

CITY COUNCIL  
**CITY OF NORTHAMPTON**  
MASSACHUSETTS

Councilors:

- President William H. Dwight, At-Large
- Vice-President Ryan R. O'Donnell, Ward 3
- Vacant, At-Large
- Maureen T. Carney, Ward 1
- Dennis P. Bidwell Ward 2
- Gina Louise Sciarra, Ward 4
- David A. Murphy, Ward 5
- Marianne L. LaBarge, Ward 6
- Alisa F. Klein, Ward 7

**Meeting Agenda**  
**City Council Chambers**  
**Walter J. Puchalski Municipal Building**  
**212 Main Street, Northampton**  
**Meeting Date: May 19, 2016**  
**Meeting Time: 7:00pm**

**1. Public Comment**

**2. Roll Call**

**3. Public Hearings**

**A. 7:05 pm 16.059 Public Hearing Regarding Petition from National Grid to Relocate a Pole on Elm Street**

Documents: 16.059\_PolePetition-ElmSt\_Relocation.pdf, 16.059PolePetition-No.21437370-Eng-MemoElmStreet.pdf

**4. Recognition and One-Minute Announcements by Councilors**

**5. Communications and Proclamations from the Mayor**

**6. Resolutions**

**A. 16.077 A Resolution to affirm the City's non-discrimination policy and in support of equality of access in public places - 2nd Reading**

Documents: 16.077\_Resolution\_Equality.pdf

**7. Presentations**

**8. Recess for City Council Committee on City Services (See Separate Agenda)**

**9. Consent Agenda**

**A. Approve (16.059) Petition from National Grid to Relocate a Pole on Elm Street**

Documents: 16.059\_PolePetition-ElmSt\_Relocation.pdf, 16.059PolePetition-No.21437370-Eng-MemoElmStreet.pdf

**B. Approve (16.080) Petitions for Second Hand Dealers Licenses -**

The Back Alley Antiques & Collectibles located at 238 Bridge Street

Ryan's Jewelers located at 14 Strong Avenue

Documents: 16.080\_SecondHandDealerPetitions.pdf

**C. Approve Appointment of Donna LaScaleia as the Director of Public Works (16.075)**

Documents: 16.075\_LaScaleiaDPWDirector.pdf

**D. 16.064 Petition to discontinue a portion of Elm Street - Refer to the Public Works Commission**

Documents: 16.064\_ElmStreetPetitiontoDiscontinue.pdf

**10. Recess for Committee on Finance (See Separate Agenda)**

**11. Financial Orders**

**A. 16.082 Financial Order to To authorize Look Park to apply for a PARC grant and authorize related borrowing - 1st Reading**

Documents: [16.082\\_LookPark\\_PARC.pdf](#)

**B. Financial Orders regarding Community Preservation Committee Recommendations for Funding - 1st Reading**

**16.083 Stained Glass Window Restoration, First Churches of Northampton: \$213,000**

**16.084 Saw Mill Hills Open Space Acquisition, Northampton Conservation Commission: \$72,000**

**16.085 Historic Scenic Curtain Restoration, Academy of Music: \$44,785**

**16.086 Supportive Housing for Homeless Youth, Friends of Hampshire County Homeless Individuals: \$275,000**

**16.087 Conservation Fund, Northampton Conservation Commission: \$30,000**

**16.088 Fitzgerald Lake Invasive Plant Control, Broad Brook Coalition \$12,800**

**16.089 Shepherd Barn Dendrochronolgy Study, Historic Northampton: \$2,300**

**16.090 Pulaski Park Renovation and Expansion, Northampton Department of Public Works: \$805,400**

Documents: [16.083-16.090\\_CoverLetter.pdf](#), [16.083\\_Stained\\_Glass.pdf](#), [16.084\\_SawMillHillsOpenSpaceAcquisition.pdf](#), [16.085\\_AOM\\_Curtain.pdf](#), [16.086\\_Housing.pdf](#), [16.087\\_ProtectOpenSpace.pdf](#), [16.088\\_FitzgeraldLakeInvasivePlantControl.pdf](#), [16.089\\_ShepherdBarn.pdf](#), [16.090\\_PulaskiParkRenovation.pdf](#)

**C. 16.091 Financial Order to allow the City's Tree Warden to accept gifts of \$25,000 or less - 1st Reading**

Documents: 16.091\_Trees.pdf

**D. 16.092 Order to rescind TIF previously granted to Grantham Group - 1st Reading**

Documents: 16.092\_Rescind\_TIF\_Grantham\_Group.pdf

**E. 16.060 Financial Order regarding budgetary transfers between various department - 2nd Reading**

Documents: 16.060\_BudgetaryTransfersFY16.pdf

**F. 16.063 Financial Order to authorize payment of a prior fiscal year bill for Smith Vocational & Agricultural School in the amount of \$8,135.36 - 2nd Reading**

Documents: 16.063\_PriorYearBill\_8,135.36\_Smith\_Vocational.pdf

**G. 16.066 Order to purchase land off of Reservoir Road - 2nd Reading**

Documents: 16.066\_PurchaseLandReservoirRoad.pdf

**H. 16.068 Order to purchase 55 +/- acres located between Glendale & Westhampton Roads - 2nd Reading**

Documents: 16.068KensingtonEstatesLANDORDER.pdf

**I. 16.069 Order to authorize the purchase of 110 +/- acres to add to the Brookwood Marsh Conservation Area - 2nd Reading**

Documents: 16.069\_BrookwoodMarshKohlLANDORDER.pdf

**J. 16.071 Financial Order to appropriate \$32,356.31 from the GF Free Cash to NPS for federal eRate to support technology infrastructure - 2nd Reading**

Documents: 16.071\_FreeCashToNPS\_e\_Rate.pdf

**K. 16.072 Financial Order to Rescind Borrowing Authority for Land off of Easthampton Road (previously Approved in August, 2015) - 2nd Reading**

Documents:  
16.072\_RescindBorrowingAuthorityForLandOffOfEasthamptonRoad.pdf

**L. 16.076 To appropriate \$9,850 from the GF Free Cash for**

## **technical assistance to analyze broadband services - 2nd Reading**

Documents: 16.076\_BroadbandFeasibility.pdf

### **12. Orders**

#### **A. 16.065 An Order to surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge - 2nd Reading**

Documents: 16.065\_HockanumFerryAndGolashOrdertoSurplus.pdf

#### **B. 16.067 Order authorizing the Mayor to waive & decline the City's right of first refusal on property located on Rocky Hill Road - 2nd Reading**

Documents: 16.067\_Right\_Of\_First\_Refusal\_Rocky\_Hill\_Road.pdf

### **13. Ordinances**

#### **A. 16.025 An Ordinance regarding parking on Center Street - 1st reading**

Positive recommendation from the Committee on Legislative Matters on May 9, 2016

Documents: 16.025\_Report\_Based\_On\_Committee\_Feedback\_Query.pdf,  
16.025\_Ordinance\_Regarding\_Parking\_Center\_Street.pdf

#### **B. 16.061 An Ordinance to establish two one-hour parking spaces in Florence on Main Street - 1st Reading**

Positive Recommendation from the Committee on Legislative Matters on May 9, 2016

Documents: 16.061\_Report\_Based\_On\_Committee\_Feedback\_Query.pdf,  
16.061\_MainSt\_Florence\_Limited\_Time\_Parking.pdf

#### **C. 16.062 An Ordinance to add a yield sign at Venturers Field Road - 1st Reading**

Positive Recommendation from the Committee on Legislative Matters on May 9, 2016

Documents: 16.062\_Report\_Based\_On\_Committee\_Feedback\_Query.pdf,  
16.062\_Stop\_And\_Yield\_Intersections\_Venturers\_Field\_Road.pdf

#### **D. 16.034 Ordinance pertaining to water resources - 2nd Reading**

Documents: 16.034\_Ordinance\_Water\_Resources\_AsAmendedon4\_11\_2016.pdf,  
16.034\_Report\_Based\_Public\_Works\_And\_Uilities\_Committee\_Feedback.pdf,

**14. Updates from Council President & Committee Chairs**

**15. Information Requests (Charter Provision 2-7) and Committee Study Requests**

**16. New Business**

Contact: *P. Powers*  
*Administrative Assistant to the City Council*  
*(413) 587-1210*  
[ppowers@northamptonma.gov](mailto:ppowers@northamptonma.gov)

**nationalgrid**

April 22, 2016  
**City Council of Northampton Massachusetts**

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Lisa Jasinski 413-582-7467

Please notify National Grid's Maureen Miloro of the hearing date / time

If this petition meets with your approval, please return an executed copy, including Hearing Date

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845  
978 725 1418

Very truly yours,



Jim Kehrer  
Supervisor, Distribution Design

Enclosures

Questions contact – Lisa Jasinski 413-582-7467  
**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton Massachusetts

NATIONAL GRID requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Elm St-Relocate SO pole 18, 10 feet west of existing location, which is approximately 47 feet west of the centerline of the intersection of College Lane.**

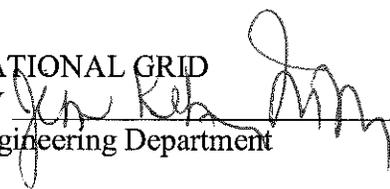
Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Elm St-Northampton Massachusetts

**21473730 April 22, 2016**

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 petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID  
BY   
Engineering Department

**ORDER FOR POLE AND WIRE LOCATIONS**

City

In the City of Northampton Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 22<sup>nd</sup> day of April 2016.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked -Elm St- Northampton Massachusetts

21473730 Dated: April 22, 2016. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

**Elm St-Relocate SO pole 18, 10 feet west of existing location, which is approximately 47 feet west of the centerline of the intersection of College Lane.**

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the \_\_\_\_\_ of the City of Massachusetts, on the \_\_\_\_\_ day of 20 and recorded with the records of location orders of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk

Electer

In the City of Northampton Massachusetts

Notice having been given and public hearing held, as provided by law,

IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 22<sup>nd</sup> day of April 2016.

