



City Council

Regular Meeting

~ Final ~

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

Anthony I. Wilson
413-787-6096

Monday, June 20, 2016

7:00 PM

Springfield City Hall -- Council Chambers

Possible Public Speak-Out Time 6:30 PM

Call to Order

7:00 PM Meeting called to order on June 20, 2016 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Justin Hurst	At Large Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Absent	
Bud L. Williams	At-Large Councilor	Present	
Orlando Ramos	Vice President- Ward 8 Councilor	Late	7:06 PM
Marcus J Williams	Ward 5 Councilor	Present	
Adam Gomez	Ward 1 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Absent	
Michael A. Fenton	President	Present	

Moment of Silence - Pledge of Allegiance

Reports of Committee

Councilor Gomez gave a report of the maintenance and development committee that met on May 16th. The committee met regarding the reconfiguration of Roosevelt Avenue and Island Pond Rd. The committee recommended granting an easement which is needed to start the work which was on the agenda as items 15 and item 10.

Councilor Marcus Williams gave a report of elder affairs committee. The Committee met regarding concerns seniors were expressing regarding late pickup by the PVT senior van. The PVT agreed to coordinate with Senior Centers to improve information sharing about late pickups.

Councilor Hurst gave a report of the general government committee. He stated that Item 17 of the Agenda would remain in committee until July 30th.

Councilor Allen gave a report of the Finance committee. Committee recommended a favorable vote on Item 14 of the agenda.

Councilor Bud Williams gave report of state, federal relations committee, regarding the appointment of Jessica Quinonez to the Springfield Housing Authority and Vanessa Otero to Springfield Water and Sewer Commission.

1. **Motion To:** Motion to Confirm the Appointment of Vanessa Otero to the Water and Sewer Commission

RESULT: ADOPTED VOICE

2. **Motion To:** Motion to Confirm the Appointment of Jessica Quinonez to the Springfield Housing Authority

RESULT: ADOPTED VOICE

Informational

3. **Order (ID # 3564)**

May Revenue Vs Expenditure Report

COMMENTS - Current Meeting:

Reported by Pat Burns comptroller

ATTACHMENTS:

- May Revenue vs Expenditure Report (PDF)

RESULT: RECEIVE REPORT

Petitions

4. **Petition (ID # 3555)**

21-23 Norfolk Street

ATTACHMENTS:

- 6-13-2016 notice of meeting (PDF)
- plan #6237 (PDF)

RESULT: RECEIVED PASSED

5. **Petition (ID # 3566)**

Abbott Street

ATTACHMENTS:

- 20160615091259110 (PDF)
- 6-15-2016 notice of meeting CMA(PDF)

RESULT: RECEIVED PASSED**6. Petition (ID # 3568)**

Roosevelt Avenue

ATTACHMENTS:

- petition Roosevelt (PDF)
- plan Roosevelt (PDF)
- 5-23-2016 notice of meeting CMA(PDF)

RESULT: RECEIVED PASSED**Grants****7. Order (ID # 3550)**

HOME Grant - No Match - \$1,099,907

COMMENTS - Current Meeting:

T.J. Plante, CAFO, spoke in favor of the grant. He stated that this is an increase in a grant that the City had previously accepted. Mr. Plante agreed to provide a report on the use of the funds.

ATTACHMENTS:

- HOME Grant 2nd Increase - Grant Set-Up Form & Award Letter (PDF)

RESULT: PASSED BY VOICE VOTE**8. Order (ID # 3563)**

FY17 Local Consumer Aid Grant- No Match Required \$95,000.00

COMMENTS - Current Meeting:

Milagros Johnson, Mayor's Office of Consumer Affairs, funds will be used to fund the office.

ATTACHMENTS:

- FY17 Local Consumer Aid Fund Grant Award (PDF)
- FY17 Local Consumer Aid Fund Grant - Set-Up Form (PDF)

RESULT: PASSED BY VOICE VOTE**Orders****9. Order (ID # 3562)**

FY15 Free Cash to Stabilization Transfer \$2,329,387

FINANCIAL IMPACT:

\$2,329,387 to Stabilization

COMMENTS - Current Meeting:

T.J. Plante spoke in favor of the transfer.

ATTACHMENTS:

- CAFO Certification - Free Cash to Stabilization (DOCX)

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

10. Order (ID # 3565)

FY15 Free Cash to Pension Stabilization Reserve - \$1,000,000

FINANCIAL IMPACT:

\$1,000,000 to Pension Stabilization Reserve

COMMENTS - Current Meeting:

T.J. Plante spoke in favor the of the transfer.

ATTACHMENTS:

- CAFO Certification - Pension Reserve (DOCX)

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

11. Order (ID # 3561)

Budget Transfer Within a Department \$921,050.44

FINANCIAL IMPACT:

Budget Transfer Within a Department \$921,050.44

COMMENTS - Current Meeting:

T.J. Plante spoke in favor of the transfer. The money would be used for various city projects that are already under way.

ATTACHMENTS:

- CAFO Certification - Paygo (DOCX)

RESULT:	ADOPTED [10 TO 1]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Ashe, Edwards, Fenton
NAYS:	Adam Gomez
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

12. Order (ID # 3573)

Appropriation Order for Taking Damages for Intersection Improvements Project (\$23,820)

FINANCIAL IMPACT:

Order appropriates \$23,820 for damages for proposed takings of permanent and temporary easements for the Roosevelt Avenue and Island Pond Road Intersection Improvements project. This Order must be approved before the Order of Taking is approved.

COMMENTS - Current Meeting:

Chris Cignoli, DPW director, spoke in favor of the appropriation. Stated that the money was needed for land takings as a result of the project.

ATTACHMENTS:

- Exhibit A to Appropriation Order for Takings, 6.15.16 (PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Hurst, Shea, Twiggs, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSTAIN:	Timothy C. Allen
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

13. Order (ID # 3553)

Free Cash to Dispatch Department - \$35,000

COMMENTS - Current Meeting:

Melissa Nazarro, Director of the Dispatch Department, spoke in favor of the transfer. She stated that the money was needed because of several unplanned vacancies. In order to train new employees the department has been paying overtime.

ATTACHMENTS:

- CAFO Cert - Free Cash to Dispatch PS (PDF)

RESULT:	ADOPTED [10 TO 1]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards
NAYS:	Michael A. Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

14. Order (ID # 3554)

Budget Transfer W/In a Department - \$15,300

FINANCIAL IMPACT:

Budget Transfer W/In a Department - \$15,300

COMMENTS - Current Meeting:

T.J. Plante, spoke in favor of the transfer. He stated that the money will transfer funds with in the Comptroller's department. The funds will be used to pay a vendor for processing Medicaid payments.

ATTACHMENTS:

- CAFO Certification - Comptroller PS to Assessments(PDF)

RESULT:	ADOPTED [10 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Orlando Ramos, Kateri B. Walsh

15. Order (ID # 3559)

Budget Transfer W/In a Department - \$9,462.02

FINANCIAL IMPACT:

Budget Transfer W/In a Department - \$9,462.02

ATTACHMENTS:

- CAFO Certification - HHS PS to Building Rental (DOCX)

RESULT: WITHDRAWN

16. Order (ID # 3557)

Establishment of Pension Stabilization Reserve Fund

COMMENTS - Current Meeting:

T.J. Plante spoke in favor of the order.

RESULT: ADOPTED [11 TO 0]
AYES: Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT: Timothy J. Rooke, Kateri B. Walsh

17. Order (ID # 3572)

Order of Taking of Easements for Roosevelt Ave. & Island Pond Rd. Intersection Improvement Project

This order approves the eminent domain takings of 1 permanent easement and 22 temporary construction easements for rights of way for the Roosevelt Ave. And Island Pond Rd. Intersection Improvements Project. The project will be bid and constructed by MassDOT.

FINANCIAL IMPACT:

The total amount of damages awarded for the takings is \$23,820. There is a separate Appropriation Order on the agenda to pay these damages. The source of funds is Chapter 90 money.

RESULT: ADOPTED [9 TO 0]
AYES: Hurst, Shea, Twiggs, Williams, Ramos, Williams, Gomez, Ashe, Edwards
ABSTAIN: Timothy C. Allen
ABSENT: Timothy J. Rooke, Kateri B. Walsh
AWAY: Michael A. Fenton

18. Order (ID # 3575)

Order Granting a Utility Easement to WMECO/Eversource and Verizon For the Paul J. Fenton Public Safety Annex Project at 50 East Street

COMMENTS - Current Meeting:

Kathleen Breck, Deputy City Solicitor, spoke in favor of the easement. Easement necessary for construction and renovation of E. Street Facility.

ATTACHMENTS:

- Exhibit #1 and Exhibit A to Order Authorizing a Permanent Utility Easement for 50 East Street (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

General Business

(19.) (ID # 3456) Amending City Ordinance Chapter 390

Please see attached materials

Please see attached materials

RESULT:	REFERRED TO COMMITTEE	Next: 7/18/2016 7:00 PM
----------------	------------------------------	--------------------------------

ATTACHMENTS:

- Amended City Ordinance 390-6, 8 (RTF)
- MinutesTaxiLiveryCommission081105 (DOCX)
- Memo on Uber (DOC)
- Memo on UberUpdates (DOC)
- Amendment (PDF)

(20.) (ID # 3567) An Order Amending Chapter 338 of the City of Springfield Code, Article III-Use Regulations, to Add a New Section 338-35 (J), Establishing a Moratorium on Non-Emergency Utility-Related Street Excavation

Chapter 338, Article III, Use Regulations, Section 338-35, Digging up streets and sidewalks, is hereby amended by adding a new subsection (J), as follows:

J. Street Excavation Moratorium

1. Following paving of any City-owned and controlled streets, private ways, and rights of way pursuant to the City's annual paving program, such streets, private ways, and rights of way shall be subject to a 3-year moratorium on further utility-related elective street excavation.
2. Following paving of any City-owned and controlled streets, private ways, and rights of way as part of a City, State and/or Federally funded roadway reconstruction project, such streets, private ways, and rights of way shall be subject to a 5-year moratorium on further utility-related elective street excavation.
3. The moratorium period described herein shall be measured by the completion of the paving or reconstruction project on the particular street, private way, or right of way. If an exact date is not available, the City will use the date of September 1st as the paving date in a given calendar year, or as otherwise set forth in the "Manual For Occupancy of Public and Private Ways within the City of Springfield", issued by the Department of Public Works.
4. The designation of which moratorium period applies to a particular street or right of way shall be at the sole discretion of the Director of the Department of Public Works.
5. For purposes of this Section, "utility-related street excavation" shall include excavations for poles, conduits, and other excavations related to telephone, natural gas, electrical, cable television, IT and data, security, and alarm systems.

6. The moratorium periods described herein shall not apply to emergency excavations. A permit is required for emergency excavations and must be obtained from the Department of Public Works upon the first reasonable opportunity (e.g. during DPW business hours).

RESULT: FIRST STEP

Next: 7/18/2016 7:00 PM

COMMENTS - Current Meeting:
Chris Cignoli spoke in favor of the ordinance.

(21.) (ID # 3569) Amending Ordinance Chapter 270

Please see attached materials

Please see attached materials

RESULT: FIRST STEP

Next: 6/27/2016 7:00 PM

COMMENTS - Current Meeting:
Councilor Ashe spoke in favor the amendment. He stated that the public safety committee has had several meetings on the moratorium and the public has been unanimously in favor of the moratorium.

ATTACHMENTS:

- Amended Ordinance Chapter 270-1 (DOCX)

(22.) ORD-2016-5 Amending Ordinance Chapter 49: Establishment of Thomas Wason Local Historic District

Please see attached materials

Please see attached materials

RESULT: REQUESTED ROLL CALL [10 TO 0]

Next: 7/18/2016 7:00 PM

AYES: Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Edwards, Fenton

ABSENT: Timothy J. Rooke, Thomas M. Ashe, Kateri B. Walsh

COMMENTS - Current Meeting:
Ben Murphy, Vice chair of Historic Commission, spoke in favor the of the item. The owner of the property, Rod Sitterly, spoke in favor of the amendment.

Passed first step.

ATTACHMENTS:

- Amended City Ordinance Ch. 49.16 - Thomas Wason Local Historic District... (DOC)
- Thomas_Wason_House_LHD(Final_Report) (PDF)

Resolutions

23. Resolution (ID # 3560)

Chapter 70 Foundation

RESULT: PASSED BY VOICE VOTE

24. Resolution (ID # 3574)

Senator Lesser's Springfield to Boston Rail Service Feasibility Study Legislation

COMMENTS - Current Meeting:

Councilor Shea spoke in favor of the resolution.

RESULT: PASSED BY VOICE VOTE

25. Motion To: Motion to Amend the resolution titled "Senator Lesser's Springfield to Boston Rail Service Feasibility Study Legislation" to delete "high speed" from the Eleventh Paragraph**COMMENTS - Current Meeting:**

Motion offered by Councilor Marcus Williams. Seconded by Councilor Shea.

RESULT: ADOPTED VOICE

Suspension of Rules



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Pat Burns
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3564

3

May Revenue Vs Expenditure Report (Mayor Sarno)

RESULT: RECEIVE REPORT

Statement of Revenues and Other Sources,
and Expenditures and Other Uses
Budget and Actual - General Fund

For the period ended
05/31/16

Revenues and Other Sources:	Revised Budget	Actual	Variance Over/(Under)	%
Real Estate & Personal Property Taxes	\$ 177,910,553	\$ 173,655,435	\$ (4,255,118)	98%
Real Estate & Personal Property Taxes - Tax Liens	-	2,420,779	2,420,779	0%
Motor Vehicle Excise	9,800,000	10,509,310	709,310	107%
Penalties, interest and other taxes	5,153,730	3,290,519	(1,863,211)	64%
Charges for Services	13,140,997	9,928,806	(3,212,191)	76%
Intergovernmental	356,522,088	326,358,664	(30,163,424)	92%
MSBA Payments	12,694,418	8,137,530	(4,556,888)	64%
Licenses and Permits	7,084,500	4,516,592	(2,567,908)	64%
Fines and Forfeits	450,180	435,616	(14,564)	97%
Interest earned on Investments	1,346,859	1,423,651	76,792	106%
Miscellaneous	10,730,568	10,308,608	(421,960)	96%
FY 2015 Net School Spending Shortfall (a.)	9,513,484	9,513,484	-	100%
Stabilization Reserves	350,184	350,184	-	100%
Other Financing Sources	459,238	459,238	-	100%
Total Revenues and Other Sources	605,156,799	\$ 561,308,416	\$ (43,848,383)	93%
Expenditures and Other Uses:				
General government	\$ 21,461,809	\$ 18,274,789	\$ 3,187,020	85%
Public safety				
Police	41,251,354	37,664,293	3,587,061	91%
Fire	20,413,297	17,987,906	2,425,391	88%
Centralized Dispatch	1,828,958	1,667,156	161,802	91%
Other	3,603,127	3,191,224	411,903	89%
Health and Welfare	4,830,997	3,801,794	1,029,203	79%
Public works	9,987,467	8,994,348	993,118	90%
Education	388,243,766	325,092,068	63,151,698	84%
Culture and recreation	12,133,809	11,100,179	1,033,630	91%
Pension and fringe	55,732,636	52,944,017	2,788,619	95%
State and district assessments	3,299,435	2,562,613	736,822	78%
Debt Service	36,395,462	34,597,548	1,797,914	95%
Pay as you go Capital	1,932,506	946,269	986,237	49%
Other Financing Use - Trash Enterprise Supplement	4,042,175	4,042,175	-	100%
Total Expenditures and Other Uses	605,156,799	522,866,381	82,290,418	86%
Excess (deficiency) of revenues and other sources over expenditures and other uses	\$ -	\$ 38,442,035	\$ 38,442,035	

(a.) The FY 2015 Net School Spending Requirement shortfall must be appropriated in the School Budget pursuant to Chapter 70. Section 11 of the Education Reform Act of 1993.

CITY OF SPRINGFIELD, MASSACHUSETTS
Budget and Actual - General Fund
Expenditures and Encumbrances
For the period ended
05/31/16

Expenditures and Other Uses:

	Original Budget	Transfers In/(Out)	Revised Budget	Expenditure	Encumbrance	Variance Over/(Under)	%
General government	19,657,285	1,804,524	21,461,809	17,062,613	1,212,177	3,187,020	85%
Public safety							
Police	41,251,354	-	41,251,354	37,463,436	200,857	3,587,061	91%
Fire	21,413,297	(1,000,000)	20,413,297	17,886,682	101,224	2,425,391	88%
Centralized Dispatch	1,828,958	-	1,828,958	1,665,676	1,480	161,802	91%
Other	3,725,627	(122,500)	3,603,127	3,107,895	83,329	411,903	89%
Health and Welfare	4,845,997	(15,000)	4,830,997	3,787,712	14,082	1,029,203	79%
Public works	9,987,467	-	9,987,467	8,640,476	353,873	993,118	90%
Education	378,568,673	9,675,093	388,243,766	312,530,290	12,561,779	63,151,698	84%
Culture and recreation	12,030,929	102,880	12,133,809	10,564,424	535,755	1,033,630	91%
Pension and fringe	55,932,636	(200,000)	55,732,636	52,904,017	40,000	2,788,619	95%
State and district assessments	3,299,435	-	3,299,435	2,531,505	31,108	736,822	78%
Debt Service	36,395,462	-	36,395,462	34,597,548	-	1,797,914	95%
Pay as you go Capital	1,932,506	-	1,932,506	558,817	387,452	986,237	49%
Other Financing Use - Trash Enterprise Supplement	4,042,175	-	4,042,175	4,042,175	-	-	100%
Total Expenditures and Other Uses	594,911,802	10,244,997	605,156,799	507,343,266	15,523,114	82,290,418	86%



City Council
36 Court Street
Springfield, MA 01103

Meeting: 06/20/16 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3555

ADOPTED

PETITION (ID # 3555)

21-23 Norfolk Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: June 14, 2016

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition #6237 of Everesource Electric Company dated June 8, 2016, to relocated pole in front of house 21-23 Norfolk Street for the curb cut to the new driveway. One new pole will be relocated thirteen (13) feet over from the existing pole and the service riser for house #51 will also have to be relocated to the new pole, all as substantially shown on a plan attached, referred to numbered #6237, which is incorporated herein by reference and to lay and maintain underground lateral's, cables and wires in the above or intersecting public ways for the purpose of making connections with the pole as it may desire for distributing purposes, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on June 13, 2016 at 5:00 P.M. in front of house 21-23 Norfolk Street Springfield, MA. Three (3) members of the Board and two(2) persons interested in the matter were present. Of the latter, two (2) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the owner of house can build the new driveway.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS
 _____))

RESULT: RECEIVED PASSED

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCES
CITY OF SPRINGFIELD
MASSACHUSETTS

DATE: June 1, 2015

TO: Anthony I Wilson, Esquire
City Clerk

FROM: Hector Velez, DPW Engineer
on behalf of BPW

DEPARTMENT: City Clerk

SUBJECT: Board's agenda for:
June 13, 2016

NOTICE OF MEETING

Monday June 13, 2016 – In Front of house 21-23 Norfolk Street Springfield, MA at 5:00 P.M

Minutes of Previous Meeting
Communications
Old Business

EVERESOURCE
New Business: 21-23 Norfolk Street.

HEARING RE: To move pole from driveway in front of house 21-23 on Norfolk Street.

Attachment: 6-13-2016 notice of meeting (3555 : 21-23 Norfolk Street)

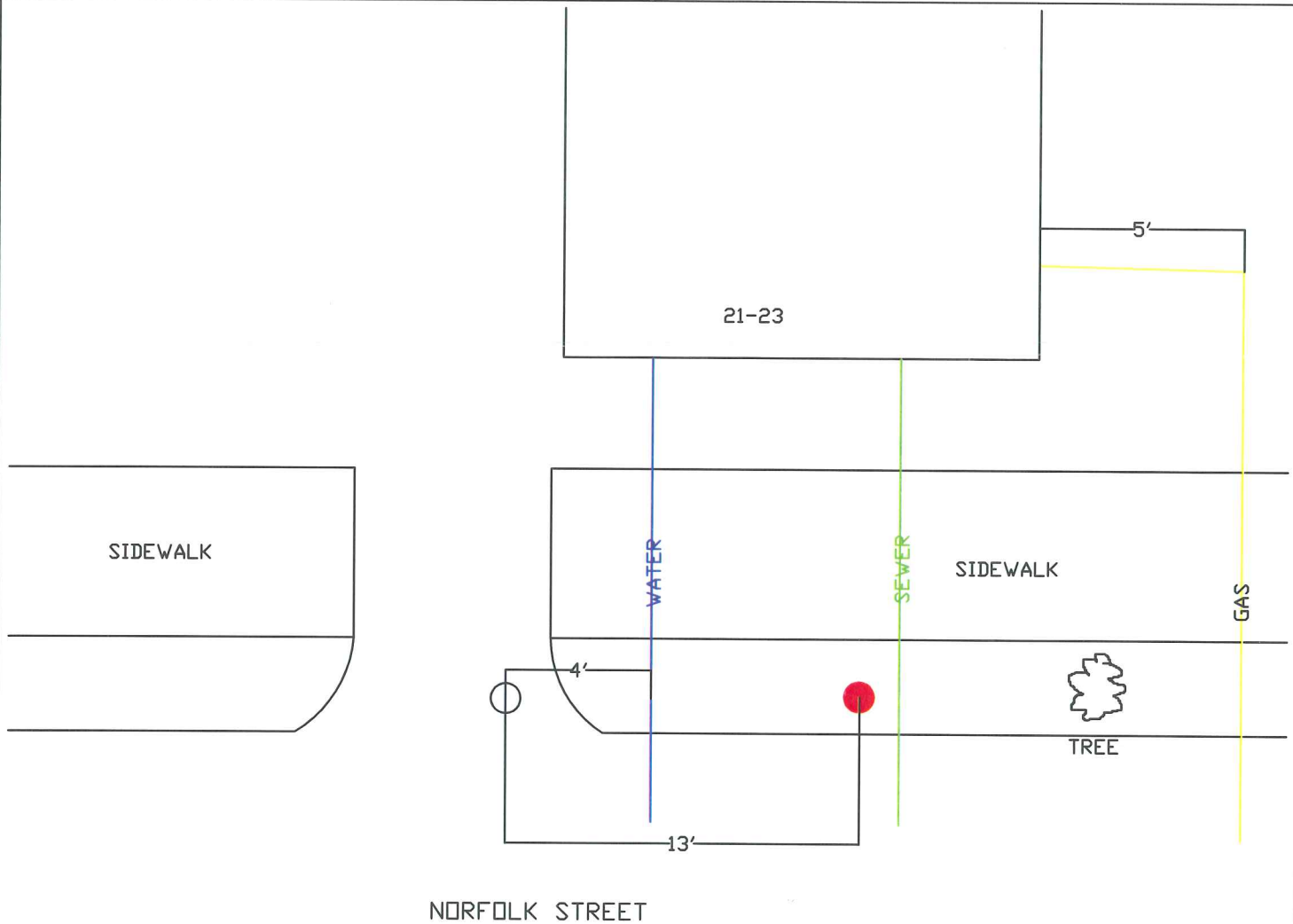
4.b

EVERSOURCE ENERGY DBA
WESTERN MASSACHUSETTS ELECTRIC COMPANY

TOWN
SPRINGFIELD

STREET
NORFOLK ST

Packet Pg. 16



PURPOSE AND DESCRIPTION

CUSTOMER NEEDS POLE RELOCATED FOR THE CURB CUT TO HOUSE# 21-23. ONE NEW POLE WILL BE RE-LOCATED 13 FEET OVER FROM THE EXISTING POLE. THE SERVICE RISER FOR HOUSE#51 WILL ALSO HAVE TO BE RE-LOCATED TO THE NEW POLE.

