AGENDA

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and state and federal orders and guidance imposing strict limits on the number of people that may gather in one place, this meeting of the City Council will be conducted exclusively via remote participation. For this meeting, members of the public who wish to watch the meeting may do so on PCTV. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

NOTE: If you are interested in participating in the Public Hearing, you may do so by calling (929) 205-6099, Enter the Meeting ID, 924-3956-9835 on your phone's keypad and press #. Press # again.

PUBLIC HEARING

1. A public hearing on a petition from NSTAR Electric Company DBA Eversource and Verizon New England, Inc., requesting to install one (1) jointly owned pole from the corner of Merriam Street and West Street. (Continued from March 10, 2020)

2. A public hearing on a petition from NSTAR Electric Company DBA Eversource and Verizon New England, Inc., requesting to install one (1) jointly owned midspan pole on Churchill Street

APPOINTMENTS

3. A communication from Mayor Tyer reappointing Paula King to the Board of Assessors

COMMUNICATIONS FROM HER HONOR THE MAYOR

4. A communication from Mayor Tyer submitting an Order authorizing to amend the City's Community Development Block Grant for HUD Program Year 2019-2020
COMMITTEE REPORTS

Report of the Committee on Finance
5. A report from the Finance Committee on an Order authorizing a Tax Increment Financing Agreement for WJK Realty and John's Building Supply, recommending to approve 4/1

UNFINISHED BUSINESS

6. A petition from Councilors Maffuccio and Morandi asking to appoint a City Youth Advisor (Tabled March 10, 2020)

7. A petition from Councilor Maffuccio requesting to adopt Mass General Law, Chapter 85, Section 17A, to ban activity from Park Square to Hubbard Avenue and from North Street to Tyler Street. (Tabled March 10, 2020)
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Pittsfield, Massachusetts.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY AND VERIZON NEW ENGLAND, INC.

requests permission to locate a line of poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way:

Location – Merriam Street, Pittsfield.

Relocate one (1) jointly owned pole (P#460/1) from the corner of Merriam Street and West Street. The pole is to be located approximately eighty (80) feet south of the intersection with West Street and fifteen (15) feet east of the centerline of Merriam Street.

Reason – To allow for the installation of pole top reclosers to enhance reliability and reduce outages.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to construct and maintain a line of poles, wires and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the field plan herewith and made a part hereof marked 6B921229.

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 crossarm 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.

EVERSOURCE

By ___________________________
District Representative

VERIZON NEW ENGLAND, INC.

By ___________________________
Manager Right-of-Way

Dated this 9th day of January, 2020
Eversource is requesting permission to relocate the existing pole 460/1 on the corner of Merriam Street and West Street. New location to be approximately 80 ft. south of the centerline of West Street and approximately 15 ft. east of the centerline of Merriam Street.

Purpose and description:

Legend:
- PROPOSED JOINT POLE
- PROPOSED SOLE-OWNED ELECTRIC POLE
- EXISTING JOINT POLE
- EXISTING SOLE-OWNED ELECTRIC POLE

NOT TO SCALE

DRAWN BY
JOE MCCARTHY

W.O.#
3355079 / 6B921229

DISTANCES ARE APPROXIMATE
NOT TO SCALE

PETITION NO.

APPROVED
FEB 24 2020
INSPECTOR OF WIRES
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council of Pittsfield, Massachusetts.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY AND VERIZON NEW ENGLAND, INC.

requests permission to locate a line of poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way:

Location — Churchill Street, Pittsfield.
   Install one (1) jointly owned midspan pole to be located approximately twenty-two (22) feet west of the centerline of Churchill Street and eight hundred four (804) feet southwesterly of the centerline with Hancock Road.

Reason — To allow for the installation of pole top reclosers to enhance reliability and reduce outages.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to construct and maintain a line of poles, wires and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the field plan herewith and made a part hereof marked 6B921234.

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 crossarm 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.

EVERSOURCE

By __________________________
   District Representative

VERIZON NEW ENGLAND, INC.

By __________________________
   Manager Right-of-Way

Dated this 31st day of January, 2020
<table>
<thead>
<tr>
<th>EVERSOURCE</th>
<th>TOWN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PITTSFIELD, MA</td>
</tr>
<tr>
<td></td>
<td>#852 CHURCHILL ST</td>
</tr>
</tbody>
</table>

**PURPOSE AND DESCRIPTION**

EVERSOURCE IS REQUESTING PERMISSION TO INSTALL ONE JOINT OWNED MIDSPAN POLE FOR A NEW RECLOSER 22' WEST OF THE CENTERLINE OF CHURCHILL ST AND 804' SOUTH WEST OF THE CENTERLINE OF HANCOCK RD

---

**LEGEND**

- ⚫ PROPOSED JOINT POLE
- ⚫ PROPOSED SOLE-OWNED ELECTRIC POLE
- ✗ EXISTING JOINT POLE
- ○ EXISTING SOLE-OWNED ELECTRIC POLE
- ⠟ PROPOSED ANCHOR
- ⠓ EXISTING ANCHOR
- — PROPERTY LINE

**DRAWN BY**

JOE MCCARTHY

**W.O.#**

3355339 / 6B921234

**DISTANCES ARE APPROXIMATE**

NOT TO SCALE

**PETITION NO.**

3355339 / 6B921234
April 22, 2020

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 reappointment of Paula King to the Board of Assessors for a term expiring April 28, 2023.

Respectfully submitted,

Linda M. Tyer  
Mayor
April 22, 2020

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

Dear Councilors,

The city’s economic recovery is a crucial element in our response to COVID-19. The city’s Director of Community Development, Deanna Ruffer, and I have put together a COVID-19 economic recovery proposal. We have designed a COVID-19 economic recovery program that would provide $1.1 million in relief and recovery for the people and businesses in our city. The first component of this program is included for your consideration.

