

Committee on Finance and the Northampton City Council

*Councilor Gina-Louise Sciarra, Chair
Councilor Marianne L. LaBarge, Vice Chair
Councilor Michael J. Quinlan, Jr.
Councilor John Thorpe*

Online Meeting via Teleconference

Meeting Date: September 17, 2020

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

4. Financial Orders

A. 20.118 An Order To Appropriate \$54,075 In CPA Funds For West Farms Road APR Project

Documents:

[20.118 an order to appropriate 54,075 in cpa funds for west farms road apr project.pdf](#)

B. 20.119 An Order For FY2021 Budget Transfers

Documents:

[20.119 an order for fy2021 budget transfers.pdf](#)

C. 20.120 An Order To Authorize Payment Of A Prior Year Bill

Documents:

[20.120 an order to authorize payment of a prior year bill.pdf](#)

D. 20.122 An Order To Appropriate FY2021 CPA Funds For Community Preservation Purposes

Documents:

[20.122 an order to appropriate fy2021 cpa funds for community preservation purposes.pdf](#)

E. 20.123 An Order To Appropriate \$25,000 For Northampton Policing Review Commission Staff Support

Documents:

[20.123 an order to appropriate 25,000 for northampton policing review commission staff support.pdf](#)

F. 20.124 An Order Authorizing Acquisition Of Drainage Easement On The East Side Of North Farms Road

Documents:

[20.124 vollinger release and settlement agreement.pdf](#)
[20.124 plan of drain line easement.pdf](#)
[20.124 north farms road order of taking.pdf](#)
[20.124 an order authorizing acquisition of drainage easement on the east side of north farms road.pdf](#)

5. New Business

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

6. Adjourn

*Contact: G-L Sciarra at glsciarra@northamptonma.gov
or 413-570-3133*

City of Northampton
MASSACHUSETTS

In City Council, September 17, 2020

Upon the recommendation of the Community Preservation Committee

20.118 An Order to Appropriate \$54,075 in CPA Funds for West Farms Road APR Project

Ordered, that

WHEREAS, The Northampton Conservation and Agricultural Commissions, and the Office of Planning & Sustainability submitted a Community Preservation Act application for protection of 36.1 acres at the Hickory Dell Farm on West Farms Road within the Mineral Hills Greenway with a permanent Agricultural Preservation Restriction;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan to protect open space and agricultural land in active production, and protect heritage landscapes;

WHEREAS, CPA funds will provide the required local match for \$559,550 in Massachusetts Department of Agricultural Resources funds;

WHEREAS, on November 20, 2019, the Northampton Community Preservation Committee voted unanimously to recommend that \$54,075 in new Community Preservation Act funds be used to support this project (in addition to \$21,375 funds on hand from previously appropriated CPA funds).

