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
December 4, 2014
7:00-11:00pm
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**

5. **COMMUNICATIONS FROM THE MAYOR**

6. **PROCLAMATIONS, RESOLUTIONS, RECOGNITIONS AND ONE-MINUTE ANNOUNCEMENTS OF EVENTS**

14.313 City Of Northampton's Trust Resolution
(2nd Reading)

Documents: 14.313_revised_201411181329.pdf

7. **PRESENTATION(S)**

8. **LICENSES AND PETITIONS**

14.323 Junk Dealer Petitionfor EcoATM Kiosk At Stop & Shop On King Street
Kiosk planned for March, 2015
Questions can be directed to Christine Abernathy, Regulatory Affairs Coordinator; Phone # 858-766-7243

Documents: 14.323_ecoATM_junk_dealer_petition_201411251245.pdf

Junk Dealer Application For EcoATM

Documents: 14.323_ecoATM_Application.pdf

14.322 Private Roadways For Review With Recommendations As Noted
(Requires vote to accept BPW/Planning recommendations)

Center Court - No recommendation from BPW & Planning
Paquette Avenue- No recommendation from BPW & Planning
Park Avenue- No recommendation from BPW & Planning
Hebert Avenue- No recommendation from BPW Yes recommendation from Planning

9. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

Minutes Of Nov. 20, 2014 City Council

Documents: CityCouncilMinutesNov.20.2014.pdf

10. **REPORTS OF COMMITTEES, APPOINTMENTS, AND ELECTIONS**

11. **RECESS FOR FINANCE COMMITTEE**

12. **FINANCIAL ORDERS**

13. **ORDERS AND ORDINANCES**

14.311 Order To Modify Council Rules To Add DPW Committee
(1st Reading)

Documents: 14.311_council_rules_201411251240.pdf

14.324 Order To Accept Donation Of Granite Mileage Markers
(1st Reading)

Documents: 14.324_201411251343.pdf

14.325 Order To Acquire Land From Peter Baye
(1st Reading)

Documents: 14.325_201411251343.pdf

14.326 Order To Accept A Deed In Lieu Of Foreclosure
(1st Reading)

Documents: 14.326_201411251344.pdf

14.328 Order For $99,900 For Forbes Library Elevator Project
Funds to be appropriated from the Stabilization Fund account

Documents: 14.328_forbes_elevator_201412021120.pdf

Petitions To Accept Certain Roadways As Public Ways
(Positive recommendation from BPW & Planning; 2nd Reading)

- ***14.316 Clark Street***
- ***14.318 Cooke Avenue***
- ***14.319 Massasoit Avenue***

Documents: 14.316_Clark_revised (2).pdf, 14.318_Cooke_revised.pdf, 14.319.Massasoit-Revised .OOT.pdf

Ordinances In Support Of Mayor Narkewicz's Administrative Order

(Positive recommendation from the Committee on Rules, Orders, Appointments and Ordinances; 2nd Reading)

14.253 Ch 22 1-4: Ordinance Community Preservation Committee
14.254 Ch 111 1-3: Ordinance regarding Agriculture
14.259 Ordinance to Delete Certain Sections
14.288 Ch 40: Ordinance regarding Enforcing Officers and Penalties for Noncriminal Disposition
14.297 Ch 290: Ordinance regarding Subdivision of Land
14.289 Ch 229: Ordinance regarding Parades and Processions
14.287 Ch 149 § 1-4: Numbering of Buildings **
14.293 Ch 337: Ordinance regarding Wetlands Protection
14.291 Ch 256: Ordinance regarding Article I - Sewer Assessments, Billing and General Regulations
14.292 Ch 264: Ordinance regarding Signs
14.294 Ch 278: Ordinance regarding Storm Drains
14.295 Ch 280: Ordinance regarding Stormwater and Flood Control Utility
14.296 Ch 281: Ordinance regarding Stormwater Management
14.290 Ch 285: Ordinance regarding Streets, Sidewalks, & Public Property
14.298 Ch 303-5: Ordinance regarding Temporary Events
14.299 Ch 312 sec 14: Ordinances regarding Traffic Signs & Signals
14.300 Ch 316: Ordinance regarding Horse-Drawn Carriages
14.301 Ch 325: Ordinance regarding Water
14.286 Ch 272 : Ordinance for Solid Waste

**Needs amendment approved

Documents: 14.253.pdf, 14.254.pdf, 14.259.pdf, 14.288_NonCriminal.pdf, 14.297_SubdivisionOfLand.pdf, 14.289_Parades_Processions.pdf, 14.287_Numbering_of_Buildings.pdf, 14.293_WetlandProtection.pdf, 14.291_SewerAssessmentsBilling.pdf, 14.292_Signs.pdf, 14.294_StormDrains.pdf, 14.295_StormwaterFloodControlUtility.pdf, 14.296_StormwaterManagement.pdf, 14.290_StreetsSidewalksPublicProperty.pdf, 14.298_TemporaryEvents.pdf, 14.299_TrafficSignsSignals.pdf, 14.300_HorseDrawnCarriages.pdf, 14.301_Water.pdf, 14.286_Solid_Waste.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; 2nd Reading)

Documents: 14.281_201410311022.pdf

14.282 § Ordinance 312-109 Pleaseant St.Schedule VIII: On Street Parking Meter Zones
(Positive recommendation from TPC; Refer to Comm. on Rules, Orders, Appointments and Ordinances; 2nd Reading)

Documents: 14.282_201410311022.pdf

14.314 & 14.315 Ordinances Regarding 7+ Units In URB & URC Districts
(Positive recommendation from Committee on Rules, Orders, Appointments and Ordinances; 2nd Reading)

Documents: 14.314_rev2_URC.pdf, 14.315rev2_URB.pdf

14.320 & 14.321 Ordinances For Middle Street Florence Limited And No Parking Certain Times
(Upon recommendation from Transportation & Parking Commission; Refer to Comm. on Rules, Orders, Appointments and Ordinances)

14.320 - Code Section 312-103 Schedule II - No Parking Certain Times - Middle Street, Florence

14.321 - Code Section 312-104 Schedule III - Limited Time Parking - Middle Street, Florence

Documents: 14.321_middle_st_limited_time_parking_201411251242.pdf, 14.320_middle_st.no_parking_201411251241.pdf

14.327 Ordinance For Repealing Parking Prohibited All Times For A Section Of New South Street (Code Section 312-102)
(Refer to Comm. on Rules, Orders, Appointments and Ordinances & Transportation and Parking Commission)

Documents: 14.327_new_south_street_201412021121.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*

Contact:
Pamela L. Powers
ppowers@northamptonma.gov
(413) 587-1210

City of Northampton
MASSACHUSETTS

In City Council, November 20, 2014

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Upon the Recommendation of City Councilors Jesse M. Adams, Paul D. Spector, and Alisa F. Klein

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Resolution Supporting the Executive Policy Order on Police Procedures

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Whereas: The City of Northampton has been, and continues to be enriched by the contributions of community members who have traveled from all points of the globe to make their homes here; and

Whereas: Northampton is a welcoming city that seeks to ensure public safety and trust between law enforcement and all members of our community; and

Whereas: There is no legal authority upon which the federal government may compel an expenditure of City resources to comply with an Immigration and Customs Enforcement (ICE) detainer request; and

Whereas: The Transparency and Responsibility Using State Tools (TRUST) Act, versions of which are pending before state and federal legislatures, aims to keep immigrants who pose no risk to society safe in their communities and with their families while also promoting trust between the immigrant community and local law enforcement; and

Whereas: According to the Massachusetts TRUST Act Coalition, which includes State Senator Jamie Eldridge and former State Representative Carl Sciortino, ICE issued more than 5,000 detainers in Massachusetts from 2008 through 2011, and more than 75% of these detainers were placed on individuals who had no criminal conviction or history; several were issued on children under the age of eighteen; and

Whereas: In April, 2014, a federal judge ruled that it is a violation of constitutional rights to hold an individual for immigration authorities without probable cause; and

Whereas: As a result of this ruling, cities and counties nationwide are beginning to revise their policies regarding voluntary cooperation with ICE detainer requests; and

Whereas: On August 18, 2011, the Northampton City Council, with the cooperation of Northampton Police Chief Russell Sienkiewicz resolved that community members would not be subjected to civil immigration detainer requests or administrative immigration warrants issued by ICE or Customs and Border Patrol (CBP); and

Whereas: That resolution has served as the *de facto* policy of the Northampton Police Department since its passage; and

Whereas: On August 28, 2014, Mayor David J. Narkewicz issued an Executive Policy Order asserting "that it shall be the continuing policy of the City of Northampton to assure equal, just, and fair treatment of all persons who live in and visit the city and, in furtherance of that policy, the Chief of Police shall develop formal departmental policies and procedures implementing the following:

1) Directing Northampton Police Department personnel to not honor or enforce any detainer request from U.S. Immigration and Customs Enforcement (ICE) that is non-criminal and not subject to a judicially issued warrant.

2) Directing Northampton Police Department personnel to allow motor vehicle operators stopped for a violation and found to be unlicensed a reasonable opportunity to arrange for a properly licensed operator to drive the vehicle, regardless of immigration status. Nothing in such policy shall apply to violations that are subject to a statutory or regulatory requirement of vehicle impoundment.

3) Continuing and enhancing existing programs and procedures of the Northampton Police Department to allow access by immigrants to police services in their native languages.

4) Providing for record keeping with regard to the policies set forth herein which can be made available to the Mayor upon request"; now therefore be it

Resolved: that the Northampton City Council resolutely supports the spirit and intent of this Executive Policy Order; and be it further

Resolved: that the Northampton City Council will use its authority to assure these protections are applied consistently and fairly; and be it further

Resolved: that the Northampton City Council calls upon other communities, the Massachusetts Legislature, the Governor of the Commonwealth, Congressman James McGovern, Senators Elizabeth Warren and Edward Markey and President Barack Obama to pursue and enact similar protections to further the American principles of justice, trust and security.

To: 'cclerk@northamptonma.gov'
Subject: ecoATM: Junk Dealer License for Northampton, MA

Dear Pam,

Thank you for taking the time to speak with me today.

My company, ecoATM, would like to set up one of our kiosks in a Stop and Shop located at 228 King Street, Northampton, MA 01060. The kiosk is a fully automated machine similar to a Redbox that buys back used electronics (cell phones, mp3 players, and tablets) in exchange for cash. The devices are picked up from the kiosk once a week and shipped back to our headquarters in San Diego, CA. We hold all devices for a minimum of 30 days and report all transaction information to law enforcement. I have attached a spec sheet and an information packet, which detail how the machine works and what measures ecoATM takes to ensure we comply with Secondhand/Junk Dealer ordinances. Additionally, I have attached our Articles of Incorporation for your records.

Please send me the application for the Junk Dealers license at your earliest convenience. Also, please let me know if we will need a representative present at the city council meeting.

Thank you for your assistance. If you require any additional information please let me know.

Best regards,

Christine Abernathy

Regulatory Affairs Coordinator, ecoATM

P: (858) 766-7243

cabernathy@ecoatm.com

ecoatm signature

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Pamela Powers <ppowers@northamptonma.gov>

RE: ecoATM: Junk Dealer License for Northampton, MA

1 message

Christine Abernathy <CAbernathy@ecoatm.com> Tue, Nov 11, 2014 at 10:39 AM
To: "cclerk@northamptonma.gov" <cclerk@northamptonma.gov>

Dear Pam,

I wanted to follow up on this request. Can you please email me the Junk Dealers license application? Also, do we need to be physically present at the city council meeting, or can we attend via Skype/telephone?

Best regards,

Christine Abernathy

Regulatory Affairs Coordinator, ecoATM

P: (858) 766-7243

cabernathy@ecoatm.com

ecoatm signature

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From: Christine Abernathy
Sent: Monday, November 03, 2014 12:16 PM

ecoATM™

Inspired by Outerwall™

AN ECO-FRIENDLY KIOSK
DRIVING FOOT TRAFFIC & SPENDING

THE ECOATM E-CYCLING KIOSK

ecoATM™ is an automated eCycling Kiosk - paying customers instant cash for used mobile phones and other consumer electronics.

HOW IT WORKS FOR CONSUMERS

Consumers bring their mobile phones and other handheld electronic devices to the ecoATM kiosk. The ecoATM visually and electronically inspects the device for type, functionality, and condition. ecoATM offers the customer a price for their gadget. Transactions take a couple of minutes and pay out in cash!

HOW IT WORKS FOR YOU

ecoATM is a destination for customers. More ecoATM customers means more foot traffic for you. Even better, the ecoATM will pump cash into the hands of customers who often spend it right away!

OVERVIEW OF ECOATM INC.

- ecoATM founded in 2008
- Acquired by Outerwall™ (owner of redbox® and Coinstar™) in July 2013
- Patented automated eCycling kiosk
- Approximately 900 machines throughout the US, in malls and select Walmarts
- R2 and ISO 14001 certifications
- Over three million devices recycled

FEATURED ON...

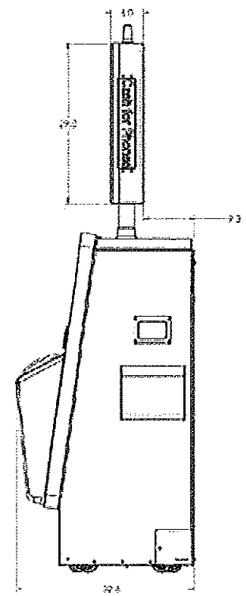
cnet NIGHTLINE POPULAR SCIENCE FAST COMPANY CBS engadget

ecoATM™

Inspired by Outerwall™

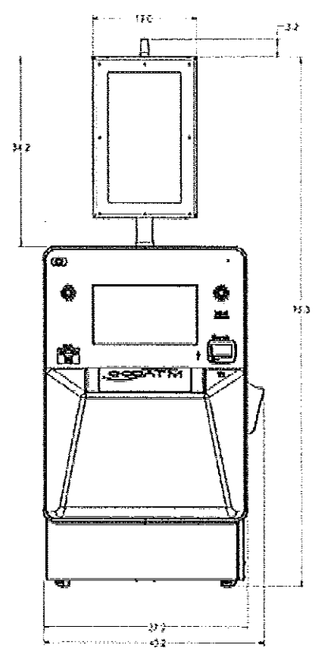
MALL / STORE BENEFITS

- ecoATM is a destination
- Increased foot traffic
- Consumers paid in cash
- Increased consumer spending
- Promotes sustainability
- Does not compete with inline stores
- Small footprint 36" x 32" x 60"
- Does not clutter, block sight lines, or take space from carts & kiosks
- No operational support from mall required



TECHNICAL SPECS

- Weight 800 lbs
- Height 58.75" (100.3" with signage)
- Operating Environment: 30° to 120° F (0° to 50° C)
- Power Consumption: 5.0 amps @ 120vac MAX
- Data Line not required



POWER REQUIREMENTS

- A standard 110-120 VAC receptacle within four (4) feet of the ecoATM machine location
- A clean power receptacle is preferred
- Avoid branching off of overloaded circuits
- Avoid circuits utilized by automatic doors, compressors, and children's rides
- Requires a dedicated 24-hour circuit

SAFE
SECURE
INNOVATIVE

ecoATM™

Inspired by Outerwall™

PARTNERING WITH LAW ENFORCEMENT

ecoATM™ is committed to establishing lasting and collaborative relations with our law enforcement associates. We have implemented extensive security features and processes to deter the sale of any stolen device. We also provide detailed information to law enforcement about each and every transaction, and in the rare case that a stolen phone does make its way into our kiosk, we also provide law enforcement with the information and evidence they need to prosecute the individual and return the stolen property to the victim, promptly upon request and without the need for a subpoena or search warrant.

In communities all across the country, ecoATM is helping law enforcement track down and capture cell phone thieves—and reunite victims of cell phone theft with their stolen property.

THE E-WASTE CHALLENGE

Americans buy over 150 million new phones per year and growing. Production of a single new cell phone creates approximately 3 tons of mining waste and currently less than 20 percent of unwanted cell phones are recycled each year. The majority of consumer electronics contain toxic materials such as lead, arsenic, and a variety of other materials that pose an extreme threat to the environment and human health. The first and best thing we can do is to extend the life of existing devices so that there is a lesser need to build new devices. The next best thing we can do is to responsibly reclaim materials from devices that are truly end-of-life.

ecoATM— the first e-waste recycling kiosk—was invented to help solve the e-waste challenge by making it safe and convenient for people to recycle their old, unwanted mobile devices for instant cash.

A SAFE PLACE TO RECYCLE

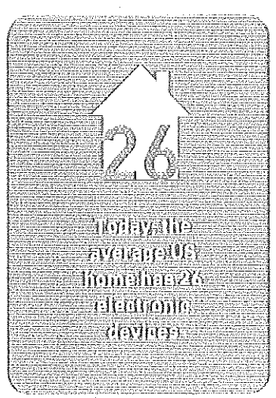
Our mission is to inspire mass consumer participation in e-waste recycling by providing a convenient, safe and secure place for people to responsibly recycle their used and broken portable electronics.

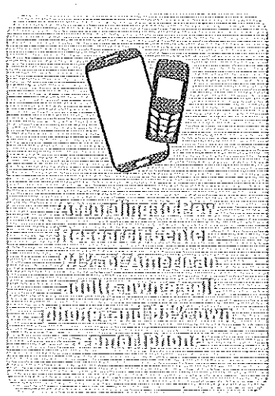
We have designed the kiosk to be easy and efficient for use by consumers but behind the scenes is state-of-the-art technology that includes patented, advanced machine vision, electronic diagnostics, and artificial intelligence. Moreover, the kiosk is composed of extensive security features and processes. While the vast majority of people who recycle their old devices are honest law abiding citizens, ecoATM recognizes that there will be some dishonest people who try to exploit any system.

