



CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

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

Meeting Agenda
City Council Chambers
Walter J. Puchalski Municipal Building
212 Main Street, Northampton
Meeting Date: November 17, 2016
Meeting Time: 7:00pm

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

A. 16.191 A Resolution in support of Bill H.1769, The Massachusetts Pregnant Workers Fairness Act - 2nd Reading

Documents:

[16.191_Resolution_Support_for_H.1769.pdf](#)

7. Presentations

8. Consent Agenda

A. 16.174 Approve the appointment of Ann Brooks as a Planning Board representative to the Community Preservation Commission

Ms. Brooks received a positive recommendation from the Committee on City Services on November 7, 2016

Documents:

[16.174_PlanningBoardRep_CPC.pdf](#)

[16.174_Submittal_Application_Ann_Dewitt_Brooks.pdf](#)

B. Approve City Council Minutes from November 3, 2016

Documents:

[11_3_2016_minutes_city_council_201611101154.pdf](#)

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

10. Financial Orders

11. Orders

12. Ordinances

13. Updates from Council President & Committee Chairs

A. Committee Appointments for Ward 3 Councilor James Nash

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

15. New Business

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

In the City Council, November 3rd, in the Year Two Thousand and Sixteen

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

R-16.191

A RESOLUTION

IN SUPPORT OF BILL H.1769

THE MASSACHUSETTS PREGNANT WORKERS FAIRNESS ACT

WHEREAS, the City of Northampton has asserted support for fair and just labor and work practices in the Northampton Living Wage Resolution (2009) and the Right to Organize Resolution (2012).

WHEREAS, the City of Northampton has affirmed its nondiscrimination policy that no person shall unjustly discriminate against any person belonging to a protected category, including age, ancestry or national origin, color, creed, family or marital status, gender identity, genetic information, mental or physical ability, race, religion, sex, sexual orientation, socioeconomic status or veteran status, relative to any essential public matter involving goods, services, or access that are generally available to all people, including education, employment, healthcare, housing, municipal services and public accommodations.

WHEREAS, the City of Northampton respects civil and human rights and recognizes that pursuant to the Universal Declaration of Human Rights adopted by the United Nations in 1948, Article 23 (1), “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.”

WHEREAS, the United States Pregnancy Discrimination Act (1978), which had its 38th anniversary this week, and the United States Family and Medical Leave Act (1993) protect pregnant women against discrimination, and address temporary inability to perform duties due to medical conditions related to pregnancy or childbirth. Neither act grants a clear right to reasonable temporary workplace modifications for pregnant women.

WHEREAS, by its nature, pregnancy is a temporary physical condition. Workers with disabilities, including temporary disabilities, are protected by law and must be provided with reasonable accommodation, but under current state and federal

law, pregnant women who do not suffer from a disability do not have that equal protection.

WHEREAS, H.1769, the Massachusetts Pregnant Workers Fairness Act currently being considered by the Massachusetts State Legislature, would require employers to provide “reasonable accommodations” for a job applicant or employee related to pregnancy and childbirth, if requested by the applicant or employee, “unless the employer can demonstrate that the accommodation would impose an undue hardship on the employer’s program, enterprise, or business.”

WHEREAS, U.S. Senator Bob Casey (PA) introduced S.1512 Pregnant Workers Fairness Act in June 2015, co-sponsored by Massachusetts U.S. Senators Ed Markey and Elizabeth Warren, which also requires “reasonable accommodations” for pregnant workers.

WHEREAS, such accommodations include, but are not limited to, more frequent breaks, provision of seating, allowance for adequate hydration, and temporary transfer to a less strenuous or hazardous position.

WHEREAS, without such accommodations, some pregnant women have to choose between their employment and their health.

WHEREAS, one in five discrimination charges made by women in the United States are associated with pregnancy. H.1769 will provide needed clarity to the law for employers and workers, reducing filed complaints and litigation, which will be beneficial to all parties.

WHEREAS, allowing pregnant women to remain in their jobs is vital for the financial well-being of many families and is beneficial for the economic health and development of the City of Northampton.

WHEREAS, the City of Northampton is committed to supporting families, employers and businesses within the city, and recognizes all parties as cornerstones of our community.

