



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

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 JUL -7 AM 9:51

July 12, 2022, at 6:00 p.m.

**AGENDA**

1. Open microphone
2. COVID Update
3. Approval of the June 14, 2022 minutes

**APPOINTMENTS**

4. A communication from Mayor Tyer appointing Abigail Allard to the Cultural Council
5. A communication from Mayor Tyer appointing Joseph Benjamin, Gary Bianchi, Marjo Catalano, Maureen Logan-Daniels, Bryan House, Darren Lee, Len Light, Cliff Nilan, and Councilor Earl Persip to the Wahconah Park Restoration Committee

**COMMUNICATIONS FROM HER HONOR THE MAYOR**

6. A communication from Mayor Tyer submitting an Order to enter into a five-year Fiber Optic Cable Agreement with the Town of Dalton
7. A communication from Mayor Tyer submitting an Ordinance amending Chapter 16, Human Resources, Section 16-13(b)(1), adjustment of compensation schedule
8. A communication from Mayor Tyer submitting an Ordinance amending Chapter 16, Human Resources, Section 16-13(b)(1), adjustment of compensation schedule to place a cap on the annual cost of living increase

**PUBLIC HEARING**

9. A public hearing on a petition from Verizon New England and NSTAR Electric requesting to install a jointly owned pole on East Housatonic Street

**COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND BOARDS**

10. A communication from Library Director Alex Reczkowski submitting a disclosure for Kelly Cusson
11. A communication from Matthew Kerwood, Chairman of the Pittsfield Retirement Board concerning a cost-of-living adjustment

**UNFINISHED BUSINESS**

12. 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*)

**NEW BUSINESS**

13. A petition from residents requesting a public hearing on the proposed changes to Deming Park and related infrastructure

**MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 27**

*Referred to the Commissioner of Public Services*

14. A petition from Councilors Kavey and Lampiasi requesting to explore municipal composting
15. A petition from Councilors Kavey and Lampiasi requesting a status update of the Cassella Waste Transfer Station

*Referred to the Pittsfield Housing Authority*

16. A petition from Alex Blumin requesting to make a rule to allow public comment at the Pittsfield Housing Authority meetings

**PITTSFIELD CITY COUNCIL  
REGULAR MEETING  
CITY COUNCIL CHAMBERS  
June 14, 2022, at 6:00 p.m.**

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

Present: Councilors Conant, Kalinowsky, Kavey, Kronick, Lampiasi, Maffuccio, Marchetti, Persip, Sherman, Warren and White

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

**AGENDA**

The microphone was opened to the public:

Zura Capelli, 37 Abbott Street. Discussed the case of Smith vs. Westfield and not having a deed. The appeals court upheld the property as a park. She hopes Springside Park will remain a park.

Linda Gamari, 61 Taylor Street. Discussed Virginia Smith and the case against Westfield who wanted to dedicate the Park as a School which was upheld by the appeals court.

Victor Capelli, 37 Abbott Street. Stated that during climate change we will run out of water. He stated that Springside Park can help with this problem as it gives Pittsfield oxygen and water.

Amelia Gilardi, 17 Alma Street. Discussed how sick she was when she lived there. She now lives elsewhere due to the symptoms of EHS. She asked for protection and awareness as June 16<sup>th</sup> is World EHS Day.

Ann Kerry, 17 Oliver Avenue. She is disappointed that the cease and desist order was rescinded. She stated that Shacktown has been thrown in limbo. This case should have gone to court. She is in support of item 32.

Amy Judd, Curtis Hotel, Lenox. Asked the council to take action to support those effected by cell tower radiation. She stated that the Shacktown neighborhood was abandoned.

Elaine Ireland, 15 Alma Street. She is exasperated on how she and the neighborhood have been ignored over the past several months. She is not willing to shut up and go home. She stated this could have been avoided.

William Coe, 118 Alma Ave. He is hopeful what they say is not background noise and hopes no other neighborhoods have to go through what they are going through.

Kenneth Duncan, 26 John Street. Is in support of the neighborhoods who live in the area of the 877 South Street cell tower. This is not just happening in Pittsfield. He also supports Police Body Cams.

Deb Chandler, 75 Hadley Village Road. Is in support of funding to support the residents of the 877 South Street cell towers. Why make 17 people move when you can move one tower. She would like to see the cease and desist order reinstated.

Charlie Herzig, 140 Plumb Street. Asked if the council read the data from the Health Department and find out the truth. If Verizon moves the cell tower it will make an impact. Read the data.

Courtney Gilardi, 17 Alma Street. She would like to go home. If the Council gave the Board of Health the funding she could be home by now. She is disappointed that the Board of Health rescinded the cease and desist order. She stated that there is a conflict of interest with Attorney Pagnotta and his firm's involvement.

President Marchetti called for a five minute recess. When Council returned he stated that Open Mic is a privilege and need to adhere to the three minute rule.

LaMarr Tally, 79 Lincoln Street. He is here to discuss affordable housing trust. He suggested that he should be on the Board of Directors and he expects an apology from the City of Pittsfield.

Jack Roy, 155 Balance Rock Road, Lanesboro. He is a firefighter who was injured in 2020. He is President of the Pittsfield Softball League. He recognized the girls on the Force softball league and is asking for support to compete at the title as it will cost \$42,000 for them to compete.

Joe Bradford, 124 Euclid Avenue. He does not drive and moves forward in his wheelchair. He has concerns are the crosswalks as some light remain green when he has the light to cross the street. He is in support of item 15.

Kayur Shaw, 24 Filomena Dr. Is against the ban of nips as they amount to 40% of their sales.

Pinal Shaw, 101 Leona Drive. He understands the issues of littering but he does not think banning nips will solve this issue. We need more recycling bins to help combat this issue.

Jigar Sineaza, 156 West Park Street, Lee. He does not think the ban of nips will solve this issue. If we lose this revenue we may go out of business or lay off people. He has arranged for a clean up with some distributors for a cleanup in Pittsfield.

Debbie Robitalle, 485 Crane Avenue. Manager of Liquors, Inc. on Dalton Avenue. They have signs in their stores encouraging people to be responsible. She is in support of a community cleanup. One distributor has committed to setting up receptacles outside of the businesses.

Dana Rasso, 38 Albro Street. Would like the Council to vote no on the budget tonight. Thousands of dollars could be used in support of youth and programs. She is against the \$12,000,000 directed to the Police Department.

Rinaldo DelGalo, 79 Nancy Avenue. He does not want to lose tonight. He would like to see his petition referred to the Green Commission for possible solutions.

Michael Hitchcock, 164 Skyline Trail. He discussed the population, registered voters and the population that votes. He suggested they meet with the grass roots committees. He is against the police budget and would like them to vote no on the budget.



Craig Gaetani, 1098 West Street. He would reduce every budget in the city by 20%. He stated he is the co-inventor of the water treatment plant. He can save the city \$84,000.00 and suggested that the council go and visit the plant. He is in support of Police Body Cameras. The budget should be voted down.

COVID Update by Director Cambi. We are seeing a decrease in daily rates and a downward trend. Vaccination rate 88% for one shot and 77% for more than one shot. The BMC hospitalization is at 7. We have many tests available to get us through the fall. Councilor Kavey asked if the Director could let the council know if they are having an out brake. Director Cambi said he will. *Councilor Maffuccio mad a motion to accept the presentation carried by a unanimous vote of all eleven members present.*

Approval of the May 24, 2022 minutes. *Councilor Maffuccio mad a motion to accept the presentation carried by a unanimous vote of all eleven members present.*

### **COMMUNICATIONS FROM HER HONOR THE MAYOR**

A communication from Mayor Tyer appointing Nicholas Leveque, Brandon Todd, Matthew Connor, Casey Gifford and Kyle Lussier as Permanent Firefighters with the Pittsfield Fire Department. *Councilor Maffuccio made a motion to accept the communication carried by a unanimous vote of all eleven members present.* Chief Sammons introduced the new firefighters.

A communication from Mayor Tyer submitting an Order to accept grant of funds in the amount of \$50,000.00 from the Massachusetts Trial Court, Office of the Commissioner of Probation. *Councilor Maffuccio made a motion to accept the communication carried by a unanimous vote of all eleven members present.*

A communication from Mayor Tyer submitting an Order to accept a grant of funds in the amount of \$205,089.00 from the Massachusetts Executive Office for Administration and Finance. *Councilor Maffuccio made a motion to approve.* Councilor Kalinowsky asked Director Steben if this grant would affect his budget. Director Steben said the anticipation of this grant led to the number presented to the council for security. This will help get fiber optics out to all four outlying fire stations to lower the cost of operations of other technology. *The motion to approve was carried by a unanimous vote of all eleven members present.*

A communication from Mayor Tyer submitting an Order to accept a grant of funds in the amount of \$653,013.22 from the Mass DOT Winter Recovery Assistance Program (WRAP). *Councilor Maffuccio made a motion to approve was carried by a unanimous vote of all eleven members present.*

A communication from Mayor Tyer submitting an Order raising and appropriating \$188,822,018.00 to fund the City's operating budget for the Fiscal Year 2023 beginning July 1, 2022. *Councilor Maffuccio made a motion to approve.* Councilor Kronick made a charter objection on behalf of Ward 2. President Marchetti explained if there is a charter objection on the budget order we cannot take it up until the June 28<sup>th</sup> meeting and the 45 days in the charter will have passed and the Mayor will have her original budget without the increases put forward by the council. He asked if that was really what he wanted. Councilor Kronick said it is. President Marchetti stated for the record there is a charter objection and the Mayor just got her budget.

A communication from Mayor Tyer submitting an Order appropriating \$1,000,000.00 from certified free cash to reduce the Fiscal Year 2023 Tax Rate. *Councilor Maffuccio made a motion to approve was carried by a unanimous vote of all ten members present as Councilor Persip was out of the room.*

Councilor Warren asked for a point of order on the previous budget order and charter objection. *President Marchetti read rule 33 of the Pittsfield City Council Rules and Orders:*

**Rule 33.** Charter Objection - On the first occasion that the question on adoption of a measure is put to the city council, if a single Councilor present objects to the taking of the vote, the vote shall be postponed until the next meeting of the city council, whether regular or special. If two Councilors present object, such postponement shall be until the next regular meeting.

Councilor Warren said if he understands correctly it will take two to go to the next regular scheduled meeting and with only one you can call a special meeting in between. At that time Councilor Maffuccio seconded the motion.

A communication from Mayor Tyer submitting an Order to transfer and appropriate \$50,000.00 from the Unclassified Budget to Workers' Compensation. *Councilor Maffuccio made a motion to refer to Finance that failed. A second motion to approve was carried by a unanimous vote of all eleven members present.*

A communication from Mayor Tyer submitting an Order to rescind \$1,547,045.44 of authorized but unissued debt. *Councilor Maffuccio made a motion to approve carried by a unanimous vote of all eleven members present.*

A communication from Mayor Tyer submitting an Order to pay previous year expenses in the amount of \$13,157.10. *Councilor Maffuccio made a motion to approve.* Councilor Kalinowsky asked the Commissioner about the accounts in question. Councilor Kalinowsky called the owner of the company and he stated the bill was paid for \$1,307.00. The Commissioner stated that the information in front of the Council is correct and we have to pay and he did not have an invoice for \$1,307.00. Councilor Kalinowsky asked the Council to take out \$1,045.00 from the Order. President Marchetti stated that the Council could not do that and he recommended to table and take it up in two weeks. Councilor Kalinowsky made a motion to table carried by a 9/2 roll call vote with Councilors Warren and White in opposition.

