

Committee on Finance and the Northampton City Council

Councilor David A. Murphy, Chair

Councilor Maureen T. Carney

Councilor Marianne L. LaBarge

(Vacant)

**City Council Chambers, 212 Main Street
Wallace J. Puchalski Municipal Building
Northampton, MA**

Meeting Date: July 14, 2016

Note: The Finance Committee Meeting will take place during the City Council Meeting as announced. The City Council Meeting is scheduled to begin at 7:05 pm.

- 1. Meeting Called To Order**
- 2. Roll Call**
- 3. Approve Minutes Of June 23, 2016 Meeting**

Documents:

[committee_on_finance_june_23_2016.pdf](#)

4. Financial Orders

- A. 16.125 Financial Order To Appropriate Capital Projects From The General Fund FY17 Cash Capital Account**

Documents:

[16.125_capitalprojects.pdf](#)

- B. 16.126 Financial Order To Transfer Funds Into The Compensated Absences Reserve Fund**

Documents:

[16.126_compensated_absences_reserve_fund.pdf](#)

- C. 16.128 Financial Order To Authorize Inter-Municipal Agreements For FY 2017**

Documents:

[16.128_intermunicipal_agreements.pdf](#)

- D. 16.129 Financial Order To Reprogram Remaining Funds From An FY 15**

Capital Project To The Fire Rescue Department Security Access System

Documents:

[16.129_fire_rescue_security_access_project.pdf](#)

E. 16.130 Financial Order To Appropriate Funds For Northampton Public Schools And Smith Vocational And Agricultural High School

Documents:

[16.130_appropriate_funds_for_schools.pdf](#)

F. 16.132 Financial Order To Provide For FY2016 End Of Year Budget Transfers

Documents:

[16.132_budget_transfers-eoy_fy2016.pdf](#)

G. 16.133 Financial Order: For The City Council To Accept A Gift Of A 1953 Jeep On Behalf Of The City From The Family Of Jack Joyce

Documents:

[16.133_jeep_gift.pdf](#)

H. 16.134 An Order For A Home Rule Petition To Authorize The Mayor To Seek Special Legislation To Amend The Acts Of 1994, Chapter 86 - Request 2 Readings

Documents:

[16.134_specialact.pdf](#)

[16.134_home_rule_petition.pdf](#)

[16.134_image.pdf](#)

5. New Business

-Reserved for topics that the Chair did not reasonably anticipate would be discussed.

6. Adjourn

Prepared by:

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Committee on Finance and the Northampton City Council

*Councilor David A. Murphy, Chair
Councilor Maureen T. Carney
Councilor Marianne L. LaBarge
(Vacant)*

Meeting Minutes

**City Council Chambers, 212 Main Street
Wallace J. Puchalski Municipal Building
Northampton, MA**

Meeting Date: June 23, 2016

1. **Meeting Called To Order:** At 7:21 p.m. Councilor Murphy called the meeting to order.
2. **Roll Call:** Present at the meeting were: Councilors Murphy, LaBarge and Carney. Also present from the City Council were: Councilors Dwight, Bidwell, O'Donnell, Sciarra and Klein.
3. **Approval Of Minutes From The Previous Meeting**
 - a. Minutes Of June 2, 2016: Councilor LaBarge moved to approve the minutes of June 2, 2016; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.
4. **Financial Orders**
 - A. **16.094 Financial Order To Appropriate \$84,044,076 For FY2017 General Fund Budget**
 - Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Mayor Narkewicz noted that the Council has received a copy of the FY17 budget where all of the priorities have been laid out for the upcoming fiscal year. The budget fits within the multi-year stability plan that has already been presented to Council. The Mayor indicates that the budget allows the City to maintain level city services while trying to provide for key capital projects.

Councilor Dwight notes that there were a series of budgetary hearings where the budget was discussed at length. Many Councilors participated in the budget hearings. Councilor Dwight expressed confidence in the Mayor and his team, especially to the Finance Director, Susan Wright; the team has crafted a progressive budget with vision; in keeping with the Mayor's promise, there will be no overrides or layoffs. The City is not facing a fiscal crisis which is only possible by prudent design and crafting. Public input is usually gotten throughout the year pertaining to key items and priorities. It is disappointing that the public is not present to speak

to this budget. A City's budget expresses the priorities of the community and Councilor Dwight feels that this budget conforms to what the community wants. Councilor Dwight thanked the Mayor for his efforts.