NOW THEREFORE BE IT RESOLVED that the City Council of Northampton, Massachusetts supports H.1769 The Massachusetts Pregnant Workers Fairness Act and urges the Massachusetts Senate and House of Representatives and the Governor of the Commonwealth to adopt it in a timely manner to offer equal protection to pregnant women in Massachusetts.

BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts supports S.1512 and urges its passage by the United States Congress.

BE IT FURTHER RESOLVED that we commend and support State Representative Peter Kocot for being one of the petitioners of H.1769, and Senator Ed Markey and Senator Elizabeth Warren for being co-sponsors of S.1512.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to U.S. Senator Elizabeth Warren, U.S. Senator Ed Markey, Governor Charles Baker, Attorney General Maura Healey, Treasurer Deborah Goldberg, Senate President Stanley Rosenberg, Speaker of the House Robert DeLeo, State Representative Peter Kocot and the co-sponsors of H.1769 State Representatives Ellen Story, Joan Lovely, and Dave Rogers.



**City of
Northampton**

Pamela Powers <ppowers@northamptonma.gov>

CPC rep from Planning Board

1 message

Carolyn Misch <cmisch@northamptonma.gov>

Mon, Sep 26, 2016 at 11:22 AM

To: Pamela Powers <ppowers@northamptonma.gov>

Cc: Bridget Rodrigue <brodrigue@northamptonma.gov>, Sarah LaValley <slavalley@northamptonma.gov>

Pam-

The Planning Board voted last week for Debin Bruce to step off CPC and for Anne Dewitt Brooks to be Planning Board rep on the CPC>

Let me know if I need to do anything else.

Carolyn Misch, AICP

*Senior Land Use Planner/Permits Manager
City of Northampton Office of Planning & Sustainability
210 Main St, Room 11
Northampton, MA 01060
413-587-1287
cmisch@northamptonma.gov
www.northamptonma.gov/plan*





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

1 message

Mayor of Northampton Mass. <mayor@northamptonma.gov>
To: Pamela Powers <ppowers@northamptonma.gov>

Tue, Oct 4, 2016 at 11:25 AM

Here it is!

----- Forwarded message -----

From: <noreply@civicplus.com>

Date: Sat, Aug 1, 2015 at 1:37 PM

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

To: mayor@northamptonma.gov

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	Ann
Last Name	Brooks
Address1	20 Bridge Road, #1
Address2	<i>Field not completed.</i>
City	Northampton
State	MA
Zip	01062
Home Phone	413/727-3955
Work Phone	<i>Field not completed.</i>
Cell Phone	804/640-4055
Occupation & Place of Employment	retired
Email	acdbrooks@gmail.com

Sex	<i>Field not completed.</i>
Years Lived in Northampton	three
Age	<i>Field not completed.</i>
Racial / Ethnic Background	<i>Field not completed.</i>
Boards and Committees	Transportation & Parking Commission
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	planning education
Are you currently serving or have you served on any city committee?	Yes
Please list other city committees you have served on	Planning/Bike and Pedestrian
<p>Required: Please read the following, by signing below you state that you understand and agree. <i>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.</i></p>	
Signature	Ann DeWitt Brooks
Date	8/1/2015

Email not displaying correctly? [View it in your browser.](#)

—
Lyn N. Simmons, Chief of Staff
Cyndi Murphy, Executive Assistant
Bridget Rodrigue, Mayoral Assistant
Office of Mayor David J. Narkewicz
City of Northampton
210 Main Street, Room 12
Northampton MA 01060

413-587-1249 phone
413-587-1275 fax
www.northamptonma.gov



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
November 3, 2016

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:13 pm on a roll call the following City Councilors were present:

At-Large Councilor William H. Dwight At-Large Councilor Ryan R. O'Donnell
Ward 1 Councilor Maureen T. Carney Ward 3 Councilor (Vacant)
Ward 4 Councilor Gina-Louise Sciarra Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein

The following City Councilor(s) was (were) absent: Ward 2 Councilor Dennis P. Bidwell and Ward 5 Councilor David A. Murphy

Public Hearing

Public Hearing:

None

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Councilor Dwight announced that on Saturday, November 26, 2016 the annual Holiday Parade will take place in Florence. The parade starts at 10:00 am; those wishing to march should line up at Trinity Row starting at 9:30 am.

