CITY COUNCIL

CITY OF NORTHAMPTON

MASSACHUSETTS

Councilors:

- President Gina-Louise Sciarra, At-Large
- William H. Dwight, At-Large
- Michael J. Quinlan, Jr., Ward 1
- Karen Foster, Ward 2
- Vice-President James Nash, Ward 3
- John Thorpe, Ward 4
- Alex Jarrett, Ward 5
- Marianne L. LaBarge, Ward 6
- Rachel Maiore, Ward 7

Meeting Agenda
City Council Chambers
Walter J. Puchalski Municipal Building
212 Main Street, Northampton
Meeting Date: January 16, 2020
Meeting Time: 7 p.m.

1. **Announcement of Audio/Video Recording**
   This meeting is being audio/video recorded.

2. **Public Comment**

3. **Roll Call**

4. **Public Hearings**

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

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

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

8. Presentations

9. Resolutions

10. Consent Agenda

A. Minutes of December 19, 2019

Documents:

12-19-2019_City Council Minutes.pdf

B. 20.013 Appointments to Various Committees - for referral to City Services

Board of Assessors

David Murphy, 78 North Elm Street, Northampton

Term: January 2020 - June 2023

To fill a newly created seat

Planning Board

Melissa Fowler, 87 Chesterfield Road, Leeds

Term: January 2020 – June 2021

To fill the unexpired term of Mark Sullivan

Documents:

20.013 Appointments to Various Committees.pdf

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

12. Financial Orders (on 1st reading pending Finance review)

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

A. 20.008 An Order to Appropriate CPA Funds to Purchase 105 Acres at Former Pine Grove Golf Course - 1st reading

Process note: The Office of Planning & Sustainability respectfully requests two readings.

Documents:

20.008 An Order to Appropriate CPA Funds to Purchase 105 Acres in Rocky Hill Greenway.pdf

B. 20.009 An Order to Appropriate CPA Funds for Affordable Home on Glendale Road - 1st reading

Documents:

20.009 An Order to Appropriate CPA Funds for Affordable Home on Glendale Road.pdf

C. 20.010 An Order to Appropriate CPA Funds to Community Builders for North Commons Project - 1st reading

Documents:

20.010 An Order to Appropriate CPA Funds to Community Builders for North Commons Project.pdf

D. 20.011 An Order to Appropriate CPA Funds to NHA for Hampshire Heights Playground - 1st reading

Documents:

20.011 An Order to Appropriate CPA Funds to NHA for Hampshire Heights Playground.pdf

13. Financial Orders (on 2nd reading)

14. Orders

15. Zoning 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.

A. 20.004 An Ordinance to Rezone Eight Conz Street Parcels from NB to CB

Documents:

20.004 An Ordinance to Rezone Eight Conz Street Parcels from NB to CB.pdf

B. 20.005 An Ordinance to Amend the Zoning Map on Old South Street and Clark Avenue

Documents:

20.005 An Ordinance to Amend the Zoning Map on Old South Street and Clark Avenue.pdf

C. 20.006 An Ordinance to Amend Zoning Map to Add New Smart Growth Overlay District at Laurel Street

Documents:

20.006 An Ordinance to Amend Zoning Map to Add New Smart Growth Overlay District at Laurel Street.pdf

16. Ordinances (Not yet Referred)

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. 20.012 An Ordinance Relative to Demolition Review for Historically-Significant Buildings

Documents:

20.012 An Ordinance Relative to Demolition Review for Historically-Significant Buildings.pdf

17. Ordinances

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

19. New Business

20. Adjourn

Contact: G-L Sciarra, Council President
glsciarra@northamptonma.gov or
(413) 570-3133

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

Roll Call

A regular meeting of the City Council was called to order by Council President Ryan O'Donnell. At 7:49 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

At 7:49 p.m., Councilor O'Donnell convened the regular meeting. He announced that the meeting was being audio and video recorded.

