

## **Committee on Public Works & Utilities and the Northampton City Council**

### *Committee Members:*

*Councilor Dennis P. Bidwell*

*Councilor William H. Dwight*

*Councilor David A. Murphy*

*(Vacant)*

### **MEETING AGENDA**

**Date: July 14, 2016**

**Location: City Council Chambers  
212 Main St., Northampton, Massachusetts**

Note: This committee meeting will take place as announced during the City Council Meeting which begins at 7:00 p.m.

- 1. Meeting Called to Order and Roll Call**
- 2. Public Comment**
- 3. Approve Minutes of Previous Meeting**  
Minutes of June 27, 2016

Documents:

[PublicWorksUtilitiesMeeting\\_June27\\_2016.pdf](#)

#### **4. Items Referred to Committee**

- A. 16.064 Petition to discontinue a portion of Elm Street - Referred to Committee on 5/5/2016**

Documents:

[16.064\\_201604281609.pdf](#)

- B. 16.110 Petition to accept a portion of Pleasant Street/Route 5 - Referred to Committee on June 2, 2016**

Documents:

**5. New Business**

**6. Adjourn**

*Prepared By:*

*P. Powers, Administrative Assistant to the City Council*

*413.587.1210; [ppowers@northamptonma.gov](mailto:ppowers@northamptonma.gov)*



## Committee on Public Works & Utilities and the Northampton City Council

### Committee Members:

Councilor Dennis P. Bidwell  
Councilor William H. Dwight  
Councilor David A. Murphy  
(Vacant)

### MEETING MINUTES

Date: June 27, 2016 Time: 4:15 pm  
Location: City Council Chambers  
212 Main St., Northampton, Massachusetts

#### 1. Meeting Called to Order and Roll Call:

At 4:17 Councilor Bidwell called the meeting to order. Present were: Councilors Bidwell, Dwight and Murphy. No other City Councilors were present. Also present was Mayor Narkewicz and former City Councilor Paul D. Spector.

Councilor Jesse M. Adams recently resigned from the City Council. Up until his resignation, Councilor Adams was Chair of the Committee on Public Works and Utilities. Councilor Bidwell, Vice-Chair, will be the interim Chair until a full slate of city councilors is achieved. Once this happens, a new Chair will be elected by the committee.

#### 2. Public Comment: None

#### 3. Approve Minutes of the Previous Meeting

Minutes of March 28, 2016: Councilor Dwight moved to approve the minutes; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

#### 4. Items Referred to Committee:

The following items were not reviewed by this committee. Both items have been referred to the Public Works Commission where a public hearing will take place (currently scheduled for June 29, 2016). This committee will take up both items after receiving a recommendation from the Public Works Commission. Councilor Dwight moved to postpone discussion until after a recommendation by the Public Works Commission; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

A. 16.064 Petition to discontinue a portion of Elm Street - Referred to Committee on 5/5/2016

B. 16.110 Petition to accept a portion of Pleasant Street/Route 5 - Referred to Committee on June 2, 2016

Committee on Public Works and Utilities Meeting Minutes  
Meeting of June 27, 2016

## **5. New Business: Discussion Regarding Potential Committee Consolidation:**

With the Board of Public Works no longer a committee and the Public Works Commission about to be disbanded, Councilor Bidwell noted that this committee is the last forum for discussions regarding Public Works and Utilities matters. Councilor Bidwell thought that this might be a good time to talk about the role of the committee going forward. There are a fair amount of people in the community with public works experience, technical background and institutional memory; Councilor Bidwell wondered if the committee wanted to explore the possibility of bringing that expertise to this committee, and if so, in what capacity would these members be added (voting, non-voting, etc.). Councilor Bidwell asked what items might be brought forward to this committee.

Councilor Murphy noted that Public Works is the only City department that has a committee dedicated to discussing its concerns, with the exception of the school department. He wondered what the Mayor thought was the committee's role.

Councilor Dwight noted that the City Council is tasked with approving rates (water / sewer) and this rate approval is not something that is done in other departments. The rate subject is something that is referred to this committee.

Councilor Murphy asked what other types of things the Mayor might send to the committee; once this is understood, then a determination could be made about the make-up of the committee.