Communications and Proclamations From the Mayor

Communications and Proclamations From the Mayor:

None

Resolutions

Resolutions:

16.191 A Resolution in support of Bill H.1769, The Massachusetts Pregnant Workers Fairness Act - 1st Reading

16.191 A Resolution in support of Bill H.1769, The Massachusetts Pregnant Workers Fairness Act - 1st Reading

Motion to approve 16.191 in 1st Reading

Councilor LaBarge moved to approve the resolution in 1st Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

Councilor Sciarra thanked everyone who came and spoke in support of the resolution. She also thanked the local organization MotherWoman and Liz Friedman, Program Director for the company, for leadership and guidance in drafting legislation in support of this issue. The Massachusetts Pregnant Workers Fairness Act was introduced by Representative Ellen Story of Amherst in January of 2015. Representative Peter Kocot is one of the sixty-two co-sponsors. The Bill is presently in the House, Ways, and Means Committee and there is hope that it will pass in an informal session. Baystate Health has also expressed their support for

16.191 Continued

the Bill. Northampton would be the first municipality in the Commonwealth to show support for the Bill by means of local legislation. Not only is the law beneficial to pregnant women and their families, it is good for business. Reasonable accommodations include giving someone who stands behind the counter a stool to sit on, or allowing a pregnant worker to carry water with her, or assistance lifting boxes over a certain weight, or a temporary assignment if someone works with harmful chemicals. The accommodations are often low or no cost and the Bill includes a provision so that they "do not impose an undue hardship". When workers can stay in their job it is good for everyone. When pregnant women can continue to work to support their families it helps their health and economic security. It also helps businesses and the economy. Staff turnover in business is costly and time consuming. When pregnant women can legally ask for the accommodations that they need they can work safely and comfortably through their pregnancy and they are not forced to choose between needed employment or their health. Employer obligations are clarified under this law reducing the need for complaints and mediation. Eighteen other states have passed similar laws. California passed their law sixteen years ago and since that time there has been a decline in pregnancy discrimination charges filed with the US Equal Employment Opportunity Commission while during the same time period the number of complaints increased across the US. The majority of women in the US work and many need to work until the end of their pregnancy. Pregnancy is not an illness and pregnant women are not sick. They are strong and capable but it is a significant physiological experience and Councilor Sciarra believes that there is no reason why pregnant women shouldn't be protected under the law. The country has also made strides in the area of parental leave. The US is still behind other places in the world that offer much more time and support around birth. Without this law women often need to begin their maternity leave while still pregnant. This before birth leave is time the mother does not have with the baby after the birth. Providing accommodations is common sense and decency and Councilor Sciarra hopes this is something everyone can get behind. Councilor Sciarra believes the Bill reflects the community values; that it fits with the support of businesses; that it fits with the support of workers and fair work practices; that it fits with civil and human rights and anti-discrimination policy; and that it fits with the support of women's rights in general and support of woman's rights in Northampton in particular.

Councilor Klein supports Councilor Sciarra's message and notes that the Bill is good for workers, women, children, families and businesses. Personally, Councilor Klein wants to support and patronize businesses that are treating pregnant workers with fairness. In 1960 70% of families had at least one parent at home full time. Today 70% of children are growing up in families that are headed by a single parent or two working parents. To this day, pregnant workers are pushed out of their jobs when all that was needed was a simple accommodation or two to remain employed and to maintain a healthy and comfortable pregnancy. Each year it is estimated that over 250,000 pregnant workers are pushed out of their jobs when all that they would have needed to stay in them is a minor accommodation or two. Workers in low wage and physically demanding jobs are at increased risk to be denied minor accommodations. These are workers who are likely to have less bargaining power in their job; less likely to qualify for Family Medical Leave Act (FMLA); less likely to find replacement income if they lose their job; less likely to have access to temporary disability insurance; and are less likely to have a financial cushion if they lose their jobs. This means that the workers who can least afford to lose their jobs are at highest risk to lose them when they are pregnant. The accommodations are reasonable and temporary and Councilor Klein asks how can we not as a society want to ensure the safety and comfortable pregnancy of all women; how can we not ensure that pregnant women can continue to work while they are pregnant to ensure that they may support their family? If we call ourselves a society that values babies and children, women and families, how can we not do everything possible to allow mothers to have reasonable and temporary accommodations? Besides basic issues of fairness, there is also an economic and public health impact for justifying the passage of a pregnant workers fairness act. Almost 1/2 of the US workforce is made up of women and 75% of those women will become pregnant at some point during their employment. If they and their families are faced with economic insecurity which results in them losing their job, their financial struggles have resounding implications for the economy as a whole. Providing accommodations is crucial to infant and maternal health. Pregnant works who are denied accommodations are essentially working under unhealthy or dangerous conditions that could put their health at risk, their infant's health at risk, and their pregnancy at risk. A 2015 report by the national based organization Better Balanced says that a clear right to an accommodation not only ensures better health outcomes for women and infants, it also reduces health care costs thus

