

**REGULAR MEETING OF THE CITY COUNCIL
JUNE 14, 2005 – 7:30 P.M.**

AGENDA

1. Open microphone

COMMUNICATIONS FROM HIS HONOR, THE MAYOR

2. A communication notifying the Council of a presentation by representatives of the Berkshire Wireless Learning Initiative
3. A communication submitting an Order authorizing the City to accept a grant in the amount of \$40,000 of funds from the Massachusetts Department of Conservation and Recreation
4. A communication submitting an Order transferring the sum of \$3,357 between accounts of the Personnel Department and Department of Cultural Development
5. A communication submitting an Order authorizing the City to borrow an aggregate sum not to exceed \$4,000,000 for capital expenditures
6. A communication submitting an Ordinance amending the City Code, Chapter 8, Solid Waste Collection and Disposal, authorizing a solid waste service charge for four family properties that are not owner-occupied
7. A communication submitting an Order authorizing the City to grant a conveyance of an easement on Thomas Island Road to Thomas and Laurae Valentine
8. A communication submitting an Order authorizing the City to accept a conveyance of an easement on Thomas Island Road from Thomas and Laurae Valentine
9. A communication submitting a Traffic Order necessary to implement changes in the parking regulations on Pearl Street

APPOINTMENTS

10. Appointment of Peter White as a member of the Traffic Commission

COMMUNICATIONS FROM CITY OFFICERS AND BOARDS

11. A petition from Councilor Kerwood that the City explore the creation of a reimbursement program for Calls for Service that involve the discharge of material governed by MGL 21E
12. A petition from Councilor Lothrop to amend the City Code, Chapter 23, Zoning, Adult Entertainment Establishments, Section 7.847 to increase setback requirements to 400 feet
13. A petition from Councilor Lothrop requesting an update from the City Solicitor, or a designee, regarding prohibiting alcohol sales within adult entertainment establishments
14. A petition from Councilor Maffuccio that the Council request the Chief of Police seek the aid of State Police for an increased police presence in Pittsfield
15. A report of the Resource Recovery Commission on the referral of an Order authorizing an amendment of the City's waste services agreement with ECO/Pittsfield, LLC for consolidation and transportation of recyclables
16. A report of the Resource Recovery Commission on the referral of an Ordinance amending the City Code, Chapter 8, Solid Waste and Disposal, limiting collection of solid waste to residential structures with three or fewer living units, recommending the proposal be rejected

17. A report of the Traffic Commission on the referral of a Traffic Order necessary to implement parking restrictions on Fenn Street, recommending it be amended and approved
18. A report of the Traffic Commission on the referral of a Traffic Order necessary to implement parking restrictions on Worthington Street, recommending it be approved
19. A report of the Traffic Commission on the referral of a petition from Councilor Tyer for a "No Parking" zone on the easterly side of Dorchester Avenue, recommending it be approved and signs installed
20. A report of the Traffic Commission on the referral of a petition from Councilor Maffuccio for installation of "Slow Children" signs on Hancock Road, recommending it be approved and signs installed near Highland Avenue going east and west
21. A report of the Traffic Commission on the referral of a petition from Councilor Costi requesting the Mayor, Traffic Commission and Public Works Commission consider overnight sticker parking on all residential streets, recommending it be filed
22. A report of the Traffic Commission on the referral of a petition from Councilor Vincelette for installation of "Slow Children" signs at both ends of Waverly Street, recommending it be filed
23. A report of the Traffic Commission on the referral of a petition from Councilor Tyer for approval and installation of speed limit signs on Maple Grove Drive, recommending it be filed
24. A report of the Traffic Commission on the referral of a petition from Councilor Markham for a traffic light on North Street at Walden Lane, recommending it be filed
25. A report of the Traffic Commission on the referral of a petition from Councilors Bianchi and Lothrop for installation of a new signal light on the west corner of West and Center Streets with a left turn arrow for the north and southbound lanes, or retiming of the existing light to allow for left turn flow, recommending it be filed
26. A report of the Traffic Commission on the referral of a petition from Councilor Maffuccio requesting the Traffic Commission and/or Mass. Highway look at the intersection in front of Berkshire Medical Center, recommending it be filed
27. A report of the Traffic Commission on the referral of a petition from Peter Arlos requesting a change in the traffic pattern at the junction of North St. and First St., recommending it be filed
28. A report of the Personnel Review Board relative to its June 7, 2005 meeting