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Massachusetts City/Town Clerk. 20 \_\_\_\_\_

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Book \_\_\_\_\_ Page \_\_\_\_\_

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at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

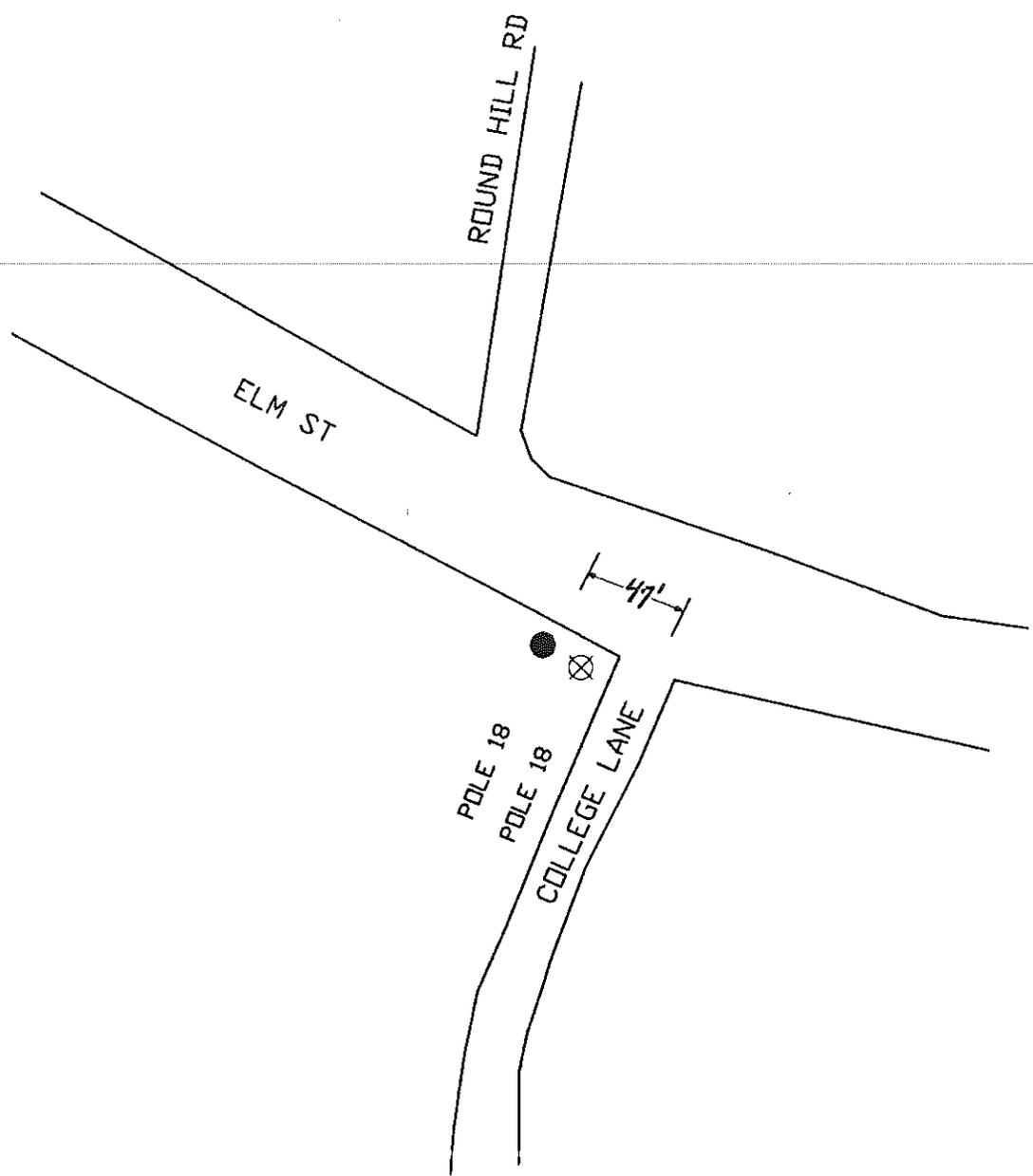
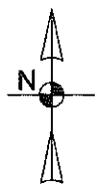
CERTIFICATE

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Attest:

City/Town Clerk

50



**POLE PETITION**

**nationalgrid**

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

Date: 4/18/16

Plan Number: 21473730

To Accompany Petition Dated:

To The: CITY Of NORTHAMPTON

For Proposed: Pole: 18 Location: ELM ST

Date Of Original Grant:

DISTANCES ARE APPROXIMATE



CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060

413-587-1570  
Fax 413-587-1576

Edward Huntley, P.E.  
Director

## Memorandum

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To: Jim Laurila, P.E., City Engineer  
From: Felix Harvey *FH*  
Date: May 3, 2016  
Re: National Grid Pole Petition #21437370 (Elm Street)

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Jim:

I have reviewed DPW records and visited the site to view the proposed relocation of pole #18 on Elm Street just west of College Lane. The proposed relocation of pole #18 is part of a Smith College project. It is approximately 10 feet west and northerly of its current location and 47 feet west of the centerline line of College Lane. The alignment of the overhead wiring for three poles is shifting northerly as part of the project according to National Grid, and Smith College's proposed plan.

There are underground city utilities on the south side of Elm Street in the vicinity of the proposed new pole location, some of which (sewer and drain) are also proposed to be relocated as part of the project. It is my recommendation that the relocated pole be placed a minimum of 5 feet from the new sewer alignment. Other than this recommendation, I do not see any other issues for the DPW with this petition.

*Approved*  


**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the City Council, May 5<sup>th</sup>, 2016*

Upon the Recommendation of Councilor Ryan R. O'Donnell

**R-16.077  
A RESOLUTION**

**TO AFFIRM THE CITY'S NON-DISCRIMINATION POLICY AND  
IN SUPPORT OF EQUALITY OF ACCESS  
IN PUBLIC PLACES**

1 WHEREAS, The City of Northampton is guided by a fundamental and compelling  
2 interest to protect the civil rights of all its citizens and visitors, support  
3 public policies that prohibit unjust discrimination, and promote a society  
4 characterized by freedom and equality; and  
5

6 WHEREAS, A free and equal society is one in which all people may access public  
7 places, including commercial space such as restaurants, hotels, and  
8 theaters as well as public space such as municipal buildings, parks and  
9 public transportation, among others, on equal terms; and  
10

11 WHEREAS, In 2011 the Massachusetts legislature extended protections against  
12 discrimination on the basis of gender identity in matters of housing,  
13 employment, credit and education, but not in matters relative to public  
14 accommodations such as those described above; and  
15

16 WHEREAS, Today, legislation currently before the legislature would close this gap in  
17 state law and extend such protections to all people to prohibit  
18 discrimination in matters of public accommodations on the basis of gender  
19 identity and guarantee equal access to public places regardless of gender  
20 identity;  
21

22  
23 NOW THEREFORE BE IT RESOLVED that the City Council of Northampton,  
24 Massachusetts  
25

- 26 1. Affirms that it is the policy of the City of Northampton that no person shall  
27 unjustly discriminate against any person belonging to a protected category,  
28 including age, ancestry or national origin, color, creed, family or marital status,

29 gender identity, genetic information, mental or physical ability, race, religion, sex,  
30 sexual orientation, socioeconomic status or veteran status, relative to any essential  
31 public matter involving goods, services, or access that are generally available to  
32 all people, including education, employment, health care, housing, municipal  
33 services and public accommodations.  
34

35 2. Affirms that it is the policy of the City of Northampton that no one shall refuse to  
36 grant admission to and full enjoyment of any public accommodation within the  
37 City of Northampton to a person consistent with that person's gender identity.  
38

39 3. Supports the expeditious enactment of state legislation to extend protections  
40 against discrimination in matters of public accommodation on the basis of gender  
41 identity.  
42

43  
44 BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council  
45 shall cause a copy of this resolution to be sent to Governor Charles Baker, Senate  
46 President Stanley Rosenberg, Speaker of the House Robert DeLeo, State Representative  
47 Peter Kocot, as well as Northampton's federal representatives.

**nationalgrid**

April 22, 2016  
**City Council of Northampton Massachusetts**

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Lisa Jasinski 413-582-7467

Please notify National Grid's Maureen Miloro of the hearing date / time

If this petition meets with your approval, please return an executed copy, including Hearing Date

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845  
978 725 1418

Very truly yours,



Jim Kehrer  
Supervisor, Distribution Design

Enclosures

Questions contact – Lisa Jasinski 413-582-7467  
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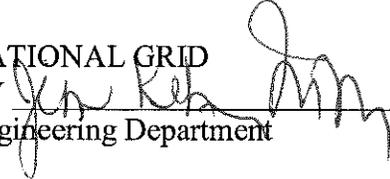
Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Elm St-Northampton Massachusetts

**21473730 April 22, 2016**

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 petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID  
BY   
Engineering Department

**ORDER FOR POLE AND WIRE LOCATIONS**

City

In the City of Northampton Massachusetts

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IT IS HEREBY ORDERED:

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\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_\_

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NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

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\_\_\_\_\_  
Massachusetts City/Town Clerk. 20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

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City/Town Clerk

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at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

