



## **Northampton City Council and the Public Works Committee of the City Council**

**Councilor Paul D. Spector  
Councilor Jesse M. Adams  
Councilor Alisa F. Klein**

### **Meeting Agenda**

**Meeting Date: April 9, 2015**

**Time: 5:00 pm - 7:00 pm**

**Location: City Hall Hearing Room  
210 Main St., Northampton**

#### **1. Opening**

- Meeting Called to Order
- Announcement of Video and Audio Recording
- Present / Absent

#### **2. Discussion Regarding Water Sewer Rates for FY2016 (15.396)**

*Referred by the City Council on April 2, 2015*

Documents: [15.396\\_rates\\_201503311412.pdf](#)

#### **3. Ordinances Regarding Single Use Plastic Bag Ban Technical Amendment**

Documents: [14.245\\_as\\_amended\\_by\\_pw\\_commof\\_city\\_council02-23-2015.pdf](#),  
[14.229\\_as\\_amended\\_by\\_pw\\_commof\\_city.pdf](#)

#### **4. New Business**

#### **5. Adjourn**

*Respectfully Submitted By:*

*Pamela L. Powers  
Clerk to the City Council  
[ppowers@northamptonma.gov](mailto:ppowers@northamptonma.gov)  
(413) 587-1210*

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

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Upon recommendation of the Mayor

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*Ordered, that*

the following water and sewer rates be in effect for Fiscal Year 2016 (July 1, 2015 to June 30, 2016):

Water: \$5.74 per 100 cubic feet

Sewer: \$6.27 per 100 cubic feet



CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS

125 Locust Street  
Northampton, MA 01060

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
*Director*

March 30, 2015

TO: Mayor David J. Narkewicz  
FROM: Edward Huntley, P.E.  
RE: FY2016 Water and Sewer Rates  
CC: Public Works Commission, Susan Wright, James Laurila, Ann Marie Levy

**WATER**

DPW completed a Water Asset Management study through our Consulting Engineer Tata & Howard to prioritize numerous fire flow deficiencies, system improvements and replacement projects in the water distribution system. A number of Priority 1 projects were identified and are proposed to be funded by rate increases without bonding.

In addition, a project to enable remote monitoring of water withdrawals from the City's surface drinking water supplies is proposed. Communications and controls from the Ryan and West Whately reservoirs to the water treatment plant (WTP) do not exist. Mountain Street reservoir flow to the WTP is monitored through the low lift pump station. Monitoring and control of the withdrawal/spillway flows and reservoir stages will allow for current and future Water Management Act compliance, permitting and reporting.

Project	Cost	FY	Activity
Old Ferry Road	\$125,000	2016	Design
Audubon Road	\$630,000	2016	Design and Construction
Day Avenue, North Farms Road, North Maple Street	\$120,000	2016	Design
	\$775,000	2017	Construction
Damon Road	\$135,000	2017	Design
	\$800,000	2018	Construction

Reservoir Flow Monitoring	\$220,000	2017	Design and Construction
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DPW has completed Phase 2 engineering evaluations on its reservoir systems through our Consulting Engineer, GZA GeoEnvironmental. These evaluations recommended an approach to repair the deficiencies at each dam. There are deficiencies in the reservoir dams including the need to increase spillway capacity to ensure passing of large storm events without potential failure. The DPW proposes that the most critical City water supply reservoirs be upgraded in the next 5 years.

Project	Cost	FY	Term	Interest Rate
Ryan and West Whately Reservoirs	\$6,100,000	2019	20	4%

Projects included in the proposed FY2016 budget are as follows:

- \$245,000 for water line replacement design for Old Ferry Road, Day Avenue, North Farms Road and North Maple Street.
- \$630,000 for water line replacement design and construction for a portion of Audubon Road from the elevated storage tank to River Road.
- \$100,000 annual allotment for upgrades on efficiencies for water meter reading and billing.
- \$80,000 annual allotment for replacement of carbon filter media at the water treatment plant.
- \$60,000 for equipment storage building at Water Department. Currently many vehicles and equipment are stored outdoors subject to weather elements. This is a cold storage Morton style building with electricity for lights and engine block heaters.
- \$100,000 annual supplement to replace broken motors, drives and other process equipment.
- \$60,000 in vehicle replacement.
- \$75,000 for annual water meter replacement.
- \$10,000 share to replace aging Global Positioning Unit for field data collection.

**The DPW recommends that the water rate be set at \$5.74 per hundred cubic feet for FY2016. This represents a 2.87% increase from the \$5.58 water rate for FY2015.**

## SEWER

The Mayor and City Council approved funding for a Comprehensive Wastewater Management Plan (CWMP) in 2009. The CWMP provides an overall evaluation of the City's wastewater infrastructure including collection, pumping and treatment facilities. This evaluation resulted in a prioritized sewer capital improvement plan. The CWMP is in its final DPW review and is expected to be completed and submitted to MA Department of Environmental Protection in the next few months. A draft sewer capital improvement plan has been developed that address short term (1-5 years) and long term (5-20 years) needs. DPW has worked extensively with our Consulting Engineer, Kleinfelder to ensure that the sewer capital improvement plan identifies core needs to ensure current and future regulatory compliance.