Mayor Narkewicz stated that for most of the years that he was on the City Council, budgeting started with a premise of a zero percent increase, and so the question was always how do we cut in order to do that, especially on the school side. The community overwhelmingly supported the Mayor's plan, and he has tried to keep the community updated about the fiscal stability of the City, and in fact is presented as part of the budget. He has also worked on ways to save money, including the consolidation of City Treasurer and Collector positions; to seek grants; to re-finance long term debt. The Mayor points out that NPS is doing some exciting work; the administrative team has spent a lot of time thinking about what their priorities are. They are working toward meeting priorities, such as adding credited librarians in elementary schools, expanding pre-school opportunities, adding STEM programs, etc. The City is also attempts to expand Arts and Culture opportunities; last year there was a small increase to support the fireworks for First Night. This year there were additional funds added to the Arts and Culture budget. Capital projects are equally as important, such as supporting paving projects.

Councilor Dwight noted that the City's bond rating has improved. When the Mayor initially took over, the Standard and Poor's bond rating was A+; the City recently learned that its rating is now triple A. The Mayor points out that this is the result of fiscal discipline, and one of the goals was to rebuild reserves over time. This seems to have paid off.

Councilor Bidwell noted that he is impressed with the discipline and strategy that is used to create the budget and brought us where we are today. He is proud to be associated with a City that has such a plan. He participated in the Scanlon Audit Review a few months back where several key fiscal strengths were reviewed. Councilor Bidwell chooses to believe that the lack of comment regarding the budget is a sign of confidence in the way the City's finances are being managed. The budget message, in combination with the opportunity to talk with department leaders, leaves councilor Bidwell quite impressed with the process by which the budget was developed. Also, the product itself (the budget) is clear and understandable.

Councilor O'Donnell noted that in addition to the expenditures that are being made, on the revenue side, an important feature is economic growth that has expanded the City's tax base. Mayor Narkewicz noted that this is a highlight in his budget message. In 2013 new growth was averaging \$500,000; over the last two years new growth has been in the \$900,000 range. New growth ties into the bond rating as well. With proposition 2-1/2, new growth is the only way to add to the tax base. Councilor O'Donnell noted that the reserves are strong, the stability reserve fund is there and every year when the plan is re-visited, the City has been able to add to the fund. The City is being conservative in its new growth numbers (FY17 equals \$600,000).

Councilor LaBarge thanked the Mayor and his staff for the thorough information that is available about the budget. It was helpful to hear from the department leaders about their individual budgets.

Mayor Narkewicz indicated that he has also worked to find new revenue; the Payment In Lieu of Taxes program is just one example. This is important because certain costs continue to grow, including health care costs. Retirement is also a fixed cost that is an on-going obligation.

Councilor LaBarge asked about the lifting of the cap for charter schools. She thinks that the residents need to be educated about what a lifting of the cap would mean. Mayor Narkewicz noted that in November, if the lifting of the cap were voted in, it is unclear whether the State Legislature would immediately act on the issue. The process of opening a charter school would take some time. The Mayor has been proactive in explaining what the Charter School impact has had on the City (reference the joint city-school budget meeting that was held early in the year). The City is estimating a little over 200 students will result in over \$2 million in outgoing tuition.

Councilor Murphy commends the Mayor and the Finance Director for doing really good work and in the process, raising the bond rating so that if we do need to borrow money, that we can do so under more favorable terms. He is somewhat disappointed that the City is about to vote on an \$84 million budget without public comment and he wished that he shared Councilor Bidwell's confidence that it was the consent of the governed, and not their ambivalence.

Councilor Sciarra thought it was striking that the City spends more on out-going tuition for Charter schools than it does for all of the City's elementary schools. There does appear to be more programming going into schools this year. It can't be over-emphasized about the job that the Superintendent and the School's Finance Director have done.

B. 16.095 Financial Order Appropriate The Sum Of \$588,450 For The FY17 Solid Waste Enterprise Fund Budget

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

The Mayor points out that this is a shrinking enterprise fund, and that the City continues to operate the landfill on some level, including monitoring and post-closure activities. There are no increases proposed in this budget.

C. 16.096 Financial Order To Appropriate The Sum Of \$6,271,872 For The FY2017 Sewer Enterprise Fund Budget

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Mayor Narkewicz points out that there was a lengthy public debate about the water/sewer rates and that this budget and the water enterprise budget highlight the spending priorities and the capital projects that were outlined when the proposed rates were brought forward. The budget also provides a summary of indirect costs for all enterprise funds. The indirect costs have been decreasing over time.

Councilor LaBarge asked about the Sewer Debt amount of \$445,864; Director Wright explained that this was principle and interest on loans taken out for the treatment plant.

D. 16.097 Financial Order To Appropriate The Sum Of \$7,463,768 For The FY17 Water Enterprise Fund Budget

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

E. 16.098 Financial Order To Appropriate The Sum Of \$1,957,558 For The FY17 Storm Water Enterprise Fund Budget

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Councilor O'Donnell noted that there was a \$1 difference between this order and the amount noted General Fund order. Director Wright suggested that this was due to rounding off of the amounts.

