



City of Springfield

Regular Meeting

~ Final ~

36 Court Street
Springfield, MA 01103

<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, October 7, 2013

7:00 PM

Springfield City Hall -- Council Chambers

I. Call to Order

7:00 PM Meeting called to order on October 7, 2013 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Bud L. Williams	Vice President At-Large Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Present	7:11 PM
Zaida Luna	Ward 1 Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
John A. Lysak	Ward 8 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
Clodo Concepcion	Ward 5 Councilor	Present	
James J. Ferrera III	President At-Large Councilor	Present	

II. Communications

A.

1. Order (ID # 2356)

August Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Statement of Revenues, Expenditure and Other Sources Report - Period Ending 2/28/13 (Mayor) #2095 - **Read and Patrick Burns, City Comptroller made presentation to the City Council relative to the period ending 8-31-2013 and the Report shows that the City had spent 23% of the yearly budget but was on track for the FY14. Mr. Burns said he would be happy to meet with any Councilor or the Finance Committee if they have further questions. Council received the Report by majority voice vote with Councilor Timothy J. Rooke absent and the Report was put on file for the Finance Committee to discussion.**

RESULT: RECEIVE REPORT

2. Committee Reports

1. Committee Report (ID # 2365)

Finance Committee

COMMENTS - Current Meeting:

From the City Council Finance Committee re: Mayor's Compensation (Ordinance Attached) #2365 - **Read and The City Council Finance Committee met on September 25, 2013 (Councilors Concepcion, Shea, Rooke and Fenton) and Councilor Concepcion gave a verbal and written report stating that the Finance Committee had met several times to discuss the Mayor's Compensation and that the last time the pay was increased was 1995. Councilor Concepcion said that Councilor Rooke stated at one of the meeting that has been discussed for over 6 years and it keeps being sent back to committee. Council Concepcion said it time to make a decision. Council received the Report by majority voice vote with Councilor Timothy J. Rooke absent.**

RESULT: RECEIVED REPORT

2. Human Services Committee Report - East Forest Park Library

The City Council Human Service Committee met on September 18, 2013 (Councilors Allen, Walsh and Twiggs) and Councilor Allen gave a verbal report relative to the conversion of the Liberty Street Library into a senior drop-in Center and a potential new East Forest Park Library site and steps are being taken to see if there is money available money to do a study and drawing. Council received the Report by majority voice vote with Councilor Timothy J. Rooke absent.

3. General Government Committee Report - Amending Chapter 30B - Purchasing and Contracts

The City Council General Government Committee met on October 3, 2013 (Councilors Luna, Rooke and Edwards) and Councilor Luna gave a verbal report relative to the amending the City Ordinance Chapter 82 so that it comply with the limits and amounts Mass General Laws Chapter 30B. Council received the Report by majority voice vote with Councilor Timothy J. Rooke absent.

3. Financial Orders**1. Order (ID # 2311)**

Budget Transfer W/In a Department \$32,000

HISTORY:

09/09/13

City Council

REFERRED TO COMMITTEE

Next: 10/07/13

FINANCIAL IMPACT:

\$32,000

COMMENTS - Current Meeting:

Read the first time on September 9, 2013 and Rule 19 suspended and an explanation was given by T J Plante, CAFO stating that the transfer of \$32,000.00 dollars from Personnel - Salaries & Wages to Personnel - Professional Services in order to hire an outside attorney to help expedite the Personnel Department's case load. Councilor Williams, Rooke and Ferrera after leaving the chair expressed concerns about the where the money was coming

from and while it was not coming from the HR Director's salary and asked the CAFO if he could get a copy of the contact and solicitation for the Director's job. Mr. Plante said the \$32,000 is a bargain because the City does not have to pay benefits as they would if the City hired an employee part-time or full time and HR Director was hired by the Control Board and he does not have access to those records as they had been moved to DOR in Boston.

Councilor Ferrera made a Motion to refer to the Finance Committee and was seconded by Councilor Lysak and with the voice vote in doubt Councilor Williams asked for a roll call vote as follows: Yes (8) Councilor Williams, Twiggs, Rooke, Luna, Lysak, Walsh, Concepcion, Ferrera; No, Five (5) Councilors Shea, Fenton, Allen, Edwards, Ashe.

The City Council Finance Committee met on October 7, 2013 and Chair Councilor Concepcion said the Committee did not have a quorum and he had no recommendations for the financial orders on the agenda.

ATTACHMENTS:

- CAFO Certification HR_LR (PDF)

RESULT:	REFERRED TO COMMITTEE	Next: 10/21/2013 7:00 PM
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- 2. Motion To:** Motion to Refer back to the Finance Committee

RESULT:	ADOPTED VOICE
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- 3. Order (ID # 2307)**

Budget Transfer Across Departments \$250,000

HISTORY:

09/09/13	City Council	REFERRED TO COMMITTEE
Next: 10/07/13		

FINANCIAL IMPACT:

\$250,000

COMMENTS - Current Meeting:

Read the first time and Rule 19 suspended and an explanation was given by T J Plante, CAFO stating that the transfer of \$250,000 thousand dollars from unexpended bond proceeds to clean up a City owned building that had a on Arch Street and read a second time and passed by the following roll call vote: Yes, Twelve (12) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, One (1) Councilor Michael A. Fenton.

RESULT:	ADOPTED [12 TO 1]
MOVER:	Clodo Concepcion, Ward 5 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III
NAYS:	Michael A. Fenton

III. Orders

1. Order (ID # 2293)

Order Amending Ordinance Chapter 82- Purchasing and Contracts to Reflect Amendments to Chapter 30B

HISTORY:

08/19/13	City Council	REFERRED TO COMMITTEE
Next: 09/09/13		

09/09/13	City Council	REFERRED TO COMMITTEE
Next: 10/07/13		

COMMENTS - Current Meeting:

Read on August 16, 2013 and an explanation was given by Deputy City Solicitor Kathy Breck stating that the Ordinance was to bring the City Ordinance inline with State law regarding M.G.L. c. 30B by adjusting dollars amounts so that they are same as State law and any future changes to State law. Councilor Walsh said she had some questions about all the changes and made a Motion and seconded by Councilor Luna to refer to the General Government Committee and said Motion passed by a majority voice vote with Councilor Timothy J. Rooke absent.

The City Council General Government Committee met on October 3, 2013 (Councilors Luna, Rooke and Edwards) and Councilor Luna gave a verbal report relative to the amending the City Ordinance Chapter 82 so that it comply with the limits and amounts Mass General Laws Chapter 30B. Council received the Report by majority voice vote with Councilor Timothy J. Rooke absent. See above Committee Reports. Councilor Rooke arrived at 7:11 PM.

The said Ordinance passed 1st step and was referred to the Committee of Ordinance by a unanimous voice vote.

RESULT:	PASSED BY VOICE VOTE
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2. Order (ID # 2341)

Elders COA Grant - No Match Required \$191,072

COMMENTS - Current Meeting:

Read and an explanation was given by Jan Denny, Director of the Office of Elder Affairs that the grant was from Mass Executive Office of Elder Affairs to the Council on Aging in the amount of \$191.072 to support the Council on Aging

activities for 24, 000 City seniors and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- COA Grant \$191,072 (PDF)

RESULT: PASSED BY VOICE VOTE

3. Order (ID # 2349)

Receivership Law Initiative Grant - No Match Required \$25,000

COMMENTS - Current Meeting:

Read and an explanation was given by Gerry McCafferty, Director of the Office of Housings that the grant was from Mass Housing Partnership for the Law and Office of Housing in the amount of \$25,000 to offset the costs of the ACCELA software licenses, training and data transfer for the Law Department and Office of Housing and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Massachusetts Housing Partnership Grant Amendment (PDF)

RESULT: PASSED BY VOICE VOTE

4. Order (ID # 2350)

Mass Culture Council Grant Acceptance - No Match Required - \$11,000.00

COMMENTS - Current Meeting:

Read and an explanation was given by Molly Fogarty, Director of Library Department that the grant was from Mass Cultural Council Investment Portfolio (CIP) Grant from Mass Cultural Council in the amount of \$11,000 to promote a vigorous art and cultural environment and to promote public service, lifelong learning, independence and individual personal achievement and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- MCC Grant \$11,000 (PDF)

RESULT: PASSED BY VOICE VOTE

5. Order (ID # 2351)

FY14 VAWA Grant - \$36,100 - No Match

COMMENTS - Current Meeting:

Read and an explanation was given by Sgt. Brian Elliott, Grant Writer for the Springfield Police Department that the grant was from Mass Executive Office of Public Safety in the amount of \$36,100 to prevent violence against women and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- VAWA grant FY14 (PDF)
- VAWA2 (PDF)

RESULT: PASSED BY VOICE VOTE**6. Order (ID # 2352)**

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Bay St. (01085-0027) to Johnathan Hayles

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato from the Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Johnathan Hayles as an abutter for redevelopment and was sold for \$924.50 dollars and the Order passed by the following roll call vote: Yes, Thirteen (13) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, None (0).