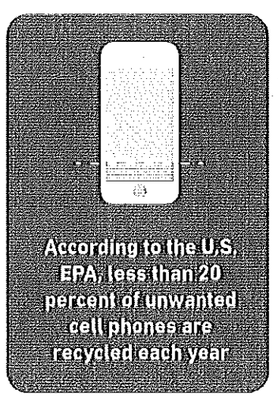
This packet outlines the security features and processes of ecoATM that deter the sale of any stolen devices. This packet also details the tools we provide law enforcement for investigating and prosecuting suspected cell phone thieves. We're continuously working to ensure that ecoATM is the worst place for a thief to sell a stolen cell phone and the best place for your phone to be found if you're the victim of cell phone theft.

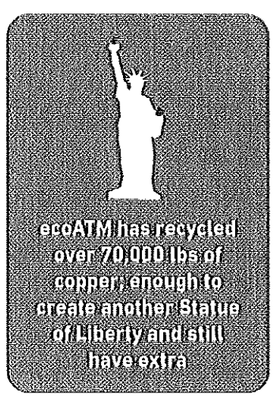
A SINGLE KIOSK

The annual environmental impact of a single ecoATM kiosk is an energy savings equivalent to removing more than 4 houses from the grid. The ecoATM network of kiosks in 2013 resulted in the electricity to power more than 2,750 U.S. homes and a hazardous waste reduction equivalent to the weight of 267 refrigerators.

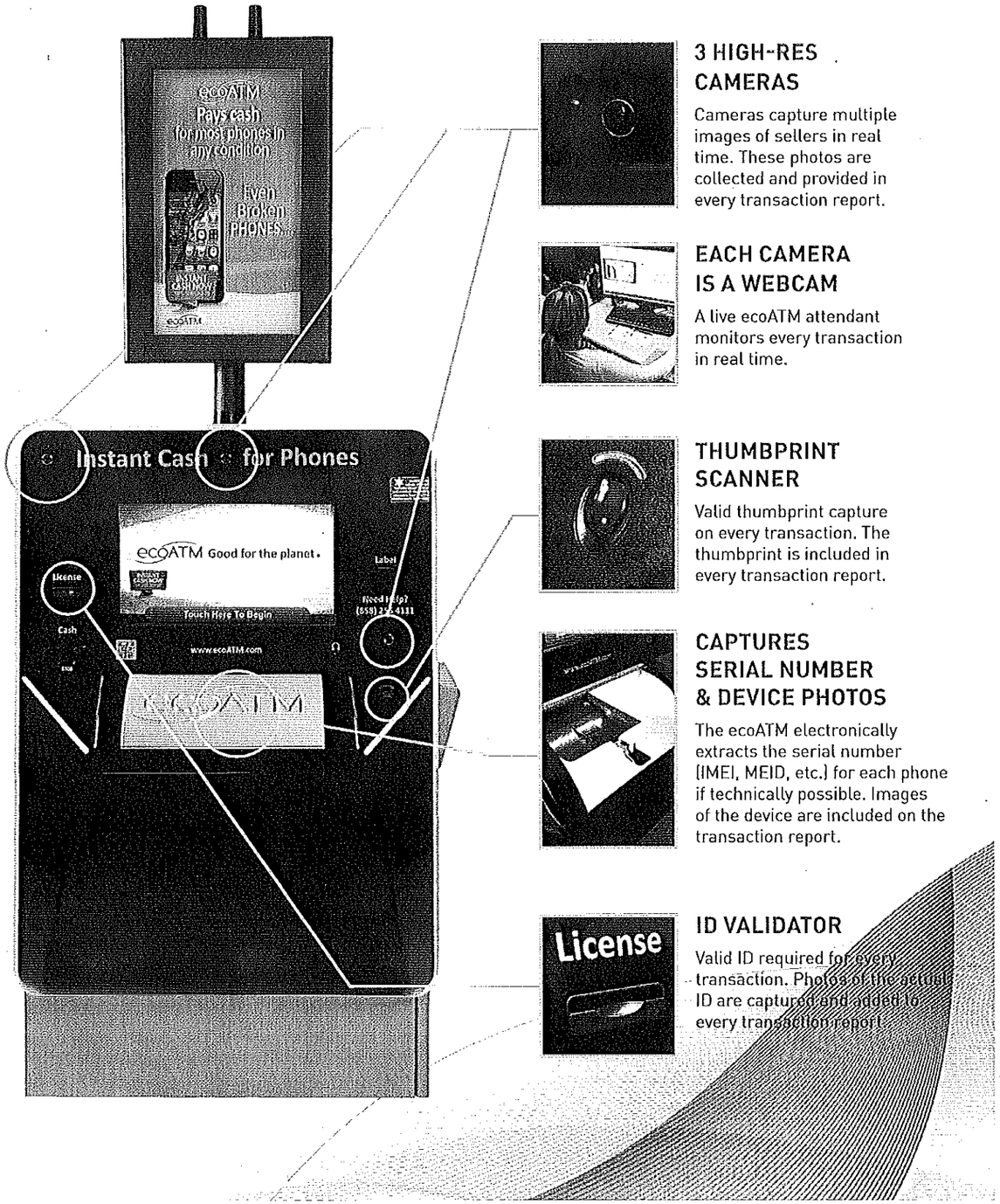








TOP SECURITY FEATURES



3 HIGH-RES CAMERAS

Cameras capture multiple images of sellers in real time. These photos are collected and provided in every transaction report.

EACH CAMERA IS A WEBCAM

A live ecoATM attendant monitors every transaction in real time.

THUMBPRINT SCANNER

Valid thumbprint capture on every transaction. The thumbprint is included in every transaction report.

CAPTURES SERIAL NUMBER & DEVICE PHOTOS

The ecoATM electronically extracts the serial number (IMEI, MEID, etc.) for each phone if technically possible. Images of the device are included on the transaction report.

ID VALIDATOR

Valid ID required for every transaction. Photos of the actual ID are captured and added to every transaction report.

LIVE VALIDATION OF IDENTITY

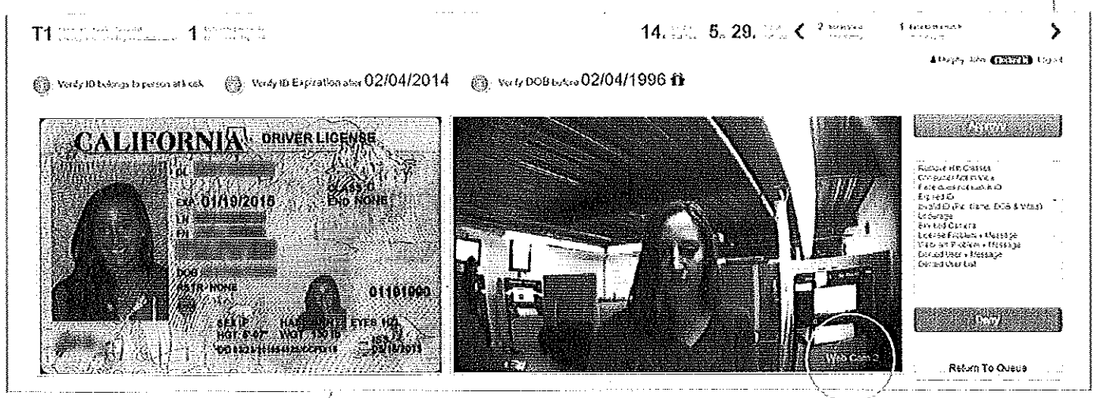
A remote, live attendant located in the Company's headquarters verifies and approves every transaction in real-time. After the machine electronically verifies the ID for authenticity by examining the ID for holograms, watermarks, or other specific authentication methods, the customer is permitted to proceed. However, this does not mean the person has been approved to complete a transaction.

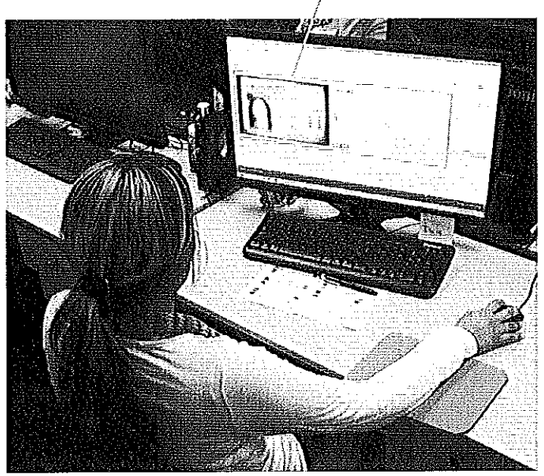
While the ID is being verified for authenticity the machine scans and captures photos of the actual ID. The photos of the ID are collected, stored, and uploaded into the transaction report. Using the kiosk's built-in webcams, the remote attendant compares the photo ID with the user's face in real-time to confirm or deny the transaction.

The live attendant also reviews the date of birth and the expiration date of the ID. **No transaction can be completed without the approval of a live verifier.**

ecoATM is equipped with three high-resolution webcams.

Below is an example of validation in real-time:





1. Three webcams take multiple photos to verify customer and monitor transaction in real time.
2. The remote attendant verifies that the ID hasn't expired and that the customer is over 18 years old.
3. The attendant either approves or rejects the transaction.

A transaction will be denied by the attendant if:

- The seller is under the age of 18
- The ID is expired
- The photo on the ID does not match the seller's scanned photograph

If we cannot get a clear, front-on photo of the customer using the machine we request via messaging that the customer remove any hat, glasses, or other objects hindering our ability to take a good photo and approve the transaction.

REPORTING FOR LAW ENFORCEMENT

SECOND HAND DEALER LAW COMPLIANCE

We offer an open book policy to all law enforcement that can use the information we have to assist in an investigation. We can report in any method preferred including BWI's Rapid, Pawnweb and more. We recently created a new partnership with LeadsOnline that will offer all officers access to ecoATM on LeadsOnline free of cost. LeadsOnline is a nationwide web-based investigative system that Law Enforcement can access, print and search their local ecoATM transactions, easily and quickly.

LEADSONLINE PARTNERSHIP

LeadsOnline
Catching crooks & cooks since 2000

SAMPLE TRANSACTION REPORT

ecoATM, Inc. 10515 Vista Sorrento Pkwy, San Diego, CA 92121

SECOND HAND DEALER REPORT

CUSTOMER INFO

NAME					
PAUL VINCENT CASHMAN 3RD					
SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTH DATE
M	BROWN	BLUE	6' 0"	170	[redacted]
DRIVERS LICENSE NO. OR OTHER I.D.			STATE		
[redacted]			CA		
ADDRESS/CITY/STATE				YEAR OF EXPIRATION	
[redacted]				[redacted]	

TRANSACTION

TRANSACTION DATE	10/16/2013
LOAN/BUY NUMBER	I637UFFW
TIME	11:35:08 AM
TRANSACTION	BUY - $20.00

STORE INFO

LICENSE NUMBER	POLICE DIVISION
NAME: Los Santos Mall	ADDRESS/CITY/STATE: 123 abc ave./Los Angeles/California/92102

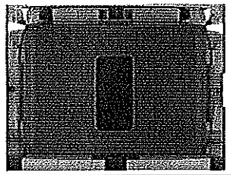
ITEM

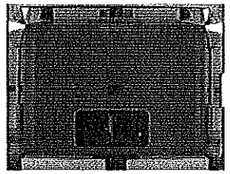
ARTICLE	COLOR	POWERS UP	LCD IS GOOD	GOOD MECHANICS
Cell Phone	Green	YES	YES	YES

BRAND NAME	MODEL
HTC	First PM33100

IMEI/MEID	SERIAL NUMBER
[redacted]	[redacted]

PROPERTY IMAGES





ID IMAGE

THUMBPRINT

WEBCAM IMAGES

SIGNATURES

Customer electronically acknowledged that they were the owner or authorized by the owner to sell the property.

CONSUMER VERIFIED BY PAUL CASHMAN

CUSTOMER ID INFORMATION

KIOSK INFORMATION

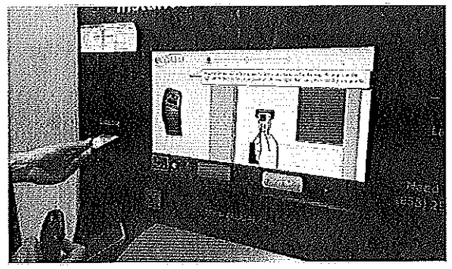
DEVICE INFORMATION

DEVICE IMAGES

LICENSE & THUMBPRINT

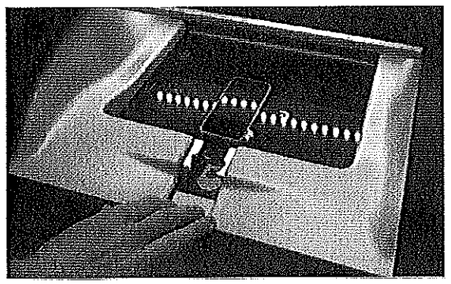
CUSTOMER IMAGES

WHAT HAPPENS WHEN A CUSTOMER USES ECOATM?



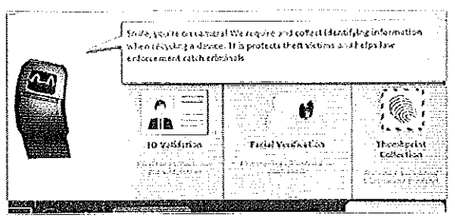
1. SCANS VALID LICENSE

To begin the process, each user must present a valid state-issued ID. ecoATM has invested in state-of-the-art AssureTec scanning technology and validation software. We not only photograph but validate each ID for authenticity by examining for holograms, watermarks or other specific authentication methods used in all 50 states. Once the ID is verified for authenticity, the user is permitted to proceed to the next step. The live attendant will later use the scanned license alongside the real-time webcam photos to verify that the ID belongs to the customer.



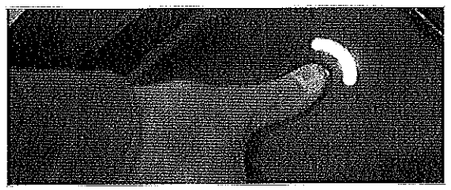
2. CAPTURES PHOTOS AND SERIAL NUMBERS OF DEVICE

The ecoATM captures multiple, high-resolution images of every device recycled. These images are included in their respective transaction report. ecoATM also extracts serial numbers from all devices at the point of sale when electronically possible. If the phone is too old or damaged to electronically retrieve the serial numbers, we will manually capture the serial numbers at our headquarters. The images and serial numbers are stored in a database and available to law enforcement at any time.



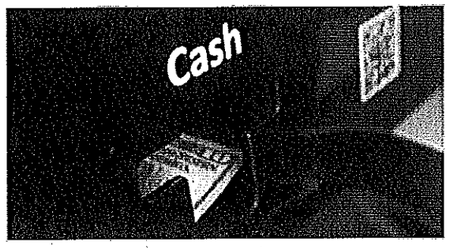
3. WARNING: ALL YOUR INFORMATION IS PROVIDED TO LAW ENFORCEMENT

The ecoATM alerts the customer that we require and collect identifying information when recycling any device. The customer is also expressly warned that all of this identifying information is provided to law enforcement.



4. COLLECTS THUMBPRINT

No transaction can be completed until a customer's valid thumbprint is captured. Images of thumbprints are collected, stored and provided to law enforcement with each transaction report.



5. VALIDATES IDENTITY AND PAYS CONSUMERS FOR THEIR DEVICE

While an individual is being validated by an attendant, the machine is visually and electronically inspecting the device for type, functionality, and condition. After the individual and the device have been properly assessed, the kiosk will make an offer. If the offer is accepted, the kiosk pays the consumer cash in exchange for recycling their device.

LAW ENFORCEMENT ASSISTANCE FEATURES

ABILITY FOR POLICE TO OPEN KIOSK SHOULD THEY NEED TO RETRIEVE PHONE

Law enforcement personnel who need access to a device inside the kiosk can simply call ecoATM and we can open the door remotely at any time. Once an officer's ID and law enforcement credentials have been validated, the front door of the kiosk will be automatically opened and a specialist will be available to help secure the device you are looking for.

RETURN OF REPORTED STOLEN ITEMS

ecoATM will respond quickly and diligently to any request from law enforcement to research and/or return reported stolen devices that may have been collected by the kiosk. Any reported stolen devices will be returned with no subpoena or search warrant required and at no cost to the victim.

30-DAY INVENTORY HOLD

ecoATM voluntarily holds all inventory collected for a minimum of 30 days. We comply with all jurisdictions where the mandatory hold is longer than 30 days. Once the hold period has passed we ship the devices to our buyers from our headquarters in San Diego, CA.

REPORTING OF TRANSACTIONS

ecoATM will voluntarily report all transactions to law enforcement in any method they prefer, including mail, fax, email, LeadsOnline, BWI, NEWPRS or other reporting mechanisms. We're happy to do the searching for you. Just call us and we'll get started.

- Full Transparency
- We'll report in whatever method you prefer
- Easy access to photos, serial numbers, and other information about sellers

NO WARRANTS/SUBPOENAS

We do not require a search warrant or subpoena and we will provide any device(s), and associated records in our possession upon request. If any officer has an investigative interest in a device that is currently deposited in one of our kiosks, they may simply visit the kiosk, call us and present their credentials to the kiosk camera, and we will remotely open the kiosk to allow the officer to recover any device.