Councilor Dwight noted that the purpose of the committee is to get "more granular" when discussing important topics. The stormwater conversation is the perfect example. The Councilor's limited knowledge concerning what would be involved in the processes as the Council tries to establish a fee system/schedule suggests that more knowledgeable members (such as what was provided for by the Public Works Commission) might prove of value. Now, this committee would lead public discussions and it would be nice to have the expertise available. The City Council, under its rules, does have the ability to create mixed-member bodies, as long as it is clear that the purpose is to expand the knowledge on an issue that it is responsible for voting on. The committee cannot direct the DPW to do something.

Councilor Bidwell asked the Mayor what types of things he might send to the committee.

Mayor Narkewicz points out that even with the elimination of the Public Works Commission, there are still several committees that are currently in existence that are providing support on various issues. These committees include: the Re-Use Committee; the Public Shade Tree Commission; Energy & Sustainability; and Transportation and Parking Commission. DPW staff members participate on these committees, including the director and administrative staff. The mayor points out that at any time he could gather a group of knowledgeable individuals and ask them for advice on a particular subject. He does not need to revise the Administrative Code in order to do that. Regarding what items might be brought forward to this committee, the Mayor cited the following:

- Street acceptance / discontinuance
- Water/sewer rates
- New policies relating to green infrastructure
- Ordinances pertaining to public works

The Mayor will be bringing forward an ordinance to change the duty of holding street acceptance / discontinuance public hearings from the Public Works Commission to the Planning Board (as already required by state law). This doesn't mean that the Public Works and Utilities Committee of the City Council could not hold their own public hearing.

Councilor Bidwell noted that this committee is not an oversight body. However, it could be seen as a body to help build support on various measures by building awareness and help with informing the public.

Former Councilor Spector noted that he participated on the former Board of Public Works. The committee had a variety of agenda items and would often interact with the public. He noted that this doesn't fit in with the new model under the current Charter. Public Works is a common service used by more members of the public. The make-up of the committee included department members across several City agencies. It was a high-functioning committee. When the Charter changed, "experts" were asked to come to the Public Works Committee of the City Council only as needed. Councilor Spector feels as though something was lost with this transition. Topics that went before the Board of Public Works included Roberts Dam; the Landfill Closing; Street Acceptance procedures; and Stormwater. The public was involved to a larger degree. Under the new Public Works Committee of the City Council, the committee had difficulty determining its role. At times there were specific agenda items that the committee could tackle, but there were also times when the committee cancelled meetings because it did not have agenda items. It was never again the packed meeting as when the Board of Public Works meetings were held.

Mayor Narkewicz commented that while the Board of Public Works talked about a lot of issues, he wondered whether the committee was able to develop effective solutions.

Councilor Spector noted that much of the time was spent helping the Dept. of Public Works deal with the political process, especially pertaining with how to deal with the public. At first it was difficult, but after a while he believes that they were more effective.

Councilor Dwight noted that this committee could play that same role in helping to educate the public on key issues. They are not, however, an oversight body over various departments in the City. There is room to do the political dimension as described by former Councilor Spector. There are a number of issues that can be brought forward to this committee. He sees this committee's role as to make recommendations to the full City Council concerning certain issues, as well as to provide a forum for public input.

Mayor Narkewicz noted that he would be willing to provide resources and expertise, including department personnel for matters as they come up, however, he would not be willing to have employees report on on-going departmental activities.

Councilor Spector noted that when the Board of Public Works was active, it was helpful to have a broad spectrum of people participating on the committee, especially when the public was there. Under the Public Works Committee of the City Council, when issues came up, often times there were delays on resolving issues due to the lack of expertise on the committee. It is hard to predict the issues that would come before the committee.

Councilor Bidwell noted that some of the issues discussed by Councilor Spector would not come before this new committee.

Councilor Dwight noted that there was formerly a Police Committee that often times acted as if it had authority over the Police Department. This was, however, a disservice to the public, because in reality it had no authority to tell the Police Department what to do. Now there is greater transparency with clearer lines of authority. There is temptation to default to the way things used to happen, but this might have not been the most effective or legal way.

Mayor Narkewicz noted that even if the committee wanted past BPW experts to help with issues, they don't have to be made members of the committee. These people can be called forward as needed.

Councilor Bidwell noted that he is not sure that there is a good understanding about the issues coming before this committee to ask for people to sign-up as members. There would be the opportunity to add members on an ad-hoc basis. When necessary, the folks uniquely qualified to address an issue could be called upon.