LEGEND

- | | | |
|-------------------------------------|--------------------------------|---------------|
| PROPOSED JOINT POLE | PROPOSED PAD MOUNT TRANSFORMER | |
| PROPOSED W.M.E.CO. POLE | EXISTING PAD MOUNT TRANSFORMER | |
| EXISTING JOINT POLE | EXISTING MANHOLE | |
| EXISTING W.M.E.CO. POLE | UG EXISTING CONDUIT | |
| EXISTING W.M.E.CO. POLE TO BE JOINT | UG PROPOSED CONDUIT | PROPOSED SILO |
| EXISTING FOREIGN POLE TO BE JOINT | PROPOSED HANDHOLE | EXISTING SILO |
| | EXISTING HANDHOLE | HEXHOLE |

DRAWN BY
ANDREW NETHERWOOD

W.D.#
2676072

DISTANCES ARE APPROXIMATE
1"=5'

PETITION NO.

6237



City Council
36 Court Street
Springfield, MA 01103

ADOPTED

PETITION (ID # 3566)

Meeting: 06/20/16 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3566

Abbott Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: June 15, 2016

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of the Columbia Gas of Massachusetts, dated June 3, 2016, to install underground gas main pipe to introduce medium pressure gas to the area and retire low pressure cast iron six (6") inches gas main within the Right of Way along Abbott Street in the East Forest Park neighborhood. Starting at the intersection on Plumtree Road and Abbott Street running northerly direction with a two (2") inches plastic gas main three hundred (300') feet to house #263 on Abbott Street and continue from the intersection on Plumtree Road and Abbott Street southerly direction one thousand seven hundred (1,700') feet with a two (2") inches plastic gas main pipe, all as substantially shown on a plan attached with project name, Abbott Street DPW Paving Project ID# 16-37994 which is incorporated herein by reference and to lay and maintain underground gas main pipes for the purpose of improvements of the system, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on June 15, 2016 at 5:30 P.M. at the corner of Overland Street and Abbott Street Springfield, MA. After due notice from the office of the City Clerk, three (3) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the utility company can upgrade existing underground facilities in order to improve the quality of service and for DPW can continue the works of paving in this area.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS

_____)

RESULT: RECEIVED PASSED

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 16-0827593-00
JOB ORDER NUMBER (ABANDON) 16-0827594-00

PROJECT ID 16-37994
ABBOTT ST - DPW PAVING
JOB TYPE: BUDGET NAME (557 / 558)

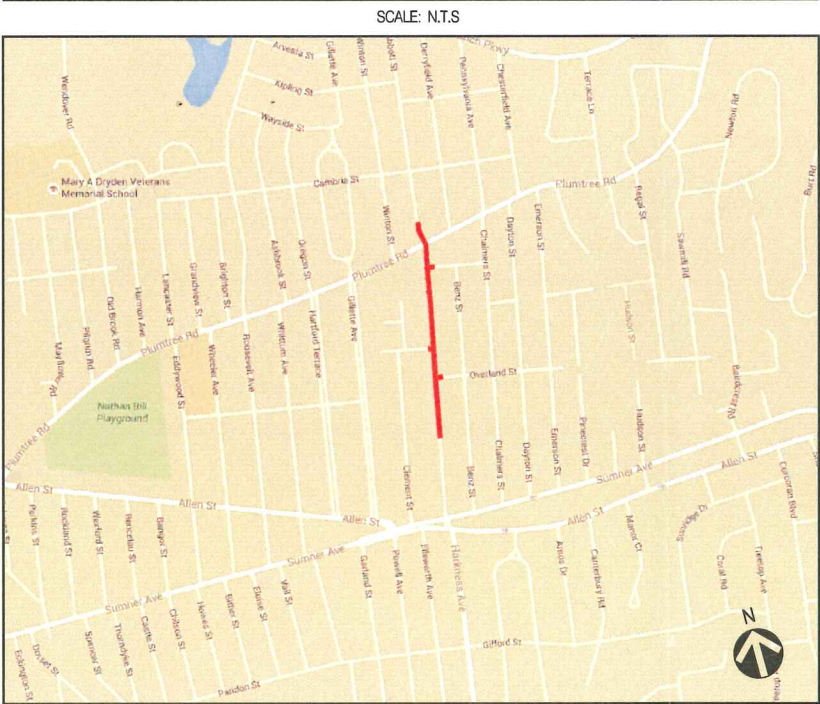
PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN:	TAO
CONSTRUCTION FLL:	KIRK GEDMAN, LAUREN ANDERSON, MARK PARISEAU
PERMITS:	CITY PERMIT
TCC:	8200
COUNTY:	HAMPDEN (013)
TAX DISTRICT:	0000244
MAP NUMBER:	24
SYSTEM NUMBER(S):	80003048 / 80003054
24 HR. EMERGENCY LINE:	COLUMBIA GAS OF MASSACHUSETTS 1-800-525-8222

LEGEND

EXISTING GAS MAIN	TEST WELL
EXISTING GAS MAIN TO BE ABANDONED	REGULATOR STATION
PROPOSED GAS MAIN	SINGLE CUSTOMER REGULATOR
PROPOSED GAS MAIN UPRATE	METER
COATED STEEL GAS MAIN	METER WITH REGULATOR
CAST IRON GAS MAIN	TEST POINT (STATION)
BARE STEEL GAS MAIN	GAS SERVICE TIE-OVER
WROUGHT IRON GAS MAIN	GAS SERVICE REPLACEMENT
HIGH DENSITY POLYETHYLENE GAS MAIN	METER MOVE OUT
MEDIUM DENSITY POLYETHYLENE GAS MAIN	TELEPHONE MANHOLE
LOW PRESSURE	DRAIN MANHOLE
INTERMEDIATE PRESSURE	ELECTRIC MANHOLE
MEDIUM PRESSURE	CATCH DRAIN
HIGH PRESSURE	SEWER MANHOLE
ATTACHED	FIRE HYDRANT
BRIDGE HANGER	UTILITY POLE
BUILDING HANGER	WETLAND
DIRECTIONAL BORE	GAS VALVE
INSERTED	CRITICAL GAS VALVE
OPEN CUT	PRESSURE CONTROL FITTINGS
PNEUMATIC BORE	TRANSITION
PLOWED	END CAP
ROOF TOP	REDUCER
EXISTING	ELECTRONIC MARKER
PROPOSED	
W1	GAS MAIN TIE IN LOCATION
	GAS MAIN ABANDONMENT LOCATION

VICINITY MAP



PROJECT DESCRIPTION

CMA SHALL REPLACE THEIR GAS INFRASTRUCTURE ALONG ABBOTT STREET FROM 200 FEET NORTH OF PLUMTREE ST TO 25' SOUTH OF HOUSE # 68. THIS WORK IS A RESULT OF THE PLANNED DPW CATCH BASIN REPLACEMENT WORK AND SUBSEQUENT PAVING PROJECT. SERVICE WORK WILL BE INCLUDED IN THIS PROJECT.

SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
O-1	PROJECT OVERVIEW
L-1 - L-4	LAYOUT SHEETS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
2,020'	2"	PH	855'	6"	CI
			960'	4"	CI
2,020'	TOTAL INSTALLATION (FEET)		1,815'	TOTAL ABANDONMENT (FEET)	
PROPOSED GAS SERVICES					
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS	
ESTIMATED GAS SERVICES	27	15	42	22	

GENERAL NOTES

1. THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
2. PROPERTY LINE, STRUCTURES, STREET LINE, ETC. WAS COMPILED THE COLUMBIA GAS GIS DATA BASE AND ARE TO BE CONSIDERED APPROXIMATE.
3. EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.



Know what's below.
Call before you dig.

PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/3/16	ISSUED FOR BPW APPROVAL

DESIGNED BY	TAO	6/3/16	-
DRAWN BY	RAS	6/3/16	-
CHECKED BY	RAS	6/3/16	-
AS-BUILT BY	-	-	-
	NAME	DATE	PHONE #

SITE NAME:

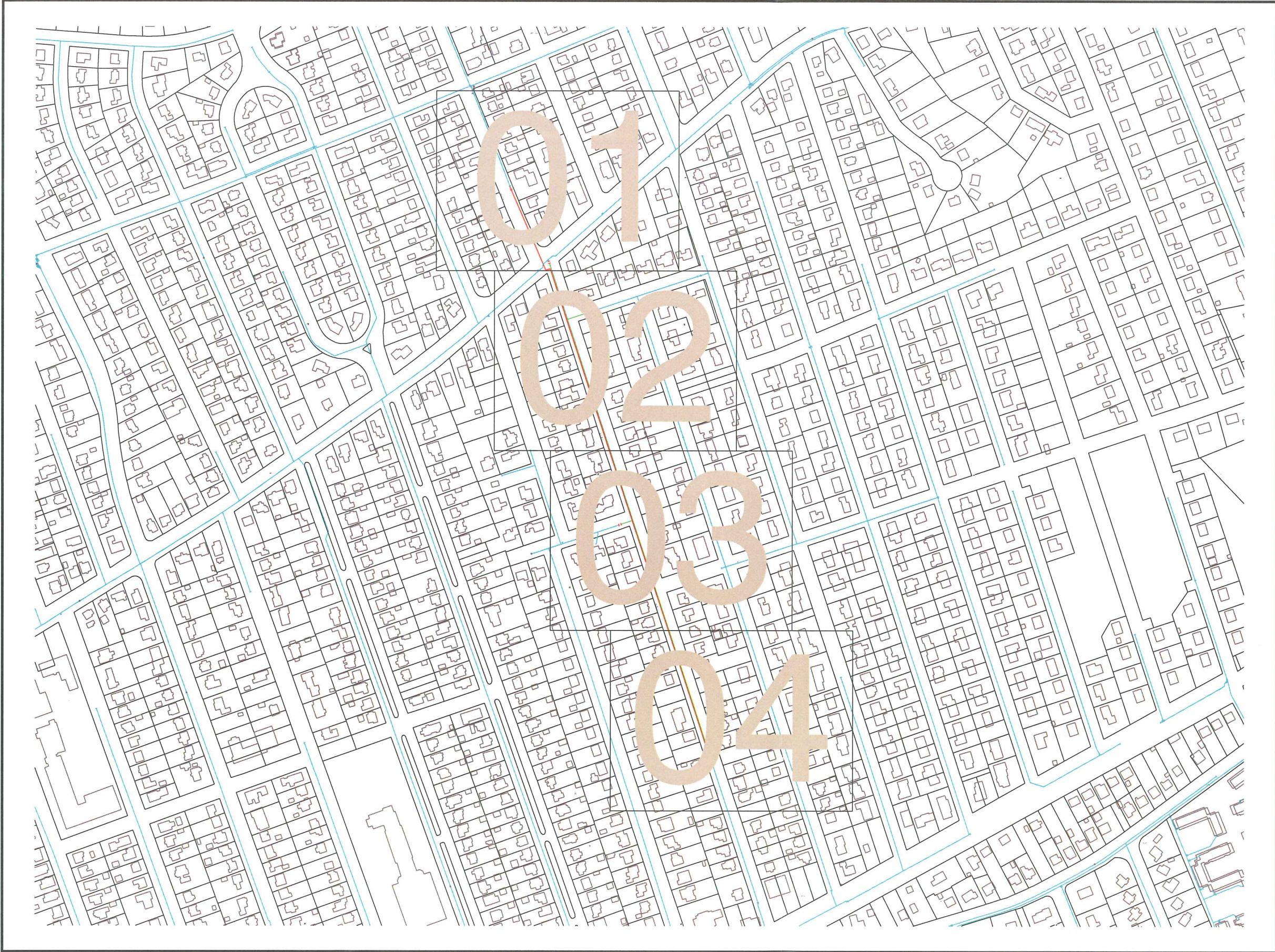
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
ABBOTT ST - DPW PAVING
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

TITLE SHEET

DRAWING NO:

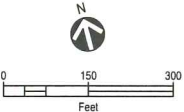
T-1



Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



PROPOSED

REVISIONS		
0	6/3/16	ISSUED FOR BPW APPROVAL
REV. #	DATE	DESCRIPTION

DESIGNED BY	TAO	05/24/16	413-285-9476
DRAWN BY	RAS	05/25/16	413-302-5853
CHECKED BY	TAO	05/25/16	413-285-9476
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
HARKNESS & ABBOTT CATCH BASIN WORK
SPRINGFIELD, HAMPDEN

PROJECT TITLE:

PROJECT OVERVIEW

DRAWING NO:

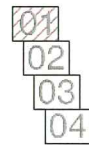
O-1



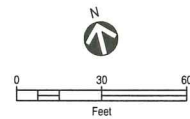
Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



KEY PLAN



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/3/16	ISSUED FOR BPW APPROVAL

DESIGNED BY	TAO	05/24/16	413-265-9476
DRAWN BY	RAS	05/25/16	413-302-5853
CHECKED BY	TAO	05/25/16	413-265-9476
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:

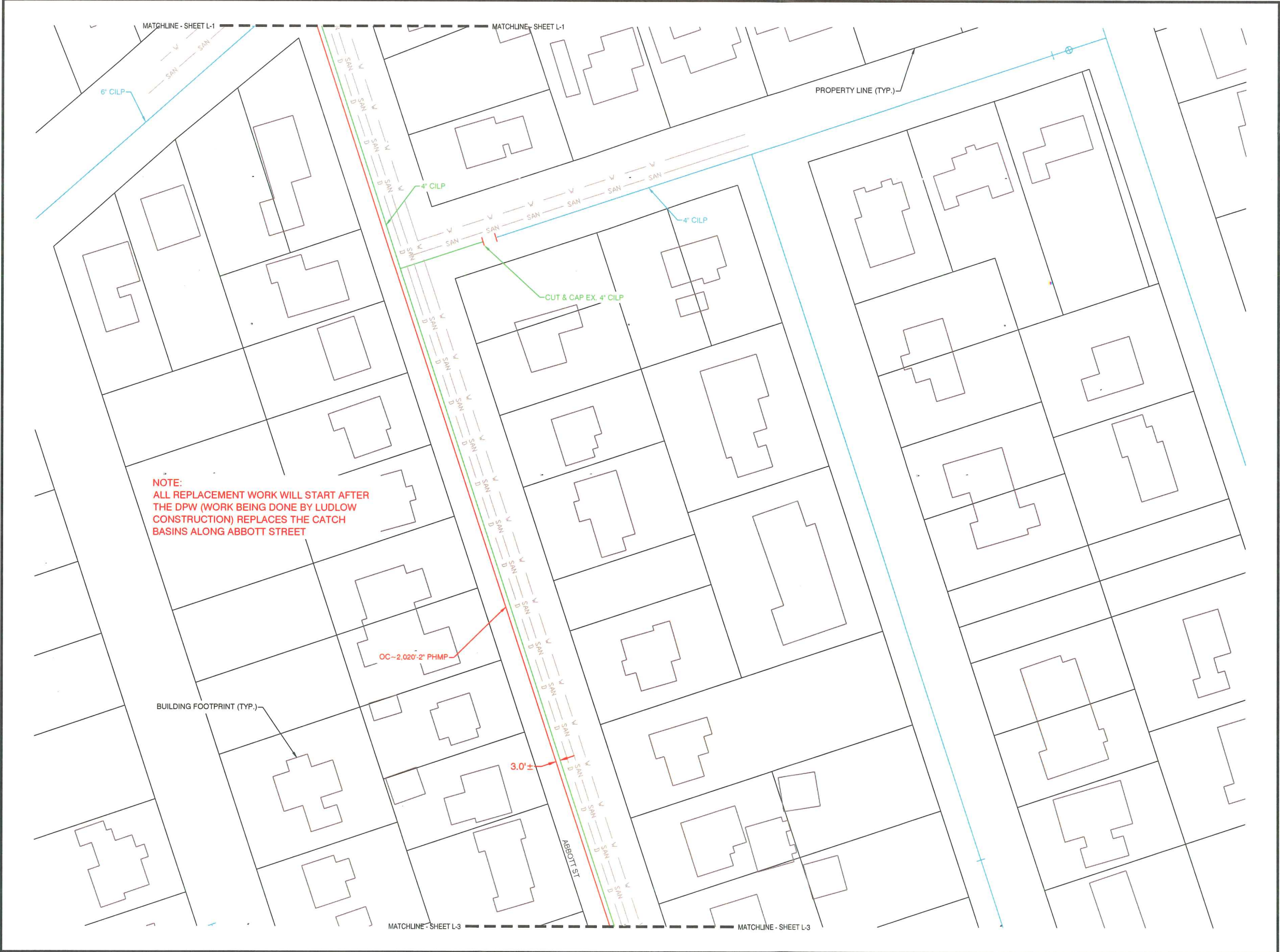
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
HARKNESS & ABBOTT CATCH BASIN WORK
SPRINGFIELD, HAMPDEN

PROJECT TITLE:

LAYOUT SHEET

DRAWING NO:

L-1



Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



KEY PLAN



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/3/16	ISSUED FOR BPW APPROVAL

DESIGNED BY	TAO	05/24/16	413-265-9476
DRAWN BY	RAS	05/25/16	413-302-5853
CHECKED BY	TAO	05/25/16	413-265-9476
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:

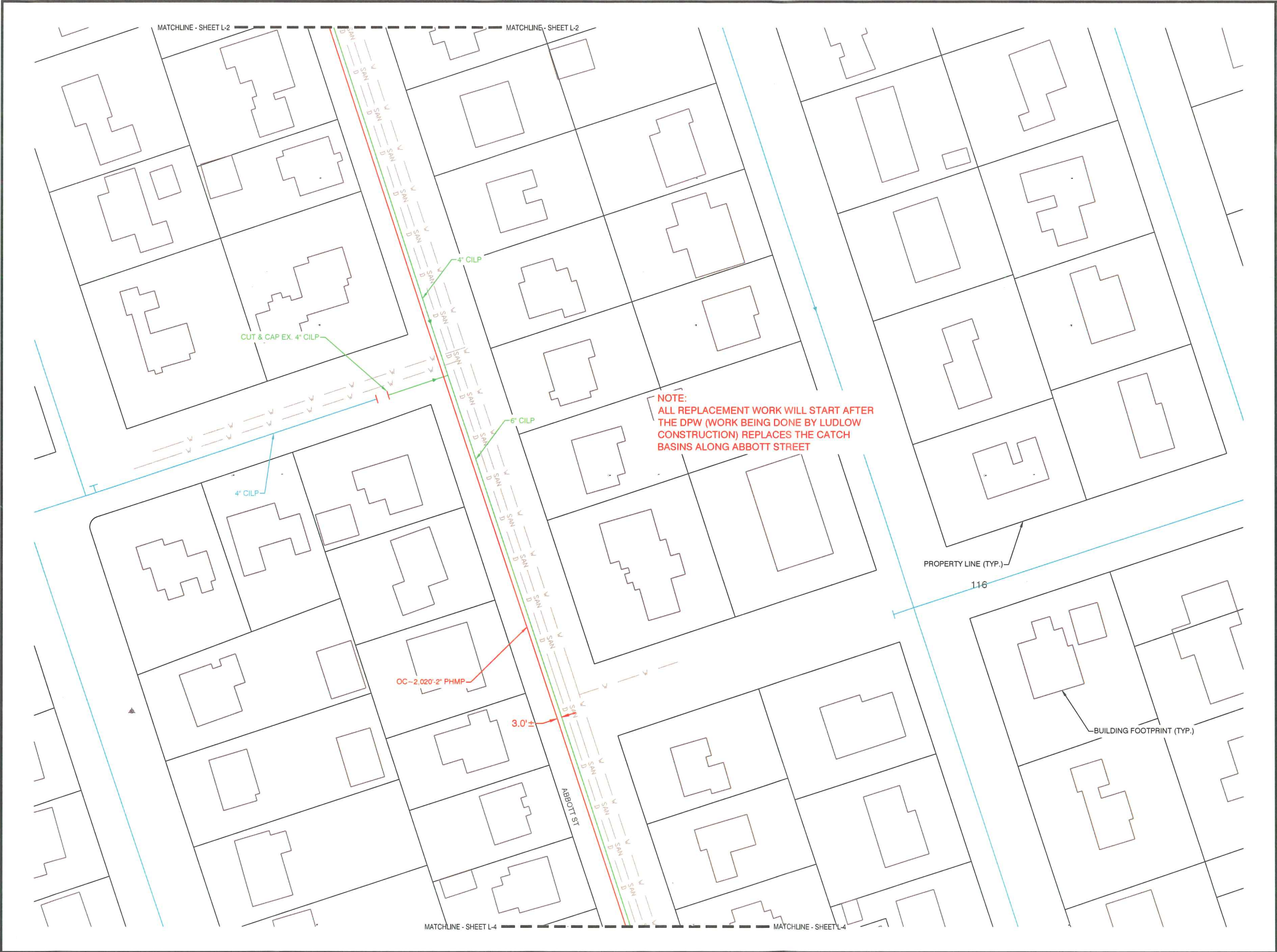
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
HARKNESS & ABBOTT CATCH BASIN WORK
SPRINGFIELD, HAMPDEN

PROJECT TITLE:

LAYOUT SHEET

DRAWING NO.:

L-2



Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



KEY PLAN



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/3/16	ISSUED FOR BPW APPROVAL

DESIGNED BY	TAO	05/24/16	413-265-9476
DRAWN BY	RAS	05/25/16	413-302-5853
CHECKD BY	TAO	05/25/16	413-265-9476
AS-BUILT BY			

SITE NAME:

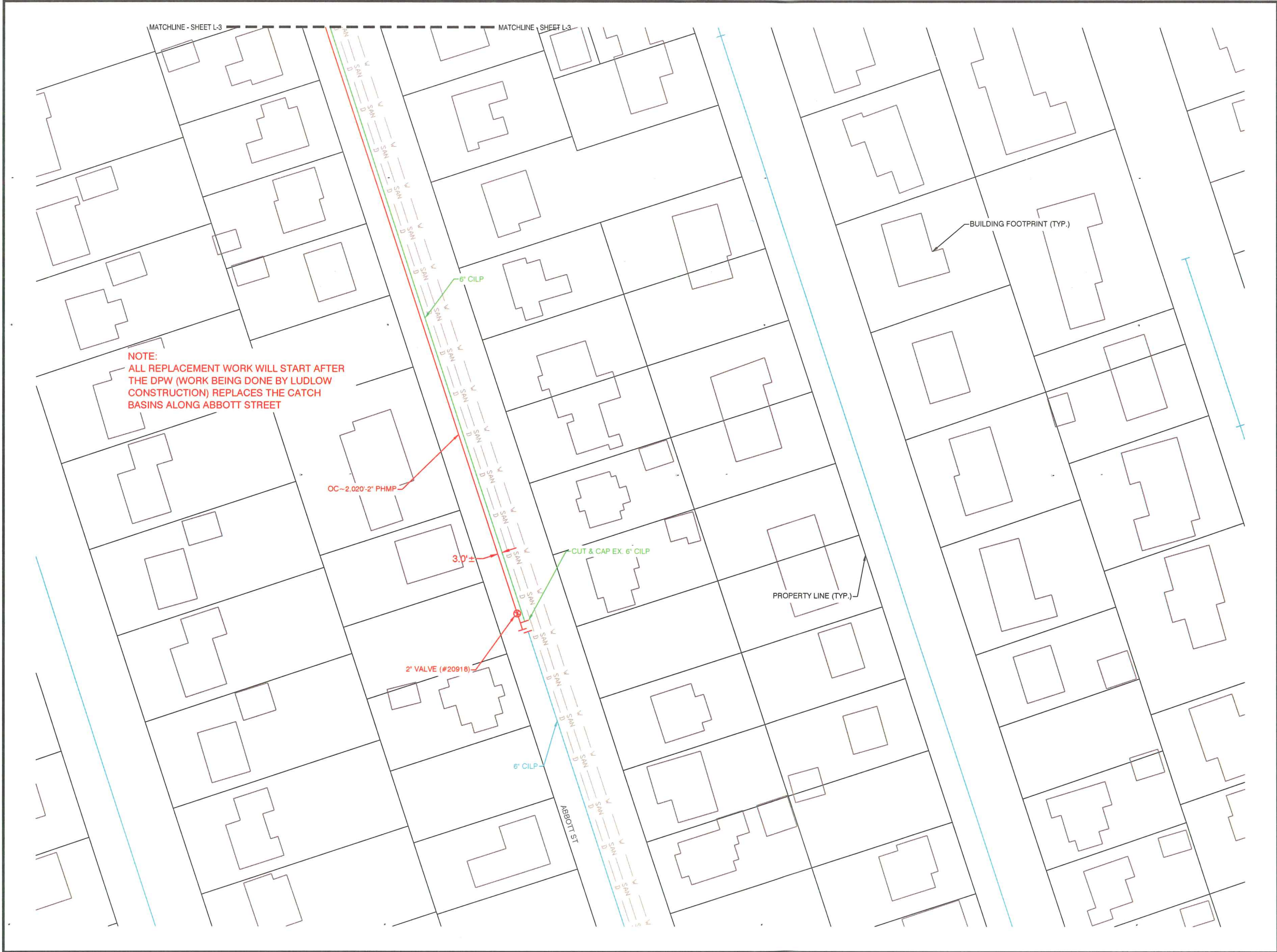
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
HARKNESS & ABBOTT CATCH BASIN WORK
SPRINGFIELD, HAMPDEN

