CITY COUNCIL

CITY OF NORTHAMPTON

MASSACHUSETTS

Councilors:

- President William H. Dwight, At-Large
- Jesse M. Adams, At-Large
- Maureen T. Carney, Ward 1
- Dennis P. Bidwell, Ward 2
- Vice-President Ryan R. O'Donnell, Ward 3
- Gina Louise Sciarra, Ward 4
- David A. Murphy, Ward 5
- Marianne L. LaBarge, Ward 6
- Alisa F. Klein, Ward 7

Meeting Agenda
City Council Chambers
Walter J. Puchalski Municipal Building
212 Main Street, Northampton
Meeting Date: January 21, 2016
Meeting Time: 7:00pm

1. **Public Comment**

2. **Roll Call**

3. **Public Hearings**

   A. **Public Hearing Regarding a Petition to Install one SO Pole at 54 South Main Street, Florence**

      A. **15.521 A Petition to Install one new SO Pole at 54**

South Main Street, Florence

Documents: 15.521_As_OriginallySubmitted.pdf, 15.521-revised-sketch_201601131128.pdf, 15.521-dpw-response_201601131124.pdf

4. **Recognition and One-Minute Announcements by Councilors**

5. **Communications and Proclamations from the Mayor**

6. **Resolutions**

7. **Presentations**

8. **Consent Agenda**

   Approval of Minutes of the City Council Meeting of December 17, 2015

   Documents: cc-minutes-12-17-2015.pdf

9. **Recess for Committee on Finance Committee**

10. **Financial Orders**

    A. **16.004 A Financial Order To provide funding for extraordinary maintenance at the NPS Grounds Maintenance Shop - 1st Reading**

       Documents: 16.004_Prospect_Street_Gift_Fund-2547_NPS_Ground_Maintenance_Shop.pdf

    B. **16.006 - Financial Order to Purchase or otherwise acquire any fee, easement, and/or any other interest in land off Old Ferry Road for $30,000 - 1st Reading**

       Documents: 16.006_JohnBobala--SheldonField.pdf

    C. **16.007 - Financial Order Authorizing the Conservation Commission purchase or Acquire an agricultural preservation restriction on 0.85 acres of farmland on Island Road for $1,000 - 1st Reading**

       Documents: 16.007_ClarkORDER toCityCouncil.pdf

    D. **16.008 Financial Order allowing the Mayor to Accept Grants**

from the Exec. Office of Energy and Environmental Affairs - 1st Reading

Documents: 16.008_LWCF_Connecticut_River_Greenway.pdf

E. 16.009 Financial Order authorizing the Conservation Commission to purchase or otherwise acquire any fee, easement, and/or any other interest in 3.1 +/- acres of land located on Venturers Field Road - 1st Reading

Documents: 16.009_VenturersFieldRoad_legislative_petition.pdf

F. 16.011 - 16.017 Financial Orders allowing the use of CPA funds for various projects - 1st Reading

Please see attached memo relating to projects

16.011 - $30,000 be appropriated from CPA funding to the Broad Brook Coalition for the Fitzgerald Lake Bridge, Boardwalk and Dock Project.

16.012 - $30,000 from CPA funding to move store and purchase historic ornamentation for the Seth Thomas Clock

16.013 - $200,000 from CPA funding to DPW for additional funding for the Pulaski Park Renovation Project

16.014 - $3,000 be appropriated form CPA funds for Northampton Conservation Commission and Northampton OPS for the Mineral Hills Habitat Project

16.015 - $131,310 be appropriated from CPA funds to Historic Northampton, Inc. for electrical work, roof and window replacement for Damon & Shepherd Houses

16.016 - $5,000 from CPA funds to Northampton Youth and Community Rowing for the Conn. River Greenway Gate Project.

16.017 - $55,000 from CPA funds to Northampton Conservation Commission & Northampton OPS for the Rocky Hill Open Space Acquisition Project

Documents: 16.011-16.017_RecommendationCoverLetter.pdf, 16.011_FLCA_Boardwalk.pdf, 16.012_SethThomasClock.pdf, 16.013_PulaskiParkRenovation.pdf, 16.014_Mineral_Hills_Habitat.pdf, 16.015_Historic_Northampton.pdf, 16.016_CTRiverGreenway.pdf, 16.017_ZewskiAcquisition.pdf

11. Orders

A. 16.001 An Order to Adopt the Rules of the City council for 2016 - 2017 - 2nd Reading

Documents: 16.001_City-Council-Rules.pdf

B. 16.002 Order to Set the City Council Meeting Dates for 2016-2017 - 2nd Reading

Attached order is as amended by the City Council on January 5, 2016

Documents: 16.002_City-Council-Schedule.pdf

C. 16.010 - Order Remove requirement that hunting be allowed on the Abuza section of Broad Brook/Fitzgerald Lake Greenway - 1st Reading

Documents: 16.010_HuntingRestrictionBroadBrookGreenway.pdf

D. 16.018 - Order to Establish a Policy to Promote the Use of Green Street Facilities and Green Infrastructure - 1st Reading

Documents: 16.018_NorthamptonGreenStreetsPolicy.pdf

12. Ordinances

A. 16.003 - Ordinance to delete fees from chapter 174 of city code book - Refer to Committee on Legislative Matters and Committee on Finance

Documents: 16.003_Ordinance-Pertaining_to_Fees-Delete_Chapter_174_from_Code_Book_AOS-REFER.pdf

B. 16.005 An Ordinance Pertaining to LED Lighting - Refer to Committee on Legislative Matters & Planning Board

Documents: 16.005_LED_SIGN_ORDINANCE.pdf

13. Updates from Council President & Committee Chairs

14. Information Requests (Charter Provision 2-7) and Committee Study Requests

15. New Business

Contact: P. Powers
Administrative Assistant to the City Council
(413) 587-1210
ppowers@northamptonma.gov

nationalgrid

October 26, 2015
City of Northampton

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Lisa Jasinski -413-582-7467

Please notify National Grid's Maureen Miloro of the hearing date / time

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Maureen Miloro; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Jim Kehrer
Supervisor, Distribution Design

Enclosures

15.521

Questions contact – Lisa Jasinski -413-582-7467

PETITION FOR POLE AND WIRE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton Massachusetts

NATIONAL GRID requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

South Main St-National Grid to Install one new SO Pole at 54 South Main St Northampton Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – South Main St-Northampton Massachusetts.

18441465 October 26, 2015

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID
BY Jen Kehn
Engineering Department

ORDER FOR POLE AND WIRE LOCATIONS

15.521

City

In the City of Northampton Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 26th day of October 2015.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – South Main St-Northampton Massachusetts.
18441465 Dated: October 26, 2015. Filed with this order
There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

South Main St-National Grid to Install one new SO Pole at 54 South Main St Northampton

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of

15.521

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk

15.521

Electric

In the City of Northampton Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 26th day of October 2015.

All construction under this order shall be in accordance with the following conditions:

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NATIONAL GRID

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City/Town Clerk.

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.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

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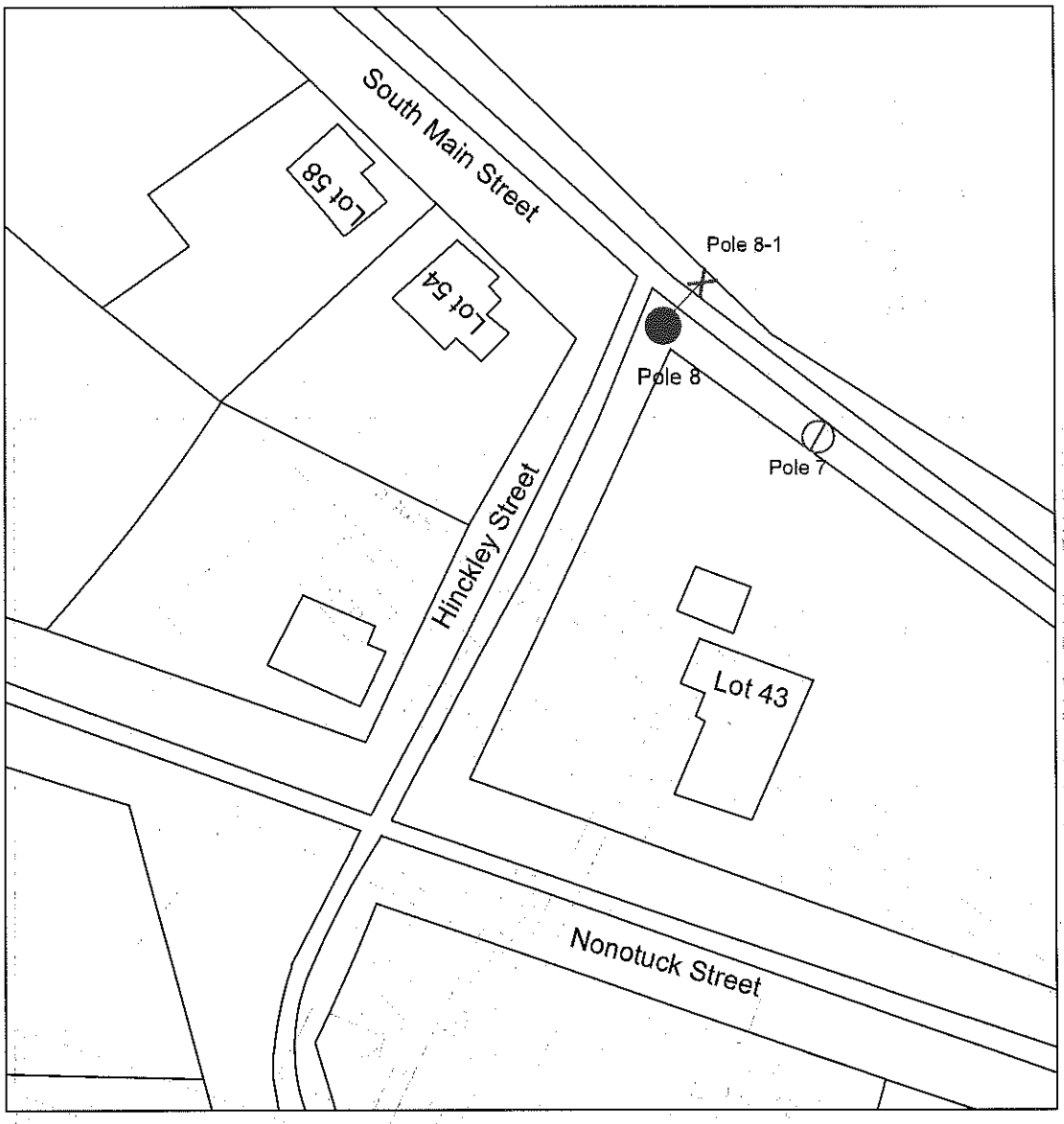
Attest:

City/Town Clerk



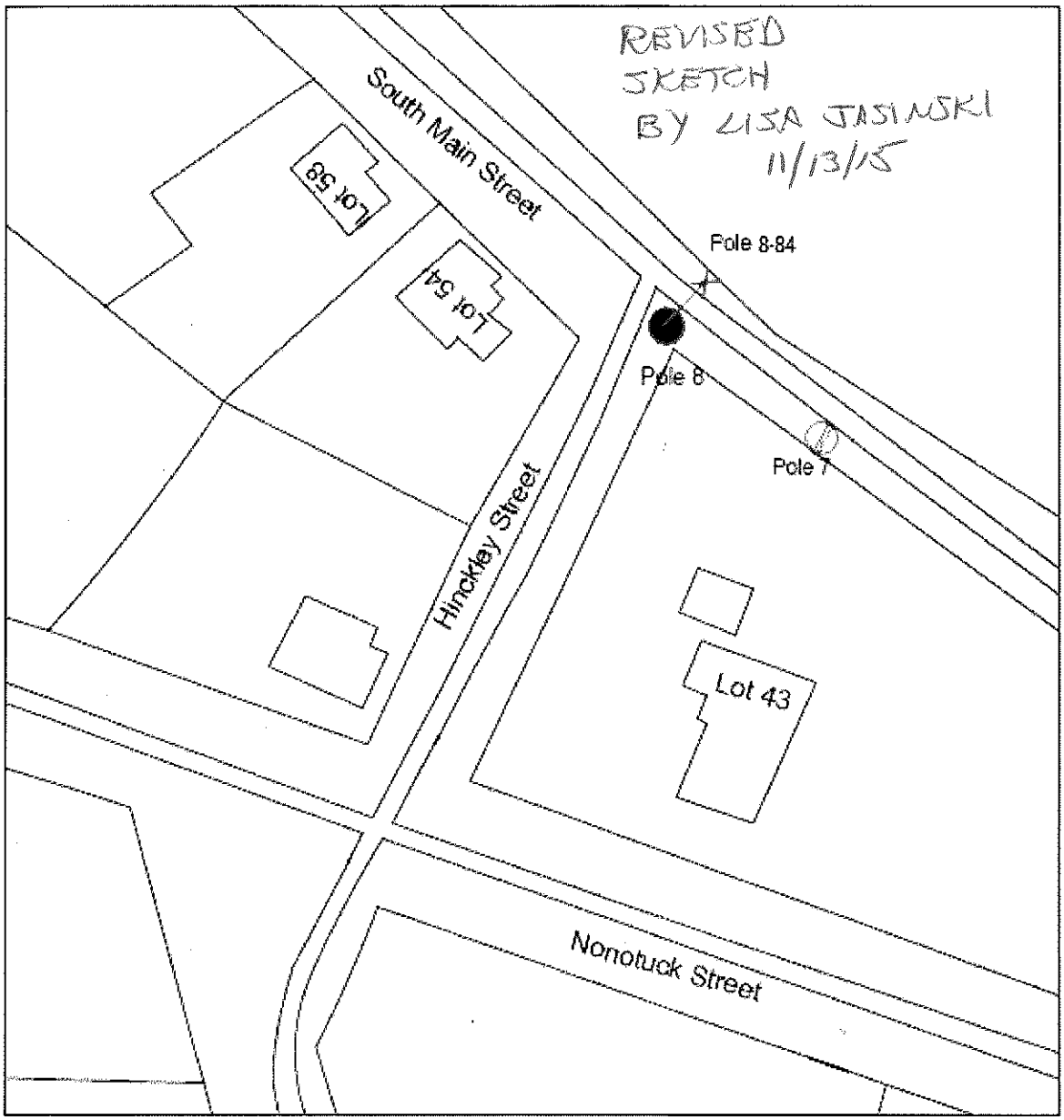
Telco:

- - Replace Pole 8 with new 45'C2
- - Install New Pole 8-5 with 40'C2

National Grid:

- Install Pole-to-Pole Guy

OVERHEAD PETITION		nationalgrid
Legend		
●	Proposed JO Pole	Drawn by: Mitchell Mouradjian
⊘	Existing JO Pole	**Date:** 9/14/15
—	Pole to Pole Guy Wire	**Plan Number:** WR: 18441465
		To Accompany Petition Dated:
		To The: Town **Of** Northampton
		For Proposed: Pole 8 **Location:** 54 South main Street
15.521 **EXHIBIT 'A' NOT TO SCALE** **DISTANCES ARE APPROXIMATE**		**Date of Original Grant:**



Telco:
- Replace Pole 8 with new 45'C2
- Install New Pole 8-84 with 40'C2

National Grid:
- Install Pole-to-Pole Guy

OVERHEAD PETITION		nationalgrid
Legend		
●	Proposed JO Pole	Drawn by: Mitchell Mouradjian
◐	Existing JO Pole	**Date:** 9/14/15
═══	Pole to Pole Guy Wire	**Plan Number:** WR: 18441465
		To Accompany Petition Dated:
		To The: Town **Of** Northampton
		For Proposed: POLE 8-84 **Location:** 54 South main Street
EXHIBIT 'A' NOT TO SCALE DISTANCES ARE APPROXIMATE		**Date of Original Grant:**

CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060

413-587-1570
Fax 413-587-1576

Edward Huntley, P.E.
Director, City Engineer

Memorandum

To: Ned Huntley

From: Felix Harvey

Date: December 11, 2015

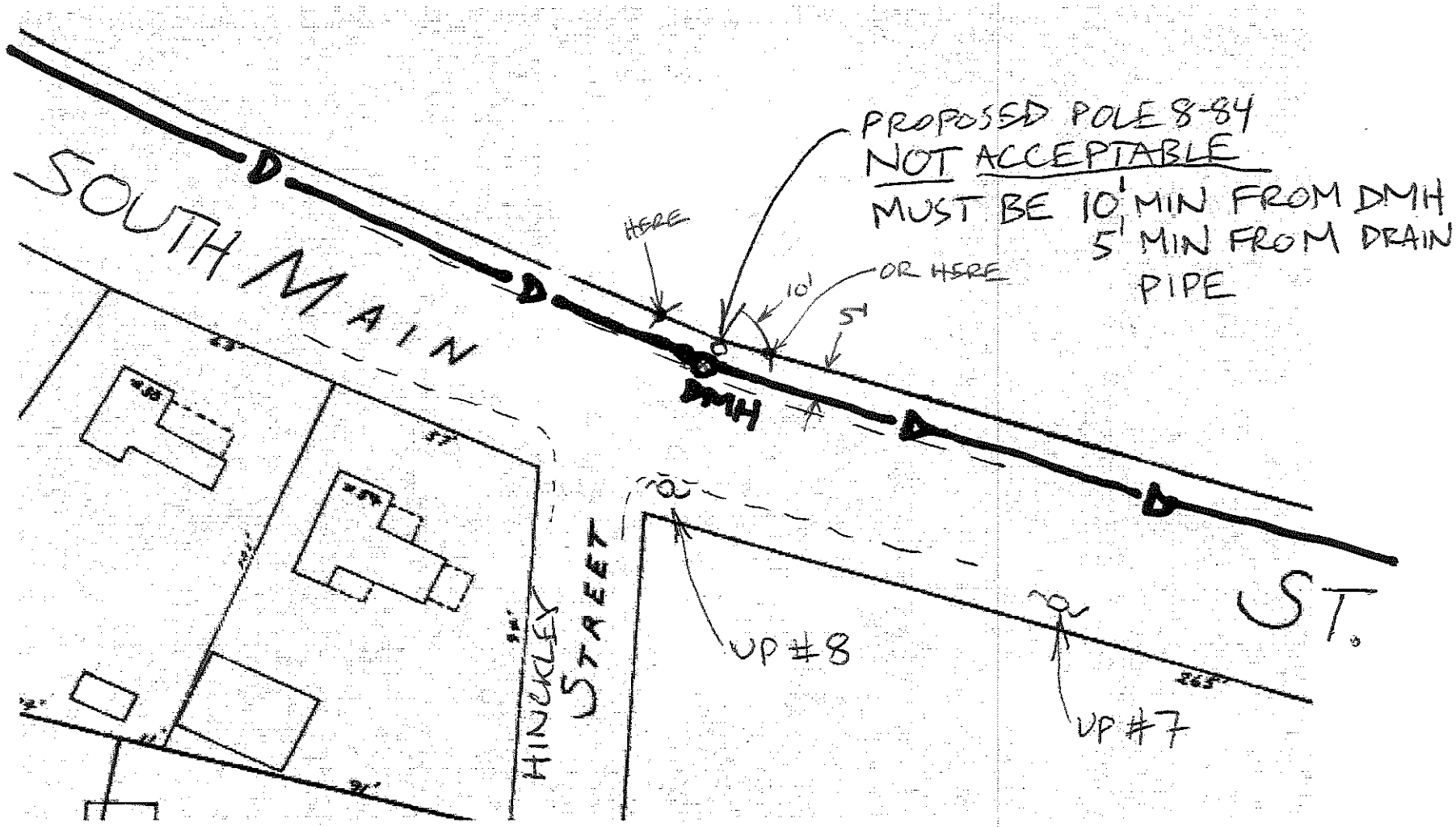
Re: Pole Petition #18441465 (South Main Street, across from Hinckley St Ext.)

Ned:

I have reviewed DPW records and visited the site to view the proposed pole location. The proposed location as depicted in the application and identified by a stake is unacceptable due to its proximity to a Drainage system located there. I have prepared a sketch (attached) showing two alternative locations that would be acceptable based on setback requirements from the drainage system(10 feet from the Drain Manhole(DMH) and 5' from the drain pipe).