"DO NOT BUY" LIST

ecoATM works with law enforcement to implement a "do not buy" list, which bans individuals from utilizing an ecoATM kiosk. Additionally, if an individual is identified by law enforcement as having sold a stolen device at an ecoATM, we electronically "ban" that individual from conducting further transactions at ecoATMs.

DEVICE FLAGGING

If you call or email our Regulatory Affairs Department, we can check IMEI/MEID and hardware serial numbers in our system to determine if a specific device was received by ecoATM. If the device in question has not been received by ecoATM, we can create an automated flag which will alert us and enable us to alert you if the device is recycled at an ecoATM.

PROUD SUPPORTER OF:

WHO TO CONTACT FOR ASSISTANCE

DIRECTORS OF LAW ENFORCEMENT RELATIONS

For broader matters please contact one of our Directors of Law Enforcement Relations, each of whom brings years of law enforcement experience to ecoATM and leads the company in its commitment to working closely with law enforcement.

Max Santiago

Director of Law Enforcement Relations, West

Deputy Commissioner (Ret.), California Highway Patrol

FBINA Session 214

FBI LEEDS Session 61

Max.Santiago@outerwall.com

858-461-9968

Michael McCann

Director of Law Enforcement Relations, East

Chief of Police (Ret.), River Vale Police Department, New Jersey

FBINA Session 240

Michael.McCann@outerwall.com

201-739-7287

IF YOU HAVE A REPORTING OR TECHNICAL QUESTION

Please contact one of the following individuals for assistance with more specific questions or concerns regarding the kiosks workings, transactions, and/or reporting.

Nicole Wagner, Regulatory Affairs Counsel

858-766-7235 | Nicole.Wagner@outerwall.com

Paul Cashman, Regulatory Affairs Specialist

858-766-7235 | Paul.Cashman@Outerwall.com

SERVICES WE OFFER TO LAW ENFORCEMENT

- Subscribe to our monthly law enforcement newsletter with ecoATM latest news, events, and information pertinent to our law enforcement associates
- Host your own one-day summit centered on combating the issue of phone theft
- ecoATM Webinar Presentation for you and/or your department to teach you about how ecoATM works and how we can work with you
- Public Awareness Flyers and other educational materials to hand out to your community to teach everyone about how to protect themselves and their electronics

For more information about any of the services listed, please visit **www.ecoatm.com /law-enforcement** or contact:

Juli Spaventa, Marketing Communications Specialist
858-766-7327 | Juli.Spaventa@outerwall.com

Visit our law enforcement microsite at **PhoneTheftFacts.com**

ecoATM.com | PhoneTheftFacts.com
10515 Vista Sorrento Parkway, San Diego, CA 92121

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ecoATM

Inspired by Outerwall™

November 25, 2014

City of Northampton
City Clerk's Office
210 Main Street, Room 4
Northampton, MA 01060

Re: Junk Dealer License Application – City of Northampton

To Whom It May Concern:

Enclosed you will find the following document(s):

1. Junk Dealer License application for the City of Northampton
2. Check made payable to City of Northampton in the amount of $25.00 for the application fee

Please be advised our mailing address has changed.

If there are any issues with the enclosed documents or if you require any further information, please feel free to contact me directly.

All best,

Laura Moss
Regulatory Affairs Counsel
ecoATM, Inc.

☎: 858-766-7239
✉ 10121 Barnes Canyon Road, San Diego, CA 92121
@: lmoss@ecoatm.com / laura.moss@outerwall.com

NORTHAMPTON, MASS., December 4, 2014

To the Honorable City Council of the City of Northampton:

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

Name of Business: ecoATM

Type of License: Junk Dealer

Location: Inside Stop & Shop, 228 King Street

(Sign Here) [signature] on behalf of ecoATM

Mailing Address: No. 10121 Street Barnes Canyon Road
San Diego, CA 92121

In City Council, _____

Referred to Committee on Licenses.

ATTEST:

_____
City Clerk

In City Council, _____

In Committee on Licenses, _____
Voted to recommend that Petition ____be

_____ granted _____

ATTEST:

_____
Clerk

Voted that Petition be _____ granted.

Attest: _____ *Clerk to the City Council*

14.323

ecoATM
Inside Stop & Shop
228 King St., Northampton

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

N/A
* Signature of Individual

By: Corporate Officer

26-3879952
** Social Security # Voluntary
or Federal Identification Number

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

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

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
Nov. 20, 2014

MEETING MINUTES

Roll Call

A regular meeting of the City Council was called to order by City Council Vice-President, Jesse M. Adams at 7:20 p.m. On roll call, seven (7) Councilors were present:

At-Large Councilor Jesse M. Adams
At-Large Councilor William H. Dwight (Absent)
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 (Absent)
Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein

Councilor LaBarge and Councilor Klein were appointed to the Enrollment Committee.

Public Hearings

Tax Classification Hearing

- 8:00PM Tax Classification Public Hearing
  Public Hearing to discuss the percentages of the local tax levy to be borne by each class of real and personal property within the City of Northampton for FY 2015 in accordance with Chapter 40, Section 56 of the Mass. General Laws.

  Motion to Open the Public Hearing made by Councilor LaBarge; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy)

  Motion to Recognize Finance Director Susan Wright was made by Councilor O'Donnell and seconded by Councilor Sciarra. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy)

  Finance Dir. Wright explained that the Council with the approval of the Mayor has the option to shift the tax burden among the property classes. The tax levy can be distributed between four groups: Residential, Open Space, Commercial and Industrial. Setting the tax classification is done annually. Three steps of the process are:
  1. *The City values all taxable property.*
  2. *Every parcel must be put into a tax classification.*
  3. *The City may allocate tax levy among the tax classifications. The overall amount of taxes collected does not change.*

  If the Council wanted all property classifications to have the same tax rate, then the Council would approve a factor of 1.

  Motion to recognize Principal Assessor Joan Sarafin made by Councilor O'Donnell and seconded by Councilor LaBarge. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy). Residential class pays 80 percent of the tax revenue; commercial pays the remaining 20 percent. Tax rate will be 15.80 which represents a forty-one cent increase.

	Suzanne Beck of 691 Park Hill Road and the Chamber of Commerce supports a factor of 1 tax policy. As demonstrated in the past year, this policy supports new growth. *Jasper Lapienski supports any tax policy that negatively affects the lease number of people.*
Pole Petition Hearing	*Motion to Close the Public Hearing made by Councilor LaBarge; Councilor Spector seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy)*
	• Public Hearing regarding National Grid Pole Petition for a location on Maple Street, Florence *Motion to Open the Public Hearing made by Councilor LaBarge; Councilor Carney seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy)* *Proponent for the Pole Petition: Lisa Jasinski of National Grid* *The petition is to replace pole & placement of underground conduits & secondary manholes on Maple Street. The company wants to bring power to the new business on the Corner of Maple and Main St. The changes will not affect services to houses in the area. Ms. Jasinski indicated that the fire department is well informed while the work is being done.* *Opponents for the Pole Petition: Thankgod and Julie Maduka of 72 Maple Street, Florence. Mr. Maduka owns the lot at 74 Maple Street in addition to living at 72 Maple St. Mr. Maduka would like to understand how the pole will impact his property. Ms. Jasinski indicated that the work will not affect his property in any way and that the pole would not be located on his property. The new pole will be in line with the existing pole. Ms. Jasinski agreed to meet with Mr. Maduka to show how the pole placement will* *Julie Maduka indicated that she has a previous injury of the brain that may be impacted by the electromagnetic field as a result of the pole placement.*
Pole Petition Approve	*Motion to Close the Public Hearing made by Councilor Carney; Councilor Klein seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).* *Motion to approve the petition was made by Councilor Carney; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*
Communication From the Mayor	*Mayor David J. Narkewicz advised that Governor Duval Patrick announced there will be mid-year budget cuts statewide. The affect on Northampton will result in 1.5% (or $7,144) cut in Charter School Tuition Reimbursement and 1.5% (or $743) cut in Library Aide.*
Proclamations, Resolutions, Recognitions and One-Minute Announcements of Events	• 14.313 City Of Northampton's Trust Resolution *(1st Reading)* *Councilor Spector moved to approve the Resolution; Councilor Sciarra seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*
Presentations **Northampton**	• Presentation: Paradise City Cultural District Grants and Fund Raising Events *Brian Foote, Director of the Northampton Arts Council*

Arts Council

The Northampton Arts Council Programming at a Glance:

- Statement of Program Service Accomplishments: **$50K-$100** spent annually on providing Arts Events/Performance to the Community; **$15K-$18K** spent annually to provide grants to artists to pursue artistic endeavors; **$7-$9K** spent annually to provide arts enrichment for public schools.
- Two grant funding cycles - Spring (ArtsEZ) and Fall (LCC)
- Silver Chord Bowl at Smith College
- Really Big Show at the Academy of Music
- Two new concept shows a year at the Academy of Music during Four Sundays
- Transperformance Local Music Festival at Pines Theater, Look Park
- Biennial Exhibition for Visual, Video and Performance Art at Hosmer Gallery
- Bi-annual Northampton Poet Laureate Selection
- Steward of Public Art (Arts Ordinance, Bridge Project, Arts Kiosk)
- Enrichment programming for the Northampton Public Schools - World Class Artists into the Public Schools for special performances geared towards Arts education
- KidsBestFest, An Annual International Children's Film Festival at the Academy of Music
- YouthFilm, An Annual juried local film festival that takes submissions from youth ages 5-18 years old at the Academy of Music
- B.J. Goodwin Fund - A fund that supports local exceptional artists to bring their work outside of our region and abroad.
- RETROFAIRE – An outdoor vintage record and clothing flea market produced in concert with the Northampton Jazz Festival.
- Coordinating organization of the Paradise City Cultural District.
- Bob Cilman Scholarship for musical instruments

Living Wage Employers

- Annual Recogintion of Certified Living Wage & Aspiring Living Wage Employers
  Presented by Kitty Callaghan of Living Wage Western Mass

Ms. Callaghan indicated that the Living Wage for 1 person is $12.97 per hour. Following are the businesses recognized as Certified Northampton Living Wage Employers for 2014:

1. Allcroft Facial Plastic Surgery
2. The Berkshire Design Group, Inc.
3. Burrow, Weiss, Mintz & Lippiello LLP
4. Center for New Americans
5. Chamber Advisory Board
6. Collective Copies
7. Community Legal Aid
8. Delong Construction, L.L.C.
9. Edwards Church
10. Etheredge & Steuer, P.C.
11. First Churches of Northampton
12. Fly By Night
13. Gazebo
14. Indigo Coffee
15. The Jamrog Group
16. Jekanowski & O'Neill
17. Law Office of Jesse Adams
18. Lesser, Newman & Nasser – RC
19. The Literacy Project
20. Market Street Research
21. Media Education Foundation
22. Minuteman Pest Control
23. National Priorities Project
24. Nonotuck Resources Associates
25. Northampton Area Pediatrics
26. Northampton Community Music Center
27. Northampton Friends Meeting
28. Northampton Housing Authority
29. Northampton Survival Center
30. Ostrander Law Office
31. Richard's Plumbing & Heating

32. Unitarian Society of Northampton & Florence
33. United Way of Hampshire County
34. Valley Home Improvement
35. Valley Community Development Corporation
36. Vallon Medi Spa
37. Webber and Grinnell Insurance Agency
38. Wohl Family Dentistry

Aspiring Living Wage Employers

The following are Certified as Aspiring to provide the Living Wage to Employees in Northampton for 2014

1. Barton's Angels
2. City of Northampton
3. Community Action
4. Raven Used Books
5. River Valley Market
6. Safe passage

Licenses & Petitions

Fireworks Petition

- Northampton Center for the Arts: Petition for Supervised Display of Fireworks
  Event: First Night
  Date: December 31, 2014 (Rain date: January 1, 2014)
  Location: Downtown Northampton, John Gare Parking Garage

Councilor Carney moved to recognize Northampton Center for the Arts Director Penny Burke; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight and Murphy)

Ms. Burke indicated that the First Night Event will move forward as previously planned.

Petition Approved

Councilor LaBarge moved to approve the Petition; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Approval of Minutes

Councilor Carney moved to approve the following Meeting Minutes as a group; Councilor LaBarge seconded the motion.

- City Council Minutes of Nov. 6, 2014 City Council
- Minutes of Sept. 22, 2014 Committee on Rules, Orders, Appointments and Ordinances Meeting
- Meeting Minutes of the Special Joint City Council & School Comm. Meeting Held October 9, 2014
- Minutes from Oct. 15, 2014 Public Hearing on Vibrant Sidewalks
- Minutes from the Oct. 20, 2014 Committee on Social Services, Veteran's, Culture & Recreation Meeting
- Minutes From the November 6, 2014 Finance Committee Meeting

Minutes Approved

The minutes were approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilor Dwight & Murphy)

Reports of Committees, Appointments, and Elections

Appointments to Committees
(All candidates received positive recommendations from the Committee on Rules, Orders, Appointments and Ordinance on November 10, 2014)

1. Recreation Commission *(Referred from City Council Meeting of Sept. 18, 2014):*

Julia Chevan of 8 Cosmian Avenue, Florence – term October 2014 – October, 2017; membership begins immediately to fill vacancy left by the retirement of James ; Durfer.

Yvonne Keefe of 40 Hickory Drive, Florence – term October 2014-June 2015; membership begins immediately to complete the term of Joan Finn.

2. Council on Aging *(Referred from City Council Meeting of Sept. 18, 2014)*:

Alexiz Peluyera, 145 Spring St., Florence – term October 2014-April 2015; membership begins immediately to complete the term of Joan Finn.

3. Human Rights Commission *(Referred to Comm on ROAO on Oct. 16, 2014)*

Carolyn Toll Oppenheim, 3 Montview Ave., Northampton—term Nov. 2014 – Nov. 2017

4. Board of Almoners *(Referred to Comm on ROAO on Nov. 6, 2014)*

- Susan Stubbs-13 Trumbull Rd., term Nov. 2014 – Nov. 2015
- Patricia Ahearn-20 fort St., term Nov. 2014 – Nov. 2016
- Joseph Misterka-312 Chesterfield Rd., term Nov. 2014 – Nov. 2016
- Michael Shaughnessy – 153 Bridge St., term Nov. 2014 – Nov. 2017

5. Trust Fund Committee *(Referred to Comm on ROAO on Nov. 6, 2014)*

- Bill Williams, 11 Barrett Place, term Nov. 2014 – Nov. 2015
- David Herships, 22 Warburton Way, term Nov. 2014 – Nov. 2016
- Gerald Budger, 127 Bridge St., term Nov. 2014 – Nov. 2017

Appointments Approved

Councilor LaBarge moved to approve the appointments above as a group; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Recess for Finance Committee

At 8:30 p.m., the Council broke for the Finance Committee Meeting. The Council reconvened directly following Finance, at 8:40 p.m.

Financial Orders

14.284 Tax Classification
(Request 2 Readings)

Councilor LaBarge moved to approve the Tax Classification Order in first reading; Councilor Carney seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Councilor LaBarge moved to Suspend Council Rule 14 to allow for a second reading; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Councilor LaBarge moved to approve the Tax Classification Order in second reading; Councilor Carney seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

The following Order Passed in City Council:

In City Council November 6, 2014

Upon recommendation of Mayor David J. Narkewicz

Ordered, that.

The Northampton City Council approves for Fiscal Year 2015 a Residential Factor of One (1) and the attached tax levy percentages.

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

14.283 CPA Allocations
(Request 2 Readings)

Councilor LaBarge moved to approve the CPA Allocations Order in first reading; Councilor Sciarra seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Councilor LaBarge moved to Suspend Council Rule 14 to allow for a second reading; Councilor Klein seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

Councilor LaBarge moved to approve the CPA Allocations Order in second reading; Councilor Klein seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

The following Order Passed in City Council:

In City Council November 6, 2014

Upon recommendation of Mayor David J. Narkewicz

Ordered, that

Upon the recommendation of the Community Preservation Committee, the following amounts be appropriated or reserved from fiscal year 2015 Community Preservation Fund estimated at $1,446,835 ($1,060,000 FY15 local assessment estimate + $386,835 confirmed state match) for fiscal year 2015 Community Preservation purposes:

$159,000 from FY15 Total Estimated CPA Revenue to the Community Preservation Fund Open Space Reserve (account # 2344930-359931)

$159,000 from FY15 Total Estimated CPA Revenue to the Community Preservation Fund Historic Preservation Reserve (account # 2344930-359932)

$159,000 from FY15 Total Estimated CPA Revenue to the Community Preservation Fund Affordable Housing Reserve (account # 2344930-359933)

$60,000 from FY15 Total Estimated CPA Revenue to the Community Preservation Fund Administrative Account (account # 2344930-359934)

$909,835 from FY15 Total Estimated CPA Revenue to the Community Preservation Fund Budgeted Reserve (account # 2344930-359930)

Also, the following amounts be appropriated from the Community Preservation Fund Budgeted Reserve (account #2344930-359930) for FY15 Community Preservation bonding repayment purposes:

$70,000.00 for principal and $18,725.00 for interest for Bean Farm bond (account #3100931-393102-11)

$95,000.00 for principal and $44,868.06 for interest for Florence Fields bond (account #3100931-393103-12)

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

14.285 F.O. for Benches In Florence expended from the Comm. on Disabilities Fund
(2nd Reading)

Councilor Klein moved to approve the Financial Order in second reading; Councilor Carney seconded the motion. The order was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

The Following Order passed in second reading:

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.

