



CITY COUNCIL  
**CITY OF NORTHAMPTON**  
MASSACHUSETTS

Councilors:

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

**Meeting Agenda**  
**City Council Chambers**  
**Walter J. Puchalski Municipal Building**  
**212 Main Street, Northampton**  
**Meeting Date: March 15, 2018**  
**Meeting Time: 7:00pm**

**1. Announcement of Audio/Video Recording**

This meeting may be audio/video recorded for broadcasting by Northampton Community Television.

**2. Public Comment**

**3. Roll Call**

**4. Public Hearings**

**A. Announcement of Public Hearing to consider FY 2019 Water and Sewer Rates**

By Order of the City Council, a Public Hearing will be held on Tuesday, March 27, 2018 @ 5 p.m. in City Council Chambers, 212 Main Street, Northampton, MA. The City Council Committee on Finance will consider the proposed FY2019 water and sewer rates and hear all persons who wish to be heard thereon.

**B. 7:05 p.m. - Public Hearing on 17.413 Petition to Install Underground Conduit on Holyoke Street**

In accordance with the provisions of Section 22, Chapter 166, of the General Laws, a public hearing will be held on the petition of National Grid to install underground facilities under a public way on Holyoke Street.  
Street Petition # 24019445

Documents:

[17.413\\_Holyoke\\_St.\\_Underground - Revised 2-2018.pdf](#)  
[17.413 DPW Memo - Revised 2-2018.pdf](#)

**C. 7:10 p.m. - Public Hearings to Consider the Laying Out of King Street and Garfield Avenue**

In accordance with M.G.L. Chapter 82, Section 21, the City Council will hold public hearings on Thursday, March 15, 2018 at 7:10 p.m. in Council Chambers, Wallace J. Puchalski Municipal Building, 212 Main Street, Northampton, MA to consider laying out the following private property to become public ways: 'Garfield Avenue Extension' - the portion of property consisting of 3,082.4 square feet +/- and shown on "Street Acceptance Plan of 'Garfield Avenue Extension'," prepared by The Berkshire Design Group, Inc. for The City of Northampton, Hampshire County dated March 29, 2017; and King Street - changing/widening the layout of King Street to include the following parcels::

- Parcels 1C and 1D as shown on a plan entitled "Plan of Land in Northampton Massachusetts Surveyed for Cosenzi Automotive Realty Limited Partnership and recorded in the Hampshire Registry of Deeds in Plan Book 228, Page 99. See also deed of Cosenzi Automotive Realty Limited Partnership to the City of Northampton recorded in said registry in Book 11577, Page 205.
- The easement conveyed by Colvest Northampton, LLC to the City of Northampton, dated January 21, 2014 and recorded in said registry in Book 11577, Page 208.

**5. Updates from Council President & Committee Chairs**

**6. Recognitions and One-Minute Announcements by Councilors**

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

## 8. Resolutions

**A. 18.031 Resolution calling for President Trump and his administration to preserve DACA and to extend Temporary Protected Status (TPS) for all nationals who cannot safely return to their home countries - 2nd Reading**

History:

- Referred to Community Resources - 2/15/2018
- Positive Recommendation of Amended Version, Community Resources - 3/5/2018

Documents:

[18.031 Resolution calling for President Trump to Preserve DACA - redlined version.pdf](#)

[18.031 Resolution calling for President Trump to Preserve DACA - clean version.pdf](#)

**B. 18.055 Resolution to Adopt the Capital Improvement Program for FY2019-FY2023 Submitted to City Council on January 29, 2018 - 2nd Reading**

History:

- Public Hearing on Capital Improvement Program held 3/1/2018
- Resolution passed first reading, 3/1/2018

Documents:

[18.055 Resolution to Adopt the Capital Improvement Program for FY2019-FY2023.pdf](#)

## 9. Presentations

## 10. Consent Agenda

**A. Approve 17.413 National Grid Pole Petition - Holyoke Street, Underground (see documents above)**

**B. 18.025 Appointments to Housing Partnership, License Commission and Trust Fund Committee - Positive Recommendation, City Services 3/5/2018**  
**Housing Partnership**

