



CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

- President Ryan R. O'Donnell, At-Large
- William H. Dwight, At-Large
- Maureen T. Carney, Ward 1
- Dennis P. Bidwell, Ward 2
- James Nash, Ward 3
- Vice-President 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: March 7, 2019
Meeting Time: 7:00pm

1. Announcement of Audio/Video Recording

This meeting may be audio/video recorded for broadcast by Northampton Community Television.

2. Public Comment

3. Roll Call

4. Public Hearings

A. 7:05 pm Public Hearing to consider FY 2020 Water and Sewer Rates

The City Council will hold a Public Hearing on Thursday, March 7, 2019 at 7:05 p.m. in Council Chambers, 212 Main Street, Northampton, MA to consider the proposed FY2020 water and sewer rates and hear all persons who wish to be heard thereon.

5. Updates from Council President & Committee Chairs

A. Charter Review update

B. Finance Committee Update on FY2020 Independent Audit Procurement Process

At a special meeting February 26, 2019, the Finance Committee voted unanimously 3:0 with one absent (Councilor Carney) to recommend awarding the contract for FY2020 auditing services/extending the contract for auditing services with Scanlon & Associates for another year.

6. Recognitions and One-Minute Announcements by Councilors

7. Communications and Proclamations from the Mayor

8. Resolutions

A. 19.003 A Resolution to Adopt the Capital Improvement Program for FY2020-FY2024 Submitted to City Council on February 4, 2019 - 2nd reading

History:

- Passed 1st reading - 2/21/2019

Documents:

[19.003 A Resolution to Adopt the Capital Improvement Program for FY2020-FY2024 Submitted to City Council on February 4, 2019.pdf](#)

B. 19.006 A Resolution in Support of Changing the Massachusetts State Flag and Seal - 2nd reading

History:

- Passed 1st reading - 2/21/2019

Documents:

[19.006 A Resolution in Support of Changing the Massachusetts State Flag and Seal.pdf](#)

9. Presentations

10. Consent Agenda

11. Recess for Committee on Finance (See Separate Agenda)

12. Financial Orders (on 1st reading pending Finance review)

Rule 2.6 requires the Finance Committee to consider certain financial matters.

A. 19.009 An Order to Establish Water and Sewer Rates for FY2020 - 1st reading

Process note: Per the Administrative Code, Part 1 Administrative Organization, Chapter 6 Public Works Division: "The department makes annual recommendations to the Mayor for water and sewer rates, which shall be subject to the approval of the City Council."

Documents:

[19.009 DPW Recommendation on Water-Sewer Rates.pdf](#)

[19.009 An Order to Establish Water and Sewer Rates for FY2020.pdf](#)

13. Financial Orders (on 2nd reading)

A. 19.002 An Order to Purchase, Declare Surplus and Donate Land on Easthampton Road to Massachusetts Audubon Society for Conservation Purposes - 2nd reading

History:

- Positive recommendation, Finance Committee - 2/21/2019
- Passed 1st reading - 2/21/2019

Documents:

[19.002 An Order to Purchase, Declare Surplus and Donate Land on Easthampton Road to Massachusetts Audubon Society for Conservation Purposes.pdf](#)

B. 19.004 An Order to Reprogram Memorial Hall Repairs Surplus to Senior Center Repairs - 2nd reading

History:

- Positive recommendation, Finance Committee - 2/21/2019
- Passed 1st reading - 2/21/2019

Documents:

[19.004 An Order to Reprogram Memorial Hall Repairs Surplus to Senior Center Repairs.pdf](#)

C. 19.005 An Order for FY2019 Budget Transfers - 2nd reading

History:

- Positive recommendation, Finance Committee - 2/21/2019

- Passed 1st reading - 2/21/2019

Documents:

[19.005 An Order for FY2019 Budget Transfers.pdf](#)

14. Orders

A. 19.001 An Order to Join the ICC to Vote on the IECC - 1st reading

Documents:

[19.001 An Order to Join ICC to Vote on IECC - clean.pdf](#)

15. Ordinances (Not yet Referred)

Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

16. Ordinances

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

18. New Business

Contact: R. O'Donnell, Council President
ryan@ryanodonnell.org or
(413) 570-3159

City of Northampton
MASSACHUSETTS

In City Council, _____ February 21, 2019 _____

Upon the recommendation of Mayor David J. Narkewicz _____

19.003 A Resolution
to Adopt the Capital Improvement Program for FY2020-FY2024
Submitted to City Council on February 4, 2019

Resolved, that

The City Council hereby adopts the Capital Improvement Program for FY2020-FY2024 submitted by the Mayor on February 4, 2019, in accordance with the Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-5: Capital Improvement Program.