ATTACHMENTS:

- Deed NS Bay St. (Par.27) (DOC)

RESULT: ADOPTED [UNANIMOUS]
MOVER: E. Henry Twiggs, Ward 4 Councilor
SECONDER: Melvin A. Edwards, Ward 3 Councilor
AYES: Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III

7. Order (ID # 2353)

FY14 Traffic Enforcement Grant - \$112K - No Match

COMMENTS - Current Meeting:

Read and an explanation was given by Sgt. Brian Elliott, Grant Writer for the Springfield Police Department that the grant was from Mass Executive Office of Public Safety in the amount of \$112,000 to support the safe driving initiatives such as "Click or Ticket" and "Drive Sober or Get Pulled Over" for the salaries and supplies to support these initiatives and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- GHSB \$112k (PDF)

RESULT: PASSED BY VOICE VOTE**8. Order (ID # 2354)**

HNE Evening Gym Grant - \$38,800 - No Match

COMMENTS - Current Meeting:

Read and an explanation was given by Patrick Sullivan, Director of Parks, Building and Recreation Management stating that the grant was from Health New England in the amount of \$38,800 to fund evening gym programs and the Order passed by a

unanimous voice vote.

ATTACHMENTS:

- Health New Eng Evening Gym (PDF)

RESULT: PASSED BY VOICE VOTE

9. Order (ID # 2355)

Congressman Neal Park Proceeds - \$80,000

COMMENTS - Current Meeting:

Read and an explanation was given by Patrick Sullivan, Director of Parks, Building and Recreation Management stating that the City is appropriating the proceeds sale of land lacted at Hubbard Park in the amount of \$80,000 to make improvement to Congressman Richard E. Neal Indian Orchard Community Park and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- CAFO Certification Plastics Park (PDF)

RESULT: PASSED BY VOICE VOTE

10. Order (ID # 2357)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of SS Cedar St. (02525-0076) to Pamela Johnson

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato from the Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Pamela Johnson as an abutter for redevelopment and was sold for \$1,157.50 dollars and the Order passed by the following roll call vote: Yes, Thirteen (13) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, None (0).

ATTACHMENTS:

- Deed SS Cedar St. (Par.76) (DOC)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Melvin A. Edwards, Ward 3 Councilor
SECONDER: Zaida Luna, Ward 1 Councilor
AYES: Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III

11. Order (ID # 2358)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of WS Oak St. (09180-0022) to Walnut Apartment Associates

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato from the Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Walnut Apartment Associates as an abutter for redevelopment and was sold for \$939.25 dollars and the Order passed by the following roll call vote: Yes, Thirteen (13) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, None (0).

ATTACHMENTS:

- Deed SS Cedar St. (Par.76) (DOC)
- Deed WS Oak St. (Par.22) (DOC)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John A. Lysak, Ward 8 Councilor
SECONDER:	Zaida Luna, Ward 1 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III

12. Order (ID # 2359)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Calhoun St. (02226-0004) to New England Farm Workers' Council, Inc.

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato from the Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to New England Farm Workers' Council, Inc as an abutter for redevelopment and was sold for \$512.00 dollars and the Order passed by the following roll call vote: Yes, Thirteen (13) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, None (0).

ATTACHMENTS:

- Deed NS Calhoun St. (Par.4) (DOC)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	Bud L. Williams, Vice President At-Large Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III

13. Order (ID # 2360)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) to Viva Development LLC

COMMENTS - Current Meeting:

Read and an explanation was given by Gerry McCafferty, Director of the Office of

Housing that the property was being transferred to Viva Development, LLC in response to a RFP for redevelopment and was sold for \$62,000 dollars Councilor Williams asked if the Ethics issue had been resolved and Ms. McCafferty proved a letter from the State Ethics Commission that indicated that there no ethical issues for the purchaser and the Order passed by the following roll call vote: Yes, Thirteen (13) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera, III; No, None (0).

ATTACHMENTS:

- Deed NS Central St. (4 Lots) (DOC)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Rooke, Melvin A. Edwards
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III

14. Order (ID # 2361)

Elders GSSI Grant - No Match Required (\$88,890)

COMMENTS - Current Meeting:

Read and an explanation was given by Jan Denny, Director of the Office of Elder Affairs that the grant was from Greater Springfield Senior Services Board in the amount of \$88,890 to support outreach activities to the elders and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Elders GSSI \$88,890 (PDF)

RESULT:	PASSED BY VOICE VOTE
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15. Order (ID # 2362)

Authorization to Expend a Gift to the Parks Department for the Rebuilding and Renovation of Camp Wilder From the Society of Everett Barney, Inc.- \$162,747.96

COMMENTS - Current Meeting:

Read and an explanation was given by Patrick Sullivan, Director of Parks, Building and Recreation Management stating that the gift was from The Society of Everett Barney, Inc. to help rebuild and renovation at the Camp Wilder site and surrounding woodland area damaged by the June 1, 2011 tornado and was not reimbursed by FEMA and to provide park and recreation activities for children of the City in the amount of \$162,747.96 and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Society of Barney Everett Dissolution, copy of check (PDF)
- Society of Everett Barney Dissolution Letter, SJC (PDF)

RESULT: PASSED BY VOICE VOTE

16. Order (ID # 2363)

Order Approving an Agreement with the Springfield Business Improvement District

COMMENTS - Current Meeting:

Read and an explanation was given by Samalid Hogan, Office of Planning stated the Order is to approve a MOU with the Springfield Business Improvement District (BID) to memorialize the financial (\$70,000) and in-kind services to be provided by the City to the BID under the MOU. Councilor Williams expressed concerns about a new law passed by the General Court not allowing businesses to "Opt Out" of the BID and wanted to have a meeting before the City put money in the BID. Councilor Allen said he concurred with some of Councilor Williams concerns but this is money owed by the City to the BID and should be paid so they can maintain their core services. Councilor Williams made a Motion to refer to committee.

ATTACHMENTS:

- 201310020927 - Memorandum of Understanding Between the City and the Springfield Business Improvement District (PDF)

RESULT: REFERRED TO COMMITTEE

Next: 10/21/2013 7:00 PM

17. Motion To: Motion to Refer to the Planning and Economic Development Committee**COMMENTS - Current Meeting:**

Councilor Williams made a Motion to refer to the Planning and Economic Development Committee to have a discussion about law passed by the General Court to prevent businesses from "Opting Out" of the BID and was seconded by Councilor Lysak and said Motion passed a majority voice vote with Councilor Allen voting no and Councilor Fenton abstaining.