REPORTS OF COMMITTEES

Reports of the Audit Committee

29. A report of the Audit Committee on the referral of a petition from Councilor Malumphy requesting a review of the year-to-date expenses for the Pittsfield Municipal Airport going back to FY04 and FY03, recommending it be filed
30. A report of the Audit Committee on the referral of a petition from Councilor Vincelette requesting an analysis of the school bus audit, recommending the school bus analysis be accepted and placed on file

Reports of the Committee on Public Safety and Health

31. A report of the Committee on Public Safety and Health on the referral of a communication from Mayor Ruberto requesting the City Council's Committee on Public Safety and Health evaluate and make recommendations regarding the structure, functions and responsibilities of the Pittsfield Emergency

Management Agency, recommending the report of the Committee with recommendations be referred to the Mayor

32. A report of the Committee on Public Safety and Health on the referral of a petition from former Councilor Arpante for a 10:00 p.m. curfew for underage children, recommending it be filed

Reports of the Committee of the Whole

33. A report of the Committee of the Whole on the referral of a petition from Councilor Lee that the Mayor hire Scanlon & Associates to perform an audit of all school bus operations and that the Mayor order a request for quotes relative to the privatizing of school bus operations, recommending it be approved and placed on file
34. A report of the Committee of the Whole on the referral of a petition from Councilors Malumphy and Costi that the Chairman of the School Committee and Mayor bring forward a proposal for funding school bus transportation, recommending it be filed
35. A report of the Committee of the Whole on the referral of a petition from Richard Johnson, Vice President of U.S. Filter Operating Systems, requesting permission to make a presentation at the June 24, 2003 meeting regarding the City's water and wastewater systems, recommending it be filed

Reports of the Committee on Finance

36. A report of the Committee on Finance on the referral of an Order approving the Certified Project Application of Plastics Technologies Laboratories, Inc., recommending it be approved
37. A report of the Committee on Finance on the referral of a Resolution providing for a second amendment to the Downtown Pittsfield Economic Opportunity Area, recommending that the amended version be approved
38. A report of the Committee on Finance on the referral of an Order approving the Certified Project Application of Raymond D. Shilke, III and BMH Productions, Inc., d/b/a Berkshire Music Hall, recommending it be filed
39. A report of the Committee on Finance on the referral of a petition from Terry Kinnas that the City use the \$450,000 sewer connection fee from the Town of Richmond to reduce the sewer user fee rates in the year the connection fee is received, recommending it be filed
40. A report of the Committee on Finance on the referral of a petition from Councilor Kerwood to explore the possibility of establishing a stabilization account to offset loss of property taxes resulting from building at the William Stanley Business Park, recommending it be filed

Reports of the Committee on Ordinances and Rules

41. A report of the Committee on Ordinances and Rules on the referral of the petition from the Community Development Board to amend the City Code, Chapter 23, Zoning to establish an access management overlay district for Dan Fox Drive, recommending it be approved
42. A report of the Committee on Ordinances and Rules on the referral of a petition from Raman Desai and Del Alba Holdings for an amendment to the Zoning Ordinance to reclassify land on Dan Fox Drive from an LDI District to a B-G District, recommending it be approved
43. A report of the Committee on Ordinances and Rules on the referral of a petition from the Community Development Board to amend the City Code, Chapter 23, Zoning to establish a Downtown Arts Overlay District, recommending it be approved as amended
44. A report of the Committee on Ordinances and Rules on the referral of an Ordinance amending the City Code, Chapter 25, Sign Ordinance, recommending it be approved as amended

45. A report of the Committee on Ordinances and Rules on the referral of a petition from Councilor Tyer that the City Solicitor review laws pertaining to door-to-door solicitation, recommending it be approved

UNFINISHED BUSINESS

46. A petition from Councilor Malumphy requesting updates from the Mayor on the School Building Needs Commission, Charter Review Commission and financial forecasting for the 2006 budget (tabled 3-2-05, 5-24-05)