PROJECT TITLE:

LAYOUT SHEET

DRAWING NO:

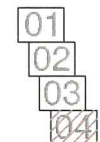
L-3



Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



KEY PLAN



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/3/16	ISSUED FOR BPW APPROVAL

DESIGNED BY	TAO	05/24/16	413-265-9476
DRAWN BY	RAS	05/25/16	413-302-5853
CHECKED BY	TAO	05/25/16	413-265-9476
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:
JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
HARKNESS & ABBOTT CATCH BASIN WORK
SPRINGFIELD, HAMPDEN

PROJECT TITLE:
LAYOUT SHEET

DRAWING NO:
L-4

AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)

PIPELINE PRESSURE TEST DATA
☐ CGV ☐ CKY ☐ CMA ☐ CMD ☐ COH ☐ CPA ☐ NIPSCO
LOA/TCC: _____ WO/JO: _____
RECORDING CHART ☐ YES ☐ NO RECORDER SERIAL NO: _____ REQUIRED MAOP: _____
PRESSURE SYSTEM NO: _____ TEST ACCEPTABLE: ☐ YES ☐ NO
PIPELINE LOCATION (STREET, CITY, TOWN OR COUNTY) LENGTH SIZE PE/STEEL

TEST DATE: _____ TEST MEDIUM: _____ TEST PRESSURE: _____
START TIME: _____ STOP TIME: _____ DURATION: _____
PRINT NAME: _____ CONTRACTOR (IF APPLICABLE): _____
REMARKS*: _____

* DESCRIBE ANY LEAKAGE OR FAILURES FOUND DURING THE TEST AND THEIR DISPOSITION.
NOTE SIGNIFICANT ELEVATION VARIATIONS ON WATER TESTS. FORM GS 1500.010-1 (5-2014)

PROPOSED

REVISIONS

0	6/3/16	ISSUED FOR BPW APPROVAL
REV. #	DATE	DESCRIPTION

DESIGNED BY	TAO	6/3/16	-
DRAWN BY	RAS	6/3/16	-
CHECKD BY	RAS	6/3/16	-
AS-BUILT BY	-	-	-
	NAME	DATE	PHONE #

SITE NAME:

JO# 16-0827593-00
JO# 16-0827594-00
PROJECT ID# 16-37994
ABBOTT ST - DPW PAVING
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

CONSTRUCTION
DETAILS

DRAWING NO:

D-1

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCES
CITY OF SPRINGFIELD
MASSACHUSETTS

DATE: June 3, 2016,

TO: Anthony I Wilson, Esquire. **FROM:** Hector Velez, DPW Engineer.
City Clerk on behalf of BPW

DEPARTMENT: City Clerk Office **SUBJECT:** Board's agenda for:
June 15, 2016

NOTICE OF MEETINGS

Wenesday – June 15, 2016 at the corner of Overland Street and Abbott Street, Springfield MA at 5:30 P.M.

Minutes of Previous Meeting
Communications
Old Business
New Business: **COLUMBIA GAS**
Abbott Street

HEARING RE: To install underground plastic gas main 2 inches aproximately 2,000 feet within the right of way on Abbott Street, in the East Forest Park neighborhood.

Attachment: 6-15-2016 notice of meeting CMA (3566 : Abbott Street)



City Council
36 Court Street
Springfield, MA 01103

ADOPTED

PETITION (ID # 3568)

Meeting: 06/20/16 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3568

Roosevelt Avenue

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: May 24, 2016

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of the Columbia Gas of Massachusetts, dated May 2, 2016, to install underground plastic gas main pipe to retire cast iron pipe six (6") inches gas main within the Right of Way along Roosevelt Ave at Island Pond Road south of Watershop Pond. Starting at Island Pond Road running northeasterly direction with a six (6") inches plastic gas main three hundred thirty (330') feet along Roosevelt Avenue, all as substantially shown on a plan attached with project name, Island Pond/ Alden- Project ID# 16-36251 which is incorporated herein by reference and to lay and maintain underground gas main pipes for the purpose of improvements of the system, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on May 23, 2016 at 5:00 P.M. at Overland Drive in front of Lutheran Church Springfield, MA. After due notice from the office of the City Clerk, three (3) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

This project is a direct result of the MassDOT drainage infrastructure project #605385. The Board finds the request necessary in order that the utility company can upgrade existing underground facilities.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS
 _____))

RESULT:	RECEIVED PASSED
----------------	------------------------



2016 MAY -5 A 10:29
CITY CLERK'S OFFICE
SPRINGFIELD, MA

May 2nd, 2016

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Mr. Waymen Lee, City Clerk

Ladies & Gentlemen:

Columbia Gas of Massachusetts (CMA) hereby requests that it be granted a location for and permission to install underground gas main within the public Right of Way (ROW) on Roosevelt Avenue at Island Pond Road south of Watershops Pond. This project is a direct result of the MassDOT Project # 605385 – Roosevelt Avenue @ Island Pond Road and Alden Street specifically the proposed drainage infrastructure.

Proposed pipe (plastic) will replace aged cast iron gas main and will operate at low pressure (0.5 psig). Construction will be coordinated with MassDOT, Fuss & O'Neil (design engineers) and the SWSC.

All proposed work will include such laterals and service connections as it may now or subsequently find necessary.

Said gas main to be installed in accordance with the enclosed plan.

Sincerely,

Trevor Ortolano, PE
Field Engineer

A TRUE COPY
ATTEST:

CITY CLERK

Attachment: petition Roosevelt (3568 : Roosevelt Avenue)



A NiSource Company

JOB ORDER NUMBER (INSTALL)16-0827340-00

JOB ORDER NUMBER (ABANDON)16-0827341-00

DOT - JOB ORDER NUMBER (INSTALL)16-0826971-00

DOT - JOB ORDER NUMBER (ABANDON)16-0826972-00

PROJECT ID 16-36251

ISLAND POND/ALDEN (SWSC & DOT)

JOB TYPE: BUDGET NAME (557/558)

PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN:TAO

CONSTRUCTION FLL:KIRK GEDMAN, LAUREN ANDERSON,
MARK PARISEAU

PERMITS:PERMIT - CITY OF SPRINGFIELD
APPROVAL - BOARD OF PUBLIC WORKS/CITY COUNCIL

TCC:8200

COUNTY:HAMPDEN (013)

TAX DISTRICT:0000244

MAP NUMBER:33

SYSTEM NUMBER(S):80003054

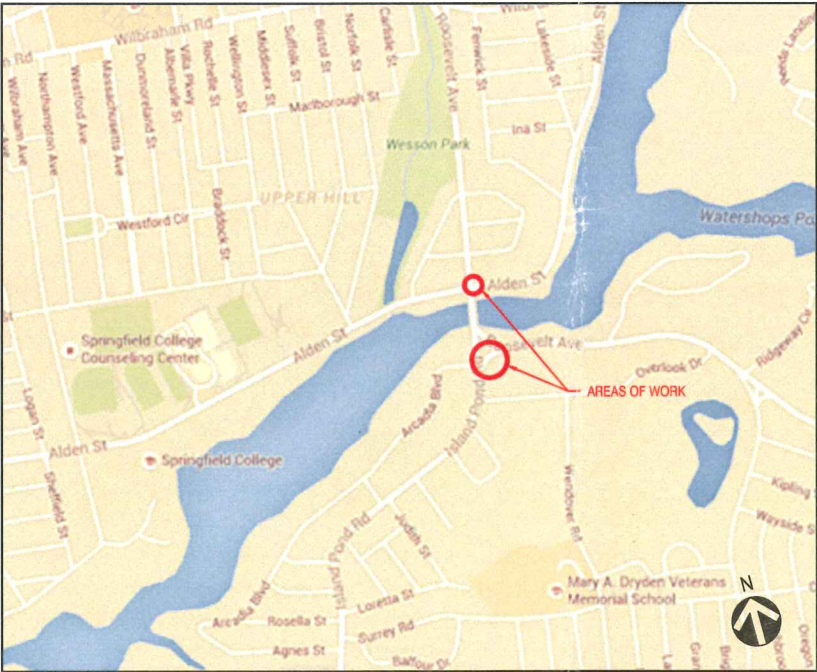
24 HR. EMERGENCY LINE:COLUMBIA GAS OF MASSACHUSETTS
1-800-525-8222

LEGEND

	EXISTING GAS MAIN		TEST WELL
	EXISTING GAS MAIN TO BE ABANDONED		REGULATOR STATION
	PROPOSED GAS MAIN		SINGLE CUSTOMER REGULATOR
	PROPOSED GAS MAIN UPRATE		METER
	COATED STEEL GAS MAIN		METER WITH REGULATOR
	CAST IRON GAS MAIN		TEST POINT (STATION)
	BARE STEEL GAS MAIN		GAS SERVICE TIE-OVER
	WROUGHT IRON GAS MAIN		GAS SERVICE REPLACEMENT
	HIGH DENSITY POLYETHYLENE GAS MAIN		METER MOVE OUT
	MEDIUM DENSITY POLYETHYLENE GAS MAIN		TELEPHONE MANHOLE
	LOW PRESSURE		DRAIN MANHOLE
	INTERMEDIATE PRESSURE		ELECTRIC MANHOLE
	MEDIUM PRESSURE		CATCH DRAIN
	HIGH PRESSURE		SEWER MANHOLE
	ATTACHED		FIRE HYDRANT
	BRIDGE HANGER		UTILITY POLE
	BUILDING HANGER		WETLAND
	DIRECTIONAL BORE		GAS VALVE
	INSERTED		CRITICAL GAS VALVE
	OPEN CUT		PRESSURE CONTROL FITTINGS
	PNEUMATIC BORE		TRANSITION
	PILOWED		END CAP
	ROOF TOP		REDUCER
	EXISTING		ELECTRONIC MARKER
	PROPOSED		
	WELD LOCATION		GAS MAIN TIE IN LOCATION
			GAS MAIN ABANDONMENT LOCATION

VICINITY MAP

SCALE: N.T.S



PROJECT DESCRIPTION

CMA SHALL REPLACE SUCH PIPE AS IS NECESSARY DUE TO THE PLANNED IMPROVEMENTS OF BOTH THE SWSC AND MASSDOT ON ISLAND POND ROAD AND ROOSEVELT AVENUE. CMA SHALL REPLACE APPROXIMATELY 560' OF LOW PRESSURE CAST IRON MAIN WITH PLASTIC TO OPERATE AT THE SAME PRESSURE.

SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
L-1 - L-2	LAYOUT SHEETS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
NON FORCE ACCOUNT PROJECT (557) 16-082XXXX-00			NON FORCE ACCOUNT PROJECT (558) 16-082XXXX-00		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
70'	6"	PH	60'	6"	CS (PRE CODE)
			10'	6"	CI
PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
DOT PROJECT (557) 16-0826971-00			DOT PROJECT (558) 16-0826972-00		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
490'	6"	PH	640'	6"	CI
560'	TOTAL INSTALLATION (FEET)		710'	TOTAL ABANDONMENT (FEET)	
PROPOSED GAS SERVICES					
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES		METER OUTS
ESTIMATED GAS SERVICES	0	0	0		0

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
- PROPERTY LINE, STRUCTURES, STREET LINE, ETC. WAS COMPILED THE COLUMBIA GAS GIS DATA BASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.



Know what's below.
Call before you dig.

PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
1	05/02/16	ISSUED TO SPR CITY CLERK
0	04/25/16	ISSUED FOR DOT SUBMITTAL

DESIGNED BY	TAO	04/25/16	-
DRAWN BY	TAO	04/25/16	-
CHECKED BY	RAS	04/25/16	-
AS-BUILT BY	-	-	-
	NAME	DATE	PHONE #

SITE NAME:

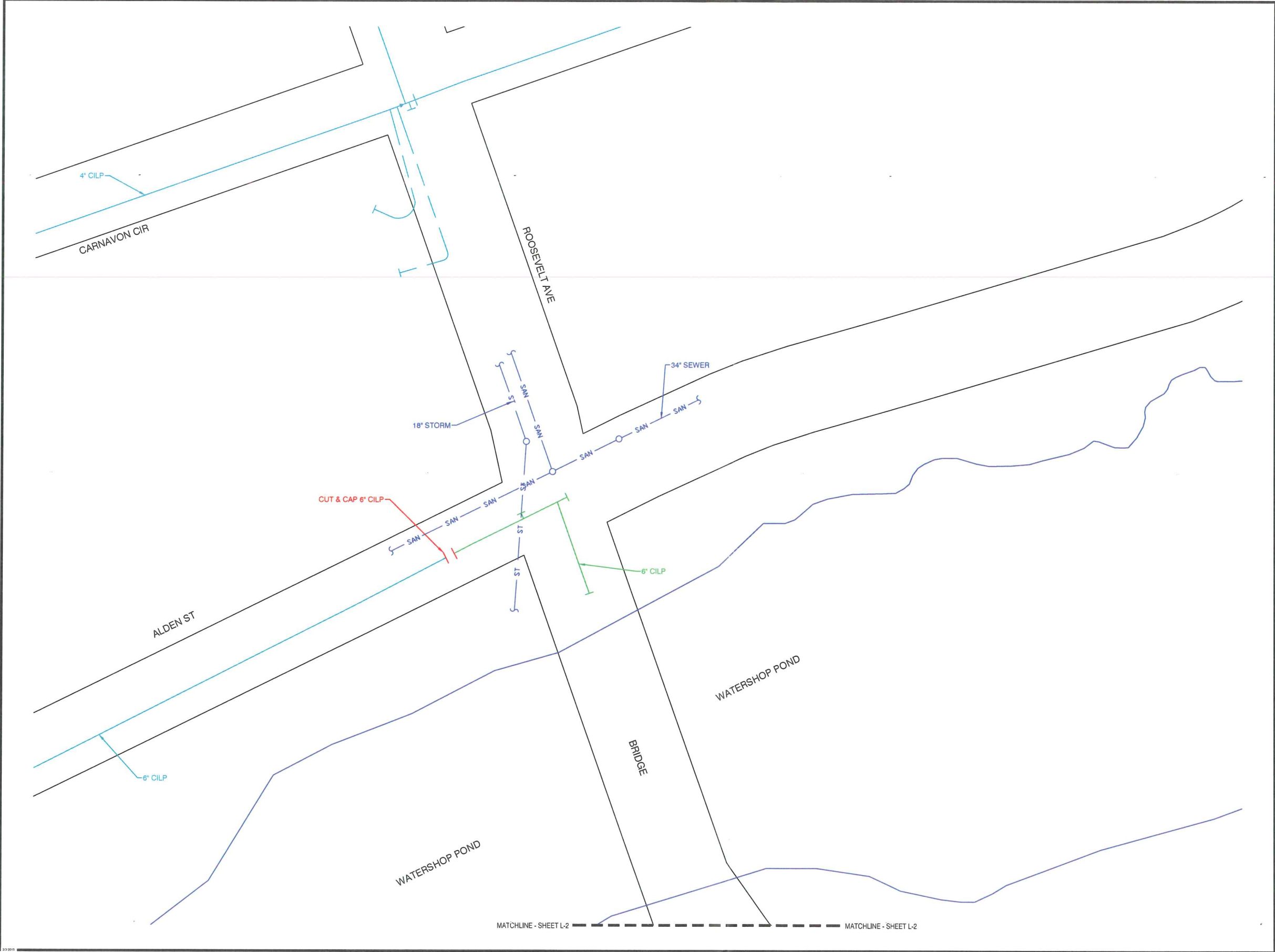
JO# VARIES
JO# VARIES
PROJECT ID# 16-36251
ISLAND POND/ALDEN (SWSC & DOT)
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

TITLE SHEET

DRAWING NO:

T-1



Know what's below.
Call before you dig.



PROPOSED

REVISIONS		
1	05/02/16	ISSUED TO SPR CITY CLERK
0	04/25/16	ISSUED FOR DOT SUBMITTAL
REV. #	DATE	DESCRIPTION

DESIGNED BY	TAO	3/11/16	-
DRAWN BY	TAO	3/11/16	-
CHECKED BY	RAS	3/11/16	-
AS-BUILT BY	-	-	-
	NAME	DATE	PHONE #

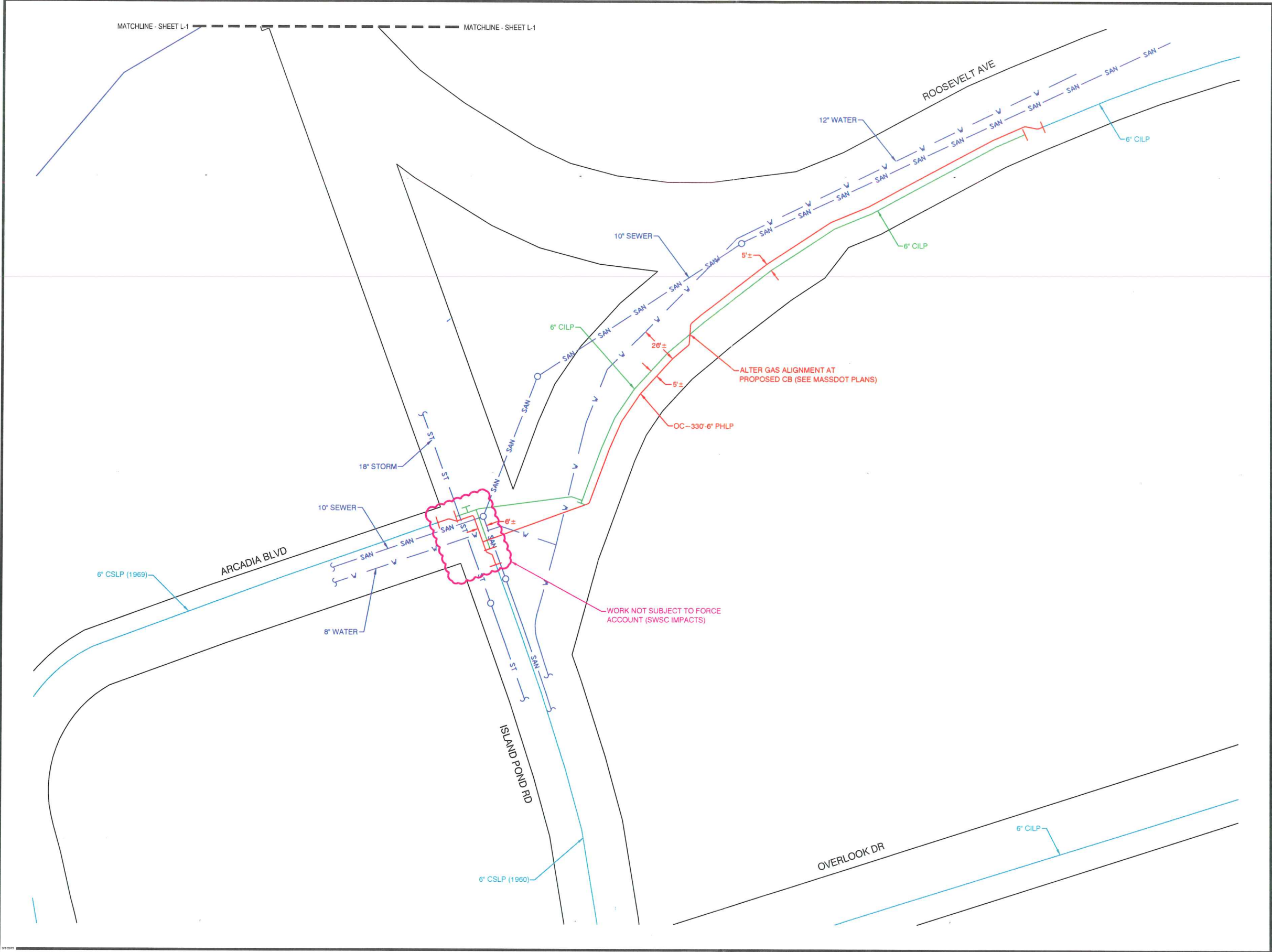
SITE NAME:
JO# VARIES
JO# VARIES
PROJECT ID# 16-36251
ISLAND POND/ALDEN (SWSC & DOT)
SPRINGFIELD, HAMPDEN

PROJECT TITLE:

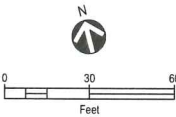
LAYOUT SHEET

DRAWING NO:

L-1



Know what's below.
Call before you dig.



PROPOSED

REVISIONS		
1	05/02/16	ISSUED TO SPR CITY CLERK
0	04/25/16	ISSUED FOR DOT SUBMITTAL
REV. #	DATE	DESCRIPTION
DESIGNED BY	TAO	3/11/16
DRAWN BY	TAO	3/11/16
CHECKED BY	RAS	3/11/16
AS-BUILT BY		
	NAME	DATE PHONE #

SITE NAME:
JO# VARIES
JO# VARIES
PROJECT ID# 16-36251
ISLAND POND/ALDEN (SWSC & DOT)
SPRINGFIELD, HAMPDEN

PROJECT TITLE:
LAYOUT SHEET

DRAWING NO:
L-2

AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)

PIPELINE PRESSURE TEST DATA

☐ CGV

☐ CKY

☐ CMA

☐ CMD

☐ COH

☐ CPA

☐ NIPSCO

LOA/TCC: WO/JO:

RECORDING CHART ☐ YES ☐ NO RECORDER SERIAL NO: REQUIRED MAOP:

PRESSURE SYSTEM NO: TEST ACCEPTABLE: ☐ YES ☐ NO

PIPELINE LOCATION (STREET, CITY, TOWN OR COUNTY)	LENGTH	SIZE	PE/STEEL

TEST DATE: TEST MEDIUM: TEST PRESSURE:

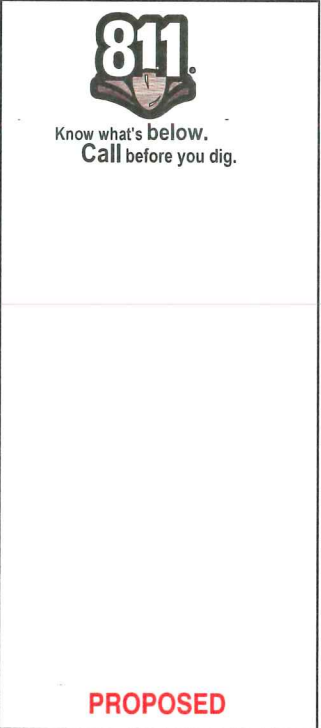
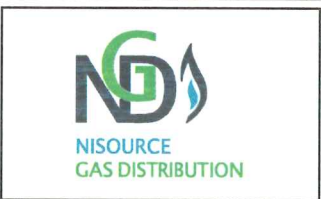
START TIME: STOP TIME: DURATION:

PRINT NAME: CONTRACTOR (IF APPLICABLE):

REMARKS*:

* DESCRIBE ANY LEAKAGE OR FAILURES FOUND DURING THE TEST AND THEIR DISPOSITION.
NOTE SIGNIFICANT ELEVATION VARIATIONS ON WATER TESTS.

