

CITY OF NORTH ADAMS  
City Clerk's Office  
December 5, 2013

I hereby notify you that at twelve noon today the following items of business have been filed with this office and will be acted upon at the meeting in the City Council Chambers at City Hall, Tuesday evening December 10, 2013 at seven-thirty o'clock according to Section 8, Rules and Orders of the City Council.  
Marilyn Gomeau  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL  
December 10, 2013

Roll Call

Moment of silent prayer

The Pledge

Hearing of Visitors

Approval of the minutes of regular meeting held on November 26<sup>th</sup>.

**PUBLIC HEARING**

**8717-33** Mayor's communication #37-a recommending the percentages of tax levy to be borne by the various classes of real property.

**CLOSE PUBLIC HEARING**

**11,313-1** Mayor's communication #38 requesting budget reduction for FY'14.

**11,313-1** An Order amending the FY'14 budget to \$36,235,804.00 less the amount of estimated revenue to reduce the tax rate.

**11,313-2** An Order appropriating the sum of \$15,000.00 from Municipal Tech to MIS, Data Processing for the purpose of reducing the amount to be raised by taxation.

**11,313-3** An Order appropriating the sum of \$93,000.00 from Landfill Reserve Account to Department of Public Safety, Health Inspections for the purpose of reducing the amount to be raised by taxation.

**11,313-4** Mayor's communication #39 regarding Overlay Surplus Account-budget.

**11,313-4** An Order appropriating the sum of \$132,080.00 from the Overlay Surplus Account to Department of Public Safety, Fire for the purpose of reducing the amount to be raised by taxation.

**8717-33a** Mayor's communication #37a requesting the tax classification for FY'14.

- 8717-33-a** An Order establishing the percentages of tax levy for the various classes of property for FY'14.
- 11,342** Mayor's communication #40 regarding the adoption of the Qualified Bond Act.
- 11,342** An Order accepting Chapter 44A of the MGL State Qualified Act.
- 11,343** Mayor's communication #41 regarding an appropriation from the Overlay Surplus Account.
- 11,343** An Order appropriating the sum of \$51,570.00 from the Overlay Surplus Account to General Government, Cyclical Inspection.
- 11,344** Mayor's communication #42 regarding Medical Marijuana Moratorium.
- 11,344** An Order imposing a Moratorium for Medical Marijuana Facilities.

**CORRESPONDENCE  
LICENSES**

**COUNCILLOR'S & MAYOR'S CONCERNS  
OPEN FORUM**



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

December 10, 2013

#38

The Honorable City Council  
Re: FY2014 Budget Reductions

Dear Honorable Members:

As you know, the City budget was passed last June with a deficit of some \$335,005. As I explained at that time, the budget would be balanced through the continued utilization of reserves and possibly some mid-year cuts.

The paper before you is representative of \$18,000 in cuts as well as \$240,080 to be used from other accounts to bring the budget into balance prior to setting our tax rate for FY 2014. As you can see in the order, the accounts are being pulled from are the Transfer Station Reserve, Municipal Technology Account, and Overlay Surplus. This year, Free Cash was \$0 as our FY2013 budget was completely spent and as you may recall, we utilized reserves to cover some overruns. Our current budget revenue projections are conservative however I do not feel comfortable with projecting increases in any specific revenue line items at this time.

Our Country, State and City continue to face significant fiscal challenges. Chaos at the Federal level will continue to put pressure on local budgets and the resulting ability to provide services.

I, along with Administrative Officer and Auditor, will be at the meeting to answer any questions.

I respectfully request adoption.

Sincerely,

Richard J. Alcombright  
Mayor

RJA:ll



# City of North Adams

In City Council

December 10, 2013

Ordered:

That the following changes be and are hereby made in the FY2014 Municipal Budget as passed by the City Council on June 26, 2013 , for the purpose of reducing the budget as follows:

