



Committee on Finance and the Northampton City Council

*Councilor David A. Murphy, Chair
Councilor Maureen T. Carney
Councilor Marianne L. LaBarge
Councilor Gina-Louise Sciarra*

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

Meeting Date: April 5, 2018

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. Approval Of Minutes From The Previous Meeting

A. Approval Of Minutes Of March 1, 2018 And March 15, 2018

Documents:

[03-01-2018_finance committee minutes.pdf](#)
[03-15-18_finance committee minutes.pdf](#)

4. Financial Orders

A. 18.074 Order To Reprogram Funds To Purchase Pay To Park Kiosks

Documents:

[18.074 order to reprogram funds to purchase pay to park kiosks.pdf](#)

B. 18.075 Order To Reprogram Forbes Tree And Fire Alarm Account Funds To Replace Tractor

Documents:

[18.075 order to reprogram forbes tree and fire alarm account funds to replace tractor.pdf](#)

C. 18.076 Order To Authorize Payment Of Prior Year Bill

Documents:

[18.076 order to authorize payment of prior year bill.pdf](#)

D. 18.077 Order To Rescind Remaining Borrowing Authority For River Road Retaining Wall Project

Documents:

18.077 order to rescind remaining borrowing authority for river road retaining wall project.pdf

E. 18.079 Order To Appropriate \$7,500 From Free Cash For UPS At Florence Fire Station

Documents:

18.079 order to appropriate 7,500 from free cash for ups at florence fire station.pdf

5. New Business

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

6. Adjourn

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**City Council Chambers, 212 Main Street
Wallace J. Puchalski Municipal Building
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Meeting Date: March 1, 2018

Note: The Finance Committee Meeting took place during the City Council Meeting as announced. The City Council Meeting began at 7 p.m.

- 1. Meeting Called To Order:** At 7:21 p.m. Councilor Murphy called the meeting to order.
- 2. Roll Call:** Present were committee members David Murphy, Marianne LaBarge and Gina-Louise Sciarra. Also present from the City Council were Bill Dwight, Jim Nash, Ryan O'Donnell, Dennis Bidwell and Alisa Klein. Absent: Maureen T. Carney.
- 3. Approve Minutes of February 15, 2018 Meeting:** Approval of the minutes was tabled until the next meeting since they were inadvertently left out of the packet.
- 4. Public Hearing - The City Council Will Consider The Capital Improvement Program FY2019-FY2023**

Councilor Murphy explained the procedure he would use in conducting the hearing. He clarified that the Finance Committee does not make a final decision on the plan but will be making a recommendation and forwarding it to the full council for final action.

Councilor LaBarge moved to open the public hearing. Councilor Sciarra seconded. The motion passed unanimously 8:0.

The public hearing on the Capital Improvement Program (CIP) is a required activity under the charter, Mayor Narkewicz explained. Each year, he is required to produce and submit the CIP 120 days prior to the start of a new fiscal year. The City Council is then required to hold a public hearing and adopt the program. The program is supposed to survey and list all capital improvement projects the city intends to undertake in the next five years, including laying out in detail projected financing and providing explanations as to how it intends to maintain the projects.

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Capital expenses include such things as vehicles, equipment, repairs to infrastructure, paving, etc., he elaborated. A very small part of the program is funded as part of the budget; however, the city primarily relies on one-time funding sources such as the Undesignated Fund Balance (Free Cash), Capital Stabilization and borrowing.

As part of the plan, administrators go through some of the city's funding systems and policies, such as ensuring that any debt taken on is sustainable and that spending conforms to best practices as set by the Department of Revenue (DOR) and outside bonding agencies. They lay out the different sources of funds being drawn from, including Capital Stabilization, the operating budget, cash capital and revolving funds.

The reference to reprogrammed funds refers to money left over from other capital projects that were completed, he continued. Small amounts of funds are used from other funds such as a Payment in Lieu of Taxes (PILOT) fund from entities such as the Cooley Dickinson Hospital (CDH) and Smith College. He referred to a chart listing various departments and the dollar amount of projects assigned to each.

The program also contains a breakdown of projects by year - FY 2019, FY2020, etc., and the appendix contains individual CIP requests from each department, he noted.

The total plan for five years consists of 113 projects totaling \$80,648,474, Mayor Narkewicz reported. He listed spending by department as follows:

- \$6.2 million being invested in schools (Smith Vocational and Agricultural High School (SVAHS) as well as the four elementary schools, Northampton High School and J.F.K. Middle School). Projects include the purchase of 1:1 Chrome books at a cost of \$327,000 over the five-year period, window repairs, roof replacement and a new SVAHS boiler.
- \$830,000 for a series of energy upgrades. Projects include installing a solar canopy over the parking lot at the fire department and storing the solar energy generated in batteries for use as a back-up power system for the Emergency Dispatch Center.
- \$2.374 million for public safety, including turnout gear, tactical equipment and training for the Police Department and replacement of the 1999 fire engine at a cost just shy of \$600,000.
- \$300,000 for cemeteries – in recent capital plans, residents funded preservation studies for three city-owned cemeteries – Bridge Street, Park Street and the West Farms cemetery. All three contain extremely historic grave markers. The city hired a preservationist to develop a comprehensive preservation plan and has now put funding for the recommended projects in the capital plan. City officials will be working with the Historical Commission to apply for Mass. historic grants to further implement preservation projects. (The DPW has removed the non-historic chain link fence in front of the West Farms cemetery, he noted.)
- \$84,724 Elections – the City Clerk will be purchasing new voting machines from a state-wide bid. Her goal is to have the new equipment in place for the fall election.
- \$13.3 million for Public Works – He is extremely excited about the increased investment in street paving, Mayor Narkewicz enthused. Over the last five to seven years, the City has been working toward investing city capital funds for road reconstruction. The Chapter 90 program has pretty much remained stagnant over the last five years, having been level-funded at \$200 million state-wide for the past several years. The city has been slowly increasing its commitment to paving; last year, in FY 2018, the city invested \$500,000. In this CIP, he is proposing to ramp up the city's commitment to \$1.5 million in each of the five years of the plan, for a total commitment of \$7.5