FORM GS 1500.010-1 (5-2014)



PROPOSED

REVISIONS

1	05/02/16	ISSUED TO SPR CITY CLERK
0	04/25/16	ISSUED FOR DOT SUBMITTAL
REV. #	DATE	DESCRIPTION

DESIGNED BY	TAO	3/11/16	-
DRAWN BY	TAO	3/11/16	-
CHECKD BY	RAS	3/11/16	-
AS-BUILT BY	-	-	-
	NAME	DATE	PHONE #

SITE NAME:

JO# VARIES
JO# VARIES
PROJECT ID# 16-36251
ISLAND POND/ALDEN (SWSC & DOT)
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

CONSTRUCTION
DETAILS

DRAWING NO:

D-1

**DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCES
CITY OF SPRINGFIELD
MASSACHUSETTS**

DATE: May 9, 2016

TO: Anthony Wilson, Esq.
City Clerk

FROM: Hector Velez, DPW Engineer.
on behalf of BPW

DEPARTMENT: City Clerk Office

SUBJECT: Board's agenda for:
May 23, 2016

NOTICE OF MEETINGS

Monday– May 23, 2016 at Overlook Dr. in front of Lutheran Church, Springfield MA at 5:00 P.M.

Minutes of Previous Meeting
Communications
Old Business
New Business: **COLUMBIA GAS**
Roosevelt Avenue

HEARING RE: To replace underground cast iron gas main within the right of way on Roosevelt Avenue at Island Pond, (MassDOT Project)

Attachment: 5-23-2016 notice of meeting CMA (3568 : Roosevelt Avenue)



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Christopher Fraser
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3550

7

HOME Grant - No Match - \$1,099,907 (Mayor Sarno)

WHEREAS, the Office of Community Development ("Department") has been awarded an increase of \$1,050 to the "HOME Grant" from the U.S. Office of Housing and Urban Development, bringing the total grant award to \$1,099,907; and

WHEREAS, the purpose of the grant program is to provide affordable housing for low- income households; and

WHEREAS, the Department intends to use the grant funds to provide funds to first-time homeowners, tenant-based rental assistance, project based homeownership and rehab owner and rental properties; 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:

2016 HOME Grant Program - \$1,099,907

RESULT: PASSED BY VOICE VOTE



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request 4/19/2016

Department Requesting Grant Setup Comm Dev

Department Phone # (Please include extension) 6082

Name and Title of Person to Contact in Case of Questions Cathy Buono

Was this Grant previously setup for a prior fiscal year?
If yes, please indicate your previous project number: 63016

If this is a new Grant, have you filled out the "Approval to apply for a grant" Form?
(Y/N) If yes, please attach a copy of the Approved Form.

Grant Type:
 State – Highway
 Federal Pass-Through DOE– School
 Federal Direct– School
 X Federal – City
 State DOE– School
 State Other – School
 State – City
 Private/Other

Amended Amount 6-7-2016
 \$1,099,907.00
 increase \$1,050.00

Grant Name: HOME Entitlement

Total Grant Amount Awarded: \$ 1,093,947.00

Amended Amount - \$1,098,857.00 increase
 \$4910.00

Is this a Reimbursable Grant?

(Y/N) yes

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name	US Dept of HUD
Contact Person	Paula Newcomb
Street Address	10 Causeway Street
City, State, Zip Code	Boston, MA 02222
Telephone	617-994-8378
Fax	617-565-5442
E-Mail	pnewcomb@hud.gov

Actual Award Date 2/16/2016

Board Approval Date

Start Date 7/1/2016

Expiration Date 6/30/2018

Renewal Action Date (optional)

If there are any Matching Funds:

Type

Percent

Amount

Comments re: Description/Purpose of Grant
HOME Entitlement

Comments re: Conditions/Restrictions of Grant

If this is a Federal Grant, enter CFDA#: 14.239

If applicable enter the State ID # :

What is the required drawdown frequency?

(Ex: Monthly, Quarterly) monthly

If payment is to be sent by Grantor as a Wire,

Please enter any wire reference/identification # that may be used (if known)

Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

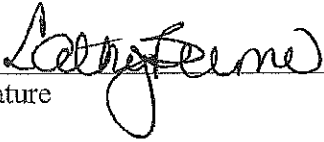
Org Code: same as 63016

Object Codes:

Budget Roll-Up Codes:

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.

Signature



Date

4-19-16

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

252118		Salem	MA	\$995,257	\$0	\$0	\$0
252250		Somerville	MA	\$2,264,442	\$399,921	\$0	\$203,461
252340		Springfield	MA	\$3,492,334	\$1,099,907	\$453,520	\$319,947
252418	25C227	Taunton	MA	\$727,137	\$516,078	\$0	\$0
252544		Waltham	MA	\$939,904	\$0	\$0	\$0



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Jennifer Whisher
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3563

8

FY17 Local Consumer Aid Grant- No Match Required \$95,000.00 (Mayor Sarno)

WHEREAS, the Mayor, on behalf of the *Mayor's Office of Consumer Information*, ("Department") has been awarded a "Local Consumer Aid Fund Grant" of \$95,000.00 from the Commonwealth of Massachusetts Office of the Attorney General; and

WHEREAS, the purpose of the grant program is to assist in the resolution of consumer complaints; and

WHEREAS, the Department intends to use the grant funds for the operation of a Local Consumer Program to educate consumers on their consumer protection rights and to mediate consumer complaints, whereby funds will pay for staff salaries and student intern stipends and for those expenses associated with the processing and handling of the consumer complaints (i.e. supplies, postage, copier, travel); 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:

FY17 Local Consumer Aid Grant- No Match Required \$95,000.00

RESULT: PASSED BY VOICE VOTE



THE COMMONWEALTH OF MASSACHUSETTS
 OFFICE OF THE ATTORNEY GENERAL
 ONE ASHBURTON PLACE
 BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
 ATTORNEY GENERAL

(617) 727-2200
 (617) 727-4765 TTY
www.mass.gov/ago

May 31, 2016

Mayor Domenic J. Sarno
 Springfield Mayor's Office of Consumer Information
 City Hall, 36 Court Street
 Room 315
 Springfield, MA 01103

Re: Fiscal Year 2017 Local Consumer Aid Fund Grant Award

Dear Mayor Sarno:

Congratulations, I am pleased to award the Springfield Mayor's Office of Consumer Information, a Fiscal Year 2017 (July 1, 2016 - June 30, 2017) Local Consumer Aid Fund grant of \$95,000 for the resolution of consumer complaints. This award is made subject to the Guidelines for the operation of a Local Consumer Program and conditions detailed on the forthcoming Scope of Services to ensure compliance with the terms of the grant.

Once you understand and accept the requirements under the grant, please return all requested documents listed, each with original signatures, to Timothy Depin, LCP Coordinator.

Thank you for your continuing efforts in the important area of consumer assistance. I look forward to a successful and productive joint effort in the coming year.

Cordially,

A handwritten signature in blue ink, appearing to read 'M. Healey'.

Maura Healey
 Massachusetts Attorney General

Enc. Scope of Services, Contract

Attachment: FY17 Local Consumer Aid Fund Grant Award (3563 : FY17 Local Consumer Aid Grant- No Match Required \$95,000.00)



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers. All fields are mandatory.

Date of Request 6/14/16
 Department Requesting Grant Setup Mayor's Office of Consumer Information

Department Phone # (Please include extension) 750-2890

Name and Title of Person to Contact in Case of Questions Milagros S. Johnson

Was this Grant previously setup for a prior fiscal year?
 If yes, please indicate your previous project number: 87516

If this is a new Grant, have you filled out the "Approval to Apply for a Grant" Form? (Y/N) NO
 If yes, please attach a copy of the Approved Form.

Is this a Reimbursable Grant (Y/N) NO
A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

Grant Type:

(X)

- State – Highway
- Federal Pass-Through DOE– School
- Federal Direct– School
- Federal – City
- State DOE– School
- State Other – School
- x State – City
- Private/Other

Grant Name Local Consumer Aid Fund (LCP)

(Limit is 30 characters in MUNIS – please choose a name that is descriptive and meaningful to you. Ex: you may want to incorporate an abbreviation for the relevant school location, etc.)

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

- Entity Name
- Contact Person
- Street Address
- City, State, Zip Code
- Telephone
- Fax
- E-Mail

Total Grant Amount Awarded \$95,000

Actual Award Date May 31, 2016

Board Approval Date

Start Date July 1, 2016

Expiration Date June 30, 2017

Renewal Action Date (optional)

If there are any Matching Funds:

Type

Percent

Amount

Comments re: Description/Purpose of Grant
Local Consumer Program (LCP) providing services in Hampden County and 1/3 of Worcester County

Comments re: Conditions/Restrictions of Grant

If this is a Federal Grant, enter CFDA#

If this is a Reimbursable Grant, what is the required
Drawdown Frequency? (Ex: Monthly, Quarterly)

If payment is to be sent by Grantor as a Wire, please
Enter any wire reference/identification # that may be used (if known)
CTAG010122013LCAFSPRINGFIELD

Please list all object codes needed for the grant (attach additional sheets if additional orgs and roll-ups are needed):

2875 1201 461000 8717

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.


Milagros S. Johnson
Department Head Signature

Please return this form and all attachments to the Office of the City Comptrollers.

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ Mayor/FCB Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

For Comptrollers Use Only

Entered into Munis by	
Date	
Comments	



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Yuan Feng
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3562

9

FY15 Free Cash to Stabilization Transfer \$2,329,387 (Mayor Sarno)

WHEREAS, to meet the future expenses of the City of Springfield, pursuant to Mass. General. Laws Chapter 40, Section 5B, Chapter 59 Section 23 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 \$2,329,387 from FY15 Certified Free Cash to the Stabilization Reserve Fund.

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 \$2,329,387 From FY15 Certified Free Cash to the Stabilization Reserve Fund.

From:

Certified Free Cash - Other Financing Uses

0100-00-000-0000-0000-000000-0000000-701000 - (\$2,329,387)

To:

Stabilization Financial Reserves - Other Financing Sources

8213-00-000-0000-0000-000000-0000000-700000 - \$2,329,387

FINANCIAL IMPACT:

\$2,329,387 to Stabilization

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 20, 2016
Re: Order for Council Meeting – June 20, 2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the June 20, 2016 Council meeting which transfers remaining funds from FY15 Free Cash to the Stabilization Reserve Account.

Background: In an effort to continue to grow the City's Stabilization Reserve Balance, we are requesting the remaining FY15 Certified Free Cash balance to be transferred to the Stabilization Reserve Fund.

With this additional funding, the Stabilization Account balance would increase to \$42,774,028.

Stabilization Reserves	
Current Balance	40,444,641
Remaining FY15 Free Cash Transfer	2,329,387
Beginning FY17 Balance	42,774,028

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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. This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

Attachment: CAFO Certification - Free Cash to Stabilization (3562 : FY15 Free Cash to Stabilization Transfer \$2,329,387)



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Lindsay B. Hackett
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3565

10

FY15 Free Cash to Pension Stabilization Reserve - \$1,000,000 (Mayor Sarno)

WHEREAS, to meet the future expenses of the City of Springfield, pursuant to Mass. General Laws Chapter 40, Section 5B and Chapter 468 of the Acts of 2008, the Chief Administrative and Financial Officer and his Honor the Mayor have requested authorization from the City Council to transfer the sum of \$1,000,000 from FY15 Certified Free Cash to the Pension Stabilization Reserve Fund.

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

NOW THEREFORE BE IT ORDERED, that the City Council approves the transfer of the sum of \$1,000,000 From FY15 Certified Free Cash to the Pension Stabilization Reserve Fund.

From:
FY 2015 - Certified Free Cash (\$1,000,000.00)

To:
Stabilization Reserve Fund - Pension Stabilization Reserve Fund \$1,000,000.00

FINANCIAL IMPACT:

\$1,000,000 to Pension Stabilization Reserve

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 9, 2016
Re: Order for Council Meeting – 06/20/2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the June, 20, 2016 Council meeting. This order is needed to transfer the sum of \$1,000,000.00 from FY15 Certified Free Cash to the Pension Stabilization Reserve Fund.

Background: Upon the establishment of the Pension Stabilization Reserve Fund, this request is for the transfer of \$1,000,000.00 from FY15 Certified Free Cash to the Pension Stabilization Reserve Fund. This fund will be used as a method of continuing contributions to the City's unfunded pension liability. Funds that are periodically transferred to this separate, interest bearing account will be used to offset future pension obligations.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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.

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

Attachment: CAFO Certification - Pension Reserve (3565 : FY15 Free Cash to Pension Stabilization Reserve - \$1,000,000)



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Jennifer Whisher
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3561 B

11

Budget Transfer Within a Department \$921,050.44 (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2015 and ending June 30, 2016 (FY'16), 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 \$921,050.44 from Finance - Various, to PayGo Finance - Various, in order to carry forward funding in the next fiscal year for purposes of keeping the funding available for projects currently in progress.

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

NOW THEREFORE BE IT ORDERED, that the City Council approves the transfer of the sum of \$962,778.06 from Finance - Various, to PayGo Finance - Various in order to carry forward funding in the next fiscal year for purposes of keeping the funding available for projects currently in progress and meet the expenses of the City of Springfield for Fiscal Year 2016.

From: Finance

0100-10-133-0000-0000-0010-000000-0000000-584000-SBPWP	\$241,864.00
0100-10-133-0000-0000-0010-000000-0000000-584000-REPKD	\$5,700.00
0100-10-133-0000-0000-0010-000000-0000000-580900-PDCMP	\$1,113.23
0100-10-133-0000-0000-0010-000000-0000000-580800-VHD16	\$400,000.00
0100-10-133-0000-0000-0010-000000-0000000-584000-FPKTC	\$272,373.21

To: PayGo Finance

3416-10-133-0000-0000-0010-000000-0000000-584000-SBPWP	\$241,864.00
3416-10-133-0000-0000-0010-000000-0000000-584000-REPKD	\$5,700.00
3416-10-133-0000-0000-0010-000000-0000000-580900-PDCMP	\$1,113.23
3416-10-133-0000-0000-0010-000000-0000000-580800-VHD16	\$400,000.00
3416-10-133-0000-0000-0010-000000-0000000-584000-FPKTC	\$272,373.21

FINANCIAL IMPACT:

Budget Transfer Within a Department \$921,050.44

RESULT:	ADOPTED [10 TO 1]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Ashe, Edwards, Fenton
NAYS:	Adam Gomez
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 20, 2016
Re: Order for Council Meeting – June 20, 2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to request the City Council to consider an order to authorize the transfer of \$921,050.44 for current projects funded by Pay-As-You-Go (Pay-go) Capital.

Background: This request is for the appropriation of funds totaling \$921,050.44 from the following capital accounts. This carry forward funding will ensure that funding is available for current projects in FY17.

ORG	OBJECT	PROJECT	AMOUNT	NOTES	ORG	OBJECT	PROJECT	AMOUNT
01133	584000	SBPWP	241,864.00	SOUTH BRANCH PARK	34161330	584000	SBPWP	241,864.00
01133	584000	REPKD	5,700.00	RUTH ELIZABETH PARK DESIGN	34161330	584000	REPKD	5,700.00
01133	580900	PDCMP	1,113.23	PD (DISPATCH) - COMPUTERS	34161330	580900	PDCMP	1,113.23
01133	580800	VHD16	400,000.00	VAN HORN DAM MATCH	34161330	580800	VHD16	400,000.00
01133	584000	FPKTC	272,373.21	FOREST PARK TENNIS COURTS	34161330	584000	FPKTC	272,373.21
			921,050.44					921,050.44

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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.

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

Attachment: CAFO Certification - Paygo (3561 : Budget Transfer Within a Department \$921,050.44)



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3573

12

Appropriation Order for Taking Damages for Intersection Improvements Project (\$23,820) (Mayor Sarno)

WHEREAS, the Department of Public Works has requested that the Springfield City Council approve an Order of Taking authorizing the eminent domain takings of one (1) permanent easement on Alden Street, and twenty (20) temporary easements over portions of properties located on Alden Street, Northumberland Street, Roosevelt Avenue, and Island Pond Road, all as more particularly described on the spreadsheet attached hereto as Exhibit A, and in the *Order of Taking* which has been filed with the City Council; and

WHEREAS, such takings are necessary to obtain all "rights of way" necessary for the "**Roosevelt Avenue and Island Pond Road Intersection Improvements Project**" (MassDOT project #605385) ("Project") to be constructed and undertaken by the Massachusetts Department of Transportation, and for ongoing maintenance of the improvements following construction; and

WHEREAS, the City obtained appraisals and review appraisals of the value of the easements and requests the City Council to appropriate the funds necessary to compensate the property owners for the eminent domain takings of the easements; and

WHEREAS, the Department of Public Works will use state Chapter 90 funds for the purpose of paying the awards of damages to the property owners; and

WHEREAS, 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, 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 appropriation of funds described herein for purposes of compensating property owners for the proposed eminent domain takings of permanent and temporary easements as described in the Order of Taking, 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 ORDERED, that pursuant to its authority under Mass. Gen. Laws Chapter 43, Section 30, Mass. Gen. Laws Chapter 79, Mass. Gen. Laws Chapter 44, Section 32, and Chapter 468 of the Acts of 2008, the City Council hereby appropriates the sum of **Twenty-Three Thousand Eight-Hundred Twenty and 00/100 Dollars (\$23,820.00)** for the payment of damages for the anticipated taking of one (1) permanent easement and twenty (20) temporary construction easements over parcels of land located on Alden Street, Northumberland Street, Roosevelt Avenue, and Island Pond Road, as described

in the Order of Taking, to obtain the access rights needed for the roadway and traffic improvements to be constructed and maintained, to be paid from the following account:

Account # 23294000-576400-32915
Chapter 90 Appropriation Account - \$23,820.00

FINANCIAL IMPACT:

Order appropriates \$23,820 for damages for proposed takings of permanent and temporary easements for the Roosevelt Avenue and Island Pond Road Intersection Improvements project. This Order must be approved before the Order of Taking is approved.

RESULT:	ADOPTED [10 TO 0]
AYES:	Hurst, Shea, Twiggs, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSTAIN:	Timothy C. Allen
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

Alden/Island Pond/Roosevelt
Springfield, MA

12.a

EXHIBIT A

Parcel		Street	Property Owner	Taking Area/SF	Damage Award
PE	1	628 Alden Street	Unique Homes, Inc.	303	\$1,450
TE	1	6 Northumberland Street	Springfield College	324	\$490
TE	2	5 Northumberland Street	Cesar Gonzalez	527	\$800
TE	3	550 Alden Street	Robert Maurice	654	\$990
TE	4	N/S Alden Street	Springfield College	378	\$570
TE	5	570 Alden Street	Springfield College	1,009	\$1,530
TE	6	582 Alden Street	Kai Ursula DewBerry (Formerly McFarland)	890	\$1,350
TE	7	817 Roosevelt Avenue	Travis Orszulak	105	\$250
TE	8	596 Alden Street	Christine M. Washington	980	\$1,480
TE	9	600 Alden Street	Donald P. Whitney	442	\$670
TE	10	606 Alden Street	Jodi Aina	275	\$420
TE	11	610 Alden Street	Michael A. Orszulak	275	\$420
TE	12	616 Alden Street	Zachary D. Depace	277	\$420
TE	13	620 Alden Street	Walter W. Pinckney	496	\$750
TE	14	628 Alden Street	Unique Homes, Inc.	728	\$1,100
TE	15	636 Alden Street	Orlando Gonzalez Jr.	1,315	\$1,990
TE	16	646 Alden Street	Tamara W. Hill	114	\$250
TE	19	455 Island Pond Road	Bethesda Swedish Evangelical Lutheran Church	5,313	\$8,040
TE	20	718 Roosevelt Avenue	Nadine S. Michel	135	\$300
TE	21	688 Roosevelt Avenue	Joyce M. Lesieur	166	\$300
TE	22	814 Roosevelt Avenue	William L. & Crystal J. Collins	105	\$250
Total					\$23,820

Total Permanent Easements

303 **\$1,450**

Total Temporary Easements

14,508 **\$22,370**

Attachment: Exhibit A to Appropriation Order for Takings, 6.15.16 (3573 : Appropriation Order for Taking Damages for Intersection



City Council

ADOPTED

13

Meeting: 06/20/16 07:00 PM
Initiator: Christopher Fraser
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3553

Free Cash to Dispatch Department - \$35,000 (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2015 and ending June 30, 2016 (FY'16), pursuant to Mass. Gen. Laws Ch. 44, Section 33B, Ch. 59, Section 23 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 \$35,000 From FY15 Unappropriated Free Cash to the Dispatch Department's Overtime account to cover deficits due to higher than expected overtime expenditures, which can be attributed to increased attrition in the department throughout the fiscal year.

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 \$35,000 From FY15 Unappropriated Free Cash to the Dispatch Department's Overtime Account in order to fund the projected deficit and meet the expenses of the City of Springfield for Fiscal Year 2016.

From:

Certified Free Cash - Other Financing Uses

0100-00-000-0000-0000-000000-0000000-701000- **\$35,000.00**

To:

Dispatch - Overtime

0100-20-250-2501-0000-0000-000000-0000000-506000- **\$35,000.00**

RESULT:	ADOPTED [10 TO 1]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards
NAYS:	Michael A. Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 14, 2016
Re: Order for Council Meeting – 06/20/2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the June 20, 2016 Council meeting. This order is needed to transfer the sum of \$35,000 from FY15 Certified Free Cash to the Dispatch Department's Overtime account. This transfer will be used to cover deficits caused by higher than expected overtime expenditures during the current fiscal year.

Background: As a result of high attrition rates in the Dispatch Department throughout FY16, management was forced to use overtime to cover shifts that were unfilled due to a large number of vacancies. Because the department needs to maintain a certain level of staffing to maintain operations, the amount of overtime needed caused the department's personal services budget to fall into a deficit.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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.

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

Attachment: CAFO Cert - Free Cash to Dispatch PS (3553 : Free Cash to Dispatch Department - \$35,000)



City Council

ADOPTED

14

Meeting: 06/20/16 07:00 PM
Initiator: Christopher Fraser
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3554

Budget Transfer W/In a Department - \$15,300 (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2015 and ending June 30, 2016 (FY'16), 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 \$15,300 from the Office of the Comptroller - Salaries line to the Office of the Comptroller - Professional Services line for State Assessments, in order to fund increased fees owed to UMass for submitting Medicaid claims on behalf of the City.

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 \$15,300 from the Office of the Comptroller - Salaries line to the Office of the Comptroller - Professional Services line for State Assessments, in order to fund increased fees owed to UMass for submitting Medicaid claims on behalf of the City and meet the expenses of the City of Springfield for Fiscal Year 2016.

From: Comptroller - Salaries & Wages

0100-10-135-0000-0000-0010-000000-0000000-501000- \$15,300.00

To: Comptroller Assessments - Professional Services

0100-80-135-0000-0000-0000-000000-0000000-530105- \$15,300.00

FINANCIAL IMPACT:

Budget Transfer W/In a Department - \$15,300

RESULT:	ADOPTED [10 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Orlando Ramos, Kateri B. Walsh

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 14, 2016
Re: Order for Council Meeting – 06/20/2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the June 20, 2016 Council meeting. This order is needed to transfer the sum of \$15,300.00 from the Comptroller's Office - Salaries line to the Comptroller's Office - Professional Services account for State Assessments. This transfer will be used to cover the increased cost of a commission fee paid to the University of Massachusetts Medical School.

Background: The City revenue estimate for School-based Medicaid reimbursement for Fiscal Year 2016 was \$3,099,589. The City pays the University of Massachusetts Medical School a commission of 2.80% for submitting administrative activity claims to the Commonwealth for reimbursement. The City has been informed by the University that this year's claims processed will total \$3,835,444.73. This transfer is necessary to adjust the commission budget for the University to reflect the increase of \$735,855.73 in revenue received over the original estimate.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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.

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

Attachment: CAFO Certification - Comptroller PS to Assessments (3554 : Budget Transfer W/in a Department - \$15,300)



City Council

WITHDRAWN

Meeting: 06/20/16 07:00 PM
Initiator: Christopher Fraser
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3559

15

Budget Transfer W/In a Department - \$9,462.02 (Mayor Sarno)

WHEREAS, to meet the expenses of the City of Springfield for the fiscal year commencing July 1, 2015 and ending June 30, 2016 (FY'16), 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 \$9,462.02 From the Office of Health & Human Services - Salaries line to the Office of Health & Human Services - Building Rental line, in order to pay MGM a prorated amount for the rental of 95 State Street from July of 2015.

