½ -3 CITY COUNCIL REVIEW AND APPROVAL MANDATORY FOR SURVEILLANCE DECISIONS.

(a) The Mayor shall obtain City Council approval of a Surveillance Use Policy for use of Surveillance Technology by the City of Pittsfield prior to engaging in any of the following:

(i) Acquiring or borrowing new Surveillance Technology whether or not that acquisition is made through the exchange of monies or for other or no consideration;

(ii) Using new or existing Surveillance Technology for a purpose, in a manner, or in a location not previously approved by the City Council in accordance with this Ordinance; or

(iii) Entering into an agreement, including a written or oral agreement, with a non-City of Pittsfield entity to acquire, share, or otherwise use Surveillance Technology or its Surveillance Data.

(b) Any Surveillance Use Policy submitted to the City Council for approval shall be published on the City Bulletin Board no fewer than fourteen (14) days prior to the date of the Council meeting where it shall be discussed.

(c) Prior to approval, the City Council may request revisions to the Surveillance Use Policy submitted by the Mayor.

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

Sec. 18 ½ -4 Exceptions.

(a) The following situations constitute the use, acquisition, or borrowing of Surveillance Technology or Surveillance Data; however, the provisions of this Ordinance shall not apply said situations:

(i) Use of Surveillance Technology or Surveillance Data by the Police Department with regard to Exigent Circumstances and compelling law enforcement needs that make it impractical to obtain a court order; provided that the Police Chief confirms that such use is appropriate, and, further that the receipt, access or use is logged in the Annual Surveillance Report addressed under Sec. 18 ½ -8, and signed off by the Police Chief.

(ii) The receipt of evidence derived from Surveillance Technology or Surveillance Data pursuant to a warrant issued in relation to the investigation of a crime.

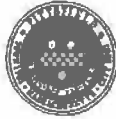
(iii) A City department head may, with the approval of the Mayor, apply a technical patch or upgrade that is necessary to mitigate threats to the City's environment. The department shall not use the new surveillance capabilities of the technology until the requirements of Sec. 18 ½ -3 are met, unless the Mayor determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade.

Sec. 18 ½ -5 SURVEILLANCE TECHNOLOGY IMPACT REPORT AND SURVEILLANCE USE POLICY SUBMISSION.

(a) When seeking approval under "Sec. 18 ½ -3 of this Ordinance, the Mayor shall submit to the City Council a Surveillance Technology Impact Report and a proposed Surveillance Use Policy pertaining to the specific Surveillance Technology for which approval is sought at least fourteen (14) days prior to the date of the Council meeting where it shall be discussed under Sec. 18 ½ -3. The proposed Surveillance Technology

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

- (b) Impact Report and proposed Surveillance Use Policy shall be posted on the City Bulletin Board at least fourteen (14) days prior to the date of the Council meeting where it shall be discussed.
- (b) The Surveillance Technology Impact Report shall be written and include at a minimum the following:
 - (i). If applicable, the crime statistics for any location(s) the Technology will be deployed;
 - (i). An assessment identifying any potential impact on civil liberties and civil rights and a description of a plan to safeguard the rights of the public, including identifying with specificity (1) Any potential adverse impacts the Surveillance Technology, if deployed, might have on civil liberties and civil rights of any individuals, communities, or groups, including, but not limited to, Marginalized Communities in the City; and (2) what specific, affirmative measures will be implemented to safeguard the public from those potential adverse impacts;
 - (iii) The fiscal costs for the Surveillance Technology, including initial purchase and other ongoing costs and excluding personnel costs, and any current or potential sources of funding; and
 - (iv) A summary of the experience, if any, other governmental entities have had with the proposed technology, including information about the effectiveness, any known adverse information about the Surveillance Technology such as unanticipated costs, failures, civil rights, or civil liberties abuses.

Sec. 18 ½ -6 STANDARD OF APPROVAL.

The City Council shall only approve a request Sec. 18 ½ -3 of this Ordinance if it determines the benefits to the community of the proposed Surveillance Technology outweigh its costs, that the Surveillance Use Policy will safeguard civil liberties and civil rights, that no alternative with lesser economic cost or impact on civil rights or liberties would be as effective, and that the uses and deployments of the Surveillance Technology

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

will not be based upon discriminatory or viewpoint-based factors or have a Disparate Impact on any community or group.