City of Northampton
MASSACHUSETTS

In the City Council, February 21, 2019

Upon the Recommendation of: Councilor Alisa F. Klein
 Councilor Maureen T. Carney
 Councilor William H. Dwight

R-19.006

A RESOLUTION

IN SUPPORT OF CHANGING THE MASSACHUSETTS STATE FLAG AND SEAL

WHEREAS , the history of the State of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the region who first extended the hand of friendship to the Colonists on their shores in 1620 and helped them to survive starvation during the settlers' first winters; and

WHEREAS, members of the Native Nation for whom the State of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, in April of 1623, barely two years after the Pilgrims arrived on their shores; and

WHEREAS, the Massachusetts State Flag and Seal depicts:

- a) a naked Colonial broadsword, modeled on the broadsword of Myles Standish, as it is being brandished above the head of a Native man whose proportions were taken from a Native skeleton kept in Winthrop and whose features were taken from a photograph of an Ojibwe chief not from Massachusetts but from Great Falls, Montana because the illustrator considered him to be a "fine specimen of an Indian;" and
- b) the Native man's bow that was modeled after a bow taken from a Native man shot and killed by a colonist in Sudbury in 1665, and his belt that is modeled after a belt worn by Metacomet, one of the Wampanoag leaders who resorted to a mutually destructive war in 1675-76 in defense of Native lands against Euro-Colonial encroachment; and

WHEREAS, members of Native Nations within the boundaries of Massachusetts were subjected by the colonists to inhumane and genocidal practices including the forced internment of thousands of members of Native Nations on Deer Island in Boston Harbor where they died by the hundreds of exposure in 1675; subsequent enslavement in Boston, Bermuda, and the Caribbean Islands; and the offering of bounties for the scalps of Native men, women, and children; and

WHEREAS, Native Nations in Massachusetts were kept in a state of serfdom and their members legally considered incompetent wards of the state until the nonviolent action of the so-called Mashpee Rebellion of 1833 led to the granting of Native self-rule by the Massachusetts legislature in 1834, as if the sovereign right of Native self-government was the Massachusetts legislature's to confer; and

WHEREAS, Native Americans were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that law was finally repealed; and

WHEREAS, in the year 2020, it will be the 400th anniversary of the landing of the Euro-Colonists at Plymouth Plantation which gave rise to the long chain of genocidal wars against, and deliberate policies of cultural destruction of, Native Nations thus affording every citizen of MA a chance to reflect upon this history and work towards establishing a better relationship between the descendants of the Euro-Colonists and the Native Nations of the Commonwealth; and

WHEREAS, Native Americans have long suffered the many abuses of racism, the appropriation and misuse of their cultural practices and way of life, the appropriation and lampooning of their symbols and images for public schools and sports teams, and the diminution and pollution of their ancestral lands; and

WHEREAS, the City of Northampton, settled by Euro-colonists in 1654, recognizes that it was built upon the ancestral homelands and villages of the indigenous peoples of the Pocomtuck and Nipmuc Nations; and

WHEREAS, in its 2016 Resolution Recognizing the Second Monday of October as Indigenous Peoples' Day, the Northampton City Council acknowledged "the ongoing trauma and historical harms, acts of genocide, and violations of the human rights of Native American[s]" and stated its commitment to "uplift[ing] the indigenous roots and history of, and contributions to, our city and this country."

NOW THEREFORE BE IT RESOLVED that the City Council of Northampton hereby adopts this resolution in support of HD.2968 and SD.1495 in the Massachusetts State Legislature, a "Resolve Providing for the Creation of a Special Commission Relative to the Seal and Motto of the Commonwealth¹," and expresses its strong support for Representative Lindsay Sabadosa's and Senator Jo Comerford's continued advocacy for their passage.