NATIONAL GRID

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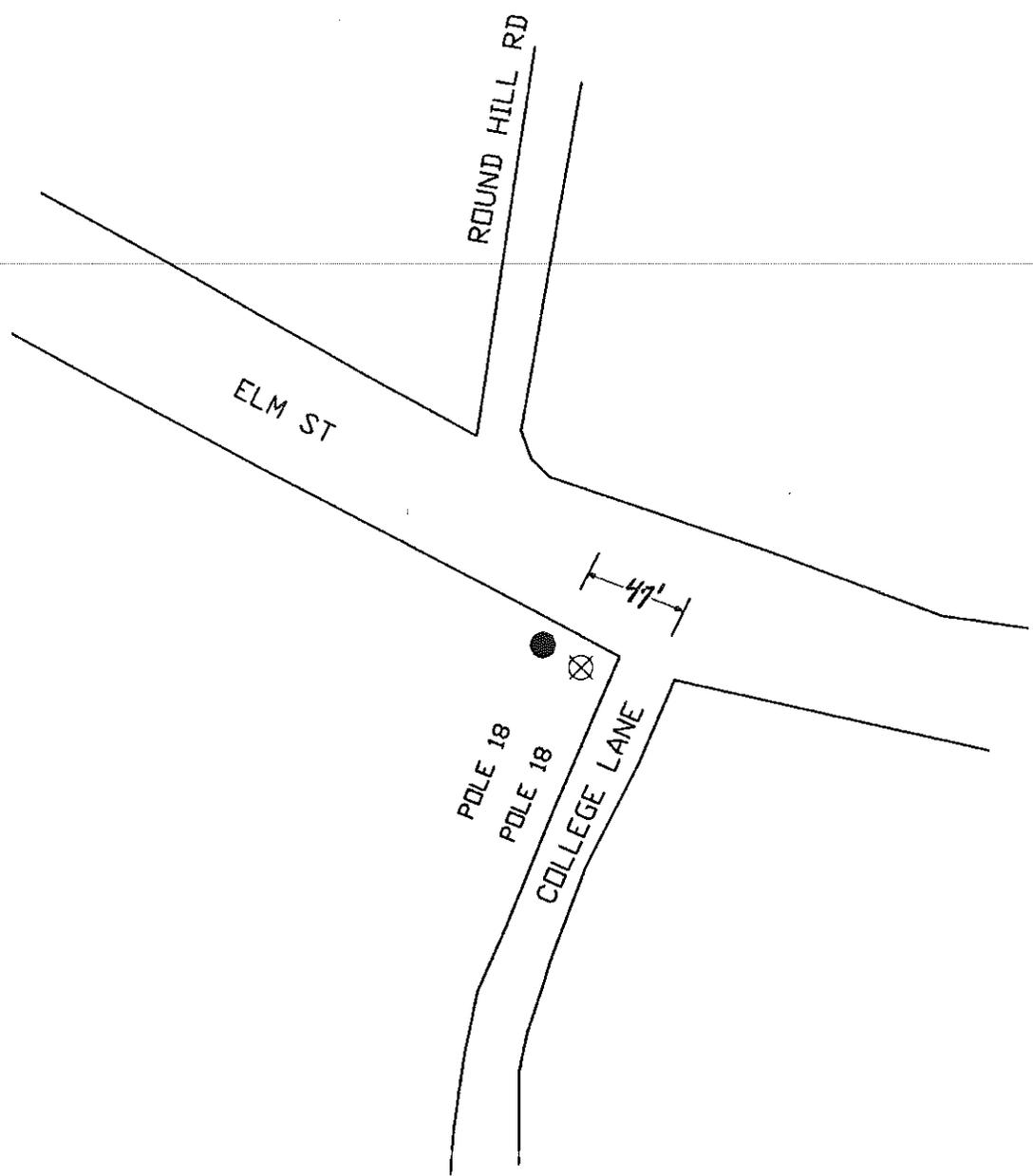
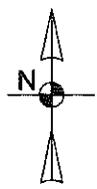
Board or Council of Town or City, Massachusetts

CERTIFICATE

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Attest:  
City/Town Clerk

50



**POLE PETITION**

**nationalgrid**

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

Date: 4/18/16

Plan Number: 21473730

To Accompany Petition Dated:

To The: CITY Of NORTHAMPTON

For Proposed: Pole: 18 Location: ELM ST

Date Of Original Grant:

DISTANCES ARE APPROXIMATE



CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060

413-587-1570  
Fax 413-587-1576

Edward Huntley, P.E.  
Director

## Memorandum

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To: Jim Laurila, P.E., City Engineer  
From: Felix Harvey *FH*  
Date: May 3, 2016  
Re: National Grid Pole Petition #21437370 (Elm Street)

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Jim:

I have reviewed DPW records and visited the site to view the proposed relocation of pole #18 on Elm Street just west of College Lane. The proposed relocation of pole #18 is part of a Smith College project. It is approximately 10 feet west and northerly of its current location and 47 feet west of the centerline line of College Lane. The alignment of the overhead wiring for three poles is shifting northerly as part of the project according to National Grid, and Smith College's proposed plan.

There are underground city utilities on the south side of Elm Street in the vicinity of the proposed new pole location, some of which (sewer and drain) are also proposed to be relocated as part of the project. It is my recommendation that the relocated pole be placed a minimum of 5 feet from the new sewer alignment. Other than this recommendation, I do not see any other issues for the DPW with this petition.

*Approved*  


Pd 82500  
5/9/16

NORTHAMPTON, MASS., May 9, 2016

To the Honorable City Council of the City of Northampton: <sup>RENEWAL</sup>

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: The Back Alley Antiques and Collectibles  
Type of License: Secondhand Dealer  
Location: 238 Bridge Street

(Sign Here) Andee Clark

No. 20 Street Oakdale Place, Easthampton, MA

In City Council, \_\_\_\_\_  
Referred to Committee on Licenses.

ATTEST:  
\_\_\_\_\_  
City Clerk

In City Council, \_\_\_\_\_

In Committee on Licenses, \_\_\_\_\_  
Voted to recommend that Petition \_\_\_ be  
\_\_\_\_\_ granted \_\_\_\_\_

ATTEST:  
\_\_\_\_\_  
Clerk

Voted that Petition be \_\_\_\_\_ granted.

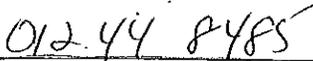
Attest: \_\_\_\_\_ City Clerk

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.



\* Signature of Individual

By: Corporate Officer



\*\* Social Security # Voluntary  
or Federal Identification Number

\* This license will not be issued unless this certification clause is signed by the applicant.

\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

5/9/16  
POL 25 CK#1495

NORTHAMPTON, MASS., May 9, 2016

RENEWAL

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Ryans Jewelers  
Type of License: Secondhand Dealer  
Location: 14 Strong Avenue

(Sign Here) [Signature]  
No. 14 Street Strong Ave

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
City Clerk

In City Council, \_\_\_\_\_

In Committee on Licenses, \_\_\_\_\_  
Voted to recommend that Petition \_\_\_ be

\_\_\_\_\_ granted \_\_\_\_\_

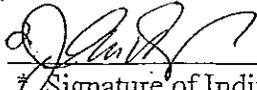
ATTEST:

\_\_\_\_\_  
Clerk

Voted that Petition be \_\_\_\_\_ granted.

Attest: \_\_\_\_\_ City Clerk

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.

  
\* Signature of Individual

\_\_\_\_\_  
By: Corporate Officer

011-54-5499  
\*\* Social Security # Voluntary  
or Federal Identification Number

\* This license will not be issued unless this certification clause is signed by the applicant.

\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.



## MAYOR DAVID J. NARKEWICZ

City of Northampton

Office of the Mayor

210 Main Street Room 12

Northampton, MA 01060-3199

(413) 587-1249 Fax: (413) 587-1275

mayor@northamptonma.gov

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### MEMORANDUM

DATE: May 2, 2016

TO: City Council

FROM: Mayor David J. Narkewicz

**SUBJECT: Appointment of Director of Public Works**

I am appointing Donna LaScaleia to the position of Director of Public Works. Ms. LaScaleia's career spans utility, facilities management, and construction fields. She most recently held the job of Superintendent/Operations Supervisor for Green Mountain Power in southern Vermont. Prior to that position Ms. LaScaleia worked as Director of Facilities Management at World Learning/SIT Graduate Institute, a 30 building, 200+ acre international college. I am submitting this appointment to the City Council in accordance with the Northampton Charter § 2-10.

cc: City Clerk, Wendy Mazza

Donna LaScaleia

**Professional Experience:**

***Superintendent/Operations Supervisor, Brattleboro and Wilmington Districts***

Central Vermont Public Service/Green Mountain Power

Brattleboro and Wilmington, VT

October 2011-November 2015

*Responsibilities included:*

- Management of all daily district operations for Vermont's largest electric utility, including line crew and tree crew supervision - approximately 25,000 customers, 8 substations and 1,500+ line miles of infrastructure over +/- 700 square miles
- Emergency restoration management of contractors and internal and external resources, 24/7 storm and emergency dispatching in cooperation with municipal and state officials
- Managing compliance with OSHA, VOSHA and relevant federal/state safety regulations, conducting safety briefings and inspections and establishing clearance and procedures for restricted work
- Conception, coordination, management and scheduling of multiple and simultaneous capital reconstruction projects, from budget development/estimation to construction oversight to final execution
- Scheduling and tracking of daily routine work through work management software
- Supervision of union and non-union employees, and interpretation and subsequent operational implementation/management of collective bargaining agreement
- Facility management for district garages and facilities, including coordination and supervision of maintenance on all mechanical systems—HVAC units, fire pumps, generators
- Oversight of hazardous waste treatment and disposal, MSDS documentation, and associated regulatory record keeping requirements
- Fleet and inventory and warehouse management, including material purchasing and establishment of appropriate stock levels for projects and daily operations
- Coordination and implementation of training for switching certifications, environmental regulation compliance, substations and new equipment
- Field design work for new customer and capital installations, including mapping, surveying and coordination with telephone company and third party attendees
- Vegetation management and coordination of distribution and transmission line clearance, and maintenance trimming with third party contractor
- Payroll, billing, capital/operating budget management
- Verification and management of switching orders and processes for both transmission and distribution systems
- Customer service and outreach, PR appearances, speeches and interviews

***Director of Facilities Management***

World Learning/SIT Graduate Institute

Brattleboro, VT

March 2008-October 2011

*Responsibilities included:*

- Oversight of all daily buildings and grounds facilities operations for 30 building, 200+ acre college campus in Southern Vermont
- Supervision of maintenance and custodial staff, including payroll, performance evaluations and coordination of all necessary training
- Management, preventive maintenance and code compliance for all mechanical systems and equipment: HVAC, fire, security, refrigeration, elevators and all utility distribution, including private water/sewer and electrical
- Oversight of expansion of electrical and water/sewer infrastructure upgrades in cooperation with municipal officials
- Planned and coordinated upgrades to boilers, chillers and fire pumps, and oversaw installation of standby generators as part of emergency preparedness multi-year plan
- Management of snow removal, storm planning, athletic fields and all landscaping
- Project management from conception to final execution for outside contractors, including acting as general contractor for scheduling and coordination purposes
- Fleet, equipment and inventory/warehouse management, including capital vehicle and equipment purchases
- Implementation of computerized work management system to streamline and organize work/service order requests
- Environmental compliance, including training, material management, waste disposal and MSDS tracking
- Creation of deferred maintenance plan and strategic initiatives
- Development and management of operating budget and annually variable capital budget
- Spearheaded new sustainability efforts and continued with existing programs - recycling, composting, alternative energy strategies, facility upgrades
- Interfaced with VEIC to procure grants for energy efficiency upgrades - coordinated overhaul of campus HVAC, lighting and refrigeration systems
- Coordination of special events - graduation, international student exchange programs, concerts, food festivals

