

CITY OF NORTH ADAMS
City Clerk's Office
March 7, 2013

I hereby notify you that at twelve o'clock noon today the following items of business have been filed with this office and will be acted upon at the meeting in the City Council Chambers at City Hall, Tuesday evening March 12, 2013 at seven-thirty o'clock according to Section 8, Rules and Orders of the City Council.

Marilyn Gomeau
City Clerk

REGULAR MEETING OF THE CITY COUNCIL
March 12, 2013

Roll Call
Moment of silent prayer
The Pledge

Hearing of Visitors
Approval of the minutes of regular meeting held on February 26th.

- 11,297 Mayor's communication #15 regarding Crane & Co. establishing an Economic Opportunity Area and a Tax Assessment Agreement.
- 11,297 A Resolution designating the property identified as Map 15, Lots 14B and 15 as Crane & Co. as an Economic Opportunity Area.
- 11,297-1 An Order authorizing the Mayor to execute a Special Tax Assessment Agreement with Crane & Co., Inc.
- 10,990-2a Communication submitted by the City Clerk regarding a referendum petition filed February 28th regarding the borrowing order for the renovations of Conte School.
- 10,990-2b An Order rescinding Council Paper #10,990-2, which was adopted on February 3, 2013.
- 10,990-2c An Order fixing the date of April 30, 2013 as the date for the Special Election to consider the referendum petition regarding the borrowing order for the renovation of Conte School.

CORRESPONDENCE

LICENSES

COUNCILLOR'S & MAYOR'S CONCERNS

OPEN FORUM



Office of the City Clerk City of North Adams

10 Main Street Room 109
North Adams, Massachusetts 01247
(413) 662-3015

City Clerk Marilyn Gomeau

March 7, 2013

Dear Members of the City Council,

On February 28, 2013, the Registrar of Voters certified the referendum petition that was filed with the City Clerk's office under the provisions of Chapter 43, Section 42 of the Massachusetts General Laws, and a like provision of our City Charter protesting against the allowance of City Council paper #10,990-2, a measure pertaining to a borrowing order regarding the renovation of the Conte school building that was adopted by the City Council on February 3, 2013, by a vote of seven in favor and two opposed.

Under the provisions of said Section 42, the City Council is now required to immediately reconsider such measure, and if the measure is not rescinded then to submit the same to a vote of the registered voters of the City, either at the next regular City Election, or at a Special Election called for that purpose.

Accordingly, I enclose two orders that I recommend you consider; the first being an order to rescind City Council paper #10,990-2, and the second being an order to fix the date of the Special Election as April 30, 2013, which is the same date as the State Primary election for the vacant senate seat.

In regard to the first order, since the vote adopting the original order required a two thirds vote, a vote to rescind the order will also require a two thirds vote. In regard to the second order, I have been advised by the City Solicitor that it is permissible to hold the Special Election on the same date as the State Election, but that it will be necessary to use two separate ballots. Doing this will save the City approximately \$6,000.00.

Sincerely,

Marilyn Gomeau
City Clerk



City of North Adams

In City Council

March 12, 2013

Ordered:

That City Council paper #10,990-2, a measure pertaining to a borrowing order regarding the renovation of the Conte school building that was adopted by the City Council on February 3, 2013, by a vote of seven in favor and two opposed, be and is hereby rescinded.



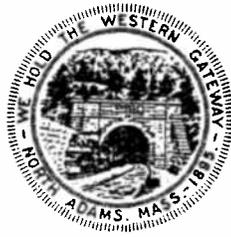
City of North Adams

In City Council

March 12, 2013

Ordered:

That the City Council fix the date of April 30, 2013 as the date for the Special City Election to consider the referendum petition, protesting against the adoption of City Council paper #10,990-2, a measure pertaining to a borrowing order regarding the renovation of the Conte school building that was adopted by the City Council on February 3, 2013, by a vote of seven in favor and two opposed.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

March 12, 2013
#15

North Adams City Council
Re: Crane & Co., Economic Opportunity Area and Special Tax Agreement

Dear Honorable Members;

Enclosed please find the following:

- Local Mechanics for STA – brief explanation of the program
- Crane & Co. letter of intent
- Application for Designation of an Economic Opportunity Area (EOA)
- Assessors map of the EOA
- Special Tax Assessment Agreement (STA) with Crane & Co.
- Order to adopt EOA & STA

At the meeting, I will review both the EOA and STA and explain the tax incentive formula and reporting requirements. Additionally, representatives from Crane & Co. will be at the meeting to answer any questions that you may have. The order to adopt the EOA and STA will need Council approval at this meeting.