16.191 Continued

supporting the economy. Councilor Klein notes that the national organization MotherWoman advocates for policies that are good for mothers, mothers-to-be, and families and promotes the leadership and resilience of mothers and mothers-to-be. Under the leadership of Program Director Liz Freidman, the Pregnant Workers Fairness Act has come to the point that it is at in the State House. Councilor Klein hopes that fellow councilors will support the resolution.

Councilor LaBarge wished that she had the protections as outlined in the resolution. She thanked members of the public for speaking about the issue; she feels that the proposed legislation is excellent. She believes it is a civil and human rights issue. She has heard of instances that have occurred with pregnant girls who were working in factories years ago. It needs to be done and Councilor LaBarge is glad the issue is in the State House now. She is honored and pleased that the City of Northampton is the first municipality to draft language in support of the Bill.

Councilor Carney thanked the staff at MotherWomen and fellow councilors for bringing the resolution forward. She feels it is a very important issue and she appreciates the reference in the resolution to Northampton's right to organize resolution and the living wage resolution. The City has demonstrated that it cares about workplace issues of fairness and justice and it seems to follow that this resolution would be within our purview. The Council is also in a unique position to advocate for worker issues by leading the way with this resolution.

Councilor O'Donnell thanked the sponsors for bringing the resolution forward and stated that he would be very proud if Northampton adopted the resolution and was the first in the Commonwealth to do so. There is a direct and obvious benefit to the citizens of Northampton and there is a universal benefit beyond geography. This is an example of moral leadership and Councilor O'Donnell stated that he is very grateful for this.

Councilor Dwight noted that it is embarrassing that simple accommodations need to be codified. One would think that this practice would be part of the warp and weave of employment practices. Pregnancy is the most human condition; Councilor Dwight is proud that the Council is addressing this issue. At the same time he is embarrassed that this needs to be discussed in 2016.

Motion Carried

See minutes of November 17, 2016 for second reading.

Presentations

Presentations:

None

Consent Agenda

Consent Agenda

Motion to remove 16.181 from Consent Agenda

Councilor LaBarge moved to remove item D – 16.181 Mobilitie LLC Pole Petition Request - from the Consent Agenda; Councilor Sciarra seconded the motion. Councilor O'Donnell noted that removing items from the Consent Agenda does not require a second to the motion. Councilor Dwight noted that representatives from Mobilitie will be meeting with the City Solicitor to discuss the needs of this company. The City needs more information before acting on this request. Councilor LaBarge moved to postpone the item and reconsider it once it is represented; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

Motion to remove 16.192 from Consent Agenda

Councilor Sciarra requested that item C – 16.192 Application from Northampton Center for the Arts for a fireworks display during the First Night Celebration – be removed from the Consent Agenda. Penny Burke was present from the Northampton Center for the Arts and explained that this is an annual request for a fireworks display during First Night. Councilor Dwight noted that the Fire Rescue Department has given their consent to the permit. Councilor LaBarge moved to approve the petition; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Bidwell and Murphy), 1 Vacant.

