



City of Springfield

Special Meeting

~ Agenda ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Tuesday, July 3, 2012

5:30 PM

Springfield City Hall -- Council Chambers

I. Call to Order

5:30 PM Meeting called to order on July 3, 2012 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

II. Orders

1. Order (ID # 1755)

Transfer from DPW - Enterprise Fund Health Insurance & Workers Compensation to Enterprise Fund Solid Waste Salaries and Wages

Transfer \$102,000.00 from DPW - Enterprise Fund Health Insurance and Workers Compensation to Enterprise Fund Solid Waste Salaries and Wages

FISCAL IMPACT:

\$102,000.00

ATTACHMENTS:

- CAFO Certification - DPW Salaries & Wages and Overtime (DOC)

2. Order (ID # 1752)

Budget Transfer W/In a Department \$1,033,886

FISCAL IMPACT:

\$1,033,886

ATTACHMENTS:

- CAFO Certification - Paygo Transfer (DOC)

3. Order (ID # 1746)

DCR Debris Removal Funds (\$1,000,000)

ATTACHMENTS:

- Springfield - fully executed (PDF)
- dcr debrisremoval funds (PDF)

4. Order (ID # 1753)

2012 Green Communities Grant of (\$161,592)

ATTACHMENTS:

- Award Notification from DOER re Green Communities (PDF)

5. Order (ID # 1754)

Budget Transfer Across Departments (\$53,000)

FISCAL IMPACT:

\$53,000

ATTACHMENTS:

- CAFO Certification - Multiple Salaries & Wages deficits (PDF)
- FY12 Year-End Transfers from Sweep Account (PDF)

6. Order (ID # 1756)

Bond Order Cm Services Dryden \$952,391

ATTACHMENTS:

- Springfield_Dryden MSBA votes (PDF)

7. Order (ID # 1757)

Bond Order - Schematic Design Brookings \$847,258

ATTACHMENTS:

- Springfield_Brookings PS BAL (PDF)

8. Order (ID # 1758)

Hotel / Motel Tax

ATTACHMENTS:

- HOTEL OPTION (PDF)

III. Ordinances**1. Ordinance (ID # 1750)**

Chapter 327-5 - Automated Refuse Collection -Trash Fee



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Tracie Whitfield
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1755

2.1

Transfer from DPW - Enterprise Fund Health Insurance & Workers Compensation to Enterprise Fund Solid Waste Salaries and Wages (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2011 and ending June 30, 2012 (FY'12), pursuant to Mass. Gen. Laws ch. 44, Section 33B, and Chapter 468 of the Acts of 2008, the Chief Administrative and Financial Officer and his Honor the Mayor have requested authorization from the City Council to transfer the sum of \$102,000.00 from the DPW - Enterprise Fund Health Insurance and Workers Compensation lines to the DPW - Enterprise Fund Solid Waste Divisions Salaries and Wages line in order to fund the payroll and overtime deficits for the last two weeks in FY12.

WHEREAS, after reviewing this order, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the transfer, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, that the City Council approves the transfer of the sum of \$102,000.00 from the DPW - Enterprise Fund Health Insurance and Workers Compensation lines to the DPW - Enterprise Fund Solid Waste Divisions Salaries and Wages line in order to fund the payroll and overtime deficits for the last two weeks in FY12 and meet the expenses of the City of Springfield for Fiscal Year 2012.

From: DEPARTMENT OF PUBLIC WORKS - Health/Life Insurance
6500-40-400-4330-4999-0090-000000-0000000-517010- \$20,000.00

From: DEPARTMENT OF PUBLIC WORKS - Workers' Compensation
6500-40-400-4330-4999-0090-000000-0000000-517040- \$82,000.00

To: DEPARTMENT OF PUBLIC WORKS SOLID WASTE - Salaries & Wages
6500-40-400-4330-4332-0090-000000-0000000-501000- \$102,000.00

Transfer \$102,000.00 from DPW - Enterprise Fund Health Insurance and Workers Compensation to Enterprise Fund Solid Waste Salaries and Wages

FISCAL IMPACT:

\$102,000.00

The City of Springfield
 Department of Administration and Finance
 36 Court Street, Room 312
 Springfield, MA 01103

LEE C. ERDMANN
 CHIEF ADMINISTRATIVE
 AND FINANCIAL OFFICER
 (413) 886-5288

APPROPRIATION ORDER

July 3, 2012

Mayor Domenic J. Sarno
 City Council President James J. Ferrera III
 Members of the City Council
 36 Court Street
 Springfield, MA 01103

RE: Appropriation Order – DPW Salaries and Wages -
Certification of Chief Administrative and Financial Officer

Dear Mayor Sarno, President Ferrera, and Members of the City Council:

On July 3, 2012, the City Council will consider an order to appropriate funds totaling \$102,000 to DPW for Salaries & Wages and Overtime. These lines are overspent because additional overtime was used due to employees being out on workers compensation, sick time, and summer vacations.

This letter will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order appropriating \$102,000.00, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

Please contact me with any questions.

 Lee C. Erdmann
 Chief Administrative and Financial Officer

Attachment: CAFO Certification - DPW Salaries & Wages and Overtime (1755 : DPW - Enterprise Fund Salaries & Wages/Overtime (\$102,000))



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Jennifer Winkler
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1752

2.2

Budget Transfer W/In a Department \$1,033,886 (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2011 and ending June 30, 2012 (FY'12), pursuant to Mass. Gen. Laws ch. 44 , Section 33B, and Chapter 468 of the Acts of 2008, the Chief Administrative and Financial Officer and his Honor the Mayor have requested authorization from the City Council to transfer the sum of \$1,033,886.16 from Finance - Machine and Equipment, Vehicles and Infrastructure to PayGo Finance - Machine and Equipment, Vehicles and Infrastructure in order to carry forward funding in the next fiscal year for purposes of keeping the funding available for projects currently in progress

WHEREAS, after reviewing this order, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the transfer, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, that the City Council approves the transfer of the sum of \$1,033,886.16 from Finance - Machine and Equipment, Vehicles and Infrastructure to the PayGo Finance - Machine and Equipment, Vehicles and Infrastructure in order to carry forward funding in the next fiscal year for purposes of keeping the funding available for projects currently in progress and meet the expenses of the City of Springfield for Fiscal Year 2012.

From: Finance

0100-10-133-0000-0000-0010-000000-0000000-580700-PLV12 \$2,165.61
0100-10-133-0000-0000-0010-000000-0000000-580800-1110D \$64,000
0100-10-133-0000-0000-0010-000000-0000000-580800-IOSWR \$55,311.89
0100-10-133-0000-0000-0010-000000-0000000-584000-TURFC \$105,000
0100-10-133-0000-0000-0010-000000-0000000-580800-SKYWK \$50
0100-10-133-0000-0000-0010-000000-0000000-580600 \$807,358.66

To: PayGo Finance

3416-10-133-0000-0000-0010-000000-0000000-580700-PLV12 \$2,165.61
3416-10-133-0000-0000-0010-000000-0000000-580800-110D \$64,000
3416-10-133-0000-0000-0010-000000-0000000-580800-IOSWR \$55,311.89
3416-10-133-0000-0000-0010-000000-0000000-584000-TRUFC \$105,000
3416-10-133-0000-0000-0010-000000-0000000-580800-SKYWK \$50

Order (ID # 1752)

Meeting of July 3, 2012

3416-10-133-0000-0000-0010-000000-0000000-580600-\$807,358.66

FISCAL IMPACT:

\$1,033,886

The City of Springfield
Department of Administration and Finance
36 Court Street, Room 312
Springfield, MA 01103

LEE C. ERDMANN
CHIEF ADMINISTRATIVE
AND FINANCIAL OFFICER
(413) 886-5288

APPROPRIATION ORDER

June 28, 2012

Mayor Domenic J. Sarno
City Council President James J. Ferrera III
Members of the City Council
36 Court Street
Springfield, MA 01103

RE: Appropriation Order – Budget Transfer W/In a Department \$1,033,886 - Finance
Certification of Chief Administrative and Financial Officer

Dear Mayor Sarno, President Ferrera, and Members of the City Council:

On June 4, 2012, the City Council will consider an order to appropriate funds totaling \$1,033,886 from the following capital accounts in order to carry forward funding in the next fiscal year for purposes of keeping the funding available for projects currently in progress.

Org	Object	Project	Amount	Notes	Org	Object	Project	Amount
01133	580700	PLV12	2,165.61	PD Vehicles	34161330	580700	PLV12	2,166
01133	580800	1110D	64,000.00	Dickinson St	34161330	580800	1110D	64,000
01133	580800	IOSWR	55,311.89	Indian Orchard Sdewalk	34161330	580800	IOSWR	55,312
01133	580400	TURFC	105,000.00	Astro Turf	34161330	580400	TURFC	105,000
01133	580800	SKYWK	50.00	Skywalk	34161330	580800	SKYWK	50
01133	580600		500,000.00	PD Electrical	34161330	580600		500,000
01133	580600		276,180.00	Senior Center Construc Doc	34161330	580600		276,180
01133	580600		31,178.66	Unencumbered	34161330	580600		31,179
			1,033,886.16					1,033,886.16

This letter will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order appropriating \$1,033,886, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

Please contact me with any questions.

Lee C. Erdmann
Chief Administrative and Financial Officer

Attachment: CAFO Certification - Paygo Transfer (1752 : Budget Transfer W/in a Department \$1,033,886)



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Cheryn Wojcik
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1746

2.3

DCR Debris Removal Funds (\$1,000,000) (Mayor Sarno)

WHEREAS, the Parks Department ("Department") has been awarded a Grant of \$1,000,000 from the Massachusetts Executive Office of Energy & Environmental Affairs; and

WHEREAS, the purpose of the grant is for the removal of tree debris, restoration of park land, and the removal of fire threats caused by the June 1, 2011 tornado; and

WHEREAS, the Department intends to use the grant funds towards the debris removal, reforestation, and stabilization efforts of the following park areas: Murphy Park, Nathan Bill Park, Murray Park, South Branch Parkway Park, Camp Wilder, Riverfront Park, Leonardo DaVinci Park, Veterans Golf Course and Woodland Road; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

DCR Debris Removal Funds (\$1,000,000)

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under [Guidance For Vendors - Forms](#) or www.mass.gov/osd under [OSD Forms](#).

