



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

October 9, 2012
#46

The North Adams City Council
Re: Hoosic River Revival

Dear Honorable Members:

The Hoosic River Revival has been working tirelessly over the past year towards both the revitalizing the Hoosic River in North Adams and protecting residents from the risk of flooding. The Hoosic River Revival is a community-based, non-profit, private organization composed of committed area residents.

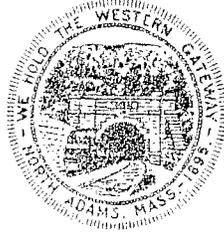
Judy Grinnell, President of the Hoosic River Revival, will give an approximately 20 minute PowerPoint update of the organization, its recent accomplishments, and the current status of the work being done by the River Revival Steering Committee with Milone & MacBroom. This 200 person consulting firm is composed of river restoration and urban design professionals who are advising and guiding the River Revival in this multi-faceted, long-term project.

Accompanying Ms. Grinnell to answer questions will be: Cindy Delpapa, a river ecologist with the MA Dept. of Fish & Game; Jim MacBroom Senior Vice-President of Milone & MacBroom; and Mark Arigoni, landscape architect with Milone & MacBroom

Respectfully Submitted,

Richard J. Alcombright
Mayor

RJA:ll



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

March 27, 2012
#10

The Honorable City Council
Re: Delinquent payments

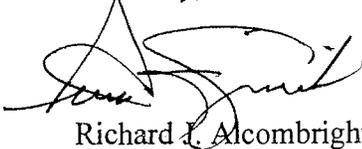
Honorable Members:

Several weeks ago Councilor Marden through Council requested information on delinquent taxes and other municipal payments. I have enclosed for your review three sheets outlining tax, excise, and water and sewer assessments and payments representing FY2007-FY2011.

As you will note, numbers have been fairly consistent but have trended downward over the past couple of years. Administrative Officer Canales has done much of this research and as part of this exercise, is examining not only fiscal trends but also policies and procedures surrounding collection efforts in the City.

Mr. Canales will discuss some of the details of the reports at the meeting but because of the complexity of the topic, I would ask that this be referred to Finance Committee for further discussion not only on the numbers but also on our recommendations for collection efforts going forward.

Sincerely,



Richard J. Alcombright
Mayor

RJA:ll



City of North Adams

In City Council

October 9, 2012

BE IT ORDAINED by the City Council of the City of North Adams as follows:

That Chapter 2 of the Revised Ordinances of the City of North Adams be and is hereby amend by adding a new section.

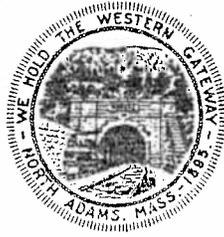
Sec 2-40.2. PAYMENT AGREEMENTS FOR TAX TITLE PROPERTIES

The City of North Adams authorizes payment agreements for property in tax title for periods up to five years and authorizes the waiver of interest up to 50% percent as defined in this ordinance.

1. Eligible Tax Titles - The category or categories of tax titles eligible for payment plans are any commercial property, residential property, or industrial property in the City of North Adams
2. Agreement Term - a maximum term of 5 years.
3. Interest Waiver - The treasurer may waive up to 50% percent of the interest that has accrued in the tax title account, but only if the taxpayer pays off the delinquency according to the terms of the agreement. No taxes or collection costs may be waived.
4. Initial Payment - Taxpayers must pay at least 25 percent of the amount needed to redeem at the inception of the agreement, *i.e.*, before any waiver that applies upon payment in compliance with the agreement.

Treasurer's Obligations

1. Agreement - The treasurer must offer a payment agreement to every owner of a property in tax title that is within the category of eligible properties under the terms of this ordinance. The treasurer cannot refuse to enter into agreements with eligible taxpayers. The agreement must be in writing and signed by the taxpayer(s) and treasurer. It must include the amount due upon execution and a schedule of remaining payments. It should also clearly state the consequences for failure to adhere to the agreement.
2. Foreclosure - The treasurer may not bring an action to foreclose a tax title subject to an agreement so long as (a) payments are being made in accordance with the schedule provided in the agreement and (2) no other charges constituting liens on the property become delinquent, *i.e.*, the taxpayer is current on subsequently assessed taxes and charges.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

October 9, 2012
#44

The North Adams City Council
Re: Acceptance of Zamboni

Dear Honorable Members:

Williams College has offered to donate a 1968 Zamboni HD, serial number HDA976, to the City of North Adams to be used as the backup at the Ice Rink. This recently refurbished unit has been inspected by the city and is a significant improvement over the current backup at the rink. Under Massachusetts General Law Chapter 44, Section 53A 1/2, the City Council at its sole discretion can accept a gift of tangible private property, therefore I, Mayor Richard Alcombright, ask that the City Council authorize me to accept this gift on behalf of the City of North Adams.