<p><u>Motion to approve Consent Agenda</u></p>	<p>Councilor O'Donnell moved to approve the consent agenda; Councilor Klein seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.</p>
<p><u>Motion Carried</u></p>	<p>The following items were approved as part of the consent agenda:</p> <p><u>16.193 referral of the following appointments to the Committee on City Services:</u></p> <p><u>Agricultural Commission:</u> Stanley Zawalick, 538 Sylvester Road, Florence – term (reappointment)</p> <p><u>Arts Council:</u> Jill St. Coeur, 44 Willow Street, Florence – term November 2016 – June 2019</p> <p><u>Conservation Commission:</u> Jessica Pica, 3 High Street, Florence – term November 2016 – June 2019</p> <p><u>License Commission:</u> Natasha Yakovlev, 147 Nonotuck Street, Florence – term November 2016 – June 2022 (to fill William Rosen's space)</p> <p><u>16.194 Referral of the following appointments to the Committee on City Services:</u></p> <p><u>Redevelopment Authority:</u> Ed Skroski, 70 Beacon Street, Florence – term March 2016 – June 2021 (reappointment); Patrick Goggins, 20 Bridge Road, Florence – term November 2016 – June 2020 (replacing the expired term of the late Joan Welch); Christopher Cahillane, 384 South Street, Northampton – term November 2016 – June 2019 (replacing the expired term of Hugh Adams); Roisin Quinn, 35 New South Street, #207, Northampton - term November 2016 – June 2018 (replacing the expired term of David Short)</p> <p><u>Minutes of City Council Meeting on October 20, 2016.</u></p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>Due to lack of a quorum the City Council Committee on Finance did not meet.</p>
<p><u>Financial Orders</u></p>	<p><u>Financial Orders</u></p>
<p><u>16.179 An Order to appropriate \$3,000 for the Gare Collection & 16.180 An Order to appropriate \$3,000 for the Pro Brush Collection - 2nd Reading</u></p>	<p><u>A. 16.179 An Order to appropriate \$3,000 for the Gare Collection - 2nd Reading</u> <u>B. 16.180 An Order to appropriate \$3,000 for the Pro Brush Collection - 2nd Reading</u></p>
<p><u>Motion to approve 16.179 & 16.180</u></p>	<p>Councilor LaBarge moved to approve the orders in 2nd Reading; Councilor Sciarra seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.</p>
<p><u>Motion to approve 16.179 & 16.180 as a group in 2nd Reading</u></p>	<p>The above motion was improperly stated and the orders were subsequently taken up as follows:</p> <p>Councilor LaBarge moved to approve the orders as a group in 2nd Reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.</p>

Motion Carried to
approve 16.179 &
16.180 as a
group in 2nd
Reading

The following orders passed second reading:

Upon the recommendation of the Community Preservation Committee

O-16.179

An Order

To appropriate \$3,000 for the preservation of the Gare Collection

Ordered, that

WHEREAS, Historic Northampton, Inc. submitted a Small Grants application for Community Preservation Act funding to purchase climate controlled museum collection shelving units to properly store and display the Gare Collection;

WHEREAS, the Gare Collection is a collection of 528 silversmithing and clockmaking tools and accounting books accumulated by a prominent Northampton business that operated continuously on Main Street from 1785 to 1994;

WHEREAS, CPA funds will be used to help secure important historic resources that tell the 209-year history of a business in the Community, and has received public support;

WHEREAS, Historic Northampton has raised 1:1 matching funds from private donations;

WHEREAS, on September 21, 2016 the Northampton Community Preservation Committee, voted unanimously to recommend that \$3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$3,000 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. purchase and installation of museum shelving units to house the Gare Collection. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$3,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932

16.179 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

Upon the recommendation of the Community Preservation Committee

O-16.180

An Order

To appropriate \$3,000 for the preservation of the Pro Brush
Collection

Ordered, that

WHEREAS, Historic Northampton, Inc. submitted a Small Grants application for Community Preservation Act funding to purchase climate controlled museum collection shelving units to properly store and display the Pro Brush Collection;

WHEREAS, the Pro Brush Collection is a collection of Daguerrotypes and photographs, company products, company records, advertising, and manufacturing tools;

16.179 & 16.180
Continued

WHEREAS, Historic Northampton has raised 1:1 matching funds from private donations;

WHEREAS, CPA funds will be used to help secure important historic resources that play an important role in the history of manufacturing in Florence, the history of photography, and abolitionism in Northampton

WHEREAS, on September 21, 2016 the Northampton Community Preservation Committee, voted unanimously to recommend that \$3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$3,000 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. purchase and installation of museum shelving units to house the Pro Brush Collection. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$3,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932

16.180 Enrolled

Rules suspended, passed two readings and enrolled.