Mayor Narkewicz commented that there was a commitment made to keep this fund at or below \$2 million, and that the fund is going down about \$17,000 this year. Mayor Narkewicz was just at a meeting of Mayors in New Bedford along with the commissioner of DEP. The MS4 Permit that was talked about 2 – 3 years ago is now a real permit that is being issued by EPA. Many cities and towns are beginning to scramble to figure out how to pay for the new requirements that the EPA wants done. The City of Northampton has been planning for this and the Mayor feels that the City is in a good position to comply with the regulatory requirements. On the stormwater side, the City has been trying to comply with the flood control requirements. This City has been forward looking and deserves proper credit for being prepared to meet the requirements.

F. 16.099 Financial Order To Approve Revolving Fund Accounts For FY2017

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

G. 16.101 Financial Order To Appropriate Capital Projects From FY2016 GF Undesignated Fund Balance

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

H. 16.102 Financial Order To Appropriate Capital Projects From Receipts Reserved For Appropriation – Parking

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

I. 16.103 Financial Order To Appropriate Capital Projects From Receipts Reserved For Appropriation – Sale Of Land Account To Be Used For City-Wide Fueling Depot Project

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Mayor Narkewicz explained that one of the major issues that was identified when looking at the DPW facility was the need to replace the fuel depot. This is the City's gas station. All City vehicles get their fuel from this location. It is an aging system and the tanks have a certain life to them. This project was originally part of the overall DPW facility project that has been delayed. This is a project that can be moved forward separately. The money will be coming from a sale-of-land account that was previously from land sold on Prospect Street.

J. 16.104 Financial Order To Appropriate \$51,663.36 For Police Department Firing Range

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Councilor LaBarge asked if this money will be used for the final phase of setting up the firing range. The Police have been waiting a long time for this to be set up.

Mayor Narkewicz indicated that the project got delayed for two years; since that time there were some design changes and code changes that resulted in a higher price to complete the project. The shell for the firing range has been built; still to complete is the HVAC air handling and to put a lead collection system into place. There are three different funding sources to pay for the project: the total is \$163,454; the order will cover a portion while additional funds are coming from cash capital and free cash accounts. A small portion will come from the Police Department budget. No contracts have been signed to complete the project yet; funds will be available July 1st. Upon completion of this project, the Police Dept. will no longer have to pay for membership to the gun club, rent a special truck designed for shooting practice, or pay for overtime to train officers.

Councilor O'Donnell asked about the old police grants that are being used to pay for this project; Director Wright indicated that these are grants that have been on the books for more than ten years. The independent auditors suggested that the City use the money on a Police Department related expense.

Councilor Dwight noted that federal funding for police departments was withdrawn after 9-11 and then re-invested in homeland security. While there is still the practice of community policing, the funding for community policing was not a priority during the Bush Administration.

K. 16.105 Financial Order To Appropriate \$100,000 For Retrofitting/Replacement Of Windows & To Develop Plans For HVAC Solution

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Councilor Bidwell noted that there has been some architecture work that has been done and questioned whether this additional work was necessary.

Mayor Narkewicz explained that there has been some schematic work that has been done, which is at the conceptual level. When a project goes out to bid, full construction design is necessary. These funds will be used for the full construction design work. Because of the cost of the project, a bid is required for designer services.

Councilor Dwight asked whether the outcome of the pending law suit would affect the status of this project. The Mayor indicated that he did not think so; the project is consistent with carrying out its responsibilities to maintain the building.

L. 16.106 Financial Order To Appropriate \$37,300 For The West Farms & Park Street Cemeteries

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

M. 16.107 Financial Order To Appropriate \$344,359 For Capital Projects From The Capital Stabilization Fund

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

N. 16.116 An Order To Allow School District To Enter Into Contracts For Instructional Materials For A Period Not To Exceed Six Years

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Mayor Narkewicz indicated that the Council has been asked to approve similar orders in the past. NPS is interested in purchasing a new textbook system; there is greater savings when purchasing under a six-year contract.

O. 16.117 A Financial Order To Reprogram Funds For The Purpose Of Preparing Architectural Plans For R.K. Finn Ryan Road School Cafeteria

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

The Mayor explained that a renovation of the Ryan Road School cafeteria is part of the FY18 Capital Improvement plan. The School would like to get started with the design work required for this project.

Councilor LaBarge noted that the school is in dire need for this renovation.

P. 16.118 An Order To Accept Bottums Road As A City Street

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Q. 16.119 Financial Order Regarding Senior Center Gift Fund Expenditures

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

R. 16.120 Financial Order To Appropriate \$40,000 For A Roofing Replacement Schematic Design Feasibility Study @ Leeds Elementary School

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Mayor Narkewicz notes that two similar projects were done last year. The City would be able to receive greater than 50% of the cost for the project. This particular order is for another part of the Leeds School roof that was not able to be completed last year. The school committee will be adopting a similar resolution.