Respectfully Submitted,

Richard J. Alcombright
Mayor

RJA:ll



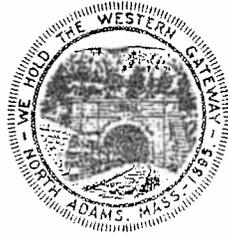
City of North Adams

In City Council

October 9, 2012

Ordered:

That the Mayor of the City of North Adams be and is hereby authorized to accept a gift of a 1968 Zamboni from Williams College.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

October 9, 2012
#45

The North Adams City Council
Re: Acceptance of iPad2

Dear Honorable Members:

Last year at a conference Kathleen Wall, the MIS Director, won an iPad2 (Part Number - MC954LL/a, Serial Number - DN6GLXFDFHW) from Ayacht Technology Solutions, LLC as part of a randomly drawn door prize. Massachusetts Ethic laws do not allow the individual to keep the item due to its value and the fact that it comes from a specific vendor. Therefore, under Massachusetts General Law Chapter 44, Section 53A 1/2, the City Council at its sole discretion can accept a gift of tangible private property. Therefor I, Mayor Richard Alcombright, ask that the City Council authorize me to accept this item as a gift on behalf of the City of North Adams.

Respectfully Submitted,



Richard J. Alcombright
Mayor

RJA:ll



City of North Adams

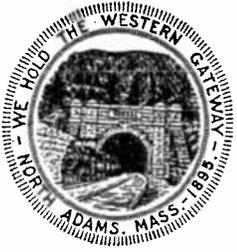
In City Council

October 9, 2012

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Ordered:

That the Mayor of the City of North Adams be and is hereby authorized to accept a gift of an iPad2 from Ayacht Technology Solutions, LLC.



City of North Adams

In City Council

October 9, 2012

Ordered:

That the City Clerk is hereby directed to cause to be published and posted as provided in Section 63 of Chapter 54 of the General Laws, the following notice of election:

STATE ELECTION

November 6, 2012

City of North Adams, Massachusetts

In accordance with the provisions of Chapter 54 of the General Laws, notice is hereby given that meetings of the citizens of North Adams, qualified to vote, will be held on Tuesday, the sixth day of November 2012, in the following places, namely:

- Ward 1. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 2. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 3. Saint Elizabeth's Parish Center, St. Anthony Drive
- Ward 4. Greylock School, Upper Phelps Avenue Entrance
- Ward 5. Saint Elizabeth's Parish Center, St. Anthony Drive

The polls will be opened at 7:00 o'clock in the forenoon, and closed at 8:00 o'clock in the afternoon; and all voters will, in the several wards in which they are entitled to vote, between said hours, give in their votes for:

ELECTORS OF PRESIDENT AND VICE PRESIDENT
SENATOR IN CONGRESS
REPRESENTATIVE IN CONGRESS
COUNCILLOR
SENATOR IN GENERAL COURT

REPRESENTATIVE IN GENERAL COURT
CLERK OF COURTS
REGISTER OF DEEDS

FOR THIS COMMONWEALTH
FOR THIS COMMONWEALTH
FIRST DISTRICT
FIRST DISTRICT
BERKSHIRE, HAMPSHIRE FRANKLIN
& HAMPDEN DISTRICT
FIRST DISTRICT
BERKSHIRE COUNTY
NORTHERN BERKSHIRE DISTRICT

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would prohibit any motor vehicle manufacturer, starting with model year 2015, from selling or leasing, either directly or through a dealer, a new motor vehicle without allowing the owner to have access to the same diagnostic and repair information made available to the manufacturer's dealers and in-state authorized repair facilities.

The manufacturer would have to allow the owner, or the owner's designated in-state independent repair facility (one not affiliated with a manufacturer or its authorized dealers), to obtain diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

The manufacturer would have to provide access to the information through a non-proprietary vehicle interface, using a standard applied in federal emissions-control regulations. Such information would have to include the same content, and

be in the same form and accessible in the same manner, as is provided to the manufacturer's dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would require a manufacturer of motor vehicles sold in Massachusetts to make available for purchase, by vehicle owners and in-state independent repair facilities, the same diagnostic and repair information that the manufacturer makes available through an electronic system to its dealers and in-state authorized repair facilities. Manufacturers would have to make such information available in the same form and manner, and to the same extent, as they do for dealers and authorized repair facilities. The information would be available for purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For vehicles manufactured from 2002 through model year 2014, the proposed law would also require manufacturers to make available for purchase, by vehicle owners and in-state independent repair facilities, all diagnostic repair tools, incorporating the same diagnostic, repair and wireless capabilities as those available to dealers and authorized repair facilities. Such tools would have to be made available for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For all years covered by the proposed law, the required diagnostic and repair information would not include the information necessary to reset a vehicle immobilizer, an anti-theft device that prevents a vehicle from being started unless the correct key code is present. Such information would have to be made available to dealers, repair facilities, and owners through a separate, secure data release system.