## Journeyman Electrician

IBEW Local 103

Boston, MA

June 2003-May 2008

*Responsibilities included:*

- Building industrial and commercial electrical installations
- Installing and troubleshooting fire alarm and security systems
- Purchasing and electrical inventory management for “Liberty Place” project - a 33 story luxury high rise with attached parking garage in Chinatown
- Jobs included: MAYTEP, Boston Convention Center, South Station, Quincy Market, Harvard University and the MBTA

### **Education:**

B.A., Economics, Boston College 1999

Boston, MA

### **Professional licensure:**

Master electrician, NH, VT and MA

CDL-A with endorsements

*References available upon request*

Etheredge & Steuer, P.C.  
ATTORNEYS AT LAW  
64 GOTHIC STREET  
NORTHAMPTON, MASSACHUSETTS 01060

EDWARD D. ETHEREDGE  
SHELLEY STEUER\*\*  
ELIZABETH WROBLICKA\*

\*Also Admitted in New York  
\*Also Admitted in California

(413) 584-1600

FAX (413) 585-8406  
ed@noholaw.com  
ss@noholaw.com  
elizabeth@noholaw.com

April 28, 2016

**HAND DELIVERED**

Wendy Mazza, City Clerk  
City of Northampton  
210 Main Street  
Northampton, MA 01060

Re: Petition for Street Layout Discontinuance  
M.G.L. c. 82, §21

Dear Wendy:

I enclose an original Petition for Discontinuance of a Portion of Elm Street and attached Plan, signed by the fee owner, the Trustees of the Smith College, and thirteen residents of the City of Northampton. I also enclose nine (9) copies of the Petition and Plan.

Very truly yours,

  
Edward D. Etheredge

EDE/kap  
Enc.

cc: Wayne Feiden, Dir.  
Alan Seewald, Esq.  
Diana Randall, Project Manager

**PETITION FOR DISCONTINUANCE OF  
A PORTION OF ELM STREET  
NORTHAMPTON, MASSACHUSETTS**

TO: CITY COUNCIL  
CITY OF NORTHAMPTON

WHEREAS The Trustees of The Smith College (the "College") are the owners in fee of the property on the southerly side of Elm Street at the intersection of the private way known as College Lane; and

WHEREAS the College plans to make improvements to the entrance to College Lane, and straighten and replace the bituminous sidewalk on the College's property within the existing street layout of Elm Street; and

WHEREAS the public convenience and necessity no longer requires the public repair and right of way over the 8,855 square foot "bump out" at the intersection of College Lane with Elm Street; now

THEREFORE, We the undersigned residents of the City of Northampton and The Trustees of The Smith College request that the portion of the layout of the public way known as Elm Street containing 8,855 square feet, all as shown on the Discontinuance Plan of a Portion of the Layout of Elm Street, and attached to this Petition, be discontinued in accord with M.G.L. c. 82, §21 and Sections 19-42 and 19-43 of the Code of Ordinances of the City of Northampton:

This Petition for a Discontinuance of a portion of Elm Street is based upon the following:

1. The portion of Elm Street proposed for discontinuance is entirely within the property owned by The Trustees of The Smith College.
2. The proposed discontinuance would relocate the monumented entrance to College Lane and relocate the sidewalk to a safer and more visible intersection with Elm Street as well as straighten and repair the sidewalk.

WHEREFORE, We the undersigned residents of the City of Northampton respectfully request the City Council of the City of Northampton discontinue the attached and described portion of Elm Street.

April 25, 2016

THE TRUSTEES OF  
THE SMITH COLLEGE

By:



Michael W. Howard  
Vice President for Finance and Administration

Diana Randall  
40 State Street

Edward E. Edwards 128 Baker Hill Rd

Vincent Florence MA 01063  
301 Sylvester Rd  
123 SOUTH ST. No. 2

Shelley Steu 100 Washington Avenue

Melanie Taylor NORTHAMPTON, MA 01060

Paul Wembey  
18 Perkins Ave.

Amy Hartman, 419 RIVERSIDE DR.  
FLORENCE MA 01062

Ken King 25 GREGORY LANE  
FLORENCE MA

MC ANDY DAVID C BLOOMBERG  
86 VERNON ST  
Northampton

Robb 103 WEST ST  
NORTHAMPTON

George 54 Prospect St  
Northampton 01060

Elizabeth  
406 N FARMER RD  
FLORENCE MA 01062



RuthAnn McCloud &lt;rmccloud@smith.edu&gt;

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**FW: Elm Street Discontinuance Petition**

1 message

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**Ed Etheredge** <ed@noholaw.com>  
 To: "rmccloud@smith.edu" <rmccloud@smith.edu>  
 Cc: Diana Randall <drandall@smith.edu>

Tue, Apr 26, 2016 at 9:27 AM

Hi Ruth Ann,

Below is a copy of the email that I had copied Mike on last week. I probably should have sent it directly to him. I need you to print the Petition and get Mike to sign it and have Diana Randall, the Project manager pick it up and get it to me. It is for the project moving the entrance to College Lane up to the intersection with Elm Street. If Mike has any questions he can call me. Thanks, Ed

Edward D. Etheredge  
 Etheredge & Steuer PC  
 64 Gothic Street Suite 2  
 Northampton MA 01060  
 Tel: 413-584-1600  
 Fax: 413-585-8406  
 ed@noholaw.com

*Ed,  
 Signed Petition  
 for your use.  
 Diana Randall  
 4/26/2016*

**From:** Ed Etheredge  
**Sent:** Tuesday, April 19, 2016 11:59 AM  
**To:** 'Diana Randall' <drandall@smith.edu>  
**Cc:** 'Mike Howard' <mwhoward@smith.edu>  
**Subject:** Elm Street Discontinuance Petition

Hi Diana,

Attached is the Elm Street Partial Discontinuance Petition. I have copied Michael Howard with this email. If Michael (or President McCarthy) will print and sign for Smith and return the petition to me, I will collect a few more signatures of Northampton residents (ten is the required minimum) and then file the Petition with the Northampton City Council to start this process. If you are the person who is returning the Petition to me you can collect a few signatures from your office of Northampton residents (signature and street name and number on the same line). I am happy to collect the rest in my office before filing. If you have any questions let me know. Ed

Edward D. Etheredge  
 Etheredge & Steuer PC  
 64 Gothic Street Suite 2



City of Northampton  
Massachusetts

In City Council May 19, 2016  
Upon the recommendation of Mayor David J. Narkewicz

16.082  
AN ORDER

Authorize Look Park to apply for a PARC grant and authorize related borrowing

*Ordered, that:*

An order to file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the Parkland Acquisitions and Renovations program for improvements to Look Memorial Park

WHEREAS: Look Memorial Park is a city and region-wide asset and park improvements are consistent with the priority for recreation improvements and heritage landscape preservation in the **Northampton Open Space, Recreation and Multiuse Trail Plan: 2011-2018**;

WHEREAS: Look Memorial Park was deeded to the City of Northampton, under the management of a Board of Trustees, with the condition that it "shall be used forever as a park and for no other purpose," thereby consistent with Article 97 of the Amendments to the Massachusetts Constitution: and

WHEREAS: Planned Look Memorial Park improvements to their fountain, water spray park and bathrooms and related energy and water efficiency improvements will enhance the recreation experience; and

WHEREAS: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parklands Acquisitions and Renovations for Communities Grant (PARC) program (301 CMR 5.00); The PARC is a reimbursement program which requires that the City demonstrate that it has all of the funds necessary to improve park properties prior to state reimbursement; and

NOW, THEREFORE BE IT ORDERED,

That City Council appropriates and authorizes the City Treasurer, with the approval of the Mayor, to borrow \$625,000, over 15 years, under M.G.L. c.44B, §11, M.G.L c.44 §8C, or any other enabling authority, for the purpose of improvement of public parks and playgrounds on said property, and the Mayor be authorized to file on behalf of the City of Northampton any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the PARC Act (Chapter 933 Acts of 1977, as amended) and/or any others in any way connected with the scope of this Article, and the Mayor be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the City of Northampton to effect said renovation.

And that the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant.



*City of Northampton  
Community Preservation Committee  
210 Main Street, City Hall  
Northampton, MA 01060*

May 12, 2016

William H. Dwight  
City Council President  
210 Main Street, Room 16  
Northampton, MA 01060

Re: Community Preservation Committee Recommendations for Funding

Chairman Dwight and City Councilors,

In January, 2016 the Community Preservation Committee (CPC) began reviewing project proposals submitted for CPA funding. After extensive review including applicant presentations, public comment sessions and committee deliberation the CPC unanimously voted to recommend eight funding requests totaling \$1,455,285. Collectively, these projects will leverage just over one and a half million dollars from other funding sources, including state and federal grants, private contributions, and volunteer work.

Complete CPA applications that include detailed information about each project recommended are available at [www.archive.northamptonma.gov:8080/WebLink8/0/fol/527862/Row1.aspx](http://www.archive.northamptonma.gov:8080/WebLink8/0/fol/527862/Row1.aspx), and meeting minutes, information about the CPA, and other project materials can be accessed on the CPC's webpage: [www.northamptonma.gov/1048/Community-Preservation-Committee](http://www.northamptonma.gov/1048/Community-Preservation-Committee).

Please do not hesitate to contact myself, or Preservation Planner Sarah LaValley with any questions about the projects, the Committee's recommendations, or if additional information is needed.