Public Hearing
Public Hearing - 19.158 National Grid/Verizon New England Pole Petition for Hatfield Street (Petition #15048741)

Public Hearing
Public Hearing - 19.158 National Grid/Verizon New England Pole Petition for Hatfield Street (Petition #15048741)
Councilor O'Donnell introduced the hearing by reading the following announcement:
In accordance with the provisions of Section 22, Chapter 166 of the General Laws, a public hearing will be held on Thursday, December 19, 2019 @ 7:05 p.m. in City Council Chambers, 212 Main Street, Northampton, on the petition of National Grid/Verizon New England to erect poles and wires upon, along, under or across one or more public ways. Pole Petition #15048741 - Hatfield Street

Public Hearing

Councilor Dwight moved to open the public hearing. Councilor Bidwelll seconded. The motion passed unanimously 9:0 by voice vote. The public hearing was opened at 7:51 p.m.

Peter Walsh and Lisa Jasinski were present on behalf of National Grid. Mr. Walsh explained the project.

MassDOT is proposing a major renovation, namely, a roundabout at the intersection of Hatfield Street and North King Street, Mr. Walsh explained. The state is responsible for petitioning for the pole replacements/relocations. On Hatfield Street, two brand new poles are being installed and one pole is being relocated back from North King Street.

He expressed awareness of conditions requested by the DPW in a memo from Director LaScaleia dated November 22, 2019 and confirmed that all of the conditions had been placed in the construction orders so the crew is aware of them.

Councilor O'Donnell read the conditions as set forth in 19.186 An Order to Approve Pole Petition for Hatfield Street.

John Skibiski of 50 Hastings Heights said he doesn't know specifically where the poles are being placed in relation to his driveway and property. Also, he informed the City Council that the round-about project may be in question because he is contesting the destruction of a prehistoric site where historic artifacts dating back 9,000 years have been found. If successful, an alternative proposal for traffic mitigation at the end of Hatfield Street may have to be found. Depending on the outcome, plans before the City Council may have to be changed, he suggested.

Based on the plan, members informed Mr. Skibiski that the poles to be placed/relocated are on the opposite side of the street from his property.

Ms. Jasinski referred to construction plans for the project, which show the work in greater detail. The pole petition is conditional on the roundabout project being approved, so if it does not go forward the changes will not be pursued, she explained.

Mr. Walsh informed members that a detailed study of the site was done and no historic artifacts or remains were found at the intersection of Hatfield and North King Streets.

If the roundabout project proceeds, the poles will be moved farther away from Mr. Skibiski's property, Councilor Dwight pointed out.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by voice vote. The hearing was closed at 8:07 p.m.

19.186 Order to Approve Pole Petition for Hatfield Street - only one reading required

19.186 An Order to Approve Pole Petition for Hatfield Street - only one reading required

Councilor O'Donnell took 19.186 An Order to Approve Pole Petition for Hatfield Street out of order.

Councilor Dwight moved to approve the order. Councilor Murphy seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed one reading:

City of Northampton

MASSACHUSETTS

In City Council, December 19, 2019

Upon the recommendation of Council President Ryan R. O'Donnell

19.186 AN ORDER TO APPROVE POLE PETITION FOR HATFIELD STREET

BE IT ORDERED

WHEREAS, on October 17, 2019, National Grid/Verizon New England submitted to the Northampton City Clerk's office Pole Petition #15048741, Petition for Joint or Identical Pole Locations dated August 28, 2019 ("the petition") to install (1) JO pole on Hatfield St., remove (2) JO poles on Hatfield St., and relocate (2) JO poles on Hatfield St. beginning at a point approximately 100 feet southeast of the centerline of North King St. Relocate P33 (7 feet back) and anchor and install new P41-50 and P42 and remove old P42; and

WHEREAS, the Northampton Department of Public Works (DPW) has reviewed the petition and determined that the proposed location of pole #33 is directly above the existing water main on Hatfield Street, which is to be relocated as part of MassDOT's reconstruction of this area, and, by memorandum from Felix Harvey to DPW Director Donna LaScaleia dated November 22, 2019, has requested that conditions be attached to any approval of the petition; and;

WHEREAS, the City Council wishes to approve the petition with conditions.

