

CITY COUNCIL  
**CITY OF NORTHAMPTON**  
MASSACHUSETTS Councilors

- President William H. Dwight, At-Large
- Vice President Jesse M. Adams, At-Large
- Maureen T. Carney, Ward 1
- Paul D. Spector, Ward 2
- 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  
November 6, 7:00 pm  
City Council Chambers  
Walter J. Puchalski Municipal Building  
212 Main Street, Northampton

1. 7:00 P.M. PUBLIC COMMENT
2. 7:05 P.M. REGULAR MEETING
3. ROLL CALL
4. PUBLIC HEARINGS

**Announcement Of Public Hearing For National Grid Pole Petition On Maple St. In Florence**

Public Hearing to take Place on November 20, 2014  
7:00 pm  
Council Chambers, 212 Main Street  
Northampton

Documents:[14.307\\_Pole\\_Petition\\_Maple\\_St\\_Florence.pdf](#)

5. COMMUNICATIONS FROM THE MAYOR
6. PROCLAMATIONS, RESOLUTIONS, RECOGNITIONS AND ONE-MINUTE ANNOUNCEMENTS OF EVENTS
7. PRESENTATION(S)

**Effects Of Lighting On The Deterrence Of Crime & Light Pollution  
(Presented by Dr. James Lowenthal)**

Documents:[14.218\\_CityCouncil\\_LightPollution\\_2014nov06.pdf](#)

**Elected Official Compensation Advisory Board Final Report  
Presented by Todd Thompson, Committee Chair**

Documents:[14.271 Memo\\_201410311023.pdf](#), [14.271\\_Final Report of Elected Officials Compensation Advisory Board \(revised 10-31-14\).pdf](#)

8. LICENSES AND PETITIONS

9. APPROVAL OF CTY COUNCIL MEETING MINUTES

**Minutes Of Oct. 16, 2014**

Documents:Council\_Minutes\_Oct.\_16\_2014.pdf

10. REPORTS OF COMMITTEES, APPOINTMENTS, AND ELECTIONS

**Minutes Of The Committee On Social Services, Veterans, Culture And Recreation Meeting Of July 21, 2014**

Documents:SSVCR\_Min\_07\_21\_2014.pdf

**Minutes Of The Finance Committee Meetings Of Oct. 2 And Oct. 16, 2014**

Documents:Finance\_Oct.\_16\_2014\_Minutes.pdf, Finance\_Oct.\_2\_2014\_Minutes.pdf

**Minutes Of The Public Hearing Of Sept. 15, 2014 Regarding The Resolution On Vibrant Sidewalks**

Documents:Vibrant\_Sidewalk\_Public\_Hearing\_Minutes\_Sept\_15\_2014.pdf

**Minutes Of The Committee On Rules, Orders, Appointments And Ordinances For July 14, 2014**

Documents:14.241\_july\_14\_2014\_201410201024.pdf

**Appointments To Boards**

*(Refer to Comm. on Rules, Orders, Appointments and Ordinances)*

***Board of Almoners:***

- *Andrea Murray*
- *Susan Stubbs*
- *Patricia Ahearn*
- *Joseph Misterka*
- *Michael Shaughnessy*

***Trust fund Committee***

- *Bill Williams*
- *David Hershops*
- *Gerald Budgar*

Documents:14.302\_Appointments.pdf

11. RECESS FOR FINANCE COMMITTEE

## 12. FINANCIAL ORDERS

### **14.273 Petition To Accept Cosmian Avenue As A Public Way (1st Reading)**

Documents:14.273-Cosmian\_F.O.pdf, 14.273\_201411041206.pdf

### **14.274 Petition To Accept Depot Avenue As A Public Way (1st Reading)**

Documents:14.274\_Depot\_F.O..pdf, 14.274\_201411041207.pdf

### **14.275 Petition To Accept Edgewood Terrace As A Public Way (1st Reading)**

Documents:14.275\_Edgewood\_F.O.pdf, 14.275\_201411041208.pdf

### **14.276 Petition To Accept Franklin Court As A Public Way (1st Reading)**

Documents:14.276\_Franklin\_F.O.pdf, 14.276\_201411041208.pdf

### **14.277 Petition To Accept Glendale Avenue As A Public Way (1st Reading)**

Documents:14.277\_Glendale\_F.O.pdf, 14.277\_201411041209.pdf

### **14.278 Petition To Accept Greeley Avenue As A Public Way (1st Reading)**

Documents:14.278\_Greeley\_F.O.pdf, 14.278\_201411041210.pdf

### **14.279 Petition To Accept King Avenue As A Public Way (1st Reading)**

Documents:14.279\_King\_Ave\_F.O.pdf, 14.279\_201411041211.pdf

### **14.280 Petition To Accept Service Center As A Public Way (1st Reading)**

Documents:14.280\_Service\_Center\_F.O.pdf, 14.280\_201411041211.pdf

### **14.263 F.O. For Watershed Land Purchase (Request 2 Readings)**

Documents:14.263\_Watershed\_steidler\_fig1\_usgs\_v07.pdf, 14.263\_F.O.\_Watershed\_Rev.pdf

### **14.285 F.O. For Benches In Florence Espended From The Comm. On Disabilities Fund (1st Reading)**

Documents:14.285\_Benches\_Florence.pdf

## 13. ORDERS AND ORDINANCES

### **14.218 Ordinance: §350-12.6 Site Lighting Standard (Positive Recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; 2nd Reading)**

Documents:14.218\_Site\_Lighting\_Standard.pdf

### **Mayor David J. Narkewicz's Administrative Orders For City Government (1st Reading)**

*See Memo regarding Dept. name change from Chief Duggan*

**14.255 Order: Establish Conservation Commission  
(1st Reading)**

Documents:14.255.pdf

**14.256 Order: Establish Historical Commission  
(1st Reading)**

Documents:14.256.pdf

**14.257 Order: Establish Historic Distric Commission  
(1st Reading)**

Documents:14.257.pdf

**14.258 Order: Establish Municipal Affordable Housing Trust Fund  
(1st Reading)**

Documents:14.258.pdf

**14.253 Ordinance: Code Change: Community Preservation Committee  
(Refer to Committee on Rules, Orders, Appointments and Ordinances)**

Documents:14.253.pdf

**14.254 Ordinance: Code Changes To Agricultural Commission Sections  
(Refer to Committee on Rules, Orders, Appointments and Ordinances)**

Documents:14.254.pdf

**14.259 Ordinance: Add Administrative Order Chapters To Code  
(Refer to Committee on Rules, Orders, Appointments and Ordinances)**

Documents:14.259.pdf

**14.281 Ordinance: §312-102 Schedule I: Parking Prohibited All Times - Pleasant St.  
(Positive recommendation from TPC; Refer to Comm. on Rules, Order,  
Appointments and Ordinances)**

Documents:14.281\_201410311022.pdf

**14.282 § Ordinance 312-109 Pleasant St. Schedule VIII: On Street Parking Meter  
Zones**

*(Positive recommendation from TPC; Refer to Comm. on Rules, Orders,  
Appointments and Ordinances)*

Documents:14.282\_201410311022.pdf

**Ordinances In Support Of Mayor Narkewicz's Administrative Order**

*(Refer to Committee on Rules, Orders, Appointments and Ordinances)*

Ch 40- List of enforcing officers and penalties for noncriminal disposition  
Ch 290 – Subdivision of land  
Ch 229 – Parades and Processions  
Ch 149 § 1-4 – Numbering of Buildings  
Ch 337 - Wetlands Protection  
Ch 256 - Article I – Sewer Assessments, Billing and General Regulations  
Ch 264 – Signs  
Ch 278 Storm Drains  
Ch 280 – Stormwater and Flood Control Utility  
Ch 281-- Stormwater Management  
Ch 285 – Streets, Sidewalks, & Public Property  
Ch 303-5 Temporary Events  
Ch 312 -- sec 14 Traffic Signs & Signals  
Ch 316 -- Horse-Drawn Carriages  
Ch 325 -- Water  
Ch 272 -- Solid Waste

Documents:14.301\_Water.pdf, 14.300\_HorseDrawnCarriages.pdf, 14.299\_TrafficSignsSignals.pdf,  
14.298\_TemporaryEvents.pdf, 14.297\_SubdivisionOfLand.pdf, 14.296\_StormwaterManagement.pdf,  
14.295\_StormwaterFloodControlUtility.pdf, 14.294\_StormDrains.pdf, 14.293\_WetlandProtection.pdf,  
14.292\_Signs.pdf, 14.291\_SewerAssessmentsBilling.pdf, 14.290\_StreetsSidewalksPublicProperty.pdf,  
14.289\_Parades\_Processions.pdf, 14.288\_NonCriminal.pdf, 14.287\_Numbering\_of\_Buildings.pdf,  
14.286\_Solid\_Waste.pdf

14. **UPDATES FROM COUNCIL PRESIDENT AND COMMITTEE CHAIRS**

15. **INFORMATION REQUESTS (CHARTER PROVISION 2-7)**

16. **NEW BUSINESS.**

*– Reserved for topics that the Chair did not reasonably anticipate would be discussed*

17. **Contact**

Pamela L. Powers  
Clerk to the City Council  
powers@northamptonma.gov  
413-587-1224

Questions contact – Lisa Jasinski-413-852-7467  
**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:

Maple St-Florence (Northampton) Massachusetts -Nationalgrid to install 1 SO pole on the west side of the street between existing poles 4&6. The location of pole begins at a point approximately 265 feet south of the centerline of the intersection of main St.  
Location approximately as shown on plan attached

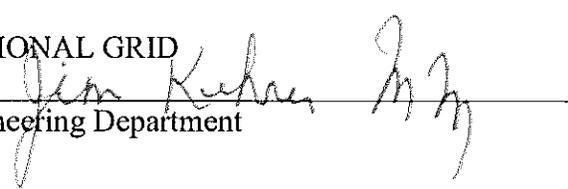
Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan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

17858985•B October 31, 2014

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 \_\_\_\_\_  
Engineering Department

A handwritten signature in black ink, appearing to read "Jim Kuhner", is written over a horizontal line that serves as a signature line. The signature is written in a cursive style.

Questions contact – Lisa Jasinski-413-582-7467

Petition of the NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric conduit Location:

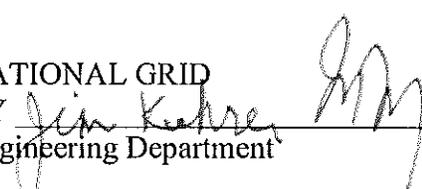
To the City Council of Northampton Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

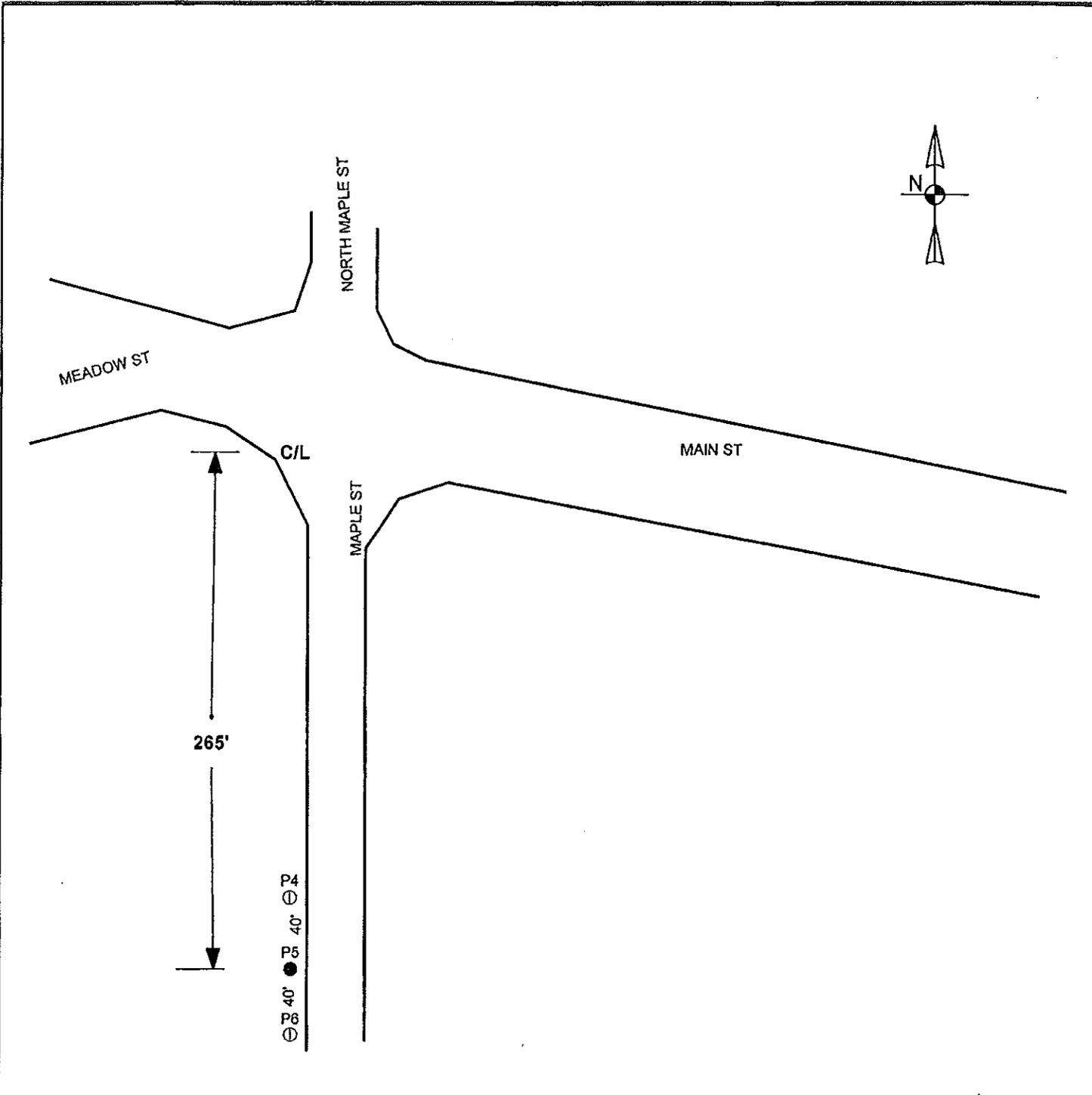
Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Maple St-Florence(Northampton)Massachusetts

The following are the streets and highways referred to: 17858985-A  
Maple St-Nationalgrid to install a secondary duct bank from new p5 across Maple St, to a new heavy duty handhole and continuing North for 125' to another heavy duty handhole.

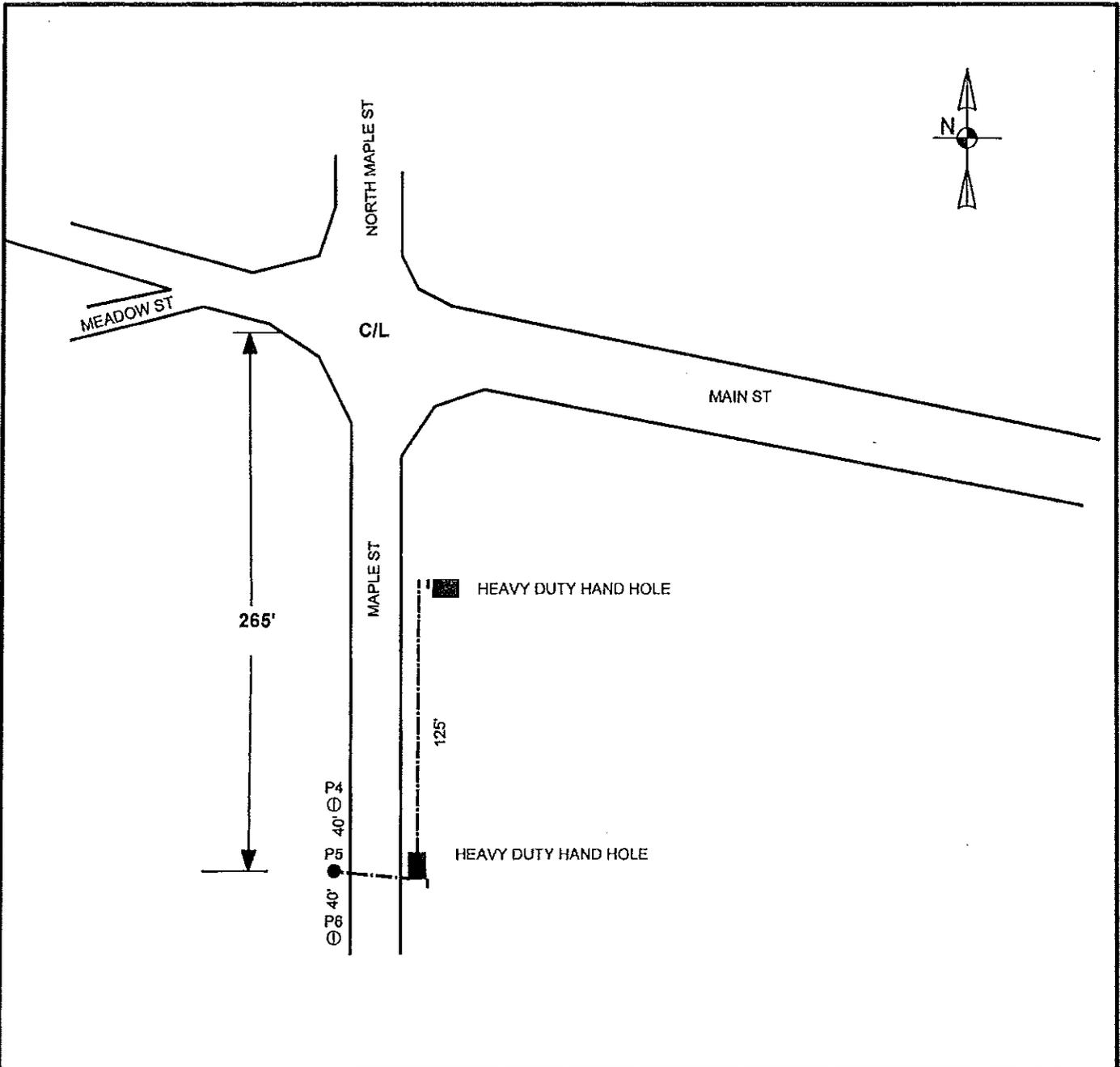
Location approximately as shown on plan attached

NATIONAL GRID  
BY   
Engineering Department

Dated: October 31, 2014



<b>POLE PETITION</b>		<b>nationalgrid</b>	
<input checked="" type="checkbox"/> Proposed NGRID Pole Locations		<b>Date:</b> 10-28-14	
<input type="checkbox"/> Existing NGRID Pole Locations		<b>Plan Number:</b> 17858985	
<input checked="" type="checkbox"/> Proposed J.O. Pole Locations		<b>To Accompany Petition Dated:</b>	
<input type="checkbox"/> Existing J.O. Pole Locations		<b>To The:</b> CITY _____ <b>Of</b> NORTHAMPTON	
<input checked="" type="checkbox"/> Existing Telephone Co. Pole Locations		<b>For Proposed:</b> Pole: _____ <b>Location:</b> MAPLE ST	
<input type="checkbox"/> Existing NGRID Pole Location To Be Made J.O.		<b>Date Of Original Grant:</b>	
<b>DISTANCES ARE APPROXIMATE</b>			



UNDERGROUND PETITION		nationalgrid
Urd Pole	3-Phase Pad	
Manhole	Xfmr Foundation	Plan Number: 17858985
Pull Box	----- Primary Ug Wire	
Hand Hole	----- Secondary Ug Wire	To The: CITY OF NORTHAMPTON
	----- Street Light Wire	
Single Phase Pad	----- Service Arrow	Date Of Original Grant:
DISTANCES ARE APPROXIMATE		

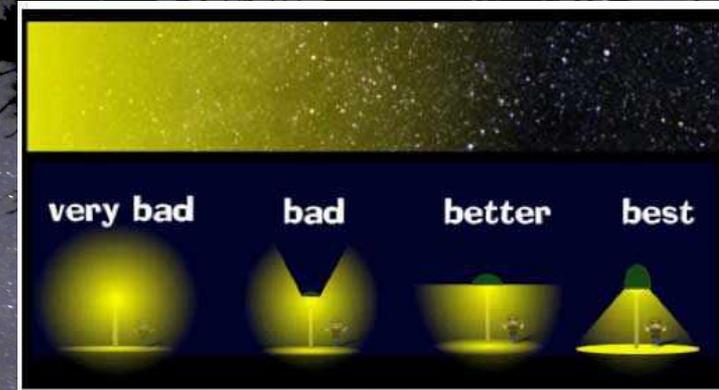
MBL	MB	OWNER_1	OWNER_2	MAILING_AD	CITY	STATE	ZIP
23A-036-001	23A-036	ANYDOT REALTY MANAGEMENT LLC		221 CHESTNUT ST	FLORENCE	MA	01062
23A-038-001	23A-038	DROESCHER-MYERS LLP		60 MAPLE ST	FLORENCE	MA	01062
23A-035-001	23A-035	MADUKA THANKGOD O & JULIE		72 MAPLE ST	FLORENCE	MA	01062
23A-034-001	23A-034	MADUKA THANKGOD O & JULIE MADUKA		72 MAPLE ST	FLORENCE	MA	01062
23A-067-001	23A-067	MIDDLE HAMPSHIRE DEV GROUP LLC	C/O VALLEY MEDICAL GROUP	329 CONWAY ST	GREENFIELD	MA	01301
23A-065-001	23A-065	MIDDLE HAMPSHIRE DEVELOPMENT	GROUP LLC	270 EXCHANGE ST	CHICOPEE	MA	01013
23A-063-001	23A-063	NORTHAMPTON CITY OF	FLORENCE FIRE STATION	69 MAPLE ST	FLORENCE	MA	01062
23A-039-001	23A-039	NORTHAMPTON HOUSING AUTHORITY	TOBIN MANOR	49 OLD SOUTH ST	NORTHAMPTON	MA	01060
23A-068-001	23A-068	OM BHAVYA INC		94 MAPLE ST	FLORENCE	MA	01062
23A-061-001	23A-061	OMASTA HELEN B		P O BOX 60100	FLORENCE	MA	01062
17C-223-001	17C-223	SHEA TIMOTHY E TRUSTEE	C/O STEPHEN SHEA	163 NORTH MAPLE ST	FLORENCE	MA	01062
23A-059-001	23A-059	TAUER JONATHAN S &	SARAH T BURNHAM	55 MAPLE ST	FLORENCE	MA	01062
23A-060-001	23A-060	TREWORGY JOHN REIDY		59 MAPLE ST	FLORENCE	MA	01062

17858985

*Abutters  
for OH & log petition*

# Outdoor Lighting Concepts

1. Light should go down only, not out or up
2. “Warm” colors (<3000K) are better than “cool” colors
3. Lighting should not be brighter or on longer than necessary



# Health Effects of Light at Night

Growing evidence for harm to humans and wildlife of excessive/blue-rich light at night: **cancer, disruption of circadian rhythm, migration.**

## Shift Work, Light-at-Night and Melatonin

**CATEGORY\*:** IARC probable carcinogen  
**FOUND IN:** Night shift workers  
**THE GIST:** Women exposed to artificial light at night experience a higher incidence of breast cancer. Light at night suppresses the production of melatonin, a hormone that helps prevent tumor growth. In 2007, the International Agency for Research on Cancer (IARC) declared shift work "probably carcinogenic to humans," and the World Health Organization (WHO) declared light at night "possibly carcinogenic to humans."

[www.breastcancerfund.org](http://www.breastcancerfund.org)



Millions of birds killed/year



Animals confused, imperiled by LAN

# Is more light always better?

“More light = less crime”? Not supported by evidence!

- Most dangerous US cities (Little Rock, Philadelphia, Newark) are all brightly lit.
- Cultural fear of “intruder hiding in the bushes,” but vast majority of rapes happen indoors, not outdoors.
- Burglars ignore presence or absence of “security lights”.
- Poorly designed, over-bright, unshielded lights cause deep shadows and glare – MORE dangerous, not less.

*We don't need MORE lighting – we need BETTER lighting*





# Everyone's favorite city with a lighting curfew?

Paris, France!



2012: overnight lighting of churches, museums, building facades, shop windows **banned**.

Plus:  
Tucson, AZ  
San Diego, CA  
Riverside County, CA...

Midnight outside Fazzi & Associates:  
Over-bright, over-blue LED lights,  
*Empty parking lot*



3 foot-candles = 300x brighter than full moon!

Parking lot of state office building, Prince St.:  
**unshielded**, significant **glare**, **excessively bright** –  
even at midnight with parking lot empty.



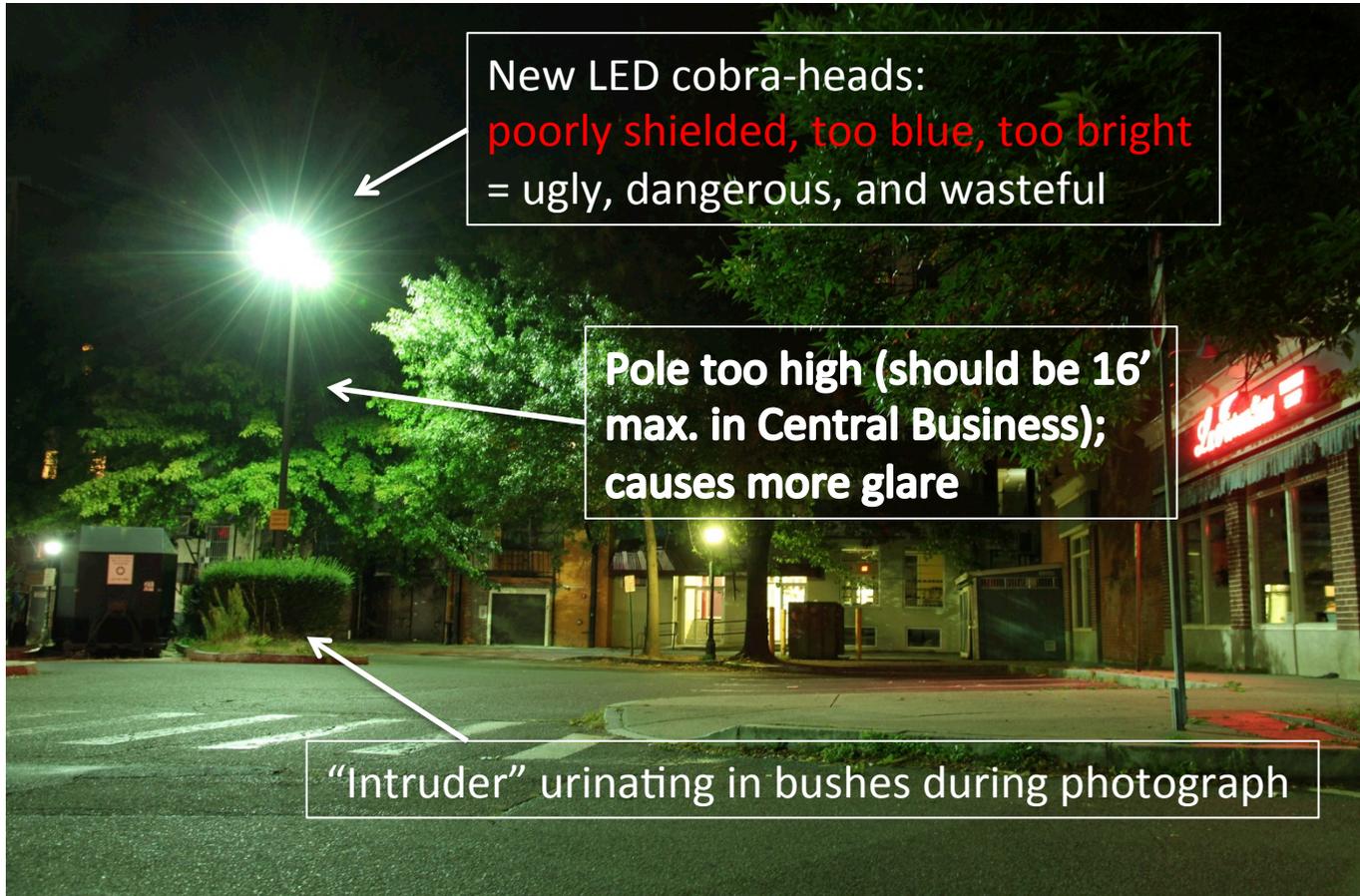
# Compare with successful lighting curfew across Route 66:

L3 KEO Parking lot, Village Hill:  
lights are **shielded** or **off** at midnight.

(Moon for comparison)



# Armory St. Parking Lot



Lighting does not deter crime.

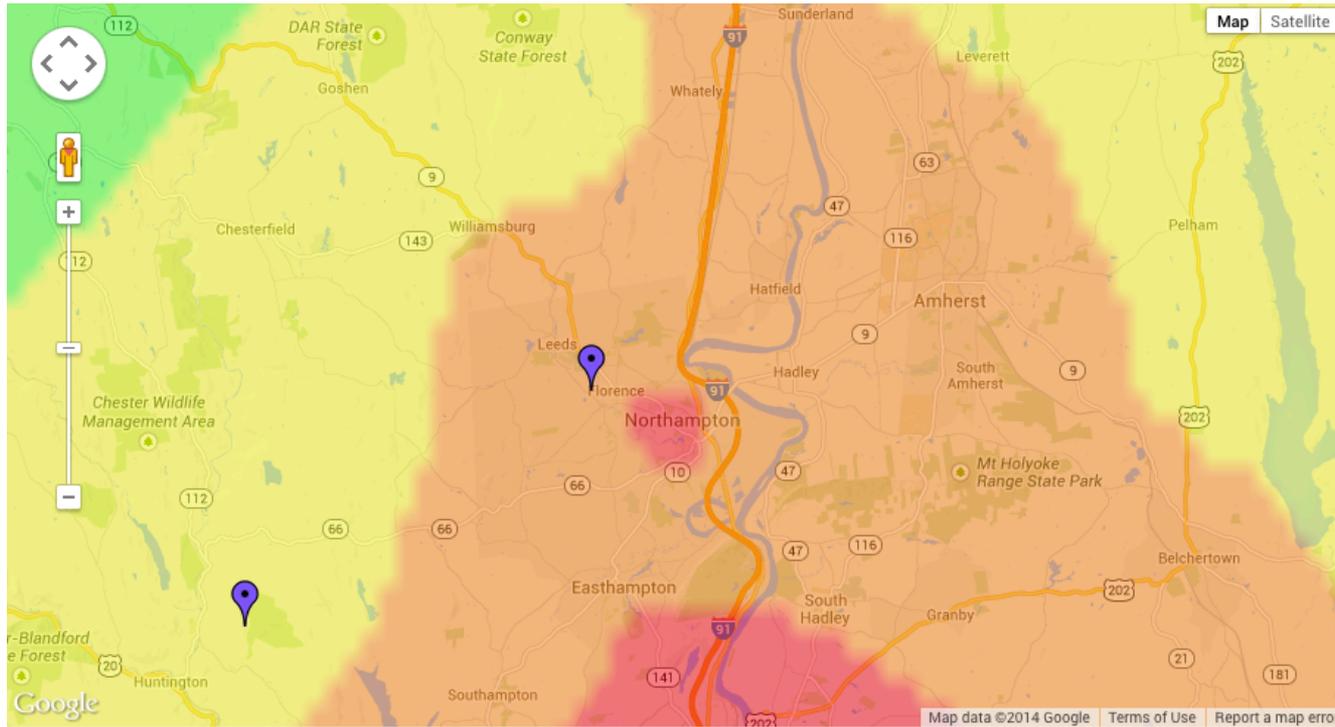
# A curfew on outdoor lighting will...

1. save energy and money
2. **not** increase crime
3. protect public health
4. protect wildlife
5. protect the starry night sky

Thank you!



# Effect of excessive and unshielded lighting



Color	Bortle Class	Sky Brightness	
Magnitude		mag/arcsec <sup>2</sup>	Artifi./Natural
7.6 - 8.0	1	>21.90	<0.01
7.1 - 7.5	2	21.90 - 21.50	0.01 - 0.11
6.6 - 7.0	3	21.50 - 21.30	0.11 - 0.33
6.3 - 6.5	4	21.30 - 20.80	0.33 - 1.00
6.1 - 6.3	4.5	20.80 - 20.10	1.00 - 3.00
5.6 - 6.0	5	21.1 - 19.10	3.00 - 9.00
5.0 - 5.5	6,7	19.1 - 18.00	9.00 - 27.0
<4.5	8,9	<18.00	>27.0

Map shows brightness of night sky

Northampton's night sky (Bortle scale 5)  
is 10x brighter than natural dark sky conditions

# Northampton Police Station

Acorn-style post-top lights: **Completely unshielded;**  
**excessive glare and uplighting; not compliant with code**



Shorter exposure to show luminaires

Note: retrofitting with LEDs inside existing acorn-style globes will still cause excessive glare and uplighting, will still be non-compliant.

# Northampton Police Station (cont.)

Bad: completely unshielded; not compliant with code



# Suggested Alternatives

Parkway & Square™



Arts & Crafts®



Civic Lantern™



Federal Globe™



Promenade™ Series



Providence® Family



Towne Commons®



Dundee



3. Replace existing acorn-style globe luminaires with new antique-style open-body fixture + down-facing LED. Promenade model shown is available with 31W, amber/2200K/3000K LEDs.

Architectural Area Lighting  
(1 example of many;  
see IDA FSA)

# Most people prefer lighting that is “warm” (3000 K or less), well-shielded, not too bright



Davis, CA: “There were so many complaints about the brightness, the color, and the glare of the new LED streetlights that the city halted the project until a solution could be reached”.  
Test: citizens prefer lights with “warmer” color (< 3000K).

-- kcra.com, 8/19/14

International Dark Sky Association (IDA) will no longer approve lights with CCT > 3000K

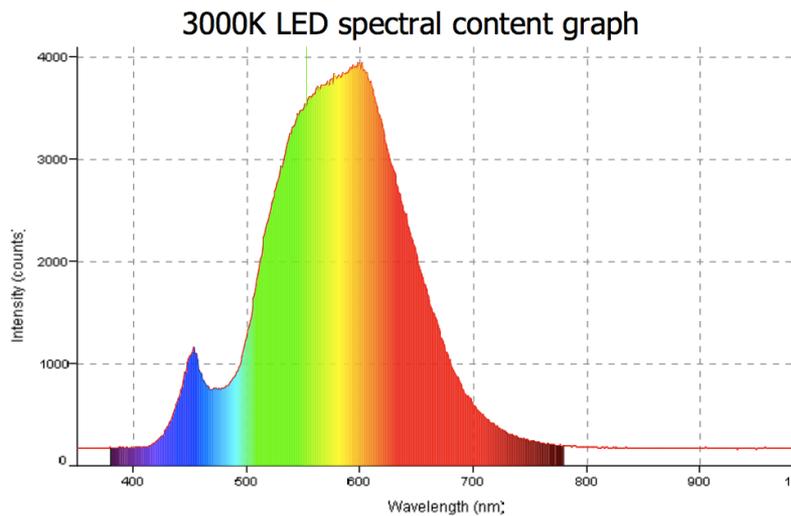
FSA SEARCH FORM

- FSA SEARCH FORM (CHECK ALL THAT APPLY)

Manufacturer	<input type="text"/>
Source Type	<input type="checkbox"/> LED <input type="checkbox"/> CFL <input type="checkbox"/> HPS <input type="checkbox"/> LPS <input type="checkbox"/> MH <input type="checkbox"/> Induction <input type="checkbox"/> Plasma

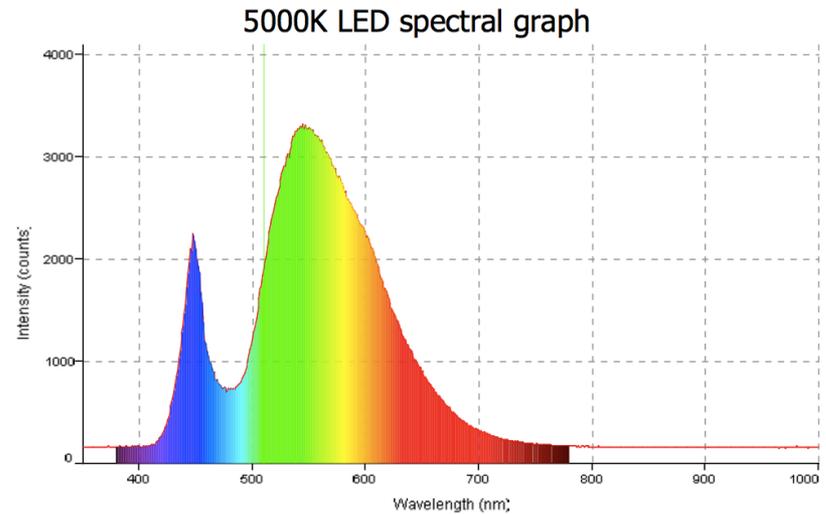
16

# Color temperature should be <3000K (“warm white”, not “cool white”)



3000K LED spectral content graph

Mostly yellow/red



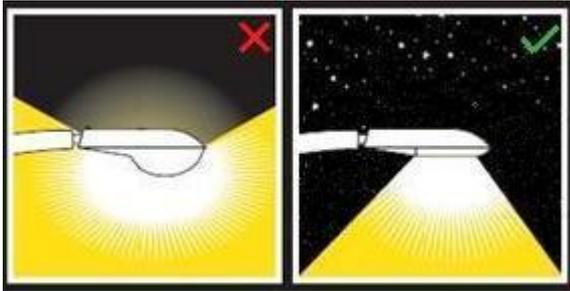
5000K LED spectral graph

Mostly green/yellow,  
with strong blue peak

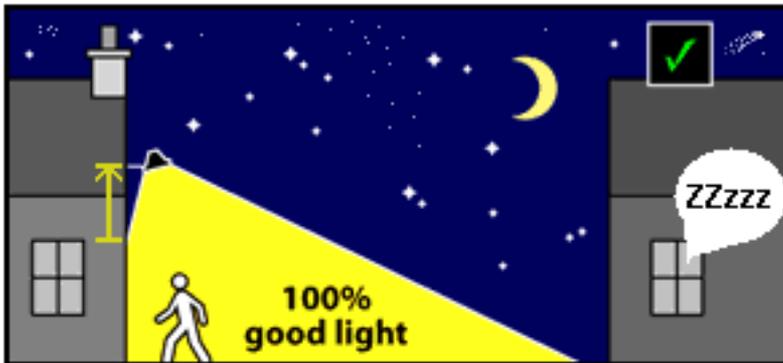
C. Monrad

1. Blue light causes more glare in human eye, ruins night vision (safety issue)
2. 30% of downlighting reflects from roads, buildings, and land back into sky, and....
3. ...blue light scatters much more strongly in air, so blue-rich LEDs cause **3-5x more light pollution** than high-pressure sodium, even fully-shielded.