**Projects Recommended for Funding:**

**Stained Glass Window Restoration, First Churches of Northampton: \$213,000**

These funds will be used to restore two of the historic stained glass windows in the church sanctuary: The Tiffany window, which was gifted to the Church by the Parsons family in 1899, and the Rose window, which faces Main Street.

**Saw Mill Hills Open Space Acquisition, Northampton Conservation Commission: \$72,000**

This acquisition will add 22 acres to the Saw Mill Hills in Leeds: 3 acres on the western side of Reservoir Road with direct water access, and 19 acres of bluff and views overlooking the reservoir.

**Historic Scenic Curtain Restoration, Academy of Music: \$44,785**

This project will allow the Academy to restore a scenic curtain depicting a Northampton scene that was recently found stapled to the back of the main stage curtain. It is thought to be the largest remaining historic curtain on the East Coast.

**Supportive Housing for Homeless Youth, Friends of Hampshire County Homeless Individuals: \$275,000**

CPA funds will be used to contribute to the purchase price of a house in Northampton that will provide up to right units of housing and support service for unaccompanied homeless youth. Homeless individuals between 18 and 25 face a gap in housing services that this home will help to address.

**Conservation Fund, Northampton Conservation Commission: \$30,000**

This fund creates opportunities for protection of open space and agricultural parcels in Northampton by allowing for fast action on time-sensitive real estate opportunities. The Fund creates an at-hand resource to conduct necessary due diligence work prior to acquisitions.

**Fitzgerald Lake Invasive Plant Control, Broad Brook Coalition \$12,800**

These funds will allow BBC to continue efforts to control and eliminate several different species of invasive plants that are damaging critical habitats essential to the health of native wildlife and plants, including endangered species.

**Shepherd Barn Dendrochronology Study, Historic Northampton: \$2,300**

CPA funds will be used to conduct a dendrochronology wood-dating study of the Shepherd Barn at historic Northampton, which will be used in preparation for a full restoration project of the structure.

**Pulaski Park Renovation and Expansion, Northampton Department of Public Works: \$805,400**

CPA funds will be used to continue design and construction of Pulaski Park. This phase includes construction of the Overlook Expansion that will create new park space to the rear of the existing park. The Committee recommends bonding for a portion of this project..

Thank you,

Brian Adams  
Chair, City of Northampton Community Preservation Committee

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of the Community Preservation Committee

16.083

AN ORDER

To Use CPA Funds to restore two of the historic stained glass windows located in First Churches of Northampton

*Ordered, that:*

WHEREAS, First Churches of Northampton submitted an application for Community Preservation Act funding for restoration of 12 historic stained glass windows located in the sanctuary of the First Churches of Northampton;

WHEREAS, CPA funds will be used to restore an important historic resource that is valued by the community and the region, on which Mass Historic holds a permanent preservation restriction;

WHEREAS, the project will enable these important historic artifacts to remain in Northampton;

WHEREAS, in addition to being an important historic resource, First Churches provides valuable social services and meeting space to at least 27 different organizations and the community at large on a monthly basis;

WHEREAS, all work will be consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties;

WHEREAS, on April 20, 2016 the Northampton Community Preservation Committee voted unanimously to recommend that \$213,000 in Community Preservation Act funds be used to support the restoration of two of the stained glass windows; the Tiffany and Rose, that were included in the application.

NOW, THEREFORE BE IT ORDERED,

That \$213,000 be appropriated from Community Preservation Act funding to First Churches of Northampton for restoration of the Tiffany and Rose stained glass windows. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$6,870.72 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932) and \$206,129.28 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of The Community Preservation Committee

16.084

AN ORDER

To use CPA funds to add 22 acres to the Saw Mill Hills in Leeds

*Ordered, that:*

WHEREAS, the Northampton Conservation Commission and Northampton Office of Planning and Sustainability submitted a CPA application for the Saw Mill Hills to Water's Edge project. This will fund the purchase of a 22-acre parcel adjacent to and overlooking the Roberts Meadow Reservoir for permanent protection.

WHEREAS, the parcel serves an important wildlife connection that will preserve a natural link between the Saw Mill Hills Conservation Area/Roberts Hill and the Roberts Meadow Reservoir.

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to protect open space and provide for passive recreation.

WHEREAS, on April 20, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$72,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$72,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Northampton Office of Planning and Sustainability for the Saw Mill Hills to Water's Edge project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$72,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of The Community Preservation Committee

16.085  
AN ORDER

To use CPA funds to allow the Academy of Music to restore a scenic curtain

*Ordered, that:*

WHEREAS, the Academy of Music submitted a CPA application for the Historic Curtain preservation project;

WHEREAS, the 1913 Maurice Tuttle curtain is the largest known historic scenic curtain on the east coast, and represents a scene from Northampton's history;

WHEREAS, restoration of the curtain will allow it to be viewed by visitors to the Academy during events and free historic tours;

WHEREAS, on April 20, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$44,785 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$44,785 be appropriated from Community Preservation Act funding to the Academy of Music for the Historic Curtain preservation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$44,785 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of The Community Preservation Committee

16.086  
AN ORDER

To Use CPA Funds toward the purchase price of a house in Northampton up to eight units of housing  
& support service for unaccompanied homeless youth.

*Ordered, that:*

WHEREAS, Friends of Hampshire County Homeless Individuals submitted an application for Community Preservation Act funding for the Housing for Homeless Youth project.

WHEREAS, currently this population faces a gap in supportive housing services in Northampton and nearby despite being a high risk group.

WHEREAS, the Western Massachusetts Network to End Homelessness has declared unaccompanied homeless youth a priority in its regional plan.

WHEREAS, CPA funds will leverage up to \$475,000 of funds from other sources.

WHEREAS, on April 20, 2016, the Northampton Community Preservation Committee, voted unanimously to recommend that \$275,000 in Community Preservation Act funds be used to support this project.

WHEREAS, CPA funds will be used towards the purchase of the building, and operation will be turned over to an experienced service organization for management.

**NOW, THEREFORE BE IT ORDERED,**

That \$275,000 be appropriated from Community Preservation Act funding to Friends of Hampshire County Homeless Individuals for the Housing for Homeless Youth project for creation of 6 to 8 affordable housing units. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$150,000.10 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933) and \$124,999.90 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of the Community Preservation Committee

16.087  
AN ORDER

To Provide CPA funds that will be used for fast action on time sensitive real estate opportunities

*Ordered, that:*

WHEREAS, the Northampton Conservation Commission submitted an application for Community Preservation Act funding for the Conservation Fund.

WHEREAS, the fund makes possible increased acquisition or protection of open space parcels in Northampton by supporting fast action on time-sensitive real estate opportunities.

WHEREAS, the project may leverage additional public and/or private funds.

WHEREAS, the project meets the goals of the Northampton Sustainability Plan for protection of open space and agricultural lands.

WHEREAS, the applicant has used these funds effectively in the past towards the protection of several hundred acres of open space, reflecting the goals established by the Community Preservation Committee.

WHEREAS, all land purchases will be reviewed and approved by the Conservation Commission and the City Council.

WHEREAS, on April 20, 2016, the Northampton Community Preservation Committee, voted unanimously to recommend \$30,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$30,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Fund. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$30,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of the Community Preservation Committee

16.088  
AN ORDER

To use CPA funds to allow BBC to continue efforts to control & eliminate several different species of invasive plants that are damaging critical habitats essential to the health of native wildlife and plants, including endangered species

*Ordered, that:*

WHEREAS, the Broad Brook Coalition submitted an application for Community Preservation Act funding for continued removal of invasive plants within the Fitzgerald Lake Conservation Area.

WHEREAS, the main targets of this project are (1) Spotted and Brown Knapweeds on the dam and in Cooke's Pasture, (2) Glossy Buckthorn in Cooke's Pasture, and (3) Black Swallow-wort in Cooke's Pasture.

WHEREAS, the project's control and removal of invasive plants meets goals established by the Northampton Open Space Recreation and Multi-Use Trail Plan and Rediscovering Northampton, and will protect habitat areas of rare and endangered plant species.

WHEREAS, the applicant has used these funds effectively in the past.

WHEREAS, on April 20, 2016, the Northampton Community Preservation Committee, voted unanimously to recommend \$12,800 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$12,800 be appropriated from Community Preservation Act funding to the Fitzgerald Lake Invasive Plant Eradication Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$12,800 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of The Community Preservation Committee

16.089  
AN ORDER

To use funds to conduct a dendrochronology wood-dating study of the Shepherd Barn

*Ordered, that:*

WHEREAS, Historic Northampton, Inc. submitted an application for Community Preservation Act funding for continued work to restore, renovate and stabilize the Shepherd Barn at 66 Bridge St, and protect historic artifacts, and that application was revised to address a small portion of necessary documentation before the project can begin;

WHEREAS, CPA funds will be used to complete dendrochronolgy research and secure the barn in preparation for the full restoration project ;

WHEREAS, CPA funds will be used to help secure an important historic resource that is valued by the community and the region, on which the City holds a permanent preservation restriction;

WHEREAS, all work will be consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties;

WHEREAS, on April 20, 2016 the Northampton Community Preservation Committee, voted unanimously to recommend that \$2,300 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$2,300 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. for dendrochronolgy and immediate stabilization work at the Shepherd Barn. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$2,300 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016

Upon the recommendation of The Community Preservation Committee

16.090

AN ORDER

To use CPA funds to continue design & construction of Pulaski Park

*Ordered, that:*

WHEREAS, the Northampton Department of Public Works submitted an application for Community Preservation Act funding for continued work toward renovation of Pulaski Park, specifically the Overlook Expansion and the area to the rear of the Academy of Music.

WHEREAS, Pulaski Park is an important downtown resource, and the project will create a vibrant downtown greenspace.

WHEREAS, the project meets the goals of the Sustainable Northampton Plan and the Open Space, Recreation and Multiuse Plans.

WHEREAS, the Department of Public Works received extensive public input about the design of the Park, and the selected design reflects that process.

WHEREAS, the City Council and CPA in 2013, 2014 and 2015 granted \$1,898,500 in CPA funds to support the design and development of design plans and construction for the project, which broke ground in Fall, 2015.