NOW, THEREFORE BE IT ORDERED,
The City Council hereby approves the Order for Joint or Identical Pole Locations for Petition #15048741 with the following conditions:

If the pole is to be set prior to the water main relocation, the following conditions must be met:

- Hand digging will be required to expose the existing water main and avoid mechanical damage to it;
- There must be five feet of separation between the proposed pole and anchor and the existing water main once both the pole and anchor are set;
- A valid trench permit approved by the DPW must be in place before work commences;
- The DPW must receive at least 24 hour notice before work commences;
- A representative from the DPW Water Division must be on site for the excavation of pole #33 and its anchor to ensure no damage to the City's water main.

There are no conflict for the other pole installations.
The petition should be modified to reflect these requirements.

Rules suspended, passed a single reading and enrolled.

Updates from Council President & Committee Chairs

Updates from Council President & Committee Chairs

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Councilor Sciarra, Councilor Nash, Councilor LaBarge and Councilor Dwight acknowledged the service of the five outgoing councilors with glowing praise. Councilor Nash said he felt like he had been part of a 'Golden Age' of the City Council and Councilor Dwight described it as the "highest-functioning" council he has had the pleasure of being part of. Councilors Sciarra and Dwight

	presented each departing member with a framed portrait of the 2018-2019 City Council. Outgoing councilors also shared reflections on their time on the council and expressed appreciation for the work and accomplishments of fellow councilors.
Communications & Proclamations from the Mayor	Communications and Proclamations from the Mayor Mayor Narkewicz also publicly thanked the outgoing members of the council, noting it has been an honor to serve with them. He gave a special shout out to Councilor Carney and Councilor Murphy, who came onto the council 14 years ago at the same time he did.
Resolutions	Resolutions None.
Presentations	Presentations None.
Consent Agenda	Consent Agenda Councilor O'Donnell reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. Councilor Dwight moved to approve the consent agenda as presented. Councilor LaBarge seconded. The motion carried 9:0 by voice vote. The following items were approved as part of the consent agenda: A. Minutes of December 5, 2019 B. 19.191 Appointment to the Board of Registrars - for referral to City Services **Board of Registrars** **Catherine Kay,** 136 S. Main St, Florence Term: April 2019 to March 2022 *To fill a vacancy*
Recess for Committee on Finance Meeting	At 8:35 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 8:46 p.m. The City Council reconvened at 8:46 p.m.
19.176 Ordinance Prohibiting the Use of Face Surveillance Systems - 1st reading	19.176 An Ordinance Prohibiting the Use of Face Surveillance Systems - 1st reading At Councilor Dwight's suggestions, the City Council agreed by consent to take 19.176 An Ordinance Prohibiting the Use of Face Surveillance Systems out of order. Councilor O'Donnell read the ordinance. Councilor Klein moved to approve the ordinance in first reading. Councilor Dwight seconded. As they heard from the public and in Attorney Newman's presentation, historically, technology has far outstripped the policies and laws providing protections as technology advances, Councilor Dwight observed. He gave examples of facial recognition technology already in use, including cell phones which grant access by looking at a person's face, and Facebook, which automatically begins tagging subjects of photos based on identification of their facial features. (It fails about a third of the time, he noted.) There are currently no policies providing protection or oversight of this technology that's moving rapidly and changing rapidly, he noted. In an article cited by Attorney Newman, the New York Times reported how the Chinese government is using facial recognition technology and artificial intelligence to monitor every aspect of its citizens' lives. One would hope that's not something that would play out here, but private businesses are doing it already with the intention of selling something. In this case, they're concerned particularly about the fact that these instruments can be used to limit or restrict the freedom and liberties they've been sworn to protect. Sponsors have been concerned about this prior to discussing it in concert with other councilors and representatives from the American Civil Liberties Union (ACLU). The ordinance was originally