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 \$9,462.02 From the Office of Health & Human Services - Salaries line to the Office of Health & Human Services - Building Rental line, in order to pay MGM a prorated amount for the rental of 95 State Street from July of 2015.

From: Health & Human Services - Salaries & Wages

0100-50-520-5200-0000-5000-000000-0000000-501000- \$9,462.02

To: Health & Human Services - Building Rental

0100-50-520-5200-0000-5000-000000-0000000-527010- \$9,462.02

FINANCIAL IMPACT:

Budget Transfer W/In a Department - \$9,462.02

RESULT: WITHDRAWN

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Chief Administrative & Financial Officer
Date: June 14, 2016
Re: Order for Council Meeting – 06/20/2016
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the June 20, 2016 Council meeting. This order is needed to transfer the sum of \$9,462.02 from the Office of Health & Human Services - Salaries line to the Office of Health & Human Services – Building Rental account. This transfer will be used to pay an invoice for the rental of 95 State Street in July 2015.

Background: The Department of Health & Human Services planned to move out of 95 State Street, a property they had occupied for many years, into a new facility by mid-June of 2015. A delay in finding a new location forced the department continue operations out of the building until mid-July, at which time the property was under ownership of MGM. This invoice is a prorated amount to pay MGM for the time that Health & Human Services utilized the facility before relocating.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council 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.

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

Attachment: CAFO Certification - HHS PS to Building Rental (3559 : Budget Transfer W/In a Department - \$9,462.02)



City Council

ADOPTED

16

Meeting: 06/20/16 07:00 PM
Initiator: Lindsay B. Hackett
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3557

Establishment of Pension Stabilization Reserve Fund (Mayor Sarno)

WHEREAS, the Mayor and Chief Administrative and Financial Officer wish to establish a Pension Stabilization Reserve Fund as a method of continuing contribution to the City's unfunded pension liability; and

WHEREAS, funds periodically transferred to the Pension Stabilization Reserve Fund will be used to offset future pension obligations; and

NOW THEREFORE BE IT ORDERED, In accordance with the provisions of Massachusetts General Laws Chapter 40, section 5B, the City establishes a Stabilization Reserve Fund for the purposes of funding the pension system for the City of Springfield. The fund will be entitled Pension Stabilization Reserve Fund.

RESULT:	ADOPTED [11 TO 0]
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton
ABSENT:	Timothy J. Rooke, Kateri B. Walsh



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM

Initiator: Kathy Breck

Sponsors: Mayor Domenic J. Sarno

DOC ID: 3572 A

17

Order of Taking of Easements for Roosevelt Ave. & Island Pond Rd. Intersection Improvement Project (Mayor Sarno)

Order of Taking of Permanent and Temporary Easements For "Roosevelt Avenue and Island Pond Road Intersection Improvements" Project (MassDOT project #605385)

IT IS ORDERED THAT the City Council, acting pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, upon the request of the Department of Public Works, does hereby take by eminent domain in the name and on behalf of the said City of Springfield, one (1) permanent easement (PE-1), and twenty-two (22) temporary construction easements described herein (TE-1 through TE-22), for purposes of obtaining the necessary rights of way for the construction and maintenance of improvements to Alden Street, Roosevelt Avenue, Island Pond Road, and Northumberland Street, in the City of Springfield, for the "Roosevelt Avenue and Island Pond Road Intersection Improvements" Project ("Project"), including construction of retaining walls, sidewalks, and driveways, grading of embankments, slopes and lawns, tree trimming and tree removal;

An appropriation of money has been duly made for this purpose by an Order approved by the City Council on this date.

Such permanent and temporary easements are taken together with all rights therein, both legal and equitable, including all privileges, appurtenances, restrictions, conditions, and all estates and rights of reverter, together with all trees upon said land and improvements, but excluding commercial signs, affixed to said land, excepting easements, rights, and interests specifically reserved herein.

The permanent easement taken referred to as PE-1 is shown on a plan entitled "**Roosevelt Avenue and Island Pond Road Intersection Improvements**" ("Right of Way Plans"), on file with the Hampden County Registry of Deeds at Book of Plans at Book _____, Page _____, and the temporary construction easements referred to as TE-1 through TE-22, are shown on the Right of Way Plans on file with the Engineering Department of the City of Springfield Department of Public Works, 70 Tapley Street, Springfield, MA.

PERMANENT EASEMENT PE-1- Proposed Retaining Wall Easement

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the Project, is hereby taken in the parcel of land described as Proposed Retaining Wall Easement below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

That the permanent easement described below is shown on the aforementioned "Right of Way Plans" on file with the Hampden County Registry of Deeds and the Engineering Department of the City of Springfield Department of Public Works ("DPW"), 70 Tapley Street, Springfield, MA. The permanent easement is described as follows:

A portion of a parcel of land located at 628 Alden Street, Springfield, MA., supposed to be owned by Unique Homes, Inc., containing an area of 303 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northerly sideline of Alden street at the southwest corner of land now or formerly of Orlando Gonzalez, Jr., said point being 35.47 feet from , baseline station 111+65.27, and running thence;

Westerly, on a curve to the right, having a radius of 270.00 feet, along the northerly sideline of Alden Street, 19.75 feet to a point, thence;

S88°-23'-18"W, along last named land, 35.44 feet to a point, thence;

N06°-11'-37"E, through land now or formerly of Unique Homes, Inc., 5.00 feet to an point, thence;

N87°-20'-51"E, through last named land, 53.69 feet to a point, thence;

S08°-53'-21"E, along land now or formerly of Orlando Gonzalez, 6.45 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

TEMPORARY CONSTRUCTION EASEMENTS

It is further ORDERED that the following temporary construction easements are hereby taken for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "**Roosevelt Avenue and Island Pond Road Intersection Improvements**" Project, pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, including any non-commercial sign improvements, trees and shrubs located thereon, in the parcels of land described below within the limits of the Project as shown on the aforementioned "Right of Way Plans" on file with the Hampden County Registry of Deeds and the Engineering Department of the City of Springfield Department of Public Works ("DPW"), 70 Tapley Street, Springfield, MA, which plans are incorporated herein by reference;

Such temporary construction easements are acquired for the purposes of constructing retaining walls, sidewalks, and driveways, grading of embankments, slopes and lawns, tree trimming and tree removal, site grading and other improvements to the Project;

Such temporary construction easements are temporary in nature and are to be in effect from five (5) years from date of recording of this instrument, or until the construction of the Project is completed, *whichever occurs first*;

That included within said temporary construction easements ("TE") are twenty-two (22) parcels of land which are described below and are shown on the aforementioned Right of Way plans which are generally described as follows:

Parcel TE-1: A portion of a parcel of land located at 6 Northumberland Street, Springfield, MA., supposed to be owned by Springfield College, consisting of approximately 324 square feet, from the Alden Street

Construction Baseline Station 101+47.32 to Station 102+01.25, and shown as TE-1 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-2: A portion of a parcel of land located at 5 Northumberland Street, Springfield, MA., supposed to be owned by Cesar Gonzalez, consisting of approximately 527 square feet, from the Alden Street Construction Baseline Station 102+47.59 to Station 103+18.11, and shown as TE-2 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-3: A portion of a parcel of land located at 550 Alden Street, Springfield, MA., supposed to be owned by Robert Maurice, consisting of approximately 654 square feet, from the Alden Street Construction Baseline Station 103+18.11 to Station 104+49.32, and shown as TE-3 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-4: A portion of a parcel of land located on Alden Street, Springfield, MA., supposed to be owned by Springfield College, consisting of approximately 378 square feet, from the Alden Street Construction Baseline Station 104+49.32 to Station 105+24.82, and shown as TE-4 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-5: A portion of a parcel of land located at 570 Alden Street, Springfield, MA., supposed to be owned by Springfield College, consisting of approximately 1009 square feet, from the Alden Street Construction Baseline Station 105+24.82 to Station 106+25.68, and shown as TE-5 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-6: A portion of a parcel of land located at 582 Alden Street, Springfield, MA., supposed to be owned by Kai Ursula McFarland, consisting of approximately 890 square feet, from the Alden Street Construction Baseline Station 106+25.68 to Station 10+32.63 of the Roosevelt Avenue Construction Baseline, and shown as TE-6 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-7: A portion of a parcel of land located at 817 Roosevelt Avenue, Springfield, MA., supposed to be owned Travis Orszulak, consisting of approximately 105 square feet, from the Roosevelt Avenue Construction Baseline Station 9+99.63 to Station 10+20.86, and shown as TE-7 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-8: A portion of a parcel of land located at 596 Alden Street, Springfield, MA., supposed to be owned by Christine Washington, consisting of approximately 980 square feet, from the Roosevelt Avenue Construction Baseline Station 10+20.86 to Station 108+15.69 of the Alden Street Construction Baseline, and shown as TE-8 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-9: A portion of a parcel of land located at 600 Alden Street, Springfield, MA., supposed to be owned by Donald P. Whitney, consisting of approximately 442 square feet, from the Alden Street Construction Baseline Station 108+15.69 to Station 108+69.54, and shown as TE-9 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-10: A portion of a parcel of land located at 606 Alden Street, Springfield, MA., supposed to be owned by Jodi Aina, consisting of approximately 275 square feet, from the Alden Street Construction Baseline Station 108+69.54 to Station 109+23.25, and shown as TE-10 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-11: A portion of a parcel of land located at 610 Alden Street, Springfield, MA., supposed to be owned by Michael Orszulak, consisting of approximately 275 square feet, from the Alden Street Construction Baseline Station 109+23.25 to Station 109+77.17, and shown as TE-11 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-12: A portion of a parcel of land located at 616 Alden Street, Springfield, MA., supposed to be owned by Zachary Depace, consisting of approximately 277 square feet, from the Alden Street Construction Baseline Station 109+77.17 to Station 110+32.24, and shown as TE-12 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-13: A portion of a parcel of land located at 620 Alden Street, Springfield, MA., supposed to be owned by Walter Pinckney, consisting of approximately 496 square feet, from the Alden Street Construction Baseline Station 110+32.24 to Station 110+88.04, and shown as TE-13 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-14: A portion of a parcel of land located at 628 Alden Street, Springfield, MA., supposed to be owned by Unique Homes Inc., consisting of approximately 728 square feet, from the Alden Street Construction Baseline Station 110+88.04 to Station 111+64.16, and shown as TE-14 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-15: A portion of a parcel of land located at 636 Alden Street, Springfield, MA., supposed to be owned by Orlando Gonzalez Jr., consisting of approximately 1315 square feet, from the Alden Street Construction Baseline Station 111+64.16 to Station 112+75.25, and shown as TE-15 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-16: A portion of a parcel of land located at 646 Alden Street, Springfield, MA., supposed to be owned by Tamara Hill, consisting of approximately 114 square feet, from the Alden Street Construction Baseline Station 112+75.25 to Station 113+00.00, and shown as TE-16 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-17: A portion of a parcel of land located on Alden Street, Springfield, MA., supposed to be owned by City of Springfield, Parks Commission, consisting of approximately 5312 square feet, from the Alden Street Construction Baseline Station 101+48.86 to Station 106+77.73, and shown as TE-17 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-18: A portion of a parcel of land located on Alden Street, Springfield, MA., supposed to be owned by City of Springfield, Parks Commission, consisting of approximately 5765 square feet, from the Alden Street Construction Baseline Station 101+61.65 to Station 113+00.00, and shown as TE-18 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-19: A portion of a parcel of land located at 455 Island Pond Road, Springfield, MA., supposed to be owned by Bethesda Swedish Evangelical Lutheran Church (**Document #11733, Certificate of Title #4494**), consisting of approximately 5313 square feet, from the Island Pong Road Construction Baseline Station 202+99.12 to Station 205+60.17, and shown as TE-19 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-20: A portion of a parcel of land located at 718 Roosevelt Avenue, Springfield, MA., supposed to be owned by Nadine Michel (**Document #201,447, Certificate of Title #36185**), consisting of approximately 135 square feet, from the Roosevelt Avenue Construction Baseline Station 18+96.59 to Station 19+20.63, and shown as TE-20 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-21: A portion of a parcel of land located at 688 Roosevelt Avenue, Springfield, MA., supposed to be owned by Joyce Lesieur (**Document #176,714, Certificate of Title #33686**), consisting of approximately 166 square feet, from the Roosevelt Avenue Construction Baseline Station 22+87.38 to Station 23+21.48, and shown as TE-21 on the above-referenced Right of Way plans on file with the DPW Engineering Division;

Parcel TE-22: A portion of a parcel of land located at 814 Roosevelt Avenue, Springfield, MA., supposed to be owned William & Crystal Collins, consisting of approximately 105 square feet, from the Roosevelt Avenue Construction Baseline Station 10+12.13 to Station 10+32.63, and shown as TE-22 on the above-referenced Right of Way plans on file with the DPW Engineering Division.

Although said parcels are stated above as belonging to the named owner, the ownership of said parcels is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

AWARD OF DAMAGES

It is ORDERED that the City of Springfield makes the following awards for damages sustained by the owner/owners, and mortgagees of record and others as required by law, having an interest in the area or areas hereinbefore described in the taking of or injury to his/their/its property by reason of the taking of the permanent easement and temporary construction easements taken for construction of the Project, including any improvements, trees or shrubs:

DAMAGES FOR PERMANENT EASEMENTS

<u>PARCEL/ADDRESS</u>	<u>OWNER</u>	<u>AREA</u>	<u>AWARD OF DAMAGES</u>
PE-1 628 Alden Street	Unique Homes, Inc.	303 sf	<u>\$1,450.00</u>
TOTAL FOR PERMANENT EASEMENTS:			\$1,450.00

Such taking is made subject only to such interests of mortgagees and others as are required by law, and are subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, if any, to the City of Springfield, MA.

DAMAGES FOR TEMPORARY EASEMENTS

<u>PARCEL/ADDRESS</u>	<u>OWNER</u>	<u>AREA</u>	<u>AWARD OF DAMAGES</u>
TE-1 6 Northumberland St.	Springfield College	324 sf	\$ 490.00
TE-2 5 Northumberland St.	Cesar Gonzalez	527 sf	\$ 800.00
TE-3 550 Alden St.	Robert Maurice	654 sf	\$ 990.00
TE-4 N/S Alden St.	Springfield College	378 sf	\$ 570.00
TE-5 570 Alden St.	Springfield College	1,009 sf	\$1,530.00
TE-6 582 Alden St.	Kai Ursula Dewberry	890 sf	\$1,350.00
TE-7 817 Roosevelt Ave.	Travis Urszulak	105 sf	\$ 250.00
TE-8 596 Alden St.	Christine Washington	980 sf	\$1,480.00
TE-9 600 Alden St.	Donald Whitney	442 sf	\$ 670.00
TE-10 606 Alden St.	Jodi Aina	275 sf	\$ 420.00
TE-11 610 Alden St.	Michael Orszulak	275 sf	\$ 420.00
TE-12 616 Alden St.	Zachary Depace	277 sf	\$ 420.00
TE-13 620 Alden St.	Walter W. Pinckney	496 sf	\$ 750.00
TE-14 628 Alden St.	Unique Homes, Inc.	728 sf	\$1,100.00
TE-15 636 Alden St.	Orlando Gonzalez, Jr.	1,315 sf	\$1,990.00

TE-16	646 Alden St.	Tamara W. Hill	114 sf	\$ 250.00
TE-17	Alden St.	City of Springfield/Park Dept.	5,312 sf	\$ 0.00
TE-18	Alden St.	City of Springfield/Park Dept.	5,765 sf	\$ 0.00
TE-19	455 Island Pond Rd.	Bethesda Swedish Evangelical Lutheran Church	5,313 sf	\$8,040.00
TE-20	718 Roosevelt Ave.	Nadine S. Michel	135 sf	\$ 300.00
TE-21	688 Roosevelt Ave.	Joyce M. Lesieur	166 sf	\$ 300.00
TE-22	814 Roosevelt Ave.	William & Crystal Collins	105 sf	\$ <u>250.00</u>

TOTAL FOR TEMPORARY EASEMENTS:**\$22,370.00**

Such temporary construction easements are taken subject only to such interests of mortgagees and others as are required by law, and are subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, if any, to the City of Springfield, MA.

It is further ORDERED: that the City Treasurer be and is hereby authorized to pay said sums to the owners of the land specified above, or to their heirs, successors, or assigns when the same shall become payable as above provided;

that no damages be awarded, other than those above mentioned, inasmuch as no other damages will be sustained by any person, firm, or corporation in their land abutting the public way by reason of laying out and construction of the project within the limits described herein;

that no assessments be levied;

that the City Clerk, in the name and on behalf of the City, is hereby directed to give notice in compliance with Chapter 79 of the Massachusetts General Laws;

that within 30 days after the adoption of this order, the City Clerk is hereby ordered to certify and record a copy hereof, together with the aforementioned Right of Way Plans, in the Hampden County Registry of Deeds.

Approved by the City Council on _____, 2016:

 Anthony Wilson, Esq.
 City Clerk

A true copy attest:

Approved pursuant to Mass. Gen. Laws ch. 43, sec. 30:

 Domenic J. Sarno
 Mayor
 Date signed: _____

This order approves the eminent domain takings of 1 permanent easement and 22 temporary construction easements for rights of way for the Roosevelt Ave. And Island Pond

Rd. Intersection Improvements Project. The project will be bid and constructed by MassDOT.

FINANCIAL IMPACT:

The total amount of damages awarded for the takings is \$23,820. There is a separate Appropriation Order on the agenda to pay these damages. The source of funds is Chapter 90 money.

RESULT:	ADOPTED [9 TO 0]
AYES:	Hurst, Shea, Twiggs, Williams, Ramos, Williams, Gomez, Ashe, Edwards
ABSTAIN:	Timothy C. Allen
ABSENT:	Timothy J. Rooke, Kateri B. Walsh
AWAY:	Michael A. Fenton



City Council

ADOPTED

Meeting: 06/20/16 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3575

18

Order Granting a Utility Easement to WMECO/Eversource and Verizon For the Paul J. Fenton Public Safety Annex Project at 50 East Street (Mayor Sarno)

WHEREAS, the City of Springfield is in the process of making improvements to the Paul J. Fenton Public Safety Annex at 50 East Street, Springfield, MA; and

WHEREAS, it is necessary for the City of Springfield ("Grantor") to grant a permanent easement, to **Western Massachusetts Electric Company, dba Eversource**, and **Verizon New England, Inc.** (collectively the "Grantee"), on City-owned land at 50 East Street, a draft of which is attached hereto as Exhibit #1, for the purpose of supplying electrical service and intelligence distribution systems to the Project, granting:

" the perpetual right to lay, construct, reconstruct, maintain, operate, replace and rebuild on, across, over and under the easement area hereinafter described, electric and transmission of intelligence distribution systems consisting of poles, guys, braces, wires, pipes, cables, conduits, transformers, manholes, anchors, silos, handholes, transformer pads, pedestals, meters, fixtures and other appurtenances useful in providing electric and transmission of intelligence service such as the said company may from time to time see fit to install in said easement area; including wires, cables and conduits running from the poles, transformers and pedestals to any structures erected on the premises; the right to provide electric service by means of the same; and the right to enter said land for the purpose of inspecting; maintaining or removing same; and the right to trim and keep trimmed, cut and remove such trees located within the easement area as in the judgment of the Grantee are necessary to maintain its services.

Said easement area is approximately 20 feet wide and 229 feet long, located on the Grantor's land on the north side of East Street on property known as 50 East Street, in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, and more particularly shown the plan attached hereto as and made a part hereof, entitled "**Exhibit A ,Map Showing Easement Area to be Granted to Western Massachusetts Electric Company d/b/a Eversource Energy Across the Property of The City of Springfield, East Street, Springfield, MA. Scale: NTS, Date: April 1, 2016, File No. W16028, Dwg 6628ever1, Map # 6628-160421**",

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 take all steps necessary to execute, deliver and record an instrument granting a permanent easement to Western

Massachusetts Electric Company and Verizon New England, Inc., in the area described in the above-referenced plan, in substantially the same form as the draft instrument attached hereto as Exhibit #1, for consideration of One Dollar (\$1.00).

RESULT: **ADOPTED [11 TO 0]**

AYES: Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Ashe, Edwards, Fenton

ABSENT: Timothy J. Rooke, Kateri B. Walsh

EXHIBIT #1Above for Registry Use Only**EASEMENT**

For valuable consideration of One (\$1.00) Dollar , receipt and sufficiency of which is hereby acknowledged, CITY OF SPRINGFIELD, a Massachusetts municipal corporation with a principal address located at 36 Court Street, Springfield, Massachusetts (hereinafter referred to as the "Grantor") hereby grants unto WESTERN MASSACHUSETTS ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY, a Massachusetts corporation with offices at 300 Cadwell Street, in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, its successors and assigns, and VERIZON NEW ENGLAND, INC., a New York corporation with a principal office in Massachusetts 185 Franklin Street, Boston, County of Suffolk, Commonwealth of Massachusetts, its successors or assigns, (collectively hereinafter referred to as the "Grantee"), the perpetual right to lay, construct, reconstruct, maintain, operate, replace and rebuild on, across, over and under the easement area hereinafter described, electric and transmission of intelligence distribution systems consisting of poles, guys, braces, wires, pipes, cables, conduits, transformers, manholes, anchors, silos, handholes, transformer pads, pedestals, meters, fixtures and other appurtenances useful in providing electric and transmission of intelligence service such as the said company may from time to time see fit to install in said easement area; including wires, cables and conduits running from the poles, transformers and pedestals to any structures erected on the premises; the right to provide electric service by means of the same; and the right to enter said land for the purpose of inspecting; maintaining or removing same; and the right to trim and keep trimmed, cut and remove such trees located within the easement area as in the judgment of the Grantee are necessary to maintain its services.

Said easement area is located on the Grantor's land on the north side of East Street on property known as 50 East Street, in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, and more particularly shown the plan attached hereto as and made a part hereof, entitled "**Exhibit A ,Map Showing Easement Area to be Granted to Western Massachusetts Electric Company d/b/a Eversource Energy Across the Property of The City of Springfield, East Street, Springfield, MA. Scale: NTS, Date: April 1, 2016, File No. W16028, Dwg 6628ever1, Map # 6628-160421**", which map has been or will be filed in the office of the Hampden Registry of Deeds.

The Grantor agrees, except with the written permission of the Grantee, that *except as shown on the attached map*: (1) no building, structure, other improvement or obstruction shall be located upon; there shall be no excavation, filling, flooding or grading of; and there shall be no planting of trees or shrubbery upon the easement area; and (2) nothing shall be attached, temporarily or permanently, to any property of the Grantee erected or installed by virtue of this easement. In the event of the damage to or destruction of any of said facilities of the Grantee by the Grantor or agents or employees thereof, all costs of repair or replacement shall be borne by the Grantor.

Any additional poles, guys, wires, cables, braces, conduits and other appurtenances which may be necessary or advisable in the opinion of the Grantee to provide electric service by means of said system are to be located by the Grantee in such places on, upon, under, over

50 East Street East Street, Springfield, Hampden,
Massachusetts

Attachment: Exhibit #1 and Exhibit A to Order Authorizing a Permanent Utility Easement for 50 East Street (3575 : Order Granting a Utility

and across the easement area as may be reasonable and consistent with the use of said land at the time.

The Grantee, by the acceptance of this easement, agrees that upon request of the Grantor and upon execution and delivery to the Grantee of rights and easements acceptable to the Grantee, it will relocate at the expense of the Grantor any part of said electric distribution systems which the Grantor may reasonably request to be relocated, provided that such relocation is practicable and consistent with sound engineering principles, including any removal and relocation of such system improperly located due to incorrect street and property line locations furnished by the Grantor, the Grantor's agents or employees.

The Grantee further agrees, by the acceptance of this easement, that as long as and to the extent that the electric distribution systems, together with appurtenances, located on said land pursuant to this easement are used to provide electric service, the Grantee will repair, replace and maintain such facilities at its own expense (except otherwise provided) and in connection with any repair, replacement or maintenance of said system the Grantee shall promptly restore the premises to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, that such restorations shall not include any structures, other improvement or plantings made by the Grantor contrary to the provisions herein.