million. It is ironic that cities are having to once again fund roads through property taxes, but the city really need to catch up on deferred maintenance that needs to be addressed. They are also continuing to invest in sidewalks and traffic calming. The total includes money for the Clement Street Bridge project and \$3.9 million for vehicles: plows, dump trucks, etc. per the vehicle replacement program developed by Director LaScaleia.

- \$4.7 million for Stormwater, \$23.5 million for water system repairs/replacement and \$25.8 million for Sewer.
- \$3.3 million for miscellaneous improvements includes upgrades to the parking system (i.e. additional kiosks), building improvements, investments in IT infrastructure, etc. It also will cover updates to the city's comprehensive plan and investments to the Academy of Music, where the city will be making some improvements for handicapped-accessibility.

The document is really a planning document, so voting on the CIP is voting on a plan, he stressed. Financial officers will bring forth specific spending and borrowing orders at a later time for approval of funding of individual items.

PUBLIC COMMENT

A woman who did not identify herself for the record asked for identification and a further breakdown of the budget item totaling \$225,000.

It is for Police Protective Equipment, Councilor Dwight responded.

Mayor Narkewicz confirmed that he has additional information. Audience members asked if the room could be reconfigured to allow more space for spectators as there were about 30 people standing in the hallway. The audience spent several minutes rearranging chairs to allow more room for seating.

There are three separate requests for \$75,000 for every other year throughout the plan, Mayor Narkewicz clarified. He read aloud a memo from Chief Kasper with a justification of the request and breakdown of the specific items requested.

Following his reading, Councilor Murphy opened the floor to public comment

Tom Burton of Conz Street said he was disappointed that they had to come back here again, especially to come up with new material for the police. "We don't have enough material for our schools," he claimed. He referred to trouble at the Bridge Street School, particularly the integration of special needs kids there and action by other parents to take their children out of the school. In the community, this [school-related items] is the sort of thing that is a priority; not to buy extra cop gear or extra cop training for what he referred to as "Pio's Concentration Camp." What we're looking for is to support our own values, not to be spied on or surveilled upon or to have our cops trained in funky places, he stated.

Jon Liebman of 25 Munroe Street said his two adult children in their 20's encouraged him to speak out against all funding for the police. He is not an anarchist and not as radical as they are, he shared. He understands the need for protective gear and equipment to respond safely to a range of incidents and doesn't think any city employee should be asked to engage in work without reasonable protection. The issue here is really a larger issue of how much we want our police to be militarized and how the equipment

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will be used. Riot shields, helmets, gas masks and other 'non-lethal equipment' may have a place in responding to certain incidents. The equipment, however, has historically been used to stifle the rights to peaceful assembly and free speech, he maintained. Who can forget how police used such gear at the Edmund Pettus Bridge in Selma, the Democratic Convention in Chicago, Stonewall, NY or in Ferguson, Missouri, he asked rhetorically.

He related an anecdote about his 70-year old aunt from Richmond, Virginia, who attended a rally in the state capital only to leave without exercising her constitutional right to free speech after being confronted by police with riot shields, helmets and batons.

We speak a lot in this country about our willingness to sacrifice to protect our civil rights, he continued. This is the kind of situation where 'the rubber meets the road' in a small town like Northampton, where citizens do have to confront the risk of militarization. Police Chief Kasper is presenting a budget to meet the status quo. The issue is that a lot of the people in this room and this community do not like the status quo. He believes it is the responsibility of the Mayor and the city council to start a process to examine that and to change the focus of the way they police in this society, he concluded.

Susan Maguire of Avis Circle, Florence said she has lived in, worked in and really cared about this city since 1977. For 20 of those years, she worked very closely with the Northampton police and was able to experience firsthand their care and dedication to the safety of this city. She and her wife are here to lend support to the Northampton police. Chief Kasper was one of the first in the country to respond to President Obama's request for open data. The chief asked them to join that committee, and she was extremely open to hearing what was needed to let the public know about the kind of work the police were doing. She was very intent on absolute transparency. This is just replacing equipment that unfortunately in today's world is needed. She was here to march in the very first Pride march in this city. Even then, in more conservative times, the Northampton police respectfully stood by while they marched and quietly protected their ability to assemble. This is a police department that cares. She has experienced first-hand police officers stopping to help children whose bicycle chains have broken, taking care of homeless people and gently and kindly de-escalating situations involving people with mental illness. She lived here when the state hospital started to wind down and more people with mental illness appeared on the streets. She referred to the 'Suntan Man,' a long-time fixture in the downtown area. He was never treated with anything but respect and kindness by the police. She asked the city council to support the chief's request. It is only for equipment that has been in use by this police department and, if people haven't seen it, she hopes they understand it's because the police work hard not to use it. She really hopes people in this community want to keep children safe, she concluded. (This comment was met with audible protests.)