much longer and probably more prohibitive but they ran up against the ongoing debate in place since adoption of the charter of how much authority the City Council has to give directives to city employees. In this case, the proposal has been pared down substantially but the effect is hopefully the same; i.e. – prohibiting resources which the City Council governs from being applied towards using this software. A three-year window on the ordinance will allow a future City Council to revisit the subject as technology evolves and, hopefully, as state and federal law catches up with the technology. This is a minimal stop gap and has a little more weight than a resolution, which might be even more forcefully worded. Sponsors have had lengthy conversations with the Mayor and Police Chief, and no facial recognition software is currently being employed by the city, notwithstanding the fact that there may be a desire to use it at some point, he stressed. He is grateful for those conversations, which were undertaken in the hope of arriving at a mutually-agreeable proposal, which he believes this represents. He expressed hope that his colleagues would join him in supporting this and respectfully requested two readings so he could know the assent or dissent of the sitting council prior to the end of the session.

As they heard from Attorney Newman and Councilor Dwight this evening, the error rate for this kind of software is too high and disproportionally so, Councilor Sciarra suggested. There isn't an error rate that applies evenly across the whole population. Also as alluded to by Councilor Dwight, this technology is moving incredibly fast; it's improving and becoming more accurate but its scope is also expanding. In this time of rapidly-changing technology, sometimes the sticky, hard, ethical debates and the protections Councilor Dwight referred to can't keep pace. Just because we can do something doesn't mean we should do something, and history is riddled with the bones of those sort of ethical mistakes, she reminded. This is really asking that they as a city impose their own brakes so that they can be really thoughtful about the implementation of these new tools.

This makes perfect sense to him, Councilor Bidwell affirmed, noting he is very much persuaded by the information out there of the reliability problems with this technology. He agreed with Councilor Dwight that they need to look at the probability of harm vs. the probability of benefit and said, in this case, he thinks the potential for harm far outweighs what they understand to be the benefit. He appreciates that a three-year review is built in to give a future council the opportunity to look at what will no doubt then be a very different state of the technology. He hopes that in three years there will be an open-mindedness to take a fresh look at the potential benefit of the technology vs. its potential harm since the calculus could be very different then. Right now it's clearly on the side of not permitting its use in the city at this time, he confirmed.

Councilor Nash voiced support for the ordinance from the perspective of 'the pleasure of being anonymous.' While serving as public figures they may be recorded, but sometimes it is so nice to just walk down the street with nobody looking at them or taking them in and acquaintances using traditional facial recognition techniques to recognize them. It's really wonderful to have places where they aren't subject to being recognized, and that's why he is supporting this, he shared.

In the course of discussion in Legislative Matters, Councilor Murphy brought up a very good point by asking, "What scares you more, the fact that it doesn't work or the fact that it will work?" Councilor Dwight related. Councilor Murphy was more terrified of the prospect of it working, which prompted Councilor Dwight to look at it differently himself. That is what China is doing now – compiling a vast reservoir of biometric information that is becoming more and more accurate, he asserted. When it does work, it literally is dominance, control and oversight individuals in this country and hopefully in this community wouldn't want to concede or give over to the government. That's the bigger issue, ultimately, he maintained.

Councilor LaBarge said she is supporting this 100%, just as she did the prohibition against surveillance technology. She questioned whether Chief Kasper had a problem with it.

Councilor Dwight said he didn't want to speak for the chief and had not heard whether she signed off on it. He didn't want to project that she was in agreement with this only that she definitely participated and was helpful in its development. They took into consideration many of her expressed concerns but he doesn't think they met all of them.

She is pleased with the language and glad Chief Kasper was part of the discussion, Councilor LaBarge responded.

Councilor O'Donnell proposed the following technical amendments to Section 3:

- In 3(a), replacing “such amendments as Councilors may propose and the Council may adopt” with the word “review.”
- In 3© replacing the word “passage” with the word “enactment”

He so moved. Councilor Dwight seconded. The motion passed unanimously 9:0 by voice vote.

