



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

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 NOV 23 PM 1:41

November 29, 2022, at 6:00 p.m.

AGENDA

1. Open microphone

APPOINTMENTS

2. A communication from Mayor Tyer reappointing Cathy Carchedi, James Clark, Beverly Grady and Patricia Sheely to the Commission on Disabilities
3. A communication from Mayor Tyer reappointing Melissa Aitken, Peter Bergman, and Rebecca Brightenti to the Commission on Tourism

COMMUNICATIONS FROM HER HONOR THE MAYOR

4. A communication from Mayor Tyer appointing Andrew Hopkins-Sayers as a Fire Fighter with the Pittsfield Fire Department
5. A communication from Mayor Tyer submitting a certificate presentation to the graduates of the Citizens Academy Program
6. A communication from Mayor Tyer submitting an Order to accept a gift of funds in the amount of \$3,670.00 from the Berkshire Running Center, UNICO, and the Eric Drayman Family towards maintenance and improvements to the Ashuwillticook Rail Trail
7. A communication from Mayor Tyer submitting an Order to accept a grant of funds in the amount of \$48,500.00 from the Massachusetts Cultural Council
8. A communication from Mayor Tyer submitting an Order to accept a grant of funds in the amount of \$17,500.00 from the Massachusetts Department of Environmental Protection

PUBLIC HEARING

9. A public hearing from Eversource requesting to install one solely owned pole and two conduits on West Street
10. A public hearing, continued from October 11, 2022 on a Special Permit for a proposed coffee shop with a drive-thru at 1030 South Street under the requirements of Sec. 7.839 (*Continued*)
11. A public hearing on a petition requesting a zoning map amendment from Compass Ridge, LLC for property located on outer West Housatonic Street (*Continued*)

COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND BOARDS

12. A communication from Director Dodds on a petition from Councilor Kronick requesting an honorary street sign for Reverend Samuel Harrison
13. A communication from the Solicitor on a petition from Councilor Warren requesting a Special Act to amend Article 7, Section 7-6 of the city Charter

UNFINISHED BUSINESS

14. A communication from Attorney Pagnotta on a petition requesting a legal opinion as to all the steps necessary to create a new position (*tabled February 8, 2022*)
15. A communication from Chief Wynn on a petition from Councilor Kavey requesting a status update regarding body-worn cameras (*tabled October 25, 2022*)
16. A petition from Councilor Kronick requesting a funding plan for the erection of a statue to honor Reverend Samuel Harrison (*tabled October 25, 2022*)

NEW BUSINESS

17. A petition from Councilors Warren and Conant requesting to contact the state delegation to notify them of the council's position on the negative health effects of cell tower radiation
18. A petition from Councilors Warren and Conant requesting to contact the federal delegation to notify them of the council's position on the negative health effects of cell tower radiation
19. A petition from Councilors Warren and Conant requesting to contact the Massachusetts Municipal Association, Mayor Tyer and Lisa Blackmer for assistance, solutions, and legislation in dealing with the negative health effects of cell tower radiation

MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 27

Referred to the Mayor, Solicitor Pagnotta, and President Marchetti

20. A petition from Councilor Warren requesting to go on record in opposition to Eversource's request for electric rate increase

Referred to the Ordinances and Rules Committee

21. 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

Referred to the Health Director

22. A petition from Councilor Kronick requesting information on the number of emergency treatment (ER) for drug abuse and suicides for the years 2019-2022

Referral to the School Department

23. A petition from Councilor Kronick requesting dropout rate, truancy report and mandatory referral information from 2019 to 2022

Referred to the Mayor

24. A petition from Councilor Kronick requesting to establish a Pittsfield History Month



THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

70 Allen Street, Pittsfield, MA 01201
(413) 499-9321 • ltyer@cityofpittsfield.org

Linda M. Tyer
Mayor

November 21, 2022

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 Commission on Disabilities for terms expiring November 29, 2025:

Cathy Carchedi, 20 Alexander Terrace, Pittsfield, MA 01201

James Clark, 330 North Street, Pittsfield, MA 01201

Beverly Grady, 30 Hungerford Street, Pittsfield, MA 01201

Patricia Sheely, 99 Second Street, Apt. 408, Pittsfield, MA 01201

Respectfully submitted,


Linda M. Tyer, Mayor



THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

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Linda M. Tyer
Mayor

November 21, 2022

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

Dear Councilors,

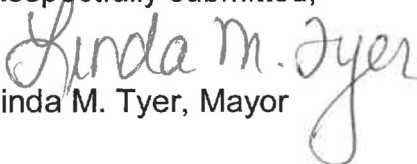
It is my sincere privilege to submit herewith for your consideration the following reappointments to the Commission on Tourism for terms expiring November 29, 2025:

Melissa Aitken, 176 Pleasant Street, Dalton, MA 01226

Peter Bergman, 20 Alfred Drive, Pittsfield, MA 01201

Rebecca Brighenti, 32 Alexander Terrace, Pittsfield, MA 01201

Respectfully submitted,


Linda M. Tyer, Mayor



THE CITY OF PITTSFIELD

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Linda M. Tyer
Mayor

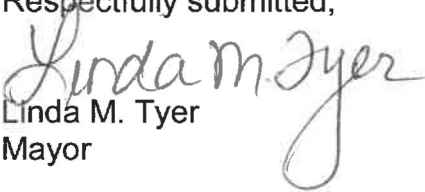
November 21, 2022

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 Andrew Hopkins-Sayers as a Fire Fighter with the Pittsfield Fire Department in accordance with Civil Service regulations.

Respectfully submitted,


Linda M. Tyer
Mayor

LMT/CVB



City of Pittsfield Fire Department

74 COLUMBUS AVENUE, PITTSFIELD, MA 01201 (413) 448-9764 FAX (413) 448-9766

November 9, 2022

Mayor Linda Tyer
Pittsfield City Hall
70 Allen Street
Pittsfield, MA 01201

Mayor Tyer,

Submitted for your consideration is a request to appoint the following to the position of Permanent Fire Fighter in the Pittsfield Fire Department.

Andrew Hopkins-Sayers

Respectfully submitted,

Thomas Sammons
Fire Chief



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

Linda M. Tyer
Mayor

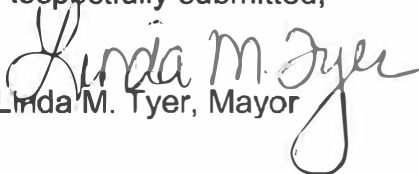
November 21, 2022

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. I am deeply proud of the work accomplished through the City of Pittsfield's third annual Citizen's Academy. Over the course of 12 weeks, community members from gained insight and fresh perspectives into the daily operations of city departments, fostering a deeper understanding of municipal operations. It is my hope that this knowledge will serve to inform their thoughts and ideas as it relates to local government, and also inspire them to continue their civic engagement.

Respectfully submitted,


Linda M. Tyer, Mayor

LMT/CVB



THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

70 Allen Street, Pittsfield, MA 01201
(413) 499-9321 • ltyer@cityofpittsfield.org

Linda M. Tyer
Mayor

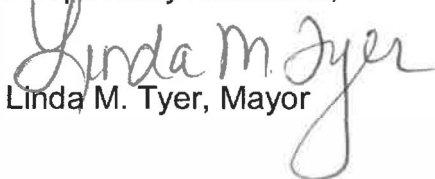
November 21, 2022

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 gift of funds in the amount of \$3,670.00 from the Berkshire Running Center, UNICO and the Eric Drayman Family towards maintenance and improvement to the Pittsfield section of the Ashuwillticook Rail Trail. These funds were raised during the successful October half-marathon event that was sponsored by MountainOne and Haddad Motors, Inc.

Respectfully submitted,


Linda M. Tyer, Mayor

LMT/CVB
Enclosure



CITY OF PITTSFIELD

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

November 10, 2022

**To the Honorable Mayor Tyer
70 Allen Street
Pittsfield, MA 01201**

Dear Mayor Tyer:

Submitted herewith for your consideration is an Order accepting a gift of funds in the amount of \$3,670.00 from multiple donors including the Berkshire Running Center, UNICO and the Eric Drayman Family. It is the wish of the donors that these funds be directed toward maintenance and improvement to the Pittsfield section of the Ashuwillticook Rail Trail. These funds were raised during the successful October half-marathon event that was sponsored by MountainOne and Haddad Motors, Inc.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justine Dodds", is written over a faint, circular official stamp.

**Justine Dodds
Director**

cc: Matthew Kerwood, Treasurer

City of Pittsfield

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

IN CITY COUNCIL

AN ORDER

No. _____

AUTHORIZING THE CITY OF PITTSFIELD TO ACCEPT A GIFT OF FUNDS IN THE AMOUNT OF \$3,670.00 FROM VARIOUS DONORS

Ordered:

That the City of Pittsfield, by and through its Mayor and City Council, is hereby authorized to accept a gift of funds in the amount of \$3,670.00 (Three Thousand Six Hundred Seventy Dollars and no cents) from multiple donors and that the funds are to be directed toward maintenance and improvement of the Pittsfield section of the Ashuwillticook Rail Trail. These gifts are being accepted in accordance with M.G.L., Chapter 44, Section 53A.



THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

70 Allen Street, Pittsfield, MA 01201
(413) 499-9321 • ltyer@cityofpittsfield.org

Linda M. Tyer
Mayor

November 21, 2022

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 \$48,500.00 from the Massachusetts Cultural Council. These funds will fund the Pittsfield Cultural Council grants that help underwrite projects, programs and events in the arts, humanities and interpretive services.

Respectfully submitted,


Linda M. Tyer, Mayor

LMT/CVB
Enclosure



CITY OF PITTSFIELD, MASSACHUSETTS
OFFICE OF CULTURAL DEVELOPMENT

November 15, 2022

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

Dear Mayor Tyer:

Submitted herewith for your consideration is an Order accepting a grant of funds in the amount of \$48,500.00 from the Massachusetts Cultural Council. This grant will fund the Pittsfield Cultural Council grants. With funding from the Massachusetts Cultural Council, the Pittsfield Cultural Council (PCC) provides grants to help underwrite projects, programs, and events in the arts, humanities, and interpretive sciences. Past grant recipients include: Barrington Stage Company; the Eagles Band; Hancock Shaker Village; IS183 Art School and many more. Go to <https://www.mass-culture.org/Pittsfield> for the full list and more information.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jennifer Glockner", is positioned above the printed name.

Jennifer Glockner
Director, Office of Cultural Development

cc: Allison Crespo, City Accountant

Enclosure

City of Pittsfield

No. _____

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

IN CITY COUNCIL

A N O R D E R

AUTHORIZING THE CITY OF PITTSFIELD TO ACCEPT A GRANT OF FUNDS IN THE AMOUNT OF \$48,500 FROM THE MASSACHUSETTS CULTURAL COUNCIL

Ordered:

That the City of Pittsfield, by and through the Mayor and City Council, is hereby authorized to accept a grant of funds in the amount of forty-eight thousand five hundred dollars (\$48,500) said funds may be expended pursuant to Massachusetts General Laws, Chapter 44, section 53A, and in accordance with the provisions of the grant, a copy of which is attached to the Order.



November 14, 2022

Dear Linda M. Tyer:

Thank you for your participation in the Mass Cultural Council's Local Cultural Council Program. Communities like Pittsfield play a vital role in ensuring people across the Commonwealth have access to culture in their community.

Thanks to vigorous advocacy from the cultural sector, the Legislature once again showed strong, bipartisan support for the Mass Cultural Council, and its programs and services in the FY23 state budget. This allows us to continue to support Massachusetts' dynamic artists and creative individuals, communities, cultural organizations, schools, and creative youth development across the Commonwealth.

Enclosed you will find the contract and scope of services for the Pittsfield Cultural Council's FY23 allocation of \$48,500. Please review these documents carefully and return the required paperwork by January 20, 2023. For questions about the contract, please contact Marc Sulmonte at 617-858-2823 or marc.sulmonte@mass.gov.

Culture is ultimately about you. You play an integral role in creating and supporting a cultural life in Massachusetts that is vital, accessible, and thriving. Thank you for all that you do to elevate our rich cultural life in Massachusetts.

A handwritten signature in cursive script that reads 'Nina Fialkow'.

Nina Fialkow
Chair

A handwritten signature in cursive script that reads 'Michael J. Bobbitt'.

Michael J. Bobbitt
Executive Director

Contract Instructions

State Comptroller regulations require State Agencies to have a signed contract and signature authorization form on file for all transfers of funds from state to local accounts unless the agency is statutorily released from this mandate, which the Mass Cultural Council is not.