Jennifer Fronc of 53 Clark Avenue, who identified herself as a historian of policing, said she grew up in a town that had a 9 p.m. curfew during the week and an 11 p.m. curfew on weekends. She got arrested almost every night on her way home from work. She lived 20 miles outside of Chicago - not in an area controlled by the Taliban - but that police department in the early 90's was using the rhetoric of gang violence to expand its police powers. The police department asked for semi-automatic weapons to control crowds in a town that never had a larger event than a Christmas parade. That is where her radicalization with the police started. She lived in New York for about a decade before and after 9/11. She protested before 9/11 and noticed that things changed dramatically afterward. What they saw after 9/11 was the introduction of 'free speech zones' and 'protest pens.' Police would use low metal fences to hold people in

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the designated areas. These are neutral objects like helmets or shields, but her trachea was bruised when a fence was jammed up against her body. In 2004, when she was protesting the Republican National Convention in Chicago, a police officer held up his riot gear and smashed her in the face with it, causing her to lose consciousness. She left New York in 2005; at which point they were checking bags upon entry to the subway. She was done with living in a police state. She felt safe in Northampton until the talk of surveillance cameras and riot gear showed up. Chief Kasper told the Gazette in late August that she has begun tracking protests differently and created a police line item called “demo.” The chief now charges for police gear and police details at all their protests because they have increased since Trump took office. “I don’t believe for a minute that she’s not going to start using this stuff,” she charged.

In 2014, after the Blarney blowout, the UMass campus police and Amherst Police Department brought in Ed Davis, a former Boston police commissioner, as a consultant. He determined that the police screwed up by going in too fast and too hard. Her students were very traumatized by being caught in the crossfire. This is not the type of police we want. She speaks from experience as someone who has been injured by the police while protesting peacefully.

Paige Hendry-Bodnar of Clark Avenue informed the audience that snapping fingers can have a negative impact on people with hearing devices. She is here to ask them to very thoughtfully consider and then to resist the riot gear equipment and tactical training request put forth by the police. Northampton is clearly not immune to the trend of increased militarization of local police forces. Claims that this is standard operating procedure and how it has always been done are dismissive and offer no reassurance to those who have been attacked with rubber bullets, sound canons and chemical weapons while peacefully protesting. This is not hyperbole, people die and are injured by these so-called less than lethal weapons, she asserted. Councilors will hear frightening stories from community members who have been menaced by the police inappropriately using these tactics and devices. Have any of them ever stood on the street and been surrounded by police in riot suits, or riot ‘separates,’ she asked rhetorically. “It is terrifying.” The money should be used to fund countless other things that our community needs. Please at least consider separating police expenditures from other items up for vote so more research can be gathered and thoughtfully considered before spending more money on violent paraphernalia, she implored.

Blair Gimma of 3 Clark Avenue read a statement from Gabe, who was unable to stay. He came here tonight to ask the city council to deny the request from Northampton Police Chief Jody Kasper for the purchase of riot helmets, shields and other supplies and weapons, Gabe wrote. He has been reading the itemized list and was disappointed by some of the justifications. Under shields, the example of serving a search warrant is used. We as a society can make other choices, he contended. We can choose not to enter someone’s house uninvited. He asked them to imagine being a participant in the Gay Pride march for the first time and celebrating next to an officer behind a riot shield and helmet. Just because the equipment isn’t being used for this purpose now doesn’t mean it won’t be in the future. Regarding the chief’s statement that there had not been a need to use the shields at public events in the past 20 years, he said he thought it would be awesome if the money could then go to schools or low-income folks who need it instead.

Regarding Chief Kasper’s comment about officers’ exposure to narcotics and deadly diseases and her statement that “she was not sure people understand what we are asking our officers to do,” he said he was confused by this since, as a nurse, he handles bodily fluids and cares for patients actively using heroin at the hospital. He made the following requests: 1) that the police gear and training request be removed from

the capital budget so it can be voted on separately, 2) that individual police officers be encouraged to obtain personal liability insurance so they can be held accountable when they discharge their weapons, and 3) for the City Council to approve new guidelines for approving gear that require far more community input.

Additional extensive public comment was received from the following people: **Jose Bou of 261 Florence Road, Amy Fleig of 50 Day Avenue**, who read a statement from **Leslie Lynn Lucio and Ali Diamond, Story Young of 19 Eastern Avenue, Reed Arahood of 35 Clark Street**, who read a statement from **Jennifer Nye**, a professor and attorney, **Ethan Alejo, Laura Greenfield of 73 Barrett Street, Rachel Weber of Lasell Avenue and Gregory Goff of 140 Williams Street**. In addition, **Dana Goldblatt** read a statement from **Amy Bookbinder, Alisha Allen of 18 Wright Avenue** read a statement from **Claire Sapphire of 52 Holyoke Street** and **Emma Roderick of 8 West Street** read a statement from **Kayden Moore of 3 Clark Avenue**, the manager of a downtown business.