A communication from Mayor Tyer submitting an Order to transfer and appropriate \$400,000.00 from various accounts to the Department of Public Services to address the Snow and Ice account deficit. *Councilor Maffuccio made a motion to refer to the Finance Committee failed 8/3 with Councilors Maffuccio, Kalinowsky and Kronick in favor. Councilor Maffuccio made a motion to wave rule 27 carried by a unanimous vote of all eleven members present. Councilor Maffuccio made a motion to approve.* Councilor Kalinowsky asked Commissioner Morales how much we are in deficit for snow and ice. The Commissioner stated that we are in deficit for \$531,755.00 on the expense line item and \$129,000.00 on overtime line item totaling \$660,755.00. Councilor Kalinowsky asked if the grant for the WRAPS could be used. The Commissioner stated that grant if for repairing roads that were effected by harsh winter. *The motion to approve was carried by a unanimous vote of all eleven members present.*

## **PUBLIC HEARING**

A public hearing on an application for a Pawnbrokers and Secondhand Dealers License from PhoneBros, LLC for the purchase and sales of used electronics at 1575 West Housatonic Street, Pittsfield, MA. The meeting was opened to the petitioner. Paul Belanger 54 Ann Drive spoke on behalf of the petitioner. They have been in business for three years and it was brought to his attention that this license was needed. They will work together with the Pittsfield Police Department to get the proper software to track the items to insure they are not stolen. The public hearing was opened to the public to speak for or against the license for the first time, a second time and the third and final time. That portion of the meeting was closed. *Councilor Maffuccio made a motion to approve carried by a unanimous vote of all eleven members present.*

## **COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND BOARDS**

A communication from City Engineer McMordie on a petition requesting an update on pedestrian and driver safety improvements at the crosswalk in the vicinity of West Street and Center Street. *Councilor Lampiasi made a motion to accept the communication and place on file.* Councilor Lampiasi asked Engineer McMordie about the study and the changes implemented. Engineer McMordie stated that Fuss and O'Neal was hired to do an engineering study at the intersection. They found that it was dangerous for pedestrians crossing the intersections because there was a green light at the same time of green light. Two changes were implemented. It is called the leading pedestrian interval at the two intersections. One has a seven-second interval and the other a five-second interval. This gives the pedestrian five or seven seconds before the green light is activated. Councilor White asked about a right on red. Engineer McMordie there is a right on red and that is up to the drivers to watch out for pedestrians. Councilor Kalinowsky asked if seven seconds was enough time for someone who is handicapped. Ms. McMordie said it is the max time to delay which gives a slow walker or a handicapped person time. Four-seconds is an average walker. *The motion to approve was carried by a unanimous vote of all eleven members present.*

## **UNFINISHED BUSINESS**

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*)

The following was taken off the table.

A communication from the Pittsfield Board of Health concerning the investigation of health concerns reported by the residents that live near the cell tower at 877 South Street (*tabled April 26, 2022*) **Executive Session for purposes of litigation.** *Councilor Maffuccio made a motion to file carried by a 9/1 vote with Councilor Kalinowsky in opposition and Councilor Maffuccio abstaining.*

## **REPORTS OF COMMITTEES**

### **A report from the Traffic Committee**

A report from the Traffic Committee on a petition requesting the city install a No Thru Traffic sign at the intersection of Kittredge Road and Cheshire Road, recommending to file 3/0. *Councilor Maffuccio made a motion to accept the communication and place on file.* Councilor White asked Commissioner Morales why this is being filed. The Commissioner stated that there was no

representation at the meeting requesting the change. Councilor White will vote against this as the residents requested it. Commissioner Morales stated that there is little evidence that would prevent cars from entering. *The motion to place on file carried by a unanimous vote of all eleven members present.*

A report from the Traffic Committee on petition requesting a Stop sign installed at the corner of Wellington Avenue and Orchard Street, recommending to file 3/0. *Councilor Maffuccio made a motion to accept the communication and place on file carried by a unanimous vote of all eleven members present.*

A report from the Traffic Committee on petition from the business owners of North Street to limit metered parking on North Street to 3 hours, recommending to approve 3/0. *Councilor Maffuccio made a motion to accept the committee report and refer to the Commissioner carried by a unanimous vote of all eleven members present.*

*A report from the Committee of the Whole*

A report from the Committee of the Whole on three Orders related to the Community Preservation Fund Order 1: Amending Order 45 of the 2021 Series, appropriating \$974,480.93 for the FY22 Community Preservation Fund Budget, Order 2: Appropriating \$670,317.00 from the FY22 Community Preservation Fund Budget, Order 3: Appropriating \$818,435.44 for the FY23 Community Preservation Fund Budget, recommending to approve all three 10/0. *Councilor Maffuccio made a motion to accept the committee report carried by a unanimous vote of all eleven members present. The first order was approved by a unanimous vote of all eleven members present. The second order was approved by a unanimous vote of all eleven members present. The third order was approved by a unanimous vote of all eleven members present.*

A report from the Committee of the Whole on an Order authorizing the City Treasurer with the approval of the Mayor to borrow under provisions of MGL Chapter 44, and aggregate sum not exceeding \$9,327,000.00 for General Fund Capital Expenditures for Fiscal Year 2023, recommending to approve 9/2. *Councilor Maffuccio made a motion to approve. Councilor Kalinowsky stated that she voted against this and we need to cut back on things we do not need. Councilor Kronick stated he will vote against this item and the next one. The motion to approve was carried by a 9/2 vote with Councilors Kalinowsky and Kronick opposed.*

A report from the Committee of the Whole on an Order authorizing the City Treasurer with the approval of the Mayor to borrow under provisions of MGL Chapter 44, and aggregate sum not exceeding \$4,255,000.00 for Enterprise Fund Capital Expenditures for Fiscal Year 2023, recommending to approve 9/2. *Councilor Maffuccio made a motion to approve carried by a 9/2 vote with Councilors Kalinowsky and Kronick opposed.*

A report from the Committee of the Whole on an Order transferring and appropriating \$412,000.00 from the Public Works Stabilization Fund to the Department of Public Services, recommending to approve 11/0. *Councilor Maffuccio made a motion to approve carried by a unanimous vote of all eleven members present.*

A report from the Committee of the Whole on an Order authorizing the use and expenditure of the City's current revolving funds pursuant to MGL Chapter 44, Section 53E ½ for the Fiscal Year

2023, recommending to approve 10/0. *Councilor Maffuccio made a motion to approve carried by a unanimous vote of all eleven members present.*

A report from the Committee of the Whole on an Order appropriating \$202,000.00 for parking related expenditures pursuant to MGL Chapter 40, Sections 21A-22C for the Fiscal Year 2023 beginning July 1, 2022, recommending to approve 10/0. *Councilor Maffuccio made a motion to approve carried by a unanimous vote of all eleven members present.*

A report from the Committee of the Whole on an Order appropriating \$750,000.00 from certified free cash to reduce the Fiscal Year 2023 Tax Rate, recommending to add an additional \$250,000.00 and approve 6/4. *Councilor Maffuccio made a motion to place on file carried by a 10/1 vote with Councilor Warren in opposition.*

A report from the Committee of the Whole on an Order raising and appropriating \$188,706,018.00 to fund the City's operating budget for Fiscal Year 2023 beginning July 1, 2022, recommending to approve 8/3. *Councilor Maffuccio made a motion to accept the report and place on file carried by a 7/4 with Councilors Persip, Marchetti, White and Sherman in opposition.*

*A report from the Public Health and Safety Committee*

A report from the Public Health and Safety Committee on a petition requesting the annual update regarding Building 71 and Hill 78, recommending to accept the report and place on file 4/0. *Councilor Maffuccio made a motion to accept the report and place on file carried by a unanimous vote of all eleven members present.*

*A report from the Ordinances and Rules Committee*

A report from the Ordinances and Rules Committee on a petition requesting to ban the sale of "nip" bottles in the City of Pittsfield, recommending not to approve and send a letter to the members of the Berkshire Delegation 0/4. *Councilor Maffuccio made a motion to accept the committee report carried by a unanimous vote of all eleven members present. Councilor Maffuccio made a motion to approve for the purpose of this discussion.* Councilor Persip said the petitioner wanted this sent to the Green Commission for the purpose of solutions. He believes the only solution is for the state to institute a five-cent bottle deposit. He suggested the storeowners put pressure on the legislation to institute the change. He would support sending it to the Green Commission. If he had to vote tonight, he would vote to ban. Councilor Maffuccio said he is 50/50 on this item. The more he thought of this he would vote to approve this. Councilor Warren will vote against this. It needs to be a regional solution. One business owner is in favor of a five cent deposit. He would like to give the owners a chance. Councilor Kalinowsky will vote not to ban. They are on Route 7 and 41. People will go to other towns to purchase. The store owners are willing to work with us and they need to be given the chance. Councilor Kronick is against this. Blight is an issue but it may get worse if business go out of business. Councilor Sherman agreed nips are an issue but we should not hold business accountable for it. This is a state wide issue that needs to be looked at. He will not support going to the Green Commission. Councilor Persip said his point about the five cent deposit. He suggests to send to the Green Commission to keep the conversation going. Councilor White said we know what the issues and



solutions are. He does not believe this needs to go to the Green commission. A bottle bill may be the way to go. Councilor Persip said they are not recyclable we need to keep this on the table. If this goes away nothing happens. *The motion to refer to the Green Commission failed 3/8 with Councilors Maffuccio, Persip and Lampiasi in favor. Councilor Maffuccio made a motion to place on file. Charter Objection by Councilor Persip.*

A communication from Mayor Tyer submitting an Order to accept Massachusetts General Law, Chapter 44, Section 55C Municipal Affordable Housing Trust Fund and an Ordinance amending the City Code, Chapter 2, Administration to add Article LIII, Affordable Housing Trust Fund, recommending to accept MGL 44, Section 55C and to Ordain 4/0. *Councilor Maffuccio made a motion to accept the report carried by a unanimous vote of the ten members present, Councilor Sherman out of the room. Councilor Maffuccio made a motion to approve the Order carried by a unanimous vote of the ten members present, Councilor Sherman out of the room. Councilor Maffuccio made a motion to Ordain. Councilor Kronick asked Attorney Pagnotta if we can have a time limit on the Ordinance and revisit in two years. Attorney Pagnotta said a trust has to be created and approved by the council. In order to revoke the trust it would require a two-thirds vote of the council. It is within the power of the council to do but it creates more problems than it solves. President Marchetti stated that Section 2-319, duration of the trust, the duration shall be of indefinite duration, until terminated by a vote of the City Council. We or a future council already have the authority to terminate. The safety net is built-in. Councilor Kalinowsky asked Director Dodds if we already do some of this stuff in the city. Ms. Dodds said we have CPA funds that are dedicated to affordable housing. This would give the Trust the ability to look at those projects in more detail and more expertise. Councilor Kalinowsky asked if we want this trust if a developer, develops apartments requiring so many low income units where they could put money in the trust in place of the apartments. Ms. Dodds said that is possible. We set this up as a tool for the city to create affordable housing. Some projects are funded with a small amount of Community Development Block Grant funds or state funds. This would give the Trust the ability to look at the projects to determine if it is feasible, what the affordability should be technical issues and to create a land trust to take properties, create down payment assistance programs and rental assistance programs. These are all things that we currently do not have. Councilor Warren asked Director Dodds how long this trust has been around. Director Dodds said she believes it has been around since 2005 and 140 communities in Massachusetts that have adopted. Councilor Warren asked Attorney Pagnotta if we sunset or disband the Trust fund does not go back into the general fund it will stay in the Trust. Attorney Pagnotta agreed. Councilor Warren will support. *A roll call vote was taken and carried by a unanimous roll call vote of all eleven members present.**

### **NEW BUSINESS**

A request to recognize June 16, 2022 as World EHS, Electrohypersensitivity Day by adopting the following resolution from Courtney Gilardi and Councilor Kalinowsky. Councilor Kalinowsky said other towns recognize this day and she would like support. *Councilor Kalinowsky made a motion to approve. Councilor Kronick asked Attorney Pagnotta if the City adopts this are we recognizing this as a medical condition. Attorney Pagnotta said if the Council approves the support for EHS*

awareness they are expressing support that it is an issue and they are supporting the day. *The motion to approve was carried by a 10/1 vote with Councilor Kronick in opposition.*

**MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 27**

*Referred to the Mayor*

A petition from Councilor Warren to investigate the implementation of a “chatbot”/artificial intelligence answer system and/or “311” information system

A petition from Councilor Kalinowsky requesting to establish an environmental board

8:32 p.m. Councilor Maffuccio made a motion to adjourn the City Council meeting carried by a unanimous vote of the eleven members present.