**Julio Alves**, 35 Fort Hill Terrace, Northampton

Term: January 2018-June 2021

*(Replacing expired term of Patty McGill)*

**License Commission**

**Helen J Kahn**, 188 Federal Street, Florence

Term; January 2018-June 2021  
(Replacing term of Elaine Reall)

**Trust Fund Committee**

**Gerald Budgar**

Term: November 2017-June 2021  
(Reappointment)

Documents:

[18.025 Appointments to Housing Partnership, License Commission and Trust Fund Committee.pdf](#)

[18.025 Gerald Budgar Application.pdf](#)

[18.025 Helen Kahn and Julio Alves Applications.pdf](#)

**C. 18.071 Appointments to Disability Commission and Planning Board (Associate & Full Member)**

**Disability Commission**

**Emma Cornwell**, 35 Holyoke Street, Northampton, MA 01060

Term: March 2018 - June 2019

*(To replace the unexpired term of Ruth McCrath)*

**Planning Board**

**Janna White**, 18 Hancock Street, Northampton, MA 01060

Term: March 2018 - June 2019

*(As Associate Member to replace the unexpired term of Euripedes de Oliveira)*

**Euripedes de Oliveira**, 9 Washington Place, Northampton, MA 01060

Term: March 2018 - June 2019

*(As a Full Member to fill the unexpired term of Ann Dewitt Brooks)*

Documents:

[18.071 Applications for City Council, March 15, 2018.pdf](#)

[18.071 Appointments to Disability Commission and Planning Board \(Associate and Full Member\).pdf](#)

**11. Recess for Committee on Finance (See Separate Agenda)**

**12. Financial Order - for referral for public hearing**

**A. 18.070 Order to Establish Water and Sewer Rates for FY 2019**

Process note: Per 2.6.1.1. COMMITTEE on FINANCE

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

Documents:

[18.070 Order to Establish Water and Sewer Rates for FY2019.pdf](#)

### **13. Financial Orders (on 1st reading pending Finance review)**

Rule 2.6 requires the Finance Committee to consider certain financial matters.

#### **A. 18.028 Order To Accept M.G.L. Ch. 64N, Section 3 (A), Local Option Sales Tax On Marijuana Sales - 1st Reading**

History:

- Positive Recommendation from Finance 3/1/2018

Documents:

[18.028-Order to Accept M.G.L. 64N, Section 3\(a\)\\_Local Option Sales Tax\\_on Marijuana Sales.pdf](#)

#### **B. 18.058 Order to Waive Chapter 61A Right of First Refusal at 508 Sylvester Road - 1st Reading**

Documents:

[18.058 Notice of Intent to Sell Parcel Under M.G.L. Ch. 61A - 508 Sylvester Road.pdf](#)  
[18.058 Order to Waive Chapter 61A Right of First Refusal at 508 Sylvester Road.pdf](#)

#### **C. 18.059 Order to Expand Parsons Brook Greenway with Land from former Bill Willard, Inc. Property - 1st Reading**

Documents:

[18.059 Order to Expand Parsons Brook Greenway with Land from Former Bill Willard, Inc. Property.pdf](#)

#### **D. 18.060 Order to Authorize Northampton School Committee to Accept Gift of New Floor from Jackson Street School PTO - 1st Reading**

Documents:

[18.060 Order to Authorize Northampton School Committee to Accept Gift of New Floor from Jackson Street School PTO.pdf](#)

#### **E. 18.061 Order to Reprogram River Road Retaining Wall Balance to Paving Projects - 1st Reading**

Documents:

[18.061 Order to Reprogram River Road Retaining Wall Balance to paving projects..pdf](#)

**F. 18.062 Order to Authorize Payment of a Prior Year Bill - 1st Reading**

Documents:

[18.062 Order to Authorize Payment of a Prior Year Bill.pdf](#)

**14. Financial Orders (on 2nd reading) - all passed 1st reading 03/01/2018**

**A. 18.030 Order to Accept an Easement at Village Hill - 2nd Reading**

Documents:

[18.030 Order to Accept an Easement at Village Hill.pdf](#)  
[18.030 Village Hill Easement Plan.pdf](#)

**B. 18.044A Order to Appropriate \$1.411 Million from Free Cash for Various Capital Projects - 2nd Reading**

**History:**

- 18.044 Order to Appropriate \$1,486 Million for Various Capital Projects divided into two separate orders

- 18.044A Order to Appropriate \$1.411 Million for Various Capital Projects and
- 18.044B Order to Appropriate \$75,000 for Police Protective Equipment and Training

- Both orders passed 1st Reading 3/01/2018

Documents:

[18.044A Order to Appropriate 1.411 Million From Free Cash for Various Capital Projects.pdf](#)

**C. 18.044B Order to Appropriate \$75,000 from Free Cash for Police Protective Equipment and Training - 2nd Reading**

Documents:

[18.044B Order to Appropriate 75,000 From Free Cash for Police Protective Equipment and Training.pdf](#)

**D. 18.045 Order to Appropriate \$800,000 from Capital Stabilization for Capital Projects - 2nd Reading**

Documents:

[18.045 Order to Appropriate 800,000 from Capital Stabilization for Capital Projects.pdf](#)

**E. 18.046 Order to Appropriate \$132,000 from Parking Receipts Reserved for Parking Equipment and Pay by Plate Kiosks - 2nd Reading**

Documents:

[18.046 Order to Appropriate 132,000 from Parking Receipts Reserved for Parking Equipment and Pay by Plate Kiosks.pdf](#)

**F. 18.047 Order to Appropriate \$86,100 from PEG Access Fund for WAN Upgrade - 2nd Reading**

Documents:

[18.047 Order to Appropriate 86,100 from PEG Access Fund for WAN Upgrade.pdf](#)

**G. 18.048 Order to Appropriate \$150,000 from Mayor's PILOT Fund for 1:1 Chrome Books for Northampton Public School Students and Replacement Turnout Gear - 2nd Reading**

Documents:

[18.048 Order to Appropriate 150,000 from Mayors PILOT Fund for Chrome Books for NPS Students and Replacement Turnout Gear.pdf](#)

**H. 18.049 Order to Authorize Borrowing \$1,500,000 for Paving Projects - 2nd Reading**

Documents:

[18.049 Order to Authorize Borrowing 1,500,000 for Paving Projects.pdf](#)

**I. 18.050 Order to Authorize Borrowing \$500,000 for DPW Cold Storage Facility - 2nd Reading**

Documents:

[18.050 Order to Authorize Borrowing 500,000 for DPW Cold Storage Facility.pdf](#)

**J. 18.051 Order to Authorize Borrowing \$900,000 for DPW Vehicles - 2nd Reading**

Documents:

[18.051 Order to Authorize Borrowing 900,000 for DPW Vehicles.pdf](#)

**K. 18.052 Order to Appropriate \$50,000 from Cemetery Perpetual Care for Cemetery Projects - 2nd Reading**

Documents:

[18.052 Order to Appropriate 50,000 from Cemetery Perpetual Care for Cemetery Projects.pdf](#)

**L. 18.053 Order to Appropriate Funds from Cemetery Perpetual Care and Bates Tomb Trust for Bates Tomb Repairs - 2nd Reading**

Documents:

[18.053 Order to Appropriate Funds from Cemetery Perpetual Care and Bates Tomb Trust for Bates Tomb Repairs.pdf](#)

**M. 18.054 Order to Appropriate \$34,263 from Dog Fund for ACO Van - 2nd Reading**

Documents:

[18.054 Order to Appropriate 34,263 from Dog Fund for ACO Van.pdf](#)

**15. Orders**

**A. 18.021 Order for King Street Acceptance - 1st Reading**

**History:**

- Petition and Order for King Street Acceptance Submitted to Northampton City Council, 1/26/2018
- Petition and Order referred to Planning Board and to full City Council for street layout hearing, 2/1/2018
- Positive Recommendation, Planning Board, 2/8/2018
- City Council Street Layout Hearing, 3/15/2018

**Process note:** per the city solicitor, if, after public hearing, the City Council determines that public convenience and necessity require the laying out of the public way, the action necessary is to approve 18.021 Order for King Street Acceptance.