Based on this information, I believe that the request may be approved with conditions of the above set-back refrom the drainage system requirements stated above and shown on the attached sketch.

Approved EH
12/11/15


PROPOSED POLE 8-84
NOT ACCEPTABLE
MUST BE 10' MIN FROM DMH
5' MIN FROM DRAIN PIPE
HERE
OR HERE
10'
5'
DMH
SOUTH MAIN
ST.
HINCKLEY STREET
UP #8
UP #7

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
December 17, 2015

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:28 pm on a roll call nine (9) councilors were present:

At-Large Councilor William H. Dwight
At-Large Councilor Jesse M. Adams
Ward 1 Councilor Maureen T. Carney
Ward 2 Councilor Paul D. Spector
Ward 3 Councilor Ryan R. O'Donnell
Ward 4 Councilor Gina-Louise Sciarra
Ward 5 Councilor David A. Murphy
Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein

The following motions were made during the course of the meeting:

Motion to suspend Council Rule #11 allowing the council to modify the standard order of business was made by Councilor LaBarge and seconded by Councilor Spector. The motion was approved on a voice vote of 9 Yes, 0 No.

Motion to suspend Council Rule # 45 allowing the council to stay in open session to release and approve minutes of the Executive Sessions of Feb. 5, 2015 and August 13, 2015 was made by Councilor Carney and seconded by Councilor Adams. The motion was approved on a voice vote of 9 Yes, 0 No.

Motion to suspend Council Rule #33 was made by Councilor Carney and seconded by Councilor Adams. The motion was approved on a voice vote of 9 Yes, 0 No. Suspension of this rule was done so that committees do not need to meet again in order to approve the minutes of the meeting held on this date during council recess.

Public Hearing

Councilor Dwight announced that on Jan. 21, 2016 at 7:05 pm a public hearing will be held in City Council Chambers, 212 Main Street, Northampton, regarding a pole petition request received from National Grid for a new SO pole to be located at 54 South Main Street in Florence.

Communications From the Mayor

Mayor Narkewicz presented a proclamation announcing December, 2015 as "Never another Death Month" in memory of adolescents and adults who have died as a direct result of alcohol and drug use. The proclamation was given to Joyce Sabin Rescia whose son, Matthew Michael Giovanni Rescia died from a drug overdose in 2000. Ms. Sabin Rescia continues to honor Matthew's memory by getting the message out about how badly prevention and treatment programs are needed.

Proclamations, Resolutions, Recognitions, and One-Minute Announcements of Events

15.544 Resolution Calling for the Welcoming of Refugees in the City of Northampton - 2nd Reading

Councilor Adams questioned the sponsorship of the resolution. The version that was attached to the agenda did not reflect the sponsors that were added at the Dec. 3, 2015 City Council Meeting.

Councilor Sciarra moved to amend the sponsorship of the resolution to add Councilor Maureen T. Carney and the Mayor's Youth Commission; Councilor Adams seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Councilor Klein moved to approve the resolution in second reading; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Abstention (Councilor Murphy).

Councilor Dwight indicated that he has received both positive and negative feedback about the resolution; regarding those who have expressed a concern about addressing the needs of "our own" first, Councilor Dwight indicated that the programs are not mutually exclusive and he pointed out that we can be a community that addresses local needs of the homeless while still supporting refugees.

Councilor Klein shared that she has received phone calls from residents who were concerned about the impact that accepting refugees may have on the city's economy. Councilor Klein shared information about studies that have been done showing that where refugees have been accepted, those communities have not been hit hard economically. Locally there are two agencies that have a history of settling refugees. When refugees settle

into an area, there is federal money available to support the relocation.

The following resolution was approved in second reading:

Upon the recommendation of City Council President William H. Dwight, Councilors Alisa F. Klein and Maureen T. Carney and the Mayor's Youth Commission

Resolution Calling for the Welcoming of Refugees in the City of Northampton

WHEREAS, The City of Northampton is largely comprised of residents, and the descendants of families, who came to the United States from countries all over the world; and

WHEREAS, The City of Northampton has been built, in large part, on the strength of its immigrant communities; and

WHEREAS, The City of Northampton embraces ethnic, racial, and linguistic diversity; and

WHEREAS, The people of Northampton have a long history of opening their arms and homes to the vulnerable and disadvantaged and a commitment to fostering an open and welcoming democracy in which humanitarian efforts are embraced; and

WHEREAS, The City of Northampton has in previous resolutions such as the 2011 Resolution of the Northampton City Council on the Secure Communities Program and the Preservation of Our Civil Rights affirmed its belief that a diverse population contributes to the vitality of our community, and asserted its commitment to the protection of the human and civil rights of all who reside in and visit the City; and

WHEREAS, The conflict in Syria has caused a refugee crisis, which the City of Northampton will not ignore; and

WHEREAS, More than seven million Syrians have been displaced by war and the number of refugees fleeing the conflict in Syria constitutes the world's single largest refugee crisis in almost a quarter of a century; and

WHEREAS, Many of those referred to the United States for resettlement are the most vulnerable of Syrian refugees such as survivors of torture, people with special medical needs, women who head households, and children; and

WHEREAS, President Obama has committed to accepting 10,000 Syrian refugees within the next year; and

WHEREAS, Those wishing to come to the United States must apply through the United Nations and are subject to the highest level of security checks of any category of traveler to our country by the National Counterterrorism Center, the FBI's Terrorist Screening Center, and the Departments of State, Defense, and Homeland Security; and

WHEREAS, Since 9/11, more than 750,000 refugees have been resettled in the United States and not one has been convicted of plotting a terrorist attack in the U.S.; and

WHEREAS, Despite the fact that they have no legal standing to dictate refugee and immigration policy to the federal government or determine who will live in their states, more than half the governors of the 50 U.S. states, including the Governor of the Commonwealth, Charles Baker, Jr., have declared their opposition to Syrian refugee resettlement in their cities; and

WHEREAS, The Supreme Court of the United States explained in *Hines v. Davidowitz*, "the supremacy of the national power in the general field of foreign affairs, including power over immigration, naturalization and deportation, is made clear by the Constitution"; and

WHEREAS, The Refugee Act of 1980 declared it "the historic policy of the United States to respond to the urgent needs of persons subject to persecution in their homelands" and gave the President the power to handle an "unforeseen emergency refugee situation" such as one involving "grave humanitarian concerns"; and

WHEREAS, Article 14(1) of the Universal Declaration of Human Rights, adopted by the United States of America in 1948, states "Everyone has the right to seek and to enjoy in other countries asylum from persecution"; and

WHEREAS, The United States of America ratified both the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol, we have a binding obligation under binding international law to "protect refugees and to receive victims of political persecution"; and

WHEREAS, The Convention on the Rights of the Child, to which the United States of America is party, applies to all children without discrimination, including child refugees and asylum-seekers. The Convention specifically stipulates that "every child seeking refugee status has a right to protection and humanitarian assistance in the enjoyment of the rights set forth in that Convention and in others to which the State is a party"; and

WHEREAS, Syrian refugees should to be treated with the dignity, care, and compassion that every person deserves, and require housing and support services such as counseling, education, health care, food, security, case management, and legal assistance; and

NOW THEREFORE BE IT RESOLVED, That the City Council of Northampton, Massachusetts

1. Affirms that Northampton is committed to serving as a place of sanctuary and refuge for refugees from around the world; and

2. Urges city departments, local businesses, and charitable organizations to provide shelter, sustenance, and other services for refugee families relocating to and integrating into our community; and

3. Urges residents to consider demonstrating their support, willingness, and availability of space to take in refugees by signing the petition at http://afscwm.org/blog/2015/11/24/we-welcome-refugees/, and in other ways they deem useful; and

4. Requests of the Governor to reconsider his stated opposition to Syrian refugee resettlement in Massachusetts and thereby reaffirm the values of our community and the Commonwealth of Massachusetts.

Rules suspended, passed two readings and enrolled.

15.545 Resolution to raise awareness that domestic violence is a human rights concern - 2nd Reading

Councilor Klein moved to approve the resolution in second reading; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

The following resolution was approved in second reading:

Upon the recommendation of Councilors Alisa F. Klein and Gina-Louise Sciarra

Resolution on Domestic Violence

WHEREAS, the United Nations, world leaders, and leaders within the United States have all recognized domestic violence as a human rights issue; and

WHEREAS, the City of Northampton seeks to enhance the public welfare of its residents by declaring that freedom from domestic violence is a fundamental human right; and

WHEREAS, it is estimated that each year up to 9 million individuals in the United States are victims of intimate partner violence, that is: according to the U.S. Centers for Disease Control and Prevention more than one in three women and more than one in four men in the United States will experience rape, physical violence, and/or stalking by an intimate partner at some point in their lives; and

WHEREAS, domestic violence affects adults and children of all backgrounds and ages, but women experience more domestic violence than men and are significantly more likely than men to be injured during an assault by an intimate partner;

WHEREAS, only approximately one-quarter of all physical assaults, one-fifth of all rapes, and one-half of all stalking incidents perpetrated against women by intimate partners are reported to the police; and

WHEREAS, 15.5 million children in the United States live in families in which domestic violence was perpetrated at least once in the past year, and are adversely affected by violence in the home, whether they are physically or verbally abused themselves or are exposed to the violence as witnesses; and

WHEREAS, victims and survivors of domestic and family violence experience physical injuries, long-term psychological damage, financial instability, difficulty finding safe housing and other challenges, some of which directly or indirectly relate to services provided by the City; and

WHEREAS, domestic violence is cited as a significant factor in homelessness among families; and

WHEREAS, the economic burden of domestic violence in the United States is over $8 billion per year in direct medical costs and loss of productivity; and

WHEREAS, Safe Passage (formerly called Necessities/Necessidades) in Northampton has worked to prevent, respond to, and end domestic violence, and served survivors of domestic violence and their children, friends, and families in Hampshire County since 1977, and in 2014 alone, served over 1,400 individuals from Hampshire County; and

WHEREAS, Safe Passage operates a crisis hotline serving victims and survivors of domestic violence 24 hours a day, 365 days a year, to offer crisis intervention, support, information, and referrals, as well as provides ongoing trauma-informed counseling and advocacy and a safe residence for survivors of domestic violence and their families; and

WHEREAS, the Northampton Police Department, Hampshire Sheriff's Office, Northwest District Attorney's Office, Northampton Health Department and other City government offices, as well as social service agencies and non-profit groups have worked with Safe Passage to implement a coordinated system for the prevention of and response to acts of domestic and family violence in the City; and

WHEREAS, these aforementioned entities and other local government entitles incur significant monetary costs due to domestic and family violence; and

WHEREAS, Safe Passage estimates that more than 15,000 women in Hampshire County have experienced intimate partner violence in their lifetime; and

WHEREAS, community members who are informed and skilled in recognizing domestic violence and supporting survivors, along with local medical personnel, the police and sheriff's departments, courts, social services agencies, and other government entities constitute the first line of defense against domestic violence; and

WHEREAS, in 2012, the Northampton Police Department responded to 509 domestic violence calls; and

WHEREAS, the Northampton City Council wishes to raise awareness and educate the residents of Northampton about the grave implications and consequences of domestic violence on individuals and families because public awareness has the potential to increase the identification and reporting of abuse by the public, professionals, and victims themselves, and can act as a catalyst for prevention;

NOW THEREFORE BE IT RESOLVED, that the City Council of Northampton, Massachusetts

1. Joins the United Nations and leaders throughout the world and within the United States in recognition of domestic violence as a human rights concern and declares that the freedom from domestic and family violence is a fundamental human right; and

2. Commits to raising awareness of domestic violence and its devastating effects on survivors, families, and communities, and cooperating with all City departments, non-governmental organizations, and local businesses to promote programs that prevent and respond to domestic violence; and

3. Pledges its continued support for Safe Passage and all other entities designed to prevent and respond to domestic violence including assisting victims and survivors, holding perpetrators accountable, and bringing an end to domestic violence; and

4. Declares that the City is committed to responding diligently to acts of domestic and family violence, that all of the City's departments shall incorporate the principles embodied in this resolution into their policies and practices, and encourages all local organizations and agencies to do so as well; and

5. Will send a copy of this resolution to the Northwest District Attorney's Office, the Northampton Health Department, the Hampshire Sheriff's Office, the Northampton Police Department, and other City departments and local agencies.

Rules suspended, passed two readings, and enrolled.

Presentations

Presentation made by Students of Smith Campus School:

The 6th grade students at the Campus School have been inspired by what they've learned in 5th and 6th grade about Columbus and the history of indigenous people to put together both a letter to the editor of the Daily Hampshire Gazette and a proposal for the City Council.

The students feel that Christopher Columbus was mean and cruel to the Natives and only wanted fame and fortune. They also stated that Columbus was not the first to discover America and that when he arrived he did not seem to care about the natives.

The students feel that Columbus Day should be changed to Indigenous People's Day because they were here before Columbus arrived. They were also nice to Columbus; today, the original inhabitant descendents are still mistreated.

Presentation to Recognize Certified Living Wage Employers and Aspiring Living Wage Employers

Kitty Callaghan from the Living Wage Western Mass Steering Committee of Springfield was on hand to thank and recognize Northampton employers who strive to provide a "living wage" to their employees. The current living wage is $13.18 per hour and includes the cost for an employee to cover housing, transportation, healthcare and food. Ms. Callaghan also identified those employers who were "aspiring" to provide a living wage.

Licenses & Petitions

15.551 Petition for Taxi Cab Licenses (2) from Mercedes Cab Co., Inc., DBA Funky Cab

Councilor LaBarge moved to approve the two licenses petitions; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Ms. Dawn Lynch of Mercedes Cab Co., Inc. was on hand to address any concerns raised by the council, however, there were no questions posed.

One Minute Announcements

One Minute Announcements:

Councilor Dwight thanked Councilor Spector for his twelve years of service as Ward Two City Councilor; Councilor Spector was presented with a certificate acknowledging his service.

Councilor LaBarge also thanked Councilor Spector for his service and indicated that she will miss him tremendously.

Councilor Adams spoke about his appreciation to have worked with Councilor Spector to introduce the plastic bag ordinance.

Councilor Carney appreciated Councilor Spector's encouragement over the years and his

mentorship while they worked together.

Councilor Sciarra acknowledged Councilor Spector's ability to speak calmly and eloquently about various items the council has addressed during the past two years.

Councilor O'Donnell recognized that Councilor Spector has all of the qualities that one could hope to have as a public servant.

Councilor Murphy will miss debating with Councilor Spector.

Councilor Klein recognizes that she has learned a lot from Councilor Spector, especially as a member of the Public Works Committee of the City Council.

Councilor Spector thanked the council for the kind words. He recalled how he first came into local politics and noted that, in his opinion, the council has grown tremendously. He will miss the work and working with the current body of the council.

Approve Minutes of the Previous Meeting

Approve Minutes of the Previous Meeting-

Meeting Minutes of December 3, 2015

Minutes of December 3, 2015

Approved

Councilor LaBarge moved to approve the minutes of December 3, 2015; Councilor Klein seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Minutes of the Executive Session Meeting of February 5, 2015 and August 13, 2015

Councilor LaBarge moved to approve and release the Executive Session minutes of the dates noted above; Councilor Adams seconded the motion. The motion was approved on a voice vote of 9 yes, 0 No.

Committee Reports

15.535 – Various Appointments to Committees-Recommendation will be made by the Committee on Rules, Orders, Appointments and Ordinances on December 15, 2015

Council on Aging

- **Theresa L. Dunn, 46 Finn Street, Northampton – term April 2015 – June 2018 (reappointment)**
- **Barbara Fungaroli, 25 Landy Avenue, Northampton – term April 2015 – June 2018 (reappointment)**
- **Maureen Sienkiewicz, 364B Hatfield Street, Laurel Ridge Apartments, Northampton – term April 2015 – June 2018 (reappointment)**
- **James Spencer, 12 Middle Street, Florence – term April 2015 – June 2018 (reappointment)**
- **Melissa Einberg, 388 Burts Pit Road, Northampton – term September 2015 – June 2016 (new appointment to fill the expired term of Patricia Healey)**
- **Gerriann Butler, 46 Autumn Drive, Florence – term November 2015 – June 2018 (new appointment to fill vacancy left by unexpired term of Diana Soler)**

Councilor Murphy moved to approve the appointments to the Council on Aging as a group; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Disability Commission

- **Letitia Ward, 66 Willow Street, Florence – term November 2015 – June 2018 (new appointment to fill the unexpired term of Tori Eklund)**

Community Preservation Committee

- **Julia Chevan, 8 Cosmian Avenue, Florence – term September 2015 – June 2018 - Parks & Recreation representative (new appointment)**

Parks and Recreation Commission

- **Glenn Connly, 49 Platinum Circle, Florence – term June 2015 – June 2018 (reappointment)**

Transportation & Parking Commission

- **Jami Albro-Fisher, 50 Manhan Street, Northampton – term November 2015 – June 2017 (new appointment to fill the vacancy left by James Lowenthal)**
- **Richard Cooper, 136 South Main Street, Florence – term May 2015 – June 2018 (reappointment)**

Councilor Murphy moved to approve the appointments to the Disability Commission, Community Preservation Committee, Parks and Recreation Commission and Transportation and Parking Commission as a group; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

15.549 Appointments to Committees

Arts Council

- **Joshua Bedell, 264 Riverside Drive, Florence – term June 2015 – June 2018 (reappointment to a second term).**
- **George William Myers, 145 South Street, Northampton – term June 2015 – June 2018 (reappointment to a second term).**
- **Eric Olsson, 201 Park Hill Road, Northampton – term May 2015 – June 2018 (reappointment to a second term).**
- **Jan Ruby, 51 Fairview Avenue, Northampton – term June 2015 – June 2018 (reappointment to a second term).**
- **Kathryn Service, 19 Butler Place, Northampton – term September 2015 – June 2018 (reappointment to a second term).**

Councilor Murphy moved to approve the above appointments to the Arts Council as a group; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Board of Almoners

- **Andrea Murray, 54 Day Avenue, Northampton – term November 2015 – June 2018 (reappointment).**

Councilor Murphy moved to approve the appointment to the Board of Almoners; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Approve Committee Minutes.

Committee on Economic & Community Development, Housing and Land Use meeting of December 17, 2014 and April 7, 2015

Committee on Public Safety Meetings of July 6, 2015, August 3, 2015, October 5, 2015, November 2, 2015, and December 14, 2015

Public Works Committee of the City Council meeting of September 28, 2015

Finance Committee meetings of October 15, 2015, November 5, 2015, November 19, 2015, and December 3, 2015

Committee on Social Services, Veterans, Culture and Recreation Meeting of October 19, 2015 and November 16, 2015

Committee on Rules, Orders, Appointments, and Ordinances Meetings of November 9, 2015, November 10, 2015, and December 15, 2015

Councilor Murphy moved to approve committee minutes as a group; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Recess for Finance	**At 8:15 pm the City Council recessed for a Finance Committee Meeting. The Council reconvened at 8:40 pm.**

Committee Meeting

Financial Orders

15.553 Financial Order for $11,931 to be appropriated from Free Cash to NPS McKinney Vento transportation fund – Request two readings

Councilor Murphy moved to approve the order in first reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

Councilor LaBarge moved to suspend Council Rule 14 to allow for a second reading; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Councilor Murphy moved to approve the order in second reading; Councilor Sciarra seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon recommendation of the Mayor

Ordered, that

$11,931 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) to the NPS McKinney Vento Transportation Fund (WS420000-468000) to provide the schools with the reimbursement from the Commonwealth which was received by the city for the transportation of homeless students in FY15.

Rules suspended, passed two readings and enrolled.