RESULT: ADOPTED VOICE

18. Order (ID # 2364)

Order Authorizing the Negotiation of a Tax Agreement with MassPower

COMMENTS - Current Meeting:

Read and an explanation was given by Richard Allen, Chair of the Board of Assessors and T J Plante, CAFO that the City wanted to enter into negotiation with MASSPower for a 20 year Payment in Lieu of Taxes Agreement (PILOT) consisting of T J Plante, CAFO, Richard Allen, Chair of Board of Assessor and Kathleen Breck, Deputy City Solicitor working with the City's consultant. Councilors Rooke asked if a City Councilor could be added to the negotiating team and City Councilor President Ferrera asked Councilor Rooke if he wanted to serve and he said no because he does not have the time. Councilor Shea was asked and he said yes. Councilor Rooke made a Motion to add Councilor Shea to the negotiating team and was seconded by Councilor Luna and said motion passed a unanimous voice vote and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- TJ City Council MASSPOWER letter (PDF)

RESULT: PASSED BY VOICE VOTE

- 19. Motion To:** MassPowerMotion to add Councilor Kenneth E, Shea to the City Negotiating Team with MassPower

COMMENTS - Current Meeting:

Councilors Rooke asked if a City Councilor could be added to the negotiating team and City Councilor President Ferrera asked Councilor Rooke if he wanted to serve and he said no because he does not have the time. Councilor Shea was asked and he said yes. Councilor Rooke made a Motion to add Councilor Shea to the negotiating team and was seconded by Councilor Luna and said motion passed a unanimous voice vote

RESULT: ADOPTED VOICE

- 20. Order (ID # 2366)**

Report of Chestnut Jr High Spending

COMMENTS - Current Meeting:

Read and an explanation was given by T J Plante, CAFO that the Report is an update from the September 9, 2013 meeting relative to the fire at the former Chestnut Junior High School building. The Report stated that \$25,000 was used as emergency cost to stabilize the building and \$1,500,000 is the estimated cost to demolish the building but the cost of demolition, hazardous waste and asbestos remediation would be put out to bid and the Council received the Report by a unanimous voice vote.

ATTACHMENTS:

- Chestnut Street School Demolition Update Memo (PDF)

RESULT: RECEIVE REPORT

- 21. Informational**

- 1. Informational (ID # 2343)**

Order of Location for the Installation and Maintenance of Underground Utilities

<<Enter brief purpose>>

<<Insert proper utility template>>

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- WMECO PLAN - oakland street #6169 (PDF)
- WMECO REPORT - oakland street #6169 (DOC)

RESULT: RECEIVED THE REPORT - UNANIMOUS

2. Informational (ID # 2345)

Order of Location for the Installation and Maintenance of Underground Utilities

<<Enter brief purpose>>

<<Insert proper utility template>>

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- COLUMBIA GAS PLAN - inglewood avenue (PDF)
- COLUMBIA GAS REPORT - inglewood avenue (DOC)

RESULT: RECEIVED THE REPORT - UNANIMOUS

3. Informational (ID # 2347)

Order of Location for the Installation and Maintenance of Underground Utilities

<<Enter brief purpose>>

<<Insert proper utility template>>

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- WMECO & VERIZON REPORT - rocus street #6168 (DOC)
- WMECO PLAN - rocus street #6168 (PDF)

RESULT: RECEIVED THE REPORT - UNANIMOUS

IV. Ordinances

(1.) ORD-2013-7 City Council Compensation - Second Step

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, Section 1 of Chapter 61 thereof, entitled Compensation, by amending section 1 of Chapter 61.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1. Section 1 of Chapter 61, Compensation, of the Code of the City of Springfield, is hereby amended to read as follows:

The annual compensation of the President of the City Council shall be \$20,000, and the annual compensation of all other members of the City Council shall be \$19,500 per annum, effective January 1, 2014, and thereafter. Said sums shall be paid in equal installments at the end of each month of service.

RESULT:	REQUESTED ROLL CALL [7 TO 6]	Next: 10/21/2013 7:00 PM
MOVER:	E. Henry Twiggs, Timothy J. Rooke, Michael A. Fenton	
SECONDER:	John A. Lysak, Ward 8 Councilor	
AYES:	Williams, Twiggs, Luna, Shea, Fenton, Walsh, Allen	
NAYS:	Rooke, Lysak, Edwards, Ashe, Concepcion, Ferrera III	

COMMENTS - Current Meeting:

Read and explanation with given by City Councilor E. Henry Twiggs that the Ordinance is to increase the salary for City Councilor the Mayors from \$14,500 and \$15,000 to \$19,500 and \$20,000 said that doing the time of the Control Board the City Council was the only group to given back money and has never gotten it back and on a requested roll call vote the said Ordinance passed 1st step and was referred to the Committee of Ordinance by the following roll call vote.

(2.) (ID # 2368) Chapter 61 Section 5 Compensation -Mayor's Compensation - Second Step

Chapter 61 Section 5 Compensation

ORD. NO. ____

AN ORDINANCE TO AMEND the Code of the City of Springfield, Section 5 of Chapter 61 thereof, entitled Compensation, by amending section 5 of Chapter 61.

Be it ordained by the Council of the City of Springfield, as follows:

Section 1. Section 5 of Chapter 61, Compensation, of the Code of the City of Springfield, is hereby amended to read as follows:

The annual compensation of the Mayor shall be \$95,000, and effective the first Monday in January, 2014, the annual compensation shall be \$135,000.00.

RESULT:	FIRST STEP	Next: 10/21/2013 7:00 PM
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COMMENTS - Current Meeting:

Read and explanation with given by City Councilors Timothy J. Rooke, Michael A. Fenton, Kenneth E. Shea and E. Henry Twiggs that the Ordinance is to increase the salary for the Mayors from \$95,000 to \$135,000 for the first time in 17 years and this request has been put before the Council for last 6 years and there have been public hearings, meetings and studies on raising the Mayor's salary and is backed the Springfield Chamber of Commerce, the right thing to do and would the average tax payer about .75 cent on their taxes and the said Ordinance passed 1st step and was referred to the Committee of Ordinance by a unanimous voice vote.

(3.) (ID # 2325) Pawnbrokers and Junk Dealers

Chapter 270 Pawnbrokers and Junk Dealers Proposed Ordinance

ORD. NO. ____270

AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 270 thereof, entitled Pawnbrokers and Junk Dealers, by repealing and amending the following sections:

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1. Section 1 of Chapter 270, Pawnbroker's Licenses, fee, of the Code of the City of Springfield , is hereby amended to read as follows:

A. The Police Department may license suitable persons to carry on the business of pawnbrokers in this City, pursuant to the provisions of Chapter **140** of the General Laws. Upon application or license renewal of all persons involved in secondhand dealer or as a pawnbroker shall submit to a CORI check of their criminal history. The Police Commissioner or his designee shall determine the suitability of the applicant and/or employees of the applicant.

B. The fee for such license shall be \$200.

Section 2. Section 2 of Chapter 270, Junk and secondhand dealer's licenses, of the Code of the City of Springfield , is hereby amended to read as follows:

No person, firm, or corporation shall engage in the business of operating a shop for the purchase, sale or barter of secondhand articles without obtaining a license thereof and complying with the terms of this section. The Police Department may license suitable persons to be collectors of, dealers in or keepers of shops for the purchase, sale or barter of junk, old metal or secondhand articles, pursuant to the provisions of Chapter **140** of the General Laws.

Section 3. Section 3 of Chapter 270, Records of purchases, of the Code of the City of Springfield, is hereby amended to read as follows:

A. Every keeper of a shop for the purchase, sale or barter of junk, old metal or secondhand articles and every pawnbroker within the limits of this City shall keep a permanently bound book in which shall be written, at the time of every purchase or upon the receipt of any article, a description thereof, which shall include, but shall not be limited to, all distinguishing marks, etchings, engravings, model names, model numbers and serial numbers. The name, age and residence of the person from whom, and the day and hour when, such purchase or receipt was made, and such book shall at all times be open to the inspection of officers of the Police Department and of any person authorized to make such inspection.

- B. The license holder shall photograph any and all items pawned, sold, pledged, or otherwise deposited with the license holder. The required photo shall be clear and such quality that the item(s) shall be clearly identified. The photos shall be stored in a digitized format and the image must be retrievable and a clear copy provided to police upon request. The above described photos shall be maintained by the license holder for a minimum of three years
- C. Every license holder shall allow a representative of the New England State Police Information Network (NESPIN) to enter his shop and install the software necessary on the shopkeepers computing device to allow the shopkeeper to electronically transmit a record of his/her transactions. Before the tenth hour of every day, ante meridian, every shopkeeper shall transmit a record of his/her transactions from the prior day. The record transmitted must include the information included in section 270-3(A) and (B) of this ordinance.

