

CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

- President William H. Dwight, At-Large
- Vice-President Ryan R. O'Donnell, Ward 3
- Jesse M. Adams, At-Large
- Maureen T. Carney, Ward 1
- Dennis P. Bidwell Ward 2
- 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: February 18, 2016
Meeting Time: 7:00pm

- 1. Public Comment**
- 2. Roll Call**
- 3. Public Hearings**
- 4. Recognition and One-Minute Announcements by Councilors**
- 5. Communications and Proclamations from the Mayor**
- 6. Resolutions**

7. Presentations

8. Consent Agenda

Minutes of Previous Meetings:

Minutes of the February 4, 2016 City Council Meeting

Minutes of the January 28, 2016 Joint City Council and School Committee Meeting

16.029 Petition from Electric Eye Records of 52 Main Street, Florence As a Dealer of Second Hand Articles

Documents: [feb-4-2016-CityCouncil_minutes.pdf](#), [joint-meeting-minutes-1-28-2016.pdf](#),
[16.029_electric_eye.pdf](#)

9. Recess for Committee on Finance (See Separate Agenda)

10. Financial Orders

11. Orders

A. 16.024 Warrant for upcoming election on March 1, 2016 - 2nd Reading

Documents: [16.024_Warrant_March-1-2016-election.pdf](#)

12. Ordinances

13. Updates from Council President & Committee Chairs

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

15. New Business

Contact: *P. Powers*
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CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
February 4, 2016

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:30 pm on a roll call seven (7) councilors were present:

At-Large Councilor William H. Dwight Ward 1 Councilor Maureen T. Carney
Ward 2 Councilor Dennis P. Bidwell 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

At-Large Councilor Jesse M. Adams and Ward 5 Councilor David A. Murphy were absent.

Councilor Dwight asked for a moment of silence in remembrance of Ned Huntley, former Director of Public Works. Mr. Huntley passed away on January 30, 2016.

Public Hearing

Public Hearing: None

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Announcements:

Councilor O'Donnell announced that there will be a Public Information Session about the Bridge Street Cemetery preservation project on Feb. 11, 2016 from 7:00 – 8:30 pm at the Northampton Senior Center on Conz. Street.

Announcements

Communications and Proclamations From the Mayor

Communications and Proclamations From the Mayor: None

Resolutions

Resolutions:

16.027 A Resolution Opposing the Provisions of H.3854

16.027 A Resolution Opposing the Provisions of H.3854 – Request 2 Readings

Councilor Dwight noted that there is urgency to get this resolution passed by the city council. Bill H.3854 is currently in conference committee at the state house. Letters have already been sent out by the Energy Commission and by the Mayor emphasizing their objections to the bill that is being proposed.

Amendment #1 Proposed

Councilor Dwight motioned to amend the resolution in the 11th Whereas-strike current paragraph and replace with the following language: "WHEREAS, the solar industry in Massachusetts has created 15,000 jobs and provides tax revenue and supports community stability;". Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

Amendment #2 Proposed

Councilor Carney moved to insert the words "at the retail rate without adding minimum monthly charges on solar customers" in the second *further resolved* paragraph (as proposed by Energy and Sustainability Director Chris Mason); Councilor Klein seconded the motion. The insertion should be placed directly after the words "net metering cap". The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

Councilor Klein supports the amendment; she reports that if H.3854 were to pass "as is", it would mean a significant rate increase for customers. Residential customers could see an increase of a minimum of \$360 and significantly more for businesses and municipal arrays. This increase would negate the investments made in solar.

Amendment #3 Proposed

Councilor Carney moved to insert the word "immediately" in the 5th further resolved paragraph following the words, "requests the conference committee to"; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

Amendment #4 Proposed

Councilor Klein moved to propose the language in paragraph 5th further resolved paragraph; Councilor Sciarra seconded the motion. The revised section would read, ..." immediately

eliminate the cap on net metering or raise it significantly to allow projects in the planning stages to come to fruition..." Councilor Sciarra cautioned that "significantly can mean many different things. Councilor Dwight indicated that the desired effect would be to raise the cap to allow for projects in the pipeline to be completed. Councilor Bidwell asked whether the alternative legislation that Senator Downing put forward had a specific number in it. Councilor Klein indicated that the proposed legislation in the senate bill is also 2%. Councilor Klein made a motion to recognize Adele Franks, a member of the steering committee Climate Action NOW; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams). Ms. Franks indicated that the original Senate Bill called for eliminating the cap altogether. After the House bill was introduced, Senator Downing introduced an amendment calling for 2%. That original senate bill has been completely replaced by H.3854. When asked by Councilor Dwight, Ms. Franks indicated that she is not aware of any other community with language proposing a higher percentage. Councilor O'Donnell suggested that if the council truly believed that the cap should be lifted, then he suggested that the council advocate for this. Councilor LaBarge supported this suggestion. Councilor Klein agreed to change the amendment by removing, "or raise by at least 6%" with no replacing language. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion to recognize Adele Franks

Motion Carried

Motion carried regarding proposed amendment #4

Councilor Dwight commented that Massachusetts has bragging rights for being proactive in the areas of renewable energy, alternative energy and conservation. In the eastern part of the state, the focus is on hydroelectricity coming from Canada and getting it down to the north Shore area. The South Shore area is looking for a version of Cape Wind. In the western part of the state, since there is no ocean, the focus for energy projects is different. The ability of the western portion to influence projects is primarily population driven. Solarizing the western part of the state has been very successful and Northampton's energy projects are a good contribute to the effort. H.3854 runs contrary to all efforts that have been made to reduce our carbon footprint.

Councilor LaBarge supports what Councilor Dwight is saying and feels that something should be done so that solar array projects can move forward. She has worked with the Mayor and with Ned Huntley to get the solar array project up and running at the closed landfill and this bill is stopping those efforts.