As you know, the City of North Adams received exciting and significant news several months ago as Crane & Co. announced the purchase and relocation of William Arthur Co. of West Kennebunk, ME to its Route 8 location in the City. This acquisition and relocation will result in 74 new jobs at Crane and as importantly, solidifies North Adams as the center for Crane's fine stationary division. This effort will increase current employment of 206 positions to 280 and will more than likely require the need for a "second shift", something we haven't seen here in North Adams manufacturing for many years.

The EOA is inclusive of Crane's main plant parcels only as reflected Assessor's Map 15, Lots 14B & 15. The STA has been drafted in compliance with all state regulations and provides for tax benefit to Crane for both investment and job creation while fully protecting the City should certain milestones within the agreement not be met.

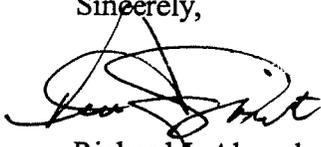
Additionally, Crane will be required under the agreement to provide reporting that demonstrates their compliance with the terms of the STA.

All documents were drafted by the City Solicitor and reviewed by the MA Office of Business Development for completeness and accuracy. Upon approval, they will be sent to the Economic Assistance Coordinating Council (EACC) for final approval by their Board on March 26th.

On behalf of the entire City of North Adams, I want to thank Doug Crane and Rick Kendall from Crane & Co. for their investment and sticking with North Adams, I want to welcome our new partners from William Arthur Co., and a special thank you to Mike Vedovelli from MA Office of Business Development for his hard work throughout this process.

I respectfully request adoption of the EOA and the STA Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Alcombright", written over a circular stamp or seal.

Richard J. Alcombright
Mayor

RJA:ll

Local Mechanics: Expansion Projects with a Special Tax Assessment (STA)

STAs apply to entire assessed value of a parcel, not just the increment. Therefore, current as well as future local tax revenues are exempted. Unlike TIF Agreements, Personal Property Taxes are not exempted under an STA Agreement. Per Statute - MGL 23A§3E(3) - STAs have 5-year minimum and 20-year maximum terms and must minimally comply with the following 5-year schedule:

- Year One: Business does not pay real estate taxes (non-negotiable);
- Year Two: Municipality is authorized to collect up to a MAXIMUM of 25% of the actual assessed value of the entire parcel;
- Year Three: Municipality is authorized to collect a MAXIMUM of 50% of the actual assessed value of the entire parcel;
- Year Four: Municipality is authorized to collect a MAXIMUM of 75% of the actual assessed value of the entire parcel;
- Subsequent Years: Municipality may collect up to parcel's fully assessed value.



October 31, 2012

The Honorable Richard J. Alcombright
Mayor
North Adams City Hall
10 Main Street
North Adams, MA 01247

**RE: Intent to Apply For Massachusetts Economic Development Program (EDIP) in
the City of North Adams**

Dear Mr. Mayor,

Crane & Co., Inc. (Crane) is providing this letter of intent as required pursuant to the Economic Development Incentive Program (EDIP).

Thank you for taking the time to meet with Richard Kendall and me on October 30, 2012 to discuss the EDIP incentives available to Crane as a result of relocating up to 100 skilled hourly manufacturing jobs from out of state to our North Adams facilities located on the Curran Highway. It was a pleasure meeting your Director of Community Development Michael Nuvallie and Michael Vedovelli, the Regional Director of MOBD, as well as Michael Supranowicz, the CEO of the Berkshire Chamber of Commerce, to discuss our plans to invest significant capital dollars and increase our skilled workforce in North Adams.

A premiere stationery purveyor, Crane has been dedicated to the art of classic correspondence for more than two centuries. Since 1801, the bespoke luxury brand has been a leader in the social networking business, producing 100% cotton quality paper for personalized notes, business stationery, wedding invitations, birth announcements, calling cards and more. The seventh-generation family-owned business based in Dalton, MA, continues to celebrate treasured social connections and life's milestones through its exquisite quality, design and craftsmanship. Crane has produced the paper for United States currency since 1879 and manufactures products used in banknote security and industrial applications. Crane has signed an agreement to acquire a competitor and move that business and the related jobs to North Adams and plans to invest over \$5 million in operations improvements.