Rules suspended, passed two readings and enrolled.

Enrolled

Councilor LaBarge moved to approve the Street Petitions below in first reading as a group; Councilor Carney seconded the motion.

Petitions to Accept Certain Roadways as Public Ways *(1st Reading)*

- 14.316 Clark Street
- 14.318 Cooke Avenue
- 14.319 Massasoit Avenue

Regarding Massasoit Avenue only, a change was submitted prior to the Council meeting. Added by Attorney Alan Seewald was:

"Excepting and excluding from this taking any and all water and sewer lines within the layout hereby established, which water and sewer lines shall be the responsibility of the owners of the fee interest in the way."

Councilor Carney moved to accept the amendment as proposed by Attorney Seewald; Councilor LaBarge seconded the motion. Councilor O'Donnell motioned to amend all three documents by removing the word "the" from the last sentence so that the paragraph made better sense. The motion to accept the amendments was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

All Orders to accept Streets as public ways were approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

See Minutes of December 4, 2014 for second reading.

Councilor LaBarge moved to approve all Street Roadway Petitions below as a group in second reading; Councilor Klein seconded the motion.

14.273 Petition to Accept Cosmian Way as a Public Way ***(2nd Reading)***

14.274 Petition to Accept Depot Avenue as a Public Way ***(2nd Reading)***

14.275 Petition to Accept Edgewood Terrace as a Public Way ***(2nd Reading)***

14.276 Petition to Accept Franklin Court as a Public Way ***(2nd Reading)***

14.277 Petition to Accept Glendale Avenue as a Public Way ***(2nd Reading)***

14.278 Petition to Accept Greeley Avenue as a Public Way ***(2nd Reading)***

14.279 Petition to Accept King Avenue as a Public Way ***(2nd Reading)***

14.280 Petition to Accept Service Center as a Public Way ***(2nd Reading)***

The Orders were approved in second reading on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight and Murphy).

The Following Orders passed second reading:

Cosmian Way

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.

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 southwesterly 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;

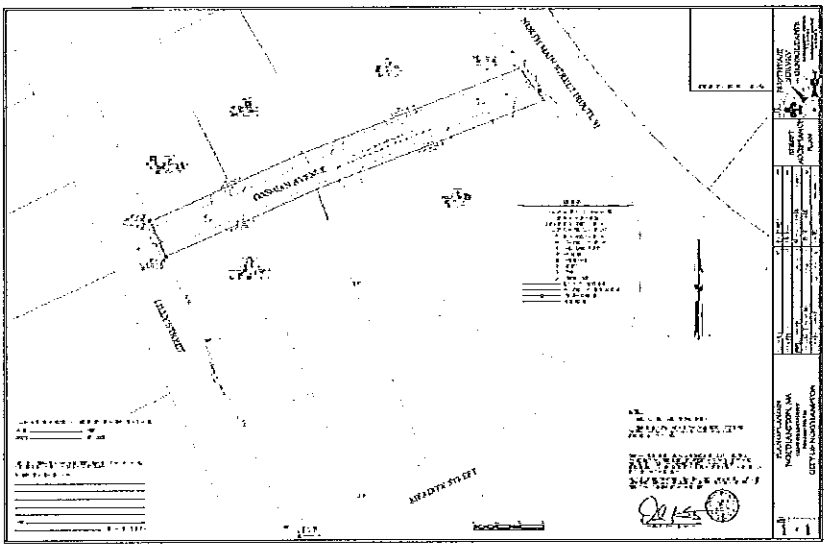
S 23°40'44" E along the easterly line of said Lilly Street, a distance of 33.00 feet to the point of beginning.

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.



Enrolled

Rules suspended, passed two readings and enrolled.

Depot Avenue

The following Order passed in second readings:

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.

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 southwesterly 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 southwesterly 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 southwesterly 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.

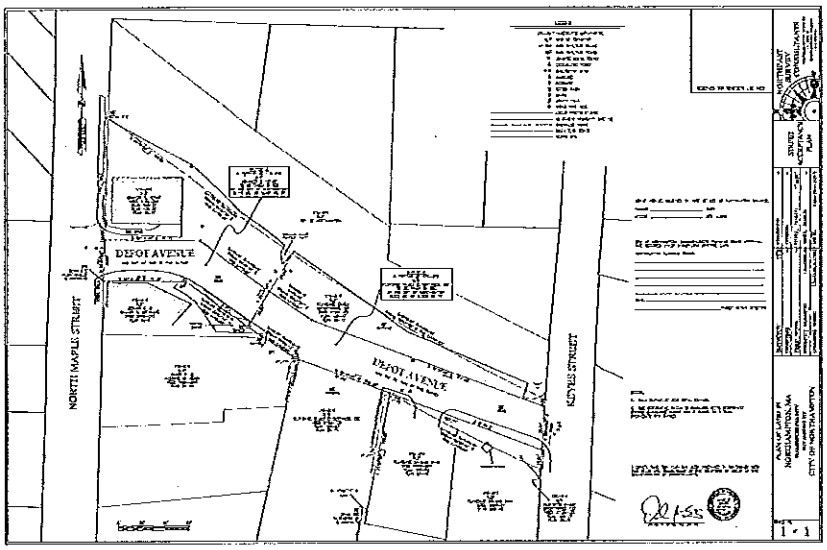
The above described parcel contains 9,233 square feet more or less, being depicted as Parcel B, Depot Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 09-25-2013. Prepared by Northeast Survey Consultants.

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.

Enrolled

Edgewood Terrace



Rules suspended, passed two readings and enrolled.

The following Order passed in second reading:

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.

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.

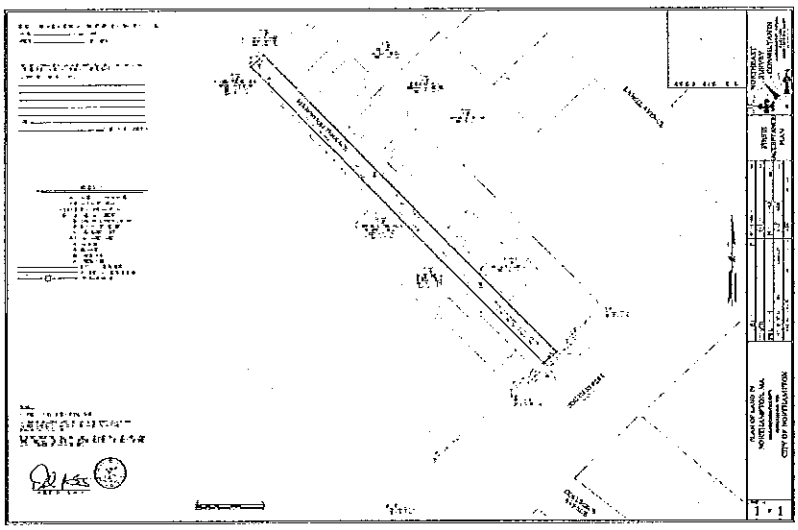
The above described parcel contains 5,541 square feet more or less, being depicted as Edgewood Terrace on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 01-28-2014. Prepared by Northeast Survey Consultants.

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.

Enrolled

Franklin Court



Rules suspended, passed two readings and enrolled.

The following Order passed in second reading:

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,

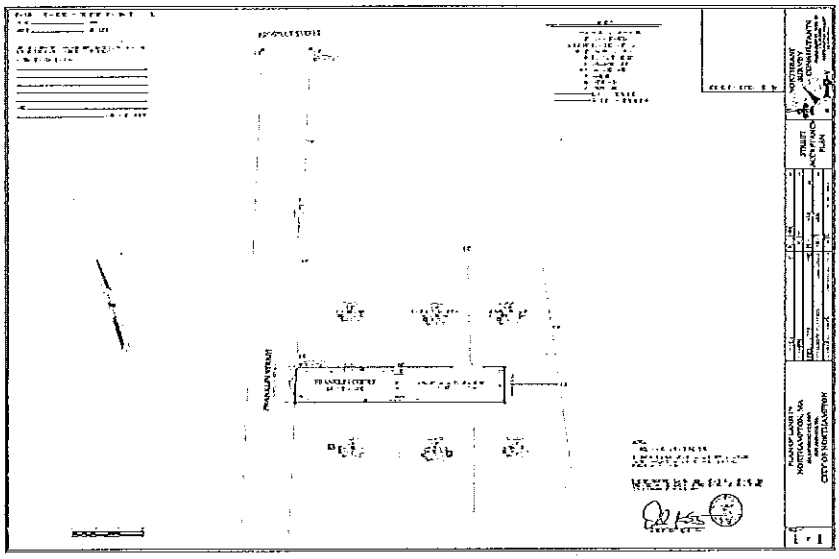
and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing 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.

Enrolled

Glendale Avenue



Rules suspended, passed two readings and enrolled.

The following order passed in second reading:

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.

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.

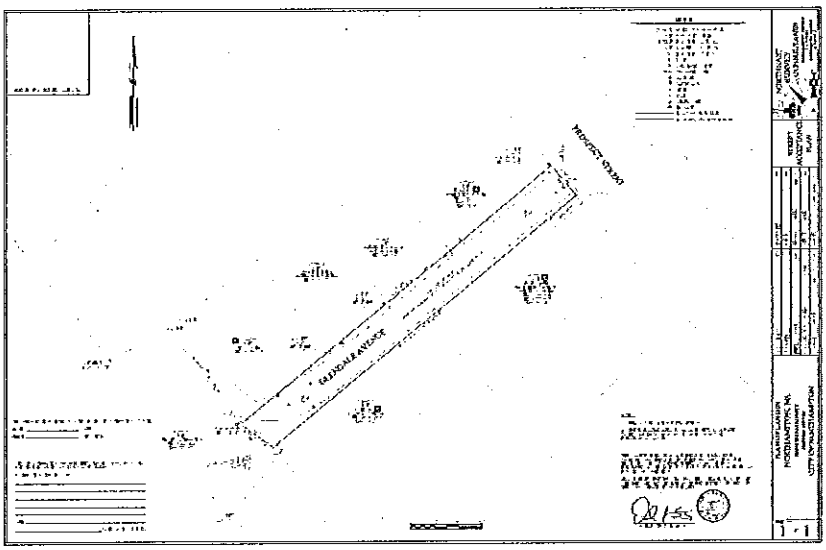
The above described parcel contains 11,222 square feet more or less, being depicted as Glendale Avenue, on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA,
Hampshire County, prepared for The City of Northampton ", dated 08-06-2013. Prepared by Northeast Survey Consultants.

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.

Enrolled

Greeley Avenue



Rules suspended, passed two readings and enrolled.

The following order passed in second reading:

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 (Registry of Deeds)

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.

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 (Land Court)

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.

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.

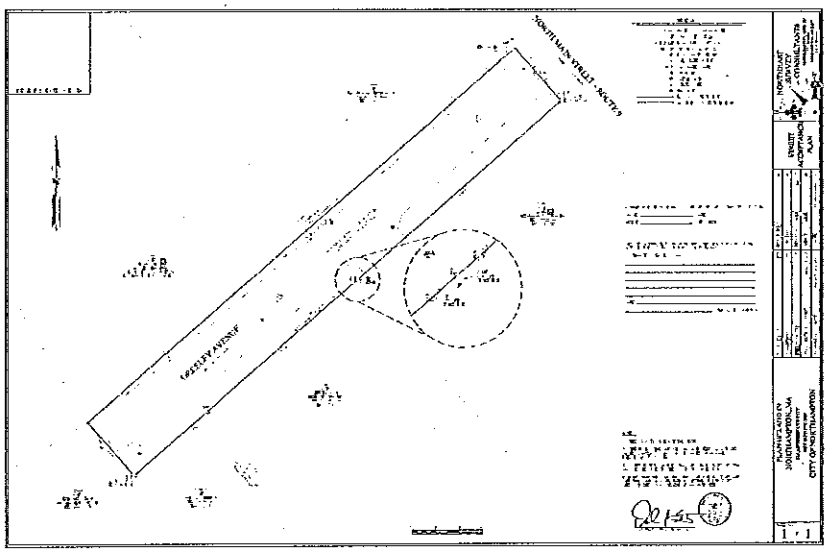
The above described parcel contains 7,254 square feet more or less, being depicted as Greeley Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA,
Hampshire County, prepared for The City of Northampton ", dated 02-10-2014. Prepared by Northeast Survey Consultants.

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.

Enrolled

King Avenue



Rules suspended, passed two readings and enrolled.

The following Order passed two readings:

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.

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.

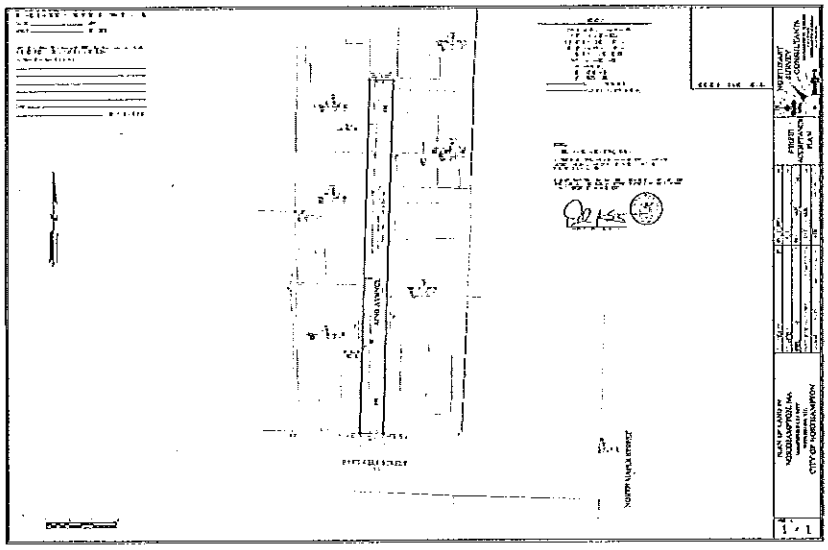
The above described parcel contains 6,021 square feet more or less, being depicted as King Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 02-21-2014. Prepared by Northeast Survey Consultants.

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.

Enrolled

Service Center



Rules suspended, passed two readings and enrolled.

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 (Land Court)

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.

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 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.

ORDER OF TAKING (Registry of Deeds)

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.

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 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;

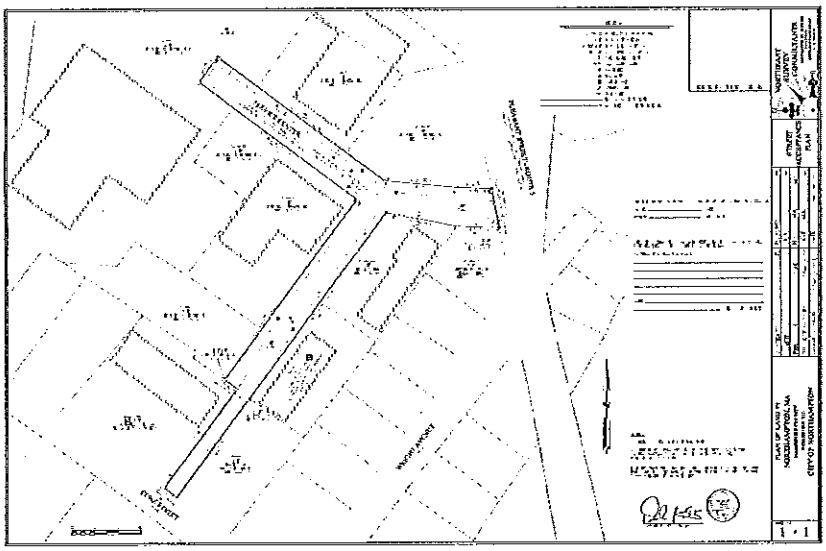
Along Pleasant Street on a curve to the right, with an arc length of 51.22' and a radius of 2470.00, said curve has a chord bearing of S 10°51'46" E and a chord length of 51.22' to the point of beginning.

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.

Enrolled



Rules suspended, passed two readings and enrolled.

ORDERS AND ORDINANCES

Councilor O'Donnell moved to approve the following orders as a group in second reading; Councilor Sciarra seconded the motion.

Mayor David J. Narkewicz's Administrative Orders for City Government *(2nd Reading)*

14.255 Order: Establish Conservation Commission *(2nd Reading)*
14.256 Order: Establish Historical Commission *(2nd Reading)*
14.257 Order: Establish Historic District Commission *(2nd Reading)*

14.258 Order: Establish Municipal Affordable Housing Trust Fund *(2nd Reading)*

The motion to approve in second reading was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

The Following Order passed in City Council:

City of Northampton

MASSACHUSETTS

In City Council, November 20, 2014

Upon recommendation of the Mayor

Ordered, that

WHEREAS, St. 2012, c. 277, §2 requires that no later than September 30, 2014, the Mayor shall promulgate a series of administrative orders providing for the organization of city government into agencies; and

WHEREAS, Section 6-1 of the Charter of the City of Northampton requires such proposed administrative orders and an explanatory message be submitted to the City Council, and that the City Council hold one or more public hearings on the proposed orders; and

WHEREAS, on September 30, 2014, the Mayor submitted such proposed administrative orders and an explanatory message to the City Council, and the City Council has held two duly noticed public hearings on the proposed administrative orders.