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



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

**Linda M. Tyer**  
Mayor

July 6, 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 appointment of Abigail Allard, of 8 Dawes Avenue, Pittsfield, MA to the Cultural Council for a term expiring July 12, 2025.

Respectfully submitted,

*Linda M. Tyer*  
Linda M. Tyer  
Mayor



# Abigail Allard

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8 Dawes Ave. Pittsfield, MA 01201

518-258-7879 | [allard.abigail@gmail.com](mailto:allard.abigail@gmail.com)

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## Executive Summary:

Experienced Director with a demonstrated history of working in communications and fund development. Skilled in Nonprofit Organizations, Microsoft Word, Member Retention, Social Media, Grant Writing, Communication, and Event Management. Strong program and project management professional with language skills in German, Arabic, French and Spanish.

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## Professional Experience:

### **Development & Communications Director**

**Gladys Allen Brigham Community Center Pittsfield, MA**

**2019 -Present**

- **The Gladys Allen Brigham Community Center is a multi-service organization empowering children and youth, with a special emphasis on girls.**

### Core Responsibilities

Lead team to develop and execute against multi-year strategic goals and annual workplans •In partnership with the CEO and board leadership, lead and manage engagement and stewardship• Model ingenuity in leading the evaluation and development of cost-effective and efficient systems, processes, and contract relationships to maximize staff success and impact •Develop and manage budget for all fundraising and marketing activities across the organization •Serve as a contributing member of the organization's Executive Team •Develop, lead, and manage effective strategies for obtaining donations and grants that advance the organization's goals and priorities and contribute to financial sustainability. •Actively cultivate, solicit, and steward a personal portfolio of high-capacity, transformational donors with major gift track record and/or potential from corporate, foundation, and individual sources •Identify and oversee resources to write grant applications, case statements, major gift and sponsorship proposals, technical reports, communication materials, and other documents as necessary to support ongoing fundraising •Provide partnership, training, and support to staff across the organization. •Provide strategic direction and management support to the creation and execution of an effective organizational marketing and communications plan to advance fund development priorities and other organizational goals and objectives •Use metrics and insights to regularly assess efficacy of the marketing and communications plan against fund development conversion impacts and other key metrics and to support learning and improvement •Directly oversee the writing and editing of all fundraising and marketing communications, speeches, press releases, letters, and articles •Lead and manage the prioritization of and delivery against communications needs across the organization

## Engagement Director

Berkshire Family YMCA Pittsfield, MA

2018 - 2019

- **An affiliate of the Nation YMCA organization with a mission to put caring, honesty, respect and responsibility into programs that build healthy spirit, mind and body for all.**

### Core Responsibilities

- Create and implement all marketing materials, calendar and events
- Responsible for the scheduling and management of programs hosted by the BFYMCA
- Responsible for providing positive teamwork, and supporting all aspects of communication.
- Hires and trains all front desk positions, lobby positions and all member engagement positions.
- Maintain the most accurate and up-to-date administrative records for members, childcare families and DCF.
- Maintain a teachable level of knowledge for all aspects of the BFYMCA.
- Be knowledgeable and able to answer any question regarding programs, fitness classes, and childcare.
- Engages with in house guests at any opportune time for the guest.
- Administrative duties including monitoring waitlist, sending Dining Room reservations, creating CONCEPT profiles, running Downtime reports, Post services in CONCEPT/OPERA for appropriate areas and complete a shift audit.
- Communicate any and all critical information regarding guests to appropriate department heads, Program Advising Management Team and MOD as needed.

## Program Advisor

Canyon Ranch Lenox, MA

2017-2018

- **Luxury resort nestled in the Berkshires offering spa services, enrichment classes, exercise classes, cosmetic services, healthy dining, and preventative and diagnostic medical services.**

### Core Responsibilities

- Be up to date on the most current Canyon Ranch offerings by continuing education and knowledge in each department.
- Responsible for booking, cancelling and changing any services for guests in house and over the phone.
- Responsible for providing positive teamwork, and supporting all aspects of Program Advising, along with other departments.
- Greets guests and provides information about the Canyon Ranch programming and services at the PA Desk and Spa Desk.
- Maintain the most accurate and up-to-date administrative records for all guests across multiple platforms.
- Maintain a teachable level of knowledge for all aspects of Canyon Ranch applications and information; Concept, OPERA, the Service Guide and This Week at Canyon Ranch.
- Be knowledgeable and able to answer any question regarding programs, fitness classes, and lectures to in-house guests.
- Engages with in house guests at any opportune time for the guest.
- Administrative duties including monitoring waitlist, sending Dining Room reservations, creating CONCEPT profiles, running Downtime reports, Post services in CONCEPT/OPERA for appropriate areas and complete a shift audit.
- Communicate any and all critical information regarding guests to appropriate department heads, Program Advising Management Team and MOD as needed.

## **Assistant Project Director**

**New York State Education Department, Albany, NY**

**2016-2017**

- **Work as project coordinator for a grant funded educational initiative improving programs for principals in New York State.**

### Core Responsibilities

•Assist with creating project timeline, and set strategic goals for desired end result. •Schedule outreach meetings with key constituents, organize focus groups and develop audience targeted surveys. •Operate as liaison with funding institution and NYSED. •Communicate directly with Government officials, Board of Regents, and Deputy Commissioners of Education. • Communicate and follow up with constituents about specific projects and their goals. •Develop database system for tracking individuals completing programs under new regulations. •Create RFPs for project specific goals. •Chair and minute Advisory Team meetings. •Maintain current database, and create profiles.

## **Director of Programming,**

**Behold! New Lebanon, New Lebanon, NY**

**2015-2016**

- **America's first "living museum", focusing on rural life.**

### Core Responsibilities

•Ensure that program activities operate within the policies and procedures of the organization. •Ensure that program activities comply with all relevant legislation and professional standards. •Develop forms and records to document program activities. •Oversee the collection and maintenance of records on the clients of the program for statistical purposes according to the confidentiality/privacy policy of the organization. •Engage volunteers for appropriate program activities using established volunteer management practices. •Ensure that all program staff receive an appropriate orientation to the organization and the programs. •Supervise program staff by providing direction, input and feedback. •Communicate with clients and other stakeholders to gain community support for the program and to solicit input to improve the programs. •Liaise with government representatives and civic officials for the execution of program outreach. •Write reports on the program for management and for funders. •Ensure that the program operate within the approved budget. •Monitor and approve all budgeted program expenditures. •Monitor cash flow projections and report actual cash flow and variance to the Executive Director on a regular basis. •Provide required information to have invoices generated and submitted to funders according to the established timelines. •Identify and evaluate the risks associated with program activities and take appropriate action to control the risks. •Monitor the program activities on a regular basis and conduct an annual evaluation according to the program evaluation framework. •Report evaluation findings to the Executive Director and recommend changes to enhance the program, as appropriate.

## **Director of Operations,**

**Just for Your Day Consulting, Boston, MA**

**2013-2016**

- **Boutique event consulting firm working with international and local clients.**

### Core Responsibilities

•Liaise with superior to make decisions for operational activities and set strategic goals. •Plan and monitor the day-to-day running of business to ensure smooth progress. •Supervise staff from different departments and provide constructive feedback. •Evaluate regularly the efficiency of business procedures according to organizational objectives and apply improvements. •Manage procurement processes and coordinate material and resources allocation. •Oversee

customer support processes and organize them to enhance customer satisfaction. •Review financial information and adjust operational budgets to promote profitability. •Revise and/or formulate policies and promote their implementation. •Manage relationships/agreements with external partners/vendors. •Evaluate overall performance by gathering, analyzing and interpreting data and metrics. •Ensure that the company runs with legality and conformity to established regulations

**Assistant Education Coordinator,**

**The Hall at Patriot Place, Foxboro, MA**

**2014-2015**

- **The Hall at Patriot Place presented by Raytheon is an exciting, innovative and interactive, modern museum experience for all ages.**

Core Responsibilities

•Provides assistance for planning, implementing, maintaining, documenting, and evaluating education program services; develops operational policies, manuals, guides and other material necessary for efficient and effective administration. •May provide or assist with direct service delivery in any of the assigned areas of responsibility as needed. •Develop modules using STEM and ELA standards. •Educate and implement literacy standards. Attend to students and staff. Actively participated in professional development. •Guide students aged 9 to 18 through a museum tour. •Coordinate with school tours, scheduling. •Promotes the hall on the various campuses by developing positive relationships with administration and staff. •Resolves problems and complaints involving students and staff. •Provide guests with tours of the facility.

**Museum & Development Associate,**

**The Mount, Lenox, MA**

**2010-2014**

- **The Mount is one of only five percent of National Historic Landmarks dedicated to women. It is an autobiographical house, one that embodies the spirit of its creator.**

Core Responsibilities

•Establish long-term relationships with private sector influencers and donors in the community to build new partnerships and funding opportunities. •Assist in creating and managing in house special events. •Support Grant Writing Efforts Provide support for grants program, ensuring revenue goals are met, meeting grant deadlines and reporting. •Support strategic community outreach to educate stakeholders, raise funds, and create strategic partnerships. •Support the management of the donor database and infrastructure to effectively manage donations, which include data entry, acknowledgements, queries, report building, and assessing donor trends and analytics. •Assist with public relations efforts. •Lead associate at The Bookstore; inventory, highest sales performance, membership sales and acquisition of product. •Assist with coordinating group tours. •Provide written reports of activities to Executive Director. •Assist the curatorial assistant with planning, acquisition and aesthetics of exhibits and signage. •Lead associate in our visitor services, managed a team of 4 people; training, ordering, building & maintaining external relationships.

**Education:**

State University of New York at Oswego,  
Oswego, NY

- Bachelor of Arts in History and Globalization

University of Osnabruck,  
Osnabruck, Germany

- Certificate Program: Linguistics and German

**Civic Organizations:**

Town of New Lebanon

- Community Recreation Committee
  - Secretary

Daughters of the American Revolution

- Henrik Hudson Chapter
  - Member

Berkshire Leadership Program

- 10-week Leadership Development program in Berkshire County Massachusetts.