The 5-year sewer capital improvement plan addresses replacement of aging process related facilities and controls at the treatment facility, worker health and safety, building code and envelope problems, and several sewer pumping stations at the end of their design life. The treatment facility was expanded in 1979 and upgraded in 1996. The 1979 expansion costs were substantially offset by Federal Clean Water Grants. The 1996 upgrades were financed through City bond issuance. The only known cost reduction may be in the form of State Revolving Funds typically set at 2%. The DPW will aggressively pursue these lower interest loans.

The 5-year sewer capital improvement plan totals \$29,534,000. This value consists of 3 large projects designed and constructed over several years as follows:

Project	Cost	FY	Term	Interest Rate
Treatment Plant Improvements	\$1,319,000	2017	10 year	3.25%
Treatment Plant Improvements	\$3,984,000	2018	10 year	3.50%
Treatment Plant Improvements	\$4,606,000	2019	10 year	3.50%
Treatment Improvements	\$13,820,000	2020	15 year	4.25%
Pump Stations	\$1,450,000	2020	10 year	3.75%
Pump Stations	\$5,803,000	2021	10	4.00%

Projects included in the proposed FY2016 budget are as follows:

- Sewer line replacement fund \$400,000 for current and future projects. This annual value has been used for a number of years and allows for nominal rate increases instead of a spike as larger projects come forward for construction. Most recently the funds were used to replace the Woodmont Road sewer force main and gravity mains on North and Isabella Streets and a new sewer main to service the Industrial Park. For FY 15 replacement of the Hinckley Street sewer will be done using these funds.
- \$34,000 for equipment storage building at Highway Division. Currently many vehicles and equipment are stored outdoors subject to weather elements. This is a cold storage Morton style building with electricity for lights and engine block heaters.
- \$15,000 annual supplement for future vehicle purchases.
- \$35,000 annual supplement to replace broken motors, drives and other process equipment.
- \$101,000 in shared equipment purchase between water, sewer and storm water enterprise funds. Mini-excavator for tight construction work and slope mover flood control levees and reservoir dike mowing. Replacement 2/3 share for Truck 295 and 904.
- \$10,000 share to replace aging Global Positioning Unit for field data collection.
- \$5,303,500 for estimated Priority 1 projects (**Project P2**) at the Waste Water Treatment Plant (WWTP). FY16 \$750,000 design, FY17 design \$750,000, FY17 construction \$4,000,000 all to be paid through debt service. Work included is listed below:
  - Aeration tanks valves and gate replacement with miscellaneous concrete tank repair.
  - Conversion from chlorine gas to sodium hypochlorite for disinfection (health and safety priority).
  - Code compliance in headworks building.
  - Install battery operated EXIT and emergency lights in all buildings.
  - Install higher capacity influent flume and flow meter.
  - Replace electrical infrastructure (generator, switchgear, transformer, feeder, etc... for backup power supply).

**The DPW recommends that the sewer rate be set at \$6.27 per hundred cubic feet for FY2016. This represents a 2.88% increase from the \$6.08 water rate for FY2015.**

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

In the Year Two Thousand Fourteen and

UPON THE RECOMMENDATION OF *Councilor Jesse Adams & Councilor Paul Spector*

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section § 40-5 of said Code providing that *List of Enforcing Officers & Penalties for Non-Criminal Dispositions.*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows

*Section 1.* That section § 40-5 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

“Section § 40-5

*List of Enforcing Officers & Penalties for Non-Criminal Dispositions.*

Chapter/Section	Enforcing Officer	Fine
§ 272-18	<i>Health Department or Mayor's designee</i>	<i>First Offense: \$50</i> <i>Second and Subsequent Offenses: \$100 each occurrence</i>

City of Northampton  
MASSACHUSETTS

ORDINANCE §272-18

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §272-18 of said Code; providing that ENVIRONMENTAL PROTECTION AND SOLID WASTE REDUCTION.

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Councilor Jesse M. Adams and Councilor Paul D. Spector

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1: That section §272-18 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §272-18 ENVIRONMENTAL PROTECTION AND SOLID WASTE REDUCTION.

BE IT ORDAINED AS FOLLOWS:

**Section 1 General Definitions.**

1.1 Compostable Packaging – shall mean packing that is made of material that conforms to the current American Society for Testing and Materials International D6400 for compostability.

1.2 Biodegradable Packaging - shall mean packaging other than plastic or styrofoam which composts into beneficial breakdown components.

1.3 Recyclable - Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

1.4 Retail Establishment - shall mean all sales outlets, stores, shops, pharmacies or other places of business located within the City of Northampton which sell or convey merchandise directly to the ultimate consumer.