CONTRACTOR LEGAL NAME: (and d/b/a): City of Springfield		COMMONWEALTH DEPARTMENT NAME: Exec. Office of Energy & Env. Affairs MMARS Department Code: ENV	
Legal Address: (W-9, W-4, T&C): 36 Court Street, Springfield, MA 01103-1699		Business Mailing Address: 400 Cambridge Street, 9th Floor, Boston, MA 02114	
Contract Manager: Cheryn Wojcik, Grant Administrator		Billing Address (if different):	
E-Mail: cwojcik@springfieldcityhall.com		Contract Manager: Stephanie Cooper, Assistant Secretary	
Phone: 413-787-6134	Fax:	E-Mail: Stephanie.cooper@state.ma.us	
Contractor Vendor Code: VC6000192140		Phone: 617-626-4998	Fax:
Vendor Code Address ID (e.g. "AD001"): AD001 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s):	
		RFR/Procurement or Other ID Number: Chapter 52, Acts of 2011, Section 2A	
☒ NEW CONTRACT		☐ CONTRACT AMENDMENT	
PROCUREMENT OR EXCEPTION TYPE: (Check one option only) ☐ Statewide Contract (OSD or an OSD-designated Department) ☐ Collective Purchase (Attach OSD approval, scope, budget) ☒ Department Procurement (Includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation): See Attachment A (Documentation of Tornado Recovery Grant Process) ☐ Emergency Contract (Attach justification for emergency, scope, budget) ☐ Contract Employee (Attach Employment Status Form, scope, budget) ☐ Legislative/Legal or Other: (Attach authorizing language/justification, scope and budget)		Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____ Enter Amendment Amount: \$ _____ (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) ☐ Amendment to Scope or Budget (Attach updated scope and budget) ☐ Interim Contract (Attach justification for Interim Contract and updated scope/budget) ☐ Contract Employee (Attach any updates to scope or budget) ☐ Legislative/Legal or Other: (Attach authorizing language/justification and updated scope and budget)	
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. ☒ Commonwealth Terms and Conditions ☐ Commonwealth Terms and Conditions For Human and Social Services			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. ☐ Rate Contract (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) ☒ Maximum Obligation Contract Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$ <u>1,000,000.00</u>			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ☒ agree to standard 45 day cycle ☐ statutory/legal or Ready Payments (G.L. c. 29, § 23A); ☐ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) A municipal grant for tornado recovery and debris cleanup, pursuant to Chapter 52 of the acts of 2011, section 2A, line item 1599-1705. See attachments A through C and city's grant application for further details.			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ☒ 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and no obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ☐ 2. may be incurred as of _____, 20____, a date <u>LATER</u> than the <u>Effective Date</u> below and no obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ☐ 3. were incurred as of _____, 20____, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>June 30, 2013</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in <u>best value, lower costs, or a more cost effective Contract</u> .			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>6/26/12</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Domenic J. Sarro</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>6/26/12</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>RICHARD K. SULLIVAN</u> Print Title: <u>Exec. Office of Energy & Environmental Affairs</u> <u>SECRETARY</u>	

Attachment: Springfield - fully executed (1746 : DCR Debris Removal Funds (\$1,000,000))



Department of Parks, Buildings and Recreation Management

Administrative Office, Forest Park

June 15, 2012

Mr. Richard K. Sullivan, Jr., Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Dear Secretary Sullivan:

As Executive Director of the Department of Parks, Buildings, and Recreation Management, I am pleased to submit this preliminary grant application for \$1.0 Million to the Department of Conservation and Recreation, for the removal of tree debris, mitigation of parkland, and removal of fire threats caused by the June 1, 2011 tornado that occurred in the city of Springfield.

This grant project involves debris removal, reforestation and stabilization efforts of the following park areas: Murphy Park, Nathan Bill Park, Murray Park, South Branch Parkway Park, Camp Wilder, Riverfront Park, Leonardo Da Vinci Park, Veterans Golf Course and Woodland Road. The parks and open space included in the grant are within the boundaries of the tornado zone and are located in the South End, Metro Center, East Forest Park and Sixteen Acres neighborhoods of Springfield. Many of the project sites are in need of immediate debris removal to mitigate the potential threat of wildfires and to ensure the safety of our residents.

In answer to your question on our grant management process, the city of Springfield expects the best delivery from its contractors. To achieve this objective the city is requiring some specific qualifications and project documentation. The city believes this approach will best guarantee its dissemination of public funds. All aspects of the funds will be administered through our bid process and current price agreements with contractors licensed in the work of arboriculture and park management.

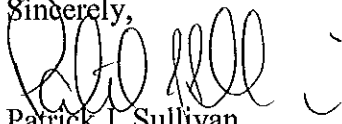
As the project under consideration includes many naturally wooded areas, contractor operations shall be overseen by a Massachusetts Licensed Forester. Additionally, all sites are being treated, in part, to mitigate a fire threat. Thus, a member of the contractor's staff shall have experience conducting fire-prevention land management. To best achieve a deliverable documentation of this project the city is requesting that the nine work sites be documented within a Geographic Information System (GIS). It is expected that data will be sourced through both public records and field acquisition (GPS). The city intends to utilize these resulting shape files and their corresponding

Attachment: dcr debrisremoval funds (1746 : DCR Debris Removal Funds (\$1,000,000))

attribute tables within its own GIS. It is expected that this effort involve ESRI software and a measure of ground-truthing.

The city of Springfield appreciates the efforts of the Commonwealth of Massachusetts to restore our public land and ensuring the safety of our residents. We look forward to initiating this project at your earliest convenience.

Sincerely,



Patrick J. Sullivan
Executive Director
Department of Parks, Buildings and recreation Management

Cc Domenic J. Sarno, Mayor City of Springfield

Attachment: dcr debrisremoval funds (1746 : DCR Debris Removal Funds (\$1,000,000))

DCR Debris Removal Program

Edward J. Murphy Park	
Site Location & Description	Located on Watershops Pond, Murphy park is a peninsula that creates the east side of Sylvan Cove. This 2.5 acre parcel is in the East Forest Park neighborhood. A small gravel road leads from the intersection of Agnes St. and Arcadia Blvd. to a drainage sewage cover at the ponds edge and the outer most point of the peninsula. The west side of Sylvan Cove is protected and administered by the Board of park Commission.
Task Description	The northeastern edge of the park along the ponds edge should receive the most attention. Due to the highly urbanized nature of the pond it is highly susceptible to eutrophication. This riparian zone needs to be reestablished with native vegetation to mitigate erosion and sediment load into the pond with native plant and tree species acting as biofilters. Moreover, this area is highly vulnerable to invasive plant species establishment due to the extensive tornado disturbance. Native tree planting and of native grass seed mix are recommended in order to lower the risk of invasive plant species establishment. The area previously cleared within the interior portion of the parcel should be seeded with 65,000 square feet (this number includes gravel road) of seed and replanted with trees species similar to the ones mentioned above. Existing white oak stump sprouts should be encouraged to grow. Black locust has resprouted vigorously and if left alone will take over much of the interior portion and outcompete any natural regeneration efforts with thorny seedlings and saplings.
Timeline	June 18 – October 15, 2012
Estimated Costs	\$50,000
Grant Management	See Attached Letter

Nathan Bill Park	
Site Location & Description	Located on Plumtree Road in the East Forest Park neighborhood, Nathan Bill Park is a 19.1 acre multiuse facility with two baseball diamonds, soccer field, tennis court, playground, and picnic area that occupies two thirds of the park. The other third of the park is forested with a small footpath network located in the southwest section extending to the southeast portion of the park. There is a wetland area located in the southwest section among the footpaths identified. The park is flat with a small slope that leads to a small depression where the wetland area is located.
Task Description	Trees that block access to the paths should be cut and removed from the paths. The downed trees left on the forest floor will provide a valuable ecosystem service identified as coarse woody debris. As the tree decomposes it will provide critical wildlife habitat and recycle nutrients as amendments to the soil. A native grass seed mixture will improve the aesthetics and mitigate the spread of invasive species if applied to the area west of the parking lot that was cleared of debris. However without strong management action, the already well-established aggressively spreading glossy buckthorn will quickly invade the recently disturbed area. The entire property boundary needs to be cleaned of tree debris affecting the homeowners who abut this park. If left alone, this area will fill in with the glossy buckthorn and inhibit any natural reforestation attempt.
Timeline	June 18 – September 30, 2012
Estimated Costs	\$85,000
Grant Management	See Attached Letter

Attachment: dcr debrisremoval funds (1746 : DCR Debris Removal Funds (\$1,000,000))

DCR Debris Removal Program

John B Murray Park	
Site Description & Location	Murray Park is located on Surrey Road, in the East Forest Park neighborhood. Several footpaths can be found on this 24.6 acre property. There is a small stream that flows through the parcel with many areas of standing water particularly on Surrey road between Quaker road and Balfour drive. Murray Park acts as important urban wildlife habitat within the City of Springfield. Twelve turkeys were seen upon assessment of the parcel and numerous tracts from white tail deer and raccoon were observed. A breeding pair of red tailed hawks and a variety of songbirds was also observed within Murray Park.
Task Description	Murray Park was affected by both the tornado of June 1st and snow damage from October 29th, 2011. The Surrey road portion will benefit from the planting trees deemed suitable by the city forester. The Balfour drive portion will benefit from a native grass seed mix of 2,600 square feet that tolerates moist soil conditions, and natural regeneration from adjacent trees will provide the necessary tree seed source. It is recommended that trees be planted close to the sidewalk to improve aesthetic value. Roanoke road has a variety of seed trees in the area that had been cleared of debris and will offer adequate seed stock and space for natural regeneration. The entire boundary of the park that abuts private homeowners properties need to be cleaned and tree debris removed. The entire parks need to remove the slash from the property and prevent the potential of a forest fire. The cleanup effort has the potential of scarification to the soil suitable for tree regeneration. This area will benefit from a native grass seed application of approximately 15,000 square feet. Please note that these areas mentioned above are highly susceptible to invasive plant species and should be reseeded as soon as conditions allow.
Timeline	June 18 –October 15, 2012
Estimated Costs	\$250,000
Grant Management	See Attached Letter