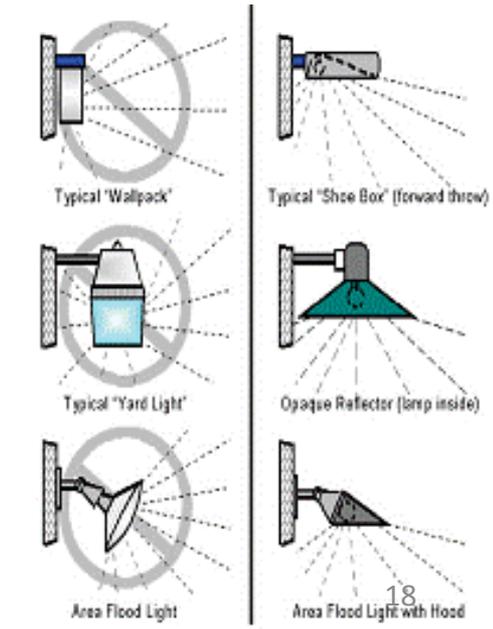
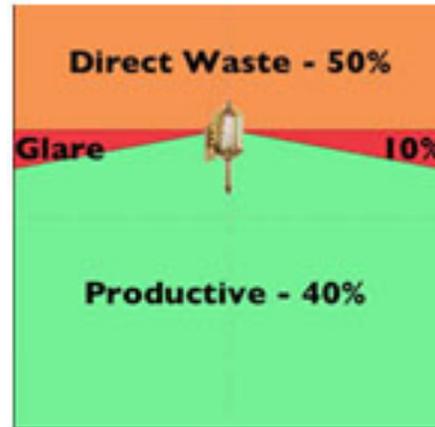
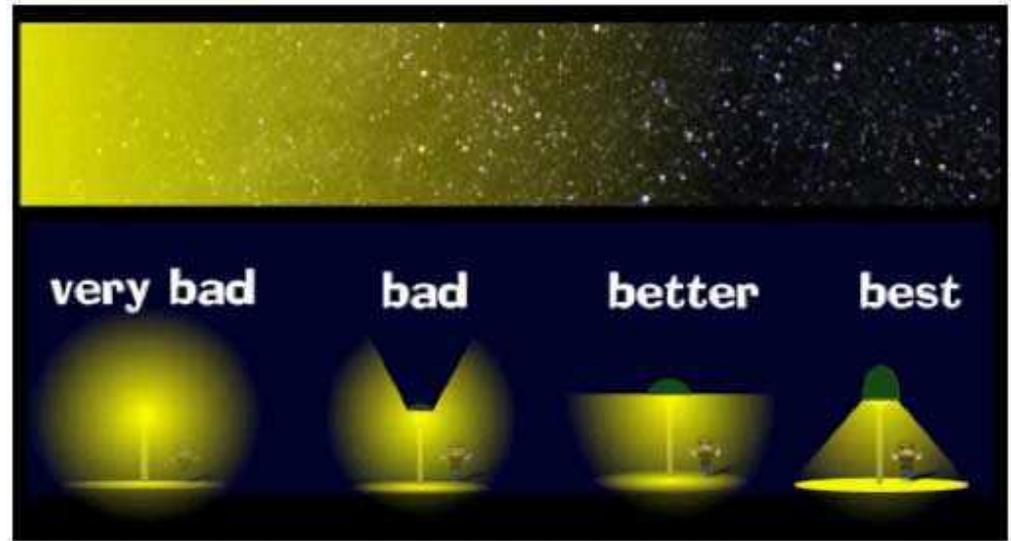
# Light should go down only (shielded), not out or up (unshielded)



**BADLY AIMED 500W HALOGEN FLOODLIGHT**



**WELL AIMED 100W FLOODLIGHT**





Pamela Powers <ppowers@northamptonma.gov>

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## Revised report from Elected Officials Compensation Advisory Board

1 message

'Todd Thompson' via City Clerk <cclerk@northamptonma.gov>

Fri, Oct 31, 2014 at 9:58 AM

Reply-To: Todd Thompson <tkthompson@yahoo.com>

To: Councilor William Dwight <wdwight@northamptonma.gov>

Cc: "Mayor of Northampton Mass." <mayor@northamptonma.gov>, "cclerk@northamptonma.gov" <cclerk@northamptonma.gov>

Councilor Dwight,

After submitting our original report to the Council on Monday, Councilors Adams identified an error in a reference we made to the Charter and Councilor Carney drew attention to a point of confusion regarding our recommendation to discontinue certain retirement benefits.

We felt a correction and clarification were in order and subsequently have made the following revisions to the attached report:

Under **Mayor** (p.4)

Change: "Under the Charter, the mayor is prohibited from outside employment or remuneration."

To: "The position of mayor is a full time position with rigorous work demands that effectively preclude outside employment."

Under **Part-Time Elected Officials** (p.7), insert the following:

### Retirement Benefits

Elected officials are granted special status under Commonwealth law that allows those earning \$5,000 or more to participate in the municipal retirement system. In contrast, regular municipal employees are required to work 20 hours/week to gain eligibility.

Presently, eligibility only extends to city councilors based on their \$5,000 stipend, and not to school committee members or trustees. Were the recommended stipend increases to be implemented, **all** part-time elected officials would become eligible to participate in the City's retirement system.

While it does not currently fall within the City's authority to revise pension eligibility rules, the Board felt, as a matter of principle, that part-time elected officials should not be granted retirement benefits that are unavailable to other part-time City employees. In addition, concerns were raised about the lack of transparency and uncertainty regarding the future cost to the City of this liability given the current underfunded status of the City retirement system.

### Recommendation

The recommendation of the Board is to discontinue the current practice should changes be made to the statutes governing pension law or the supplemental rules governing eligibility.

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We look forward to presenting our report to the Council next Thursday.

Todd Thompson, Chair

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(City of Northampton E-mail is a public record except when it falls under one of the specific statutory exemptions.)

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 **Final Report of Elected Officials Compensation Advisory Board (revised 10-31-14).pdf**  
1359K

# Advisory Report on the Compensation of Northampton Elected Officials

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Recommendations of the Elected Officials  
Compensation Advisory Board

Revised, October 31, 2014

**Vicki Baum-Hommes**  
**John (Trey) Fortier**  
**Dennis Helmus**  
**Jennifer Higgins**  
**Douglas Loux**  
**Linda Matson**  
**Todd Thompson, Chair**

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# Background

The Elected Officials Compensation Advisory Board (“the Board”) was created by the City Council in accordance with the new City Charter (Sec. 5-5 of Admin. Code, see Addendum 1). The Board was tasked with reviewing "the adequacy and equity of compensation, benefits, and expense allowances of municipal elected officials and report[ing] its findings and recommendations to the Mayor and City Council."

## Process

The Board convened in April 2014 and set about reviewing current compensation practices for elected officials. Publicized meetings were held monthly from May through October in accordance with open meeting laws. The City’s compensation policies, including both salary and benefits, were benchmarked against 23 communities in the Commonwealth with populations under 50,000 that had Mayor/Council forms of government (see Addendum 2, Benchmarking Tables). Particular weight was given to a subset of eight cities in western Massachusetts for which costs of living and city budgets were comparable to that of Northampton. Input was solicited from elected officials to better understand the responsibilities, duties, and time commitments of their respective positions.

Discussion and deliberations focused on the following issues:

- The adequacy of current salaries and stipends
- The appropriateness and equity surrounding the current practice of extending eligibility for health insurance and retirement benefits to part-time elected officials, specifically city councilors, school committee members, and trustees of the Smith Vocational School
- The need to ensure competitive salaries and stipends so as to attract qualified candidates and encourage contested elections
- The need for periodic review and update of compensation policies so as to keep compensation current and competitive

The tables below summarize the consensus recommendations of the Board. The rationale for each recommendation is presented in the following sections.

<b>Elected Official</b>	<b>Current Salary</b>	<b>Proposed Salary</b>
Mayor	\$80,000	\$92,500
City Clerk	\$65,000	\$71,250
City Council President	\$5,500	\$10,000
At-Large City Councilor	\$5,000	\$9,500
Ward City Councilor	\$5,000	\$9,000
At-Large School Committee Member	\$2,500	\$5,500
Ward School Committee Member	\$2,500	\$5,000
Trustees of Smith Vocational School	\$2,500	\$5,000

<b>Issue</b>	<b>Current Practice</b>	<b>Recommendation</b>
Extension of Health Insurance Benefits to Part-time Elected Officials	Offered, but with limited enrollment	Discontinue
Periodic Review and Update of Elected Official Compensation	None	Minimum once every four years, preferably aligned with mayoral elections

# Full Time Elected Officials

## Mayor

Salary History	
January 1, 2000	\$65,000
January 1, 2002	\$66,950
January 1, 2003	\$68,958
January 1, 2007	\$80,000
July 1, 2009	\$75,000 <sup>1</sup>
July 1, 2010	\$80,000 <sup>2</sup>
<b>Current</b>	<b>\$80,000</b>

<sup>1</sup>Mayor Higgins took voluntary pay cut

<sup>2</sup>Salary restored

### Recommendation

Increase salary to \$92,500

### Responsibilities

Under Northampton's "strong mayor" form of government, the executive and administrative powers of the city are vested in the mayor. S/he is responsible for the administration of all city activities and functions placed under the control of the mayor by law or by charter; coordinates the activities of all agencies of the city and all persons serving the city; and serves as a member of every appointed multiple-member body of the city.

In addition, the mayor serves as Chair of the School Committee; a trustee of Smith Vocational School, Look Park, Child's Park, and the Academy of Music; a board member of the Pioneer Valley Transportation Association (PVTVA); and Hampshire County representative on the Franklin Hampshire Employment & Training Consortium (FHETC) where responsibilities include the co-signing of all warrants for expenditures of agency funds, among other duties.

### Rationale

In recommending an adjustment to the current salary the following factors were taken into account:

- The position of mayor is a full time position with rigorous work demands that effectively preclude outside employment. The Board felt strongly that the mayor's salary should be competitive with those in the private sector in order to attract and retain competent public servants.
- Northampton's mayor is a "working mayor" whose responsibilities include active, hands-on, day-to-day management of the City in addition to his/her role as political leader and policy maker.
- The mayor is on call 24/7, with an average workweek estimated between 60-80 hours. The average workweek includes official duties, ceremonial duties, committee work, school events, public forums, and regional and state meetings and functions.
- The mayor's gross salary was last increased in 2007, and in 2014 ranked behind 64 other city employees. (See Addendum 3, <http://www.northamptonma.gov/DocumentCenter/View/2943>). On an inflation-adjusted basis, the \$65,000 salary paid in 2000 would be equivalent to \$89,782 in current 2014 dollars (based on CPI inflation calculator at <http://data.bls.gov/cgi-bin/cpicalc.pl>).

- The average mayoral salary in the statewide, 23 Cities Benchmark (see Addendum 2) was \$91,396; the average salary in the Eight Surrounding Cities Benchmark (see Addendum 2) was \$84,536. Three comparable cities in the Eight Surrounding Cities Benchmark have mayoral salaries as follows: Westfield \$100,000; West Springfield \$90,000; and Pittsfield \$87,787. Statewide, comparable “destination cities” (entertainment hubs for dining, art, recreation, etc.) include Gloucester \$100,000 and Newburyport \$101,000.

## City Clerk

<b>Salary History</b>	
January 1, 2004	\$51,091 <sup>1</sup>
July 1, 2006	\$55,723
July 1, 2007	\$56,923
July 1, 2008	\$62,495
June 6, 2013	\$65,000
<b>Current</b>	<b>\$65,000</b>

<sup>1</sup>Year elected

### Recommendation

Increase salary to \$71,250

### Responsibilities

The responsibilities and duties of the office of the city clerk are prescribed under state law and include serving as the public information and public records officer, chief election officer, census/voter administrator, and local registrar of vital statistics. The city clerk is responsible for: records management; licensing; maintaining the city code; issuing and recording certificates, registrations, petitions and certain trusts; filings and statements under the conflict of interest laws and open meeting laws; and recording birth, death and marriage records, including the issuance of records in accordance with relevant statutes.

### Rationale

In recommending an adjustment to the current salary the following factors were taken into account:

- Over time staffing in the City Clerk’s office has decreased while the workload has increased.
- Despite a recent adjustment in 2013, the current salary lags behind the \$75,679 average of the 23 Cities Benchmark and the \$68,477 average of the Eight Surrounding Cities Benchmark.
- The average salary for comparably-sized western Massachusetts cities (Agawam, Westfield, Holyoke, Chicopee, Pittsfield and West Springfield) is \$74,051.
- The Board focused on the adequacy of the salary given the responsibilities of the position and felt it was important to offer a competitive salary to attract qualified candidates.
- The salary recommendation of \$71,250 falls between the averages for the statewide (\$75,679) and surrounding cities benchmarks (\$68,477).

# Part-Time Elected Officials

## Health Insurance Benefits

A key component of the current compensation for *some, but not all* part-time elected officials is participation in the municipal health insurance plan offered to city employees, under which the City offers a menu of individual and family plans and pays 80% of the insurance premium.

The table below shows only nine of the City’s 21 part-time elected officials currently enrolled in the municipal health plan. (While the exact enrollment figure varies from year to year, the pattern of participation is consistent.) The total cost to the City was \$76,087. Of the nine participating officials, five are enrolled in family plans at an average cost to the City of \$11,691, and four are enrolled in individual plans at an average cost to the City of \$4,410—which is to say: five officials are currently receiving benefits valued at an average of \$11,691; four are receiving benefits valued at \$4,410; and the remaining twelve officials are receiving *no* remuneration in the form of benefits.

<b>Part-time Elected Officials Enrolled in Municipal Health Plan - FY 2015</b>			
	<b>Number of Members in Body</b>	<b>Number of Members Enrolled</b>	<b>Cost to City FY15</b>
City Council	9	4	\$32,651
School Committee	9	4	\$39,035
Trustees of Smith Vocational School	3	1	\$4,401
<b>Total</b>	<b>21</b>	<b>9</b>	<b>\$76,087</b>

*Source: City of Northampton Department of Human Resources, May 7, 2014*

The practice of extending benefits valued at multiples of the stipend to a minority of the elected officials creates a significant disparity in the total value of compensation received by councilors and school committee members who elect to receive benefits and those who do not. This raises serious questions of equity and fairness. City councilors and school committee members who appeared before the Board echoed these concerns and expressed their preference to discontinue the practice. Among those who expressed this opinion were councilors who acknowledged taking advantage of this benefit.

Additional concern was raised about the potential conflict of interest that arises when elected officials, one of whose primary responsibilities is oversight and approval of the budget for municipal and school employee compensation, are eligible to receive the same benefits extended to City employees.

Given that health insurance exchanges now provide access to more affordable “non-group” health insurance, and given that part-time (less than 20 hours/week) city employees are not eligible to enroll in municipal health plans, the Board concluded that the historical practice of extending eligibility to part-time elected officials was neither warranted nor appropriate.

### Recommendation

The consensus recommendation of the Board is to discontinue the practice of extending health and retirement plan eligibility to city councilors, school committee members, and trustees of Smith Vocational School while simultaneously increasing stipends to compensate for the loss of this benefit (see recommendations below). The proposed cost of the stipend increases (\$68,000) would be fully offset by the savings realized through discontinuation of health benefits (\$76,087).

## **Retirement Benefits**

Elected officials are granted special status under Commonwealth law that allows those earning \$5,000 or more to participate in the municipal retirement system. In contrast, regular municipal employees are required to work 20 hours/week to gain eligibility.

Presently, eligibility only extends to city councilors based on their current \$5,000 stipend, and not to school committee members or trustees. Were the recommended stipend increases to be implemented, **all** part-time elected officials would become eligible to participate in the City's retirement system.

While it does not currently fall within the City's authority to revise pension eligibility rules, the Board felt, as a matter of principle, that part-time elected officials should not be granted retirement benefits that are unavailable to other part-time City employees. In addition, concerns were raised about the lack of transparency and uncertainty regarding the future cost to the City of this liability given the current underfunded status of the City retirement system.

### Recommendation

The recommendation of the Board is to discontinue the current practice should changes be made to the statutes governing pension law or the supplemental rules governing eligibility.

## **Ward City Councilors/Councilors At-Large/Council President**

### Current Compensation

#### *Stipend:*

Ward Councilor: \$5,000  
Councilor At-Large: \$5,000  
Council President: \$5,500

#### *Benefits:*

Eligibility to enroll in municipal health and retirement plans

### Stipend History

\$5,000 since at least 1990; the Board was unable to determine initial date

### Recommendations

#### *Stipend:*

Ward Councilor: \$9,000  
Councilor At-Large: \$9,500  
Council President: \$10,000

#### *Benefits:*

Discontinue eligibility to enroll in municipal health and retirement plans

### Rationale

In recommending an increase in the current stipend and discontinuation of benefits the following factors were taken into account:

- The stipend for city councilors has not been adjusted for at least 24 years. On an inflation-adjusted basis, a \$5,000 stipend in 1990 would be equivalent to \$9,099 in current dollars (based on CPI inflation calculator at <http://data.bls.gov/cgi-bin/cpicalc.pl>).

- Northampton currently ranks second-to-last amongst surrounding communities in its stipend for city councilors.
- In light of the accompanying recommendation to discontinue eligibility for health insurance benefits, the Board thought it appropriate to increase stipends to compensate members for the loss of these benefits. The increased cost of the stipend is offset by the savings realized through discontinuation of health benefits.
- The larger constituency and expanded signature-gathering requirements (nomination papers) for councilors at-large merit modest increased compensation over ward councilors.
- The current stipend “bonus” for the Council President should be maintained to compensate for the increased responsibilities associated with the position.

## **Ward & At-Large School Committee Members**

### Current Compensation

*Stipend:*

\$2,500

*Benefits:*

Eligibility to enroll in municipal health and retirement plans

### Stipend History

\$2,500 since at least 1990; the Board was unable to determine initial date

### Recommendations

*Stipend:*

Ward School Committee Member: \$5,000

At-Large School Committee Member: \$5,500

*Benefits:*

Discontinue eligibility to enroll in municipal health and retirement plans

### Rationale

In recommending an increase in the current stipend and discontinuation of benefits the following factors were taken into account:

- The stipend for school committee members has not been adjusted for at least 24 years. On an inflation-adjusted basis, a \$2,500 stipend in 1990 would be equivalent to \$4,550 in current dollars (based on CPI inflation calculator at <http://data.bls.gov/cgi-bin/cpicalc.pl>).
- In light of the accompanying recommendation to discontinue eligibility for health insurance benefits, the Board thought it appropriate to increase stipends to compensate members for the loss of these benefits. The increased cost of the stipends is more than offset by the savings realized through discontinuation of health benefits.
- The larger constituency and expanded signature-gathering requirements (nomination papers) for at-large members warrant modest increased compensation over ward committee members.
- Most school committee elections are uncontested. An increased stipend would provide additional incentive to potential candidates, hopefully increasing the number of contested elections.

## **Smith Vocational Trustees**

### Current Compensation

*Stipend:* \$2,500

### *Benefits:*

Eligibility to enroll in municipal health and retirement plans

### Stipend History

\$2,500 since at least 1990; the Board was unable to determine initial date

### Recommendations

### *Stipend:*

Increase stipend to \$5,000

### *Benefits:*

Discontinue eligibility to enroll in municipal health and retirement plans

### Rationale

In recommending an increase in the current stipend and discontinuation of benefits the following factors were taken into account:

- The stipend for trustees has not been adjusted for at least 24 years. On an inflation-adjusted basis, a \$2,500 stipend in 1990 would be equivalent to \$4,550 in current dollars (based on CPI inflation calculator at <http://data.bls.gov/cgi-bin/cpicalc.pl>).
- In light of the accompanying recommendation to discontinue eligibility for health insurance benefits, the Board thought it was appropriate to increase stipends to compensate members for the loss of these benefits. The increased cost of the stipends is more than offset by the savings realized through discontinuation of health benefits.
- The Board thought it was appropriate to maintain the current parity with stipends for school committee members.

# Addendum 1 - Northampton City Charter

**§ 5-5 Compensation of elected officials.** Source: <http://ecode360.com/27410398#27410398>  
[Added 6-6-2013]

## **A. Compensation**

Elected officials' annual compensation shall be as follows:

Mayor	\$80,000
City Clerk	\$65,000
City Council President	\$5,500
City Council	\$5,000
School Committee	\$2,500
Superintendents of Smith's Agricultural School	\$2,500
Elector under the Oliver Smith Will	\$10
Trustees under the Will of Charles E. Forbes	\$0
Community Preservation at Large	\$0

## **B. Benefits and expenses**

The Mayor, City Clerk, City Council, School Committee and Superintendents of Smith's Agricultural School shall be eligible to enroll in the municipal health insurance and retirement plans.

## **C. Elected Officials Compensation Advisory Board; members; term; compensation**

1. The Elected Officials Compensation Advisory Board shall periodically, but not less frequently than 10 years, study the adequacy and equity of the compensation, benefits and expense allowances of municipal elected officials and report its findings and recommendations to the Mayor and City Council, and said reports shall be filed with the City Clerk.
2. The Board shall be composed of seven members, each appointed by the Mayor subject to confirmation by the City Council. The members shall each serve a term of two years.
3. Members of the Board shall serve without compensation. Members of the Board are subject to State Ethics Commission and conflict of interest laws.
4. Former and current elected officials, and relatives of elected officials, shall not be eligible to serve on this committee.
5. The committee will submit recommendations to the City Council, which will have the authorization to act/not act on these recommendations.

# Addendum 2 - Benchmarking Tables

## 23 Surrounding Cities Benchmark

City of Northampton is designated by blue shading.

Median Compensation is designated by orange shading.

Sources: United States Census Bureau; Massachusetts Municipal Personnel Association Benchmark Salary Survey; and city H.R. department heads

### Mayor

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Mayor	Melrose	26,983	41,454	11,221	86,264	87,169,353	125,000	1	87%
	Braintree	35,744	36,227	13,220	85,208	129,747,386	125,000	1	58%
	Attleboro	43,593	30,511	16,354	65,767	137,148,705	120,851	2	75%
	Everett	41,667	24,263	15,285	49,702	178,565,888	107,100	3	85%
	Beverly	39,502	37,016	15,406	67,958	124,974,276	106,000	4	80%
	Newburyport	17,416	48,439	7,502	83,509	72,238,301	101,000	5	75%
	Gloucester	28,787	36,919	12,140	62,059	114,354,707	100,000	6	85%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	100,000	6	80%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	90,000	7	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	87,787	8	85%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	85,000	9	70%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	85,000	9	70%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	85,000	9	70%
	North Adams	13,708	20,481	5,889	36,510	40,890,354	84,000	10	75%
	Fitchburg	40,318	22,949	14,901	47,442	127,138,952	83,000	11	75%
	Marlborough	39,499	36,895	15,918	70,849	148,425,129	81,860	12	70%
	Leominster	40,759	29,146	16,544	59,604	131,520,776	80,363	13	75%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	80,000	14	80%
	Methuen	47,255	30,043	17,598	65,855	144,808,588	80,000	14	0%
	Amesbury	16,283	40,517	6,694	80,062	60,495,015	80,000	14	75%
Gardner	20,228	24,156	7,795	48,934	60,382,427	78,650	15	75%	
Greenfield	17,456	26,258	7,724	48,370	54,002,485	73,500	16	80%	
Woburn	38,120	34,030	15,264	72,434	142,928,435	73,000	17	80%	
Easthampton	16,053	31,282	7,342	55,621	40,834,443	70,000	18	75%	
Mayor Average		32,948	30,871	13,161	60,204	113,063,087	90,921		73%

### City Clerk

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
City Clerk	Agawam	28,438	30,672	11,470	66,409	92,263,452	96,285	1	70%
	Gloucester	28,787	36,919	12,140	62,059	114,354,707	96,036	2	85%
	Newburyport	17,416	48,439	7,502	83,509	72,238,301	90,000	3	75%
	Woburn	38,120	34,030	15,264	72,434	142,928,435	88,748	4	80%
	Fitchburg	40,318	22,949	14,901	47,442	127,138,952	88,000	5	75%
	Melrose	26,983	41,454	11,221	86,264	87,169,353	84,736	6	87%
	Leominster	40,759	29,146	16,544	59,604	131,520,776	84,491	7	75%
	Attleboro	43,593	30,511	16,354	65,767	137,148,705	84,064	8	75%
	Methuen	47,255	30,043	17,598	65,855	144,808,588	82,596	9	0%
	Marlborough	39,499	36,895	15,918	70,849	148,425,129	81,117	10	70%
	Beverly	39,502	37,016	15,406	67,958	124,974,276	79,562	11	80%
	Braintree	35,744	36,227	13,220	85,208	129,747,386	79,536	12	58%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	78,650	13	80%
	Everett	41,667	24,263	15,285	49,702	178,565,888	76,720	14	85%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	75,832	15	70%
	Gardner	20,228	24,156	7,795	48,934	60,382,427	68,500	16	75%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	65,000	17	70%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	65,000	17	80%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	64,740	18	75%
	Amesbury	16,283	40,517	6,694	80,062	60,495,015	60,572	19	75%
	Greenfield	17,456	26,258	7,724	48,370	54,002,485	58,658	20	80%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	54,489	21	85%
	Easthampton	16,053	31,282	7,342	55,621	40,834,443	54,163	22	75%
North Adams	13,708	20,481	5,889	36,510	40,890,354	48,114	23	75%	
City Clerk Average		32,948	30,871	13,161	60,204	113,063,087	75,234		73%

## Council President

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Council President	Everett	41,667	24,263	15,285	49,702	178,565,888	15,000	1	0%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	13,000	2	70%
	Beverly	39,502	37,016	15,406	67,958	124,974,276	12,333	3	80%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	12,000	4	70%
	Gloucester	28,787	36,919	12,140	62,059	114,354,707	11,500	5	85%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	11,000	6	70%
	Leominster	40,759	29,146	16,544	59,604	131,520,776	10,666	7	75%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	10,000	8	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	10,000	8	85%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	10,000	8	80%
	Woburn	38,120	34,030	15,264	72,434	142,928,435	10,000	8	80%
	Gardner	20,228	24,156	7,795	48,934	60,382,427	9,500	9	0%
	Marlborough	39,499	36,895	15,918	70,849	148,425,129	9,449	10	70%
	Fitchburg	40,318	22,949	14,901	47,442	127,138,952	9,000	11	0%
	Attleboro	43,593	30,511	16,354	65,767	137,148,705	7,727	12	75%
	Braintree	35,744	36,227	13,220	85,208	129,747,386	7,500	13	58%
	Methuen	47,255	30,043	17,598	65,855	144,808,588	6,000	14	0%
	Newburyport	17,416	48,439	7,502	83,509	72,238,301	6,000	14	75%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	5,000	15	80%
	Melrose	26,983	41,454	11,221	86,264	87,169,353	5,000	16	87%
Amesbury	16,283	40,517	6,694	80,062	60,495,015	4,000	17	0%	
North Adams	13,708	20,481	5,889	36,510	40,890,354	3,600	18	75%	
Easthampton	16,053	31,282	7,342	55,621	40,834,443	3,000	19	75%	
Greenfield	17,456	26,258	7,724	48,370	54,002,485	0	20	0%	
Council President Average		32,948	30,871	13,161	60,204	113,063,087	8,407		57%

## Councilor

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Councilor	Everett	41,667	24,263	15,285	49,702	178,565,888	15,000	1	0%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	12,000	2	70%
	Beverly	39,502	37,016	15,406	67,958	124,974,276	11,700	3	80%
	Gloucester	28,787	36,919	12,140	62,059	114,354,707	11,500	4	85%
	Leominster	40,759	29,146	16,544	59,604	131,520,776	10,666	5	75%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	10,000	6	70%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	10,000	6	80%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	10,000	6	70%
	Marlborough	39,499	36,895	15,918	70,849	148,425,129	9,449	7	70%
	Fitchburg	40,318	22,949	14,901	47,442	127,138,952	9,000	8	0%
	Woburn	38,120	34,030	15,264	72,434	142,928,435	9,000	8	80%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	8,000	9	85%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	8,000	9	75%
	Attleboro	43,593	30,511	16,354	65,767	137,148,705	7,727	10	75%
	Gardner	20,228	24,156	7,795	48,934	60,382,427	6,500	11	0%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	5,000	12	80%
	Braintree	35,744	36,227	13,220	85,208	129,747,386	5,000	12	58%
	Newburyport	17,416	48,439	7,502	83,509	72,238,301	5,000	12	75%
	Melrose	26,983	41,454	11,221	86,264	87,169,353	5,000	12	87%
	Methuen	47,255	30,043	17,598	65,855	144,808,588	4,800	13	0%
North Adams	13,708	20,481	5,889	36,510	40,890,354	3,000	14	75%	
Amesbury	16,283	40,517	6,694	80,062	60,495,015	3,000	14	0%	
Easthampton	16,053	31,282	7,342	55,621	40,834,443	3,000	14	75%	
Greenfield	17,456	26,258	7,724	48,370	54,002,485	0	15	0%	
Councilor Average		32,948	30,871	13,161	60,204	113,063,087	7,598		57%

## School Committee Member

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
School Comm. Member	Chicopee	55,298	24,264	22,957	46,861	184,854,584	6,000	1	0%
	Everett	41,667	24,263	15,285	49,702	178,565,888	5,500	2	0%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	5,000	3	80%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	5,000	3	70%
	Gloucester	28,787	36,919	12,140	62,059	114,354,707	5,000	3	85%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	5,000	3	70%
	Attleboro	43,593	30,511	16,354	65,767	137,148,705	3,863	4	75%
	Beverly	39,502	37,016	15,406	67,958	124,974,276	3,600	5	80%
	Gardner	20,228	24,156	7,795	48,934	60,382,427	3,500	6	0%
	Woburn	38,120	34,030	15,264	72,434	142,928,435	3,000	7	80%
	Marlborough	39,499	36,895	15,918	70,849	148,425,129	3,000	7	70%
	Newburyport	17,416	48,439	7,502	83,509	72,238,301	2,500	8	75%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	2,500	8	80%
	Methuen	47,255	30,043	17,598	65,855	144,808,588	2,500	8	0%
	Easthampton	16,053	31,282	7,342	55,621	40,834,443	900	9	75%
	Leominster	40,759	29,146	16,544	59,604	131,520,776	0	10	0%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	0	10	75%
	Melrose	26,983	41,454	11,221	86,264	87,169,353	0	10	0%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	0	10	0%
Fitchburg	40,318	22,949	14,901	47,442	127,138,952	0	10	0%	
Amesbury	16,283	40,517	6,694	80,062	60,495,015	0	10	0%	
Braintree	35,744	36,227	13,220	85,208	129,747,386	0	10	0%	
North Adams	13,708	20,481	5,889	36,510	40,890,354	0	10	0%	
Greenfield	17,456	26,258	7,724	48,370	54,002,485	0	10	0%	
School Comm. Member Average		32,948	30,871	13,161	60,204	113,063,087	2,369		38%
Grand Total		32,948	30,871	13,161	60,204	113,063,087	31,163		56%

## Eight Surrounding Cities Benchmark

City of Northampton is designated by blue shading.

Median Compensation is designated by orange shading.

Sources: Massachusetts Municipal Personnel Association Benchmark Salary Survey and city H.R. department heads

## Mayor

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Mayor	Westfield	42,094	27,596	15,237	57,018	140,567,143	100,000	1	80%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	90,000	2	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	87,787	3	85%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	85,000	4	70%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	85,000	4	70%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	85,000	4	70%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	80,000	5	80%
	Greenfield	17,456	26,258	7,724	48,370	54,002,485	73,500	6	80%
Easthampton	16,053	31,282	7,342	55,621	40,834,443	70,000	7	75%	
Mayor Average		33,433	27,539	13,791	51,417	112,525,089	84,032		76%

## City Clerk

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
City Clerk	Agawam	28,438	30,672	11,470	66,409	92,263,452	96,285	1	70%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	78,650	2	80%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	75,832	3	70%
	Chicopee	55,298	24,264	22,957	46,861	184,854,584	65,000	4	70%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	65,000	4	80%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	64,740	5	75%
	Greenfield	17,456	26,258	7,724	48,370	54,002,485	58,658	6	80%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	54,489	7	85%
Easthampton	16,053	31,282	7,342	55,621	40,834,443	54,163	8	75%	
City Clerk Average		33,433	27,539	13,791	51,417	112,525,089	68,091		76%

## Council President

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Council President	Chicopee	55,298	24,264	22,957	46,861	184,854,584	13,000	1	70%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	12,000	2	70%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	11,000	3	70%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	10,000	4	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	10,000	4	85%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	5,500	5	80%
	Easthampton	16,053	31,282	7,342	55,621	40,834,443	3,000	6	75%
	Greenfield	17,456	26,258	7,724	48,370	54,002,485	0	7	0%
<b>Council President Average</b>		<b>33,433</b>	<b>27,539</b>	<b>13,791</b>	<b>51,417</b>	<b>112,525,089</b>	<b>8,278</b>		<b>67%</b>

## Councilor

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
Councilor	Chicopee	55,298	24,264	22,957	46,861	184,854,584	12,000	1	70%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	10,000	2	70%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	10,000	2	80%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	10,000	2	70%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	8,000	3	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	8,000	3	85%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	5,000	4	80%
	Easthampton	16,053	31,282	7,342	55,621	40,834,443	3,000	5	75%
	Greenfield	17,456	26,258	7,724	48,370	54,002,485	0	6	0%
<b>Councilor Average</b>		<b>33,433</b>	<b>27,539</b>	<b>13,791</b>	<b>51,417</b>	<b>112,525,089</b>	<b>7,333</b>		<b>67%</b>

## School Committee Member

		Average City Population	Per Capita Income	# of Households	Median Household Income	City Budget	Total Compensation Per Position	Rank Total Compensation	% HMO Paid by City
School Comm. Chair	Chicopee	55,298	24,264	22,957	46,861	184,854,584	6,500	1	0%
	Agawam	28,438	30,672	11,470	66,409	92,263,452	5,000	2	70%
	Westfield	42,094	27,596	15,237	57,018	140,567,143	5,000	2	80%
	Holyoke	39,880	20,294	16,032	34,961	152,361,297	5,000	2	70%
	Northampton	28,549	33,440	11,739	56,999	101,950,305	2,500	3	80%
	Easthampton	16,053	31,282	7,342	55,621	40,834,443	900	4	75%
	West Springfield	28,391	27,966	11,694	54,434	99,939,580	0	5	75%
	Pittsfield	44,737	26,080	19,926	42,076	145,952,513	0	5	0%
<b>School Comm. Chair Average</b>		<b>33,433</b>	<b>27,539</b>	<b>13,791</b>	<b>51,417</b>	<b>112,525,089</b>	<b>2,767</b>		<b>50%</b>

# Addendum 3–City Employee Gross Earnings FY 2014 (top 70)

CITY OF NORTHAMPTON						
EMPLOYEE GROSS EARNINGS FOR FISCAL YEAR 2014						
JULY 1, 2013 TO JUNE 30, 2014						
	Employee Last Name	Employee First Name	MI	Year	Employee Gross	Department
1	KONCAS	JOSEPH	W	2014	188,657.20	LEFT CITY EMPLOYMENT
2	SIENKIEWICZ	RUSSELL	P	2014	148,003.47	POLICE
3	DUGGAN	BRIAN	P	2014	145,741.76	FIRE AND RESCUE
4	BOROWSKI	ALAN	C	2014	122,605.27	POLICE
5	DAVINE	JON	M	2014	115,747.51	FIRE AND RESCUE
6	NICHOLS	DUANE	A	2014	113,552.18	FIRE AND RESCUE
7	CLAYTON	DOROTHY	A	2014	105,124.16	POLICE
8	MCQUESTON	TIMOTHY	E	2014	105,101.66	FIRE AND RESCUE
9	LEMBERG	MATTHEW	J	2014	105,022.46	FIRE AND RESCUE
10	KASPER	JODY	D	2014	104,995.33	POLICE
11	HUNTLEY	EDWARD	S	2014	104,625.96	ADMINISTRATION - DPW
12	GAGNE	DAVID	D	2014	104,201.19	FIRE AND RESCUE
13	PETERSON	JEFFREY	R	2014	103,913.52	SMITH VOCATIONAL
14	PELIS	ANDREW	S	2014	102,805.71	FIRE AND RESCUE
15	NORRIS	CHRISTOPHER	W	2014	101,095.21	FIRE AND RESCUE
16	WRIGHT	SUSAN	L	2014	100,211.41	MAYOR'S OFFICE
17	FARKAS	LAURIE	B	2014	100,169.79	NORTHAMPTON PUBLIC SCHOOLS
18	MILLIN	WILLIAM	K	2014	99,742.75	FIRE AND RESCUE
19	GARRIEPY	JOHN	P	2014	99,492.00	FIRE AND RESCUE
20	WILSON	LESLEY		2014	99,461.89	NORTHAMPTON PUBLIC SCHOOLS
21	CARTLEDGE	JOHN	D	2014	99,221.51	POLICE
22	VANASSE	STEPHEN	F	2014	98,298.55	FIRE AND RESCUE
23	LOMBARDI	BRYAN	N	2014	97,563.71	NORTHAMPTON PUBLIC SCHOOLS
24	NASH	REGINA	H	2014	97,055.67	LEFT CITY EMPLOYMENT
25	LAURILA	JAMES	R	2014	95,343.14	ENGINEERING - DPW
26	ROBINSON	COREY	J	2014	94,164.57	POLICE
27	AGNA	GWEN		2014	93,742.23	NORTHAMPTON PUBLIC SCHOOLS
28	MCCARTHY	JOHN	N	2014	93,254.32	POLICE
29	DENKIEWICZ	SHAWN	T	2014	93,226.81	FIRE AND RESCUE
30	MCLAUGHLIN	MARK	S	2014	93,211.91	LEFT CITY EMPLOYMENT
31	CAPUTO	VICTOR	F	2014	92,022.86	POLICE
32	DZIALO	BRENT	M	2014	91,728.25	POLICE
33	CHOQUETTE	BETH	N	2014	88,673.15	NORTHAMPTON PUBLIC SCHOOLS
34	ZIMMERMAN	GEORGE	R	2014	87,841.88	LEFT CITY EMPLOYMENT
35	SKANTZ-HODGSON	LESLIE	C	2014	87,329.69	SMITH VOCATIONAL
36	CALLAHAN	DAVID		2014	87,130.76	POLICE
37	CANATA	SAL	J	2014	86,986.74	NORTHAMPTON PUBLIC SCHOOLS
38	CLARK	THOMAS	R	2014	86,656.43	FIRE AND RESCUE
39	LEBRON	CARLOS	A	2014	86,285.27	POLICE
40	MCMAHON	ANNE	M	2014	85,866.04	POLICE
41	STAPLES	JEFFREY	L	2014	85,655.29	POLICE
42	PARASILITI	RICHARD	C	2014	85,375.07	STREETS - DPW
43	CURTIN	MARK	G	2014	84,720.50	FIRE AND RESCUE
44	DIGIAMMO	STEVEN	P	2014	84,689.27	POLICE
45	BRIGGS	MICHAEL	J	2014	84,653.66	POLICE
46	KELLY	JOHN	E	2014	84,600.43	NORTHAMPTON PUBLIC SCHOOLS
47	KOREPTA	GRZEGORZ	P	2014	84,538.16	POLICE
48	ROBERTS	NANCY	C	2014	84,423.11	SMITH VOCATIONAL
49	BRIOTTA	THOMAS	A	2014	84,321.49	POLICE
50	KIROUAC	CRAIG	R	2014	84,085.38	POLICE

**CITY OF NORTHAMPTON**  
**EMPLOYEE GROSS EARNINGS FOR FISCAL YEAR 2014**  
**JULY 1, 2013 TO JUNE 30, 2014**

	Employee Last Name	Employee First Name	MI	Year	Employee Gross	Department
51	BETSOLD	JOHN	P	2014	83,883.81	FIRE AND RESCUE
52	ROTA	N. ANGELO		2014	83,816.85	NORTHAMPTON PUBLIC SCHOOLS
53	MADDEN	SARAH	J	2014	83,653.77	NORTHAMPTON PUBLIC SCHOOLS
54	POWERS	ROBERT	J	2014	83,293.63	POLICE
55	TERRIEN	LAWRENCE	H	2014	83,121.36	FIRE AND RESCUE
56	PAWLOSKI	MICHAEL	J	2014	83,059.35	FIRE AND RESCUE
57	MCLAUGHLIN	MICHAEL	J	2014	82,875.47	POLICE
58	FAPPIANO	PETER		2014	82,799.65	POLICE
59	FEIDEN	WAYNE	M	2014	82,619.43	PLANNING AND SUSTAINABILITY
60	STODDARD	GLENDA	G	2014	82,236.39	HUMAN RESOURCES
61	BRENNAN	CHRISTOPHER		2014	81,565.81	NORTHAMPTON PUBLIC SCHOOLS
62	ROBITAILLE	KAREN	L	2014	81,284.88	NORTHAMPTON PUBLIC SCHOOLS
63	BREEN	ANDREW	D	2014	80,446.09	FIRE AND RESCUE
64	ANDREW	SCOTT	J	2014	80,383.77	NORTHAMPTON PUBLIC SCHOOLS
65	NARKEWICZ	DAVID	J	2014	79,999.92	MAYOR
66	TELLIER	RYAN	N	2014	79,537.58	POLICE
67	SATKOWSKI	TIMOTHY	J	2014	78,809.54	POLICE
68	POMERANTZ	DAVID	S	2014	78,595.91	CENTRAL SERVICES
69	HATCH	MICHAEL	A	2014	78,241.32	FIRE AND RESCUE
70	SCHUETZE	WILLIAM	N	2014	78,188.95	FIRE AND RESCUE

Source: City of Northampton website, <http://www.northamptonma.gov/DocumentCenter/View/2943>



**CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
WALLACE J. PUCHALSKI MUNICIPAL BUILDING  
212 MAIN STREET, NORTHAMPTON  
Northampton, MA  
Oct. 16, 2014**

**MEETING MINUTES**

**Roll Call**

A regular meeting of the City Council was called to order by City Council William H. Dwight at 7:15 p.m. On roll call, nine (9) Councilors were present:

- At-Large Councilor Jesse M. Adams
- At-Large Councilor William H. Dwight
- 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

**Public Hearings**

**Announcement of Tax Classification Hearing Date**  
When: November 6, 2014 City Council Meeting, 7:05pm  
Where: Council Chambers, 212 Main Street, Northampton, MA

*Councilor Dwight announced the Tax Classification Hearing Date as noted above.*

**Communication From the Mayor**

- *October is National Disability Employment Awareness Month. Mayor Narkewicz presented a Proclamation to the Council.*

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

- **Resolution: Condemn Violent Acts (2<sup>nd</sup> Reading)**

*Councilor LaBarge moved to approve the Resolution as amended. Councilor Adams seconded the motion. The Resolution was approved in second reading as amended on a voice vote of 8 Yes, 0 No, 1 Abstention (Councilor Klein).*

**The following Resolution passed two readings:**

*In City Council, October 2, 2014*

**Upon the recommendation of Councilors William Dwight, Jesse Adams and Marianne LaBarge**

**RESOLUTION**

*Whereas:* The most elemental tenet of a successful and just community is the necessity for people to live securely and to respect differences.