Any rights herein described or granted, or any interest therein or part thereof, may be assigned herein for the transmission of electric purposes, and the Grantor hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used by the assignee therein for said purposes.

The words "Grantor" and "Grantee" shall include lessees, heirs, executors, administrators, successors and assigns where the context so requires or permits.

TO HAVE AND TO HOLD the premises unto it, the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor caused _____ hand(s) and seal(s) to be hereunto affixed this _____ day of _____, 2016.

Signed, sealed and delivered
in the presence of:

CITY OF SPRINGFIELD

Witness:

By: Domenic J. Sarno
Its: Mayor

ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS

S.S. _____

COUNTY OF _____

On this ____ day of _____, 2016, before me, the undersigned notary public,
 _____ personally appeared and proved to me through satisfactory evidence
 of identification, which was _____ to be the person whose name is signed on
 the preceding document and acknowledged to me that such person is [the duly authorized
 _____ of (GRANTOR) and that such person signed such document voluntarily as
 such person's free act and deed for its stated purpose [on behalf of such (GRANTOR).

IN WITNESS WHEREOF, I hereunto set my hand.

Notary Public

My Commission Expires _____

STATE OF MASSACHUSETTS

S.S. SPRINGFIELD

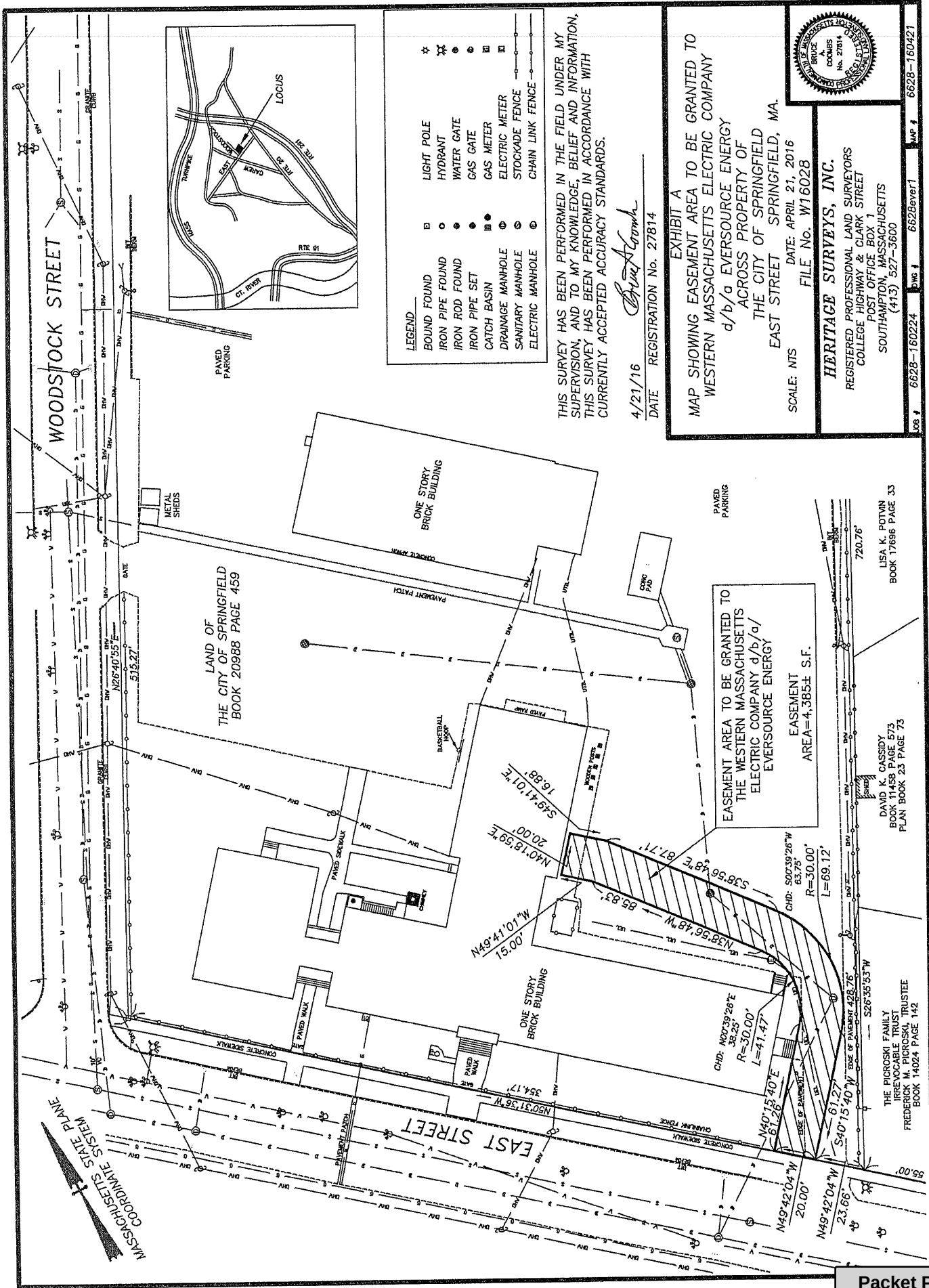
COUNTY OF HAMPDEN

On this ____ day of _____, 2016 before me, the undersigned officer, personally
 appeared _____ who acknowledged him/herself to be the person whose name
 is subscribed to the within instrument and acknowledged that they, being duly authorized to do
 so, executed the same for the purposes therein contained as their and said Grantor's free act
 and deed.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal.

Notary Public - Seal Required

My Commission Expires _____





City Council
36 Court Street
Springfield, MA 01103

Meeting: 06/20/16 07:00 PM
Department: Law
Category: Local Law
Prepared By: Thomas Moore
Initiator: Thomas Moore
Sponsors: At-Large Councilor Timothy J. Rooke
DOC ID: 3456

TABLED

ORDINANCE (ID # 3456)

Amending City Ordinance Chapter 390

Please see attached materials

Please see attached materials

HISTORY:

04/04/16	City Council	REFERRED TO COMMITTEE
Next: 05/02/16		
05/05/16	General Government	
05/16/16	City Council	REFERRED TO COMMITTEE
Next: 06/06/16		
06/06/16	City Council	REFERRED TO COMMITTEE
Next: 06/20/16		

RESULT:	REFERRED TO COMMITTEE	Next: 7/18/2016 7:00 PM
----------------	------------------------------	--------------------------------

AMENDING ARTICLE II CHAPTER 390 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED, ENTITLED TAXICAB AND LIVERY VEHICLES, BY AMENDING THE ARTICLE TO CHANGE ITS TITLE AND TO ADD DEFINITIONS THERETO

ORD. NO: _____

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

Section 1. Article II is hereby amended by adding “Transportation Network Companies” to the Title (e.g., “Article II. Taxicabs, Livery Vehicles, and Transportation Network Companies”).

Section 2. Section 390-6 of Chapter 390, Taxicab and Livery Vehicles, of the Code of the City of Springfield, is hereby amended by adding “whose only business involves servicing said contracts” to Definitions - Livery Vehicle, to read as follows:

“LIVERY VEHICLE

A limousine or other vehicle, primarily garaged or primarily engaged for hire in the City of Springfield, which is designed to carry passengers under prearranged contract for an agreed-upon hourly fare, or a motor vehicle on a schedule along a regular route without the use of a taximeter. “For hire” shall mean a vehicle hired to carry passenger(s) by either a prearranged contract for an agreed-upon hourly fare, an oral agreement for an agreed-upon hourly fare, or a direct-pay agreement with a taximeter. “Livery vehicle” shall not mean a charter, business courtesy, employee shuttle, or customer shuttle of a business that is not primarily engaged in transportation services. “Livery vehicle” shall also not mean any van or wheelchair van vehicle used by any contracted or licensed provider, licensed hospital, or its affiliates, of the Executive Office of Health and Human Services (EOHHS), including but not limited to the Department of Public Health, Human Service Transportation, and the Disability Determination Services; whose only business involves servicing said contracts, provided, however, that any contracted or licensed provider, licensed hospital, and its affiliates shall share all relevant vehicle safety information on an annual basis, upon-request of the Taxi and Livery Commission.”

Section 3. Section 390-8 of Chapter 390, Taxicab and Livery Vehicles, of the Code of the City of Springfield, is hereby amended by deleting the existing language in its entirety, and replacing it with the following:

“All livery vehicle owners and operators must obtain written approval from the City of Springfield Taxi and Livery Commission prior to operating a livery business within the City. All livery plated vehicles must have a livery license issued by the Registry of Motor Vehicles after obtaining written approval from the City of Springfield Taxi and Livery Commission. All taxicab and livery vehicle owners and operators shall abide by the City of Springfield Taxi and Livery Commission’s Ordinances and Rules and Regulations. All owners and drivers of taxicabs and livery vehicles shall be subject to such further rules, orders and regulations as may from time to time be promulgated by further ordinances or rules or orders of the Commission relating to the licensing and regulation of taxicabs and livery vehicles.”

Section 4. Section 390-6 of Chapter 90, Taxicab and Livery Vehicles, of the Code of the City of Springfield, is hereby amended by adding a new paragraph to Definitions -

“TRANSPORTATION NETWORK COMPANY:

A corporation, partnership, sole proprietorship or other entity, operating in the Commonwealth that uses a digital network to connect riders to drivers for the purposes of pre-arranging and providing transportation.

All Transportation Network Company owners, operators and drivers must obtain written approval from the City of Springfield Taxi and Livery Commission prior to operating a Transportation Network Company within the City.

In addition, all Transportation Network Company owners, operators and drivers shall abide by the City of Springfield Taxi and Livery Commission’s Ordinances and Rules and Regulations.

In the event that the Commonwealth of Massachusetts enacts laws and regulations establishing Department of Public Utilities oversight of Transportation Network Companies statewide, the Commonwealth of Massachusetts enacted laws and regulations will control the regulation of Transportation Network Companies.”

Approved as to Form:

Associate City Solicitor

Springfield Taxi and Livery

Meeting minutes

Location: City Hall, Room 220, 36 Court Street, Springfield, MA 01103

Date: August 11, 2015

Time: 4:15 p.m.

Attendees: Mr. Gil Perron

Officer Stephen Tyburski

Officer Rafael Vega

Atty. Maria Puppolo

Atty. Alesia Days

Marie Rivera

The Taxi and Livery Commission meeting commenced at 4:15 p.m.

APPROVAL OF MINUTES:

1. The Commission unanimously approved the minutes from the May 12, 2015 Taxi and Livery Commission meeting.
2. The Commission unanimously approved Commissioner Gil Perron to serve as the Chairperson of the Taxi and Livery Commission.

NEW BUSINESS:

1. Mr. David Serrano came before the Commission to contest his denial of his taxi operator application. He has an open assault and battery charge pending. According to the rules and regulations of the Taxi and Livery Commission, the following applicants are ineligible to be approved for a taxi or livery license:

Applicants who have any prior convictions for driving under the influence; for leaving the scene of property damage, or personal injury accidents; for drug distribution, any crimes of violence specifically, assault and battery by means of a dangerous weapon or sexual assault cases.

The Commission unanimously voted to deny Mr. Serrano's application.

2. Mr. Richard Barnett appeared before the Commission. He failed to appear at the March 10, 2015 Taxi and Livery Commission hearing and his taxi operator license was revoked at that time because he was involved in an automobile accident/leaving the scene of property damage. The date of the accident was March 1, 2015. There was some discussion as to whether Mr. Barnett received notice of his license revocation. Since he has a pending open case, which is scheduled to be heard in Springfield District Court on September 25, 2015, his should not qualify to possess a taxi license. However, his license was renewed by Ms. Lisa Placanica in error in late July 2015.

The Commission unanimously agreed to suspend Mr. Richard Barnett's taxi operator license due to his pending criminal case.

3. Review of New Applications:

a. Kenneth White's taxi application came before the Taxi and Livery Commission. The Commissioners reviewed his application for a taxi license and noticed that he possesses a conviction for a December 2014 Driving While Intoxicated (DWI) offense in Connecticut.

The Commission unanimously voted to further inquire of Mr. White's Connecticut conviction and to table his application until the next scheduled Taxi and Livery Commission meeting which will be held on September 8, 2015.

OLD BUSINESS:

1. The Commission reviewed the proposed changes to the Livery Ordinance that Attorney Puppolo prepared. Officer Vega suggested that the 4th sentence be changed to read:

All livery companies must have a business license issued by the City of Springfield Taxi and Livery Commission before obtaining a livery plate issued by the Registry of Motor Vehicles.

The Commission unanimously voted in favor of the proposed modification of the sentence above and the entire proposed language to the Livery Ordinance was unanimously approved by the Commission.

2. Attorney Peter Slepchuk also presented his proposed changes to the Livery Ordinance and his suggestions for a new ordinance to regulate the Transportation Network Companies (TNCs). Attorney Slepchuk argued in support of adding language to our existing livery ordinance to preclude livery companies that are currently exempt under the medical exclusion to transport non-medical passengers. He also debated his concerns about the lack of regulations for TNCs and the alleged inaction of the state to adopt state-wide regulations. His proposal emphasizes requiring the TNC owners and operators to obtain written approval from the City of Springfield Taxi and Livery Commission prior to operating a TNC within the City. The owner of Ace Taxi Company, Yasir Omar, as well as the owner of Yellow Cab Taxi Company spoke in favor of Attorney Slepchuk's proposal.

The Commission voted whether to approve Attorney Slepchuk's proposal. Commissioners Tyburski, Puppolo, and Vega voted against the proposal. Commissioner Perron voted in favor of the proposal. Attorney Slepchuk's proposal was denied.

ADMINISTRATIVE ISSUES:

1. Marie Rivera was introduced to the Commissioners as the new legal assistant for the Taxi and Livery Commission.
2. The new complaint forms were introduced. These forms should be submitted to the Licensing Office at City Hall, Room 204. They will also eventually be available online.

The next scheduled Taxi and Livery Commission meeting is scheduled for September 8, 2015 at 4:15 p.m. at City Hall, Room 220.

MEETING ADJOURNED at 5:27 p.m.

Respectfully Submitted,

Attorney Maria Puppolo

Maria T. Puppolo
Assistant City Solicitor

Law Department
 36 Court Street, Room 210
 Springfield, MA 01103
 Office: (413) 787-6085
 Direct Dial: (413) 750-2692
 Fax: (413) 787-6173
 Email: mpuppolo@springfieldcityhall.com



THE CITY OF SPRINGFIELD, MASSACHUSETTS

December 29, 2014

Memo: Update on State Regulations of Transportation Network Companies and The Livery Ordinance for the City of Springfield

Overview and Introduction:

Companies such as Uber and Lyft (hereinafter referred to as “transportation network companies” or “TNCs”) are redefining the way taxis and livery services are utilized worldwide. Simply, by downloading the appropriate app on a smartphone, one can book rides in town cars and other vehicles. The smartphone apps connect people who need rides with drivers. The drivers the company contracts with use their personal vehicles to transport passengers. Users pay electronically through the app, and no tips or cash are exchanged. Such transportation methods are more convenient and less costly than the traditional taxi and livery services. Certainly, many people argue that ridesharing companies are innovative and provide consumers with more transportation options. However, transportation network companies have come under close scrutiny over their hiring practices, lack of public safety measures¹ and insurance requirements for their employees.

¹ <http://www.bostonglobe.com/metro/2014/12/17/uber-driver-accused-rape-kidnapping-customer/KYnOQczKFgggfbnri2FpGL/story.htm>

In order to respond to the increasing demand for the regulation of transportation network companies, several states have enacted legislature to regulate this industry. A growing number of states, including California², Colorado³, Michigan⁴ and the District of Columbia⁵ have been at the forefront in codifying safety standards. The state regulations each require background checks on Uber drivers; a zero tolerance policy for prospective driver partners who have been convicted of a crime of violence, sexual abuse, burglary or robbery within the last 7 years or those who are a match on the national sex offender registry database or who have been convicted within the last 3 years of driving with a suspended or revoked license. Furthermore, valid inspections on all driver partners' vehicles, and additional safety inspections will be conducted annually. The DC regulations also require vehicles to be not more than 10 model years old at entry into service, and not more than 12 years of age while in service.⁶ The state regulations also require ridesharing drivers to have distinctions identifying them as Uber drivers that are created by Uber displayed on the exterior of their motor vehicles. All drivers must also carry primary liability insurance whenever a driver partner has the app on and primary liability insurance of up to \$1M from the moment a driver partner accepts a trip until its completion. In addition, all trip requests have to be done through the Uber app. No street hails are acceptable. Uber drivers also are required to have access to wheelchair accessible vehicles for persons with a disability. Uber drivers should have a clear display of how the fare is calculated as well as an option for an estimated fare.⁷

² <http://techcrunch.com/2013/09/19/cpuc-ridesharing-regulations/>

³ http://www.naic.org/documents/cipr_events_140819_colorado_sb.pdf

⁴ <http://legislature.mi.gov/documents/2013-2014/billintroduced/House/pdf/2014-HIB-5951.pdf>

⁵ <http://lims.dccouncil.us/Download/31519/B20-0753-CommitteeReport1.pdf>

⁶ Id.

⁷ <http://blog.uber.com/InnovationAct>

⁸ <http://www.boston.com/business/innovation/2014/12/10/patrick-eyeing-state-regulations-uber-lyft-massachusetts/QYhXAbNVhuqtBxbndcLRuM/story.html>

To date, the Commonwealth of Massachusetts is actively working on regulating TNCs. Although there are no general laws passed as of yet, Massachusetts has been actively reviewing the feasibility of regulating transportation network companies.⁸ Governor Deval Patrick along with Governor-Elect Charlie Baker have proposed new regulations that would subject the transportation network companies to state oversight. The draft regulations would give enforcement authority to the Department of Public Utilities (hereinafter “DPU”) who would require drivers to be 21 years old and possess a valid driver’s license and proof of personal motor vehicle insurance. The drivers would also be subject to criminal background checks, and prohibited from driving if they have committed certain crimes or have a history of traffic violations. Moreover, the TNCs would be required to have liability insurance. Ridesharing vehicles would also be prohibited from picking up passengers on the sidewalk that have not scheduled a ride through the app. The state is also investigating the issue of data privacy for those individuals who use the ridesharing apps.⁹

As municipalities await the adoption of state regulations, issues arise as to whether a city or town on its own can regulate ridesharing companies through the adoption of a local ordinance. Thus, one issue presented here is whether the City of Springfield can regulate TNCs under Home Rule Legislation, pursuant to M.G.L. Chapter 43B, § 13.¹⁰

Legal Analysis:

Home Rule Legislation permits a municipality by ordinance or bylaw to “exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the

⁹ <http://www.boston.com/business/innovation/2014/12/10/patrick-eyeing-state-regulations-uber-lyft-massachusetts/QYhXAbNVhuqtBxbndcLRuM/story.html>

¹⁰ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter43B>; Amendment Article 89 of the MA Constitution

constitution or laws enacted by the general court in conformity with powers reserved to the general court by section eight” of the Home Rule Amendment.¹¹ At this time, the MA legislature has not yet adopted any laws relative to the regulation of TNCs. Therefore, unlike in Easthampton Savings Bank, where the plaintiffs identified three statutes that were in conflict with the local ordinances, there are no such conflicting MA laws pertaining to TNCs.

Furthermore, under the home rule preemption standards addressed by the courts, in assessing whether a local ordinance or bylaw is inconsistent with a State statute, the “question is not whether the Legislature intended to grant authority to municipalities to act..., but rather whether the legislature intended to deny (a municipality) the right to legislate on the subject in question.”¹² In general, municipalities are given considerable latitude in exercising the home rule amendment. When reviewing whether the general court seeks to preclude a municipality from acting under this rule, one of the distinguishing criteria is legislative intent.¹³ It is more difficult to assess legislative intent when the legislature is silent on the issue of local regulation.¹⁴ Since the issue of regulating TNCs in the Commonwealth is a novel concept and actively being addressed, we can expect that the Legislature will further explore this issue in depth during the January 2015 legislative session.

The Commonwealth is, however, moving swiftly in a positive direction with respect to the regulation of TNCs. In fact, the Commonwealth held a public hearing on December 31, 2014 at the State House to garner input from stakeholders who will be directly affected by any proposed regulations.¹⁵ The proposed regulations were also debated at the December 31, 2014 hearing.

Specifically, Governor Patrick’s proposal would require ride-sharing companies to conduct national

¹¹ Easthampton Savings Bank v. City of Springfield, SJC-11612

¹² Easthampton Savings Bank v. City of Springfield, SJC-11612 quoting Wendell v. Attorney Gen., 394 Mass. 518, 524 (1985).

¹³ St. George Greek Orthodox Cathedral of W. Mass. v. Fire Dep’t of Springfield, 462 Mass. 120, 126 (2012)

¹⁴ Id.

¹⁵ <http://www.bostonglobe.com/metro/2014/12/31/uber/66u7etaf576l4CxWtVRfsK/story.html>

background checks and bar drivers with convictions within 10 years for various crimes, sexual abuse convictions, and major traffic violations. The proposed rules coincide with what Uber and Lyft, the two premier ridesharing companies, say they are already doing. The main difference is that they currently do a background check for convictions in the past seven years. Under the state proposal, the DPU would regulate a new category of vehicles called “transportation network companies.”¹⁶ Also at the December 31, 2014 hearing, a spokeswoman for Lyft, thanked the transportation department for recognizing ride-share companies as an alternative and said that she looked forward to a “fruitful discussion” on the regulations, and said she hoped the definition of “transportation network companies” could be further defined.¹⁷ In fact, Boston has made strides with communicating with ridesharing companies and Uber has listened by pledging to adopt new rider-safety features.¹⁸ Such features include a “safe ride checklist” that pops up for local users when they book a ride through the rideshare service’s app. It asks users to confirm the car’s license plate number and to check the name and appearance of the driver before entering the vehicle.¹⁹

As mentioned, the DPU would require the companies to maintain liability insurance and perform background checks on the drivers. Several taxi drivers, insurance lobbyists and Boston Police Officers attended the heated debate on Beacon Hill. Under the proposed regulations, ridesharing companies would continue to use pricing strategies that fluctuate with demand. Critics of the proposed regulations stated that representatives from the taxi, livery, limousine and insurance industries have been shunned from the drafting of these proposed regulations. Also, a representative from the Property Casualty Insurers Association of America attended the December 31, 2014 hearing, stated that there is no insurance coverage available for drivers engaged in

¹⁶ <http://www.bostonglobe.com/metro/2014/12/31/uber/66u7etaf576l4CxWtVRfsK/story.html>

¹⁷ <http://www.bostonglobe.com/metro/2014/12/31/uber/66u7etaf576l4CxWtVRfsK/story.html>

¹⁸ http://www.bostonherald.com/business/business_markets/2014/12/uber_to_roll_out_new_rider_safety_features

¹⁹ Id.

transportation network activities.²⁰ Massachusetts statute specifically excludes motor vehicle liability coverage from being provided by a surplus lines insurance company, which is the type of insurance that TNCs generally use.²¹

Despite the protests at the December 31, 2014 hearing, Cyndi Roy Gonzalez, the MassDOT spokeswoman, said officials expect to file the changes on January 2, 2015. MA is indeed acting swiftly on these regulations. In fact, on January 3, 2015 Uber announced that Massachusetts has a regulatory framework that will allow Uber and other ridesharing companies to lawfully exist in the State.²² These regulations will allow the DPU more oversight over ridesharing companies. The proposed regulations are comprehensive and define TNCs and the regulatory authority of the DPU.²³ Under the regulations, the DPU will handle ridesharing companies and Uber and other companies will now have to obtain and maintain liability insurance. Drivers will also need to have background checks done. These regulations will take effect on January 16, 2015, but will not be official until lawmakers pass legislation naming DPU in charge of ridesharing companies. Until then, ridesharing companies will be allowed to continue to operate under a temporary notice from the DPU.²⁴

With respect to the need for home rule legislation, at this time the state is making great progress in regulating TNCs. It is still early and the Legislature has yet to pass said regulations. However, there are no indications either pro or con to substantiate that the Legislature will preempt the field. The state appears to be setting in place regulations that mirror those of what the City of Springfield is hoping to achieve. Also, from an enforcement perspective, once the state regulations are enacted,

²⁰ Id.