Instructions for completing the contract package:

1. **Standard Contract:** Print and sign the enclosed contract. We need the original copy with the "wet" signature. We cannot accept copies or scanned documents.
2. **The scope of services:** Defines how the funds are to be expended following Mass Cultural Council regulations, it is an attachment to the standard contract.
3. **Contractor Authorized Signatory Listing:** Download the form, complete it, print it and sign it. We need the original copy with the "wet" signature. We cannot accept copies or scanned documents. **You are not required to have it notarized - the second page of the document is optional.** https://www.macomptroller.org/wp-content/uploads/form_contractor-authorized-signatory-listing.pdf

All three documents should be returned via mail to me by January 20, 2023. Please mail to:

Mass Cultural Council
c/o Fiscal Department
10 Saint James Ave., 3rd Fl.
Boston, MA 02116

I will not be able to transfer the Local Cultural Council allocation until I have a completed contract package. If you or any of your staff have any questions, please feel free to contact me.

Thank you very much,

Marc Sulmonte
617-858-2823
marc.sulmonte@mass.gov

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.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: City of Pittsfield Pittsfield Cultural Council (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: Massachusetts Cultural Council MMARS Department Code: ART	
Legal Address: (W-9, W-4): 70 Allen Street Room 110 Pittsfield MA 01201-6244		Business Mailing Address: 10 Saint James Ave., 3 rd Fl., Boston, MA 02116	
Contract Manager: Linda M. Tyer	Phone: 413-449-9466	Billing Address (if different):	
E-Mail: cvanbramer@pittsfieldch.com	Fax:	Contract Manager: Marc Sulmonte	Phone: 617-858-2823
Contractor Vendor Code: VC6000192128		E-Mail: marc.sulmonte@mass.gov	Fax:
Vendor Code Address ID (e.g. "AD001"): AD001. (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s):	
		RFR/Procurement or Other ID Number: FY23-LC-LCC-1456	
<input checked="" type="checkbox"/> NEW CONTRACT		<input type="checkbox"/> CONTRACT AMENDMENT	
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 - 815 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)		Enter Current Contract End Date <i>Prior</i> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input 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 815 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 <i>new</i> total if Contract is being amended). \$48,500			
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: ___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.) Local Cultural Council Allocation for the Pittsfield Cultural Council			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ___ 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. ___ 2. may be incurred as _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. <input checked="" type="checkbox"/> 3. were incurred as of July 01, 2022 , 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 June 30, 2023 , 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 801 CMR 21.07, 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: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: _____ Print Title: _____		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: David T. Slatery Print Title: Deputy Director	

Scope of Services

The allocated amount or maximum obligation for the contracted city or town will be deposited in the local account for the local or regional cultural council, provided that the city or town:

- Maintain a revolving account for the local or regional cultural council as required by Massachusetts General Law, Chapter 10, Section 58
- Report on said fund annually by completing the Massachusetts Cultural Council's Local Cultural Council Account Form

The local or regional cultural council will expend the funds following the procedures outlined in the Local Cultural Council Program Guidelines.

Contract Package Checklist

Please include this completed checklist as the cover letter of your contract package to ensure the package is complete and that payment can be made as quickly as possible.

Check off each following items to indicate they are in your completed package before mailing it to Mass Cultural Council:

- This Checklist:** Have you double check all the items on the list?
- Standard Contract Form:** Is it signed and dated? Does it have the "wet" signature? Does it include the attached scope of services page?
- Contractor Authorized Signatory Listing:** Is it signed and dated? Does it have the "wet" signature?

YOUR INITIALS:_____



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

Linda M. Tyer
Mayor

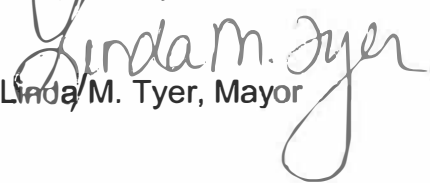
November 21, 2022

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 \$17,500.00 from the Massachusetts Department of Environmental Protection Sustainable Materials Recovery Program.

Respectfully submitted,


Linda M. Tyer, Mayor

LMT/CVB
Enclosure



CITY OF PITTSFIELD

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

November 29, 2022

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

Submitted herewith for your consideration is an Order authorizing the City of Pittsfield to accept a grant of funds in the amount of \$17,500 from the Massachusetts Department of Environmental Protection.

These funds can be directed towards approved expenses under one of the following categories:

- Equipment Purchase
- Model Programing
- Organics Diversion
- Outreach and Education
- Public Spaces
- Re-Use Programs
- School Programs
- Beyond The Bin Participation
- Closing The Loop Participation
- Source Reduction Efforts
- Toxics Reduction Efforts
- Transportation, Processing, and Management of Materials

Sincerely,

Jeffrey Roucoulet
Business Manager
Public Services & Utilities

Cc: Matt Kerwood, Treasurer
Ricardo Morales, Commissioner

City of Pittsfield

No. _____

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

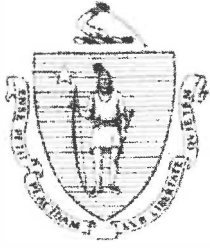
IN CITY COUNCIL

A N O R D E R

**AUTHORIZING THE CITY OF PITTSFIELD TO ACCEPT A GRANT OF FUNDS IN
THE AMOUNT OF \$17,500.00 FROM THE MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Ordered:

That the City of Pittsfield, by and through its Mayor and City Council, is hereby authorized to accept a grant of funds in the amount of Seventeen Thousand Five Hundred Dollars (\$17,500.00) from the Massachusetts Department of Environmental Protection, and that said funds may be expended pursuant to Massachusetts General Laws, Chapter 44, Section 53A, and in accordance with the provisions of the grant, a copy of which is attached to this Order



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

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

November 15, 2022

Dear Mayor Linda Tyer,

Congratulations! I am pleased to notify you that the City of Pittsfield has been awarded a Sustainable Materials Recovery Program grant in the amount of \$17,500. I want to thank you for your commitment to reducing waste and increasing recycling for the benefit of our communities and the environment.

Enclosed you will find further instructions from the Department of Environmental Protection on next steps. Please feel free to contact Janine Bishop at Janine.Bishop@mass.gov if you have any questions.

Governor Charles D. Baker

Lt. Governor Karyn E. Polito

Handwritten signature of Charles D. Baker in blue ink.

Handwritten signature of Karyn E. Polito in blue ink.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Charles D. Baker
Governor

Bethany A. Card
Secretary

Karyn E. Polito
Lieutenant Governor

Martin Suuberg
Commissioner

November 15, 2022

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

Dear Mayor Tyer,

Congratulations! It is my pleasure to inform you that the Massachusetts Department of Environmental Protection (MassDEP) has awarded the City of Pittsfield Recycling Dividends Program funds under the Sustainable Materials Recovery Program. The City of Pittsfield has earned 5 points and will receive \$17,500.

The Sustainable Materials Recovery Program (SMRP) was created under 310 CMR 19.300-303 and the Green Communities Act, which directs a portion of the proceeds from the sale of Waste Energy Certificates to recycling programs approved by MassDEP. We are awarding over \$4.2 million in SMRP funding to 270 municipalities and regional groups in this round of funding.

Recycling programs play a vital role in limiting our dependence on landfills and incinerators, reducing greenhouse gas emissions and supporting economic activity in the Commonwealth. Recycling Dividend Program (RDP) funds foster investment in local programs including recycling equipment, organics diversion, outreach and education, pilot programs, school recycling, toxics reduction and more. Please refer to the [RDP Approved Expenses List](#) for more information. MassDEP has invested in developing nationally recognized tools to assist municipalities with reducing recycling contamination and improving public awareness of smart recycling practices. We encourage you to utilize the [Recycling IQ Kit](#) and [Recycle Smart MA](#) website and to consult with your MassDEP [Municipal Assistance Coordinator](#) for assistance in implementing these best practices.

To accept your grant award, please sign and return the attached RDP Contract via email before January 15, 2023. After we receive your signed RDP contract, funds will be sent to your community. See the enclosed checklist for further instructions related to your RDP grant. Should you have any questions, please email [Janine Bishop](mailto:Janine.Bishop@mass.gov) at Janine.Bishop@mass.gov.

Thank you for your continued commitment to recycling and waste reduction in Massachusetts.

Sincerely,

Martin Suuberg
Commissioner

cc: Ricardo Morales, DPW Commissioner

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

**RECYCLING DIVIDEND PROGRAM CONTRACT (“RDP Contract”)
BETWEEN THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL PROTECTION (“MassDEP”)
AND THE City of Pittsfield (“Municipality”)**

Pursuant to the Green Communities Act, relevant provisions of which are codified at M.G.L. c. 25A, Section 11F(d) and the regulations promulgated thereunder at 310 CMR 19.300 and in support of the Massachusetts Solid Waste Master Plan developed pursuant to M.G.L. c. 16, Section 21, MassDEP has awarded the Municipality a Sustainable Materials Recovery Program grant under the Recycling Dividends Program (“RDP”). The Municipality has earned a payment of \$17,500.

The Recycling Dividends Program provides payments to municipalities that have implemented specific programs and policies proven to maximize reuse, recycling and waste reduction. Municipalities receive payments according to the number of criteria points their program earns based on the *2022 Details: Recycling Dividends Program and* number of residents served as described below. RDP provides an incentive for municipalities to improve their recycling programs by implementing best practices and rewards communities with model recycling and waste reduction programs.

Duration: The term of this Contract shall be in effect until the municipality has expended all RDP funds and reported to MassDEP on use of funds.

RESPONSIBILITIES OF THE MUNICIPALITY

1. **Authority:** The Signatory of this RDP Contract is authorized by the governing body of the Municipality to enter into this Contract on behalf of the Municipality and apply for and accept funds on behalf of the Municipality.
2. **Commonwealth Terms and Conditions:** The Municipality shall comply with the Commonwealth Terms and Conditions and other requirements set forth in the Municipality’s executed Master Service Agreement.
3. **Failure to Comply:** If, in the judgment of MassDEP, the Municipality fails to comply with any of its responsibilities identified in this Contract, then, at the election of MassDEP, (a) the Municipality shall repay the RDP funds to MassDEP within 90 days; and/or (b) title to all materials purchased with the RDP funds immediately and without any further steps shall be transferred to MassDEP; and/or (c) MassDEP may find the Municipality not eligible to seek another Sustainable Materials Recovery Program Grant for up to three years. MassDEP may provide written notice to the Municipality of any such failure to comply. Such notice may provide a time period and manner for the Municipality to cease or remedy the failure. Such notice from MassDEP of any such failure by the Municipality is not a precondition to MassDEP’s right to select options (a), (b), and/or (c) above. The Municipality shall follow the instructions of MassDEP regarding possession of the materials purchased with RDP funds. The Parties hereby agree to execute any and all documents necessary to accomplish said transfer. Furthermore, the Municipality shall transfer or arrange to transfer actual possession of said materials to an authorized representative of the Commonwealth of Massachusetts or its designee.
4. **Recycling in Practice:** The Municipality has established paper, bottle and can recycling in all municipal buildings, offices and meeting spaces, including schools. The Municipality shall continue such paper, bottle and can recycling during the term of the RDP Contract.
5. **Notification of Buy Recycled Policy:** The Grantee has established a written policy which promotes a preference for the purchase of recycled products in lieu of non-recycled products and distributes an annual notification of the Buy Recycled Policy, ordinance or by-law to all staff, department heads and employees with purchasing authority. This notice should be sent from the Mayor, Board of Selectmen, Town Manager, Town Administrator, or Chief Purchasing or Procurement Officer; and should include specific language encouraging the purchase of recycled products as it supports municipal recycling collection programs, recycling markets, and supports closed loop recycling. The Grantee shall submit the annual notification to MassDEP on or before February 15th during the term of the Grant. Failure to submit by this deadline will result in the loss of an RDP point.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

6. **RDP Payment Calculation:** MassDEP has calculated the RDP Payment using the table below which shows payment brackets based on the number of households served by the municipal solid waste program and the point value for each bracket. *See Details: Recycling Dividends Program guidance document for additional information on point value.*

RDP Payment Brackets

# of Households that Receive Trash Service Provided by the Municipality	Point Value Basic Level 1-9 pts.	Point Value Advanced Level ≥ 10 pts. or RDP EJ Populations
0 - 1,999	\$245	\$350
2,000 - 4,999	\$420	\$600
5,000 - 7,499	\$770	\$1,100
7,500 - 9,499	\$910	\$1,300
9,500 - 12,499	\$1,260	\$1,800
12,500 - 16,999	\$2,100	\$3,000
17,000 - 24,999	\$2,450	\$3,500
25,000 - 31,999	\$2,800	\$4,000
32,000 - 99,999	\$4,550	\$6,500
100,000 +	\$7,000	\$10,000

7. **Program Criteria:** The Municipality, through its RDP application, certifies that all points earned are for programs that were in place between July 1, 2021 and June 30, 2022 and that these programs fully meet the performance standard set forth in the *2022 Details: Recycling Dividends Program guidance document*.
8. **Use of Funds:** RDP Payments shall be expended on activities and programs listed on the Approved Spending Categories for Recycling Dividends Program and Regional Small Scale Initiative Funds, to enhance the performance of the Municipality's waste reduction programs. Use of a dedicated account is recommended. Funds may be carried over to future years and accumulated to fund a larger eligible expense or project. Planned use of funds shall be noted on the Annual RDP Spending Report. However, MassDEP may delay future RDP payments if municipality is not expending funds.
9. **Record Keeping:** The Municipality shall be responsible for keeping documentation (i.e. proof of purchase in the form of an invoice which lists the vendor name and address, item purchased, item price, number of items purchased and shipping costs if any) by calendar year, of how RDP funds were expended and the remaining balance of RDP funds. MassDEP may conduct record audits to ensure compliance with this Contract.
10. **Reporting:** By February 15th of each year, for the duration of the Contract, the Municipality shall submit the annual Recycling and Solid Waste survey and the RDP Spending Report through its ReTRAC Connect™ account. Submission of the Annual Notification of Buy Recycled Policy as described in condition 5. above is also required. Failure to comply with these reporting requirements will result in the loss of one RDP point and may jeopardize future grant awards and RDP payments.
11. **Environmental Compliance:** The Municipality understands receipt of RDP funds from MassDEP does not in any way imply that the Municipality is in compliance with applicable environmental regulations. This Municipality shall not be construed as, nor operate as, relieving the Municipality or any other person of the necessity of complying with all applicable federal, state, and local laws, regulations and approvals. The Municipality's facility(ies) are subject to inspection at any time by MassDEP and noncompliance with applicable environmental regulations may result in formal enforcement actions, including penalties.
12. **Addendums:** Should MassDEP award additional RDP funds, an addendum to the Contract shall be provided to the Municipality. The same terms and conditions apply to the addendum.