**Languages:**

- German - Fluent
- French - Basic
- Spanish - Basic
- Arabic - Limited



# THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

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

**Linda M. Tyer**  
Mayor

July 6, 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 appointments to the Wahconah Park Restoration Committee for terms expiring on July 12, 2023:

Joseph Benjamin, 94 Barker Road, Pittsfield, MA 01201

Gary Bianchi, 63 Kenwood Street, Pittsfield, MA 01201

Marjo Catalano, 20 Endicott Street, Pittsfield, MA 01201

Maureen Logan-Daniels, 47 Howard Street, Pittsfield, MA 01201

Bryan House, 203 North Street, Housatonic, MA 01236

Darren Lee, 1189 Churchill Street, Pittsfield, MA 01201

Len Light, 5 Andrea Drive, Pittsfield, MA 01201

Cliff Nilan, 72 Winesap Road, Pittsfield, MA 01201

Earl Persip, City Councilor

Respectfully submitted,

Linda M. Tyer, Mayor

### **Joseph Benjamin**

Joe Benjamin currently resides at 94 Barker Road in Pittsfield, MA. He was born and raised in Morris, NY, a small town located near Cooperstown. While attending Morris Central School, Joe lettered in football, basketball, and baseball, graduating third in his class. After attending Springfield College, Joe began a 35-year career with the Pittsfield Public Schools. While teaching in this great city, Joe obtained a Master's Degree from American International College, as well as a CAGS - Certificate of Advanced Graduate Studies. Joe held several teaching positions as well as administration roles over the 35 years. In 2018, Joe retired after serving as the Vice-Principal at Taconic High School.

While working as a teacher in the district, Joe also held several coaching positions for several years until he made the switch to administration. Currently, Joe serves as a part-time faculty member in the education program at the Berkshire County House of Corrections. He also enjoys staying connected to the schools as a substitute teacher.

Joe is honored to be considered for the Wahconah Park Restoration Committee as it will be a pleasure to be part of something very important to the city and the county at-large.

### **Gary Bianchi**

Gary Bianchi is a lifelong Pittsfield resident, former high school and college athlete, and high school coach. Gary has been involved with sports throughout his life and sees them as a way to bring kids as well as the community together in a positive way. He watched, played and coached games at Wahconah Park.

Gary was the Head Football coach at his Alma Mater, the former St. Joseph Central High school where he coached for 25 years. He has also coached youth sports at the former Pittsfield Catholic Youth Center and was involved in starting a youth football program through the CYC. Gary is past President and coach in the Pittsfield South Little League and was Commissioner of the Berkshire County Youth Football League for 3 years.

Gary was on the committee for the project to build the Gene Dellea Field at Berkshire Community College, he is past-President and current Vice President for the Bianchi Barbarotta Foundation for Youth.

Gary is a retired Court Officer for the Commonwealth of MA Trial Courts and currently lives in Pittsfield with his wife Kathy. He has 2 adult children, Gillian and Jon. He works part time at Miraval of the Berkshires and is back coaching football at the Williston Northampton Prep School in Easthampton where he considers himself lucky to be an assistant coach alongside his son.

### **Marjo Catalano**

Marjo Catalano is a Berkshire County native who grew up in Williamstown and attended Mt. Greylock Regional High School and Berkshire Community College with a focus in communications.

She spent over 15 years in the food and beverage industry with the majority of that time spent at Patrick's Pub, where she served in many capacities including bar and private function manager. In 2016, she joined Live 95.9 as the cohost of Slater and Marjo in the Morning, receiving Best of the Berkshires recognition for the past six years as well as being a leader in digital content creation for parent company Townsquare Media.

Catalano resides in Pittsfield's Ward Three with her dog Bam Bam and is an avid lover of travel, food and wine, and all things sports.

#### **Maureen Logan-Daniels M.Ed.**

Maureen has worked in the field of Worksite Wellness for the last 20+ years and is the Director of Wellness & Population Health at Berkshire Health Systems (BHS). Prior work experience with The Key Program and Canyon Ranch Health Resort helped realize the importance of employee health and wellbeing as part of a business model for success, and for just doing what's right.

Maureen is a Health Coach through WellCoaches, she obtained her Bachelor's from SUNY Potsdam and Master's in Health Promotion & Wellness from Springfield College. Maureen has a passion for supporting others to become their best selves, but her real love is spending time & adventures with her 2 boys, the top reason she strives to stay healthy.

#### **Bryan House**

After being drafted out of Illinois State University by the Chicago Cubs Baseball organization in 1984, Bryan played seven years as a professional baseball player in the Cubs and Texas Ranger organizations. Bryan holds a Bachelor of Arts in Interdisciplinary Studies from the University of Massachusetts. He loves music and he's passionate about youth development. Bryan is also a proud father of four, and lives with his family in Housatonic, MA.

Board Service:

- Berkshire Taconic Community Foundation
- BRIDGE
- Berkshire Medical Center's Institutional Review Board
- MassHire Berkshire Workforce Board
- Pittsfield Community Television

#### **Darren Lee**

Darren M. Lee is a 2000 graduate of Western New England School of Law where he was awarded a scholarship for excellence in undergraduate studies. He received his undergraduate degree from the University of Massachusetts, Amherst. His areas of concentration include commercial real estate, residential real estate, municipal law, landlord/tenant matters, business and banking, IRC section 1031 Exchanges and personal injury.

Darren is the Treasurer of the Berkshire Bar Association, President of the Pittsfield Little League – National League Division, and a former member of the Board of Directors of the Real Estate Bar Association of Massachusetts. He has served on numerous local Boards over the years including BCAC, Berkshire Head Start, Habitat for Humanity, and Pittsfield Girls'



Softball, Inc. In 2010 Darren was awarded the 2010 Citizen of the Year by the Pittsfield Police Association for his quick actions at a pool accident that summer and he was credited for saving a young boy's life. He is very active in local youth sports, including coaching travel basketball teams at the Boy's and Girl's Club of Pittsfield. Attorney Lee resides in Pittsfield with his wife the former Michelle Lovellette and their four children - Reilly, Mary, Jack and Matthew.

### **Lenny Light**

Lenny Light is Vice President of Sales for family-owned Lenco Armored Vehicles in Pittsfield, MA. Over the last 15 years, Lenny's responsibilities have grown to cover Marketing, Sales, Contracting, Export Compliance and Customer Service across Lenco's global Defense and Law Enforcement customer base. Before joining Lenco, Lenny explored different industries including a season-long stint in an Operations role with the Canadian American League North Shore Spirit baseball team in Lynn, MA. Lenny's favorite job responsibility while working with the Spirit all those summers ago was in-game fan engagement, running around the infield and throwing balled-up t-shirts with laser-like precision. Lenny has a theory that any scouts in the stands felt he should have been wearing a jersey.

Lenny attended Northeastern University where he earned his bachelor's in business administration, as well as his M.B.A.

Lenny has two beautiful children, and a loving wife who just coached their daughter to a youth softball league championship. In his free time, Lenny cleans up pet hair, does laundry and plays the occasional pickleball game.

### **Cliff Nilan**

Cliff Nilan is retired from the Berkshire Superior Court where he served as the Chief Probation Officer. A lifelong resident of Pittsfield, he has served on the Pittsfield Park Commission for 46 years and is currently the chairman.



# THE CITY OF PITTSFIELD

OFFICE OF THE MAYOR

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

**Linda M. Tyer**  
Mayor

July 6, 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 enter into a five-year Fiber Optic Cable Agreement with the Town of Dalton for the purpose of installing a fiber optic cable on utility poles owned by the Town of Dalton. The fiber optic cables will be used to provide much needed data communication between the City's existing fiber infrastructure and its Cleveland and Ashley Treatment Plants.

Respectfully submitted,

*Linda M. Tyer*  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



**CITY OF PITTSFIELD**

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

July 6, 2022

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

Submitted herewith for your consideration is an order authorizing the City to enter into a 5 year Fiber Optic Cable Agreement with the Town of Dalton for the purpose of installing a fiber optic cable on utility poles owned by the Town of Dalton.

The fiber optic cables will be used to provide much needed data communication between the City of Pittsfield's existing fiber infrastructure and its Cleveland and Ashley Treatment Plants. This agreement includes stipulations for Dalton to have the ability to use, at their own expense, 4 of the 12 strands within each fiberoptic cable run.

Respectfully,

A handwritten signature in black ink, appearing to read "Ricardo Morales", written over a horizontal line.

Ricardo Morales  
Commissioner of Public Services and Utilities

Cc: Michael Steben, IT Director

# City of Pittsfield

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

IN CITY COUNCIL

**AN ORDER**

## **AUTHORIZING THE CITY OF PITTSFIELD TO ENTER INTO A 5 YEAR FIBER OPTIC CABLE AGREEMENT WITH THE TOWN OF DALTON**

No. \_\_\_\_\_

**Ordered:**

That the City of Pittsfield, by and through the Mayor and City Council, is hereby authorized to enter into a 5 year Fiber Optic Cable Agreement, with 2 automatic 5 year extensions, with the Town of Dalton for the purpose of installing, a fiber optic cable on utility poles owned by the Town of Dalton for the purpose of facilitating data communications between the City of Pittsfield and its Cleveland and Ashley Treatment Plants and to authorize the Mayor to execute any and all documents necessary to implement this order.

## FIBER OPTIC CABLE AGREEMENT

**THIS AGREEMENT** is made this 26<sup>th</sup> day of April, 2022, by and between the City of Pittsfield, a Massachusetts Municipal Corporation with an address of 7 Allen Street, Pittsfield MA ("Pittsfield") and the Town of Dalton, a Massachusetts Municipal Corporation with an address of 462 Main Street, Dalton MA ("Dalton") (collectively the "Parties").

### RECITALS

A. Pittsfield has requested permission from Dalton to install, at its sole expense, a 12 strand fiber optic cable on utility poles owned by Dalton in the Town of Dalton running from the city/town line to property owned by Pittsfield located at 432 Washington Mt Rd, Dalton MA and known as the Ashley Reservoir Water Treatment Plant. A second 12 strand fiber optic cable on utility poles owned by Dalton in the Town of Dalton running from 88 Old Windsor Rd, Dalton MA to property owned by Pittsfield located at 601 Frank Schnopp Rd, Hinsdale MA and known as the Cleveland Reservoir Water Treatment Plant.

B. Dalton is willing to allow Pittsfield to install the fiber optic cable as requested by Pittsfield.

C. Pittsfield has agreed to assume all costs for installing the fiber optic cable.

D. Pittsfield has agreed to allow Dalton to use, and have exclusive use of up to 4 stands of the fiber optic cable to be installed by Pittsfield.

E. Pittsfield shall be solely responsible for maintaining this Fiber Optic Cable.

F. In consideration for Dalton allowing Pittsfield to install this fiber optic cable, Pittsfield will i.) maintain the fiber optic cable throughout the term of this Agreement and ii.) grant Dalton the use of 4 fiber strands of the fiber optic cable.

### TERMS

NOW, THEREFORE, in light of the mutual promises and obligations contained herein, and in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the parties agree as follows:

**SECTION 1. Adoption of Recitals.** The Recitals set forth above are hereby adopted and incorporated herein by reference as if set forth in full.

#### **SECTION 2. Installation Terms.**

a.) Pittsfield will install two fiber optic cable for Pittsfield's WTPs as illustrated in exhibit A. One for the Cleveland Water Treatment Plant and one for the Ashley Water Treatment Plant

b.) Minimum of 12 strand fiber cable will be installed.

d.) Pittsfield will retain the rights to use 8 strands.

e.) Pittsfield will provide maintenance and repair of the entire cable route for the term of the agreement.

g.) Dalton shall be solely responsible for obtaining Internet Service on the fiber optic strands reserved for its use.

**SECTION 3. Term.** The Initial Term of this Agreement shall be Five (5) years, commencing on the date that the fiber route is completed.

**SECTION 4. Option Terms.** Pittsfield and the Dalton shall have the mutual option to extend the initial term of this Agreement for two (5) additional and successive five (5) year option periods (individually, "the Option Term" and, collectively, "the Option Terms"). The Agreement shall, at the end of the Initial Term or any Option Term, unless it is the second Option Term, automatically be extended an additional Option Term, unless either party notifies the other party of its intent to terminate or to renegotiate this Agreement at least one hundred eighty (180) days prior to the termination of the then-current Term. Option Terms shall be deemed a continuation of this Agreement and shall not be considered a new Agreement or an amendment hereto.