Section 4. Section 6 of Chapter 270, Dealing with minors, of the Code of the City of Springfield, is hereby amended to read as follows:

No keeper of a junk shop, second hand dealer, or pawnshop and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange any junk, old metal or secondhand articles of a minor knowingly or having reason to believe him to be such.

Section 5. Section 7(A) of Chapter 270, Time period for holding articles prior to resale, of the Code of the City of Springfield, is hereby amended to read as follows:

No article purchased or received by the keeper of a pawn shop or second hand dealer shall be sold until at least 30 days from the date of its purchase or receipt have elapsed. The article shall be kept in an unaltered condition for the required time period. For the purposes of this section, "unaltered condition" means that the item or article shall be kept in the same condition it was in at the time it was brought into the shop by the seller.

Section 6. Section 8 of Chapter 270, Hours of business for junk shops or second hand dealers, of the Code of the City of Springfield, is hereby amended to read as follows:

pawn shops and second hand dealers shall be closed except between the hours of 7:00 a.m. and 9:00 p.m. of each weekday, and no keeper thereof and no junk collector shall purchase any junk, old metal or secondhand articles except during such hours. Any shop wishing to open on Saturday must receive written permission from the Police Commissioner or his designee. All pawn shops and second hand dealers must maintain regular business hours.

Section 7. Section 10 of Chapter 270, Purchase of certain items prohibited; violations and penalties, of the Code of the City of Springfield, is hereby amended include subsection "D" which is to read as follows:

- D. Violations of any section of Chapter 270 may result in a fine of not less than \$300, suspension of license, or revocation of license.

RESULT:**REFERRED TO COMMITTEE****Next: 10/21/2013 7:00 PM****COMMENTS - Current Meeting:**

Read for 1st time on September 9, 2013 and an explanation was given by Councilor Ashe stating that he had met with pawnshop business owners, Police Dept. And citizens to discuss the current Ordinance 10 day holding period. The majority of pawnshop owners said that any period over 10 days would cost them money and the police and citizens wanted a longer period. Councilor Ashe asked Capt. Thomas Trites of the Springfield Police Department to explain the changes and Capt. Trites said that the Police Department was recommending an increase in the fee for \$100 to \$500 or \$1000; CORI checks for shop owners; keeping of an accurate description of all items pawned, including but not limited to markings, engraving, model names, model number and serial numbers and all stones be kept intact for the holding period. That all items be photograph and the individual and stored in digital format and every pawnshop shall allow the New England State Police Information Network (NESPIN) to install on their computer at no cost to the Shop owner and the records of items pawned the previous day shall be transmitted over the NESPIN network by 10 am the following day. Councilors Ferrera moved from the Chair and Councilor Williams moved to the Chair and Councilor Ferrera invoke Rule 20 which cut off all debate until a report is filed with Council by the Comptroller regarding the cost prior to final action. Councilor Fenton said he objected to invoking Rule 20.

Read on October 7, 2013 and Councilor Ferrera moved from the Chair and Councilor Williams moved to the Chair and Asked Comptroller Pat Burns for the Rule 20 report and Comptroller Burns said after checking with the Police Department there would be no additional cost to the Police Department. Councilor Ferrera made to Motion to refer to the Public Health and Safety Committee to look at separating the Pawnbrokers from Junk Dealers in the regulations and was seconded by Councilor Luna and said Motion passed by a majority voice vote with Councilors Twiggs, Fenton, Allen and Ashe voting no. Councilors Fenton and Ashe on the motion said that the Council needs to vote the Ordinance up or down because there have been several meetings at City Hall and in the neighborhoods and asked the Council to not hide behind the election coming up in November. Councilor Walsh said she was concerned about a "hacker" getting access to personal information in the system. Capt. Trites said that the New England State Police Information Network (NESPIN) system is for Police Departments only and no "Tom, Dick or Harry" can get into the system and Capt. Trites said that it make no sense to separate the Pawnbrokers from the Junk Dealers because it's the Police job to recover stolen items whether pawned or sold to junk dealer.

4. Motion To: Motion to Refer to the Public Health and Safety Committee

COMMENTS - Current Meeting:

Councilor Ferrera made to Motion to refer to the Public Health and Safety Committee to look at separating the Regulations between for Pawnbrokers from Junk Dealers and was seconded by Councilor Luna and said Motion passed by a majority voice vote with Councilors Twiggs, Fenton, Allen and Ashe voting no. Councilors Fenton and Ashe on the motion said that the Council needs to vote the Ordinance up or down that there have been meetings at City Hall and in the neighborhoods and let no hide b=behind the election coming up in November. Councilor Walsh said she was concerned about a "hacker" getting access to personal information in the system. Capt. Trites said that the New England State Police Information Network (NESPIN) system is for Police Departments only and no "Tom, Dick or Harry" can get into the system. Councilor Allen asked for a roll call vote as follow:

RESULT:	REFER TO COMMITTEE VOTE [9 TO 4]
MOVER:	James J. Ferrera III, President At-Large Councilor
SECONDER:	Zaida Luna, Ward 1 Councilor
AYES:	Williams, Rooke, Luna, Shea, Lysak, Walsh, Edwards, Concepcion, Ferrera III
NAYS:	E. Henry Twiggs, Michael A. Fenton, Timothy C. Allen, Thomas M. Ashe

V. Special Acts

1. Special Act (ID # 2328)

An Act Exempting the City of Springfield from the Residency Provision of Massachusetts General Laws Chapter Seventy-One Section Thirty-Eight

HISTORY:

09/09/13 City Council REFERRED TO COMMITTEE
Next: 10/07/13

COMMENTS - Current Meeting:

Councilor Ferrera the sponsor stated he was not ready to move forward on the Special Act and Councilor Williams made a Motion to refer back to the Special Committee of Residency and was seconded by Councilor Walsh and said Motion passed by unanimous voice vote.

ATTACHMENTS:

- Memo for Special Act for residency ferrera (PDF)

RESULT:	REFERRED TO COMMITTEE	Next: 10/21/2013 7:00 PM
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2. Motion To: Motion to Refer back to the Special Committee on Residency

COMMENTS - Current Meeting:

Councilor Ferrera the sponsor stated he was not ready to move forward on the Special Act and Councilor Williams made a Motion to refer back to the Special Committee of Residency and was seconded by Councilor Walsh and said Motion passed by unanimous voice vote.



City of Springfield

ADOPTED

2.A.1

Meeting: 10/07/13 07:00 PM

Initiator: Pat Burns

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2356 A

August Revenue Vs. Expenditure Report (Mayor Sarno)

RESULT: RECEIVE REPORT



City of Springfield
36 Court Street
Springfield, MA 01103

COMPLETED

COMMITTEE REPORT (ID # 2365)

Meeting: 10/07/13 07:00 PM
Department: City Council
Category: General
Prepared By: Kelley Mickiewicz
Initiator: Clodo Concepcion
Sponsors:
DOC ID: 2365

Finance Committee

REPORT OF COMMITTEE

Committee:

Date: September 25, 2013

Time: 5:45 pm

***SUBJECT: Amending Rules and Orders 1986 - Mayor's
Compensation***

Councilors in Attendance: Concepcion, Shea, Rooke, and Fenton

Synopsis (include pros/cons):

The Finance Committee of the City Council met to discuss the Mayor's Compensation. The last time the Mayor of Springfield had a pay increase was in 1995. Councilor Rooke stated that this has been discussed for over 6 years and it keeps getting sent back into committee. Councilor Concepcion said that the 13 City Councilors need to vote on this and make a decision one way or another on October 7, 2013 at the full Council meeting.

MOTIONS/RECOMMENDATIONS: Councilor Fenton made a motion to recommend bringing out the Mayor's compensation increase at the October 7th City Council meeting.