¹ Specifically, HD.2968 and SD.1495 calls for, among other things, "a special commission... [to be] established (1) for the purpose of investigating the features of the official seal and motto of the commonwealth including those which potentially have been unwittingly harmful to or misunderstood by the citizens of the commonwealth and (2) for the purpose of examining the seal and motto of the commonwealth to ensure that they faithfully reflect and embody the historic and contemporary commitments of the commonwealth to peace, justice, liberty and equality and to spreading the opportunities and advantages of education. The commission shall make recommendations regarding a revised or new design of the seal of the commonwealth and a revised or new motto of the commonwealth".

BE IT FURTHER RESOLVED that the City Council of Northampton strongly encourages the Joint Committee on State Administration and Regulatory Oversight to, after holding a public hearing on the Resolve, report it out favorably.

BE IT FURTHER RESOLVED that if the legislation shall pass, the City Council of Northampton strongly encourages Governor Charles Baker to sign it and work with members of the General Court to ensure its enactment.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to MA State Senator Jo Comerford; MA State Representative Lindsay Sabadosa; all members of the MA Legislature's Joint Committee on State Administration and Regulatory Oversight, when they are appointed; U.S. Senators Elizabeth Warren and Edward J. Markey; U.S. Representative James McGovern; and Massachusetts Governor Charles Baker.

~ This resolution was developed through the initiative of, and with great assistance from, David Detmold, an organizer with Change the Massachusetts State Flag and Seal Campaign.



**CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

**125 Locust Street
Northampton, MA 01060**

**413-587-1570
Fax 413-587-1576**

Donna LaScaleia
Director

Memorandum

To: Mayor David Narkewicz
From: Donna LaScaleia, Director of Public Works
Date: February 19, 2019
Re: FY20 Water and Sewer Rates

The Department of Public Works (DPW) has forecast and analyzed personnel and operating expenses, capital expenses and proposed capital projects inclusive of existing and anticipated debt service in the water and sewer enterprises as part of the FY20 budgeting process. Our analysis and subsequent recommendations are predicated upon a commitment to ensuring consistent and appropriate investments in infrastructure, maintaining adequate stabilization balances and establishing long term rate stability.

Water Enterprise:

The City operates, maintains and improves 160 miles of water lines, including two transmission mains that carry drinking water from Whately to the City limits. The City also operates, maintains and improves a 6.5 million gallon per day Water Treatment Plant, three active surface drinking water reservoirs and dams, 2 active wells, 2 pump stations, the 200,000 gallon Audubon Road storage tank, a corrosion control facility and over 3,000 acres of watershed land. All operations are closely monitored and regulated by the Environmental Protection Agency and the Massachusetts Department of Environmental Protection.

In FY18 and FY19, DPW administered \$1,423,881 in design and construction for waterline replacement on Chesterfield Road, Hatfield Street, Audubon Road, Day Avenue, North Farms Road, North Maple Street, Hinckley Street and Damon Road. We have requested \$2,875,000 through the FY2020-FY2024 Capital Improvement Plan (CIP) to continue waterline replacement in locations identified in the 2013 Water Asset Management Plan. We have also requested \$20,450,000 to fund Dam and Spillway Repairs, Transmission Main Relocation and improvements to the Leeds High Pressure System, with the understanding that these projects will be long duration and require extensive permitting and design work before construction is possible. The City received a state grant in October of 2018 for \$250,000, which will partially fund design for Dam and Spillway Repairs.

FY18 debt service in the enterprise was \$2,013,196, representing 29.35% of total revenue. This debt service is the result of a \$25,853,996 bond issuance for the construction of the Water Treatment Plant in 2006 and it does not clear the debt schedule until FY2028. The current water stabilization balance is \$1,955,596, and in prior years, funds have been expended from stabilization to support capital investment. The amount of existing debt service does not allow for the assumption of additional debt to support

remediating currently known infrastructure deficiencies, and therefore the scale of necessary work to correct those deficiencies will require higher revenue support.