The City received $789,382 from the federal CARES Act. This funding will be administered through Pittsfield’s Community Development Block Grant. With your support, these funds, in the form of grants, could be available in early May to assist Pittsfield families with rent, mortgage, and utility payments. Eligible homeowners and renters could receive up to three months or a maximum of $5,000 per household to pay a mortgage, rent, or utilities. Berkshire Regional Housing Authority will administer this part of the Economic Recovery Program. They are also able to provide mediation and other services to help Pittsfield residents stay in their homes.

Another element of the COVID-19 economic recovery plan includes the use of community development block funds to enhance the vital work of our non-profit community service partners. These community partners are on the front lines helping residents with many of their daily needs. These funds will support existing and any new programs that they have put into place as part of their response to the COVID-19 pandemic. I am proposing support to the Elizabeth Freeman Center in their ongoing fight against sexual assault and domestic violence, to the Salvation Army, UCP, and Elder Services for enhancing and extending their food service programs, to ServiceNet to continue their assistance to the homeless during this public health crisis, and to Berkshire County ARC to help them care for residents living in their group homes. Additional public
service funds will be available to these and other organizations through a rolling application process to help meet urgent needs as they arise.

Grants of up to $10,000 will be offered to Pittsfield small businesses that are in jeopardy of significant losses and even closures. These funds will help our small businesses retain and rehire employees, and to help a business modify their operations in order to remain viable throughout the economic recovery. In addition, funding may be available to cultural institutions for job retention, creation, and programming. As you know, cultural institutions are essential to Pittsfield’s economy and to our sense of well-being. They have been hard hit by the COVID-19 pandemic and I am proposing funds to help these creative cultural organizations reopen and re-establish their presence and programming in our city.

Therefore, submitted herewith for your consideration is an Order to amend the City’s Community Development Block Grant Annual Action Plan for program year 2019-2020 to provide a special allocation of Community Development Block Grant funds in the amount of $789,283.

Respectfully submitted,

Linda M. Tyer, Mayor

LMT/CVB
Enclosure
April 21, 2020

The Honorable Linda Tyer  
70 Allen Street, City Hall  
Pittsfield, MA 01201

Dear Mayor Tyer:

Enclosed for transmittal to the City Council is an Order authorizing the Mayor to submit an amendment to the Community Development Block Grant (CDBG) fiscal year 2019-2020 Consolidated Plan. This amendment addresses a special allocation of $789,382 in funding from the federal Coronavirus Aid, Relief and Economic Security Act (CARES Act) that will be administered through the City’s Community Development Block Grant. Funds are expected to be available in early May to assist Pittsfield families, public service entities, cultural institutions and small business.

Homeowners and renters will be able to obtain assistance to pay rent or mortgages or utilities for up to three months or a maximum of $5,000 per household. Berkshire Regional Housing Authority, who will administer this part of the City’s COVID-19 Recovery Program, will also be available to provide mediation and other services to help Pittsfield residents stay in their homes.

Pittsfield Public Service agencies who are on the front line, assisting residents meet their daily needs, will have access to funding to support the existing and new programs they have put in place in response to the COVID-19 pandemic.

Grants of up to $10,000 will be offered to Pittsfield’s small businesses to help them retain employees and rehire employees as well as to help businesses pivot their business models in response to the pandemic and related business closings and operational limitations. In addition, cultural institutions which have become a vital part of Pittsfield’s economy over the past fifteen years reaching into our community in so many ways, have been hard hit by the COVID-19 pandemic and related social distancing. Funding will be available to help these crucial community organizations reopen and re-establish their programming.

Please do not hesitate to contact me or Justine Dodds if you have any questions.

Sincerely,

Deanna L. Ruffer  
Director
Ordered:

AUTHORIZING THE CITY OF PITTSFIELD THROUGH ITS MAYOR AND CITY COUNCIL TO AMEND THE CITY’S COMMUNITY DEVELOPMENT BLOCK GRANT FOR HUD PROGRAM YEAR 2019-2020

That the City of Pittsfield hereby authorizes, through its Mayor and City Council, the amendment of the City’s Consolidated Plan/Action Plan for the HUD program year 2019-2020 to provide for a special allocation of Community Development Block Grant funds in the amount of $789,283 to be used to prevent, prepare for, and respond to the coronavirus (COVID-19) under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. The proposed use of funds is as follows:

PROPOSED USES OF FUNDS

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Service</td>
<td>$ 190,000</td>
</tr>
<tr>
<td>Rental and Homeowner Assistance</td>
<td>$ 119,000</td>
</tr>
<tr>
<td>Cultural Organization Hardship Grants</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Business Hardship Grants</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>Project Administration</td>
<td>$ 80,283</td>
</tr>
<tr>
<td><strong>TOTAL PROJECTS &amp; ADMINISTRATION</strong></td>
<td><strong>$ 789,283</strong></td>
</tr>
</tbody>
</table>
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
PROPOSED AMMENDMENT TO THE 2019-2020 ANNUAL ACTION PLAN

NOTICE OF PUBLIC COMMENT PERIOD
City Of Pittsfield
Department Of Community Development

COVID-19 FUNDS
The City of Pittsfield is receiving a special allocation of Community Development Block Grant funds in the amount of $789,283 to be used to prevent, prepare for, and respond to the coronavirus (COVID-19) under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. Notice is hereby given that the City of Pittsfield, through its Department of Community Development, is proposing to amend its Consolidated Annual Action Plan for program year 2019-2020 in order to allocate this additional source of funds. This proposed amendment is required in order to allocate these funds within the original CDBG budget submitted to the U.S. Department of Housing & Urban Development. Expenditures are estimates and programs are subject to modification pending public review. The proposed use of funds is as follows:

<table>
<thead>
<tr>
<th>PROPOSED USES OF FUNDS</th>
<th></th>
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<tbody>
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<td><strong>TOTAL PROJECTS &amp; ADMINISTRATION</strong></td>
<td><strong>$ 789,283</strong></td>
</tr>
</tbody>
</table>

The percent of proposed projects estimated to benefit low and moderate-income persons is 100%

PUBLIC REVIEW AND COMMENT

An 7-day public review and comment period is in effect from April 21, 2020 through April 27, 2020. Written or verbal comments may be submitted to the Department of Community Development, 70 Allen Street, Pittsfield, Massachusetts 01201, (413) 499-9368, or via email to jdodds@cityofpittsfield.org through 4:00 p.m., on April 27, 2020 and will be included in the public record of the amended plan.
To the City Council of the City of Pittsfield: —

The Committee on Finance to whom was referred the

A Communication from Mayor Tyer submitting an Order authorizing a Tax Increment Financing Agreement for WJK Realty, Inc. and Jophn's Building Supply

having considered the same, report and recommend that the Agreement be approved.

Voted 4 - 1

Respectfully submitted,

Peter Marchetti
Chairman
WHEREAS, the City of Pittsfield has been in negotiation with John’s Building Supply and WJK Realty, Inc. regarding the location of a new retail and administrative building to be constructed at 850 Crane Avenue, and

WHEREAS, John’s Building Supply and WJK Realty, Inc. have applied for designation as a Certified Project under the Massachusetts Economic Development Incentive Program created by Chapter 23A of Massachusetts General Laws;

WHEREAS, John’s Building Supply and WJK Realty, Inc. meet the minimum standards of the Economic Development Incentive Program and the local economic development goals and criteria established by the City of Pittsfield;

WHEREAS, the proposed certified project is located at 850 Crane Avenue, Pittsfield MA;

WHEREAS, the City of Pittsfield has agreed to offer John’s Building Supply and WJK Realty, Inc. a Tax Increment Financing Agreement. Said Agreement is hereby approved by the City Council;

WHEREAS, John’s Building Supply and WJK Realty, Inc. are going to invest $850,000 in building construction and create four (4) permanent, full-time jobs for residents of the City, within five (5) years;

WHEREAS, the City of Pittsfield has determined that John’s Building Supply and WJK Realty, Inc. have the means to undertake and complete the proposed project;

WHEREAS, the City of Pittsfield has determined that the proposed certified project will have a reasonable chance of increasing employment opportunities as advanced in the certified project proposal;

WHEREAS, the City of Pittsfield has determined that the proposed certified project will not overburden the City’s infrastructure and other supporting resources;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Pittsfield approves the Certified Project application of John’s Building Supply and WJK Realty, Inc. and forwards said application to the Massachusetts Economic Assistance Coordinating Council for its approval and endorsement.
Ordered:

**FURTHER**, the City Council of the City of Pittsfield authorizes the Mayor to execute the Tax Increment Financing Agreement between the City of Pittsfield and John’s Building Supply and WJK Realty, Inc. Said agreement will provide for an exemption on property taxes based on the growth portion in assessed valuation of the property at 100% for the first year, 80% for the second year, 60% for the third year, 40% for the fourth year, 20% for the fifth year of a five year agreement according to the requirements and regulations established which govern the implementation of such Tax Increment Financing Agreements. The Agreement will be in effect as of FY 2021 (July 1, 2020) and will extend through FY 2025 (June 30, 2025).
February 6, 2020

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 authorizing a Tax Increment Financing (TIF) Agreement for WJK Realty, Inc and John’s Building Supply, both entities are owned by William and Sherry Koziara.

John’s Building Supply, proposes to build a new 8,000 square foot retail and office space at 850 Crane Avenue; moving their current office from the north to south side of Crane Avenue. The estimated capital investment is $600,000 to $1,000,000. John’s Building Supply has been a locally owned and operated business in the city for 72 years. The proposed TIF will provide the owners with the resources to expand their retail business.

Thank you for your consideration of this worthy business development opportunity. Please refer this to the City Council’s Committee on Finance.

Respectfully submitted,

Linda M. Tyer
Mayor

LMT/CVB
Enclosure
Memorandum

Date: March 4, 2020

From: Rob Van Der Kar – Conservation Agent

To: Deanna Ruffer - Community Development Director

Subject: 740 and 850 Crane Avenue

Dear Deanna,

In response to inquiries, here is a summary of the recent matters the Pittsfield Conservation Commission is undertaking on properties utilized by John’s Building Supply (hereafter, known as the applicant) at 740 and 850 Crane Avenue. On January 22, 2020, this office received from the City’s Building Department a request for sign-off of a building permit for the construction of a new building on property located at 850 Crane Avenue. At that time, more information was needed to adequately perform this office’s typical off-site review of property and the work associated with the building permit application. On February 4, 2020, following a response from the applicant for the additional information, this office was able to conclude that the work proposed was not located within an area subject to jurisdiction of the Massachusetts Wetlands Protection Act (310 CMR 10.00). However, during the review process (consisting of aerial photography evaluations) it was discerned that an area of land contiguous to the parcel, located immediately west at 740 Crane Avenue, had undergone some activity that appeared to be recent and within an area subject to jurisdiction of the Wetlands Protection Act.

This matter was brought to the attention of the applicant’s consulting engineer (SK Design Group, Inc.), who had been the point of contact for the building permit application. SK Design Group confirmed that unauthorized work had occurred on property located at 740 Crane Avenue, and that this work was performed for John’s Building Supply. Following email communications about this matter, a site visit was scheduled for February 12, 2020 with this office and SK Design Group to discuss the impacts at the site. At the time of the site visit the horizontal extent of the impacts were quite evident, however, understanding the volume of what was noticeable fill material remained an unknown factor that was important to determine. With this, it was agreed that field survey equipment would be used to generate an existing conditions base plan where these measurements could be extrapolated.