1.5 Retail Food Establishment - shall mean all sales outlets, stores, shops, restaurants, markets, supermarkets, clubs or other places of business which sell,

serve or convey foods directly to the ultimate consumer. This definition shall include but is not limited to any place where food is prepared, mixed, cooked, baked, smoked, preserved, bottled, packaged, handled, stored, manufactured, sold or offered to the public; similar places in which food or drink is prepared for sale or service on the premises or elsewhere; and any other establishment or operation, including in-home caterers, where food is processed, prepared, stored, served or provided for the public regardless of whether there is a charge for the food.

1.6 Retail Service Establishments - shall mean all places of business located within the City of Northampton where a service, specialized or professional work, is offered to the public regardless of whether there is a charge for the service.

1.7 Merchandise - shall mean products that are purchased in the retail stores.

1.8 ASTM - shall mean a testing standard developed by the American Society for Testing and Materials.

## **Section 2 Shopping Bag Definitions.**

2.1 "Thin-film single-use plastic bags" are bags with a thickness of 1.5 mils or less and are intended for single-use transport of purchased products.

2.2 "Biodegradable bags" are bags that: 1) contains no polymers derived from fossil fuels; and 2) is intended for single use and will decompose in a natural setting to an environmentally beneficial material at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.

2.3 "Reusable bags" are bags that have a thickness greater than 1.5 mils and is specifically designed for multiple use and is made of thick recyclable plastic, cloth, fabric or other durable materials that do not decompose into harmful chemical components. A reusable bag may be recyclable or compostable and is specifically designed and manufactured for multiple reuse.

2.4 "Compostable plastic bags" are plastic bags that (1) conforms to the current American Society for Testing and Materials International D6400 for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) conforms to any other standards deemed acceptable by this section.

## **Section 3 General Prohibition and Regulation.**

3.1 No retail establishment, retail food establishment, or retail service establishment as defined in sections 1.4, 1.5 and 1.6, respectively, shall sell or convey merchandise to ultimate consumers in thin-film single-use plastic bags and shall only use such

bags that are: 1) Reusable bags; or 2) Biodegradable bags; or 3) Compostable plastic bags.

#### **Section 4 Exemptions.**

Section 3 of this regulation shall not apply to the following items:

4.1 Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles;

4.2 Any flexible transparent covering for uncooked or raw meat, poultry, raw fish, hard cheese, cold cuts, fruit, and vegetable products, baked goods, or bread;

#### **Section 5 Penalties and Enforcement.**

5.1 If it is determined that a violation of any section of this ordinance has occurred the Health Department or Mayor's designee shall issue a warning notice for the initial violation.

5.2 If an additional violation of this ordinance has occurred within one year after a warning notice has been issued for an initial violation, the Health Department or Mayor's designee shall issue a notice of violation and shall impose a penalty against the retail establishment.

5.3 The penalty for each violation that occurs after the issuance of the warning notice shall be no more than: 1) \$50 for the first offense; 2) \$100 for the second offense and all subsequent offenses. Payment shall be made within twenty-one days to the City Clerk. Non-payment of such fines may be enforced through civil action in the Northampton District Court. No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.

5.4 Violators shall have twenty-one (21) calendar days after the date that a notice of violation is issued to pay the penalty.

#### **Section 6 Date of Effect.**

6.1 This ordinance will take effect on January 1<sup>st</sup>, 2016.

#### **Section 7 Hardship Deferments.**

7.1 Upon written application, the Health Department or Mayor's designee, after a public hearing, may defer application of any section of this ordinance for a six month period after the effective date stated in Section six (6) of this ordinance upon a showing of hardship. Hardship will be found when: 1) compliance with any section

of this ordinance would cause significant economic difficulty; 2) there is no readily available compliant substitute.

7.2 Any entity granted a deferment by the Health Department or Mayor's designee must reapply prior to the end of the six month exemption period and demonstrate continued undue hardship if it wishes to have the deferment extended. Deferments may only be granted for intervals not to exceed six months.

7.3. A deferment granted in accordance with this section may be extended for no more than two additional six month periods, upon written application to the Health Department or Mayor's Designee at least two months prior to the expiration of the prior deferment period and upon a showing that the circumstances justifying the deferment continue to exist.

7.4 A deferment application shall include all information necessary Health Department to make its decision, including, but not limited to, documentation showing the factual support for the claimed deferment. The Health Department or Mayor's Designee may require the applicant to provide additional information to permit it to determine facts regarding the deferment application.

7.5 The Health Department or Mayor's designee may approve the deferment application, in whole or in part, with or without conditions that it deems necessary to protect the environment and public health and further the interests of this ordinance.

7.6 Deferment decisions are effective immediately and final.

### **Section 8 Severability and ordinance numbering.**

Any word, term, or section deemed illegal for any reason may be severed from this ordinance without affecting viability of the whole.

The remaining sections in Article II Integrated Solid Waste Management shall be renumbered to 272-19 through 272-23.