Sec. 18 ½ -7 COMPLIANCE FOR EXISTING SURVEILLANCE TECHNOLOGY.

(a) The Mayor shall submit to the City Council for its review and approval pursuant to Sec. 18 ½ -3 and 5a proposed Surveillance Use Policy applicable to each Surveillance Technology in use by the City of Pittsfield at the time this Ordinance becomes effective no later than 180 days following the effective date of this Ordinance.

(b) If the Mayor is unable to meet this 180-day timeline, the Mayor may notify the City Council in writing requesting to extend this period and the reasons for that request. The City Council may grant an extension to the Mayor to submit a proposed Surveillance Use Policy of up to ninety (90) days beyond the 180-day timeline.

(c) If the City Council has not approved the continuing use of Surveillance Technology through approval of a Surveillance Use Policy pursuant to Sec. 18 ½ -3 and 5, within one hundred eighty (180) days of its submission to the City Council, the Surveillance Use Policy shall be deemed approved.

Sec. 18 ½ -8 OVERSIGHT FOLLOWING COUNCIL APPROVAL.

(a) For each Surveillance Technology approved for use under this Ordinance, upon request by the City Council, the Mayor, or designee, shall submit to the City Council and publish on the City Bulletin Board a City Department Surveillance Report by the date stated in the City Council's request, and no more frequently than once every twelve (12) months. If the Mayor, or designee, is unable to meet the deadline, the Mayor shall request, in writing, the City Council extend this period, and shall provide the reasons for the request. The City Council may grant reasonable extensions for good cause.

(b) Within sixty (60) days of receiving the City Department Surveillance Report, the City Council shall discuss the Report at a regular Council Meeting.

(c) Based upon information in the City Department Surveillance Report and the Surveillance Technology Community Equity Impact Assessment and Policy Guidance, as detailed in Section I.1, the City Council shall reassess whether the

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

Surveillance Technology as used continues to meet the standard of approval set forth in Sec. 18 ½ -6 of this Ordinance. If it does not, the City Council shall consider (1) directing that the use of the Surveillance Technology cease; (2) requiring modifications to the Surveillance Use Policy that are designed to address the Council's concerns; and/or (3) directing a report-back from the Mayor regarding steps taken to address the Council's concerns.

(d) The City Department Surveillance Report shall be written, shall concern specific Surveillance Technology, and shall include the following:

- (i). A description of how the Surveillance Technology has been used;
- (ii) A description of whether and how often data acquired through the use of the Surveillance Technology was shared with outside entities, the name of any recipient entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure;
- (iii) A summary of community complaints or concerns about the Surveillance Technology, if any;
- (iv) The results of any internal audits required by the Surveillance Use Policy, any information about violations of the Surveillance Use Policy, and a general description of any actions taken in response;
- (v) Information that helps the City Council assess whether the Surveillance Technology has been effective at achieving its identified purposes;
- (vi) Statistics and information about any related public records requests;
- (vii) Total annual costs for the Surveillance Technology, including personnel and other ongoing costs, and what source of funding will fund the Technology in the coming year;
- (viii) Any requested modifications to the Surveillance Use Policy and a detailed basis for the request;

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

(ix) Where applicable, a breakdown of what physical objects the Surveillance Technology was installed upon, using general descriptive terms; for Surveillance Technology software, a breakdown of what data sources the Surveillance Technology was applied to; and

(e) If the Mayor believes that data or other information is insufficient to report on any of the other requirements for the Report, the Mayor shall indicate the same in the Report.

Sec. 18 ½ -9 SURVEILLANCE TECHNOLOGY COMMUNITY EQUITY IMPACT ASSESSMENT AND POLICY GUIDANCE

(a). Every year, but no later than November 15, the appropriate City Council Committee shall produce and submit to the Mayor and City Council a Surveillance Technology Community Equity Impact Assessment and Policy Guidance, which shall, at a minimum, address the following:

(i) What communities and groups in the City, if any, are Disparately Impacted by the use of Surveillance Technologies, what disparities were perceived and/or experienced, and what were the resulting adverse impacts on the community's or group's civil rights and/or civil liberties;

(ii) With respect to each perceived or experienced disparity identified in response to Sec. 18 ½ -9 (a)(i), what remedial adjustments to laws and policies, including but not limited to prior approvals granted pursuant to this Ordinance, should be made so as to achieve a more just and equitable outcome in the future;

(iii) With respect to each remedial adjustment identified in response to Sec. 18 ½ -9 (a)(ii), what additional funding, implementation strategies, and/or accountability mechanisms would be needed to effectuate the adjustment; and

(iv) In light of the collective responses to Sec. 18 ½ -9 (a)(i)-(iii), what new approaches and considerations should the City Council bring to future reviews of applications submitted pursuant to this Ordinance.