1. GENERAL GOVERNMENT

MIS

Expenses

Data Processing reduced to \$ 99,551.00

2. DEPARTMENT OF PUBLIC SAFETY

Fire

Salaries

Fire Fighters reduced to \$733,764.00

Health Inspection Services

Transfer Station

Trash Removal Services reduced to \$757,000.00

3. DEPARTMENT OF PUBLIC SERVICES

Engineering

Salaries

Engineer reduced to \$ 7,373.00

Recapitulation Sheet

1. GENERAL GOVERNMENT reduced to \$1,195,857.00
  
2. DEPARTMENT OF PUBLIC SAFETY reduced to \$4,358,026.00
  
3. DEPARTMENT OF PUBLIC SERVICES reduced to \$3,044,924.00

AND BE IT FURTHER ORDERED: That the sum of THIRTY-SIX MILLION FOUR HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED EIGHTY-FOUR DOLLARS (\$36,493,884.00) as it appears in Council Paper # 11,313 be amended to read as follows: THIRTY-SIX MILLION TWO HUNDRED THIRTY FIVE THOUSAND EIGHT HUNDRED FOUR DOLLARS (\$36,235,804.00)



# City of North Adams

In City Council

December 10, 2013

Ordered:

That the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) be and is hereby appropriated from the Municipal Tech Fund to:

1. GENERAL GOVERNMENT

MIS

Expenses

Data Processing                      \$15,000.00



# City of North Adams

In City Council

December 10, 2013

Ordered:

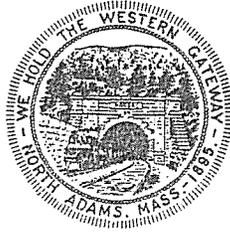
That the sum of NINETY THREE THOUSAND DOLLARS (\$93,000) be and is hereby appropriated from the Landfill Reserve Account to:

2. DEPARTMENT OF PUBLIC SAFETY

HEALTH INSPECTION SERVICES

Transfer Station

Trash Removal Services                      \$93,000.00



CITY OF NORTH ADAMS, MASSACHUSETTS

December 10, 2013

#39

The Honorable City Council  
Re: Overlay Surplus - Budget

Office of the Mayor  
Richard J. Alcombright

Dear Honorable Members:

Please be advised that the Board of Assessors is declaring an overlay surplus in the fiscal years as follows:

FY 2006	\$25.68
FY 2007	\$99.55
FY 2008	\$1,305.92
FY 2009	\$9,040.62
FY 2010	\$58,369.89
FY 2011	\$42,382.43
<u>FY 2012</u>	<u>\$20,855.91</u>
TOTAL	\$132,080.00

An overlay surplus results when any balance in the overlay account of a given year is in excess of the amount remaining to be collected or abated. All or a portion of that surplus amount is eligible to be transferred to an overlay surplus account by the Board of Assessors. Once the funds have been transferred they can be appropriated by the City Council for any lawful purpose.

We are asking that the amount of \$132,080 be appropriated to cover the costs of Firefighters.

I respectfully request adoption.

Sincerely,

Richard J. Alcombright  
Mayor

RJA:II



# City of North Adams

In City Council

December 10, 2013

Ordered:

That the sum of ONE HUNDRED THIRTY TWO THOUSAND AND EIGHTY DOLLARS (\$132,080) be and is hereby appropriated from the Overlay Surplus Account to:

2. DEPARTMENT OF PUBLIC SAFETY

FIRE

Salaries

Fire Fighters

\$132,080.00



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

December 10, 2013

#37-a

To: North Adams City Council  
Re: Tax Classification – FY2014

Dear Honorable Members:

Tonight you will be voting on establishing the CIP shift which sets the percentages of tax levy of the different classes of property; residential as well as commercial, industrial and personal property (CIP).

Within the attached tax package, you will find all pertinent information as to process, valuations, tax rates and tax levies, (current and historic). As in past years, I will review the information and the City Assessor and Administrative Officer will be available at the meeting to aid in answering any questions.

Based on factored assumptions, the FY2014 tax levy will be \$14,434,111, an increase in levy of 5.37% over FY2013 which represents the legislated 2.5% increase plus new growth of \$393,604. I am recommending that we maintain the CIP shift at 1.71. The increase in rates (per \$1000 valuation) is as follows:

- Residential – from \$15.30 to \$15.93  
(A \$91.95 increase on the average single family home valued at \$135,833)
- CIP – from \$33.95 to \$34.55

As we establish this CIP shift tonight, we are assuring our community that we will be able to provide services at acceptable levels. Unfortunately and despite best efforts, we have not fully reduced our deficit and will be asking for reductions in the budget to set these rates. This will set us up for yet another challenging FY2015 budget cycle.