16.186 An Order to authorize budgetary transfers into Workers Comp Insurance - 2nd Reading

16.186 An Order to authorize budgetary transfers into Workers Comp Insurance - 2nd Reading

Motion to approve 16.186 in 2nd Reading

Councilor LaBarge moved to approve the orders in 2nd reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

Motion Carried

The following order passed second reading:

Upon recommendation of the Mayor

O-16.186

An Order

To authorize budgetary transfers into Workers Comp Insurance

Ordered, that

the following FY2017 budgetary transfers be and hereby are made:

Department	Description	Org	Object	Transfer From:	Transfer To:
General Liability Insurance	OM Public Employee Liability	19452	574004	(66,000)	
Workers Comp Insurance	PS Police/Fire Accident Insurance	19122	517004	(3,507)	
Workers Comp Insurance	PS Workers Compensation	19121	517003		69,507
TOTAL:				(69,507)	69,507

16.186 Enrolled

Rules suspended, passed two readings and enrolled.

Orders

16.185 An Order to suspend parking fees for certain dates in 2016 - 2nd Reading

Motion to approve 16.185i 2nd Reading

Motion Carried

Orders

16.185 An Order to suspend parking fees for certain dates in 2016 - 2nd Reading

Councilor LaBarge moved to approve the orders in 2nd reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

The following order passed 2nd Reading:

Upon the recommendation of the Mayor and the Transportation & Parking Commission

16.185
An Order
To suspend parking fees for certain dates in 2016

Ordered, that

On the following days collection of fees for on-street and off-street parking spaces, excluding the EJ Gare Parking Garage, shall be suspended:
Friday, November 25, 2016 (Black Friday)
Saturday, November 26, 2016 (Small Business Saturday)
Saturday, December 24, 2016 (Christmas Eve)
Saturday, December 31, 2016 (First Night/New Year's Eve)

16.185 Enrolled

Rules suspended, passed two readings and enrolled.

16.187 An Order to impose a lien for cross-connection charges and fees that have not been paid by the due date - 2nd Reading

Motion to approve 16.187 in 2nd Reading

Motion Carried

16.187 An Order to impose a lien for cross-connection charges and fees that have not been paid by the due date - 2nd Reading

Councilor LaBarge moved to approve the orders in 2nd reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

The following order passed second reading:

Upon recommendation of the Mayor

O-16.187
An Order
To impose a lien for cross-connection charges and fees that have not been paid by the due date

Whereas, in order to ensure that all potable water throughout the Northampton water supply system is free from any potential outside contamination, by regulation of the Department of Environmental Protection the city is required to have an approved program that surveys all potential cross connection sites and tests all devices. Double check valve

16.187 Continued

Whereas, devices are tested annually and reduced pressure zone devices are tested semi-annually. All commercial, industrial and agriculture buildings must be resurveyed every ten years for cross connections. the city of Northampton bills landowners for fees and charges associated with the cross-connections program including an initial application/approval fee of \$65 and an annual fee based upon devices owned and tested; and;

Whereas, M.G.L. c. 40, § 58 provides that "Any city or town may impose a lien on real property located within the city or town for any local charge or fee that has not been paid by the due date, said lien shall be known as the "municipal charges lien"; provided, that a separate vote at a town meeting, or by a city or town council is taken for each type of charge or fee."

Whereas, the city of Northampton cannot presently lien property for unpaid cross-connection charges and fees; and

Whereas, the city desires to include cross-connection charges as a municipal charges lien;

NOW, THEREFORE, BE IT ORDERED:

In accordance with M.G.L. c. 40, § 58, charges and fees for cross-connections shall be included as a municipal charges lien, and the city may impose a lien on real property located within the city for cross-connection charges and fees that have not been paid by the due date.

16.187 Enrolled

Rules suspended, passed two readings and enrolled.