Made By: Councilor Michael Fenton

Seconded: Councilor Ken Shea

Vote: In favor Concepcion, Rooke

RESULT:	RECEIVED REPORT
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City of Springfield

TABLED

Meeting: 10/07/13 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2311 A

2.A.3.1

Budget Transfer W/In a Department \$32,000 (Mayor Sarno)

WHEREAS, to assist with the increasing case load for the City of Springfield for the fiscal year commencing July 1, 2013 and ending June 30, 2014 (FY'14), 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 \$32,000 from the Human Resources / Labor Relations department Salaries and Wages to the Human Resources / Labor Relations, OTPS in order to contract with a Labor Relations firm to help expedite the department's case load

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 \$32,000 from the Human Resources / Labor Relations department Salaries and Wages to the Human Resources / Labor Relations, OTPS in order to contract with a Labor Relations firm to help expedite the department's case load.

From: Personnel - Salaries & Wages

0100-10-152-0000-0000-0010-000000-0000000-501000- \$32,000.00

To: Personnel - Professional Services

0100-10-152-0000-0000-0010-000000-0000000-530105- \$32,000.00

Order (ID # 2311)

Meeting of October 7, 2013

FINANCIAL IMPACT:

\$32,000



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2307

2.A.3.3

Budget Transfer Across Departments \$250,000 (Mayor Sarno)

WHEREAS, An order to transfer amounts borrowed but not expended for various capital projects that have been completed or abandoned, to pay costs of other capital projects of the City in accordance with Chapter 44, Section 20 of the General Laws, Be it ordered by the City Council of the City of Springfield as follows:

WHEREAS, the City appropriates the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) originally borrowed to pay costs of various projects which have been completed or abandoned by the City, to fund the projected costs for demolition and asbestos remediation for Arch Street ; and

WHEREAS, the department heads having control of the appropriations from which the funds are to be transferred have approved the transfers; 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 Two Hundred and Fifty Thousand Dollars (\$250,000.00) originally borrowed to pay costs of various projects which have been completed or abandoned by the City, to fund the projected costs for demolition and asbestos remediation for Arch Street.

From:

Capital Outlay - Art & Residence Streets

3401-00-000-0000-0000-000000-0000000-701000-

\$45,166.75

Capital Outlay - Chandler Street Building Improvements

3405-00-000-0000-0000-000000-0000000-701000-

\$ 482.00

Capital Outlay - State Street Project

3411-00-000-0000-0000-000000-0000000-701000-

\$ 9,676.00

Capital Outlay - Levy / Dike Repair

3412-00-000-0000-0000-000000-0000000-701000-

\$ 10,239.00

Capital Outlay - Our Lady of Hope / Sacred Heart

3146-00-000-0000-0000-000000-0000000-701000-

\$ 184,436.25

To:

Arch Street - Demolition and Asbestos Remediation

3559-10-180-0000-0000-0010-000000-0000000-580800-ARCH1

\$250,000.00

FINANCIAL IMPACT:

\$250,000

RESULT:	ADOPTED [12 TO 1]
MOVER:	Clodo Concepcion, Ward 5 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III
NAYS:	Michael A. Fenton



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2293

3.1

Order Amending Ordinance Chapter 82- Purchasing and Contracts to Reflect Amendments to Chapter 30B (Mayor Sarno)

WHEREAS, in July, 2013, the General Court amended portions of Massachusetts General Laws Chapter 30B ("Chapter 30B"), which is known as the Uniform Procurement Act; and

WHEREAS, Chapter 30B provides the scope, procedure, limits and rules governing procurement procedures for municipalities and other entities, which the City of Springfield is required to follow; and

WHEREAS, sections of City of Springfield Ordinance Chapter 82 -Purchasing and Contracts, originally enacted in 1990, need to be immediately amended to reflect various amendments to Chapter 30B, in order for the City to take advantage of the efficiencies and streamlined procurement procedures approved the Legislature;

NOW THEREFORE, BE IT ORDERED, that the City Council of the City of Springfield, with the approval of the Mayor, hereby amends City of Springfield Ordinance Chapter 82 -Purchasing and Contracts, to reflect the amendments to Chapter 30B, as follows:

1. Section 82-11, paragraph (A), is hereby deleted and replaced with the following new Section 82-11(A):

"A. Contracts made by any department, board or commission where the amount involved exceeds the threshold set forth in Mass. Gen. Laws ch. 43, sec. 29 (the City Charter), shall be in writing, and must be approved by the Mayor and the head of the department. A Chief Procurement Officer who awards a contract shall maintain a file on each such contract and shall include in such file a copy of all written documents for at least six years from the date of the final payment, as required by Chapter 30B, section 3, as it may be amended from time to time. Contracts awarded under Chapter 30B, section 4, shall be procured and awarded in compliance with the terms of Massachusetts General Laws Chapter 30B, as it may be amended from time to time."

2. Section 82-12, paragraph (A), is hereby deleted and replaced with the following new Section 82-12(A):

"A. The purchase of services and supplies at amounts greater than those set forth in Chapter 30B, section 4, shall be made pursuant to the applicable sections of Chapter 30B, as they may be amended from time to time. "

3. Section 82-12, paragraphs (B) and (C), are hereby deleted and replaced with the following new Section 12(B):

"B. Purchases of supplies or services under Chapter 30B, section 4(a) shall be made by seeking written or oral quotations from no fewer than three (3) persons customarily providing such supplies or services. The procurement officer shall award the contract to the responsible person offering the needed quality of supply or service at the lowest quotation, pursuant to Chapter 30B, section 4(b), as it may be amended from time to time. A purchase of supplies or services in an amount less than the amount set forth in Chapter 30B, section 4(a) shall be obtained through the exercise of sound business practices pursuant to Chapter 30B, section 4(c), as it may be amended from time to time."

4. Section 82-12, paragraph (E), is hereby amended as follows:

The first sentence of paragraph (E) is amended to read: "Whenever the Chief Procurement Officer, after reasonable investigation, determines in writing that only one practicable source for the required supply or service exists, the Procurement Officer may award such a contract without competition, but only to the extent consistent with the provisions of Chapter 30B, section 7, as it may be amended from time to time."

5. Section 82-16, paragraphs (E), (F), and (I), are amended as follows:

a) In paragraphs (E) and (I), wherever the words "more than \$500" or "\$500 or more" appear, the words "at or over the threshold set forth in Chapter 30B, section 15(f), as it may be amended from time to time", shall be substituted.

b) In paragraph (F), wherever the words "less than \$500" appear, the words "less than the threshold set forth in Chapter 30B, section 15(f), as it may be amended from time to time", shall be substituted.

6. Section 82-23, paragraph (A), is amended as follows:

In the first sentence, the words "in the amount of \$10,000 or more" are deleted and the words "in an amount at or above the threshold set forth in Chapter 30B, section 6(a), as it may be amended from time to time" are substituted.

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2341

3.2

Elders COA Grant - No Match Required \$191,072 (Mayor Sarno)

WHEREAS, the Elder Affairs Department ("Department") has been awarded a Council on Aging Grant of \$191,072.00 from the Executive Office of Elder Affairs; and

WHEREAS, the Department intends to use the grant funds to support its Council on Aging activities at senior centers; 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:

Council on Aging - \$191,072

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Mitchell Doty
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2349

3.3

Receivership Law Initiative Grant - No Match Required \$25,000 (Mayor Sarno)

WHEREAS, the Law Department and Office of Housing ("Departments") have been awarded a "Receivership Initiative Grant" of \$25,000.00 resulting from an amendment to the grant terms by the Massachusetts Housing Partnership; and

WHEREAS, the grant terms include an extended completion date of June 30, 2014, and funding for the purpose of integrating the Law Department's Code/Legal office and the Office of Housing into the ACCELA software program currently used by the Building Department and Code Enforcement Division; and

WHEREAS, the Departments intends to use the grant funds to offset the costs of ACCELA software licenses, training, and data transfer; and

WHEREAS, the Departments have accepted grant terms 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:

Receivership Law Initiative Grant - \$25,000

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2350

3.4

Mass Culture Council Grant Acceptance - No Match Required - \$11,000.00 (Mayor Sarno)