S. 16.121 Financial Order To Appropriate \$40,000 For A Roofing Replacement Schematic Design Feasibility Study @ Bridge Street Elementary School

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

T. 16.122 Order To Authorizes The Acquisition Of Two Parcels Of Land Located On The East Side Of Haydenville Road, Whately, MA

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

The Mayor made available a schematic showing the existing water shed and the two parcels of land that the City is planning to acquire. These are two parcels identified as part of the City's on-going effort to acquire watershed protection land around the City's reservoir. The City had originally been rejected for a drinking water supply protection grant from the DEP for such land acquisition, however, the DPW received a favorable reply provided that the City could close by June 30, 2016. The two parcels will be purchased for \$90,000 for each parcel; the DEP will be reimbursing the City \$81,775. Two readings have been requested from the City Council. Funds have already been appropriated for these types of acquisitions, so no additional funds need to be appropriated at this time. The order only asks that the Council approve the acquisition of these two parcels. The land and timber value for one parcel was appraised at \$91,348; the second parcel was appraised at \$91,909.

U. 16.123 Financial Order For Budget Transfers

- Councilor LaBarge moved to approve the order; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No, 1 Vacant.

Councilor Murphy noted that these types of transfers are typical at the end of a fiscal year to balance departmental budgets.

5. New Business - None

6. **Adjourn:** At 8:35 p.m. Councilor LaBarge moved to adjourn the meeting; Councilor Carney seconded the motion. The motion was approved on a voice vote of 3 yes, 0 No, 1 Vacant.

Prepared by:

P. Powers, Administrative Assistant to the City Council
ppowers@northamptonma.gov, (413) 587-1210

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of the Mayor

16.125
AN ORDER

To appropriate Capital Projects from the General Fund FY17 Cash Capital Account

Ordered, that:

the following Capital Projects be appropriated from the General Fund FY17 Cash Capital Account:

Central Services – Fire Department – Update Alerting System	\$	16,598
Central Services – Fire Department – Security Access System	\$	50,000
Information Technology – Replacement of Equipment	\$	50,000
Information Technology – Multi-Facility Energy Management System	\$	18,020
Information Technology – Laserfische Document Management Update	\$	33,500
Dispatch – Radio Study	\$	25,000
Police Department – Firing Range	\$	51,882
DPW – Mezzanine Storage	\$	35,000
TOTAL:	\$	280,000

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of the Mayor

16.126

AN ORDER

To transfer funds into the Compensated Absences Reserve Fund

Ordered, that:

the amount of \$11,551.37 be transferred from the FY16 Unused Earned Leave Account (19191 519600) to the Compensated Absences Reserve Fund (5000 340521) for the future payment of accrued liabilities for compensated absences due any employee or full-time officer of the city upon the termination of the employee's or full-time officer's employment.

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of the Mayor

16.128
AN ORDER
To Authorize Inter-municipal Agreements for FY 2017

Ordered, that

Whereas MGL C.40 s. 4A allows for joint operation of public activities among governmental units, and

Whereas, MGL c. 40, s. 4A requires that such inter-governmental agreements be approved, in a city, by the City Council and the Mayor, and;

Whereas the City of Northampton provides services to and shares services with other municipalities;

Therefore pursuant to MGL C. 40 s. 4A the City Council hereby authorizes the City of Northampton to enter into the following inter-municipal agreements for FY17:

Contract with Town of Williamsburg for Building Inspection and Zoning Enforcement Services – agreement to provide the Town of Williamsburg with services for a lump sum per the agreement.

Contract with Town of Williamsburg for Electrical Inspection Services – agreement to provide the Town of Williamsburg with services, with fees for permits turned over to the City of Northampton.

Contract with the Towns of Amherst, Hadley and Easthampton for Municipal Hearing Officer Services – agreement to provide Municipal Hearing Officer Services pursuant to MGL C.148A s.2c to hear complaints related to alleged violations of state building codes or the state fire codes for a lump sum per the agreement.

Contract with the Towns of Amherst, Chester, Chesterfield, Cummington, Hadley, Middlefield, Pelham, Williamsburg, Goshen and Worthington to provide Veterans Services Officer Services – agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Towns of Granby, Hadley and Amherst, to provide Sealer of Weights and Measures Services – agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Franklin County Regional Council of Governments to monitor and support the Greater Franklin County Economic Target Area.

Contract with Town of Amherst for kennel services – Town of Amherst to provide kennel space for dogs in the custody of the Northampton Animal Control Officer per the agreement.

Pioneer Valley Bike Share partnership with the Cities of Holyoke and Springfield, Town of Amherst, UMASS and Pioneer Valley Planning Commission for purposes of establishing, managing and operating a Regional Bike Share System for the Pioneer Valley.