DALTON, MA 01226

TELEPHONE 413-684-2600 FACSIMILE 413-684-0726

October 31, 2012

Page 2 of 2

Crane is requesting the City of North Adams place our properties located at 1466 and 1526 Curran Highway and 1482 South State Street into the Special Tax Assessment program. Please accept this letter as the formal letter of intent required under the Economic Development Incentive Program (EDIP).

Sincerely yours,

A handwritten signature in black ink that reads "Douglas A. Crane". The signature is written in a cursive style with a long, sweeping underline.

Douglas A. Crane
Vice President
Crane & Co., Inc.
30 South Street
Dalton, MA 01226

cc: Michael L. Vedovelli
Senior Regional Director
Massachusetts Office of Business Development

The Massachusetts Economic Development Incentive Program

APPLICATION FOR DESIGNATION OF ECONOMIC OPPORTUNITY AREA(S)

PART A: Applicant Information

1. Please check one:

This is an application for designation of a new EOA within a previously approved ETA.

This is a request to amend an EOA previously approved by the EACC.

2. Community submitting this application: **City of North Adams**

Name of proposed EOA(s): **Crane & Co. Economic Opportunity Area (Crane EOA)**

PART B: MANDATORY REQUIREMENTS FOR THE PROPOSED EOA

1. Location of Proposed EOA(s):

Provide a detailed map of each proposed EOA, indicating the existing streets, highways, waterways, natural boundaries, and other physical features, along with a legally binding written description of the EOA boundaries (with parcel numbers if appropriate). If the written description is longer than one paragraph, please submit on 3 1/2" computer disk.

Assessors Map 15 N Lots 14B & 15

2. Description of EOA(s):

Describe why each proposed EOA was chosen for designation. Include a brief, descriptive narrative of each area which helps to explain the particular situations, issues, or reasons why EOA designation is requested.

The City of North Adams recognizes the Crane EOA as a major user of commercial real estate in the City. The Crane EOA currently located along the Route 8 commercial corridor in the Hardman Industrial Park houses Crane & Co., Inc., expanded fine stationery headquarters, with its promise of 74 new full time jobs. Along with the acquisition of William Arthur Company, Crane & Co. will be making capital investment of \$5,000,000 at its North Adams location to facilitate this expansion and creation of new jobs. To accommodate this development opportunity and more importantly keep Crane & Co., and the jobs and services it provides in the city, the City of North Adams will enter into a Special Tax Agreement with the parties. To finalize this arrangement, the City respectfully requests that the site, detailed in Part B, section 1, be declared an Economic Opportunity Area for this purpose. The Special Tax Agreement and mayor's letter to council are attached.

EOA Application - Page 2

3. **Basis for EOA Designation:** Check the applicable category or categories (see definitions in attachment at back of application) for each proposed EOA:

_____ The area proposed for designation as an EOA is a "blighted open area."

_____ The area proposed for designation as an EOA is a "decadent area."

XX The area proposed for designation as an EOA is a "substandard area."

_____ The area proposed for designation as an EOA has experienced a plant closing or permanent layoffs resulting in a cumulative job loss of 2,000 or more full-time employees within the four years prior to the date of filing this application.

4. **Effective Time Period for EOA Designation:** How long do you propose to maintain the EOA designation? The EOA designation may remain in effect for a minimum of five (5) years and a maximum of twenty (20) years.

20 Years

5. **Local Criteria for Designation of EOAs:** Describe how each proposed EOA meets your criteria for designation of EOAs, as specified in your application for designation of the ETA.

The Project is expected to provide economic benefits to the City through the retention of 206 full-time jobs currently in the City, the creation of 74 new jobs, new investment in technology and training all which will solidify Crane & Co. headquarters within the City, encouraging growth within this division, and have a positive economic effect in the Route 8 commercial corridor in the City.

6. **Economic Development Goals:** Describe the economic development goals for each proposed EOA during the first five years of EOA designation.

Retain 206 current permanent full-time jobs and create 74 new permanent full-time jobs by September 30, 2013 by hiring residents of the Economic Target Area (ETA), the City of North Adams and the greater Northern Berkshire region, and make an investment of \$5,000,000 to expand and augment existing technology and facilities.

EOA Application - Page 3

7. **Local Services:** Describe the manner and extent to which the municipality intends to provide for an increase in the efficiency of the delivery of local services within the proposed EOA(s) (i.e. streamlining permit application and approval procedures, increasing the level of services to meet new demand, changing management structure for service delivery).