WHEREAS, the Library Department ("Department") has been awarded a Massachusetts Cultural Council, Cultural Investment Portfolio (CIP) Grant of \$11,000.00 from the Massachusetts Cultural Council (MCC); and

WHEREAS, the grant funds are intended to promote a vigorous art and cultural environment that seeks to improve the quality of life for Commonwealth residents; and

WHEREAS, the Department intends to use the grant funds to engage the community by connecting them to timely, accessible resources that will promote responsive public service, lifelong learning, independence and individual personal achievement for citizens of all ages. Further, the department will provide opportunities for community members to challenge and examine their world, and to explore the diversity of other worlds and heritages; 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:

MCC CIP - \$11,000.00

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Chris Kulig
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2351

3.5

FY14 VAWA Grant - \$36,100 - No Match (Mayor Sarno)

WHEREAS, the Police Department ("Department") has been awarded a "Violence Against Women Grant" of \$36,100.00 from the Executive Office of Public Safety and Security; and

WHEREAS, the grant will be used to support initiatives preventing violence against women; and

WHEREAS, the Department intends to use the grant funds for salaries and supplies to support the above initiatives; 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:

FY14 VAWA Grant	\$36,100
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RESULT:	PASSED BY VOICE VOTE
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City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2352

3.6

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Bay St. (01085-0027) to Johnathan Hayles (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as North Side Bay Street (Parcel-ID # 01085-0027), formerly with building thereon and formerly known as 102 Bay Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Johnathan Hayles, owner of 106 Bay Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Johnathan Hayles for the transfer of title to North Side Bay Street (Parcel-ID # 01085-0027) for consideration of Nine Hundred Twenty-Four and 50/100 Dollars (\$924.50) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	E. Henry Twiggs, Ward 4 Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Chris Kulig
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2353

3.7

FY14 Traffic Enforcement Grant - \$112K - No Match (Mayor Sarno)

WHEREAS, the Police Department ("Department") has been awarded a "Traffic Enforcement Grant" of up to \$112,000.00 from the Executive Office of Public Safety and Security; and

WHEREAS, the grant will be used to support safe driving initiatives such as *Click it or Ticket* and *Drive Sober or Get Pulled Over*; and

WHEREAS, the Department intends to use the grant funds for salaries and supplies to support the above initiatives; 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:

FY14 Traffic Enforcement Grant	\$112,000.00
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RESULT:	PASSED BY VOICE VOTE
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City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Chris Kulig
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2354

3.8

HNE Evening Gym Grant - \$38,800 - No Match (Mayor Sarno)

WHEREAS, the Springfield Parks Department ("Department") has been awarded a grant of \$38,800.00 from Health New England (HNE); and

WHEREAS, the funds provided are intended to be used to fund the Department's evening gym program; and

WHEREAS, the Department intends to use the grant as requested by the grantor; 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:

Health New England Grant Evening Gym Program - \$38,800.00

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Chris Kulig
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2355

3.9

Congressman Neal Park Proceeds - \$80,000 (Mayor Sarno)

WHEREAS, to meet the expenses of the Department of Parks Buildings and Recreation, appropriations in the amount of \$80,000.00, as itemized below, are hereby voted from the following sources, pursuant to Massachusetts General Laws Chapter 44, Section 32, Chapter 44 Section 53, and Chapter 468 of the Acts of 2008, and the recommendation of his Honor the Mayor; and

WHEREAS, proceeds from the sale of land located at Hubbard Park, totaling \$80,000.00, are intended for improvements at the Congressman Richard E. Neal Indian Orchard Community Park; 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 Order, 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.

IT IS FURTHER ORDERED, that the City Council approves the Appropriations as itemized below to meet the expenses of The Department of Parks Buildings and Recreation Management.

SOURCES

3417-60-630-0000-0000-0000000-0000000-463000-PLAPK

Revenue from Sale of Park Land	<u>80,000.00</u>
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TOTAL:	\$ 80,000.00
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USES

3417-60-630-0000-0000-0000000-0000000-580800-PLAPK

Capital Outlay - Infrastructure	<u>80,000.00</u>
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TOTAL:	\$ 80,000.00
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RESULT:	PASSED BY VOICE VOTE
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City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2357

3.10

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of SS Cedar St. (02525-0076) to Pamela Johnson (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as South Side Cedar Street (Parcel-ID # 02525-0076), formerly with building thereon and formerly known as 25 Cedar Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Pamela Johnson, owner of 29 Cedar Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Pamela Johnson for the transfer of title to South Side Cedar Street (Parcel-ID # 02525-0076) for consideration of One Thousand One Hundred Fifty-Seven and 50/100 Dollars (\$1,157.50) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Zaida Luna, Ward 1 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2358

3.11

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of WS Oak St. (09180-0022) to Walnut Apartment Associates (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as West Side Oak Street (Parcel-ID # 09180-0022), formerly with building thereon and formerly known as 94 Oak Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Walnut Apartment Associates, owners of abutting parcels located at 81-85 Walnut Street and on North Side Walnut Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Walnut Apartment Associates for the transfer of title to West Side Oak Street (Parcel-ID # 09180-0022) for consideration of Nine Hundred Thirty-Nine and 25/100 Dollars (\$939.25) in substantially the same form as the draft deed attached.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John A. Lysak, Ward 8 Councilor
SECONDER:	Zaida Luna, Ward 1 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2359

3.12

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Calhoun St. (02226-0004) to New England Farm Workers' Council, Inc. (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as North Side Calhoun Street (Parcel-ID # 02226-0004), formerly with building thereon and formerly known as 24 Calhoun Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests for abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by New England Farm Workers' Council, Inc., owner of an abutting parcel at North Side Calhoun Place, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to New England Farm Workers' Council, Inc. for the transfer of title to North Side Calhoun Street (Parcel-ID # 02226-0004) for consideration of Five Hundred Twelve and 00/100 Dollars (\$512.00) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	Bud L. Williams, Vice President At-Large Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2360

3.13

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) to Viva Development LLC (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land in Springfield, Massachusetts known as NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) through tax title foreclosure proceedings in Land Court and by purchase from the Springfield Redevelopment Authority; and

WHEREAS, the said properties are further identified as Lot 1, Lot 2, Lot 3, and Lot 4 on an ANR Plan recorded June 6, 2013 at the Hampden County Registry of Deeds in Book of Plans 366, Page 46; and described on a deed recorded June 7, 2013 at said Registry of Deeds in Book 19859, Page 134; and

WHEREAS, the Tax Title Custodian determined that said properties are not needed for general municipal purposes; and

WHEREAS, the Office of Procurement solicited request for proposals for the purchase and redevelopment of said properties pursuant to RFP (Bid) Number SPG-14-042; and

WHEREAS, four proposals were received by the Office of Procurement with the highest bid being Sixty-Two Thousand Dollars (\$62,000.00) from Viva Development LLC of 50 Clayton Street, Springfield, Massachusetts; and

WHEREAS, the Mayor upon the recommendation of the City's RFP Review Committee has accepted the proposal submitted by Viva Development LLC who will construct four new, high-quality, single family homes on said properties to be sold to owner occupants who will be required to live in the homes for a period of not less than three years.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Viva Development LLC for the transfer of title to NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) for consideration of Sixty-Two Thousand Dollars (\$62,000.00) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Rooke, Melvin A. Edwards
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Williams, Twiggs, Rooke, Luna, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2361

3.14

Elders GSSI Grant - No Match Required (\$88,890) (Mayor Sarno)

WHEREAS, the Elder Affairs Department ("Department") has been awarded a Title III Grant of \$88,890.00 from the Greater Springfield Senior Services Board; and

WHEREAS, the purpose of the grant is for outreach services;

WHEREAS, the Department intends to use the grant funds to fund activities related to outreach to elders; 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:

Title III - \$88,890

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2362

3.15

Authorization to Expend a Gift to the Parks Department for the Rebuilding and Renovation of Camp Wilder From the Society of Everett Barney, Inc.- \$162,747.96 (Mayor Sarno)