NOW, THEREFORE, BE IT ORDERED

That the City Council approves the, "***Administrative Code of the 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

- 2.01 Office of the Mayor
- 2.02 City Solicitor
- 2.03 Central Services Department
- 2.04 Office of the City Clerk
- 2.05 Human Resources Department
- 2.06 Information Technology
- 2.07 Office of Planning & Sustainability

Finance
2.08 Finance Director
2.09 Office of the Assessor
2.10 Office of the Auditor
2.11 Office of the City Collector
2.12 Office of the Treasurer

3.0 Health and Human Services Division
3.01 Health Department
3.02 Department of Veterans' Services

4.0 Cultural and Recreational Services Division
4.01 Arts and Culture Department
4.02 Parks and Recreation Department
4.03 Senior Services

5.0 Public Safety Division
5.01 Building Department
5.02 Fire/Rescue Department
5.03 Police Department
5.04 Public Safety Communications Center

6.0 Public Works Division
6.01 Department of Public Works

7.0 Other Municipal Positions
7.01 Fence Viewer
7.02 Weighers of Coal
7.03 Weighers of Hay

Part II. Multiple-Member Appointive Organization

1.0 Office and Standards
1.01 Generally
1.02 Multiple-Member Bodies
1.03 Method of Appointment; Removal; Term of Office
1.04 Oath of Office
1.05 Meetings
1.06 Meeting Documents and Submissions; Rules and Regulations
1.07 Quorum
1.08 Residency
1.09 Multiple-Member Body Internal Organization
1.10 Setting Charges and Fees
1.11 Authority to Establish Subcommittees
1.12 Authority of Multiple-Member Bodies

2.0 Agricultural Commission

3.0 Almoners, Board of

4.0 Arts Council

5.0 Assessors, Board of

6.0 Central Business Architecture Committee

7.0 Community Preservation Committee

8.0 Conservation Commission

9.0 Council on Aging

10.0 Disability Commission

11.0 Energy & Sustainability Commission

12.0 Health, Board of

13.0 Historical Commission

14.0 Housing Partnership

15.0 Human Rights Commission

16.0 License Commission

17.0 Municipal Affordable Housing Trust Fund Board of Trustees

18.0 Parks and Recreation Commission

19.0 Planning Board

20.0 Public Works Commission

21.0 Redevelopment Authority

22.0 Registrars, Board of

23.0 Public Shade Tree Commission

24.0 Transportation & Parking Commission

25.0 Trust Fund Committee

26.0 Youth Commission

27.0 Zoning Board of Appeals

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 indentifies 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 it's 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.

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

The following Order passed in City Council:

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.

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

The following Order passed in City Council:

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.

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

The following Order passed in City Council:

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.

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

The following Order passed in City Council:

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.

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

Councilor LaBarge moved to approve the following Ordinances in first reading as a group; Councilor O'Donnell seconded the motion.

14.281 Ordinance: §312-102 Schedule I: Parking Prohibited All Times - Pleasant St.
(Positive recommendation from TPC and the Comm. on Rules, Order, Appointments and Ordinances; 1st Reading)

14.282 § Ordinance 312-109 Pleasant St. Schedule VIII: On Street Parking Meter Zones
(Positive recommendation from TPC and the Comm. on Rules, Order, Appointments and Ordinances; 1st Reading)

The Ordinances were approved in first reading on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

See minutes of Dec. 4, 2014 for second reading.

Councilor LaBarge moved to approve the following Ordinances as a group; Councilor Spector seconded.

Ordinances in support of Mayor Narkewicz's Administrative Order
(Positive recommendation from the Committee on Rules, Orders, Appointments and Ordinances; 1st Reading)

14.253 Ch 22 1-4: Ordinance Community Preservation Committee
14.254 Ch 111 1-3: Ordinance regarding Agriculture
14.259 Ordinance to Delete Certain Sections
14.288 Ch 40: Ordinance regarding enforcing officers and penalties for noncriminal disposition
14.297 Ch 290: Ordinance regarding Subdivision of land
14.289 Ch 229: Ordinance regarding Parades and Processions
14.287 Ch 149 § 1-4: Numbering of Buildings
14.293 Ch 337: Ordinance regarding Wetlands Protection
14.291 Ch 256: Ordinance regarding Article I - Sewer Assessments, Billing and General Regulations
14.292 Ch 264: Ordinance regarding Signs
14.294 Ch 278: Ordinance regarding Storm Drains
14.295 Ch 280: Ordinance regarding Stormwater and Flood Control Utility
14.296 Ch 281: Ordinance regarding Stormwater Management
14.290 Ch 285: Ordinance regarding Streets, Sidewalks, & Public Property
14.298 Ch 303-5: Ordinance regarding Temporary Events
14.299 Ch 312 sec 14: Ordinances regarding Traffic Signs & Signals
14.300 Ch 316: Ordinance regarding Horse-Drawn Carriages
14.301 Ch 325: Ordinance regarding Water
14.286 Ch 272 : Ordinance for Solid Waste

The motion to approve in first reading was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

See minutes of December 4, 2014 for second reading.

Councilor LaBarge moved to approve the Ordinances as a group in first reading; Councilor Sciarra seconded the motion.

14.314 & 14.315 Ordinances regarding 7+ Units in URB & URC Districts

A motion to recognize Carolyn Misch, Sr. Land Use Planner and Permits Manager was made by Councilor O'Donnell and seconded by Councilor Carney. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy). Ms. Misch described how the Ordinances came to be and what the intent was to provide for special permits. Many Public Hearings were held, including those as part of the Committee on Rules, Orders, Appointments and Ordinances. Specific criteria was included in the Ordinance to cover Streetscape presence, Pedestrian / Vehicular Connectivity, Civic or Park Space, Sustainability and Energy regulations, Size and Affordability and Internet Connectivity.

A motion was made by Councilor Sciarra to amend the requirements for park space to 30 sq. feet per dwelling; Councilor Carney seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

The Ordinances were approved in first reading as amended Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).

See minutes of Dec. 4, 2014 for second reading.

Ordinances for Elected Official Compensation Review ***(Refer to Comm. on Rules, Orders, Appointments and Ordinances)***

Referred

14.304 Elected Officials Salary Compensation – benefits
14.305 city Council Salary
1.306 City Clerk Salary
14.308 Mayor Salary Ordinance
14.309 School Committee Compensation Ordinance

	Councilor Carney moved to refer to the Committee on Rules, Orders, Appointments and Ordinances; Councilor Adams moved to refer to the Finance Committee; Councilor LaBarge seconded the motions. The motions were approved on a voice vote of 7 Yes, 0 No, 2 Absent (councilors Dwight & Murphy)
Updates from Council President and Committee Chairs	*None*
Information Requests (Charter Provision 2-7)	**-- Reserved for topics that the Chair did not reasonably anticipate would be discussed--** *None*
NEW BUSINESS.	*None*

At 9:40 p.m., a motion to adjourn was made by Councilor Carney and seconded by Councilor LaBarge. The vote to adjourn passed unanimously (7 Yes, 0 No, 2 Absent - Councilors Dwight & Murphy).

Attest: Pamela L Powers, Clerk of Council

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
Roll Called by Pamela L. Powers, Clerk to the City Council		Present	Present	Absent	Present	Present	Absent	Present	Present	Present	7 Present 2 Absent
	14.284 Tax Classification *(Request 2 Readings)* *Councilor LaBarge moved to approve the Tax Classification Order in first reading; Councilor Carney seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried
	Councilor LaBarge moved to Suspend Council Rule 14 to allow for a second reading; Councilor Carney seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).										SR14 Voice Vote 7 Yes, 0 No, 2 Absent
	Councilor LaBarge moved to approve the Tax Classification Order in second reading; Councilor Carney seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	14.283 CPA Allocations *(Request 2 Readings)* *Councilor LaBarge moved to approve the CPA Allocations Order in first reading; Councilor Sciarra seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).* *Councilor LaBarge moved to Suspend Council Rule 14 to allow for a second reading; Councilor Klein seconded the motion. The motion was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried SR14 Voice Vote 7 Yes, 0 No, 2 Absent
	Councilor LaBarge moved to approve the CPA Allocations Order in second reading; Councilor Klein seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried
	14.285 F.O. for Benches In Florence expended from the Comm. on Disabilities Fund *(2nd Reading)* *Councilor Klein moved to approve the Financial Order in second reading; Councilor Carney seconded the motion. The order was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Petitions to Accept Certain Roadways as Public Ways *(1st Reading)* • 14.316 Clark Street • 14.318 Cooke Avenue • 14.319 Massasoit Avenue • *Regarding Massasoit Ave. only, Councilor Carney moved to accept an amendment as proposed by Attorney Seewald; Councilor LaBarge seconded the motion. Councilor O'Donnell motioned to amend all three documents by removing the word "the" from the last sentence so that the paragraph made better sense. The motion to accept the amendments was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).* *All Orders to accept Streets as public ways were approved in first reading on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Councilor LaBarge moved to approve all Street Roadway Petitions below as a group in second reading; Councilor Klein seconded the motion. 14.273 Petition to Accept Cosmian Way as a Public Way ***(2nd Reading)*** 14.274 Petition to Accept Depot Avenue as a Public Way ***(2nd Reading)*** 14.275 Petition to Accept Edgewood Terrace as a Public Way ***(2nd Reading)*** 14.276 Petition to Accept Franklin Court as a Public Way ***(2nd Reading)*** 14.277 Petition to Accept Glendale Avenue as a Public Way ***(2nd Reading)*** 14.278 Petition to Accept Greeley Avenue as a Public Way ***(2nd Reading)*** 14.279 Petition to Accept King Avenue as a Public Way ***(2nd Reading)*** 14.280 Petition to Accept Service Center as a Public Way ***(2nd Reading)*** ***The Orders were approved in second reading on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight and Murphy).***	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Councilor O'Donnell moved to approve the following orders as a group in second reading; Councilor Sciarra seconded the motion. Mayor David J. Narkewicz's Administrative Orders for City Government ***(2nd Reading)*** 14.255 Order: Establish Conservation Commission ***(2nd Reading)*** 14.256 Order: Establish Historical Commission ***(2nd Reading)*** 14.257 Order: Establish Historic District Commission ***(2nd Reading)*** 14.258 Order: Establish Municipal Affordable Housing Trust Fund ***(2nd Reading)*** ***The motion to approve in second reading was approved on a Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).***	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Councilor LaBarge moved to approve the following Ordinances in first reading as a group; Councilor O'Donnell seconded the motion. 14.281 Ordinance: §312-102 Schedule I: Parking Prohibited All Times - Pleasant St. *(Positive recommendation from TPC and the Comm. on Rules, Order, Appointments and Ordinances; 1st Reading)* 14.282 § Ordinance 312-109 Pleasant St. Schedule VIII: On Street Parking Meter Zones *(Positive recommendation from TPC and the Comm. on Rules, Order, Appointments and Ordinances; 1st Reading)* *The Ordinances were approved in first reading on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Councilor LaBarge moved to approve the following Ordinances as a group; Councilor Spector seconded. Ordinances in support of Mayor Narkewicz's Administrative Order ***(Positive recommendation from the Committee on Rules, Orders, Appointments and Ordinances; 1st Reading)*** 14.253 Ch 22 1-4: Ordinance Community Preservation Committee 14.254 Ch 111 1-3: Ordinance regarding Agriculture 14.259 Ordinance to Delete Certain Sections 14.288 Ch 40: Ordinance regarding enforcing officers and penalties for noncriminal disposition 14.297 Ch 290: Ordinance regarding Subdivision of land 14.289 Ch 229: Ordinance regarding Parades and Processions 14.287 Ch 149 § 1-4: Numbering of Buildings 14.293 Ch 337: Ordinance regarding Wetlands Protection 14.291 Ch 256: Ordinance regarding Article I - Sewer Assessments, Billing and General Regulations 14.292 Ch 264: Ordinance regarding Signs 14.294 Ch 278: Ordinance regarding Storm Drains 14.295 Ch 280: Ordinance regarding Stormwater and Flood Control Utility	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	14.296 Ch 281: Ordinance regarding Stormwater Management 14.290 Ch 285: Ordinance regarding Streets, Sidewalks, & Public Property 14.298 Ch 303-5: Ordinance regarding Temporary Events 14.299 Ch 312 sec 14: Ordinances regarding Traffic Signs & Signals 14.300 Ch 316: Ordinance regarding Horse-Drawn Carriages 14.301 Ch 325: Ordinance regarding Water 14.286 Ch 272 : Ordinance for Solid Waste *The motion to approve in first reading was approved on a Voice Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

Record of City Council Roll Call Votes

Nov. 20, 2014 7:20 p.m.	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
	Councilor LaBarge moved to approve the Ordinances as a group in first reading; Councilor Sciarra seconded the motion. *14.314 & 14.315 Ordinances regarding 7+ Units in URB & URC Districts* *A motion was made by Councilor Sciarra to amend the requirements for park space to 30 sq. feet per dwelling; Councilor Carney seconded the motion. The motion was approved on a voice vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).* *The Ordinances were approved in first reading as amended Roll Call Vote of 7 Yes, 0 No, 2 Absent (Councilors Dwight & Murphy).*	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes	Yes	7 Yes 0 No 2 Absent Motion Carried

At 9:40 p.m., a motion to adjourn was made by Councilor Carney and seconded by Councilor LaBarge. The vote to adjourn passed unanimously (7 Yes, 0 No, 2 Absent - Councilors Dwight & Murphy).

City of Northampton

MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of Councilor Jesse M. Adams and William H. Dwight

Ordered, that

That the following changes to the City Council Rules are adopted:

Addition to ORDERS – COUNCIL COMMITTEES:

Public Works Committee

A. Duties and Responsibilities

(1)

The Public Works Committee shall provide the means for direct exchange of information and regular communication between the City Council and the Department of Public Works.

(2)

The committee may require any member of a Multiple-Member Body or any city employee to appear before it to give any information relevant to public works that the committee may require in relation to the municipal services, functions, powers, or duties which are within the scope of responsibility of that person and are not within the jurisdiction of the School Committee. The committee shall give a minimum of 7 days notice to a person it may require to appear before it under this section. The notice shall include specific questions on which the committee seeks information and no person called to appear before the Committee under this section shall be required to respond to any question not relevant or related to those question presented in advance and in writing.

The Committee will notify the Mayor of any Information Request under this section.

B. Membership. The Committee shall consist of three City Councilors.

C. Meetings. The Committee shall meet at the request of the Chair, or at the request of two City Councilors.

City of Northampton

MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of Planning and Sustainability

Ordered, that

WHEREAS, Almer (Bud) Huntley, Jr. has offered to donate two ashlar granite Boston and Maine Railroad mileage markers (B-95 and B-100) that were originally installed along the railroad tracks; and

WHEREAS, The city's bicycle and pedestrian advisory committee supports reinstalling these markers along Northampton's rail trail.

NOW, THEREFORE BE IT ORDERED,

That the City of Northampton, acting through its Office of Planning and Sustainability and Department of Public Works, is authorized to accept this donation.

14.324

City of Northampton

MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of the Conservation Commission

Ordered, that

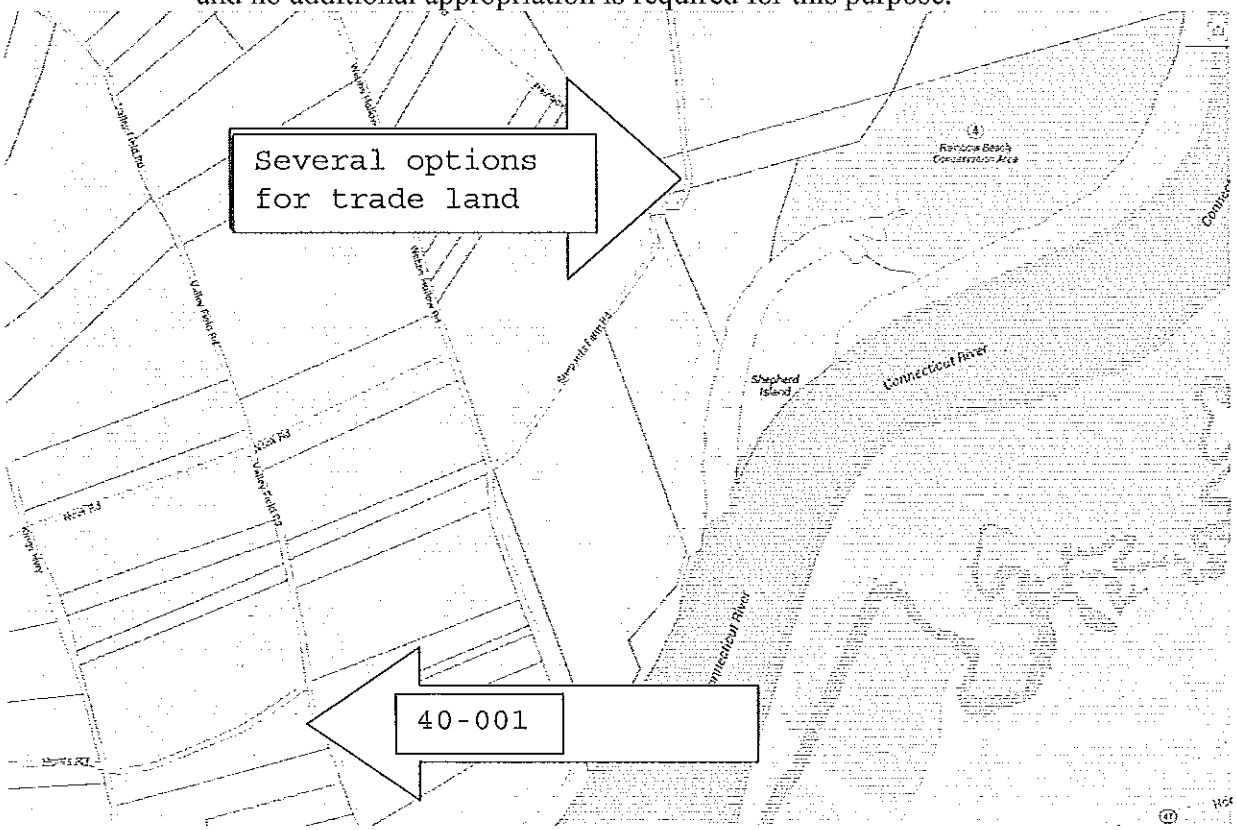
WHEREAS, The ***Open Space, Recreation and Multi-Use Plan: 2011-2018*** recommends preserving farmland in the Meadows and improving public access to the Meadows;

WHEREAS, Peter B. Baye offered to sell a parcel of prime farmland in the Meadows on the south side of Hunts Road between King Highway and Walnut Tree Road (Map ID 40-001) totaling 7± acres for $31,500;

WHEREAS, This acquisition will help allow the land to be remain in active agricultural production;

WHEREAS, This acquisition has the potential to be used as trade land to either preserve other farmland or help provide public access to Rainbow Beach on the Connecticut River;

WHEREAS, Funds will be drawn from CPA Conservation Fund, grants and community donations and no additional appropriation is required for this purpose.