SIGN AND RETURN THIS DOCUMENT TO MASSDEP VIA EMAIL

13. RDP Payment Calculation:

The Municipality's payment has been calculated as follows:
(NET RDP POINTS EARNED) x (VALUE OF EACH POINT)

a. Bulky Items	2
b. Center for Hard to Recycle Materials	0
c. Curbside Recycling Regulation	0
d. Diversity, Equity, and Inclusion	0
e. Household Hazardous Waste	0
f. Organics	0
g. Recycling Center Access	0
h. ReUse Programs	1
i. Solid Waste Reduction	0
j. Textile Recovery Initiative	1
k. Outreach and Education	0
l. Yard Waste	1
TOTAL RDP POINTS EARNED	5
POINT DEDUCTED DUE TO LATE SUBMISSION	N/A
NET RDP POINTS EARNED	5
VALUE OF EACH POINT	\$3,500
RDP PAYMENT AMOUNT	\$17,500

IN WITNESS WHEREOF, MassDEP and the Municipality hereby execute this Contract.

COMMONWEALTH OF MASSACHUSETTS

By: _____
John Fischer, Deputy Division Director _____ **Date**
Bureau of Air and Waste
Department of Environmental Protection

City of Pittsfield
Municipal Official(s) Authorized to sign: **Mayor**

By: _____
Signature _____ **Title** _____ **Date** _____

Print Name

**Approved Spending Categories for
Recycling Dividends Program and Regional Small Scale Initiatives Funds**

Items/activities are listed in the category deemed most appropriate in cases where there is overlap. Please refer to all applicable categories when searching this list.

Beyond the Bin

- Transportation, processing, and/or management (including equipment for collection/storage/recycling) costs for hard to recycle materials including items listed in CHARM criterion

Closing The Loop

- Post-consumer Recycled Content Products from state contracts. **Grantee must confirm recycled content.**
- FAC104 Landscaping, Green Roof Products, Playground Equipment, Site Amenities, Recycle content planters
- FAC88 Lawns & Grounds, Equipment, Parts and Services
- FAC100 Building Maintenance, Repair & Operations, Supplies and Tools
- OFF45 Art and Instructional School Supplies
- OFF47 Office Supplies, Recycled Paper and Envelopes
- OFF38 Office, School and Library Furniture
- OFF44 Print, Copy & Mail Services, and Printed Promotional Products
- VEH96 OEM & NON-OEM Motorized Vehicle Parts, Refined Motor Oil, Lubricants

Equipment

- Recycling carts and bins, organics carts, etc. (see FAC113)
- 35-gal or smaller carts may be purchased for trash provided all overflow trash has a per unit associated cost
- Alternative containers for in-home recycling collection at multi-family buildings
- Rain barrels
- Glass crushing equipment
- Repairs of used and existing recycling and composting equipment
- Cement pads, ramps, and other infrastructure for recycling equipment
- Electric truck for curbside collection of recyclables and/or organics
- Purchase or rental of roll-off containers, compactors, and balers for recycling; refurbished equipment purchases also allowed

Model Programming

- Dedicated Enforcement Coordinator (up to 5 years)
- New Recycling Coordinator position or Zero Waste Coordinator (up to 2 years).
- Project-based temporary staffing for specific recycling projects
- Consultants for local or regional initiatives that will increase diversion through recycling, composting, reuse, repair and toxic/hazardous collection. Examples include recycling collection and processing bid development; Pay-As-You-Throw analysis; organics diversion program planning; recycling composition and contamination audits; and waste characterization studies. See State Statewide Contract for Professional and Environmental Consulting Services PRF77. With the exception of combined solid waste and recycling procurement assistance, funds may not be used for solid waste transfer or disposal facilities and/or programs.
- PAYT program costs including bags, education materials, recycling stickers and additional staff

Organics Diversion

- Backyard Compost bins
- Kitchen scrap buckets
- Compostable bag liners/biobags if they meet certification to be PFAS free
- Commercial composting equipment including screener, windrow turner for use at municipal site
- Organics carts for curbside collection and/or drop-off programs
- Organics collection and processing costs - up to 5 years
- Organics program development costs for a new program

Other/ Miscellaneous	<ul style="list-style-type: none"> • Recycling processing costs over \$50 per ton • Shredding services for confidential paper • License plate scanner at transfer station • Recycling Center site improvements that facilitate ease of access, safety, handicapped access, contamination reduction, waste reduction and/or increased recycling
Outreach & Education	<ul style="list-style-type: none"> • Waste reduction and/or outreach and education materials, signs, billboards, mailings (and applicable postage costs) • Recycling webpage design and maintenance (external contractor) • Translation services for recycling education materials in multiple languages • Conferences, subscriptions, and municipal/regional memberships (up to \$3,000/year) • Training and professional development for recycling staff (up to \$1,000/year) • Recycling market index publications and trade journals • Educational speaker fees (solid waste and recycling topics) for municipal events • Waste and recycling collection mobile applications • Newspaper ads promoting recycling and waste reduction
Public Spaces	<ul style="list-style-type: none"> • Public space/outdoor event recycling and composting containers and signage • Permanent water filling/refilling stations at municipal buildings • Transportation and processing of recyclables and organics collected at public spaces and/or events
Reuse	<ul style="list-style-type: none"> • Purchase, construction and/or maintenance of a municipal swap shop • Up to \$5,000 annually on municipally owned Things/Tool Libraries • Up to \$1,000 annually for third-party owned Things/Tool Libraries • Up to \$4,000 annually for municipally located Repair Events (excluding food/refreshments) or Zero Waste Days/Reuse Rodeos/Donation Events • Developing/distributing a comprehensive Reuse Guide • Tablet for inventory for swap shop, tool library, library of things • Wiping clothes made from recycled textiles
Schools	<ul style="list-style-type: none"> • Stipend for personnel coordinating school-wide or district-wide recycling/composting program • Recycling bins, wheeled carts, compost bins, signage and related equipment • Dishwashers for public school cafeterias • Reusable trays and silverware for public school cafeterias • Collection and processing costs for recyclables and organics • School gardens and other “green team” initiatives • School furniture reuse and recycling – find info and resources here
Source Reduction	<ul style="list-style-type: none"> • Installation of water filling stations in public buildings and schools • Deconstruction of municipally owned buildings (consultants, specialized contractors) • Reusable dishware, glassware and cutlery for kitchen and/or event space at public buildings
Toxics Reduction	<ul style="list-style-type: none"> • HHW collection event costs: drop-off or mobile pickup events; (FAC110 is available as a resource) • Construction and maintenance of publicly owned permanent HHW collection facilities • Mercury spill kits • School chemical cleanouts • Used paint collection shed for residential drop-off site (shed replacement or purchase) • Sharps collection boxes for residents • Environmentally Preferred Products FAC118.



Checklist for Recycling Dividends Program Grant Award

This document contains important grant deadlines and requirements

STEP ONE: EXECUTING THE CONTRACT

It is the responsibility of the municipal Recycling Contact to ensure that the RDP Contract is signed by an **individual currently holding one of the Titles** listed on the Authorized Signatory Listing form, which your municipality filed with MassDEP in 2022. If the person(s) listed on the form has changed (for example, a new Mayor has been elected), the municipal official with the same title may sign the RDP Contract and a new Authorized Signatory Listing form **IS NOT REQUIRED**.

Please sign and email the RDP Contract to wilfred.mbah@mass.gov for processing of payment no later than **January 15, 2023 or funds may be forfeited**. Acceptable forms of signature are:

1. Traditional “wet signature” (ink on paper, scan, and email).
2. Electronic signature that is either hand drawn using a mouse or finger if working from a touch screen device; or
3. Electronic signature affixed using a digital tool such as Adobe Sign or DocuSign.

STEP TWO: TRACK EXPENDITURES BY APPROVED EXPENSE CATEGORY

- This is not a reimbursement-based grant. Your award payment will be processed as soon as the RDP Contract is returned.
- However, you are required to keep track of approved expenditures, by expense categories. Please review the list of [Approved Spending Categories](#) to determine the appropriate category. Items/activities are listed in the category deemed most appropriate in cases where there is overlap.
- Be prepared to be audited.

STEP THREE: REPORT EXPENDITURES AND REMAINING BALANCE

- The municipality is required to report all expenditures from the previous calendar year no later than February 15th.

Contact [Wilfred Mbah](#) with any questions.

**ORDER OF LOCATION FOR UNDERGROUND LINES FOR THE TRANSMISSION
OF ENERGY**

By the City Council of the City of Pittsfield, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

That the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE, be and it is hereby granted a location for and permission to install and maintain below the surface of the ground in the public way hereinafter named, a line or lines for the transmission of electricity consisting of conduits located as shown upon the plan hereinafter referred to, together with the necessary wires, cables, transformers, switches, protective devices and other appurtenances, and likewise the manhole and vault construction connected with said lines as requested in petition of said Company dated the 1st day of November, 2022.

All construction under this order shall be substantial, with due regard for public safety, and shall be placed substantially at the points indicated upon the plan marked **10974452** filed with and made a part of said petition. The conduits to be installed shall not exceed 2 ducts and all of said ducts shall be placed at a depth of not less than 2.5 feet under the surface of public way.

The public way beneath which the construction above referred to may be installed, the distance of such construction along each such way and the plan showing the proposed installation are as follows namely:

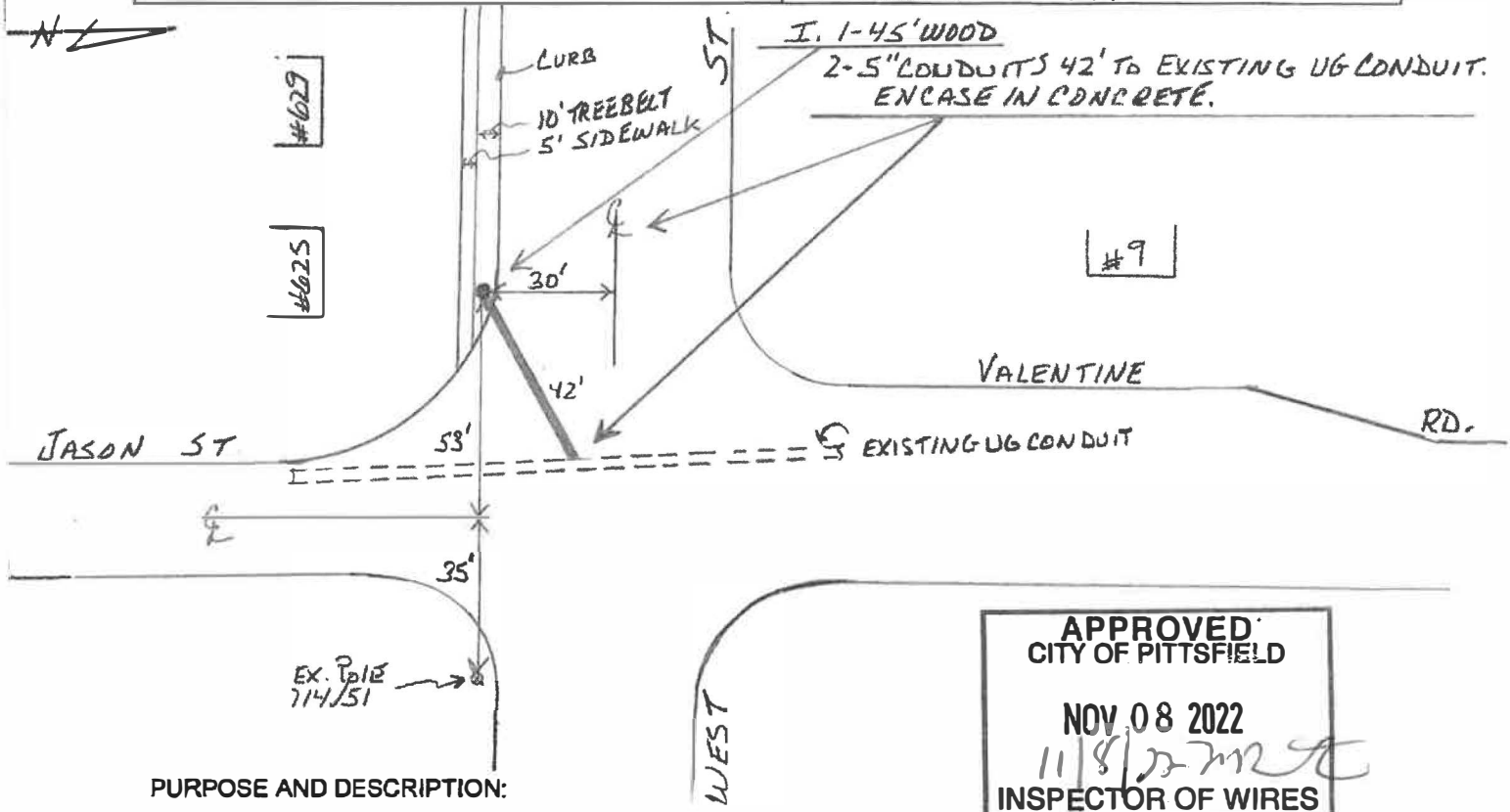
Location – West Street, Pittsfield

1. Install one (1) solely owned pole to be located approximately eighty-eight (88) feet westerly of existing p#714/51.
2. Install two (2) five inch conduits approximately forty-two (42) feet northeasterly from new pole to existing underground conduit.

Reason – Set new pole and conduit for new underground source to supply Valentine Road.

Also that permission be and hereby is granted said EVERSOURCE to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

EVERSOURCE	TOWN PITTSFIELD
NEW ENGLAND TELEPHONE & TELEGRAPH COMPANY	STREET WEST ST.



APPROVED
 CITY OF PITTSFIELD
 NOV 08 2022
 11/8/22 [Signature]
 INSPECTOR OF WIRES

PURPOSE AND DESCRIPTION:

SET NEW POLE FOR NEW UNDERGROUND SOURCE TO SUPPLY VALENTINE RD.
 INSTALL -45' POLE 88' WEST OF EXISTING POLE 714/51.
 INSTALL 2-5" PVC FROM NEW POLE 42' TO EXISTING UG CONDUITS.

LEGEND			
	PROPOSED JOINT POLE		HANDHOLE
	PROPOSED EVERSOURCE POLE		PAD MOUNT TRANSFORMER
	EXISTING JOINT POLE		UG. CONDUIT
	EXISTING EVERSOURCE POLE		UG. PRIMARY CABLE
	EXISTING EVERSOURCE POLE TO BE MADE JOINT		UG. SECONDARY CABLE
	EXISTING FOREIGN POLE TO BE MADE JOINT		MANHOLE
			HEXHOLE

DRAWN BY: MICHAEL SANTOS michael.santos@eversource.com. 413 214-9374	W.L.# 10974452 F.W.# 80343486	DISTANCES ARE APPROXIMATE N.T.S	REVISION NO
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PVI Site Design

18 Glendale Road, Norwood, MA - 339.206.1030
Master Planning - Civil Engineering - Land Entitlements

Pittsfield City Council
70 Allen St, Pittsfield,
MA 01201

November 18, 2022

RE: 1030 South Street – Pittsfield, MA

Council Members,

On behalf of the applicant, Jamsan Hotel Management, we pleased to provide the enclosed revised site plans for your consideration.

At the initial public hearing, a number of concerns were expressed by nearby abutters and council members as to the location of the proposed driveway at the northern side of the property and conflicts with cars exiting the adjacent driveway.

Since the initial hearing we have explored the options of relocating the driveway further south to create separation from the existing exit driveway. Additionally, we had an meeting to review the various concepts with MassDOT.

We first evaluated the option of a driveway along the southern property line, however existing utilities including a Utility Pole and Fire Hydrant conflict with this location. Additionally, the concept of a share driveway with the abutter to the south was not feasible due to the access rights currently available to the applicant.

The enclosed plans propose the option of a centrally located curb cut and represent the best feasible location for the driveway given the site constraints. Additionally, we are proposing separate left and right turn lanes at the exit. This option was the preferred concept by MassDOT, subject to their detailed permit review.

We look forward to presenting the project again at the November 29th hearing. If you require any additional information, please feel free to contact us.

Thank you.

PVI Site Design, LLC



Timothy J. Power, PE
Principal

tpower@PVIsitedesign.com
339-206-1030

Copy: Ashok Patel (Jamsan Hotel Management)
Enclosures: (Site Plans, Sheets C100, C101)

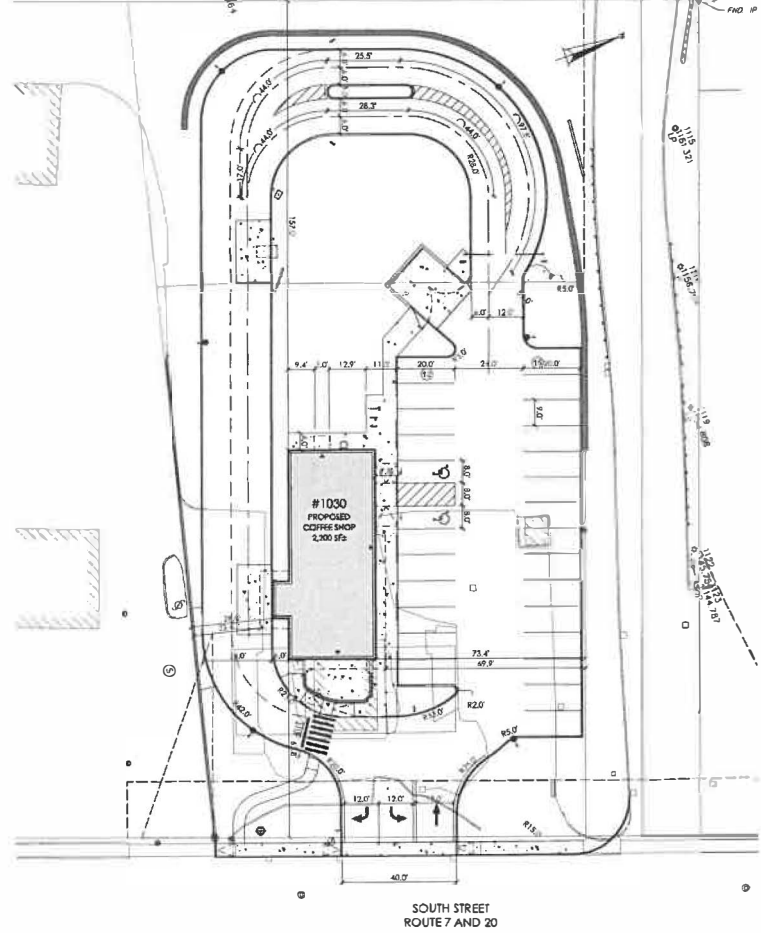
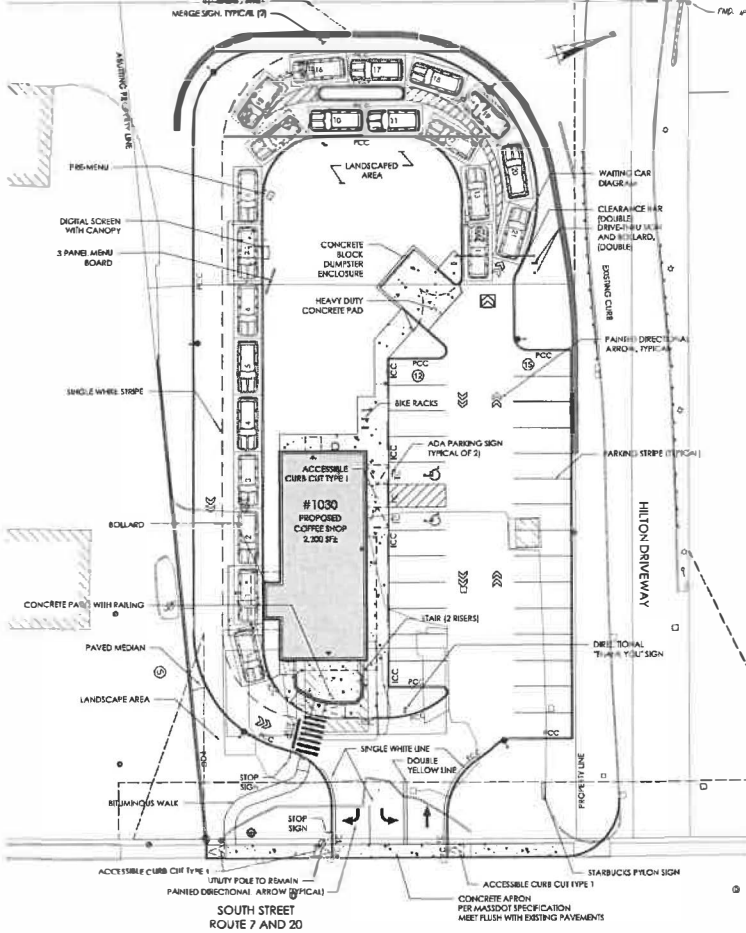
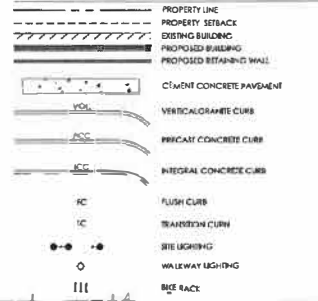
GENERAL NOTES:

1. EXISTING CONDITIONS INFORMATION IS REPRODUCED FROM THE SURVEY PREPARED BY LANDTECH OF WILFORD, MA AND DATED 03-07-2022.
2. SCREENED IMAGES SHOW EXISTING CONDITIONS, WHERE EXISTING CONDITIONS ARE UNDER OR ARE IMPACTED UPON BY PROPOSED BUILDINGS AND/OR SITE ELEMENTS. THE EXISTING CONDITION WILL BE REMOVED, ABANDONED AND/OR CAPPED OR DEMOLISHED AS REQUIRED.
3. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN ARE BASED ON THE SURVEY REFERENCED ABOVE. PRIOR TO THE START OF ANY EXCAVATION, THE CONTRACTOR SHALL NOTIFY DIGSAFE AND THE PROPER LOCAL AUTHORITY OR RESPECTIVE UTILITY COMPANIES TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES. ANY DAMAGE DUE TO FAILURE OF THE CONTRACTOR TO CONTACT THE PROPER AUTHORITIES SHALL BE BORNE BY THE CONTRACTOR.
4. CONTRACTOR SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL CONSTRUCTION DOCUMENTS, SPECIFICATIONS AND LIFE CONDITIONS PRIOR TO BIDDING AND PRIOR TO CONSTRUCTION.
5. ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS, AND SITE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE OWNER'S REPRESENTATIVE FOR CLARIFICATION AND RESOLUTION PRIOR TO BIDDING OR CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING CONDITIONS TO REMAIN THAT ARE DUE TO CONTRACTOR OPERATIONS.
6. ALL DEBRIS TO BE REMOVED THAT ARE NOT OCCUPIED FOR LATER REUSE ON THE PROJECT OR DELIVERED TO THE OWNER SHALL BE LEGALLY DISPOSED OF BY THE CONTRACTOR.