**SECTION 5. Use.** (a) Pittsfield shall, at its sole cost and expense, use the fiber optic cable for its own use at the Ashely Reservoir Water Treatment Plant to conduct its business and shall not sub-lease or assign its rights herein.

**SECTION 6. Maintenance and Repair.** (a) Pittsfield shall be solely responsible for maintaining or repairing the fiber optic cable throughout the term of this agreement.

**SECTION 7. Default.** If either the Pittsfield or Dalton fail to perform or observe any material term, covenant, provision, or condition of this Agreement, then that party will be in default under this Agreement.

**SECTION 8. Right to Cure.** From the date of written Notice of Default from the other party, the party in default shall have thirty (30) days to cure any default.

**SECTION 9. Failure to Cure.** If the party in default fails to cure the default in the time prescribed by Section 10, supra, then the other party shall have the right to terminate this Agreement and may, at its discretion, pursue any other remedies that may be available to it at law or in equity not otherwise proscribed by the terms of this Agreement.

**SECTION 10. Rights upon Expiration or Termination of the Agreement.** Upon the expiration or termination of this Agreement, Pittsfield's rights to the fiber optic cable it installed on Dalton's utility poles shall terminate and Dalton shall be deemed to own the fiber optic cable. Upon expiration or termination of this Agreement, Pittsfield shall have no continuing rights or obligations hereunder. Any and all equipment furnished or supplied by Dalton to inter-connect to the fiber optic cable shall remain the property of Dalton. Any and all equipment furnished or supplied by Pittsfield located at the Ashley Reservoir Water Treatment Plant shall remain the property of the Town.

**SECTION 11. Assignment.** This Agreement may not be sold, assigned, transferred, or sublet without the prior written approval or consent of both Pittsfield and Dalton.

**SECTION 12. Authorization.** Each of the persons executing this Agreement, in behalf of the respective parties, represents and warrants that he or she has the authority to bind the party in behalf of whom he or she has executed this Agreement, and that all acts required and necessary for authorization to enter into and to execute this Agreement have been completed.

**SECTION 13. Notice.** All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed by first class mail:

**If to the Pittsfield, to:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If to Dalton, to:**

Town Manager  
462 Main St.  
Dalton, MA 01226  
\_\_\_\_\_

**SECTION 14. Severability.** If any section, sentence, clause, or phrase of this Agreement is found to be invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining provision of this Agreement.

**SECTION 15. Governing Law.** This Agreement shall be governed by the laws of the State of Massachusetts.

**SECTION 16. Miscellaneous.**

(a) This Agreement may be executed in duplicate counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

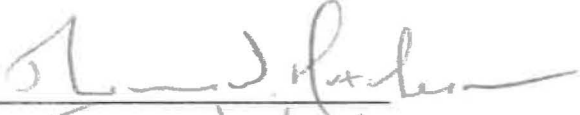
[SIGNATURE PAGES FOLLOW]

**IN WITNESS WHEREOF**, the undersigned have caused this Agreement to be executed as of the date noted above.

**CITY OF PITTSFIELD**

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**TOWN OF DALTON**

  
By: Thomas W. Hutchinson  
Its: Town Manager



## Exhibit A

Cleveland Water Treatment Plant:



Ashley Water Treatment Plant:





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

**Linda M. Tyer**  
Mayor

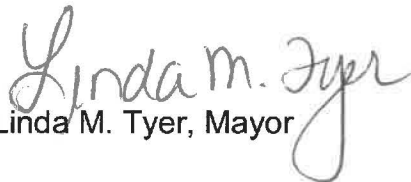
July 6, 2022

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 Ordinance amending Chapter 16, Human Resources, Section 16-13(b)(1) Adjustment of compensation schedule.

Respectfully submitted,

  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



DEPARTMENT OF HUMAN RESOURCES  
CITY HALL, SUITE 107  
70 ALLEN STREET  
PITTSFIELD, MA 01201  
PHONE: 413-499-9340 EMAIL: [HR@cityofpittsfield.org](mailto:HR@cityofpittsfield.org)



July 5, 2022

To: Mayor Linda M. Tyer  
From: Michael Taylor, Director of Human Resources  
RE: Salary Schedule Updates

Mayor Tyer,

In compliance with Chapter 16, section 16-13(b)(1) of the City Code, attached are the updated salary schedules for the management and non-union staff, reflecting a 7.5% cost of living adjustment.

Thank you,

**Michael Taylor**



No. ....

# City of Pittsfield

In the Year Two Thousand

## AN ORDINANCE

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

### AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 16, HUMAN RESOURCES

#### SECTION I

That the Code of the City of Pittsfield, Chapter 16, Human Resources be amended by deleting "attachment 1, compensation schedules", and replacing it in its entirety with the attached document.

#### SECTION II

Changes to ordinance shall be effective July 1, 2022.

Approved as to Form and Legality,

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*City Solicitor*



**Transmission of material in this release is embargoed until  
8:30 a.m. (ET) February 10, 2022**

USDL-22-0191

Technical information: (202) 691-7000 • [cpi\\_info@bls.gov](mailto:cpi_info@bls.gov) • [www.bls.gov/cpi](http://www.bls.gov/cpi)  
Media Contact: (202) 691-5902 • [PressOffice@bls.gov](mailto:PressOffice@bls.gov)

### CONSUMER PRICE INDEX – JANUARY 2022

**(NOTE: The PDF version of the CPI news release was re-issued February 10, 2022. Data errors were found in tables in the PDF version of the news release. Data found elsewhere including the text version of the news release are correct as originally published.)**

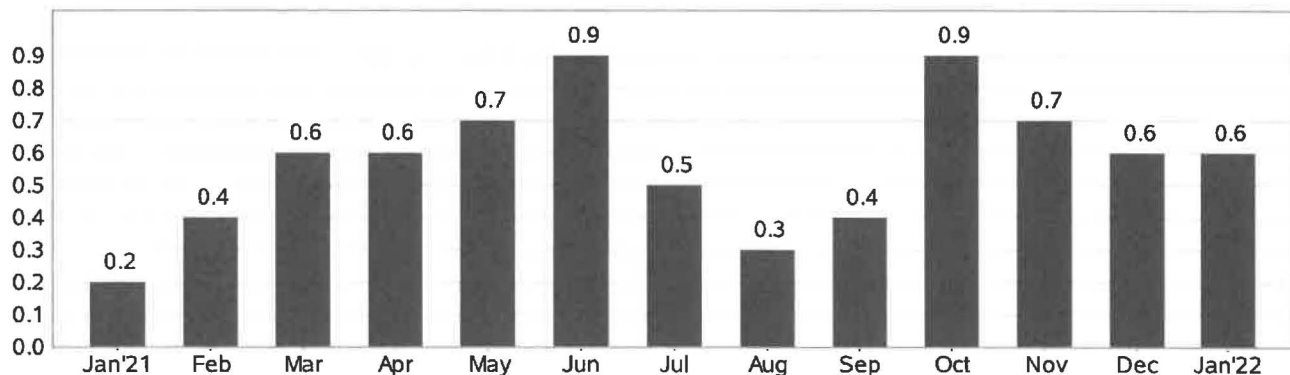
The Consumer Price Index for All Urban Consumers (CPI-U) increased 0.6 percent in January on a seasonally adjusted basis, the U.S. Bureau of Labor Statistics reported today. Over the last 12 months, the all items index increased 7.5 percent before seasonal adjustment.

Increases in the indexes for food, electricity, and shelter were the largest contributors to the seasonally adjusted all items increase. The food index rose 0.9 percent in January following a 0.5-percent increase in December. The energy index also increased 0.9 percent over the month, with an increase in the electricity index being partially offset by declines in the gasoline index and the natural gas index.

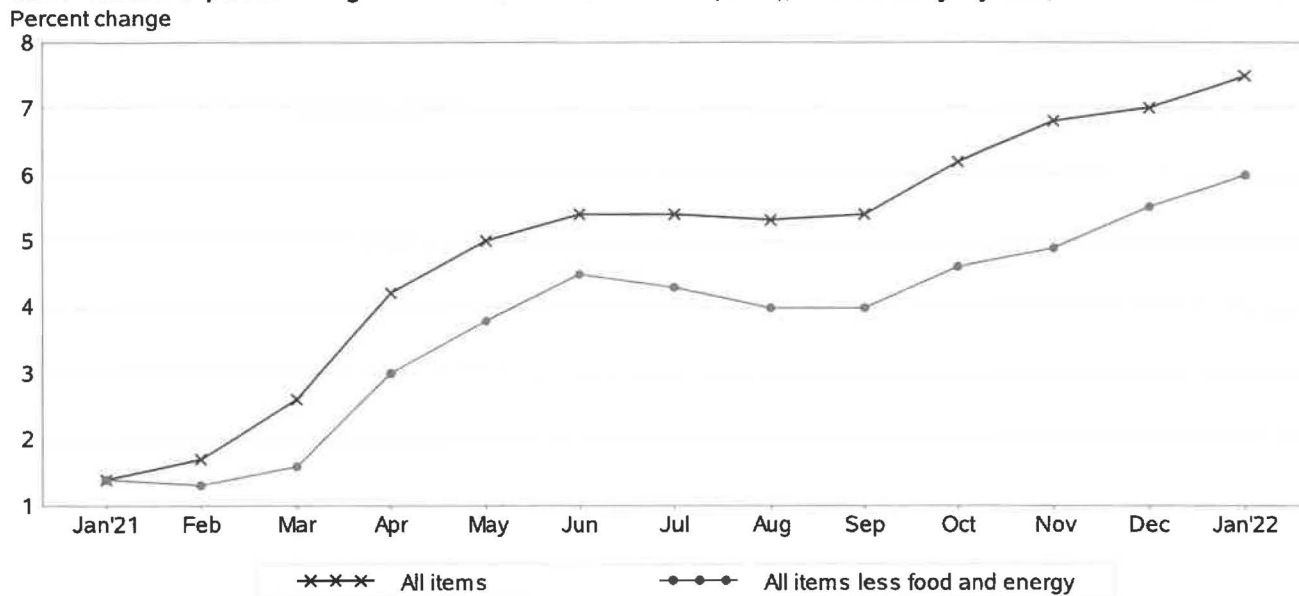
The index for all items less food and energy rose 0.6 percent in January, the same increase as in December. This was the seventh time in the last 10 months it has increased at least 0.5 percent. Along with the index for shelter, the indexes for household furnishings and operations, used cars and trucks, medical care, and apparel were among many indexes that increased over the month.

The all items index rose 7.5 percent for the 12 months ending January, the largest 12-month increase since the period ending February 1982. The all items less food and energy index rose 6.0 percent, the largest 12-month change since the period ending August 1982. The energy index rose 27.0 percent over the last year, and the food index increased 7.0 percent.