14.325

NOW, THEREFORE BE IT ORDERED,
That the City is authorized to acquire this property to use for trade land; and

The City's Conservation Commission is authorized to transfer this land to a private owner for use as farmland either:

1. In return for land which could provide public access to Rainbow Beach; or
2. In return for an agriculture preservation restriction or conservation restriction on other land in the meadows; or
3. In return for funding at least equal to the purchase price of this land.

Further, the Conservation Commission is authorized to retain an agriculture preservation restriction or conservation restriction, as defined by MGL Chapter 184, Section 31, on this land prior to transferring it out, and that said restriction is hereby accepted.

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 agriculture or conservation restriction as defined in Section 31 of Chapter 184 of the General Laws or any other interest in land that provides access to Rainbow Beach and any immediately adjoining land; that the City Council hereby accepts such restrictions; and that the Conservation Commission is authorized to grant agriculture or conservation restrictions on any land so acquired.

City of Northampton

MASSACHUSETTS

In City Council, December 4, 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 protecting open space adjacent to the historic Mill River;

WHEREAS, The city is reducing properties in tax title, including those parcels for which it is highly unlikely any taxes will ever be paid;

WHEREAS, David Golash and the Golash family has agreed to donate two parcels with negligible value totaling 1.5± acres on the historic Mill River (39A-044 and 39A-071) to the City with a deed in lieu of foreclosure;

WHEREAS, The US Fish and Wildlife Service is interested in acquiring 39A-071 to add to the existing Conte Fish and Wildlife Refuge;

WHEREAS, The city is interested in acquiring 39A-044 adjacent to the historic Mill River and the city's Hockanum Road flood control structure.

NOW, THEREFORE BE IT ORDERED,
That the City Council authorizes the Mayor to accept a deed in lieu of foreclosure for the above parcels for general government purposes;

Further, that the Mayor is authorized to deed the parcel adjacent to the Conte Fish and Wildlife Service (39A-071) to the USA for no consideration.

14.326

City of Northampton

MASSACHUSETTS

DECEMBER 4, 2014

In City Council

Upon recommendation of the Mayor

Whereas,

City Council appropriated $100,000 in the FY14 Capital Plan for the installation of an elevator to enhance handicapped accessibility at Forbes Library, based on original project estimates of $300,000;

Whereas,

Forbes Library Trustees have raised $200,000 in donations for the handicapped entrance project;

Whereas,

After the first round of bids came in high, the project specifications were revised and the second round of bids has resulted in a projected total cost of $399,900 resulting in a need for additional funds to see the project thru to completion;

Ordered, that

$99,900 be appropriated from the Stabilization Fund (5000 340574) for the purposes of installing an elevator at the entrance to Forbes Library that will replace the lift currently used by patrons to access the first floor from the ground level entrance.

14.328

City of Northampton

MASSACHUSETTS

In City Council, November 20, 2014

Upon recommendation of the Mayor

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Clark Street 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 Clark Street 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 "Clark Street" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 16, 2014, 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 "Clark Street" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 16, 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

14.316

EXHIBIT A

Beginning at a point, said point marks the northeasterly corner of a parcel, now or formerly Michael A. Klein & Amy L. Fowler as described in a deed recorded in Book 7145 Page 45 of the Hampshire Registry District, said point being located on the southerly line of Ryan Road, said point bearing N 37°13'19" E, a distance of 131.70 feet from an iron pipe found, said point being the northwesterly corner of the parcel herein described, thence;

N 37°13'19" E along said Ryan Road, a distance of 48.28 feet, to a point, said point marks the westerly line of a parcel, now or formerly Benjamin Borden as described in a deed recorded in Book 10930 Page 104 of the Hampshire Registry District, said point being the northeasterly corner of the parcel herein described, thence;

S 14°32'51" E through said Borden, a distance of 45.31 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 28°42'15" E along said Borden, a distance of 122.56 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 38°19'26" E along said Borden, and land now or formerly Nancy Stark Smith as described in a deed recorded in Book 4452 Page 92 of the Hampshire Registry District, a distance of 175.92 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 30°30'21" E along said Smith, a distance of 49.81 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 18°07'39" E along said Smith, a distance of 76.97 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 07°39'04" E along said Smith, a distance of 69.40 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 01°30'16" W along said Smith, a distance of 6.53 feet to a point, said point marked by an iron pipe found, said point being the northwesterly corner of a parcel, now or formerly Steven R. Aronstein & Diana E. Johnson as described in a deed recorded in Book 7115 Page 180 of the Hampshire Registry District, said point marks the easterly side line of the parcel herein described, thence;

S 01°30'16" W along said Aronstein & Johnson and land now or formerly James & Christine M. Foudy as described in a deed recorded in Book 4525 Page 344 of the Hampshire Registry District, a distance of 236.21 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 02°11'58" W along said Foudy, a distance of 2.09 feet to a point, said point marks the

northwesterly corner of a parcel, now or formerly City of Northampton as described in an order of taking recorded in Book 1079 Page 73 and a deed recorded in Book 1110 Page 303 of the Hampshire Registry District, said point marks the easterly side line of the parcel herein described, thence;

S 02°11'58" W along said City of Northampton, a distance of 155.80 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 10°41'18" W along said City of Northampton, a distance of 72.22 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 79°18'42" E through said City of Northampton, a distance of 50.00 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

S 10°41'18" W through said City of Northampton, a distance of 50.00 feet to a point, said point marks the easterly side line of the parcel herein described, thence;

N 79°18'42" W through said City of Northampton, a distance of 50.00 feet to a point, said point marks the easterly side line of the parcel herein described, thence

S 10°41'18" W through said City of Northampton, a distance of 50.00 feet to a point, said point marks the southeasterly corner of the parcel herein described, thence;

N 79°18'42" W along said City of Northampton, a distance of 33.00 feet to a point, said point marks the easterly line of a parcel, now or formerly Christopher F. & Christine M. Adams as described in a deed recorded in Book 4759 Page 128 of the Hampshire Registry District, said point bearing N 10°41'18" E, a distance of 53.15 feet from an iron pipe found, said point marks the southerly side line of the parcel herein described, thence

N 79°18'42" W along said Adams, a distance of 10.00 feet to a point, said point marks the southwesterly corner of the parcel herein described, thence;

N 10°41'18" E along said Adams, a distance of 100.00 feet to a point, said point marks the westerly line of the parcel herein described, thence;

S 79°18'42" E along said Adams, a distance of 10.00 feet to a point, said point marks the westerly line of the parcel herein described, thence;

N 10°41'18" E along said Adams, a distance of 69.77 feet to a point, said point marked by an iron pipe found, said point marks the southeasterly corner of a parcel, now or formerly Glenn S. Fagen & Diana L. Ajjan as described in a deed recorded in Book 4388 Page 293 of the Hampshire Registry District, said point marks the westerly side line of the parcel herein described, thence;

N 02°11'58" E along said Fagen & Ajjan, a distance of 155.24 feet to a point, said point marked

by an iron pipe found, said point marks the southeasterly corner of a parcel, now or formerly Jenny Mirian Hein as described in a deed recorded in Book 5948 Page 121 of the Hampshire Registry District, said point marks the westerly side line of the parcel herein described, thence;

N 01°30'16" E along said Hein, a distance of 233.37 feet to a point, said point marks the southeasterly corner of a parcel, now or formerly Hans F. & Ilse I. Lieberwirth as described in a deed recorded in Book 1202 Page 230 of the Hampshire Registry District, said point marks the westerly side line of the parcel herein described, thence;

N 07°39'04" W along said Lieberwirth, a distance of 63.74 feet to a point, said point marks the westerly side line of the parcel herein described, thence;

N 18°07'39" W along said Lieberwirth,, a distance of 70.37 feet to a point, said point marks the southeasterly corner of a parcel, now or formerly Michael B. Gormely III & Donna L. Gormely as described in a deed recorded in Book 2160 Page 11 of the Hampshire Registry District, said point marks the westerly side line of the parcel herein described, thence;

N 30°30'21" W along said Gormely, a distance of 43.98 feet to a point, said point marks the westerly side line of the parcel herein described, thence;

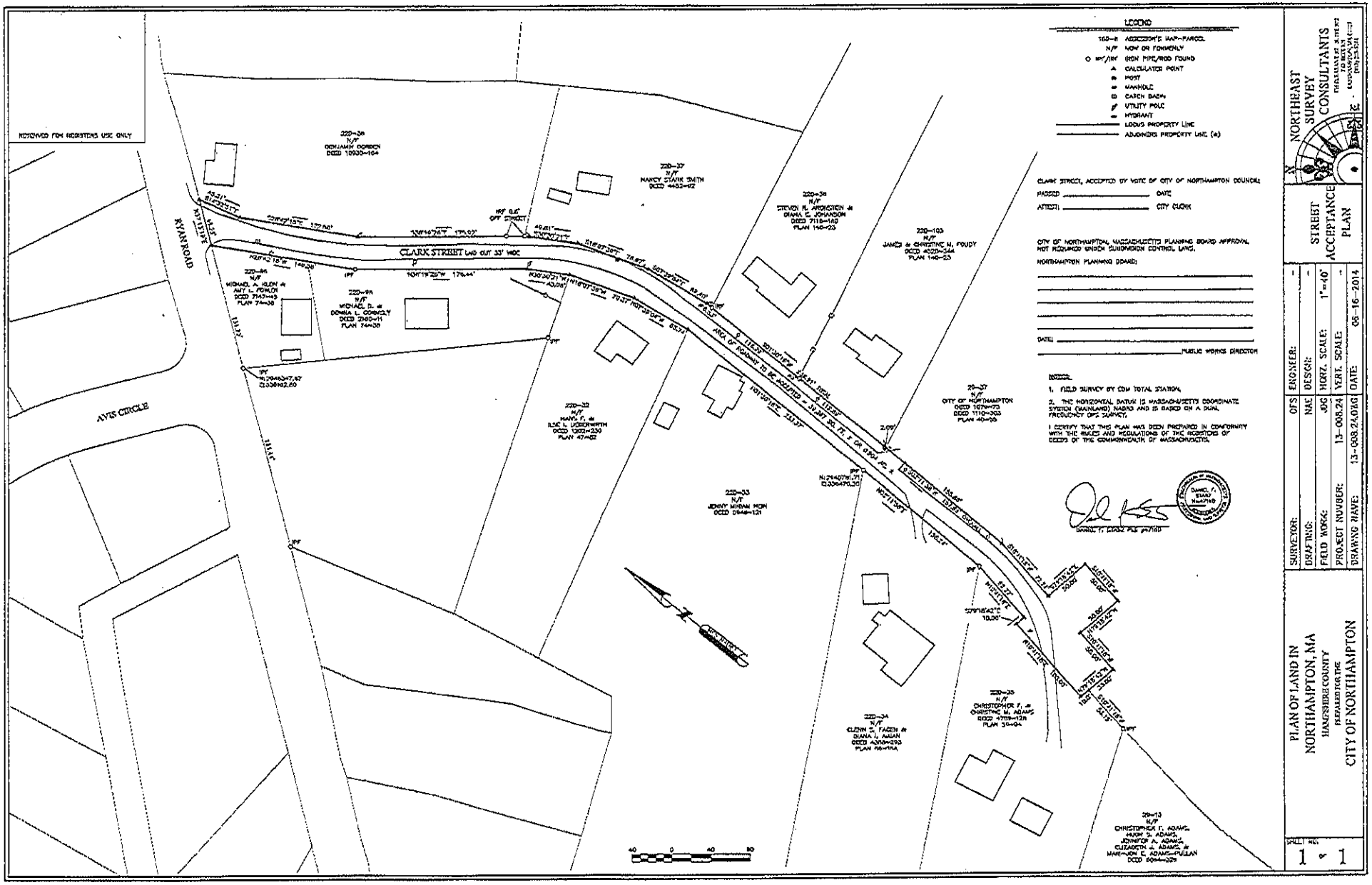
N 38°19'26" W along said Gormely, a distance of 176.44 feet to a point, said point marked by an iron pipe found, said point marks the westerly side line of the parcel herein described, thence;

N 28°42'15" W along said Gormely, and land of said Michael A. Klein & Amy L. Fowler a distance of 149.58 feet to the point of beginning.

The above described parcel contains 39,397 square feet more or less, being depicted as Clark Street on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton", dated 06-16-2014. 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 10930, Page 104, Book 4452, Page 92, Book 7115, Page 180, Book 4525, Page 344, Book 1079, Page 73, Book 1110, Page 303, Book 4759, Page 128, Book 4388, Page 293, Book 5948, Page 121, Book 1202, Page 230, Book 2160, Page 11, Book 7145, Page 45.


NOT ADVISED FOR REGISTRY USE ONLY
LEGEND
160-8 ASSESSOR'S MAP-PARCEL
N/F NOW OR FORMERLY
IRF/IRS IRON PIPE/ROD FOUND
CALCULATED POINT
POST
MANHOLE
CATCH BASIN
UTILITY POLE
HYDRANT
LOCUS PROPERTY LINE
ADJOINERS PROPERTY LINE (±)
CLARK STREET, ACCEPTED BY VOTE OF CITY OF NORTHAMPTON COUNCIL:
PASSED _____ DATE
ATTEST: _____ CITY CLERK
CITY OF NORTHAMPTON, MASSACHUSETTS PLANNING BOARD APPROVAL
NOT REQUIRED UNDER SUBDIVISION CONTROL LAW.
NORTHAMPTON PLANNING BOARD:
DATE: _____
_____ PUBLIC WORKS DIRECTOR
NOTES:
1. FIELD SURVEY BY CDM TOTAL STATION.
2. THE HORIZONTAL DATUM IS MASSACHUSETTS COORDINATE SYSTEM (MAINLAND) NAD83 AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.
I CERTIFY THAT THIS PLAN WAS DEPRIVED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
DANIEL F. STARK PLS #47149
CLARK STREET LAID OUT 33' WIDE
RYAN ROAD
AVIS CIRCLE
220-38 N/F BENJAMIN DORSON DEED 10930-164
220-37 N/F NANCY STARK SMITH DEED 4483-92
220-36 N/F STEVEN R. ARGYRIOU JR DIANA C. JOHNSON DEED 7118-160 PLAN 140-23
220-103 N/F JAMES & CHRISTINE M. FOUDY DEED 4020-344 PLAN 140-23
220-84 N/F MICHAEL A. KLON JR AMY L. POWLOS DEED 7143-49 PLAN 74-38
220-85 N/F MICHAEL D. JR DONNA L. CONNOLY DEED 2960-11 PLAN 74-38
220-32 N/F MARK F. JR ELSE L. LUDERWITH DEED 12031-230 PLAN 47-82
220-33 N/F JENNY MIGNAN MON DEED 5948-121
29-37 N/F CITY OF NORTHAMPTON DEED 1074-73 DEED 1110-303 PLAN 40-35
220-34 N/F GLENN S. FAGEN JR DIANA L. AMAN DEED 4304-293 PLAN 86-114
220-35 N/F CHRISTOPHER F. JR CHRISTINE M. ADAMS DEED 4719-128 PLAN 31-94
29-13 N/F CHRISTOPHER F. ADAMS HUGH S. ADAMS JONATHAN A. ADAMS ELIZABETH L. ADAMS JR MARGARET E. ADAMS-FULLAN DEED 5994-329
NORTHEAST SURVEY CONSULTANTS
STREET ACCEPTANCE PLAN
SURVEYOR: OFS ENGINEER: -
DRAFTING: NAE DESIGN: -
FIELD WORK: JOG HORZ. SCALE: 1"=40'
PROJECT NUMBER: 13-008.24 VERT. SCALE: -
DRAWING NAME: 13-008.24.01G DATE: 05-16-2014
PLAN OF LAND IN NORTHAMPTON, MA
HAMPSHIRE COUNTY
PREPARED FOR THE
CITY OF NORTHAMPTON
SHEET NO. 1 OF 1

14.316

City of Northampton

MASSACHUSETTS

In City Council, November 20, 2014

Upon recommendation of the Mayor

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Cooke 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 Cooke 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 "Cooke Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 12, 2014, 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 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 "Cooke Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 12, 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