²¹ MGL Chapter 175, section 1 et al

²² <http://www.golocalworchester.com/news/ma-approves-regulations-for-uber-and-other-ride-sharing-companies>

²³ <http://www.scribd.com/doc/251515761/TNC-Amendments>

²⁴ <http://www.golocalworchester.com/news/ma-approves-regulations-for-uber-and-other-ride-sharing-companies>

there will be a uniform enforcement agency to oversee the TNCs in the Commonwealth. As mentioned, the Governor's proposal requires the DPU to oversee the TNCs.

The option the City was contemplating was whether home rule legislation would be necessary to address and regulate the TNCs. However, the state is making significant progress in this area and hopefully the legislatures will pass the regulations as they convene in January 2015. Several issues would need to be addressed if the City were to seek home rule legislation. One issue is what local authoritative agency will oversee and enforce the TNC regulations? It may be difficult, for example, for the Springfield Police Department or the Taxi and Livery Commission to regulate the TNCs as the individuals who contract with the ridesharing companies drive their personal vehicles and are not required to have either a taxi or livery plate. At least the state regulations would require the DPU to oversee the TNCs and provide tighter regulations. At a December 8, 2014 Taxi and Livery Commission meeting, two taxi company owners who attended the meeting wanted to know whether TNCs could be required to have livery plates on their vehicles. Livery plates are issued by the Registry of Motor Vehicles (hereinafter "RMV").²⁵ According to the definition of a livery, any vehicle designed to carry fewer than 15 people used for the transportation of passengers for hire must display a livery plate, unless it falls within one of the specific exceptions. These exceptions are: (1) any vehicle that meets the definition of Livery Vehicle, including vehicles used in the transportation of school children. Such vehicles shall display a PUPIL registration number plate; (2) any vehicle that meets the definition of a livery vehicle but is used solely for a short term rental agreement, of not more than seven consecutive days, and 30 days in the aggregate in any calendar year; and (3) any vehicle that meets the definition of a Livery Vehicle but is used exclusively to provide transportation in connection with a program of the Commonwealth of Massachusetts

²⁵ 540 CMR 2.00

Department of Mental Retardation and/or Department of Mental Health must display either a Livery registration number plate or a Passenger registration number plate.²⁶

One could argue that the City should require TNCs to have livery plates on their vehicles. However, based on the above analysis and as more stakeholders are invited to attend hearings within the City to express their respective positions about ridesharing companies, the City will receive opposition from representatives from the TNCs who have insisted that their business model is unique- in that it provides alternative transportation and none of their contracted drivers are required to have either a taxi or a livery plate. Those who contract to do business with Uber or Lyft use their own personal vehicles. As mentioned above, the proposed state regulations do not require ridesharing driver's vehicles to have livery plates. Should the City of Springfield adopt an ordinance requiring livery plates on all ridesharing vehicles, then it would be in conflict with the proposed state regulations and could be challenged in a court of law under the law of preemption.

Springfield is not the only City to attempt to control TNCs. Cambridge had begun the process of drafting regulations for smartphone technology for taxicabs and limousines.²⁷ Cambridge had defined a rideshare as:

The traveling of two or more persons by any mode of private passenger vehicle, including, but not limited to, carpooling, vanpooling, bus pooling, to any location incidental to another purpose of the driver, without charge, fee, or payment, for which a gratuity is neither accepted, collected, encouraged, promoted and/or requested, and for which the primary purpose of the driver cannot be profit or revenue based. Gratuity herein shall not include reimbursement for fuel usage and/or tolls. Currency or any other form of electronic payment or other consideration collected in excess of reimbursement for fuel usage and/or tolls shall be considered for-hire transportation, and such applicable licenses are required. Rideshare transportation that satisfies the definition herein is exempt from licensure by the Hackney Division of the Cambridge License Commission. However, if any trip purported through a rideshare is made with a for-

²⁶ Id.

²⁷ <https://s3.amazonaws.com/uploads.hipchat.com/17604/301692/YscpK5j42cnnoXs/Proposed%20Cambridge%20Smartphone%20Technology%20Regs.PDF>

profit motive, such transportation will be considered for-hire transportation and such applicable licenses are required. Rideshare services that satisfy the definition herein exclude any and all for-hire transportation requirements as defined within this Code.²⁸

By way of background, Cambridge sought to preclude ridesharing companies from operating in its City. In August 2013, the Massachusetts Division of Standards initially ordered Uber to cease operations, contending that its system of determining fares based on GPS-location technology was untested. This same agency then reversed its decision.²⁹ In response, the City of Cambridge then filed a lawsuit in Middlesex Superior Court, contending that the state ruling allowing Uber to continue operating was “unsupported by substantial evidence, arbitrary and capricious” and “an abuse of discretion.” The court disagreed. “The City has not demonstrated that the [division’s ruling] is in excess of the Division’s statutory authority, is based on an error of law, is arbitrary and capricious [or] is unsupported by substantial evidence,” wrote Judge Bruce Henry in his June 17, 2013 decision.³⁰

To date, no municipality in the Commonwealth has passed a local ordinance establishing TNCs. As mentioned above, Cambridge had begun the process of drafting language, but nothing has been passed. According to Cambridge City Councilor Marc McGovern, the ordinance” is still with their licensing commission. Councilor McGovern informed me that nothing has been sent to the Council yet.”³¹

Another issue that the Taxi and Livery owners and drivers in Springfield have voiced is whether the livery ordinance can be amended. The City of Springfield Taxi and Livery Commission held a meeting on December 8, 2014 at which time a few taxi and livery owners stated that the current

²⁸ Id.

²⁹ http://www.boston.com/business/innovation/blogs/inside-the-hive/2013/06/25/drive-cambridge-loses-lawsuit-keep-uber-off-the-roads/k4wRr243CwSoRG1kAjDKSI/blog.html?p1=related_article_page

³⁰ Id.

³¹ Email discussion on January 2, 2015.

livery ordinance is not strict enough and that “gypsy” liveries were becoming a problem in the City. Currently, livery owners and drivers must adhere to an application procedure³² before becoming a *bona fide* company doing business with the City.

The City of Springfield defines a livery as:

"Livery Vehicle" means a limousine or other vehicle, primarily garaged or primarily engaged for hire in the City of Springfield, which is designed to carry passengers under pre-arranged contract for an agreed upon hourly fare, or a motor vehicle on a schedule along a regular route without the use of a taximeter. "For Hire" shall mean a vehicle hired to carry passenger(s) by either a pre-arranged contract for an agreed upon hourly fare, an oral agreement for an agreed upon hourly fare, or a direct pay agreement with a taximeter. "Livery Vehicle" shall also not mean any van or wheelchair van vehicle used by any contracted or licensed provider, licensed hospital, or its affiliates, of the Executive Office of Health and Human Services (EOHHS), including but not limited to the Department of Public Health, Human Service Transportation, and the Disability Determination Services, provided, however, that any contracted or licensed provider, licensed hospital, and its affiliates, shall share all relevant vehicle safety information on an annual basis, upon request of the Taxi & Livery Commission.³³

As mentioned above, in Massachusetts, livery vehicles and the issuance of livery plates fall under the domain of the RMV. There are several municipalities that have enacted tighter livery ordinance and that the City of Springfield may review as a guideline for further discussion. The issue of whether the City should tighten its livery ordinance is a separate issue from the ridesharing companies and would require the approval of the Mayor and City Council. Such cities as Melrose and Fitchburg have passed ordinances with stricter livery vehicle regulations.³⁴ Again, further discussions should be held involving those stakeholders directly affected by said ordinance.

³² http://www3.springfield-ma.gov/police/taxi_lic.0.html

³³ <http://ecode360.com/14667508>

³⁴ <http://www.fitchburgma.gov/government/Boards-and-Commissions/License-Commission/Taxi-Regs-Rev-January-2014.pdf>;
<http://www.ecode360.com/documents/ME1773/source/530177.pdf#search=livery>

Recommendations:

Concerning the issue of whether the City of Springfield should seek home rule legislation to address the TNCs, my concern is that it may be too premature to proceed with this option. The state is making great strides in regulating ridesharing companies. Regulations will go into effect on January 16, 2015. Governor Baker and the MA legislature will be reviewing the proposals during the Legislative Session commencing in January 2015. Presumably, the Legislature will approve the state proposed regulations. In my opinion, the City should wait until the state legislature passes the proposed regulations. Once this happens, the City can contemplate drafting a TNC ordinance that is in conformity with the state regulations. The City does not want to act prematurely by drafting an ordinance regulating TNCs that would be inconsistent with the proposed regulations and risk a potential lawsuit.

In my opinion, before the City drafts said ordinance concerned stakeholders should be invited to address their concerns regarding the regulation of the ridesharing industry. The City of Boston, for example, recently implemented a Taxi Advisory Committee of over twenty individuals comprised of industry and government stakeholders charged with the task of reviewing rules and policies pertaining to transportation-for-hire services and TNCs. The most recent meeting was held on January 8, 2015 and Juan Lopez, a Research and Policy Analyst for the City of Boston, informed me that these meetings are ongoing and last several hours.³⁵ Boston is meeting with the stakeholders and getting a better understanding of their needs. After speaking with several other municipalities, I have learned that they too have established similar Committees, such as the City Council Committee on Transportation, whose goal is to hold hearings on establishing an ordinance to regulate TNCs by inviting appropriate stakeholders to voice their concerns. Such discussions will

³⁵ Based on phone discussions with Mr. Lopez on January 9, 2015.

hopefully be fruitful in appeasing both taxi drivers and those in the TNC business by educating them on the state's new proposed regulations, the new mode of transportation services in the Commonwealth and the City's interest in ensuring conformity with the regulations and the safety of all ridesharing users.

As far as the issue of tightening the City's livery ordinance, this topic should be further discussed with more input from those stakeholders who have a vested interest in the regulation of liveries.

Maria T. Puppolo
Assistant City Solicitor

Law Department
 36 Court Street, Room 210
 Springfield, MA 01103
 Office: (413) 787-6085
 Direct Dial: (413) 750-2692
 Fax: (413) 787-6173
 Email: mpuppolo@springfieldcityhall.com



THE CITY OF SPRINGFIELD, MASSACHUSETTS

August 12, 2015

Memo: Update on State Regulations of Transportation Network Companies

The Commonwealth is in the process of regulating Transportation Network Companies (TNCs). This memo seeks to summarize the current status of the Commonwealth's plans to implement state-wide TNC regulations. As of today, the Commonwealth has three pending bills in review pertaining to Transportation Network Companies (TNCs); House Bill 3351¹ proposed by Governor Baker; House Bill 931² proposed by State Representative William Pignatelli and House Bill 3702³ proposed by State Rep Moran and State Senator Forry. The State plans on holding hearings on these house bills on September 15, 2015.

Governor Baker is a proponent of TNCs. His regulations, as enumerated in House Bill 3351, were filed on April 27, 2015 and are entitled "An Act Establishing Department of Public Utilities Oversight of Transportation Network Companies." Governor Baker's legislation would empower the Department of Public Utilities (DPU) to provide comprehensive regulation of TNCs,

¹ <https://malegislature.gov/Bills/189/House/H3351>

² <https://malegislature.gov/Bills/189/House/H931>

³ <https://malegislature.gov/Bills/189/House/H3702>

such as Uber, Lyft and Sidecar. His bill would require the DPU to regulate TNCs and ensure that drivers are 21 years of age, subject to comprehensive background checks, carry adequate insurance (\$1,000,000 per occurrence), drive vehicles that have been properly inspected, provide transparent pricing to customers, and display recognizable external markers on vehicles. The DPU may also issue fines for violations. The legislation also provides for the creation of a local advisory council to advise the DPU on an ongoing basis.

House Bill 931 was filed by State Representative William Pignatelli on January 15, 2015. This bill proposes insurance regulations for transportation service companies that use digital networks or software application services to connect passengers to services provided by transportation network company drivers. Rep. William Pignatelli's proposed legislation is similar to Baker's bill but sidesteps local control and allows the state to regulate drivers and collect hundreds of thousands of dollars in licensing fees. His proposal would amend MGL Chapter 25, Section 12F⁴ by adding the following sentence:

Further, said division, subject to such supervision and control, shall perform such functions in relation to the administration and enforcement of chapter 90J imposed upon the department by said chapter.

State Rep. Pignatelli is proposing adding an entire new chapter, Chapter 90J⁵, to the MGL. The entire proposal consists of 18 sections. Rep. Pignatelli is a proponent of stringent insurance requirements for TNC drivers, as enumerated in Section 8 of his proposal. I am summarizing some of the main sections pertaining to insurance. In essence, the proposal states that TNC drivers maintain automobile liability insurance of at least \$1,000,000 for death, personal injury and property damage and that the insurer must be authorized to do business in the state. Section 9 states that the TNC shall disclose in writing to TNC drivers

⁴<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter25/Section12F>

⁵<https://malegislature.gov/Bills/189/House/H931>

the following: the insurance coverage and limits of liability that the TNC provides while the driver uses a personal vehicle in connection with a TNC's digital network and that the TNC driver's own insurance policy may not provide coverage while the TNC driver uses a vehicle in connection with a TNC's digital network. Also, insurers have no duty to defend or indemnify any person or organization for liability for a loss that is properly excluded pursuant to the terms of the insurance policy. Insurers have the right to exclude coverage and the duty to indemnify and defend may apply to any coverage included in an automobile liability insurance policy including: liability coverage for bodily injury and property damage; uninsured and underinsured motorist coverage; medical payments coverage; personal injury protection; comprehensive physical damage coverage; and collision physical damage coverage.

Another bill relative to ride sharing companies that will be considered in September 2015 is House Bill 3702, which was filed by State Representative Michael Moran and Senator Linda Forry on July 20, 2015, and pertains to passenger safety. The bill would bring the transportation network companies into compliance with the same regulations that apply to every other form of transportation in our state. The proposed legislation seeks to prevent dangerous drivers from getting behind the wheel by requiring common-sense checks and balances, including a mandatory sex offender registry check and a fingerprint sample for all prospective drivers. The goal of this legislation is to ensure that safe drivers partner with ride sharing companies. Prospective drivers would be required to pass multistate registry checks that are already in place for bus, taxi, and livery drivers. The bill also aims to protect Massachusetts jobs by requiring that the vehicles used by these companies be registered in Massachusetts to ensure that Massachusetts jobs go to Massachusetts drivers.

House Bill 3702 would also require that Uber and Lyft disclose the formulas behind their alleged surge pricing and make it standardized so that consumers always know what they are getting. Currently,

Uber is not required to provide vehicles that are compliant for people with disabilities. This legislation would also increase transportation choices for the disabled.

As of today, no city or town in the Commonwealth has passed an ordinance to regulate TNCs. Most recently, the Town of Braintree held a hearing on August 4, 2015 as to whether to adopt their local TNC ordinance. The town concluded that their proposed Transportation Network Company “ordinance contained problematic and potentially discriminatory language, in addition to undercutting an ongoing statewide initiative at the State House to regulate ridesharing companies,”⁶

On August 11, 2015, the City of Springfield Taxi and Livery Commission held a meeting to vote on a TNC ordinance proposal submitted by Attorney Peter Slepchuk who represents Yellow Cab Company. After considering both sides of the issue, all of the Taxi and Livery Commissioners (except Commissioner Gil Perron) voted against Attorney Slepchuk’s proposal.

In conclusion, the Commonwealth is actively seeking to regulate ride sharing companies. The next hearing is scheduled in September 2015. My advice is to wait until the state holds its hearing and to revisit this topic once we obtain more information from the state.

⁶ <http://patch.com/massachusetts/braintree/license-commissioners-talk-uber-lyft-regulations-tuesday->

Amendment

**AMENDMENT TO PROPOSED AMENDMENT AMENDING ARTICLE II CHAPTER 390
OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986 AS AMENDED,
ENTITLED TAXICAB AND LIVERY VEHICLES, BY CHANGING THE DEFINITION OF
TRANSPORTATION NETWORK COMPANY AS SET FORTH BELOW**

ORD. NO: _____

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

Section 4, paragraphs 2 and 3 be amended where it states "owners and operators" to state
"owners, operators and drivers."

Approved as to Form:

Associate City Solicitor

Attachment: Amendment (3456 : Amending City Ordinance Chapter 390)



City Council
36 Court Street
Springfield, MA 01103

SCHEDULED

ORDINANCE (ID # 3567)

Meeting: 06/20/16 07:00 PM
Department: Law
Category: General
Prepared By: Kathy Breck
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3567

An Order Amending Chapter 338 of the City of Springfield Code, Article III-Use Regulations, to Add a New Section 338-35 (J), Establishing a Moratorium on Non-Emergency Utility-Related Street Excavation

Chapter 338, Article III, Use Regulations, Section 338-35, Digging up streets and sidewalks, is hereby amended by adding a new subsection (J), as follows:

J. Street Excavation Moratorium

1. Following paving of any City-owned and controlled streets, private ways, and rights of way pursuant to the City's annual paving program, such streets, private ways, and rights of way shall be subject to a 3-year moratorium on further utility-related elective street excavation.
2. Following paving of any City-owned and controlled streets, private ways, and rights of way as part of a City, State and/or Federally funded roadway reconstruction project, such streets, private ways, and rights of way shall be subject to a 5-year moratorium on further utility-related elective street excavation.
3. The moratorium period described herein shall be measured by the completion of the paving or reconstruction project on the particular street, private way, or right of way. If an exact date is not available, the City will use the date of September 1st as the paving date in a given calendar year, or as otherwise set forth in the "Manual For Occupancy of Public and Private Ways within the City of Springfield", issued by the Department of Public Works.
4. The designation of which moratorium period applies to a particular street or right of way shall be at the sole discretion of the Director of the Department of Public Works.
5. For purposes of this Section, "utility-related street excavation" shall include excavations for poles, conduits, and other excavations related to telephone, natural gas, electrical, cable television, IT and data, security, and alarm systems.
6. The moratorium periods described herein shall not apply to emergency excavations. A permit is required for emergency excavations and must be obtained from the Department of Public Works upon the first reasonable opportunity (e.g. during DPW business hours).

RESULT: FIRST STEP

Next: 7/18/2016 7:00 PM



City Council
36 Court Street
Springfield, MA 01103

SCHEDULED

ORDINANCE (ID # 3569)

Meeting: 06/20/16 07:00 PM

Department: Law

Category: Local Law

Prepared By: Thomas Moore

Initiator: Thomas Moore

Sponsors: At-Large Councilor Thomas M. Ashe

DOC ID: 3569

Amending Ordinance Chapter 270

Please see attached materials

Please see attached materials

RESULT:

FIRST STEP

Next: 6/27/2016 7:00 PM

AMENDING CHAPTER 270 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED, PAWNBROKER AND JUNK DEALERS, BY AMENDING CHAPTER 270 SECTION 270-1 TO REVISE EXISTING LANGUAGE AND BY INCLUDING NEW SECTION 270-11 ENTITLED "MORATORIUM"

ORD. NO. _____

- 1.) AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 270, Section 270-1 thereof, entitled Pawnbrokers and Junk Dealers, by inserting the following section:

Be it ordained (enacted) by the Council of the City of Springfield, that Section 270-1 entitled "Pawnbroker's Licenses" shall be amended to delete the existing language and replace it to read as follows:

The Police Department may license suitable persons to carry on the business of pawnbrokers in this City, not to exceed ____ in total, pursuant to the provisions of Chapter 140 of the General Laws. The fee for such license shall be \$100.

- 2.) AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 270 thereof, entitled Pawnbrokers and Junk Dealers, by inserting the following section:

Be it ordained (enacted) by the Council of the City of Springfield, that a Section 11 entitled "Moratorium" shall be inserted to read as follows:

- a. No license to carry on the business of a pawnbroker pursuant to Section 1 of this Chapter 270 nor any license to engage in the business of operating a shop for the purchase, sale or barter of secondhand articles pursuant to Section 2 of this Chapter 270 shall be issued by the Police Department until this section is revoked or amended by the City Council. This section shall not apply to persons or entities that are seeking to renew a license held by said person or entity for the previous year, nor shall it apply to the sale or transfer of an existing license.
- b. This section shall take effect upon enactment, and shall be valid until June 30, 2019.



City Council
36 Court Street
Springfield, MA 01103

TABLED

ORDINANCE 2016-5

Meeting: 06/20/16 07:00 PM
Department: Law
Category: Local Law
Prepared By: Thomas Moore
Initiator: Thomas Moore
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3570

Amending Ordinance Chapter 49: Establishment of Thomas Wason Local Historic District

Please see attached materials

Please see attached materials

RESULT:	REQUESTED ROLL CALL [10 TO 0]	Next: 7/18/2016 7:00 PM
AYES:	Hurst, Shea, Twiggs, Allen, Williams, Ramos, Williams, Gomez, Edwards, Fenton	
ABSENT:	Timothy J. Rooke, Thomas M. Ashe, Kateri B. Walsh	

DRAFT

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED BY CHAPTER 49 ENTITLED "HISTORIC DISTRICTS"

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

"Chapter 49, Article II of the Revised Ordinances of the City of Springfield, as amended, entitled "Historic Districts" be amended by the addition of the following section:

Subsection "49-16":

"There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Thomas Wason House District as shown on the map, labeled Exhibit 27-2J, entitled "Thomas Wason House," said map to be considered part of this chapter.

Exemption from Controls:

1. Temporary structure or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify;
2. Terraces, walks, driveways, and sidewalks provided that any such structure is substantially at grade level;
3. Storm windows, screens, window air conditioners;
4. Color of paint;
5. Signs of not more than one (1) square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one (1) such sign is displayed in connection with each residence and, if illuminated, are illuminated only indirectly;
6. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence."



70 TAPLEY STREET
SPRINGFIELD
MASSACHUSETTS
01104

Final Report
for the proposed
**THOMAS WASON HOUSE
LOCAL HISTORIC DISTRICT**
Springfield, Massachusetts



Prepared for the Springfield Historical Commission
by the Office of Planning & Economic Development
June 2, 2016

Table of Contents

	<u>SUMMARY SHEET</u>	<u>2</u>
<u>I.</u>	<u>INTRODUCTION</u>	<u>3</u>
<u>II.</u>	<u>METHODOLOGY</u>	<u>3</u>
<u>III.</u>	<u>SIGNIFICANCE</u>	<u>3</u>
<u>IV.</u>	<u>JUSTIFICATION OF THE BOUNDARIES</u>	<u>4</u>
<u>V.</u>	<u>MAP OF THE PROPOSED DISTRICT</u>	<u>5</u>
<u>VI.</u>	<u>PROPERTY STREET ADDRESS INDEX</u>	<u>6</u>
<u>VII.</u>	<u>RECOMMENDATIONS FOR THE ORDINANCE OR BYLAW</u>	<u>6</u>
<u>VIII.</u>	<u>THE ORDINANCE</u>	<u>7</u>
<u>IX.</u>	<u>INVENTORY FORM</u>	<u>7</u>
<u>X.</u>	<u>PHOTOGRAPHS</u>	<u>8</u>
<u>XI.</u>	<u>APPENDIX</u>	<u>9</u>

SUMMARY SHEET

Chairperson: Vincent Walsh

Contact Person: Alvin Allen
(Commission Staff)

Address: Springfield Historical Commission
70 Tapley Street
Springfield, MA 01104

Telephone: (413) 787-6020

Commissioners: Thomas Belton
Benjamin Murphy, Vice Chair
Alfonso W. Nardi
Victoria E. Rowe
Shannon S. Walsh
Vincent Walsh, Chair
Steven Shultis, Alternate

Expected Date of Public
Hearing: April, 2016

Expected Date of City
Council Vote: June, 2016

Number of Properties
Included in the Proposed
Local Historic District 1
Expansion:

Conclusion of the Preliminary Study Report: To protect the architectural integrity of the Thomas Wason House and the Central Storage Warehouse, the Thomas Wason Local Historic District should be created.