Sec. 18 ½ -10 ENFORCEMENT.

Approved as to Form and Legality,

City Solicitor



City of Pittsfield

In the Year Two Thousand

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD BY ADDING A NEW CHAPTER 18 ½, SURVEILLANCE TECHNOLOGY OVERSIGHT

Be it ordained by the City Council of the City of Pittsfield, as follows:

(a). Enforcement Officials. This Chapter shall be enforced by the Mayor or the Mayor's designee.

(b). Violation. Any violation of this Ordinance may be enforced through any means in law or in equity; provided, however, that the following conditions must first be met:

(i) Prior to the initiation of any legal proceeding under this Ordinance, the City of Pittsfield shall be given written notice of the violation(s) and an opportunity to correct such alleged violation(s) within 30 days of receipt of the notice.

(ii) If the alleged violation is substantiated and subsequently cured, a notice shall be posted in a conspicuous space on the City's website that generally describes the corrective measure(s) taken to address the violation(s).

(iii) Any person injured by a violation of this Chapter may institute proceedings for injunctive relief, declaratory relief, or a court order in a court of competent jurisdiction to enforce the provisions of this Chapter. Any action initiated under this Subsection (B) shall be brought against the City of Pittsfield, but not against City employees. No monetary damages shall be allowed in any legal proceeding for any alleged injuries arising out of any alleged violation(s) of this Chapter.

(c) Whistleblower Protections. Subject to the limitations and requirements set forth in M.G.L. Ch. 149, Sec. 185 (known as the "Massachusetts Whistleblower Statute" and cited herein as "Section 185") as it may be amended from time to time, any City employee as defined in Section 185 who reports an alleged violation of this Ordinance, shall be afforded protections against retaliation if applicable pursuant to Section 185, as set forth in and subject to the limitations and requirements of Section 185.

(d) Nothing in this Chapter shall be construed to limit or affect any individual's rights under state or federal laws.

Section II

EFFECTIVE DATE.

This Ordinance shall take effect 180 days after its adoption.

Approved as to Form and Legality,

City Solicitor



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

February 22, 2024

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

Dear Councilors:

On February 14th, 2024, the City Council voted to refer to this office a communication from Director Cambi with a code enforcement update on 53 Roberts Street. I indicated I would review the City Code and make some recommendations for changes to the Code that would provide stronger tools with which to enforce the City Code. I will need more time to provide a comprehensive response but have outlined a summary of the various enforcement mechanism available to municipalities. I will be meeting with Director Cambi to discuss these issues prior to the next City Council meeting.

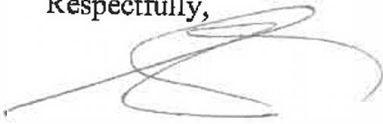
The City has 2 ways to enforce the City Code, fines set out in Chapter 4 ½ or court enforcement. Fines may be imposed under MGL Chapter 148A for state building code or state fire code violations; under MGL Chapter 40, Section 21D for general City Code violations and under MGL Chapter 40U for state housing and sanitary code violations and municipal snow and ice fines. The fines assessed under Chapter 40U, if unpaid, may be attached to an individual's real estate tax bill. Fines imposed under MGL Chapter 148A may be appealed to the Housing Court. Fines imposed under MGL Chapter 40U may be appealed to either the Housing Court or the District Court. Fines imposed under MGL Chapter 40 Section 21D are heard and enforced in District Court. If the fines under Section 21D are upheld by the District Court, but remain unpaid, the City could file a criminal complaint. This last recourse is rarely if ever used.

Violations of the state building code, state fire code and state housing and sanitary code violations can be addressed in the Housing Court. The City has been successful in Housing Court getting state housing and sanitary code violations corrected.