Councilor O’Donnell expressed his appreciation for the work that went into this. In researching the technology, a report from the Wall Street Journal said that, by 2021, the estimate is that there will be one billion surveillance devices in the world. The population then is projected to be eight billion, so there will be one surveillance device for every eight people, although not distributed uniformly. What’s very clear as others have noted is that the technology is outpacing by a lot the regulation; it’s almost entirely unregulated. In some ways, this is a very conservative proposal, simply showing caution. It does show leadership, and he hopes the Commonwealth follows suit and looks for something similar for the state.

Councilor O’Donnell called the motion to a vote, and it passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to suspend rules to allow a second reading. Councilor LaBarge seconded.

As a point of information, Councilor O’Donnell pointed out that if rules are not suspended, the ordinance automatically rolls over to the new council session. Although a strong supporter of this ordinance, he thinks he needs to be consistent with his past policy of not being in favor of suspending rules unless there is a compelling reason. Out of an abundance of caution and to be consistent with his prior position, he is not in favor of having two readings tonight, he stated.

He shares the same reservation, Councilor Bidwell volunteered. This is creating the law of the city, so why wouldn’t they want the next council to have a chance to ponder this and vote on it, he asked? He said he also would vote against waiving the rules.

She appreciates the concern but she thinks in this case it is okay to go ahead and take two votes, Councilor Klein proposed. She would love as she’s exiting the council to be able to say that this is a piece of legislation she saw from start to finish. She has no doubt that incoming colleagues would vote positively on this so she knows it would come to the same resolution, but she thinks as a symbolic gesture it would be lovely if the five outgoing councilors could depart from the council having taken a vote and made the contribution to the city of this very important piece of legislation. She would respectfully vote to waive rules.

Councilor Dwight pointed out that the practice of having two separate readings is basically the result of a misinterpretation; rather than taking place at two different meetings, the first reading is when a measure is introduced and the second reading comes with the vote, he clarified. The stated reason the practice has been maintained is to give the council an opportunity to digest the proposal and the public an opportunity to weigh in. One of the problems in this case is that, because it comes at the 11th hour, the subject hasn’t been vetted in the newspaper and he hasn’t heard anything from the public other than those who helped develop it. But what compels him to ask for the second reading is that all of his colleagues have already participated in similar conversations about similar issues and there is an investment that translates into a knowledgeable and informed vote tonight. There is a certain investment those present have made that he would like to see honored and respected, he volunteered.

In addition to the extensive conversations among the three sponsors and the conversations with the Mayor and Police Chief, there was also quite a robust discussion of the ordinance in Legislative Matters, where three of the four members are outgoing councilors, Councilor Scarra added. Thus, it feels almost a little unfair to her that the new councilors wouldn’t be privy to one of the main discussions that was had. To her, it feels appropriate that this council would complete the process.

Discussion continued, with Councilor Bidwell continuing to advocate for deferring the second vote to the new council session and Councilor Nash adding his support to having two readings tonight. Councilor Klein noted the fact that the ACLU is conducting a state-wide campaign to have as many communities as possible pass ordinances prohibiting the use of facial recognition technology by the end of the year to bolster support for a state bill with the same objective. Northampton would

be joining Cambridge and Brookline in passing similar ordinances, she advised.

Councilor Dwight called for a roll call, and the motion to suspend rules carried 7:2 with Councilors Bidwell and O'Donnell opposed by roll call vote.

Councilor Dwight moved to approve the ordinance in second reading. Councilor Carney seconded.

Councilor O'Donnell pointed out for the record that, when the ordinance comes up for review in three years, it should be noted that it is not just facial recognition but the broader category of biometric screening that the ordinance should address. New technology is being developed to identify not just facial characteristics but also a person's gait, genetic information, etc., he said.

The motion passed unanimously 9:0 by roll call vote.

