

CITY OF NORTH ADAMS
City Clerk's Office
September 18, 2014

I hereby notify 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 September 23, 2014 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
September 23, 2014

Roll Call

Moment of silent prayer

The Pledge

Approval of the minutes of September 10th.

- 11,385** An Ordinance amending Chapter 13 entitled Motor Vehicles and traffic, Article IV, Operation of Vehicles, Section 13-26 entitled Special speed regulations, which was passed to a second reading and publish as required by law at the meeting of September 10th.
- 11,377** An Order authorizing the Mayor to petition for Special Legislation concerning a liquor license for Steeple City Liquor/V&V, which was postponed at the meeting of September 10th.
- 11,377-1** An Order accepting Chapter 138, section 15 of the MGL; Liquor License, Steeple City Liquor/V&V, which was postponed at the meeting of September 10th.
- 11,388** Communication submitted by Councilor Buddington regarding the Employee Handbook, which was postponed at the meeting of August 26th.
- 11,399** Communication submitted by Councilor Lamb regarding a local Historic District Commission, which was referred to the Community Development Committee and postponed at the meeting of August 12th.
- 11,212-1** Mayor's communication #45 regarding the Solar Project.
- 11,406** Mayor's communication #46 regarding MASS MoCA development on Marshall Street.
- 11,407** Mayor's communication #47 regarding the establishment of a Public Arts Commission.
- 11,407** An Ordinance amending Chapter 2 of the Revised Ordinances of the City of North Adams by adding a new section, Arts Commission.
- 11,408** Mayor's communication #48 regarding demand fees.
- 11,408** An Order authorizing the Tax Collector to establish a demand fee of \$15.00 under Chapter 60, Section 15 of the Massachusetts General Laws.

(over)

**CORRESPONDENCE
LICENSE**

An application submitted by Kevin Delisle, 150 Ashland Street to drive taxi for City Cab, Michael McMillian.

An application submitted by Anthony Girgenti, 1110 South Church Street to drive taxi for Tunnel City Taxi, Guy Cariddi.

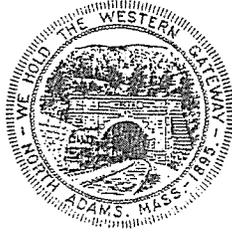
An application submitted by William LaPointe, 4 Seneca Drive to drive taxi for Tunnel City Taxi, Guy Cariddi.

An application submitted by Steven Gavazzi, 53 Dover Street to drive taxi for Tunnel City Taxi, Guy Cariddi.

An application submitted by Gwendolyn F. Cariddi, 211 Church Street to drive taxi for Tunnel City Taxi, Guy Cariddi.

An application submitted by Jimmy J. Lemieux, 15 Marietta to drive taxi for Tunnel City Taxi, Guy Cariddi.

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



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

September 23, 2014

#45

To: North Adams City Council
Re: Solar Project

Dear Honorable Councilors:

As you may know, I have been working on a solar project for the City for four years and I am very pleased to say that I am confident we will have an installation soon. Enclosed in your packet is a brief summary of the project.

Due to the complexities of site location, permitting, financing and many other things, this project has certainly had its ups and downs. I have not to this point brought significant information to Council purposefully, until I was certain the project was permitted and virtually ready to go. The array will be located on our capped landfill and has cleared all local permitting as well as permitting with the DEP.

Our partner, Borrego Solar, will be at the meeting to present this wonderful initiative that has the potential to save the City some \$200,000 in utility costs in the first year alone. In addition, members of our internal solar TEAM will be on hand. This is a presentation only as there would be no action to be taken by Council at this time.

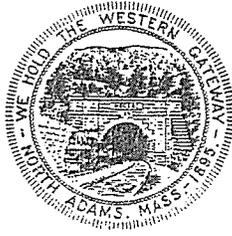
Councilors are certainly encouraged to ask any questions relative to the installation.