I respectfully ask for your support of this tax package.

Sincerely,

Richard J. Alcombright  
Mayor



# City of North Adams

In City Council

December 10, 2013

**Ordered:**

That the Board of Assessors be and is hereby authorized to establish the following percentage of tax levy for the following classes of property for Fiscal Year 2014:

Class 1 – Residential	60.7025%
Class 2 – Open Space	0.0%
Class 3 – Commercial	26.8287%
Class 4 – Industrial	5.8805%
Class 5 – Personal Property	6.5883%

AND BE IT FURTHER ORDERED: That a residential factor of .788150 be employed.

## SETTING THE TAX RATE

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The process of setting the tax rate involves a number of steps. Assessors first determine the value of each parcel of property and classify all property into four classes of real and personal property. The classes of real property are residential, open space, commercial and industrial. Once Assessors have calculated the total assessed value of all real and personal property, they submit the Total Valuation of all property (FORM LA-4) to the Division of Local Services. The Division determines and computes the minimum residential factor for the community. This information is sent to the Board of Assessors on the Minimum Residential Factor Computation Form (FORM LA-7) with a blank copy of the Tax Allocation Form (FORM LA-5). There must then be a public hearing to decide whether or not all classes of property should be taxed at the same rate.

Chapter 40, Section 56 allows communities to tax commercial and industrial real property and personal property at a higher rate than residential and open space real property. At the public hearing, the Board of Assessors presents information on the fiscal effects of the various alternatives. After input from interested citizens, the Board of Selectmen, Town Council, or the City Council, with approval from the Mayor, makes the decision of whether to tax all classes of property at the same rate.

Chapter 3 of the Acts of 2004 provides relief for those communities in which the maximum shift results in a residential share which is larger than that of the prior year. For those communities, the limits have been raised. They may increase the C.I.P. share of the levy by 175.000% if the residential class is not reduced to less than 50% of its share. This new residential share cannot be less than the residential share in any year since the community's values were first certified at full and fair cash value.

City of North Adams

Assessed Values by Class

VALUATION BASE SINCE 2010

CLASS:	2010	2011	2012	2013	2014
Class 1 Residential	\$562,104,232	\$551,223,772	\$551,439,312	\$ 50,494,039	\$ 550,177,979
Class 2 Open Space *	\$ -	\$ -			
Class 3 Commercial	\$ 05,965,641	\$ 05,006,719	\$102,416,830	\$ 103,891,550	\$ 112,075,190
Class 4 Industrial	\$ 5,940,412	\$ 25,366,412	\$24,956,712	\$ 24,596,362	\$ 24,565,662
Class 5 Personal Property	\$ 33,173,180	\$ 32,759,040	\$27,022,460	\$ 31,263,993	\$ 27,521,697
<b>TOTAL</b>	<b>\$ 27,183,465</b>	<b>\$ 14,355,943</b>	<b>\$705,835,314</b>	<b>\$710,245,944</b>	<b>\$ 714,340,528</b>

**CLASS 1**

- Based upon a residential factor of one, (meaning signal tax rate), the anticipated FY 2014 tax rate would be \$20.21/1000 value. The average signal family tax bill would be \$2,745.18 an increase of 32.50%.

TAX RATE RECAPITULATION INFORMATION

CITY OF NORTH ADAMS – Property Tax Levy

The property tax levy is the revenue a community can raise through real & personal property taxes.

**YEAR OVER YEAR COMPARISON OF VALUATIONS & TAX LEVIES  
SINCE 2004**

<u>YEAR</u>	<u>VALUATION</u>	<u>TAX LEVY</u>
2004	\$507,137,872	\$8,555,000
2005	\$553,363,255	\$8,856,420
2006	\$598,703,101	\$9,199,382
2007	\$659,151,904	\$9,652,561
2008	\$722,842,694	\$10,552,561
2009	\$731,941,734	\$11,052,561
2010	\$727,183,465	\$11,601,589
2011	\$714,355,943	\$12,854,165
2012	\$705,835,314	\$13,241,152
2013	\$710,245,944	\$13,698,055
<b>2014</b>	<b>\$714,340,528</b>	<b>\$ 14,434,111</b>