Based on an analysis of usage for the past 66 months, we estimate that the proposed rate increases¹ would provide an additional \$161,784 in annual revenue. DPW will also be implementing a modest increase to quarterly fixed meter fees that will provide an additional estimated \$60,000 in annual revenue. This new revenue will be used either to fund as cash or to create debt capacity to fund through borrowing the major capital projects outlined in the CIP.

Sewer Enterprise:

The City operates, maintains and improves more than 110 miles of sewer lines, seven pump stations and a 15 million gallon per day Wastewater Treatment Plant (WWTP). All operations are closely monitored and regulated by the Environmental Protection Agency and the Massachusetts Department of Environmental Protection.

In FY18 and FY19, DPW administered \$510,962 in design and construction for sewer replacement on Audubon Road, Day Avenue, Hinckley Street and Damon Road. We have requested \$2,150,000 for sewer line replacement through FY2024.

In FY18 and FY19 at the WWTP, projects were completed to replace critical sludge pumps and to convert the Plant's effluent disinfection process from chlorine gas to sodium hypochlorite. These projects together represented a capital investment of \$1,063,627, funded through borrowing in prior years. As required by Massachusetts General Law, the City has retained an Owner's Project Manager and Designer for the next phase of upgrades, primarily focused on upgrading the Plant's electrical infrastructure and aeration processes. Contracts for these services total \$1,662,111. Through the CIP, we have requested \$22,000,000 over the next five years for construction of these and other upgrades, and based on planning level estimates from the 2015 Comprehensive Wastewater Management Plan, we anticipate an additional \$65,000,000 in needed funds to support future capital plans beyond FY2024 for both treatment and collection. We currently have a balance of \$10,109,715 in sewer enterprise stabilization, and we anticipate using \$8,500,000 of this balance to partially cover capital construction costs in excess of \$15,000,000 in FY20-FY22. Additional funding for construction will be through the Clean Water State Revolving Fund.

The scale of proposed upgrades will require higher revenue support. Based on an analysis of usage for the past 66 months, we estimate that the proposed rate increase² would provide an additional \$156,436 in annual revenue for the enterprise. This new revenue will be used either to fund as cash or to create debt capacity to fund through borrowing the major capital projects outlined in the CIP.

¹ Tier 1 consumption, meter ≤1": FY20 proposed rate for 0-16 Ccf is \$4.51 per Ccf, an increase of 2.5% over the FY19 rate.

Tier 2 consumption, meter ≤1": FY20 proposed rate for >16 Ccf is \$6.09 per Ccf, an increase of 2.5% over the FY19 rate.

Meter >1": FY20 proposed rate for all consumption is \$5.99 per Ccf, an increase of 2.5% over the FY19 rate.

² Non-metered based on 80% metered water consumption: FY20 proposed rate is \$7.86 per Ccf, an increase of 2.5% over the FY19 rate.

Metered: FY20 proposed rate is \$7.86 per Ccf, an increase of 2.5% over the FY19 rate.

City of Northampton

MASSACHUSETTS

In the City Council, February 21, 2019

Upon the Recommendation of the Mayor

O-19.009 AN ORDER
TO ESTABLISH WATER AND SEWER RATES FOR FY2020

Ordered, that:

Effective July 1, 2018, the per 100 cubic foot (CCF) rates for water and sewer are as follows:

WATER

Customers with 1” meter or smaller

Tier 1 consumption: 0 – 16 CCF \$4.51 per CCF (FY19 rate \$4.40 per CCF)

Tier 2 consumption: >16 CCF \$6.09 per CCF (FY19 rate \$5.94 per CCF)

Customers with meter larger than 1”

All consumption \$5.99 per CCF (FY19 rate \$5.84 per CCF)

SEWER

Non-metered

\$7.86 per CCF based on 80% of metered water consumption (FY19 rate \$7.67)

Metered

\$7.86 per CCF (FY19 rate \$7.67)

City of Northampton
MASSACHUSETTS

In City Council, February 21, 2019

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

19.002 An Order to Purchase, Declare Surplus and Donate Land on Easthampton Road to Massachusetts Audubon Society for Conservation Purposes

WHEREAS, The *Open Space, Recreation, and Multiuse Trail Plan: 2018-2025* recommends preserving the “the corridor along the Connecticut River and the adjacent floodplain. This includes ...the area immediately adjacent to...Arcadia Wildlife Sanctuary...” and further it recommends “strengthen partnerships...including [with]...Massachusetts Audubon Society.”