**Chart 1. One-month percent change in CPI for All Urban Consumers (CPI-U), seasonally adjusted, Jan. 2021 - Jan. 2022**  
Percent change



**Chart 2. 12-month percent change in CPI for All Urban Consumers (CPI-U), not seasonally adjusted, Jan. 2021 - Jan. 2022**



**Table A. Percent changes in CPI for All Urban Consumers (CPI-U): U.S. city average**

	Seasonally adjusted changes from preceding month							Un-adjusted 12-mos. ended Jan 2022
	Jul. 2021	Aug. 2021	Sep. 2021	Oct. 2021	Nov. 2021	Dec. 2021	Jan. 2022	
All items.....	0.5	0.3	0.4	0.9	0.7	0.6	0.6	7.5
Food.....	0.7	0.4	0.9	0.9	0.8	0.5	0.9	7.0
Food at home.....	0.6	0.4	1.2	0.9	0.9	0.4	1.0	7.4
Food away from home <sup>1</sup> .....	0.8	0.4	0.5	0.8	0.6	0.6	0.7	6.4
Energy.....	1.6	1.9	1.2	3.7	2.4	0.9	0.9	27.0
Energy commodities.....	2.4	2.5	1.2	4.7	4.2	1.3	-0.6	39.9
Gasoline (all types).....	2.5	2.5	1.1	4.6	4.5	1.3	-0.8	40.0
Fuel oil <sup>1</sup> .....	0.6	-2.1	3.9	12.3	3.5	-2.4	9.5	46.5
Energy services.....	0.7	1.2	1.2	2.4	0.2	0.3	2.9	13.6
Electricity.....	0.2	1.0	0.6	1.4	0.2	0.5	4.2	10.7
Utility (piped) gas service.....	2.2	1.6	2.9	5.9	0.3	-0.3	-0.5	23.9
All items less food and energy.....	0.3	0.2	0.3	0.6	0.5	0.6	0.6	6.0
Commodities less food and energy commodities.....	0.4	0.4	0.3	1.1	0.9	1.2	1.0	11.7
New vehicles.....	1.5	1.2	1.3	1.3	1.2	1.2	0.0	12.2
Used cars and trucks.....	0.0	-1.2	-0.5	2.5	2.4	3.3	1.5	40.5
Apparel.....	0.1	0.3	-0.7	0.6	0.7	1.1	1.1	5.3
Medical care commodities <sup>1</sup> .....	0.2	-0.2	0.3	0.6	0.1	0.0	0.9	1.4
Services less energy services.....	0.3	0.1	0.2	0.4	0.4	0.3	0.4	4.1
Shelter.....	0.4	0.2	0.4	0.5	0.5	0.4	0.3	4.4
Transportation services.....	-0.9	-1.2	-1.0	0.2	0.7	0.0	1.0	5.6
Medical care services.....	0.2	0.2	0.2	0.4	0.3	0.3	0.6	2.7

<sup>1</sup> Not seasonally adjusted.

Chapter 16, Attachment 1: Human Resources Classification & Compensation Schedules

**City of Pittsfield**

[Ord. No. 1072, 9-17-2013; Ord. No. 1080, § I, 6-10-2014;  
Ord. No. 1084, § 1, 8-12-2014; Ord. No. 1086, § I, 10-28-2014;  
Ord. No. 1087, § I, 10-28-2014; Ord. No. 1089, § I, 11-25-2014;  
Ord. No. 1170, § I, 6-28-2016; Ord. No. 1184, § I, 4-11-2017; Ord. No. 1185, § I, 4-25-2017;  
Ord. No. 1194, § 1, 9-12-2017; § 1, 9-12-2017; Ord. No. 1196, I, 9-12-2017;  
Ord. No. 1197, § I, 9-26-2017; Ord. No. 1200, § I, 2-13-2018; Ord. No. 1201, § I, 2-13-2018;  
Ord. No. 1205, § I, 6-12-2018; Ord. No. 1208, § I, 8-14-2018; Ord. No. 1213, § I, 2-26-2019;  
Ord. No. 1216, § I, 3-26-2019; Ord. No. 1218, § I, 6-11-2019; Ord. No. 1224, § I, 2-25-2020;  
Ord. No. 1227, § I, 8-11-2020; Ord. No. 1235, § I, 3-9-2021]

**Management/Department Head Classification:**

Police Chief	Grade M-11
Fire Chief	Grade M-11
Commissioner of Public Services and Public Utilities	Grade M-10
Director of Finance and Administration/Treasurer	Grade M-9
Director of Community Development	Grade M-9
City Solicitor	Grade M-9
Business Development Manager	Grade M-9
Director of Human Resources	Grade M-9
Special Projects Manager	Grade M-9
Assistant City Solicitor	Grade M-8
City Engineer	Grade M-8
Director of Building Maintenance	Grade M-8
DPSU Business Manager	Grade M-8
Chief Assessor	Grade M-8
Chief Diversity Officer	Grade M-7
City Clerk	Grade M-7
Library Director	Grade M-7
Director of Public Health	Grade M-7
Building Commissioner	Grade M-7
Chief Information Officer	Grade M-7
IT Support Specialist II	Grade M-6
Tax Collector	Grade M-6
City Accountant	Grade M-6
Purchasing Agent	Grade M-6
City Planner	Grade M-6
Airport Manager	Grade M-6
Parks, Open Space and Natural Resources Program Manager	Grade M-6
Community Development and Housing Program Manager	Grade M-6
Assessor	Grade M-6
Public Health Nurse Manager	Grade M-6
Police Finance and Administration Manager	Grade M-6
Director of Council on Aging	Grade M-5
Director of Cultural Development	Grade M-5
Director of Administration Services	Grade M-4
Veteran's Agent	Grade M-4
Director of RSVP	Grade M-4

Chapter 16 Human Resources Classification & Compensation Schedules

**Management Salary Schedule (7-1-2022)**

Salaries below reflect full-time work (currently 35-40 hours per week)

Grade	Minimum		Midpoint		Maximum
M-1	\$42,303.22	\$45,475.96	\$48,648.71	\$51,821.45	\$54,994.19
M-2	\$46,533.65	\$50,023.68	\$53,513.70	\$57,003.73	\$60,493.75
M-3	\$51,186.79	\$55,025.81	\$58,864.82	\$62,703.83	\$66,542.83
M-4	\$56,306.95	\$60,529.97	\$64,753.00	\$68,976.02	\$73,199.04
M-5	\$61,938.45	\$66,583.82	\$71,229.21	\$75,874.60	\$80,519.97
M-6	\$68,135.81	\$73,246.00	\$78,356.18	\$83,466.36	\$88,576.56
M-7	\$74,946.77	\$80,567.79	\$86,188.79	\$91,809.81	\$97,430.81
M-8	\$82,441.79	\$88,624.94	\$94,808.07	\$100,991.20	\$107,174.34
M-9	\$90,685.63	\$97,487.06	\$104,288.48	\$111,089.91	\$117,891.33
M-10	\$99,748.74	\$107,229.91	\$114,711.06	\$122,192.22	\$129,673.37
M-11	\$109,727.71	\$117,957.29	\$126,186.86	\$134,416.45	\$142,646.03
	<b>Learning</b>		<b>Achieving</b>		<b>Exceeding</b>

**Non-Union/Non-Management Employee Classification:**

Title	Salary Grade
Seasonal/Interns	1
Matrons	1
Kitchen Coordinator	2
Van Driver	2
COA Custodian	2
Activity Leader	2
COA Administrative Assistant	3
RSVP Administrative Assistant	3
RSVP Volunteer Coordinator	3
Buyer	4
Executive Assistant to Police Chief	4
Outreach Program Assistant	5
Senior Day Program Coordinator	5
Assistant Clerk of Registrations/Elections	6
Executive Administrative Assistant (Police)	7
Airport Inspector	8
Deputy Purchasing Agent	9
Legal Assistant	9
Executive Assistant to Mayor	10
Administrative Coordinator	10
Human Resources Specialist	11
Grant Administrator	11
Crime Analyst	12
Assistant Airport Manager	13



**Chapter 16, Attachment 1: Human Resources Classification Compensation Schedules  
Non-Union/Non-Management Employee Salary Schedule 7.1.2022**

<b>Grade 1</b>	Hourly only								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$16.13	\$16.66	\$17.20	\$17.74	\$18.28	\$18.81	\$19.35	\$19.89	\$20.43	\$20.96

<b>Grade 2</b>	(37.5 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$17.20	\$17.72	\$18.25	\$18.79	\$19.36	\$19.94	\$20.54	\$21.15	\$21.79	\$22.44
\$33,540	\$34,546	\$35,583	\$36,650	\$37,750	\$38,882	\$40,049	\$41,250	\$42,487	\$43,762

<b>Grade 3</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$19.35	\$19.93	\$20.53	\$21.14	\$21.78	\$22.43	\$23.10	\$23.80	\$24.51	\$25.25
\$35,217	\$36,274	\$37,362	\$38,483	\$39,637	\$40,826	\$42,051	\$43,312	\$44,612	\$45,950

<b>Grade 4</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$20.43	\$21.04	\$21.67	\$22.32	\$22.99	\$23.68	\$24.39	\$25.12	\$25.87	\$26.65
\$37,174	\$38,289	\$39,437	\$40,620	\$41,839	\$43,094	\$44,387	\$45,719	\$47,090	\$48,503

<b>Grade 5</b>	(37.5 Hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$20.43	\$21.04	\$21.67	\$22.32	\$22.99	\$23.68	\$24.39	\$25.12	\$25.87	\$26.65
\$39,829	\$41,024	\$42,254	\$43,522	\$44,828	\$46,172	\$47,558	\$48,984	\$50,454	\$51,967

<b>Grade 6</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$22.58	\$23.25	\$23.95	\$24.67	\$25.41	\$26.17	\$26.96	\$27.76	\$28.60	\$29.46
\$41,087	\$42,319	\$43,589	\$44,896	\$46,243	\$47,631	\$49,059	\$50,531	\$52,047	\$53,609

<b>Grade 7</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$23.65	\$24.36	\$25.09	\$25.84	\$26.62	\$27.42	\$28.24	\$29.09	\$29.96	\$30.86
\$43,043	\$44,334	\$45,664	\$47,034	\$48,445	\$49,899	\$51,396	\$52,937	\$54,526	\$56,161

**Chapter 16, Attachment 1: Human Resources Classification Compensation Schedules  
Non-Union/Non-Management Employee Salary Schedule 7.1.2022**

<b>Grade 8</b>	(40 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$21.50	\$22.15	\$22.81	\$23.49	\$24.20	\$24.92	\$25.67	\$26.44	\$27.24	\$28.05
\$44,720	\$46,062	\$47,443	\$48,867	\$50,333	\$51,843	\$53,398	\$55,000	\$56,650	\$58,349

<b>Grade 9</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$24.73	\$25.47	\$26.23	\$27.02	\$27.83	\$28.66	\$29.52	\$30.41	\$31.32	\$32.26
\$45,000	\$46,349	\$47,740	\$49,172	\$50,647	\$52,167	\$53,732	\$55,344	\$57,004	\$58,714

<b>Grade 10</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$25.80	\$26.57	\$27.37	\$28.19	\$29.04	\$29.91	\$30.81	\$31.73	\$32.68	\$33.66
\$46,956	\$48,365	\$49,816	\$51,310	\$52,849	\$54,435	\$56,068	\$57,750	\$59,482	\$61,267

<b>Grade 11</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$26.88	\$27.68	\$28.51	\$29.37	\$30.25	\$31.16	\$32.09	\$33.05	\$34.04	\$35.07
\$48,913	\$50,380	\$51,891	\$53,448	\$55,051	\$56,703	\$58,404	\$60,156	\$61,961	\$63,820

<b>Grade 12</b>	(35 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$29.03	\$29.90	\$30.79	\$31.72	\$32.67	\$33.65	\$34.66	\$35.70	\$36.77	\$37.87
\$52,826	\$54,410	\$56,043	\$57,724	\$59,456	\$61,239	\$63,076	\$64,969	\$66,918	\$68,925

<b>Grade 13</b>	(40 hours)								
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
\$25.80	\$26.57	\$27.37	\$28.19	\$29.04	\$29.91	\$30.81	\$31.73	\$32.68	\$33.66
\$53,664	\$55,274	\$56,932	\$58,640	\$60,399	\$62,211	\$64,078	\$66,000	\$67,980	\$70,019

Chapter 16, Attachment 1: Human Resources Classification & Compensation Schedules

**Miscellaneous Rates**

Assessors Board Chairman	\$2,000/yr.
City Council, each member	\$8,000/yr.
City Council, President	\$10,000/yr.
City Physician	\$12,000/yr.
Clerk of the Board of Health	\$1,500/yr.
Clerk of the City Council	\$4,000/yr.
Clerk of Committees	\$2,880/yr.
Management Agency (part-time)	
Election Inspectors	
• City election	\$130
• State/federal election	\$140
Election Clerks	
• City election	\$143
• State/federal election	\$154
Election Wardens	
• City election	\$156
• State/federal election	\$168
Fence Viewer	\$400/yr.
Inspector of Animals	\$4,500/yr.
Mayor	\$95,000/yr.
<i>(Annual increases shall be adjusted in July of each year and shall be based upon the annual change in the Consumer Price Index for All Urban Consumers for the prior January.)</i>	
School Committee	\$4,000/yr.
<i>(No benefits. Mayor shall not receive compensation for their membership on the School Committee)</i>	



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

**Linda M. Tyer**  
Mayor

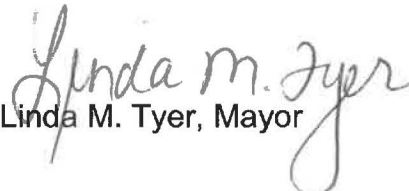
July 6, 2022

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 Ordinance amending Chapter 16, Human Resources, Section 16-13(b)(1) Adjustment of compensation schedule. If approved, the change will place a cap on the annual cost of living increase for non-union staff, while still utilizing the Consumer Price Index as an initial determinant.