South Branch Parkway Park	
Site Description & Location	South Branch Parkway Park runs along the road of the same name and is located in the Sixteen Acres neighborhood. The total parcel size is 11.7 acres and is separated by Plumb tree road. . This park has no facilities or parking areas and serves as a riparian buffer between the road and Watershops Pond in Dan Baker Cove. The park topography is a slope with a north aspect from the road to the waters edge. There is a large storm drainage adjacent to Briarwood Av. An old access road can be seen that runs west to east connecting the storm drainage basin to three drainage sewage covers spaced apart along the access road. A footpath follows the waters edge.
Task Description	A large portion of the park has suffered extensive windthrow by the tornado. Trees that were not uprooted and blown down have suffered total crown loss leaving standing dead snags. The park consists of large dead snags with up to 15 feet of ground debris in some places. Although the debris has created wildlife habitat—especially for birds—the debris inhibits any access to the park, the debris poses a hazard to anyone who attempts to access this portion of South Branch Park. The extent of the affected area is approximately 5.5 acres and special restoration care is needed to clear the area of debris and to remove a majority of dead snags.

Attachment: dcr debrisremoval funds (1746 : DCR Debris Removal Funds (\$1,000,000))

DCR Debris Removal Program

	Due to the slope and substrate of the park, erosion and sediment load to the pond are of utmost concern. Some tree debris and dead snags should be left behind to help assist in bank stabilization by slowing the movement of mineral soil and organic matter and as coarse woody debris to recycle nutrients back into the soil from decomposition. If dead snags are not an option, stumps from cut trees should be cut low and left in the ground for the root structure to help assist in bank stabilization and for stump sprouting or coppicing. The installation of biologs, erosion control matting, and native plantings (pine/oak species listed above) will restore much of the parks erosion control, mitigate the spread of invasive plant species, and help improve the water quality of Watershops pond.
Timeline	June 18 – September 15, 2012
Estimated Costs	\$75,000
Grant Management	See Attached Letter

Camp Wilder Park	
Site Description & Location	Camp Wilder hosts a City of Springfield camp located in the Sixteen Acres neighborhood. The camp is 13 acres that includes two bodies of water, Bass Pond and Wilder (Quarry) Pond used for recreational purposes for the camp. There are two open field areas; one located is the southeast corner of the parcel and another located in the southwest portion of the parcel. The topography of the camp is generally flat with a few exceptions, most notably the steep banks that go to the ponds water edge. Much of the substrate is sandy with small basalt rock piles evidence of the camps past land use as a quarry.
Task Description	The tornado of June 1st came directly through Camp Wilder with a 500-foot swath from west to east. The majority of the damage was on the peninsula between Bass and Wilder Ponds, consisting of approximately 159,000 square feet and the land behind the Pioneer Valley Montessori School and Parker Street consisting of another 193,500 square feet. Roughly 352,105 square feet, or 8 acres, were affected by the tornado. Wilder Pond and the east edge of Bass Pond are of utmost priority. Due to the extent of tree and shrub removal around the ponds the camp may lose the recreational and aesthetic uses of the ponds. Water quality will decrease due to erosion and sediment load into the pond. The warming of the soil around the ponds due to increased sun exposure could increase the threat of eutrophication. This process creates a positive feedback loop with the water temperature and increased sunlight promoting the growth of algae blooms and decreasing dissolved oxygen. The overall effect of eutrophication is an unsightly water body unfit for recreational swimming. Management of the riparian areas around the ponds' water edge should begin with a combination of biologs, erosion control mattings, and hydroseeding. It is the intent of the department to apply for a PARC grant and use existing FEMA funds to match the PARC grant for a total project cost of \$1million. The proposed design will restore Camp Wilder to its natural woodland.
Timeline	June 1 – December 1, 2012
Estimated Costs	\$300,000
Grant Management	See Attached Letter

DCR Debris Removal Program

Riverfront Park	
Site Description & Location	Located on West Columbus Ave in the Metro Center Neighborhood, Riverfront Park is a 6.42 Acre multi-use park. Amenities include an event stage, river overlooks, benches and the Connecticut River Bikeway/Walkway.
Task Description	Tree Planting is needed as the June 1 st 2011 tornado directly hit this park and felled many trees.
Timeline	June 18 – October 1, 2012
Estimated Costs	\$10,000
Grant Management	See Attached Letter

Leonardo Da Vinci Park	
Site Description & Location	Located on Howard Street in the South End Neighborhood, this 0.41 acre park is one of few open space areas in this densely populated urban area. Amenities include a playground and several picnic benches for active and passive recreation.
Task Description	Tree Planting is needed to replace trees lost from the June 1 st tornado.
Timeline	June 18 – October 1, 2012
Estimated Costs	\$5,000
Grant Management	See Attached Letter

Veterans' Golf Course South Branch Parkway	
Site Description & Location	Located on South Branch Park Way in the Sixteen Acres Neighborhood, Veterans is one of two public Golf Courses in the city. Featuring 18-Holes and a clubhouse.
Task Description	Veterans' was in the direct path of the June 1 st tornado, and as a result lost many significant trees. The south branch portion of the course is in need of debris removal and slope stabilization. This area abuts a residential neighborhood and has the threat of a potential fire hazard if not properly cleaned.
Timeline	June 18 – October 1, 2012
Estimated Costs	\$75,000
Grant Management	See Attached Letter

Woodland Road	
Site Description & Location	Woodland Road is located in a residential section of the Sixteen Acres Neighborhood and 15 acres of wooded open space
Task Description	The end of Woodland road comprises a natural park land area approximately 15 acres in size. The entire acreage was affected by the June 1st tornado and requires immediate attention. The area will be cleaned of all tree debris and the area has the potential to naturally regenerate with native species. The area abuts a residential neighborhood and has the potential of fire hazard if not properly cleaned. Brush and Debris removal is immediately necessary as this area poses a fire threat to the residential neighborhood. All areas disturbed will be reseeded and a selection of natural species will be planted within the site.
Timeline	June 18 – September 15, 2012
Estimated Costs	\$150,000
Grant Management	See Attached Letter

Attachment: dcr debrisremoval funds (1746 : DCR Debris Removal Funds (\$1,000,000))



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Cheryn Wojcik
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1753

2.4

2012 Green Communities Grant of (\$161,592) (Mayor Sarno)

WHEREAS, the Facilities Department ("Department") has been awarded a Green Communities Grant of \$161,592 from the Department of Energy Resources (DOER); and

WHEREAS, the Green Communities Grant Program provides funding to qualified municipalities for energy efficiency and renewable energy initiatives; and

WHEREAS, the Department intends to use the grant funds to purchase and install boilers and indirect water tanks at Pine Point Library, and an energy management system at Balliet Middle School; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

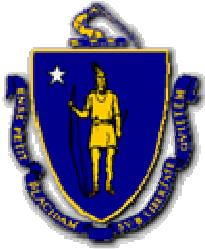
WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

2012 Green Communities Grant - \$161,592

Wojcik, Cheryn

From: Lusardi, Meg (ENE) <meg.lusardi@state.ma.us>
Sent: Wednesday, June 27, 2012 12:11 PM
To: Mayor Sarno
Cc: Wojcik, Cheryn; Bissetta, Joanne (ENE); Capone, Lisa (ENE)
Subject: Springfield Green Communities Competitive Grant Application



Deval L. Patrick
 Governor

Timothy P. Murray
 Lieutenant Governor

COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF
 ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
 100 CAMBRIDGE ST., SUITE 1020
 BOSTON, MA 02114
 Telephone: 617-626-7300
 Facsimile: 617-727-0030

June 27, 2012

Mayor Dominic Sarno
 City of Springfield
 36 Court Street
 Springfield, MA 01103

Dear Mayor Sarno:

I am pleased to inform you that the Department of Energy Resources (DOER) Green Communities Division has approved an award of \$161,592 for the following projects proposed in the city's Green Communities Competitive Grant application:

- \$50,245 Point Library Energy Management System
- \$50,000 Point Library Boilers and Indirect Water Tank
- \$61,337 Balliet Middle School Energy Management System

The Division reviewed the city's grant application and has determined that these are viable, well developed projects that meet the eligibility requirements of our Competitive Grant program. Please note that, due to the competitive nature of this grant program, **the use of these funds is restricted to the specifically approved projects listed above.** Please be advised that, in the event that a funded project does not move forward, DOER will rescind the funding for that project and said funding may not be applied to other work.

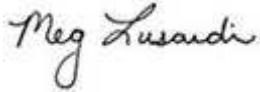
Attachment: Award Notification from DOER re Green Communities (1753 : 2012 Green Communities Grant (\$161,592))

In the next few weeks, Jane Pfister, Green Communities Grants Coordinator, will follow up with the designated contact listed in your grant application to discuss next steps, including coordination of the grant contract process.

The Green Communities Division looks forward to working with the city of Springfield on your grant projects. We congratulate you on this grant award, and applaud your efforts to create a greener energy future for your community and for the Commonwealth as a whole.

Please do not hesitate to contact me at 617-626-7364 or by email at meg.lusardi@state.ma.us with any questions you may have regarding your grant award.