The proposed law would not require a manufacturer to reveal a trade secret and would not interfere with any agreement made by a manufacturer, dealer, or authorized repair facility that is in force on the effective date of the proposed law. Starting January 1, 2013, the proposed law would prohibit any agreement that waives or limits a manufacturer's compliance with the proposed law.

Any violation of the proposed law would be treated as a violation of existing state consumer protection and unfair trade-practices laws.

A YES VOTE would enact the proposed law requiring motor vehicle manufacturers to allow vehicle owners and independent repair facilities in Massachusetts to have access to the same vehicle diagnostic and repair information made available to the manufacturers' Massachusetts dealers and authorized repair facilities.

A NO VOTE would make no change in existing laws.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would allow a physician licensed in Massachusetts to prescribe medication, at a terminally ill patient's request, to end that patient's life. To qualify, a patient would have to be an adult resident who (1) is medically determined to be mentally capable of making and communicating health care decisions; (2) has been diagnosed by attending and consulting physicians as having an incurable, irreversible disease that will, within reasonable medical judgment, cause death within six months; and (3) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would ingest the medicine in order to cause death in a humane and dignified manner.

The proposed law would require the patient, directly or through a person familiar with the patient's manner of communicating, to orally communicate to a physician on two occasions, 15 days apart, the patient's request for the medication. At the time of the second request, the physician would have to offer the patient an opportunity to rescind the request. The patient would also have to sign a standard form, in the presence of two witnesses, one of whom is not a relative, a beneficiary of the patient's estate, or an owner, operator, or employee of a health care facility where the patient receives

treatment or lives.

The proposed law would require the attending physician to: (1) determine if the patient is qualified; (2) inform the patient of his or her medical diagnosis and prognosis, the potential risks and probable result of ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consulting physician for a diagnosis and prognosis regarding the patient's disease, and confirmation in writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient for psychiatric or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) recommend that the patient notify next of kin of the patient's intention; (6) recommend that the patient have another person present when the patient ingests the medicine and to not take it in a public place; (7) inform the patient that he or she may rescind the request at any time; (8) write the prescription when the requirements of the law are met, including verifying that the patient is making an informed decision; and (9) arrange for the medicine to be dispensed directly to the patient, or the patient's agent, but not by mail or courier.

The proposed law would make it punishable by imprisonment and/or fines, for anyone to (1) coerce a patient to request medication, (2) forge a request, or (3) conceal a rescission of a request. The proposed law would not authorize ending a patient's life by lethal injection, active euthanasia, or mercy killing. The death certificate would list the underlying terminal disease as the cause of death.

Participation under the proposed law would be voluntary. An unwilling health care provider could prohibit or sanction another health care provider for participating while on the premises of, or while acting as an employee of or contractor for, the unwilling provider.

The proposed law states that no person would be civilly or criminally liable or subject to professional discipline for actions that comply with the law, including actions taken in good faith that substantially comply. It also states that it should not be interpreted to lower the applicable standard of care for any health care provider.

A person's decision to make or rescind a request could not be restricted by will or contract made on or after January 1, 2013, and could not be considered in issuing, or setting the rates for, insurance policies or annuities. Also, the proposed law would require the attending physician to report each case in which life-ending medication is dispensed to the state Department of Public Health. The Department would provide public access to statistical data compiled from the reports.

The proposed law states that if any of its parts was held invalid, the other parts would stay in effect.

A YES VOTE would enact the proposed law allowing a physician licensed in Massachusetts to prescribe medication, at the request of a terminally-ill patient meeting certain conditions, to end that person's life.

A NO VOTE would make no change in existing laws.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

SUMMARY

This proposed law would eliminate state criminal and civil penalties for the medical use of marijuana by qualifying patients. To qualify, a patient must have been diagnosed with a debilitating medical condition, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific debilitating medical condition and would likely obtain a net benefit from medical use of marijuana.

The proposed law would allow patients to possess up to a 60-day supply of marijuana for their personal medical use. The state Department of Public Health (DPH) would decide what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the

physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to \$500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical purposes; (3) not allow the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana; (4) not require any health insurer or government entity to reimburse for the costs of the medical use of marijuana; (5) not require any health care professional to authorize the medical use of marijuana; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

The proposed law would take effect January 1, 2013, and states that if any of its part were declared invalid, the other parts would stay in effect.

A YES VOTE would enact the proposed law eliminating state criminal and civil penalties related to the medical use of marijuana, allowing patients meeting certain conditions to obtain marijuana produced and distributed by new state-regulated centers or, in specific hardship cases, to grow marijuana for their own use.

A NO VOTE would make no change in existing laws.

QUESTION 4: THIS QUESTION IS NON BINDING

Shall the State Senator from this district be instructed to vote in favor of a resolution calling upon Congress to propose an amendment to the U.S. Constitution affirming that (1) corporations are not entitled to the constitutional rights of human beings, and (2) both Congress and the States may place limits on political contributions and political spending?