The City may also file a civil complaint in the Superior Court seeking an injunction ordering an individual to comply with the City Code and in the alternative seeking authorization to access the property to address and remediate the City Code violations at the individual's cost.

To address situations similar to those at 53 Roberts Street, the City may wish to consider updating its current ordinance. Councilor Conant forwarded a sample ordinance to allow gardens with native plants and has a more enforceable definition of weeds.

Respectfully,

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the left.

Stephen Pagnotta

SNP/hlg



CITY OF PITTSFIELD

HEALTH DEPARTMENT, 100 NORTH STREET, PITTSFIELD, MA 01201

February 6, 2024

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

- Current Status on 53 Robert Street Code Enforcement

Dear Councilors:

I wanted to send a communication providing an update on the status of 53 Robert St. The Health Department has an open code enforcement action on this property. There was a fallen tree on the property in the fall of 2023. An order was issued, and the owner was not responsive to the order. An interested party (relative of the owner) took the responsibility of hiring a tree contractor to remove the fallen tree and debris. That interested party plans to address the remaining violations this coming spring. They have asked for an extension in writing citing weather conditions. The Health Department has granted the extension and will follow up in the spring.

Sincerely

A handwritten signature in black ink, reading "Andy Cambi".

Andy Cambi
Director of Public Health



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2024 NOV 20 PM 12:38

____ November 20, ____ 20 ____ 24 ____

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Requests that the City Council acts as follows:

1. Vote to support the appointment of at least one Associate Justice of the Appeals Court from the Western Massachusetts area and more particularly from Berkshire County.
2. Refer to Mayor Peter Marchetti to join in on our request.
3. Contact our state delegation of Governor's Councilor Tara Jacobs, Senator Elect Paul Mark and Representative Tricia Farley-Bouvier to notify them of our support.

Respectfully submitted,

Kenneth G. Warren Jr
Ward 1 City Councilor

Brittany Noto
Ward 2 City Councilor



City of Pittsfield

____ November 19, ____ 20 24 ____

To the City Council of the City of Pittsfield:-

The undersigned respectfully

requests that the Pittsfield Police Chief provide a detailed report to the Council on the status of implementing body-worn cameras for Pittsfield Police Officers.

Please include:

1. An overview of the rollout process, highlighting key milestones and timelines.
2. A summary of the benefits observed, including how the program has enhanced officer safety, and how the cameras support transparency and professionalism within the department.
3. A discussion of any challenges encountered during implementation, such as technical issues, training concerns, or budgetary constraints, and how they are being addressed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Kavey", followed by a long horizontal stroke.

Patrick Kavey
Ward 5 City Councilor

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2024 NOV 20 PM 12:47

Date Received _____

By _____
(fee paid)

**AMENDMENT TO THE ZONING ORDINANCE
CITY OF PITTSFIELD**

1. Amend Zoning Map _____ or; Amend text, Chapter 23, Code of Laws _____ X
2. Present Zoning District n/a
Zoning Requested n/a
3. Name of Petitioner City of Pittsfield Community Development Board
Address 70 Allen Street, Room 205, Pittsfield, MA 01201 Telephone # (413)499-9368
Signature *Shush B. Smith*
4. Name of Agent Kevin Rayner – City Planner
Address 70 Allen Street, Room 205, Pittsfield, MA 01201 Telephone # (413)499-9368
Signature *Kevin Rayner*
5. Name of Property Owners n/a
Address _____ Telephone # _____
6. If Petitioner is not the Property Owner, attach a document indicating interest in property.
State interest: n/a
7. Legal Description: n/a
(Attach "Metes and Bounds" Description if necessary) Assessor's Map No. n/a
8. Attach map of property (drawn to scale) including streets, buildings, uses and property dimensions. n/a.
9. If an amendment to the Text of Chapter 23, Code of Laws, state the nature of the amendment: The Proposed amendment will amend Article 23-2 Section 2.2 and Article 23-9 Section 9.101 to define and create requirements for the construction of Accessory Dwelling Units (ADUs).
10. Article and Section proposed to be amended: Article 23-2 Section 2.2, Article 23-9 Section 9.101

Community Development Board: Hearing Date _____ Recommendation _____

City Council: Hearing Date _____ Action Taken _____ Ordinance No. _____



CITY OF PITTSFIELD

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

November 20, 2024

To the Honorable Members
Of the Pittsfield City Council

Re: A petition from the Community Development Board to amend the City Code, Chapter 23, Article 23-2 Section 2.2 and Article 23-9 Section 9.101 – Amend Zoning Ordinance to allow for Accessory Dwelling Units (ADUs).

