

**REGULAR MEETING OF THE CITY COUNCIL  
MAY 13, 2003**

**AGENDA**

1. Open microphone

**COMMENTS FROM HER HONOR, THE MAYOR**

2. This item reserved for the Mayor to address the City Council, with an opportunity for questions from the Council

**COMMUNICATIONS FROM HER HONOR, THE MAYOR**

3. Communication submitting an Order appropriating \$310,000 to an account in the Department of Public Utilities/Water Division
4. Communication submitting an Order appropriating \$286,000 to an account in the Department of Public Utilities/Wastewater Division
5. Communication submitting an Order appropriating \$227,218.12 from certified free cash to an account in the Department of Public Works
6. Communication submitting an Order transferring the amount of \$148,590 from various accounts to the Fire Department
7. Communication submitting an Order transferring the sum of \$75,000 between accounts within the Department of Public Works & Utilities
8. Communication submitting an Order transferring the amount of \$56,783 from the workers compensation account to the Police Department
9. Communication submitting an Order transferring the amount of \$51,127 from various accounts to the Public Works Department
10. Communication submitting an Order authorizing the City to accept a grant of funds in the amount of \$49,181 from the Corporation for National and Community Service
11. Communication submitting an Order authorizing the sum of \$33,000 from the GE Economic Development Fund to Berkshire Plastics Network
12. Communication submitting an Order transferring the amount of \$5,340 between accounts of the Fire Department
13. Communication submitting an Order transferring the amount of \$3,000 between accounts of the Dept. of Health & Inspections and the Building Inspectors
14. Communication submitting an Order accepting a donation from ECS Marin Company to the Pittsfield Fire Department

### **APPOINTMENTS**

15. Appointment of Michael A. Winston as a Lieutenant in the Pittsfield Police Department
16. Appointment of Jude Patoka as a member of the Cultural Council
17. Appointment of Clifford Wagner as a member of the Cultural Council
18. Appointment of William J. Mickle as a member of the Auxiliary Police Unit

### **PUBLIC HEARINGS**

19. Public hearing on the petition of the Community Development Board to amend the Zoning Ordinance as it pertains to time share
20. Public hearing on the petition of the Community Development Board to amend the Zoning Ordinance as it pertains to Bed and Breakfast/Tourist Home

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

21. Petition from Councilor Vincelette submitting suggestions from the Ad Hoc budget committee
22. Petition from Councilor Tuttle asking the Mayor not to fill the position of City Solicitor until the cost effectiveness of privatizing the position can be evaluated
23. Petition from Councilor Tuttle for 4-year term limits for Councilors
24. Petition from Councilor Tuttle requesting an explanation of the procedure for forcing owners to remove abandoned houses and construction dumpsters left on properties
25. Petition from Councilor Arlos requesting the Superintendent of Schools and School Committee take the necessary steps to privatize the school bus service
26. Petition from Councilor Arlos that the City Council vote to express opposition to rent increases for low-income public housing tenants
27. Petition from Councilor Arlos that the City Council vote to accept information from the Secretary of Environmental Affairs with regard to the proposed transfer station
28. Petition from Councilor Arlos that the Mayor refrain from paying the Chief of Police for holidays
29. Petition from Councilor Lee to accept Mass. General Law, Chapter 32B, Section 18 regarding Medicare for retirees
30. Petition from Councilor Bianchi that the Council go on record opposing privatization of municipal water facilities
31. Petition from Councilor Bianchi for consideration of a long-term plan for reconfiguration of the Fire Department

32. Petition from Councilor Bianchi for re-evaluation of Community Development Block Grant zones
33. Petition from Councilor Arlos requesting the City Council vote to ask Senators Edward Kennedy and John Kerry and Representative John Olver to take steps on behalf of legislation to expand unemployment compensation
34. Petition from Councilor Kerwood submitting a Resolution designating May 10-18, 2003 as National Tourism Week

### **REPORTS OF COMMITTEES**

#### *Reports of the Committee on Finance*

35. A report of the Committee on Finance to whom was referred a communication from Mayor Hathaway submitting an Order authorizing the use of \$550,000 from the Bossidy Parks Donation, recommending it be approved
36. A report of the Committee on Finance to whom was referred a communication from Mayor Hathaway submitting an Order approving the certified project application of Capital Cardiology Associates, P.C., recommending it not be approved

#### *Reports of the Committee on Community and Economic Development*

37. A report of the Committee on Community and Economic Development to whom was referred a communication from Mayor Hathaway submitting an Order authorizing funds from the GE Economic Development Fund for the purpose of expanding water and sewer service to the Dan Fox Drive area, recommending it be approved
38. A report of the Committee on Community and Economic Development to whom was referred a communication from Mayor Hathaway submitting an Order authorizing the amount of \$185,000 from the GE Economic Development Fund to the Wyandotte Mill Bridge Replacement, recommending it be approved
39. A report of the Committee on Community and Economic Development to whom was referred a petition from Councilor Tuttle asking the owner of the Wyandotte Bridge to provide the City with a 99-year easement, recommending it be filed

#### *Reports of the Audit Committee*

40. A report of the Audit Committee to whom was referred a petition from Councilor Arlos requesting an investigation of payments made to the Chief of Police as Acting Fire Chief, recommending the report of the Personnel Director be accepted and placed on file
41. A report of the Audit Committee to whom was referred a petition from Councilor Marchetti asking the Mayor to justify additional salary payments to the Acting Fire Chief and Acting Director of Administrative Services, recommending the petition be referred to the Mayor with the request to have the Police Chief return funds of \$1,230.76

### **UNFINISHED BUSINESS**

42. A petition from Councilor Vincelette that the Assessors office hold a public meeting to acquaint elderly citizens with tax exemptions or deferrals (tabled 9-10-02)

43. A response from the City Solicitor to a petition from Councilor Arlos regarding the chairman of the Board of Assessors (tabled 11-12-02)
44. Petition from Peter White asking the Council to go on record in opposition to Governor Romney's proposal to consolidate BCC and MCLA (tabled 3-11-03)

**NEW BUSINESS**

45. Petition from Rinaldo DelGallo III that the City Council designate August 2 & 3, 2003 as "The Berkshire Music Festival on the Lake" weekend
46. Petition from Rinaldo DelGallo III requesting the Council grant free use of the Artabout stage for the Berkshire Music Festival on the Lake

**ORDINANCE (final reading)**

47. Final reading of an Ordinance amending the City Code, Chapter 6 – Finance and Taxation with regard to an affordable housing agreement

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

*Referred to the Committee on Ordinances and Rules*

48. Petition from Rinaldo DelGallo for free use of the Artabout stage for non-profit organizations
49. Petition from Rinaldo DelGallo for free use of the Artabout stage for organizations providing a free event, open to the public, and providing a public benefit

*Referred to the Mayor*

50. Petition from Rinaldo DelGallo III requesting \$3,000 from the City to provide for the Berkshire Music Festival on the Lake

**PLACED ON FILE**

51. Response from Congressman Olver to a petition from Councilor Arlos regarding veterans' health care programs