*And whereas:* The ability of a community to thrive and flourish is threatened when violence or the threat of violence is inflicted on any citizen or citizens because of their identity and/or how they are identified by others.

*And whereas:* Recent acts of vandalism in Northampton have been committed upon emblems of distinct political cultures i.e.: The theft of the rainbow flag from Jackson Street School and the attempted burning of the Israeli flag at Congregation B'nai Israel.

*And whereas:* Both of these institutions strive to promote open, respectful discussion of complicated and challenging issues.

*And whereas:* These acts of vandalism are expressions of contempt and are implicit and actual violence.

*And whereas:* These acts are an anathema to the citizens of Northampton and are counter to the goodness to which they aspire.

*Now therefore be it resolved:* That the City Council of Northampton vehemently condemns these recent criminal acts and all other malicious actions that are designed to promote fear and discourage civil discourse.

*And be it further resolved that:* The City Council of Northampton calls upon all citizens to express their courage and hope by engaging in respectful debate and discussion with one another and by supporting the people who have been threatened.

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

**Enrolled**

- **Councilor O'Donnell announced that there would be a Ward 3 Annual Meeting held on October 19, 2014 at the Three County Fair Grounds. The Event is scheduled from 2 – 4pm. Attendees should enter the fair grounds through the Fair St. entrance.**
- **Councilor Murphy announced that the Finance Committee will hold its monthly meeting on Oct. 28, 2014 in City Council Chambers. Finance Director Susan Wright will be doing a presentation regarding the City's Tax Classification.**

**Presentations**

*None*

**Licenses & Petitions**

*None*

**Approval of Meeting Minutes**

- Meeting Minutes of City Council on October 2, 2014
- Minutes of the Committee on Economic and Community Development, Housing & Land Use of July 1, 2014
- Minutes of the Committee on Public Safety Meeting of September 8, 2014

**Minutes Approved**

*Councilor LaBarge moved to approve the above meeting minutes as a group; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.*

**Reports of Committees, Appointments, and Elections**

- Appointments to Boards and Committees
  - Human rights Commission: Carolyn Toll Oppenheim, 3 Montview Ave., Northampton; term November 2014-November 2017 (New)  
*(Refer to Committee on Rules, Orders, Appointments and Ordinances)*

**Appointment Referred**

*Councilor LaBarge moved to refer the appointment to the Committee on Rules, Orders, Appointments and Ordinances. Councilor Klein seconded the motion. The appointment was referred on a voice vote of 9 Yes, 0 No.*

**Recess for Finance Committee**

- At 7:35 the City Council broke for the Finance Committee Meeting. The Council re-convened immediately following the meeting at 8:15 pm.

**Financial Orders**

- **14.260 Financial Order: Florence Recreational Fields \$162,500 (Request 2 Readings)**

*Councilor Murphy moved to approve the Financial Order in first reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.*

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

*Councilor Murphy moved to approve the Financial Order in second reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.*

**The following Order was approved in second reading:**

In City Council, October 16, 2014

Upon recommendation of the Mayor

*Ordered, that*

- Whereas,* the City has committed to the development of recreational facilities known as Florence Recreational Fields;
- Whereas,* the Florence Recreation Fields include five multi-purpose fields, two baseball fields, a walking trail, parking lots, future playground and recreation pavilion which will contain restrooms, a concession stand and maintenance equipment storage;
- Whereas,* this project almost doubles the amount of City of Northampton recreation land for field sports;
- Whereas,* bids for the development of the restroom/concession/maintenance pavilion were received and opened on October 6, 2014;
- Whereas,* additional funds are needed to complete the project;

*Ordered that,*

\$162,500 be appropriated from the Capital Stabilization Fund (5000 340616) for the purpose of constructing the restroom/concession/maintenance pavilion at Florence Fields

Enrolled

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

- **14.262 Financial Order: \$15,000 appropriated for Merchant Service Fees associated with Credit Card use at E.J. Gare Parking Garage (1<sup>st</sup> Reading)**

*Councilor LaBarge moved to approve the Financial Order in first reading;*

*Councilor Sciarra seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.*

*Councilor LaBarge moved to suspend Rule 14 to allow for a second reading;*

*Councilor Adams seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.*

*Councilor LaBarge moved to approve the Financial Order in second reading;*

*Councilor Klein seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.*

- **14.243 Financial Order: Lease for Handicap Accessible Entrance to Thornes Market (2<sup>nd</sup> Reading)**

*Councilor LaBarge moved to approve the financial order in second reading;*

*Councilor Klein seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Order was approved in second reading:**

In City Council, October 2, 2014

Upon the recommendation of Mayor David J. Narkewicz and Planning and Sustainability

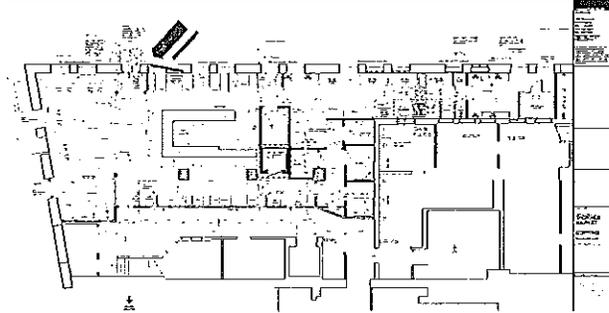
- WHEREAS, There is a public interest in providing handicap accessible entrance to buildings to serve all populations and promote commercial vitality; and
- WHEREAS, The City has received a request for a handicap accessible entrance to a new business in the lowest level of Thornes Market that would be located on public land (on the plaza facing the Parking Garage); and
- WHEREAS, A temporary lease does not threaten any public purposes nor limit future city options;

**NOW, THEREFORE BE IT RESOLVED,**

The City Council declares as surplus to city needs a temporary lease for an accessible entrance to Thornes Market;

Further, the City Council authorizes that the Mayor to sign a lease for up to 60 months for \$1,000 for such staircase, provided that such lease be recorded in the Registry of Deeds, comply with MGL c. 30B, reserve the right of the city to terminate the lease early if necessary for public access on the plaza, and include such other terms and conditions as the Mayor finds reasonable;

Further, the City Council authorizes the Mayor to renew the lease one time upon the termination of the original lease if the Mayor finds that such renewal is not inconsistent with public access.



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

- 14,240 Financial Order to Acquire Land from the McKown Family (2<sup>nd</sup> Reading)

*Councilor LaBarge moved to approve the financial order in second reading; Councilor Spector seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Order was approved in second reading:**

*In City Council, October 2, 2014*

Upon the recommendation of Mayor David J. Narkewicz and the Conservation Commission

Ordered, that

WHEREAS,

The *Open Space, Recreation and Multi-Use Plan: 2011-2018* recommends linking conservation areas along Broad Brook to enhance wildlife value and create a continuous Broad Brook Greenway; and

WHEREAS,

The McKown family offered to sell a key parcel (Map ID 2-16) totaling 12.1± acres for \$12,100 to add to the Broad Brook Greenway; and

WHEREAS,

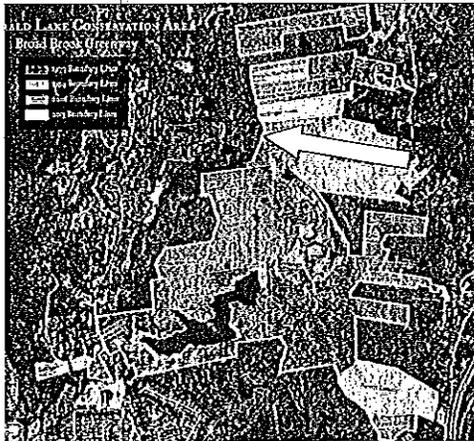
This acquisition will fill a gap in the Greenway; and

WHEREAS,

All funds will be drawn from CPA Conservation Fund, Broad Brook Coalition contributions and community donations. No additional appropriation is required for this purpose; and

**NOW, THEREFORE BE IT ORDERED,**

That the Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by Section 8C of Chapter 40 of the General Laws, the Community Preservation Act, and Article 97 of the Amendments to the Massachusetts Constitution, any fee, easement or conservation restriction as defined in Section 31 of Chapter 184 of the General Laws or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired.



**Enrolled**

Rules suspended, passed two readings and enrolled.

- **14.242 Financial Order to Rescind Borrowing for Boat House Project, Lampron Park Playground, and Bridge/Trails @ Beaver Brook 2<sup>nd</sup> Reading)**

*Councilor LaBarge moved to approve the financial order in second reading; Councilor Sciarra seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Order was approved in second reading:**

*In City Council, October 2, 2014*

Upon recommendation of the Mayor

Ordered, that

The following amounts of borrowing authority under the following loan orders be and hereby are rescinded:

1. \$625,000 of borrowing authority authorized under the loan order approved on July 12, 2012 for the acquisition of land, easements or conservation restrictions for property adjacent to the Connecticut River, necessary for the expansion of the Connecticut River Greenway and development of a Connecticut River Boathouse as the City has received a PARC grant for the acquisition.
2. \$250,000 of borrowing authority authorized under the loan order approved on February 6, 2014 for the purpose of developing new playgrounds at Lampron Park and/or the Florence Fields Recreation Area as the City has received an Our Common Backyards Grant for the project.
3. \$500,000 of borrowing authority authorized under the loan order approved May 2, 2013 for improvements to public multi-use trails in the Beaver Brook Conservation Area as the City has received a Land and Water Conservation Grant for the project.

Enrolled

Rules suspended, passed two readings and enrolled.

Orders &  
Ordinances

*The City Council has announced that a second Public Hearing will take place to discuss the Administrative Orders presented by Mayor David J. Narkewicz's. First reading on the Administrative Order and related Orders and Ordinances will take place after all Public Hearings have been closed. Affected Orders and Ordinances are as follows:*

- 14.253 Ordinance: Code Changes : Community Preservation Committee
- 14.255 Order: Establish Conservation Commission
- 14.256 Order: Establish Historical Commission
- 14.257 Order: Establish Historic District Commission
- 14.258 Order: Establish Municipal Affordable Housing Trust Fund
- 14.254 Ordinance: Code Change to Agricultural Commission Sections
- 14.259 Ordinance: Add Administrative order Chapters to Code

*The second Public Hearing will be held Oct. 28 @ JFK Middle School from 7 – 9pm.*

- 14.230 Warrant for the November 4th, 2014 State Election (*2nd Reading*)

*Councilor LaBarge moved to approve the warrant in second reading; Councilor O'Donnell seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Warrant was approved in second reading:  
In City Council, October 2, 2014**

Upon the recommendation of City Clerk Wendy Mazza

*Ordered that,*

a meeting of the qualified voters of the City of Northampton will be held on Tuesday, November 4, 2014, 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 several wards and precincts in which they are individually entitled to vote, between said hours give in their votes for Senator in Congress, for Governor and Lieutenant Governor, for Attorney General, for Secretary of State, for Treasurer, for Auditor, for Representative in Congress for the Second Congressional District, for Councillor for the Eighth District, for Senator in General Court for the Hampshire & Franklin & Worcester District, for Representative in General Court for the First Hampshire District, for District Attorney for the Northwestern District, and for Register of Probate for Hampshire County.

They will also give in their votes "Yes" or "No" on the following questions:

Question #1 - Law Proposed by Initiative Petition-Sales-Eliminating Gas Tax Indexing

Question #2 - Law Proposed by Initiative Petition- Expanding the Beverage Container Deposit Law

Question #3 - Law Proposed by Initiative Petition- Expanding Prohibition on Gaming

Question #4 - Earned Sick Time for Employees

Question #5 - Regulate Campaign Spending

Enrolled

Yes \_\_\_ No

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

- Ordinance: §312-80 Bike Lanes (*2nd Reading*)

*Councilor O'Donnell moved to approve the Ordinance in second reading; Councilor Sciarra seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Ordinance was approved in second reading:**

In the Year Two Thousand and Fourteen

**UPON THE RECOMMENDATION OF Department Of Public Works and the Transportation and 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 §312-80 of said Code; providing that: Bike Lanes

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

Section 1: That section §312-80 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-80 Bike Lanes

ADD:

Location	Side	Location

Ordained & Enrolled

North Main Street (Florence)	Both	Beginning at Cosmian Avenue northerly to Hayward Road
North Main Street (Florence)	East	Beginning 300 feet southerly from Norwottuck Rail Trail northerly to Haydenville Road
North Main Street (Florence)	West	Beginning at Norwottuck Rail Trail northerly to Haydenville Road
Prospect Street	Both	Beginning at Prospect Avenue easterly to Jackson Street

Rules suspended, passed two readings, ordained and enrolled.

*Councilor O'Donnell moved to approve Ordinance §312-102 & §312-104 below as a group; Councilor Adams seconded the motion.*

- Ordinance: §312-102 Schedule I: Parking Prohibited All Times Main St., Florence ( 2nd Reading)
- Ordinance: §312-104 Schedule III: Limited-Time Parking, Main St., Florence ( 2nd Reading)

*The Ordinances were approved in second reading on a voice vote of 9 Yes, 0 No.*

**The following Ordinance was approved in second reading:**

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Department of Public Works

**ORDINANCE**

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-102 of said Code; providing that Schedule I: Parking Prohibited All Times.

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

Section 1: That section §312-102 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-102 Schedule I: Parking Prohibited All Times

AMEND:

Ordained & Enrolled

Location	Side	From	To
Main Street (Florence)	Northerly	Chestnut Street	Westerly for 150 30 feet

Rules suspended, passed two readings, ordained and enrolled.

The following Ordinance was approved in second reading:

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Department of Public Works

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-104 of said Code; providing that Schedule III: Limited-Time Parking.

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

Section 1: That section §312-104 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-104 Schedule III: Limited-Time Parking

AMEND:

Ordained &  
Enrolled

Location	Side	From	To	Time Limit/Hours
Main Street (Florence)	Northerly	140 feet east of the easterly side of Keyes Street	Easterly to a point 150 feet west of Chestnut Street	1 hr./All

Rules suspended, passed two readings, ordained and enrolled.

- 14.217 Ordinance: §350-10.1B Detached Accessory Apartments (*2nd Reading*)

*Councilor LaBarge moved to approve the Ordinance in second reading; Councilor Carney seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

The following Ordinance was approved in second reading:

In the Year Two Thousand Fourteen

UPON THE RECOMMENDATION OF THE Office of Planning & Sustainability

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350-10.10B of said code; providing for clarification of setbacks for

**Ordained &  
Enrolled**

detached accessory apartments.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 350-10.10B of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Detached Accessory Apartments 10.10 B. The Building Commissioner may issue a zoning permit authorizing the installation and use of an accessory apartment within an existing or new owner-occupied, single-family dwelling and the Zoning Board of Appeals may issue a special permit authorizing the installation and use of an accessory apartment in a detached structure on a single-family home lot when such structures have the same setbacks required for principal residential structures and only when the following conditions are met:

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

- 14.218 Ordinance: §350-12.6 Site Lighting Standard (2nd Reading)

*Councilor Murphy moved to approve this Ordinance in second reading; Councilor O'Donnell seconded the motion.*

*Councilor Dwight indicated that he received word that the Police Department had concerns regarding the changes outlined in this Ordinance. He requested that the a representative from the Police Department and from Planning attend the next meeting to discuss the Ordinance before a second reading is taken.*

*Councilor Carney moved to postpone the second reading vote; Councilor Adams seconded the meeting. The motion passed on a voice vote of 9 Yes, 0 No.*

*Councilor Carney moved to approve Ordinances §312-104 and §319-109 as a group; Councilor O'Donnell seconded the motion.*

- 14.219 Ordinance: Section §312-104 Schedule III: Limited-Time Parking (2nd Reading)
- 14.220 Ordinance: §319-109 Schedule VIII: On Street Parking Meter Zones (2nd Reading)
- 

*The Ordinances were approved in second reading on a voice vote of 9 Yes, 0 No.*

**The following Ordinance was approved in second reading:**  
UPON THE RECOMMENDATION OF Transportation and 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 §312-104 of said Code; providing that Schedule III: Limited-Time Parking.

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

Section 1: That section §312-104 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-104 Schedule III: Limited-Time Parking

ADD:

Location	Side	From	To	Time Limit/Hours
Armory Street	Northerly	A point 23 feet westerly from Pleasant Street	A point 46 feet westerly from Pleasant Street	15 min. / 6 am – 8 pm Mon.-Sat.
Bedford Terrace	Northerly	A point 29 feet westerly from State Street	A point 47 feet westerly from State Street	15 min. / 6 am – 8 pm Mon.-Sat.
Center Street	Northerly	A point 179 feet easterly from Center Court	A point 197 feet easterly from Center Court	15 min. / 6 am – 8 pm Mon.-Sat.
Crafts Avenue	Westerly	A point 146 feet northerly from Old South Street	A point 172 feet northerly from Old South Street	15 min. / 6 am – 8 pm Mon.-Sat.
Green Street	Northerly	A point 169 feet westerly from West Street	A point 189 feet westerly from West Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Southerly	A point 117 feet westerly from Old South Street	A point 127 feet westerly from Old South Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Southerly	A point 114 feet easterly from Old South Street	A point 136 feet easterly from Old South Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Southerly	A point 150 feet westerly from Pleasant Street	A point 172 feet westerly from Pleasant Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Southerly	A point 70 feet easterly from Pleasant Street	A point 91 feet easterly from Pleasant Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Northerly	A point 148 feet easterly from Masonic Street	A point 170 feet easterly from Masonic Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Northerly	A point 27 feet easterly from Masonic Street	A point 49 feet easterly from Masonic Street	15 min. / 6 am – 8 pm Mon.-Sat.
Main Street	Northerly	A point 18 feet easterly from Crackerbarrell Alley	A point 40 feet easterly from Crackerbarrell Alley	15 min. / 6 am – 8 pm Mon.-Sat.
Masonic Street	Westerly	A point 120 feet northerly from Button Street	A point 139 feet northerly from Button Street	15 min. / 6 am – 8 pm Mon.-Sat.
Old South Street	Easterly	A point 161 feet southerly from Main Street	A point 179 feet southerly from Main Street	15 min. / 6 am – 8 pm Mon.-Sat.
Pearl Street	Southerly	A point 90 feet easterly from Pleasant Street	A point 107 feet easterly from Pleasant Street	15 min. / 6 am – 8 pm Mon.-Sat.
Pleasant Street	Westerly	A point 40 feet southerly from Hampton Avenue	A point 60 feet southerly from Hampton Avenue	15 min. / 6 am – 8 pm Mon.-Sat.
Pleasant Street	Westerly	A point 18 feet southerly from Florida Avenue	A point 38 feet southerly from Florida Avenue	15 min. / 6 am – 8 pm Mon.-Sat.
Strong Avenue	Easterly	A point 22 feet southerly from Main Street	A point 40 feet southerly from Main Street	15 min. / 6 am – 8 pm Mon.-Sat.

Ordained & Enrolled

Strong Avenue	Westerly	A point 152 feet southerly from Main Street	A point 173 feet southerly from Main Street	15 min. / 6 am – 8 pm Mon.-Sat.
West Street	Westerly	A point 40 feet southerly from Green Street	A point 38 feet southerly from Green Street	15 min. / 6 am – 8 pm Mon.-Sat.

Rules suspended, passed two readings, ordained and enrolled.

The following Ordinance was approved in second reading:

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Transportation and 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 §312-109 of said Code; providing that Schedule VIII: On Street Parking Meter Zones.

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

Section 1: That section §312-109 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-109 Schedule VIII: On Street Parking Meter Zones

AMEND:

Location	Side	From	To	Time Limit/Class
Armory Street	North-west	Pleasant Street	Kirkland Avenue parking lot <i>(unless otherwise specified)</i>	2 hours/Class 1B
Bedford Terrace	West North	State Street	Elm Street <i>(unless otherwise specified)</i>	10 hours/Class 3D
Pleasant Street	Both	Kingsley Avenue	Holyoke Street <i>(unless otherwise specified)</i>	2 hours/Class 1B
Pleasant Street	Both	Main Street	Point 822 feet southerly <i>(unless otherwise specified)</i>	2 hours/Class 1B
Strong Avenue	East	Main Street	355 feet southerly <i>(unless otherwise specified)</i>	2 hours/Class 1B
West Street	West	Elm Street	Point 160 feet southerly of Green Street <i>(unless otherwise specified)</i>	2 hours/Class 1B

Ordained & Enrolled

Rules suspended, passed two readings, ordained and enrolled.

- 14.226 Ordinance: Violations & Penalties: Amend Fines for Misuse of Handicap Parking Spaces (*2nd Reading*)

*Councilor LaBarge moved to approve the Ordinance in second reading; Councilor O'Donnell seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.*

**The following Ordinance was approved in second reading:**

*In the Year Two Thousand and Fourteen*

Upon the Recommendation of Councilors Ryan R. O'Donnell, Alisa F. Klein and Marianne L. LaBarge

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section § 312-99 of said code; providing that **Violations and penalties.**

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: that section § 312-99 of the Code of ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows: **§ 312-99 Violations and penalties.**

B. Any person who violates any provision of this chapter relative to parking shall be subject to the following penalties made under authority of MGL c. 40, § 22A and MGL c. 90, § 20A 1/2:

(4) Group D: fine: as prescribed by Massachusetts General Laws.

Ordained & Enrolled

- 25 Handicapped plate or other official identification of a handicapped person only (\$150)
- 25B Bus stops (\$100)

Rules suspended, passed two readings, ordained and enrolled.

Updates from Council President and Committee Chairs

Updates from Council President and Committee Chairs NONE

Information Requests (Charter Provision 2-7)

Information Requests (Charter Provision 2-7) NONE

New Business

NEW BUSINESS – *Reserved for topics that the Chair did not reasonably anticipate would be discussed.* NONE

At 9:00 p.m., a motion to adjourn was made by Councilor LaBarge and seconded by Councilor O'Donnell. The vote to adjourn passed unanimously (9-0).

Attest:  Clerk of Council

Roll Call Record of the Northampton City Council

Oct. 16, 2014 7:10pm	City Council 2014-2015	Roll Called by Pamela L. Powers, Clerk of the City Council	Councillor Jesse M. Adams	Councillor Maureen T. Carney	Councillor William H. Dwight	Councillor Alisa F. Klein	Councillor Marianne L. LaBarge	Councillor David A. Murphy	Councillor Ryan R. O'Donnell	Councillor Gina- Louise Sciarra	Councillor Paul D. Spector	Total
		<p><b>Resolution: Condemn Violent Acts</b>  <i>Councilor LaBarge moved to approve the Resolution as amended. Councilor Adams seconded the motion. The Resolution was approved in second reading as amended on a voice vote of 8 Yes, 0 No, 1 Abstention (Councilor Klein).</i></p>	YES	YES	YES	Abstain	YES	YES	YES	YES	Present	9 Present 0 YES
	<p><b>14.260 Financial Order: Florence Recreational Fields \$162,500 (Request 2 Readings)</b>  <i>Councilor Murphy moved to approve the Financial Order in first reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.</i></p>		YES	YES	YES	YES	YES	YES	YES	YES	Present	8 Yes 0 NO 1 Abstention
	<p><i>Councilor LaBarge moved to suspend Rule 14 to allow for a second reading; Councilor Adams seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.</i></p>		YES	YES	YES	YES	YES	YES	YES	YES	Present	Roll Call Vote 9 Yes 0 NO
	<p><i>Councilor Murphy moved to approve the Financial Order in second reading; Councilor LaBarge seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.</i></p>		YES	YES	YES	YES	YES	YES	YES	YES	Present	Roll Call Vote 9 Yes 0 NO

Roll Call Record of the Northampton City Council

Oct. 16, 2014 7:10pm	City Council 2014-2015	Councillor Jesse M. Adams	Councillor Maureen T. Carney	Councillor William H. Dwight	Councillor Alicia F. Klein	Councillor Marianne L. LaBarge	Councillor David A. Murphy	Councillor Ryan R. O'Donnell	Councillor Gina- Louise Sciarra	Councillor Paul D. Spector	Total
	<p>14.262 Financial Order: \$15,000 appropriated for Merchant Service Fees associated with Credit Card use at E.J. Gare Parking Garage (1<sup>st</sup> Reading)</p> <p>Councilor LaBarge moved to approve the Financial Order in first reading; Councilor Sciarra seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No.</p> <p>Councilor LaBarge moved to suspend Rule 14 to allow for a second reading; Councilor Adams seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.</p> <p>Councilor LaBarge moved to approve the Financial Order in second reading; Councilor Klein seconded the motion. The order was approved on a Roll Call Vote of 9 Yes, 0 No</p>	YES	YES	YES	YES	YES	YES	YES	YES	YES	<p>Roll Call Vote 9 Yes 0 NO</p> <p>Voice Vote 9 Yes 0 NO</p> <p>Roll Call Vote 9 Yes 0 NO</p>
	<p>14.243 Financial Order: Lease for Handicap Accessible Entrance to Thornes Market</p> <p>Councilor LaBarge moved to approve the financial order in second reading; Councilor Klein seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.</p>	YES	YES	YES	YES	YES	YES	YES	YES	YES	<p>9 Yes 0 NO</p>

Roll Call Record of the Northampton City Council

Oct. 16, 2014 7:10pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
	14.240 Financial Order to Acquire Land from the McKown Family <i>Councilor LaBarge moved to approve the financial order in second reading; Councilor Spector seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.</i>	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	14.242 Financial Order to Rescind Borrowing for Boat House Project, Lampron Park Playground, and Bridge/Trails @ Beaver Brook <i>Councilor LaBarge moved to approve the financial order in second reading; Councilor Sciarra seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.</i>	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	14.230 Warrant for the November 4th, 2014 State Election <i>Councilor LaBarge moved to approve the warrant in second reading; Councilor O'Donnell seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.</i>	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO

Roll Call Record of the Northampton City Council

Oct. 16, 2014 7:10pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
	Ordinance: §312-80 Bike Lanes ( 2nd Reading) Councilor O'Donnell moved to approve the Ordinance in second reading; Councilor Sciarra seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	Councilor O'Donnell moved to approve Ordinance §312-102 & §312-104 below as a group; Councilor Adams seconded the motion.	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	Ordinance: §312-102 Schedule I: Parking Prohibited All Times Main St., Florence ( 2nd Reading)	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	Ordinance: §312-104 Schedule III: Limited-Time Parking, Main St., Florence ( 2nd Reading)										
	The Ordinances were approved on a Roll Call Vote of 9 Yes, 0 No.										
	14.217 Ordinance: §350-10.1B Detached Accessory Apartments ( 2nd Reading) Councilor LaBarge moved to approve the Ordinance in second reading; Councilor Carney seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
	Councilor Carney moved to approve Ordinances §312-104 and §319-109 as a group; Councilor O'Donnell seconded the motion.										

Roll Call Record of the Northampton City Council

Oct. 16, 2014 7:10pm	City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
	<p>14.219 Ordinance: Section §312-104 Schedule III: Limited-Time Parking (2nd Reading)</p> <p><i>Councilor Adams proposed to amend the Ordinance to replace "all" with 6pm - 8am. Councilor Carney seconded the amendment. Councilor Adams proposed a friendly amendment to reflect Monday - Saturday. Councilor Carney seconded the motion.</i></p> <p>14.220 Ordinance: §319-109 Schedule VIII: On Street Parking Meter Zones (2nd Reading)</p> <p><i>The Ordinances were approved, §312-104 as amended, and §319-109 as submitted, on a Roll Call Vote of 9 Yes, 0 No.</i></p> <p>14.226 Ordinance: Violations &amp; Penalties: Amend Fines for Misuse of Handicap Parking Spaces ( 2nd Reading)</p> <p><i>Councilor LaBarge moved to approve the Ordinance in second reading; Councilor O'Donnell seconded the motion. The motion passed on a Roll Call Vote of 9 Yes, 0 No.</i></p>	YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO
		YES	YES	YES	YES	YES	YES	YES	YES	YES	9 Yes 0 NO

At 9:00 p.m., a motion to adjourn was made by Councilor LaBarge and seconded by Councilor O'Donnell. The vote to adjourn passed unanimously (9-0).



COMMITTEE ON SOCIAL SERVICES, VETERANS, CULTURE, AND RECREATION

*Councilor Marianne LaBarge, Chair*

*Councilor Alisa F. Klein*

*Councilor Gina-Louise Sciarra*

MEETING MINUTES

Monday July 21, 2014

4:00 pm – 6:00 pm

City Council Chambers, 212 Main Street

Wallace J. Puchalski Municipal Building, Northampton, MA

\*Activate NCTV Camera to Record Meeting

1. **Members present/absent:** Members Present: Councilors Marianne LaBarge, Alisa Klein, and Gina-Louise Sciarra; Members Absent: None; Councilor LaBarge left the meeting at 5:00 pm.
2. **Meeting Called to Order:** At 4:00pm Councilor LaBarge called the meeting to order.
3. **Announcement of Audio/Video Recording of Meeting:** Councilor LaBarge announced that the meeting would be video and audio taped.
4. **Approval of Minutes of June 16, 2014:** Councilor Sciarra moved to accept the minutes of June 16, 2014; Councilor Klein seconded the motion. The meeting minutes were accepted on a voice vote of 3 Yes, 0 No.
5. **4:05 p.m. – Merridith O'Leary, RS, Director of Public Health, City of Northampton**

Health Director Merridith O'Leary spoke about the following:

- Scope of services provided by the health department
- Emerging/re-emerging contagious disease

Director O'Leary's slide presentation showed a variety of topics addressed by the Public Health Department, including:

- Cleanup after Natural Disasters
- Disaster Relief Programs
- Licensure for Recreational Camps
- Musante Beach Inspections for Safety & Water Quality.
- Disease Tracking Caused by Insects
- Community Disposal Program for Used Sharps
- Food Service Inspections
- Current Health Concerns, Including Obesity & the Diabetes Epidemic
- Hoarding
- Inspection for Bug Infestation at Hotel Establishments
- Immunization Programs
- Public Pool Inspections
- Inspection & Licensure of Tanning Salons
- Rabies Prevention
- Permits to Trap beavers & Breach Dams
- Smoke Free Law Enforcement
- Performing Soil Evaluation & Witness Percolation Tests
- Septic System Inspection
- Tattoo & Body Piercing Safety

- The Board of Health is the local regulating authority that has the responsibility to set policy & make regulations that protect and preserve the health of the community. The five-member board includes:
  - A Retired CDC Physician
  - A Physician who is the Director of Infectious Control at Cooley Dickinson Hospital
  - A retired OSHA Compliance Officer
  - A professor at UMASS
  - An employee of the State Dept. of Public Health
- The Public Health Department is comprised of:

- One full-time Public Health Director (reports to Mayor and the Board of Health)
- One part-time Clerk
- One full & one part-time Inspector
- One full-time Public Health Nurse
- In 2013 the Public Health Department performed 1416 inspections and issued 658 permits in the following areas:
  - Food Establishments
  - Recreational Water
  - Housing/Nuisance
  - Title V
  - Schools
  - Recreational Camps
  - Tobacco
  - Hotel/Motel
  - Tanning
  - Body Art Practitioners
- Director O'Leary indicated that how people die has shifted from infectious diseases to behavior related deaths (tobacco use and obesity) and chronic diseases.
- Emerging Diseases include: newly identified diseases, such as SARS, MERSA, Avian Flu
- Reemerging Diseases include: diseases that have been around for a while, including measles, mumps, polio.
- Contributing to Emerging and Re-emergence diseases:
  - Evolution of pathogenic infectious agents
  - Development of resistance to drugs
  - Resistance of vectors to pesticides
  - International travel
  - Human behavior
- Role of Public Health Department:
  - Surveillance and early response --MAVEN
  - Assessment of health status, risks, and services available to a community
  - Development of health policy
  - Laboratory identification
  - Rapid communication with medical providers and hospitals
  - Communication with the media, public and health care provider
  - Environmental assessment and remediation

6. **Public Comment—None**

7. **Councilor LaBarge made an announcement that there will be a PUBLIC HEARING ON SEPTEMBER 15, 2014 regarding the VIBRANT SIDEWALK RESOLUTION. The Public Hearing will be from 5:00pm-6:30 pm in City Council Chambers, 212 Main Street, Northampton.**
8. **Update on Benches in the Center of Florence:** Regarding new benches in the Center of Florence, Councilor LaBarge informed the group that the Florence Civic and Business Association doesn't want benches installed. These benches were to be funded by the Commission on Disabilities. Ruth McGrath, Secretary for the Commission on Disabilities, commented that the FCBA does not own the sidewalks, that they are owned by the City. She stated that the Commission on Disabilities has had people mention that they would like to have benches in Florence; clarification is needed from the Florence Civic and Business Association regarding what the concerns are. Councilor LaBarge indicated that the owner of Florence Diner is excited about benches in the downtown area. Councilor LaBarge has asked for the Mayor's support.

9. **5:00 p.m. – Bernice Drumheller, President, National Alliance on Mental Illness (NAMI) of Western Massachusetts**

Ella Smolenski, Family to Family Teacher for the NAMI Family to Family Course

- Bernice Drumheller talked about what NAMI is and does. It is the Nation's largest grassroots mental health organization dedicated to improving the lives of individuals living with mental illness and their families

Mental illness affects everyone; it does not discriminate; 1 in 4 adults and 1 in 10 children are affected. NAMI works everyday to save lives. NAMI is the largest grass roots organization; it was established in 1982. The goals of the organization are to build better lives for those living with mental illness, provide access to services and treatment, and to reach out to those in need. It is the foundation for hundreds of organizations that provides awareness, advocacy and support related programs; the organization operates on donations alone in Hampden, Hampshire & Franklin counties. Fundraisers include a walkathon in May and a Benefit in October. This year's Benefit is a 30 year celebration of NAMI; the benefit will be held at Chez Josef of Agawam; the former first lady of Massachusetts, Kitty Dukakis, will be the Key Note Speaker.

- Ella Smolenski gave an overview of Family to Family course

Cooley Dickinson Hospital offers a 12 week free course that discusses the clinical principals of mental illness. It is lead by Dr. Bruce Bradley Gilbert. The course teaches where there is help, there is hope. 300,000 families and individuals have completed this course nationwide. Topics covered include clinical principals, goals, how to define mental health; available medications and problem solving. Each situation is different and strategies are discussed about how to find help and how to cope with a specific mental illness. Most importantly, attendees are taught that mental illness is a treatable illness. This 12 week course reviews where families can gain access to mental health care services. Strategies are discussed about how to maintain the self esteem of someone who has a mental illness.

The NPD has taken the Crisis Intervention Program to identify potential suicide situations. Ninety percent of suicides are attributed to a diagnosis of mental illness. There is a 1-800-talk line available 24 hours a day. Families of those with mental illness are encouraged to develop a crisis file as it is important to know how to respond effectively when a crisis hits.

The next upcoming course will be offered on Saturdays beginning September 6<sup>th</sup> from 9-11:30 am for 12 consecutive weeks. Pre-registration is required. Interested parties can contact Ella @ [e.smolenski@comcast.net](mailto:e.smolenski@comcast.net) or by phone at (413) 584-7796. Or contact NAMI directly at 1-413-786-9139 or visit the NAMI website at [www.namiwm.org](http://www.namiwm.org).

10. Public Comment-NONE

11. 5:30 p.m. – Janet Moulding , Director, Forbes Library  
Lisa Downing, Assistant Director /Head of Patron Services  
Marjorie Hess, Library Trustee

Assistant Director and Head of Patron Services, Lisa Downing, discussed how the library is used. A handout was given; books are just the beginning of what the library has to offer. Assistant Director Downing reports that

- 396,000 items circulate annually; 175 items per hour are checked out.
- Through the library's affiliation with C/W MARS program, 30,000 free digital books are available.
- The Library also offers Museum passes for a number of Massachusetts and New England venues.
- It was reported that 62 % of Northampton Residents have library cards.
- Free WI-FI is available at the Library, as well as use of a desktop computer with Internet access.
- Conference rooms are available for meetings.

- The Library holds Historical collections; the Calvin Coolidge Memorial Room holds many artifacts formerly owned by the former President. In addition, The "Hampshire Room" includes references for local history research. Finally, the Daily Hampshire Gazette Newspaper is available in microfilm, print and digitally
- Summer reading program for adults and children are offered. Prizes are available.
- There is a job seeker support group partner that meets regularly at the Library.

How does the Library manage all of those amazing things? AD Downing indicated that the Library is certified by the Massachusetts Board of Library Commissions. With certification, the library receives state aid of \$35,000, and is therefore entitled to various grants offered to libraries. The certification requires that the Library spend 13% of money on circulating of materials.

Forbes Library Director, Janet Moulding, discussed recovery status from a recent fire in the building. Damage was slight; the carpeted staircase woodwork was not completely destroyed. A local woodwork conservator indicated that most of it can be saved. The City's Insurance Company hired ServiceMaster to do restoration. Work reclaim includes cleaning every DVD case and disc. Since fire extinguisher dust is very corrosive, the crew must be very careful to remove all of it. A question about the use of Fire Extinguishers was answered by indicating that ABC type fire extinguishers are the best extinguisher source for the type of fire that took place. The use of water would have made restoration possibilities more difficult as the water would have ruined all of the valuable paper archives

12. NEW BUSINESS – *Reserved for topics that the Chair did not reasonably anticipate would be discussed*—NONE
13. ADJOURN-- At 6:15 Councilor Sciarra made a motion to adjourn the meeting; Councilor Klein seconded the motion. The motion passed on a voice vote of 2 Yes and 0 No.