WHEREAS, on May 4, 2016, the Northampton Community Preservation Committee, voted unanimously to recommend that \$805,400 in CPA funds be used to support this phase of the project.

**NOW, THEREFORE BE IT ORDERED,**

That \$805,400 be appropriated from Community Preservation Act funding to the Northampton Department of Public Works for additional funding for the Pulaski Park Renovation Project, for overlook expansion and area to the rear of the Academy. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$130,400 is appropriated from the CPA Budgeted Reserve (account #2344930-359930) and that the City Treasurer with the approval of the Mayor is authorized to borrow up to \$675,000, over 10 years, under G.L. c.44B, §11 or any other enabling authority, and the debt repayment is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton  
Massachusetts

In City Council May 19, 2016  
Upon the recommendation of the Mayor

16.091  
AN ORDER

To allow the City of Northampton's Tree Warden,  
to accept gifts of tangible personal property with a fair market value of \$25,000 or less

*Ordered, that:*

WHEREAS, the City of Northampton recognizes the role that public shade trees play in reducing energy use, improving air quality, mitigating storm water, spawning retail activity, and enhancing quality of life;

WHEREAS, the public wishes to supplement the city's efforts by providing donations of trees and tree-related equipment and supplies;

WHEREAS, Massachusetts General Laws C. 44 s.53A1/2 provides that acceptance of gifts of tangible personal property requires a vote of the City Council and approval of the Mayor; and

WHEREAS, it is in the best interests of the City to streamline the process by which gifts up to a certain value may be accepted and placed into service for the community;

Now Therefore Be It Ordered,

The City Council hereby authorizes the City of Northampton's Tree Warden, with the approval of the Mayor, to accept gifts of tangible personal property with a fair market value of \$25,000 or less from the federal government, a charitable foundation, a private corporation or similar statutory entity, individual, or from the commonwealth or any political subdivision thereof. The Tree Warden shall use such gifts for the restricted purpose provided by the donor or, if no restriction is attached to the gift, for such other purposes as the Tree Warden deems advisable.

City of Northampton  
Massachusetts

In City Council May 19, 2016  
Upon the recommendation of the Mayor

16.092

AN ORDER

To Rescind TIF previously granted to the Grantham Group

*Ordered, that:*

Whereas, on March 7, 2013, the City Council granted a Tax Increment Financing (TIF) Plan to the Grantham Group for the assisted living project know as Christopher Heights;

Whereas, the vote authorized the Mayor to execute and implement a TIF agreement and that agreement was not executed by mutual agreement of the City and the Grantham Group;

Whereas, the Commonwealth of Massachusetts has requested that the city rescind its authorization for this project;

Therefore be it ordered, that the vote taken by the City Council on March 7, 2013 to grant a TIF to the Grantham Group is hereby rescinded.

# City of Northampton

MASSACHUSETTS

*In City Council*

May 5, 2016

Upon recommendation of the Mayor

**O-16.060**

**An Order**

**For Budgetary Transfers between Various Accounts**

*Ordered, that*

the following FY2016 budgetary transfers be and hereby are made:

Department		Description	Org	Object	Transfer From:	Transfer To:
City Council	PS	Salaries Permanent	11111	511000		1,130
Information Technology	PS	Salaries Permanent	11551	511000		9,150
Planning & Sustainability	PS	Salaries Permanent	11751	511000		621
Parking Maintenance	PS	Salaries Permanent	14811	511000		6,541
Veterans	PS	Salaries Permanent	15431	511000		2,675
Arts & Culture	PS	Salaries Permanent	16991	511000		6
Reserve for Personnel	PS	Wage Adjustment	19491	519700		1,754
Parking Maintenance	OM	NBID Assessment	14813	569400	(6,541)	
Medical Insurance	PS	Employee Insurance Benefits	19141	519400	(15,336)	
City Council	OM	Travel	11112	571001		2,100
Arts and Culture	OM	Telephone	16992	534100		540
Interest on Municipal Debt	OM	Interest on Notes	17503	592500	(2,640)	
<b>TOTAL:</b>					<b>(24,517)</b>	<b>24,517</b>

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

May 5, 2016

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Upon recommendation of the Mayor

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**16.063**

**AN ORDER**

**To authorize payment of a prior fiscal year bill for  
Smith Vocational and Agricultural School**

BE IT ORDERED

the Council authorize payment of a prior fiscal year bill (FY2015) from Smith Vocational and Agricultural School for \$8,135.36 owed to Durham School Services for Transportation Services.

**City of Northampton**  
MASSACHUSETTS

In City Council, May 5, 2016

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.066**  
**An Order**  
**To Purchase Land off of Reservoir Road**

Ordered, that

WHEREAS, The *Open Space, Recreation and Multi-Use Plan: 2011-2018* recommends protecting conservation land and unprotected gaps in the **Saw Mill Hills**; and

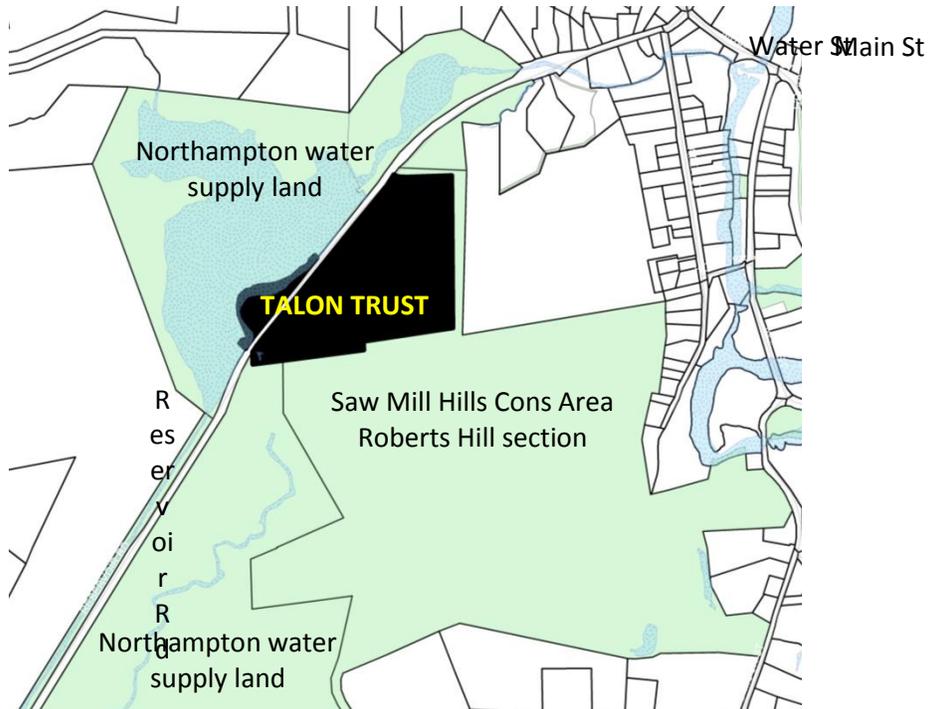
WHEREAS, Talon Trust has agreed to sell 20± acres off **Reservoir Road** (Map ID 10D-36), surrounded by conservation land on three sides and water supply land on one side, for \$150,000 to add to the Saw Mill Hills Conservation Area; and

WHEREAS, The land provides trail links, protects the city's drinking water system (current emergency reservoir), and provides wildlife links between upland areas, wetlands and water; and

WHEREAS, All funds will be drawn from CPA funds and current and past grants and donations; This Order includes no new appropriation.

**NOW, THEREFORE BE IT ORDERED,**

That the Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by Section 8C of Chapter 40 of the General Laws, the Community Preservation Act, and Article 97 of the Amendments to the Massachusetts Constitution, any fee, easement or conservation restriction as defined in Section 31 of Chapter 184 of the General Laws or



any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission and the Mayor are jointly authorized to grant conservation restrictions on any land so acquired.

# City of Northampton

MASSACHUSETTS

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In City Council, May 5, 2016

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.068**

**An Order**

**To Purchase 55 +/- acres located between Glendale & Westhampton Roads**

Ordered, that

WHEREAS, The *Open Space and Recreation Plan: 2011-2018* recommends preserving open space and valuable wetlands and upland habitat to connect the Mineral Hills Conservation Area with West Farms and filling in gaps and missing teeth in the city's open space system and provided for multiuse trail opportunities;

WHEREAS, The owners of 55± acres located between Glendale and Westhampton Roads, the approved Kensington Estates subdivision, have agreed to sell their property for \$450,000;

WHEREAS, The City is working with the seller who may carve off some small amount of the land to lower the purchase price;

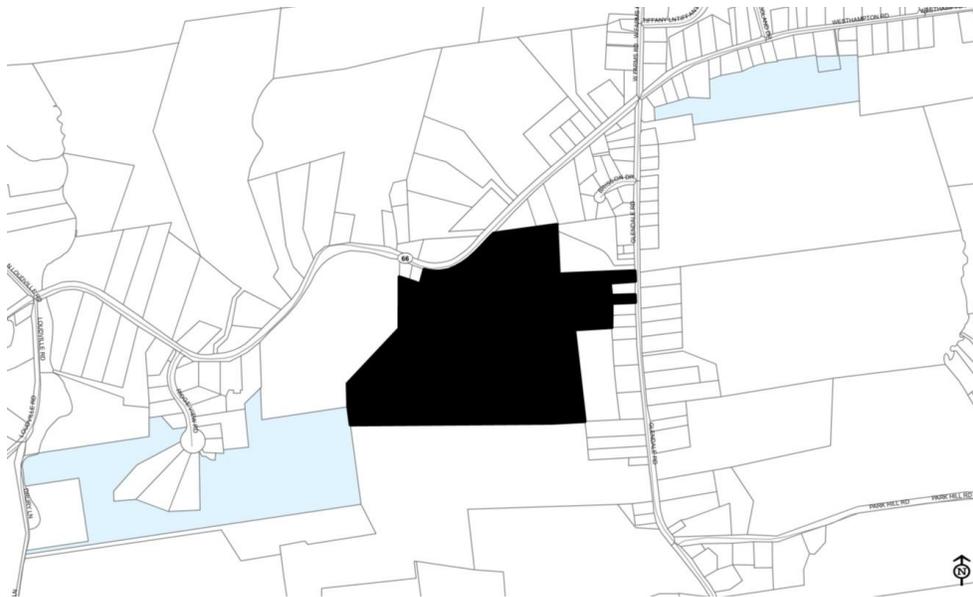
WHEREAS, The Massachusetts LAND Grant provides up to 64% reimbursement for acquisition of certain conservation areas and is a reimbursement program which requires that the City demonstrate that it has all of the funds necessary to acquire conservation properties prior to state reimbursement; and

***Ordered, that***

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Energy and Environmental Affairs, under the LAND/Self-Help Act, MGL Chapter 132A, §11;

Further that \$450,000 is appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$450,000 under MGL c.44, §7(3); and that the Conservation Commission is authorized to contract for any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Environmental Affairs, under the LAND Self-Help Act, Chapter 132A, §11 of the General Laws;

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.