I. Introduction

The Historic Districts Act, Massachusetts General Law Chapter 40C, is the Commonwealth's enabling statute for creating local historic districts. Local historic districts are the mechanism by which municipalities can designate and protect areas of architectural and historical significance. Within a local historic district, no exterior architectural feature that is visible from a public street, park or water body can be altered without first receiving permission from the local historic district commission. The level of protection provided by a local historic district is much greater than that provided by inclusion on the National Register of Historic Places. Although being on the National Register is a formal recognition of property's historical significance and can offer limited review of projects funded or assisted by federal, state, or CDBG funds, the property itself is not protected from change if work is done exclusively with private funds. The local historic district provides greater protection and review for properties and has this power as a result of a town or city council vote.

Local Historic Districts were first established in Massachusetts in 1955. There are now more than 200 local historic districts in over 100 municipalities in the Commonwealth, including nine in Springfield. Neighboring municipalities with local historic districts include West Springfield, Longmeadow, Chicopee, and Holyoke.

In 1972, the Quadrangle-Mattoon historic district was the first local district established in Springfield. Over the next six years, five other districts were created, protecting more than 1,200 properties. Three districts expansions have also taken place. In 2010, local historic districts were created to protect Our Lady of Hope and Immaculate Conception churches. In 2015, local historic districts were created to protect the Willys-Overland Block and the Colony Hills area. LHDs can be credited with protecting many of the city's significant residential structures, maintaining community character, preserving important architectural treasures, and adding to the quality of residents' lives.

II. Methodology

The Liberty Heights neighborhood was surveyed in 2001, but this property lies a block beyond the survey boundary and was not surveyed. The property was only researched after a demolition permit was requested, triggering the City's 9-month Demolition Delay.

The Springfield Historical Commission met with the owner, who on hearing of the age and historical association of the property, agreed to rescind his demolition request and to pursue historic status for the property.

III. Significance

Thomas Whiteredge Wason came to Springfield in the 1830s from New Hampshire. He married Sarah Longley in Springfield in 1836. Thomas and his brother Charles dressed timbers for railroad bridges and then began repairing railway cars before forming a

business to build rail cars in 1845. Charles moved to Ohio in 1851 and sold his interest in the company to Thomas, who took on partners a few years later and operated until the name “W. T. Wason & Co.” In 1862, the “Wason Manufacturing Company” was incorporated with Thomas as president. Wason built wood passenger, baggage, and freight cars. It built cars for George Pullman and for the Central Pacific Railroad. Several of these cars were present in 1869 at Promontory Utah for the uniting of the transcontinental railroad. A portion of its business was international; in 1860, Wason built an elaborate car for the Khedive (Viceroy) of Egypt. When Thomas Wason died in 1870, his company had been the largest employer in Springfield for nearly two decades.

The house remained residential through the 19th century. The Central Storage Warehouse began operating from the site circa 1909. The 1910 Springfield atlas shows in the house behind which are several brick structures. In 1911, a permit was taken out to construct a 36 feet by 70 feet addition which extended the warehouse to Liberty Street. The house now serves as the office of the storage company.

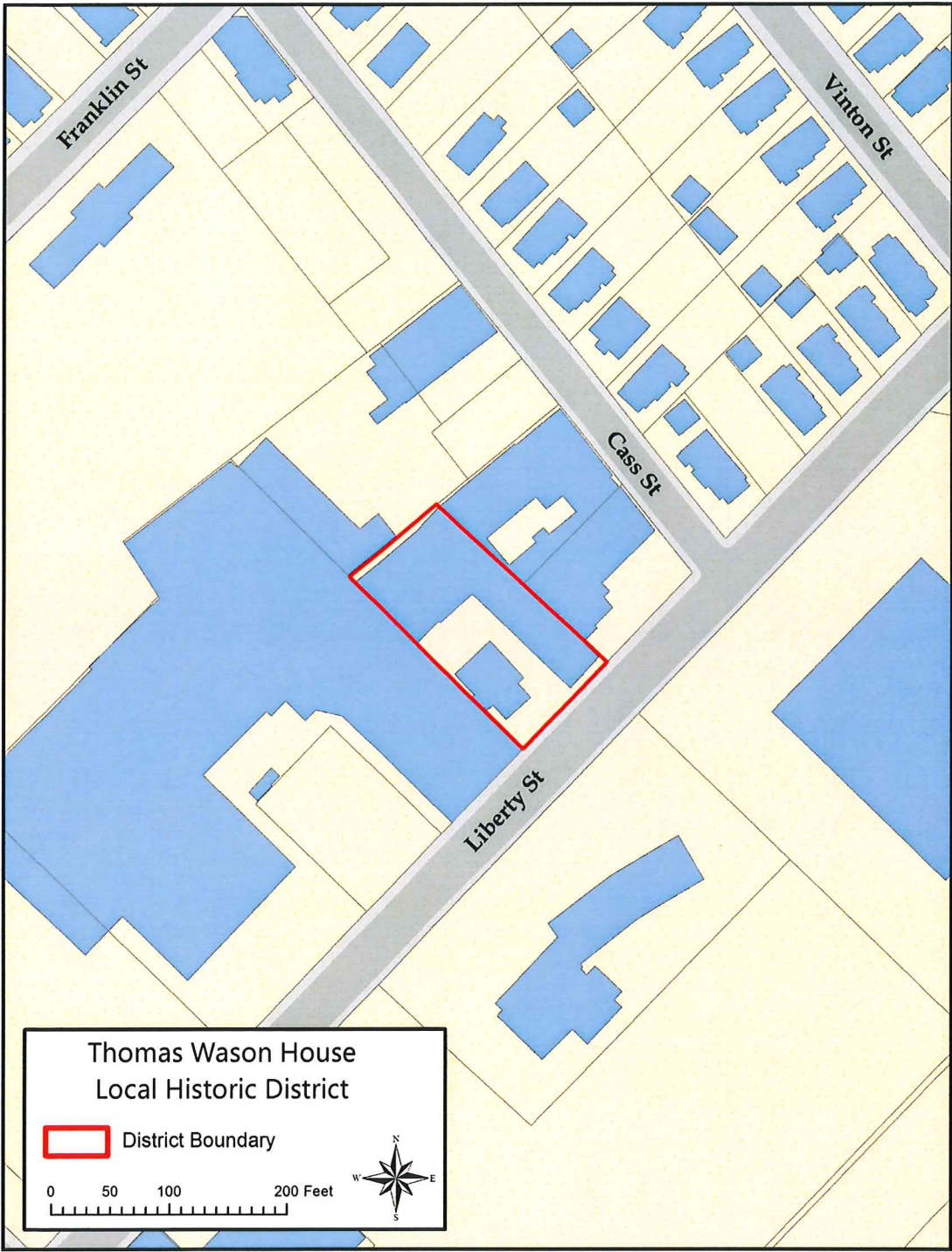
The house is a two-story brick Italianate style structure with a deeply-overhanging and heavily bracketed cornice. The façade has a central one-story bay window. The right side porch has been modified and enclosed; the left side porch has been removed. Windows have brownstone lintels and sills and six-over-six sash, although a few have been replaced. Thomas Wason first appears on Liberty Street in the City Directory of 1854/5. The house could date to that period since Italian Villa style homes began appearing in Springfield by the late 1840s.

The warehouse is three stories. Its brick façade is a simple Renaissance Revival style. First floor brick courses emulate rustication, the second and third floors contain a trio of two-story recessed arches. The roof parapet is crenulated.

IV. Justification of the Boundaries

This is a single parcel historic district. On either side and across the street are one-story, nonresidential 20th century buildings.

V.Map of the Proposed District



VI. Property Street Address Index

Street Address	Historic Name	Year Built	Inventory form	Architectural Style
270 Liberty Street	T. W. Wason House Central Storage Warehouse	c. 1854 c. 1908	Y	Italianate Renaissance Revival
Total number of properties to be included in district:			1	

VII. Recommendations for the Ordinance

The new district will be added to existing Springfield Ordinances. Wason House will have some of the exemptions as many current historic districts overseen by the Springfield Historical Commission such temporary structures, color of paint, small signs, at grade sidewalks and driveways, exact reconstruction following disaster, screen windows and doors. The Commission will retain oversight of all other features.

VIII. The Ordinance

TEXT:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED BY CHAPTER 49 ENTITLED “HISTORIC DISTRICTS”

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

“Chapter 49, Article II of the Revised Ordinances of the City of Springfield, as amended, entitled “Historic Districts” be amended by the addition of the following section:

Subsection “49-16”:

“There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Thomas Wason House District as shown on the map, labeled Exhibit 27-2J, entitled “Thomas Wason House,” said map to be considered part of this chapter.

Exemption from Controls:

1. Temporary structure or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify;
2. Terraces, walks, driveways, and sidewalks provided that any such structure is substantially at grade level;
3. Storm windows, screens, window air conditioners;
4. Color of paint;
5. Signs of not more than one (1) square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one (1) such sign is displayed in connection with each residence and, if illuminated, are illuminated only indirectly;
6. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.”

IX. Inventory Form

See following two pages

FORM B – BUILDING

Assessor's Number USGS Quad Area(s) Form Number

077700079

Springfield
South

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Town/City: Springfield

Place: (neighborhood or village): Lower Liberty

Photograph

Address: 270 Liberty Street

Historic Name: Thomas Wason House/Central Storage
Warehouse

Uses: Present: storage warehouse and office

Original: residential

Date of Construction: c. 1854; c. 1908

Source: 1854/1855 City Directory

Style/Form: Italianate; Renaissance Revival

Architect/Builder: unknown

Exterior Material:

Foundation: brick

Wall/Trim: brick with brownstone trim

Roof: rolled roofing

Outbuildings/Secondary Structures: carriage house and
storage warehouse

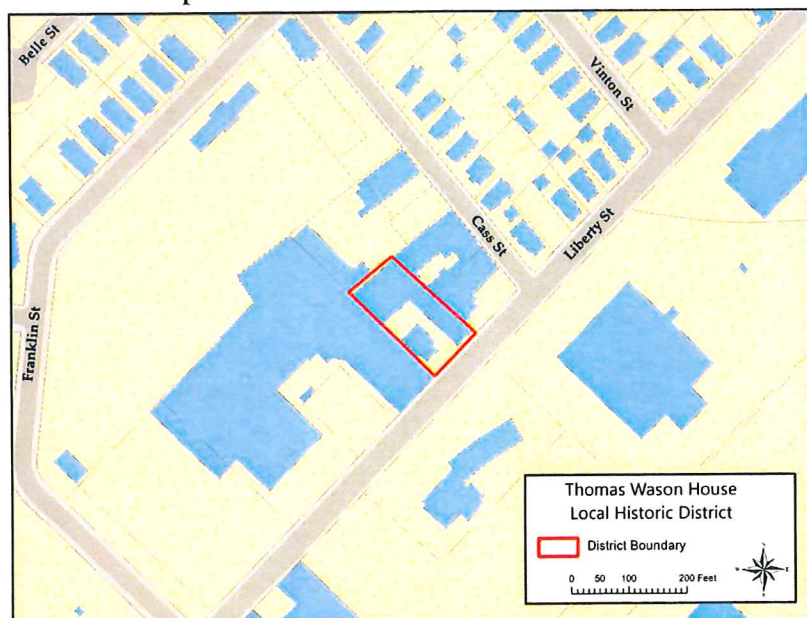
Major Alterations (with dates):
1911 warehouse enlarged

Condition: fair

Moved: no ☐ yes ☐ Date:

Acreage: ½ acre

Setting: industrial

Locus Map

Recorded by: Robert McCarroll

Organization: Springfield Historical Commission

Date (month / year): Jan 2016



INVENTORY FORM B CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION

Area(s) Form No.

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

- ☐ Recommended for listing in the National Register of Historic Places.
If checked, you must attach a completed National Register Criteria Statement form.

Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.

ARCHITECTURAL DESCRIPTION:

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

The house is a two-story brick Italianate style structure with a deeply-overhanging and heavily bracketed cornice. There is a central one-story bay window on the facade. The right side porch has been modified and enclosed; the left side porch has been removed. Windows have brownstone lintels and sills and six-over-six sash, although a few have been replaced. Thomas Wason first appears on Liberty Street in the City Directory of 1854/5. The house could date to that period since Italian Villa style homes began being built in Springfield by the late 1840s.

The Central Storage Warehouse first appears in this location in the 1909 City Directory. In 1911, a 36 foot by 70 foot addition was designed by architect George Allen, extending the warehouse to Liberty Street. The warehouse is three stories and made of brick. Its façade is a simple Renaissance Revival style with bricks emulating a rusticated first floor, a trio of two-story recessed arches on the second and third floors, and a crenulated parapet.

HISTORICAL NARRATIVE

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

Thomas Whiteredge Wason came to Springfield in the 1830s from New Hampshire. He married Sarah Longley in Springfield in 1836. Thomas and his brother Charles dressed timbers for railroad bridges and then began repairing railway cars before forming a business to build rail cars in 1845. Charles moved to Ohio in 1851 and sold his interest in the company to Thomas, who took on partners a few years later and operated under the name "W. T. Wason & Co." In 1862, the "Wason Manufacturing Company" was incorporated with Thomas as president. Wason built wood passenger, baggage, and freight cars. It built cars for George Pullman and the Central Pacific Railroad. Several of these cars were present in 1869 at Promontory Utah for the uniting of the transcontinental railroad. A portion of its business was international, and in 1862, Wason built an elaborate car for the Khedive of Egypt. When Thomas Wason died in 1870, his company was the largest employer in Springfield.

The Central Storage Warehouse was established on Lyman Street in the 1890s. It appears in the 1909 City Directory also at 270 Liberty Street. It specialized in storage of furniture and household items.

BIBLIOGRAPHY and/or REFERENCES

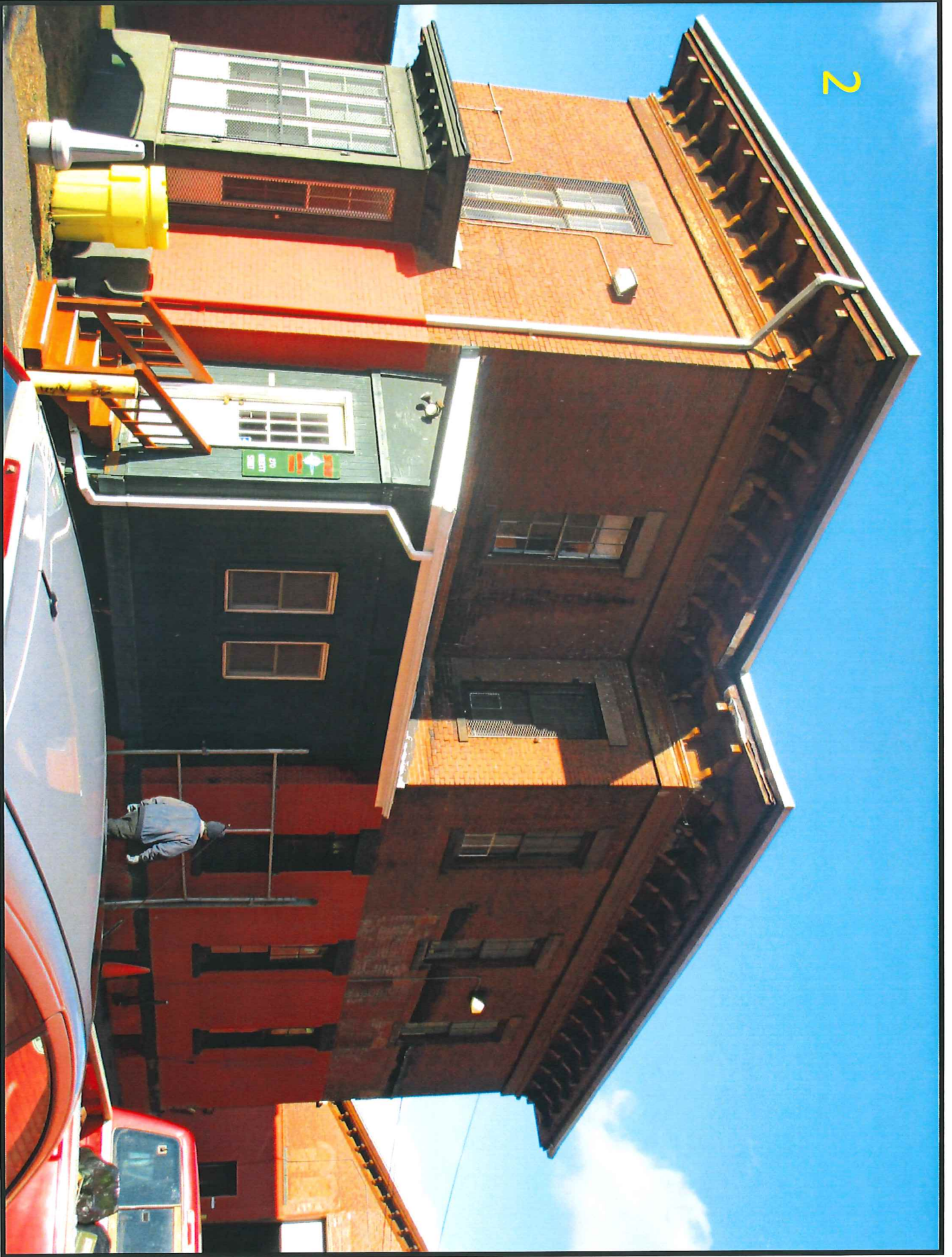
Springfield Building Department records
 Springfield City Directories
 The Story of Western Massachusetts Vol 6
 Mid-Continent Railway Museum <http://www.midcontinent.org/rollingstock/builders/wason1.htm>

X. Photographs

PHOTOGRAPHS ID	Photograph Description
1	Front façade & west elevation of house
2	Front façade & east elevation of house
3	Front façade & west elevation of warehouse
4	Front façade of warehouse
5	Front façade & east elevation of warehouse
6	
7	
8	
9	
10	



2



3



4



5



XI. Appendix

SPRINGFIELD HISTORICAL COMMISSION APPLICATION PROCEDURES

Applications for certificates can be obtained from the Historical Commission in the Planning Department, 70 Tapley Street and can now be downloaded from the Springfield Planning Department web site. Fill out the application and return it with supporting information to the Historical Commission. The application must include:

1. Address of property to be altered
2. Name of owner of property
3. Address of owner of property
4. Written description of the proposed change (if a change of siding is requested, fill out the reverse side of the application sheet.)
5. The reason for a Certificate of Hardship (if that is being requested)

Additional required information:

1. Drawings for alterations and/or additions to existing structures, or for new construction. Drawings shall be plans or elevations drawn to scale with sufficient detail to show the architectural design of buildings, including proposed materials, textures and colors. Samples of materials or colors, and the plot plan or site layout, indicating all improvements affecting appearances such as walls, walks, terraces, plantings, accessory buildings, signs, lights, and other elements, shall also be included.
2. Photographs required with application to demolish existing structures. Applicant shall submit photos showing all sides of property and contiguous properties on either side and across the street.
3. Photographs required with application for new construction. Applicant shall submit photos adjoining properties on either side and across the street.
4. Photographs required with application for repair, alterations, and/or additions to existing structures. Applicant shall submit photos of all sides of structure to be affected by proposed action.

What happens after the application had been returned to the Commission?

Once the Commission receives an application form, it follows the procedures as required in Massachusetts General Law, Chapter 40C, Section 11:

- a. Public Hearing
The commission shall fix a reasonable time for the hearing on any application and shall give public notice of the time, place and purpose thereof at least fourteen (14)

days before said hearing in such manner as it may determine, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as they appear on the most recent real estate tax list of the board of assessors, to the Historical Commission of the city or town, to any person filing written request, to be renewed yearly in December, and to such other persons the commission shall deem entitled to notice.

As soon as convenient after such public hearing but in any event within sixty (60) days after filing of the application, or lesser period as the ordinance or by-law may provide, or within such further time as the applicant may allow in writing, the commission shall make a determination on the application. If the commission shall fail to make a determination within such period of time the commission shall thereupon issue a Certificate of Hardship.

A public hearing on an application need not be held if all persons entitled to notice thereof waive such hearing in writing. In addition, a public hearing on an application may be waived by the commission if the commission determines that the exterior architectural feature involved or its category or color, as the case may be, is so insubstantial in its effect on the historic district that it may be reviewed by the commission without public hearing on the application, provided, however, that if the commission dispenses with a public hearing on an application, notice of the application shall be given to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as above provided and ten days shall elapse after the mailing of such notice before the commission may act upon such application.

b. Notification of Decision

The Commission must take action on an application within sixty (60) days or a Certificate of Hardship will be issued. The original Notice of the decision shall be forwarded to the City Clerk and copies shall be distributed to the Planning Department and the property owner.



City Council
36 Court Street
Springfield, MA 01103

Meeting: 06/20/16 07:00 PM
Department: City Council
Category: Council Request
Prepared By: Kelley Mickiewicz
Initiator: Justin Hurst
Sponsors: Walsh, Williams, Edwards, Fenton, Ashe, Allen, Shea, Williams, Gomez
DOC ID: 3560

ADOPTED

RESOLUTION (ID # 3560)

Chapter 70 Foundation

CITY OF SPRINGFIELD

IN THE CITY COUNCIL JUNE 20, 2016

WHEREAS, the Joint House and Senate Chapter 70 Foundation Budget Review Commission spent a year studying the funding of public schools in the commonwealth and found that funding was inadequate, and

WHEREAS, this Committee made recommendations that would improve the adequacy of funding, and

WHEREAS, in the absence of actions on these recommendations, the children in the commonwealth public schools would be seriously short changed,

NOW, THEREFORE BE IT RESOLVED that the Springfield City Council calls on the House and Senate to fully fund the recommendations of their own Chapter 70 Foundation Budget Review Commission.

RESULT: PASSED BY VOICE VOTE



City Council
36 Court Street
Springfield, MA 01103

Meeting: 06/20/16 07:00 PM
Department: City Council
Category: General
Prepared By: Karla Bourassa
Initiator: Kenneth E. Shea

Sponsors: At-Large Councilor Kateri B. Walsh
DOC ID: 3574

ADOPTED

RESOLUTION (ID # 3574)

Senator Lesser's Springfield to Boston Rail Service Feasibility Study Legislation

CITY OF SPRINGFIELD
IN THE CITY COUNCIL JUNE 20, 2016

WHEREAS, A stronger economic climate is essential to improving life in Springfield, and

WHEREAS, for our economy to grow, we need to enhance connectivity between eastern and western Massachusetts and attract growth in the region, and

WHEREAS, The Massachusetts legislature has an obligation to ensure that growth and opportunities are spread to all corners of the commonwealth, thereby eliminating regional inequality, and

WHEREAS, an increased focus on the development of downtown Springfield is expected to add thousands of new visitors annually, and

WHEREAS, rail service provides a safe, reliable option to connect Massachusetts, one that comes at a critical point for transportation development in Springfield with an \$83 million renovation of Union Station as a new regional transit hub, the reconstruction of the knowledge corridor and other rail bringing a steady stream of passengers into the area, and

WHEREAS, the fastest existing rail link is the lakeshore limited, which runs once a day in 135 minutes, and

WHEREAS, improving the existing rail connection between Springfield and Boston will help us connect people, ideas, and jobs, having a transformative effect on our entire region, and

WHEREAS, Senator Lesser has filed legislation that has Bi-Partisan support, connecting eastern and western Massachusetts through rail service, and

WHEREAS, Senate bill 1849 would call on the Massachusetts Department of Transportation to conduct a feasibility study on passenger rail access between Springfield and Boston, including an examination of costs ridership right of way issues and the resulting economic, social and cultural benefits, and

WHEREAS, this bill passed as an amendment to the senate budget in fiscal years 2016 and 2017 with unanimous support

NOW, THEREFORE BE IT RESOLVED that the Springfield City Council goes on record as supporting Massachusetts Senate Bill 1849, an act to study the feasibility of rail access between Springfield and Boston.

Sponsored by City Councilors Ken Shea, and Councilor Kateri Walsh

RESULT:	PASSED BY VOICE VOTE
----------------	-----------------------------