Dear Councilors:

Please be advised that on November 19, 2024, the Community Development Board voted unanimously to act as the petitioner to amend the zoning ordinance to amend Section 9.101 – Accessory Uses to accommodate Accessory Dwelling Units within the existing requirements for Accessory Structures. This amendment of the section will allow the City to regulate ADUs similar to accessory structures, while creating a separate subsection to detail dimensional requirements particular to the construction of ADUs. The Zoning Amendment will also define Accessory Dwelling Units in Article 23-2 Section 2.2 Definitions of the Zoning Ordinance. This Zoning Amendment seeks to ensure compliance of the Pittsfield Zoning Ordinance with new legislation passed by the Commonwealth that permits one ADU by-right in single family zoning districts. The new state legislation will take effect on February 2nd, 2025.

Enclosed please find a memorandum from staff that summarizes the amendment process, as well as the zoning amendment application and proposed zoning text.

Sincerely,

Sheila Irvin
Chair



City of Pittsfield

November 20th 20 24

To the City Council of the City of Pittsfield:-

The undersigned respectfully

petitions the City Council of the City of Pittsfield to amend City Code Chapter 23, Article 23-2 Section 2.2 "Glossary" and Article 23-9 Section 9.101, "Restrictions, Accessory Buildings or Uses", to amend the Zoning Ordinance to allow for Accessory Dwelling Units (ADUs).

Respectfully submitted,

PITTSFIELD COMMUNITY DEVELOPMENT BOARD

A handwritten signature in cursive script, appearing to read "Sheila B. Irvin".

Sheila B. Irvin
Chair



CITY OF PITTSFIELD

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

TO: Community Development Board
FROM: Department of Community Development Staff
DATE: November 18, 2024
SUBJECT: Proposed Accessory Dwelling Unit Zoning Text Amendment

The proposed zoning text amendment seeks to establish standards and reasonable regulations for the allowance of Accessory Dwelling Units (ADUs) in Pittsfield. In 2024, the Commonwealth of Massachusetts has passed legislation allowing one ADU by-right in residential zoning districts across the state. The new legislation is set to take effect on February 2nd, 2025. In response to this, the Department of Community Development staff has created amendments to the current Zoning Ordinance to accommodate for and allow ADUs in areas where there is an existing residential use, subject to dimensional requirements. The Department of Community Development staff asks the Pittsfield Community Development Board to become the petitioner on behalf of the proposed Zoning Amendment.

This proposed amendment was adapted for local consideration by utilizing requirements included in the new state legislation as well as existing standards found in Section 9.101 Accessory uses of the Pittsfield Zoning Ordinance. The proposal adopts new definitions for Accessory Dwelling Units and expands upon existing dimensional requirements for accessory structures to accommodate for ADUs. ADUs will largely be classified under the Accessory Use standards of Section 9.101 with the exception of several areas. Some dimensional requirements such as setbacks will be increased to twenty (20) feet from the rear as accessory units can in some cases go from ten (10) feet from the rear property line, to directly on the rear property line. The height of accessory structures will remain fifteen (15) feet except in the case of ADUs where the limit can be raised with the receipt of a Special Permit. Due to the nature of adding a new dwelling unit, the nature of the structure is fundamentally different from standard accessory uses and therefore necessitates increased setbacks and different standards concerning height.

Additionally, the proposed amendment provides dimensional requirements specifically for Accessory Dwelling Units. Included in these requirements are the height requirements listed above as well as the size requirement for each ADU. The state has required that ADUs be half the gross floor area of the principal structure or 900 square feet, whichever is smaller. The proposed amendment adopts this language. Other requirements proposed restrict ADUs to cover no more than twenty (20) percent of the total lot area and that each ADU shall require 1 additional parking spot per unit. It is the intention of the ordinance that the first ADU on a lot will be by-right so long as it conforms to the dimensional requirements listed in the Zoning Ordinance. Each additional ADU will require a Special

Permit from the Zoning Board of Appeals, unless the property is located in the Downtown Creative District (DCD). In these cases, the Special Permit granting authority shall be the Community Development Board.