Contract with the Franklin Regional Council of Governments to partner with the City of Northampton, through its Health Department, relative to the following contracts: 1) to provide services relative to the Hampshire Medical Reserves Corps and 2) to provide emergency management services for the Hampshire Public Health Emergency Preparedness Coalition.

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of Mayor Narkewicz

16.129

AN ORDER

**To Reprogram remaining funds from an FY 15 Capital Project to
The Fire Rescue Department Security Access System**

Ordered, that

\$7,000 of the remaining balance in the FY15 Capital Plan Project for JFK Pool Dehumidifier Replacement (19303 586506), be reprogrammed to provide additional funding for the Fire/Rescue Department Security Access System, due to bids coming in higher than the original estimated project cost.

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of Mayor Narkewicz

16.130

AN ORDER

To raise and appropriate funds for NPS and SVAHS

Ordered, that

The City will raise and appropriate for Fiscal Year 2017 the following amounts relative to the additional Chapter 70 funds the City will receive from the Commonwealth:

Northampton Public Schools: \$95,970

Smith Vocational and Agricultural School \$3,605

Provided that the appropriation for Smith Vocational and Agricultural School shall be used solely for the purposes of meeting net school spending as defined by the Department of Elementary and Secondary Education and no funds so appropriated shall be transferred to any account or expended for any purpose that would not be included in the calculation of net school spending.

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of the Mayor

16.133

AN ORDER

**For the City Council to accept a gift of a 1953 Jeep on behalf of the City from the family of Jack
Joyce**

Ordered, that:

Whereas, Jack Joyce was life-long resident of the City and a local businessman;

Whereas, the family of Jack Joyce wishes to honor his memory with the gift of his 1953 Korean War era Jeep and Trailer;

Whereas, the Jeep is being donated to the City of Northampton Veterans Services Department for the use of the Department, the Veterans Council of Northampton and the Central Hampshire Veterans District for use during parades and ceremonies;

Whereas, the family stipulates that the jeep shall not become an asset of any other city Department nor be sold without the expressed written consent of the Veterans Council of Northampton and that lettering to be added to the Jeep shall be: XO of the 309th Field Hospital;

Ordered, that, in accordance with Massachusetts General Law Chapter 44, Section 53A ½, the Northampton City Council gratefully accepts the donation of a 1953 Jeep and Trailer on behalf of the city from the family of Jack Joyce, which shall be in the care, custody and control of the Northampton Veteran Services subject to the following conditions:

- That the Jeep and Trailer shall not to be transferred to the care, custody of control of any other city department or individual without the written consent of the Veterans' Council of Northampton, and
- That the Jeep and Trailer shall not be sold as an asset of the city without the written consent of the Veterans' Council of Northampton, and
- That the following lettering be added to the Jeep: XO of the 309th Field Hospital.

An Act relating to land in Northampton.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of certain parcels of land in the city of Northampton, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 15 of chapter 86 of the acts of 1994 is hereby amended by striking out the first two paragraphs and inserting the following in place thereof:-

The commissioner of the division of capital asset management and maintenance is hereby authorized to convey by release deed to the city of Northampton, in the name and on behalf of the commonwealth, one or more parcels of land located in the city of Northampton, hereinafter referred to as “the parcels”, for the purpose of providing affordable housing. The city of Northampton shall be authorized to convey any or all of the parcels to one or more non-profit entity or entities whose mission is the construction of affordable housing. Such conveyance shall comply with the provisions of section sixteen of chapter thirty B, the Uniform Procurement Act, and such other procurement laws that may be applicable.

In the event that any of the parcels conveyed to the city pursuant to this section are not used for the purposes described in this act on or before December 31, 2021, title to such parcel or parcels shall revert to the commonwealth upon notice by the commissioner

of capital asset management and maintenance. If the city of Northampton conveys one or more of the parcels in accordance with the preceding paragraph and its grantee fails to use such parcel or parcels for the purposes set forth in this act within three years of the conveyance or ceases to use any of the parcels for such purposes, title to such parcel or parcels shall revert to the city of Northampton and may be reconveyed in accordance with this act.

SECTION 2. Said section 15 is hereby further amended by striking out the last paragraph and inserting the following in place thereof:-

For further reference, see a plan entitled “89 WIBI Northampton Housing Authority” dated November sixteenth, nineteen hundred and eighty-nine and prepared by TWM Northeast E.J. Flynn Engineers, Inc. The precise configuration shall be described in a land survey to be prepared by the city of Northampton. The city of Northampton shall be responsible for costs and expenses including, but not limited to, costs associated with deed preparation and recording fees related to the conveyance of the parcel or parcels to the city as may be determined by the commissioner. The city of Northampton or its grantee or grantees shall assume the cost of appraisals, surveys and other expenses associated with the development of affordable housing as provided in the preceding paragraph.