Delivery of services will be maintained, and exceeded, through this agreement

8. **Compliance with Community Reinvestment Act:** Include a copy of a municipal plan or policy, if any exists, which links the municipality's choice of banking institutions to the bank's compliance with the requirements of the Community Reinvestment Act.

There is no municipal plan or policy regarding choice of banking institutions in the EOA.

9. **Project Approval:**

- (a) Identify the municipal official or group/board which shall be authorized to review project proposals for and on behalf of the municipality.

Project proposals for this EOA will initially be reviewed by Mayor Richard J. Alcombright for City of North Adams. Any agreements approved in this EOA will be approved by the City of North Adams City Council. All redevelopment and changes of use in the EOA require a site plan and site plan approval and a special permit from the City of North Adams Planning Board.

EOA Application - Page 4

- (b) Indicate the standards and procedures for review of project proposals, including the application procedures, the timeframe for review and determination, and the criteria and process for approval of project proposals. **If you intend to use supplemental application material (i.e. municipal cover letter with instructions, job commitment signoff sheet, supplemental questions to be required by the municipality, etc.), it must be mentioned here and must be approved by the Economic Assistance Coordinating Council (EACC). Please attach (if appropriate).**

10. Intent of Businesses to Locate in EOA:

Identify the names and the nature of businesses, if any that have indicated an intention to locate or expand in the proposed EOA(s). If possible, include letters of intent from the businesses, outlining the number of jobs that would likely be created and providing a timetable for development of the projects.

Crane & Co, Inc. intends to invest \$5,000,000 in upgrades, equipment, technology and other related costs related to Crane's acquisition of William Arthur, Inc. of West Kennebunk, Maine, and the retention of 206 job in the City, and the creation of 74 new jobs in North Adams, Massachusetts, to solidify Crane's commitment to their fine stationary division.

EOA Application - Page 5

PART C: SPECIAL REQUIREMENTS FOR LARGE MUNICIPALITIES

This section must be completed by any municipality or member of a regional ETA with a population that exceeds fifty thousand (50,000) people. The population threshold should be calculated based on the most recent statistics available from the U.S. Bureau of the Census.

1. Permit Streamlining:

(a) List each officer, board, commission or other decision-making authority in the municipality that issues permits, approvals, and licenses and indicate the type of permit, approval or license issued by each authority.

(b) Provide a proposal and plan to streamline the municipality's permit, approval and license procedures. The plan should reduce the number of steps required to obtain approvals for new development. For example, the municipality could combine two separate application forms into one form, provide for joint review by two or more decision making authorities, and set firm deadlines for final decisions on permits, approvals, or licenses.

If the municipality has already implemented a plan to streamline the permit and approval process, describe that plan, indicating the strengths and weaknesses of the plan and provide a revised plan to improve upon the weaknesses.

EOA Application - Page 6

2. **Municipal Services in Proposed EOAs:**

- (a) Provide an analysis of the existing infrastructure support and municipal services, including transportation access, water and sewer hook-ups, lighting, and fire and police protection to and for certified projects within the proposed EOA(s). Indicate if the existing level of services and infrastructure is adequate to support the anticipated development in the proposed EOA(s).

Current levels of service are adequate

- (b) Provide a proposal for meeting additional demand for municipal services and infrastructure improvement, including costs and funding sources available for these improvements.

3. **Job Training Programs:**

Describe the municipality's plans to secure access to publicly or privately sponsored training programs for employees of certified projects and for residents of the municipality/ETA.

EOA Application - Page 7

4. Local Community Involvement:

Describe the municipality's plans to increase the level of private sector involvement and the level of involvement by community development organizations in the economic revitalization of the area proposed for designation. For example, local involvement could include commitments from private persons to provide jobs and job training to residents or to employees who for certified projects in the proposed EOA(s).

PART D: COMMITMENT TO PROVIDE LOCAL PROPERTY TAX RELIEF

The municipality completing this application must provide a **binding written offer** to provide either tax increment financing or a special tax assessment to each certified project located within the proposed EOA(s).

Please attach a copy of the municipality's binding written offer.

- ❖ In cities, this shall be in the form of a City Council Order or Resolution, along with a Certified Vote by the City Clerk.
- ❖ In towns with Town Meeting form of government, this shall be in the form of a Town Meeting Motion, along with a Certified Vote by the Town Clerk.
- ❖ In towns with Town Council form of government, this shall be in the form of a Town Council Order or Resolution, along with a Certified Vote by the Town Clerk.