Amendment #5 proposed

Motion Carried

A motion to change the heading to reflect Two Thousand Sixteen and to further remove the phrase "currently in conference committee at the State House" in the 10th WHEREAS paragraph made by Councilor O'Donnell and seconded by Councilor Bidwell. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Councilor O'Donnell thanked the councilors who wrote the resolution and brought it forward, as well as the many people who came to speak in support of it in Public Comment. He believes that the resolution makes an important point about process in our state in which the city is frequently on the losing end of. The effect of the resolution is that it makes this point in a rather polite way; To those who see this as a give-away or subsidy Councilor O'Donnell clarifies that what is proposed is neither of these. But if it were, he points out, that it is a ridiculous idea that the state of MA is not in a position to support certain projects and industries. The state auditor found that in the current fiscal year there were \$3.2 billion worth of corporate tax loopholes given out to specific corporations and industries, the most famous of which is the Hollywood tax credit where we pay people to come here and make movies. He is concerned that the state, through H.3854, won't support forward thinking projects that allow us to bring costs down and create jobs. He believes that this approach shows our priorities are upside-down and he believes it is an important message to send to Boston. He noted that recent temperature records were broken in the City of Boston. Rhetorically, he asked what policy changes should be implemented as a result of the climate shift. In other areas of government, there are policies with built in triggers when certain conditions are met, such as the policy to decrease the income tax in the state if certain economic conditions are met. He argues that if we don't raise the cap, it will be harder to met obligations under the state's Global Warming Solutions Act.

Motion to Approve in 1st Reading

Motion Carried

Councilor O'Donnell moved to approve in 1st Reading; councilor Bidwell seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion to suspend council rules to allow for 2nd Reading
Motion Carried

Councilor LaBarge moved to suspend council rules to allow for a second reading; Councilor Klein seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion to approve in 2nd Reading

Councilor LaBarge moved to approve the resolution in 2nd Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following resolution passed in second reading:

Upon the Recommendation of Councilor Alisa Klein and William H. Dwight

**R-16.027
A RESOLUTION**

Opposing the Provisions of H.3854

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

WHEREAS, Global warming, caused primarily by the burning of fossil fuels, is a serious threat to current and future generations in Northampton and around the world; and

WHEREAS, The recent Paris climate accord calls for countries around the world to curtail burning fossil fuels in an effort to control climate disruption; and

WHEREAS, The Commonwealth of Massachusetts has set ambitious goals for carbon emission reduction in the Global Warming Solutions Act; and

WHEREAS, Northampton is a proven leader in sustainability having demonstrated this leadership in various ways, such as the Sustainable Northampton master plan, membership in Cities for Climate Protection and designation as a Massachusetts Green Community; promotion of a successful Solarize Northampton program, expansion of bicycle/pedestrian infrastructure, construction of LEED certified municipal buildings and endeavoring to construct a large solar array on a municipal capped landfill, and

WHEREAS, the City of Northampton is among 175 other municipalities affected by the current net metering cap; and

WHEREAS, the City of Northampton has several ambitious plans in development to install solar arrays to reduce its carbon emissions, to help reduce its electricity costs, and to help increase resilience in the face of severe weather events that disrupt the power grid; and

WHEREAS, these plans for solar arrays on our capped landfill, and to strengthen our emergency power systems with solar arrays and battery storage at our Fire Rescue Headquarters, Regional Red Cross shelter, our local hospital and our Department of Public Works, are all stalled by the current net metering cap; and

WHEREAS, The Massachusetts Municipal Association adopted on January 23rd, 2016 a Resolution Supporting a Strong and Enduring Local-State-Federal Partnership to Protect the Environment, wherein they call for the Legislature and Governor Baker to develop a balanced, long-term energy plan with a range of energy sources to ensure a diversified and sustainable energy supply for residents, businesses and communities; and they further call to lift the net metering cap on solar projects to allow all current and future municipal projects to go forward and further preserve a net metering credit at the full retail rate for municipal projects, with no surcharges or offsetting cost charged by utilities which could affect savings; and

WHEREAS, Bill H.3854, currently in conference committee at the State House, would not raise the net metering cap sufficiently to allow Northampton's solar plans to proceed; and

WHEREAS, Bill H.3854 would decrease the net metering compensation to the wholesale rate and would allow the utilities to impose a mandatory minimum monthly charge, each of which would drastically reduce the fiscal benefit to the City of Northampton of these planned solar projects; and

WHEREAS, A recent decision in Nevada that reduced the solar net metering compensation rate has already resulted in loss of hundreds of solar industry jobs and public declarations on the part of the solar industry that it will abandon doing business in that state; and

WHEREAS, the solar industry in Massachusetts has created 15,000 jobs and provides tax revenue and supports community stability;

THEREFORE, BE IT RESOLVED, That the City Council of the City of Northampton is vigorously opposed to the provisions of H.3854 that would reduce the net metering compensation rate to wholesale rate for sizeable solar arrays, that would arbitrarily allow minimum monthly charges on solar customers, and that would raise the net metering cap by only 2% which is insufficient to allow Northampton's solar plans to come to fruition; and, be it

FURTHER RESOLVED, That the City Council of the City of Northampton endorses recent communications from our Mayor and from our Northampton Energy and Sustainability Commission, to state leadership making the case for eliminating or substantially raising the net metering cap at the retail rate without adding minimum monthly charges on solar customers and supports the Massachusetts Municipal Association's recent Resolution calling for the same; and, be it

FURTHER RESOLVED, That the City Council of the City of Northampton endorses the Attorney General's study showing that energy efficiency and growth of renewable energy can make it unnecessary to expand our fossil fuel reliance through natural gas pipelines; and, be it

FURTHER RESOLVED, That the City Council of the City of Northampton requests the conference committee to consider the consequences on Massachusetts' municipalities as it considers what action to take on solar net metering; and, be it

FURTHER RESOLVED, That the City Council of the City of Northampton requests the conference committee to immediately eliminate the cap on net metering to allow projects in the planning stages to come to fruition; and, be it

FURTHER RESOLVED, That the City Council of the City of Northampton requests the conference committee to forego any other changes to the current solar programs until the state legislature considers long-term solar goals, and fully and publicly studies both the costs and benefits of solar energy before determining any changes to the net metering compensation rate or the imposition of mandatory minimum charges; and, be it

FURTHER RESOLVED, That copies of this resolution be sent to Senate President Rosenberg, House Speaker DeLeo, Representative Kocot, Governor Baker, and members of the conference committee: Senators Downing, Pacheco, and Tarr; Representatives Golden, Dempsey, and Jones.

Enrolled Rules suspended, passed two readings, and resolved.

Presentations Presentations: None

Consent Agenda Consent Agenda

Items removed from Consent Agenda Two items were removed from the consent agenda as listed on the posted agenda. The items were 16.026 – Petition to accept Bottums Road as a Public Way and from 16.022 Appointments, specifically the appointment of Gaetan Fortin's reappointment to the Disability Commission.