Respectfully submitted,

  
Linda M. Tyer, Mayor

LMT/CVB  
Enclosure



DEPARTMENT OF HUMAN RESOURCES  
CITY HALL, SUITE 107  
70 ALLEN STREET  
PITTSFIELD, MA 01201  
PHONE: 413-499-9340 EMAIL: [HR@cityofpittsfield.org](mailto:HR@cityofpittsfield.org)



July 5, 2022

To: Mayor Linda M. Tyer  
From: Michael Taylor, Director of Human Resources  
RE: Cost of Living Adjustments – Update

Mayor Tyer,

Attached, please find a request to modify chapter 16 section 16-13(b)(1) of the City Code. If approved, the change will place a cap on the annual cost of living increase for non-union staff, while still utilizing the Consumer Price Index as an initial determinant.

Thank you,

**Michael Taylor**



No. ....

# City of Pittsfield

In the Year Two Thousand

## AN ORDINANCE

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

### AMENDING THE CODE OF THE CITY OF PITTSFIELD CHAPTER 16, HUMAN RESOURCES

#### SECTION I

That the Code of the City of Pittsfield, Chapter 16, Section 16-13 (B) (1) be amended by deleting the following:

“Cost of living adjustments shall be made to management and nonunion employee pay schedules annually on July 1. Cost of living adjustment increases shall be no less than the annual change in the Consumer Price Index for All Urban Consumers from the prior January.”

And replacing it with the following:

“Cost of living adjustments shall be made to management and nonunion employee pay schedules annually on July 1. Cost of living adjustment increases shall reflect the annual change in the Consumer Price Index for All Urban Consumers from the prior January, but not exceeding 5.0%.”

#### SECTION II

Changes to ordinance shall be effective January 1, 2023.

Approved as to Form and Legality,

\_\_\_\_\_  
\_\_\_\_\_

*City Solicitor*

**PETITION FOR JOINT OR IDENTICAL POLE LOCATION**

Springfield, Massachusetts, June 23, 2022  
To the City Council of the City of Pittsfield, Massachusetts

**VERIZON NEW ENGLAND INC. and  
NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**

Request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

**EAST HOUSATONIC STREET:** Place one (1) jointly owned pole numbered T.26½/E.19M on the north side of East Housatonic Street at a point approximately one hundred forty-five (145) feet westerly from the center line of Deming Street.

**Reason:** Place one jointly owned pole on East Housatonic Street to provide mid-span support to the existing pole line; and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires, and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked- Verizon No. **1A5BL9P**, dated August 18, 2021.

Also for permission 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 each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire and police telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

**VERIZON NEW ENGLAND INC.**

*Albert E. Bessette*

By: \_\_\_\_\_

Albert Bessette, Jr.  
Manager-Right of Way

**NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**

*Nicole Scarbro*

By: \_\_\_\_\_

District Representative

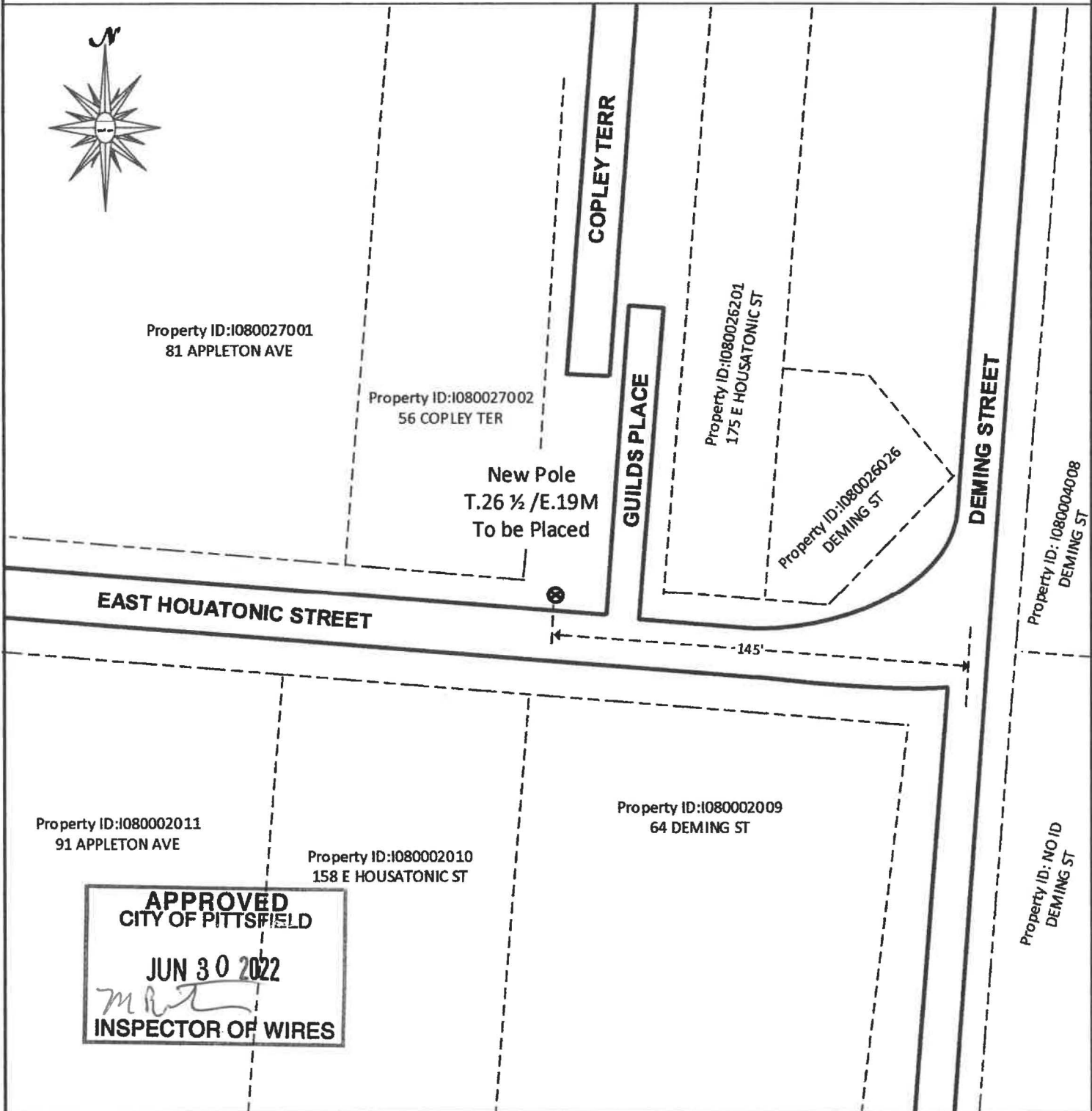
# PETITION PLAN

verizon

MUNICIPALITY PITTSFIELD  
**VERIZON NEW ENGLAND INC and NSTAR ELECTRIC COMPANY**  
**d/b/a Eversource Energy**

NO. 1A5BL9P  
DATE : August 18, 2021

SHOWING PROPOSED POLE ON EAST HOUSATONIC STREET



**APPROVED**  
**CITY OF PITTSFIELD**  
**JUN 30 2022**  
*[Signature]*  
**INSPECTOR OF WIRES**



PROPOSED POLE

## LEGEND

- EDGE OF PAVEMENT
- PROPERTY LINE
- CENTER LINE OF ROAD





One Wendell Avenue  
Pittsfield, MA 01201  
(413) 499-9480  
[www.pittsfieldlibrary.org](http://www.pittsfieldlibrary.org)

22 June 2022

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

Dear Councilors:

On behalf of Kelly Cusson, I am filing a conflict of interest disclosure form pursuant to G.L. Chapter 268A, Section 20(b).

Kelly Cusson is a long time teacher in the Pittsfield School system who retired at the end of the 2021-2022 academic year.

On June 15, 2022, she was appointed to a part time position with the Berkshire Athenaeum as a Substitute Senior Assistant in our Local History and Reference Departments. However, because Kelly will continue to receive her 2021-2022 teacher salary through early September, this disclosure and its approval by the City Council is required in order to allow her to work for the Berkshire Athenaeum and comply with Massachusetts Conflict of Interest Law, General Laws Chapter 268A.

This communication is to confirm that I have received the disclosure under G.L. c. 268A, §20(b) from a municipal employee who seeks to provide personal services to our municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of their regular duties.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alex Reczkowski".

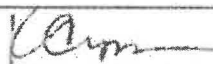
Alex Reczkowski  
Library Director

*Wonder* inside.

**DISCLOSURE BY MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(b)**

<b>MUNICIPAL EMPLOYEE INFORMATION</b>	
Name of municipal employee:	Kelly Cusson
Title/ Position	Teacher
<b>Fill in this box if it applies to you.</b>	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Pittsfield Public Schools
Agency Address	269 First Street, Pittsfield, MA 01201
Office phone:	413-499-9512
Office e-mail:	contactus@pittsfield.net
	Check one:    ___    Elected            or <u> X </u> Non-elected
Starting date as a municipal employee.	8/28/1996
<b>BOX # 1</b>	<b>ELECTED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or STATEMENT #2.</b>	I am an elected municipal employee.  ___ <b>STATEMENT #1:</b> I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. <b>OR</b> ___ <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.
<b>Write an X beside your financial interest.</b>	<b>My financial interest in a municipal contract is:</b>  ___ I have a non-elected, compensated municipal employee position. ___ A municipal agency has a contract with me.  ___ I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.  ___ I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.
<b>BOX # 2</b>	<b>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or STATEMENT #2.</b>	I am a non-elected municipal employee.  ___ <b>STATEMENT # 1:</b> I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.
<b>Write an X beside your financial interest.</b>	<b>My financial interest in a municipal contract is:</b>  ___ A municipal agency has a contract with me, but not an employment contract.