**SPECIAL TAX ASSESSMENT AGREEMENT
BY AND BETWEEN THE
CITY OF NORTH ADAMS AND
CRANE & CO., INC.**

This Agreement is made this 12th day of March, 2013 between the City of North Adams (City), a municipal corporation with its principal place of business at 10 Main Street, North Adams acting by and through its Mayor upon authorization of the City Council (the "City"), and Crane & Co., Inc., a Massachusetts corporation, with its principal place of business at 1466 Curran Highway, North Adams, Berkshire County, Massachusetts ("Crane"), pursuant to Mass. Gen. Laws ch. 23A.

RECITALS

1. Crane intends to invest \$5,000,000 in upgrades to equipment, technology and other related costs related to Crane's acquisition of William Arthur, Inc. of West Kennebunk, Maine, and the relocation of approximately 74 jobs from Maine to Crane's facility it operates in North Adams, Massachusetts, at City Assessor Map 15, Lots 14B & 15 ("Premises") to solidify Crane's commitment to their fine stationary division while locating those 74 new jobs in the City ("Project"); and,
2. The Premises and Project site is located within the boundaries of an Economic Target Area ("ETA") as that term is used in M.G.L. ch. 23A, Section 3D, and designated in the City by the Economic Assistance Coordinating Council ("EACC") pursuant to M.G.L. C. 23A Section 3B; and,
3. The Premises and Project site is an Economic Opportunity Area ("EOA") as that term is used in M.G.L. ch. 23A, Section 3E, said area being designated as such by the EACC, pursuant to 402 C.M.R. § 2.08, and is located wholly within an ETA; and
4. The Project is expected to provide economic benefits to the City through the retention of 206 full-time jobs currently in the City, the creation of 74 new jobs, new investment in technology and training all which will solidify the City as Crane's headquarters for fine stationery, which will encourage growth within this division, and have a positive economic effect in the Route 8 commercial corridor in the City; and
5. The City strongly supports this increase in economic development to provide additional jobs for residents of the ETA, the City and surrounding area, increased commercial and industrial activity within the City leading to the further development of a healthy and diverse economy while growing the tax base; and
6. Crane is seeking a Special Tax Assessment (STA) for the Project from the City, pursuant to M.G.L. C. 23A, Section 3E and regulations issued pursuant to these statutes; and
7. The City is willing to enter into a STA in return for Crane's investment in this Project, the retention of 206 permanent full-time jobs and 74 permanent full-time new jobs, growth for area residents, as well as, the resulting improvement in the City's economy, tax base, job base and overall business growth; and
8. The current assessed valuation for the Project Property for fiscal year ending June 30, 2013 is \$3,545,900 resulting in approximately \$116,000 in property taxes for the City.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contracted herein, the City and Crane agree as follows:

1. The City as authorized by the City Council at its meeting held on 03/12/2013, hereby enters into this Special Tax Assessment Exemption Agreement (STAE) with Crane with respect to the Project Premises, encompassing the Premises (assessors map and description attached).
2. Upon the approval of the City Council of an Order Authorizing Application for EOA Designation and Authorizing Execution and Delivery of Special Tax Assessment Agreement, Crane will assist and cooperate with the City in supplying all information, data, forms, proposals, and certifications, executed by authorized individuals, as required by 402 C.M.R. § 2.00, and as necessary for the City's application to the EACC for the designation of the Premises as an EOA for a term of five (5) years.
3. The STA will take effect only upon EACC's approval. The City shall submit a complete EOA application and all documents necessary for EACC consideration and approval.
4. The STA shall be in effect for a term of five (5) years commencing on July 1, 2013 and expiring on June 30, 2018.
5. The STA formula for the Project Premises will be calculated as prescribed in M.G.L. ch. 23A, and regulated by the Department of Revenue. The City shall assess real estate taxes on the value of the property beginning at 0% for FY2014 beginning July 1, 2013 (assuming proposed new job numbers have been filled) and increasing as indicated, culminating in 100% taxation of the full value in FY 2018 beginning July 1, 2018, with no further exemption thereafter. Subject to the terms and conditions of this agreement, the tax exemption to be applied to the schedule applicable to the Project Premises is as follows:
 - FY2014 - 100% exemption
 - FY2015 - 75% exemption
 - FY2016 - 50% exemption
 - FY2017 - 25% exemption
 - FY2018 - 0% exemption
6. The City's granting of an STAE is in consideration of Crane's commitment to:
 - a. Retain 206 current permanent full-time jobs and create 74 new permanent full-time jobs by September 30, 2013 by hiring residents of the Economic Target Area (ETA), the City of North Adams and the greater Northern Berkshire region.
 - b. Be responsible for payment of real estate taxes as described in Item 5, above. Crane shall also be responsible for remaining current for all city, state and federal tax and fee assessments and be in good standing with all City ordinance.