LAYOUT AND MATERIALS LEGEND:

1. ALL WORK CONDUCTED WITHIN THE PUBLIC RIGHTS-OF-WAY SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE LOCAL MUNICIPALITY.
2. ACCESSIBLE CURB RAMP TYPES SHALL BE PER THE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD (MAAB) AND THE AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY GUIDELINES. WHENEVER IS MORE STRINGENT.
3. ALL WALKWAYS AND HANDICAP PARKING SPACES SHALL COMPLY WITH THE MAAB AND ADA ACCESSIBILITY GUIDELINES. IF FIELD CONDITIONS MAKE IT IMPOSSIBLE TO COMPLY WITH THESE GUIDELINES AND REGULATIONS, A WAIVER FROM THE MAAB WILL BE SOUGHT.
4. THE FOLLOWING CRITERIA SHALL CONTROL UNLESS OTHERWISE NOTED ON THE PLAN:
 - ALL DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING.
 - ALL DIMENSIONS ARE TO THE FACE OF CURB AT GUTTER LINE.
 - ALL DIMENSIONS ARE TO CENTER OF PARKING SPACES.
 - ALL LIES TO PROPERTY LINES ARE PERPENDICULAR TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

LAYOUT AND MATERIALS LEGEND



APPROVING AUTHORITY USE ONLY



PROPOSED COFFEE SHOP
1030 SOUTH STREET, PITTSFIELD, MA

CLIENT/APPLICANT:
JAMSAN HOTEL MANAGEMENT
83 HARTWELL AVE, LEXINGTON, MA

PROJECT NO.: 21-028

DATE: 11/14/2022

CITY/COUNTY: PITTSFIELD, MA



SPECIAL PERMIT & SITE PLAN REVIEW
AUGUST 16, 2022

LAYOUT AND MATERIALS PLAN

SCALE: 1"=30'

JOB NO.: 21-028

FILE: 21-028-14.dwg

DRAWN: EJP

CHECKED: EJP

SHEET NO.:

C100

1 THE MATERIALS PLAN
SCALE: 1"=30'

2 SITE LAYOUT PLAN
SCALE: 1"=30'

PVI Site Design

18 Glendale Road, Norwood, MA - 339.206.1030
Master Planning - Civil Engineering - Land Entitlements

Pittsfield City Council
70 Allen St, Pittsfield,
MA 01201

November 8, 2022

RE: 1030 South Street – Pittsfield, MA

Council Members,

On behalf of the applicant, Jamsan Hotel Management, we are requesting a continuance of the referenced project to the November 29 City Council Meeting.

Thank you.

PVI Site Design, LLC



Timothy J. Power, PE
Principal
tpower@PVIsitedesign.com
339-206-1030

Copy: Ashok Patel (Jamsan Hotel Management)
Enclosures: (none)

PVI Site Design

18 Glendale Road, Norwood, MA - 339.206.1030
Master Planning - Civil Engineering - Land Entitlements

Pittsfield City Council
70 Allen St, Pittsfield,
MA 01201

10-25-2022

RE: 1030 South Street – Pittsfield, MA

Council Members,

On behalf of the applicant, Jamsan Hotel Management, we are requesting a continuance of the referenced project to the next City Council Meeting in November.

Thank you.

PVI Site Design, LLC



Timothy J. Power, PE
Principal
tpower@PVIstitedesign.com
339-206-1030

Copy: Ashok Patel (Jamsan Hotel Management)
Enclosures: (none)

12

PVI Site Design
18 Glendale Road, Norwood, MA - 339.206.1030
Master Planning - Civil Engineering - Land Entitlements

City Council
70 Allen Street
Pittsfield, MA, 01201

PVI PROJ. # 21-026

August 16, 2022

RE: 1030 South Street – Pittsfield, MA

Dear Council Members,

On behalf of the applicant, Jamsan Hotel Management, we are please to submit the enclosed Special Permit and Site Plan Approval applications with supporting documents for a proposed coffee shop with drive-thru at 1030 South Street, Pittsfield. Enclosed with this letter is the following:

- Site Plan Approval Application Form
- Site Plan Review Application Fee of \$200
- Special Permit Application Form
- Special Permit Application Fee of \$200
- Site Plans (7 Sheets)
- Stormwater Design Narrative
- Traffic Analysis

The project requires a Special Permit based on Zoning Code section 4.201 and complies with the requirements of Section 7.839.

Project Overview:

The proposed project is a proposed redevelopment of a former gas station use at the referenced address. The project area includes two parcels. The first, is the primary lot utilized by the gas station. A second "pork-chop" lot that exists between the primary lot and the Hilton Garden Inn property to the west will also be utilized for the development.

The project had a departmental review in November 2021. Comments from this meeting were incorporated into the final design.

The proposed project has been designed to improve traffic patterns in the area, provides stormwater management controls, and improves the general aesthetics of the neighborhood by redeveloping an existing outdated property.



RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2022 AUG 18 AM 10:07

CITY OF PITTSFIELD – COMMUNITY DEVELOPMENT BOARD

SITE PLAN APPROVAL APPLICATION

NOTICE: *Applications are not considered valid until all fees & completed forms are submitted to the appropriate City offices.*

- This application must either be typewritten or written in a clear, legible hand.
- Eleven (11) copies of this application are required, including plans and any information called for by the zoning ordinance.
- Applicant shall submit the application packages to the City Clerk to be time - date stamped.
- A filing fee of \$200 is due to the City of Pittsfield upon submittal of this application to the City Clerk.
- You will be notified by mail of the date & time for your hearing. You or your representative should attend & be prepared to offer additional information in support of your application.

Office Use Only			
Filing Date:		Hearing Date:	
Decision & Decision Date:		Permit Number:	
Applicant			
Name(s):	Jamsan Hotel Management, Ashok Patel		
Address:	83 Hartwell Avenue, Lexington, MA 02421		
Telephone(s) & Email:	(781) 863-8500	apatel@jamsan.us	
Owner (if other than applicant)			
Name & Address:	S&H Hotel Lenox LLC, Jenical Hospitality LLC, JSM Hotels Lenox LLC		
Phone & Email:	(781) 863-8500	apatel@jamsan.us	
Attorney/Architect/Engineer (circle one)			
Name & Address:	PVI Site Design, LLC, Timothy Power		
Phone & Email:	(339) 206-1030	tpower@pvisitedesign.com	
Project Information			
Section of ordinance upon which application is based: Section <u>7.839</u>			
Description of Project or Changes Proposed: <small>(attaching additional information is encouraged)</small>	Remove existing (former) service station building and pavement and replace with proposed coffee shop with associated outdoor seating, trash enclosure, and parking. The proposal maintains the existing curb cut for both entry and exit, providing two-way traffic through the parking area, drive-through lane and waiting lane serving 21 cars, with bypass lane after order point. Existing cross-access to the adjacent commercial parcel (Jiffy Lube, Car Wash, et al.) will be closed off with curbed landscaped and paved medians. An accessible route will be provided to South Street.		
Property Information			
Address:	1030 South Street and 0 South Street		
Assessors Parcel ID No.:	H010001003 and H010001006		
Deed Book & Pg:	Book/Page 6503/330 and 6249/116	Zoning District(s):B-G	

Deed Book & Pg:	Book/Page 6503/330 and 6249/116		
Zoning District(s):	B-G		
Current Land Use §4.202:	Service Station		
Proposed Land Use:	Retail Sales and Services, Drive-In, Drive-Up or Drive-Through		
Current Intensity Regulations (§4.203):	Min. Lot Area	N/A sq. ft.	Min. Lot Width N/A ft
	Min. Front/Side/Rear yards	N/A / N/A / N/A ft	
	Max. Bldg. Coverage	N/A %	Max Bldg. Ht 50 ft
Proposed Intensity Regulations (§4.203):	Min. Lot Area	52,347 sq. ft.	Min. Lot Width 1,130 ft
	Min. Front/Side/Rear yards	43 / 31 / 172 ft	
	Max. Bldg. Coverage	6 %	Max Bldg. Ht 22 ft
No. of Existing Bldgs:	1	No. of Proposed Bldgs:	1
Total Floor Area Each Existing Bldg.:	618	Total Floor Area Each Proposed Building:	2,700
Parking Spaces Required:	2/3 Employees (7 max): 4.6 1/3 seats (70 max): 23.3	27.9 total	No. of Proposed Spaces: 28
No. of Dwelling Units Proposed:	N/A		
Past Special Permits:	___ Yes <u>X</u> No If Yes, Dates: _____		
Past Variances:	___ Yes <u>X</u> No If Yes, Dates: _____		
Plan must include:			
<input checked="" type="checkbox"/> Key map not less than 1": 800'			
<input checked="" type="checkbox"/> Map indicating uses of all properties within 200'			
<input checked="" type="checkbox"/> Topo map with 2' contours			
<input checked="" type="checkbox"/> Site plan showing all existing and proposed elements to a scale of not less than 1":100'. Must include a blank space for endorsement by Community Development Board			
<input checked="" type="checkbox"/> Computation of total lot area, building FAR for each uses and lot coverage			
<input checked="" type="checkbox"/> Proposed accessory use or uses of buildings, structure or land Note: Refer to Section 7.3 for more specific requirements			

Spald

Signature(s) of Applicant(s)

Signature(s) of Property Owner(s)

CITY HALL OFFICE USE ONLY

Received by the City Clerk on Aug 22, 2022

Fee paid \$ 200.00

Michelle Benjamin
City Clerk

CITY OF PITTSFIELD
CITY CLERKS OFFICE

08/22/2022 9:21AM ***
00000#0007 MICHELE
C. C. SPEC PERMIT \$200.00

Executive Secretary



CITY OF PITTSFIELD

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

November 7, 2022

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

Re: Petition re: zoning map amendment from Compass Ridge, LLC for property located on
outer West Housatonic Street

Dear Councilors:

The Community Development Board held the required public hearing on the zoning amendment petition related to the above referenced petition on November 1, 2022. The Board expressed concern over increasing the potential of commercial development proximate to residential neighbors with the loss of land that currently acts as a buffer zone. While not totally opposed to commercial development at this site, the Board was uncomfortable expanding the commercially zoned area without any detail of the potential future development of the subject property. Following the public hearing, the Board voted unanimously to recommend that the City Council deny the proposed zoning map amendment.

Attached please find a review of the proposed zoning change prepared by staff.

Sincerely,

COMMUNITY DEVELOPMENT BOARD

A handwritten signature in blue ink, appearing to read "Sheila B. Irvin", is written over the typed name.

Sheila B. Irvin
Chair

SI/ch



CITY OF PITTSFIELD

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

PETITIONER:	Compass Ridge, LLC
OWNER:	Same
PROPERTY LOCATION:	Parcel located east of the intersection of West Housatonic Street and Lebanon Avenue, with frontage on both roadways
ASSESSOR MAP & LOT:	C4-4-2
CURRENT ZONING:	B-C (Grouped Business)/R-12 One Family Residence
R-12 INTENSITY REGULATIONS:	Front/side/rear/ max. ht: 35'/10'/25'/35'
PROPOSED ZONING:	B-C (Grouped Business)
B-C INTENSITY REGULATIONS:	Front/side/rear/ max. ht: 0'/0'/0'/35'
SURROUNDING USES:	Residential, commercial, office
FILING DATE:	September 21, 2022
HEARING DATES:	CDB – November 1, 2022 City Council – November 15, 2022

BACKGROUND

Compass Ridge, LLC (the “applicant”) seeks to amend the zoning map for a parcel of land on outer West Housatonic Street, with frontage also on Lebanon Avenue. Parcel C4-4-2 is currently split zoned, with the western half of the parcel located within the Grouped Business B-C Zoning District, and the eastern half located in the One Family Residence R-12 Zoning District. The petitioner requests expanding the B-C district east to encompass the entire parcel.

ANALYSIS

SECTION 3.203 R-12 ONE-FAMILY RESIDENCE

This district is established to allow for one-family dwellings within the more intensely developed areas of the City at a density compatible with existing densities and to provide for the creation of new neighborhoods reflecting and extending the urban one-family residential characteristics of the City.

SECTION 3.207 B-C GROUPED BUSINESS

This district is established to provide for a grouping of commercial retail and service outlets including centers designated and constructed as a single planned unit.

1. Character of the Area

The subject parcel is approximately a two-acre vacant property, consisting primarily of open meadow. The parcel to the west is an existing fuel service station and convenience

- 1) Additional opportunity to create suburban sprawl, in a primary corridor in the City that has been specifically identified in the past as needing clearer and more constrained regulatory conditions to improve design and development outcomes, and,
- 2) The likelihood that this proposal results in commercial development, with residential neighbors proximate to the south and east of the property.

MARTIN & OLIVEIRA

MICHAEL J. MARTIN, ESQ.
Direct: (413) 347-8964
M.JM@martinoliveira.com

A Professional Limited Liability Partnership
Attorneys and Counselors at Law
THE CLOCKTOWER
75 SOUTH CHURCH STREET, SUITE 550
PITTSFIELD, MASSACHUSETTS 01201-6145
TELEPHONE (413) 443-6455
FAX (413) 445-5883
www.martinoliveira.com

Nicole Dearstyne, Paralegal
Direct: (413) 347-8982
NMD@martinoliveira.com

September 20, 2022

**BY EMAIL @ mjbenjamin@cityofpittsfield.org
AND BY HAND**

Michele M. Benjamin, City Clerk
City of Pittsfield
70 Allen Street
Pittsfield, MA 01201

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 SEP 21 PM 12:34

RE: Compass Ridge, LLC
Petition and Application to Amend Zoning Map
Property Location: 0 West Housatonic St.

Dear Ms. Benjamin:

Please be advised I represent Compass Ridge, LLC, in connection with their enclosed application to amend the zoning map to extend the B-C zoning over the remainder of their property.

Compass Ridge, LLC is a limited liability company, owned and operated by the applicants, Kyle Danforth and Chase Wojtkowski. Mr. Danforth and Mr. Wojtkowski started Compass Ridge LLC in 2020 with the goal and mindset to help develop and improve their community. In 2021, Compass Ridge purchased 0 West Housatonic Street with the intent to convert the entire two acres into commercial property.