WHEREAS, the Department of Parks, Buildings and Recreation Management ("Department") has been gifted an amount of One Hundred Sixty Two Thousand Seven Hundred and Forty Seven and 96/100 Dollars (\$162,747.96) from The Society of Everett Barney Inc. ("Gift"), for the sole benefit of the Parks and Recreation Department, specifically for the purpose of renovating Camp Wilder for the citizens of Springfield and to provide park and recreation activities for the children of the City of Springfield; and

WHEREAS, the Department is committed to the rebuilding and renovation efforts of Camp Wilder and the surrounding woodland area, which sustained over \$1.5 million dollars in damage from the tornado that struck the City on June 1, 2011, much of which did not qualify for FEMA reimbursement funds to rebuild;

WHEREAS, The Society of Everett Barney Inc., in the dissolution of a trust, has gifted the remaining assets of the trust to the City of Springfield Parks Department in the amount of One Hundred Sixty Two Thousand Seven Hundred Forty Seven and 96/100 Dollars (\$162,747.96); and

WHEREAS, the Department intends to use the Gift funds to rebuild and renovate Camp Wilder; and

WHEREAS, the Executive Director of the Parks Department has accepted the Gift and requests authorization from the City Council and the Mayor to expend the Gift funds listed below for the purposes of such Gift; 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 Gift 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 Gift funds listed below for the specific purposes of such Gift, subject to the approval of the Mayor, and the Gift funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the Gift without further appropriation:

Order (ID # 2362)

Meeting of October 7, 2013

RESULT: PASSED BY VOICE VOTE



City of Springfield

TABLED

Meeting: 10/07/13 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2363

3.16

Order Approving an Agreement with the Springfield Business Improvement District (Mayor Sarno)

WHEREAS, The City's Chief Development Officer wishes to enter into a contract to memorialize financial and in-kind services from the City to the Springfield Business Improvement District, Inc. (SBID);

WHEREAS, Springfield Business Improvement District, Inc. is an agency established pursuant to Massachusetts General Laws chapter 400;

WHEREAS, an "improvement district" is a "district" pursuant to Massachusetts General Laws chapter 40, section 1(a);

WHEREAS, pursuant to Massachusetts General Laws chapter 40, section 4A, a contract between a City and a District as defined in Massachusetts General Laws chapter 40, section 1(a) is an intergovernmental agreement;

WHEREAS, pursuant to Massachusetts General Laws chapter 30B, section 1(b)(3) an intergovernmental agreement is exempt from Massachusetts General Laws chapter 30B; and

WHEREAS, Massachusetts General Laws chapter 40, section 4A requires that the City Council and the Mayor approve an intergovernmental agreement.

NOW THEREFORE BE IT ORDERED, pursuant to Massachusetts General Laws chapter 40, section 4A, that the City Council approves the Memorandum of Understanding by and between the City of Springfield and the Springfield Business Improvement District, Inc. in substantially the same form as the draft contract attached hereto as Exhibit A, subject to the approval of the Mayor.



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2364 A

3.18

Order Authorizing the Negotiation of a Tax Agreement with MassPower (Mayor Sarno)

WHEREAS, effective July 1, 1993, the City of Springfield, with the approval of the City Council and the Mayor, entered into a 20-year Payment in Lieu of Tax Agreement with MASSPOWER, the owner of an electrical cogeneration facility located at 750 Worcester Street, Springfield, MA.; and

WHEREAS, the 1993 Agreement expired on June 30, 2013; and

WHEREAS, the City desires to negotiate a new Payment In Lieu of Taxes Agreement ("Agreement") with MassPower pursuant to Mass. Gen. Laws ch. 59, sec. 38H(b); and

WHEREAS, the Commonwealth of Massachusetts Department of Revenue has recommended that cities and towns have the legislative body of the municipality authorize the negotiation of the Agreement, and then approve the final Agreement; and

WHEREAS, the Mayor has requested that a negotiating team consisting of Timothy J. Plante - Chief Administrative and Financial Officer, Richard J. Allen - Chairman of the Board of Assessors, Kathleen T. Breck -Deputy City Solicitor and City Councilor Kenneth E. Shea, work together with the City's expert consultant to negotiate the Agreement with MassPower; and

WHEREAS, upon completion of the negotiation, the Tax Agreement will be presented to the City Council for approval;

NOW THEREFORE, IT IS ORDERED that the City Council hereby approves and authorizes a negotiating team consisting of Timothy J. Plante, Richard J. Allen, Kathleen T. Breck and City Councilor Kenneth E. Shea, to represent the City in the negotiation of a Tax Agreement with MassPower, with such Agreement to be presented to the City Council for approval following conclusion of the negotiations.

RESULT: PASSED BY VOICE VOTE



City of Springfield

ADOPTED

Meeting: 10/07/13 07:00 PM

Initiator: Ryan J. Lavner

Sponsors: CAFO T J Plante

DOC ID: 2366 A

3.20

Report of Chestnut Jr High Spending (CAFO Plante)

City of Springfield Office of Management

36 Court Street and Budget

Springfield, MA 01103

To: City Council

From: Timothy J. Plante, CAFO

Date: October 2, 2013

Re: Former Chestnut Jr High School Demolition

Cc:

The purpose of this memo is to provide an update as requested at the September 9th City Council Meeting regarding the demolition and asbestos remediation of the former Chestnut Junior High School Building.

History

On Tuesday September 3rd 2013 there was a fire at the former Chestnut Junior High School, 495 Chestnut Street, Springfield. The former school has been unoccupied for several years and has subsequent interior deterioration. The Building Commissioner has deemed the building unstable and had ordered it to be demolished.

Timeline and Cost of Implementation

The initial emergency cost incurred to date to stabilize the site is estimated to be \$25,000. These costs include temporary fencing to keep the parcel secured to prevent any threat to the neighborhood.

It has been identified that the building site contains hazardous waste which will require asbestos remediation. The estimated cost to demolish the building is deemed to be approximately \$1,500,000. The Department of Environmental Protection is working with the Housing and Building Departments to ensure the proper disposal of hazard materials.

Next Steps

The next step is to put the demolition project and asbestos remediation out to bid and award a contract to the lowest qualified bidder.

RESULT: RECEIVE REPORT



City of Springfield

ADOPTED

3.21.1

Meeting: 10/07/13 07:00 PM

Initiator: Lou DiCarlo

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2343

Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the WESTERN MASSACHUSETTS ELECTRIC COMPANY, be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

Oakland Street - Installing PVC Conduits

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on October 7, 2013

City Clerk

We hereby certify that on September 9, 2013, at 5:00 PM, at Oakland Street at Orange Street a public hearing was held on the petition of the WESTERN MASSACHUSETTS ELECTRIC COMPANY for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the October 7, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

ADOPTED

3.21.2

Meeting: 10/07/13 07:00 PM

Initiator: Lou DiCarlo

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2345

Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the BAY STATE GAS COMPANY , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

Inglewood Avenue - Installing Gas Main (Columbia Gas)

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on October 7, 2013

City Clerk

We hereby certify that on September 11, 2013, at 5:00 PM, at In Front of #42 Inglewood Avenue a public hearing was held on the petition of the BAY STATE GAS COMPANY for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the October 7, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

ADOPTED

3.21.3

Meeting: 10/07/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2347

Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the WESTERN MASSACHUSETTS ELECTRIC COMPANY, be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

Rocus Street - Installing New Pole (WMECO & VERIZON)

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on October 7, 2013

City Clerk

We hereby certify that on September 16, 2013, at 5:00 PM, at In Front of #383 Rocus Street a public hearing was held on the petition of the WESTERN MASSACHUSETTS ELECTRIC COMPANY for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the October 7, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk

**City of Springfield**

36 Court Street
Springfield, MA 01103

TABLED**ORDINANCE 2013-7**

Meeting: 10/07/13 07:00 PM

Department: Law

Category: General

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 4 Councilor E. Henry Twiggs

DOC ID: 2367 A

City Council Compensation - Second Step

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, Section 1 of Chapter 61 thereof, entitled Compensation, by amending section 1 of Chapter 61.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1. Section 1 of Chapter 61, Compensation, of the Code of the City of Springfield, is hereby amended to read as follows:

The annual compensation of the President of the City Council shall be \$20,000, and the annual compensation of all other members of the City Council shall be \$19,500 per annum, effective January 1, 2014, and thereafter. Said sums shall be paid in equal installments at the end of each month of service.