15.552 Financial Order to transfer care, custody & control of a certain parcel of land containing 5,500 sq. ft. at JFK Middle School from the School Committee to the Mayor-Request 2 Readings

Councilor LaBarge moved to approve the order in first reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

Councilor LaBarge moved to suspend Council Rule 14 to allow for a second reading; Councilor Adams seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Councilor Murphy moved to approve the order in second reading; Councilor Adams seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon Recommendation of the Mayor

Ordered, that

Whereas, on October 15, 2015 the City Council approved an appropriation of $400,000 to construct a modular office building to house the Northampton Parks and Recreation Department; and

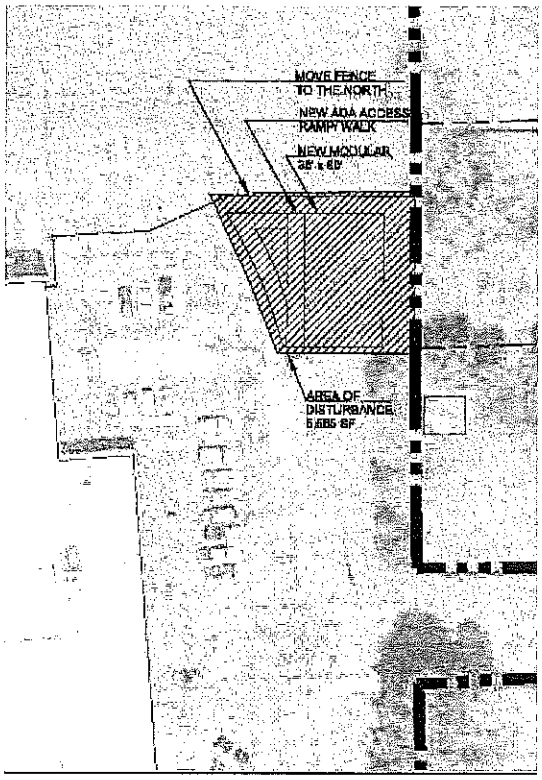
Whereas, the Mayor, Parks and Recreation Department, Central Services Department, and the Northampton Public Schools have worked collaboratively to identify a suitable parcel on the John F. Kennedy Middle School campus on which to construct said modular office building; and

Whereas, on December 10, 2015 the Northampton School Committee voted to surplus said parcel to the city in accordance with M.G.L. c. 40, § 15A for transfer to the Mayor for use as offices for the Parks and Recreation Department; and so

Now, Therefore Be It Ordered

In accordance with M.G.L. c. 40, § 15A, the City Council hereby transfers care, custody and control of a certain parcel of land, to wit, a parcel of land containing 5,500 square foot, more or less, located parallel to the northeast corner of the John F. Kennedy Middle School building directly adjacent to the northeast property line to the City as shown on diagram above, from the School Committee to the Mayor for the limited purpose of providing offices for the Parks and Recreation Department, provided that any transfer of care, custody and control of the subject property for use other than as offices for the Parks and Recreation

Department shall require consent of the School Committee, which consent shall not be unreasonably withheld as to any use that is not inconsistent with the predominant school use of the remaining land of the John F. Kennedy Middle School.



Rules suspended, passed two readings and enrolled.

15,554 Financial Order for Budget Transfers-Request Two Readings

Councilor O'Donnell moved to approve the order in first reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

Councilor O'Donnell moved to suspend Council Rule 14 to allow for a second reading; Councilor Murphy seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Councilor Murphy moved to approve the order in second reading; Councilor Adams seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon recommendation of the Mayor

Ordered, that
the following FY2016 budgetary transfers be and hereby are made:

Department		Description	Org	Object	Transfer From:	Transfer To:
Workers Compensation	OM	Workers Compensation	19121	517003		25,923
Unemployment Insurance	OM	Unemployment Claims Admin	19132	530007		5,835
Unemployment Insurance	OM	Unemployment Compensation	19131	519300	5,835	
General Liability Insurance	OM	Public Employee Liability	19452	574004	10,096	
General Liability Insurance	OM	Property Insurance	19452	574003	6,298	
General Liability Insurance	OM	Vehicle Insurance	19452	574002	6,499	
General Liability Insurance	OM	General Liability	19452	574001	3,030	
TOTAL:					31,758	31,758

Rules suspended, passed two readings and enrolled.

15.543 Financial Order to Approve the expenditure from the Disability Commission Fund to Purchase a Bench & Plaque at the Northampton Senior Center, not to exceed $1,750 - 2nd Reading

Councilor LaBarge moved to approve the order in second reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon the recommendation of the Mayor

Whereas,
The Disability Commission has identified a need for a bench with a commemorative plaque at the Northampton Senior Center for the benefit of elderly and disabled persons; and

Whereas,
The Disability Commission voted to recommend the purchase of the bench and plaque to the Mayor and further voted to fund the purchase from its Disability Commission Fund; and

Whereas,
The Mayor has approved the Disability Commission's recommendation; and therefore

Ordered, that
The City Council approves an expenditure from the Disability Commission Fund established under Chapter 40, Section 22G and funded by handicap parking violation fines, not to exceed $1750, for the purchase of a bench and commemorative plaque at the Northampton Senior Center.

Rules suspended, passed two readings and enrolled.

15.546 Financial Order that $1,200,000 Appropriated from FY16 General Fund to Captial Stabilization Fund and Stabilization Fund ($600,000 each)-2nd Reading

Councilor LaBarge moved to approve the order in second reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon recommendation of the Mayor

Ordered, that

$ 1,200,000 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) to the following accounts:

$600,000	5000	340616	Capital Stabilization Fund
$600,000	5000	340574	Stabilization Fund

Rules suspended, passed two readings and enrolled.

15.547 Financial Order that Free Cash be transferred into the Water Stabilization and Stabilization funds - 2nd Reading

Councilor O'Donnell moved to approve the order in second reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon recommendation of the Mayor

Ordered, that

$2,187,942 be transferred from the Water Enterprise retained earnings (free cash) into the Water Stabilization Fund and;

$4,160,219 be transferred from the Sewer Enterprise retained earnings (free cash) into the Sewer Stabilization Fund.

Rules suspended, passed two readings and enrolled.

15.548 Financial Order to approve a $250 budget for the Youth Commission to be used for supplies and meeting expenses during Fiscal Year 2016 - 2nd Reading

Councilor LaBarge moved to approve the order in second reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

Upon recommendation of the Mayor

Ordered, that

City Council approve a $250 budget for the Youth Commission to be used for supplies and meeting expenses during Fiscal Year 2016, said expenditures to come from the Mayor's Youth Commission Gift Fund (Fund 2514).

Rules suspended, passed two readings and enrolled.

15.382 Order regarding earned sick time--Action Pending Recommendation from Finance Committee and Committee on Rules, Orders, Appointments and Ordinances

Councilor Murphy pointed out that this order has been around for a while; neither the Finance Committee nor the Comm. on Rules, Orders, Appointments and Ordinances has acted upon

the order since it was introduced.

Mayor Narkewicz pointed out that the City does provide paid sick time benefits for employees who work 10 hours or more. Most employees have a sick time benefit that is more generous than what would be required by state law. Most benefits are embedded in collective bargaining agreements. Mayor Narkewicz would like the opportunity to complete collective bargaining before the city council weighs in on this order.

Councilor O'Donnell requested that this order be carried over to the new council session; Councilor Spector seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Orders and Ordinances

Orders

15.541 Order to Revise City Council Rules

Councilor Murphy shared the discussion that took place during the Comm. On Rules, Orders, Appointments and Ordinances meeting in which the committee reviewed the concerns about the long term projected makeup of certain committees. In the end the committee decided to move forward with the committees as proposed in the new rules and work out any concerns or issues in the next council session.

Councilor Adams had requested that the Public Works committee be combined with the Public Safety Committee in the new session; he indicated that moving forward, if the new PW committee could function as the former Public Works Commission did, he would agree to let the committees move forward as proposed.

Councilor Carney expressed a concern about merging Public Safety with Public Works.

Councilor Dwight indicated that perhaps it might be wise to only have no more than three sponsors for any resolution or order to avoid open meeting law; Councilor Carney asked if a committee if four councilors would then be prevented from introducing matters; Councilor O'Donnell asked also how this would affect adding sponsorship on the council floor. Councilor Dwight indicated that he does recall that there have been times when all councilors were added to the resolution and he would not be in favor of preventing this from happening in the future. As a result, Councilor Dwight withdrew his proposed amendment.

Councilor Sciarra thanked Councilor O'Donnell for the tremendous amount of time and work that went into drafting the new rules. Councilor O'Donnell noted that there was a tremendous amount of work put into the deliberation of the new rules by the entire council. Councilor LaBarge thanked Councilor Adams for the work he put into the rules that are about to be retired.

Councilor Murphy moved to approve the order in second reading; Councilor Spector seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following order passed second reading:

RULES OF THE 2016-2017 CITY COUNCIL
OF THE CITY OF NORTHAMPTON

1. These Rules
   1.1. Adoption
   1.2. Repeal or Amendment
   1.3. Precedence
   1.4. Suspension

2. Organization
   2.1. Presiding Officer
      2.1.1. Duties
      2.1.2. Participation
      2.1.3. Order of Succession
   2.2. Election of Council President and Vice-President
   2.3. Council President - Duties and Powers
   2.4. Council Vice-President - Duties and Powers
   2.5. Administrative Assistant to the City Council
      2.5.1. Appointment
      2.5.2. Duties

2.6. Council Committees
2.6.1. Establishment of Standing Committees
2.6.1.1. Committee on Finance
2.6.1.2. Committee on Community Resources
2.6.1.3. Committee on City Services
2.6.1.4. Committee on Legislative Matters
2.6.1.5. Committee on Public Works and Utilities
2.6.2. Powers and Duties of Council Committees
2.6.3. Select Committees
2.6.4. Non-Member Attendance at Council Committees

3. Duties and Powers of the City Council
3.1. Selection of an Outside Auditor
3.2. State Legislative Agenda

4. Order
4.1. Quorum
4.2. Calling Meetings to Order
4.3. Recognition of Mayor and Department Representatives
4.4. Consent Agenda
4.5. Order of Business
4.6. Conduct
4.7. Public Comment
4.8. New Business
4.9. Recess
4.10. Priority of Motions
4.11. Order and Manner of Speaking
4.12. Order During Debate
4.13. Voting
4.13.1. Deciding Votes
4.13.2. Votes Required to Pass Measures
4.13.3. Roll Call Votes
4.13.3.1. Request
4.13.3.2. Method of Recording
4.13.4. Reconsideration
4.14. Ending Time of Meetings
4.15. Remote Meeting Participation
4.16. Minutes of Executive Session Meetings

5. Legislative Process
5.1. Proposed Matters
5.1.1. Timely Filing
5.1.2. Presentation to Council, Mayor
5.1.3. Adding Matters to Council Agenda
5.1.4. Presentation and Enacting Style of Matters
5.1.5. Supporting Documents
5.2. Referral of Matters to Committee
5.3. Solicitor Review of Ordinances
5.4. Withdrawal of Matters
5.5. Matters Requiring Two Votes
5.6. Matters Requiring One Vote
5.7. Enrollment Committee
5.8. Automatic Carryover

6. Appendices
6.1. Special Permit Granting Authority
6.2. Examples of Presentation and Enacting Styling of Matters

1. These Rules

1.1. ADOPTION. When adopted by the City Council, these Rules shall take effect at the time of the first Council meeting following January 1, 2016.

1.2. REPEAL OR AMENDMENT. City Council Rules may only be repealed or amended with a two-thirds majority vote of quorum present. The latest version of these Rules shall be published online.

1.3. PRECEDENCE. The City Council Meetings shall conform to parliamentary practices as set forth in the Rules of the City Council. The procedures defined in the most current version of Robert's Rules of Order will resolve questions not addressed by the Council Rules.

1.4. SUSPENSION. Suspension of these rules or any part thereof shall require a two-thirds majority of the quorum present. Nothing herein shall be construed to authorize suspension of any provision of the Charter of the City of Northampton, or any ordinance of the City of Northampton.

2. Organization

2.1. PRESIDING OFFICER

2.1.1. DUTIES. When present, the Council President shall be the presiding officer of the City Council at every meeting. The duties as presiding officer shall be only those set forth herein:

2.1.1.1. To open the meeting at the appointed time by taking the chair, calling the meeting to order, and ascertaining that a quorum is present.

2.1.1.2. To announce in proper sequence the business that comes before the City Council.

2.1.1.3. To recognize members who are entitled to the floor.

2.1.1.4. To state and to put to vote all questions that legitimately come before the City Council as motions or that otherwise arise in the course of proceedings (except questions that relate to the presiding officer as noted below), and to announce the result of each vote or, if a motion that is not in order is made, to rule it out of order; or, to refuse to recognize obviously frivolous or dilatory motions as defined by Robert's Rules;.

2.1.1.5. To expedite business in every way compatible with the rights of all members of the body.

2.1.1.6. To respond to inquiries of City Councilors relating to parliamentary procedure or factual information bearing on the business of the City Council.

2.1.1.7. To declare the meeting adjourned when the City Council so votes or, when applicable, at the time prescribed in the order of business, or at any time in the event an emergency.

2.1.1.8. To determine whether an amendment is germane to the motion under consideration.

2.1.2. PARTICIPATION. The Presiding Officer may make statements, ask questions and give opinions during debate without relinquishing the chair.

2.1.3. ORDER OF SUCCESSION. In the absence of the Council President, the first of the following list of persons who is not absent shall preside

and shall retain voting privileges:

First, the Council Vice-President
Second, the Chair of the Committee on Finance
Third, the Chair of the Committee on Legislative Matters

If none of the above are present or able to preside, the City Council shall elect by majority vote a President pro-tempore who shall preside for that meeting and shall retain voting privileges. Should the City Council fail to elect a President pro-tempore the meeting shall be adjourned.

2.2. ELECTION OF COUNCIL PRESIDENT AND VICE-PRESIDENT.

2.2.1. The City Council President and Vice-President shall be elected:
2.2.1.1. At the first City Council meeting of a two-year session; and
2.2.1.2. In the event of a vacancy for either office.

2.2.2. At any meeting when a City Council President is to be elected, the previous Council President will preside. If the previous Council President is absent or no longer a member of the Council, the longest serving member of the Council will preside. If two members of the Council are equal in seniority, a coin toss will determine which Councilor presides over the election of the Council President. If more than two members of the Council are equal in seniority they will draw lots to determine which Councilor will preside over the election of the Council President.

2.2.3. After nominations are made by members of the Council, candidates may present to the council.

2.3. COUNCIL PRESIDENT POWERS AND DUTIES. The powers and duties of the Council President shall include all duties pursuant to the Charter and also:

2.3.1. To assign councilors to serve on any committee established by the City Council.
2.3.2. To remove members of a committee from a committee, or reassign them, at any time.
2.3.3. To appoint members to select committees, as provided below.
2.3.4. To determine seating arrangements for the members of the City Council.
2.3.5. To appoint the membership of Enrollment Committee and modify the membership meeting to meeting for any reason.
2.3.6. To set an agenda for the City Council.
2.3.7. To set and approve the hours worked by the Administrative Assistant to the City Council.
2.3.8. To issue a Committee Study Request to any committee. Such a request shall require a committee to report to the full Council on a particular policy or issue area within 120 days optionally accompanied by legislation. However a committee may by majority vote decline to consider or respond to such a request.

2.4. COUNCIL VICE-PRESIDENT - POWERS AND DUTIES. The powers and duties of the City Council Vice-President will include all duties pursuant to the Charter.

2.5. ADMINISTRATIVE ASSISTANT TO THE CITY COUNCIL

2.5.1. APPOINTMENT. The Administrative Assistant to the City Council shall be appointed by the City Council.

2.5.2. DUTIES. The Administrative Assistant shall report to the City Council President, who may assign duties in addition to the following:

2.5.2.1. To maintain a record of all matters and their status as they proceed through various legislative stages and committees, as well as all amendments and related documents.

2.5.2.2. To provide staff support and recordkeeping to all standing Council committees and select committees and to assist committees with all aspects of reporting.

2.5.2.3. To act as custodian of all books, documents and papers belonging to the City Council and to keep an accurate list thereof.

2.5.2.4. To notify the chair of any Council committee, board, executive commission, or other body when a matter is referred to it and to provide the body with all documents relative to the matter.

2.5.2.5. To ensure that all documents addressed to the Council shall be provided to each Councilor, and become part of the record of Council meeting at which the documents are distributed.

2.5.2.6. To secure two video records of meetings of the City Council that were so recorded.

2.5.2.7. To notify the appointees to all Council committees in writing upon their appointment.

2.5.2.8. To assist in preparing requests for proposals for an independent auditor in accordance with Sec 7-6 of the Charter.

2.5.2.9. To advise the Council President on matters of parliamentary procedure.

2.6. COUNCIL COMMITTEES

2.6.1. ESTABLISHMENT OF STANDING COMMITTEES. The following committees are established as described below.

2.6.1.1. COMMITTEE on FINANCE

2.6.1.1.1. The Committee shall review all orders authorizing a loan, supplemental appropriation, or financial transfer submitted by the Mayor in accordance with such authority by either the Massachusetts General Laws, the Charter of the City of Northampton, or the Code of Ordinances of the City of Northampton and make recommendations on the matter to the City Council.

2.6.1.1.2. In addition to the outside audit provided by Section 7-6 of the Charter, the Committee may request access to all books, vouchers, notes, securities, and bonds in the possession of the Treasurer-Collector, City Auditor or any board or executive commission and make a report thereof to the City Council.

2.6.1.1.3. The Committee shall review all proposals to sell or lease any City-owned land or building not put to public use that are submitted to the City Council for approval and all proposals to purchase or lease real property that are submitted to the City Council for approval. The Committee shall make recommendations to the City Council on the matter. All instruments of conveyance and leases approved by the City Council shall be executed by the Mayor on behalf of the City unless otherwise provided by Massachusetts General Laws.

2.6.1.1.4. The Committee shall consist of four Councilors.

2.6.1.1.5. Related departments, boards and agencies. Finance Department; Treasurer/Collector; Auditor; Assessor; Management Information Systems.

2.6.1.2. COMMITTEE on COMMUNITY RESOURCES

2.6.1.2.1. The Committee may develop, review and recommend policies on matters including economic development, local business, tourism, the environment, the arts, planning, zoning, sustainability, land use, housing and affordability, among others.
2.6.1.2.2. The Committee may review and make recommendations on licenses and permits.
2.6.1.2.3. The Committee shall consist of four Councilors.
2.6.1.2.4. Related departments, boards and agencies: Arts Council; Planning and Sustainability; Housing Authority; Housing Partnership.

2.6.1.3. COMMITTEE on CITY SERVICES

2.6.1.3.1. The Committee may develop, review and recommend policies on matters including public safety and public health, veteran's affairs, social services, libraries, disability, aging and recreation, among others.
2.6.1.3.2. The Committee shall serve as the standing committee to review all candidates for appointment to boards and commission in accordance with Section 2-10 of the Charter.
2.6.1.3.3. The Committee may participate in the review process for Community Development Block Grant (CDBG) funding awards if requested by the Office of the Mayor.
2.6.1.3.4. The Committee shall consist of four Councilors.
2.6.1.3.5. Related departments, boards and agencies: Recreation; Veteran's Affairs; Council on Aging; Forbes and Lilly Libraries; Community and Economic Development; Police; Fire/Rescue; Health Department; Parking Enforcement.

2.6.1.4. COMMITTEE on LEGISLATIVE MATTERS

2.6.1.4.1. The Committee shall have the power to make recommendations on ordinances, orders, resolutions and the rules of the City Council. The Committee shall also make recommendations on all proposed ordinances, in consultation with the City Solicitor.
2.6.1.4.2. The Committee may choose to be the last committee to review any matter that is also referred to another Council committee. The Committee shall not be required to wait to receive the report of any executive commission.
2.6.1.4.3. The Committee shall consist of four Councilors.
2.6.1.4.4. Related departments, boards and agencies: Legal Services; City Clerk; License Commission; and any other department, board or agency.

2.6.1.5. COMMITTEE on PUBLIC WORKS AND UTILITIES

2.6.1.5.1. The Committee may develop, review and recommend policies on matters including public works, streets, infrastructure, solid waste, water treatment, buildings and all utilities including water, sewer and stormwater.
2.6.1.5.2. The Committee may hold public hearings on water, sewer, stormwater and other municipal utility rates.
2.6.1.5.3. The Committee shall consist of four Councilors.
2.6.1.5.4. Related departments, boards and agencies: Department

of Public Works; Central Services; Building Commissioner.