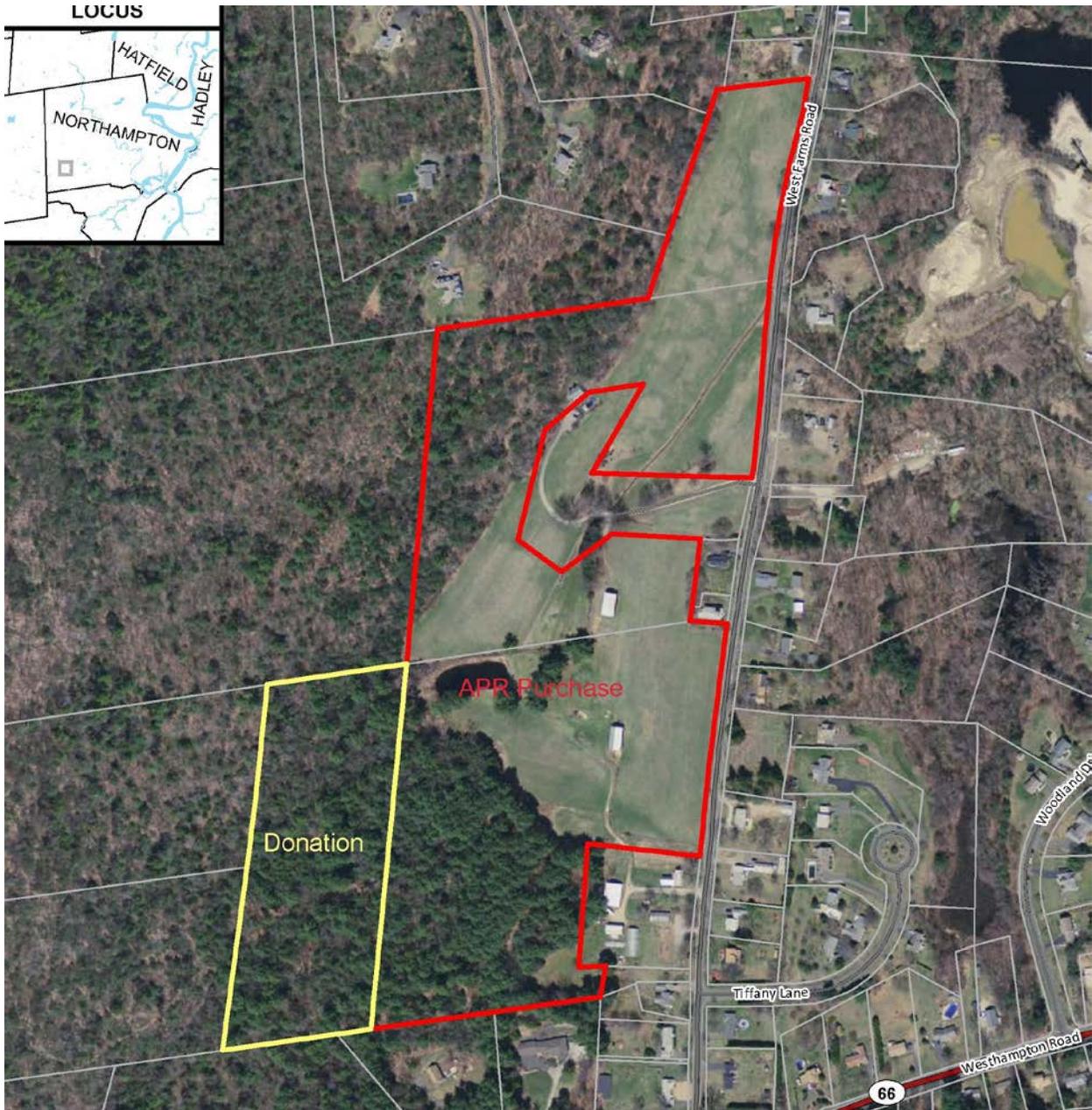
Ordered, that

\$54,075 be appropriated from Community Preservation Act funding to the Office of Planning and Sustainability for the West Farms Road Agricultural Preservation Restriction Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$54,075 is appropriated from the CPA Open Space Reserve (account #2344930-359931).

Further, that the City, acting through its Conservation Commission is authorized to purchase or otherwise acquire for conservation, agricultural and passive recreation purposes, as provided by Section 8C of Chapter 40 of the General Laws, the Community Preservation Act, and Article 97 of the Amendments to the Massachusetts Constitution, the above-described agricultural

preservation restriction as defined in Section 31 of Chapter 184 of the General Laws, and that the City Council hereby approves such restrictions.



City of Northampton
MASSACHUSETTS

In City Council

September 17, 2020

Upon recommendation of the Mayor

20.119 An Order for FY2021 Budget Transfers

Ordered, that

The following budgetary transfers be made:

Department	Description		Org	Object	Transfer From:	Transfer To:
General Liability Insurance	OM	Property and Casualty	19452	574003		\$ 50,980
General Liability Insurance	OM	Public Officials	19452	574004		\$ 30,947
Workers Comp	PS	Workers Comp	19121	517003	\$ (69,340)	
Workers Comp	PS	Police and Fire Accident	19122	517004	\$ (12,587)	
Total Budgetary Transfers:					\$ (81,927)	\$ 81,927

City of Northampton
MASSACHUSETTS

In City Council

September 17, 2020

Upon recommendation of the Mayor

20.120 An Order to Authorize Payment of a Prior Year Bill

Ordered, that

the Council authorize payment of a prior year bill (FY20) from Human Resources for \$7,287.84 for Medicare Part B refunds that were due in June of 2020.