Ordinances

Motion to approve 16.164, 16.165, & 16.166 as a group in 2nd Reading

16.164 An Ordinance To amend Chapter 312-36 of the Code Book by modifying Parking Meter Fees in Class 1A & 1C and to add Class 1F

16.165 An Ordinance to amend parking time limits in Class 1A and 1B (See map)

16.166 An Ordinance to amend time limit in Old South Street parking lot- 2nd Reading

Ordinances

Councilor Carney moved to approve the following ordinances as a group in 2nd Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

16.164 An Ordinance To amend Chapter 312-36 of the Code Book by modifying Parking Meter Fees in Class 1A & 1C and to add Class 1F - 2nd Reading

16.165 An Ordinance to amend parking time limits in Class 1A and 1B – 2nd Reading

16.166 An Ordinance to amend time limit in Old South Street parking lot – 2nd Reading

16.164, 16.165,
16.166 Continued

Councilor O'Donnell questioned about the typographical question that was asked at the last meeting; Mayor Narkewicz indicated that it was unknown why the ordinance was written the way it was. The Mayor would like to take time to take proper measurements and introduce language changes at a different point but would like to follow-through with the ordinance at this particular time the way it is presented. The Mayor also indicated that the Council will pass this ordinance tonight on second reading; however, the implementation phase may require a bit more time. The Mayor may delay signing the ordinance for up to 10 days. Signage will be installed and the Mayor plans a press release announcing to the public when the ordinance takes effect.

Motion Carried

The following ordinance passed second reading:

16.164

Upon the Recommendation of Mayor David J. Narkewicz

16.164
AN ORDINANCE
To amend Chapter 312-36 of the Code Book by modifying Parking
Meter Fees in
Class 1A & 1C and to add Class 1F

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § Chapter 312-36 of said Code; providing that § 312-36 Parking Meter Locations and Regulations.

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

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

Section that § 312-36 Parking Meter Locations and Regulations

Modify

Class	Time Limit	Fee
1A	+ 2 Hours	\$0.75 \$1.00 per hour
1C	+ 2 Hours	\$0.15 \$0.25 per hour

Add

Class	Time Limit	Fee
1F	3 Hours	\$0.75 per hour

16.164 Ordained
& Enrolled

Rules suspended, passed two readings, ordained and enrolled.

16.165

The following ordinance passed second reading:

Upon the Recommendation of Mayor David J. Narkewicz

16.165
AN ORDINANCE
To amend Chapter 312-109 of the Code Book to modify time limits in
Class 1A & 1B

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § Chapter 312-109 of said Code; providing that § 312-109 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 § Chapter 312 of the Code of Ordinances of the City of

16.164, 16.165,
16.166 Continued

Northampton, Massachusetts, be amended so that such section shall read as follows:

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

Modify

Location	Side	From	To	Time Limit/Class
Bridge Street	North-West	Main Street	Market Street	± 2 hours/Class 1A
Crafts Avenue	West	Entire length (unless otherwise specified)		± 2 hours/Class 1A
Main Street	Both	Entire length (unless otherwise specified)		± 2 hours/Class 1A
Main Street	North-west	Point 50 feet north-easterly from King Street	Point 315 feet easterly	± 2 hours/Class 1A
Main Street	South-east	Point 73 feet north-easterly from Pleasant Street	Point 30 feet from south-westerly from Strong Avenue	± 2 hours/Class 1A
Main Street	South	Point 186 feet easterly from New South Street	Point 83 feet westerly from Crafts Avenue	± 2 hours/Class 1A
Merrick Lane	South	Entire length (unless otherwise specified)		± 1 hour/Class 1A 2 hours/Class 1B

16.165 Ordained
& Enrolled

Rules suspended, passed two readings, ordained and enrolled.

16.166

The following ordinance passed second reading:

Upon the Recommendation of Mayor David J. Narkewicz

16.166

AN ORDINANCE

To amend Chapter 312-110 of the Code Book to modify time limit in Old South Street parking lot as described

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § Chapter 312-110 of said Code; providing that § 312-110 Schedule IX: Off-Street Parking Areas.

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

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

Section that § 312-110 Schedule IX: Off-Street Parking Areas

Modify

Parking Area	Location	Area/Number of Spaces	Time Limit/Class
Old South Street	Sinconoffi Lot, easterly side of Old South Street and southerly side of Old Railroad bed	21 spaces in front of Maplewood Shops	± 2 hours/Class

16.166 Ordained
& Enrolled

Rules suspended, passed two readings, ordained and enrolled.

16.172 An Ordinance to amend list of enforcing officers and penalties for noncriminal disposition from Chapter 40-5 of the Code Book - 2nd Reading

Motion to approve 16.172 in 2nd Reading

Motion Carried

16.172 An Ordinance to amend list of enforcing officers and penalties for noncriminal disposition from Chapter 40-5 of the Code Book - 2nd Reading

Councilor O'Donnell moved to approve the ordinance in 2nd Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.