Motion to Approve Consent Agenda Councilor O'Donnell moved to approve the consent agenda; Councilor LaBarge seconded the motion; the motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried The following items were approved as part of the consent agenda.

Minutes of Previous Meetings
City Council Minutes from the Meeting of December 17, 2015
City Council Minutes from the Organizational Meeting of January 5, 2016

16.022 Appointments to Committees - Refer to Committee on City Services

Council on Aging
Marlene Marrocco, 46 Avis Circle, Florence – term January 2016 – June 2018 (new appointment to fill vacancy).

Board of Health
Cynthia A. Suopis, 120 Coles Meadow Road, Northampton – term December 2015 – June 2018 (reappointment)

William Hargraves, 26 Crescent Street

Northampton Housing Authority Board of Commissioners
Gerald S. Budgar, 127 Bridge Street, Northampton – term March 2016 – March 2021 (Mayor's appointee to fill vacancy left by Joseph DeFazio).

16.026 Petition from Northampton Residents to accept Bottums Road as a Public Way – Refer to **16.026 Petition from Northampton Residents to accept Bottums Road as a Public Way – Refer to Committee on Public Works and Utilities, Department of Public Works, and the Planning Board**

Committee on Public Works and Utilities, Department of Public Works, and the Planning Board

Motion to Refer

Councilor O'Donnell moved to refer the petition to the Committee on Public Works and Utilities, the Public Works Commission and the Planning Board; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion carried

Motion to approve reappointment

Gaetan Fortin Reappointment to the Disability Commission: Councilor O'Donnell moved to approve the appointment; Councilor Carney seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 1 Abstention (Councilor LaBarge), 2 Absent (Councilors Murphy and Adams).

Motion Carried

Recess for Committee on Finance Meeting

Due to lack of a quorum, the Finance Committee did not meet.

Financial Orders

Financial Orders

16.004 A Financial Order To provide funding for extraordinary maintenance at the NPS Grounds Maintenance Shop - 2nd Reading

16.004 A Financial Order To provide funding for extraordinary maintenance at the NPS Grounds Maintenance Shop - 2nd Reading

Motion to approve in 2nd Reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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.

Enrolled

Rules suspended, passed two readings and enrolled.

16.006 - Financial Order to Purchase or otherwise acquire any fee, easement, and/or any other

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 - 2nd Reading

interest in land
off Old Ferry
Road for \$30,000
- 2nd Reading

Motion to
approve in 2nd
Reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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 until needed for recreation;

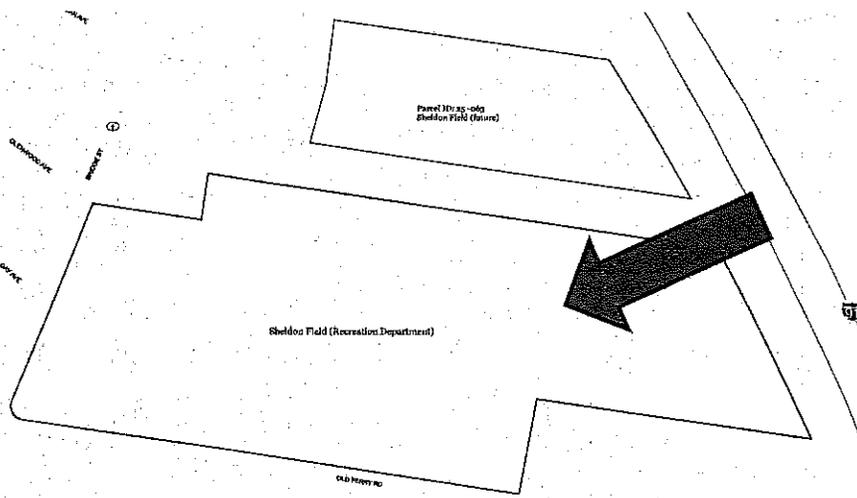
WHEREAS, All funds will be drawn from CPA funds, community contributions and grants. No general fund appropriation is requested or required.

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.



Enrolled

Rules suspended, passed two readings and enrolled.

16.007 -
Financial Order
Authorizing the
Conservation
Commission
purchase or
Acquire an
agricultural

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 - 2nd Reading

preservation
restriction on
0.85 acres of
farmland on
Island Road for
\$1,000 - 2nd
Reading

Motion to
approve in 2nd
Reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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) and the property owners have agreed to sell an agriculture preservation restriction on their property for \$1,000;

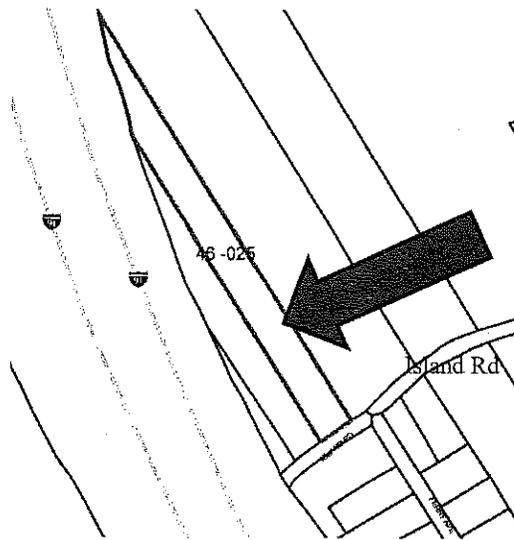
WHEREAS, The Massachusetts Department of Agriculture Resources has declined to approve the Restriction because they only sign Restrictions on larger parcels. The Conservation Commission and Agriculture Commission support a local agriculture preservation restriction program for property owners who want 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.



Enrolled

Rules suspended, passed two readings and enrolled.

16.008 Financial Order allowing the Mayor to Accept Grants from the Exec. Office of Energy and Environmental Affairs - 2nd Reading

16.008 Financial Order allowing the Mayor to Accept Grants from the Exec. Office of Energy and Environmental Affairs - 2nd Reading

Motion to approve in 2nd Reading

Councilor Bidwell moved to approve the financial order in 2nd Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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

Enrolled

Rules suspended, passed two readings and enrolled.

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 - 2nd Reading

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 - 2nd Reading

Motion to

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor O'Donnell

approving in 2nd Reading

seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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.G.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.



Enrolled Rules suspended, passed two readings and enrolled.