City engineer recommends incorporating the attached plans into the order.

Documents:

[18.021 DPW Memo re King Street Acceptance.pdf](#)  
[18.021 Plan for Widening of King Street Layout.pdf](#)  
[18.022 Petition for King Street Acceptance.pdf](#)  
[18.021\\_Order for King Street Acceptance.pdf](#)

**B. 18.024 Order for Garfield Street Acceptance - 1st Reading**

**History:**

- Petition and Order for Garfield Avenue Street Acceptance received by City Council, 1/29/2018
- Petition and Order referred to Planning Board and to full council for street layout public hearing, 2/1/2018



- Planning Board issued favorable report, 2/8/2018
- City Council held Street Layout hearing 3/15/2018

**Process note:** Per city solicitor, if, after public hearing, the City Council determines that public convenience and necessity require the laying out of the road, the action necessary is to approve 18.024 Order for Garfield Street Acceptance.

Documents:

[18.023 Petition for Garfield Avenue Acceptance.pdf](#)  
[18.024 Metes and bounds description of Garfield Avenue.pdf](#)  
[18.024 Order for Garfield Avenue Acceptance.pdf](#)  
[18.024 Plan Showing Layout of Garfield Avenue.pdf](#)

### **C. 18.056 An Order to Accept M.G.L. Ch. 23M ("the PACE Act") - 1st Reading**

History:

- Referred to Energy & Sustainability Commission, 3/1/2018
- No action as of 3/8/2018
- per Chris Mason, Energy & Sustainability Commission members have recommendations for amendments and are scheduled to discuss again at April 12, 2018 regular meeting.

Documents:

[18.056 Order to Accept M.G.L. Ch. 23M - the PACE Act.pdf](#)  
[18.056 PACEMassachusettsFactSheet.pdf](#)

## **16. Ordinances (Not yet Referred)**

**Process Note:** M.G.L. Chapter 40A, Section 5 requires the city council to submit zoning ordinances to the Planning Board for review within 14 days of receipt and for the Planning Board and City Council or a committee designated for that purpose to hold public hearings thereon, together or separately, prior to adoption. Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

### **A. 18.063 Ordinance to Rezone Parcels on Easthampton Road to Office Industrial (OI)**

Documents:

[18.063 Ordinance to Rezone Parcels on Easthampton Road to Office Industrial \(OI\).pdf](#)

### **B. 18.064 Ordinance to Eliminate Business Park Zoning in its Entirety from the Code**

Documents:

[18.064 Ordinance to Eliminate Business Park Zoning in its Entirety from the Code.pdf](#)

**C. 18.065 Ordinance to Rezone Conservation Areas to Farms Forest Rivers**

Documents:

[18.065 Ordinance to Rezone Conservation Areas to Farms Forest Rivers.pdf](#)

**D. 18.066 Ordinance to Rezone a Portion of Property from URB to Office Industrial**

Documents:

[18.066 Ordinance to Rezone a Portion of Property on Federal Street from URB to Office Industrial.pdf](#)

**E. 18.067 Ordinance to Rezone Four Residential Properties on Riverside Drive from General Industrial to URB**

Documents:

[18.067 Ordinance to Rezone Four Residential Properties on Riverside Drive from General Industrial to URB.pdf](#)

**F. 18.068 Ordinance to Eliminate Newspaper Legal Notice Requirement for Site Plan Review Projects**

Documents:

[18.068 Ordinance to Eliminate Newspaper Legal Notice Requirement for Site Plan Review Projects.pdf](#)

**G. 18.069 Ordinance to Eliminate Newspaper Legal Notice Requirement for Projects that Need Central Business Architecture Review**

Documents:

[18.069 Ordinance to Eliminate Newspaper Legal Notice Requirement for Projects that Need Central Business Architecture Review.pdf](#)