The following ordinance passed two readings:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of Councilors Alisa F. Klein, William H. Dwight, and Gina-Louise Sciarra

19.176 AN ORDINANCE
Prohibiting the Use of Face Surveillance Systems

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

That the ordinances of the City are hereby amended by inserting, as Chapter 290, Section 1, the following ordinance titled **Prohibition on the Use of Face Recognition Systems by Municipal Agencies, Officers, and Employees**.

Section 1.
Definitions. For purposes of this section:

(a) "Face surveillance" refers to an automated or semi-automated process that assists in identifying an individual by capturing information about an individual based on the physical characteristics of an individual's face.
(b) "Face surveillance system" is any computer software or application or other technology that performs face surveillance.
(c) "City official" shall include all officials and employees of the City, whether elected or appointed.

Section 2.
Prohibition

It shall be unlawful for any city official to expend any city resources to obtain, retain, access, or use any face surveillance system.

Section 3.
Miscellaneous

(a) Three years from the month of enactment of this ordinance, this ordinance shall be placed on the agenda of the City Council for review.
(b) Nothing in this Chapter shall be construed to limit any individual's rights under state or federal law.
(c) The provisions of this ordinance shall be effective immediately upon enactment.

Rules suspended, passed two readings, ordained and enrolled.

Financial Orders (on 1st reading)
19.177 Order to Execute Contract

Financial Orders (on 1st reading)
19.177 An Order to Execute Contract Amendment Relative to the FY2020 Audit - 1st reading
Councilor Dwight moved to approve the order as amended in first reading. Councilor Carney seconded. The motion passed unanimously 9:0 by roll call vote.

Amendment Relative to the FY2020 Audit - 1st reading

Councilor Dwight moved to suspend rules to allow a second reading. Councilor Bidwell seconded. The motion passed unanimously 9:0 by voice vote.

Councilor Carney moved to approve the order in second reading. Councilor Bidwell seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings.

City of Northampton

MASSACHUSETTS

In City Council December 19, 2019

Upon the recommendation of Council President Ryan O'Donnell

19.177 An Order
to Execute Contract Amendment Relative to the FY2020 Independent Audit

Ordered, that

Whereas, the City Council voted on September 5, 2019 to award the contract for the FY2020 Independent Audit to Scanlon Associates, LLC.

Now therefore be it ordered,

That the City Council hereby authorizes the City Council president to sign on behalf of the fu City Council Standard Contract Amendment #2, as attached hereto, amending the previous contract (#131-16) between Scanlon & Associates LLC and the City of Northampton to read a follows: "The contract is extended for one year at the prices and rates quoted for the FY2018 audit with a possible increase not to exceed $1,000 for services related to new GASB standar which take effect in FY2020."

City of Northampton
CONTRACT AMENDMENT
to

Contract No. 131-16

Amendment No. 2

The above referenced contract between Scanlon & Associates, LLC and the CITY OF NORTHAMPTON, by and through its City Council of 210 Main Street, Northampton, Massachusetts, is amended to read as follows: The contract is extended for one year at the prices and rates quoted for the FY2018 audit with a possible increase not to exceed $1,000 for services related to new GASB standards which take effect in FY2020.

ALL OTHER TERMS AND CONDITIONS OF THE ABOVE-REFERENCED AGREEMENT SHALL REMAIN THE SAME.

Executed this 19th day of December, 2019

By: _____
Vendor

Thomas J. Scanlon, Jr., Manager, Scanlon & Associates, LLC
Corporate Name, Individual Name and Title

CITY OF NORTHAMPTON: City Council

_____

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_____

_____ Date _____

_____ Date _____
Chief Proc. Officer, approved as to form and c. 30B compliance

_____ Date _____
City Auditor, approved as to appropriation.

_____ Date _____
Mayor David Narkewicz

Rules suspended, passed two readings and enrolled.

19.189 Order to Accept Gift of Thermograph Imager from MIIA - 1st reading

19.189 An Order to Accept Gift of Thermograph Imager from MIIA - 1st reading
Councilor Klein moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor LaBarge moved to suspend rules to allow a second reading. Councilor Klein seconded. The motion passed unanimously 9:0 by voice vote.