Sincerely,



Meg Lusardi, Director
Green Communities Division

**Meg Lusardi, Director
Green Communities Division**

Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020, Boston, MA 02114
Ph: 617.626.7364 Fax: 617.727.0030
<http://www.mass.gov/doer/>



Creating a Cleaner Energy Future for the Commonwealth

Follow DOER on Twitter: <http://twitter.com/MassDOER>
Visit the Energy Smarts blog: www.mass.gov/blog/energy



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Chris Kulig
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1754 A

2.5

Budget Transfer Across Departments (\$53,000) (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2011 and ending June 30, 2012 (FY'12), pursuant to Mass. Gen. Laws Ch. 44 , Section 33B, and Chapter 468 of the Acts of 2008, the Chief Administrative and Financial Officer and his Honor the Mayor have requested authorization from the City Council to transfer the sum of \$53,000.00 from the Comptrollers Salary and Position Adjustments line item to various Salary and Wages accounts as listed on the attached Schedule 1 in order to fully fund accounts for FY12; and

WHEREAS, the Comptrollers, Patrick Burns, whose Department is in control of the appropriation from which the transfer is proposed to be made, has approved this transfer; and

WHEREAS, after reviewing this order, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the transfer, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, that the City Council approves the transfer of the sum of \$53,000.00 from the Comptrollers Salary and Position Adjustments line item to various Salary and Wages accounts as listed on the attached Schedule 1 in order to fully fund accounts for FY12.

FISCAL IMPACT:

\$53,000

The City of Springfield
Department of Administration and Finance
 36 Court Street, Room 312
 Springfield, MA 01103

LEE C. ERDMANN
 CHIEF ADMINISTRATIVE
 AND FINANCIAL OFFICER
 (413) 886-5288

APPROPRIATION ORDER

July 3, 2012

Mayor Domenic J. Sarno
 City Council President James J. Ferrera III
 Members of the City Council
 36 Court Street
 Springfield, MA 01103

RE: Appropriation Order – Transfer Orders to Address FY12 Salaries and Wages Deficit Amounts-
Certification of Chief Administrative and Financial Officer

Dear Mayor Sarno, President Ferrera, and Members of the City Council:

On July 3, 2012, the City Council will consider a transfer order in the amount of \$53,000.00 in order to authorize and transfer from Comptroller Salary & Position Adjustment department to several other departments / accounts to cover projected FY12 Salary & Wages deficits. These transfers account for all known Salary & Wages deficiencies at this time.

This letter will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order appropriating \$53,000.00 without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

Please contact me with any questions.

 Lee C. Erdmann
 Chief Administrative and Financial Officer

Attachment: CAFO Certification - Multiple Salaries & Wages deficits (1754 : \$53,000 Tranfer from Salary/Position Adj to Salaries)

Schedule 1**Transfer from Comptroller's Salary & Position Adjustments****Fiscal Year 2012 Year-end Adjustments**

Account	Dept	Account	To	From
0100-10-135-0000-0000-0010-000000-00000000-578300-	Comptroller	Salary & Position Adj		\$ 53,000.00
0100-10-111-0000-0000-0010-000000-00000000-501000-	City Council	Salary & Wages	\$ 4,800.00	
0100-10-138-0000-0000-0010-000000-00000000-501000-	Procurement	Salary & Wages	\$ 4,100.00	
0100-10-145-0000-0000-0010-000000-00000000-501000-	Treasurer	Salary & Wages	\$ 6,000.00	
0100-10-152-0000-0000-0010-000000-00000000-501000-	HR/LR	Salary & Wages	\$ 500.00	
0100-10-154-0000-0000-0010-000000-00000000-501000-	Payroll	Salary & Wages	\$ 2,600.00	
0100-10-193-0000-0000-0000-000000-00000000-501000-	DCAC	Salary & Wages	\$ 4,000.00	
0100-20-241-2410-0000-0090-000000-00000000-501000-	Building Code	Salary & Wages	\$ 1,300.00	
0100-20-242-2426-0000-0040-000000-00000000-501000-	Housing Code	Salary & Wages	\$ 7,000.00	
0100-50-541-5410-0000-0040-000000-00000000-501000-	Elder Affairs	Salary & Wages	\$ 2,700.00	
0100-90-911-0000-0000-0010-000000-00000000-517021-	Benefits	Non-Contributory Retirement	\$ 20,000.00	



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Wayman Lee
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1756

2.6

Bond Order Cm Services Dryden \$952,391 (Mayor Sarno)

A BOND ORDER TO PAY CONSTRUCTION MANAGEMENT SERVICES AND OTHER COSTS ASSOCIATED WITH CONSTRUCTING AN ADDITION TO AND RENOVATING THE MARY DRYDEN VETERANS MEMORIAL SCHOOL

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD
AS FOLLOWS:

That the City appropriates the amount of Nine Hundred Fifty-Two Thousand Three Hundred Ninety-One Dollars (\$952,391) to pay construction management and other costs associated with constructing an addition to and the renovation of the Mary Dryden Veterans Memorial School, located at 190 Surrey Road in Springfield, including the payment of all costs incidental or related thereto (collectively, the "Project"), which proposed renovation and addition would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum of money, pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that any grant that the District may receive from the MSBA shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA on account of the Project, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement and/or Feasibility Study Agreement that may be executed between the District and the MSBA. The City acknowledges that any amounts received from the Federal Emergency Management Agency, the Massachusetts Emergency Management Agency, or any other third party on account of the Project shall be applied first to reduce MSBA-eligible costs of the Project, and the remaining amount of MSBA-eligible costs of the Project shall be apportioned between the MSBA and the City according to the applicable reimbursement rate applicable to the Project, as determined by the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.



Massachusetts School Building Authority

Steven Grossman
Chairman, State Treasurer

John K. McCarthy
Executive Director

June 7, 2012

The Honorable Domenic J. Sarno, Mayor
City of Springfield
Springfield City Hall
36 Court Street
Springfield, MA 01103

Re: Springfield Public Schools, Mary A. Dryden Veterans Memorial School

Dear Mayor Sarno:

I am pleased to report that the Board of the Massachusetts School Building Authority (the "MSBA") voted to approve the Proposed Project for an addition and renovation project at the Mary A. Dryden Veterans Memorial School in the City of Springfield. The Board's approval is subject to a number of conditions, which are set forth in the attached Memorandum, dated May 30, 2012.

The Board approved an estimated maximum Total Facilities Grant of \$7,221,300, which does not include any funds for potentially eligible owner's or construction contingency expenditures. In the event that the MSBA determines that any owner's and/or construction contingency expenditures are eligible for reimbursement, the maximum Total Facilities Grant for the Proposed Project may increase to \$8,287,993. The final grant amount will be determined by the MSBA based on a review and audit of all project costs incurred by the City, in accordance with the MSBA's regulations, policies, and guidelines and the Project Funding Agreement. The final grant amount may be an amount less than \$7,221,300.

Pursuant to the MSBA's regulations, the City has 120 days to acquire and certify local approval for an appropriation and all other necessary local votes or approvals showing acceptance of the cost, site, type, scope, and timeline for the Proposed Project. Upon receipt of the certified votes demonstrating local approval, the MSBA and the City will execute a Project Funding Agreement which will set forth the terms and conditions pursuant to which the City will receive its grant from the MSBA. Once the Project Funding Agreement has been executed by both parties, the City will be eligible to submit requests for reimbursement for Proposed Project costs to the MSBA. The Project Scope and Budget Agreement signed by the City and the MSBA will be the basis for the Project Funding Agreement.

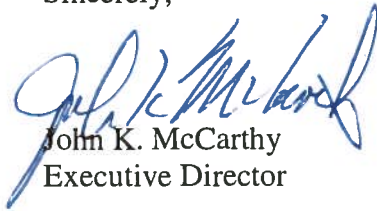
We will be contacting you soon to discuss these next steps in more detail, but in the meantime, I want to share with you the Board's approval of the Proposed Project for an

Page 2
June 7, 2012
Springfield Dryden Letter

addition and renovation project at the Mary A. Dryden Veterans Memorial School in the City of Springfield.

I look forward to continuing to work with you during the MSBA's grant program process. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.

Sincerely,



John K. McCarthy
Executive Director

cc: Senator Gale Candaras
Senator Cheryl Coakley-Rivera
Senator James Welch
Representative Brian Ashe
Representative Sean Curran
Representative Michael Finn
Representative Thomas Petrolati
Representative Benjamin Swan
Rita Coppola, Director of Capital Asset Construction, City of Springfield
Denise R. Jordan, Chief of Staff, Mayor Sarno's Office
Jose Tosado, President, Springfield City Council
Dr. Alan Ingram, Superintendent, Springfield Public Schools
Tim McKenna, Owner's Project Manager, Arcadis U.S., Inc.
Vladimir Lyubetsky, Designer, Drummey Rosane Anderson, Inc.
File: Letters 10.2 (Region 1)

District: City of Springfield
 School Name: Mary A. Dryden Veterans Memorial School
 Recommended Category: Project Scope and Budget
 Date: May 30, 2012

Recommendation

That the Executive Director be authorized to enter into a Project Scope and Budget Agreement and a Project Funding Agreement with the City of Springfield for an addition and renovation project at the Mary A. Dryden Veterans Memorial School.

District Information	
District Name	City of Springfield
Early Childhood Center	Margaret C. Ells Early Childhood Center (PK-1)
K-12 Facility	Springfield Academy for Excellence (K-12)
Elementary/Middle Schools	12 (PK-5) 18 (K-5) 1 (PK-8)
Middle Schools	7 (6-8)
Middle/High School	The Springfield Renaissance School (6-12)
High Schools	4 (9-12)
School Name	Mary A. Dryden Veterans Memorial School
Type of School	Elementary School
Grades Served	PK-5
Year Opened	1953
Total Square Footage	38,850
Additions	Adjunct building addition in 1954 for PK program and roof replacement in 2009
Acreage of Site	10.06 acres
Building Issues	The building was damaged by a severe weather system in June, 2011, and the City identified deficiencies in the following areas: - Structural integrity - Envelope - Windows - Roof - Accessibility
Original Design Capacity	253
2011-2012 Enrollment	261
Agreed Upon Enrollment	280
Enrollment Specifics	The City and MSBA have mutually agreed upon a design enrollment of 280 students for grades K-5, for a project that will serve grades PK-5.