16.011 - \$30,000 be appropriated from CPA funding to the Broad Brook Coalition for the Fitzgerald Lake Bridge, Boardwalk and Dock Project. - 2nd Reading

16.011 - \$30,000 be appropriated from CPA funding to the Broad Brook Coalition for the Fitzgerald Lake Bridge, Boardwalk and Dock Project. - 2nd Reading

Motion to approve in second reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled **Rules suspended, passed two readings and enrolled.**

16.012 - \$30,000 from CPA funding to move store and purchase historic ornamentation for the Seth Thomas Clock – 2nd Reading

16.012 - \$30,000 from CPA funding to move store and purchase historic ornamentation for the Seth Thomas Clock – 2nd Reading

Motion to approve in second reading

Councilor O'Donnell moved to approve the financial order in 2nd Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled **Rules suspended, passed two readings and enrolled.**

16.013 - \$200,000 from CPA funding to DPW

16.013 - \$200,000 from CPA funding to DPW for additional funding for the Pulaski Park Renovation Project – 2nd Reading

for additional funding for the Pulaski Park Renovation Project – 2nd Reading

Motion to approve in second reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor Bidwell seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled

Rules suspended, passed two readings and enrolled.

16.015 - \$131,310 be appropriated from CPA funds to Historic Northampton, Inc. for electrical work, roof and window replacement for Damon & Shepherd Houses – 2nd Reading

16.015 - \$131,310 be appropriated from CPA funds to Historic Northampton, Inc. for electrical work, roof and window replacement for Damon & Shepherd Houses – 2nd Reading

Motion to approve in second reading

Councilor O'Donnell moved to approve the financial order in 2nd Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled

Rules suspended, passed two readings and enrolled.

16.017 - \$55,000 from CPA funds to Northampton Conservation Commission & Northampton OPS for the Rocky Hill Open Space Acquisition Project - 2nd Reading Motion to approve in second reading

16.017 - \$55,000 from CPA funds to Northampton Conservation Commission & Northampton OPS for the Rocky Hill Open Space Acquisition Project - 2nd Reading

Motion Carried

The following order passed in second reading:

16.014 - \$3,000 be appropriated from CPA funds for Northampton Conservation Commission and Northampton OPS for the Mineral Hills Habitat Project - 2nd Reading

16.014 - \$3,000 be appropriated from CPA funds for Northampton Conservation Commission and Northampton OPS for the Mineral Hills Habitat Project - 2nd Reading

Councilor Klein will not support this order as she does not agree that CPA funds should be used for herbicide/pesticide use on city owned land.

Motion to approve in 2nd Reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 6 Yes, 1 No (Councilor Klein), 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled

Rules suspended, passed two readings and enrolled.

16.016 - \$5,000 from CPA funds to Northampton Youth and Community Rowing for the Conn. River Greenway Gate Project. - 2nd Reading

16.016 - \$5,000 from CPA funds to Northampton Youth and Community Rowing for the Conn. River Greenway Gate Project. - 2nd Reading

Councilor Bidwell disclosed that he has a relationship with the Northampton Rowing Club; he was the founding member of the organization. He is still an advisor member as listed on the organization's website. He stated that he can remain impartial in voting on this matter.

Motion to approve in 2nd Reading

Councilor LaBarge moved to approve the financial order in 2nd Reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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).

Enrolled Rules suspended, passed two readings and enrolled.

Orders

15.382 Order regarding Sick Time – accept MGL Chapter 149, Section 148 C – item carried over from 2014 – 2015 council

Motion to place on council floor for discussion Motion to place on the floor made by Councilor LaBarge and seconded by Councilor O'Donnell.

Councilor O'Donnell requested that this order be sent to the Committee on Finance. Councilor Dwight indicated that the city council would like to "opt in" for this order provided that there is a workable solution.

Motion to postpone until July 1, 2016 Councilor Carney suggested that the collective bargaining take place before the council take up the order. If it sits in Finance, then it will appear on every agenda until collective bargaining has taken place. She suggested that the order be tabled until contracts are signed. Councilor O'Donnell moved to postpone until July 1, 2016; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent

Motion Carried (Councilors Murphy and Adams).

16.024 Warrant for Upcoming Election on March 1, 2016 - 1st Reading

Motion to approve in first reading Councilor LaBarge moved to approve in first reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried See minutes of February 18, 2016 for second reading.

16.010 - Order Remove requirement that hunting be allowed on the Abuza section of Broad Brook/Fitzgerald Lake Greenway -
16.010 - Order Remove requirement that hunting be allowed on the Abuza section of Broad Brook/Fitzgerald Lake Greenway - 2nd Reading

2nd Reading

Motion to approve in second reading

Councilor Carney moved to approve the order in 2nd Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

The following order passed in second reading:

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.

Enrolled

Rules suspended, passed two readings and enrolled.

Ordinances

Ordinances

16.025 An Ordinance regarding parking on Center Street – Refer to Committee

16.025 An Ordinance regarding parking on Center Street – Refer to Committee on Legislative Matters and Transportation and Parking Commission

Motion to Refer

Councilor Klein moved to refer to committees; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell).

Motion Carried

15.377 Zoning for Significant Trees – Item carried over from 2014 – 2015 council

15.377 Zoning for Significant Trees – Item carried over from 2014 – 2015 council -

This zoning ordinance will require another public hearing since the council did not take action since the Committee on Rules, Orders, Appointments and Ordinances held a public hearing last year.

Motion to refer to Committee

Councilor O'Donnell moved to refer to the Committee on Community Resources; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

16.005 – Ordinance relative to specifications on sign lighting in residential and commercial districts and creating

16.005 – Ordinance relative to specifications on sign lighting in residential and commercial districts and creating specifications for dynamic display boards – Refer to Committee on Community Resources

specifications for dynamic display boards – Refer to Committee on Community Resources

Motion to refer to committee

Councilor O'Donnell moved to refer to committee on Community Resources; Councilor Klein seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams)

Motion Carried

16.028 An Ordinance to delete Chapter 290 from City Code Book – Refer to Committee on Legislative Matters and the Committee on Community Resources

Motion to Refer to Committee

16.028 An Ordinance to delete Chapter 290 from City Code Book – Refer to Committee on Legislative Matters and the Committee on Community Resources

Councilor LaBarge moved to refer to the Committee on Legislative Matters and the Committee on Community Resources; Councilor Klein seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Motion Carried

Updates from Council President and Committee Chairs

Updates from Council President and Committee Chairs

None

Information Requests (Charter Provision 2-7) and Information Study Requests

Information Requests (Charter Provision 2-7) and Information Study Requests

None

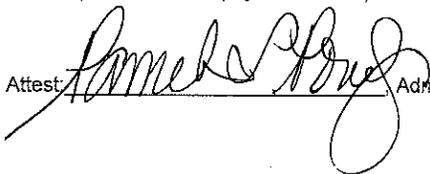
New Business

New Business

None

At 8:35 p.m., a motion to adjourn was made by Councilor Klein and seconded by Councilor LaBarge. The vote to adjourn passed on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Murphy and Adams).