The property is currently a split zoned BC and R 20 lot, surrounded by IL. A zoning overlay map has been attached to the enclosed application for reference. From a planning perspective, it is reasonable and appropriate for the property to be zoned entirely BC. The residential R20 portion of the property was left behind when the residential neighborhood was developed to the south and east. The commercial portion of the lot was left behind when the abutting lot to the west was commercially developed. Accordingly, the locus now remains vacant on Route 20 and would not be developed as a residential lot and it is appropriate for the zoning map to be amended to extend the BC zoning over the remainder of the property. Once the entire lot is zoned BC, the property can be developed and serve as an entrance/gateway into the commercially zoned portion of Route 20.

Mr. Danforth and Mr. Wojtkowski reached out and received the endorsement of their ward councilor Patrick Kavey, who supports this petition. Mr. Danforth and Mr. Wojtkowski also conducted extensive community outreach and invited all abutters within 500 feet of the property

Compass Ridge, LLC
Petition and Application to Amend Zoning Map
September 20, 2022

to a meeting to discuss any concerns of the neighborhood related to their application. As of the date of this filing, the proposed zoning amendment has not received any objections and has been supported by the neighborhood.

Thank you for your attention to this matter and we look forward to further discussing the application with the City Council and the Community Development Board.

Cordially yours,



Michael J. Martin

MJM/

Enclosure

cc. Kyle Danforth
Chase Wojtkowski
Patrick Kavey

CITY OF PITTSFIELD
CITY CLERKS OFFICE

09/21/2024 1:15PM ****
000000#0040 NICHELE

COPY
C.C. SPEC PERMIT \$400.00

CHEK \$400 00



City of Pittsfield

_____ 20 _____

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

The undersigned respectfully

AN ORDINANCE

AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 23, "ZONING ORDINANCE"

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

Section I

That the official zoning map, in accordance with the provisions of Chapter 23, Article 23-3 Zoning Districts, Section 3.302, "Amendment, Official Map," shall be amended by reclassifying a parcel on the north side of Lebanon Avenue and South Side of West Housatonic Street, from a split zoned B-C Grouped Business, Section 3.207, and R-20 Section 3.202 One Family Residence zoned lot, to an entirely B-C Grouped Business, Section 3.207, zoned parcel.

The parcel subject to this petition can be identified through the following Assessor Map No.:
C040004002

The area for which the zoning reclassification is requested is described as follows:

Beginning at a point in the northerly line of Lebanon Avenue, which point is five hundred (500) feet westerly of the southwesterly comer of lands of one Penny, as well as the southeasterly comer of land conveyed to Hermann Kuhtz and Emilie Kuhtz by deed of the Trustees of the United Society called Shakers of Pittsfield and Hancock, which deed is recorded with the Berkshire Middle District Registry of Deeds in Book 353, Page 260. This point of beginning is the southwesterly comer of the first parcel conveyed herein.

Running thence from said point of beginning, northerly to an angle formed by the northerly line of the first parcel herein conveyed with the easterly line of the second parcel herein conveyed;



City of Pittsfield

_____ 20 _____

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Thence running easterly in the southerly line of land of said Penny, six hundred nine and 4/10 (609.4) feet to the westerly line of said Penny;

Thence southerly, in the westerly line of said Penny five hundred seventy-nine and 3/10 (579.3) feet to the northerly line of Lebanon Avenue;

Thence westerly, in said northerly line of Lebanon Avenue, to the place of beginning. Also conveying another portion of the lands deeded in said deed of said Shaker Trustees, vis: Beginning at the above-described angle, thence running westerly, extending the northerly line of the parcel first herein conveyed, to the easterly line of land of the Boston & Albany Railroad Company;

*Thence northeasterly in said Railway line to lands of said Penny;
Thence, at an angle, easterly in the line of Penny, one hundred seventy-seven feet (177');*

Thence, at an angle, southerly in the west line of land of said Penny, five hundred seventy-eight and one half (578.5) feet, to the place of beginning.

EXCEPTING THEREFROM a taking by the Commonwealth of Massachusetts, dated May 24, 1932, and recorded June 6, 1932, with said Registry in Book 456, Page 238.

Being the same premises conveyed to the Grantor herein by deed of Carl H. Laschky, dated June 30, 2017, and recorded August 4, 2017, with the Berkshire Middle District Registry of Deeds in Book 6030, Page 102, in which deed Carl H. Laschky reserved a Life Estate. (See also deed from Hermann Kuhtz and Emilie Kuhtz to Ella K. Laschky dated December 7, 1929, and recorded with said Registry in Book 448, Page 161, for more particular description.)

Section II

This ordinance shall become effective upon enactment.

Date Received _____

By _____
(fee paid)

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

1. Amend Zoning Map ✓ Amend text, Chapter 23, Code of Laws _____

2. Present Zoning District split B-C, R-20 Zoning Requested B-C

3. Name of Petitioner Compass Ridge, LLC

Address 0 West Houstonic Street Telephone # 413-652-2091

Signature  Kyle Danforth
Chase Wojtkowski

4. Name of Agent Michael J. Martin, Esq. / Martin & Oliveira

Address 75 S. Church Street, Suite 550, Pittsfield, MA 01201 Telephone # 413-347-8964

Signature 

5. Name of Property Owners same as Petitioners

Address _____ Telephone # _____

6. If Petitioner is not the Property Owner, attach a document indicating interest in property.

State interest: Owner

7. Legal Description: see attached map

(Attach "Metes and Bounds" Description if necessary) Assessor's Map No. C040004002

8. Attach map of property (drawn to scale) including streets, buildings, uses and property dimensions. attached

9. If an amendment to the Text of Chapter 23, Code of Laws, state the nature of the amendment: N/A

10. Article and Section proposed to be amended: 23-3 Setcion 3-302

Community Development Board: Hearing Date _____ Recommendation _____

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

Exhibit A – Legal Description of Locus

The parcel of land designated as Assessor's Parcel Number C04-0004-002 and containing 84,191 SF +/- as shown on a plan entitled, "Plan of Land in Pittsfield, Massachusetts," 0 West Housatonic Street, Pittsfield, Massachusetts, prepared by New England Land Survey, Inc., and recorded with the Berkshire Middle District Registry of Deeds, on April 29, 2021, in Plat S-4. Said parcel is more particularly described as follows:

Beginning at an iron pipe in the northerly sideline of Lebanon Avenue;

Thence N 14° 13' 35" E distance of 424.47 feet by the land now or formerly of Baumann and land of Donaldson to a rod;

Thence S 57° 56' 34" W a distance of 378.59 feet by the southerly line of West Housatonic Street;

Thence with a curve turning to the right with an arc length of 61.48 feet with a radius of 1,640.00 feet with a chord bearing of S 59° 01' 00" W with a chord length of 61.48 feet, also running by southerly line of West Housatonic Street to land now or formerly of Sherman;

Thence S 12° 39' 16" E by land now or formerly of Sherman a distance of 176.26 feet;

Thence S 88° 17' 26" E a distance of 230.75 feet by Lebanon Avenue to the point of beginning, having an area of 84,191 square feet +/-, 1.93 acres +/-.

Middle Berkshire - 20/20 Perfect Vision i2 Document Detail Report

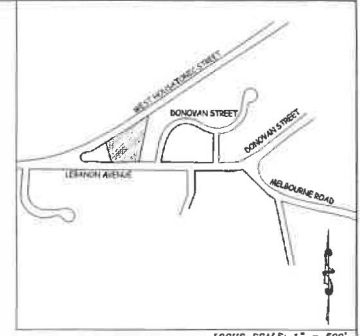
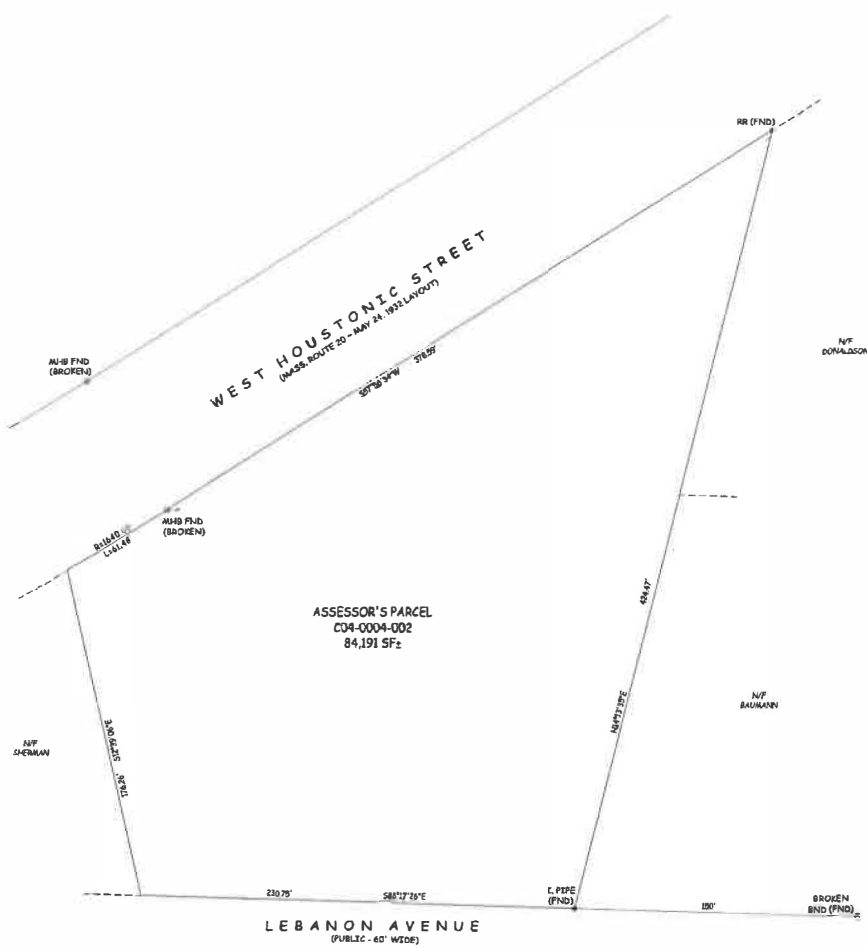
Current datetime: 8/11/2022 3:58:03 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
1925	PLAN		000PS/4	04/29/2021	
Property-Street Address and/or Description					
WEST HOUSTONIC ST, LEBANON AVE					
Grantors					
DANFORTH KYLE					
Grantees					
SMITH GEORGE EDWARD III					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					



COUNTY OF BERKSHIRE
 MIDDLE DISTRICT REGISTRY OF DEEDS
 PLAN RECEIVED AND FILED FOR RECORD
 11/29/2021 at 3:52 P.M.
 IN PLAT S-4
 REC INSTRUMENT RECORDED IN
 BOOK 6876 PAGE 116
 REGISTER

Robert M. Collins



New England
 Land Survey Inc.
 710 MAIN STREET
 NORTH OXFORD, MA 01537
 508-987-0025

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

M.G.L. C41 S81-X Surveyor's Certificate

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW STREETS OR WAYS ARE SHOWN.

DATE: APRIL 21, 2021

PLAN OF LAND IN
PITTSFIELD, MASSACHUSETTS

OWNER APPLICANT: EYLE DANFORTH
 0 WEST HOUSTONIC STREET, PITTSFIELD
 COUNTY: MIDDLE BERKSHIRE

REFERENCES:
 DEED BOOK 6030 PG. 102
 PLAN D17/19
 PLAN D17/97

JOB#: west houstonic njc
 CAD BY: MJC
 SCALE: 1" = 30'

ASSESSOR'S ID: 04-0004-002

30' 0' 30' 60' 90' 120'

THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ALL RESTRICTIONS AND ENCUMBRANCES THAT SUCH A REPORT MAY REVEAL.