NEW BUSINESS

47. A petition from Rinaldo DelGallo, III proclaiming the importance of televising the Pittsfield Community Development Authority meetings
48. A petition from Rinaldo DelGallo, III to change the Pittsfield Community Development Authority Ordinance to mandate that meetings be taped and made public
49. A petition from Rinaldo DelGallo, III to have a public hearing on the creation of a logo for the City of Pittsfield
50. A petition from Rinaldo DelGallo, III to thank Traffic Commission Members, Councilor Maffuccio, Commissioner Collingwood, the Mayor and Public Works Department for installing "do not obstruct traffic" signs at the post office
51. A petition from Peter Arlos that the Council vote to thank Dan O'Connell for his 29 years of service to the City of Pittsfield
52. A petition from Peter Arlos that the Council vote to request that city school buses be provided with seat belts
53. A petition from Peter Arlos that the Council show its support for the a bill that would add a check off box on Mass. Tax forms for a contribution to the Massachusetts Military Family Relief fund
54. A petition from Robert Douglas and Karleen Douglas asking the Council to take action to raise the salary of the school nursing staff and place its budget and administration under the control of the Pittsfield Public School Department
55. A petition from Terry Kinnas that the Council petition elected officials to change state revenue regulations and/or tax laws that would allow governmental units to be exempt from paying the state tax on gasoline and other fuels
56. A petition from Donna Walto that the Council ask the members of the Mass. Alcoholic Beverage Control Commission's investigation and enforcement division to help control underage drinking in Pittsfield this summer

MATTERS TENTATIVELY REFERRED BY THE PRESIDENT UNDER RULE 17

Referred to the Committee on Public Works and Utilities

57. A petition from Councilor Maffuccio asking the status of sweeping unaccepted streets and if the City's street sweeper could be used on those streets
58. A petition from Councilor Tyer to evaluate the annual flooding problem on Lillian Street

Referred to the Commissioner of Public Works and Utilities

59. A petition from Councilor Kerwood to explore if modifications can be made to the intersection of Elm and Williams Street to reduce the impact of the home located at 720 Williams Street
60. A petition from Councilor Lothrop for replacement of the stop sign at the corner of Tamarack Road and Barker Road

61. A petition from Councilor Lothrop for replacement of the stop sign at the corner of Old Tamarack Road and Tamarack Road

Referred to the Traffic Commission

62. A petition from Councilor Lothrop for improved signage to indicate US Route 20 from Park Square west to Center/West Housatonic Street

Referred to the Chief of Police

63. A petition from Peter Arlos requesting the number of drunk driving arrest made by the police department from 2000 – 2004

Referred to Scanlon and Associates

64. A petition from Rinaldo DelGallo III, asking if the purchase of new school buses was included in the cost of keeping school busing public
65. A petition from Rinaldo DelGallo III, asking why the expense of a full 1.5 people to monitor private companies providing busing was included in the audit
66. A petition from Rinaldo DelGallo III, asking why the cost of current liabilities of the pension fund for current school bus employees of the City was included as a cost to private busing companies
67. A petition from Rinaldo DelGallo III, asking why the cost of current increased liabilities of the pension fund for the current City school bus employees was not included as a cost to the current bus system

Referred to the Mayor

68. A petition from Rinaldo DelGallo, III to amend the City Charter that the number of signatures required to run for Mayor not exceed that of a state representative
69. A petition from Rinaldo DelGallo, III to amend the City Charter that the number of signatures required to run for Councilor at Large not exceed that of a state representative
70. A petition from Rinaldo DelGallo, III to amend the City Charter that the number of signatures required to run for School Committee member not exceed that of a state representative

Referred to the Pittsfield Economic Development Authority

71. A petition from Rinaldo DelGallo, III asking Pittsfield Community Development Authority to tape its meetings

Referred to Pittsfield Community Television

72. A petition from Rinaldo DelGallo, III asking PCTV to televise Pittsfield Community Development Authority meetings
73. A petition from Rinaldo DelGallo, III asking PCTV to reprioritize what they cover so that Pittsfield Community Development Authority meetings are televised

PLACED ON FILE

74. A response from the Department of Environmental Protection to a request to extend the burning season in Pittsfield
75. A response from Superintendent of Schools to a petition from Peter Arlos regarding students in the school system who report a first language spoken at home other than English