Former Councilor Spector noted that in a different model, that of the Energy Commission, the Chair might ask the opinion of committee members and there was an exchange of information.

Mayor Narkewicz notes that Energy & Sustainability model is based on the Transportation and Parking model. Those bodies deal with issues that cross different departmental lines. Items are referred to various committees based on the types of issues that need to be addressed..

Councilor Dwight noted that there is a difference is between what the Mayor's Office does, which is policy development, and what the City Council does, which is ordinance development. The Mayor charges his staff to develop policy. The City Council committees are not crafting policy, but this is different because this is not the way it was done in the past. In the past many committees made policy. This is not the intent and this has taken some getting used to. The authority differences are becoming brighter and clearer. A better forum can be developed for give-and-take between the public and committee members.

Councilor Spector noted that during the public comment period during Board of Public Works meetings, many issues would be brought up and addressed. The public used this as an opportunity to complain. Occasionally people might come to City Council to speak during public comment about a very specific issue.

Councilor Dwight noted that this complaint avenue has a value. While a single complaint may not result in policy or ordinance change, speaking up about an issue does have value. Beyond providing a forum for complaints, this committee could act as a forum to educate the public about certain issues.

Mayor Narkewicz noted that this may have been a good forum to discuss the capital plans for the stormwater needs. The City hired experts from the "outside" and looked at the needs for 10 – 20 years. They put together a report and a public forum was put together to explain the roadmap of activities required to fulfill the plan. Only one person came to the public forum. When the DPW and the Board of Health had public hearings about the landfill expansion, no one came. This may have been the right committee / forum to bring those types of issues forward in order to get more public participation. The Mayor believes that there will likely be more issues like these in the future; however, he cannot predict what those issues might be.

Councilor Dwight noted that the committee would not hire consultants, but might ask residents to donate their time on a particular topic. With stormwater, there was a citizen committee that crafted a policy. The committee had a fair amount of buy-in and public participation.

Councilor Bidwell noted that there does not appear to be a compelling reason to add members to the committee at this time. As issues come along, perhaps people might be invited to participate, or perhaps a specific study group might be formed to address a particular topic. Situation by situation the committee could consider inviting the Mayor's staff to participate. No permanent change to the committee is required at this time. Councilor Murphy agreed.

## 6. **Adjourn:**

Councilor Dwight moved to adjourn the meeting at 5:15 p.m.; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

*Prepared By:*

*P. Powers, Administrative Assistant to the City Council  
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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

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

Melanie Taylor NORTHAMPTON, MA 01060

Gary Hartman, 419 RIVERSIDE DR.  
FLORENCE, MA 01062

Ken King 25 GREGORY LANE  
FLORENCE, MA

Rob San 103 WEST ST  
NORTHAMPTON

George Amelio 54 Prospect St  
Northampton 01060

Elizabeth Bonica  
406 N FARMER RD  
FLORENCE MA 01062

Edward Edwards 128 Baker Hill Rd

Shelley Steu 100 Washington Avenue

Paul Weinberg 660 West Avenue  
18 Perkins Ave.

MC ANDY DAVID C BLOOMBERG  
86 VERNON ST  
Northampton



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

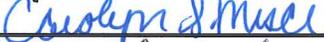


PETITION FOR ACCEPTANCE AS A CITY STREET

WE THE UNDERSIGNED inhabitants of the City of Northampton hereby formally petition the Northampton City Council to accept Pleasant Street/Route 5 in the area roughly between Holyoke Street and Hockanum Road, as a city street layout as shown on plans being recorded by the Massachusetts Department of Transportation (MassDOT) at the Registry of Deeds and incorporated herein by reference.

This will allow the roadway to be converted from a road that is essentially a highway to a city street, allowing eventual traffic calming, pedestrian and bicycle safety, green infrastructure, and parking improvements.

Signatures of inhabitants of the City of Northampton (minimum of six)

Name	Signature	Street Address
WAYNE FEJDEK		57 Olander Dr., Northampton
JAMES THOMPSON		29 PLEASANT ST, NORTHAMPTON
Carolyn Misch		123 MASSACHUSETTS ST MIT.
Arieta DELISE		201 SOUTH ST. NORTHAMPTON
Lyn Simmons		1075 Westhampton Rd, Florence MA
MARIONNE LARAGE		678 WESTHAMPTON RD FLO-MASS