*The next meeting is scheduled for September 15, 2014 at 5:00 -6:30 pm.*

Contact:  
Pamela Powers  
Clerk to the City Council  
413-587-1210  
[ppowers@northamptonma.gov](mailto:ppowers@northamptonma.gov)



**Northampton City Council Finance Committee  
October 16, 2014 MINUTES**

*Councilor David A. Murphy, Chairman  
Councilor Marianne L. LaBarge*

*Councilor Jesse M. Adams  
Councilor Gina-Louise Sciarra*

The Finance Committee held a meeting on Thursday, October 16, 2014 in Council Chambers, Wallace J. Puchalski Municipal Building, 212 Main Street, Northampton, MA.

The meeting began at 7:35 p.m.

▪ **ROLL CALL**

*Roll call was taken and the following members were present: Councilor David A. Murphy, Councilor Jesse M. Adams, Councilor Marianne L. LaBarge, and Councilor Gina-Louise Sciarra.*

October 16, 2014 7:35 p.m.	Finance City Council 2014-2015	Councilor David A. Murphy, Chairman	Councilor Jesse M. Adams	Councilor Marianne L. LaBarge	Councilor Gina-Louise Sciarra	Total
Roll Called by Pamela L. Powers, Clerk of the City Council		Present	Present	Present	Present	4 Present 0 Absent

**1. 14.260 Financial Order: Florence Recreational Fields \$162,500**

*Councilor Adams moved to return the order to City Council with a positive recommendation; Councilor LaBarge seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*

*Mayor Narkewicz indicated that a new Pavilion at Florence Fields will allow the DPW to hold equipment for maintenance of the field on site. He requested to have the Council suspend rules to allow for a second reading this evening. The purpose of this is to give the opportunity for the project to begin sooner.*

*Councilor Adams moved to recognize Recreation Director Ann-Marie Moggio; Councilor LaBarge seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*

*Director Moggio explained that the project will have the following: Rest room facilities for men's, women's & families, a concession area, a sitting area w/ picnic tables, areas to store DPW equipment and sports equipment, and a meeting area for teams/officials, etc.; The building is a zero energy project which means the building will have solar panels installed to heat water and provide electricity. Director Moggio would like the project to be completed in time for the Spring Sports season.*

**2. 14.262 Financial Order: \$15,000 appropriated for Merchant Service Fees associated with Credit Card use at E.J. Gare Parking Garage**

*Councilor Sciarra moved to send the Financial Order to City Council with a positive recommendation; Councilor LaBarge seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*

*The Mayor explained that a new entry system is installed in the garage; it has the capability to accept credit cards. This feature means that a new line item in the parking budget needs to be added so that fees associated with credit card use can be easily tracked.*

*Finance Director Susan Wright explained that a separate agency will collect the parking fees when a credit card is used and will arrange for the charges to be forwarded to the credit card companies. Allowing for the use of credit cards means that fees will be deducted from the total parking fee collected. This line item will be used to pay for the fees. There are three fees:*

- 1. Interchange fee—the bank that issues the credit card will get that fee—this fee is set by the bank;*
- 2. “Visa/Master Card”, etc. fee”—this fee is set by the bank;*
- 3. Processing fee-- paid to the processor who will make all of these transactions happen—this is the only fee that we can control by contracting with our choice of a processing agency.*

*As a debit card function with a pin-pad feature costs significantly more, the system will only allow for credit cards at this time.*

*At 8:15 p.m. Councilor Adams made a motion to adjourn the Finance Committee Meeting; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*

*Respectfully submitted,  
Pamela Powers  
Clerk to City Council, [powers@northamptonma.gov](mailto:powers@northamptonma.gov)*



**Northampton City Council Finance Committee  
October 2, 2014 MINUTES**

*Councilor David A. Murphy, Chairman  
Councilor Marianne L. LaBarge*

*Councilor Jesse M. Adams  
Councilor Gina-Louise Sciarra*

The Finance Committee held a meeting on Thursday, October 2, 2014 in Council Chambers, Wallace J. Puchalski Municipal Building, 212 Main Street, Northampton, MA.

The meeting began at 8:05 p.m.

▪ **ROLL CALL**

*Roll call was taken and the following members were present: Councilor David A. Murphy, Councilor Jesse M. Adams, Councilor Marianne L. LaBarge, and Councilor Gina-Louise Sciarra.*

October 2, 2014 8:05 p.m.	Finance City Council 2014-2015	Councilor David A. Murphy, Chairman	Councilor Jesse M. Adams	Councilor Marianne L. LaBarge	Councilor Gina-Louise Sciarra	Total
Roll Called by Pamela L. Powers, Clerk of the City Council		Present	Present	Present	Present	4 Present 0 Absent

- Meeting called to order:
  - *Councilor Murphy called the meeting to order and announced that the meeting would be video and audio taped.*
- Approval of Meeting Minutes:
  - *Councilor LaBarge moved to accept the minutes of September 18, 2014; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*
- Financial Orders for Consideration:
  - *14.240 Financial Order to Acquire Land from the McKown Family: Councilor Labarge moved to return to City Council with a recommendation to approve; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*
  - *14.242 Financial Order To Rescind Borrowing for Boat House Project, Lampron Playground, and Bridge / Trails @ Beaver Brook. Councilor Labarge moved to return to City Council with a recommendation to approve; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*
  - *Financial Order: Lease for Handicap Accessible Entrance to Thornes: Councilor Labarge moved to return to City Council with a recommendation to approve; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No*
- *At 8:20 p.m. Councilor Adams made a motion to adjourn the Finance Committee Meeting; Councilor Sciarra seconded the motion. The motion passed on a voice vote of 4 Yes, 0 No.*

*Respectfully submitted,  
Pamela Powers  
Clerk to City Council, [powers@northamptonma.gov](mailto:powers@northamptonma.gov)*



COMMITTEE ON SOCIAL SERVICES, VETERANS, CULTURE, AND  
RECREATION AND THE NORTHAMPTON CITY COUNCIL

*Councilor Marianne LaBarge, Chair*

*Councilor Alisa F. Klein*

*Councilor Gina-Louise Sciarra*

MEETING MINUTES  
PUBLIC HEARING ON VIBRANT SIDEWALKS  
SEPT. 15, 2014 / 5:00PM  
City Council Chambers, 212 Main Street  
Wallace J. Puchalski Municipal Building, Northampton, MA

Meeting minutes

1. **Meeting Called to Order:** At 5:00 pm, Councilor Marianne LaBarge called the Committee on Social Services, Veterans, Culture and Recreation to order.
2. **Councilors present:** Councilor Marianne LaBarge, Councilor Alisa Klein and Councilor Gina-Louise Sciarra

In keeping with the Open Meeting Law, this meeting is also publicized as a City Council Meeting. Other members of City Council present include: Councilor Jesse Adams, and Councilor William H. Dwight, and Councilor Ryan O'Donnell.

3. **Open the Public Hearing:** Councilor Alisa Klein moved to open the public hearing; Councilor Gina Louise Sciarra seconded the motion.

*Councilor Alisa Klein read into the record the resolution on Vibrant Sidewalks.*

Public Comments:

- Councilor Dwight provided background for how this Resolution came to be. He indicated that the purpose of the Resolution was to discuss what it means to be a Civic Space. This discussion began in the 1970's. With the removal of the benches in the Business District a few months ago, discussion began again. Councilors have heard concerns that the existing language allows for disruptive activities on sidewalks. There is great concern vocalized by business owners who see this as a deterrent to doing business in the downtown area. He hopes that the public will help craft the better language for the Resolution without pushing the same buttons.
- Ms. Munoz of 63 Rick Dr. in Florence supports having benches installed in downtown Florence and more benches installed in downtown Northampton.
- Patte Shaughnessy, Council on Aging Director supports installation of benches in Florence and more benches in Downtown Northampton. She feels these are vital for people with disabilities or illnesses who need the opportunity to stop and rest while visiting these sections of the City.
- Debin Bruce of 46 Columbus Avenue is bothered by the infrastructure of city streets and how poorly they are maintained. Having more people around tends to invite more positive

interactions on City Streets. Regarding street crossings, Ms. Bruce expressed specific concerns about the crosswalk on South Street.

- Councilor Jesse Adams explained that two amendments were introduced in the Committee on Economic and Community Development, Housing and Land Use. Revised language helps to clarify that disruptive activities on City Streets are not the intent of this Resolution.
- Todd Ford 78 Fern St. in Florence feels that the City should promote more housing in our downtown. The benefit would be more people and allow for vibrancy of city streets. The streetscapes, including street trees are important. He recommends having discussions in Florence as well as down town.
- Ruth McGrath of 52 Longview Drive in Florence feels that benches in downtown Florence are important. She avoids shopping in Florence because she is disabled and needs opportunities to stop and sit.
- Jasper Lapienski from South Street condemns the Mayor for removing benches in downtown Northampton.
- Jonathon Wynn of 25 Summer St. is a professor of Sociology at UMASS in Amherst. He cited Bryant Park as a place where Vibrant Sidewalks exist. He explained that sociologist William H. White examined this issue and concluded there are four key components of successful places: lots of groups, greater proportions of women, lots of places to sit, and variability from day to day and month to month. Measures taken to combat undesirables can be made more positive by
  - Incorporating art objects that strangers can dialogue about
  - Surveillance of business owners and others,
  - Create space for desirables and undesirables alike
- Sarah Hougen of Elizabeth St. has never owned a car and does a lot of walking to get from place to place. Street safety is of concern for her. She is encouraged by what she is hearing.
- Maggie Striebel of 124 South St. feels we have a unique situation because people are willing to dialogue about this type of thing. She feels that there a lot of great ideas, but there is no mechanism for these ideas to coalesce.
- Adam Dunetz of 121 Williams St. is a downtown business owner. He hopes that the group can acknowledge that this is a complex issue and feels that adding benches may not create the desired effect.
- Michael Nagy of Hampton Ave. suggests that 2 or 3 foot ramps that can be made available to the disabled will allow for greater accessibility to city businesses.

*The Public Hearing will remain open; a second Public Hearing on Vibrant Sidewalks will be held on Tuesday, Oct. 14, 2014 at the Florence Civic Center on Park Street in Florence. The Hearing will begin at 7:00pm.*

*The meeting adjourned at 5:55 pm.*



**July 14, 2014 MEETING MINUTES**  
5:00 p.m. – 7:00 p.m.  
City Council Chambers, 212 Main Street  
Wallace J. Puchalski Municipal Building, Northampton, MA

**\*Activate NCTV Camera to Record Meeting**

- Members present/absent: Councilors Murphy and O'Donnell; Councilor Carney arrived at 6:00pm.
- Meeting Called to Order: Councilor Murphy called the meeting to order at 5:20 pm.
- Announcement of Audio/Video Recording of Meeting: Councilor Murphy announced that the meeting would be video and audio recorded.
- Public Comment: None
- Approval of Meeting Minutes of Committee on Rules, Orders, Appointments and Ordinances of June 9 and June 16, 2014: Councilor O'Donnell moved to accept the meeting minutes for June 9 & June 16, 2014; Councilor Murphy seconded the motion. The motion passed on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).
- Appointment to the Board of Public Works: Patrick Goggins, 20 Bridge Road (F), Term July, 2014-March, 2015 to fill the unexpired term of K. Christopher Hellman. Councilor O'Donnell moved to return the appointment back to City Council with a positive recommendation; Councilor Murphy seconded the motion. The motion passed on a voice vote of 2 Yes, 0 No, 1 Absent (Councilor Carney).

Councilor Murphy moved to recess until the 5:30 public hearing; Councilor O'Donnell seconded the motion. The Committee took a brief recess.

**5:30 - Continuation of Public Hearing on the Following Items:**

Public Comment:

- Mark Shaw asked that the City move forward with the Ordinance so that the developer could decide whether to purchase the property. Owner of the hotel, Donald Shaw, is anxious to move on from the hotel. The hotel had a few break-ins and is a burden to keep secure.
- Ordinance: Amend §350G Replacement of Moratorium on Construction of 7+ Units in the URB District with Language Specified (*Referred by City Council April 3, 2014; Public Hearing extended to July 14, 2014 at June 9, 2014 ROAO meeting*)
- Ordinance: Amend §350H Replacement of Moratorium on Construction of 7+ Units in the URC District with Language Specified (*Referred by City Council April 3, 2014, Public Hearing extended to July 14, 2014 at June 9, 2014 ROAO meeting*)

Since May, the planning Board has been meeting to discuss the URB/URC Ordinances. Changes include:

- First paragraph, bullet three, was modified to be sure that special permit approval was required for townhouse projects creating 7 or more units in one or more phases within a 5 year period.
- Streetscape requirements specify how developers are to orient projects to the street (connect and relate to the street); streetscapes may require modifications to the public sidewalks.

- Design with a dead end street must be connected by bike or pedestrian way.
- Common park space was increased from 75sq. ft. to 100 sq. ft. minimum or 10 sq ft per development unit; whichever is greater.
- Bullet 7 was clarified regarding the standard; however, the context paragraph did not change.
- Bullet 8 regarding energy & affordable housing standards has been modified to reflect the Planning Board's desire to have development exceed the current Energy "Stretch Code"; the revised wording allows for the requirements to adjust if the Stretch Code changes.
- Housing Partnership decided that they didn't like affordability relating to 1,200 ft units. The Planning Board felt that the Housing Plan needs to have affordability at all levels.
- Carolyn Misch distributed copies of the URB-version of the Ordinance with Attorney Seewald's comments. "Pedestrian Friendly" term discussed; Councilor O'Donnell suggested that a definition for the term be established. Councilor Murphy cautioned that since this is an Ordinance, it should be understood by applicants who must follow requirements.
- Regarding dead-end streets, the objective is to have these roadways connect to something, including but not limited to, bike or pedestrian access ways.
- Atty. Seewald indicated that an explanation is required for the process referred to in the last paragraph Carolyn Misch explained that the process is explained in the zoning, and the appropriate reference to the existing regulations can be referenced in this section.
- Councilor Murphy indicated that he would like to see the Ordinance modified to the satisfaction of Attorney Seewald's legal concerns; Councilor O'Donnell agreed. Both recognized the hard work done by the Planning Board.
- Councilor O'Donnell made a motion to continue the Public Hearing on Ordinance §350G Replacement of Moratorium on Construction of 7+ Units in the URB District *and* Ordinance §350H Replacement of Moratorium on Construction of 7+ Units in the URC District until the Committee's next meeting which has been changed to Sept. 22; The Public Hearing will be held at 5:30pm. Councilor Carney seconded the motion. The motion passed on a voice vote of 3 Yes, 0 No.
- Ordinance: Amend §350-3.4 Rezone All City Conservation Land to Farm Forests and Rivers (FFR) that is not already FFR or Special Conservancy (*Referred by City Council May 1, 2014 to Planning Board, Committee on Economic & Community Development, Housing and Land Use, and Committee on Rules, Orders, Appointments, and Ordinances*) *Positive recommendation from Committee on Economic & Community Development, Housing and Land Use on May 6, 2014. Positive recommendation from Planning Board on June 12, 2014.*
  - The Planning Board will be revising the Ordinance removing two parcels of land from the request for re-zoning, The City does not currently own these two parcels and acquisition efforts are taking longer than planned. All other property defined in the Ordinance is City owned property.
  - Councilor Carney made a motion to close public hearing on the Ordinance §350-3.4 Rezone All City Conservation Land to Farm Forests and Rivers (FFR) that is not already FFR or Special Conservancy; Councilor O'Donnell seconded the motion; the motion passed on a voice vote of 3 Yes, 0 No.
  - Councilor Carney made a motion to send Ordinance §350-3.4 Rezone All City Conservation Land to Farm Forests and Rivers (FFR) that is not already FFR or Special Conservancy back to City Council with a positive recommendation; Councilor O'Donnell seconded the motion; the motion passed on a voice vote of 3 Yes, 0 No.

- Ordinance: Amend §350 Section 2.1 Affordable Units (*Referred from City Council May 15, 2014*)

*No recommendation from Economic & Community Development, Housing and Land Use on July 1, 2014 because the Committee wanted Housing Partnership to weigh-in on the Ordinance.*

- This Ordinance is changing the requirements for what the affordable home ownership is from 99 years to 30 years.
  - Councilor Carney made a motion to close public hearing on the Ordinance §350-2.1 Affordable Units; Councilor O'Donnell seconded the motion; the motion passed on a voice vote of 3 Yes, 0 No.
  - Councilor Carney made a motion to send Ordinance §350-2.1 Affordable Units back to City Council with a positive recommendation; Councilor O'Donnell seconded the motion; the motion passed on a voice vote of 3 Yes, 0 No.
- NEW BUSINESS –*NONE*
  - ADJOURN - Councilor O'Donnell made a motion to adjourn at 6:20pm; Councilor Carney seconded. The motion passed on a voice vote of 3 Yes, 0 No.

Respectfully submitted by  
Pamela L. Powers  
Clerk to the City Council  
[ppowers@northamptonma.gov](mailto:ppowers@northamptonma.gov)  
413-587-1210



## MAYOR DAVID J. NARKEWICZ

City of Northampton  
Office of the Mayor  
210 Main Street Room 12  
Northampton, MA 01060-3199  
(413) 587-1249 Fax: (413) 587-1275  
mayor@northamptonma.gov

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TO: City Council  
FROM: Mayor David J. Narkewicz  
DATE: November 6, 2014  
RE: Appointment of Board of Almoners and Trust Fund Committee

### Board of Almoners

- Andrea Murray, 54 Day Ave., Northampton – term November 2014 – November 2015
- Susan Stubbs, 13 Trumbull Rd., Northampton – term November 2014 – November 2015
- Patricia Ahearn, 20 Fort St., Northampton – term November 2014 – November 2016
- Joseph Misterka, 312 Chesterfield Rd., Leeds – term November 2014 – November 2016
- Michael Shaughnessy, 153 Bridge St., Northampton – term November 2014 – November 2017

### Trust Fund Committee

- Bill Williams, 11 Barrett Place, Northampton – term November 2014 – November 2015
- David Hershops, 22 Warburton Way, Northampton – term November 2014 – November 2016
- Gerald Budgar, 127 Bridge St., Northampton – term November 2014 – November 2017



Mayor of Northampton Mass. <mayor@northamptonma.gov>

## Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

1 message

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Thu, Oct 30, 2014 at 11:47 AM

If you are having problems viewing this HTML email, click to view a Text version.

### Application for Appointment to Boards, Committees and Commissions

#### City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

**First Name\***  
Patricia

**Last Name\***  
Ahearn

**Address1\***  
20 Fort Street

**City\***  
Northampton

**State\***  
MA

**Zip\***  
01060

**Home Phone**  
413-584-3601

**Cell Phone**  
413-531-0277

#### Occupation & Place of Employment

Retired

**Email**  
hemzy@verizon.net

**Sex**  
This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

Male  Female

**Years Lived in Northampton**  
76

**Age**

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

- |                                   |   |
|-----------------------------------|---|
| <input type="checkbox"/> Under 29 | <input type="checkbox"/> 30 - 39            |
| <input type="checkbox"/> 40 - 49  | <input type="checkbox"/> 50 - 59            |
| <input type="checkbox"/> 60 - 69  | <input checked="" type="checkbox"/> 70 plus |

**Boards and Committees**

Please indicate the boards and committees you have an interest serving on.

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing Trust            | <input type="checkbox"/> Agricultural Commission           |
| <input type="checkbox"/> Arts Council                        | <input type="checkbox"/> Board of Health                   |
| <input type="checkbox"/> Board of Public Works               | <input type="checkbox"/> Cable Advisory Board              |
| <input type="checkbox"/> Capital Improvements                | <input type="checkbox"/> Central Business Architecture     |
| <input type="checkbox"/> Conservation Committee              | <input type="checkbox"/> Committee on Disabilities         |
| <input type="checkbox"/> Community Preservation Committee    | <input type="checkbox"/> Council on Aging                  |
| <input type="checkbox"/> Elm Street Historic District        | <input type="checkbox"/> Energy Resources Commission       |
| <input type="checkbox"/> Historical Commission               | <input type="checkbox"/> Housing Partnership-Fair Housing  |
| <input type="checkbox"/> Human Rights Commission             | <input type="checkbox"/> License Commission                |
| <input type="checkbox"/> Northampton Housing Authority       | <input type="checkbox"/> Planning Board                    |
| <input type="checkbox"/> Recreation Commission               | <input type="checkbox"/> Registrar of Voters               |
| <input type="checkbox"/> Transportation & Parking Commission | <input type="checkbox"/> Bicycle & Pedestrian Subcommittee |
| <input type="checkbox"/> Tree Committee                      | <input type="checkbox"/> Youth Commission                  |
| <input type="checkbox"/> Zoning Board of Appeals             | <input checked="" type="checkbox"/> Other                  |

**Please list "other" board or committee of interest**

Board of Almoners

**What skills and experience will you bring to this committee assignment?\***

I have served on the Board for many years and have enjoyed every one. It is meaningful to be able to help others in times of need.

**Are you currently serving or have you served on any city committee?\***

- No  Yes

**Required: Please read the following, by signing below you state that you understand and agree.**

The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.

**Signature\***

**Date\***

10/30/2014

Patricia M. Ahearn

View any uploaded files by proceeding to the link  
below <br> [http://northamptonma.gov/  
Admin/FormCenter/Submissions/Edit?  
id=595&formID=45&submissionDataDisplayType=0&  
backURL=/Admin/FormCenter/  
Submissions/Index/45?categoryID=3](http://northamptonma.gov/Admin/FormCenter/Submissions/Edit?id=595&formID=45&submissionDataDisplayType=0&backURL=/Admin/FormCenter/Submissions/Index/45?categoryID=3)

The following form was submitted via your website: Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions: Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name: Patricia

Last Name: Ahearn

Address1: 20 Fort Street

City: Northampton

State: MA

Zip: 01060

Home Phone: 413-584-3601

Cell Phone: 413-531-0277

Occupation & Place of Employment: Retired

Email: hernzy@verizon.net

Sex: Female

Years Lived in Northampton: 76

Age: 70 plus

Boards and Committees: Other

Please list "other" board or committee of interest: Board of Almoners

What skills and experience will you bring to this committee assignment?: I have served on the Board for many years and have enjoyed every one. It is meaningful to be able to help others in times of need.

Are you currently serving or have you served on any city committee?: No

Required: Please read the following, by signing below you state that you understand and agree.: The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service.  
Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.

Signature: Patricia M. Ahearn

Date: 10/30/2014

Additional Information:

Form Submitted on: 10/30/2014 11:47:33 AM

Submitted from IP Address: 74.106.68.250

Referrer Page: <http://northamptonma.gov/FormCenter/Online-Forms-3/Application-for-Appointment-to-Boards-Co-45>

Form Address: <http://northamptonma.gov/FormCenter/Online-Forms-3/Application-for-Appointment-to-Boards-Co-45>

Almonera



# City of Northampton Application for Appointment to Boards, Committees and Commissions

Name: Joseph P. Misterka  
 Address: 312 Chesterfield Road  
 Email: josephmisterka@yahoo.com  
 Home Phone: 413.586.0432 Work: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Occupation: Retired: Northampton School Department Years lived in Northampton: 65

Please indicate the Committee(s) you have interest serving on: *(Appointment subject to vacancies)*

Affordable Housing Trust		Historical Commission	
Agricultural Commission		Housing Partnership-Fair Housing	
Arts Council		Human Rights Commission	
Board of Health		License Commission	
Board of Public Works		Northampton Housing Authority	
Cable Advisory Board		Planning Board	
Capital Improvements		Recreation Commission	
Central Business Architecture		Registrar of Voters	
Conservation Committee		Transportation & Parking Commission	
Committee on Disabilities		Bicycle and Pedestrian Subcommittee	
Community Preservation Committee		Tree Committee	
Council on Aging		Youth Commission	
Elm Street Historic District		Zoning Board of Appeal	
Energy Resources Commission		Other <u>Board of Almoners</u>	<input checked="" type="checkbox"/>

### What skills and experience will you bring to this Committee assignment:

*(attach additional sheet or resume if necessary)*

I believe that my experiences in the School Department have helped me have empathy for who are struggling financially, i.e. Free and Reduced Lunch Program, Athletic and Transportation Fees. In this capacity, I have shown fairness and confidentiality with the sensitive nature of personal financial information. Thank you for your consideration for this appointment.

Are you currently serving or have you served on any City committee:  No  Yes\*

*(\*If yes please state what committee)* Board of Almoners

**Required:** Please read the following, by signing below you state that you understand and agree:

The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test AFTER being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. **IMPORTANT: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form!**

SIGNATURE

Joseph P. Misterka

DATE 02.22.13

Please Return Form To: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or  
 David J. Narkewicz, Mayor, 210 Main Street, Northampton, MA 01060

**OPTIONAL INFORMATION**

*This information will be used for diversity purposes only.  
Complete it only if you wish to do so.*

Age: Under 29  30-39  40-49  50-59  60-69  70 plus

Sex: M  F  Racial/Ethnic Background \_\_\_\_\_



**City of Northampton  
Application for Appointment to  
Boards, Committees and Commissions**

Mayor's Office

OCT 31 2014

Northampton MA

Name: Andrea M. Murray  
 Address: 54 Day Ave  
 Email: murray-588@msa.com  
 Home Phone: 586-4815 Work: — Cell: —  
 Occupation: retired Years lived in Northampton: 60+

Please indicate the Committee(s) you have interest serving on: *(Appointment subject to vacancies)*

Affordable Housing Trust	Historical Commission
Agricultural Commission	Housing Partnership-Fair Housing
Arts Council	Human Rights Commission
Board of Health	License Commission
Board of Public Works	Northampton Housing Authority
Cable Advisory Board	Planning Board
Capital Improvements	Recreation Commission
Central Business Architecture	Registrar of Voters
Conservation Committee	Transportation & Parking Commission
Committee on Disabilities	Bicycle and Pedestrian Subcommittee
Community Preservation Committee	Tree Committee
Council on Aging	Youth Commission
Elm Street Historic District	Zoning Board of Appeal
Energy & Sustainability Commission	Other <u>Board of Almoners</u>

What skills and experience will you bring to this Committee assignment:

*(attach additional sheet or resume if necessary)*

Several years on Board of Almoners

Are you currently serving or have you served on any City committee: No  Yes\*

*(\*if yes please state what committee)* Board of Almoners

**Required:** Please read the following, by signing below you state that you understand and agree:

The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test AFTER being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. **IMPORTANT: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form!**

SIGNATURE Andrea M. Murray DATE Oct 29, 2014

Please Return Form To: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or  
 David J. Narkewicz, Mayor, 210 Main Street, Northampton, MA 01060



Mayor of Northampton Mass. <mayor@northamptonma.gov>

## Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

1 message

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Mon, Oct 27, 2014 at 1:24 PM

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### Application for Appointment to Boards, Committees and Commissions

#### City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

**First Name\***

Susan

**Last Name\***

Stubbs

**Address1\***

13 Trumbull Rd.

**City\***

Northampton

**State\***

MA

**Zip\***

01060

**Home Phone**

4134272054

**Work Phone**

4134272054

**Cell Phone**

4134272054

**Occupation & Place of Employment**

CEO of ServiceNet, Inc (non-profit human service organization)

**Email**

sstubbs@servicenet.org

**Sex**

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

Male  Female

**Years Lived in Northampton**

36

**Age**

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

Under 29

30 - 39

40 - 49

50 - 59

60 - 69

70 plus

**Racial / Ethnic Background**

Caucasian

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

**Boards and Committees**

Please indicate the boards and committees you have an interest serving on.

Affordable Housing Trust

Agricultural Commission

Arts Council

Board of Health

Board of Public Works

Cable Advisory Board

Capital Improvements

Central Business Architecture

Conservation Committee

Committee on Disabilities

Community Preservation Committee

Council on Aging

Elm Street Historic District

Energy Resources Commission

Historical Commission

Housing Partnership-Fair Housing

Human Rights Commission

License Commission

Northampton Housing Authority

Planning Board

Recreation Commission

Registrar of Voters

Transportation & Parking Commission

Bicycle & Pedestrian Subcommittee

Tree Committee

Youth Commission

Zoning Board of Appeals

Other

**Please list "other" board or committee of interest**

Board of Almoners

**What skills and experience will you bring to this committee assignment?\***

Experience with human services, and work with low-income population

**Are you currently serving or have you served on any city committee?\***

No

Yes

**Please list other city committees you have served on**

Previously on Board of Almoners

**Required: Please read the following, by signing below you state that you understand and agree.**

The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law

MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.

Signature*	Date*
Susan L Stubbs	10/27/2014

View any uploaded files by proceeding to the link below <br> <http://northamptonma.gov/Admin/FormCenter/Submissions/Edit?id=591&formID=45&submissionDataDisplayType=0&backURL=/Admin/FormCenter/Submissions/Index/45?categoryID=3>

The following form was submitted via your website: Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions: Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor  
210 Main Street, Northampton, MA 01060

First Name: Susan

Last Name: Stubbs

Address 1: 13 Trumbull Rd.

City: Northampton

State: MA

Zip: 01060

Home Phone: 4134272054

Work Phone: 4134272054

Cell Phone: 4134272054

Occupation & Place of Employment: CEO of ServiceNet, Inc (non-profit human service organization)

Email: [ssubbs@servicenet.org](mailto:ssubbs@servicenet.org)

Sex: Female

Years Lived in Northampton: 36

Age: 60 - 69

Racial / Ethnic Background: Caucasian

Boards and Committees: Other

Please list "other" board or committee of interest: Board of Almoners

What skills and experience will you bring to this committee assignment?: Experience with human services, and work with low-income population

Are you currently serving or have you served on any city committee?: Yes

Please list other city committees you have served on: Previously on Board of Almoners

Required: Please read the following, by signing below you state that you understand and agree.: The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal

Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial

Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will

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the appointing authority with any questions about my service.

Important: Once this form is submitted it becomes a public

document, if there is information you do not want open to the public please do not include it on this form.

Signature: Susan L Stubbs

Date: 10/27/2014

Additional Information:

Form Submitted on: 10/27/2014 1:24:19 PM

Submitted from IP Address: 74.94.186.209

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Form Address: <http://northamptonma.gov/FormCenter/Online-Forms-3/Application-for-Appointment-to-Boards-Co-45>



Mayor of Northampton Mass. <mayor@northamptonma.gov>

## Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

1 message

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

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### Application for Appointment to Boards, Committees and Commissions

#### City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

Mayor's Office  
OCT 28 2014  
Northampton MA

**First Name\***  
Gerald

**Last Name\***  
Budgar

**Address1\***  
127 Bridge Street

**City\***  
Northampton

**State\***  
MA

**Zip\***  
01060

**Home Phone**  
(43) 584-2964

#### Occupation & Place of Employment

Retired

**Email**  
gbudgar@rcn.com

#### Sex

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

Male  Female

**Years Lived in Northampton**  
67

**Age**

This information is optional and will be used for diversity purposes only. Complete it only if you wish to do so.

- |   |                                  |
|---|----------------------------------|
| <input type="checkbox"/> Under 29           | <input type="checkbox"/> 30 - 39 |
| <input type="checkbox"/> 40 - 49            | <input type="checkbox"/> 50 - 59 |
| <input checked="" type="checkbox"/> 60 - 69 | <input type="checkbox"/> 70 plus |

**Boards and Committees**

Please indicate the boards and committees you have an interest serving on.

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing Trust            | <input type="checkbox"/> Agricultural Commission           |
| <input type="checkbox"/> Arts Council                        | <input type="checkbox"/> Board of Health                   |
| <input type="checkbox"/> Board of Public Works               | <input type="checkbox"/> Cable Advisory Board              |
| <input type="checkbox"/> Capital Improvements                | <input type="checkbox"/> Central Business Architecture     |
| <input type="checkbox"/> Conservation Committee              | <input type="checkbox"/> Committee on Disabilities         |
| <input type="checkbox"/> Community Preservation Committee    | <input type="checkbox"/> Council on Aging                  |
| <input type="checkbox"/> Elm Street Historic District        | <input type="checkbox"/> Energy Resources Commission       |
| <input type="checkbox"/> Historical Commission               | <input type="checkbox"/> Housing Partnership-Fair Housing  |
| <input type="checkbox"/> Human Rights Commission             | <input type="checkbox"/> License Commission                |
| <input type="checkbox"/> Northampton Housing Authority       | <input type="checkbox"/> Planning Board                    |
| <input type="checkbox"/> Recreation Commission               | <input type="checkbox"/> Registrar of Voters               |
| <input type="checkbox"/> Transportation & Parking Commission | <input type="checkbox"/> Bicycle & Pedestrian Subcommittee |
| <input type="checkbox"/> Tree Committee                      | <input type="checkbox"/> Youth Commission                  |
| <input type="checkbox"/> Zoning Board of Appeals             | <input checked="" type="checkbox"/> Other                  |

**Please list "other" board or committee of interest**  
Trust Fund Committee

**What skills and experience will you bring to this committee assignment?\***

I have served on the Trust Fund Committee for two full terms (six years total). During that period, I worked with other members of the committee and the city treasurer to modernize and update the city's trust fund operation so it is well organized, transparent, and performing well in the marketplace to produce resources needed to fund the various purposes that are underwritten by the endowments established in the trust fund.

**Are you currently serving or have you served on any city committee?\***

- No  Yes

**Please list other city committees you have served on**

I have served, in the past, on the Airport Commission, the Reprecincting Committee, and as an Associate Registrar of Voters.

**Required: Please read the following, by signing below you state that you understand and agree.**

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open to the public please do not include it on this form.

Signature*	Date*
Gerald S. Budgar	10/27/2014

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210 Main Street, Northampton, MA 01060

First Name: Gerald

Last Name: Budgar

Address1: 127 Bridge Street

City: Northampton

State: MA

Zip: 01060

Home Phone: (43) 584-2964

Occupation & Place of Employment: Retired

Email: [gbudgar@rcn.com](mailto:gbudgar@rcn.com)

Sex: Male

Years Lived in Northampton: 67

Age: 60 - 69

Boards and Committees: Other

Please list "other" board or committee of interest: Trust Fund Committee

What skills and experience will you bring to this committee assignment?: I have served on the Trust Fund Committee for two full terms (six years total). During that period, I worked with other members of the committee and the city treasurer to modernize and update the city's trust fund operation so it is well organized, transparent, and performing well in the marketplace to produce resources needed to fund the various purposes that are underwritten by the endowments established in the trust fund. During the years I've served, we have been able to

bring together all the elements of the city's trust funds, clarified financial reporting and investment responsibilities, established clear investment policy standards, brought on a professional manager to oversee our investment program, and worked with city and state officials to revise our investment philosophy to allow the city to take advantage of a wider range of appropriate investment options than previously allowed. The result is, in my opinion, an investment program for our city's trust funds that could serve as a prototype for other Massachusetts communities. I would very much like to continue serving on the committee to work with the new city treasurer to effect a smooth transition and assist with ongoing monitoring of the performance of our city's trust fund operation.

Are you currently serving or have you served on any city committee?: Yes

Please list other city committees you have served on: I have served, in the past, on the Airport Commission, the Reprecincting Committee, and as an Associate Registrar of Voters.

Required: Please read the following, by signing below you state that you understand and agree.: The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal

Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial

Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will

take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact

the appointing authority with any questions about my service.

Important: Once this form is submitted it becomes a public

document, if there is information you do not want open to the public please do not include it on this form.

Signature: Gerald S. Budgar

Date: 10/27/2014

Additional Information:

Form Submitted on: 10/27/2014 8:13:19 PM

Submitted from IP Address: 159.250.76.44

Referrer Page: <http://northamptonma.gov/FormCenter/Online-Forms-3/Application-for-Appointment-to-Boards-Co-45>

Form Address: <http://northamptonma.gov/FormCenter/Online-Forms-3/Application-for-Appointment-to-Boards-Co-45>

## Skills and Experience

David Hersh  
22 Warburton Way  
Northampton, MA 01060  
[Davidhersh22@gmail.com](mailto:Davidhersh22@gmail.com)  
413-727-8575

I have served on the City Treasurer's Trust Fund Committee for six years and believe that experience allows me to continue to contribute to developing policies that allow the Treasurer to invest the High School Scholarship funds and the Forbes Library funds in a prudent and measured fashion to provide both current income and long-term capital appreciation.

The experience I bring to this position is based on working for more than 25-years in several areas, including credit risk and interest rate risk. Both of the latter skills---credit risk and interest rate risk--are essential to the tasks at hand.

Specifically, during my career, I worked as an analyst researching municipal bonds for Wall Street firms, as an investment banker underwriting new issues of municipal bonds, and writing letters of credit for a commercial bank. In addition, I served for five years (1976-1981) as the Deputy Director of the Office of New York Finance for the U. S. Treasury Department that administered the Seasonal Financing Act of 1975 and the Federal Loan Guarantee program of 1978 to New York City. The latter position involved policy analysis, financial analysis, and evaluating inter governmental aid to New York City.

March 4, 2013

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Cosmian Avenue as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Cosmian Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Cosmian Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated July 19, 2013, for the purpose of laying out, establishing and accepting public ways thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Cosmian Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated July 19, 2013, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point marked by a granite bound with drill hole found, said point marks the northwesterly corner of a parcel, now or formerly John K. & Margaret G. Bollard as described in a deed recorded in Book 1916 Page 29, said point being located on the easterly side line of Lilly Street, said point being the southwest corner of the parcel herein described.

Thence running N 65°44'16" E along the northerly line of said Bollard, a distance of 139.26 feet to a point, thence;

N 68°49'16" E along the northerly line of land now or formerly Florence Civic and Business Association, Inc. as described in a deed recorded in Book 1198 Page 201, a distance of 209.22 feet to a point, said point being located on the westerly side line of North Main Street, said point being the southeasterly corner of the parcel herein described, thence;

N 37°15'44" W along the westerly side line of said North Main Street, a distance of 34.34 feet to a point, said point being the southeasterly corner of a parcel, now or formerly Elissa Brill as described in a deed recorded in Book 6445 Page 159, said point bearing as a tie course, S 56°04'53" E, a distance of 1.98 feet from an iron pipe found, said point being the northeasterly corner of the parcel herein described, thence;

S 68°49'16" W along the southerly line of land of said Brill, and land now or formerly Patricia Isabel Jung and Julia Chevan as described in a deed recorded in Book 4125 Page 78, a distance of 200.59 feet to a point, thence;

S 65°44'16" W along the southerly line of land of said Jung and Chevan, and land now or formerly May C. Chan and James W. Riddle as described in a deed recorded in Book 11250 Page 60, a distance of 139.81 feet to a point, said point being located on the easterly side line of Lilly Street, said point bearing as a tie course S 32°53'55" E, a distance of 0.86 feet from a granite bound with drill hole found, said point being the northwesterly corner of the parcel herein described, thence;

S 23°40'44" E along the easterly line of said Lilly Street, a distance of 33.00 feet to the point of beginning.

The above described parcel contains 11,367 square feet more or less, being depicted as Cosmian Avenue, on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 07-19-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83

All Book and Page numbers recited are referenced to the Hampshire Registry District

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 11250, Page 60, Book 4125, Page 78, Book 6445, Page 159, Book 1198, Page 201, Book 1916, Page 29.





## PLANNING AND DEVELOPMENT • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • CMisch@NorthamptonMA.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: March 21, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on March 14, 2013, the Board voted on the following street acceptance requests.

1. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Glendale
- Edwards Sq
- Strawberry
- Isabella
- Church St
- Bradford St Extension
- Cosmlan
- Taylor St
- Baker Hill

2. The Board voted to provide no recommendation on the following requests for street acceptance. The Board felt that they could not make a determination relative to planning policy one way or another about the impact of street acceptance and further determined that it is a political decision as to whether the City should accept ownership and maintenance responsibility.

- Lawn Ave
- Massasolt Ave
- Park Ave
- Edgewood Terr
- Meadow Ave
- Bright Ave
- Warner Row
- Center Court
- Pine Valley
- Bradford St (N&S)



CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL

On October 11, 2011 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Cosmian Avenue**.