This office received notice on February 27, 2020 that the plan (mentioned in the above) was essentially complete and that the preliminary product revealed 80 cubic yards of fill had been placed within the regulated Bordering Land Subject to Flooding (310 CMR 10.57 (2)), and encroached to within 33 feet of an on-site Bordering Vegetated Wetland (310 CMR 10.55 (2)). Again, this work was not authorized by the Pittsfield Conservation or the Massachusetts Department of Environmental Protection, and is in violation of the Massachusetts Wetlands Protection Act.
Because of the confirmed violation, this office refrained from signing-off on the building permit application for the work at 850 Crane Avenue as a way to ensure work was being done to resolve the violation at 740 Crane Avenue.

This office will be issuing an Enforcement Order to bring the 740 Crane Avenue matter in compliance with the Wetland Protection Act, and this Order will serve as the permit to remove the unauthorized fill material and to restore the vegetation within 100’ buffer zone associated with the Bordering Vegetated Wetlands. The Order will be issued following the submission of the finalized plan prepared by SK Design Group and used to accompany the Order to aid in instructing John’s Building Supply of the work required to be performed.

This office understands that certain matters pertaining to John’s Building Supply are in front of the City Council, and that the matters outlined in this letter have caused reason for concern by some councilors. Please know that this office fully expects the continued cooperation of the applicant and will ensure that complete enforcement of the violation is fulfilled. It is also the intent of this office to sign-off on the building permit application following the issuance of the Enforcement Order, but before site restoration is completed, that would allow work to commence at 850 Crane Avenue.

Please feel free to contact me with any questions.

Thank you,

Robert Van Der Kar, PWS
Pittsfield Conservation Agent
MEMORANDUM -AMENDED

TO: Mayor Linda M. Tyer & Honorable Members of the City Council
 cc: Michael Coakley
 FROM: Deanna L. Ruffer, Director
 DATE: February 14, 2020
 SUBJECT: Proposed TIF; WJK Realty, Inc. and John’s Building Supply, for A new retail/administration building at 850 Crane Ave

As we have continued to work with John’s Building Supply, we have gained greater clarity about the jobs that will be created when the new retail/administration building is completed. Specifically, the number of permanent full time jobs has been clarified, with four new full time jobs to be created and the remaining jobs to be part time. In addition, the capital cost estimate has been refined. As a result, the documentation provided to the Council has been amended. Attached herewith is:

- An amended Order;
- A revised Estimated Tax Calculations
- An amended draft Tax Increment Financing Agreement between The City of Pittsfield and WJK Realty Inc. and John’s Building Supply; and
- The Preliminary EDIP application John’s Building Supply has submitted to the Commonwealth.

The proposed TIF is for the construction of a new retail and administration building at 850 Crane Avenue. This property is a part of the current location of John’s Building Supply, a locally owned business that has been in operation for 72 years.

The proposed TIF will allow the owners to build a new state of the art facility, expand their product display area, and increase the retail aspect of the company’s business. The property is owned by the owners’, William and Sherry Koziara’s real estate firm, WJK Realty which in turn leased the property to their company, John’s Building Supply, a block manufacturer and retail masonry yard. Due to the pending extension of the Ashuwillticok Rail Trail, they plan to move the retail business from the north to the south side of Crane Avenue. They will also be expanding the business by constructing a new 8,000 SF building projected to cost $850,000 to $950,000, add an additional tenant, and create 4 permanent full time jobs and several part time jobs. WJK Realty has requested a five year TIF to assist with this project and has agreed to pass on the financial incentives to the tenants through their lease agreements.

The proposed TIF is structured to provide 100% forgiveness of the incremental increase in property taxes resulting from the development of the property in the first year and decreasing by 20% per year over the five year term of the agreement. While an estimate
of the anticipated savings that will result is included in the attached materials, the actual forgiveness each year will be based on the assessed value and tax rate set by the City.

City Council approval is needed to authorize the Mayor to enter into the required agreements and to forward this application to the Massachusetts Economic Assistance Coordinating Council’s approval and endorsement, although no additional incentives are being sought from the Commonwealth.

Both Michael Coakley and I are available to discuss this opportunity further. In addition, William and Sherry Koziara will be attending the City Council’s Finance Committee meeting and subsequent City Council meeting.
ESTIMATED LOCAL TAX INCENTIVE FOR John's Building Supply, WJK Realty LLC, 891 Crane Ave

ASSUMPTIONS:

<table>
<thead>
<tr>
<th>Year</th>
<th>Assessed Value of Increment</th>
<th>Projected Tax Rate</th>
<th>Total Taxes on Increment Value</th>
<th>% of Increment Forgiven</th>
<th>Real Estate Taxes Forgiven</th>
<th>Personal Property Taxes Forgiven</th>
<th>Total Taxes Forgiven</th>
<th>% of Increment Paid</th>
<th>Taxes Paid Per Tax Increment Financing Plan</th>
<th>Taxes Paid on Base Valuation</th>
<th>Taxes Paid on Base &amp; Increment</th>
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</thead>
<tbody>
<tr>
<td>Year 1</td>
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<td>$40.36</td>
<td>$20,584</td>
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<td>$0</td>
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<tr>
<td>Year 2</td>
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<td>80%</td>
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<td>$4,220</td>
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<td>Year 3</td>
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<td>$42.40</td>
<td>$21,626</td>
<td>60%</td>
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<tr>
<td>Year 4</td>
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<td>$22,166</td>
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<td>$8,867</td>
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<td>60%</td>
<td>$13,300</td>
<td>$4,285</td>
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<td>Year 5</td>
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<td>$22,720</td>
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<td>80%</td>
<td>$18,176</td>
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<td>$44,346</td>
<td>$20,916</td>
<td>$65,264</td>
</tr>
</tbody>
</table>