Massachusetts Department of Revenue  
 Division of Local Service  
 Municipal Databank / Local Aid Section (source)

FY2014 Average SIGNAL FAMILY Tax Bill

FY14 Average Residential Tax Bill Increase			
<b>FY14</b>			
\$357,376,200.00	Residential Value		
\$2,631.00	Parcel count		
\$135,832.84	Av Res value		
15.93/1000			
<b>\$2,163.82</b>	<b>Av Res Tax</b>	<b>(at 1.71 CIP Shift)</b>	
<b>FY13</b>			
\$367,456,000.00	Residential Value		
\$2,634.00	Parcel count		
\$135,328.36	Av Res value		
15.31/1000	FY13 Tax rate		
<b>\$2,071.87</b>	<b>Av Res Tax</b>		
The increase in the average tax bill will be approx \$91.95 or 4.44%			<b>(1.71 CIP)</b>

City of North Adams  
Relationship of Class Values

ASSESSED VALUATIONS - FY2013 VS. FY2014

	FY13	FY14	INCR/ DECR
Class 1 Residential	\$550,494,039	\$550,177,979	\$(316,060)
Class 2 Open Space	\$ -	\$ -	\$ -
Class 3 Commercial	\$103,891,550	\$112,075,190	\$8,183,640
Class 4 Industrial	\$24,596,362	\$24,565,662	\$(30,700)
Class 5 Personal Property	\$31,263,993	\$27,521,697	\$(3,742,296)
<b>TOTAL</b>	<b>\$710,245,944</b>	<b>\$714,340,528</b>	<b>\$4,094,584</b>

This hearing requires a vote on the ADOPTION OF A RESIDENTIAL FACTOR pursuant to MGL Chapter 40 Sec. 56.

Below are factor & tax option to consider:  
Tax burden CIP shift can be up to 175%.

### RESIDENTIAL FACTOR

#### Fiscal Year 2014 tax Rate Options

CIP Shift	Res Factor	Share Percentages						Levy Amounts						Estimated Tax Rates				
		Res	OS	Com	Ind	PP	Total	Res	OS	Com	Ind	PP	Total	Res	OS	Com	Ind	PP
1.71	78.815	60.7025	0	26.8287	5.8806	6.5882	100	8,761,866	0	3,872,490	848,808	950,946	14,434,111	15.93	0	34.55	34.55	34.55

CIP Shift	Res Factor	Share Percentages						Levy Amounts						Estimated Tax Rates				
		Res	OS	Com	Ind	PP	Total	Res	OS	Com	Ind	PP	Total	Res	OS	Com	Ind	PP
1.72	78.5166	60.4727	0	26.9856	5.915	6.6267	100	8,728,695	0	3,895,136	853,772	956,508	14,434,111	15.87	0	34.75	34.75	34.75
1.73	78.2182	60.2429	0	27.1425	5.9493	6.6652	100	8,695,524	0	3,917,783	858,735	962,069	14,434,111	15.8	0	34.96	34.96	34.96
1.74	77.9198	60.0131	0	27.2994	5.9837	6.7038	100	8,662,353	0	3,940,429	863,699	967,630	14,434,111	15.74	0	35.16	35.16	35.16
1.75	77.6214	59.7833	0	27.4563	6.0181	6.7423	100	8,629,182	0	3,963,075	868,663	973,191	14,434,111	15.68	0	35.36	35.36	35.36

## TAX BASE GROWTH SUMMARY - FISCAL 2014

New construction, additions, alternations and business improvements.

	Allowable Adjustments	Value X Tax Rate
Residential	\$ 1,744,580	\$ 26,692
Open Space	\$ -	-
Commercial	\$ 9,204,935	\$ 303,303
Industrial	\$ 1,000	\$ 33
Personal Property	<u>\$ 1,929,490</u>	\$ 63,577
<b>TOTAL NEW GROWTH</b>	<b>\$ 12,880,005</b>	<b>\$ 393,604</b>

*New growth value based upon FY2013 tax rates of \$15.30 for R & O and \$32.95 C.I.P.*