The Board of Public Works held a public hearing on March 2, 2013 and at its regular meeting on March 13, 2013 voted unanimously to recommend the acceptance of Cosmian Avenue as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

Edward S. Huntley, P.E.  
Director of Public Works  
August 15, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Depot Avenue as a public way;  
and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Depot Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Depot Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated September 25, 2013, being Parcel A and Parcel B shown thereon, for the purpose of laying out, establishing and accepting public ways thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken constitute "Depot Avenue" and are shown as "Parcel A" and "Parcel B" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated September 25, 2013, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

### Parcel A

Beginning at a point marked by an iron pipe found, said point marks the northwesterly corner of a parcel, now or formerly Gerard D. LaFrance and Sandra K. LaFrance as described in a deed recorded in Book 2585 Page 161, said point being the southwest corner of a parcel, now or formerly Charles L. Pitrat, as described in a deed recorded in Book 6130 Page 349, said point being located on the easterly side line of North Maple Street, said point being the southwest corner of the parcel herein described.

Thence running N 01°40'04" E along the westerly side line of said North Maple Street, a distance of 35.00 feet to a point, said point being the northwesterly corner of the parcel herein described, thence;

S 89°12'36" E through land of said Pitrat, a distance of 81.71 feet to a point, thence;

Through land of said Pitrat on a curve to the left, with an arc length of 73.08' and a radius of 1480.19', said curve has a chord bearing of S 53°45'45" E and a chord length of 73.07' to a point, said point being located on the westerly line of a parcel now or formerly Florence Family Enterprises LLC as described in a deed recorded in Book 6793 Page 133, said point being the northeasterly corner of the parcel herein described, thence;

S 31°41'00" W along the southerly line of said Florence Family Enterprises LLC, a distance of 35.05 feet to a point, said point being on the westerly line of LaFrance, said point being marked by an iron rod found, said point being the southeasterly corner of the parcel herein described, thence;

Along the easterly line of land of said LaFrance on a curve to the right, with an arc length of 65.00' and a radius of 1515.19', said curve has a chord bearing of N 54°01'13" W and a chord length of 65.00 to a point, said point being marked by an iron rod found, said point being on the southerly line of the parcel herein described, thence;

N 89°12'36" W along the northerly line of said LaFrance, a distance of 70.66 feet to the point of beginning.

The above described parcel contains 5,083 square feet more or less, being depicted as Parcel A, Depot Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 09-25-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83  
All Book and Page numbers recited are referenced to the Hampshire Registry District

Parcel B

Beginning at a point, said point marks the westerly line of a parcel, now or formerly Florence Family Enterprises LLC as described in a deed recorded in Book 6793 Page 133, said point marks the easterly line of a parcel, now or formerly Charles L. Pitrat, as described in a deed recorded in Book 6130 Page 349, said point being the northwesterly corner of the parcel herein described,

Thence through said land of said Florence Family Enterprises LLC on a curve to the left, with an arc length of 43.94' and a radius of 1480.19, said curve has a chord bearing of S 56°01'37" E and a chord length of 43.94' to a point, said point being on the northerly line of the parcel herein described, thence;

S 69°28'44" E through land of said Florence Family Enterprises LLC, a distance of 211.06 feet to a point, said point being located on Keyes Street, said point being the northeasterly corner of the parcel herein described, thence;

S 03°26'54" W along the westerly line of said Keyes Street, a distance of 36.61 feet to a point, said point being the southeasterly corner of the parcel herein described, thence;

N 69°28'44" W through land of said Florence Family Enterprises LLC, a distance of 225.65 feet to a point, said point marks the northeasterly corner of a parcel, now or formerly Roger P. and Julianne M. Clark, as described in a deed recorded in Book 7406 Page 294, said point being the southerly line of the parcel herein described, thence;

Thence along said land of said Clark and land of said Gerard D. and Sandra K. LaFrance, as described in a deed recorded in Book 2585 Page 161, on a curve to the right, with an arc length of 46.94' and a radius of 1515.19', said curve has a chord bearing of N 56°08'13" W and a chord length of 46.94' to a point, said point being marked by an iron rod, said point being the southeasterly corner of said Pitrat, said point being the southwest corner of the parcel herein described, thence;

N 31°41'00" E along the easterly line of said Pitrat, a distance of 35.05 feet to the point of beginning.

The above described parcel contains 9,233 square feet more or less, being depicted as Parcel B, Depot Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 09-25-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83  
All Book and Page numbers recited are referenced to the Hampshire Registry District

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 6130, Page 349, Book 6793, Page 133, Book 1854, Page 21, Book 5898, Page 308, Book 7406, Page 294, Book 2585, Page 161.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

**REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On March 21, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Depot Avenue**.

The Board of Public Works held a public hearing on April 27, 2013 and at its regular meeting on May 8, 2013 voted unanimously to recommend the acceptance of Depot Avenue as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

A handwritten signature in black ink, appearing to read "Edward S. Huntley".

Edward S. Huntley, P.E.  
Director of Public Works  
August 13, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Edgewood Terrace as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Edgewood Terrace as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Edgewood Terrace" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 28, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Edgewood Terrace" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 28, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point, said point marks the southwesterly corner of a parcel, now or formerly Leonard Pratt Jr. as described in a deed recorded in Book 6535 Page 230 of the Hampshire Registry District, said point being located on the northerly line of South Street, said point bearing S 47°40'03" W, a distance of 56.93 feet from an iron pipe found, said point being the southeasterly corner of the parcel herein described, thence;

S 47°40'03" W along said South Street, a distance of 15.01 feet to a point, said point marks the southeasterly corner of a parcel, now or formerly Christopher & Beverly Colby, as described in a deed recorded in Book 9935 Page 242 of the Hampshire Registry District, said point being located on the northerly line of South Street, said point bearing N 47°40'03" E, a distance of 40.57 feet from an iron pipe found, said point being the southwesterly corner of the parcel herein described, thence;

N 44°27'19" W along said Colby, land now or formerly Jeffrey Q. Sternal & Jennifer S. Adams, as described in a deed recorded in Book 9182 Page 262, and land now or formerly Northeast Enterprises Realty Partnership as described in a deed recorded in Book 6675 Page 83, a distance of 369.11 feet to a point to, said point marks the northwesterly corner of the parcel herein described, thence;

N 45°32'41" E through said Northeast Enterprises Realty Partnership, and land now or formerly Joann W. Aalfs Living Trust as described in a deed recorded in Book 8987 Page 36, a distance of 15.00 feet to a point, said point being the northeasterly corner of the parcel herein described, thence;

S 44°27'19" E along said Aalfs, land now or formerly Thomas & Carolyn Shread as described in a deed recorded in Book 5945 Page 92, and land now or formerly Frederick W. Wessel, Jr. & Lee-Ann G. Wessel as described in a deed recorded in Book 2986 Page 111, and land now or formerly Jeffrey M. Jerome as described in a deed recorded in Book 3912 Page 61, and said Pratt, a distance of 369.66 feet to the point of beginning.

The above described parcel contains 5,541 square feet more or less, being depicted as Edgewood Terrace on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 01-28-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 6675, Page 83, Book 8987, Page 36, Book 5945, Page 92, Book 2986, Page 111, Book 3912, Page 61, Book 6535, Page 230, Book 9935, Page 242, Book 9182, Page 262.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL

On February 7, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Edgewood Terrace**.

The Board of Public Works held a public hearing on April 27, 2013 and at its regular meeting on September 11, 2013 voted unanimously to recommend the acceptance of Edgewood Terrace as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

Edward S. Huntley, P.E.  
Director of Public Works  
August 13, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board



## PLANNING AND DEVELOPMENT • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • CMisch@NorthamptonMA.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: March 21, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on March 14, 2013, the Board voted on the following street acceptance requests.

1. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Glendale
- Edwards Sq
- Strawberry
- Isabella
- Church St
- Bradford St Extension
- Cosmian
- Taylor St
- Baker Hill

2. The Board voted to provide no recommendation on the following requests for street acceptance. The Board felt that they could not make a determination relative to planning policy one way or another about the impact of street acceptance and further determined that it is a political decision as to whether the City should accept ownership and maintenance responsibility.

- Lawn Ave
- Massasolt Ave
- Park Ave
- Edgewood Terr
- Meadow Ave
- Bright Ave
- Warner Row
- Center Court
- Pine Valley
- Bradford St (N&S)

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Franklin Court as a public way;  
and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Franklin Court as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Franklin Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Franklin Court" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point, said point marks the northwesterly corner of a parcel, now or formerly Maria H. Rueda as described in a deed recorded in Book 11703 Page 300 of the Hampshire Registry District, said point being located on the easterly line of Franklin Street, said point being marked by an iron rod set, said point being the southwest corner of the parcel herein described;

N 20°36'51" E along the easterly line of Franklin Street, a distance of 30.03 feet to an iron pipe found, said point marks the southwest corner of a parcel, now or formerly S. Wylie Smith as described in a deed recorded in Book 5040 Page 89, said point being the northwesterly corner of the parcel herein described, thence;

S 71°58'39" E along said Smith, land now or formerly Courtney N. Lannert & Ryan C. Hayward as described in a deed recorded in Book 8838 Page 40, and land now or formerly Michael Schonbach & Judith S. Polan as described in a deed recorded in Book 2225 Page 2, a distance of 175.00 feet to an iron rod set, said point marks the northeasterly corner of the parcel herein described, thence;

S 18°01'21" W along said Schonbach & Polan, and land now or formerly Martha Spiro as described in a deed recorded in Book 4636 Page 176, a distance of 30.00 feet to an iron rod set, said point marks the southeasterly corner of the parcel herein described, thence;

N 71°58'39" W along said Spiro, land now or formerly Joanne Marie Carey & Brian E. Carey as described in deeds recorded in Book 4172 Page 204, Book 9076 Page 94, and Book 10585 Page 316, and land of said Rueda, a distance of 176.36 feet to the point of beginning.

The above described parcel contains 5,270 square feet more or less, being depicted as Franklin Court on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton", dated 02-10-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83.

All Book and Page numbers recited are referenced to the Hampshire Registry District.

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 2225, Page 2, Book 4636, Page 176, Book 7142, Page 204, Book 9076, Page 94, Book 10585, Page 316, Book 11703, Page 300.





## PLANNING AND SUSTAINABILITY • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • cmisch@northamptonma.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: June 14, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on May 9, 2013, the Board voted on the following street acceptance requests. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Maple Ave
- Bratton Ct
- Franklin Ct
- Ahwaga Ave
- Kary St
- Hebert St
- Greeley Ave
- Clark St.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL

On June 6, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of Franklin Court.

The Board of Public Works held a public hearing on July 20, 2013 and at its regular meeting on August 14, 2013 voted unanimously to recommend the acceptance of Franklin Court as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

Edward S. Huntley, P.E.  
Director of Public Works  
August 15, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Glendale Avenue as a public way; and

WHEREAS; the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Glendale Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Glendale Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated August 6, 2013, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Glendale Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated August 6, 2013, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point marked by an iron pipe found, said point marks the southeasterly corner of a parcel, now or formerly Diane M. Murphy, et al as described in a deed recorded in Book 4323 Page 218, said point being located on the westerly side line of Prospect Street, said point being the northeasterly corner of the parcel herein described.

Thence running S 39°46'41" E along the westerly side line of said Prospect Street, a distance of 33.00 feet to a point, said point being the northeasterly corner of a parcel, now or formerly Dennis Carey, Mary Ellen Carey, Patrick P. Carey, and Mary T. Carey as described in a deed recorded in Book 6728 Page 278, said point being the southeasterly corner of the parcel herein described, thence;

S 50°13'19" W along the northerly line of land of said Carey, and along the northerly line of a parcel, now or formerly Christine Toomasi as described in a deed recorded in Book 11333 Page 267 a distance of 335.92 feet to a point, said point being located on the easterly sideline of a parcel, now or formerly City of Northampton as described in a deed recorded in Book 2407 Page 270, said point being the southwesterly corner of the parcel herein described, thence;

N 53°54'22" W along the easterly line of said City of Northampton, a distance of 34.03 feet to a point marked by an iron rod found, said point marks the southwesterly corner of a parcel, now or formerly LeeAnn Warner and Stuart Warner as described in a deed recorded in Book 11215 Page 134, said point being the northwesterly corner of the parcel herein described, thence;

N50°13'19" E along the southerly line of said Warner, and along the southerly line of a parcel now or formerly Mary F. Knipe and Cynthia N. Consentino as described in a deed recorded in Book 4766 Page 272, and along the southerly line of a parcel now or formerly Natalia E. Munoz and David A. Borden as described in a deed recorded in Book 7886 Page 72, and along the southerly line of said Murphy, a distance of 344.22 feet, to the point of beginning.

The above described parcel contains 11,222 square feet more or less, being depicted as Glendale Avenue, on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 08-06-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83  
All Book and Page numbers recited are referenced to the Hampshire Registry District

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 11215, Page 134, Book 4766, Page 272, Book 7886, Page 72, Book 4323, Page 218, Book 4599, Page 2 & Book 6728, Page 278, Book 11333, Page 267.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
*Director*

**REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On February 7, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Glendale Avenue**.

The Board of Public Works held a public hearing on March 2, 2013 and at its regular meeting on March 13, 2013 voted unanimously to recommend the acceptance of Glendale Avenue as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

A handwritten signature in black ink, appearing to read "Edward S. Huntley".

Edward S. Huntley, P.E.  
Director of Public Works  
August 13, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board



## PLANNING AND DEVELOPMENT • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • CMisch@NorthamptonMA.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: March 21, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on March 14, 2013, the Board voted on the following street acceptance requests.

1. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Glendale
- Edwards Sq
- Strawberry
- Isabella
- Church St
- Bradford St Extension
- Cosmian
- Taylor St
- Baker Hill

2. The Board voted to provide no recommendation on the following requests for street acceptance. The Board felt that they could not make a determination relative to planning policy one way or another about the impact of street acceptance and further determined that it is a political decision as to whether the City should accept ownership and maintenance responsibility.

- Lawn Ave
- Massasolt Ave
- Park Ave
- Edgewood Terr
- Meadow Ave
- Bright Ave
- Warner Row
- Center Court
- Pine Valley
- Bradford St (N&S)

**City of Northampton**  
MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Greeley Avenue as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Greeley Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Greeley Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Greeley Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

EXHIBIT A

Beginning at a point, said point marks the southeasterly corner of a parcel, now or formerly La Shonda Pettiford and Sara P. Rowan as described in a deed recorded in Book 6226 Page 117 of the Hampshire Registry District, said point being located on the westerly line of North Main Street, said point bearing N 41°46'05" E, a distance of 1.32 feet from iron pipe found, said point being the northeasterly corner of the parcel herein described;

S 41°08'56" E along the westerly line of North Main Street, a distance of 30.00 feet to an iron pipe found, said point marks the northeasterly corner of a parcel, now or formerly Greeley Avenue Condominium as described in a deed recorded in Book 6674 Page 55, said point being the southeasterly corner of the parcel herein described, thence;

S 48°51'04" W along said Greeley Avenue Condominium, land now or formerly Jeffrey B. & Helen T. Stauder as described in a deed recorded in Book 10029 Page 102 land now or formerly David G. Shelton as described in a deed recorded in Book 9478 Page 128, a distance of 241.81 feet to an iron rod found, said point marks the northeasterly sideline land now or formerly Peter & Diana Gazzillo Living Trust described in a deed recorded in Book 9982 Page 177, said point marks the southwesterly corner of the parcel herein described, thence;

N 41°08'56" W along said Gazzillo Living Trust, a distance of 30.00 feet to an iron rod set, said point marks the southwesterly corner of land now or formerly Michael E. & Jordana L. Willers as described in a deed recorded in Land Court Book 20 Page 89 as Document No. 16470, said point marks the northwesterly corner of the parcel herein described, thence;

N 48°51'04"E along said Willers and said Pettiford & Rowan, a distance of 241.81 feet to the point of beginning.

The above described parcel contains 7,254 square feet more or less, being depicted as Greeley Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 02-10-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83. All Book and Page numbers recited are referenced to the Hampshire Registry District.

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 6226, Page 117, Book 6674, Page 55, Book 10029, Page 102, Book 9478, Page 128, Book 9478, Page 128.

**ORDER OF TAKING**

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Greeley Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 10, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point, said point marks the southeasterly corner of a parcel, now or formerly La Shonda Pettiford and Sara P. Rowan as described in a deed recorded in Book 6226 Page 117 of the Hampshire Registry District, said point being located on the westerly line of North Main Street, said point bearing N 41°46'05" E, a distance of 1.32 feet from iron pipe found, said point being the northeasterly corner of the parcel herein described;

S 41°08'56" E along the westerly line of North Main Street, a distance of 30.00 feet to an iron pipe found, said point marks the northeasterly corner of a parcel, now or formerly Greeley Avenue Condominium as described in a deed recorded in Book 6674 Page 55, said point being the southeasterly corner of the parcel herein described, thence;

S 48°51'04" W along said Greeley Avenue Condominium, land now or formerly Jeffrey B. & Helen T. Stauder as described in a deed recorded in Book 10029 Page 102 land now or formerly David G. Shelton as described in a deed recorded in Book 9478 Page 128, a distance of 241.81 feet to an iron rod found, said point marks the northeasterly sideline land now or formerly Peter & Diana Gazzillo Living Trust described in a deed recorded in Book 9982 Page 177, said point marks the southwesterly corner of the parcel herein described, thence;

N 41°08'56" W along said Gazzillo Living Trust, a distance of 30.00 feet to an iron rod set, said point marks the southwesterly corner of land now or formerly Michael E. & Jordana L. Willers as described in a deed recorded in Land Court Book 20 Page 89 as Document No. 16470, said point marks the northwesterly corner of the parcel herein described, thence;

N 48°51'04"E along said Willers and said Pettiford & Rowan, a distance of 241.81 feet to the point of beginning.

The above described parcel contains 7,254 square feet more or less, being depicted as Greeley Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 02-10-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83. All Book and Page numbers recited are referenced to the Hampshire Registry District.

Being a portion of the premises conveyed in Land Court: Cert # 2191, Doc # 16470.





## PLANNING AND SUSTAINABILITY • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • cmisch@northamptonma.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: June 14, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on May 9, 2013, the Board voted on the following street acceptance requests. The Board voted to recommend these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Maple Ave
- Bratton Ct
- Franklin Ct
- Ahwaga Ave
- Kary St
- Hebert St
- Greeley Ave
- Clark St.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS

125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
*Director*

REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL

On June 6, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Greeley Avenue**.

The Board of Public Works held a public hearing on July 20, 2013 and at its regular meeting on August 14, 2013 voted unanimously to recommend the acceptance of Geeley Avenue as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

Edward S. Huntley, P.E.  
Director of Public Works  
August 15, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board

# City of Northampton

MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept King Avenue as a public way;  
and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting King Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "King Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 21, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "King Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 21, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point, said point marks the southwesterly corner of a parcel, now or formerly Peter M. Shebek as described in a deed recorded in Book 1438 Page 120 of the Hampshire Registry District, said point being located on the northerly line of Bardwell Street, said point bearing N 88°16'37" W, a distance of 186.33 feet from an granite bound found, said point being the southeasterly corner of the parcel herein described, thence;

N 88°16'37" W along said Bardwell Street, a distance of 20.00 feet, to a point, said point marks the southeasterly corner of a parcel, now or formerly William S. Hogan III as described in a deed recorded in Book 10444 Page 263 of the Hampshire Registry District, said point being located on the northerly line of Bardwell Street, said point bearing S 88°16'37" E, a distance of 57.49 feet from an iron pipe found, said point being the southwesterly corner of the parcel herein described, thence;

N 01°43'23" E along said Hogan, land now or formerly John E. & Ruthann Mahoney as described in a deed recorded in Book 1637 Page 233, and land now or formerly John E. & Ruthann Mahoney as described in a deed recorded in Book 1091 Page 53, a distance of 301.06 feet to a point, said point marks the westerly side line of land now or formerly Michael B. Flynn as described in a deed recorded in Book 11431 Page 329, said point being the northwesterly corner of the parcel herein described, thence;

S 88°16'37" E through said Flynn, a distance of 20.00 to a point, said point being the northeasterly corner of the parcel herein described, thence;

S 01°43'23" W along said Flynn, land now or formerly Jason Benson & Elizabeth Royalty as described in a deed recorded in Book 9503 Page 35, and said Shebek, a distance of 301.06 feet to the point of beginning.

The above described parcel contains 6,021 square feet more or less, being depicted as King Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 02-21-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83.

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 10444, Page 263, Book 1637, Page 233, Book 1091, Page 53, Book 11431, Page 329, Book 9503, Page 35, Book 1438, Page 120.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

**REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On March 21, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **King Avenue**.

The Board of Public Works held a public hearing on April 27, 2013 and at its regular meeting on September 11, 2013 voted unanimously to recommend the acceptance of King Avenue as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

A handwritten signature in black ink, appearing to read "Edward S. Huntley".

Edward S. Huntley, P.E.  
Director of Public Works  
August 13, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board

# City of Northampton

MASSACHUSETTS

---

*In City Council, November 6, 2014*

Upon recommendation of the Mayor

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Service Center as a public way;  
and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Service Center as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Service Center" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 29, 2014, for the purpose of laying out, establishing and accepting a public way thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Service Center" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 29, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

EXHIBIT A

Beginning at a point to be marked by a concrete bound found, said point marks the northeasterly corner of a parcel, now or formerly Jeffrey A. Dan & Tala R. Elia as described in a deed recorded in Book 10201 Page 242 of the Hampshire Registry District, said point being located on the westerly line of Pleasant Street, said point being an easterly corner of the parcel herein described, thence;

N 88°13'52" W along said Dan & Elia a distance of 54.73 feet, to a point, said point marks the northeasterly corner of a parcel, now or formerly Perry Smith as described in a deed recorded in Book 5322 Page 89, thence;

N 78°42'44" W along said Smith, a distance of 91.16 feet, to a point to be marked by concrete bound found, thence;

S 36°31'30" W along said Smith, and land now or formerly 36 Service Center Condominium Trust as described in master deed recorded in Book 3050 Page 261, as amended, a distance of 293.76 feet, to a point to be marked by concrete bound found, said point marks the northwesterly corner of a parcel, now or formerly Karl R. & Sharon K. Heston as described in a deed recorded in Book 9957 Page 21, thence;

S 36°32'59" W along said Heston, a distance of 157.32 feet, to a point, said point being located on the northerly sideline of Conz Street, said point marks the southeasterly corner of the parcel herein described, thence;

N 53°01'42" W along said Conz Street, a distance of 19.97 feet, to a point, said point being located at the southeasterly corner of land now or formerly Conz Street Professional Building Condominium Trust as described in master deed recorded in Land Court Book C2 Page 1 as Document No. 6488, said point marks the southwesterly corner of the parcel herein described, thence;

N 36°29'16" E along said Conz Street Professional Building Condominium Trust, a distance of 157.35 feet, to a point, said point being located at the northeasterly corner of said Conz Street Professional Building Condominium Trust, thence;

N 53°30'43" W along said Conz Street Professional Building Condominium Trust, a distance of 20.00 feet to a point, said point witness by an iron pipe found, said pipe being .99 feet from said point, said point being located at the southeasterly corner of land now or formerly Service Properties Inc. as described in a deed recorded in Book 3094 Page 195, thence;

N 36°33'38" E along said Service Properties Inc., and land now or formerly Dimension Realty LLC, as described in a deed recorded in Book 5579 Page 106, a distance of 285.21 feet to a point, said point being located at the northeasterly corner of said Dimension Realty LLC, thence;

N 53°26'23" W along said Dimension Realty LLC, and land now or formerly Service Properties Inc., as described in a deed recorded in Book 3094 Page 195, a distance of 251.62 feet to a point, said point being located at a westerly corner of the parcel herein described, thence;

N 36°33'37" E along said Service Properties Inc., a distance of 40.00 feet to a point, said point being located at a northwesterly corner of the parcel herein described, thence;

S 53°26'14" E along said Service Properties Inc., land now or formerly Dimension Realty LLC, as described in a deed recorded in Book 5579 Page 104, and other land of Service Properties Inc., a distance of 266.25 feet to a point, thence;

S 84°52'26" E along said Service Properties Inc., a distance of 92.85 feet to a point, thence;

S 88°10'05" E along said Service Properties Inc., a distance of 43.52 feet to a point, said point being marked by a concrete bound found, said point being located on the westerly side line of Pleasant Street, thence;

Along Pleasant Street on a curve to the right, with an arc length of 51.22' and a radius of 2470.00, said curve has a chord bearing of S 10°51'46" E and a chord length of 51.22' to the point of beginning.

The above described parcel contains 32,414 square feet more or less, being depicted as Service Center on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 01-29-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 3094, Page 195, Book 5579, Page 104, Book 3094, Page 195, Book 5579, Page 106, Book 9957, Page 21, Book 3235, Page 331, Book 5322, Page 89, Book 10201, Page 242.

**ORDER OF TAKING**

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Service Center" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated January 29, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

## EXHIBIT A

Beginning at a point to be marked by a concrete bound found, said point marks the northeasterly corner of a parcel, now or formerly Jeffrey A. Dan & Tala R. Elia as described in a deed recorded in Book 10201 Page 242 of the Hampshire Registry District, said point being located on the westerly line of Pleasant Street, said point being an easterly corner of the parcel herein described, thence;

N 88°13'52" W along said Dan & Elia a distance of 54.73 feet, to a point, said point marks the northeasterly corner of a parcel, now or formerly Perry Smith as described in a deed recorded in Book 5322 Page 89, thence;

N 78°42'44" W along said Smith, a distance of 91.16 feet, to a point to be marked by concrete bound found, thence;

S 36°31'30" W along said Smith, and land now or formerly 36 Service Center Condominium Trust as described in master deed recorded in Book 3050 Page 261, as amended, a distance of 293.76 feet, to a point to be marked by concrete bound found, said point marks the northwesterly corner of a parcel, now or formerly Karl R. & Sharon K. Heston as described in a deed recorded in Book 9957 Page 21, thence;

S 36°32'59" W along said Heston, a distance of 157.32 feet, to a point, said point being located on the northerly sideline of Conz Street, said point marks the southeasterly corner of the parcel herein described, thence;

N 53°01'42" W along said Conz Street, a distance of 19.97 feet, to a point, said point being located at the southeasterly corner of land now or formerly Conz Street Professional Building Condominium Trust as described in master deed recorded in Land Court Book C2 Page 1 as Document No. 6488, said point marks the southwestly corner of the parcel herein described, thence;

N 36°29'16" E along said Conz Street Professional Building Condominium Trust, a distance of 157.35 feet, to a point, said point being located at the northeasterly corner of said Conz Street Professional Building Condominium Trust, thence;

N 53°30'43" W along said Conz Street Professional Building Condominium Trust, a distance of 20.00 feet to a point, said point witness by an iron pipe found, said pipe being .99 feet from said point, said point being located at the southeasterly corner of land now or formerly Service Properties Inc. as described in a deed recorded in Book 3094 Page 195, thence;

N 36°33'38" E along said Service Properties Inc., and land now or formerly Dimension Realty LLC, as described in a deed recorded in Book 5579 Page 106, a distance of 285.21 feet to a point, said point being located at the northeasterly corner of said Dimension Realty LLC, thence;

N 53°26'23" W along said Dimension Realty LLC, and land now or formerly Service Properties Inc., as described in a deed recorded in Book 3094 Page 195, a distance of 251.62 feet to a point, said point being located at a westerly corner of the parcel herein described, thence;

N 36°33'37" E along said Service Properties Inc., a distance of 40.00 feet to a point, said point being located at a northwesterly corner of the parcel herein described, thence;

S 53°26'14" E along said Service Properties Inc., land now or formerly Dimension Realty LLC, as described in a deed recorded in Book 5579 Page 104, and other land of Service Properties Inc, a distance of 266.25 feet to a point, thence;

S 84°52'26" E along said Service Properties Inc., a distance of 92.85 feet to a point, thence;

S 88°10'05" E along said Service Properties Inc., a distance of 43.52 feet to a point, said point being marked by a concrete bound found, said point being located on the westerly side line of Pleasant Street, thence;

Along Pleasant Street on a curve to the right, with an arc length of 51.22' and a radius of 2470.00, said curve has a chord bearing of S 10°51'46" E and a chord length of 51.22' to the point of beginning.

The above described parcel contains 32,414 square feet more or less, being depicted as Service Center on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 01-29-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83

Being a portion of the premises conveyed in Land Court: Book C2, Page 1, Doc # 6488.





CITY OF NORTHAMPTON, MASSACHUSETTS  
DEPARTMENT OF PUBLIC WORKS  
125 Locust Street  
Northampton, MA 01060-2066

413-587-1570  
Fax 413-587-1576

Edward S. Huntley, P.E.  
Director

**REPORT AND RECOMMENDATION OF THE  
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On May 2, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Service Center**.

The Board of Public Works held a public hearing on May 18, 2013 and at its regular meeting on May 22, 2013 voted unanimously to recommend the acceptance of Service Center as a public way.

Respectfully submitted  
The Board of Public Works of the City of Northampton

Edward S. Huntley, P.E.  
Director of Public Works  
August 13, 2014

cc: Northampton Board of Public Works  
Northampton Planning Board



## PLANNING AND SUSTAINABILITY • CITY OF NORTHAMPTON

planning • conservation • zoning • northampton GIS • historic • community preservation • central business architecture

Carolyn Misch, AICP, Senior Land Use Planner • cmisch@northamptonma.gov • 413-587-1287

### MEMORANDUM

TO: City Council

FROM: Carolyn Misch, AICP

DATE: June 5, 2013

RE: Planning Board Recommendations on Street Acceptances

At its Planning Board meeting on May 9, 2013, the Board voted on the following street acceptance requests.

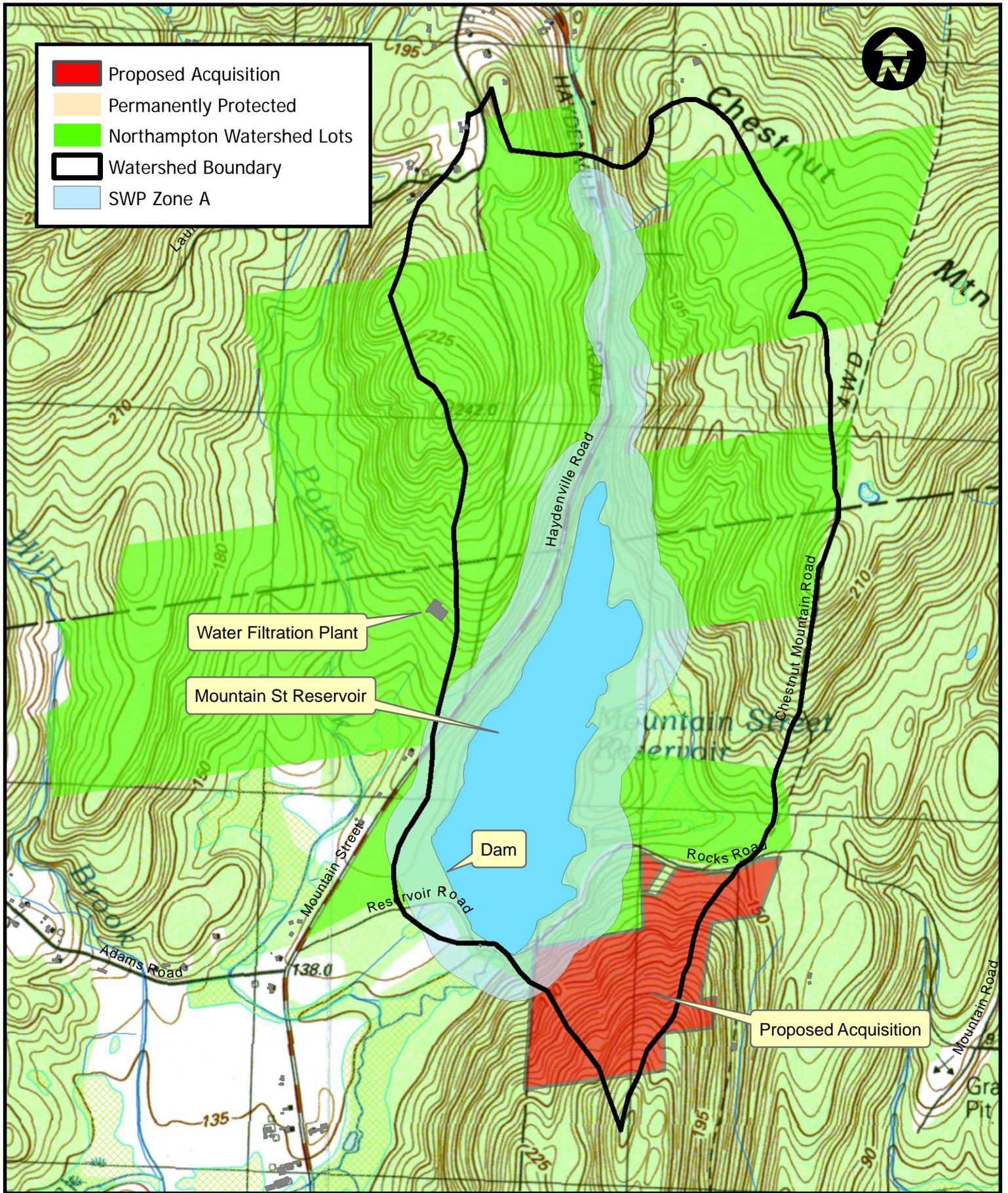
1. The Board voted **to recommend** these streets based upon the Board's feeling that these historic streets provide links within the City's network and core that create vehicular and pedestrian connectivity through neighborhoods.

- Tyler Ct
- Prospect Ct.
- Service Center Road (link between Conz and Pleasant only – but not stub that runs east/west to Webbs)
- Sanderson Ave

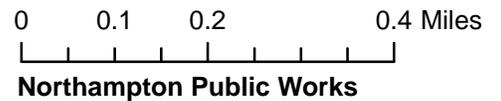
2. The Board voted to provide **no recommendation** on the following requests for street acceptance. The Board felt that they could not make a determination relative to planning policy one way or another about the impact of street acceptance and further determined that it is a political decision as to whether the City should accept ownership and maintenance responsibility.

- Paquette
- Carpenter





Drinking Water Supply Grant Application  
 Figure 1: USGS Topographic & Watershed Map



**City of Northampton**  
**MASSACHUSETTS**

*In City Council, November 6, 2014*

*Upon the recommendation of the Mayor and the Department of Public Works*

***Ordered, that***

WHEREAS, The City of Northampton owns a surface drinking water supply in the Town of Williamsburg surrounded by watershed land owned by both the City and private property owners, and;

WHEREAS, It is in the interest of the City to acquire privately held parcels within this watershed as they become available for sale to protect its drinking water supply, and;

WHEREAS, A certain parcel of land within the watershed is available for acquisition, and it is in the interests of the City to acquire the parcel for watershed protection.

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, the fee interest in a certain parcel of land containing 51.436 acres, more or less, located on Rocks Road, Hatfield, MA, and shown as Parcel 1 on a plan entitled "Plan of Land in Hatfield, Massachusetts Surveyed for the City of Northampton," dated August 26, 2014, by Heritage Surveys. This acquisition is for the purpose of conservation and watershed protection and the parcel shall be held in the custody and control of the Department of Public Works. The consideration for this acquisition shall not exceed Sixty Thousand Dollars (\$60,000.00).

Further, that no appropriation is necessary for the acquisition authorized hereunder inasmuch as sufficient funds for this acquisition have been appropriated in Water Enterprise 61523-581000-11 - Land.

**City of Northampton**  
MASSACHUSETTS

---

*In City Council November 6, 2014*

Upon recommendation of the Mayor

*Whereas,*

The Commission on Disability has identified a need for accessible benches in downtown Florence for the benefit of elderly and disabled pedestrians; and

*Whereas,*

The Commission on Disability voted to recommend the installation of said benches to the Mayor and further voted to fund their purchase and installation from its Committee on Disabilities Fund; and

*Whereas,*

The Mayor has approved the Commission on Disability's recommendation and ordered the Department of Public Works to purchase and install two accessible benches in downtown Florence in locations identified by the Commission in consultation with the City Engineer and Streets Superintendent;

*Ordered, that*

The City Council approves an expenditure from the Commission on Disabilities Fund established under Chapter 40, Section 22G and funded by handicap parking violation fines, not to exceed \$3,500, for the purchase of two benches for downtown Florence.

# City of Northampton

MASSACHUSETTS

In the Year Two Thousand Fourteen

UPON THE RECOMMENDATION OF THE Office of Planning & Sustainability

## ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350-12.2-(6) of said code; providing for clarification for lighting standard review/assessment.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 350-12.2-6 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

12.2-6 {add the following two paragraphs below the site lighting output standards by district table}

.....

The Building Commissioner shall determine if light levels are being met. Based on this assessment, the property owner shall replace or modify fixtures to achieve compliance.

All site lighting, not attached to the building itself, in business districts shall be turned off one-hour after the close of business and/or up until one hour before the open of business unless otherwise approved by the Planning Board through site plan review.



**Mayor David J. Narkewicz**

**City of Northampton**  
City Hall, 210 Main Street, Room 12  
Northampton, MA 01060-3199  
(413) 587-1249  
mayor@northamptonma.gov

September 30, 2014

Northampton City Council  
210 Main Street, Room 4  
Northampton, MA 01060

RE: Submission of Administrative Order Pursuant to Article 6 of the Charter

To the Honorable Members of the City Council,

Today I am submitting the attached administrative order organizing city government into operating agencies under Article 6 of the charter of the city of Northampton, Chapter 277 of the Acts of 2012, and pursuant to the transitional provisions set out in Section 2 of said Chapter 277.

Northampton city departments and multiple-member bodies are currently established by ordinance, charter, special acts, state law, or in some cases a combination thereof. Article 6 of the city charter requires that "the organization of the city into operating agencies to provide services and administer the government may be accomplished only through an administrative order submitted to the city council by the mayor." Section 2 of Chapter 277 provides that "no later than September 30, 2014, the mayor shall promulgate a series of administrative orders providing for the organization of city government into operating agencies under article 6 of the charter." This first-ever, omnibus administrative order is submitted in conformity with those requirements.

The administrative order is arranged in code format for organization and accessibility. The order is entitled "Administrative Code of the City of Northampton," and it is divided into two major parts. Part I establishes twenty-two city departments organized into six divisions and describes the authorities and responsibilities of each agency. Part II establishes twenty-six appointed multiple-member bodies and describes the authorities and responsibilities of each board, committee, or commission.

Six city departments have been renamed to better reflect their mission or modern terminology. For example, Management Information Systems (MIS) has been renamed the Information Technology (IT) Department. Four multiple-member bodies have also been renamed to better reflect their mission, modern terminology, and, in some cases, to

conform to state law. For example, the Tree Committee has been renamed the Public Shade Tree Commission to better reflect both state terminology and its independent role advising our tree warden (a DPW position also created by this code) and the mayor on the preservation and expansion of our city's shade tree canopy.

Three city agencies in Part I have undergone more substantive changes to either their establishment process or their authorities and responsibilities. The City Solicitor has been a direct appointment of the Mayor since 1927. Previous to that the position was elected directly and along political party lines by the City Council. Under my administrative order, the City Solicitor will now be appointed by the Mayor subject to confirmation by the City Council. This aligns the City Solicitor appointment process with that of every other city department head under our charter and better reflects the division of shared powers of the executive and legislative branches of our government.

The authority and responsibility of the renamed Parks and Recreation Department has, as its new name implies, been expanded to include oversight of the use and programming of city parks. The Board of Public Works previously held this authority in its role as park commissioners under a series of special acts repealed by this administrative order. This change better reflects the needed division of departmental responsibilities for maintenance versus programming of our city's expanding inventory of parks and recreation facilities.

The Department of Public Works (DPW) maintains its current name and mission, but absorbs many of the responsibilities and authorities that had been delegated to the Board of Public Works (BPW) under a series of special acts repealed by this administrative order. This division of power between a DPW and a BPW created in 1921 no longer conforms to modern local governmental structure, is often confusing to residents, and seemingly creates an un-elected third branch of government for public works making fiduciary and policy decisions that are more appropriately delegated to either professional staff or the city's elected representatives.