**H. 18.072 Ordinance Relative to Parking on Hooker Avenue**

Documents:

[18.072 Depiction of Proposed Parking on Hooker Avenue.pdf](#)  
[18.072 Ordinance Relative to Parking on Hooker Avenue.pdf](#)

**I. 18.073 Ordinance Relative to Parking on Vernon Street**

Documents:

## 17. Ordinances (on 1st Reading pending review by Legislative Matters)

### A. **18.043 An Ordinance related to bicycling on sidewalks, defining multi-use trails, and regulating bike lane - Positive Recommendation, Legislative Matters, 3/12/2018**

History:

- Referred to Legislative Matters by City Council, 3/1/2018
- Reviewed by city solicitor with recommended amendments
- Positive Recommendation - amended version, LM, 3/12/2018
- 

Documents:

[18.043 An Ordinance related to bicycling on sidewalks, defining multi-use trails, and regulating bike lanes .pdf](#)

[18.043 An Ordinance related to bicycling on sidewalks defining multi-use trails and regulating bike lanes Rev AS 3-5 R-WF3-6-18 AS 3-7.pdf](#)

## 18. Ordinances

### A. **17.265 An Ordinance Relative to Taxis and Vehicles for hire - 2nd reading**

History:

- Returned to Committee (Legislative Matters) - 9/21/2017
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading, 3/1/2018

Documents:

[17.265\\_Taxi\\_Vehicle\\_For\\_Hire\\_Amended\\_1-2018.pdf](#)

[17.265 NPD Memo re Taxi Ordinance.pdf](#)

[17.265 Krutzler Request for Explanatory Memo.pdf](#)

### B. **17.379 An Ordinance Relative to Parking on Prospect Street - 2nd Reading**

History:

- Amended to Change Parking Term from 8 a.m. to 6 p.m. to 7:30 to 9:30 a.m. and 3:30 p.m. to 5:30 p.m. - 03/01/2018
- Approved in 1st Reading by City Council as Amended - 03/01/2018
- Positive Recommendation from Legislative Matters - 2/12/2018
- Positive Recommendation from TPC - 09/19/2017

Documents:

**C. 18.027 An Ordinance Relative to Zoning and Marijuana - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/1/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading, 3/1/2018

Documents:

[18.027 An Ordinance Relative to Zoning and Marijuana.pdf](#)

**D. 18.033 An Ordinance Relative to Zoning and Marijuana - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/1/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading, 3/01/2018

Documents:

[18.033 An Ordinance Relative to Zoning and Marijuana.pdf](#)

**E. 18.034 An Ordinance Relative to Zoning and Marijuana - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/1/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading, 03/01/2018

Documents:

[18.034 An Ordinance Relative to Zoning and Marijuana.pdf](#)

[18.034 Marijuana Buffer Zone Map.pdf](#)

**F. 18.035 An Ordinance Relative to Zoning and Marijuana - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/1/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading, 03/01/2018

Documents:

[18.035 An Ordinance Relative to Zoning and Marijuana.pdf](#)

**G. 18.036 Ordinance to Amend HB Table of Use to Delete Commercial Storage - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/15/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading 03/01/2018

Documents:

[18.036 Ordinance to Amend HB Table of Use to Delete Commercial Storage.pdf](#)

**H. 18.037 Ordinance to Reformat GI Table with Other Minor Changes - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/15/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading 03/01/2018

Documents:

[18.037 Ordinance to Reformat GI Table with Other Minor Changes.pdf](#)

**I. 18.038 Ordinance to Reformat OI Table and Allow Flexible Reuse of Historic Mill Buildings - 2nd Reading**

History:

- Referred to Committee on Legislative Matters - 2/15/2018
- Positive Recommendation, Legislative Matters - 2/27/2018
- Passed 1st reading 03/01/2018

Documents:

[18.038 Ordinance to Reformat OI Table and Allow Flexible Reuse of Historic Mill Buildings.pdf](#)

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

**20. New Business**

Contact: R. O'Donnell, Council President  
ryan@ryanodonnell.org  
(413) 570-3159