## TAX RATES SINCE FISCAL 2004

FISCAL YEAR	R&O	C.I.P.
2004 (Reval Year)	13.28	27.50
2005	12.22	28.76
2006	11.57	28.98
2007 (Reval Year)	11.13	26.62
2008	11.32	26.72
2009	11.71	27.03
2010 (Reval Year)	12.44	27.92
2011	14.00	31.49
2012	14.82	32.83
<b>2013 (Reval Year)</b>	<b>15.30</b>	<b>33.95</b>
<i>2014</i>	<i>15.93</i>	<i>34.55</i>

R & O = RESIDENTIAL AND OPEN SPACE

C.I.P. = COMMERCIAL, INDUSTRIAL AND PERSONAL PROPERTY

IF A SINGLE TAX RATE WERE CHOSEN FOR FY 2014 IT WOULD BE \$20.21

THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF REVENUE  
FISCAL 2014 TAX LEVY LIMITATION FOR  


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**NORTH ADAMS**  


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FOR BUDGET PLANNING PURPOSES

**I. TO CALCULATE THE FY 2013 LEVY LIMIT**

A. FY 2012 Levy Limit	13,244,834
A1. ADD Amended FY 2012 Growth	<u>0</u>
B. ADD (IA + IA1) * 2.5%	<u>331,121</u>
C. ADD FY 2013 New Growth	<u>122,100</u>
C1. ADD FY 2013 New Growth Adjustment	<u>0</u>
D. ADD FY 2013 Override	<u>0</u>
E. FY 2013 Subtotal	<u>13,698,055</u>
F. FY 2013 Levy Ceiling	<u>17,756,149</u>

I. \$13,698,055  
FY 2013 Levy Limit

**II. TO CALCULATE THE FY 2014 LEVY LIMIT**

A. FY 2013 Levy Limit from I.	<u>13,698,055</u>
A1. ADD Amended FY 2013 Growth	<u>0</u>
B. ADD (IIA + IIA1) * 2.5%	<u>342,451</u>
C. ADD FY 2014 New Growth	<u>393,605</u>
C1. ADD FY 2014 New Growth Adjustment	<u>0</u>
D. ADD FY 2014 Override	<u>0</u>
E. FY 2014 Subtotal	<u>14,434,111</u>
F. FY 2014 Levy Ceiling	<u>17,858,513</u>

II. \$14,434,111  
FY 2014 Levy Limit

**III. TO CALCULATE THE FY 2014 MAXIMUM ALLOWABLE LEVY**

A. FY 2014 Levy Limit from II.	<u>14,434,111</u>
B. FY 2014 Debt Exclusion(s)	<u>0</u>
C. FY 2014 Capital Expenditure Exclusion(s)	<u>0</u>
D. FY 2014 Stabilization Fund Override	<u>0</u>
E. FY 2014 Other Adjustment	<u>0</u>
F. FY 2014 Water / Sewer	<u>0</u>
G. FY 2014 Maximum Allowable Levy	<span style="border: 1px solid black; padding: 2px;">\$14,434,111</span>

**NOTE : The information is preliminary and is subject to change.**

DEPARTMENT OF REVENUE  
BUREAU OF ACCOUNTS  
CLASSIFICATION TAX ALLOCATION  
NORTH ADAMS

City / Town / District  
Fiscal Year : 2014

Return to : Bureau of Accounts, Boston, Springfield, Worcester

1. The selected Residential Factor is ----- 0.788150

If you desire each class to maintain 100% of its full values tax share,  
indicate a residential factor of "1" and go to question 3.

2. In computing your residential factor, was a discount granted to Open Space ?

Yes \_\_\_\_\_ No X

If Yes, what is the percentage discount ? \_\_\_\_\_

3. Was a residential exemption adopted ?

Yes \_\_\_\_\_ No X

If Yes, please complete the following :

Class 1 Total Assessed Value	=	550,177,979	X	0	=	
Class 1 Total Parcel Count *		0		Selected Res. Exemption %		Residential Exemption

\* Include all parcels with a Mixed-Use Residential designation

Applicable number of parcels to receive exemption 0

Net value to be exempted 0

4. Was a small commercial exemption adopted ?

Yes \_\_\_\_\_ No X

% Selected 0

If Yes, please complete the following :

No. of parcels eligible 0

Total value of parcels 0

Total value to be exempted \_\_\_\_\_

5. The following information was derived from the LA-7. Please indicate in column D percentages (accurate to 4 digits to the right of the decimal point) which result from your selected residential factor (If a residential factor of "1" has been selected you may leave Column D blank)