14.318

EXHIBIT A

Beginning at a point, said point being the southwesterly corner of a parcel, now or formerly Laurel Ridge Realty Associates Limited Partnership as described in a deed recorded in Book 4577 Page 304 of the Hampshire Registry District, said point being marked by a concrete bound found, said point being located on the northerly sideline of Hatfield Street, said point being the southeasterly corner of the parcel herein described, thence;

S 44°34'04" W along said Hatfield Street, a distance of 51.08 feet, to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Christopher Bakker & Rebecca Scandura as described in a deed recorded in Book 10162 Page 258, said point being located on the northerly sideline of Hatfield Street, said point being the southwesterly corner of the parcel herein described, thence;

N 34°01'08" W along said Bakker & Scandura, a distance of 143.50 feet to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Tharen A. Pawloski as described in a deed recorded in Book 4050 Page 229, said point being on the westerly sideline of the parcel herein described, thence;

N 25°18'19" W along said Pawloski, a distance of 150.05 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Pawloski, said point being located on the southerly sideline of Emily Lane, said point being on the westerly sideline of the parcel herein described, thence;

N 19°53'20" W along the eastern terminus of said Emily Lane, a distance of 60.00 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Emily Lane, said point being the southeasterly corner of land now or formerly Julie Abramson as described in a deed recorded in Book 7275 Page 215, said point being on the westerly sideline of the parcel herein described, thence;

N 17°14'54" W along said Abramson, land now or formerly Mary A. Senuta & Ellen Dubois, as described in a deed recorded in Book 11590 Page 228, a distance of 320.00 feet to a point, said point being marked by a concrete bound found, said point marks the southeasterly corner of a parcel, now or formerly Sandra & Richard Ciach as described in a deed recorded in Land Court Book 21 Page 92 as Document No. 18252, point being on the westerly sideline of the parcel herein described, thence;

N 17°27'28" W along said Ciach, a distance of 33.77 feet to a point, said point being marked by a concrete bound found, said point being on the westerly sideline of the parcel herein described, thence;

N 33°44'51" W along said Ciach, land now or formerly Michele Turner Bernhard & Geoffrey T. Friedman, as described in a deed recorded in Land Court Book 20 Page 81 as Document No. 17662, a distance of 334.84 feet to a point, said point being marked by an iron pipe found, said

point being the southeasterly corner of land now or formerly Jeremy T. Kochapski, as described in a deed recorded in Land Court Book 20 Page 70 as Document No. 16201, said point being on the westerly sideline of the parcel herein described, thence;

N 48°14'39" W along said Kochapski, a distance of 30.00 feet to a point, said point being on the easterly sideline of said Kochapski, said point being the southwesterly corner of land now or formerly Pines Edge Condominium Trust, as described in a deed recorded in Book 3661 Page 250, said point being on the northwesterly corner of the parcel herein described, thence;

N 41°45'21" E along said Pines Edge Condominium Trust, a distance of 50.00 feet to a point, said point being marked by a concrete bound found, said point being on the northeasterly corner of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Condominium Trust, a distance of 10.86 feet to a point, said point being marked by a concrete bound found, said point being the northerly sideline of Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Drive, a distance of 25.50 feet to a point, said point being marked by a concrete bound found, said point being the being the westerly terminus of said Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Drive, a distance of 88.24 feet to a point, said point being marked by a concrete bound found, said point being the southerly sideline of Pines Edge Drive, said point being a westerly corner of said Pines Edge Condominium Trust, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Condominium Trust, a distance of 184.38 feet to a point, said point being marked by a concrete bound found, said point being the southwesterly corner of said Pines Edge Condominium Trust, said point being the northwesterly corner of land now or formerly Mary A. Skibiski, as described in a deed recorded in Book 9765 Page 314, said point being on the easterly line of the parcel herein described, thence;

S 33°21'35" E along said Skibiski, a distance of 78.47 feet to a point, said point being marked by a concrete bound found, said point being the northwesterly corner of said Laurel Ridge Realty Associates Limited Partnership, said point being on the easterly line of the parcel herein described, thence;

S 17°41'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 281.21 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 15°56'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 78.77 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 20°12'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of

58.05 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 25°57'01" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 141.88 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 33°40'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 126.78 feet to the point of beginning.

The above described parcel contains 54,444 square feet more or less, being depicted as Cooke Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 06-12-2014. 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 10162, Page 258, Book 4050, Page 229, Book 7275, Page 215, Book 11590, Page 228, Book 3661, Page 250 (Master Deed), Book 9765, Page 314, Book 4577, Page 304.

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 "Cooke Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 12, 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

14.318

EXHIBIT A

Beginning at a point, said point being the southwesterly corner of a parcel, now or formerly Laurel Ridge Realty Associates Limited Partnership as described in a deed recorded in Book 4577 Page 304 of the Hampshire Registry District, said point being marked by a concrete bound found, said point being located on the northerly sideline of Hatfield Street, said point being the southeasterly corner of the parcel herein described, thence;

S 44°34'04" W along said Hatfield Street, a distance of 51.08 feet, to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Christopher Bakker & Rebecca Scandura as described in a deed recorded in Book 10162 Page 258, said point being located on the northerly sideline of Hatfield Street, said point being the southwesterly corner of the parcel herein described, thence;

N 34°01'08" W along said Bakker & Scandura, a distance of 143.50 feet to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Tharen A. Pawloski as described in a deed recorded in Book 4050 Page 229, said point being on the westerly sideline of the parcel herein described, thence;

N 25°18'19" W along said Pawloski, a distance of 150.05 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Pawloski, said point being located on the southerly sideline of Emily Lane, said point being on the westerly sideline of the parcel herein described, thence;

N 19°53'20" W along the eastern terminus of said Emily Lane, a distance of 60.00 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Emily Lane, said point being the southeasterly corner of land now or formerly Julie Abramson as described in a deed recorded in Book 7275 Page 215, said point being on the westerly sideline of the parcel herein described, thence;

N 17°14'54" W along said Abramson, land now or formerly Mary A. Senuta & Ellen Dubois, as described in a deed recorded in Book 11590 Page 228, a distance of 320.00 feet to a point, said point being marked by a concrete bound found, said point marks the southeasterly corner of a parcel, now or formerly Sandra & Richard Ciach as described in a deed recorded in Land Court Book 21 Page 92 as Document No. 18252, point being on the westerly sideline of the parcel herein described, thence;

N 17°27'28" W along said Ciach, a distance of 33.77 feet to a point, said point being marked by a concrete bound found, said point being on the westerly sideline of the parcel herein described, thence;

N 33°44'51" W along said Ciach, land now or formerly Michele Turner Bernhard & Geoffrey T. Friedman, as described in a deed recorded in Land Court Book 20 Page 81 as Document No. 17662, a distance of 334.84 feet to a point, said point being marked by an iron pipe found, said

point being the southeasterly corner of land now or formerly Jeremy T. Kochapski, as described in a deed recorded in Land Court Book 20 Page 70 as Document No. 16201, said point being on the westerly sideline of the parcel herein described, thence;

N 48°14'39" W along said Kochapski, a distance of 30.00 feet to a point, said point being on the easterly sideline of said Kochapski, said point being the southwesterly corner of land now or formerly Pines Edge Condominium Trust, as described in a deed recorded in Book 3661 Page 250, said point being on the northwesterly corner of the parcel herein described, thence;

N 41°45'21" E along said Pines Edge Condominium Trust, a distance of 50.00 feet to a point, said point being marked by a concrete bound found, said point being on the northeasterly corner of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Condominium Trust, a distance of 10.86 feet to a point, said point being marked by a concrete bound found, said point being the northerly sideline of Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Drive, a distance of 25.50 feet to a point, said point being marked by a concrete bound found, said point being the being the westerly terminus of said Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Drive, a distance of 88.24 feet to a point, said point being marked by a concrete bound found, said point being the southerly sideline of Pines Edge Drive, said point being a westerly corner of said Pines Edge Condominium Trust, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Condominium Trust, a distance of 184.38 feet to a point, said point being marked by a concrete bound found, said point being the southwesterly corner of said Pines Edge Condominium Trust, said point being the northwesterly corner of land now or formerly Mary A. Skibiski, as described in a deed recorded in Book 9765 Page 314, said point being on the easterly line of the parcel herein described, thence;

S 33°21'35" E along said Skibiski, a distance of 78.47 feet to a point, said point being marked by a concrete bound found, said point being the northwesterly corner of said Laurel Ridge Realty Associates Limited Partnership, said point being on the easterly line of the parcel herein described, thence;

S 17°41'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 281.21 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 15°56'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 78.77 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 20°12'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of

58.05 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 25°57'01" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 141.88 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 33°40'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 126.78 feet to the point of beginning.

The above described parcel contains 54,444 square feet more or less, being depicted as Cooke Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 06-12-2014. 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: LC Book 21, Page 92 (Cert # 2318, Doc #18252), LC Book 20, Page 80 (Cert # 2183, Doc # 17662), LC Book 20, Page 70 (Cert # 2172, Doc # 16201).

COOKE AVENUE, ACCEPTED BY VOTE OF CITY OF NORTHAMPTON COUNCIL

PASSED _____ DATE

ATTEST: _____ CITY CLERK

CITY OF NORTHAMPTON, MASSACHUSETTS PLANNING BOARD APPROVAL
NOT REQUIRED UNDER SUBDIVISION CONTROL LAWS.

NORTHAMPTON PLANNING BOARD:

_____

_____

_____

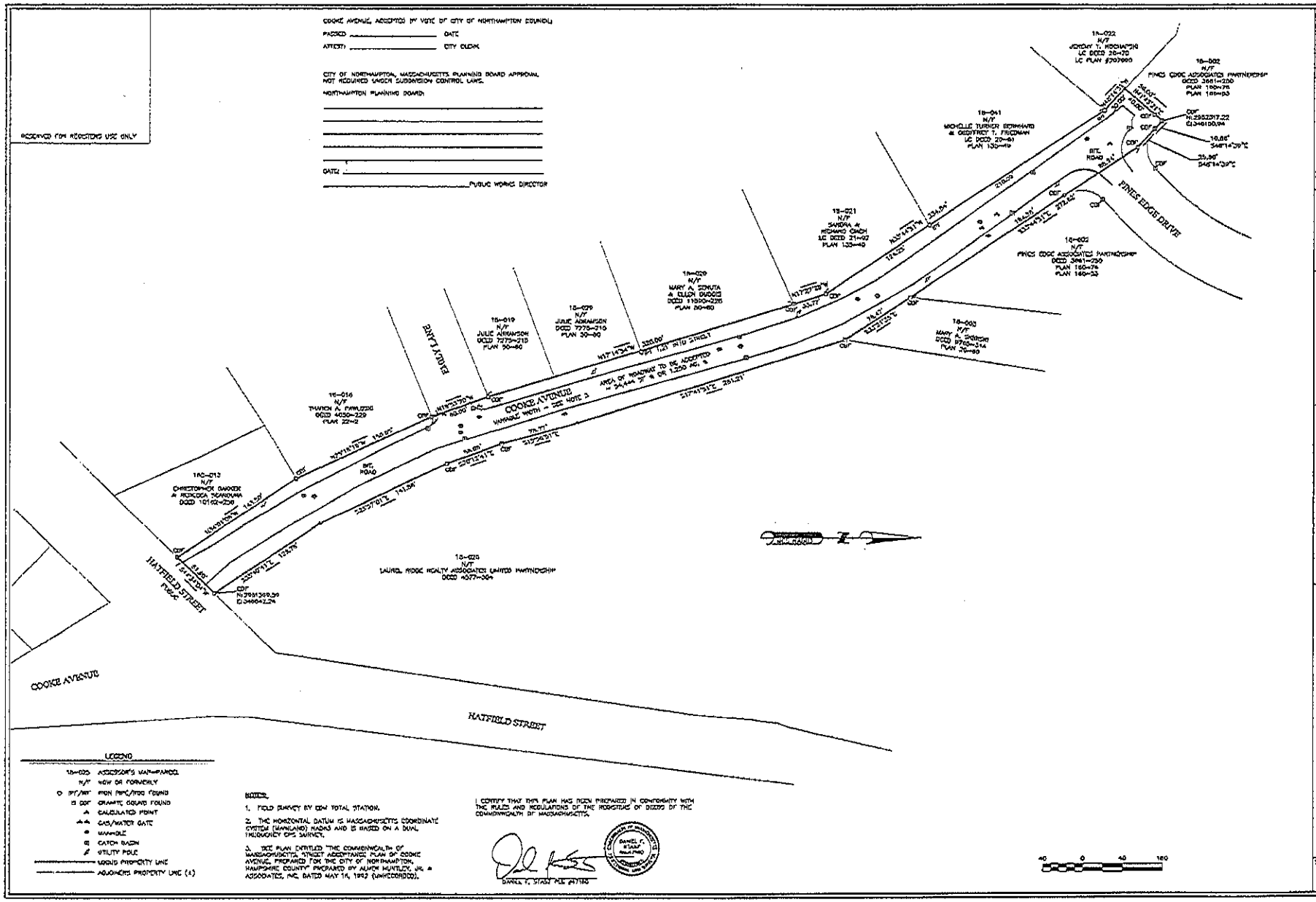
_____

_____

DATE: _____

_____ PUBLIC WORKS DIRECTOR

RESERVED FOR REGISTRY USE ONLY



NOTES:

1. FIELD SURVEY BY EDM TOTAL STATION.
2. THE HORIZONTAL DATUM IS MASSACHUSETTS COORDINATE SYSTEM (MAINLAND) NAD83 AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.
3. SEE PLAN ENTITLED "THE COMMONWEALTH OF MASSACHUSETTS, STREET ACCEPTANCE PLAN OF COOKE AVENUE, PREPARED FOR THE CITY OF NORTHAMPTON, HAMPSHIRE COUNTY" PREPARED BY ALMON HUNTLEY, JR. & ASSOCIATES, INC. DATED MAY 14, 1992 (UNRECORDED).

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRAR OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DANIEL F. STAAF PLS #47180

DANIEL F. STAAF
PLS
PROFESSIONAL LAND SURVEYOR
COMMONWEALTH OF MASSACHUSETTS

NORTHEAST SURVEY CONSULTANTS
INCORPORATED
P.O. BOX 1135
NORTHAMPTON, MASSACHUSETTS 01061
(413) 586-2330

STREET ACCEPTANCE PLAN

SURVEYOR:	DFS	ENGINEER:	-
DRAFTING:	JDG	DESIGN:	-
FIELD WORK:	JED	HORIZ. SCALE:	1"=40'
PROJECT NUMBER:	13-008.29	VERT. SCALE:	-
DRAWING NAME:	13-008.29.DWG	DATE:	05-12-2014

PLAN OF LAND IN
NORTHAMPTON, MA
HAMPSHIRE COUNTY
PREPARED FOR THE
CITY OF NORTHAMPTON

SHEET NO. 1 OF 1

14.318

City of Northampton

MASSACHUSETTS

In City Council, November 20, 2014

Upon recommendation of the Mayor

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Massasoit 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 Massasoit 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 "Massasoit Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated May 27, 2014, 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 "Massasoit Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated May 27, 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.

Excepting and excluding from this taking any and all water and sewer lines within the layout hereby established, which water and sewer lines shall be the responsibility of the owners of the fee interest in the way.

[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

14.319

EXHIBIT A

Beginning at a point, said point marks the northwesterly corner of a parcel, now or formerly Mikkel C. & Shauneen S. Kroll as described in a deed recorded in Book 1334 Page 119 of the Hampshire Registry District, said point being located on the easterly line of Massasoit Street, said point being marked by a stone bound found, said point being the southwesterly corner of the parcel herein described, thence;

N 35°58'12" E along said Massasoit Street, a distance of 15.00 feet, to a point, said point marks the southwesterly corner of a parcel, now or formerly Andrew Pollack & Barbara P. Tytell as described in a deed recorded in Book 3781 Page 36, said point being located on the easterly line of Massasoit Street, said point being the northwesterly corner of the parcel herein described, thence;

S 55°09'35" E along said Pollack & Tytell, land now or formerly David H. Brewer & Jocelyn A. Young, as described in a deed recorded in Book 11682 Page 347, a distance of 200.84 feet to a point, said point marks the westerly line of a parcel, now or formerly Brian Burrell, as described in a deed recorded in Book 4733 Page 224, said point being the northeasterly corner of the parcel herein described, thence;

S 37°14'56" W along said Burrell and land now or formerly Elise G. Young as described in a deed recorded in Book 6887 Page 295, a distance of 11.86 feet, to a point, said point being marked by an iron rod found, thence;

S 37°14'56" W along said Young, a distance of 3.15 feet to a point, said point marks the northeasterly land now or formerly Charles E. & Blanche S. Derby, Co-Trustees of the Revocable Indenture of Trust of Blanche Derby, as described in a deed recorded in Book 11217 Page 302, said point being the southeasterly corner of the parcel herein described, thence;

N 55°09'35" W along said Derby, land of said Kroll, a distance of 200.51 feet to the point of beginning.

The above described parcel contains 3,010 square feet more or less, being depicted as Massasoit Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 05-27-2014. 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 3781, Page 36, Book 11682, Page 347, Book 11217, Page 302, Book 334, Page 119.

14.319

RESERVED FOR REGISTERS USE ONLY

MASSASOIT AVENUE, ACCEPTED BY VOTE OF CITY OF NORTHAMPTON COUNCIL:

PASSED _____ DATE

ATTEST: _____ CITY CLERK

CITY OF NORTHAMPTON, MASSACHUSETTS PLANNING BOARD APPROVAL NOT REQUIRED UNDER SUBDIVISION CONTROL LAWS.