Sincerely,

Richard J. Alcombright
Mayor

E STREET LANDFILL SOLAR PROJECT OVERVIEW

Through an RFP process, the City selected Borrego Solar Systems, Inc. to design, permit, finance, construct, and operate and maintain a 3.5 MW solar array located on the city's E Street Landfill. The City has entered into a 20-year power purchase agreement to purchase the net metering credits produced by the operation of the system. Based on the current net metering credit rate, the first full year savings on the city's utility bills will be over \$200,000. The project has progressed through local and state permitting, has applied for a net metering allocation with the state, and is scheduled to start construction in October 2014. Borrego Solar is working with National Grid to interconnect the array in two phases, and the first phase permission to operate from the utility is expected in April 2015. At this point, the City will begin to earn net metering credits.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

September 23, 2014

#46

To: North Adams City Council
Re: MASS MoCA development on Marshall Street

Dear Honorable Members:

As you may or may not know, MASS MoCA has purchased the former Leu property on the Corner of Marshall and West Main Streets. The property has by vote of the MASS MoCA Commission, been placed under the ownership of the Commission.

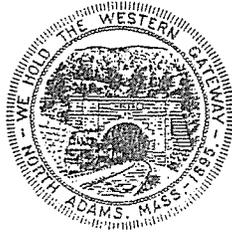
I will not get into the specifics of the project except to say that I think it has significant potential for the corridor and will assuredly create a new and welcome visibility from MoCA to our Downtown and back. In collaboration with MoCA, Mike Nuvalle and Mackenzie Greer working with the North Adams Partnership, have put forth a MassWorks Grant application to not only help with the costs of the project but create infrastructure enhancements within the West Main, Marshall and Center Street area.

I have asked Joe Thomson from MoCA to present the project in concept, additionally Mike Nuvalle and Mackenzie Greer to present the scope of the work within the grant. This project holds great promise for the Downtown and fits nicely with all that is moving forward with the proposed improvements at Heritage State Park.

I trust you will find this presentation both interesting and inspirational.

Sincerely,

Richard J. Alcombright
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

September 23, 2014

#47

To: North Adams City Council
Re: Public Arts Commission

Dear Honorable Members:

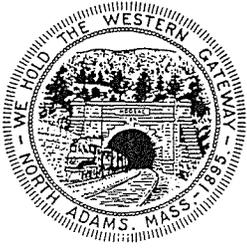
Over the years the City of North Adams has seen an increase the desire to establish public arts projects on public land. These efforts have included murals on buildings and bridges that have helped make our community more attractive, therefor enriching and enhancing the social and physical environment of the community. As more projects come forward I believe it is in the best interest of the community to have a formal process that can properly vet public arts projects

Over the past few months my staff, Mackenzie Greer, Michael Canales, and an Intern from MCLA Zachary Feury, has been working with interested artists, residents and individuals from surrounding communities in order to develop an ordinance for the establishment of a Public Arts Commission in our community. Through their efforts the following ordinance is being presented tonight.

I am asking the City Council to take this ordinance under consideration and refer it to General Government Committee for public discussion.

Respectfully submitted,

Richard J. Alcombright
Mayor



City of North Adams

In City Council

September 23, 2014

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 entitled "Administration" be and is hereby amended by adding the following new section:

ARTICLE XXXIV. NORTH ADAMS PUBLIC ARTS COMMISSION.

Sec. 2-173. Definitions

(a) Public Art – Any work of art that is visually accessible to the public and located on publically owned land or structures.

Sec. 2-174. Purpose; establishment

The City Council recognizes that the public display of the arts contributes to the enrichment and enhancement of the social and physical environment of the community and desires to foster an advancement of public art within the City of North Adams. Therefore there is hereby established a commission to be known as the Public Arts Commission.

Sec. 2-175. Membership; qualifications; appointment; terms; compensation; removal

The Public Arts Commission shall consist of seven members, five of whom shall have a vote and two of whom shall be ex-officio. The voting membership shall consist of people with qualified backgrounds in the one or more of, but not limited to, the following areas: the arts, art education, art criticism, museum curation, real estate development, architecture. The two ex-officio members shall represent the City at-large and offer advisement to the voting members as to how the public may react to the artistic design and location of proposed pieces of public art.