A	B	C	D
Class	Certified Full and Fair Cash Value Assessments	Percentage Full Value Shares of Total Tax Levy	New Percentage Shares of Total Tax Levy
Residential	550,177,979.00	77.0190 %	60.7025 %
Open Space	0.00	0.0000 %	0.0000 %
Commercial	112,075,190.00	15.6893 %	26.8287 %
Industrial	24,565,662.00	3.4389 %	5.8805 %
Personal Property	27,521,697.00	3.8528 %	6.5883 %
TOTAL	714,340,528.00	100.0000 %	100.0000 %

NOTE : The information is preliminary and is subject to change.

6. I hereby attest that notice was given to taxpayers that a public hearing on the issue of adopting the tax levy percentages for fiscal year 2014 would be held on (date), (time), at (place), by (describe type of notice).

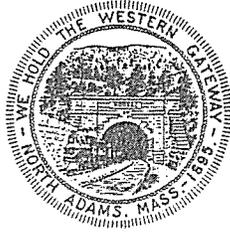
\_\_\_\_\_  
City/Town/District Clerk

7. We hereby attest that on (date), (time), at (place) a public hearing on the issue of adopting the percentages for fiscal year 2014, that the Board of Assessors presented information and data relevant to making such determination and the fiscal effect of the available alternatives at the hearing and that the percentages set forth above were duly adopted in public session on (date).

8. The LA-5 excess capacity is calculated as 5,103.13  
We have been informed by the Assessors of excess levy capacity of 0

For cities : City Councilors, Aldermen, Mayor  
For towns : Board of Selectmen  
For districts : Prudential Committee or Commissioners

_____	_____	_____
	(Date)	(Comments)
_____	_____	_____
	(Date)	(Comments)
_____	_____	_____
	(Date)	(Comments)
_____	_____	_____
	(Date)	(Comments)
_____	_____	_____
	(Date)	(Comments)
_____	_____	_____
	(Date)	(Comments)



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

December 10, 2013

#40

The Honorable City Council  
Re: Qualified Bond Act

Dear Honorable Members:

It has been practice for the past year and a half to place language on all borrowings allowing us to use the State Qualifying Bond Program. That said there are still a number of bonds that have been in the form of BAN's (Bond Anticipation Notes) and will be transferred into permanent bonds prior to the city including that language..

Chapter 44A establishes the State Qualified Bond Act. This law permits cities, towns and regional school districts to issue general obligation bonds payable from state appropriations for Local Aid. The State Treasurer's Office administers the State Qualified Bond Program, serving as paying agent. The Division of Local Services within the Department of Revenue, working with the State Treasurer's Office, ensures Local Aid distributions are intercepted to fund the repayment of interest and principal on the outstanding bonds. Each city, town or regional school district must receive authorization to issue State Qualified Bonds by the Municipal Finance Oversight Board which is chaired by the State Auditor.

Given the strength of the program, bonds issued pursuant to it have received high credit ratings. The current ratings are 'Aa2' from Moody's and 'AA' from Standard & Poor's -- one rating notch off of the Commonwealth's own general obligation bond rating. It is in our best interest to include language to allow us to use this program in order to get the best possible interest rate on our borrowings.

I respectfully request adoption.

Sincerely,

Richard J. Alcombright  
Mayor

RJA:II



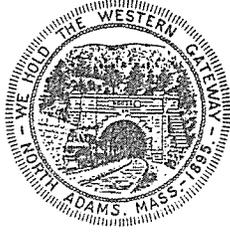
# City of North Adams

In City Council

December 10, 2013

Ordered:

That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Council as of the date hereof, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.



CITY OF NORTH ADAMS, MASSACHUSETTS

December 10, 2013

#41

The Honorable City Council  
Re: Overlay Surplus - Cyclical

Office of the Mayor  
Richard J. Alcombright

Dear Honorable Members:

Please be advised that the Board of Assessors is declaring an overlay surplus in the fiscal year as follows:

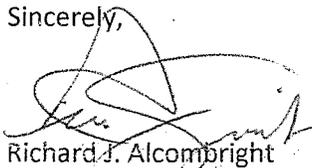
<u>FY 2012</u>	<u>\$51,570.00</u>
TOTAL	\$51,570.00

An overlay surplus results when any balance in the overlay account of a given year is in excess of the amount remaining to be collected or abated. All or a portion of that surplus amount is eligible to be transferred to an overlay surplus account by the Board of Assessors. Once the funds have been transferred they can be appropriated by the City Council for any lawful purpose.