NOTE: The TIF Plan provides for an adjusted assessment on the new increment of the actual assessed valuation during the term of the TIF agreement. The tax break only applies to the portion of the assessment related to any new improvements. Taxes will continue to be paid on the base valuation, the valuation in the year prior to the amended tax break schedule.
TAX INCREMENT FINANCING AGREEMENT
BY AND AMONG
THE CITY OF PITTSFIELD
AND
JOHN'S BUILDING SUPPLY, LLC & WJK REALTY, INC

AGREEMENT is made this th day of 2020 by and among the CITY OF PITTSFIELD ("CITY") and WJK REALTY, INC & JOHN'S BUILDING SUPPLY, LLC ("JOHN'S BUILDING SUPPLY").

PRELIMINARY STATEMENTS

WHERAS, JOHN'S BUILDING SUPPLY is a Massachusetts corporation headquartered in Pittsfield; and

WHERAS, on or about December 30, 2014 WJK REALTY acquired the property known as 850 Crane Avenue, Pittsfield, Massachusetts (the “Project Property”); and

WHERAS, JOHN'S BUILDING SUPPLY intends to locate and/or expand certain of its business operations at the Project Property, as well as to construct a new building thereto (the “Expansion Project”); and

WHERAS, JOHN'S BUILDING SUPPLY anticipates that the Expansion Project will create four (4) permanent full-time jobs for residents of Pittsfield and the Berkshire Economic Target Area (as defined below). The Berkshire Economic Target Area (the “ETA”) is the geographic area defined as the City of Pittsfield, the Town of Lenox, the Town of Lee, the Town of Great Barrington, the Town of Sheffield, and the Town of Dalton, all located in the County of Berkshire in the Commonwealth of Massachusetts. The Expansion Project will result in $850,000 of investment over the next two (2) years; and

WHERAS, JOHN'S BUILDING SUPPLY is seeking a Tax Increment Financing Exemption (as such term is defined below) from the CITY in connection with the Expansion Project, in accordance with the Massachusetts Economic Development Incentive Program and M.G.L. c. 23A, §3E and M.G.L. c. 40, §59; and
WHEREAS, the CITY strongly supports increased economic development to provide additional jobs for residents of the ETA and the city, expand commercial and industrial activity within the city, and develop a healthy economy and stronger tax base; and

WHEREAS, the Expansion Project is located at 850 Crane Avenue, Pittsfield, Massachusetts, also identified as Assessor's Map L13, Block 7, Lot 001; and

WHEREAS, the Expansion Project furthers the economic development goals and the criteria established for the ETA; and

WHEREAS, the current assessed valuation for the Project Property for fiscal year ending June 30, 2020 is $98,600, resulting in $3,955 in property taxes for the CITY;

NOW THEREFORE, in consideration of the promises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the others as follows:

1. The CITY, as authorized by the City Council on __________, 2020, hereby enters into with JOHN'S BUILDING SUPPLY a Tax Increment Financing Exemption with respect to the Project Property and the Expansion Project, encompassing the property described as 850 Crane Avenue, also identified as Assessor's Map L13, Block 7, Lot 001. A map of the Project Property and area subject to the Tax Increment Financing Exemption is hereby attached as Exhibit A. A description of the property is hereby attached as Exhibit B.

The CITY is entering into this agreement for the benefit of John's Building Supply. John’s Building Supply acknowledges that it is responsible for any increases in taxes on the property leased from WJK Realty, and John’s Building Supply agrees to pay all increases in taxes as specified in the lease agreement dated __________, 2020. Consequently, John’s Building Supply will benefit from the Tax Increment Financing Exemption defined in this agreement.

2. The Tax Increment Financing Exemption granted herein shall be in effect for a term of five (5) years, commencing on July 1, 2020 and expiring on June 30, 2025.

3. The Tax Increment Financing Exemption formula for the Project Property will be calculated as prescribed by Massachusetts General Laws and regulated by the Department of Revenue, and shall apply to the incremental difference in the assessed real property tax valuation of the Project Property for the fiscal year ending June 30, 2020 (the “Base Year”), and its assessed valuation for each of the next five (5) fiscal years.

The base valuation is the assessed value of the property in the fiscal year immediately prior to the fiscal year in which the property becomes eligible for a tax increment exemption. The base valuation of the Project Property for fiscal year ending June 30, 2020 is $98,600 (the “Base Valuation”).
The Base Valuation will be adjusted annually by an adjustment factor which reflects increased commercial and industrial property values within the community, as defined in Massachusetts General Laws. Any increase in the assessed value of the Project Property over the Base Valuation, or "increment," attributable to the renovations and/or improvements made in connection with the Expansion Project is that amount eligible for exemption from taxation (the "Tax Increment Financing Exemption").

The Tax Increment Financing Exemption shall be applied in decreasing amounts in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Year</th>
<th>Period</th>
<th>Percentage of the Increment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 1, 2020 – June 30, 2021</td>
<td>100%</td>
</tr>
<tr>
<td>2</td>
<td>July 1, 2021 – June 30, 2022</td>
<td>80%</td>
</tr>
<tr>
<td>3</td>
<td>July 1, 2022 – June 30, 2023</td>
<td>60%</td>
</tr>
<tr>
<td>4</td>
<td>July 1, 2023 – June 30, 2024</td>
<td>40%</td>
</tr>
<tr>
<td>5</td>
<td>July 1, 2024 – June 30, 2025</td>
<td>20%</td>
</tr>
</tbody>
</table>

4. The CITY is granting the Tax Increment Financing Exemption in consideration of JOHN'S BUILDING SUPPLY's commitment to

(a) create four (4) new, permanent full-time jobs within five (5) years, as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Annual</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2020 – December 31, 2020</td>
<td>3 jobs</td>
<td>3 jobs</td>
</tr>
<tr>
<td>January 1, 2021 – December 31, 2021</td>
<td>1 jobs</td>
<td>4 jobs</td>
</tr>
</tbody>
</table>

(b) invest $850,000 in new construction and other improvements to the Project Property, to be completed by December 31, 2020.