Attest:



Administrative Assistant to the City Council

| Record of City Council Votes for February 4, 2016 | | | | | | | | | | | | |
|---|---------|------------|------------|---------|------------|-----------------------|--------|-----------------------|---------|--------------------------------------|--------------------------------------|--|
| Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:30 p.m. | | | | | | | | | | | | |
| Resolution Opposing H.3854 | | | | | | | | | | | | |
| | Adams | Bidwell | Carney | Dwight | Klein | LaBarge | Murphy | O'Donnell | Sciarra | Total | | |
| | Present | Present | Present | Present | Present | Present | Absent | Present | Present | | | |
| Approve Proposed Amendment | Absent | Present | Present | Present | Present | Present | Absent | Present | Present | 7 Present, 2 Absent | Motion Carried 7 Yes, 0 No, 2 Absent | |
| Motion to remove the 12th whereas clause and replace with "whereas the solar industry in Massachusetts has created 15,000 jobs and provides tax revenue and supports community stability," made by Councilor Dwight and seconded by Councilor O'Donnell. The motion was approved on a voice vote. | | | | | | | | | | | | |
| Approve Proposed Amendment | Absent | Present | Present | Present | Present | Present | Absent | Present | Present | 7 Present, 2 Absent | Motion Carried 7 Yes, 0 No, 2 Absent | |
| Motion to insert the words "at the retail rate without adding minimum monthly charges on solar customers" in the 2nd RESOLVED paragraph made by Councilor Carney and seconded by Councilor Klein. The motion was approved on a voice vote. | | | | | | | | | | | | |
| Approve Proposed Amendment | Absent | Present | Present | Present | Present | Present | Absent | Present | Present | 7 Present, 2 Absent | Motion Carried 7 Yes, 0 No, 2 Absent | |
| Motion to insert the word "immediately" in the 5th RESOLVED paragraph made by Councilor Carney and seconded by Councilor LaBarge. The motion was approved on a voice vote. | | | | | | | | | | | | |
| Approve Proposed Amendment | Absent | Present | Present | Present | Present | Present | Absent | Present | Present | 7 Present, 2 Absent | Motion Carried 7 Yes, 0 No, 2 Absent | |
| Motion to remove "or raise by at least 6%", from the 5th RESOLVED paragraph made by Councilor Klein with a second made by Councilor Sciarra. The motion was approved on a voice vote. | | | | | | | | | | | | |
| Approve Proposed Amendment | Absent | Present | Present | Present | Present | Present | Absent | Present | Present | 7 Present, 2 Absent | Motion Carried 7 Yes, 0 No, 2 Absent | |
| Motion to change to Two Thousand Sixteen in Opening and to further remove the phrase "currently in conference committee at the State House" in 10 WHEREAS paragraph made by Councilor O'Donnell and seconded by Councilor Bidwell. The motion was approved on a voice vote. | | | | | | | | | | | | |
| 1st Reading | Absent | Second Yes | Yes | Yes | Yes | Yes | Absent | Motion to Approve Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent | | |
| Motion to suspend council rules to allow for second reading made by Councilor LaBarge and seconded by Councilor Klein. The motion was approved on a voice vote. | | | | | | | | | | | | |
| Suspend Rules for Second Reading | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent | | |
| 2nd Reading | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent | | |
| 2nd Reading | Absent | Yes | Second Yes | Yes | Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent | | |
| 2nd Reading | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent | | |
| 16.004 - A Financial Order to provide funding for extraordinary maintenance at the NPS Grounds maintenance shop | | | | | | | | | | | | |
| 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 | | | | | | | | | | | | |

| Record of City Council Votes for February 4, 2016 | | Adams | Bitwell | Camey | Dwight | Klein | LaBarge | Murphy | O'Donnell | Sciara | Total |
|---|-------------|--------|-----------------------|------------|--------|------------|-----------------------|--------|-----------------------|--------|--------------------------------------|
| 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 | 2nd Reading | Absent | Yes | Yes | Yes | Yes | Motion to Approve Yes | Absent | Second Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.008 - Financial Order allowing the Mayor to accept grants from the exec. Office of Energy and Environmental Affairs | 2nd Reading | Absent | Motion to Approve Yes | Yes | Yes | Yes | Yes | Absent | Second Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 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 | 2nd Reading | Absent | Yes | Yes | Yes | Yes | Motion to Approve Yes | Absent | Second Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.011 - \$30,000 be appropriated from CPA funding to the Broad Brook Coalition for the Fitzgerald Lake Bridge, Boardwalk and Dock Project | 2nd Reading | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.012 - \$30,000 from CPA funding to move, store, and purchase historic ornamentation for the Seth Thomas Clock | 2nd Reading | Absent | Yes | Yes | Yes | Yes | Second Yes | Absent | Motion to Approve Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.013 - \$200,000 from CPA funding to DPW for additional funding for the Pulaski Park Renovation Project | 2nd Reading | Absent | Second Yes | Yes | Yes | Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.014 - \$3,000 be appropriated from CPA funds for Northampton Conservation Commission and Northampton OPS for the Mineral Hills Habitat Project | 2nd Reading | Absent | Yes | Yes | Yes | No | Motion to Approve Yes | Absent | Second Yes | Yes | Motion Carried 6 Yes, 1 No, 2 Absent |
| 16.015 - \$131,310 be appropriated from CPA funds to Historic Northampton, Inc. for electrical work, roof and window replacement for Damon & Shepard Houses | 2nd Reading | Absent | Yes | Yes | Yes | Yes | Second Yes | Absent | Motion to Approve Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.016 - \$5,000 from CPA funds to Northampton Youth and Community Rowing for the Conn. River Greenway Gate Project | 2nd Reading | Absent | Yes | Second Yes | Yes | Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |

| Record of City Council Votes for February 4, 2016 | | Adams | Bidwell | Carney | Dwight | Klein | LaBarge | Murphy | O'Donnell | Sciarra | Total |
|---|---|--------|---------|-----------------------|--------|------------|-----------------------|--------|-----------|---------|--------------------------------------|
| 16.017 - \$55,000 from CPA funds to Northampton Conservation Commission & Northampton OPS for the Rocky Hill Open Space Acquisition Project - | 2nd Reading | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| | 16.024 Warrant for Upcoming Election on March 1, 2016 | Absent | Yes | Yes | Yes | Second Yes | Motion to Approve Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |
| 16.010 - Order Remove requirement that hunting be allowed on the Abuza section of Broad Brook/Fitzgerald Lake Greenway | 2nd Reading | Absent | Yes | Motion to Approve Yes | Yes | Yes | Second Yes | Absent | Yes | Yes | Motion Carried 7 Yes, 0 No, 2 Absent |

motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent.

Recorded By:

Pamela L. Powers, Administrative Assistant to the City Council
 (413) 587-1210; ppowers@northamptonma.gov



Joint City Council and School Committee Meeting

Meeting Minutes

On January 28, 2018 a joint meeting of the Northampton City Council and the School committee was held at JFK Middle School, 100 Bridge Street in Florence. The meeting was called in accordance with Northampton Charter §7-2 Annual Budget Policy.

At 7:00 pm Mayor Narkewicz called the joint meeting to order. A roll call was taken by Pamela L. Powers, Administrative Assistant to the City Council. Present were:

Jesse M. Adams, City Councilor At-Large
William H. Dwight, City Councilor At-Large
Maureen T. Carney, Ward One City Councilor
Dennis P. Bidwell, Ward Two City Councilor
Ryan R. O'Donnell, Ward Three City Councilor
Gina-Louise Sciarra, Ward Four City Councilor
Marianne L. LaBarge, Ward Six City Councilor
Alisa F. Klein, Ward Seven City Councilor (7:15 pm arrival)
Molly B. Burnham, School Committee Member At-Large
Nathaniel M. Reade, School Committee Member At-Large
Rebecca Busansky, Ward One School Committee Member
Laura Fallon, Ward Two School Committee Member
Howard T. Moore, Ward Three School Committee Member
Edward S. Zuchowski, Ward Four School Committee Member
Ann M. Hennessey, Ward Five School Committee Member
Thomas J. Baird, Ward Six School Committee Member
R. Downey Meyer, Ward Seven School Committee Member

David A. Murphy, Ward Five City Councilor was absent.

Mayor Narkewicz gave a Powerpoint presentation which depicted the financial condition of the city, revenue and expenditure forecasts, and other relevant information that will be used to develop a coordinated budget for the city. The presentation was followed by a question and answer period. No votes were taken during the meeting.

Also present were: Susan Wright, Finance Director, Candice Walczak, NPS Business Manager, and John Provost, Superintendent of Northampton Public Schools.

As part of the presentation, Mayor Narkewicz gave comparisons of selected financial indicators between Northampton and other communities that were similar in size. Other communities that were selected for this report were: Agawam, Amherst, Chicopee, Easthampton, Greenfield, Holyoke, Longmeadow, West Springfield and Westfield.

The FY2016 indicator for Single Family Home Value shows the average single family home value in Northampton is \$301,040; Northampton is the third highest of the selected cities behind Amherst and Longmeadow. The average value for single family homes in Massachusetts is \$383,606.

The Residential Tax Rate for Northampton in FY2016 is \$16.16, the second lowest of the comparison communities. Only Easthampton's residential tax rate is lower.

Northampton's Commercial Tax Rate for FY2016 is \$16.16, the second lowest among the comparison communities; only Easthampton was lower.

The average Single Family Tax Bill in Northampton for FY 2016 was \$4,865.00. Among the comparison communities, this rate is the third highest. Longmeadow and Amherst were higher at \$7,977 and \$7,078 respectively. Chicopee, at \$2,906 was the lowest among the other communities.

The state average Median Household Income for 2010 – 2014 was \$67,846; for this same index, Northampton was \$58,179.

Free cash helps to fund many capital improvement projects for the city and the schools. Mayor Narkewicz reported a positive trend in Certified Undesignated Fund Balance since FY2011. The FY16 amount of free cash was certified at \$3,422,570.

Bond Rating agencies look at the strength of the general fund reserve history when analyzing performance. The primary goal is to get the reserves up to 10% of the overall budget. Currently the city is at 7.47%. This indicator has a direct impact on the city's bond rating.

The city's most recent bond rating was in December, 2015. The city achieved a Standard & Poors Rating of AA+ stable. Noted strengths are the city's strong economy; strong management with strong financial policies and practices; strong budgetary performance and flexibility; strong debt position with debt service at 6.1% of expenditures; low overall net debt and rapid amortization with 80.4 % of debt scheduled to be paid off in ten years. The bond rating helps the city obtain low borrowing rates.

Most city revenue comes from taxes and state revenue. Key revenue trends that were discussed include: new growth, uncollected taxes, motor vehicle excise tax, hotel/motel/meals tax, charges for various services in parking, ambulance, and inspection permits, fines (parking tickets and RMV reimbursements), enterprise fund indirect revenues, investment income, net state aid, unrestricted general revenue, government aid, and Chapter 70. The net state aid shows a downward trend over the past three years. Regarding Chapter 70 Education Aid to the city, Mayor Narkewicz reports that the city can expect a 0.7% increase in FY2017 (or \$56,900).

Regarding expenses, Education and Employee Benefits are the top two city expenses and they account for 57.94% of the city spending. The education amount includes outgoing charter school and school choice tuition; the employee benefit amounts include health insurance and retirement assessment.

The \$34.2 million in the General Fund for NPS and SVAS (and shown on the pie graph) include only direct operating expenses. A more accurate total spending on education must also include other expenditures that are reflected in other budgets within the General Fund, like: employee benefits, insurance, school crossing guards, debt for school capital projects, general administration, and central services. The revised accounting for the total cost of education brings the cost of education from \$34,273,843 (38.76%) to \$47,999,307 (54.3%).