The following ordinance passed 2nd reading:

Upon the Recommendation of Mayor David J. Narkewicz

16.172
AN ORDINANCE

To amend list of enforcing officers and penalties for noncriminal disposition from Chapter 40-5 of the Code Book.

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § Chapter 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:

Section 1: that § Chapter 40-5 of the Code of Ordinances of the City of Northampton Massachusetts, be amended so that such section shall read as follows:

Section § Chapter 40-5

Add

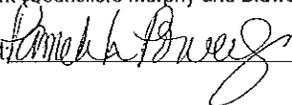
<u>Chapter/Section</u>	<u>Enforcing Officer</u>	<u>Fine</u>
285-12	Police	\$20

16.172 Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

16.183 An Ordinance relative to bike lines on Locust Street - Refer to Committee on Legislative Matters

16.183 An Ordinance relative to bike lines on Locust Street - Refer to Committee on Legislative Matters

<p><u>Motion to Refer 16.183 to Committee</u> <u>Motion Carried</u></p>	<p>Councilor LaBarge moved to refer the ordinance to the Committee on Legislative Matters; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.</p>
<p><u>Updates from Council President and Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u> None</p>
<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u></p>	<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u> None</p>
<p><u>New Business</u></p>	<p><u>New Business:</u> None</p>
	<p>At 7:59 p.m., a motion to adjourn was made by Councilor Sciarra and seconded by Councilor Carney. The vote to adjourn passed on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy and Bidwell), 1 Vacant.</p> <p>Attest:  Administrative Assistant to the City Council</p>

2016 - 2017 ROLL CALL RECORD FOR NORTHAMPTON CITY COUNCIL										
Record of City Council Votes for November 3, 2016										
	Vacant	Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sclarra	Total
Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:13 p.m.										
16.169 A Resolution in support of Bill H.1769, The Massachusetts Pregnant Workers Fairness Act		Absent	Present	Present	Present	Present	Absent	Present	Present	6 Present, 2 Absent, 1 Vacant
A. 16.179 An Order to appropriate \$3,000 for the Gare Collection - 2nd Reading		Absent	Yes	Yes	Second Yes	Motion to Approve Yes	Absent	Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
B. 16.180 An Order to appropriate \$3,000 for the Pro Brush Collection - 2nd Reading		Absent	Yes	Yes	Yes	Motion to Approve as a group Yes	Absent	Yes	Second Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.186 An Order to authorize budgetary transfers into Workers Comp insurance - 2nd Reading		Absent	Yes	Yes	Yes	Motion to Approve Yes	Absent	Second Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.185 An Order to suspend parking fees for certain dates in 2016 - 2nd Reading		Absent	Yes	Yes	Yes	Motion to Approve Yes	Absent	Second Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.187 An Order to impose a lien for cross-connection charges and fees that have not been paid by the due date - 2nd Reading		Absent	Yes	Yes	Second Yes	Motion to Approve Yes	Absent	Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.164 An Ordinance To amend Chapter 312-36 of the Code Book by modifying Parking Meter Fees in Class 1A & 1C and to add Class 1F		Absent	Motion to approve as a group Yes	Yes	Second Yes	Yes	Absent	Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.165 An Ordinance to amend parking time limits in Class 1A and 1B (See map)		Absent	Yes	Yes	Second Yes	Yes	Absent	Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.166 An Ordinance to amend time limit in Old South Street parking lot		Absent	Yes	Yes	Second Yes	Yes	Absent	Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
16.172 An Ordinance to amend list of enforcing officers and penalties for noncriminal disposition from Chapter 40-5 of the Code Book - 2nd Reading		Absent	Yes	Yes	Yes	Second Yes	Absent	Motion to Approve Yes	Yes	Motion Carried 6 Yes, 0 No, 2 Absent, 1 Vacant
At 7:59 p.m. Councilor Sclarra motioned to adjourn; Councilor Carney seconded the motion. The motion was approved on a voice vote of 6 Yes, 0 No, 2 Absent (Councilors Murphy & Bidwell), 1 Vacant.										
Recorded By:										
Pamela L. Powers, Administrative Assistant to the City Council										
(413) 587-1210; ppowers@northamptonma.gov										