5. JOHN'S BUILDING SUPPLY shall submit annual reports on job creation, retention and new investment at the Project Property to the Department of Community Development, City of Pittsfield, by March 31st of each year for which the tax benefits granted herein are enjoyed. Reports shall be submitted for the year starting January 1, 2021 and ending December 31, 2021, and each subsequent year until December 31, 2025, for the duration of the Tax Increment Financing Exemption. The annual report shall include:

(a) the number of permanent full-time jobs created and the number of people hired for the annual time period and on a cumulative basis;

(b) the value of capital improvements invested by JOHN'S BUILDING SUPPLY in the Project Property annually and on a cumulative basis; and

(c) the number of construction jobs created for years ending December 31, 2017 and 2019, as applicable.
6. If JOHN’S BUILDING SUPPLY fails to meet the job creation and investment commitments specified in Paragraphs 4 (a) through (c) herein, or fails to comply with all reporting requirements specified in this Agreement, including but not limited to Paragraphs 5 (a) through (c) herein, the CITY, acting through its Mayor, may, at its sole discretion, take action to request decertification of the project by the Economic Assistance Coordinating Council. Upon decertification, the CITY shall discontinue the Tax Increment Financing Exemption benefits described in Paragraph 3 hereof, commencing with the fiscal year for which JOHN’S BUILDING SUPPLY did not meet its commitments.

7. If JOHN’S BUILDING SUPPLY, or any entity to which this Agreement has been assigned or transferred, ceases to conduct business operations at the Project Property during the term of this agreement, this Agreement shall be immediately null and void and the CITY shall seek decertification of the project as provided in Paragraph 6 herein.

8. JOHN’S BUILDING SUPPLY shall not assign any interest in this agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the CITY. The foregoing notwithstanding, the rights and obligations of this Agreement shall inure to the benefit of any entity succeeding to the interests of JOHN’S BUILDING SUPPLY by merger. This agreement shall be binding upon subsequent owners of the Project Property.

9. JOHN’S BUILDING SUPPLY shall use its best efforts to give the CITY ninety (90) days prior notice of any corporate decision to (i) change the nature and/or character of their business operations at the Project Property to one other than the production and packaging of herbal supplements and related products, or (ii) cease their business operations at the Project Property. No such decision shall be deemed taken unless an appropriate resolution shall have been passed by the JOHN’S BUILDING SUPPLY Board of Directors, or, if such a resolution is not required, by an executive officer empowered to make such decision.
IN WITNESS WHEREOF, JOHN'S BUILDING SUPPLY has caused this Agreement to be duly executed in its name and behalf and its seal affixed by its duly authorized representative, the CITY has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its Mayor and the President of the City Council as of the day and year first above written.

CITY OF PITTSFIELD

Linda M. Tyer
Mayor

JOHN'S BUILDING SUPPLY, INC.

By: WJK REALTY, LLC

Peter M. Marchetti
City Council President

By:
EXHIBIT B
DESCRIPTION OF PROPERTY

The property known as 850 Crane Avenue, Pittsfield, Berkshire County, Massachusetts, also known as Assessors' Map L13, Block 7, Lot 001, bounded and described as follows:
The following information is required by the Massachusetts Office of Business Development (MOBD) and the Economic Assistance Coordinating Council (EACC) to make a preliminary determination on the eligibility of a project under the Economic Development Incentive Program. This application must be returned in electronic form to your MOBD Regional Director and a hard copy with original signature(s) mailed to: EDIP Manager, MOBD, 136 Blackstone Street, 5th Floor, Boston, MA 02109. Please refer to the EDIP Guidelines, www.mass.gov/hed/edip and your MOBD Regional Director for assistance with this application.

**PART I. COMPANY OVERVIEW**

1. **COMPANY INFORMATION**

<table>
<thead>
<tr>
<th>Company Name:</th>
<th>WJK Realty LLC/Johns Building Supply</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location Address:</td>
<td>891 Crane Avenue</td>
</tr>
<tr>
<td>Company Headquarters Location:</td>
<td>Pittsfield, MA</td>
</tr>
<tr>
<td>FEIN (Federal Employer Identification Number):</td>
<td>205913097 (WJK Realty) / 042198137 (Johns Bldg Supply)</td>
</tr>
<tr>
<td>DUA # (Dept. of Unemployment Assistance #):</td>
<td>800339 (Johns Bldg Supply)</td>
</tr>
<tr>
<td>Type of Organization:</td>
<td>(a) Type of Organization: Corporation</td>
</tr>
<tr>
<td>Company’s Taxable Year End:</td>
<td>12/31</td>
</tr>
<tr>
<td>NAICS Code:</td>
<td>N/A</td>
</tr>
<tr>
<td>Is the applicant classified as a MA Department of Revenue Manufacturer?</td>
<td>Yes ☐ No ☒</td>
</tr>
</tbody>
</table>

2. **COMPANY CONTACT**

| Executive Officer/Company Designee: | Full Name: William Koziara Title: President |
| Contact (if different from above): | Full Name: Sherry Koziara Title: Dir of Finance |
| Contact Address: | Street Address: 581 Crane Avenue |

Economic Development Incentive Program Preliminary Application
### COMPANY DESCRIPTION & HISTORY

Please provide a brief description and history of the company.