The average outgoing tuition for a charter student is \$12,227.09 and the average outgoing tuition with a school choice student is \$7,836.94. The average incoming tuition with a school choice student is \$6,733.98. Mayor Narkewicz explained that more students leave the city to attend school choice or charter schools, and those that come to the city for school choice come with less dollars. In FY2016, the city experienced a net loss of 69 students to choice and charter schools. In determining how much money each community will receive in reimbursement, the 1993 The Education Reform Act established a foundation budget for each community. Since that time, health insurance and special education costs have risen beyond what was included in the original formula.

Health Insurance is a major driver of the employee benefits line item. Although the cost of health insurance for the next fiscal year is not yet known, even a small percentage increase can have a significant impact on this line item.

The Mayor shared spending trend information on key budgetary areas, including: Public Safety, Debt Service, General Government, Public Works, Culture and Recreation, and Human Services (Veterans' Services, Senior Services, and Health Department).

In 2013 voters adopted \$2.5 million operating override, partly to close a \$1.4 budget gap, and partly to set aside funds to maintain fiscal stability through 2018. Since the override, the city has been controlling costs and projecting revenues conservatively. As a result, a revised projection shows the fiscal stability fund won't be fully depleted until FY2021. There are a few factors that could impact the new projection. The Mayor predicts a 2% increase (\$1.7 million) in revenues. On the expense side, some of the expenditures are still undetermined; including health insurance costs and collective bargaining (both city and school).

A final slide showed the FY2017 Budget Process Timeline. The next step in the budgeting process will be for the Mayor to submit proposed water and sewer rates to the city council; he expects that this will be done for the Feb. 4, 2016 meeting.

Councilor Adams asked the Mayor whether it was possible for Northampton to get a AAA+ rating from bond agencies. Mayor Narkewicz explained that while it may not be impossible, he is unaware of any city similar in size to Northampton that has such a rating. The Mayor believes that part of this rating is size and scale of a community.

Councilor Adams asked the Mayor whether the budget included additional funds placed in the OPEB and PEB trust funds. The Mayor indicated that the city does plan to continue to add to this trust fund.

School Committee Member Laura Fallon asked whether Smith Vocational School will receive any of the projected \$83 million increase that was put forward in Governor Baker's plan. Mayor Narkewicz explained that he is unsure how the monies will be dispersed, whether the governor plans to make the money available through grants, infusion of funds through budgets, or some other method.

A question was asked about the portion of the city's budget that is allocated to education; and whether Northampton's percent of the budget for education was comparable percentage allocations in other communities. Dr. Provost explained that the number is comparable to other communities, with the possible exception of those locations where Chapter 70 funds are higher. In those communities, the state pays more for the cost of education (like Holyoke and Chicopee).

Councilor Carney asked a question about education revenue. She wondered whether the information presented included revenue from students attending SVAHS. Mayor Narkewicz indicated that the information presented included only school choice revenue.

Councilor Klein asked whether the information presented included savings due to renewable energy. Mayor Narkewicz indicated that this information was not included in his report; however, there is an energy and sustainability fund in which the city deposits SREC credits from solar arrays. The money in these funds is used to re-invest in other projects that promote alternative energy or energy conservation. Future reports can include this information.

Councilor Sciarra asked a question about the per-pupil cost if a child remains in Northampton. Mayor Narkewicz indicated that it is about \$13,000 per child. The tuition is a blended rate because each charter school has a different tuition. When determining what it would cost to send a student to a charter school, the formula includes an "above foundation" amount in addition to the Chapter 70 formula.

Councilor Bidwell asked a question was asked whether P.I.L.O.T. revenue was included in the report; the Mayor explained that the city is not allowed to include projected P.I.L.O.T. revenue in the budget because it is considered a gift.

School Committee Member Burnham asked a question about the model for Charter School Funding and how that model affects the budgets that are presented. Dr. Provost explained that the overall approach is that a city would receive 100% of a net change in tuition in year one if they were increasing the number of students going to a charter school (per school change, not a district change); in subsequent years they would be receiving 25%. The caveat has always been that any monies are subject to appropriations; historically the legislature has never fully funded the amount necessary to follow through on this plan.

School Committee Baird asked a question about the set-up of Smith Vocational school; Mayor Narkewicz explained that they are a local school district of the city of Northampton with a separate Board of Trustees. They develop their own budget and vote on the actual tuition. Funding comes from tuition from other sending districts; only about 23% of the students are from Northampton. Northampton is

unique in the state in that it has two local school districts. When asked if there would be a benefit to combine schools, the Mayor indicated that this has already been considered, however, this approach has its own unique challenges.

Councilor O'Donnell asked whether there was flexibility built into the plan and how the fiscal stability plan might vary. The Mayor points out that the reason that the stability plan has been extended was because the city does not look to draw from the funds unless absolutely necessary. Anytime you use reserve funds in the operating budget means that the money won't be available for other purposes. Mayor Narkewicz indicated that as an optimist, he believes that the 2020 fiscal stability prediction is realistic.

School Committee Member Meyer noted that the governor received an ovation for a 4.3 % increase in the budget that is \$1 billion at the MMA conference; however, Mr. Meyer questioned the response to the 1.6% increase in chapter 70 funds. Mr. Meyer wondered what could be expected in terms of pushback once the budget goes before the House and the Senate. Mayor Narkewicz pointed out that the MMA is very clear on what the issues are with the budget, especially as it relates to the cost of education and the expectations for cities and towns to assume more of the burden for these costs. This means that Chapter 70 funds will be less that they have been in recent years; the Special Education Circuit Breaker Program would be level funded; and regional transportation funds would also be level funded.

Councilor Dwight is concerned about what the budget will mean for taxes and how citizens, who always want lower taxes, will respond. He feels that that we are suffering from continued reliance on a regressive tax system and that subsidizing schools based on property values has a built in disparity. Added to this problem are charter schools. It was intended that charter schools would improve the quality of education by creating a competitive system similar to the free market. Over time this has not proved to be the case. He noted that this same budget conversation takes place yearly without notable improvements. This continues to add pressure to tax payers and forces alternative methods to be sought to generate revenue, like the P.I.L.O.T. program. While Councilor Dwight is grateful for all of the hard work that has gone into the making of the city's stability plan, he is frustrated about what the future will hold for taxpayers.

Mayor Narkewicz gave credit to the governor for his local aid plan. In the past when state revenues went up, local aid was level funded. For FY17, the governor's plan shows a small increase in unrestricted municipal aid. The problem with Chapter 70, the Mayor points out, is that the formula used to calculate reimbursement amounts is outdated and the legislature will need to amend the law in order to change the formula.