- c. Use its best efforts to hire City residents and work closely with the Regional Employment Board (REB), Massachusetts College of Liberal Arts, Berkshire Community College, McCann Technical School and Drury High School to interview appropriate candidates and to secure training opportunities for local residents served by the ETA.
 - d. Invest \$5,000,000 in equipment and technology upgrades within the Project by June 30, 2015.
7. Crane will submit annual reports on job creation, retention and new investment with respect to the Project Premises to the Office of the Mayor by January 31 of each year for which tax exemptions are granted and enjoyed. The first of these reports are due by January 31, 2014 and each year subsequent for the duration of this agreement. The annual report must include:
 - a. The number of permanent full-time jobs created and the number of people hired within the ETA for the annual time period, and on a cumulative basis.
 - b. The value of capital improvements invested by Crane in the Project Premises annually and on a cumulative basis.
8. Should Crane fail to meet the job creation or investment and upgrade commitments as outlined under paragraph 6 of this agreement, the City acting through its City Council upon recommendation of the Mayor may take action to request a reduction of the STAE benefits still to be received as outlined under paragraph 4 of this agreement, as well as, a reclamation of any benefits previously received by Crane. Such reduction or reclamation of benefits shall not exceed:
 - a. The percentage which is determined by dividing the number of jobs actually produced (as outlined in paragraph 5, section a. of the agreement) by the total new job creation commitment of 74; or
 - b. The percentage which is determined by dividing the amount of investment in technology and operational upgrades (as outlined in paragraph 5, section d. of the agreement) by the total investment commitment of \$5,000,000.
 - c. If employment numbers after September 30, 2013 fall below 243 permanent full-time jobs (100% of retained and 50% of new), the City acting through its City Council upon recommendation of the Mayor may take direct action to request decertification of the Project Premises by the EACC. Upon decertification, the City shall be entitled to full reclamation of any prior benefits received by Crane under this Agreement, as well as, any and all costs associated with decertification and reclamation, including but not limited to attorney's fees.
 - d. If Crane does not create any jobs or invest in any upgrades as outlined under paragraph 6 of this agreement, the City acting through its City Council upon recommendation of the Mayor may take direct action to request decertification of the Project Premises by the EACC. Upon decertification, the City shall be entitled to full reclamation of any prior benefits received by Crane under this agreement, as well as any and all costs associated with decertification and reclamation including but not limited to attorneys fees.

9. If Crane ceases to conduct business operations at the Project Premises during the term of this agreement, this agreement shall be immediately null and void and the City shall seek decertification of the Project and reclamation as provided in paragraph 8 of this agreement.
10. This agreement is not assignable.
11. This Agreement represents the entire and integrated agreement between the City and Crane, and it supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be altered or amended only by written instrument signed by both the City and Crane.
12. Notices to be delivered under this Agreement must be delivered as set forth below:

To the City:
Office of the Mayor
City of North Adams
10 Main Street
North Adams, MA 01247

With a copy to:
North Adams City Council
10 Main Street
North Adams, MA 01247

With a copy to:
Chairman
North Adams Board of Assessors
10 Main Street
North Adams, MA 01247

And a copy to:
City Solicitor for City of North Adams
DeRosa Dohoney
120 MASS MoCA Way
North Adams, MA 01247

To Crane & Co., Inc.
President
Crane & Co., Inc.
30 South Street
Dalton, MA 01226

13. Unless otherwise expressly provided herein, all notices and other communications given pursuant to this Agreement must be in writing and be sent to the persons identified above by:
- a) first class, United States Mail, postage prepaid, certified, with return receipt requested, or
 - b) hand delivery to the intended address, or
 - c) nationally recognized overnight delivery service that provides written proof of delivery.