Johns Building Supply is a block manufacturer and masonry yard which was established in 1948.

---

### PART II. ECONOMIC DEVELOPMENT PROJECT

#### 1. PROPOSED BUSINESS EXPANSION PROJECT

Please provide a description of the proposed expansion project.

We will be relocating our retail location across the street from its current location due to changes created by the extension of the Ashuwillticok Rail Trail. We are using this opportunity to expand the retail portion of the business. We will be building an 8,000 SF building.

(a) Do you plan to use MA-based contractors and suppliers for this project? Please list names and locations of contractors/suppliers already identified.

- Gagne Mechanical, Clarksburg, MA
- Grady & Jennings, Cheshire, MA
- D. Condron Construction, Lanesboro, MA
- Scott Webster, Lanesboro, MA
- Artisan Plumbing & Heating, Washington, MA
- Warehouse Mechanical Contractors, Chicopee, MA

#### 2. PROJECT TIMELINE

<table>
<thead>
<tr>
<th>(a) Date the Letter of Intent was sent to the municipality and MOBD Regional Director:</th>
<th>(b) Date the applicant expects to begin the project:</th>
<th>(c) Date the applicant expects to complete the project:</th>
<th>(d) Date the applicant expects to open the facility:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/7/2020</td>
<td>2/24/2020</td>
<td>7/1/2020</td>
<td>8/3/2020</td>
</tr>
</tbody>
</table>

Additional Information (if necessary) on Project Timeline:
3. INCENTIVE NEED

Please provide a description of your project's need for this incentive.

In order to build the retail center, we are requesting incentives to help offset the significant costs associated with the construction. We are seeking property tax relief to help offset the initial years of operation in order to promote the project's success.

4. INVESTMENT BREAKDOWN

Please provide a breakdown of the expected investment required and associated costs.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$0</td>
</tr>
<tr>
<td>Construction</td>
<td>$850K - $950K</td>
</tr>
<tr>
<td>Machinery &amp; Equipment</td>
<td>$0</td>
</tr>
<tr>
<td>Other</td>
<td>$0</td>
</tr>
<tr>
<td>Total Projected Investment</td>
<td>$850K - $950K</td>
</tr>
</tbody>
</table>

5. MASSACHUSETTS EMPLOYMENT

(a) Is the applicant new to Massachusetts?  
   Yes ☐  No ☒

(i) If no, where are the existing Massachusetts facilities?  
   Pittsfield  
   N/A ☐

(ii) If no, what is the applicant's full-time, permanent employment in Massachusetts (total of all MA facilities)?  
   9 full-time permanent MA employees as of 12/31/2019  
   N/A ☐

6. PROJECT LOCATION EMPLOYMENT, JOB CREATION & WORKFORCE ANALYSIS

Please complete the below sections providing current employment information, a job creation timeline and an analysis of the jobs to be created. See: "Definition of a Permanent Full-Time Employee".

Please note: If project is approved, these job retention and creation numbers and dates will become part of the executed EDIP Tax Incentive contract, and will be used to measure the applicant's future program compliance.
(a) MASSACHUSETTS & FACILITY EMPLOYMENT

<table>
<thead>
<tr>
<th>(i) Company-wide Permanent Full-Time Employment in Massachusetts (Total of all MA Facilities) at Date of Application:</th>
<th>(ii) Permanent Full-Time Employment at Project Location at Date of Application:</th>
<th>(iii) Permanent Full-Time Employees to be transferred from other Massachusetts Locations to Project Site (if any):</th>
<th>(iv) Total Permanent Full-Time Existing Jobs to be Retained at Project Location (Sum of questions 6. (a) ii &amp; iii):</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>9</td>
<td>0</td>
<td>9</td>
</tr>
</tbody>
</table>

Please complete the Permanent Full-Time Employee 3-Year History below.

<table>
<thead>
<tr>
<th>Calendar Year End</th>
<th>Permanent Full-Time Employee Headcount in Massachusetts</th>
<th>Permanent Full-Time Employee Headcount at Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>2018</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>2019</td>
<td>9</td>
<td>9</td>
</tr>
</tbody>
</table>

Please explain any fluctuation in employment:

(b) JOB CREATION SCHEDULE AT PROJECT LOCATION

Please indicate the number of Permanent Full-Time Jobs to be created in total and by year. If job creation timeline exceeds five years, please complete the “Extended Job Creation Schedule” and attach as an addendum.

<table>
<thead>
<tr>
<th>Permanent Full-Time Jobs to be Created (net new to facility and Massachusetts):</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

(c) WORKFORCE ANALYSIS

For the full-time permanent jobs to be created, please fill-in the chart below:

<table>
<thead>
<tr>
<th>Category of Job:</th>
<th>Number of Jobs</th>
<th>Average Annual Salary of Each Job</th>
<th>Does the Employer provide healthcare benefits?</th>
<th>Does the employer provide a pension, IRA, and/or 401K?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management</td>
<td>2</td>
<td>$40-50K</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Professional</td>
<td>2</td>
<td>$50-65K</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Skilled-labor</td>
<td>2</td>
<td>$</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Unskilled-labor</td>
<td>2</td>
<td>$</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>$</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Notes on Employment:
### 7. FACILITY

| (a) Will the applicant own or lease/rent the facility where the business expansion/relocation will occur? | Lease □  Own □ |
| (i) If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes? | N/A □ |