2.6.2. POWERS AND DUTIES OF COUNCIL COMMITTEES. The following shall apply to all committees unless otherwise stated:

2.6.2.1. Election of officers. Council Committees shall elect officers from among their members, such as Chair and Vice-Chair.

2.6.2.2. Meetings. Committees shall meet as required by the City Council, the Committee's Chair, or at the request of two members. Committees shall hold an initial meeting no later than three months after the appointment of its members.

2.6.2.3. Requests to appear before committees. A committee may make information requests pursuant Section 2-7 of the Charter.

2.6.2.3.1. Requests of city departments, boards and commissions. At the request of any member of a committee, and through its Chair, a committee by majority vote may request members of any multi-member body or a city employee, to appear before it to provide any information relative to the services, functions and powers within the jurisdiction of that multi-member body or city employee and not within the jurisdiction of the School Committee.

2.6.2.3.2. Other requests. Through its Chair, a committee by majority vote may invite, individuals, organizations or bodies not falling under the committee's specific jurisdiction as provided in the section of these Rules that establishes the committee, provided the question of the invitation be first placed on the committee's agenda and receives a majority vote of the Committee.

2.6.2.3.3. Notice. A committee shall give a minimum of 7 days notice to a person it may require to appear before it. No person shall be required to respond to any question not related to those questions presented in advance and in writing. The Committee will notify the Mayor of any Information Request under this section.

2.6.2.4. Committees shall have the power to hold hearings on any matter within their jurisdiction.

2.6.2.5. Power to amend. Council committees may recommend amendments to any measure. However, when a measure has been referred to the Committee on Legislative Matters, the Committee on Legislative Matters shall consider all amendments previously proposed by other committees and report one version of an amended measure to City Council.

2.6.2.6. Duty to report. For the purposes of this section, "to report" shall mean transmitting a positive, negative or neutral recommendation and associated votes as well as any suggested textual amendments and related documents.

2.6.2.6.1. For matters referred to the Committee on Legislative Matters, among others: All committees other than the Committee on Legislative Matters shall report to the Committee on Legislative Matters and the City Council

within 60 days, whereupon the Committee on Legislative Matters shall report to the full City Council within an additional 30 days.

2.6.2.6.2. For matters referred to the Committee on Legislative Matters exclusively: The Committee on Legislative Matters shall report to the full City Council within 60 days.

2.6.2.6.3. For matters referred to committees not including the Committee on Legislative Matters: Committees shall report to the full City Council within 90 days.

2.6.2.6.4. Committees shall make all reports in writing.

2.6.3. SELECT COMMITTEES. The City Council may establish select committees for the purpose of considering a particular policy or issue or for other purposes. Such committees may make recommendations and may sponsor ordinances, resolutions or other matters. Such committees may be created by resolution approved by a two-thirds vote of a quorum. The resolution shall specify the composition and scope of the select committee. No such committee shall exist beyond the current term of the Council. No such committee shall consist of fewer than two City Councilors. The Council President shall appoint all members to such committees, and may appoint members of the public who are residents of the City of Northampton or city employees provided the Mayor approve the appointment of any city employee. Select Committees shall elect their own Chair from among those appointed.

3. Duties and Powers of the City Council.

The City Council shall have those duties and powers pursuant the Charter and also:

3.1. SELECTION OF AN OUTSIDE AUDITOR. Pursuant Section 7-6 of the Charter, the City Council shall select an independent auditor according to the following provisions:

3.1.1. The Council shall by October 1 of the fiscal year for which the audit is to be done establish a Select Committee for the purpose of making a recommendation on an independent auditor to the full Council.

3.1.2. The Council shall award a contract to audit on or before March 1 of the fiscal year for which the audit is to be done.

3.1.3. The Council shall require the report of the audit to be filed in final form with the Council not later than January 15 in the year following its award.

3.2. STATE LEGISLATIVE AGENDA. The City Council shall annually by December 1st consider a resolution of state legislative priorities that would benefit the City of Northampton. For this purpose, the City Council may establish a select committee to recommend a resolution.

4. Order

4.1. QUORUM. The presence of 5 members shall constitute a quorum of the City Council.

4.2. CALLING MEETINGS TO ORDER. The presiding officer shall call the City Council to order at the time appointed for the meeting or to which it may have adjourned, if a quorum be present, which shall be determined by calling the roll. The names of members not present at the meeting shall be recorded by the Administrative Assistant to the City Council.

4.3. RECOGNITION OF MAYOR AND DEPARTMENT REPRESENTATIVES. The Mayor and all City department representatives are recognized at all Council Meetings.

4.4. CONSENT AGENDA

4.4.1. When any item of business requires action by the City Council, but is of a routine nature, such item may be presented at a regular meeting of the City Council as part of the Consent Agenda. Items eligible for consideration on the Consent Agenda include: approval of minutes, appointments, licenses, and petitions.

4.4.2. The Consent Agenda may be introduced by a motion "To approve the Consent Agenda," and may be considered by the City Council as a single item.

4.4.3. The presiding officer shall read the title of each item contained in the Consent Agenda before a vote.

4.4.4. There shall be no debate or discussion by any City Council member regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

4.4.5. Any item may be removed from the Consent Agenda upon the request of any City Council member prior to the taking of a vote on the motion to approve it. All such items will be considered individually, in the order in which they were removed, immediately following consideration of the Consent Agenda.

4.4.6. Approval of the motion to approve the Consent Agenda shall be fully equivalent to approval, adoption, referral or enactment of each item of business thereon, exactly as if each had been acted upon individually.

4.4.7. When an appointment has not received a recommendation from the standing committee pursuant Sec 2-10 of the Charter, a vote within the Consent Agenda shall be equivalent to a motion to refer it to said standing committee. Otherwise a vote shall be equivalent to approval.

4.5. ORDER OF BUSINESS.

4.5.1. The order of business at every regular meeting of the Council shall be as follows:

Roll Call
Public Hearings
Recognitions and One-Minute Announcements by Councilors
Communications and Proclamations from the Mayor
Resolutions
Presentations
Consent Agenda
- Approval of minutes
- Licenses and Petitions
- Appointments

Recess for Committee on Finance
Financial Orders
Orders
Ordinances
Updates from Council President and Committee Chairs

Information Requests (Charter Provision 2-7) and Committee Study Requests
New Business

4.5.2. The agenda shall be published in this manner and adhered to at all meetings. The presiding officer may implement a change in the order of business unless any single Councilor objects, in which case the rules may be suspended as provided in these Rules.

4.6. MINUTES OF PREVIOUS MEETING. The Administrative Assistant to the City Council shall submit the minutes of the previous meeting with the Council agenda for the next regular scheduled meeting of the City Council.

4.7. CONDUCT. City Councilors and members of the public shall conduct themselves with civility and respect at all times.

4.8. PUBLIC COMMENT. Members of the public shall be permitted to address the Council and all Council Committees on any matter for a period of three minutes. This period may be extended or reduced at the discretion of the presiding officer. Individuals wishing to speak will be recognized by the presiding officer and shall state their name and address to the Administrative Assistant to the City Council. The presiding officer shall rule out of order during the public comment session any remarks that clearly constitute defamation, with due regard for the distinction between elected officials and city employees who are public figures and those city employees who are not public figures. The presiding officer may order any member of the public who breaks this rule to cease speaking. Councilors will not respond to any comments from the public.

4.9. NEW BUSINESS. Any Councilor may introduce any written proposed order, ordinance, or resolution to be considered by the Council at the next meeting, but not to be debated during new business.

4.10. RECESS. Any Councilor may call for and be granted a recess the length of which will be determined by the presiding officer.

4.11. ORDER AND MANNER OF SPEAKING. No City Councilor shall speak more than once on a question, to the prevention of any other who has not spoken,— and is desirous of speaking. The presiding officer may allow a brief immediate response to any statement posed directly to a particular City Councilor by a City Councilor. The presiding officer may request that any speaker discontinue any overly lengthy speech, but the right of a City Councilor to speak shall not be limited unless a formal motion is passed to set limits to debate for all City Councilors.

4.12. ORDER DURING DEBATE. No member should be interrupted while speaking, but by a call to order, or a request for information, or a question of privilege to appeal a decision from the presiding officer, or for the correction of a mistake, nor shall there be any conversation among the members while a paper is being read, or a question stated from the presiding officer

4.13. VOTING

4.13.1. DECIDING VOTES. The presiding officer shall decide all votes, but if a member rises to doubt a vote the presiding officer shall order a roll call vote.

4.13.2. VOTES REQUIRED TO PASS MEASURES

4.13.2.1. The affirmative vote, taken by roll call, of 6 members shall be required to adopt an appropriation order or transfer.

4.13.2.2. The affirmative vote, taken by roll call, of 6 members shall be required to adopt a zoning ordinance.

4.13.2.3. In the absence of statutory requirements providing otherwise, the affirmative vote, taken by roll call, of 5 members shall be required to adopt any other ordinance.

4.13.2.4. In the absence of statutory requirements providing otherwise, an affirmative vote of a majority of a quorum shall pass any other measure.

4.13.3. ROLL CALL VOTES.

4.13.3.1. REQUEST. Any member may request a roll call vote on any question before the City Council and the Administrative Assistant to the City Council shall take the census of the Council in that manner.

4.13.3.2. METHOD OF RECORDING. Roll call votes shall be conducted by this method. The first roll call vote of every session of the City Council shall be in alphabetical order. Each roll call vote after that shall progress to the next City Councilor in the alphabet to be the first Councilor voting, so that at the end of every nine roll call votes each Councilor has by alphabetical progression voted first in one of the nine roll call votes.

4.13.4. RECONSIDERATION.

4.13.4.1. When a vote has passed, except for adjournment or to lay on the table, any member voting with the majority may move a reconsideration, to be acted upon at the same meeting. Any member voting with the minority may move a reconsideration to be acted upon at the next meeting.

4.13.4.2. Minority reconsideration shall have priority over majority reconsideration. Minority reconsideration shall be used to allow time for the submission of new or additional information. Reconsideration shall not be used in a dilatory manner as defined in Robert's Rules of Order.

4.13.4.3. No motion shall be twice reconsidered.

4.14. ENDING TIME OF MEETING. Council meetings shall end no later than 11:00 p.m.

4.15. REMOTE MEETING PARTICIPATION. Councilors may participate remotely in meetings pursuant to the following regulations:

4.15.1. Requirements

4.15.1.1. Any Councilor who participates remotely and all persons present at the meeting location shall be clearly audible to each other;

4.15.1.2. A quorum including the presiding officer shall be physically present at the meeting location;

4.15.1.3. Any Councilor who participates remotely may vote and shall not be deemed absent.

4.15.1.4. Any Councilor may not participate remotely more than six times in a calendar year.

4.15.2. Permissible Reasons for Remote Participation. Any Councilor may participate remotely if the presiding officer determines that one or more of the following factors make the participation of the Councilor's physical attendance unreasonably difficult:

4.15.2.1. Personal Illness;

4.15.2.2. Personal Disability;

4.15.2.3. Emergency;

4.15.2.4. Military Service: or

4.15.2.5. Geographic Distance

4.15.3. Technology

4.15.3.1. The following media are acceptable methods for remote

participation. Remote participation by any other means is not permitted. Accommodations shall be made for any Councilor who requires TTY service, video relay service, or other form of adaptive communications.

4.15.3.1.1. Telephone, Internet, or satellite-enabled audio or video conferencing;

4.15.3.1.2. Any other technology that enables the remote participation and all persons present at the meeting location to be clearly audible to one another.

4.15.3.2. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

4.15.3.3. The presiding officer may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to call a brief recess while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

4.15.3.4. All costs associated with remote participation, if any, shall be borne by the Councilor remotely participating.

4.15.4. Procedures

4.15.4.1. Any Councilor who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the presiding officer of their desire to do so and the reason for and facts supporting their request.

4.15.4.2. At the start of the meeting, the presiding officer shall announce the name of any member who will be participating remotely and the reason for their remote participation. This information shall be recorded in the meeting minutes.

4.15.4.3. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

4.15.4.4. Any Councilor participating remotely may participate in executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location. Any Councilor participating remotely who cannot certify that no other person is present and/or able to hear the discussion at the remote location may not participate in executive session.

4.15.4.5. When feasible, the presiding officer shall distribute to remote participants, in advance of the meeting, copies of any documents of exhibits that they reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be a part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with Massachusetts General Law Chapter 30A Section 22.

4.15.5. Application. This rule shall apply to Council Committees.

4.15.6. Amendment. This section may not be amended unless it is in accordance with the Mayor's Remote Meeting Participation Policy, Massachusetts General Law Chapter 30A Sections 18-25 and 940 Code of Massachusetts Regulations 29.10.

4.16. MINUTES OF EXECUTIVE SESSION. The City Council shall create and maintain accurate minutes of all executive sessions in accordance with the following:

4.16.1. The minutes shall set forth the day, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions

made and the actions taken at each meeting, including the record of all votes.

4.16.2. Any vote taken in an executive session shall be recorded by roll call and entered into the minutes.

4.16.3. The minutes of any executive session and the notes, or other materials used in the preparation of such minutes, and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety, according to the provisions of M.G.L. Chapter 4 § 7 (26) (a), as long as publication would defeat the lawful purposes of the executive session, but no longer.

4.16.4. Approving minutes.

4.16.4.1. Votes to approve executive session minutes may be, but are not required to be, taken in executive session.

4.16.4.2. Review of, deliberation on and amendments to executive session minutes shall be done in executive session.

4.16.5. Releasing minutes.

4.16.5.1. As provided in MGL Ch 30A, Sec 22(g)(1), The Council President, with the assistance of the Administrative Assistant to the City Council and City Solicitor, shall, at reasonable intervals, not to exceed three months, review the minutes of executive sessions to determine if the relevant statutory provisions warrant continued nondisclosure. Such determination shall be announced at the City Council's next meeting and such announcement shall be included in the minutes of that meeting.

4.16.5.2. Whenever the Council President requests that a vote of the Council be taken to determine whether to release executive session minutes, that vote must be taken in executive session.

4.16.6. Upon request by any person to inspect or copy the minutes of an executive session or any portion thereof, the Council shall respond to the request within 10 days following receipt and shall release any such minutes that would not defeat the lawful purposes of the executive session.

4.16.7. Any notes, documents or other exhibits used in the preparation of the minutes of executive sessions shall be retained for at least 60 days following the approval of the minutes of the executive session by the Council. The Council President shall periodically review said notes and other documents prior to the discarding or destruction thereof.

5. Legislative Process

5.1. PROPOSED MATTERS

5.1.1. TIMELY FILING. All orders, ordinances, resolutions, contracts and any other-written business to be transacted by the City Council shall be filed with the Administrative Assistant to the City Council by close of business three days prior to a regular City Council meeting in accordance with the open meetings law to allow for review and timely posting.

5.1.2. PRESENTATION TO COUNCIL, MAYOR. Every new ordinance, order and resolution or other matter proposed by a City Councilor, Council committee, the Office of the Mayor including City Departments and Executive Commissions to be submitted for City

Council action shall be forwarded to the Mayor, Council President and Administrative Assistant to the City Council for placement on the agenda of the City Council.

5.1.3. ADDING MATTERS TO COUNCIL AGENDA. The Council President shall have discretion over the items added to Council agendas, except that if the addition of an item has been once requested and at the discretion of the Council President is not placed on an agenda of a regular Council meeting, then before the next Council meeting any two members of the City Council may petition the Council President who shall then add the item to the agenda of the next Council meeting.

5.1.4. PRESENTATION AND ENACTING STYLE OF MATTERS

5.1.4.1. Matters shall be presented in a format as indicated in the table below:

Line	Ordinances	Orders	Resolutions
1. Date	"In the Year 2016"	"In the City Council, February 2, 2016."	"In the Year 2016"
2. Sponsorship	"Upon the recommendation of..."		
3. ID Number	Not prefaced	Prefaced by "O"	Prefaced by "R"
4. Type of Matter	"An Ordinance"	"An Order"	"A Resolution"
5. Short Title	"Relative to..." "Entitled the ... Ordinance of 2016", or "To ..." et al.	"To..." et al.	"To...", "In support of...", et al.
6. Enacting Clause	"Be it ordained by the City Council of the City of Northampton in City Council assembled, as follows"	"Ordered, that"	"Be it resolved by the City Council of the City of Northampton in City Council assembled, as follows"

5.1.4.2. Administrative ID Number. The Administrative Assistant to the City Council shall assign each matter, upon formal submission, a unique identification number, in the form of the last two digits of the calendar year followed by an incrementally increasing number. The incrementally increasing portion shall reset to "1" every Council session.

5.1.4.3. Additions to the Code of Ordinances shall be indicated in bold and/or underline. Deletions shall be indicated by striking through.

5.1.5. SUPPORTING DOCUMENTS. Maps and visuals, along with all other supportive evidence essential to a matter, shall be presented in a clear and intelligible way.

5.2. REFERRAL OF MATTERS TO COMMITTEES.

5.2.1. In general, all matters may be referred to Council committees for their report.

5.2.2. Financial orders. No order or resolution authorizing a loan, the levying of a tax or the expenditure of money (with the exception of the printing of the annual reports) shall be voted on by the City Council until it has been referred to the Committee on Finance. It shall be the duty of such committee to report on the relation of such order, resolution, levy or expenditures to the finances of the City, but new provisions shall not be added to such resolution, order, levy or expenditure by the Committee unless directly connected with the financial features thereof, and then by recommendation only.

5.2.3. Ordinances. No ordinance shall be voted on by the City Council until it has been referred to the Committee on Legislative Matters, unless such ordinance is introduced at and originates with the Committee on Legislative Matters.

5.2.4. Licenses and permits. Licenses and permits may be referred to the Committee on Community Resources for the committee's recommendation.

5.3. SOLICITOR REVIEW OF ORDINANCES. At or before the meeting at which the Committee on Legislative Matters considers any matter for approval and/or recommendation the City Solicitor may examine the matter's form and legal character.

5.4. WITHDRAWAL OF MATTERS. If the Council has previously acted on a matter, the matter may be withdrawn by this method. At the written request of any sponsor(s) of a matter, a matter shall be withdrawn from consideration in the City Council and in all City Council Committees to which the matter had been referred provided the withdrawal be placed on the agenda of a City Council meeting. No vote shall be required. However, if at that meeting all sponsors of a matter do not unanimously agree to withdraw a matter, the matter shall not be withdrawn. However at that time any Councilor shall upon their request have their individual sponsorship removed.

5.5. MATTERS REQUIRING TWO VOTES. To be approved, every matter shall have two separate votes on two separate days unless otherwise provided in these Rules.

5.6. MATTERS REQUIRING ONE VOTE. In accordance with Section 6-1 of the Charter, administrative orders submitted by the Mayor shall have a hearing, and only one vote of the Council shall be required to either approve or disapprove the order. Licenses, approval of minutes, acceptances of reports, petitions, appointments, and amendments to Council Rules shall only require one vote for approval.

5.7. ENROLLMENT COMMITTEE. When matter has passed the required number of votes, it shall be signed by the Administrative Assistant to the City Council and signed by the Enrollment Committee consisting of two City Councilors.

5.8. AUTOMATIC CARRYOVER. Matters that have not passed the required number of votes by the end of the current session shall automatically carry over to the next session of the City Council and shall remain in the Council and in all committees and executive commissions to which they have been referred at the start of the next session unless:

5.8.1. A matter has already failed on the first of two required votes; or
5.8.2. A matter has received a negative recommendation from the Committee on Legislative Matters; or
5.8.3. The City Council votes to prevent automatic carryover of a matter to the next session. For this purpose, at the request of any City Councilor, the City Council President shall place any such pending matter on the agenda at the final meeting of the session. Only one vote shall be required to prevent automatic carryover, but 2/3 majority of the full Council shall be required; or
5.8.4. None of the sponsors of a matter will be serving in the next session of the City Council.