The intent of the proposed amendment is to protect the character and inherent value of residentially zoned districts while accommodating the new state legislation that provides for an ADU by-right in any single-family zoning district.

**AMENDING THE CODE OF THE CITY OF PITTSFIELD
CHAPTER 23, ZONING**

SECTION I

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-2, Definitions, Section 2.2, Glossary, shall be amended by adding, in the appropriate alphabetical order, the following new definitions:

Accessory Dwelling Unit: An additional dwelling unit added on a lot that is accessory to a principal dwelling unit. The Accessory Dwelling Unit shall be no more than half of the total gross floor area of the principal structure or nine hundred (900) square feet, whichever is smaller. An ADU can be attached or detached from the principal structure.

SECTION II

That the Code of the City of Pittsfield Chapter 23, Zoning, Article 23-9, Accessory Uses, Section 9.101, Restrictions, Accessory Buildings or Uses, shall be amended by to the following with the creation a sub-category H for Accessory Dwelling Units:

9.101 Restrictions, Accessory Buildings or Uses

- A. No use shall be permitted in any district as an accessory use which increases the number of dwelling units or the number of buildings on any lot beyond that which is permitted in that district or which constitutes in effect a conversion of a permitted use to one not permitted in that district, except in the case of Accessory Dwelling Units (ADUs) whose requirements are outlined in Section 9.101H.
- B. In Residence Districts, no use shall be permitted as an accessory use to a dwelling which involves or requires any construction features or alterations not residential in character.
- C. An Accessory building may be used as a dwelling unit in an Industrial District for the accommodation of a night watchman or janitor. These dwelling units will be subject to dimensional requirements for ADUs as specified in Section 9.101 H.
- D. An accessory building, with the exception of Accessory Dwelling Units, may be located in any district within the required rear-yard or outside required side yard of the principal building, and it shall not be located nearer to any street line than the minimum setback in the zoning district in which it is located.

- E. Any accessory building in a Residence District shall not exceed fifteen (15) feet in height above the ground level, and it shall not be located nearer than ten (10) feet to the principal building or occupy more than ten (10) percent of the total lot area. ADUs are excepted from these requirements, the requirements for ADUs are included in Section 9.101 H.
- F. Swimming pools which require a Building Permit and which are less than four (4) feet in height above the ground shall have a fence of at least four (4) feet in height constructed so as to deter children from climbing over, under or through it and shall be equipped with a self-latching gate which shall be kept closed when not in use. (ORD #424-1982)
- G. Shipping containers, semi-trailers and other similar equipment shall not be permitted as an accessory building in a Residence District. [Added 7-9-2002 by Ord. No. 897], with the exception of being used as an ADU when modified to appear residential in character.
- H. Accessory Dwelling Units
 - 1. One (1) ADU is permitted by-right subject to dimensional requirements of this Section, in any property containing a one or two family use. Each additional ADU will require a Special Permit under Section 9.101 H.
 - 2. Any structure that will be used as an ADU shall not exceed 15 feet in height or will require a Special Permit under Section 9.101 H of the Zoning Ordinance.
 - 3. The size of an Accessory Dwelling Unit shall be half of the gross floor area of the principal structure or 900 square feet, whichever is smaller.
 - 4. No Accessory Dwelling Unit shall occupy more than twenty (20) percent of the total lot area.
 - 5. Accessory Dwelling Units shall be placed no less than 20 feet from the rear property line.
 - 6. Parking: For each unit on a property with an ADU, there shall be one (1) parking spot on-site per unit. Parking requirements can be waived with a Parking Waiver under Section 10.110 F.
 - 7. Special Permit: The Special Permit granting authority under this section shall be the Zoning Board of Appeals except within the Downtown Creative District (DCD) where the Special Permit granting authority shall be the Community Development Board. The Special Permit shall be evaluated upon the following criteria:
 - a. The proposed ADU meets the setback requirements set forth in Section 9.101 H.
 - b. To receive a waiver from the height requirements in this Section, the applicant must show that the proposed structure is not substantially more detrimental to surrounding uses.