Among comments heard, **Jason Kotoch of 20 Washington Street** informed councilors that, in 2003, he was shot in the face by a so-called 'nonlethal' weapon while feeding retired steelworkers at a permitted protest in Miami. A stray bullet struck him just an inch above his eye socket, fracturing his skull. He was rushed to Jackson Memorial Hospital, where he underwent three surgeries to repair his skull and eye and to remove plastic and metal from his frontal sinuses. His eye is now pretty much blind, and he has lived with the physical and emotional trauma for two decades. He mentioned another person who was not as lucky - 22-year old Virginia Snelgrove - who died of injuries received from the same weapon in Boston in 2004. He wished that these stories were hard to find, but they are not. Reuters last year reported that over 1,000 people in the United States have been killed by tasers. Even pepper spray can be deadly; the New York Times reported that a 34-year old father of four had a cardiac arrest after being sprayed by OC spray. These weapons are dangerous, even in the hands of trained professionals. He feels it is only sane to demand that these weapons be used to protect the community and not to put residents in danger. The United States has a history of crushing dissent with the very equipment that the police chief is asking to purchase. He asked councilors to help him and other people feel safe since these types of requests bring up things he does not like to think about.

Dana Goldblatt of 140 Williams Street said her sign reads 'Don't Fund the Drug War' because, even though protests, terrorist attacks and active shooter events are usually the justification for the purchase of protective gear, the weapons are almost never used in those contexts; they're used to serve warrants. This was the subject of the book "Rise of the Warrior Cop; the Militarization of America's Police Forces." Twenty years ago, the use of this equipment to serve a search warrant was unheard of. Now, its use is so routine that Jody Kasper actually asks how the police can serve search warrants without the use of such gear. All of the research shows that training police repeatedly to deal with very rare and extreme events like terrorist attacks and active shooters causes police officers to be convinced in their bodies that they are in a war and that the people they are patrolling are the enemy. It's very hard to undo that simply by sitting them down in a training and saying, "now let's talk about mental health; here are some slides."

Active shooter trainings haven't been shown to work; officers rarely enter buildings in time to save lives, Ms. Goldblatt continued. She also claimed SWAT training is ineffective because the first thing it stresses is officer safety, and "that's why you get officers securing the perimeter while students are massacred in the gym, in the library and in the cafeteria." She doesn't know what type of training is being proposed but, "it is

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either bad for patrolling or it's bad for the active shooter event," she suggested. Either way, "this is not where our money should be going," she observed. She addressed the exhortation to think of children and their safety by saying that she would like to propose 'radical disarmament' and 'non-violent un-readiness.' If an active shooter event happens, "we won't be ready, but we'll be peaceful," she proposed. She donated a copy of 'Rise of the Warrior Cop' to the council.

Dan Chard of Ward 3 asked the council to reconsider the \$75,000 for new weaponry in the midst of a national conversation of how to reduce violence in the world. He teaches a class about the United States and international terrorism in the UMass History Department, and he and his students have been discussing the school shooting in Florida. When Chief Kasper talks about wanting to save people from active shooter situations, he believes she is genuinely concerned about keeping people safe; he doesn't question her motives. We have a tendency in this country to solve social conflicts by just pouring more money and resources into incarceration, surveillance, policing and punishment, he observed.

In 1967, Martin Luther King, Jr. came out against the U.S. war in Vietnam and said what we need is a 'radical revolution of values' to overcome 'the evil triplets of racism, economic inequality and militarism.' In the 60's, there was a rise of protests and demonstrations in response to violence against African Americans by police. The Curran Commission commissioned by the Johnson Administration came back saying that the country needed to invest massive amounts of money to deal with the root causes of social conflict. In Northampton we can't control the fact that we have 400 military bases around the world and that our foreign policy makes people want to kill Americans. What we can do, in a time when people are starting to question the conventional methods of policing, is to continue to have measures in place to have accountability and oversight and transparency for political decisions around policing, he proposed.

Other comments were received from: **Aiden Buchanan**, a student at Hampshire College, **Gaza Abassi of Pakistan**, **Will Meyer of 9 River Drive in Hadley**, **Carolyn Oppenheim of 3 Montview Avenue**, **Liz Jenson of 80 Damon Road**, **Billy Lyn Plouffe of 35 Clark Street**, **Joshua of Barrett Street**, **Kayla Savetsky of Butler Place**, **Lundy Bancroft**, **Elizabeth Sky Holmes of 17 Eastern Avenue**, **Higgins of 15 Surrey Lane, Hadley** and **Jess Johnson of 119 Meadow Street**.

There being no further public comments, Councilor LaBarge moved to close the public hearing. Councilor Sciarra seconded. The motion passed unanimously 8:0. The hearing was closed at 9:30 p.m.

Councilor Murphy announced that the Finance Committee would recess for ten minutes. At 9:41 p.m., the Finance Committee meeting reconvened.

5. Financial Orders

A. 18.028 Order To Accept M.G.L. Ch. 64N, Section 3 (A), Local Option Sales Tax On Marijuana Sales

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full City Council with a positive recommendation; Councilor Sciarra seconded.

The request is somewhat self-explanatory, Mayor Narkewicz observed. As part of the retail marijuana ordinance, the legislature gave cities and towns the ability through local option to impose a local sales tax in addition to the state sales tax. Revenue would flow to the General Fund just like the meals tax and hotel/motel tax. As a new revenue source, he knows other towns have supported it, and he would encourage them to support it too.

Councilor Sciarra asked why it was as low as three percent (3%) since the meals tax is six point two five (6.25) and the hotel tax is six percent (6%).

The city actually gets .75 as the local option portion of the meals tax, Mayor Narkewicz clarified. There was some horse-trading when the percentage was originally proposed, he related. The Massachusetts sales tax is 10% with a local option of 3%.