	<p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p>-- OR --</p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b>	
<p>Name and address of municipal agency that made the contract</p>	<p>Berkshire Athenaeum One Wendell Avenue Pittsfield MA 01201</p>
<p><b>Please put in an X to confirm these facts.</b></p>	<p><b>"My Municipal Agency"</b> is the municipal agency that I serve as a municipal employee.</p> <p>The <b>"contracting agency"</b> is the municipal agency that made the contract.</p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<p><b>FILL IN THIS BOX OR THE BOX BELOW</b></p>	<p><b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</b></p> <p>- Please explain what the contract is for.</p> <p>I am officially retiring from Pittsfield Public Schools on September 4, and do not teach during the summer. I have been hired by the Berkshire Athenaeum to work as a part-time substitute library assistant.</p>
<p><b>FILL IN THIS BOX OR THE BOX ABOVE</b></p>	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</b></p> <p>- Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?</p>

What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it.  From my Letter of Offer: The position is classified as part-time substitute Senior Assistant and is at the sixth grade level of the Athenaeum's salary schedule. You will be starting at the first step on this grade, at the hourly rate of \$17.0629. This rate will increase, according to the Berkshire Athenaeum Employee Association (BAEA) contract, on 1 July 2022 to \$17.1629 per hour. Thereafter, salary step increases may be expected annually on your anniversary date, according to the BAEA contract. You are also eligible for the language incentive of \$2.00/hour with a cap of \$175 per month for oral, reading, and written fluency
Date when you acquired a financial interest	Start date at the Berkshire Athenaeum: June 15, 2022
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it.  None
Date when your immediate family acquired a financial interest	N/A
Write an X to confirm each statement.	<b>FOR A CONTRACT FOR PERSONAL SERVICES –</b> <b>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</b>  I will have a contract with a municipal agency to provide personal services.  <input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee. <input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee. <input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.
Employee signature:	
Date:	6.22.22

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT – File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

**FOR CONTRACTS FOR PERSONAL SERVICES ONLY:**

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

**CERTIFICATION BY HEAD OF CONTRACTING AGENCY**

	<b>INFORMATION ABOUT HEAD OF CONTRACTING AGENCY</b>
Name:	Alex Reczkowski
Title/ Position	Director
Municipal Agency:	Berkshire Athenaeum
Agency Address:	One Wendell Avenue, Pittsfield MA 01201
Office Phone:	413-499-9489
	<b>CERTIFICATION</b>
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.
Signature:	<i>Alex Reczkowski</i>
Date:	22 June 2022

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN OR TOWN COUNCIL**

	<b>INFORMATION ABOUT APPROVING BODY</b>
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
	<b>APPROVAL</b>
	I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

**Attach additional pages if necessary.  
File disclosure, Certification and Approval with the city or town clerk.**



## CITY OF PITTSFIELD

PITTSFIELD RETIREMENT SYSTEM, 114 FENN STREET, PITTSFIELD, MA 01201  
PHONE 413-499-9468 FAX 413-499-9328

July 5, 2022

The Honorable Linda Tyer  
Mayor of the City of Pittsfield  
Pittsfield, MA 01201

Dear Mayor Tyer:

On April 28, 2022, the Pittsfield Retirement Board unanimously voted to increase the maximum base of the retiree's cost-of-living adjustment (COLA) by \$2,000. The last increase was in 2010 from \$12,000 to \$14,000. This would increase the maximum base from \$14,000 to \$16,000.

- Cost of living adjustments (Cola) historically have been granted to be effective July 1 of any given year and presently are granted on the first \$14,000.
- The Board votes whether or not to grant a Cola. The Public Employee Retirement Administration Commission (Perac) sets the percentage. However, the Board may elect to increase the percentage up to 3% in which the legislative body is notified at least 30 days prior.
- The cost, based on a 3% increase, per eligible capped person would be an additional \$5 monthly or \$60 annually. Based on the pension payroll of February 28, 2022, if the Cola base is \$16,000 the difference would be approximately **\$30,098** on an annual basis.
- As of the February 2022 pension payroll there were 806 retirees of which **473** would be capped at \$16,000 if the base is increased.

On behalf of the Retirees the Pittsfield Retirement Board is respectfully requesting that City Council approve this as set forth in Section 19 of Chapter 131 of the Acts of 2010.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Kerwood", with a long horizontal line extending to the right.

Matthew Kerwood, Chairman  
Pittsfield Retirement Board



**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](mailto:solicitor@cityofpittsfield.org)

January 31, 2022

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

Dear Councilors:

On December 15<sup>th</sup>, 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

RECEIVED CITY CLERK  
CITY OF PITTSFIELD  
2021 DEC -8 PM 12:31

December 06 2021

To the City Council of the City of Pittsfield:-

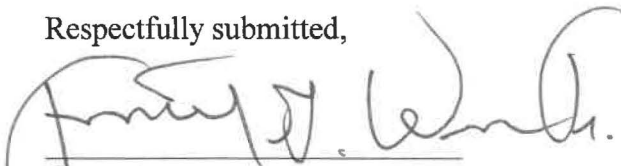
The undersigned respectfully

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

6/28 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request for a public hearing on the Proposed changes to demming park and related infrastructure.

*Kyle*  
213 ~~Elm~~ St Pitts MA

Michael A Patruelli  
227 Elm St Pitts MA.

Judi A Clemons  
227 Elm St  
Pittsford MA.

David M. ...  
68 Ontario St -

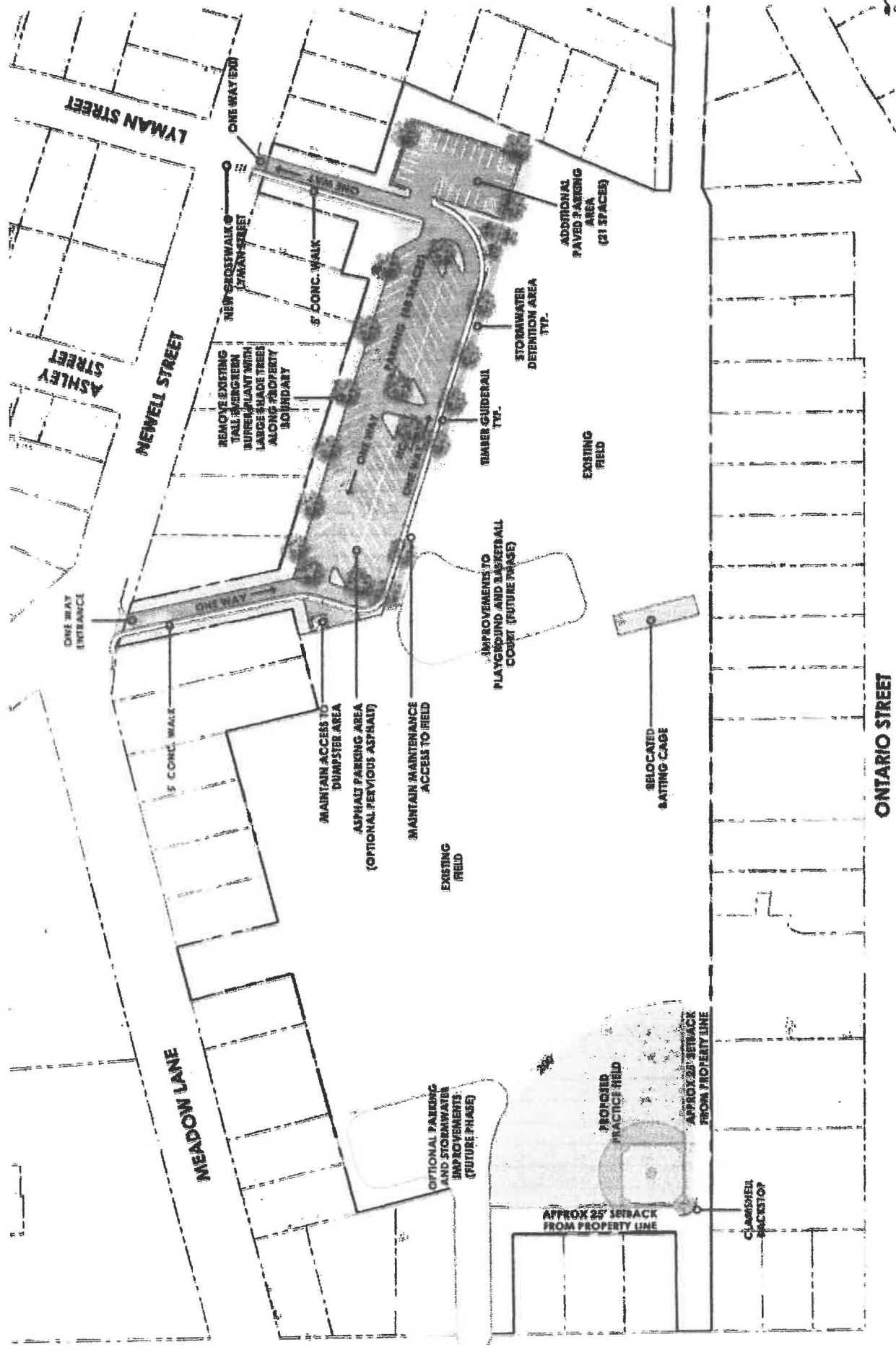
Eugene Nadeau  
39 DORCHESTER AVE.

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 JUL -6 AM 10:45



DEMING PARK - 20160641 P20  
PITTSFIELD, MA  
04.08.2022



LYMAN STREET

ASHLEY STREET

NEWELL STREET

MEADOW LANE

ONTARIO STREET

ONE WAY ENTRANCE

ONE WAY END

ONE WAY

5' CONC. WALK

REMOVE EXISTING TALL SPRING BUREL PLANT WITH LARGE SLADE TREES ALONG PROPERTY BOUNDARY

5' CONC. WALK

MAINTAIN ACCESS TO DUMPSTER AREA

ASPHALT PARKING AREA (OPTIONAL PERVIOUS ASPHALT)

MAINTAIN MAINTENANCE ACCESS TO FIELD

EXISTING FIELD

IMPROVEMENTS TO PLAYGROUND AND BASKETBALL COURT (FUTURE PHASE)

TIMBER GUIDERAIL TYP.

STORMWATER DETENTION AREA TYP.

EXISTING FIELD

RELOCATED BATING CABE

OPTIONAL PARKING AND STORMWATER IMPROVEMENTS (FUTURE PHASE)

PROPOSED PRACTICE FIELD

APPROX 25' SETBACK FROM PROPERTY LINE

APPROX 25' SETBACK FROM PROPERTY LINE

CLARKWELL BACKSTOP

ADDITIONAL PAVED PARKING AREA (31 SPACES)



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA

2022 JUL -6 PM 1:02

July 6, 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the Commissioner of Public Utilities explore municipal composting as a way to lower our solid waste costs and report back to the Council at our August 9th, 2022 meeting.

Respectfully submitted,

Patrick Kavey  
Ward 5 Councilor

Dina Guiel Lampiasi  
Ward 6 Councilor



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 JUL -6 PM 1:03

July 6, \_\_\_\_\_ 20 22

To the City Council of the City of Pittsfield:-

The undersigned respectfully

Request that the Commissioner of Public Utilities report back to the Council, the status of  
The Casella Waste Transfer Station at our August 9th, 2022 meeting

Respectfully submitted,

Patrick Kavey  
Ward 5 Councilor

Dina Guiel Lampiasi  
Ward 6 Councilor



# City of Pittsfield

RECEIVED-CITY CLERK  
CITY OF PITTSFIELD, MA  
2022 JUN 27 PM 2:01

June 27, 2022

To the City Council of the City of Pittsfield:-

I, Alex Blumin, Resident of  
City of Pittsfield, petition City Council Alex Blumin  
to make a Rule ~~of~~ change City Code to allow  
public to speak on Pittsfield Housing Authority  
Meetings.

The undersigned respectfully

At present time, Public has no right to speak on  
such Meetings at all, which is violation of  
common sense and Civil Rights of Residents.

Respectfully submitted by

Alex Blumin  
ALEXANDER BLUMIN  
16 Hamlin St  
Pittsfield, MA 01201  
blum037@yahoo.com