6. APPENDICES

6.1 SPECIAL PERMIT GRANTING AUTHORITY

Chair/Moderator

I. Selection of a Chair/Moderator
The City Council President will serve as the presiding officer of the hearing.

MEETINGS AND HEARINGS

II. Notice of Public Hearings
Notice of hearings shall be advertised as required by the provisions of General Law Chapter 40A. In addition to the legally required notices the City Council will make every effort to publish this notice broadly so the public will be fully informed, methods might include the City website, email distribution list and Northampton Community Television.

III. Calling of Public Hearing
All hearings held by the Council as a Special Permit Granting Authority Shall be open to the public.

IV. Public Hearings

1. Public hearings, when called, will be conducted in the following manner:
    A. The presiding officer will announce that it is time for a Public Hearing and will announce the subject of such hearing.
    B. The presiding officer will review evidence of adequate advertisement and legal notice and, if found to be appropriate and proper according to law, will have the advertisement read into the record. The presiding officer will then explain the procedure to be followed, including the time limits on speakers' and the fact that each speaker shall give their name and address for the record. By majority vote the City Council may extend the time granted to a particular speaker by the presiding officer. The chair may limit testimony that is repetitive.
    C. The presiding officer will report on any new or changed information pertinent to the subject, if any, and then have read into the record all memoranda, opinions, comments and recommendations or City departments or boards pertinent to the matter.
    D. The applicant will be given a reasonable amount of time to make a presentation regarding the matter.
    E. Other persons supporting the position of the proponents will then be allowed to express the fact of their support and to present such supportive information as was not included in the initial or previous presentations. A five-minute time limit shall apply but the Council could extend the time on a majority vote.
    F. Before opponents to an application or petition are called to speak, a member of the Council may move for invocation of a summary procedure and, if seconded and approved by a majority of the quorum, may subsequently move to deny the request made by the applicant, based on a finding that the evidence presented was not adequate to justify the request. If the motion for denial is then seconded and is approved by the quorum, the public hearing may be deemed complete.
    G. Those persons speaking in opposition to the position taken by the principal proponent are then allowed to speak, each being allowed to express the fact of their opposition and to present such supportive information as was not included in previous presentations before the Council. A five-minute time limit shall apply and the Council could extend the time on a majority vote.
    H. After all opponents have been heard, the presiding officer will then allow the proponent and or project staff person to respond to any issues/questions raised by the opponents.
    I. After the proponents have responded to the opponents, the opponents shall have an additional opportunity to respond, the presiding officer shall determine which opponent shall respond at which time. A three minute time limit shall apply but the Council may extend the time by majority vote. The motion to extend time is non-debatable.
    J. The presiding officer will then enter all documents received concerning the matter into the record. The applicant or project staff may then answer any questions raised in the letters.

K. If new information is presented the presiding officer or the Council may allow additional time for the appropriate party to respond. Immediately or in writing later but before the close of the public hearing.
L. The presiding officer will then hear questions from the general public regarding aspects/issues that have not been addressed in previous testimony. The presiding officer shall refer questions to the appropriate person and may rule questions out of order if the subjects of the questions have already been addressed. Questions may also be submitted in writing.
M. At any point, a public hearing may be continued or postponed to a time, place and date certain, provided that these rules and procedures are adhered to when it is resumed, or may be continued or postponed to a time, place and date not certain, providing required advertising and notice procedures are followed to announce the time, place and date of resumption. Each meeting is a continuation of the same public hearing.

V. Votes of the Council
All votes for Special Permits shall require a 2/3 majority of the Council to pass.

Applications before the City Council

VI. Permit Applications
Applications for a Special Permit before the City Council shall be prepared in accordance with the procedures in the Northampton Zoning Ordinance and the instruction on and attached to the application form. Every application for action by the Council shall be made on the official application form, and as approved by the Council and adopted by reference in these Bylaws and Rules of Procedure.

6.2 Examples of Presentation and Enacting Styling of Matters

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

15.073
AN ORDINANCE

RELATIVE TO ZONING IN CENTRAL BUSINESS (OR)
ENTITLED THE ZONING ORDINANCE OF 2016 (OR)
TO REVISE SEC. 000 OF THE CODE OF ORDINACES

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

R-15.003
A RESOLUTION

IN SUPPORT OF DEMOCRACY (OR)
TO CREATE A SELECT COMMITTEE TO RECOMMEND A STATE LEGISLATIVE AGENDA

Be it resolved by the City Council of the City of Northampton, in City Council assembled, as follows:

In the City Council, January 1, 2016
Upon the Recommendation of Councilor J. Calvin Coolidge

O-15.001
AN ORDER

TO APPROPRIATE FUNDS FROM COMMUNITY PRESERVATION ACT FUNDING

Ordered, that:

Ordinances

15.377 Zoning for Significant Trees

This ordinance has been in development for a while; Councilors O'Donnell and Adams were looking at ways to protect the city's trees canopy.

Councilor Adams pointed out that there is support for this ordinance from the public shade tree commission; this commission is also looking to review all existing ordinances affecting public shade trees and will be putting forward additional ordinances aimed at protecting the public shade trees in Northampton.

In response to a question posed by Councilor Klein, Councilor Adams noted that currently a developer could take down trees without replacing them. This approach could have a long term negative impact on the city's tree canopy.

A question was raised about public hearings regarding this ordinance; both the Planning Board and the Comm. On Rules, Orders, Appointments and Ordinances held public hearings concerning this ordinance.

Councilor LaBarge noted that she has received complaints from two residents who have concerns about the ordinance. Speaking about the residents, Councilor LaBarge stated that the ordinance gives "big brothers" more control about what happens on private property.

Councilor Klein stated that some of the requirements of the ordinance are already in place. She feels that the ordinance is lacking coordination regarding communication between the Planning Board, DPW, and Public Shade Tree Commission.

Councilor Spector moved to carry over the Ordinance to the next council session; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

15.523 Ordinance Regarding Winter Parking Regulations –

15.523 Ordinance Regarding Winter Parking Regulations – 2nd Reading

2nd Reading Motion Carried

Councilor O'Donnell moved to approve the Ordinance in second reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 1 No (Councilor O'Donnell).

The following Ordinance passed second reading:

In the Year Two Thousand and Fifteen

Upon the Recommendation of Transportation & Parking Commission

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section #312-31 of said Code providing that Winter Parking Regulations.
Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1. That section #312-31 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

"Section **#312-31**

312-31 Winter Parking Regulations

AMEND:

B. Overnight parking, when prohibited.

During the winter parking season, no person shall park any vehicle during a snow emergency on any street **or municipal parking lot** between the hours of 12:01 a.m. and 6:00 a.m. except for the following:

(3) Armory Street Lot

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

Information Requests (Charter Provision 2-7)

Information Requests (Charter Provision 2-7) – *None*

New Business	**NEW BUSINESS – *None***
	At 9:50 p.m., a motion to adjourn was made by Councilor Sciarra and seconded by Councilor Klein. The vote to adjourn passed on a voice vote of 8 Yes, 1 No (Councilor Spector). Attest: Pamela S. Ponis, Administrative Assistant to the City Council

2014-2015 City Council Roll Call Record

	Record of City Council Votes for December 17, 2015		Adams	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sciarra	Spector	Total
	Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:28 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present, 0 Absent
	15.553 Financial Order for $11,931 to be appropriated from Free Cash to NPS McKinney Vento transportation fund - Consider two readings	*1st Reading*	Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
		Suspend Council Rule #14	Councilor LaBarge moved to Suspend Council Rule 14 to allow second reading; Councilor Murphy seconded the motion. The motion was approved on a voice vote.									Motion Carried 9 Yes, 0 No
		2nd Reading	Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Motion Carried 9 Yes, 0 No
	15.552 F.O. to transfer care, custody, & control of a certain parcel of land containing 5,500 sq. ft. @ JFK Middle School from the School Committee to the Mayor	*1st Reading*	Yes	Yes	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
		Suspend Council Rule #14	Councilor LaBarge moved to Suspend Council Rule 14 to allow second reading; Councilor Adams seconded the motion. The motion was approved on a voice vote.									Motion Carried 9 Yes, 0 No
		2nd Reading	Second Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
	15.554 Financial Order for Budget Transfers-Request Two Readings	*1st Reading*	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
		Suspend Council Rule #14	Councilor O'Donnell moved to Suspend Council Rule 14 to allow second reading; Councilor Murphy seconded the motion. The motion was approved on a voice vote.									Motion Carried 9 Yes, 0 No
		2nd Reading	Second Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
	15.543 Financial Order to Approve the expenditure from the Disability Commission Fund to Purchase a Bench & Plaque at the Northampton Senior Center, not to exceed $1,750	*2nd Reading*	Yes	Yes	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No

	Record of City Council Votes for December 17, 2015		Adams	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sciarra	Spector	Total
	15.546 Financial Order That $1,200,000 Appropriated from FY16 General Fund to Capital Stabilization Fund and Stabilization Fund ($600,000 each)	*2nd Reading*	Yes	Yes	Yes	Yes	Motion to Approve Yes	Second Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
	15.547 Financial Order that Free Cash be transferred into the Water Stabilization and Sewer Stabilization Fund	*2nd Reading*	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
	15.548 Financial Order to approve a $250 budget for the Youth Commission to be used for supplies and meeting expenses during Fiscal Year 2016	*2nd Reading*	Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
	15.541 Order to Revise City Council Rules	*2nd Reading*	Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Second Yes	Motion Carried 9 Yes, 0 No
	15.523 Ordinance Regarding Winter Parking Regulations	*2nd Reading*	Yes	Yes	Yes	Yes	Second Yes	Yes	Motion to Approve No	Yes	Yes	Motion Carried 9 Yes, 0 No

At 9:50 p.m. Councilor Sciarra motioned to adjourn; Councilor Klein seconded the motion. The motion was approved on a voice vote of 8 Yes, 1 No (Councilor Spector).

Recorded By:

Pamela L. Powers, Administrative Assistant to the City Council

(413) 587-1210; ppowers@northamptonma.gov

City of Northampton

MASSACHUSETTS

_____

In City Council January 21, 2016

Upon recommendation of the Mayor

O-16.004
An Order

To provide funding for extraordinary maintenance
at the NPS Grounds Maintenance Shop

Ordered, that

City Council appropriate $16,000 from Gift Fund 2547 – 265 Prospect Street Gift Fund, for the purposes of providing funds for extraordinary maintenance needed at the Northampton Public Schools Grounds Maintenance Shop located at 265 Prospect Street. Such funds shall be used for repairs including asbestos abatement and removal of the old furnace system, installation of new ceiling mounted heating units, site work related to drainage, and a new overhead garage door to improve energy efficiency.

16.006

City of Northampton

MASSACHUSETTS

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In City Council, January 21, 2016

Upon the recommendation of Mayor David J. Narkewicz, the Office of Planning and Sustainability, and the Department of Parks and Recreation

Ordered, that

WHEREAS, The ***Open Space, Recreation and Multi-Use Plan: 2011-2018*** recommends **expanding Sheldon Field Recreation Area**;

WHEREAS, John J. and Karen A. Bobala have offered to sell 4.5± acres **off Old Ferry Road** near the northerly end of Sheldon Field Recreation Area (Map ID 25-063) for **$30,000**;

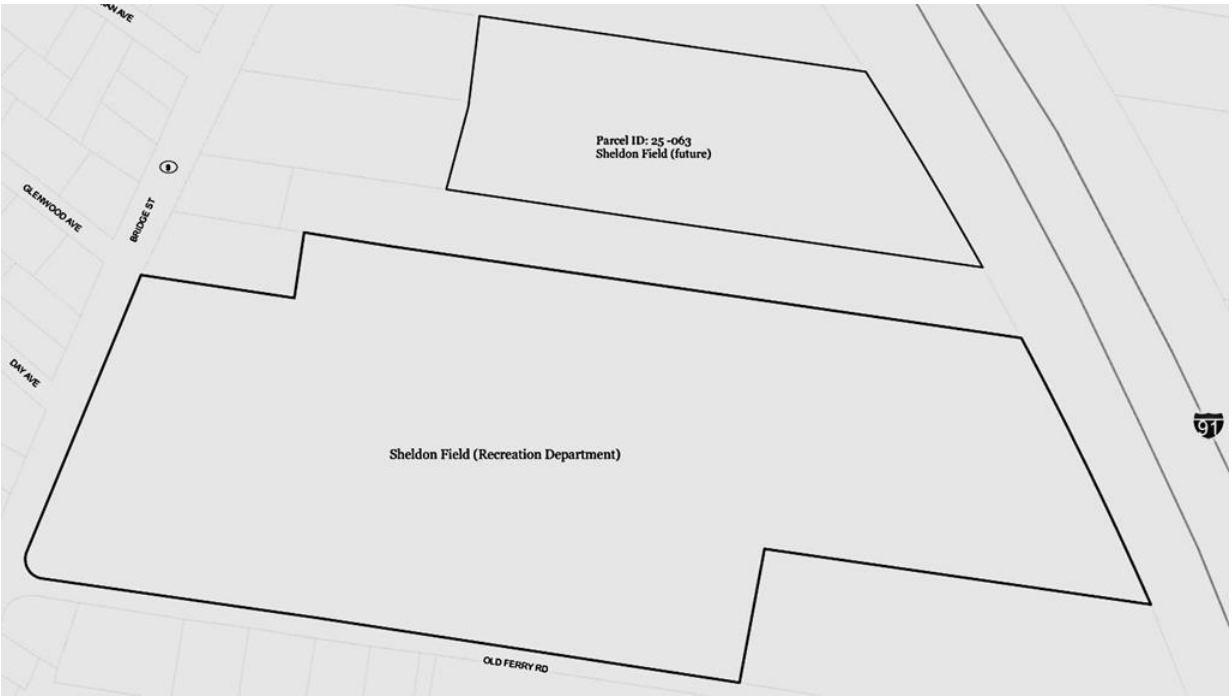
WHEREAS, The land is currently farmed and will remain in farmland for until needed for recreation;

WHEREAS, All funds will be drawn from CPA funds, community contributions and grants. No general fund appropriation is requested or required.

NOW, THEREFORE BE IT ORDERED,
That the City of Northampton, through its Parks and Recreation Commission is authorized to purchase or otherwise acquire any fee, easement, and/or any other interest in the above land and any immediately adjoining land, including land between the above land and the existing Sheldon Field, provided however that the city reserves right to lease the land for farming not therefore subject to Article 97;

The Mayor is authorized to grant a conservation restriction (per M.G.L. C.184, Section 31) on said land;

The City Council finds the right to farm the land surplus to city needs and authorizes the Mayor to lease the land for farming purposes for terms of up to eighteen years.



City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Conservation Commission and the Office of Planning and Sustainability

WHEREAS, The ***Open Space and Recreation Plan: 2011-2018*** recommends preserving privately owned farmland with agriculture preservation restrictions to permanently preserve farmland and provide food security;

WHEREAS, On August 13, 2015, City Council authorized the purchase of an Agriculture Preservation Restriction (under MGL Chapter 184, Section 31) on 0.85± acres of farmland on Island Road (Map ID 46-025) for have agreed to sell an agriculture preservation restriction on their property for $1,000;

WHEREAS, The Massachusetts Department of Agriculture Resources state has declined to approve the Restriction because they only sign Restrictions on larger parcelsion Commission and Agriculture Commission support a local agriculture preservation restriction program for property owners who want to participate to preserve farmland;

WHEREAS, The City is prepared to proceed as a local Agriculture Preservation Restriction that does not require state approval;

Ordered, that

The Conservation Commission is authorized to purchase or otherwise acquire an agriculture preservation restriction in the above land and any immediately adjoining land; and that the City Council hereby accepts such restriction;

Further that any grants or donations, shall be used to reimburse open space funds used for the purchase.

16.007

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of Mayor David Narkewicz, the Department of Parks and Recreation, and the Office of Planning and Sustainability

Ordered, that

Whereas: The **Open Space, Recreation and Multiuse Plan: 2011-2018** recommends expanding the Connecticut River Greenway, including a Connecticut River Boathouse; and

Whereas: With state grants, CPA funds and private contributions, the Connecticut River Greenway riverfront park has been developed into a 6.5 acre facility that provides riverfront access and includes a boathouse.

Whereas: The Greenway Park is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and

Whereas: Additional improvements are necessary to complete buildout of the Park; and

Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897); and

Whereas: The next phase of the Connecticut River Greenway riverfront park will cost a total of $200,000 (Two Hundred Thousand Dollars) and the City has set aside $200,000 of funds through a combination of Community Preservation Act funds and funds from other grants and community donations..

NOW, THEREFORE, BE IT ORDERED

1. That the Mayor and the Director of Planning and Sustainability are hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Office of Planning and Sustainability

City of Northampton

MASSACHUSETTS

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In City Council, January 21, 2016

Upon the recommendation of Mayor David J. Narkewicz, the Office of Planning and Sustainability, and the Conservation Commission

Ordered, that

WHEREAS, The ***Open Space, Recreation and Multi-Use Plan: 2011-2018*** recommends **preserving farmland** and **conservation areas to serve urban neighborhoods**;

WHEREAS, The state owns 3.1± acres of the former Union Street jail farmland on Venturers Field Road (Map ID 32-051) adjacent to the City's Meadows Conservation Area and containing some prime farmland, although the farmland has not been used by the state since the Union Street jail closed;

NOW, THEREFORE BE IT ORDERED,
That the City of Northampton, through its Conservation Commission is authorized to purchase or otherwise acquire any fee, easement, and/or any other interest in the above land should the state make it available, provided however that the city reserves the right to lease farmland on the site not therefore subject to Article 97;

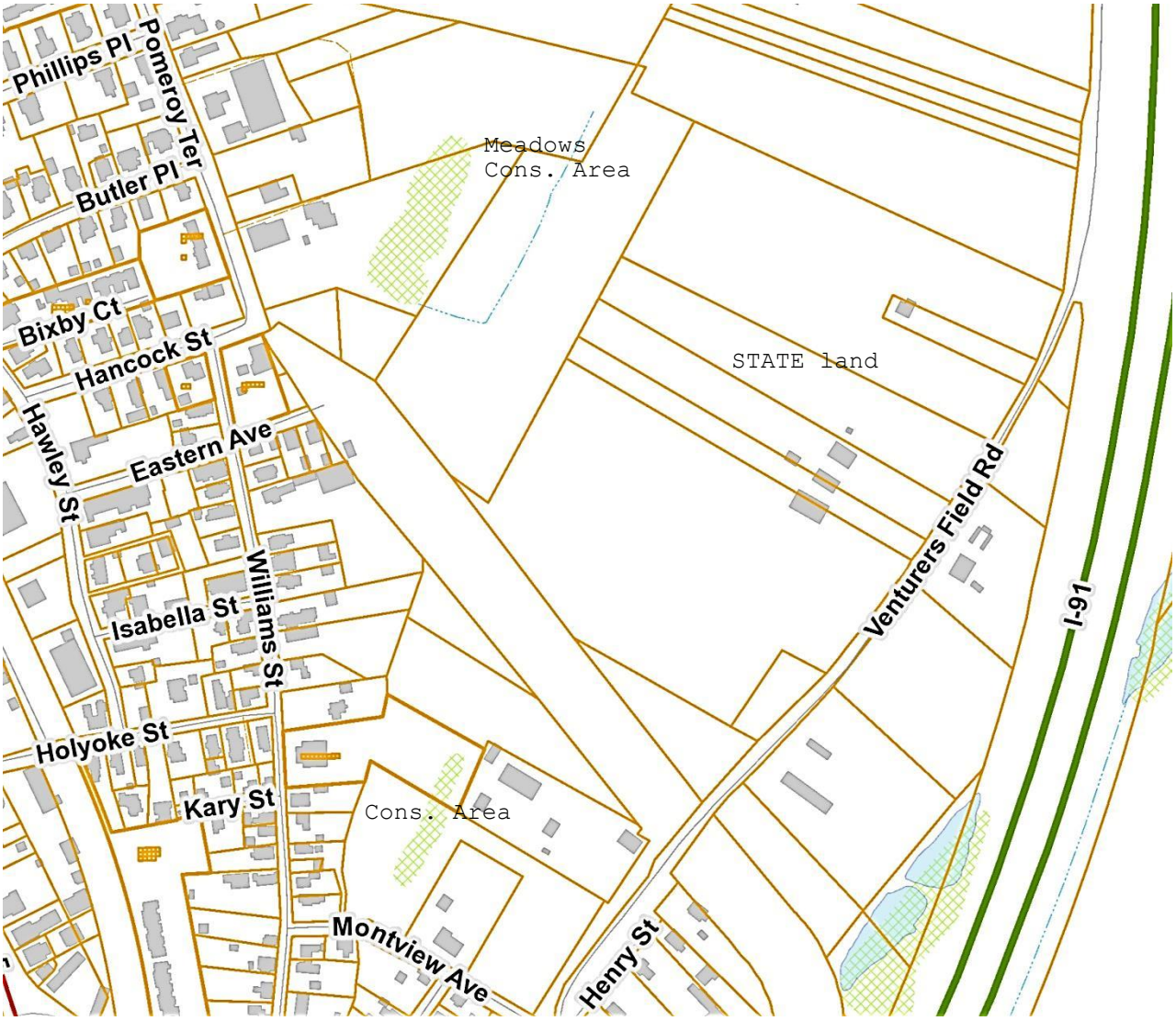
That the Mayor is authorized to grant a conservation restriction or agriculture preservation restriction (per M.gG.L. C.184, Section 31) on said land;

That the City Council finds the right to farm the land surplus to city needs and authorizes the Mayor to lease the land for farming purposes for terms of up to twenty years

Further, the City requests and petitions that our legislative delegations file legislation substantially as follows:

> *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*
> SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may sell, or otherwise grant, convey or transfer to the city of Northampton, under the care and custody of the conservation commission, that certain parcel of land located in said city shown as "Locus: 32-051, N/F Commonwealth of Massachusetts(Inhabitants of Hampshire County) Deed 721, Page 467" delineated on a "Plan of Land in Northampton, MA, Hampshire Registry, Prepared for the Commonwealth of Massachusetts Division of Capital Asset Management" dated 08-01-2012, recorded at the Hampshire Registry of Deeds at Plan Book 228, Page 14, containing approximately 3.1 acres, together with any buildings and structures thereon, if

any, formerly used as farm for the Hampshire County jail, subject to an agriculture preservation restriction or conservation restriction retained by the Commonwealth under the care and custody of its Massachusetts department of agricultural resources.
SECTION 2. The city of Northampton shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the conveyance authorized in this subsection as such costs may be determined by the commissioner of capital asset management and maintenance.