To this point, Councilor Dwight commented that there seems to be a huge disconnect between how legislatures can best affect delivery of services and generate revenue for the state versus what is actually occurring on the ground. He noted that on the local level, Northampton's growth is impressive, especially when compared to other communities. Growth, he stressed, can only continue as long as there is space available to allow the growth to continue or the pressures that increase along with the growth.

The Mayor informed the group that the city's Economic Development Director Terry Masterson is working on establishing economic indicators, including attendance at attractions and venues, vacancy rates, etc. Regarding new growth, several projects are in the queue: construction on the Prospect St. housing project is moving forward; St. John Cantius Church re-development is being considered; and the back 35 acres of Village Hill is already permitted. The short term projections indicate that new growth will continue over the next 3 years. Adding to this is the fact that interest rates are still low. The Mayor is always talking with assessors to find out what is going on at the street level. There is still demand for retail space in Northampton. Vacancy rates (with one noted exception) are pretty stable. The city schools are still a draw for people coming to Northampton.

Councilor Adams stated that while there are some areas of new growth, there are several store fronts that are currently empty.

Councilor LaBarge asked what the problem was with Charter Schools. The formula is a big problem. She asked the Mayor what we can do about the predicament. Mayor Narkewicz explained that the issue is that the legislature doesn't fully fund the reimbursement every year. There are lots of communities in the state where the reimbursement is not an issue because they don't have charter schools in the surrounding area. There is an initiative to lift the cap on the amount of charter schools in the state; however, if you are an underperforming district, there is no cap. There is a lot of misinformation bantered about and the number of people on a waiting list to get into charter schools is either not real, or not well understood.

Councilor Klein asked about regionalization of services, specifically if the city has maxed out all possibilities for cost savings. The Mayor reported that the city continues to seek out opportunities to regionalize services and recapped some of the successes in this area.

The presentation is available on the city's website under the Mayor's "Budget" page.

At 8:35 pm Councilor Dwight moved to adjourn the meeting; councilor LaBarge seconded the motion. All in favor; no opposition, no abstentions.

Pd 825.00
2-10-16

NORTHAMPTON, MASS., Feb. 10, 2016

To the Honorable City Council of the City of Northampton:

The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Electric Eye Records

Type of License: Secondhand Dealer

Location: 52 Main Street, Suite #6

(Sign Here) 

No. _____ Street _____

In City Council, _____

Referred to Committee on Licenses.

ATTEST:

City Clerk

In City Council, _____

In Committee on Licenses, _____
Voted to recommend that Petition ___ be

_____ granted _____

ATTEST:

Clerk

Voted that Petition be _____ granted.

Attest: _____ City Clerk

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.


* Signature of Individual

By: Corporate Officer

010-54-5825
** Social Security # Voluntary
or Federal Identification Number

* This license will not be issued unless this certification clause is signed by the applicant.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency **will be subject to license suspension or revocation**. This request is made under the authority of Massachusetts General Law, Chapter 62C, Section 49A.

Commonwealth of Massachusetts
City of Northampton
Business Certificate

2/10/16
100.50 cash

New Filing X Renewal _____

Date: 2/10/2016

In conformity with the provisions of Chapter One hundred and ten, Section five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

ELECTRIC EYE RECORDS

Is conducted at 52 MAIN ST. FLORENCE, MA, SUITE #6 01062

By the following named person(s):

Full Name (print)

Residence

ANDREW CRESPO

11 BAYSTATE RD.

HOLYOKE MA.

01040

Signed:

Andrew Crespo

Contact Telephone: (413) 539-7860

Type of Business: USED RECORD STORE

Commonwealth of Massachusetts

Hampshire, ss

February 10, 2016

Then personally appeared the above-named Andrew Crespo
And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four (4) years from the date of issue and shall be renewed each four years thereafter so long as said business shall be conducted and shall lapse and be void unless renewed. If you cease conducting business before that date, the law requires that you contact the City Clerk and file a withdrawal certificate.

Certificate Expiration Date: February 10, 2020

Wendy Marza
Notary or City Clerk Signature

Notary Expiration: _____

City of Northampton
MASSACHUSETTS

16.024
A Warrant

To establish the date, time, and location of an upcoming
election of registered voters

In the City Council February 4, 2016

Upon the Recommendation of City Clerk Wendy Mazza,

that meetings of the members of the Democratic, Republican, Green-Rainbow and United Independent Party, in the City of Northampton, qualified to vote, will be held on Tuesday, March 1, 2016 in the several polling places designated for the purpose by the City Council, as follows:

- WARD 1, Precinct A - In Jackson Street School Auditorium
- WARD 1, Precinct B - In Jackson Street School Auditorium
- WARD 2, Precinct A - In Smith Vocational-Agricultural High School
- WARD 2, Precinct B - In Smith Vocational-Agricultural High School
- WARD 3, Precinct A - In the Senior Center, Great Room, 67 Conz Street
- WARD 3, Precinct B - In the Senior Center, Great Room, 67 Conz Street
- WARD 4, Precinct A - In the Senior Center, Great Room, 67 Conz Street
- WARD 4, Precinct B - In the Senior Center, Great Room, 67 Conz Street
- WARD 5, Precinct A - In Florence Civic and Business Building, 90 Park Street
- WARD 5, Precinct B - In Smith Vocational-Agricultural High School
- WARD 6, Precinct A - In Robert K. Finn Ryan Road School
- WARD 6, Precinct B - In Robert K. Finn Ryan Road School
- WARD 7, Precinct A - In John F. Kennedy Middle School, Community Room
- WARD 7, Precinct B - In Leeds School Gymnasium, Lower Level

The polls will be opened at seven o'clock in the forenoon and closed at eight o'clock in the evening of the said day, and all such members will in the wards in which they are entitled to vote between said hours give in their votes for to the primary officers for the election of candidates of political parties for the following offices:

Presidential Preference.

One State Committee Man for each Political Party for the Hampshire, Franklin & Worcester District

One State Committee Woman for each Political Party for the Hampshire, Franklin & Worcester District

35 Members of the Democratic Ward Committee.

35 Members of the Republican Ward Committee.

10 Members of the Green-Rainbow Ward Committee

10 Members of the United Independent Party Ward Committee