MSBA Board Votes	
Preferred Schematic Authorization	November 17, 2011

Project Scope & Budget Authorization	On June 6, 2012 Board agenda
Reimbursement Rate Before Incentives	80.00%
Incentive Points	1.91 – Maintenance 1.00 – CM @ Risk (Received IG approval on October 28, 2011) 3.83 – Major reconstruction or renovation/reuse
Total Reimbursement Rate*	80.00%

** By statute, 80% is the maximum reimbursement rate. Here, the City's base reimbursement rate is 80% before applying any incentive points. If the City does not qualify for these incentive points, its reimbursement rate of 80% will not be affected because its base rate is the maximum rate of 80%.*

Consultants	
Owner's Project Manager	Arcadis U.S., Inc.
Designer	Drummey Rosane Anderson, Inc.

Discussion

On June 1, 2011, a tornado struck portions of western Massachusetts, including the City of Springfield, causing damage to two schools within the District: the Elias Brookings Elementary School and the Mary A. Dryden Veterans Memorial Elementary School. At the Dryden Elementary School, the most significant damage was to the classroom wing, which comprises nearly 25% of the total square footage of the building. The roof of the classroom wing was displaced, affecting the structural integrity of this portion of the building. In addition, flying debris damaged the main roof. In conjunction with its consultants, the City conducted an initial study, which indicated that building systems would need to be replaced in both the classroom wing the main portion of the building.

Since June, 2011, the City has been working to establish a budget for each project and has met with Federal Emergency Management Agency (FEMA) and completed FEMA's Project Worksheets to determine what part of each project will be eligible for reimbursement under FEMA guidelines. Although the City has confirmed with FEMA that portions of the work at both the Dryden Elementary School and the Brookings Elementary School will be eligible for reimbursement, FEMA's final funding level and reimbursement will not be available until the projects are complete.

MSBA staff reviewed the documents provided by the City and met with the City and its consultants to discuss scope and budget. The City has provided a Total Project Budget of \$14,397,142, which includes an estimated construction cost of \$10,720,901. The basis of the estimated maximum Total Facilities Grant would be \$9,026,625, which excludes OPM fees in excess of 3.5% of construction costs, ineligible costs associated with abatement of asbestos-containing floor materials, site costs in excess of 8% of total building cost, costs associated with swing space, costs associated with mailing and moving, owner's and construction contingency costs, and third-party funding, including FEMA funds, which are estimated to be \$3,239,357 and subject to adjustment based on the actual amounts received from FEMA and any other third parties.

Project Scope and Budget Agreement		
Design Enrollment: 280	District's Proposed	Basis of Total Facilities
Total Gross Square Feet: 40,900	Total Project Budget	Grant
Total Project Budget	\$14,397,142	
Project Budget*	\$13,063,776	
Estimated third-party funding (FEMA)**	\$3,239,357	
Project Budget, less third-party funding	\$9,824,419	\$9,026,625
Reimbursement Rate		80.00%
Estimated Maximum Total Facilities Grant***		\$7,221,300
Potential additional grant funds for eligible owner's and construction contingency expenditures		\$1,066,669
Maximum Total Facilities Grant****		\$8,287,993

* Project Budget is the Total Project Budget minus owner's and construction contingencies; includes an estimated construction budget of \$10,720,901.

** This amount is an estimate based on information provided by the City and is subject to adjustment based on the final amount of third-party funding received by the City for this project.

*** Does not include any grant funds for potentially eligible owner's or construction contingency expenditures; subject to MSBA review and audit.

**** Includes maximum possible owner's and construction contingency grant funds, the final amount of which, if any, shall be determined by the MSBA in its sole discretion. The MSBA does not anticipate that the City will expend all of its contingency funds on expenses that are eligible for MSBA reimbursement.

Based on the information that the MSBA has received from Springfield, staff recommends that the Executive Director be authorized to enter into a Project Scope and Budget Agreement and a Project Funding Agreement with the City of Springfield for an addition and renovation project at the Mary A. Dryden Veterans Memorial School, subject to the following conditions and limitations:

- The City understands that the MSBA's participation is as the payer of last resort and that the MSBA will not participate in any costs that will be reimbursed by FEMA or any other third party;
- The City of Springfield shall continue to work with FEMA and the Massachusetts Emergency Management Agency ("MEMA") and provide any and all information that FEMA and/or MEMA may require or request, to ensure and maximize FEMA funding and assistance for the proposed project at the Mary A. Dryden Veterans Memorial School;
- The City must receive approval from FEMA for a grant or grants that result in FEMA reimbursing the City for 75% of all FEMA-eligible project costs for the proposed Mary A. Dryden Veterans Memorial School project; and
- Pursuant to the MSBA's regulations, 963 CMR 2.09 (6), the total amount of FEMA funding and any other third-party funding shall be deducted from the total amount of MSBA-eligible project costs, and the remaining amount of eligible project costs shall be

apportioned between the MSBA and City according to the applicable reimbursement rate, as determined by the MSBA.

MSBA staff recommends an estimated maximum Total Facilities Grant of \$7,221,300; however, the City may be eligible for up to an additional \$1,066,669 in grant funds, subject to the MSBA's review and audit of the District's owner's and construction contingency expenditures. Accordingly, staff recommends a maximum Total Facilities Grant of \$8,287,993 for the Project Scope and Budget Agreement and Project Funding Agreement with the City of Springfield for an addition and renovation project at the Mary A. Dryden Veterans Memorial School.



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Wayman Lee
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1757

2.7

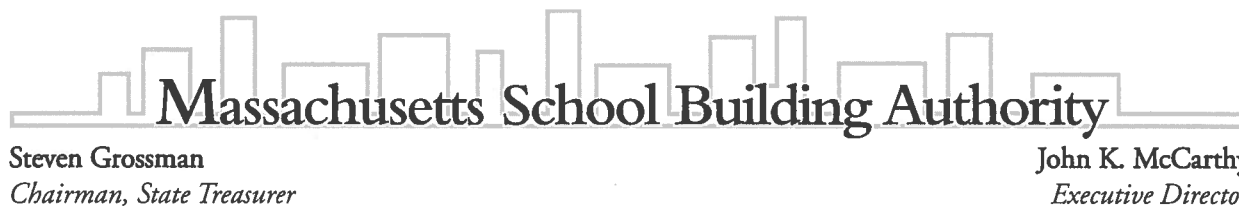
Bond Order - Schematic Design Brookings \$847,258 (Mayor Sarno)

A BOND ORDER TO PAY COSTS OF SCHEMATIC DESIGN WORK ASSOCIATED WITH RECONSTRUCTING THE ELIAS BROOKINGS ELEMENTARY SCHOOL ON A NEW SITE

BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD AS FOLLOWS:

That the City appropriates the amount of Eight Hundred Forty-Seven Thousand Two Hundred Fifty-Eight Dollars (\$847,258) for the purpose of paying costs of work to and including the schematic design phase of work associated with reconstructing the Elias Brookings School, currently located at 367 Hancock Street in Springfield, on a new site, including the payment of all costs incidental or related thereto (collectively, the "Project"), the proposed school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a school construction grant from the Massachusetts School Building Authority, said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum of money, pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that any grant that the District may receive from the MSBA shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA on account of the Project, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement and/or Feasibility Study Agreement that may be executed between the District and the MSBA. The City acknowledges that any amounts received from the Federal Emergency Management Agency, the Massachusetts Emergency Management Agency, or any other third party on account of the Project shall be applied first to reduce MSBA-eligible costs of the Project, and the remaining amount of MSBA-eligible costs of the Project shall be apportioned between the MSBA and the City according to the applicable reimbursement rate applicable to the Project, as determined by the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.



June 7, 2012

The Honorable Domenic J. Sarno, Mayor
City of Springfield
Springfield City Hall
36 Court Street
Springfield, MA 01103

Re: Springfield Public Schools, Elias Brookings Elementary School

Dear Mayor Sarno:

I am pleased to report that the Board of the Massachusetts School Building Authority (the "MSBA") voted to approve the City of Springfield (the "City"), as part of its invitation for Feasibility Study, to proceed into schematic design to replace the existing Elias Brookings Elementary School with a new elementary school facility on a site adjacent to the existing site, contingent upon the City securing full control and use of the proposed site. In addition, the Board's approval is subject to the conditions set forth in the attached Memorandum, dated May 30, 2012.

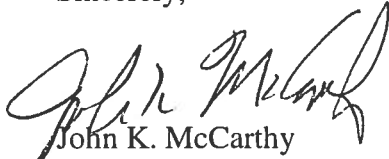
It is my understanding that the City of Springfield anticipates seeking community approval for this Proposed Project in October 2012. Therefore, it is critical that the City, in conjunction with its Owner's Project Manager and Designer, submit a schedule to the MSBA as soon as possible. The schedule should include: the work plan to complete all of the required documentation for presentation to the MSBA's Board of Directors at a future Board meeting; the date of the City Council meeting(s) at which the Proposed Project will be considered; and, the anticipated design and construction schedule. We have attached a listing of the remaining deliverables for you to use in preparing this schedule.

We will be contacting you soon to discuss these next steps in more detail, but in the meantime, I want to share with you the Board's vote to approve the City of Springfield to proceed into schematic design to replace the Elias Brookings Elementary School with a new elementary school facility on a site adjacent to the existing site, contingent upon the City securing full control and use of the proposed site.

Page 2
June 7, 2012
Springfield - Brookings Letter

I look forward to continuing to work with you as the Potential Project progresses. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.