City of Northampton
MASSACHUSETTS

In City Council, September 17, 2020

Upon the recommendation of the Community Preservation Committee

20.122 An Order to Appropriate CPA Funds for Community Preservation Purposes

Ordered, that

The following amounts be appropriated or reserved from fiscal year 2021 Community Preservation Fund estimated revenues **\$1,640,680 (\$1,390,407 FY21 local assessment estimate, plus \$250,273 estimated state match)** for fiscal year 2021 Community Preservation purposes:

\$180,475 from FY21 Total Estimated CPA Revenue to the Community Preservation Fund Open Space Reserve (account # 2344930-359931)

\$180,475 from FY21 Total Estimated CPA Revenue to the Community Preservation Fund Historic Preservation Reserve (account # 2344930-359932)

\$180,475 from FY21 Total Estimated CPA Revenue to the Community Preservation Fund Affordable Housing Reserve (account # 2344930-359933)

\$75,000 from FY21 Total Estimated CPA Revenue to the Community Preservation Fund Administrative Account (account # 2344930-359934)

\$1,024,255 from FY21 Total Estimated CPA Revenue to the Community Preservation Fund Budgeted Reserve (account # 2344930-359930)

Also, the following amounts be appropriated from the Community Preservation Fund Budgeted Reserve (account #2344930-359930) for FY21 Community Preservation bonding repayment purposes:

\$60,000 for principal and \$7,875 for interest for Bean Farm bond (account #3100931-393102-11)

\$90,000 for principal and \$18,900 for interest for Florence Fields bond (account #3100931-393103-12)

\$265,000 for principal and \$7,950 for interest for Pulaski Park I bond (account #3100931-393104-15)

\$65,000 for principal and \$15,400 for interest for Pulaski Park II bond (account #3100931-393105-16)

City of Northampton
MASSACHUSETTS

In City Council

September 24, 2020

Upon recommendation of the Mayor

20.123 An Order to Appropriate \$25,000 for Northampton Policing Review Commission Staff Support

Ordered, that

the sum of \$25,000 be raised and appropriated in the FY2021 budget and added to the City Council Salary Line Item PS Technical/Professional (11111 512000) for part-time staff support to the Northampton Policing Review Commission.

RELEASE AND SETTLEMENT AGREEMENT

This release agreement is entered by and between the City of Northampton, a municipality organized under the laws of the Commonwealth of Massachusetts with offices at 210 Main Street, Northampton, MA (“the City”), and Robert J. Vollinger, an individual residing at 78 Mountain Street, Haydenville, MA (“the Releasor”).

1. Release. The Releasor, for himself, and his successors, assigns, members, managers, beneficiaries, heirs, devisees, legatees, agents and attorneys, in exchange for the consideration of Twenty-Two Thousand Five Hundred Dollars (\$22,500.00), the adequacy of which is hereby acknowledged, do hereby remise, release, and discharge the City, its officers, employees, agents, contractors, subcontractors, assigns, and attorneys (“Releasees”) arising from the taking of a certain easement by Order of Taking, a true copy of which is attached, including all claims for damages as required under the Fifth Amendment Just Compensation Clause, under M.G.L. c. 79, and under any other constitutional, statutory or regulatory law.

2. Representation and Warranties: The Releasor represents and warrant that he has good and marketable title to the property on which the easement is located free and clear of any liens or other encumbrances, and agrees to indemnify and defend the city against any and all claims by third party as to the title to the property and/or as to the consideration paid hereunder. Each party further represents that he/she/it is authorized to enter into this Agreement, that the terms contained herein are the product of good-faith negotiations, that both parties have had an opportunity to consult with legal counsel of his/her/its choice, that he/she/its representatives read and understand this Agreement and that, personally or through its representatives, voluntarily accept its terms.

Executed on the dates set forth below.