City of Northampton
Community Preservation Committee
210 Main Street, City Hall
Northampton, MA 01060

January 12, 2016

William H. Dwight
City Council President
210 Main Street, Room 16
Northampton, MA 01060

Re: Community Preservation Committee Recommendations for Funding

Chairman Dwight and City Councilors,

In October, 2015 the Community Preservation Committee (CPC) began reviewing eight project proposals submitted for CPA funding. After extensive review including applicant presentations, public comment sessions and committee deliberation the CPC voted to recommend seven funding requests totaling $454,310.

At its November 18, 2015 meeting, the Community Preservation Committee voted to recommend $293,000 for five open space and recreation projects, and $161,310 for two historic preservation projects. Collectively, these projects will leverage $175,000 from other funding sources, including state and federal grants, private contributions, and volunteers.

The complete CPA applications that include detailed information about each project recommended, meeting minutes, and other project materials can be accessed on the CPC's webpage: www.northamptonma.gov/1048/Community-Preservation-Committee.

Please do not hesitate to contact myself, or Preservation Planner Sarah LaValley with any questions about the projects, the Committee's recommendations, or if additional information is needed.

Projects Recommended for Funding:

Connecticut River Greenway Park, Northampton Youth and Community Rowing $5,000
This project will fund an entrance gate and signage for the new Connecticut River Greenway Park. Construction at the Park is nearing completion, and the new gate and entrance signage will increase public awareness of this new riverfront resource and allow users easier access.

Rocky Hill Connector Open Space Acquisition, Northampton Conservation Commission and Northampton Office of Planning and Sustainability $55,000
CPA funds will be used to help protect a 17-acre on Route 10. Located near Arcadia Wildlife Sanctuary and adjacent to the Rocky Hill Greenway, the project will protect unique geological

features and wildlife habitats. The acquisition was approved by Council in July 2015, and is the local match for a $97,200 Local Acquisitions for Natural Diversity state grant.

Pulaski Park Renovation, Department of Public Works, $200,000
CPA funds will be used to continue work to renovate Pulaski Park. This round of funding will be used to continue work to bury overhead electric, telephone, cable and fiber optic utilities that was required as part of the Parkland Acquisitions and Renovations for Communities Grant

Seth Thomas Clock Restoration, Northampton Office of Planning and Sustainability $30,000
CPA funds will be used to completely restore the historic Seth Thomas Clock that was formerly located on the corner of Main Street and Strong Avenue. Dedicated by Calvin Coolidge, the clock was a downtown fixture for one hundred years. CPA funds were previously awarded for purchase and storage of the clock; when restored, it will be placed at the entrance to the newly-renovated Pulaski Park.

Fitzgerald Lake Boardwalk and Dock, Broad Brook Coalition, $30,000
CPA Funds will be used to replace the bridge, boardwalk and dock that provide access to Fitzgerald Lake from the main parking area on North Farms Road. In addition to volunteer work from Broad Brook Coalition, the City's management partner for the Broad Brook Greenway, the project will also match a $50,000 federal Recreational Trails Grant.

Historic Northampton Infrastructure Renovations, Historic Northampton: $131,310
CPA funds will be used to continue priority rehabilitation work to allow the museum to secure its collections and buildings. This award will allow important electrical work, and roof and window replacement at the Damon and Shepherd Houses.

Mineral Hills Habitat Project, Northampton Office of Planning and Sustainability, $3,000
CPA funds will be used to remove invasive species and create habitat for endangered turtles at a ten-acre section of the Mineral Hills. Acquired by the City in 2012, this area is a former pasture, and undertaking this work to maintain the historic open field was identified as a priority in Laurie Sanders' 'Rediscovering Northampton 2015'

Thank you,

Brian Adams
Chair, City of Northampton Community Preservation Committee

City of Northampton
MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Broad Brook Coalition submitted a CPA application for replacement and rehabilitation of the bridge, boardwalk, and dock at the Fitzgerald Lake Conservation Area;

WHEREAS, the project has a great deal of public support, and will increase accessibility at the City's largest and most visited conservation area;

WHEREAS, CPA funds will leverage $50,000 in federal Recreational Trails Grant funds, as well as the volunteer work of members of the Broad Brook Coalition, one of the City's valued open space partners;

WHEREAS, on November 18, 2015, the Northampton Community Preservation Committee voted unanimously to recommend that $30,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $30,000 be appropriated from Community Preservation Act funding to the Broad Brook Coalition for the Fitzgerald Lake Bridge, Boardwalk and Dock Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $30,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

16.011

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Northampton Office of Planning & Sustainability submitted an application for Community Preservation Act funding to move, store and purchase historic ornamentation for the Seth Thomas clock;

WHEREAS, the Northampton Office of Planning & Sustainability already received CPA funding to purchase, move, and store the clock;

WHEREAS, the privately owned clock was originally dedicated by Calvin Coolidge, and sat at Main Street and Strong Ave for nearly one hundred years;

WHEREAS, the clock will ultimately be installed at Pulaski Park, at which point a permanent Historic Preservation Restriction will be created;

WHEREAS, the Office of Planning and Sustainability will conduct a fundraising campaign for the Clock's repair;

WHEREAS, the clock or any of its components shall not be disposed of without City Council approval;

WHEREAS, on November 18, 2015 the Northampton Community Preservation Committee, voted 6-2 to recommend that $30,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $30,000 be appropriated from Community Preservation Act funding to the Northampton Office of Planning & Sustainability to move, store and purchase historic ornamentation for the Seth Thomas clock. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $14,690 is appropriated from the CPA Historic Reserve (account #2344930-359932), and $15,310 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

16.012

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Northampton Department of Public Works submitted an application for Community Preservation Act funding for continued work toward renovation of Pulaski Park.

WHEREAS, Pulaski Park is an important downtown resource, and the project will create a vibrant downtown greenspace.

WHEREAS, the project meets the goals of the Sustainable Northampton Plan and the Open Space, Recreation and Multiuse Plans.

WHEREAS, the Department of Public Works received extensive public input about the design of the Park, and the selected design reflects that process.

WHEREAS, the City Council and CPA in 2013 and 2014 granted $1,698,500 in CPA funds to support the design and development of design plans and construction for the project, which broke ground in Fall, 2015.

WHEREAS, CPA funds will be used to satisfy a condition of a $400,000 state Parkland Acquisitions and Renovations for Communities grant that overhead utilities be buried.

WHEREAS, on November 18, 2015, the Northampton Community Preservation Committee, voted 5-3 to recommend that $200,000 in CPA funds be used to support Phase One of the project.

NOW, THEREFORE BE IT ORDERED,

That $200,000 be appropriated from Community Preservation Act funding to the Northampton Department of Public Works for additional funding for the Pulaski Park Renovation Project, for underground utility work or other construction expenses related to construction of Pulaski Park improvements. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $145,000 is appropriated from the CPA Open Space Reserve (account #2344930-359931), and $55,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Northampton Conservation Commission and Northampton Office of Planning and Sustainability submitted a CPA application for restoration of grass and brushland habitat in a ten acre section of the Mineral Hills;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to preserve agricultural and rural character and remove invasive species;

WHEREAS, the project will create habitat that may be suitable for endangered species, and potentially restored agricultural land, and was recommended as a priority in a forest stewardship plan, as well as Laurie Sanders' *Rediscovering Northampton 2015*, a management plan for conservation areas;

WHEREAS, on November 18, 2015, the Northampton Community Preservation Committee voted unanimously to recommend that $3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $3,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Northampton OPS for the Mineral Hills Habitat Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $3,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

16.014

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, Historic Northampton, Inc. submitted an application for Community Preservation Act funding for continued work to restore, renovate and stabilize the Damon and Shepherd Houses, and protect historic artifacts;

WHEREAS, CPA funds will be used to secure an important historic resource that is valued by the community and the region, on which the City holds a permanent preservation restriction;

WHEREAS, the project has a great deal of community support, and will help preserve the City's sense of place;

WHEREAS, all work will be consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties;

WHEREAS, on November 18, 2015 the Northampton Community Preservation Committee, voted unanimously to recommend that $131,310 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That **$**131,310 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. for electrical work, roof and window replacement, and other related work to the Damon and Shepherd Houses. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $131,310 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

16.015

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, Northampton Youth and Community Rowing submitted a CPA application for installation of a gate and signage at the new Connecticut River Greenway Riverfront Park;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan regarding creation of a park and boathouse with riverfront access;

WHEREAS, significant public and private funds have already been invested in the site, and the project will increase awareness of the park and programs offered there as a valuable public resource;

WHEREAS, the parties involved in management of the site will develop a written agreement regarding use of the gate;

WHEREAS, on November 18, 2015, the Northampton Community Preservation Committee voted unanimously to recommend that $5,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $5,000 be appropriated from Community Preservation Act funding to Northampton Youth and Community Rowing for the Connecticut River Greenway Gate project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $5,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

16.016

City of Northampton

MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Northampton Conservation Commission and Northampton Office of Planning and Sustainability submitted a CPA application for purchase of a 17-acre parcel on Route 10 for permanent protection.

WHEREAS, the parcel serves an important wildlife connection, that will preserve a natural link between the Oxbow and Arcadia Wildlife Sanctuary, and the City's western foothills.

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to protect open space and provide for passive recreation.

WHEREAS, CPA funds will be used as the local match for a state Local Acquisitions for Natural Diversity grant; and

WHEREAS, on November 18, 2015, the Northampton Community Preservation Committee voted unanimously to recommend that $55,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $55,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Northampton OPS for the Rocky Hill Open Space Acquisition Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $55,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

16.017

City of Northampton

MASSACHUSETTS

In City Council January 5, 2016

Upon recommendation of the Northampton City Council

O-16.001
An Order

To Adopt the attached Rules of the 2016-2017 City Council of the City of Northampton

Ordered, that, the attached "Rules of the 2016-2017 City Council of the City of Northampton" are adopted for the 2016-2017 City Council.

RULES OF THE 2016-2017 CITY COUNCIL OF THE CITY OF NORTHAMPTON

1. These Rules
   1.1. Adoption
   1.2. Repeal or Amendment
   1.3. Precedence
   1.4. Suspension

2. Organization
   2.1. Presiding Officer
      2.1.1. Duties
      2.1.2. Participation
      2.1.3. Order of Succession
   2.2. Election of Council President and Vice-President
   2.3. Council President - Duties and Powers
   2.4. Council Vice-President - Duties and Powers
   2.5. Administrative Assistant to the City Council
      2.5.1. Appointment
      2.5.2. Duties
   2.6. Council Committees
      2.6.1. Establishment of Standing Committees
         2.6.1.1. Committee on Finance
         2.6.1.2. Committee on Community Resources
         2.6.1.3. Committee on City Services
         2.6.1.4. Committee on Legislative Matters
         2.6.1.5. Committee on Public Works and Utilities
      2.6.2. Powers and Duties of Council Committees
      2.6.3. Select Committees
      2.6.4. Non-Member Attendance at Council Committees

3. Duties and Powers of the City Council
   3.1. Selection of an Outside Auditor
   3.2. State Legislative Agenda

4. Order
   4.1. Quorum
   4.2. Calling Meetings to Order
   4.3. Recognition of Mayor and Department Representatives
   4.4. Consent Agenda

4.5. Order of Business
4.6. Conduct
4.7. Public Comment
4.8. New Business
4.9. Recess
4.10. Priority of Motions
4.11. Order and Manner of Speaking
4.12. Order During Debate
4.13. Voting
4.13.1. Deciding Votes
4.13.2. Votes Required to Pass Measures
4.13.3. Roll Call Votes
4.13.3.1. Request
4.13.3.2. Method of Recording
4.13.4. Reconsideration
4.14. Ending Time of Meetings
4.15. Remote Meeting Participation
4.16. Minutes of Executive Session Meetings

5. Legislative Process
5.1. Proposed Matters
5.1.1. Timely Filing
5.1.2. Presentation to Council, Mayor
5.1.3. Adding Matters to Council Agenda
5.1.4. Presentation and Enacting Style of Matters
5.1.5. Supporting Documents
5.2. Referral of Matters to Committee
5.3. Solicitor Review of Ordinances
5.4. Withdrawal of Matters
5.5. Matters Requiring Two Votes
5.6. Matters Requiring One Vote
5.7. Enrollment Committee
5.8. Automatic Carryover

6. Appendices
6.1. Special Permit Granting Authority
6.2. Examples of Presentation and Enacting Styling of Matters

1. These Rules

1.1. ADOPTION. When adopted by the City Council, these Rules shall take effect at the time of the first Council meeting following January 1, 2016.

1.2. REPEAL OR AMENDMENT. City Council Rules may only be repealed or amended with a two-thirds majority vote of quorum present. The latest version of these Rules shall be published online.

1.3. PRECEDENCE. The City Council Meetings shall conform to parliamentary practices as set forth in the Rules of the City Council. The procedures defined in the most current version of Robert's Rules of Order will resolve questions not addressed by the Council Rules.

1.4. SUSPENSION. Suspension of these rules or any part thereof shall require a two-thirds majority of the quorum present. Nothing herein shall be construed to authorize suspension of any provision of the Charter of the City of Northampton, or any ordinance of the City of Northampton.

2. Organization

2.1. PRESIDING OFFICER

2.1.1. DUTIES. When present, the Council President shall be the presiding officer of the City Council at every meeting. The duties as presiding officer shall be only those set forth herein:

2.1.1.1. To open the meeting at the appointed time by taking the chair, calling the meeting to order, and ascertaining that a quorum is present.

2.1.1.2. To announce in proper sequence the business that comes before the City Council.

2.1.1.3. To recognize members who are entitled to the floor.

2.1.1.4. To state and to put to vote all questions that legitimately come before the City Council as motions or that otherwise arise in the course of proceedings (except questions that relate to the presiding officer as noted below), and to announce the result of each vote or, if a motion that is not in order is made, to rule it out of order; or, to refuse to recognize obviously frivolous or dilatory motions as defined by Robert's Rules;.

2.1.1.5. To expedite business in every way compatible with the rights of all members of the body.

2.1.1.6. To respond to inquiries of City Councilors relating to parliamentary procedure or factual information bearing on the business of the City Council.

2.1.1.7. To declare the meeting adjourned when the City Council so votes or, when applicable, at the time prescribed in the order of business, or at any time in the event an emergency.

2.1.1.8. To determine whether an amendment is germane to the motion under consideration.

2.1.2. PARTICIPATION. The Presiding Officer may make statements, ask questions and give opinions during debate without relinquishing the chair.

2.1.3. ORDER OF SUCCESSION. In the absence of the Council President, the first of the following list of persons who is not absent shall preside and shall retain voting privileges:

First, the Council Vice-President
Second, the Chair of the Committee on Finance
Third, the Chair of the Committee on Legislative Matters

If none of the above are present or able to preside, the City Council shall elect by majority vote a President pro-tempore who shall preside for that meeting and shall retain voting privileges. Should the City Council fail to elect a President pro-tempore the meeting shall be adjourned.

2.2. ELECTION OF COUNCIL PRESIDENT AND VICE-PRESIDENT.

2.2.1. The City Council President and Vice-President shall be elected:

2.2.1.1. At the first City Council meeting of a two-year session; and

2.2.1.2. In the event of a vacancy for either office.

2.2.2. At any meeting when a City Council President is to be elected, the previous Council President will preside. If the previous Council President is absent or no longer a member of the Council, the longest serving member of the Council will preside. If two members of the Council are equal in seniority, a coin toss will determine which Councilor presides over the election of the Council President. If more than two members of the Council are equal in seniority they will draw lots to determine which Councilor will preside over the election of the Council President.

2.2.3. After nominations are made by members of the Council, candidates may present to the council.

2.3. COUNCIL PRESIDENT POWERS AND DUTIES. The powers and duties of the Council President shall include all duties pursuant to the Charter and also:

2.3.1. To assign councilors to serve on any committee established by the City Council.
2.3.2. To remove members of a committee from a committee, or reassign them, at any time.
2.3.3. To appoint members to select committees, as provided below.
2.3.4. To determine seating arrangements for the members of the City Council.
2.3.5. To appoint the membership of Enrollment Committee and modify the membership meeting to meeting for any reason.
2.3.6. To set an agenda for the City Council.
2.3.7. To set and approve the hours worked by the Administrative Assistant to the City Council.
2.3.8. To issue a Committee Study Request to any committee. Such a request shall require a committee to report to the full Council on a particular policy or issue area within 120 days optionally accompanied by legislation. However a committee may by majority vote decline to consider or respond to such a request.

2.4. COUNCIL VICE-PRESIDENT - POWERS AND DUTIES. The powers and duties of the City Council Vice-President will include all duties pursuant to the Charter.

2.5. ADMINISTRATIVE ASSISTANT TO THE CITY COUNCIL

2.5.1. APPOINTMENT. The Administrative Assistant to the City Council shall be appointed by the City Council.

2.5.2. DUTIES. The Administrative Assistant shall report to the City Council President, who may assign duties in addition to the following:

2.5.2.1. To maintain a record of all matters and their status as they proceed through various legislative stages and committees, as well as all amendments and related documents.
2.5.2.2. To provide staff support and recordkeeping to all standing Council committees and select committees and to assist committees with all aspects of reporting.
2.5.2.3. To act as custodian of all books, documents and papers belonging to the City Council and to keep an accurate list thereof.
2.5.2.4. To notify the chair of any Council committee, board, executive commission, or other body when a matter is referred to it and to provide the body with all documents relative to the matter.
2.5.2.5. To ensure that all documents addressed to the Council shall be provided to each Councilor, and become part of the record of Council meeting at which the documents are distributed.
2.5.2.6. To secure two video records of meetings of the City Council that were so recorded.