In the event that the city of Northampton by majority vote of its city council, does not elect to purchase all of the parcels on or before December 31, 2017, or in the event that

title to any of the parcels reverts to the commonwealth, then, notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for terms up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in said parcel or parcels on such terms and conditions that the commissioner considers appropriate. The commissioner shall dispose of said parcel or parcels using appropriate competitive bidding processes and procedures. At least 30 days before the date on which bids, proposals or other offers to purchase or lease a parcel or parcels are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive bidding process and other information that the commissioner considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals.

SECTION 3. Said chapter 86 is hereby further amended by striking out section 16 and inserting the following in place thereof:-

SECTION 16. The commissioner of the division of capital asset management and maintenance is hereby authorized to convey by deed, to the city of Northampton a parcel of land located at 91 Grove street. Said parcel is to be used by the city or its assigns for the purpose of providing an emergency shelter for the homeless. Said parcel contains approximately one acre of land, the precise configuration of which may be determined in a

survey. Conveyance of said parcel shall be without consideration and shall not be subject to the provisions of chapter seven of the General Laws. The commissioner shall establish the value of the property for both the highest and best use of the property as currently encumbered and for the purposes described in section 1. The commissioner shall place notification in the central register of the conveyance, the amount of such transaction and the difference between the calculated. The city of Northampton shall be responsible for costs and expenses including, but not limited to, costs associated with deed preparation and recording fees related to the conveyance of the parcel to the city as may be determined by the commissioner.

Upon the conveyance of said parcel to the city of Northampton, the city of Northampton is authorized to reconvey said parcel to a non-profit operator of such emergency shelter for the homeless provided that the deed shall contain a provision by which title to such parcel or parcels shall revert to the city of Northampton if its grantee ceases to operate an emergency shelter for the homeless. Upon reversion, the city of Northampton may reconvey such parcel to a non-profit operator of the emergency shelter for the homeless or for affordable housing for the homeless, the formerly homeless and/or for those at risk of homelessness in accordance with this act.

City of Northampton
Massachusetts

In City Council July 14, 2016
Upon the recommendation of Mayor Narkewicz

16.134

AN ORDER

**Home Rule Petition to authorize the Mayor to seek special legislation to
amend the Acts of 1994, Chapter 86**

Ordered, that:

- Whereas, the city of Northampton supports the development of affordable housing; and
- Whereas, pursuant to Chapter 86 of the Acts of 1994, the state legislature authorized the conveyance of certain lots on Laurel Street and Burts Pit Road to the Northampton Housing Authority for the construction of affordable housing; and
- Whereas, Chapter 86 also authorized the conveyance of a certain parcel on Groves Street for use as an emergency homeless shelter
- Whereas, in 1999, the Commonwealth, acting through the Division of Capital Asset Management and Maintenance, conveyed the Laurel Street and Burts Pit Road parcels to the Northampton Housing Authority, with a requirement that the parcels be used for affordable housing within five years of the conveyance or the parcels would revert to the Commonwealth; and
- Whereas, in 1998, the Commonwealth, acting through the Division of Capital Asset Management and Maintenance, conveyed the Grove Street parcel to the City, which parcel is currently used as an emergency shelter known as the “Grove Street Inn” and operated under a lease by ServiceNet; and
- Whereas, the Northampton Housing Authority has not constructed affordable housing on the Laurel Street and Burts Pit Road parcels; and
- Whereas, in order to effectuate the construction of affordable housing on the Laurel Street and Burts Pit Road parcels, the City would like an amendment to Chapter 86 authorizing the Division of Capital Asset Management and Maintenance to convey the Laurel Street and Burts Pit Road parcels to the City for reconveyance to a developer of affordable housing.

Whereas, the Mayor would like authorization to convey the Grove Street parcel to the operator of the emergency shelter with a provision for reversion to the City should the operator cease operating an emergency shelter

Whereas, special legislation is required in order to obtain the necessary amendments to Chapter 86, and in order for the state legislature to consider such special legislation a vote of the city council authorizing such legislation is required; and

Whereas, the Northampton Housing Authority supports the proposed amendments to Chapter 86, and on July 18, 2016, the board is expected to take a vote in support of the proposed legislation.

NOW, THEREFORE, BE IT ORDERED:

That the Mayor is authorized and directed to seek special legislation to amend the Acts of 1994, Chapter 86, in substantially the form set forth in the proposed legislation entitled An Act Relating to Land in Northampton, which is attached hereto and incorporated by reference as though fully set forth herein.

That the Mayor be authorized to make amendments to the proposed legislation attached hereto in his sole discretion in order to effectuate the purpose of this Order.

BUILDING PARCEL
PRINCE

WADGE E. ELLIOTT &
 L. A. ROBERTS JR.
 P. 1963 P. 30

ROBERT H. ELLIOTT
 B. 1362 P. 33

LESTER W. +
 ELISE J. ELLIOTT
 B. 1209 P. 229

The Planning Board has made no
 determination as to conformances
 of this lot with the provisions
 of the Zoning Ordinance.