Councilor Dwight expressed his understanding that lawmakers received pushback that raising the tax too high might encourage a black market. It is low because the state wanted a bigger share, he suggested.

Mayor Narkewicz said he had no idea if legislators would go back and revisit the percentage.

Councilor LaBarge pointed out that, at 3%, city officials don't know how much they will be making. She asked how the city would use the money.

The money would go into general revenue, Mayor Narkewicz confirmed. If you recall his budget presentation, one of the city's challenges is insufficient revenue. With state revenues being flat and the city not having the ability to raise local revenue, it would certainly help in terms of funding general services, including public health and public safety. It would go into the General Fund and be utilized just like other revenues, he elaborated. In comparison to other communities, Northampton is notable in that it received the second lowest amount of state aid and had the highest amount of miscellaneous revenue, he volunteered. City officials have been aggressive in availing themselves of local option taxes, and he thinks it's important that they continue to do so, he stressed.

The prevention folks have been asking that they take a portion of the local tax and direct it toward prevention and education, Councilor Nash pointed out. He said he wanted to make sure they are not missing the boat on that tonight.

The new law requires any new facility to negotiate a host agreement and that is probably the area he will target for capturing funds for youth education and public safety related expenses, Mayor Narkewicz responded. In terms of directing how the sales tax can be spent, city council cannot pre-emptively pass an ordinance saying it must be spent a certain way; rather, the Mayor proposes an operating budget and councilors may delete or decrease amounts but not increase spending. In a host agreement, parties have to spell out how host community fees will be used and tie the payment to activities to offset potential impacts of the new industry.

Councilor Bidwell asked if the Cannabis Control Commission (CCC) regulations address what can and cannot be included in the host agreement.

The local option sales tax and host agreement illustrate the classic distinction between a tax and a fee, Mayor Narkewicz indicated. A tax is a compulsory contribution while a fee is a voluntary payment for a specific service. Because the host agreement is a fee, communities have to demonstrate a relationship between the fee and the service it is intended to mitigate. The host agreement is a requirement of the application process and must be approved by the CCC. The city has a host agreement developed for medical marijuana back when NETA was licensed as only the second dispensary in the state. He has a suspicion the maximum payment under the host agreement is going to come out to 3% of gross revenue, he confided.

Councilor Murphy called the motion to a vote, and it passed unanimously 3:0 (Carney absent).

B. 18.030 Order To Accept An Easement At Village Hill

Councilor Murphy read the text of the order.

Councilor LaBarge moved to forward the order to the full council with a positive recommendation. Councilor Sciarra seconded.

As the 'WHEREAS's' outline, the trail network was part of the master plan for this area, and it was a condition of the special permit that MassDevelopment develop trails and turn the easements over to the city, Mayor Narkewicz reminded.

Everyone is appreciative of the foresight of the Planning Board in making this a requirement, Councilor Bidwell said. He has heard nothing but appreciation for the process and its results, he shared.

The motion passed unanimously 3:0 (Carney absent).

C. 18.044 Order To Appropriate \$1.486 Million From Free Cash For Various Capital Projects

Councilor LaBarge moved to put the order on the floor for discussion. Councilor Sciarra seconded.

Councilor Murphy read the text of the order, listing individual capital projects totaling \$1,486,024.

The capital program is being submitted about a month earlier this year partially because of the borrowing component, Mayor Narkewicz reminded. Administrators have been told by bond counsel that it is to the city's advantage to go out to bond as early as possible due to the potential for rising interest rates.

Each of the orders are grouped by funding source. These projects are funded from the Undesignated Fund Balance (Free Cash). The list represents those projects contemplated to be undertaken in FY2019, he noted. He clarified that the request for \$62,500 for "Fire Rescue – Refurbish Ladder" is actually for refurbishment of the ladder truck instead of its replacement.

Councilor Dwight noted that the ladder truck's purpose is responding to fires in tall structures and that some of the tallest structures are on the Smith College campus, an entity that does not pay taxes. In the past, the college has contributed to defray the cost of this apparatus, recognizing the critical importance of having it available. He asked if the Mayor had had any recent offers along those lines.

He had a conversation with Smith administrators a couple of years ago about the PILOT and they had a philosophical disagreement, Mayor Narkewicz reported. School officials didn't want to say the word, but they did commit to contributing \$300,000 over the next three years. In the years they have used this money, they have tried to put it towards public safety and education.

In response to a question from Councilor Sciarra, Mayor Narkewicz clarified that the request from the public schools for \$75,000 for District-Wide Electrical Upgrades for AC Units is to meet a request from the special education department for classrooms with students with severe medical needs.

Councilor Sciarra asked if it made sense to do a wider program of electrical upgrades since we are having more warm days.

It would be a significant project to do all of the schools, Mayor Narkewicz replied. With this project they are just trying to address those high-need, medical situations.

Councilor Klein asked about the security camera upgrade for Northampton Public Schools (NPS).

The project is to upgrade the camera system at JFK Middle School to add additional cameras in areas where there is not currently adequate coverage, Mayor Narkewicz clarified.

Councilor Klein asked if there are signs to indicate that people are being recorded. She expressed her understanding that this notice is required by law. Mayor Narkewicz said he would have to check.

With regard to the appropriation for sidewalks, Councilor Bidwell asked if this indicates that the elaborate study that has been underway is now complete.

The study is done and he believes there is an executive summary on the website, Mayor Narkewicz said. The city hired a consultant do an inventory of the city's sidewalks. The plan was just completed, so they are putting money toward sidewalks in anticipation of starting to address its recommendations.