2.5.2.7. To notify the appointees to all Council committees in writing upon their appointment.

2.5.2.8. To assist in preparing requests for proposals for an independent auditor in accordance with Sec 7-6 of the Charter.

2.5.2.9. To advise the Council President on matters of parliamentary procedure.

2.6. COUNCIL COMMITTEES

2.6.1. ESTABLISHMENT OF STANDING COMMITTEES. The following committees are established as described below.

2.6.1.1. COMMITTEE on FINANCE

2.6.1.1.1. The Committee shall review all orders authorizing a loan, supplemental appropriation, or financial transfer submitted by the Mayor in accordance with such authority by either the Massachusetts General Laws, the Charter of the City of Northampton, or the Code of Ordinances of the City of Northampton and make recommendations on the matter to the City Council.

2.6.1.1.2. In addition to the outside audit provided by Section 7-6 of the Charter, the Committee may request access to all books, vouchers, notes, securities, and bonds in the possession of the Treasurer-Collector, City Auditor or any board or executive commission and make a report thereof to the City Council.

2.6.1.1.3. The Committee shall review all proposals to sell or lease any City-owned land or building not put to public use that are submitted to the City Council for approval and all proposals to purchase or lease real property that are submitted to the City Council for approval. The Committee shall make recommendations to the City Council on the matter. All instruments of conveyance and leases approved by the City Council shall be executed by the Mayor on behalf of the City unless otherwise provided by Massachusetts General Laws.

2.6.1.1.4. The Committee shall consist of four Councilors.

2.6.1.1.5. Related departments, boards and agencies. Finance Department; Treasurer/Collector; Auditor; Assessor; Management Information Systems.

2.6.1.2. COMMITTEE on COMMUNITY RESOURCES

2.6.1.2.1. The Committee may develop, review and recommend policies on matters including economic development, local business, tourism, the environment, the arts, planning, zoning,

sustainability, land use, housing and affordability, among others.

2.6.1.2.2. The Committee may review and make recommendations on licenses and permits.

2.6.1.2.3. The Committee shall consist of four Councilors.

2.6.1.2.4. Related departments, boards and agencies: Arts Council; Planning and Sustainability; Housing Authority; Housing Partnership.

2.6.1.3. COMMITTEE on CITY SERVICES

2.6.1.3.1. The Committee may develop, review and recommend policies on matters including public safety and public health, veteran's affairs, social services, libraries, disability, aging and recreation, among others.

2.6.1.3.2. The Committee shall serve as the standing committee to review all candidates for appointment to boards and commission in accordance with Section 2-10 of the Charter.

2.6.1.3.3. The Committee may participate in the review process for Community Development Block Grant (CDBG) funding awards if requested by the Office of the Mayor.

2.6.1.3.4. The Committee shall consist of four Councilors.

2.6.1.3.5. Related departments, boards and agencies: Recreation; Veteran's Affairs; Council on Aging; Forbes and Lilly Libraries; Community and Economic Development; Police; Fire/Rescue; Health Department; Parking Enforcement.

2.6.1.4. COMMITTEE on LEGISLATIVE MATTERS

2.6.1.4.1. The Committee shall have the power to make recommendations on ordinances, orders, resolutions and the rules of the City Council. The Committee shall also make recommendations on all proposed ordinances, in consultation with the City Solicitor.

2.6.1.4.2. The Committee may choose to be the last committee to review any matter that is also referred to another Council committee. The Committee shall not be required to wait to receive the report of any executive commission.

2.6.1.4.3. The Committee shall consist of four Councilors.

2.6.1.4.4. Related departments, boards and agencies: Legal Services; City Clerk; License Commission; and any other department, board or agency.

2.6.1.5. COMMITTEE on PUBLIC WORKS AND UTILITIES

2.6.1.5.1. The Committee may develop, review and recommend policies on matters including public works, streets, infrastructure, solid waste, water treatment, buildings and all utilities including water, sewer and stormwater.

2.6.1.5.2. The Committee may hold public hearings on water, sewer, stormwater and other municipal utility rates.

2.6.1.5.3. The Committee shall consist of four Councilors.

2.6.1.5.4. Related departments, boards and agencies: Department of Public Works; Central Services; Building Commissioner.

2.6.2. POWERS AND DUTIES OF COUNCIL COMMITTEES. The following shall apply to all committees unless otherwise stated:

2.6.2.1. Election of officers. Council Committees shall elect officers from among their members, such as Chair and Vice-Chair.

2.6.2.2. Meetings. Committees shall meet as required by the City Council, the Committee's Chair, or at the request of two members. Committees shall hold an initial meeting no later than three months after the appointment of its members.

2.6.2.3. Requests to appear before committees. A committee may make information requests pursuant Section 2-7 of the Charter.

2.6.2.3.1. Requests of city departments, boards and commissions. At the request of any member of a committee, and through its Chair, a committee by majority vote may request members of any multi-member body or a city employee, to appear before it to provide any information relative to the services, functions and powers within the jurisdiction of that multi-member body or city employee and not within the jurisdiction of the School Committee.

2.6.2.3.2. Other requests. Through its Chair, a committee by majority vote may invite, individuals, organizations or bodies not falling under the committee's specific jurisdiction as provided in the section of these Rules that establishes the committee, provided the question of the invitation be first placed on a the committee's agenda and receives a majority vote of the Committee.

2.6.2.3.3. Notice. A committee shall give a minimum of 7 days notice to a person it may require to appear before it. No person

shall be required to respond to any question not related to those questions presented in advance and in writing. The Committee will notify the Mayor of any Information Request under this section.

2.6.2.4. Committees shall have the power to hold hearings on any matter within their jurisdiction.

2.6.2.5. Power to amend. Council committees may recommend amendments to any measure. However, when a measure has been referred to the Committee on Legislative Matters, the Committee on Legislative Matters shall consider all amendments previously proposed by other committees and report one version of an amended measure to City Council.

2.6.2.6. Duty to report. For the purposes of this section, "to report" shall mean transmitting a positive, negative or neutral recommendation and associated votes as well as any suggested textual amendments and related documents.

2.6.2.6.1. For matters referred to the Committee on Legislative Matters, among others: All committees other than the Committee on Legislative Matters shall report to the Committee on Legislative Matters and the City Council within 60 days, whereupon the Committee on Legislative Matters shall report to the full City Council within an additional 30 days.

2.6.2.6.2. For matters referred to the Committee on Legislative Matters exclusively: The Committee on Legislative Matters shall report to the full City Council within 60 days.

2.6.2.6.3. For matters referred to committees not including the Committee on Legislative Matters: Committees shall report to the full City Council within 90 days.

2.6.2.6.4. Committees shall make all reports in writing.

2.6.3. SELECT COMMITTEES. The City Council may establish select committees for the purpose of considering a particular policy or issue or for other purposes. Such committees may make recommendations and may sponsor ordinances, resolutions or other matters. Such committees may be created by resolution approved by a two-thirds vote of a quorum. The resolution shall specify the composition and scope of the select committee. No such committee shall exist beyond the current term of the Council. No such committee shall consist of fewer than two City

Councilors. The Council President shall appoint all members to such committees, and may appoint members of the public who are residents of the City of Northampton or city employees provided the Mayor approve the appointment of any city employee. Select Committees shall elect their own Chair from among those appointed.

3. Duties and Powers of the City Council.

The City Council shall have those duties and powers pursuant the Charter and also:

3.1. SELECTION OF AN OUTSIDE AUDITOR. Pursuant Section 7-6 of the Charter, the City Council shall select an independent auditor according to the following provisions:

3.1.1. The Council shall by October 1 of the fiscal year for which the audit is to be done establish a Select Committee for the purpose of making a recommendation on an independent auditor to the full Council.

3.1.2. The Council shall award a contract to audit on or before March 1 of the fiscal year for which the audit is to be done.

3.1.3. The Council shall require the report of the audit to be filed in final form with the Council not later than January 15 in the year following its award.

3.2. STATE LEGISLATIVE AGENDA. The City Council shall annually by December 1st consider a resolution of state legislative priorities that would benefit the City of Northampton. For this purpose, the City Council may establish a select committee to recommend a resolution.

4. Order

4.1. QUORUM. The presence of 5 members shall constitute a quorum of the City Council.

4.2. CALLING MEETINGS TO ORDER. The presiding officer shall call the City Council to order at the time appointed for the meeting or to which it may have adjourned, if a quorum be present, which shall be determined by calling the roll. The names of members not present at the meeting shall be recorded by the Administrative Assistant to the City Council.

4.3. RECOGNITION OF MAYOR AND DEPARTMENT REPRESENTATIVES. The Mayor and all City department representatives are recognized at all Council Meetings.

4.4. CONSENT AGENDA

4.4.1. When any item of business requires action by the City Council, but is of a routine nature, such item may be presented at a regular meeting of the City Council as part of the Consent Agenda. Items eligible for consideration on the Consent Agenda include: approval of minutes, appointments, licenses, and petitions.

4.4.2. The Consent Agenda may be introduced by a motion "To approve the Consent Agenda," and may be considered by the City Council as a single item.

4.4.3. The presiding officer shall read the title of each item contained in the Consent Agenda before a vote.

4.4.4. There shall be no debate or discussion by any City Council member regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

4.4.5. Any item may be removed from the Consent Agenda upon the request of any City Council member prior to the taking of a vote on the motion to approve it. All such items will be considered individually, in the order in which they were removed, immediately following consideration of the Consent Agenda.

4.4.6. Approval of the motion to approve the Consent Agenda shall be fully equivalent to approval, adoption, referral or enactment of each item of business thereon, exactly as if each had been acted upon individually.

4.4.7. When an appointment has not received a recommendation from the standing committee pursuant Sec 2-10 of the Charter, a vote within the Consent Agenda shall be equivalent to a motion to refer it to said standing committee. Otherwise a vote shall be equivalent to approval.

4.5. ORDER OF BUSINESS.

4.5.1. The order of business at every regular meeting of the Council shall be as follows:

Roll Call
Public Hearings
Recognitions and One-Minute Announcements by Councilors
Communications and Proclamations from the Mayor
Resolutions
Presentations
Consent Agenda
- Approval of minutes

- Licenses and Petitions
- Appointments

Recess for Committee on Finance
Financial Orders
Orders
Ordinances
Updates from Council President and Committee Chairs
Information Requests (Charter Provision 2-7) and Committee Study Requests
New Business

4.5.2. The agenda shall be published in this manner and adhered to at all meetings. The presiding officer may implement a change in the order of business unless any single Councilor objects, in which case the rules may be suspended as provided in these Rules.

4.6. MINUTES OF PREVIOUS MEETING. The Administrative Assistant to the City Council shall submit the minutes of the previous meeting with the Council agenda for the next regular scheduled meeting of the City Council.

4.7. CONDUCT. City Councilors and members of the public shall conduct themselves with civility and respect at all times.

4.8. PUBLIC COMMENT. Members of the public shall be permitted to address the Council and all Council Committees on any matter for a period of three minutes. This period may be extended or reduced at the discretion of the presiding officer. Individuals wishing to speak will be recognized by the presiding officer and shall state their name and address to the Administrative Assistant to the City Council. The presiding officer shall rule out of order during the public comment session any remarks that clearly constitute defamation, with due regard for the distinction between elected officials and city employees who are public figures and those city employees who are not public figures. The presiding officer may order any member of the public who breaks this rule to cease speaking. Councilors will not respond to any comments from the public.

4.9. NEW BUSINESS. Any Councilor may introduce any written proposed order, ordinance, or resolution to be considered by the Council at the next meeting, but not to be debated during new business.

4.10. RECESS. Any Councilor may call for and be granted a recess the length of which will be determined by the presiding officer.

4.11. ORDER AND MANNER OF SPEAKING. No City Councilor shall speak more than once on a question, to the prevention of any other who has not spoken,— and is desirous of speaking. The presiding officer may allow a brief

immediate response to any statement posed directly to a particular City Councilor by a City Councilor. The presiding officer may request that any speaker discontinue any overly lengthy speech, but the right of a City Councilor to speak shall not be limited unless a formal motion is passed to set limits to debate for all City Councilors.

4.12. ORDER DURING DEBATE. No member should be interrupted while speaking, but by a call to order, or a request for information, or a question of privilege to appeal a decision from the presiding officer, or for the correction of a mistake, nor shall there be any conversation among the members while a paper is being read, or a question stated from the presiding officer

4.13. VOTING

4.13.1. DECIDING VOTES. The presiding officer shall decide all votes, but if a member rises to doubt a vote the presiding officer shall order a roll call vote.

4.13.2. VOTES REQUIRED TO PASS MEASURES

4.13.2.1. The affirmative vote, taken by roll call, of 6 members shall be required to adopt an appropriation order or transfer.

4.13.2.2. The affirmative vote, taken by roll call, of 6 members shall be required to adopt a zoning ordinance.

4.13.2.3. In the absence of statutory requirements providing otherwise, the affirmative vote, taken by roll call, of 5 members shall be required to adopt any other ordinance.

4.13.2.4. In the absence of statutory requirements providing otherwise, an affirmative vote of a majority of a quorum shall pass any other measure.

4.13.3. ROLL CALL VOTES.

4.13.3.1. REQUEST. Any member may request a roll call vote on any question before the City Council and the Administrative Assistant to the City Council shall take the census of the Council in that manner.

4.13.3.2. METHOD OF RECORDING. Roll call votes shall be conducted by this method. The first roll call vote of every session of the City Council shall be in alphabetical order. Each roll call vote after that shall progress to the next City Councilor in the alphabet to be the first Councilor voting, so that at the end of every nine roll call votes each Councilor has by alphabetical progression voted first in one of the nine roll call votes.

4.13.4. RECONSIDERATION.

4.13.4.1. When a vote has passed, except for adjournment or to lay on the table, any member voting with the majority may move a reconsideration, to be acted upon at the same meeting. Any member voting with the minority may move a reconsideration to be acted upon at the next meeting.

4.13.4.2. Minority reconsideration shall have priority over majority reconsideration. Minority reconsideration shall be used to allow time for the submission of new or additional information. Reconsideration shall not be used in a dilatory manner as defined in Robert's Rules of Order.

4.13.4.3. No motion shall be twice reconsidered.

4.14. ENDING TIME OF MEETING. Council meetings shall end no later than 11:00 p.m.

4.15. REMOTE MEETING PARTICIPATION. Councilors may participate remotely in meetings pursuant to the following regulations:

4.15.1. Requirements

4.15.1.1. Any Councilor who participates remotely and all persons present at the meeting location shall be clearly audible to each other;

4.15.1.2. A quorum including the presiding officer shall be physically present at the meeting location;

4.15.1.3. Any Councilor who participates remotely may vote and shall not be deemed absent.

4.15.1.4. Any Councilor may not participate remotely more than six times in a calendar year.

4.15.2. Permissible Reasons for Remote Participation. Any Councilor may participate remotely if the presiding officer determines that one or more of the following factors make the participation of the Councilor's physical attendance unreasonably difficult:

4.15.2.1. Personal Illness;

4.15.2.2. Personal Disability;

4.15.2.3. Emergency;

4.15.2.4. Military Service: or

4.15.2.5. Geographic Distance

4.15.3. Technology

4.15.3.1. The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any Councilor who requires TTY service, video relay service, or other form of adaptive communications.

4.15.3.1.1. Telephone, Internet, or satellite-enabled audio or video conferencing;

4.15.3.1.2. Any other technology that enables the remote participation and all persons present at the meeting location to be clearly audible to one another.

4.15.3.2. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

4.15.3.3. The presiding officer may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to call a brief recess while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

4.15.3.4. All costs associated with remote participation, if any, shall be borne by the Councilor remotely participating.

4.15.4. Procedures

4.15.4.1. Any Councilor who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the presiding officer of their desire to do so and the reason for and facts supporting their request.

4.15.4.2. At the start of the meeting, the presiding officer shall announce the name of any member who will be participating remotely and the reason for their remote participation. This information shall be recorded in the meeting minutes.

4.15.4.3. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

4.15.4.4. Any Councilor participating remotely may participate in executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location. Any Councilor participating remotely who cannot certify that no other person is present and/or able to hear the discussion at the remote location may not participate in executive session.

4.15.4.5. When feasible, the presiding officer shall distribute to remote participants, in advance of the meeting, copies of any documents of exhibits that they reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be a part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with Massachusetts General Law Chapter 30A Section 22.

4.15.5. Application. This rule shall apply to Council Committees.

4.15.6. Amendment. This section may not be amended unless it is in accordance with the Mayor's Remote Meeting Participation Policy, Massachusetts General Law Chapter 30A Sections 18-25 and 940 Code of Massachusetts Regulations 29.10.

4.16. MINUTES OF EXECUTIVE SESSION. The City Council shall create and maintain accurate minutes of all executive sessions in accordance with the

following:

4.16.1. The minutes shall set forth the day, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes.

4.16.2. Any vote taken in an executive session shall be recorded by roll call and entered into the minutes.

4.16.3. The minutes of any executive session and the notes, or other materials used in the preparation of such minutes, and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety, according to the provisions of M.G.L. Chapter 4 § 7 (26) (a), as long as publication would defeat the lawful purposes of the executive session, but no longer.

4.16.4. Approving minutes.

4.16.4.1. Votes to approve executive session minutes may be, but are not required to be, taken in executive session.

4.16.4.2. Review of, deliberation on and amendments to executive session minutes shall be done in executive session.

4.16.5. Releasing minutes.

4.16.5.1. As provided in MGL Ch 30A, Sec 22(g)(1), The Council President, with the assistance of the Administrative Assistant to the City Council and City Solicitor, shall, at reasonable intervals, not to exceed three months, review the minutes of executive sessions to determine if the relevant statutory provisions warrant continued nondisclosure. Such determination shall be announced at the City Council's next meeting and such announcement shall be included in the minutes of that meeting.

4.16.5.2. Whenever the Council President requests that a vote of the Council be taken to determine whether to release executive session minutes, that vote must be taken in executive session.

4.16.6. Upon request by any person to inspect or copy the minutes of an executive session or any portion thereof, the Council shall respond to the request within 10 days following receipt and shall release any such minutes that would not defeat the lawful purposes of the executive session.

4.16.7. Any notes, documents or other exhibits used in the preparation of the minutes of executive sessions shall be retained for at least 60 days following the approval of the minutes of the executive session by the Council. The Council President shall periodically review said notes and other documents

prior to the discarding or destruction thereof.

5. Legislative Process

5.1. PROPOSED MATTERS

5.1.1. TIMELY FILING. All orders, ordinances, resolutions, contracts and any other-written business to be transacted by the City Council shall be filed with the Administrative Assistant to the City Council by close of business three days prior to a regular City Council meeting in accordance with the open meetings law to allow for review and timely posting.

5.1.2. PRESENTATION TO COUNCIL, MAYOR. Every new ordinance, order and resolution or other matter proposed by a City Councilor, Council committee, the Office of the Mayor including City Departments and Executive Commissions to be submitted for City Council action shall be forwarded to the Mayor, Council President and Administrative Assistant to the City Council for placement on the agenda of the City Council.

5.1.3. ADDING MATTERS TO COUNCIL AGENDA. The Council President shall have discretion over the items added to Council agendas, except that if the addition of an item has been once requested and at the discretion of the Council President is not placed on an agenda of a regular Council meeting, then before the next Council meeting any two members of the City Council may petition the Council President who shall then add the item to the agenda of the next Council meeting.

5.1.4. PRESENTATION AND ENACTING STYLE OF MATTERS

5.1.4.1. Matters shall be presented in a format as indicated in the table below:

Line	Ordinances	Orders	Resolutions
1. Date	"In the Year 2016"	"In the City Council, February 2, 2016."	"In the Year 2016"
2. Sponsorship	"Upon the recommendation of…"		
3. ID Number	Not prefaced	Prefaced by "O"	Prefaced by "R"
4. Type of Matter	"An Ordinance"	"An Order"	"A Resolution"
5. Short Title	"Relative to…" "Entitled the … Ordinance of 2016", or "To …" et al.	"To…" et al.	"To…", "In support of…", et al.