NORTHAMPTON PLANNING BOARD:

_____

_____

_____

_____

_____

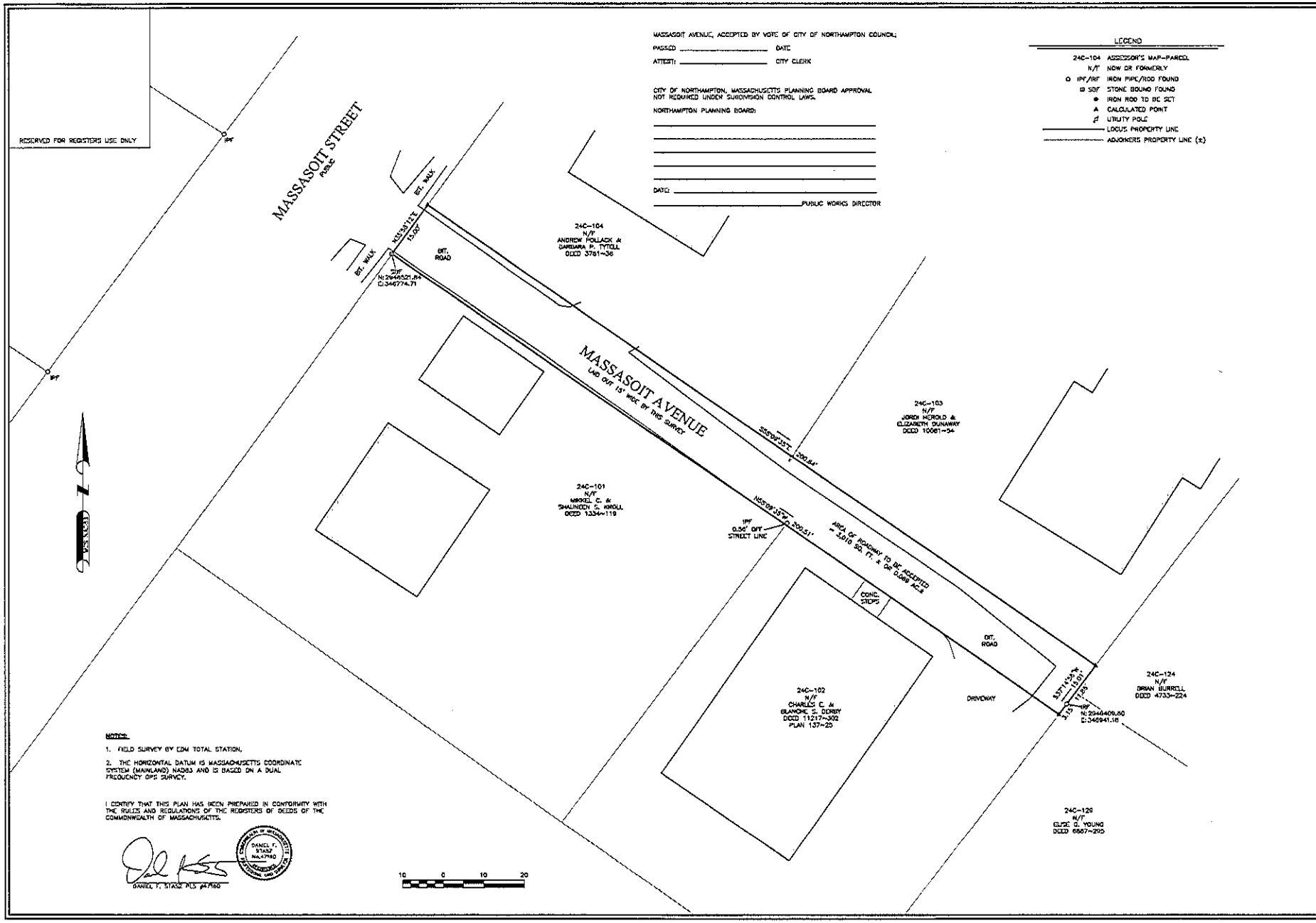
_____

DATE: _____

_____ PUBLIC WORKS DIRECTOR

LEGEND

24C-104	ASSESSOR'S MAP-PARCEL
N/F	NOW OR FORMERLY
O IPF/IRF	IRON PIPE/ROD FOUND
⊠ SCF	STONE BOUND FOUND
●	IRON ROD TO BE SET
▲	CALCULATED POINT
∄	UTILITY POLE
———	LOCUS PROPERTY LINE
———	ADJOINERS PROPERTY LINE (±)



NOTES:

1. FIELD SURVEY BY EDM TOTAL STATION.

2. THE HORIZONTAL DATUM IS MASSACHUSETTS COORDINATE SYSTEM (MAINLAND) NAD83 AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DANIEL F. STASZ PLS #47560

COMMONWEALTH OF MASSACHUSETTS DANIEL F. STASZ No. 47560 PROFESSIONAL LAND SURVEYOR

NORTHEAST SURVEY CONSULTANTS
119 PLEASANT ST. SUITE 372
P.O. BOX 138
EASTHAMPTON, MA 01027
(413) 529-2144

STREET ACCEPTANCE PLAN

SURVEYOR:	DFS	ENGINEER:	-
DRAFTING:	JDG	DESIGN:	-
FIELD WORK:	JDG/NAE	HORZ. SCALE:	1"=10'
PROJECT NUMBER:	13-008.27	VERT. SCALE:	-
DRAWING NAME:	13-008.27.DWG	DATE:	05-27-2014

PLAN OF LAND IN
NORTHAMPTON, MA
HAMPSHIRE COUNTY
PREPARED FOR THE
CITY OF NORTHAMPTON

SHEET NO. 1 OF 1

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

---

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 there of: Reserved: See Administrative Order

Chapter 264 Signs

- Article II Banners

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 **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 **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 **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 **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 **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 **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 **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 **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 **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 **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, a 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~~ **S**uch 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.[1]

§ 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 **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 **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.~~[1]

~~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 **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 **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 **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 **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.

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:

Location	Side	From	To
Pleasant Street	Westerly	~~Michelman Avenue~~ *A point 51 feet northerly from Michelman Avenue*	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	~~Both~~ *Easterly*	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 THE Planning Board and 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 **350H** of said code; providing for ***replacement of moratorium on construction of 7+ units in the URC district with language specified***

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

SECTION 1

Site Plan Approval Required for the Following:
• Any construction (other than for a single-family home) greater than 2,000 square feet
• The addition of a principal structure to a parcel where one already exists.

Special Permit Approval Required for the Following Uses by Planning Board Unless Otherwise Noted:
• Detached accessory dwelling unit (see § 350-10.10—Zoning Board of Appeals special permit)
• Home business for personal service business by appointment only or home business more than 25 visits, etc. (see § 350-10.12 for other criteria—Zoning Board of Appeals special permit)
• Any multifamily or townhouse project creating 7 or more units in one or more phases within a 5 year period.

Any such project shall comply with the following:

A. Buildings and Parking

1. The first row of buildings along a street shall face the street and add to the streetscape. There shall not be any parking, except incidental to a driveway or roadway, between the first row of buildings and the street. Parking shall be located behind buildings or designed otherwise to minimize view from the public street.

2. The area between the property and the road pavement shall be made to be pedestrian friendly, with sidewalks, street furniture, trees and other vegetation, all of which shall be in conformance with city standards. All landscaping incorporated as part of the applicant's design between the street and the building(s) shall facilitate and enhance the pedestrian use of sidewalks and other areas adjacent to the building. Such streetscape may include rebuilding by the applicant as necessary granite curbs, ADA

compliant concrete sidewalks, tree belts, and drainage improvements incorporating low impact development standards for any necessary drainage improvements triggered by these changes.

3. Buildings that abut existing residential properties shall incorporate building articulation alongside facades. Building projections shall be incorporated for any side façade that is longer than 30 feet.

4. Front facades shall have setbacks consistent with other buildings within the block or provide a different setback that is necessary to address any natural resources constraints.

B. Streets and Roadways

1. Projects shall connect to all surrounding neighborhoods with bicycle and pedestrian access to the extent possible.

    1. For projects that have more than one vehicular access, driveways and roadways shall internally and externally connect to each other and dead-end streets shall be avoided whenever possible. Dead-end roadways and driveways shall never exceed 500 feet and, to the extent possible, must include a bicycle and pedestrian connection from the dead-end street to a street, common area, park or civic space.

    2. For projects that have a single vehicular access, such access shall not exceed 500 feet and pedestrian access shall also be provided directly from any street to residential units.

2. The design standards for the length of dead-end streets, protection of natural features, sidewalks, wheelchair ramps, landscaping, utilities, and the construction method and materials for water lines, sanitary sewers, storm sewers, fire protection, sidewalks, private roads and other infrastructure shall be those set forth in Chapter 290, Subdivision of Land. These standards shall apply even for private roadways and driveways that are not part of a subdivision, unless waived by the Planning Board.

3. Driveways and private roadways shall be designed to function as private alleys, or shared streets with pedestrians and cyclists, and engineered to keep speeds below 15 miles per hour, or yield streets with separate sidewalks as shown in the subdivision regulations. Such sidewalks shall connect to sidewalks along adjacent streets.

4. Vehicular access shall connect to surrounding streets as appropriate to ensure safe and efficient flow of traffic within the surrounding neighborhood and to mitigate increases in traffic on nearby streets.

5. Pre-existing paths historically used as bicycle and pedestrian trails shall be preserved to the extent possible and marked with appropriate signage.

C. Park Space

1. All projects shall include a park/common area fully designed and constructed to be integrated into the project, which area shall be easily accessible and available for residents of the project. At minimum, this space shall be 300 square feet or 30 square feet per dwelling unit of buildable land area, whichever is greater.

2. All such space shall be contiguous unless waived by the Planning Board upon finding that it is in the public interest and consistent with the intent and purpose of this section.

D. Environment and Energy

Buildings shall meet one of the following environmental standards:

1. Home Energy Rating System (HERS) rating for the building envelope at least 25% lower than the current municipal standard at the time the special permit is requested but in no event shall the HERS rating be greater than 47 for units of 1,200 square feet or less, and no greater than 41 for units larger than 1,200 square feet. Alternatively, for units of 1,200 square feet or less, the Planning Board may consider a comparable energy standard to the HERS rating of 47 after consultation with the Building Commissioner.

2. US Green Building Council LEED New Construction Gold or Neighborhood Development Gold Certified.

E. Size, Access and Affordability

1. Buildings shall meet one of the following standards:
   a. 11% of the units shall be "affordable units" as that term is defined in section 350-2.1 of the Code of the City of Northampton; or

   b. Contain 25% or more of the units no larger than 1,200 square feet gross floor area.

2. Equal access. All projects shall provide equal access to all building amenities, park and civic space and public entrances to buildings to residents of both affordable and non-affordable units.

F. Internet Connectivity

All projects that include infrastructure making internet connectivity available shall do so without differences in quality, capacity or speed to residents of both affordable and non-affordable units.

SECTION 2

That existing language for all projects in design standard #4 of the table be amended to read:

4. Parking for more than 5 cars shall be distributed on the site to minimize impact to the neighborhood character which shall be accomplished by small groupings of spaces surrounded by landscaping or parallel parking along a narrow driveway to mimic an alley. Driveways wider than 15 feet shall be visually buffered from side lot lines through setbacks or screening to adequately block car headlights

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Fourteen

UPON THE RECOMMENDATION OF THE Planning Board and 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 **350G** of said code; providing for ***replacement of moratorium on construction of 7+ units in the URB district with language specified***

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

SECTION 1

Site Plan Approval Required for the Following:
• Any construction (other than for a single-family home) greater than 2,000 square feet
• The addition of a principal structure to a parcel where one already exists.

Special Permit Approval Required for the Following Uses by Planning Board Unless Otherwise Noted:
• Detached accessory dwelling unit (see § 350-10.10—Zoning Board of Appeals special permit)
• Home business for personal service business by appointment only or home business more than 25 visits, etc. (see § 350-10.12 for other criteria—Zoning Board of Appeals special permit)
• Any townhouse project creating 7 or more units in one or more phases within a 5 year period.

Any such project shall comply with the following:

A. Buildings and Parking

1. The first row of buildings along a street shall face the street and add to the streetscape. There shall not be any parking, except incidental to a driveway or roadway, between the first row of buildings and the street. Parking shall be located behind buildings or designed otherwise to minimize view from the public street.

2. The area between the property and the road pavement shall be made to be pedestrian friendly, with sidewalks, street furniture, trees and other vegetation, all of which shall be in conformance with city standards. All landscaping incorporated as part of the applicant's design between the street and the building(s) shall facilitate and enhance the pedestrian use of sidewalks and other areas adjacent to the building. Such streetscape may include rebuilding by the applicant as necessary granite curbs, ADA

compliant concrete sidewalks, tree belts, and drainage improvements incorporating low impact development standards for any necessary drainage improvements triggered by these changes.

3. Buildings that abut existing residential properties shall incorporate building articulation alongside facades. Building projections shall be incorporated for any side façade that is longer than 30 feet.

4. Front facades shall have setbacks consistent with other buildings within the block or provide a different setback that is necessary to address any natural resources constraints.

B. Streets and Roadways

1. Projects shall connect to all surrounding neighborhoods with bicycle and pedestrian access to the extent possible.

    1. For projects that have more than one vehicular access, driveways and roadways shall internally and externally connect to each other and dead-end streets shall be avoided whenever possible. Dead-end roadways and driveways shall never exceed 500 feet and, to the extent possible, must include a bicycle and pedestrian connection from the dead-end street to a street, common area, park or civic space.

    2. For projects that have a single vehicular access, such access shall not exceed 500 feet and pedestrian access shall also be provided directly from any street to residential units.

2. The design standards for the length of dead-end streets, protection of natural features, sidewalks, wheelchair ramps, landscaping, utilities, and the construction method and materials for water lines, sanitary sewers, storm sewers, fire protection, sidewalks, private roads and other infrastructure shall be those set forth in Chapter 290, Subdivision of Land. These standards shall apply even for private roadways and driveways that are not part of a subdivision, unless waived by the Planning Board.

3. Driveways and private roadways shall be designed to function as private alleys, or shared streets with pedestrians and cyclists, and engineered to keep speeds below 15 miles per hour, or yield streets with separate sidewalks as shown in the subdivision regulations. Such sidewalks shall connect to sidewalks along adjacent streets.

4. Vehicular access shall connect to surrounding streets as appropriate to ensure safe and efficient flow of traffic within the surrounding neighborhood and to mitigate increases in traffic on nearby streets.

5. Pre-existing paths historically used as bicycle and pedestrian trails shall be preserved to the extent possible and marked with appropriate signage.

C. Park Space

1. All projects shall include a park/common area fully designed and constructed to be integrated into the project, which area shall be easily accessible and available for residents of the project. At minimum, this space shall be 300 square feet or 30 square feet per dwelling unit of buildable land area, whichever is greater.

2. All such space shall be contiguous unless waived by the Planning Board upon finding that it is in the public interest and consistent with the intent and purpose of this section.

D. Environment and Energy

Buildings shall meet one of the following environmental standards:

1. Home Energy Rating System (HERS) rating for the building envelope at least 25% lower than the current municipal standard at the time the special permit is requested but in no event shall the HERS rating be greater than 47 for units of 1,200 square feet or less, and no greater than 41 for units larger than 1,200 square feet. Alternatively, for units of 1,200 square feet or less, the Planning Board may consider a comparable energy standard to the HERS rating of 47 after consultation with the Building Commissioner.

2. US Green Building Council LEED New Construction Gold or Neighborhood Development Gold Certified.

E. Size, Access and Affordability

1. Buildings shall meet one of the following standards:
   a. 11% of the units shall be "affordable units" as that term is defined in section 350-2.1 of the Code of the City of Northampton; or

   b. Contain 25% or more of the units no larger than 1,200 square feet gross floor area.

2. Equal access. All projects shall provide equal access to all building amenities, park and civic space and public entrances to buildings to residents of both affordable and non-affordable units.

F. Internet Connectivity

All projects that include infrastructure making internet connectivity available shall do so without differences in quality, capacity or speed to residents of both affordable and non-affordable units.

SECTION 2

That existing language for all projects in design standard #4 of the table be amended to read:

4. Parking for more than 5 cars shall be distributed on the site to minimize impact to the neighborhood character which shall be accomplished by small groupings of spaces surrounded by landscaping or parallel parking along a narrow driveway to mimic an alley. Driveways wider than 15 feet shall be visually buffered from side lot lines through setbacks or screening to adequately block car headlights

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 **§312-104** 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**
Middle Street	Southerly	Point 118 feet westerly from Chestnut Street	Point 632 feet westerly from Chestnut Street	2 hrs./8:00 AM to 6 PM.; All

Amended in City Council February 7, 2013

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Eleven

UPON THE RECOMMENDATION OF THE TRANSPORTATION & PARKING COMMISSION

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-103-II of said code; providing that ***NO PARKING CERTAIN TIMES***

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section §312-103-II of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

§312-103-II

ADD:

SIDE	FROM
MIDDLE STREET WESTERLY	CHESTNUT STREET NORTHERLY
	TO
	632 FEET ON WESTERLY SIDE OF MIDDLE STREET

TWO HOUR PARKING FROM 8:00 AM TO 6:00 PM DAILY

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 312-102 of said Code; is providing for repealing prohibited parking on New South Street.

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, is amended so that such section shall read as follows:

The table contained in section 312-102 Schedule I: Parking Prohibited All Times is amended by deleting the following:

Location	**Side**	**From**	**To**
New South Street* [Added 7-20-1995]	Westerly	Point 253 feet southerly from Main Street	Point 275 feet southerly from Main Street