10,469 Sq. Ft.

TABLE OF COURSES

Ⓐ	N62°39'30"E	162.27	ⓑ
Ⓑ	S21°42'41"E	66.68	Ⓒ
Ⓓ	S63°08'26"W	156.47	Ⓔ
ⓓ	N26°41'38"W	65.00	ⓔ

NOT A BUILDING LOT

MASSACHUSETTS PLANE
 COORDINATE SYSTEM
 N = 29339639.52
 E = 344941.19

GROVE ST

LAUREL STREET

CHapel Street

LAUREL STREET

RD
 L = 217.73
 R = 818.52
 L = 228.30
 R = 818.52

ELIZABETH A.
 GILBERT et al.
 B. 3380 P. 275

MASSACHUSETTS
 ELECTRIC CO.
 B. 1605 P. 375

1.115 Acres

1.433 Acres

ST

23.218 Acres

39,096 Sq. Ft.

B2

1.022 Acres

MASSACHUSETTS PLANE
 COORDINATE SYSTEM
 N = 29339287.09
 E = 346233.88

18,000 Sq. Ft.

B1

NOT A BUILDING LOT

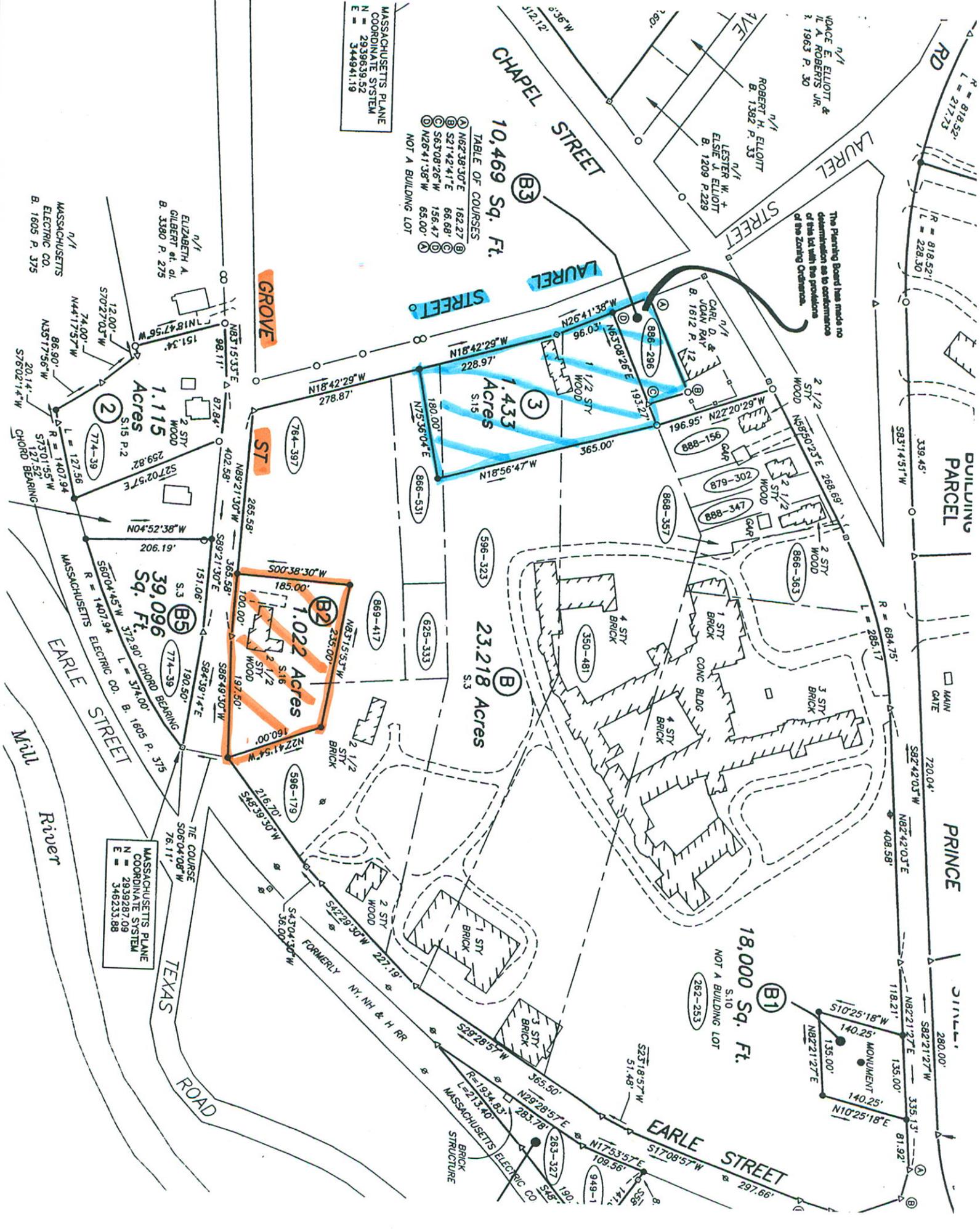
Mill River

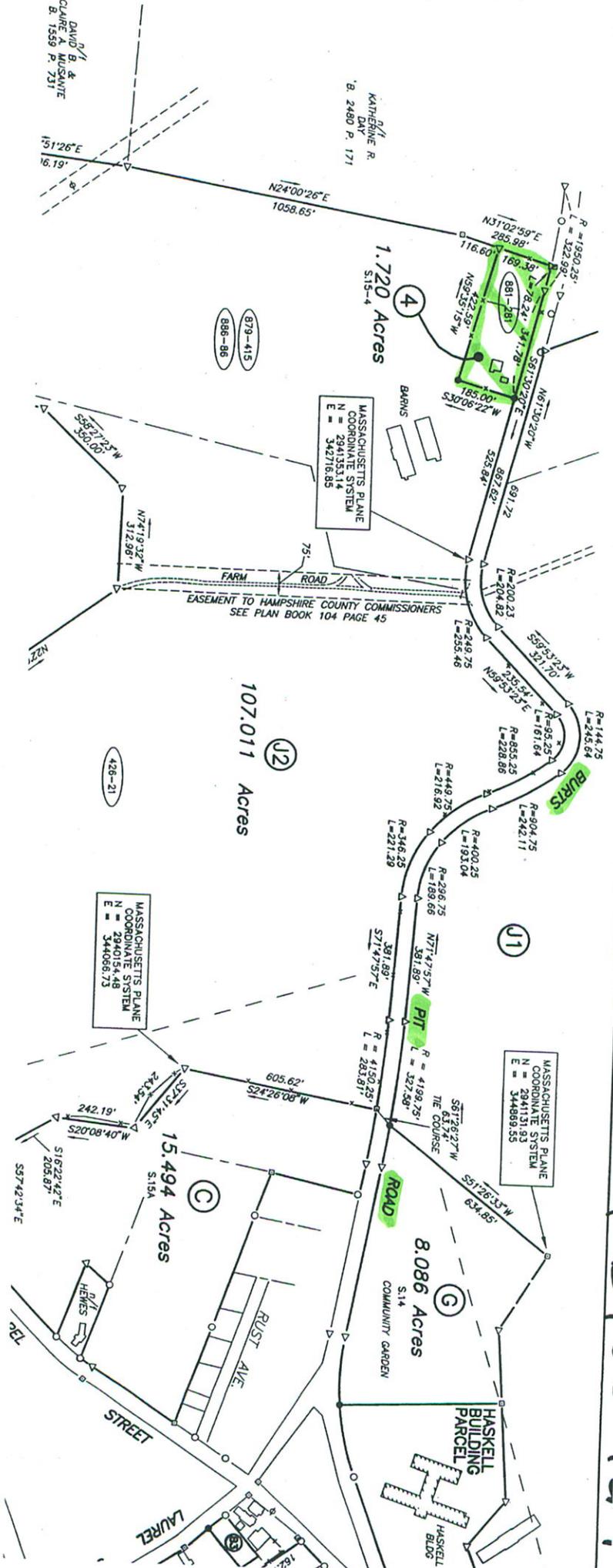
EARLE STREET

TEXAS ROAD

EARLE STREET

PRINCE





KATHERINE R.
D/W
B. 2480 P. 171

DAVID B. &
CLAIRE A. MUSKANTE
B. 1559 P. 731

1.720 Acres
S15-4

879-415
886-86

MASSACHUSETTS PLANE
COORDINATE SYSTEM
N = 394135.14
E = 342716.85

EASEMENT TO HAMPSHIRE COUNTY COMMISSIONERS
SEE PLAN BOOK 104 PAGE 45

107.011 Acres
J2

428-21

MASSACHUSETTS PLANE
COORDINATE SYSTEM
N = 394054.48
E = 344086.73

J1

MASSACHUSETTS PLANE
COORDINATE SYSTEM
N = 284131.82
E = 344889.55

15.494 Acres
C

8.086 Acres
C
S14
COMMUNITY GARDEN

HASKELL BUILDING PARCEL
HASKELL BLDG

HENNES

STREET

LAUREL

RUST AVE

N1'26'E
16.19'

N24'00'26"E
1058.65'

N31'02'59"E
285.98'

N31'02'59"E
116.60'

N58'33'15"W
422.53'

N58'33'15"W
185.00'

N31'02'59"E
330.06'22"

N61'30'20"W
525.84'

N61'30'20"W
891.72'

N61'30'20"W
891.72'