### 8. INCENTIVES & FINANCING

| (a) Please indicate which incentives the applicant is seeking in relation to the expansion project. | State Investment Tax Credit Yes □  No □ |
| | Local Real Estate Tax Incentive Yes □  No □ |
| | State Abandoned Building Renovation Deduction *Building must be 75% or more vacant and have been vacant for a minimum of 2 years. Yes □  No □ |

| (b) Is the applicant seeking tax incentives from the Massachusetts Life Science Center? | Yes □  No □ |
| If yes, please explain: |

| (c) Please provide detailed information on any other sources of public or quasi-public funding that has been received or will be sought to contribute towards the financing of the proposed expansion. |

| (d) Has the applicant or related businesses or any shareholder of applying entity previously been approved as a “Certified Project” by the Economic Assistance Coordinating Council (EACC)? | Yes □  No □ |
| If yes, what is the Project (i) name; (ii) municipality; (iii) approval date? |
| (i) Project Name: N/A □ |
| (ii) Project Municipality: N/A □ |
| (iii) Project Approval Date: Select mm/dd/yyyy |

| (e) Please indicate whether the applicant has utilized other sources of public or quasi-public funding in the past. If applicable, please explain specific uses of funding and amount. If other, please give details on the funding source. | Select Funding Source N/A □ |
| Select Funding Source N/A □ |
| Select Funding Source N/A □ |
| If applicable or other, please explain: N/A □ |
**PART III. LABOR AFFIRMATION**

### 1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS

- As an applicant requesting Certified Project approval, [ ] [ ] [ ], affirms (check box) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

- As an applicant requesting Certified Project approval, [ ] [ ] [ ], affirms (check box) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

### 2. COMPANY DISCLOSURE

Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):

- (a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law; [ ] Yes [ ] No  
  Details:

- (b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or [ ] Yes [ ] No  
  Details:

- (c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation? [ ] Yes [ ] No  
  Details:
### IV. AUTHORIZATION & CERTIFICATIONS

#### 1. CERTIFICATE OF GOOD STANDING

Provide proof of good tax standing in the Commonwealth of Massachusetts via a *Massachusetts Department of Revenue* Certificate of Good Standing for each of the businesses intending to take advantage of the state tax incentives.

*Applications will not advance to the supplemental round until a Certificate of Good Standing is received. The certificate must be dated within 6 months of the anticipated EACC meeting that the project is coming forth for review.*

To obtain a Certificate of Good Standing visit: [https://www.mass.gov/how-to/request-a-certificate-of-good-standing-tax-compliance-or-a-corporate-tax-lien-waiver](https://www.mass.gov/how-to/request-a-certificate-of-good-standing-tax-compliance-or-a-corporate-tax-lien-waiver)

<table>
<thead>
<tr>
<th>Attached</th>
<th>Date of DOR Application for Certificate of Good Standing: Select mm/dd/yyyy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Notes:</td>
</tr>
</tbody>
</table>

#### 2. CERTIFICATE OF COMPLIANCE

Provide proof of good standing with the *Massachusetts Department of Unemployment Assistance* by obtaining a Certificate of Compliance for each of the businesses intending to take advantage of the state tax incentives.

*Applications will not advance to the supplemental round until a Certificate of Compliance is received.*


From here, log into your DUA account and click on “Payment Information” and then you will see a link for “Request Employer Certificate of Compliance.”

<table>
<thead>
<tr>
<th>Attached</th>
<th>Date of DUA Application for Certificate of Compliance: Select mm/dd/yyyy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Notes:</td>
</tr>
</tbody>
</table>
### 3. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT

I/We, ______ (names and titles) of the applicant business applying for "Certified Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant’s intentions for investment, job creation and sales to the best of my/our knowledge after having conducted reasonable inquiry. I/We understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve “Certified Project” status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Project if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/We make this certification under the pains and penalties of perjury.

The signatories also hereby acknowledge that, under the Public Records Law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).

Signed:

<table>
<thead>
<tr>
<th>President</th>
<th>February 6, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Title</td>
</tr>
</tbody>
</table>

*Select mm/dd/yyyy*

| Name | Title | Date |

Economic Development Incentive Program Preliminary Application

8
To the City Council of the City of Pittsfield:-

The undersigned respectfully

Honorable members of the City Council and Colleagues submitted is a petition asking the Mayor to Appoint a City Youth Advisor as it refers to Section 2-228.4 Article XL Youth Commission part II: The Code / Administration in the City Code.

Respectfully Submitted,

Anthony V Maffuccio
Ward 7 City Councilor

Kevin J Morandi
Ward 2 City Councilor
To the City Council of the City of Pittsfield:

The undersigned respectfully

Honorable members of the City Council and Colleagues submitted is a petition, asking that the City Solicitor and Ordinance and Rules Committee adopt Massachusetts General Law Chapter 85 Section 17 A and ban this activity from Park Square to Hubbard Avenue and from North Street to Tyler Street to Hubbard Avenue on all medians and sidewalks due to high traffic volume and for the safety of the motorist due to distractive driving and the safety of all pedestrians in a dense traffic volume routes.

Respectfully Submitted,

Anthony V Maffuccio

Ward 7 City Councilor
Section 17A: Soliciting from vehicles on public ways

Section 17A. Whoever, for the purpose of soliciting any alms, contribution or subscription or of selling any merchandise, except newspapers, or ticket of admission to any game, show, exhibition, fair, ball, entertainment or public gathering, signals a moving vehicle on any public way or causes the stopping of a vehicle thereon, or accosts any occupant of a vehicle stopped thereon at the direction of a police officer or signal man, or of a signal or device for regulating traffic, shall be punished by a fine of not more than fifty dollars. Whoever sells or offers for sale any item except newspapers within the limits of a state highway boundary without a permit issued by the department shall for the first offense be punished by a fine of fifty dollars and for each subsequent offense shall be punished by a fine of one hundred dollars. Notwithstanding the provisions of the first sentence of this section, on any city or town way which is not under jurisdiction of the department, the chief of police of a city or town may issue a permit to nonprofit organizations to solicit on said ways in conformity with the rules and regulations established by the police department of said city or town.