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**ORDINANCE (ID # 2368)**

Meeting: 10/07/13 07:00 PM

Department: Law

Category: General

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Concepcion, Twiggs, Shea, Fenton, Ashe, Rooke

DOC ID: 2368 B

Chapter 61 Section 5 Compensation -Mayor's Compensation - Second Step

Chapter 61 Section 5 Compensation

ORD. NO. ____

AN ORDINANCE TO AMEND the Code of the City of Springfield, Section 5 of Chapter 61 thereof, entitled Compensation, by amending section 5 of Chapter 61.

Be it ordained by the Council of the City of Springfield, as follows:

Section 1. Section 5 of Chapter 61, Compensation, of the Code of the City of Springfield, is hereby amended to read as follows:

The annual compensation of the Mayor shall be \$95,000, and effective the first Monday in January, 2014, the annual compensation shall be \$135,000.00.



City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

ORDINANCE (ID # 2325)

Meeting: 10/07/13 07:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: At-Large Councilor Thomas M. Ashe

DOC ID: 2325 A

Pawnbrokers and Junk Dealers

Chapter 270 Pawnbrokers and Junk Dealers Proposed Ordinance

ORD. NO. ____270

AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 270 thereof, entitled Pawnbrokers and Junk Dealers, by repealing and amending the following sections:

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1. Section 1 of Chapter 270, Pawnbroker's Licenses, fee, of the Code of the City of Springfield, is hereby amended to read as follows:

A. The Police Department may license suitable persons to carry on the business of pawnbrokers in this City, pursuant to the provisions of Chapter **140** of the General Laws. Upon application or license renewal of all persons involved in secondhand dealer or as a pawnbroker shall submit to a CORI check of their criminal history. The Police Commissioner or his designee shall determine the suitability of the applicant and/or employees of the applicant.

B. The fee for such license shall be \$200.

Section 2. Section 2 of Chapter 270, Junk and secondhand dealer's licenses, of the Code of the City of Springfield, is hereby amended to read as follows:

No person, firm, or corporation shall engage in the business of operating a shop for the purchase, sale or barter of secondhand articles without obtaining a license thereof and complying with the terms of this section. The Police Department may license suitable persons to be collectors of, dealers in or keepers of shops for the purchase, sale or barter of junk, old metal or secondhand articles, pursuant to the provisions of Chapter **140** of the General Laws.

Section 3. Section 3 of Chapter 270, Records of purchases, of the Code of the City of Springfield, is hereby amended to read as follows:

A. Every keeper of a shop for the purchase, sale or barter of junk, old metal or secondhand articles and every pawnbroker within the limits of this City shall keep a permanently bound book in which shall be written, at the time of every purchase or upon the receipt of

any article, a description thereof, which shall include, but shall not be limited to, all distinguishing marks, etchings, engravings, model names, model numbers and serial numbers. The name, age and residence of the person from whom, and the day and hour when, such purchase or receipt was made, and such book shall at all times be open to the inspection of officers of the Police Department and of any person authorized to make such inspection.

- B. The license holder shall photograph any and all items pawned, sold, pledged, or otherwise deposited with the license holder. The required photo shall be clear and such quality that the item(s) shall be clearly identified. The photos shall be stored in a digitized format and the image must be retrievable and a clear copy provided to police upon request. The above described photos shall be maintained by the license holder for a minimum of three years
- C. Every license holder shall allow a representative of the New England State Police Information Network (NESPIN) to enter his shop and install the software necessary on the shopkeepers computing device to allow the shopkeeper to electronically transmit a record of his/her transactions. Before the tenth hour of every day, ante meridian, every shopkeeper shall transmit a record of his/her transactions from the prior day. The record transmitted must include the information included in section 270-3(A) and (B) of this ordinance.

Section 4. Section 6 of Chapter 270, Dealing with minors, of the Code of the City of Springfield, is hereby amended to read as follows:

No keeper of a junk shop, second hand dealer, or pawnshop and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange any junk, old metal or secondhand articles of a minor knowingly or having reason to believe him to be such.

Section 5. Section 7(A) of Chapter 270, Time period for holding articles prior to resale, of the Code of the City of Springfield, is hereby amended to read as follows:

No article purchased or received by the keeper of a pawn shop or second hand dealer shall be sold until at least 30 days from the date of its purchase or receipt have elapsed. The article shall be kept in an unaltered condition for the required time period. For the

purposes of this section, "unaltered condition" means that the item or article shall be kept in the same condition it was in at the time it was brought into the shop by the seller.

Section 6. Section 8 of Chapter 270, Hours of business for junk shops or second hand dealers, of the Code of the City of Springfield, is hereby amended to read as follows:

pawn shops and second hand dealers shall be closed except between the hours of 7:00 a.m. and 9:00 p.m. of each weekday, and no keeper thereof and no junk collector shall purchase any junk, old metal or secondhand articles except during such hours. Any shop wishing to open on Saturday must receive written permission from the Police Commissioner or his designee. All pawn shops and second hand dealers must maintain regular business hours.

Section 7. Section 10 of Chapter 270, Purchase of certain items prohibited; violations and penalties, of the Code of the City of Springfield, is hereby amended include subsection "D" which is to read as follows:

D. Violations of any section of Chapter 270 may result in a fine of not less than \$300, suspension of license, or revocation of license.

HISTORY:

09/09/13 **City Council**

RULE 20

Next: 10/07/13


City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

SPECIAL ACT (ID # 2328)

Meeting: 10/07/13 07:00 PM

Department: Law

Category: General

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Luna, Ferrera III, Williams

DOC ID: 2328

An Act Exempting the City of Springfield from the Residency Provision of Massachusetts General Laws Chapter Seventy-One Section Thirty-Eight

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

AN ACT EXEMPTING THE CITY OF SPRINGFIELD FROM THE RESIDENCY PROVISION OF MASSACHUSETTS GENERAL LAWS CHAPTER SEVENTY-ONE SECTION THIRTY-EIGHT

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

SECTION 1. Notwithstanding the residency provisions of Massachusetts General Laws Chapter seventy-one Section thirty-eight, or any other general or special law to the contrary, employees of the School Department of the City of Springfield shall be subject to residency regulations as enacted by the City of Springfield.

SECTION 2. The provisions of said act shall take effect upon passage.

***To the Honorable Senate and House of Representatives of the Commonwealth of
Massachusetts In the General Court Assembled.***

The undersigned, Domenic J. Sarno, Mayor of the City of Springfield, in the name and on behalf of said City, and in the pursuance of an order, a duly attested copy of which is hereto annexed, petition the General Court for legislation entitled “**AN ACT EXEMPTING THE CITY OF**

**SPRINGFIELD FROM THE RESIDENCY PROVISION OF MASSACHUSETTS
GENERAL LAWS CHAPTER SEVENTY-ONE SECTION THIRTY-EIGHT,”** in
substantially the same form as a draft Act attached hereto.

Respectfully submitted,

City of Springfield
36 Court Street
Springfield, MA 01103

CITY OF SPRINGFIELD
In the City Council , 2013

ORDERED, that the mayor be, and hereby is authorized on behalf of the City of Springfield, to take any and all steps necessary to secure the passage by the General Court of the special legislation entitled “**AN ACT EXEMPTING THE CITY OF SPRINGFIELD FROM THE RESIDENCY PROVISION OF MASSACHUSETTS GENERAL LAWS CHAPTER SEVENTY-ONE SECTION THIRTY-EIGHT,”** in substantially the same form as a draft Act attached hereto, except for clerical or editorial errors.

HISTORY:

09/09/13 City Council
Next: 10/07/13

REFERRED TO COMMITTEE