WHEREAS, The City has an Option to purchase 4.5± acres on Easthampton Road, from Ralph Thompson, adjacent to the Arcadia Wildlife Sanctuary along an oxbow of the Connecticut River for \$1 or as a deed in-lieu of tax title foreclosure.

WHEREAS, Said land has no development value but it is of important conservation value.

Ordered, that

The Mayor is authorized to purchase said land for city purposes;

Further, that City Council declares such land as surplus to City purposes and authorizes the city to donate the land to Massachusetts Audubon Society for permanent open space preservation, subject to the City, through its Conservation Commission, holding a conservation restriction, as defined in MGL Chapter 184, §31, and that the City Council hereby accepts such conservation restrictions.



City of Northampton
MASSACHUSETTS

In City Council

February 21, 2019

Upon recommendation of the Mayor

19.004 An Order to Reprogram Memorial Hall Repairs Surplus to Senior Center Repairs

Ordered, that

\$12,000 of surplus funds that remain in the Memorial Hall Repairs capital project (19303 586845) following the completion of that project, be reprogrammed for the purpose of making repairs to the exterior siding and trim at the Northampton Senior Center to an account to be named - Senior Center Repairs

City of Northampton
MASSACHUSETTS

In City Council

February 21, 2019

Upon recommendation of the Mayor

19.005 An Order for FY2019 Budget Transfers

Ordered, that

the following FY2019 budgetary transfers be and hereby are made:

Department		Description	Org	Object	Transfer From:	Transfer To:
Medical Insurance	PS	Employee Health Insurance	19141	519400		(39,306)
Fire Rescue	OM	R & M Vehicles	12202	524004	9,500	
Public Safety Communications Center	OM	Replacement of Equipment	12122	587000	7,867	
Public Safety Communications Center	OM	Software License Fees	12122	528000	17,439	
Public Safety Communications Center	OM	Travel	12122	571001	2,000	
Public Safety Communications Center	OM	Staff Development	12122	578001	2,500	
Total Budgetary Transfers:					39,306	-

CITY OF NORTHAMPTON MASSACHUSETTS

In the City Council, March 7, 2019

Upon the Recommendations of Councilors William H. Dwight, Alisa F. Klein and Gina-Louise Sciarra

O-19.001 AN ORDER TO JOIN THE INTERNATIONAL CODE COUNCIL (ICC) TO VOTE ON THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

Whereas,

The International Code Council (ICC) develops model building codes for adoption by states and local jurisdictions, including the International Energy Conservation Code (IECC). In Massachusetts, municipalities are statutorily required to follow the statewide code that is based in part on the IECC.

Whereas,

The ICC is currently in the code development process for a new edition of the IECC to be published in 2021. Only ICC members are eligible to vote to approve changes to the existing code. Voting is important because it can affect how much energy efficiency is required in the new base building code followed by most states and many countries. It is in the best interest of governmental units interested in reducing energy consumption to have the next IECC include substantially enhanced energy efficiency requirements.

Whereas,

Government/municipal agencies, departments and units engaged in administration, formulation or enforcement of laws, regulations or ordinances relating to public health, safety and welfare are eligible to join the ICC as a government member for an annual membership fee of \$135 year. The more registered voters Northampton has, the more it can influence the code.

Whereas,

The Northampton Energy and Sustainability Commission (NESC) has affirmed the desirability of expanding Northampton's engagement in the IECC process. The Building Department is already a member of the ICC and the Office of Planning and Sustainability has recently joined. Other departments are being encouraged by the NESC to consider membership. The City Council is eligible to join the ICC and identify up to four individuals to vote on the new code.

Now therefore be it ordered that,

The City Council hereby authorizes registering the Northampton City Council as a member of the ICC and designating four city councilors to serve as voting representatives for purposes of voting on the IECC.