The dedicated and hard-working citizen volunteers who currently comprise the Board of Public Works will continue to play an important role in guiding our city's planning and investment in public works as the renamed Public Works Commission. This new commission will be advisory to the DPW as the department moves forward directly managing our city's public works and making recommendations to the Mayor and City Council on both policy and budgetary matters. For example, and of particular significance, the Public Works Commission will offer advice on future water and sewer rates that the DPW must recommend to the Mayor who, in turn, must submit the proposed rates to the City Council for final approval under Article 7 of the city charter.

Pursuant to Article 6 of the charter, this administrative order is accompanied by a set of recommended ordinance amendments or deletions that must be simultaneously adopted by the City Council in order to fully effectuate the new administrative code. In most cases this involves deleting ordinances that currently govern the establishment and responsibilities of departments or multiple-member bodies. In other instances, the

amendments are designed to implement agency name changes or shifts in responsibility. Finally, some of the ordinance changes eliminate multiple-member bodies that have been long defunct or are better suited as ad-hoc advisory committees.

This administrative order represents the final major remaining unfinished transition item of the special act city charter adopted by both the legislature and the voters of Northampton in 2012. It serves to complete our city's move forward to a new, more modern structure of local government featuring a clear and well-defined separation of powers between our executive and legislative branch of government.

I want to personally and publicly thank my Chief of Staff, Lyn Simmons, who is the principal architect and author of this impressive and complex document. Its creation involved countless hours of painstaking research of city ordinances, special acts, historic documents and wills, and state law as well as comparative research of other Massachusetts cities. Dozens of drafts, editing sessions, and legal reviews by City Solicitor Alan Seewald later left the similarly painstaking task of cross-checking the completed administrative code against our code of ordinances to create the necessary ordinance changes and deletions. Our city owes Lyn Simmons a debt of gratitude for helping this mayor provide a strong foundation for the administrative organization of our city for future generations of chief executive officers to rely and build upon.

I respectfully request that the City Council approve this administrative order pursuant to Article 6 of the city charter. I stand ready to answer any questions you have about the document or provide any additional information needed for your required public hearing and deliberations.

Respectfully,

A handwritten signature in black ink, appearing to read "David J. Narkewicz". The signature is written in a cursive style with a large, looped initial "D".

David J. Narkewicz  
Mayor, City of Northampton



**Administrative Code of the City of Northampton**  
**Mayor David J. Narkewicz**  
**September 30, 2014**

**Part I. Administrative Organization**

- 1.0 Office and Standards**
  - 1.01 Generally
  - 1.02 Coordination of Operations
  - 1.03 Department Heads
  - 1.04 Staffing
  - 1.05 Bonds
  - 1.06 Oath of Office
  - 1.07 Setting Charges and Fees
  
- 2.0 Administration and Finance Division**
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## **Part I. Administrative Organization**

### **1.0 Office and Standards**

#### **1.01 Generally**

All agencies shall be under the jurisdiction of the mayor and are described in this part of the administrative code. The description of agencies delineates the mission and functions of each agency and broadly highlights their authorities and responsibilities.

#### **1.02 Coordination of Operations**

The mayor coordinates administration, finance, operations, and public safety activities by meeting regularly to discuss and coordinate activities to assure appropriate delivery of municipal services and to mitigate duplication of services where possible. The mayor develops action programs, evaluates program completion, and reviews management, financial, personnel, and legal issues. Significant attention is paid towards coordination of work programs, so as to ensure minimal work disruption and efficient service delivery. The delivery of service to the public requires coordination and cooperation among the various divisions, departments, and programs within the city. Department heads identify those areas of concern where the various agencies can assist each other in the accomplishment of their mission.

#### **1.03 Department Heads**

Each department head shall perform all duties required of their office or position by state law, the charter, the administrative code, and the ordinances of the city, and such other duties as may be required by the mayor. The officers and department heads shall: be immediately responsible to the mayor for the effective administration of their respective departments and all activities assigned thereto; utilize sound practices and keep informed as to the latest practices in their particular fields and implement, with the approval of the mayor, such new practices as appear to be of the benefit and service to the public; submit annual reports of the activities of their department to the mayor; establish and maintain systems of filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of department activities and to form a basis for the periodic reports to the mayor; supervise all subordinates under them; be responsible for the proper maintenance of all city property and equipment used in their departments.

#### **1.04 Staffing**

Each department shall consist of such administrative, clerical, maintenance, and technical staff that may be authorized by the mayor and subject to budget appropriation and, where required, confirmation by the city council.

#### **1.05 Bonds**

Officials required by state law shall each, before entering upon the duties of their respective offices, give a good and sufficient surety company bond to the city, duly approved by the city solicitor, and conditioned upon the faithful performance and discharge of their respective duties and the proper

application and payment of all money or property coming into their hands by virtue of their offices. The city shall pay the cost of each official bond. Official bonds of city officers shall be in the custody of the city auditor.

## **1.06 Oath of Office**

Any non-elected city officer required to take an oath of office shall have it administered by the mayor.

## **1.07 Setting Charges and Fees**

Any city office authorized to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, service or work in accordance with Mass. Gen. Laws c. 40, § 22F.

## **2.0 Administration and Finance Division**

### **2.01 Office of the Mayor**

#### Established

There shall be an office of the mayor under the supervision of a mayor elected by the voters of Northampton.

#### Authorities and Responsibilities

The office of the mayor supports the chief executive officer in carrying out the duties set forth in article 3 of the charter. The office oversees housing, community development block grant, and economic development. The mayor's executive assistant serves as staff to the license commission.

### **2.02 City Solicitor**

#### Established

The city solicitor shall be appointed by the mayor, subject to confirmation by the city council, and shall serve as legal counsel to the mayor and the City of Northampton. Employment of the city solicitor shall be on such terms and conditions as designated by the mayor. In no event shall the mayor extend the contract of the city solicitor beyond the term of office that the mayor is currently serving.

#### Authorities and Responsibilities

The city solicitor shall be admitted to practice as an attorney in the courts of this commonwealth and the U.S. District Court for the District of Massachusetts. The city solicitor shall hold no other office under the city government while under contract with the municipality as its solicitor, except for those specifically permitted by ordinance. The city solicitor shall provide the city with legal services and, with consent of the mayor, may advise any officer or department head of the city on any question of law connected with the discharge of his or her official duties. The city solicitor shall oversee the legal services budget including the hiring of outside counsel as required. The city solicitor and any outside counsel shall be paid from the city's legal services budget subject to appropriation by the city council.

### **2.03 Central Services Department**

#### Established

There shall be a central services department under the supervision of a director.

Authorities and Responsibilities

The central services department shall be responsible for the care and maintenance of all municipal property and all municipal buildings, including the contents thereof, with the exception of parks, recreation and conservation land, and smith vocational and agricultural high school. The department shall coordinate all construction projects for city buildings and other facilities under the department's jurisdiction. The department shall be responsible for the maintenance, operation, and repair of all parking meters on public ways and in all off-street public parking areas and garages. The department shall be responsible for snow removal in all off-street public parking areas and garages.

**2.04 Office of the City Clerk**

Established

There shall be an office of the city clerk under the supervision of a city clerk elected by the voters of Northampton.

Authorities and Responsibilities

The city clerk is the keeper of all vital records and statistics of the city and of ancient and public records. The city clerk is responsible for all aspects of elections in accordance with federal, state and local laws. The city clerk serves as a member of the board of registrars and shall carry out the provisions of MGL c. 51. The city clerk is the custodian of the city seal. The city clerk administers the oath of office to elected officers and appointed members of multiple member bodies. The city clerk posts meeting notices as required by Massachusetts general law. The city clerk issues such licenses and permits as may be provided by law. The city clerk records all business related filings, including state and federal tax liens, uniform commercial code filings, and business name registration. The city clerk receives notice of claims and transmits these claims to the city solicitor. There shall be an assistant city clerk whose certification or attestation shall have the same effect as that of the city clerk.

**2.05 Human Resources Department**

Established

There shall be a human resources department under the supervision of a director.

Authorities and Responsibilities

The human resources department administers the classification and compensation plans, collective bargaining agreements and personnel policies. The department provides advice and assistance to the mayor and departmental managers on personnel matters, including position classification and compensation levels, employee relations, recruitment, training, employee grievances and discipline. The department establishes uniform personnel practices and procedures. The department coordinates affirmative action and equal opportunity programs, ensures compliance with the fair labor standards act, and administers insurance programs.

**2.06 Information Technology Department**

Established

There shall be an information technology department under the supervision of a director.

Authorities and Responsibilities

The information technology department provides computer hardware and software acquisition, networking, maintenance, and support to all city departments. It is further responsible for computer supplies management, desktop publishing and data communications. The department shall be

responsible for systems development and planning, systems modification and enhancement, operations, central services, and management and administration of the hardware and software for the geographic information system. The department is responsible for computer training and the official city website. The department is the central depository for all electronic information.

## **2.07 Office of Planning & Sustainability**

### Established

There shall be an office of planning and sustainability under the supervision of a director.

### Authorities and Responsibilities

The office of planning and sustainability identifies and implements the city's vision for sustainable land use and growth. The office performs comprehensive and strategic planning, demographic and policy analysis, historic planning and preservation, open space and recreation planning and implementation, sustainable transportation planning and implementation, and environmental project implementation. The office manages the land use and environmental permitting process.

The office provides administrative, clerical and technical support to the planning board, conservation commission, zoning board of appeals, historic district commission, central business architecture committee, agricultural commission, and the community preservation committee.

## **Finance Division**

### **2.08 Finance Director**

#### Established

The finance director shall be appointed by the mayor, subject to confirmation by the city council.

#### Authorities and Responsibilities

The finance director shall oversee the finance division and provide financial management and analysis to the city. The finance director assists the mayor in development of the annual city budget and coordinates the annual capital improvement program and tax rate setting process. The finance director supervises and recommends to the mayor the appointment of finance division department heads and staff.

### **2.09 Office of the Assessor**

#### Established

There shall be an office of the assessor under the supervision of a principal assessor.

#### Authorities and Responsibilities

The office of the assessor is responsible for the full and fair market valuation of real and personal property as of January 1 every year for the purposes of levying property taxes. The office shall maintain a database on each parcel of property including name and address of the owner, measurements of the land and a description of any structures, as well as their quality and condition. The office of the assessor conducts a city-wide revaluation and re-certification with the Department of Revenue every three years. The office of the assessor is also responsible for the annual submission of the tax rate recapitulation sheet to the Department of Revenue. The office of the assessor also has the authority to grant abatements and exemptions to tax payers, upon a vote of the board of assessors.

The office provides administrative, clerical and technical support to the board of assessors.

## **2.10 Office of the Auditor**

### Established

There shall be an office of the city auditor under the supervision of an auditor.

### Authorities and Responsibilities

The office of the auditor produces financial reports of revenues and expenditures. The office examines the books and accounts of all city agencies entrusted with the receipt, custody or expenditure of funds, and all original bills and vouchers on which funds have been or may be paid from the city treasury. The city auditor verifies the cash balance of the city treasury and reviews the bank reconciliations. The office examines all bills, drafts, orders and payrolls, and, if found correct, draws a warrant upon the treasury for their payment. The office disallows or refuses to approve for payment any claim found to be fraudulent, unlawful or in excess of budget. The department, at the close of the fiscal year, compiles statements showing the amounts appropriated, and the amounts expended and encumbered from each appropriations during the preceding fiscal year.

The office of the auditor acts as the procurement agent for the city through the position of chief procurement officer. The chief procurement officer ensures the process for acquisition and disposal of goods and services will be conducted in accordance with state law.

## **2.11 Office of the City Collector**

State law reference c. 41 § 38A

### Established

There shall be an office of the city collector under the supervision of a collector.

### Authorities and Responsibilities

The office of the city collector collects and enforces the collection of committed taxes, betterments and other amounts as provided by law. The office certifies as to the existence of municipal liens, and counts and records parking meter receipts. The office supervises and coordinates the enforcement and processing of parking violations, including the duties set forth in MGL c. 90 § 20A ½.

## **2.12 Office of the Treasurer**

### Established

There shall be an office of the treasurer under the supervision of a treasurer.

### Authorities and Responsibilities

The treasurer manages the city's cash and is responsible for the deposit, investment and disbursement of city funds. The treasurer is authorized to issue debt on behalf of the city upon approval of the city council and prepares for the sale of long term bonds by working with the city's financial advisor, bond counsel and the mayor and finance director. The treasurer establishes and maintains an efficient cash management system including maintenance of the city's cashbook and determines the cash flow needs of the city by timing investments to ensure maximum yield for interest and planning when borrowing may need to occur. The treasurer is the custodian of all tax title accounts and prepares and maintains all deeds, conducts sales of land and property and prepares documents for foreclosures.

The city treasurer shall be the treasurer of the city's retirement board. The treasurer provides administrative, clerical and technical support to the board of almoners and trust fund committee.

### **3.0 Health and Human Services Division**

#### **3.01 Health Department**

##### Established

There shall be a health department under the supervision of a director.

##### Authorities and Responsibilities

The health department is responsible for protecting and strengthening public health in the city. The department acts as the agent of the board of health in enforcing all related regulations of the Commonwealth of Massachusetts, all related ordinances and regulations of the city of Northampton, and shall perform any other duties which it may be assigned by state or federal statute, state or federal regulation, or city ordinance or regulation.

The department provides administrative, clerical and technical support to the board of health.

#### **3.02 Department of Veterans' Services**

State law reference c. 115 § 10

##### Established

There shall be a department of veterans' services under the supervision of a director.

##### Authorities and Responsibilities

The department of veterans' services shall provide assistance to veterans and/or dependents in obtaining benefits from federal, state and local programs for veterans and/or their dependents. The department provides outreach, counseling, medical, employment and other support services.

### **4.0 Cultural and Recreational Services Division**

#### **4.01 Arts and Culture Department**

##### Established

There shall be an arts and culture department under the supervision of a director.

##### Authorities and Responsibilities

The arts and culture department works to fund, promote and present high-quality, community-based arts programming for the benefit of artists, residents and visitors to the City of Northampton. The department works with the arts council to perform tasks assigned to local cultural councils under MGL c. 10, § 58, or successor statutes. The department coordinates the paradise city cultural district under MGL c. 10 § 58A. The department serves as the city's liaison to local, regional, and statewide arts and culture organizations.

The department provides administrative, clerical and technical support to the arts council.

#### **4.02 Parks and Recreation Department**

##### Established

There shall be a parks and recreation department under the supervision of a director.

Authorities and Responsibilities

The parks and recreation department is responsible for the establishment, coordination and implementation of community recreation programs. The department oversees programmatic use of parks and recreation facilities.

The department provides administrative, clerical and technical support to the parks and recreation commission.

**4.03 Senior Services**

Established

There shall be a senior services department under the supervision of a director.

Authorities and Responsibilities

Senior services operates the city's senior center to provide services for the enjoyment of residents aged 55 or older within the city. The department is responsible for outreach to seniors in the community. The department develops health, cultural and recreational programs for seniors. The director serves as the city's Americans with Disabilities Act (ADA) coordinator.

The department provides administrative, clerical and technical support to the council on aging and the disability commission.

**5.0 Public Safety Division**

**5.01 Building Department**

State law reference c. 143 § 3

Established

There shall be a building department under the supervision of a building commissioner.

Authorities and Responsibilities

The building department provides services related to public safety, environmental, and quality of life concerns. The department is responsible for building, plumbing, electrical, and gas inspections. The department reviews plans, issues permits, conducts inspections, enforces zoning ordinances and investigates complaints. The sealer of weights and measures, inspector of wires, and inspector of gas piping and gas appliances, appointed by the mayor to carry out the duties set forth in MGL c. 41 § 85, MGL c. 166 § 32-34, and MGL c.143 § 3(O) respectively, shall be employees of the department. All permits issued, inspections made and enforcement conducted by the department shall be in accordance with governing provisions of Massachusetts General Law, Code of Massachusetts Regulations and city ordinances.

**5.02 Fire/Rescue Department**

Established

There shall be a fire/rescue department under the supervision of a fire chief.

Authorities and Responsibilities

The fire/rescue department provides fire, rescue and emergency medical services to the city. The department investigates the causes of all fires and provides written reports of all suspected arson,

inspects all buildings and structures as provided for by the state fire code, and provides for the issuance and renewal of certificates of occupancy.

### **5.03 Police Department**

#### Established

There shall be a police department under the supervision of a police chief.

#### Authorities and Responsibilities

The police department is responsible for the protection of life and property, the preservation of peace, order and safety, the safeguarding of constitutional guarantees, the prevention of crime, and the detection and arrest of offenders. The department investigates incidents and is empowered to enforce laws and ordinances. The police department shall act as the agent of the Northampton license commission under the provisions of MGL c. 138, § 63, as amended.

### **5.04 Public Safety Communications Center**

#### Established

There shall be a public safety communications center under the supervision of a director.

#### Authorities and Responsibilities

The public safety communications center is responsible for the receipt and appropriate dispatch of all public safety service requests including, but not limited to, calls for police, fire, emergency medical services or animal control services. The center is responsible for the operation and implementation of the city's reverse 911 notification system and provides twenty-four (24) hour a day, seven (7) day a week communications.

## **6.0 Public Works Division**

### **6.01 Department of Public Works**

#### Established

There shall be a department of public works under the supervision of a director.

#### Authorities and Responsibilities

The department of public works is responsible for design, engineering, maintenance and repair of all public works infrastructure. The department shall be made up of the following divisions: administration; engineering; highways; solid waste; water; and wastewater. The city's tree warden, appointed by the mayor to carry out the duties set forth in MGL c. 87, shall be an employee of the department. The department oversees the city's enterprise funds for water, sewer, stormwater, and solid waste and is responsible for billing. In consultation with the public works commission, the department makes annual recommendations to the mayor for water and sewer rates which shall be subject to the approval of the city council.

The department provides administrative, clerical and technical support to the public works commission, public shade tree commission and the transportation and parking commission.

## **7.0 Other Municipal Positions**

### **7.01 Fence Viewer**

State law reference c. 49 § 1

Established

The mayor, subject to confirmation by the city council, and shall annually appoint two or more fence viewers, to hold office for one year and until successors are qualified.

Authorities and Responsibilities

The fence viewer shall perform all tasks assigned under MGL c. 49.

## **7.02 Weighers of Coal**

State law reference c. 94 § 238

Established

The mayor shall annually appoint weighers of coal.

Authorities and Responsibilities

The weighers of coal shall perform all tasks assigned under MGL c. 94 § 238.

## **7.03 Weighers of Hay**

State law reference c. 94 § 236

Established

The mayor shall appoint weighers of hay for a term not to exceed one year.

Authorities and Responsibilities

The weighers of hay shall perform all tasks assigned under MGL c. 94 § 236.

## **Part II. Multiple-Member Appointive Organization**

### **1.0 Office and Standards**

#### **1.01 Generally**

This part of the administrative code describes all multiple-member bodies whose members are appointed by the mayor, and further delineates manner and time of appointment, terms of appointment generally and authorities and responsibilities. The city's representatives to regional governmental boards and committees shall, unless the law establishing such a committee provides otherwise, be appointed by the mayor.

#### **1.02 Multiple-Member Bodies**

The mayor may, by administrative order, reorganize, consolidate, create, merge, divide, or abolish multiple-member bodies of the city. Administrative orders establishing multiple-member bodies shall specify the following: membership, term of office and authorities and responsibilities. Multiple-member bodies are city agencies as that term is defined in the charter.

#### **1.03 Method of Appointment; Removal; Term of Office**

The mayor appoints all members of multiple-member bodies subject to confirmation by the city council as provided in the city charter section 2-10. Unless otherwise provided by law or administrative order, the terms of office of multiple-member bodies are arranged so that one-third of the terms or as nearly that number as may be possible, shall expire each year; vacancies are filled in the same manner of appointment for the remainder of the term. Unless otherwise provided by law, the length of term shall be three years and appointments shall be effective on the first day of July and shall expire the last day of June. Members may be removed by the mayor for such cause as the mayor deems sufficient.

#### **1.04 Oath of Office**

All members of multiple-member bodies shall take the oath of office within four weeks of their appointment and must take the oath of office prior to entering upon the duties of their office. The city clerk shall administer the oath of office.

#### **1.05 Meetings**

All appointed multiple-member bodies of the city shall meet regularly at the times and places that the body, by its own rules, shall prescribe. Special meetings of any multiple-member body shall be held on the call of the chair or by a majority of the members of the body. Notice of the meeting shall be posted as required by law. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public. Meetings shall provide a reasonable opportunity for residents to offer public comment.

#### **1.06 Meeting Documents and Submissions; Rules and Regulations**

Each appointed multiple-member body shall determine its own rules and order of business within the bounds of this code. Each multiple-member body shall provide for the keeping of agenda, minutes and related submissions of its proceedings. All such documents shall be a public record and certified copies shall be placed on file in the office of the city clerk within 15 days of approval.

### **1.07 Quorum**

A majority of all voting members of a multiple-member body constitute a quorum unless some other number is provided by law or by ordinance. No multiple-member body shall meet in absence of a quorum. The city has accepted remote participation as an option for meeting participation, which shall be exercised in accordance with 940 CMR 29.10.

### **1.08 Residency**

Unless otherwise allowed by law, regulation, charter or administrative code, all members of multiple-member bodies shall be residents of the city at all times during that member's term of office. If a member of a multiple-member body removes from the city during the term for which appointed, such seat shall immediately be deemed vacant and shall be filled under section 3-3 of the charter.

### **1.09 Multiple-Member Body Internal Organization**

Each multiple-member body shall annually elect from its membership, a chair, vice-chair and clerk, and such other officer or officers as are deemed necessary or as is required by law. The annual election shall occur at the first regular meeting after July 1. The mayor and city clerk shall be notified of the officers of each body upon their election. The chair shall preside over all meetings of the multiple-member body, and is the official representative of the multiple-member body in all proceedings before the city council and other officials in the city. The vice-chair performs the chair's functions in the absence of the chair. The clerk is responsible for the certification of the multiple-member body's meeting minutes, and observance of the open meeting law.

### **1.10 Setting Charges and Fees**

Any multiple-member body authorized to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, service or work in accordance with MGL c. 40, § 22F.

### **1.11 Authority to Establish Subcommittees**

Each multiple-member body may, by a majority vote of its membership, establish subcommittees of the multiple-member body for the purpose of addressing a particular issue or issues. A report of their activities shall regularly be made to the full multiple-member body. Each subcommittee so established shall observe laws relevant to the keeping of public records, the open meeting law, and any other applicable law, charter or administrative order.

## 1.12 Authority of Multiple-Member Bodies

Multiple-member bodies may be:

Advisory: Wherein the body has no legal authority to promulgate rules or regulations, decide individual cases or enact policy; or

Regulatory: Wherein the body has legal authority to promulgate rules and regulations, set charges and fees, decide individual cases and enact policy; or

Adjudicatory: Wherein the body has legal authority to hear and decide the rights and obligations of individual applicants.

Multiple-member bodies may be combinations of advisory, regulatory, and adjudicatory.

## 2.0 Agricultural Commission

### Established

There shall be an agricultural commission, consisting of seven members as follows: 4 members whose prime source of income is derived from farming or agricultural-based enterprises; and 3 members who have small or medium-sized farms, own agricultural land, no more than one representative of an agriculture-related organization, and/or those who have been nominated by 10 farmers. Members are not required to have residency in Northampton provided they own or manage agricultural land in the city.

### Authorities and Responsibilities

The agricultural commission shall serve as facilitators for encouraging the pursuit of agriculture in Northampton; promote agricultural-based economic opportunities in the city; act as mediators, advocates, educators, and/or negotiators on farming issues; work for preservation of prime agricultural lands; and pursue all initiatives appropriate to creating a sustainable agricultural community.

The agricultural commission is an advisory multiple-member body of the city.

## 3.0 Almoners, Board of

### Established

There shall be a board of almoners consisting of five members.

### Authorities and Responsibilities

The board of almoners shall responsibly oversee the accounting and expenditure of funds from the account the will of the late Whiting Street, and shall hear applications on requests for funds.

The board of almoners is an advisory and adjudicatory multiple-member body of the city.

## 4.0 Arts Council

State law reference – c. 10 § 58

### Established

There shall be an arts council consisting of fifteen voting members.

### Authorities and Responsibilities

The arts council works to fund, promote and present high-quality, community-based arts programming for the benefit of artists, residents and visitors to the city of Northampton. The arts council shall also perform all other tasks assigned to local cultural councils under MGL c. 10, § 58, or successor statutes.

The arts council is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **5.0 Assessors, Board of**

State law reference c. 41 § 24

### Established

There shall be a board of assessors consisting of three members, one member of which shall be the principal assessor.

### Authorities and Responsibilities

The board of assessors is responsible for the full and fair market valuation of real and personal property as of January 1 each year for the purpose of levying taxes. The board of assessors provides all necessary information to the city council in preparation for the annual classification hearing. The board hears and decides all questions relating to the abatement of taxes levied by it. The board has all of the other powers, duties and responsibilities that are given to boards of assessors by general laws.

The board of assessors is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **6.0 Central Business Architecture Committee**

### Established

There shall be a central business architecture committee consisting of five members and two alternates. Members shall include at least one of each of the following: one person from two nominations made by the greater Northampton chamber of commerce; one person in the building trades or construction industry; one person from two nominations made by the association of realtors covering Northampton; one architect; and one person from two nominations made by the historic district commission.

### Authorities and Responsibilities

The central business architecture committee shall have the authority to adopt reasonable rules, regulations, and forms and to revise the design guidelines manual to aid in the administration of the central business architectural ordinance chapter, and to reclassify building types shown in said ordinance.

The central business architecture committee is a regulatory and adjudicatory multiple-member body of the city.

## **7.0 Community Preservation Committee**

State law reference – c. 44B § 5

### Established

There shall be a community preservation committee consisting of nine voting members. Membership on the committee shall include one current member of the conservation commission, one current member of the historical commission, one current member of the planning board, one current member of the

parks and recreation commission, one current member of the housing authority, two members to be elected at large for four-year terms, two members of the public.

Authorities and Responsibilities

The committee carries out the duties prescribed in MGL c. 44B § 5 and city ordinance.

The community preservation committee is an advisory multiple-member body of the city.

## **8.0 Conservation Commission**

State law reference – c. 40 § 8C

Established

There shall be a conservation commission consisting of seven members.

Authorities and Responsibilities

The conservation commission protects, promotes and enhances the quality of the natural resources within the city, especially wetlands and water resources. The conservation commission is responsible for the preservation and protection of flood plains, water bodies and other wetlands within the city. The commission is responsible for the stewardship of the city's conservation lands. The commission has all of the other powers, duties and responsibilities that are given to conservation commissions by the general laws and city ordinances.

The conservation commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **9.0 Council on Aging**

State law reference – c. 40 § 8B

Established

There shall be a council on aging consisting of fifteen members.

Authorities and Responsibilities

The council on aging shall advise the senior services department on programs and services designed to meet the needs of city of Northampton residents aged 55 or older. The council has all of the other powers, duties and responsibilities that are given to councils on aging by the general laws.

The council on aging is an advisory multiple-member body of the City.

## **10.0 Disability Commission**

State law reference – c. 40 § 8J

Established

There shall be a disability commission consisting of nine members. A majority of commission members shall consist of people with disabilities; one member shall be a member of the immediate family of a person with a disability, and one member of said commission shall be an elected official. The city's Americans with disabilities act (ADA) coordinator shall be the liaison to the commission.

#### Authorities and Responsibilities

The commission shall research local problems of people with disabilities; advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; coordinate and/or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; review and make recommendations about policies, procedures, services, activities and facilities of departments, boards, and agencies of the city of Northampton as they affect people with disabilities; provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disabilities, and; coordinate activities of other local groups organized for similar purposes.

The disability commission is an advisory multiple-member body of the city.

### **11.0 Energy & Sustainability Commission**

#### Established

There shall be an energy and sustainability commission consisting of eleven members, as follows; director of central services, or his/her designee; director of public works, or his/her designee; director of planning and sustainability, or his/her designee; building commissioner, or his/her designee; a representative of smith vocational and agricultural high school selected biannually by the smith vocational high school superintendent; two elected officials; and four members of the public.

#### Authorities and Responsibilities

The energy and sustainability commission shall advise and assist the city in identifying, developing, implementing, and managing programs and policies for achieving energy efficiency and energy resource sustainability, and guard against effects of energy resource disruption/depletion and climate change in all of Northampton's public and private sectors (e.g., municipal, business, commercial, residential, agricultural, and institutional). The commission shall advise and assist with achieving the goals of the sustainable Northampton plan, the city's climate change protection commitments, and other city plans/goals.

The energy and sustainability commission is an advisory multiple-member body of the city.

### **12.0 Health, Board of**

State law reference – c. 111 § 26

City Charter - Article 6A

#### Established

There shall be a board of health consisting of five members, one of whom shall be a physician.

#### Authorities and Responsibilities

The board of health preserves and maintains the city's public health standards and protects its environmental resources through community education, and by promulgating reasonable rules and regulations pertaining to those matters placed under its jurisdiction by state law or city ordinances. The board reviews and recommends health department policies and programs for implementation by the health department. The board has all of the other powers, duties and responsibilities that are given to boards of health by the general laws and city ordinances.

The board of health is an advisory, regulatory and adjudicatory multiple-member body of the city.

### **13.0 Historical Commission**

State law reference – c. 40 § 8D, and c. 40C § 14

#### Established

There shall be an historical commission which shall consist of seven members as follows: at least one member who resides or owns property in the district; one member appointed from two nominations submitted by the Northampton historical society; one member appointed from two nominees from the western Massachusetts chapter of the American Institute of Architects; one member appointed from two nominees from the realtor association of pioneer valley, the local board of realtors.

#### Authorities and Responsibilities

The historical commission shall have all powers and duties in accordance with Massachusetts general laws chapter 40, § 8C and all the power and duties of historic districts in accordance with chapter 40C. The commission shall have the authority to adopt such rules and regulations not inconsistent with the provisions of chapter 40C. The commission shall carry out the preservation, promotion and development of the historical assets of the city.

The historical commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

### **14.0 Housing Partnership**

#### Established

There shall be a housing partnership consisting of fifteen members consisting of those representing the interests of people with low and moderate incomes, the housing and real estate industry, city boards and commissions involved in housing policy and/or projects, including but not limited to the planning board and the zoning board of appeals. The partnership will strive to achieve maximum diversity in its membership.

#### Authorities and Responsibilities

The housing partnership shall assist in the preservation and development of low and moderate income housing stock. All housing proposals submitted for the use of community development block grant funds shall be reviewed by the partnership and the partnership shall issue a recommendation on such proposals to the mayor.

The housing partnership is an advisory multiple-member body of the city.

### **15.0 Human Rights Commission**

#### Established

There shall be a human rights commission consisting of nine members. Membership shall, as far as it is practicable, be selected so as to ensure representation from those classes protected under state and federal law, including but not limited to, race, color, religious creed, national origin, sex, age, disability, veteran status, ancestry, sexual orientation or public benefit status.

#### Authorities and Responsibilities

The human rights commission shall act to promote human rights in the city of Northampton. The commission shall advocate and be an information resource for the rights guaranteed pursuant to local,

state, and/or federal law on the basis of race or color, gender, physical or mental ability, religion, socio-economic status, ethnic or national origin, sexual identification or orientation, or age for all persons within the city of Northampton. The mayor and city council may refer issues pertaining to human rights to the commission for review and recommendation. The commission may organize programs and events to educate about human rights.

The Human Rights Commission is an advisory multiple-member body of the city.

## **16.0 License Commission**

State law reference – c. 138 § 4

### Established

There shall be a license commission consisting of three persons in accordance with MGL c. 138. Members shall serve for six year terms from the first monday in june.

### Authorities and Responsibilities

The license commission acts as the licensing board for the city with all powers to grant, suspend, or revoke licenses and permits for alcoholic beverages as provided in MGL c. 138. The commission has the power to grant, suspend or revoke all other licenses not otherwise provided by law.

The license commission is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **17.0 Municipal Affordable Housing Trust Fund Board of Trustees**

State law reference – c. 44 § 55C

### Established

There shall be a municipal affordable housing trust fund board of trustees made up of five members, one of whom shall be the mayor. Trustees shall serve two year terms.

### Authorities and Responsibilities

The municipal affordable housing trust fund board of trustees shall work to provide for the creation and preservation of affordable housing in Northampton for the benefit of low and moderate income households. The board manages the municipal affordable housing trust fund and has all other authority delegated to it under MGL c. 44, § 55C.

The affordable housing trust is an advisory and adjudicatory multiple-member body of the city.

## **18.0 Parks and Recreation Commission**

### Established

There shall be a parks and recreation commission consisting of nine members.

### Authorities and Responsibilities

The parks and recreation commission advises the parks and recreation department on development and implementation of recreational programming for parks, playgrounds, playfields, indoor recreation centers and other recreation areas and facilities owned or controlled by the city.

The parks and recreation commission is an advisory multiple-member body of the city.

## **19.0 Planning Board**

State law reference – c. 41 § 81A

### Established

There shall be a planning board consisting of seven members and two associate members. The associate members shall serve in the absence of a full member to the extent permitted by law.

### Authorities and Responsibilities

The planning board develops and recommends land use policies, design standards and amendment to zoning code and subdivision plans. The board reviews and approves the subdivision plans for the city, decides applications for special permits and site plan review as provided in the zoning ordinance. The board has all of the other powers, duties and responsibilities that are given to planning boards by the general laws and ordinances.

The planning board is an advisory, regulatory and adjudicatory multiple-member body of the city.

## **20.0 Public Works Commission**

### Established

There shall be a public works commission consisting of seven members.

### Authorities and Responsibilities

The public works commission advises the department of public works and the mayor on the city's public works service delivery, infrastructure management, and long-range planning. The commission reviews and makes recommendations to the department on its policies, operating and capital budgets, proposed city ordinances, fee-setting and permitting processes, and the prioritization and planning of public works projects. The commission works with the department to conduct public hearings on public works issues and projects. The commission's advisory role includes reviewing proposed water and sewer rates, stormwater fees, and solid waste fees.

The public works commission is an advisory multiple-member body of the City.

## **21.0 Redevelopment Authority**

State law reference – c. 121B § 4

### Established

There shall be a redevelopment authority consisting of five members. Members shall serve a term of five years. The mayor shall appoint four members, the fifth member shall be appointed by the department of housing and community development.

### Authorities and Responsibilities

The authority has all duties and responsibilities as set forth in MGL c. 121B § 4.

## **22.0 Registrars, Board of**

State law reference – c. 51 § 15

### Established

There shall be a Board of Registrars consisting of four persons in accordance with MGL c. 51§ 15. Members shall serve three-year terms beginning in April.

Authorities and Responsibilities

The board of registrars shall hold voter registration sessions, including those required by MGL c. 51 § 42C, certify the signatures on nomination papers and petitions, hold hearings and decide disputes over signatures on nomination papers, prepare annual list of persons, and employ poll workers and ballot counters. The board has all of the other powers, duties and responsibilities that are given to boards of registrars of voters by the general laws.

The board of registrars is a regulatory and adjudicatory multiple-member body of the city.

### **23.0 Public Shade Tree Commission**

Established

There shall be a public shade tree commission consisting of seven members.

Authorities and Responsibilities

The public shade tree commission preserves, protects and promotes city shade trees. The commission works to inventory current trees and select new trees for planting. The commission advises and makes recommendations to the tree warden and the mayor on matters involving public shade trees. The commission works to promote knowledge and awareness of the benefits of shade trees.

The public shade tree commission is an advisory multiple-member body of the city.

### **24.0 Transportation & Parking Commission**

Established

There shall be a transportation and parking commission consisting of eleven members as follows: director of public works, or his/her designee; director of planning and sustainability, or his/her designee; police chief, or his/her designee; director of central services or his/her designee; a member of the planning board, selected biannually by the planning board; two elected officials and four members of the public. The city's traffic engineer and parking clerk shall serve as advisors to the commission.

Authorities and Responsibilities

The transportation and parking commission advises the mayor and city council on the safety, efficiency, and sustainability of its multi-modal transportation system for automobiles, bus transit, passenger rail, bicycles, and pedestrians. The commission researches and recommends city policies related to transportation and/or parking. The commission shall review and make recommendations on any ordinance related to transportation and/or parking. The commission shall receive and review input from city residents, businesses, and neighborhoods on issues or concerns related to transportation and/or parking. The commission holds hearings, reviews data, and makes recommendations on applications filed under the city's traffic calming program.

The transportation and parking commission is an advisory multiple-member body of the city.

### **25.0 Trust Fund Committee**

Established

There shall be a trust fund committee consisting of three members.

Authorities and Responsibilities

The trust fund committee shall make recommendations to the city treasurer on Northampton's trust fund investments to realize the best possible gain while maintaining a balance between risk and return with the primary objectives of preservation of capital, maintenance of security of trust funds and investments, maximization of total return for each trust fund, efficient disbursement of funds on an equitable basis, and effective collection of all due monies. The committee shall also advise the treasurer on the other post employee benefits trust fund.

The trust fund committee is an advisory multiple-member body of the city.

## **26.0 Youth Commission**

State law reference – c. 40 § 8E

Established

There shall be a youth commission consisting twenty-one members, from the age of 13 through 18.

Authorities and Responsibilities

The youth commission shall carry out programs which may be designed or established to meet the opportunities, challenges and problems of youth of said city or town and in conjunction with any similar or related programs of any agency of the commonwealth or any agency of the federal government. The commission shall actively involve youth in issues affecting them and to give advice to the mayor and the city council. The commission shall be available to act as a forum for youth concerns about adults and adult concerns about youth.

The youth commission is an advisory multiple-member body of the city.

## **27.0 Zoning Board of Appeals**

State law reference – c. 40A § 12

Established

There shall be a zoning board of appeals consisting of three members and two associate members.

Authorities and Responsibilities

The zoning board of appeals hears and decides applications for variances, special permits, comprehensive permits and appeals relating to actions or refusals to act by the zoning enforcement officer. The board has all of the other powers, duties and responsibilities that are given to zoning board of appeals by the general laws. Each of the board members shall serve as a zoning administrator on a rotating basis pursuant to MGL c. 40A § 14 and city ordinance § 350- 4.10(e).

The zoning board of appeals is a regulatory and adjudicatory multiple-member body of the City.



## Northampton Fire Department

# Memorandum

**To:** Mayor David Narkewicz  
**From:** B. Duggan  
**Date:** October 12, 2014  
**Re:** Fire/Rescue Organizational Designation

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Over the previous fifteen years, the organization has developed a wide variety of life safety services. When I arrived in Northampton, the Department was internally focused on fire suppression and the doors were closed to the community. The change in our designation under the New City Charter reaffirms support for the services and community focus that we have developed.

Currently we offer approximately 68 services to the community. The majority of these services and our responses are of a rescue/life safety nature, ranging from car seat installation to advanced cardiac intervention. As our transport emergency medical services program has matured and has become embedded within our organization, the fire/rescue role was solidified as we developed the Fiscal 2015 Budget.

Typically an organization becomes a fire/rescue entity when the mission of the organization has shifted away from the limited focus of fire suppression. Based on the success of fire prevention and code development, the number of structure fires has decreased across the United States. Most proactive fire service agencies have shifted to more of an all hazards orientation that places a primary focus on life safety services. These organizations have become designated as fire/rescue agencies based on the change in role supported by their community. Presently in Massachusetts 14 agencies carry a rescue, life safety designation.

### The Importance of a Name and Designation

The name designation adopted by the community often defines the expectation of an organization. This name defines the organization for both our staff and the

community. I believe that we have successfully shifted toward a life safety focus and this change should be recognized within the city Charter.

### Transitional cost

There will be no transitional cost as the importance of this change is a formal recognition and support of the role the organization plays within the community not the sign hanging on the side of our stations. Over time as we order new patches and vehicles we will utilize the fire/rescue designation. However, to rebrand the entire organization would simply be a waste of municipal funds. There is no need to immediately order new patches, uniforms, badges, and facility signage.