Sincerely,



John K. McCarthy
Executive Director

cc: Senator Gale Candaras
Senator Cheryl Coakley-Rivera
Senator James Welch
Representative Brian Ashe
Representative Sean Curran
Representative Michael Finn
Representative Thomas Petrolati
Representative Benjamin Swan
Jose Tosado, President, Springfield City Council
Rita Coppola, Director of Capital Asset Construction, City of Springfield
Denise R. Jordan, Chief of Staff, Mayor Sarno's Office
Dr. Alan Ingram, Superintendent, Springfield Public Schools
Tim McKenna, Owner's Project Manager, Arcadis U.S., Inc.
Vladimir Lyubetsky, Designer, Drummey Rosane Anderson, Inc.
File: Letters 10.2 (Region 1)

Page 3
June 7, 2012
Springfield - Brookings Letter

Exhibit B
City of Springfield – Elias Brookings Elementary School
Schedule of Deliverables – June 6, 2012

Deliverable	Status/ Received
Initial Compliance Certification	Complete
School Building Committee	Complete
Local Vote Authorization	Still Required
Mass. Historical Commission Approval	Still Required
Enrollment Questionnaire	N/A
Executed Enrollment Certification	Complete
Educational Space Summary	Complete
OPM Selection	N/A
Executed MSBA Standard OPM Contract	N/A
Designer Selection	N/A
Executed MSBA Designer Standard Contract	N/A
MSBA Educational Space Template	Complete
Preliminary Evaluation of Alternatives	Complete
Budget Statement for Preferred Schematic Design	Complete
Recommendation of Preferred Schematic Design	Complete
Final Design Program for Preferred Schematic Design	Still Required
Schematic Building Floor Plans	Still Required
Room Data Sheets	Still Required
A letter from the Superintendent demonstrating SPED compliance with Chapters 70 and 71B	Still Required
Schematic Exterior Building Elevations	Still Required
Mass. DESE Special Education Space Approval Letter	Still Required
Narrative Building Systems Descriptions	Still Required
Preliminary Summary of Ineligible Spaces	Still Required
Construction Systems: Outline of Specifications	Still Required
MA-CHPS Scorecard	Still Required
Furnishings, Fixtures and Equipment Specification and Estimate	Still Required
Value Engineering Plan for Detailed Design	Still Required
Total Project Budget	Still Required
Construction Estimate Unifomat II, Level 3	Still Required
Project Cash Flow	Still Required
Project Schedule	Still Required

District: City of Springfield
 School Name: Elias Brookings Elementary School
 Recommended Category: Preferred Schematic
 Date: May 30, 2012

Recommendation

That the Executive Director be authorized to approve the City of Springfield, as part of its Invitation to Feasibility Study, to proceed into schematic design to replace the existing elementary school facility with a new Elias Brookings Elementary School on a new site, adjacent to the existing site. MSBA staff has reviewed the Feasibility Study and accepts the City's preferred solution to replace the existing elementary facility with a new Elias Brookings Elementary School on a new site, adjacent to the existing site, contingent upon the City securing full control and use of the proposed site.

District Information	
District Name	City of Springfield
Early Childhood Center	Margaret C. Ells (PK-1)
K-12 Facility	Springfield Academy for Excellence (K-12)
Elementary/Middle Schools	12 (PK-5) 18 (K-5) 1 (PK-8)
Middle Schools	7 (6-8)
Middle/High School	The Springfield Renaissance School (6-12)
High Schools	4 (9-12)
School Name	Elias Brookings Elementary School
Type of School	Elementary School
Grades Served	PK-5
Year Opened	1925
Total Square Footage	59,769
Additions	N/A
Acreage of Site	1.79acres
Building Issues	A tornado hit the building in June, 2011, and the District has identified deficiencies in the following areas: - Structural integrity - Mechanical systems - Electrical systems - Plumbing systems - Envelope - Windows - Roof
Original Design Capacity	Unknown
2011-2012 Enrollment	329
Agreed Upon Enrollment	320
Enrollment Specifics	The District and MSBA have mutually agreed upon a design enrollment of 320 students for grades K-5, for a project that will serve grades PK-5.

MSBA Board Votes	
Preferred Schematic Authorization	November 17, 2011
Updated Preferred Schematic Authorization	On June 6, 2012 Board agenda
Project Scope & Budget Authorization	District is targeting Board authorization on October 3, 2012
Reimbursement Rate Before Incentives	80.00%

Consultants	
Owner's Project Manager	Arcadis
Designer	Drummey Rosane Anderson, Inc.

Discussion

The existing Elias Brookings Elementary School is a 56,668 square-foot, historically significant building on a relatively small constrained urban site. Prior to being damaged in June of 2011, the facility served grades PK-5.

The original school building was constructed in 1925. The District identified numerous deficiencies in the Statement of Interest. The existing facility requires structural and envelope repairs and improvements, system replacements, and accessibility upgrades.

On June 1, 2011, tornadoes struck portions of western Massachusetts, including the City of Springfield, causing damage to two schools within the District: the Elias Brookings Elementary School and the Mary A. Dryden Veterans Memorial School. Although the Elias Brookings Elementary School suffered substantial damage to the exterior envelope, roof, parapet, and windows, and to some interior walls, the District's initial assessment found that it was structurally sound.

Since June 2011, the District has been working to establish budgets for each project and has met with Federal Emergency Management Agency (FEMA) and completed FEMA's Project Worksheets to determine what part of each project will be eligible for funding under FEMA guidelines. Although the District has confirmed with FEMA that portions of the work at both the Mary Dryden Veterans Memorial School and the Elias Brookings Elementary School will be eligible for reimbursement, FEMA's final funding level and reimbursement will not be available until the projects are complete.

During the Summer of 2011, the City's first priority was to make sure that the City had space for all of the displaced students for September, 2011, and that permanent solutions for both schools could be put in place as soon as feasible. Based on its initial assessments, the City believed that the renovation of the existing Elias Brookings Elementary School could be done within a two-year time frame. The City requested that the MSBA accept its preferred solution to renovate the Brookings within the existing footprint.

At its November 17, 2011 meeting, the Board authorized the City to proceed with schematic designs for both the Mary A. Dryden Veterans Memorial School and Elias Brookings Elementary

School. Since then, the City and its consultants have prepared construction documents for an addition and renovation project at the Mary A. Dryden Elementary School, which staff is recommending for a Project Scope and Budget Agreement under separate cover. The City and its consultants also conducted subsequent investigations of the Elias Brookings Elementary School, identified classroom spaces that are substantially smaller than current MSBA guidelines, and concluded that the work required to provide the spaces needed to support the City's educational plan would be more significant than originally envisioned. As a result, the City and its consultants solicited input from educators and administrators, performed a more comprehensive assessment of the existing conditions at the Elias Brookings Elementary School, and considered three preliminary options: a repair option, an addition/renovation configuration, and a new construction option.

The evaluation of the existing building and the development of a potential renovation option concluded that bringing the existing classrooms more in line with current MSBA guidelines would require the relocation of most of the interior partitions. In addition to increasing costs, enlarging the classrooms would reduce the total number of classrooms within the existing building, leading to the need for an addition of approximately 22,000 gross square feet to support delivery of the City's curriculum. The constrained urban site is not sufficient to accommodate an addition to the existing school.

The City and its consultants determined that an adjacent site on Walnut Street could be a potential location for the construction of a new facility to replace the existing elementary school. The City initiated the process of acquiring the proposed site through a land swap with Springfield College and the taking of a number of adjacent residential properties. While this process is still underway, the City has indicated that it does not foresee any issues in acquiring this land for development as the site of a new Elias Brookings Elementary School.

The City has selected new construction as the preferred solution to proceed into schematic design for the replacement of the Elias Brookings Elementary School on a nearby site. The City selected this solution as its preferred alternative because it best addresses the needs of the educational program by providing appropriately-sized learning spaces and an efficient facility that is more cost-effective to operate, and it mitigates the numerous building and site constraints present at the existing facility.

The District presented its proposed project to the MSBA Facilities Assessment Subcommittee ("FAS") on May 23, 2012. At that meeting, members of the FAS raised a number of concerns regarding the suitability of the proposed site for development, the status of the acquisition of the land for the project, and the level of anticipated contribution by FEMA. Members of the FAS also discussed with the City and its consultants the need for the City to fully understand the impact that these items, which are ineligible for reimbursement by the MSBA, will have on the MSBA's basis of grant and the City's share of the cost.

MSBA staff reviewed the conclusions of the submitted feasibility material and the enrollment data with the City and found:

- 1) All initial paperwork required has been processed, including an executed Initial Compliance Certification, the composition of the School Building Committee, and the enrollment information.

- 2) MSBA has completed an enrollment projection and has reached a mutual agreement with the City for a design enrollment of 320 for the Elias Brookings Elementary School.
- 3) MSBA staff reviewed the feasibility material and subsequent submittals and finds that the options investigated were sufficiently comprehensive in scope, the approach undertaken in this study was appropriate, and the City's preferred solution is reasonable and cost-effective and meets the needs identified by the City.
- 4) Pursuant to the MSBA's regulations, the site of an approved project must be owned (fee simple title) by the city, town, or regional school district that is seeking funding from the MSBA or be under the exclusive control of the city, town, or regional district pursuant to a long-term lease. Accordingly, before the MSBA can enter into a Project Funding Agreement with the City for the proposed project, the City must certify that it has full control and exclusive use of the proposed site either by fee simple title or long-term lease.
- 5) The City will submit an operational budget for educational objectives and a capital budget for MSBA review.
- 6) The City's schematic design submittal will be subject to final review and approval by the Department of Elementary and Secondary Education as part of the schematic design submittal prior to a Project Scope and Budget Agreement.
- 7) Subject to Board approval, the MSBA will participate in a project that includes spaces that meet MSBA guidelines, with the exception of variations previously agreed to by the MSBA. The MSBA will review all proposed spaces during the schematic design phase.
- 8) As discussed with the City and its consultants, the City needs to fully understand the MSBA's Project Funding Agreement and policies regarding funding for site-related costs. Costs associated with the mitigation of hazardous materials and the acquisition of property are ineligible for MSBA reimbursement; the MSBA may participate in other site costs up to a cap of 8% of building costs. In addition, the City must understand the use of budget contingencies that will be established in the next phase of the project and how these policies impact the City's share of project costs.
- 9) As part of the Schematic Design phase, the City will work with the MSBA to determine a mutually agreeable methodology to differentiate eligible costs from ineligible costs.
- 10) The City shall continue to work with FEMA and the Massachusetts Emergency Management Agency ("MEMA") and provide any and all information that FEMA and/or MEMA may require or request, to ensure and maximize FEMA funding.
- 11) The MSBA understands that the amount of funding that the City receives from FEMA for the Elias Brookings Elementary School building may be apportioned and capped based on FEMA's rules for an "alternate project." The City has indicated that it will apply the FEMA money it receives for the existing Brookings Elementary School facility to the proposed new project in the form of an alternate project, and the City understands that the MSBA will reduce the total project budget accordingly.