# City of Northampton

MASSACHUSETTS

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In City Council, May 5, 2016

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

16.069

An Order

Authorize purchase of 110 +/- acres to add to the Brookwood Marsh Conservation Area

Ordered, that

WHEREAS, The *Open Space and Recreation Plan: 2011-2018* recommends preserving open space on Burts Pit Road to preserve Northampton's only bog and rare species habitat and provide for an multiuse trail to serve the area;

WHEREAS, The owners of 110± acres located on Burts Pit Road, Stone Ridge Road and Overlook Drive have agreed to sell their property for \$500,000;

WHEREAS, The City is working with the seller who may carve off some small amount of the land to lower the purchase price;

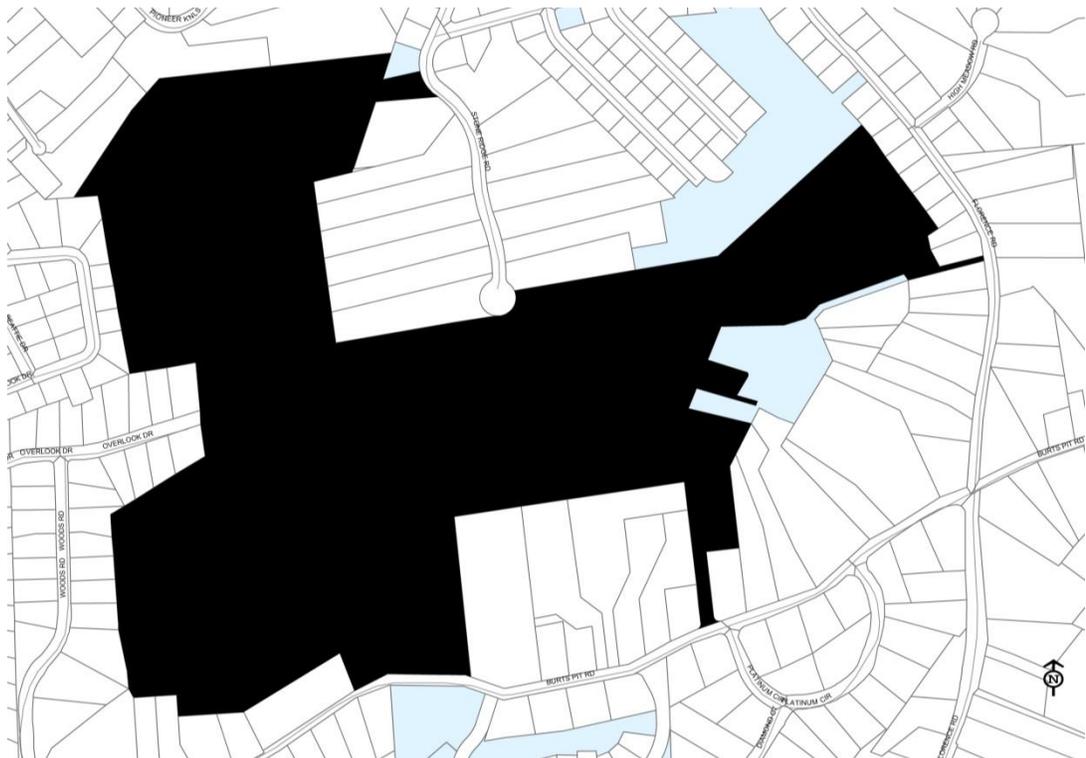
WHEREAS, The Massachusetts LAND Grant provides up to 64% reimbursement for acquisition of certain conservation areas and is a reimbursement program which requires that the City demonstrate that it has all of the funds necessary to acquire conservation properties prior to state reimbursement; and

***Ordered, that***

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Energy and Environmental Affairs, under the LAND/Self-Help Act, MGL Chapter 132A, §11;

Further that \$500,000 is appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$500,000 under MGL c.44, §7(3); and that the Conservation Commission is authorized to contract for any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Environmental Affairs, under the LAND Self-Help Act, Chapter 132A, §11 of the General Laws;

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.



**City of Northampton**  
MASSACHUSETTS

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*In City Council*

May 5, 2016

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Upon recommendation of the Mayor

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**16.071**

**An Order**

**To appropriate \$32,356.31 from the GF Free Cash to NPPS for federal eRate to support  
technology infrastructure**

*Ordered, that*

\$32,356.31 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) to the Northampton Public Schools to pass thru to the school department their federal eRate funds for supporting technology infrastructure, said funds to be deposited into W1245132 587014.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

May 5, 2016

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Upon recommendation of the Mayor

**16.072**

**An Order**

**to rescind borrowing authority on a LAND Grant vote taken August 13, 2015**

*Ordered, that*

the \$150,000 of borrowing authority authorized under the loan order approved on August 13, 2015 for the acquisition of land on Easthampton Road, to expand open space land preservation near the Arcadia Wildlife Sanctuary be rescinded, as the City has received a LAND Self-Help Act grant for the acquisition.

# City of Northampton

MASSACHUSETTS

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*In City Council*

May 5, 2016

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Upon recommendation of the Mayor

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**16.076**

**An Order**

**To appropriate \$9,850 from the GF Free Cash for technical assistance to analyze broadband services**

*Ordered, that*

\$9,850 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) for technical assistance to the City to analyze existing broadband services in the city and a Feasibility Study to address the possibility of Northampton providing broadband and broadband-enabled services to private enterprise customers in proximity to its existing municipal fiber network.

# City of Northampton

MASSACHUSETTS

In City Council, May 5, 2016

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.065**

## **AN ORDER**

### **To surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge**

Ordered, that

WHEREAS, The ***Open Space, Recreation and Multi-Use Plan: 2011-2018*** recommends preserving open space along the Connecticut River and the Connecticut River floodplain;

WHEREAS, On December 19, 2014, City Council authorized the City to accept a deed for two parcels adjacent to the flood control dikes and the historic Mill River (Map ID 39A-44 and 39A-71) and transfer 39A-071 to the USA for inclusion in the Conte National Fish and Wildlife Refuge;

WHEREAS, On August 13, 2015, City Council authorized the City to transfer a surplus city parcel on Hockanum Road (Map ID 39-18) to the USA for inclusion in the Conte Fish and Wildlife Refuge;

WHEREAS, The US Fish and Wildlife Service has expressed interest in the second parcel by the flood control dike (Map ID 39A-44) and a second parcel adjacent to the Hockanum Road parcel (Map ID 39-55);

WHEREAS, The Conservation Commission, Agriculture Commission, and Department of Public Works have all previously reviewed this request and support the transfer;

### **NOW, THEREFORE BE IT ORDERED,**

The City Council finds said parcels (Map IDs 39-55 and 39A-44) surplus to City uses and authorizes the Mayor to transfer them to the USA for inclusion in the Conte Fish and Wildlife refuge.



# City of Northampton

MASSACHUSETTS

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In City Council, May 5, 2016

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.067**

**An Order**

**To Authorize the Mayor to Waive & Decline the City's Right of First Refusal on Property located on Rocky Hill Road**

Ordered, that

WHEREAS, Joseph S. Popiokek, Jr. owns 14.429 acres on Rocky Hill Road (Map ID 37-90) in the Massachusetts recreation current use taxation program (MGL Chapter 61B); and

WHEREAS, Chapter 61B gives the city the right-of-first refusal to purchase the land when it is removed from Chapter 61B; and

WHEREAS, the property does not fit within the objectives of the Northampton Open Space, Recreation, and Multiuse Trail Plan;

**NOW, THEREFORE BE IT ORDERED,**

That the Mayor is authorized to waive and decline to assign the city's right of first refusal on the property.

# Committee Report on a Legislative Matter

**Report Regarding:** 16.025Im An Ordinance Regarding Parking on Center Street

**From:**

Comm. on Legislative Matters

**Date of Meeting**

5 /9 /2016

**Prepared By:**

P. Powers

**Recommendation:**

**Positive Recommendation**

Yes: 3

No: 0

Absent:

Abstain:

**Factors Considered:**

The Committee reviewed the ordinance and heard from Councilor Ryan R. O'Donnell

**Comments, Discussion & Debate:**

Councilor O'Donnell noted that this item came forward to the Transportation and Parking Commission at the request of Chief Kasper. The space that the ordinance will remove is one that makes it difficult for emergency vehicles to move around. There was some discussion in Transportation & Parking as it is not desirable to remove parking spaces, however, ultimately, the question was moved and voted upon.

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Sixteen*

Upon the Recommendation of Chief Jody Kasper and Councilor Ryan O’Donnell.

**16.025  
AN ORDINANCE**

**RELATIVE TO PARKING NEAR THE POLICE STATION  
ON CENTER STREET**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

*That the § 312-104 of the Code of Ordinances be amended as follows:*

§ 312-104 Schedule III: Limited-Time Parking.

Center Street	Northerly	15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday	A point 179 feet easterly from Center Court	A point 197 feet easterly from Center Court
<u>Center Street</u>	<u>Northerly</u>	<u>15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday</u>	<u>A point 161 feet easterly from Center Court</u>	<u>A point 179 feet easterly from Center Court</u>

SECTION 2

*That § 312-102 of the Code of Ordinances be amended as by adding the following:*

§ 312-102 Schedule I: Parking Prohibited All Times.