CITY OF NORTHAMPTON

MASSACHUSETTS

.....

*In City Council,*

OCTOBER 16, 2014

.....  
UPON THE RECOMMENDATION OF...Mayor David J. Narkewicz

*Ordered, that*

The city hereby accepts the provisions of MGL ch. 40 § 8C to establish a Conservation Commission and hereby ratifies the vote to accept said § 8C dated February 20, 1964, and codified as § 22-17 of the code of ordinances, now repealed.

CITY OF NORTHAMPTON

MASSACHUSETTS

.....

*In City Council,*

OCTOBER 16, 2014

.....  
UPON THE RECOMMENDATION OF.....Mayor David J. Narkewicz.....

*Ordered, that*

The city hereby accepts the provisions of MGL ch. 40 § 8D to establish an Historical Commission and hereby ratifies the vote to accept said § 8D dated September 19, 2013, and codified as § 22-30 (A) of the code of ordinances, now repealed.

CITY OF NORTHAMPTON

MASSACHUSETTS

.....

*In City Council,*

OCTOBER 16, 2014

UPON THE RECOMMENDATION OF.....Mayor David J. Narkewicz

*Ordered, that*

In accordance with the provisions of MGL c. 40C § 14, the Historic District Commission shall have the powers and duties of an historical commission as provided in MGL c. 40, § 8D, and hereby ratifies the vote to assign the powers and duties of an historical commission to the Historic District Commission, dated September 19, 2013, and codified as § 195-3 of the code of ordinances, now repealed.

**CITY OF NORTHAMPTON**

MASSACHUSETTS

.....

*In City Council,*

OCTOBER 16, 2014

.....  
UPON THE RECOMMENDATION OF .....David J. Narkewicz

*Ordered, that*

The city hereby accepts the provisions of MGL c. 44 § 55C to establish a Municipal Affordable Housing Trust Fund.

# CITY OF NORTHAMPTON MASSACHUSETTS

In the Year **Two Thousand Fourteen** and

UPON THE RECOMMENDATION OF Mayor David J. Narkewicz

## ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section 22§ 1-4 of said Code providing that

Community Preservation Committee

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

That section Ch. 22§ 1-4 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

### SECTION 22 § 1-4

Rename Ch. 22 from Commissions and Committees to Community Preservation Committee

Delete Ch. 22 § 128-131 in its entirety and add in place thereof:

#### § 22-1. Establishment.

There is hereby established a Community Preservation Committee, in accordance with the Chapter 267 of the Acts of 2000, Massachusetts Community Preservation Act, consisting of nine voting members pursuant to MGL Chapter 44B.

#### § 22-2. Membership; terms.

##### A.

The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

##### (1)

One current member of the Conservation Commission as designated by said Commission for an initial term of one year, and thereafter for a term of three years.

##### (2)

One current member of the Historic Commission as designated by said Commission for an initial term of two years, and thereafter for a term of three years.

##### (3)

One current member of the Planning Board as designated by said Board for a term of three years.

##### (4)

One current member of the Parks and Recreation Commission as designated by said Commission for a term of three years.

##### (5)

One current member of the Housing Authority as designated by said Authority for an initial term of two years, and thereafter for a term of three years.

(6)

Two persons be elected at large for four-year terms in the next municipal election following the Charter change approving their election.

(7)

Two members of the public to be appointed by the Mayor for an initial term of one year, and thereafter for a term of three years.

B.

Committee members shall be classified as special municipal employees for the purpose of Chapter 268A of the Massachusetts General Laws.

C.

If any appointed Committee member misses half of the scheduled meetings of the Committee during any calendar year, the Chair shall review the absences of the Committee member and the Chair shall recommend appropriate action to the City Council.

D.

The commissions, boards, or authorities who have appointment authority under this article shall appoint such representatives within 45 days of the effective date of this article, and said names shall be forwarded to the City Council for approval.

E.

In addition, all commissions, boards or authorities who have appointment authority under this article shall appoint an alternate representative for each such position, within 45 days of the effective date of this article, to ensure attendance in the event the primary representative cannot attend a Committee meeting. Said names shall be forwarded to the City Council for approval.

F.

Should there be a vacancy or resignation in any of the Community Preservation Committee positions, the commissions, boards or authorities who have appointment authority under this article shall appoint a new representative within 45 days of the first date of vacancy or resignation, otherwise said vacancy may be filled by the City Council. Said names shall be forwarded to the City Council for approval.

G.

Should any of the commissions, boards, or authorities who have appointment authority under this article be no longer in existence for whatever reason, the appointment authority for that commission, board or authority shall become the responsibility of the City Council.

### § 22-3. Powers and duties.

The Community Preservation Committee shall study the needs, possibilities and resources of the City regarding community preservation. The Committee shall consult with existing municipal boards, including the Mayor, City Council, Conservation Commission, the Historic District Commission, Agricultural Commission, Housing Authority, Youth Commission, Council on Aging, Public Shade Tree Commission, the Planning Board, the Parks and Recreation Commission, the Housing Partnership and the Department of Public Works, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the City of Northampton regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the City.

A.

The Community Preservation Committee shall make recommendations to the City Council for the acquisition and preservation of open space which includes parks, conservation land, wildlife preserves, public drinking water supplies and scenic areas, farmland and forests; for the acquisition and restoration of historic buildings and sites; and for the creation and preservation of affordable housing. At least 10% of the funds for each fiscal year will be spent, or reserved for later spending, on each of the three community preservation purposes; open space, historic resources and affordable housing.

B.

The Community Preservation Committee may include in its recommendation to the City Council a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

§ 22-4. Officers; rules and regulations.

A.

Officers. The Committee shall annually elect one of its members as Chair and one of its members as Vice-Chair. In the event a Chair is unavailable, the Vice-Chair shall run the meeting, and in the event the Vice-Chair is unavailable the most senior member of the Committee shall chair the Committee.

B.

Rules and regulations. By majority vote of the members of the Committee, the Committee may adopt and promulgate rules and regulations for the conduct of its business on any matter within the Committee's jurisdiction under the Massachusetts Constitution, Massachusetts General or Special Laws, the Code of Massachusetts Regulations (CMR), ordinance, or other legal right or authority granted to or conferred upon the Committee.

(1)

The proposed rule or regulation shall be submitted to all Committee members at least 48 hours prior to any vote to adopt the same; provided, however, the Committee may make such amendments to the proposed rules or regulations as it deems appropriate at the meeting.

(2)

Upon approval of any rule or regulation by the Committee, a copy of the same shall be filed with the City Clerk and become effective as of the date of filing thereof unless the specific vote of the Committee establishes a later effective date.

# CITY OF NORTHAMPTON MASSACHUSETTS

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Mayor David J. Narkewicz

## ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section 111§ 1-3 of said Code providing that

### **Agriculture**

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

*Section 1.* That section Ch. 111§ 1-3 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

#### **"SECTION 111 § 1-3**

#### **Amend § 1-3 of Chapter 111 as follows:**

##### § 111-1. Purpose and mission statement

###### B.

Due to Northampton's growing desire to protect agricultural land in the community, this chapter establishes ~~the Agricultural Commission and~~ a right to farm. The mission of this chapter is to provide a voice and a network for farmers within Northampton, while, at the same time, to maintain farmland and agricultural-based opportunities in the City for the benefits of its citizens and future generations.

##### § 111-2. Membership of Agricultural Commission

Reserved: See Administrative Order

##### § 111-3. Commission Duties

Reserved: See Administrative Order

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

In the Year **Two Thousand and Fourteen**

UPON THE RECOMMENDATION OF **Mayor David J. Narkewicz**

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section - § - of said Code providing that

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

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

“Section **SECTION - § -**

**Delete the following:**

Chapter 9 Affordable Housing Trust  
Chapter 16 Claims  
Chapter 22 Commissions and Committees  
Chapter 28 Departments  
Chapter 37 Emergency Management  
Chapter 44 Finances  
Chapter 48 Fire Department  
Chapter 55 Health, Board and Department of  
Chapter 70 Maps and Records  
Chapter 73 Meetings  
Chapter 76 Officers & Employees  
Chapter 82 Personnel  
Chapter 89 Planning  
Chapter 93 Police Department  
Chapter 145 Building Regulations  
- Article I Building Department

#### Chapter 153 Cemeteries

Delete the following sections:

- Section 1 Control by the Board of Public Works
- Section 2 Appointment of Superintendents and Caretakers
- Section 3 Recordkeeping and Report required by Board of Public Works

**Add in place thereof:** Reserved: See Administrative Order

#### Chapter 156 Central Business and West Street Architecture

Delete the following section:

- Section 3 Central Business Architecture Committee

**Add in place thereof:** Reserved: See Administrative Order

#### Chapter 195 Historic Districts

Delete the following sections:

- Section 3 Historic District Commission
- Section 4 Powers and Duties of Commission

**Add in place thereof:** Reserved: See Administrative Order

#### Chapter 264 Signs

- Article II Banners

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Transportation and 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 §312-102 of said Code; providing that Schedule I: Parking Prohibited All Times.

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

Section 1: That section §312-102 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-102 Schedule I: Parking Prohibited All Times

AMEND:

<b>Location</b>	<b>Side</b>	<b>From</b>	<b>To</b>
Pleasant Street	Westerly	<del>Michelman Avenue A</del> <i>point 51 feet northerly from Michelman Avenue</i>	Point 102 feet southerly

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand and Fourteen

UPON THE RECOMMENDATION OF Transportation and 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 §312-109 of said Code; providing that Schedule VIII: On Street Parking Meter Zones.

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

Section 1: That section §312-109 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-109 Schedule VIII: On Street Parking Meter Zones

AMEND:

Location	Side	From	To	Time Limit/Class
Pleasant Street	<del>Both</del> <i>Easterly</i>	Kingsley Avenue	Holyoke Street	2 hours/Class 1B

ADD:

Location	Side	From	To	Time Limit/Class
Pleasant Street	Westerly	Kingsley Avenue	Point 51 feet northerly from Michelman Avenue	2 hours/Class 1B

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 325 of said code; providing that *Water*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 325 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

SECTIONS –

Amend as follows:

§ 325-1. Available Water Surplus Account.

~~At the end of each fiscal year all receipts of the Water Department during such fiscal year in excess of its expenditures during such period shall be transferred to an account known as the "Available Water Surplus Account." Appropriations from such account shall be made in the customary manner, but only for the purpose of improving the water system of the City.~~

§ 325-2. Use of water from water supply.

~~No person, except an engineer of the Fire Department, shall draw or use water from any pipe or fixture connected with the water supply of the City except by permission of the Director of Public Works or his/her designee Superintendent of the Water Division.~~

§ 325-3. Interference with water supply.

~~No person shall make any opening or connection with a pipe, reservoir or source of water supply or turn on or turn off the water in any water pipe or reservoir, except by permission of the Director of Public Works or his/her designee Superintendent of the Water Division.~~

§ 325-4. Fishing in reservoirs.

~~No person shall fish in any reservoir or other source of water supply for the City, except by permission of the Director of Public Works or his/her designee Board of Public Works.~~

§ 325-7. Tampering with hydrants.

No person shall, except in case of fire, open a hydrant or lift or remove the cover of a hydrant, except by permission of the **Director of Public Works or his/her designee** ~~Board of Public Works~~.

§ 325-8. Billing procedures for water use.

A.

Every person, corporation, or entity who uses water supplied by the City of Northampton shall be charged for such usage at the **then-current annual rate set by the Board of Public Works**.

Article II. Water Emergencies and Restrictions

§ 325-12. Declaration of a state of water supply conservation

The City of Northampton, through ~~its Board~~ **the Department** of Public Works, may declare a state of water supply conservation ~~upon a determination by a majority vote of the Board~~ that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a state of water conservation shall be given under § 325-14 of this article before it may be enforced.

§ 325-15. Termination of state of water supply conservation; notice.

A state of water supply conservation may be terminated ~~a majority vote of the Board of Public Works~~ **by the Department of Public Works**, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a state of water supply conservation shall be given in the same manner required by § 325-14.

§ 325-17. Violations and penalties; enforcement officer.

A.

Any person violating this article shall be liable to the City of Northampton in the amount as set forth in Chapter 40, Enforcement, for the first violation and for each subsequent violation which shall inure to the City of Northampton for such uses as ~~the Board~~ **Department** of Public Works may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by noncriminal disposition in accordance with MGL c. 40, § 21D. Each day of violation shall constitute a separate offense.

B.

The ~~Board~~ **Director** of Public Works may designate any of its employees as enforcement officers. It may also designate any outside consultant as an enforcement officer if it deems such enforcement officer to be necessary for the enforcement of this article.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **316 § 23, 27** of said code; providing that *Horse Drawn Carriages*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **316 § 23, 27**

of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTIONS 23 & 27 –**

**Amend § 23 and 27 as follows:**

**§ 316-23. Carriage routes; carriage stands**

A.

The City Council shall establish set route(s), upon the specified recommendations of the ~~Board~~ **Department** of Public Works and the Police Department, along ways in the City of Northampton along which horse-drawn carriages shall operate. A route, upon the specified recommendations of the ~~Board~~ **Department** of Public Works and the Police Department, may be established by the City Council or a committee thereof or may be requested by a person, business, or organization. Each carriage license issued shall specify the route(s) along which the carriage must operate. Any deviation from an assigned route shall be considered a violation of the carriage license and/or carriage driver's license of the operator.

B.

The City Council ~~shall~~ **may** establish one or more carriage stands within the City. A licensed horse-drawn carriage may pick up passengers and may wait for passengers only at a designated carriage stand. The City Council may specify on a carriage license which carriage stand(s) the carriage covered by said license may use. Failure to use a designated stand or the stand specified in a license, if one is so specified, shall be considered a violation of the carriage license and/or carriage driver's license of the operator.

**§ 316-27. One-day permits for special events**

Notwithstanding §§ 316-22 through 316-26, the ~~Board~~ **Department** of Public Works may issue a one-day permit for the operation of a horse-drawn vehicle on specified public ways located within the City of Northampton. Such operation shall be in connection with a specified event, such as a wedding, and not for the general carrying of passengers for hire. The driver of a horse-drawn vehicle under this section must meet the same requirements as set forth for a carriage driver license under § 316-24B, but is not required to obtain such a license. The ~~Board~~ **Department** of Public Works shall notify the Police Department of any such permits issued.



City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**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 § 14** of said code; providing that **Traffic Signs and Signals**

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **312 § 14** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 312 § 14 – Traffic Signs and Signals**

**Amend § 2, 14 as follows:**

Chapter 312. VEHICLES AND TRAFFIC

Delete § 2 in its entirety

~~§ 312-2. Traffic ordinance changes; duties of City Engineer~~

~~A.~~

~~It shall be the duty of the City Engineer, upon the request of the Mayor or any member of the City Council, Chief of Police, or Board of Public Works, to draw, in proper form, any proposed change in this chapter for submission to the City Council.~~

~~B.~~

~~All proposed changes in this chapter which are submitted to the City Council shall be referred to the Transportation and Parking Commission, which Commission shall report thereon to the City Council at the next meeting and as part of its report shall include a statement in writing by the City Engineer as to his opinion of the advisability of the proposed change on the basis of accepted traffic engineering practice.<sup>(4)</sup>~~

~~C.~~

~~Upon the adoption by the City Council of any change in this chapter, a certified copy of such change shall be furnished forthwith by the City Clerk to the Chief of Police, City Engineer, and Board of Public Works. The City Engineer shall then be required to issue, in conformance with the provisions of this chapter, such written directions as are necessary.~~

Article III. Traffic Signs, Signals, Markings and Zones

§ 312-14. Traffic signs and signals

A.

Subject to the written direction of the ~~City Engineer~~ **Director of Public Works or his/her designee**, the ~~Board~~ **Department** of Public Works is hereby authorized and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

Article III. Traffic Signs, Signals, Markings and Zones

§ 312-20. Obedience to warning signs at bridges and overpasses

A.

Subject to the direction of the ~~City Engineer~~ **Director of Public Works or his/her designee**, a warning sign shall be placed at any location where a bridge or overpass of any type crosses a public street. Such sign shall state, at a minimum, the height of the bridge or overpass and shall be affixed directly onto the facade of the bridge or overpass or in an area immediately adjacent to the bridge or overpass.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 303-5 of said code; providing that *Temporary Events*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 303-5 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 5** –Amend as follows:

Chapter 303. TEMPORARY EVENTS

§ 303-5. Securing of other permits required.

The applicant shall secure all necessary permits pertaining to the event from City offices and departments, including but not limited to police, fire, Building Inspector, Board of Health, Conservation Commission, and Board Department of Public Works.

**City of Northampton  
MASSACHUSETTS**

**In the Year Two Thousand Fourteen**

**Upon the Recommendation of Mayor David J. Narkewicz**

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 290 of said code; providing that *Subdivision of Land*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 290 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 290 – Subdivision of land**

Chapter 290. SUBDIVISION OF LAND

Article II. Definitions

§ 290-4. Terms defined

**CITY ENGINEER**

~~The City Engineer of Northampton or designee.~~

**DIRECTOR OF PUBLIC WORKS**

**The Director of Public Works of Northampton or his/her designee.**

§ 290-27. Submission of revised plans, additional materials, etc

B.

(2)

(e)

Deviations from material and construction specifications shall not be allowed, except as specifically authorized by the Planning Board, upon consultation with the ~~City Engineer~~ **Director of Public Works**.

§ 290-40. Construction (stakes) staking

Developers shall employ, at their own expense, a professional engineer or a registered land surveyor to set all lines and grades in a manner satisfactory to the ~~City Engineer~~ **Director of Public Works** and in accordance with the provisions of Section 5:07 of the Standard Specifications.

§ 290-41. Site and earthwork

D.

In a cut area all material shall be removed to subgrade. All unsuitable material, such as peat, highly organic silt or clay, or any other material that, in the opinion of the ~~City Engineer~~ **Director of Public Works**, is considered to be detrimental to the subgrade, shall be removed and shall be replaced by bank-run gravel, and be brought to proper compaction with a ten-ton roller.

I.

Inspections shall be required upon completion of the subgrade by the ~~City Engineer~~ **Director of Public Works**.

§ 290-42. Pavement structure

C.

Inspections shall be required by the ~~City Engineer~~ **Director of Public Works** upon completion of each layer of subbase and the binder and surface courses.

§ 290-55. Other utilities

Materials and construction methods shall be in accordance with the requirements of the involved utility company after said requirements have been approved by the ~~City Engineer~~ **Director of Public Works** and appropriate City departments.

Article VIII. Administration

§ 290-59. Inspection and control

B.

The Planning Board shall notify the ~~City Engineer~~ **Director of Public Works** and the developer in writing that the subdivision has been approved and all the necessary approved plans and documents have been recorded at the Hampshire County Registry of Deeds; therefore, construction can commence. Prior to commencement of construction, the developer, the projects' engineer/surveyor, and the designated contractor shall attend a preconstruction conference which shall be arranged in consultation with the ~~City Engineer~~ **Director of Public Works** and Planning Board staff. Construction shall not commence on any portion of the subdivision until this condition has been met. Any project that does commence before this preconstruction conference shall be shut down for a minimum of one week to allow this coordination.

D.

In addition to the privatized project engineer, the ~~City Engineer~~ **Director of Public Works** shall be notified at the appropriate time to make the following inspections, and the project shall not proceed until these inspections take place or the City provides a written notice that they will not undertake these inspections.

E.

Unless each phase of the work, including the materials used on the project, have been inspected by the ~~City Engineer~~ **Director of Public Works**, no further work shall be done on any other phase of construction.

F.

Inspections shall be requested by the applicant two working days in advance by notice to the ~~City Engineer~~ **Director of Public Works**.

G.

Inspections by the ~~City Engineer~~ **Director of Public Works** will in no way relieve the developer, contractor or project professional engineer of responsibility in ensuring that all materials and all construction meet all standards as stated in these rules and regulations.

I.

The developer shall present proof, at his own expense, by a qualified person/firm, to be approved by the ~~City Engineer~~ **Director of Public Works**, that the gravel to be used on the project meets state specifications.

§ 290-62. Material testing

The developer shall test, upon the request of the ~~City Engineer~~ **Director of Public Works** and at the developer's own expense, all materials to be used in the construction of the public ways. The tests shall be conducted by qualified firms/individuals that have been approved by the ~~City Engineer~~ **Director of Public Works**.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **281-4** of said code; providing that *Stormwater Management*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **281-4** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 281-4** - Amend as follows:

§ 281-4. Permit procedures and requirements

H.

Application review and inspection fees. The fee for review and inspection of any land development application shall be based on the amount of land to be disturbed at the site and the fee structure established by the ~~Northampton Board~~ **Department** of Public Works. All of the monetary contributions shall be credited to the Stormwater Revolving Fund, and shall be made prior to issuance of any building permit for development.

§ 281-6. Stormwater management performance standards

C. Specific design criteria. Additional policy, criteria, and information including specifications and design standards may be found in the Stormwater Design Manual.

(9)

The basic design criteria methodologies and construction specifications, subject to the approval of the **Director of the Department of Public Works or his/her designee and City Engineer**, shall be those generally found in the most current edition of the Stormwater Management, Volume Two: Stormwater Technical Handbook (March, 1997, Mass. Department of Environmental Protection, as updated or amended).

§ 281-8. Maintenance

A. Operation, maintenance and inspection agreement.

(3)

The agreement shall also provide that, if after notice by the ~~City Engineer~~ **Director of Public Works or his/her designee** to correct a violation requiring maintenance work, satisfactory corrections are not made by the owner(s) within 30 days, the Department of Public Works may perform all necessary work to place the facility in proper working condition. The owner(s) of the facility shall be assessed the cost of the work and any penalties.

#### § 281-9. Performance guarantee

The Department of Public Works **or his/her designee** shall require from the developer a cash escrow, irrevocable letter of credit, or other means of security acceptable to the Department of Public Works prior to the issuance of any building permit for the construction of a development requiring a stormwater management facility. The amount of the security shall not be less than the total estimated construction cost of the stormwater management facility. The guarantee so required in this section shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management plan, compliance with all of the provisions of this chapter and other applicable laws and regulations, and any time limitations. The guarantee shall not be fully released without a final inspection of the completed work by the ~~City Engineer~~ **Director of Public Works or his/her designee**, submission of as-built plans, and certification of completion by the Department of Public Works of the stormwater management facilities being in compliance with the approved plan and the provisions of this chapter. When a letter of credit is supplied by the applicant as part of a subdivision, the principal held by the Planning Board may be increased by the amount determined by DPW instead of the DPW holding a separate letter of credit, to avoid the double funding of projects and to avoid the added cost of carrying two letters of credit. If the applicant chooses such a combined guarantee, the Planning Board shall not release or reduce the security without written approval of the DPW.

**City of Northampton  
MASSACHUSETTS**

**In the Year Two Thousand Fourteen**

**Upon the Recommendation of Mayor David J. Narkewicz**

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 280 of said code; providing that *Stormwater and Flood Control Utility*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 280 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 280 – Stormwater and Flood Control Utility – Amend as follows:**

§ 280-1. Established; supervision

There is hereby established within the Department of Public Works a utility known as the "Stormwater and Flood Control Utility" under the day-to-day supervision of the Director of Public Works ~~and the general supervision of the Board of Public Works.~~

§ 280-3. Authority.

This chapter is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Amendment Article 2 of the Massachusetts Constitution, ~~Chapter 328 of the Acts of 2002~~, MGL c. 83, §§ 1 through 24, and such other powers as granted to cities in the General Laws.

§ 280-6. Rates.

A.

The ~~Board~~ Director of Public Works shall recommend an annual budget for stormwater management and flood control services to the Mayor. The Mayor shall include a proposed annual budget for the stormwater management and flood control services in the proposed operating budget submitted to the City Council in accordance with Section 7-3 of the Charter of the City of Northampton. The budget submitted by the Mayor and approved by the City Council shall set the annual budget at an amount that will be sufficient to provide for a balanced operating and capital improvement budget for the stormwater management and flood control services.

B.

For the first five fiscal years of the utility operation, the ~~Board~~ Director of Public Works shall recommend a budget for each year with revenue raised by the utility that shall not exceed \$2,000,000 per year unless the ~~Board~~ Director shall state with specificity the reasons for its recommendation of a budget with revenue in excess of \$2,000,000.

C.

Beginning in the sixth year, the ~~Board~~ Director of Public Works shall recommend a budget for each year with revenue raised by the utility that shall not exceed \$2,000,000 per year plus the cost of inflation as determined by the Federal Bureau of Labor Statistics Consumer Price Index unless the ~~Director~~ Board shall state with specificity the reasons for its recommendation of a budget with revenue in excess of the limitation set forth in this subsection.

E.

A billing rate per square foot of hydraulic acreage will be calculated by the Department of Public Works ~~and approved by the Board of Public Works~~ each year by dividing the approved annual budget as described above by the total hydraulic acreage to be billed in the City of Northampton. The rate shall be on file in the office of the Department of Public Works of the City of Northampton.

F.

Small residential properties shall be divided in approximately equal numbers into four groups based on ascending amounts of impervious area. The ~~Board~~ Department of Public Works shall determine the range of impervious area used for defining each group. All properties within each group shall receive the same bill. The bill for each group shall be calculated based on the average impervious and pervious areas of properties that fall within each group.

H.

After calculating the billing rate per square foot of hydraulic acreage in Subsection D, the ~~Department~~ Board of Public Works will establish a standardized fee for each of the four classes of small residential properties in accord with Subsection C.

#### § 280-10. Fee credits.

A. The ~~Board~~ Department of Public Works shall annually develop a proposed Stormwater Management and Flood Control Utility Credit Policy ("Credit Policy"). The ~~Board~~ Director shall submit the proposed Credit Policy to the Mayor, who may approve, modify and approve, or disapprove the Credit Policy. The Credit Policy as approved by the Mayor shall be submitted by the Mayor to the City Council for approval. The City Council may approve or disapprove the Credit Policy as submitted. The Stormwater Management and Flood Control Utility Credit Policy will define potential credits or adjustments such as: for stormwater improvements, undeveloped land with protected status, multiple undeveloped parcels under single ownership, seniors, low income, educational programs, and others. The Stormwater Management and Flood Control Utility Credit Policy shall be available for inspection by the public at the Department of Public Works and on the City website.

#### § 280-11. Fee billing, delinquencies, collections, abatements.

D.

At any time after interest begins to accrue on an unpaid account, the Northampton ~~Tax~~ City Collector may serve on the party assessed a statement of the amount due, including interest, with a demand for payment. A charge as set forth in Chapter 174, Fees, shall be made for such demand. If the amount due remains unpaid 14 days after mailing of said demand, the Northampton ~~Tax~~ City Collector shall commit the amount to the Board of Assessors for inclusion on the next annual property tax bill. Upon inclusion of the unpaid amount on an annual property tax bill, the amount due shall be a lien on the property, which shall have priority over all other liens except municipal liens and mortgages of record prior to the recording of a notice of lien.

§ 280-12. Appeals; hearings.

A. In the event that a property owner is aggrieved by a written decision from the Department of Public Works denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have 30 days from the date of the written decision to file an appeal to the ~~Mayor Board of Public Works~~. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal with the Department of Public Works, the Department shall forthwith transmit to the ~~Mayor Board of Public Works~~ all documents constituting the record upon which the particular decision was made. The ~~Board of Public Works~~ Mayor shall set a date for hearing which shall be within 90 days of the date of the filing of the appeal, and notice thereof setting forth the place, date and time of hearing shall be sent to the property owner no less than 10 days prior to the hearing date. The ~~Board of Public Works~~ Mayor shall render a written decision within 10 days of the conclusion of the hearing affirming the action of the Department or reversing the action. If reversing the denial of an abatement, the decision shall specify the sum to be abated, which shall not exceed the amounts paid. If reversing the denial of a credit, the decision shall specify the credit to be applied prospectively against future charges unless the property owner has paid the full amount of the Stormwater and Flood Control Utility fee as charged and has also requested an abatement.

B. In the event that a property owner fails to pay the Stormwater and Flood Control Utility fee as charged and the City utilizes the process set forth in MGL c. 83, §§ 16A through 16F, to collect the unpaid charges, the property owner shall have the right to seek an abatement by filing an application for abatement with the ~~Board~~ Department of Public Works in accordance with the remedy specified in MGL c. 83, § 16E, with a copy delivered to the Board of Assessors. The application for abatement shall conform to the requirements for a notice of appeal as set forth in Subsection A, above, and the process for a hearing before the ~~Mayor Board of Public Works~~, including the applicable time limits, shall be as set forth therein. In the event that the ~~Mayor Board of Public Works~~ denies the abatement, in whole or in part, it shall, in its written decision, include a statement notifying the property owner of the right to seek a review of the decision by the filing of an appeal with the Appellate Tax Board of the Commonwealth of Massachusetts within three months of the date of the decision of the ~~Mayor Board of Public Works~~. As the right to Appellate Tax Board review under this Subsection B is derived from applicable sections of the General Laws as contained in Chapters 59 and 83 thereof; to the extent that the terms of this chapter conflict with the terms specified therein, the terms specified in the General Laws control.

§ 280-13. Annual reports.

The ~~Board~~ Department of Public Works will make an annual presentation to the City Council providing information relating to the work and projects financed by the Stormwater and Flood Control Utility in

the previous year, including, to the extent practicable, an account of expenditures from the stormwater management and flood control account and projected future expenditures. The ~~Board~~ Department will also present this information in a written report accessible on the City website.

**City of Northampton  
MASSACHUSETTS**

**In the Year Two Thousand Fourteen**

**Upon the Recommendation of Mayor David J. Narkewicz**

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **278** of said code; providing that *Storm Drains*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **278** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 278 – Amend as follows:**

§ 278-1. Purpose ~~and authority~~

~~A. Purpose.~~

(1) The purpose of this chapter is to regulate illicit connections and discharges to the municipal storm drain system, which is necessary for the protection of Northampton's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

(2) The objectives of this chapter are:

- (a) To prevent pollutants from entering Northampton's municipal separate storm sewer system (MS4);
- (b) To prohibit illicit connections and unauthorized discharges to the MS4;
- (c) To require the removal of all such illicit connections;
- (d) To comply with state and federal statutes and regulations relating to stormwater discharges;
- (e) To establish the legal authority to ensure compliance with the provisions of this chapter through inspection, monitoring, and enforcement; and
- (f) To prevent contamination of drinking water supplies.

~~B. Authority. The Department of Public Works shall administer, implement and enforce this chapter. Any powers granted to or duties imposed upon the Department of Public Works may be delegated in writing by the Board of Public Works to employees or agents of the Department of Public Works.~~

§ 278-4. Promulgation of rules and regulations

The ~~Board~~ Department of Public Works may promulgate rules, regulations and a permitting process to effectuate the purposes of this chapter. ~~Failure by the Board of Public Works to promulgate such rules and regulations shall not have the effect of suspending or invalidating this chapter.~~

§ 278-5. Prohibited activities

C.

Obstruction of municipal storm drain system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior approval from the ~~Board~~ Department of Public Works or its designated agent.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **337 § 5 & 7** of said code; providing that *Wetlands Protection*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **337 § 5 & 7** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 337 § 5 & 7 --**

Chapter 337 WETLANDS PROTECTION

§ 337-5. Requests for determinations and permit applications

B.

Written permit application shall be filed with the Commission to perform activities regulated by this chapter affecting resource areas protected by this chapter. The application shall include at least two copies of all plans, forms, and such information as is deemed necessary by the Commission to describe proposed activities and their effects on the environment and must include permission for the Commission and its agents to enter the property for the purpose of evaluating the request and monitoring the project. When applications include drainage calculations or the design of any facility that will be dedicated to the City of Northampton, one copy of the application shall be delivered to the ~~City Engineer~~ **Director of Public Works or his/her designee**. No activities shall commence without receiving and complying with a permit issued pursuant to this chapter.

§ 337-7. Coordination with other boards

The Commission shall provide copies of its agenda to the Planning Department, ~~City Engineer~~ Director of Public Works or his/her designee and Building Inspector. The Commission shall not take final action until five working days after such officials have received their notice of the application. The Commission shall consider recommendations from those officials and any other city boards and officials but they shall not be binding on the Commission.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **264 – Article I** of said code; providing that *Signs*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **264 – Article I** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 264 – Article I – Amend as follows:**

Article I. General Provisions

§ 264-1. Permits for projecting signs

No person shall erect or cause to be erected upon or above any City sidewalk, street, highway, or any public area owned or controlled by the City, any permanent sign or advertising device which projects into or over the sidewalk, street, highway, or public area unless a permit authorizing the erection of such sign or device has been issued by the ~~Board of Public Works~~ **Building Department**.

§ 264-2. Permits for stationary sandwich board signs

A.

No person shall locate or place any stationary sandwich board sign on a public sidewalk or other public area owned or controlled by the City unless a permit has been issued for such sign by the ~~Board of Public Works~~ **Building Department**.

B.

Any permit issued by the ~~Board of Public Works~~ **Building Department** for a sandwich board sign shall state the specific location where said sign shall be placed. The permit shall not be valid for any other location nor for any sign but that indicated on the permit. Shared signs may be required to minimize obstruction and to maximize public safety.

C.

The ~~Board of Public Works~~ **Building Department** shall adopt regulations as to the location, placement, size, time restrictions on display, permit fee, and duration of permits for sandwich board signs which

shall ensure **compliance with applicable statutes, ordinances, rules and regulations** that the public safety is adequately protected. The ~~Board of Public Works~~ **Building Department** may allow larger dimensions for shared signs based upon the number of businesses on the sign.

D.

Sandwich board signs shall be permitted on the following streets only: Main Street in the Downtown CBD, Bridge Street in the NB District at the intersection of Market and Hawley Streets only. Any restaurant or retail business which occupies an above- or below-street level space on Main Street, downtown, is eligible to locate a sandwich board sign in front of the property in which the business is located. Any business located on one of the following side streets located off Main Street in the downtown is eligible to locate a sandwich board sign on the corner of that side street and Main Street: Gothic Street, Center Street, Masonic Street, State Street, Strong Avenue, Old South Street, Crafts Avenue. Any restaurant or retail business located on Market Street or Hawley Street is eligible to locate a sandwich board sign on the corner of Bridge Street.

E.

The annual fee for a sandwich board sign is as set forth in Chapter 174, Fees.

**§ 264-3. Application for permit; hearing; compliance with zoning ordinances; bond**

A.

Application for a permit to erect a permanent sign or advertising device or to locate or place a stationary sandwich board sign shall be made to the ~~Board of Public Works~~ **Building Department**. ~~The Board of Public Works shall act upon any application within 45 days of its filing. If the Board fails to act within said 45 days, the application will be deemed denied. Approval of a permit shall require a majority vote of the Board members present and voting.~~

B.

~~The Board may hold a public hearing on the application if it feels the public interest so requires. Notice of such hearing must be published in a local newspaper of general circulation no less than seven or more than 14 days prior to the date of the hearing. The applicant shall bear the cost of such publication.~~

C.

No permit may be issued for any sign or advertising device or sandwich board sign unless the Building Inspector has certified that said sign or device as proposed complies with **applicable statutes, ordinances, including Chapter 350, Zoning, of the Code of City of Northampton, rules and regulations.**

D.

The ~~Board of Public Works~~ **Building Department** may require, as a condition of the issuance of a permit for such sign or device, that the applicant post a bond or purchase insurance in such amount as it deems advisable for the purpose of holding the City harmless and indemnifying it for any and all damages or liability incurred by the location of a sign or advertising device or sandwich board sign on or over a street, sidewalk, highway, or public area.

**§ 264-4. Violations and penalties; removal of signs**

A.

The ~~Board of Public Works~~ or the Building Inspector shall notify, in writing, the owner of any sign or advertising device or sandwich board sign requiring a permit under § 264-3A and erected without such required permit that such a sign or device violates the provisions of this article and must be removed. If

the owner fails to act within five days of the date of such notice, the sign or device may be removed by or under the direction of a police officer and at the expense of the owner.

B.

Any person erecting a sign or advertising device in violation of this article shall be subject to a fine as set forth in Chapter 40, Enforcement, for each day such sign or device remains in place after the expiration of the five-day notice period. Signs not removed after the expiration of the five-day notice period shall be removed by the ~~Board of Public Works~~ **Building Inspector** and be subject to a removal fee as set forth in Chapter 174, Fees.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **256 – Article I** of said code; providing that **Sewer Assessments, Billing and General Regulations**

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **256 – Article I** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 256 - Article I- – Sewer Assessments, Billing and General Regulations**

**Delete Section 256 - in its entirety and add in place thereof**

§ 256-2. Assessment for drains or sewers running from main drains or common sewers on private land

The owner of any land benefited by the laying out and construction of a particular drain or sewer from a main drain or common sewer to any portion of his land shall be assessed for the actual cost of such particular drain or sewer and the ~~Board~~ Department of Public Works may require that an applicant for a connection of his land with a main drain or common sewer shall pay in advance an amount equal to the estimated assessment therefor, which shall be applied to the payment for the assessment, and the remainder, if any, shall be repaid to the applicant.

§ 256-3. Billing procedures for sewer use

A.

Every person, corporation, or entity who discharges wastewater into a sanitary sewer system of the City of Northampton shall be charged for use of said sewer at the ~~then-current annual rate set by the Board of Public Works.~~

§ 256-4. Assessment for construction of main drains and common sewers in public ways

A.

Three quarters of the cost of laying out and constructing any main drain or common sewer shall be assessed against the owner of the land abutting on the land or way in which the main drain or common sewer is laid out and constructed as hereinafter provided; provided, however, that no assessment in respect to any land which by reason of its grade or level or any other cause cannot be drained into such main drain or common sewer shall be made until such incapacity is removed; and provided, further, that if land assessed abuts upon more than one way, assessments shall be assessed upon the frontage upon one such way and upon so much of the frontage upon such other way as is not exempted by the ~~Board~~

Department of Public Works, and the ~~Board~~ Department may exempt from assessments so much of the frontage upon such other way as it considers just and equitable.

B.

The assessments provided for in Subsection A shall be assessed at a fixed uniform rate based upon the estimated average cost of all the main drains and common sewers in the City as determined from time to time by the ~~Board~~ Department of Public Works and shall be assessed against the owner of the land abutting upon the land or way in which such main drain or common sewer is laid out and constructed according to the frontage of the land assessed upon such land or way, and according to the area of the land assessed within a fixed depth of 120 feet from such land or way.

C.

The ~~Board~~ Department of Public Works may extend the time for the payment of assessments for main drains and common sewers upon land which is not built upon at the time of such assessment until it is built upon or for a fixed time, but interest at the rate of 4% per annum shall be paid annually upon the assessment from the time it was made, and the assessment shall be paid within three months after such land is built upon or at the expiration of such fixed time.

D.

The owners of land or parts thereof not liable to assessment for construction or use of the main drains and common sewers of the City may use such main drains or common sewer for the disposal of their sewage from such land only on payment of such reasonable amount as the ~~Board~~ Department of Public Works shall determine.

§ 256-5. ~~Board~~ Department of Public Works to determine fees and assessments for laying out and construction

~~A.~~

~~The Board of Public Works shall determine the fee for the use of main and common sewers. The Board shall make such rules and regulations concerning billing dates, discounts, late fees and penalties, and interest on overdue accounts as it deems appropriate.~~

~~B.~~

~~The ~~Board~~ Department of Public Works shall make determine all fees and assessments for laying out, and construction of and connection to main drains and common sewers as required by this chapter.~~

§ 256-6. Billing for sewer use fees and sewer assessments

Sewer use fees and sewer assessments shall be collected by separate billings sent out by the Department of Public Works in such form and at such times as the ~~Board of Public Works~~ may direct.

~~§ 256-7. Procedure for making assessments~~

~~The City Engineer shall keep an accurate account of the expenses of laying out, constructing, maintaining, and repairing each main drain or common sewer and shall seasonably report the same to the Board of Public Works in all cases where assessment for such laying out, constructing, maintaining, and repairing should be made. The City Engineer shall prepare and submit to the Board of Public Works plans of the estates to be assessed, showing the names of the owners, the frontages, and areas, together with a schedule showing the assessment on each of the estates upon which an assessment should be made, and the Board of Public Works shall seasonably make the assessment. The Board of Public Works shall assess and certify the amount to be paid and shall fix a time when such assessment shall be paid, and deliver the same to the City Collector for collection.~~

§ 256-8. Fee for septage disposal.