- 12) Pursuant to the MSBA's regulations, 963 CMR 2.09(6), the total amount of FEMA funding and any other third-party funding that the City receives shall be deducted from the total amount of MSBA-eligible project costs, and the remaining amount of eligible project costs shall be apportioned between the MSBA and the District according to the applicable reimbursement rate, as determined by the MSBA.

Based on the review outlined above, as well as information that MSBA has received from the District, staff recommends that the City of Springfield be approved to proceed into schematic design to replace the existing Elias Brookings Elementary School with the construction of a new facility on a new site..



City of Springfield

SCHEDULED

Meeting: 07/03/12 05:30 PM
Initiator: Wayman Lee
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1758

2.8

Hotel / Motel Tax (Mayor Sarno)

WHEREAS, the General Court has enacted Massachusetts General Laws Chapter 64G, section 3A ("Local Excise Tax Option"), see copy attached, and

WHEREAS, the Statute requires "local acceptance", which under the City of Springfield "Plan A" form of government, requires the approval of the City Council and the Mayor; and

WHEREAS, the City of Springfield's Room Occupancy Excise for all hotels, motels, lodging houses and bed and breakfast establishments at a rate of six (6.0) percent, by accepting Massachusetts General Law Chapter 64G section 3A, in accordance with Chapter 27 sections 51, 52, and 154 of the Acts of 2009.

WHEREAS, this rate shall apply to all hotels, motels, lodging houses, and bed and breakfast establishments within the City of Springfield, excepting establishments who qualify for exemptions under the terms and definitions listed in G.L. c. 64G § 2. Said exemptions are as follows:

- (a) lodging accommodations at federal, state or municipal institutions;
- (b) lodging accommodations, including dormitories, at religious, charitable, educational and philanthropic institutions; provided however, that this exemption shall not apply to accommodations provided by any such institution at a hotel or motel operated by the institution;
- (c) privately owned and operated convalescent homes or homes for the aged, inform, indigent or chronically ill;
- (d) religious or charitable homes for the aged, inform, indigent or chronically ill;
- (e) summer camps for children eighteen years of age or under or developmentally disabled individuals; provided, however, that such summer camp which offers its facilities off-season to individuals sixty years of age or over for a period not to exceed thirty (30) days in any calendar year shall not lose its exemption hereunder; and
- (f) a bed and breakfast home.

WHEREAS, the Mayor believes that accepting the Statute would be in the best interests of the City; and

NOW THEREFORE BE IT ORDERED, that the Springfield City Council hereby accepts the provisions of Massachusetts General Laws Chapter 64G, Section 3A. That the City of Springfield accept G.L. c. 64G, § 3A to impose a local room occupancy excise at the rate of six (6.0) percent.



Print

PART I ADMINISTRATION OF THE GOVERNMENT
(Chapters 1 through 182)

TITLE IX TAXATION

CHAPTER 64G ROOM OCCUPANCY EXCISE

Section 3A Local excise tax; information concerning amount collected available

Section 3A. Any city or town which accepts the provisions of this section shall be authorized to impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within such city or town by any operator at a rate up to, but not exceeding, 6 per cent of the total amount of rent for each such occupancy; provided, however, that the city of Boston is hereby authorized to impose such local excise upon the transfer of occupancy of any room in a bed and breakfast establishment, hotel, lodging house or motel located within said city by any operator at the rate of up to but not exceeding 6.5 per cent of the total amount of rent of each such occupancy. No excise shall be imposed if the total amount of rent is less than fifteen dollars per day or its equivalent or if the accommodation is exempt under the provisions of section two of this chapter. The operator shall pay the local excise tax imposed under the provisions of this section to the commissioner at the same time and in the same manner as the excise tax due the commonwealth. All sums received by the commissioner under this section as excise, penalties or forfeitures, interest, costs of suit and fines shall at least quarterly be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has adopted the provisions of this section in proportion to the amount of such sums received from the transfer of occupancy in each such city or town. This section shall only take effect in a city or town accepting the provisions of this section by a majority vote of the city council with the approval of the mayor, in the case of a city with a Plan A, Plan B, or Plan F charter; by a majority vote of the city council, in the case of a city with a Plan C, Plan D, or Plan E charter; by a majority vote of the annual town meeting or a special meeting called for the purpose, in the case of a municipality with a town meeting form of government; or by a majority vote of the town council, in the case of a municipality with a town council form of government. The provisions of this section shall take effect on the first day of the calendar quarter following thirty days after such acceptance, or on the first day of such later calendar quarter as the city or town may designate. The city or town, in accepting the provisions of this section, may not revoke or otherwise amend the applicable local tax rate more often than once in any twelve month period.

The commissioner of the department of revenue shall make available to any city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal year in the city or town requesting the information.



City of Springfield

36 Court Street
Springfield, MA 01103

SCHEDULED

ORDINANCE (ID # 1750)

Meeting: 07/03/12 05:30 PM

Department: City Clerk

Category: Local Law

Prepared By: Wayman Lee

Initiator: Wayman Lee

Sponsors: Ward 7 Councilor Timothy Allen

DOC ID: 1750

Chapter 327-5 - Automated Refuse Collection -Trash Fee

PROPOSED ORDINANCE

ORD. NO _____

AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 327 thereof, entitled Solid Waste, by deleting and repealing § 327-5, Automated Refuse Collection.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD AS FOLLOWS:

Section 1.

The Code of the City of Springfield is hereby amended by deleting and repealing Chapter 327-5, Automated Refuse Collection.

Section 2.

The Code of the City of Springfield is hereby amended by adding thereto a new chapter, to replace Chapter 327-5 hereinabove repealed, to the Chapter 327-5, Automated Refuse Collection, to read as follows.

§ 327-5 Automated refuse collection.

A. Purpose: The purpose of this ordinance is to establish minimum standards for the storage, collection, transportation, and disposal of refuse by automated collection, and thus promote the health, safety, and welfare of the city and improve the City's environment.

B. The director of the department of public works (hereinafter the "director") shall have the direct responsibility for the administration of this ordinance subject to the direction and control of the mayor.

C. For the purpose of this ordinance the following definitions shall apply:

1. "Automated collection" means the method of collecting rubbish through the use of mechanical collection equipment and special containers to accommodate the collection.

2. "Automated container" means a specially designed container distributed by the director to accommodate the automated collection operation to be used deposit of acceptable rubbish. The automated is equipped with wheels for mobility.

3. "City" means the city of Springfield, Massachusetts.

4. "Commercial customer" means any business premises, industry premises or organization, either or public, profit or non-profit currently receiving from the city. This definition operating businesses out of their day care centers, offices, etc.

5. "Curb line" means the area directly behind the curb. In the absence of a curb; the area directly behind the edge of pavement or curb.

6. "Customer" means any person or entity receiving service from the city.

7. "Designated collection point" means the place where the director has determined an automated container will be placed for service.

8. "Director" means the director of the department of public works or his/her duly authorized representative.

9. "Dwelling unit" means any building or portion thereof that contains living facilities (which provide for sleeping, eating, cooking, and sanitation) for not more than one household.

10. "Extra refuse" means any rubbish placed on, around or in a five foot radius of the automated collection container in excess capacity of the automated container. The rubbish must be within acceptable weight limits and reasonably handled by one person.

11. "Infectious waste" means waste form medical, dental, and intermediate care facilities, research centers, veterinary clinics, and other similar facilities, that has the potential to cause an

infectious disease via exposure to a pathogenic organism of sufficient virulence and dosage, through a portal of entry in a susceptible host.

12. "Overloaded" means that the automated container is so full of rubbish that its lid is not completely closed, thereby exceeding the automated containers rated capacity.

13. "Nonresidential unit" shall mean any establishment except those defined under residential units.

14. "Recyclables" means material as defined in section 7.16.040(B) of the city ordinances.

15. "Residential unit" means a single or multiple family dwelling unit up to and including apartment complexes of three (3) units or less.

16. "Rubbish" means all waste consisting of a variety of both combustible and noncombustible solid waste materials of households, stores and institutions. Rubbish does not include recyclables or yard waste.

17. "Yard waste means" material as defined in section 7.16.041(3) of the city ordinances.

D. General Requirements.

1. It shall be the customer's responsibility to assure that automated containers are placed in the appropriate location designated by the city prior to the arrival of the collection vehicle.

2. The city shall not be responsible for rubbish collection if there is a violation of any part of this section or circumstances are beyond the control of the city. Circumstances or violations include, but are not limited to, automated container overload, improperly loaded automated container, blocked access, automated container inaccessibility, or dangerous situations.

3. Automated containers shall be placed at the city designated collection point on the scheduled collection

day by 6:30 A.M. Such location shall be easily accessible to the container, with the lids completely closed, and unobstructed to the collection vehicle. It shall be the duty of each customer to remove the automated container from the curb line on the same day as collection. It is prohibited to overload automated containers in a manner which is likely to cause carnage to the collection vehicle, automated container, create a litter condition, or impede collection.