WITNESS

ROBERT J. VOLLINGER

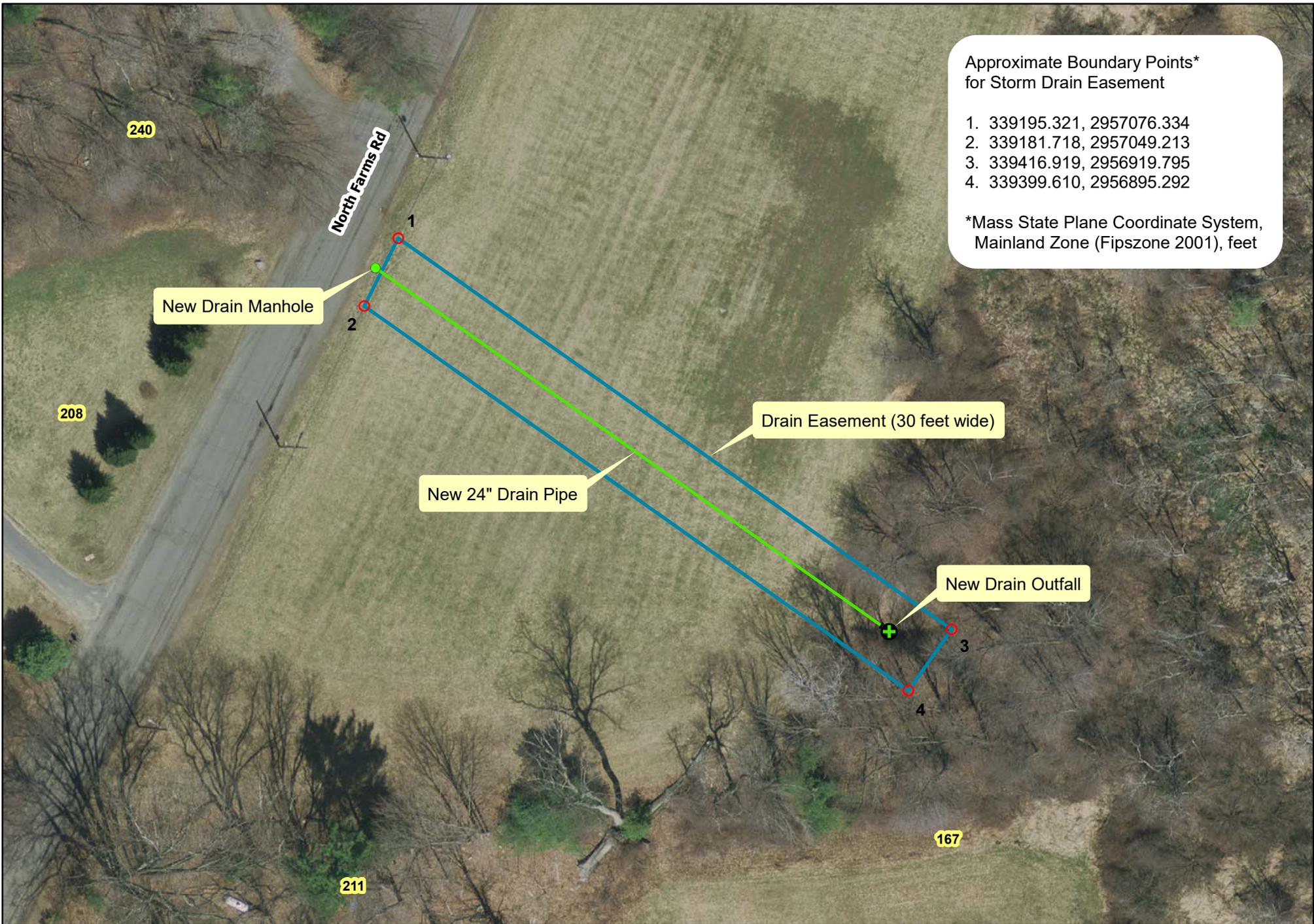
Date:

CITY OF NORTHAMPTON

WITNESS

By _____
MAYOR DAVID J. NARKEWICZ

Date:



Approximate Boundary Points*
for Storm Drain Easement

1. 339195.321, 2957076.334
2. 339181.718, 2957049.213
3. 339416.919, 2956919.795
4. 339399.610, 2956895.292