A.

Every private septage hauler who disposes of septage at the wastewater treatment facility shall be charged for said disposal at a rate set by the ~~Board~~ Department of Public Works.

D.

The ~~Board~~ Department of Public Works may, at its discretion, refuse to allow any hauler with an unpaid septage account which has begun to accrue interest to dispose of septage at the wastewater treatment plant or may require such hauler to pay immediately at the time of disposal. The ~~Board~~ Department or other appropriate City official may take any other appropriate action permitted by local ordinance or state statute in connection with an unpaid, overdue account.

§ 256-10. Main drains and common sewers defined; supervision of construction

Every sewer or drain laid in any land or way, public or private, open or proposed to be open for public travel and accommodation shall be a main drain or common sewer. The construction of all main drains and common sewers and all sewers and drains connecting with any main drain or common sewer from a point 10 feet from the foundation of the wall of any building shall be under the supervision of the ~~City Engineer~~ Director of Public Works or his/her designee.

§ 256-11. Unauthorized digging of street prohibited

No person shall dig or break the ground in a highway or street for the purpose of laying, altering or repairing a sewer pipe or drain, or of entering or connecting with the main drain or common sewer without the consent of the ~~City Engineer~~ Director of Public Works or his/her designee.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 285 of said code; providing that *Streets, Sidewalks, and Public Property*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 285 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 285 - Amend as follows:**

~~§ 285-2. Referral of certain matters to Board of Public Works by Mayor and Council.~~

~~The Mayor and the City Council may, from time to time, as they may deem best, refer to the Board of Public Works any matter relating to streets, sidewalks, bridges, sewers and drains, parks, squares, watercourses, property used as landfill or transfer station(s) and public places, and thereupon it shall become the duty of such Board, without delay, to consider the matter so referred and make report thereon.~~

§ 285-4. Permit to display merchandise on streets required; mobile food vehicles

A.

No person, other than one employed directly or indirectly by the City or by the commonwealth and while in the performance of necessary public duties, shall at any time place or leave in any street, sidewalk or highway any article, material or merchandise, or park a vehicle or cart in any sidewalk, street or highway, for the purpose of displaying merchandise unless a permit issued by the ~~Board~~ **Department** of Public Works, in the case of City ways, or by the ~~Department of Public Works of the commonwealth~~ **Massachusetts Department of Transportation (MassDOT)** in the case of state highways, authorizing the use of the sidewalk, street or highway has been granted and is in effect, except as may be necessary for the reasonable and expeditious loading or unloading of any such article, material, merchandise, cart or vehicle; provided, however, that such property shall never be left so as to obstruct the free passage of pedestrians or vehicular travel. Any such fixture, structure or property as referred to in this section which has been erected, placed or left illegally in any street, highway or sidewalk may be moved by or under the direction of an officer and at the owner's expense.

B.

The ~~board~~ **department** or officer issuing permits for such use of sidewalks, streets or highways as is described in this section may in its or his discretion, when the occasion justifies, demand a suitable cash deposit, surety bond or insurance indemnity policy to save the City or the commonwealth harmless from all liability of any nature whatsoever caused directly or indirectly by such use of the sidewalk, street or highway.

§ 285-9. Permit required for structures on streets and sidewalks.

A.

No person shall place, erect or cause to be placed or erected within any sidewalk or street any fixture or structure unless a permit, issued by the ~~Board~~ **Department** of Public Works in the case of the City ways or by ~~the Department of Public Works of the Commonwealth of Massachusetts~~ **Massachusetts Department of Transportation (MassDOT)** in the case of state highways, authorizing such placing or erection, has been granted and is in effect. Any fixture, structure or property in violation of this section may be moved by or under the direction of an officer and at the owner's expense.

~~§ 285-10. Lowering merchandise over streets from buildings.~~

~~No person shall raise into or lower any article of merchandise to or from the second or a higher story of a building over any portion of a street without a license from the Board of Public Works.~~

§ 285-15. Unauthorized erecting or moving posts prohibited.

No person shall erect or move any post, pole or other structure in any street except by consent of the ~~Board~~ **Department** of Public Works.

§ 285-16. Ascertaining boundaries required prior to erecting fences or buildings.

No person shall erect or cause to be erected any fence or building adjoining any street or public ground in the City, without first having ascertained the bounds of the same by application to the ~~Board~~ **Department** of Public Works.

§ 285-17. Snow and ice on sidewalks; removal by owner or occupant required; removal by City

D.

If in the opinion of the ~~City Engineer~~ **Director of Public Works or his/her designee**, a violation of Subsection A or B constitutes a hazard to persons using such sidewalks or street, the ~~City Engineer~~ **Director of Public Works or his/her designee** shall cause the snow or ice to be removed, and the violator shall be liable for the cost incurred by the City. Any action taken by the City under this subsection shall not absolve the individual responsible for the clearing of a sidewalk from the provisions of Subsection C.

§ 285-19. Unauthorized digging up or injury to vegetation on public property prohibited

No person shall dig up, cut down, climb, pull, cut, deface, injure or destroy any tree, shrub, vine or plant in any street, way or public ground of the City without the consent of the ~~Board~~ **Department of Public Works**, or the persons having such ground in charge.

§ 285-20. Destruction of public property prohibited.

A.

No person shall intentionally injure, mar, deface, remove, cut, paint, mark, place graffiti upon, or destroy any public property, including but not limited to walls, fences, signboards, awnings, guide posts, street signs, streetlights, utility poles, trash receptacles, traffic control devices, culverts, bridges, park benches, playground equipment, trees, shrubs, plantings, and art work in any street, public square, park, playground, parking area, or other area owned or controlled by a department or agency of the City of Northampton, ~~the Hampshire County Commissioners, or the Commonwealth of Massachusetts.~~

B.

No person shall intentionally injure, mar, deface, remove, cut, paint, mark, place graffiti upon, or destroy any public building owned or controlled by a department or agency of the City of Northampton, ~~the Hampshire County Commissioners, or the Commonwealth of Massachusetts.~~

C.

Violations of this section shall be punished by a fine of \$100 for the first offense and \$300 for the second and all subsequent offenses. Violations may also be processed under the noncriminal violation procedure under Chapter 40 of the Code of Ordinances.

§ 285-21. Permit required to dig up or obstruct streets or sidewalks

A.

No person shall break or dig up any street or sidewalk, or erect any staging for building or place or deposit any stone, bricks, timber or other building materials thereon without obtaining a written permit from the ~~Board~~ **Department of Public Works**, and complying in all respects with the conditions of such permit.

B.

The ~~Board~~ **Department of Public Works** may grant a permit in writing to any person for the purpose of building or other lawful purpose, to dig up, obstruct or encumber so much and such parts of any street or sidewalk as may be needed, and every person receiving such permit shall execute a written agreement, with a bond if required, to indemnify and save harmless the City against all damage or cost from reason of any claim for damages or any process, civil or criminal, on account of the existence of such obstruction, encumbrance or excavation, or any injury to any person occasioned thereby, and no person shall dig up, obstruct or encumber any portion of any street, except in accordance with such permit, which shall be exhibited to any police officer upon the request so to do.

§ 285-22. Safety requirements for excavations or encumbrances; restoration of street

Whenever any street or sidewalk, under any license granted as provided in § 285-21, is dug up, obstructed, encumbered or otherwise rendered unsafe or inconvenient for travelers, the person so licensed shall put up and at all times keep a suitable railing or fence around the section or part of any such street or sidewalk so dug up, obstructed or encumbered, so long as the same remains unsafe or inconvenient, and shall also keep one or more lighted lanterns fixed to such fence, or in some other proper manner, every night, from twilight in the evening and through the night, so long as such railing or fence is keep standing. He shall also, within such reasonable time as the **Board Department** of Public Works shall direct, restore and repair such street to the acceptance of the **Board Department** of Public Works.

§ 285-25. License required for openings associated with basements.

No person shall make, erect or maintain doorsteps, a portico, porch, entrance or passageway to any cellar or basement or any structure, or make a coal hole or other opening in or upon any street, without a license from the **Board Department** of Public Works. In all cases the limit for such structure or opening shall be 3 1/2 feet from the street line. No person shall suffer the platform or grate of the entrance or passageway to his cellar or basement in any street to rise above the even surface of any street, and every such entrance or passageway shall be kept covered by suitable and substantial platform or grate, or in case it is kept open, it shall be guarded and protected by a sufficient railing on both sides thereof, at least 2 1/2 feet high and well lighted at night.

§ 285-27. Wide vehicles on public streets

No person shall drive or convey through the public streets any vehicle the width of which, with its load, exceeds 10 feet, except in accordance with a license from the **Board Department** of Public Works.

§ 285-28. Moving buildings through streets.

A.

No person shall move or assist in moving any building through or upon any street unless a written license therefor has been first obtained from the **Board Department** of Public Works, specifying the terms and conditions on which removal may be made.

B.

No person thus licensed shall act under his license until he has filed with the **Board Department** of Public Works a bond of guaranty with, if required, a sufficient surety and satisfactory in amount, to indemnify the City from all loss and damage by reason of such removal.

§ 285-29. Obstructions to sidewalks

No person shall allow an obstruction to a sidewalk, or to the edge of road pavement or shoulder where a sidewalk does not exist, including any obstruction in the form of a tree, bush or other vegetation which protrudes over said sidewalk or edge of a road pavement or shoulder. Where the **Board Department** of Public Works deems that an obstruction to a sidewalk or to the edge of a road pavement or shoulder exists, it shall give notice by registered mail to the owner of the property causing the obstruction, to remove or prune said obstruction within 14 days so as not to block, obstruct or overhang the sidewalk or edge of the road pavement or shoulder. If the property owner fails to remove or prune the obstruction within the said 14 days, the Department

of Public Works or, in the case of trees, bushes or shrubs, the Tree Warden shall remove or prune the obstruction at the owner's expense.

§ 285-30. Permit required to make curb cuts and construct driveways

A.

No person shall make a curb cut or construct a driveway unless a permit is issued by the ~~Board~~ **Department of Public Works** in the case of City ways or by the ~~Department of Public Works of the Commonwealth of Massachusetts~~ **Massachusetts Department of Transportation (MassDOT)** in the case of state highway layouts.

B.

The ~~Board~~ **Department of Public Works** in the case of City ways shall establish rules and regulations for the construction of curb cuts and driveways in order to prevent siltation, washing of gravel and debris into the roadway and obstruction of storm drainage within the street layouts. Provision shall be made for traffic and pedestrian safety in granting said permit.

Article II. Laying Out, Altering and Discontinuing

§ 285-32. Referral of petition to ~~Board of~~ **Public Works Commission** and Planning Board

The City Council shall act first on the petition, and if it deems it best that a view or hearing shall be had thereon, it shall refer it immediately to the ~~Board of~~ **Public Works Commission** and to the Planning Board. No public way shall be laid out, altered, relocated or discontinued until the Planning Board has reported on the proposed laying out, alteration, relocation or discontinuance to the City Council or has allowed 45 days to elapse after such reference without submitting its report.

§ 285-33. ~~Board~~ **Public Works Commission** to view premises and hear parties after notice

A.

Upon referral of any petition mentioned in §§ 285-31 and 285-32 to the ~~Board of~~ **Public Works Commission** by the City Council, such ~~Board~~ **Commission** shall hold a public hearing and shall view the premises and hear all parties interested therein, having first given notice of the view and hearing by causing a copy of said notice to be mailed by certified mail, at least seven days before the time fixed for such view and hearing, to each of the owners of the land abutting upon such existing or proposed street and the owners of land upon which such new street is proposed to be laid, or by mailing by certified mail to the last and usual place of abode of each such owner. All notices mentioned in this section shall contain a copy of the petition and a copy of the public hearing notice.

~~B.~~

~~The Board of Public Works, through its agents or employees, shall have the right, at its option, to deliver said notice by leaving said notice at the affected premises, instead of delivery by certified mail.~~

~~C.~~

~~All notices mentioned in this section shall contain a copy of the petition, or the substance thereof, and the order of such Board thereon, and such view and hearing may be adjourned from time to time, and from place to place, at the discretion of such Board.~~

§ 285-34. Report by ~~Board~~ **Public Works Commission** to City Council.

After viewing the premises and hearing all parties who may desire to be heard, as provided for in the preceding section, the **Public Works Commission**, ~~Board of Public Works~~ shall report to the City Council whether in its opinion common convenience and necessity require the street to be laid out, altered, widened, discontinued, located anew or the grade thereof changed.

§ 285-35. Preparation of plan and description upon approval.

If the ~~Board~~ **Public Works Commission**, ~~decides~~ **recommends** in favor, in whole or in part, of such laying out, altering, widening, changing of grade, locating anew or discontinuing of a street or way as hereinbefore provided, ~~they~~ **the Department of Public Works** shall, as soon as may be, cause to be prepared a plan and description of such proposed laying out, altering, widening, changing grade, locating anew or discontinuance.

§ 285-36. ~~Board~~ **Department** to estimate expenses and damages

Except in case of discontinuance, if the ~~Board of Public Works~~ **Commission**, ~~is~~ **recommends** in favor of the proposal, ~~it~~ **the Department of Public Works** shall estimate the probable expense of fitting the same for travel, ~~and at the same time~~. If, in the opinion of the ~~Board~~ **Department**, damages would be sustained by any person in their property by reason of such laying out, altering, widening, change of grade, locating anew or discontinuing of any street they shall estimate the amount thereof, and so far as practicable, the share of each separately, damage for all land and buildings to be estimated with reference to their value before the laying out, altering, widening, locating anew or discontinuing of the street, ~~and~~ Such estimate shall not include any increased value occasioned merely by such laying out, altering, widening, change of grade, locating anew or discontinuance, and all such estimates shall be submitted with their report to the City Council.

§ 285-37. Hearing on damages

Before proceeding to estimate the damages as aforesaid, the ~~Board~~ **Public Works Commission**, shall give to all parties interested an opportunity to be heard thereon, by causing notice of the time and place of hearing to be served in the manner provided in § 285-33, except that the notices need not contain a copy of the petition or substance thereof as required by § 285-33.

§ 285-38. Hearing before City Council

At any time after notice of a hearing has been given by the ~~Board~~ **Public Works Commission** under § 285-33, and before final action by the City Council upon its report, any party interested may apply in writing to the City Council, asking for a hearing before it upon the petition, or upon the subject of damages, or upon anything contained in said report, and thereupon shall be heard thereon by the City Council at a time and place which it shall appoint, and of which the applicant shall have due notice. Any hearing appointed under this section shall be open to all interested parties who appear and desire to be heard.

~~§ 285-39. Attendance by Board at Council meeting when reports under discussion.~~

~~Any member of the Board may attend any meeting of the Mayor and the City Council while its reports are under discussion and may make such explanations and oral statements of facts regarding them as he thinks fit.~~

~~§ 285-40. Action by Mayor and City Council.~~

~~Action in the City Council upon the report of the Board of Public Works shall be by an order in the premises duly passed by the City Council and approved by the Mayor.~~

§ 285-41. Referral of petition relating to betterments and assessments to **Board the Public Works Commission**

All orders or petitions relating to the assessments of betterments by reason of the laying out of a new street, or any alteration, change of grade, location anew or discontinuance of an existing street shall, at some time before final action is had thereon, be referred to the **Board of Public Works Commission**, which shall consider the same, either with or without a hearing, and make report thereon to the Mayor and City Council of the betterments to be assessed.

§ 285-43. **Board of Public Works Commission** to state whether assessments shall be made; notification of completion of work.

It shall be the duty of the **Board of Public Works Commission** in reporting **recommending** on all matters relating to the laying out, altering, widening, discontinuing, change of grade or repairing the streets of the City, ~~in accordance with the provisions of Section 3 of Chapter 63, Acts of 1921, establishing such Board,~~ to **state in make such report recommendation** whether ~~in the opinion of said Board~~ betterments should be assessed upon property legally subject to such assessments, and thereafter to notify the City Council of the completion of any work upon which the assessment of betterments has been recommended and of the betterments assessed ~~by said Board.~~

§ 285-44. Submission of lists and recommendations by ~~Board~~ **Department** of Public Works.

The **Board of Public Works Commission** shall, in submitting **recommendations for reports** recommending assessments of betterments, submit with such recommendation lists of such assessment as in their opinion should be made, together with information as to what agreements may be made by the City Council for the assumption of betterments under the laws of the commonwealth.<sup>[1]</sup>

§ 285-45. Referral to ~~Board of~~ **Public Works Commission** required.

No sidewalk, with or without curbing, shall be laid out, established or altered unless the question of laying out, establishing or altering shall have been first referred to the ~~Board of~~ **Public Works Commission** by the City Council.

§ 285-46. Notice of hearing on establishing or altering sidewalks.

The **Board of Public Works Commission**, shall, as soon as may be, cause a notice of the time and place of the hearing of all parties interested therein to be given to the several owners of land in front of which such sidewalk is proposed to be laid out, established or altered, by the

Chief of Police, Deputy Chief of Police or any regular police officer, Constable or special police officer, designated as provided in § 285-33. Such notice shall be served seven days at least before the time of such hearing upon each owner by delivering to him or to his authorized agent an attested copy thereof or by leaving such copy at his last and usual place of abode in the City; provided, however, that if any owner shall not be found by such officer in the City, or be known to such officer to have any last and usual place of abode or authorized agent therein, then and in such case, such officer shall post such copy on or near the land in front of which such sidewalk is proposed to be laid out, established or altered seven days at least before the time of such hearing, and such posting shall be sufficient service upon such last-described owner; and such officer shall, before the time appointed for the hearing, make a return on the original notice of his doings thereon, and deliver the same to the ~~Board of Public Works~~ **Commission**, who shall transmit same to the City Council with ~~their~~ **its recommendation report**.

§ 285-47. Hearing; view of premises; report to Council.

At the time and place appointed as aforesaid, the ~~Board of Public Works~~ **Commission**, shall meet and hear all persons and parties interested claiming to be heard and, if deemed necessary or requested thereto, shall proceed to view the premises; and the ~~Board~~ **Commission** shall thereafter ~~report~~ **recommend** to the City Council whether common convenience and necessity require that a sidewalk be laid out, established or altered.

§ 285-48. Plans and profiles of sidewalks.

If the ~~Board of Public Works~~ **Commission**, ~~reports~~ **recommends** in favor thereof, in whole or in part, ~~they~~ **the Department of Public Works** shall cause all necessary surveys, plans and profiles to be made, indicating the height, width and grade of the proposed sidewalk, and the materials of which it shall be constructed.

§ 285-49. Report to show time of completion.

If the ~~Board of Public Works~~ **Commission** deems it proper that the construction, as well as the laying out of the proposed sidewalk, should be ordered, its report shall also state the time within which the same shall be completed, which time shall be at least 30 days.

~~§ 285-50. Notice of sidewalk construction to abutting owners.~~

~~When the City Council has ordered a sidewalk to be constructed and completed within a certain time, notice thereof shall be given by the City Clerk to the owners of land in front of which such sidewalk is proposed to be constructed, and such notice shall be served, returned, filed and preserved in the office of the City Clerk for future reference.~~

~~§ 285-51. Construction of sidewalk by City if owner fails to complete required work.~~

~~Whenever any sidewalk, or any portion thereof, which has been laid out, established and ordered by the City Council to be constructed, after notice to owners of real estate, as is provided in the preceding section, shall not be completed within the time fixed in the order aforesaid, the ~~Board~~ **Department** of Public Works shall within six years from the date of the order cause such sidewalk to be constructed according to the original order.~~

~~§ 285-52. Assessment for construction expense to become lien.~~

~~A reasonable amount, not exceeding 1/2 of the expense of construction, shall be assessed by the Board Department of Public Works upon the persons owning the lands in front of which the sidewalk is constructed; and the sums so assessed shall be a lien upon such lands for the terms of two years from the assessment. The Board Department of Public Works shall certify such assessment to the Assessor of Taxes who shall forthwith commit such assessment to the Collector of Taxes, and he shall forthwith demand payment thereof, and proceed to collect the same as provided for the collection of taxes or other claims due the City.~~

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **229 § 8** of said code; providing that *Building, Numbering Of*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 229 §8 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 229 § 8 – Amend as follows:**

Chapter 229. PARADES AND PROCESSIONS

§ 229-8. Officials to be notified.

Immediately upon the granting of a permit for a parade or motorcade the Chief of Police shall sent a copy thereof to the following:

C.

The Director of the ~~Board~~ Department of Public Works.

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §40-5 of said code; providing that *List of enforcing officers and penalties for noncriminal disposition*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section §40-5 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

SECTION 40 – 5

§ 40-5. List of enforcing officers and penalties for noncriminal disposition

§§ 149-1 through 149-4	City Engineer Director of Public Works or his/her designee	\$20
§§ 149-5 through 149-7	City Engineer Director of Public Works or his/her designee	\$10
§§ 256-9, 259-11, 256-12	City Engineer Director of Public Works or his/her designee	\$50
§ 272-2	City Engineer Director of Public Works or his/her designee	\$50
§§ 285-4 (excluding Subsection C) to 285-6, 285-9, 285-13, 285-16, 285-19, 285-21, 285-22, 285-29, 285-30	City Engineer Director of Public Works or his/her designee	\$50
Ch. 325, Art. I	City Engineer	\$50
Ch. 325, Art. II	Board Director of Public Works or his/her designee	First offense: \$100 Second and subsequent offenses: \$200

City of Northampton  
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 149 §1-4 of said code; providing that *Buildings, Numbering of*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 149 §1-4 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 149 § 1-4 – Buildings, Numbering of**

**Amend § 1-4 as follows:**

**Article I. Numbering of Buildings**

**§ 149-1. Numbering of buildings required.**

**A.**

Every owner, occupant or person having control of any principal building on property which has been assigned a number by the ~~Board~~ **Department** of Public Works shall, at their own expense, cause said building to be numbered with numeric figures at least three inches in height, in contrasting color to the background and conspicuously placed facing the road according to the directions of the ~~City Engineer~~ **Director of Public Works or his/her designee** and/or any public safety officer as follows:

**(1)**

The ~~City Engineer~~ **Director of Public Works or his/her designee** and/or any public safety officer shall use the following guidelines on any building situated more than 80 feet from the road layout: Each person shall place numbers in a conspicuous location not more than three feet from the edge of the driveway and not more than 10 feet from the road layout. Numbers shall be placed on a freestanding pole or post between four and six feet in height, above ground level, and shall face the road.

**(2)**

Buildings less than 80 feet from the road layout with a view obstructed by vegetation or other materials preventing visibility from the road will follow the guidelines in Subsection **A.**

**(3)**

In the case of common or shared drives, property owners will adequately display all building numbers on a freestanding post, as described in Subsection **A.** above, which can be easily viewed in all seasons, at the entrance to

the drive, and such owners shall provide additional marking, as previously stated, which shall be posted at appropriate junctions in the drive to facilitate immediate response by emergency service personnel.

B.

Every owner, occupant or person having control of any apartment or group of apartments, condominiums, industrial and/or commercial buildings shall cause each principal building to bear the number assigned by the ~~Board~~ **Department** of Public Works on the front entrance of each unit. In case a principal building is occupied by more than one business or family dwelling unit, each separate unit shall bear a separate number or letter (A, B, C, etc.).

C.

Every owner, occupant or person having control of any principal building on property in the City, which at the time of adoption of this article is in compliance with this § ~~149-1~~, shall not be required to increase the size of numbers on their dwelling; the burden of proof to show compliance shall be on the homeowner.

### § 149-2. Manner of numbering.

A.

Said numbers shall, in the business portions of the City, cover a frontage of 10 feet more or less and, in the residence portions of the City, a frontage of 25 feet more or less, at the discretion of the **Director of Public Works or his/her designee** ~~City Engineer~~, and be measured continuously from the end of the street, lane, alley or court.

B.

When lot driveway access is permitted by the Planning Board, Zoning Board, or Zoning Board of Appeals at a location other than the lot frontage, the **Director of Public Works or his/her designee** ~~City Engineer~~ may assign a house number at the street, lane, alley or court where the driveway is located for safety reasons. When a building is built close to the street line with the clear intention of providing a presence on that street, the City Engineer may assign house numbers for the street adjacent to the building and/or may assign multiple numbers on multiple streets, regardless of the location of the driveway or other buildings on the same property, provided such street number will not slow emergency response.

C.

The odd numbers shall be on the right side of the street going from the principal street from which it leads, and the even numbers opposite the smaller odd numbers.

### § 149-3. Assignment of new numbers.

The **Director of Public Works or his/her designee** ~~City Engineer~~ shall assign a new number wherever he finds that the number in use is incorrect, but he shall not have authority to renumber a street unless so ordered by the Planning Board.

### § 149-4. Violations and penalties.

Any owner, occupant, or person having control of any dwelling house or other building who shall refuse or neglect to comply with the provisions of this article within then 10 days after a notice in writing is delivered to such owner, occupant, or person, of the number or numbers assigned said buildings by the **Director of Public Works or his/her designee** ~~City Engineer~~, shall for each and every offense, forfeit and pay a penalty as set forth in Chapter 40, Enforcement.

# City of Northampton

## MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

### ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 272 of said code; providing that *Solid Waste*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section 272 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

**SECTION 272 – Amend as follows:**

#### Article I. Garbage, Rubbish and Refuse

##### § 272-1. Definitions

As used in this article, the following terms shall have the meanings indicated:

##### **BULKY WASTE MATERIAL**

Includes but is not limited to refrigerators, stoves, and other large appliances, furniture, mattresses, tires, rolls of carpeting, refuse in sealed bags or containers and other large waste items which must be securely held in place in the vehicle by sturdy ropes, cords or materials so that the solid waste cannot fall, bounce or blow out of the vehicle on to the roadway.

~~(Implementation date: 2-1-1999.)~~

##### **CONSTRUCTION AND DEMOLITION (C&D) WASTE**

Building or demolition materials with a maximum size of four feet in any dimension, including but not limited to wood, roofing materials, gypsum (wallboard), flooring materials, carpeting, insulation, brick, asphalt and concrete, fixtures, and pieces of duct and pipes. Cardboard and scrap metal are not included in this category, as these materials are classified as "recyclable materials."

##### **LOOSE SOLID WASTE**

Refers to quantities of waste material including but not limited to brush, leaves, paper, roof shingles, recyclable materials and other items placed in the rear of a vehicle and which must be completely enclosed by the sides of the vehicle and a tarp or other covering which securely holds the waste material in place and prevents it from falling, bouncing, or blowing from the vehicle onto the roadway. ~~(Implementation: 2-1-1999.)~~

##### **PRECOMPACTED REFUSE**

~~Refers to refuse which has been compacted by hydraulic force in refuse removal trucks or containers, dumped for processing and then mechanically loaded into open-top containers for transport to the landfill.~~

#### **PROPERLY SECURED LOAD**

Refers to all solid waste materials including "solid waste," "loose solid waste" and "bulky waste material" being transported ~~to a solid waste disposal facility to the landfill or DPW transfer station~~; loose solid waste material shall be in closed vehicles, closed containers, sealed plastic bags, or completely covered with a tarp or other covering, which encloses it entirely. Bulky solid waste shall be tied with sturdy ropes or other materials so that it is securely held in place. All solid waste material must be securely tied down or covered so that neither it nor any of its parts can fall out of or blow out of the vehicle transporting it onto the roadway or properties adjacent to the roadway.

#### **RECYCLABLE MATERIALS**

Refers to materials that are accepted at the Springfield Materials Recycling Facility (SMRF) and/or materials that are subject to a ban on landfill disposal imposed by the Massachusetts Department of Environmental Protection and/or the Northampton Board of Health. Materials currently accepted by the SMRF include recyclable paper and corrugated cardboard, and metal/glass/aseptic/plastic (#1-7) containers. Materials currently restricted by the DEP under 310 CMR 19.017 include glass and metal containers, single-resin plastics, recyclable paper and corrugated cardboard, leaves and yard waste, vehicle batteries, white goods/appliances, whole tires, and cathode ray tubes, **asphalt, pavement, brick, concrete, clean gypsum wallboard and commercial organic material**. In addition, materials currently restricted by the Northampton Board of Health include scrap metal and mattresses.

#### **SOLID WASTE**

Refers to all materials being transported to a **solid waste disposal facility** ~~the landfill, the transfer station(s) or other permitted disposal facility~~ for disposal and/or recycling, including but not limited to the following: brush, construction and demolition material, garbage, household refuse, recyclable material, rubbish, scrap metal, tires, used appliances, used furniture, and yard waste. (Implementation date: February 1, 1999.)

#### **SPECIAL WASTES (WITH PRIOR APPROVAL, NOTIFICATIONS, AND/OR PERMITS)**

~~Refers to asbestos, ashes, dead animals, offal, rope, cable, chains, dredge materials, contaminated soils, street sweepings, stumps, trees, or wastewater treatment residues (e.g., grit/screenings).~~

#### **§ 272-2. Placing certain articles in streets prohibited.**

No person shall deposit in any street, except as herein otherwise provided, any dead shrub or tree, trimming of shrubs or trees, posts, pole or other article, earth from cellars or any rubbish, unless the same shall be immediately removed therefrom at the expense of the owner or other person making such deposit, except at such times as the ~~Board~~ **Department** of Public Works may request that any or all of the aforementioned articles be so deposited for removal by it as a part of the regular rubbish removal programs.

#### **§ 272-3. Littering prohibited; exception.**

No person shall put or place or cause to be put or placed in any street, lane, common, park, court, alley or other public place or on any private property in this City any dirt, filth, ashes, garbage, litter or rubbish of any description; or throw or distribute, or cause to be thrown or distributed therein, any playbill, poster, notice, advertisement or printed paper of any description or any advertising appliance or medium, excepting newspapers distributed to purchasers, except at such times as the ~~Board~~ **Department** of Public Works may request that any or all of the aforementioned articles be so deposited for removal by it as a part of its regular rubbish removal program. Violation of this section shall be punishable as set forth in Chapter 40, Enforcement.

§ 272-6. Commercial and residential disposal permits and fees for residents transporting rubbish by private vehicle.

A.

No person shall remove or transport garbage/rubbish within the City without first obtaining a permit from the Department of Public Works as **authorized by the Board of Health and** provided herein pursuant to § 31A of Chapter 111 of the General Laws of Massachusetts. **Residential garbage/rubbage transported by the owner is exempt.**

D.

Only operators of vehicles displaying a current residential permit sticker will be allowed to dispose of solid waste or recyclables at a ~~City the landfill or the residential transfer station(s).~~

E.

~~After a public hearing, the Board of Public Works, in consultation with the Joint City Council/Board of Public Works Conference Committee, shall have the authority to set and collect disposal and permit fees for residential waste management systems and programs as outlined in Article II of this chapter. A fee shall be charged on a per-item basis for the residential disposal of tires, bulky wastes, scrap metal, cathode ray tubes, electronics, propane tanks, white goods, appliances containing Freon, hazardous wastes and universal wastes.~~

§ 272-7. Commercial vehicle permits and disposal fees.

A.

~~Permit fees. The Board of Public Works shall have the authority to set and collect permit fees for refuse removal trucks and commercial vehicles as outlined in Article II of this chapter.~~

B.

~~A fee shall be charged for the commercial disposal of all refuse at the Northampton Regional Landfill on the basis of weight not volume, with the exception of tires, bulky wastes, scrap metal, cathode ray tubes, electronics, propane tanks, white goods, appliances containing Freon, hazardous wastes and universal wastes which shall be charged on a per-item basis. The Board of Public Works shall have the authority to set and collect commercial disposal fees as outlined in Article II of this chapter.~~

§ 272-8. Transporting refuse, garbage and rubbish; fines for improperly secured loads

A.

~~Purpose. The purpose of this section is to ensure that~~ All solid wastes, including but not limited to bulky waste materials and loose solid waste which is collected and/or transported within the City of

Northampton shall be so collected and transported in a manner which will prevent such solid, bulky and loose solid waste from falling or blowing onto the roadway, or onto property near or adjacent to the roadway while transporting such waste within the City limits.

B.

~~Collection of solid waste:~~ Solid wastes shall only be collected and transported in vehicles in good repair with watertight and/or tightly covered receptacles. The vehicles and receptacles shall be kept in clean condition satisfactory to the Board of Health, and shall be cleaned at a site approved by the Board of Health. All such receptacles shall be kept covered except at such times as the combined refuse is being placed therein or removed therefrom.

C.

~~Transportation of waste for disposal:~~ All solid waste being transported to a solid waste disposal facility ~~the landfill or to the transfer station(s)~~ shall be in properly secured loads.

D.

~~Residential permit holder fees:~~ Operators of private vehicles transporting improperly secured solid waste shall be subject to an improperly secured load ~~fee~~ fine as set forth in Chapter 40, Enforcement, for each of the first five offenses, in addition to other applicable refuse disposal charges. For each subsequent offense, the improperly secured load ~~fee~~ fine shall be as set forth in Chapter 40.

(1)

The Board of Health and/or the Department of Public Works acting through its agents and employees shall have the authority to withhold a residential permit from any residential user who has outstanding improperly secured load ~~fees~~ fines due to the City.

(2)

If the holder of a residential permit shall have no offenses for a period of two years, the holder's record of previous offenses shall be expunged, provided that there are no outstanding improperly secured load ~~fees~~ fines due to the City.

E.

~~Commercial permit holder fees.~~

~~(1)~~

Operators of commercial vehicles transporting improperly secured solid waste shall be subject to the improperly secured load ~~fees~~ fines as set forth in Chapter 40, Enforcement, ~~which shall be in addition to all other applicable disposal charges.~~

~~(2)~~(1)

For a fourth offense, the Board of Health and/or the Department of Public Works shall have the right (after providing an opportunity for hearing) to suspend the commercial entity's refuse disposal permit for up to one month and to charge a ~~fee~~ fine of up to \$1,000 in costs to reimburse the City for the costs of the hearing including staff time and also to cover any and all staff time necessary to clean up the refuse which may have fallen or blown unto the roadway or property adjacent to the roadway.

~~(3)~~(2)

The Board of Health and/or the Department of Public Works acting through its agents and employees shall have the authority to withhold a commercial permit from any commercial user who has outstanding improperly secured load ~~fees~~ fines due to the City.

F.

All ~~permit holders~~. The operator of any vehicle transporting improperly secured solid waste who refuses to pay the improperly secured load ~~fee~~ fine and/or who exits the disposal facility with improperly secured refuse shall be subject to an additional fine equal to the original ~~fee~~ fine imposed.

§ 272-10. Deposits other than in authorized locations prohibited; ~~regulations for use of sanitary landfill.~~

It shall be unlawful for any person to deposit, place or dispose of garbage or rubbish in any place except a site assigned for that purpose by the Board of Health as provided in MGL c. 111, § 150A. ~~No vehicles shall be allowed to enter the sanitary landfill facility without first obtaining a permit from the Board of Health. Automobiles, toxic wastes, hot items, chemicals, bunker or waste oils, and all liquid wastes shall not be placed or deposited in or at the site of the sanitary landfill facility. Trees, stumps, furniture and bulk appliances, excluding items described above, shall be deposited in a separate area provided for that purpose.~~

§ 272-11. Permit for disposal of demolition materials

~~Any person wishing to dispose of demolition materials shall obtain a permit from the Department of Public Works to dispose of the demolition materials at a site assigned by the Board of Health.~~

§ 272-13. Municipal transfer stations; disposal fee

A.

Municipal transfer station(s) established within the City shall be for the sole use of residents of the City, and only ~~domestic residential~~ refuse and rubbish shall be deposited in the compactor unit.

B.

The Department of Public Works shall issue permits in the form of stickers to be attached to each vehicle. Said permit shall allow use of a municipal solid waste disposal facility ~~the regional landfill and municipal transfer station(s).~~

C.

Any person, ~~firm, or corporation~~ using the compactor unit in violation of these provisions shall be subject to the penalties set forth in § 272-14 of this chapter.

~~D.~~

~~Any person, firm, or corporation using the compactor unit in violation of these provisions shall be subject to the penalties set forth in § 272-14 of this chapter.~~

§ 272-15. Mandatory recycling

A.

~~Program established.~~ There is hereby established in the City of Northampton a program for the mandatory separation of recyclable materials from garbage or rubbish by anyone who lives or works in Northampton, including residents (including but not limited to inhabitants of single-family units, multifamily units, condominiums, boardinghouses, schools, assisted living facilities, etc.), businesses (including but limited to offices and retail establishments), institutions and industries located in the City of Northampton.

B.

~~Enforcement.~~ Enforcement of this section shall be by either criminal complaint in the District Court or noncriminal procedures as set forth in Chapter 40 of this Code of Ordinances. The maximum fine for violation of this section shall be \$300.

C.

~~Effective date.~~ This section shall take effect one week following the publication of the Board of Health regulations cited above in a daily newspaper of general circulation in the City of Northampton. Any changes in the definition of "recyclables" shall take effect one week after the pertinent regulations of the Board of Health have been published in a daily newspaper of general circulation in the City of Northampton or at such later date as may be specified in said regulations.

~~§ 272-16. Disposal of refuse at landfill; unacceptable garbage and trash.~~

~~{Added 6-20-1991; amended 1-6-1994}~~

~~All garbage or trash collected within the City limits of the City of Northampton by a holder of a commercial trash hauler's permit issued under § 272-7 of the Code of Ordinances shall be disposed of at the City of Northampton Sanitary Landfill, provided that garbage or trash which is not acceptable for disposal at the City landfill shall not be disposed of within the City of Northampton except at places designated in writing by the Board of Health. All permits granted to commercial haulers of trash or garbage shall state that any garbage or trash collected and transported under said permit shall be disposed of at the City of Northampton Sanitary Landfill.~~

Article II. Integrated Solid Waste Management

~~{Adopted 12-4-2003 (Ch. 22, Art. III), of the 1977 Code}~~

~~§ 272-18. Available surplus account.~~

~~At the end of each fiscal year all receipts of the Integrated Solid Waste Management Division during such fiscal year in excess of its expenditures during such period shall be transferred to an account known as the "Solid Waste Surplus Account." Appropriations from such account shall be made in the customary manner, but only for the purpose of improving the waste management systems of the City.~~

§ 272-19. Permits

A.

Every person, corporation, or entity who disposes of solid waste and/or recyclable materials at the landfill and/or transfer station(s) of the City of Northampton shall be charged for an annual permit at a rate(s) set by the ~~Board~~ Department of Public Works ~~except as specified in § 272-6E.~~

B.

The ~~Board~~ Department of Public Works shall make such rules and regulations concerning permit fees, starting and closing date(s) and exemptions for refuse collection vehicles, commercial vehicles, and private vehicles, as it deems appropriate.

§ 272-20. User fees

Every person, ~~corporation, or entity~~ who disposes of solid waste and/or recyclable materials at the landfill and/or transfer station(s) of the City of Northampton shall be charged for such usage at the rate(s) set by the ~~Board~~ Department of Public Works.

§ 272-21. Billing procedures.

A.

For customers on a monthly billing system, disposal and permit fees shall be collected by separate billings sent out by the Department of Public Works ~~in such form and at such times as the Board of Public Works may direct.~~

B.

The ~~Board~~ Department of Public Works shall make such rules and regulations concerning contract rates, billing dates, discounts, exemptions, surcharges, interest on overdue accounts, late fees and penalties as it deems appropriate.

E.

The ~~Board~~ Department of Public Works may, at its discretion, refuse to allow any hauler with an unpaid account which has begun to accrue interest to dispose of solid waste, recyclable materials, or daily cover materials at the integrated solid waste management facility or may require such hauler to pay immediately at the time of disposal. The ~~Board~~ Department of Public Works or other appropriate City official may take any other appropriate action permitted by local ordinance or state statute in connection with an unpaid, overdue account.