4. The city may collect extra rubbish on or around automated containers in accordance with the provisions of this Ordinance provided that the material is contained in standard legal container with an extra bag sticker attached. If additional rubbish generated on the premises, that cannot be accommodated by regularly scheduled service in the automated container provided, the customer shall request in writing on a form provided by the DPW director, to request an additional automated container(s) at the cost as provided in this Ordinance. A request for additional automated container(s) may be disallowed if, in the opinion of the director, a customer is not recycling as mandated by city ordinance. Any request for a container(s) will not be supplied until payment has been received by the city for all past due and current fiscal year payments under this Ordinance. A money order is the only acceptable form of payment.

5. Automated collection within the city is mandatory in those areas designated by the director.

6. Any manure, offal or other noxious material that, in the discretion of the director, has not been securely wrapped and placed in an automated container, shall not be collected. All rubbish shall be drained of any free liquids prior to placement in any automated container.

7. It shall be a violation hereof to place or deposit any refuse whatsoever in or around an automated container owned or provided for the use of another customer without that customer's approval.

8. The city reserves the right to inspect any or all

refuse prior to and/or during disposal for compliance with local, state, or federal laws or regulations.

E. Containers.

1. The automated containers are provided exclusively by the city. No other type of automated container is allowed. The city shall initially provide one (1) automated container at to each occupied residential unit and commercial customer currently serviced by the city in accordance with the payment of an annual Trash Fee as authorized by this Ordinance. All automated containers will be assigned to a street address and have an imprinted serial number for identification purposes. The automated container shall remain at the assigned address regardless of whether the resident sells or moves. Any additional barrels that are needed by the resident after the issuance of the first automated barrel will be provided to the resident at a cost that is determined to cover the appropriate expenses of securing such a barrel by the director.

2. The automated container provided by the city shall not be filled to exceed one hundred (100) pounds total weight and all rubbish must fit inside the automated container. The cover of any automated container must be kept closed at all times except when the automated container is being filled, emptied or cleaned. Animal wastes and ashes shall be wrapped separately from other refuse in a manner to prevent spillage prior to placing the same in an automated container.

3. Residential and Multi-family units and current commercial customers are limited to a maximum of three automated containers. Requests for additional automated containers must be submitted on a form approved by the director. If commercial customers require more than three automated containers, or do not have the room to properly place three automated containers for collection, the director may decline to provide service from the City.

4. Any customer in possession of a city owned automated container shall pay the cost of repair or replacement of

any damaged container. The charge shall be the actual cost of repair or replacement as determined by the city.

5. In order to maintain an orderly and aesthetic appearance within the city and to prevent unauthorized encroachment on any street, public property or private property the director shall have the authority to sanction the storage location of automated containers for residential and commercial customers. Automated containers shall be stored on private property except on collection days. Failure by the customer to comply with city notification citing improper storage for automated containers shall be a violation of this ordinance.

6. Automated containers, after collection, shall be returned to a secure location. With the exception of automated containers being stored in a garage or shed the automated container shall not be stored anywhere closer to the street than the extension of any existing building line that faces any street unless the automated container is screened from public view by shrubbery, foliage, a fence or wall. Automated containers are not to be left curb side, street side or road side overnight after the day of collection.

F. Rubbish Collection Service:

1. If a customer does not pay their trash fee in its entirety after thirty-days, then a demand letter will be issued by the Treasurer/Collector and a fine consistent with the tax demand fee plus interest will be assessed. If the customer fails to pay their trash fee after the issuance of the demand letter the director will continue to provide trash collection if requested by the customer and the Treasurer/Collector will attach a lien to the customer's property as soon as state law allows.

2. Standard collection service shall include once a week collection of acceptable rubbish in properly place automated containers in accordance with the provisions of this Ordinance.

G. Points of Collection.

Automated containers shall be placed:

1. Within two (2) feet of the curb line or where directed by the city.
2. At least three (3) feet away from all objects such as fences, mailboxes, utility poles, overhanging vegetation, etc,
3. So that the automated container handle is facing the dwelling unit.
4. At least three (3) feet from recycling and yard waste containers.
5. At least ten (10) feet away from parked vehicles.

H. Prohibited Material.

All materials prohibited under existing ordinances, and;

1. No toxic, extremely hazardous, dangerous/hazardous, or liquid waste as defined now or hereafter, shall be deposited in any automated container intended for disposal.
2. Small quantity generator waster shall not be deposited in any automated container intended for disposal.
3. No infectious waste shall be place in any automated container.
4. No rocks, concrete, asphalt, dirt, construction or demolition debris are to be placed in automated containers.
5. Yard waste and recyclables shall be separated from rubbish and placed in separate City issued or approved containers for separate collection.
6. No hot ashes and/or material capable of causing ignition or spontaneous combustion shall be placed in any automated container.
7. No motor oil or other automotive fluids shall be deposited in any automated container.

8. The city reserves the right to prohibit, or to place disposal restrictions upon any waste that may adversely affect the resource recovery facility, any disposal site or transfer station. This shall also extend to any item that may pose a risk to the health or safety of city employees. Disposal restrictions that may be implemented shall include, but are not limited to, item size restrictions, quantity restrictions, recycling regulations, special preparation requirements, and rubbish source documentation requirements.

9. The city may inspect residential, multifamily units and commercial premises for the purpose of evaluating waste generated and disposal practices for the purpose of determining compliance with this Ordinance. These inspections will be during normal working hours and will be carried out in such a manner as to minimize disruption of the any business activities. Failure to comply with a request will be deemed a violation and may, at the discretion of the director, result in revocation of collection services.

I. Enforcement.

This Ordinance shall be enforced by the Director of Public Works, police department of the city, the commissioner of health and human services and the commissioner of housing or their duly authorized agents.

J. Violation.

Any customer, person, firm or corporation found willfully violating any of the provisions of this section may have their service terminated by the director.

K. Fees.

1. Solid waste collection and disposal services is in accordance with the government's police power to protect the public health, the State Sanitary Code, 105 Code of Massachusetts Regulations Section 410, Sections 410.601, 410.602 and 410.603, and City Ordinances that require proper disposal of solid waste; and

2. The city of Springfield provides services which

include the curbside collection and disposal of non-bulky item solid waste, recyclables, and yard waste (City Services); and

3. Mass. Gen. Laws ch. 44, §28C authorizes the City to charge a fee to cover the costs of said City Services; and

4. The cost of providing the City Services in Fiscal Year 2011 are estimated to exceed \$8.5 million dollars, and the costs in Fiscal Year 2012 are expected to increase; and

5. The City has determined that the it should charge a fee to property owners who voluntarily elect to use the City Services to defray in part, the costs of providing the City Services; and

6. The City has determined that as of July 1, 2012 and continuing thereafter until amended, the amount of the fee for services shall be Ninety Dollars (\$90.00) per each fiscal year.

7. The City has determined that it will re-evaluate this fee and trash disposal system on an annual basis in hopes of more secure financial times when a fee is not needed and in hopes of limiting our trash disposal costs; and

8. The potential annual revenue from said trash fee based on expected usage has been estimated at approximately \$3.3 million dollars annually for fiscal year 2012; and

9. On the city November 27, 2006, the Finance Control Board approved the creation of a Solid Waste Enterprise Fund pursuant to Mass. Gen. Laws ch. 44, §53F 1/2.

10. Pursuant to the authority granted under Mass. Gen. Law ch. 44, §28C, and in order to defray a portion of the costs of providing Solid Waste Collection and Disposal Services in the city of Springfield, effective July 1, 2012, the city establishes a Solid Waste Collection and Disposal Fee,. (Trash Fee) of Ninety

Dollars (\$90.00), payable for each fiscal year, to be charged to the owner of each dwelling unit and commercial unit who voluntarily elects to receive such City Services from the City of Springfield (hereinafter referred to as the Customer).

11. The Mayor is authorized to adopt rules and regulations for the implementation and administration of the fee.

12. The Fee will be subject to the following terms and conditions:

a. The Trash Fee shall be charged to customers of DPW solid waste collection and disposal services who own property that is particularized as a recipient or user of the City Services, and will not be charged to property owners who do not elect to use the City Services for their properties.

b. The City will issue bills to all individuals or entities that own property and currently receive the City Services. Such owners may choose to use the City's Services by paying the Trash Fee, or may choose not to use the Services and avoid the Trash Fee.

c. Individuals or entities who do not use the City's Services may utilize any other method of disposal which does not endanger any person and complies with the State Sanitary Code and City Ordinances.

d. Owners who choose not to use the City Service shall be responsible for returning the City-provided container to the Department of Public Works. Persons who are unable to return the City-provided container may request the DPW pick up the container.

e. Trash Fees collected pursuant to this order shall be deposited in the Solid Waste Enterprise Fund, to be used to defray a portion of the City's costs of providing the Services.

f. Effective July 1, 2012, and in each fiscal year

thereafter, the Trash Fee shall be charged for each conforming container used by a Customer, and for each condominium unit where the condominium association utilizes a dumpster which is collected by the City or its contractors. If a Customer requests one or more additional containers per dwelling or commercial unit, the Customer will be charged a Trash Fee for each additional container in an amount to be established by regulations pursuant to this Order.

g. The Trash Fee will be payable to the City in one installment, due and payable thirty (30) days from the billing date.

h. The City shall grant annual twenty-five dollar Trash Fee discount for the household of the owner of a single family home, condominium, mobile home or owner occupied multi-family home who is: {a) veteran with a war-service connected disability; (b) a legally blind person; (c) an indigent individual; or (d) an individual over 65 years of age; as defined in rules and regulations established by the Mayor. Such discount will only apply to the owner-occupied primary residence, and will not apply to other trash services, such as bulky item stickers. Decisions on applications for discounts will be made by the DPW.

i. Property units owned by any government agency shall be exempt from the Trash Fee with the exception of property units owned by a housing authority.

j. The City reserves the right to refuse to provide Refuse Collection Services to any commercial unit, government property, condominium unit or multi-family buildings with more than three (3) dwelling units.

k. Property owners aggrieved by the denial of a discount or any other decision concerning the Trash Fee may appeal such determination to the Executive Director of DPW. (added 01/18/1999) (as amended 05/20/2011)

Approved as to form:

Thomas D. Moore
Assistant City Solicitor