The Mayor shall devise a list of ten nominees for the five voting positions from which the City Council shall, as soon as may be, appoint, by a majority vote, to the Public Arts Commission to serve without compensation for the terms as follows: one to serve until the first day of May succeeding the appointment; one to serve until one year from said first of May; one to serve until two years from said first of May; one to serve until three years from said first of May; one to serve until four years from said first of May; and one to serve until five years from said first of May. Thereafter, prior to the first day of April in each year, the Mayor shall send in writing to

the City Council the names of at least two citizen of the city, and the City Council shall, from the persons so nominated, appoint to fill the expired term one member to serve for five years from the first day of May in that year or until a successor is qualified. The two ex-officio members shall be nominated by the Mayor and appointed by a majority vote of the City Council to serve without compensation for the terms as follows: one to serve until the first day of May succeeding the appointment; one to serve until one year from said first of May. Thereafter, prior to the first day of April in each year, the Mayor shall send in writing to the City Council the names of at least two citizen of the city, and the City Council shall, from the persons so nominated, appoint to fill the expired term one ex-officio member to serve for two years from the first day of May in that year or until a successor is qualified. The members so appointed may be removed by a vote of two thirds of the City Council.

Sec. 2-176. Organization; quorum.

Annually, at the first meeting following new appointments, the Public Arts Commission shall convene to elect a Chairman and a Vice-Chairman. The Chairman shall appoint, from the membership, a Secretary. A majority of the Commission shall serve as a quorum for the transaction of business.

Sec. 2-177. Meetings; rules.

The Public Arts Commission shall meet to discuss the application for and installation of public art or the ornamentation of public buildings and space as needed.

Sec. 2-178. Powers and duties.

The Public Arts Commission shall have the custody and care of all works of art owned by the city and heretofore under the control of any department thereof. No work of art shall become the property of the city by purchase, gift or otherwise, until it, or a design or model thereof, and the situation proposed therefore shall have been approved by the art commission, and no work of art, until approved by the art commission, shall be erected or placed in, over or upon, or allowed to extend in, over or upon any street, avenue, square, park or other property belonging to the city. The art commission may, order the removal; relocation or alteration of any existing work of art owned by the city, and no such work of art shall be removed, relocated or altered without such order and approval. No work of art or ornament shall be placed on any public ways or on any public lands, other than cemeteries, without approval of the Public Arts Commission.

The Public Arts Commission shall receive all applications for the public display of the arts in the City of North Adams. No work of art shall be displayed or removed without having first applied for and received permission from the Public Arts Commission nor should any work of art or

object of decoration shall be placed in or upon any public or municipal building or be removed, relocated or altered, unless the design thereof or the action to be taken therewith shall have been approved in writing by the Public Arts Commission, or unless said commission shall have failed to disapprove the same in writing within sixty days after its submission.

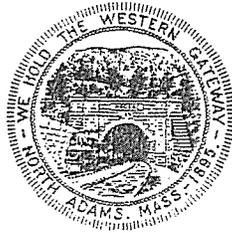
The art commission shall at the request of the mayor, study, consider and report upon the design of any municipal building, bridge, approach, fence or other structure erected or to be erected upon land belonging to the city, and upon the design of any arch, bridge, structure or approach which is the property of any person, firm or corporation, and extends in, over or upon any street, avenue, highway, park or public place.

The term "work of art", as used in this section shall apply to and include all paintings, mural decorations, statues, bas-reliefs, sculptures, monuments, fountains, arches, ornamental gateways and other structures of a permanent character intended for ornament or commemoration.

All contracts or orders for the execution of any painting, monument statue, bust, bas-relief or other sculpture for said city shall be made by the Public Arts Commission, acting by a majority of its voting members.

Sec. 2-179. Public hearings.

The Public Arts Commission shall hold public hearings at the urging of its ex-officio members to publically discuss potentially contentious issues in regards to public art installation and/or location.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

September 23, 2014

#48

The Honorable City Council
North Adams, Massachusetts

R: E: Demand Fees

Dear Honorable Members:

As a final measure in revenue plan submitted to the council last spring I am asking that the City Council vote to approve granting the Tax Collector the authority to establish a fee of fifteen dollars (\$15.00) for each written demand provided for by law.