Councilor Murphy called the motion to a vote, and it passed unanimously 3:0 (Carney absent).

D. 18.045 Order To Appropriate \$800,000 From Capital Stabilization For Capital Projects

Councilor Murphy read the text of the order

Councilor LaBarge moved to forward the order with a positive recommendation. Councilor Sciarra seconded.

These are projects to be funded from capital stabilization, Mayor Narkewicz confirmed. City officials have been building up the Capital Stabilization Fund from Free Cash. Administrators follow a formula to maintain a certain percentage of the General Fund budget as capital stabilization, but once they exceed that amount they use the money on capital projects.

The trajectory on capital stabilization looks good, Councilor Sciarra commented. She commended the mayor for his stewardship of this account.

Councilor Murphy called the motion to return the order with a positive recommendation to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

E. **18.046 Order To Appropriate \$132,000 From Parking Receipts Reserved For Parking Equipment And Pay By Plate Kiosks**

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full city council with a positive recommendation; Councilor Sciarra seconded.

This is reinvesting parking revenue back into the parking system, Mayor Narkewicz explained. The city purchased 25 parking kiosks last year, and this is to buy four more. The equipment is for parking maintenance and snow removal.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

F. **18.047 Order To Appropriate \$86,100 From PEG Access Fund For WAN Upgrade**

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full city council with a positive recommendation; Councilor Sciarra seconded.

PEG Access Funds are funds received as a result of the city's contract with Comcast, Mayor Narkewicz reminded. As part of the licensing agreement, the city has to show how it will use these funds. IT Director Antonio Pagan and his team will be investing them into the wide area network (WAN) which carries the cable signal and other data.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

G. **18.048 Order To Appropriate \$150,000 From Mayor's PILOT Fund For 1:1 Chrome Books For Northampton Public School Students And Replacement Turnout Gear**

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full city council with a positive recommendation; Councilor Sciarra seconded.

Councilor Dwight asked if the chrome books were for students to take home.

Right now, the school department has a certain amount of chrome books at the high school and middle school but there aren't enough for every student, Mayor Narkewicz responded. There is a program now

to allow students who can't afford them to take them home. The goal is to have enough of the devices so there is one for each student.

Councilor Klein asked about the use of the PILOT fund for these particular items. In his discussion with President McCartney, as an educational institution, the school's preference is for its contribution to be used for educational projects. \$50,000 is coming from the Cooley Dickinson Hospital (CDH), he noted.

Councilor Bidwell asked if there were other contributors to the PILOT fund. The city negotiated a PILOT with the Three County Fairgrounds and negotiated a PILOT with Soldier On in Leeds at its request.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

H. **18.049 Order To Authorize Borrowing \$1,500,000 For Paving Projects**

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full city council with a positive recommendation; Councilor Sciarra seconded.

This is the \$1.5 million the city will contribute toward road reconstruction as mentioned in his overview of the Capital Improvement Program, Mayor Narkewicz indicated. He referred to Director LaScaleia's memo forwarded to councilors yesterday in which she outlines the projects for which the money is to be used. He listed specific streets on which work will be undertaken, including Pleasant and North King Streets, Hampton Avenue, Fulton Avenue, Chesterfield Road and Burts Pit Road. Although financial officers are about to borrow \$1.5 million dollars, the Burts Pit Road reconstruction alone is a \$1.4 million project, and Spring Street will probably be just shy of a million.

As many of them know, the Massachusetts Municipal Association (MMA) has been lobbying for years to raise the \$200 million Chapter 90 allocation to \$300 million, he added.

Councilor Dwight voiced his observation that cities and towns are actually trying to catch up with deferred maintenance. \$200 million annually for an entire state to subsidize the restructuring of roads that have been neglected for so long leaves municipalities "literally trying to catch up." We have an aging infrastructure that the state is not providing support to maintain, he asserted. He applauded the mayor's proactive approach but said he thought it appropriate to comment on the state's abdication of its responsibility to pay by not voting an equitable tax based on people's ability to pay as opposed to the assessed value of their property.

She sent the pavement notice out on the Ward 7 Listserv and heard back from many residents, particularly about Spring Street, Councilor Klein reported. Spring Street is un-drivable at this point. There is a sense that because Ward 7 is an outlying area it is not getting the same level of service as other areas of town, she related.

Spring Street and North Farms Road are 'in the top echelon' of paving priorities based on their condition, Mayor Narkewicz advised. The DPW basically has a four person crew that's been working

11-hour days trying to fill pot holes. As of Monday, they had laid 49 tons of hot mix asphalt. They are limited because the asphalt plants have not yet fully opened. It has been a winter with wild temperature swings that is perfect pothole weather.

Councilor Klein asked if it was possible to have some sort of a memo that lays this out.

City employees are going to be going out and making repairs on Spring Street, Mayor Narkewicz assured. He said he would see what he could do about drafting a statement about road conditions and the city's efforts to address them.

After additional commentary on the condition of specific streets, Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

I. 18.050 Order To Authorize Borrowing \$500,000 For DPW Cold Storage Facility

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full city council with a positive recommendation; Councilor Sciarra seconded.

This is an equipment storage building to get expensive seasonal vehicles out of the weather when they're not being used, Mayor Narkewicz confirmed.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

J. 18.051 Order To Authorize Borrowing \$900,000 For DPW Vehicles

Councilor Murphy read the text of the order.