<u>Center Street</u>	<u>Northerly</u>	<u>A point 179 feet easterly from Center Court</u>	<u>A point 197 feet easterly from Center Court</u>
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# Committee Report on a Legislative Matter

**Report Regarding:** 16.061m An Ordinance to establish two one-hour parking spaces in Florence on Main Street

**From:**

Comm. on Legislative Matters

**Date of Meeting** 5 /9 /2016

**Prepared By:** P. Powers

**Recommendation:**

**Positive Recommendation**

Yes: 3

No: 0

Absent:

Abstain:

**Factors Considered:**

The Committee reviewed the ordinance and heard from Councilor Ryan R. O'Donnell

**Comments, Discussion & Debate:**

By way of this ordinance, a new parking space will be added near the bank on Chestnut Street. This was recommended by the DPW and there is general interest amongst businesses to add these spaces. The space was measured by the Department of Public Works.

City of Northampton  
Massachusetts

In the Year Two Thousand Sixteen  
Upon the recommendation of the Department of Public Works

**16.061**

**AN ORDINANCE**

**To establish two one-hour parking spaces in Florence on Main St.,  
on the southerly side, near Chestnut Street**

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

SECTION 1

That § 312-104 titled Schedule III: Limited-Time Parking be modified to **ADD**:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit/Hours; Days</b>	<b>From</b>	<b>To</b>
Main Street (Florence)	Southerly	1 hr./9:00 a.m. to 6:00 p.m.; Monday through Saturday	A point 188 feet easterly from Chestnut Street	A point 228 feet easterly from Chestnut Street

# Committee Report on a Legislative Matter

**Report Regarding:** 16.062lm An Ordinance to add a yield sign at Venturers Field Road

**From:**

Comm. on Legislative Matters

**Date of Meeting** 5 /9 /2016

**Prepared By:** P. Powers

**Recommendation:**

**Positive Recommendation**

Yes: 3

No: 0

Absent:

Abstain:

**Factors Considered:**

The Committee reviewed the ordinance and heard from Councilor Ryan R. O'Donnell

**Comments, Discussion & Debate:**

Councilor O'Donnell noted that there is currently a yield sign at the location identified by this ordinance. The sign was not supported by ordinance; this ordinance was written so that reality would be reflected in the code book.

City of Northampton  
Massachusetts

In the Year Two Thousand Sixteen  
Upon the recommendation of the Department of Public Works

**16.062**  
**AN ORDINANCE**  
**To add a yield sign at Venturers Field Road at the intersection of**  
**Henry Street and Montview Avenue**

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

SECTION 1

That § 312-113(c) titled Schedule XII: Stop and Yield Intersections be modified to **ADD**:

<b>Name of Street</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Venturers Field Road	Southwesterly	Henry Street and Montview Avenue

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Sixteen*

Upon the Recommendation of Councilor Ryan R. O'Donnell and Mayor David J. Narkewicz.

**16.034  
AN ORDINANCE**

**RELATIVE TO PUBLIC OWNERSHIP OF  
NORTHAMPTON'S WATER RESOURCES**

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

SECTION 1

*That § 325 of the Code of Ordinances be amended as follows:*

~~Article I Water Use Regulations~~ **Article I Water Resources**

§ 325-1 (~~Reserved~~) **Public Ownership and Control of Water Resources**

**The public water resources and infrastructure of the City of Northampton, including systems and facilities related to the supply, storage, treatment and distribution of water, shall be owned or leased by the City of Northampton and/or and controlled by the City of Northampton. Such resources and infrastructure and shall not be sold, leased or transferred into private ownership or control.**

SECTION 2

*That the article title "Water Use Regulations" be moved directly before § 325-2 and that the article titles within Chapter 325 be renumbered:*

~~Article I~~ **Article II** Water Use Regulations

~~Article II~~ **Article III** Water Emergencies and Restrictions

~~Article III~~ **Article IV** Drinking Water Protection

# Committee Report on a Legislative Matter

**Report Regarding:** 16.034pwu Ordinance Pertaining to Water Resources

**From:**

Comm. on Public Works & Utilities

**Date of Meeting** 3 /28/2016

**Prepared By:** P. Powers

**Recommendation:**

**Positive Recommendation**

Yes: 4

No: 0

Absent: 0

Abstain: 0

**Factors Considered:**

The Committee reviewed the ordinance and heard testimony from Councilor Ryan O'Donnell, one of the sponsors of the ordinance.

**Comments, Discussion & Debate:**

City Council Vice-President Ryan O'Donnell was present to talk about the ordinance that he is proposing. The ordinance seeks to prevent privatizing the city's water supply. The ordinance is modeled after an ordinance that was enacted in Gloucester. That city took the ordinance one step further and added language into their charter to prevent privatizing of their water. The right built into their charter is a right of referendum; if the city looked to privatize their water infrastructure, then the measure would be voted upon by residents in the community. Last year, New Jersey Governor Chris Christie signed a bill into law that would allow for fast-tracking the privatization of public water systems in New Jersey. The "Water Infrastructure Protection Act" removes the public vote requirement to sell water systems throughout the state under emergency conditions.

Across the country there have been strained budgets and mounting financial pressures felt by municipalities. This has led to corporations taking over the infrastructure of a city's resources such as water. One place this happened was Atlanta Georgia. That municipality has since switched back because of problems associated with privatizing. One very good example of where privatizing failed is Flint Michigan. The results have been disastrous for that community. The poisoning of the water by lead is a direct result of emergency managers making a variety of decisions with very little public accountability and driven by the desire to save money without any concern for public health or well-being. Other examples of privatization of public services has been in the areas of education,

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transportation and utilities. However, he believes people would like the ability to continue to debate water and sewer rates and would prefer that such infrastructure remain with the city.

Councilor Dwight asked whether this ordinance was a prevention measure; Councilor O'Donnell noted that the city has a good water infrastructure system that the city should be proud of and should try to protect. Such an ordinance is a proactive measure to provide such protection. While the current mayor or city council may not look to privatize the water system, the ordinance would look to provide protection into the future.

Councilor O'Donnell shared the experience of privatizing Atlanta Georgia's water system. The city faced the high cost of its water infrastructure and also was facing the high cost of deferred maintenance. The city entered into contract with United Water. The company was able to provide the service at a lesser cost than the city. Private companies don't have to carry the same costs that government does. After a period of time, problems arose regarding the quality of the city's water and people inevitably raised concern about it issue. Ultimately the contract between the city and the company ended after 4 years of a twenty year contract.

Councilor Bidwell supports the ordinance; he commented that the Committee on Community Resources reviewed the ordinance last week. He likes the idea of calling attention to this important piece of city infrastructure that is well run and produces great water. He also likes the idea of being proactive about protecting a valuable public resource and infrastructure.

# Committee Report on a Legislative Matter

**Report Regarding:** 16.034lm Ordinance Pertaining to Water Resources

**From:**

Comm. on Legislative Matters

**Date of Meeting** 4 /11/2016

**Prepared By:** P. Powers

**Recommendation:**

**Positive Recommendation as amended**

**Yes:** 4

**No:** 0

**Absent:** 0

**Abstain:** 0

**Factors Considered:**

The Committee reviewed the ordinance, reports of other committees, and considered the information provided by City Councilor Ryan R. O'Donnell. Councilor O'Donnell presented an amendment that had been shared with the City Solicitor, Alan Seewald. Councilor O'Donnell indicated that the amendment had been recommended by the Solicitor.

**Comments, Discussion & Debate:**

The proposed changes don't modify the ordinance in any way, but rather clarifies that the public water resources and infrastructure of the City of Northampton shall be owned or leased by the City and controlled by the City and that such resources and infrastructure shall not be sold, leased or transferred into private ownership or control. The objective is that the City shall maintain total control over the entire water system infrastructure. The purpose of the ordinance in general is to make it unlawful to transfer control of the water infrastructure to private ownership. When asked whether there were leasing circumstances where the amendment applies, Councilor O'Donnell indicated that there is currently no existing example in which this amendment would apply. The amendment, however, looks to protect the City's interests in the future should it be necessary.

Councilor Adams noted that sometimes the City does lease to private companies or facilities, such as in the case of Ameresco leasing the former landfill station on Glendale Road. This ordinance would present an obstacle to the City if it does look to find a company to control the water infrastructure. Councilor O'Donnell noted that the intent was for the City to retain control over the water infrastructure, unless otherwise decided by voters.

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# Committee Report on a Legislative Matter

**Report Regarding:** 16.034cr Ordinance Pertaining to Water Resources

**From:**

Comm. on Community Resources

**Date of Meeting** 3 /21/2016

**Prepared By:** P. Powers

**Recommendation:**

**Positive Recommendation**

Yes: 3

No: 0

Absent: 1

Abstain: 0

**Factors Considered:**

The Committee reviewed the ordinance and heard testimony from Councilor Ryan O'Donnell. He, along with Mayor Narkewicz sponsored the ordinance. Councilor Sciarra read the proposed ordinance into the record. (Councilor Klein was absent from the discussion and did not vote on this ordinance).

**Comments, Discussion & Debate:**

This ordinance prevents the City Council, Mayor, or the city in general from privatizing the city's water infrastructure. This ordinance models an ordinance adopted by Gloucester, Massachusetts in 2010. Gloucester later took the step of putting the elements of the ordinance into their charter. The premise of the ordinance is that there are basic public resources that should not be privatized. Councilor O'Donnell noted locally, now is a good time to introduce such legislation since there is much talk about investments being made in the city's water and sewer infrastructure. Nationally, there is a lot in the news about water resources, including what is happening in Flint, Michigan. In the case of Flint, the water system has been poisoned by lead. While this is not attributable to privatization, it is attributable to emergency managers being appointed over the water infrastructure and comporting themselves as though they were a corporation and making decisions with no public input and taking drastic cost cutting measures that lead directly to the risk of public health. Northampton has outstanding water resources, and Councilor O'Donnell feels that steps should be taken to protect water going into the future.