We are asking that the amount of \$51,570.00 be appropriated to cover the second one third of the cost of the Cyclical Inspection mandated by the State of Massachusetts.

I respectfully request adoption.

Sincerely,

  
Richard J. Alcombright  
Mayor

RJA:II



# City of North Adams

In City Council

December 10, 2013

Ordered:

That a sum of Fifty One Thousand Five Hundred and Seventy Dollars (\$51,570) for the second third of the Cyclical Inspection be and is hereby appropriated from the Overlay Surplus Account to:

1. GENERAL GOVERNMENT

ASSESSOR

EXPENSES

OUTSIDE INSPECTION SERVICES \$51,570.00



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor  
Richard J. Alcombright

December 10, 2013

#42

To: North Adams City Council  
Re: Medical Marijuana Moratorium

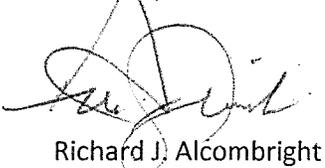
Dear Honorable Members:

Attached please find letter addressed to me dated December 5, 2013 from Planning Board Chairman Michael Leary as well as an order regarding a moratorium on locating any medical marijuana facilities in the City. Mr. Leary's letter and the order are self-explanatory.

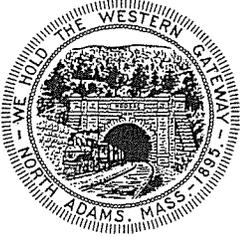
As there might be interest in a dispensary or growing facility in North Adams, the City needs to study the potential impact(s) of any facility allowed by the legislation. Please know that this is not a request to ban medical marijuana facilities as allowed by the law but will simply allow the City six months or so to develop zoning and/or other applicable regulations that appropriately address considerations consistent with the regulations.

I would ask the Council to adopt the order and refer back to the Planning Board and the "new" Councils General Government Committee for joint study on the issue. Thank you for your consideration.

Sincerely,



Richard J. Alcombright  
Mayor



*City of North Adams, Massachusetts*

PLANNING BOARD  
City Hall  
North Adams, Massachusetts 01247

December 5, 2013

Dear Mayor Alcombright:

On behalf of the North Adams Planning Board, I request that the North Adams City Council adopt an order imposing a six month moratorium on establishing a medical marijuana facility in North Adams.

I enclose a copy of a proposed order prepared by the City Solicitor for submission to the Council. As you will note the moratorium is intended to give the Planning Board and the Council the opportunity to study potential impacts of such a facility on adjacent uses and on general public, health, safety and welfare, and to develop zoning and or other appropriate regulations consistent with statewide regulations and procedures.

We look forward to working with your office and the City Council on this important matter.

Sincerely,

Michael Leary  
Chairman  
North Adams Planning Board



# City of North Adams

In City Council

December 10, 2013

Ordered:

**WHEREAS**, a law permitting the medical use of marijuana is in effect in the Commonwealth of Massachusetts; and in response thereto, the Massachusetts Department of Public Health has recently promulgated regulations by which facilities that produce and/or dispense medical marijuana shall be registered and administered (a "Facility"); and

**WHEREAS**, the North Adams Planning Board has requested that this Honorable Body impose a six month moratorium on the establishment of such a Facility in the City of North Adams so as to provide the Planning Board and this Honorable Body the opportunity to study the potential impacts of a Facility on adjacent uses and on general public health, safety and welfare, and to develop zoning and/or other applicable regulations that appropriately address considerations consistent with statewide regulations and permitting procedures.

**NOW THEREFORE**, it is ordered:

That the City impose a moratorium, effective upon the passage of this Order and to expire on the thirtieth day of June 2014, on the establishment of such a Facility in the City of North Adams so that the Planning Board and this Honorable Body have the time and opportunity to study the potential impacts of a Facility on adjacent uses and on general public health, safety and welfare, and to develop zoning and/or other applicable regulations that appropriately address considerations consistent with statewide regulations and permitting procedures.