All such notices and other communications will be effective on the actual date of delivery, receipt, or rejection of delivery, if known, otherwise

- i) in three (3) business days after deposit in United States Mail in case of (a) above,
- ii) actual delivery in case of (b), above, and
- iii) the next Business Day in case of (c) above.

14. The law of the Commonwealth of Massachusetts shall govern the validity, interpretation, construction, and performance of this Agreement.

15. The sole and exclusive forum for determination of any question of law or fact or any dispute between the Parties shall be the Superior Court Department of the Trial Court of the Commonwealth of Massachusetts sitting in Berkshire County, or the United States District Court for the Western District, sitting in Springfield. It is the express intention of the Parties that all legal actions and proceedings related to this Agreement or to any rights or relationship of the Parties shall be solely and exclusively brought and heard in these courts.

IN WITNESS WHEREOF, each of the Parties, intending to be legally bound, has executed this Agreement as a sealed instrument by their duly authorized representatives and the City has caused this Agreement to be executed in its name and behalf and its seal duly affixed by its City Councilors and its Mayor on the day and year first written above.

City of North Adams

Crane & Co., Inc.

By: _____

By; _____

The Honorable Richard Alcombright
Its Mayor

Its President



City of North Adams

In City Council

March 12, 2013

Ordered:

- WHEREAS: The City of North Adams is located in the Northern Berkshire Economic Target Area designated by the Economic Assistance Coordinating Council established pursuant to MGL Ch. 23A, Section 3B as presenting exceptional opportunities for increased economic development; and
- WHEREAS: To foster and promote such economic development opportunities the City Council of the City of North Adams desires to designate property identified as Assessor's Map 15, Lots 14B and 15 as the Crane & Co. Economic Opportunity Area; and
- WHEREAS: Crane & Co. owns property identified as Assessor's Map 15, Lots 14B and 15 in the City of North Adams at 1466 Curran Memorial Highway, and has undertaken significant investment in its property through the acquisition and relocation of William Arthur Co.; and
- WHEREAS: This investment will create 74 permanent full time jobs; and
- WHEREAS: The City Council of the City of North Adams strongly supports increased economic development to provide employment opportunities for residents of North Adams and the Northern Berkshire Economic Target Area and to develop a healthy economy and stronger tax base; and
- WHEREAS: The project furthers the economic development goals established by the Economic Target Area and Economic Opportunity Area supported by this City Council; and
- WHEREAS: The current assessed valuation of the project's property is \$3,545,900.00 for Fiscal Year 2013; and

WHEREAS: The City Council of the City North Adams desires to adopt and implement a Special Tax Agreement, between the City of North Adams and Crane & Co, pursuant to MGL Ch. 23A and Ch. 40 and to do all things necessary thereto; and

NOW THEREFORE BE IT ORDERED: That the City Council of the City of North Adams hereby designates the property identified as Assessor's Map 15, Lots 14B and 15 as the Crane & Co. as an Economic Opportunity Area, and that the City Council of the City of North Adams hereby authorizes the submission of the Crane & Co. Certified Project Application to the Massachusetts Economic Assistance Council; and

BE IT FURTHER ORDERED: That Mayor Richard J. Alcombright be and is hereby authorized to execute the Special Tax Assessment Agreement between the City of North Adams and Crane & Co. for the project in substantially the form as follows:

1. A map and description of the project area and property subject to the Special Tax Assessment are attached and marked as Exhibit A.

2. The effective date for the Special Tax Assessment is July 1, 2013.

3. The Special Tax Assessment exemption for the project will be:

Year One	July 1, 2013 – June 30, 2014	100% of all value
Year Two	July 1, 2014 – June 30, 2015	75% of all value
Year Three	July 1, 2015 – June 30, 2016	50% of all value
Year Four	July 1, 2016 – June 30, 2017	25% of all value
Year Five	July 1, 2017 – June 30, 2018	0% of all value

4. The City of North Adams is granting the Special Tax Assessment in consideration of Crane & Co.:

- (a) investing some \$5,000,000.00 for capital and technology enhancements at 1466 Curran Memorial Highway; and
- (b) creating employment opportunities by hiring residents of the Northern Berkshire Economic Target Area.

5. Crane & Co. agrees to submit annual reports on job creation and retention to the City of North Adams Office of Community Development by July 31st of each year beginning July 31, 2014 for the preceding fiscal year (July 1 – June 30) and each subsequent year for the duration of the Special Tax Assessment.