This is to replace vehicles in accordance with the DPW's vehicle replacement plan, Mayor Narkewicz related. Councilor LaBarge moved to return the order to city council with a positive recommendation. Councilor Sciarra seconded.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

K. 18.052 Order To Appropriate \$50,000 From Cemetery Perpetual Care For Cemetery Projects

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to city council with a positive recommendation. Councilor Sciarra seconded.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

L. 18.053 Order To Appropriate Funds From Cemetery Perpetual Care And Bates Tomb Trust For Bates Tomb Repairs

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Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to city council with a positive recommendation. Councilor Sciarra seconded.

The Bates Tomb is at the Bridge Street cemetery, Mayor Narkewicz explained. The Bates family set up this fund to pay for maintenance and upkeep of the tomb. Is an earthen tomb. Over time, it has lost its weather tightness so there has been an incursion of the elements and windows have broken out.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

M. 18.054 Order To Appropriate \$34,263 From Dog Fund For ACO Van

Councilor Murphy read the text of the order.

Councilor Sciarra moved to return the order to city council with a positive recommendation. Councilor LaBarge seconded.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 3 Yes, 0 No (Carney absent).

6. New Business

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

7. **Adjourn:** At 10:52 p.m., Councilor LaBarge moved to adjourn; Councilor Sciarra seconded. The motion was approved on a voice vote of 3 Yes, 0 No (Carney absent).

**Contact: D. Murphy @ david.murphy8@comcast.net
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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
Councilor Gina-Louise Sciarra*

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

Meeting Date: March 15, 2018

Note: The Finance Committee Meeting took place during the City Council Meeting as announced. The City Council Meeting began at 7 p.m.

1. **Meeting Called To Order:** At 10:54 p.m., Councilor Murphy called the meeting to order.
2. **Roll Call:** Present were committee members David Murphy, Maureen Carney, Marianne LaBarge & Gina-Louise Sciarra. Also present from the City Council were Bill Dwight, Jim Nash, Ryan O'Donnell, Dennis Bidwell and Alisa Klein.

Also present: Mayor David N. Narkewicz, Planning Director Wayne Feiden

3. **Minutes of February 15, 2018:** Councilor LaBarge moved to approve the minutes of February 15, 2018. Councilor Carney seconded. The motion was approved on a voice vote of 4 Yes, 0 No.
4. **Financial Orders:**

A. 18.058 Order To Waive Chapter 61A Right Of First Refusal At 508 Sylvester Road

Councilor Murphy read the text of the order.

The request is somewhat unusual in that the forty-three acres on Sylvester Road was put into Chapter 61A but included a dwelling that is not eligible for 61A protection, Councilor Murphy observed.

Only a small portion of the property (1.858 acres) contains the dwelling and other buildings not eligible for 61A conversion. The property owners are selling the house to a family member but the remaining land will remain in 61A.

The house being removed from Chapter 61A never should have been included in the first place but, because it was, the city is being asked to release its right of first refusal, Councilor Murphy clarified. He

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expressed his understanding that the city does not have an interest in acquiring the house, and Mr. Feiden confirmed that is the case.

Councilor Sciarra moved to recommend release of the city's right of first refusal of the property on Sylvester Road. Councilor Carney seconded. The motion carried on a voice vote of 4 Yes, 0 No.

B. 18.059 Order To Expand Parsons Brook Greenway With Land From Former Bill Willard, Inc. Property

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full City Council with a positive recommendation; Councilor Sciarra seconded.

To be clear, the city is still negotiating for the property but obtaining approval to acquire the land allows city officials to start the process of applying for grants, etc., Mr. Feiden explained. Planners actually received permission to buy the land 20 years ago through a bankruptcy auction but were outbid at the time by Bill Willard, so the city has been interested in this property for a long time. The Willard family never did anything with the 87-acre parcel; it was added to the Willard property but did not become part of the sand and gravel operation. Planners still do not know what is going to happen to the gravel pit itself but would be interested in the part that is wet as it is great for fishing and wildlife habitat.

If approved, the city will almost definitely buy the 87 acres but whether it acquires the additional land (roughly 40 acres) will depend on what the Willards decide to do with it.

Councilor Klein noted that the order proposes to acquire the land for "conservation and passive recreation purposes." She asked if this would rule out the land being used for hunting.

That is the standard language used for purchase of conservation land, Mr. Feiden said. The Willard family has discussed the possibility of putting a condition on the sale preserving the land for hunting purposes. Planners do not usually put language in the order regarding hunting because they want to leave it to the city for future decision-making, he advised. As councilors may be aware, in the discussion about hunting, planners have clearly heard that opponents would feel differently if the seller of certain land had a condition requiring hunting to be allowed. Planners "are trying to leave this option open," he advised.

Councilor Klein asked if the city would ever take the initiative to preclude hunting given the stated use of the land by wildlife and hikers. City officials would not usually do this by means of a deed restriction unless the seller required it because they would want to keep the options open, Feiden stressed. They wouldn't want to impose a restriction for all time that couldn't be changed based on changing conditions.

Councilor LaBarge said she has concerns about hunting because of the number of people that walk on the trails. She expressed hope that Mr. Feiden could talk to the Willards to see if they would agree to no hunting on the property.

The city is often approached by sellers seeking both to preserve hunting and to prohibit hunting on land offered for sale, Mr. Feiden responded. The city's standard position is that 'we are open to any restrictions but it has a valuation effect,' he volunteered. In this case, the Willards have proposed insuring that hunting

City Council Committee on Finance Meeting Minutes for March 15, 2018

continue to be allowed, and planners have said the city accepts restrictions but it makes the property less valuable. They would prefer it to be up to the Conservation Commission to make such decisions.