Proposed Co4-0004-002 Zoning Change - September 2022

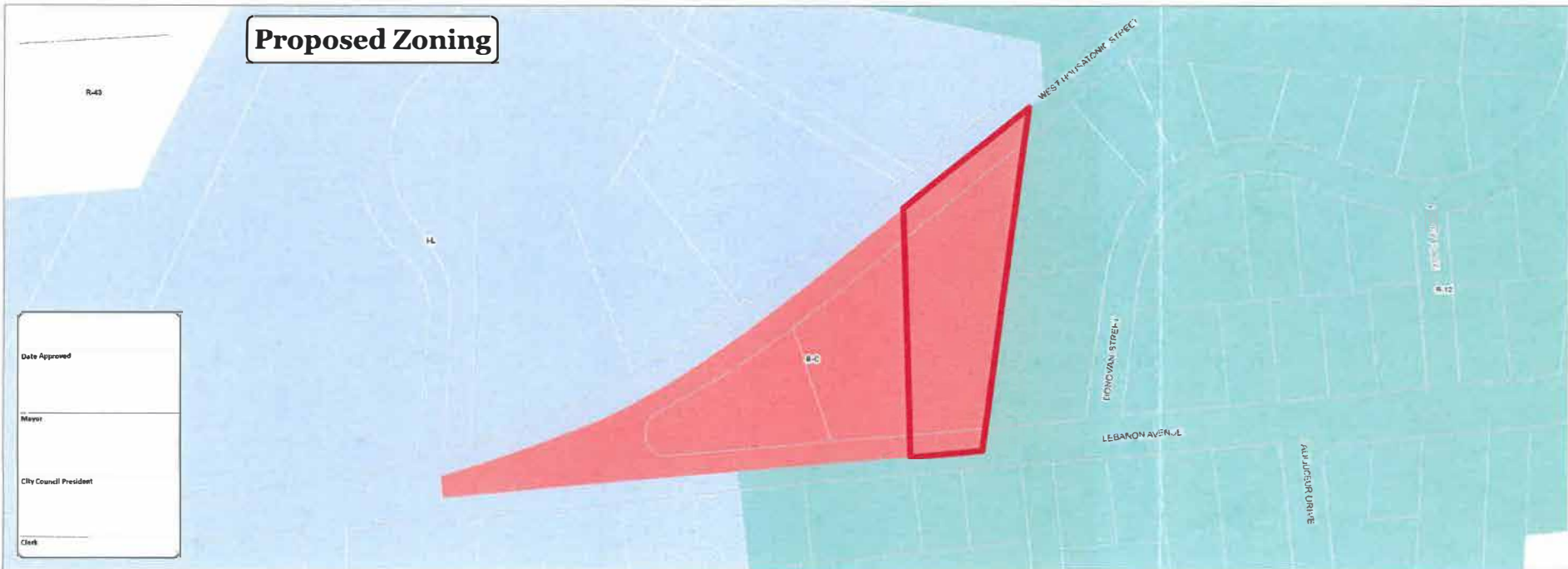
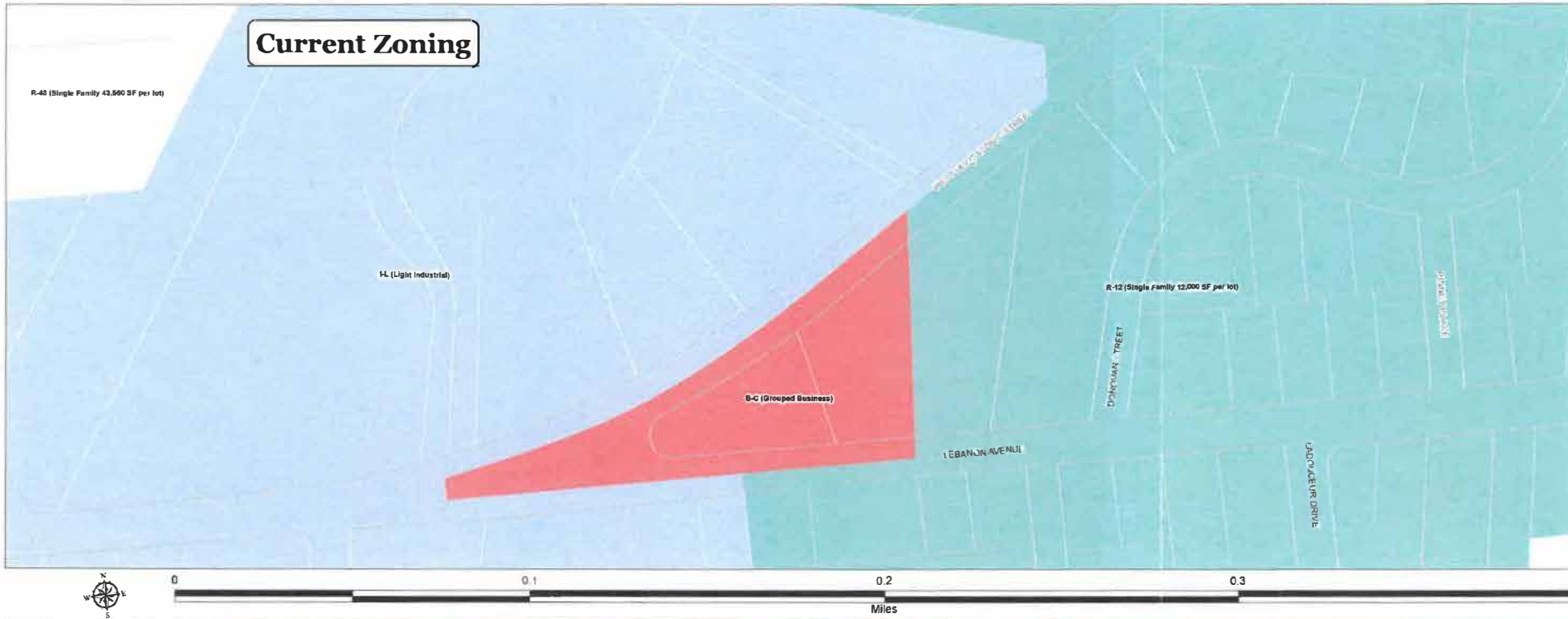


Exhibit B – Property Maps

A. Zoning Map Overlay



B. Satellite Map Image





CITY OF PITTSFIELD

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

November 16, 2022

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

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

Dear Councilors:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Justine Dodds", is written over a light blue horizontal line.

Justine Dodds
Director



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2022 OCT 12 AM 8:44

10/11 2022

To the City Council of the City of Pittsfield

The undersigned respectfully

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

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Charles I. Kronick", written over a horizontal line.

Charles I. Kronick

Councilor Ward 2



CITY OF PITTSFIELD

OFFICE OF THE CITY SOLICITOR, CITY HALL, 70 ALLEN STREET, SUITE 200, PITTSFIELD, MASSACHUSETTS 01201
TEL (413) 499-9352
FAX (413) 499-9354

November 22, 2022

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

Dear Councilors:

On November 15th, 2022, the City Council voted to refer to this office a petition from Councilor Warren requesting a Special Act to amend Article 7, Section 7-6 of the City Charter authorizing the City Council to enter into multi-year independent audit contracts.

Proposed language for such a Special Act is attached.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen Pagnotta". The signature is stylized and somewhat cursive.

Stephen Pagnotta

SNP/hlg

An Act Amending Article 7, Section 7-6 of the Charter the City of Pittsfield by deleting Section 7-6 in its entirety and inserting the following Section 7-6 in its stead:

SECTION 7-6 INDEPENDENT AUDIT.

The city council shall annually provide for an outside audit of the books and accounts of the city to be conducted by a certified public accountant or a firm of certified public accountants, which has no personal interest, direct or indirect, in the fiscal affairs of the city or any of its officers.

The mayor shall annually provide to the city council a sum of money sufficient to satisfy the estimated cost of conducting the audit as presented to the mayor, in writing, by the city council.

The city council may award a one year or multiple year contract to audit and such award shall be made by the city council on or before September 15 of the first year of the contract year. The report of the audit shall be filed in final form with the city council not later than March 1 in the year following its award. At least every five years, the city council shall conduct a competitive procurement process to retain these auditing services.

All contracts for audit services entered into or executed by the city before the effective date of Special Act shall be valid and enforceable.



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 NOV -8 PM 11:56

November 08 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the City Council approve and refer to State Representative Tricia Farley Bouvier and the newly elected State Senator Paul Marks to file the necessary Special Act to amend the City of Pittsfield’s Charter to reflect the determination that the City may enter into multiple year contracts not exceeding 3 years for the provision of independent audit services. A draft of the language is as follows:

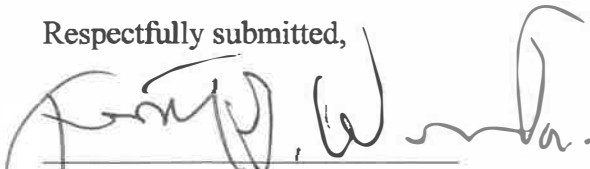
SECTION 1. Section 7-6 of said Article 7 of said Section 22 of said Chapter 72 of the Acts of 2013 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:-

The award of a 3-year contract to audit shall be made by the city council on or before September 15 of every third year.

SECTION 2. EFFECT ON PRIOR CONTRACTS - All contracts for audit services entered into or executed by the city before the adoption of this amendment charter shall be enforced and shall continue without abatement and remain unaffected by any charter provision to the contrary.

SECTION 3. This act shall take effect upon its passage.

Respectfully submitted,



Kenneth G. Warren Jr.
Ward 1 City Councilor



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

January 31, 2022

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

Dear Councilors:

On December 15th, 2021 the following matter was referred to this office:

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

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

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

The City Council’s role is:

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

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

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

Respectfully submitted,

Stephen N. Pagnotta
City Solicitor



City of Pittsfield

2021 DEC -8 PM 12:31

December 06 20 21

To the City Council of the City of Pittsfield:-

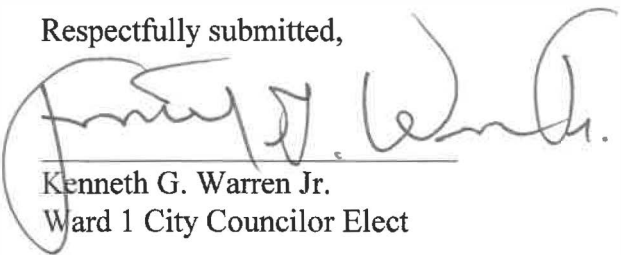
The undersigned respectfully

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

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

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

Respectfully submitted,



Kenneth G. Warren Jr.
Ward 1 City Councilor Elect



**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

TO: Members of the Pittsfield City Council
FROM: Michael Wynn, Chief of Police
RE: Requested Bodyworn Camera Status Report
DATE: October 20, 2022

c: FILE
Mayor's Office
City Clerk's Office
Solicitor's Office

Councilors,

In response to Councilor Kavey's petition, the Department has prepared the following timeline and status update regarding our bodyworn camera (BWC) implementation program:

Since March 2022 the Pittsfield Police Department (PPD) has undertaken a systematic process to implement the use of Body Worn Cameras (BWCs) by Pittsfield Police officers during the course of their official duties. Between March and May 2022 department commanders, IT personnel, trainers, and other stakeholders identified three preferred vendors of BWCs to evaluate and consider for implementation within the department. Those three vendors (Axon, BodyWorn, and WatchGuard) were selected based on reputation, compatibility with existing evidence management platforms and communications equipment, vendor responsiveness, and technical support.

Once these vendors had been identified, department personnel began meeting with vendor representatives to examine the cameras, learn about their capabilities and limitations, explore storage/records management platforms, and design a testing and evaluation period. Simultaneously, department personnel also began drafting a temporary policy to utilize during the testing and evaluation period and pursuing grant funding to offset the cost of fully implementing a body worn camera program within the department:

The following timeline outlines department activities toward implementing a BWC

program since March:

3/29/2022 Introductory meeting with BodyWorn (Utility) tech rep (multiple departments)
4/26/2022 Watchguard (Motorola) Evidence Management System Meeting/Demonstration
5/17/2022 Watchguard (Motorola) Command Central Evidence Web Demonstration
Introductory Meeting with Axon tech rep
6/1/2022 BodyWorn (Utility) product review
6/15/2022 Watchguard (Motorola) product demonstration
6/20/2022 Axon Road Show product demonstration, Pittsfield
7/14/2022 BodyWorn (Utility) product demonstration
7/21/2022 Axon Digital Evidence Management System demonstration
8/2/22 Commonwealth Law Enforcement Body Camera Task Force Recommended Regulations finalized
8/3/2022 Axon Testing and Evaluation (T&E) request paperwork signed and submitted
8/11/2022 Temporary BWC policy (T&E period) submitted for internal review (Lexipol sample policy)
Axon T&E cameras received
8/12/2022 PPD Grants Administrator begins Law Enforcement Body-worn Camera state grant application
8/17/2022 BodyWorn (Utility) T&E request paperwork signed and submitted
Patrol union responds with requested policy revisions
8/25/2022 LE Body Camera TF recommendation received
9/1/2022 State LE BWC grant application submitted
9/14/2022 Council petition for status report received
9/22/2022 Temporary policy 2nd draft circulated
10/3/2022 Temporary policy agreed upon by internal stakeholders
Initial request for T&E volunteer participants made
10/11/2022 BodyWorn (Utility) request for expanded T&E response received (pending due diligence)
10/13/2022 Eight (8) initial pilot participants selected
Temporary pilot policy issued
10/15/2022 Pilot participants receive initial BWC training

Axon T&E is tentatively scheduled to begin in the next 4 days

At the time of this report, the department anticipates beginning the Axon T&E period within the next 4 days. We are awaiting confirmation from BodyWorn (Utility) that they will agree to our request for an enhanced T&E trial. WatchGuard (Motorola) has been dropped from consideration due to lack of vendor responsiveness, comparable data storage cost, and negative reviews.



RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2022 AUG 15 PM 4:08

CITY OF PITTSFIELD

CITY COUNCIL, CITY HALL, 70 ALLEN STREET, PITTSFIELD, MASSACHUSETTS 01201

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the Police Chief report back to the Council on the status of the implementation of body cameras for Pittsfield Police Officers.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patrick Kavey".

Patrick Kavey
Ward 5 Councilor



City of Pittsfield

RECEIVED CITY CLERK
CITY OF PITTSFIELD, MA

2022 OCT 12 AM 8:44

10/11 2022

To the City Council of the City of Pittsfield

The undersigned respectfully

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

Respectfully Submitted,

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

Charles I. Kronick

Councilor Ward 2



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 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 act as follows:

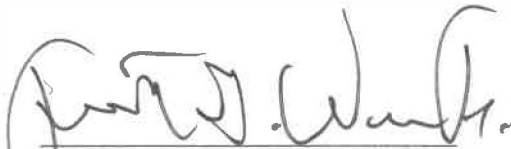
1. Contact our state delegation of Sen. Elect Paul Mark and Representative Tricia Farley-Bouvier to notify them of our position on the negative health effects of cell tower radiation and request that they seek the establishment of a Joint Committee to study this issue in the upcoming session and make recommendations for state actions to be taken.

This is similar to the actions taken by the New Hampshire Legislature who released their findings and report on November 1, 2020.

Respectfully submitted,



 James Conant
 Ward 4 City Councilor



 Kenneth G. Warren Jr.
 Ward 1 City Councilor



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 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 act as follows:

1. Go on record in support of seeking the FCC to respond to the U.S. Court of Appeals for the District of Columbia Circuit mandate in Environmental Health Trust et al. v. the FCC (August 13, 2021) by refreshing the FCC record by reopening Docket 13-84 in order to update the evidence since December 2019. In support please find letter to the FCC attached as EXHIBIT A.
2. Contact our federal delegation of Sen. Elizabeth Warren, Sen. Edward Markey, and Representative Richard Neal to notify them of our position. In support please find letter attached as EXHIBIT B.
3. Refer to Mayor Linda Tyer to send the above letters on behalf of the City. If Mayor Linda Tyer does not intend to send such communications, then City Council President Peter Marchetti is authorized to transmit said letters.

Respectfully submitted,



 James Conant
 Ward 4 City Councilor



 Kenneth G. Warren Jr.
 Ward 1 City Councilor

EXHIBIT A

The Honorable Jessica Rosenworcel, Chairwoman
Federal Communications Commission
445 12th Street, SW.
Washington, DC 20554

RE: Requesting update of the FCC's rules and regulations for radiofrequency emissions— specifically the impact to children and their environment

Dear Chairwoman Rosenworcel,

We are writing to request on behalf of the City of Pittsfield and other constituents regarding that your Commission act regarding the mandate in the [judgment](#) by the U.S. Court of Appeals for the District of Columbia Circuit in Environmental Health Trust et al. v. the FCC on August 13, 2021.

We, like municipal leaders nationwide, are faced with questions regarding cell tower health effects and we have no report or federal safety evaluation to provide in response to their questions. Our community has constituents who have become ill with symptoms that our Board of Health has determined to be likely caused by the cell tower radiofrequency radiation emissions.

When public health agencies are approached for help they point to the FCC regulations. Yet the Commission's human exposure limits for radiofrequency have not been updated since 1996 and it is unclear what health agency is researching cell tower radiation health and safety issues or monitoring the ambient exposures and providing oversight regarding wireless company infrastructure.

It is critical that there be up to date examination of its wireless radiofrequency radiation regulations. The FCC Docket 13-84 ("Reassessment of FCC Radiofrequency Exposure Limits and Policies") should be refreshed to ensure all the latest science is included.

A 2020 [GAO Report on wireless technology](#) noted that federal agencies have only reviewed a subset of the relevant research.¹ In addition to cancer, numerous studies link exposure to effects such as impacts to memory, brain development, reproduction, headaches, sleep and other neurological effects and these issues need to be thoroughly evaluated.

We believe the FCC must ensure relevant U.S. health and environmental agencies have properly systematically reviewed the science that relates to their respective expertise, perform hazard/risk analysis, and offer science-based policy recommendations to ensure the public and our children's future is protected. Relevant agencies include the Environmental Protection Agency, the U.S. National Toxicology Program, National Institute for Occupational Safety and Health, the National Academy of Sciences, and various institutes at the National Institute of Health, including the National Institutes of Environmental Health Science and Child Health and Human Development. Federal developed health based safety limits should be developed to ensure the public is protected.

The current expansion of wireless technologies -- which is now forecast to include nearly a million cell towers, including many lining the streets of residential neighborhoods-- underlines the urgency of the FCC's soliciting the thorough review by U.S. expert agencies.

We urge you to:

- Respond to the Court mandate by refreshing the FCC record by reopening Docket 13-84 in order to update the evidence since December 2019.
- Request that U.S. health and environmental agencies systematically review the science relevant to their expertise, perform hazard/risk analysis, and submit science-based recommendations on the adequacy of FCC's RFR exposure limits to protect humans, wildlife, and the natural environment.
- Request that the EPA assess hazard, risk and the adequacy of the FCC's exposure limits by using methods of environmental toxicology in reviewing long-term chronic exposure levels to humans, wildlife, and the environment.
- Request that regulatory safeguards and oversight mechanisms are added including environmental monitoring of RF levels in communities, surveillance for health effects and research characterizing daily exposures from numerous wireless networks in home, work and recreation areas.

We thank you for your attention and response to this critical request.

¹ US Government Accountability Office, 5G Wireless: Capabilities and Challenges for an Evolving Network. U.S. GAO. (November 24, 2020) <https://www.gao.gov/products/gao-21-26sp>

EXHIBIT B

RE: Requesting update of the FCC's rules and regulations for radiofrequency emissions— specifically the impact to children and their environment

We are writing to request that you contact the FCC on behalf of the City of Pittsfield and other constituents regarding their lack of action regarding the mandate in the judgment by the U.S. Court of Appeals for the District of Columbia Circuit in Environmental Health Trust et al. v. the FCC on August 13, 2021.

Municipal leaders nationwide are faced with questions regarding cell tower health effects and we have no report or federal safety evaluation to provide in response to their questions. Our community has constituents who have become ill with symptoms that our Board of Health has determined to be likely caused by the cell tower radiofrequency radiation emissions.

When state public health agencies are approached for help they point to the FCC. Yet FCC human exposure limits for radiofrequency have not been updated since 1996 and it is unclear what health agency is researching cell tower radiation health and safety issues or monitoring the ambient exposures and providing oversight regarding wireless company infrastructure.

It is critical that there be up to date examination of its wireless radiofrequency radiation regulations. The FCC Docket 13-84 ("Reassessment of FCC Radiofrequency Exposure Limits and Policies") should be refreshed to ensure all the latest science is included.

A 2020 GAO Report on wireless technology noted that federal agencies have only reviewed a subset of the relevant research.¹ In addition to cancer, numerous studies link exposure to effects such as impacts to memory, brain development, reproduction, headaches, sleep and other neurological effects and these issues need to be thoroughly evaluated.

The FCC must ensure relevant U.S. health and environmental agencies have properly systematically reviewed the science that relates to their respective expertise, perform hazard/risk analysis, and offer science-based policy recommendations to ensure the public and our children's future is protected. Relevant agencies include the Environmental Protection Agency, the U.S. National Toxicology Program, National Institute for Occupational Safety and Health, the National Academy of Sciences, and various institutes at the National Institute of Health, including the National Institutes of Environmental Health Science and Child Health and Human Development. Federal developed health based safety limits should be developed to ensure the public is protected.

¹US Government Accountability Office, 5G Wireless: Capabilities and Challenges for an Evolving Network. U.S. GAO. (November 24, 2020) <https://www.gao.gov/products/gao-21-26sp>

The current expansion of wireless technologies -- which is now forecast to include nearly a million cell towers, including many lining the streets of residential neighborhoods-- underlines the urgency of the FCC's soliciting the thorough review by U.S. expert agencies.

We urge you to ask the FCC to:

- Respond to the Court mandate by refreshing the FCC record by reopening Docket 13-84 in order to update the evidence since December 2019.
- Request that U.S. health and environmental agencies systematically review the science relevant to their expertise, perform hazard/risk analysis, and submit science-based recommendations on the adequacy of FCC's RFR exposure limits to protect humans, wildlife, and the natural environment.
- Request that the EPA assess hazard, risk and the adequacy of the FCC's exposure limits by using methods of environmental toxicology in reviewing long-term chronic exposure levels to humans, wildlife, and the environment.
- Request that regulatory safeguards and oversight mechanisms are added including environmental monitoring of RF levels in communities, surveillance for health effects and research characterizing daily exposures from numerous wireless networks in home, work and recreation areas.

We thank you for your attention and response to this critical request.



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 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 act as follows:

1. Contact the Massachusetts Municipal Association (MMA) and Mayor Linda Tyer who is the President of the Statewide Mayors' Association and North Adams City Councilor Lisa Blackmer who is the President of the Statewide City Councillors' Association to seek their assistance and action concerning solutions and legislation for municipalities in dealing with negative health effects of cell tower radiation to include but not be limited to:
 - a. A resolution in support of the City's position;
 - b. Communicating their support to the FCC;
 - c. Communicating their support to the federal delegation;
 - d. Communicating their support to the National League of cities.FCC.

Respectfully submitted,

James Conant
Ward 4 City Councilor

Kenneth G. Warren Jr.
Ward 1 City Councilor



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 NOV 21 PM 12:35

November 18 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the City Council act as follows:

1. Go on record in opposition to Eversource's November 14, 2022 request for and electric rate increase beginning in January, 2023 to the legal extent possible. (It is believed that the docket number is D.P.U. 22-BSF-B4).
2. Contact the state DPU to notify them of our opposition. This portion should be referred to City Solicitor Stephen Pagnotta to draft the appropriate communication.
3. Contact Atty. Gen. Maura Healy (Gov. Elect) to notify them of our opposition. This portion should be referred to City Solicitor Stephen Pagnotta to draft the appropriate communication.
4. Refer to Mayor Linda Tyer to send the above letters on behalf of the City. If Mayor Linda Tyer does not intend to send such communications, then City Council President Peter Marchetti is authorized to transmit said letters.

Respectfully submitted,

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

Kenneth G. Warren Jr.
Ward 1 City Councilor



City of Pittsfield

RECEIVED
CITY OF PITTSFIELD
NOV 21 7:12:35

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.

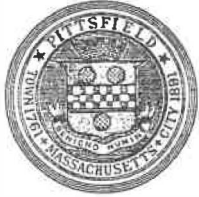
The gist of this proposal is based on the suggestion of Berkshire Eagle columnist Mitchell Chapman who referenced a program in Ann Arbor Michigan.

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

Respectfully submitted,

Earl G. Persip III
City Councilor at Large

Kenneth G. Warren Jr.
Ward 1 City Councilor



RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
NOV 22 2022 PM 1:58

City of Pittsfield

November 22 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

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

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

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

Charles A. Munnich
Councilor, Ward 2



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA

2022 NOV 22 PM 1:58

November 22 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Requesting a report from the Pittsfield School Committee for the following information. Please report for each individual year 2019, 2020, 2021, 2022 Year To Date (YTD) the following:

Current number of students in PHS.

School dropout rate from 19-YTD.

Please provide this information as both rate and the number reported. Also requesting that this number be broken down by age, ethnicity, and gender.

Truancy reports 2019-2022 YTD

Please provide this information as both rate and the number reported. Also requesting that this number be broken down by age, ethnicity, and gender.

Mandatory Referral to Family Services 2019 - 2022 YTD

Number of students receiving mandatory referral to family services 2019 -2022 YTD. Also requesting that this number be broken down by age, ethnicity, and gender.

I thank you in advance for report.

*Charles L. Morish
Councillor, Ward 2*



City of Pittsfield

RECEIVED-CITY CLERK
CITY OF PITTSFIELD, MA
2022 NOV 22 PM 1:58

November 22 20 22

To the City Council of the City of Pittsfield:—

The undersigned respectfully

propose establishment of a Pittsfield History Month. Pittsfield has a long and esteemed history and has been the center for broad and unique contributions to Berkshire County, Massachusetts, and our Republic. From our beginnings in the 1750s to the present our citizens have made their mark. They include the Revolutionary War, "Fighting Parson," Rev. Thomas Allen, Moby Dick author, Herman Melville, champion of the rights of Civil War, black soldiers, Reverend Samuel Harrison, foundational influence on our understanding of free speech, Supreme Court Justice, Oliver Wendell Holmes, all the way up to giants like the Armand and Donald Feigenbaum who revolutionized business and manufacturing systems worldwide and to Astronaut Stephanie Wilson. In short, it is time that we loudly applaud our remarkable history.

Charles D. Brown
Councillor, Ward 2