6. Enacting Clause	"Be it ordained by the City Council of the City of Northampton in City Council assembled, as follows"	"Ordered, that"	"Be it resolved by the City Council of the City of Northampton in City Council assembled, as follows"

5.1.4.2. Administrative ID Number. The Administrative Assistant to the City Council shall assign each matter, upon formal submission, a unique identification number, in the form of the last two digits of the calendar year followed by an incrementally increasing number. The incrementally increasing portion shall reset to "1" every Council session.

5.1.4.3. Additions to the Code of Ordinances shall be indicated in bold and/or underline. Deletions shall be indicated by striking through.

5.1.5. SUPPORTING DOCUMENTS. Maps and visuals, along with all other supportive evidence essential to a matter, shall be presented in a clear and intelligible way.

5.2. REFERRAL OF MATTERS TO COMMITTEES.

5.2.1. In general, all matters may be referred to Council committees for their report.

5.2.2. Financial orders. No order or resolution authorizing a loan, the levying of a tax or the expenditure of money (with the exception of the printing of the annual reports) shall be voted on by the City Council until it has been referred to the Committee on Finance. It shall be the duty of such committee to report on the relation of such order, resolution, levy or expenditures to the finances of the City, but new provisions shall not be added to such resolution, order, levy or expenditure by the Committee unless directly connected with the financial features thereof, and then by recommendation only.

5.2.3. Ordinances. No ordinance shall be voted on by the City Council until it has been referred to the Committee on Legislative Matters, unless such ordinance is introduced at and originates with the Committee on Legislative Matters.

5.2.4. Licenses and permits. Licenses and permits may be referred to the Committee on Community Resources for the committee's recommendation.

5.3. SOLICITOR REVIEW OF ORDINANCES. At or before the meeting at which the Committee on Legislative Matters considers any matter for approval and/or recommendation the City Solicitor may examine the matter's form and legal

character.

5.4. WITHDRAWAL OF MATTERS. If the Council has previously acted on a matter, the matter may be withdrawn by this method. At the written request of any sponsor(s) of a matter, a matter shall be withdrawn from consideration in the City Council and in all City Council Committees to which the matter had been referred provided the withdrawal be placed on the agenda of a City Council meeting. No vote shall be required. However, if at that meeting all sponsors of a matter do not unanimously agree to withdraw a matter, the matter shall not be withdrawn. However at that time any Councilor shall upon their request have their individual sponsorship removed.

5.5. MATTERS REQUIRING TWO VOTES. To be approved, every matter shall have two separate votes on two separate days unless otherwise provided in these Rules.

5.6. MATTERS REQUIRING ONE VOTE. In accordance with Section 6-1 of the Charter, administrative orders submitted by the Mayor shall have a hearing, and only one vote of the Council shall be required to either approve or disapprove the order. Licenses, approval of minutes, acceptances of reports, petitions, appointments, and amendments to Council Rules shall only require one vote for approval.

5.7. ENROLLMENT COMMITTEE. When matter has passed the required number of votes, it shall be signed by the Administrative Assistant to the City Council and signed by the Enrollment Committee consisting of two City Councilors.

5.8. AUTOMATIC CARRYOVER. Matters that have not passed the required number of votes by the end of the current session shall automatically carry over to the next session of the City Council and shall remain in the Council and in all committees and executive commissions to which they have been referred at the start of the next session unless:

5.8.1. A matter has already failed on the first of two required votes; or
5.8.2. A matter has received a negative recommendation from the Committee on Legislative Matters; or
5.8.3. The City Council votes to prevent automatic carryover of a matter to the next session. For this purpose, at the request of any City Councilor, the City Council President shall place any such pending matter on the agenda at the final meeting of the session. Only one vote shall be required to prevent automatic carryover, but 2/3 majority of the full Council shall be required; or
5.8.4. None of the sponsors of a matter will be serving in the next session of the City Council.

6. APPENDICES

6.1 SPECIAL PERMIT GRANTING AUTHORITY

Chair/Moderator

I. Selection of a Chair/Moderator
The City Council President will serve as the presiding officer of the hearing.

MEETINGS AND HEARINGS

II. Notice of Public Hearings
Notice of hearings shall be advertised as required by the provisions of General Law Chapter 40A. In addition to the legally required notices the City Council will make every effort to publish this notice broadly so the public will be fully informed, methods might include the City website, email distribution list and Northampton Community Television.

III. Calling of Public Hearing
All hearings held by the Council as a Special Permit Granting Authority Shall be open to the public.

IV. Public Hearings

1. Public hearings, when called, will be conducted in the following manner:
    A. The presiding officer will announce that it is time for a Public Hearing and will announce the subject of such hearing.
    B. The presiding officer will review evidence of adequate advertisement and legal notice and, if found to be appropriate and proper according to law, will have the advertisement read into the record. The presiding officer will then explain the procedure to be followed, including the time limits on speakers' and the fact that each speaker shall give their name and address for the record. By majority vote the City Council may extend the time granted to a particular speaker by the presiding officer. The chair may limit testimony that is repetitive.
    C. The presiding officer will report on any new or changed information pertinent to the subject, if any, and then have read into the record all memoranda, opinions, comments and recommendations or City departments or boards pertinent to the matter.
    D. The applicant will be given a reasonable amount of time to make a presentation regarding the matter.
    E. Other persons supporting the position of the proponents will then be allowed to express the fact of their support and to present such supportive information as was not included in the initial or previous presentations. A five-minute time limit shall apply but the Council could extend the time on a majority vote.
    F. Before opponents to an application or petition are called to speak, a member of the Council may move for invocation of a summary procedure and, if

seconded and approved by a majority of the quorum, may subsequently move to deny the request made by the applicant, based on a finding that the evidence presented was not adequate to justify the request. If the motion for denial is then seconded and is approved by the quorum, the public hearing may be deemed complete.

G. Those persons speaking in opposition to the position taken by the principal proponent are then allowed to speak, each being allowed to express the fact of their opposition and to present such supportive information as was not included in previous presentations before the Council. A five-minute time limit shall apply and the Council could extend the time on a majority vote.
H. After all opponents have been heard, the presiding officer will then allow the proponent and or project staff person to respond to any issues/questions raised by the opponents.
I. After the proponents have responded to the opponents, the opponents shall have an additional opportunity to respond, the presiding officer shall determine which opponent shall respond at which time. A three minute time limit shall apply but the Council may extend the time by majority vote. The motion to extend time is non-debatable.
J. The presiding officer will then enter all documents received concerning the matter into the record. The applicant or project staff may then answer any questions raised in the letters.
K. If new information is presented the presiding officer or the Council may allow additional time for the appropriate party to respond. Immediately or in writing later but before the close of the public hearing.
L. The presiding officer will then hear questions from the general public regarding aspects/issues that have not been addressed in previous testimony. The presiding officer shall refer questions to the appropriate person and may rule questions out of order if the subjects of the questions have already been addressed. Questions may also be submitted in writing.
M. At any point, a public hearing may be continued or postponed to a time, place and date certain, provided that these rules and procedures are adhered to when it is resumed, or may be continued or postponed to a time, place and date not certain, providing required advertising and notice procedures are followed to announce the time, place and date of resumption. Each meeting is a continuation of the same public hearing.

V. Votes of the Council
All votes for Special Permits shall require a 2/3 majority of the Council to pass.

Applications before the City Council

VI. Permit Applications
Applications for a Special Permit before the City Council shall be prepared in accordance with the procedures in the Northampton Zoning Ordinance and the instruction on and attached to the application form. Every application for action by the Council shall be

made on the official application form, and as approved by the Council and adopted by reference in these Bylaws and Rules of Procedure.

6.2 Examples of Presentation and Enacting Styling of Matters

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

15.073
AN ORDINANCE

RELATIVE TO ZONING IN CENTRAL BUSINESS (OR) ENTITLED THE ZONING ORDINANCE OF 2016 (OR) TO REVISE SEC. 000 OF THE CODE OF ORDINACES

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

R-15.003
A RESOLUTION

IN SUPPORT OF DEMOCRACY (OR) TO CREATE A SELECT COMMITTEE TO RECOMMEND A STATE LEGISLATIVE AGENDA

Be it resolved by the City Council of the City of Northampton, in City Council

In the City Council, January 1, 2016
Upon the Recommendation of Councilor J. Calvin Coolidge

O-15.001
AN ORDER

TO APPROPRIATE FUNDS FROM COMMUNITY PRESERVATION ACT FUNDING

Ordered, that:

City of Northampton

MASSACHUSETTS

In City Council January 5, 2016

Upon recommendation of the Northampton City Council

O-16.002
An Order

To Set the Date and time of 2016-2017 City Council Meetings

Ordered, that, the attached City Council meeting schedule for 2016-2017 be and hereby is adopted.

City Council Meeting Schedule
2016-2017

January 21, 2016	January 5, 2017 January 19, 2017
February 4, 2016 February 18, 2016	February 2, 2017 February 16, 2017
March 3, 2016 March 17, 2016	March 2, 2017 March 16, 2017
April 7, 2016 April 21, 2016	April 6, 2017 April 20, 2017
May 5, 2016 May 19, 2016	May 4, 2017 May 18, 2017
June 2, 2016 June 16, 2016	June 1, 2017 June 15, 2017
July 14, 2016	July 13, 2017
August 18, 2016	August 17, 2017
September 1, 2016 September 15, 2016	September 7, 2017 September 21, 2017
October 6, 2016 October 20, 2016	October 5, 2017 October 19, 2017
November 3, 2016 November 17, 2016	November 2, 2017 November 16, 2017
December 1, 2016 December 15, 2016	December 7, 2017 December 21, 2017

16.002 As amended in City Council 1/5/2016

City of Northampton
MASSACHUSETTS

In City Council, January 21, 2016
Upon the recommendation of the Office of Planning and Sustainability and the Conservation Commission

Ordered, that

WHEREAS, On August 20, 1992, City Council approved the purchase of a parcel of land from Richard Abuza to add to the Broad Brook/Fitzgerald Lake Greenway;

WHEREAS, The City Council Order included a condition, added on the floor of City Council, "that hunting be allowed on the property except within 300 feet of walking trails;

WHEREAS, In all other conservation areas, the Conservation Commission has the discretion to write their own regulations and to determine where hunting should and should not be allowed based on the City's ***Open Space, Recreation and Multiuse Trail Plan*** and based on site specific conditions.

NOW, THEREFORE BE IT ORDERED,
City Council hereby removes said condition that "hunting be allowed on the property," leaving it to the Conservation Commission to write their own regulations for hunting on this property, as they do for all other conservation property.

16.010

City of Northampton
MASSACHUSETTS

In City Council, January 21, 2016

Upon the recommendation of the Office of Planning and Sustainability and the Department of Public Works

Ordered, that

WHEREAS, Green Infrastructure keeps rain close to where it falls, using structures to improve on-site infiltration, such as rain gardens, green roofs and permeable pavements, to promote cleaner, slower, and smaller storm flows to nearby rivers and streams;

WHEREAS, Green Streets are a subset of Green Infrastructure in which the street handles significant amounts of stormwater on site through use of vegetated and/or soil-infiltration facilities. Green Streets can include landscaped street-side planters or swales or tree box filters or porous pavement that capture stormwater runoff and allow it to soak into the ground as soil and vegetation filter pollutants.

WHEREAS, The city's Green Streets and Infrastructure policy demonstrates the City's commitment to building comparable infrastructure required for private developments and complements the City's complete streets ordinance. The City recognizes:

1. Stormwater runoff from streets, roads, parking lots, and other impervious urban surfaces is a significant source of water pollution to our rivers, streams and water bodies
2. Green Streets can provide cost-effective infrastructure solutions to reduce and manage stormwater runoff and flooding from more intense storm and flooding events and can reduce localized flooding from surcharging, providing some adaptation to climate change.
3. Green Streets can improve water quality by filtering stormwater, removing contaminants, including total suspended solids (TSS), organic pollutants /oils, and heavy metals, and cooling the stormwater before it encounters groundwater or surface water bodies, which benefits watershed health.
4. Green Streets foster unique and attractive streetscapes that protect and enhance neighborhood livability, integrate the built and natural environments, enhance the pedestrian environment, and introduce park-like elements into neighborhoods.
5. Green Streets encourage the planting of landscapes and trees which contribute environmental benefits such as reduced summer air temperatures, reductions in global warming through carbon sequestration and air pollution screening.

6. Green infrastructure can reduce the long-term costs of gray infrastructure maintenance, and complement gray infrastructure with hybrid systems of gray, piped infrastructure combined with green, vegetated infrastructure.
7. U.S. Environmental Protection Agency Municipal Separate Storm Sewer System (MS4) stormwater permits will require that the city control the amount and quality of stormwater discharged from the MS4s to rivers, streams, lakes, ponds, and wetlands.
8. Recharge of groundwater sources is a key mitigation activity under the soon to be amended Massachusetts Water Management Act regulations 310 CMR 36.00.

NOW, THEREFORE BE IT ORDERED,
The City of Northampton policy is to promote the use of green street facilities and green infrastructure in public and private development through regulation, capital investment, and management mechanisms as a cost-effective and sustainable practice for stormwater management in current and future projects when technically and economically feasible. This includes road development and reconstruction, bicycle and pedestrian projects, stormwater projects, and other development and redevelopment. It is city policy to:

1. Incorporate and maintain green street facilities and green infrastructure into all City-funded development, redevelopment, and enhancement projects, to the extent technically and economically feasible, and utilizing the best technology available at the time to meet water quality goals with the lowest lifecycle costs; and
2. Ensure that regulations require and incentivize all development to incorporate some green streets and green infrastructure features; and
3. Ensure coordination and communication between City departments, in particular Public Works and Planning and Sustainability, to ensure implementation of this policy, as well as fully addressing competing priorities.

City of Northampton
Massachusetts

In the Year **Two thousand sixteen**
Upon the Recommendation of **Mayor David J. Narkewicz**

16.003
AN ORDINANCE
To delete fees from Chapter 174 of Code Book

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § **Chapter 174** of said Code; providing that **Fees**.

Be it ordained by the City Council of the City of Northampton, in city Council assembled, as follows:

Section 1: that § **Chapter 174** of the Code of Ordinances of the City of Northampton Massachusetts, be amended so that such section shall read as follows:

Section §**Chapter 174**

Delete

Chapter 174 shall be deleted in its entirety and replaced with the following wording:

Reserved: see fee schedule on www.northamptonma.gov

Refer to Ordinance and Planning Board

CITY OF NORTHAMPTON

MASSACHUSETTS

In the Year Two Thousand and Sixteen

Upon the Recommendation of Office of Planning and Sustainability & Planning Board

16.004

An Ordinance

Relative to specifications on sign lighting in residential and commercial districts and creating specifications for dynamic display boards.

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350-7.2 7.3 7.4 of said code; providing for specifications on sign lighting in residential and commercial districts and creating specifications for dynamic display boards.

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That §350-7.2 of the Code of Ordinances be amended as follows:

16.005

Refer to Ordinance and Planning Board

7.2 B amended as shown:

A sign (including temporary interior window displays or banners) or its illuminator shall not by reason of its location, shape, size, or color interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal, or traffic marking. A sign or any part thereof which moves or flashes, ~~all signs of the traveling light or animated type, and all beacons and flashing devices are prohibited,~~ except that such portions of a sign as consist solely of indicators of time and/or temperature ~~or automatically changing message~~ shall comply with the the requirments herein as dynamic display ~~be permitted if the Planning Board and Chief of Police determine that the sign is not a hazard to traffic and pedestrian safety~~. All illumination of signs must be in conformance with § **350-12.2**.

7.2T {New subsection in general sign standards to define outdoor dynamic display}

Dynamic display sign means any sign designed for outdoor use that is capable of displaying a video signal, including, but not limited to, cathode-ray tubes (CRT), light-emitting diode (LED) displays, plasma displays, liquid-crystal displays (LCD), or other technologies used in commercially available televisions or computer monitors. Signs with this technology which are placed by a public agency for the purpose of directing or regulating pedestrian or vehicle movement use are exempt from this ordinance.

7.2U {New subsection in general sign standards to prohibit mobile dynamic display}

A dynamic display sign on, in, or part of any portable/mobile vehicle parked in view of the public way, whether registered or unregistered and which carries, displays, any sign or billboard for the primary purpose of advertising will be regulated as a ground sign (see relevant district allowances for ground signs).

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That §350-7.3 of the Code of Ordinances be amended as follows:

7.3C {Signs in Residential Districts}

Institutional and other non-residential uses in residential districts allowed in accordance with:

1) Each membership club, funeral establishment, nursing care facility~~hospital~~, , ~~community facility~~ or ~~public utility~~ may have one ground identification sign ~~(not to exceed~~up to a maximum of 10 square feet in surface area~~)~~. If signs are illuminated, they may only be illuminated between the hours of 7 AM and 10 PM.

2) C~~and c~~hurches, community ~~facilities~~ centers~~not places of public assembly~~, schools may have one ~~additional~~ ground sign up to a maximum of~~(not to exceed~~ 40 square feet in surface area~~)~~,. Such signs shall be set back at least 1/2 the required depth of the front yard setback. ~~provided that such sign(s), if lighted, shall be illuminated internally or by indirect method with white light only and in conformance with § 350-12.2,~~. Signs may only be illuminated between the hours of 7 AM and 10 PM. Signs may contain dynamic display, as defined in 7.2T above, so long as the following are met:

a) The dynamic display area may be no more than one-half the total sign area

b) Minimum display time between display changes shall be 30 minutes. Transition time to next display shall be less than one second.
c) Display boards shall not emit sound.
d) If images are displayed, only static, non-fluctuating, non-changing video images allowed.
e) Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light conditions. At no time, shall the sign lights be greater than .3 footcandles above ambient light conditions.

3)~~and such signs shall be set back at least 1/2 the required depth of the front yard setback.~~ Tourist home/bed-and-breakfast establishments~~facilities~~ may have one identification sign, attached flush to the structure (not to exceed three square feet in surface area), provided that such sign, if lighted, shall be ~~illuminated by indirect method with white light only~~ in conformance with § 350-12.2 and may only be illuminated between the hours of 7 AM and 10 PM.~~.~~

That §350-7.3D of the Code of Ordinances be amended as follows:

7.3D. For approved residential subdivisions, townhouse, multifamily, and open space developments, one ground sign identifying the development, provided that:

(4) If lighted, ~~it shall be illuminated internally, or by indirect method with white light only and must be in conformance with § 350-12.2~~may only be illuminated between the hours of 7 AM and 10 PM. No dynamic displays allowed~~.~~.

That §350-7.4B6 / D of the Code of Ordinances be amended as follows:

New 7.4B6- ~~(~~Illumination for wall signs Commercial district sign section~~)~~

Dynamic displays shall comply with:

a) Minimum display time between display changes shall be 1 minute. Transition time to next display shall be less than one second.
b) Display boards shall not emit sound.
c) The display must be turned off at the close of business
d) Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light conditions. At no time, shall the sign lights be greater than .3 footcandles above ambient light conditions.

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7.4D Business signs shall be permitted as ground signs as ~~follows~~350.12.2. Dynamic displays must comply with 7.4B6, above except the following. Informational boards may emit sound only if such boards are used as accessory to drive-through sales and service establishments and if they are not directed/oriented to the street. Such boards are not considered ground signs under these provisions. ~~:~~

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In all I, BP and PV Districts, the following exterior signs, and no others, are permitted:

A. Signs permitted in § 350-7.3 (R Districts), subject to the same regulations.

B. Business signs shall be permitted as follows:

Refer to Ordinance and Planning Board

(1)7.5 In all GI and BP Districts and for PV Districts as provided in Subsection D below not more than two wall signs for each building, provided that each sign:

(c) If lighted, it~~each~~ shall ~~be illuminated internally or by indirect method with white light only and shall be in conformance with § 350-12.2~~ comply with lighting standards in 7.4B(6) whether dynamic or static;

(3)In all OI, GI and BP Districts, and for PV Districts as provided in Subsection D below, one ground sign for each building, provided that:

(d)If lighted, it shall ~~2~~comply with lighting standards in 7.4B(6) whether dynamic or static display~~be illuminated internally or by indirect method with white light only and shall be in conformance with § 350-12.2.~~