Respectfully submitted,

Richard J. Alcombright
Mayor



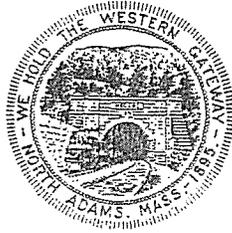
City of North Adams

In City Council

September 23, 2014

Ordered:

Pursuant to the authority contained in Chapter 60, Section 15 of Massachusetts General laws, the North Adams City Council approval is hereby granted to the Tax Collector to establish a fee of fifteen dollars (\$15.00) for each written demand provided for by law.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

September 23, 2014

#49

To: North Adams City Council
Re: Electrical Aggregation

Dear Honorable Members:

Over the past two years the City of North Adams has been in the process of having a Residential Electric Community Choice Aggregation Program approved by the state. In 1997 the commonwealth deregulated the electrical industry and local utility became wires only companies. Residents, corporations and municipalities were allowed to go out and purchase their electrical supply costs competitively. Larger companies and municipalities have taken advantage of this process for years in order to secure stable rates for a designated time period. We are now looking to allow the residents and our small businesses in the City of North Adams to have a chance to purchase their supply of electricity competitively.

Our Community Choice Aggregation Program will be able bring stability in the cost of electricity to our residents for a designated period of time. If residents or business without electric supply contracts are not interested in this program, or if the base rate offered by the local utility is lower, anyone can choose to opt-out of this program. This is why it is called a Community Choice Aggregation Program.

Working with nine other Berkshire County Communities we have recently locked in an electric rate of \$.12191 for the next year. This rate will go into effect for November 1, 2014 for all residents unless they opt-out of the program. Anyone opting out of the program will return to the basic service cost offered by National Grid which for the next six months, starting on November 1, 2014, will be \$.16182.

I will have Administrative Officer, Michael Canales, available at the meeting to answer any questions.

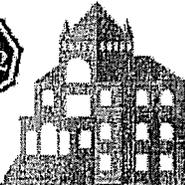
Respectfully submitted,

Richard J. Alcombright, Mayor

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HAMPSHIRE COUNCIL
OF GOVERNMENTS



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ELECTRICITY

Hampshire Power

Hampshire Power is the only non-profit, governmental, Massachusetts-based electricity supplier.

Hampshire Power specializes in Real-Time, Fixed-Rate products, and custom products to municipalities, schools, non-profits and businesses across Massachusetts.

Let us keep your energy dollars in your local economy!



Hampshire Power
Ann-Renee Larouche
arlarouche@hampshirecog.org

Tel: (413) 584-1300 x157
Fax: (413) 584-1465
[Hampshire Power website](http://www.hampshirepower.org)

Hampshire Council
of Governments

Old Courthouse
99 Main St.
Northampton, MA 01060

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Governments  

Utility Companies DOUBLE Electricity Rates

National Grid electricity supply rates are about to almost double to \$.16182/kWh effective October, 2014.

The rate increases:
Residential: up 95.5%
Commercial: up 95.1%
Industrial: up 120.2%

While WMECo has not yet announced its rate increases effective January, 2015, we expect WMECo's electricity rates to follow suit.

If you are currently on default rate with the Utility, let Hampshire Power secure a better rate for you. **TODAY!**

For more information, contact Ann-Renee Larouche at 413-584-1300 ext. 157 or arlarouche@hampshirecog.org

Fracked Natural Gas (and more pipelines) or New England Renewable Energy?

It's your choice:
What better way to divest from the fossil fuel industry than to buy your electricity through Hampshire Power's New England Green Product.

100% New England Renewable Energy for much less than you think!

We can ensure that 100% of your electricity needs are supporting New England renewable projects and not the big fossil fuel companies.

Hampshire Power:
Your local, not-for-profit, competitive electricity supplier with a commitment to providing our customers with electricity savings,

National Grid Residential Basic Service Rate