*Mass State Plane Coordinate System,
Mainland Zone (Fipszone 2001), feet

New Drain Manhole

Drain Easement (30 feet wide)

New 24" Drain Pipe

New Drain Outfall

**Property Address:
East Side of North Farms Road
Northampton, MA**

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto as Exhibit A, does hereby take a permanent easement for and on behalf of the Inhabitants of the City of Northampton on and over the parcel described below. The purpose for the taking hereunder is to permit the grantee to access, install, realign, maintain, repair, and replace one or more drainage pipes and lines, stone pipe end, and associated infrastructure, and to enter and remain upon the easement area by foot and with vehicles and equipment for said purposes.

The easement taken herein is on, over and under the land of Robert J. Vollinger, shown as “Drain Line Easement” on the plan entitled, “Plan of Drain Line Easement” by City of Northampton, Department of Public Works, Engineering Division, which is attached hereto as Exhibit B. As damages for this taking the City awards \$22,500.00 given that there is, and has been for decades, an existing drain line within the easement herein taken. This taking is subject to the requirement that, prior to entry, the City shall notify Owner of any proposed activity on Owner’s land no less than 48 hours of commencing such activities. Such notice requirement shall not apply to entry in an emergency. If grantee excavates any soil within the easement area, grantee shall restore subsurface layers and topsoil in the same order and condition that existed prior to any work being done, and shall replant or reseed any surface vegetation that existed prior to any work being done.

For title see deed of Grace Vollinger to Robert J. Vollinger, dated April 17, 2016, and recorded in the Hampshire Registry of Deeds Book 12252, Page 344.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this _____ day of _____, 2020.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

Gina-Louise Sciarra
AT-LARGE COUNCILOR

William H. Dwight
AT-LARGE COUNCILOR

Michael Quinlan, Jr.
WARD 1 COUNCILOR

Karen Foster
WARD 2 COUNCILOR

James Nash
WARD 3 COUNCILOR

John Thorpe
WARD 4 COUNCILOR

Alex Jarrett
WARD 5 COUNCILOR

Marianne L. LaBarge
WARD 6 COUNCILOR

Rachel Maiore
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Laura Krutzler, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on _____, 2020, by Gina-Louise Sciarra, William H. Dwight, Michael Quinlan, Jr., Karen Foster, James Nash, John Thorpe, Alex Jarrett, Marianne L. LaBarge, and Rachel Maoire, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this _____ day of _____, 2020.

Laura Krutzler
Clerk to City Council
City of Northampton, Massachusetts

EXHIBIT A
CITY COUNCIL ORDER

EXHIBIT B
PLAN OF EASEMENT

City of Northampton

MASSACHUSETTS

In City Council, September 17, 2020

Upon the recommendation of Mayor David J. Narkewicz and Department of Public Works

**O-20.124 AN ORDER AUTHORIZING ACQUISITION OF DRAINAGE EASEMENT
ON THE EAST SIDE OF NORTH FARMS ROAD**

WHEREAS, the City needs to upgrade, replace and extend a drainpipe on the east side of North Farms Road, which outlets onto land of Robert J. Vollinger, Parcel ID 07-042-001; and

WHEREAS, the extended easement is shown on a plan of land entitled "Drain Line Easement North Farms Road, Vollinger's Field, Florence, MA," dated August 2020 by City of Northampton Department of Public Works; and

WHEREAS, Robert J. Vollinger is willing to grant the City the extended easement and to release all claims for the taking of the easement for the consideration of Twenty-Two Thousand Five Hundred Dollars (\$22,500.00).

NOW, THEREFORE BE IT ORDERED,

The City Council hereby authorizes the acquisition by purchase, gift, eminent domain, or otherwise of easement interests in a portion of tax parcel ID 07-042-001, as shown on the above-referenced plan, in order to access, install, realign, maintain, repair, and replace one or more drainage pipes and lines, stone pipe end, and associated infrastructure, and to enter and remain upon the easement area by foot and with vehicles and equipment for said purposes. No appropriation is needed as sufficient funds are available in the Drain Replacement Fund 3200620-589022 to pay Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) as consideration or damages for the acquisition authorized hereunder.