Councilor Murphy asked if there are pieces of the land that are potentially developable to offset the loss of tax revenue from placing the land under conservation restriction.

It would be extremely difficult, Mr. Feiden suggested. When two adjoining subdivisions were developed – Sovereign Way to the south and Plantations to the east – developers were required to extend rights of way to the property boundaries so a road could potentially be constructed. The only way to develop the land would be to extend a road from Cardinal Way to Sovereign Way. Besides neighborhood opposition, a developer would face construction costs of \$650 to \$800 a linear foot for a gain of six lots. He can't imagine a developer in his right mind financing it because the return would be so small. The city did not express interest in buying the gravel pit itself because that is where the development value lies, he pointed out. City officials did not want to take that property off the tax rolls.

Councilor Murphy called the motion to a vote, and it passed on a voice vote of 4 Yes, 0 No.

C. **18.060 Order To Authorize Northampton School Committee To Accept Gift Of New Floor From Jackson Street School PTO**

Councilor Murphy read the text of the order.

Councilor LaBarge moved to return the order to the full City Council with a positive recommendation; Councilor Sciarra seconded.

Administrators have an order that authorizes acceptance of up to \$25,000 in real property, Mayor Narkewicz said. This gift exceeds that threshold. Councilor Murphy called the motion to a vote, and it passed on a voice vote of 4 Yes, 0 No.

D. **18.061 Order To Reprogram River Road Retaining Wall Balance To Paving Projects**

Councilor LaBarge moved to return the order to the full City Council with a positive recommendation; Councilor Sciarra seconded.

Councilor Klein wondered how so much money was left over from that project.

It was a large project (\$2.3 million dollars). Miraculously, it came in lower than projected and the weather was not as much of a factor as expected, Mayor Narkewicz explained. Councilor Murphy called the motion to a vote, and it passed on a voice vote of 4 Yes, 0 No.

E. **18.062 Order To Authorize Payment Of A Prior Year Bill**

Councilor Murphy read the text of the order.

The invoice is for asbestos testing and removal, Mayor Narkewicz confirmed. Councilor LaBarge moved to return the order to the full City Council with a positive recommendation; Councilor Carney seconded. The motion passed unanimously on a voice vote of 4 Yes, 0 No.

5. **New Business**

-Reserved for topics that the Chair did not reasonably anticipate would be discussed. None.

6. **Adjourn:** At 11:14 p.m. Councilor Carney moved to adjourn; Councilor Sciarra seconded. The motion was approved on a voice vote of 4 Yes, 0 No.

*Contact: D. Murphy @ david.murphy8@comcast.net
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City of Northampton

MASSACHUSETTS

In City Council

April 5, 2018

Upon recommendation of the Mayor

18.074 Order to Reprogram Funds to Purchase Pay to Park Kiosks

Ordered, that

\$4,498.95 of the funds remaining from the E. J. Gare Parking Garage Elevator Repairs (19303 585909) and \$2,553.24 (19303 586209) of the funds remaining from an earlier E.J. Gare Parking Garage Elevator Account be reprogrammed for the purpose of purchasing two additional parking system Pay to Park kiosks to replace single standing meters. These funds shall be combined with the \$44,000 recently appropriated in the FY19 Capital Plan for the purchase of four additional Pay to Park kiosks bringing the total appropriated to \$51,052.19 for six new kiosks.

City of Northampton
MASSACHUSETTS

In City Council

April 5, 2018

Upon recommendation of the Mayor

18.075 Order to Reprogram Forbes Tree and Fire Alarm Account Funds to Replace Tractor

Ordered, that

\$8,621 which represents the remaining balance in the Forbes Library Tree Evaluation and Removal Account (19303 586838) and \$6,500 of the remaining balance in the Forbes Library Fire and Smoke Alarm Account (19303 586805) be reprogrammed to provide a total of \$15,121 to Forbes Library for the replacement of the 2003 John Deere tractor which is used for mowing and snow removal.

City of Northampton
MASSACHUSETTS

In City Council April 5, 2018

Upon recommendation of the Mayor

18.076 Order to Authorize Payment of Prior Year Bill

Ordered, that

the Council authorize the payment of a prior year bill in the amount of \$39.92 to North Country Landscapes for supplies for the Parking Division.

City of Northampton
MASSACHUSETTS

In City Council February 1, 2018

Upon recommendation of the Mayor

18.077 Order to Rescind Remaining Borrowing Authority for River Road Retaining Wall Project

Ordered, that

the City Council rescind \$1,231,500 of the remaining borrowing authority for the River Road Retaining Wall project, which was authorized in three appropriations totaling \$2,022,000 on July 1, 2013, and amended on April 3, 2015 and again on October 7, 2016, as the project is now complete. This will leave in place an authorization for \$790,500 for this project, which was permanently bonded on June 4, 2015 and June 6, 2017.

City of Northampton
MASSACHUSETTS

In City Council

April 5, 2018

Upon recommendation of the Mayor

18.079 Order to Appropriate \$7,500 from Free Cash for UPS at Florence Fire Station

Ordered, that

\$7,500 be appropriated from the FY18 General Fund Undesignated Fund Balance (Free Cash) to replace the Uninterrupted Power System in the server room at the Florence Fire Station.