Councilor Bidwell moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council December 19, 2019

Upon recommendation of the Mayor

19.189 An Order to Accept Gift of Thermograph Imager from MIIA

Ordered, that

The City of Northampton accepts the donation of a thermograph imager, valued at $2000 per device, from the Massachusetts Interlocal Insurance Agency (MIIA) to be used to identify areas of heat loss, moisture and infestation, in accordance with Massachusetts General Law Chapter 44, Section 53A.

Rules suspended, passed two readings and enrolled.

19.190 Order to Authorize Five-Year Agreement for CardConnect Services at Senior Center - 1st reading

19.190 An Order to Authorize Five-Year Agreement for CardConnect Services at Senior Center - 1st reading

Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to suspend rules to allow a second reading. Councilor Nash seconded. The motion passed unanimously 9:0 by voice vote.

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council December 19, 2019

Upon recommendation of the Mayor

19.190 An Order to Authorize Five-Year Agreement for CardConnect Services at Senior Center

Ordered, that

Whereas, the Senior Center wishes to implement on site credit card processing for the convenience of our seniors;

Whereas, a five year contract is necessary for to contract with CardConnect, the credit card processing software that is enabled to work with MySeniorCenter, the Senior Center's software program;

Now therefore be it ordered,

That the Senior Services Department is authorized to enter into a five-year contract for provision of credit card processing services.

Rules suspended, passed two readings and enrolled.

Financial Orders (on 2nd reading)
19.180 Order to Appropriate $4 Million in Free Cash to Various Funds and Projects – 2nd reading

Financial Orders (on 2nd reading)
19.180 An Order to Appropriate $4 Million in Free Cash to Various Funds and Projects – 2nd reading
Councilor Klein moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council December 5, 2019

Upon recommendation of the Mayor

19.180 An Order to Appropriate $4 Million in Free Cash to Various Funds and Projects

Ordered, that

$ 4,090,307 be appropriated from the FY20 General Fund Undesignated Fund Balance (Free Cash) to the following accounts:

$700,000	Capital Stabilization Fund
$700,000	Stabilization Fund
$980,414	Fiscal Stability Stabilization Fund
$500,000	OPEB Liability Trust Fund
$932,187	Road Resurfacing/Paving
$240,000	Ten Year Data Verification for Property Assessments
$ 19,298	McKinney Vento Homeless Transportation Reimbursement to NPS
$ 18,408	Central Services Rebate for EV Stations

Rules suspended, passed two readings and enrolled.

19.181 Order to Appropriate Retained Earnings to Enterprise Stabilization Funds and Projects – 2nd reading

19.181 An Order to Appropriate Retained Earnings to Enterprise Stabilization Funds and Projects – 2nd reading

Councilor LaBarge moved to approve the order in second reading. Councilor Bidwell seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council December 5, 2019

Upon recommendation of the Mayor

19.181 An Order to Appropriate Retained Earnings to Enterprise Stabilization Funds and Projects

Ordered, that

$ 1,200,000 be appropriated from the FY20 Water Enterprise Retained Earnings to fund the Leeds High Pressure System Reconstruction.

$ 398,234 be appropriated from the FY20 Sewer Enterprise Retained Earnings to fund ongoing Waste Water Treatment Plant Improvements

$31,000 be appropriated from the FY20 Sewer Enterprise Retained Earnings to fund a fork lift for the Waste Water Treatment Plant

$200,000 be appropriated from the FY20 Stormwater Enterprise Retained Earnings to the Stormwater Stabilization Fund.

Rules suspended, passed two readings and enrolled.

19.182 Order to Rescind Borrowing Authority for Audubon Tank Repairs – 2nd reading

19.182 An Order to Rescind Borrowing Authority for Audubon Tank Repairs – 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor Bidwell seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council December 5, 2019

Upon recommendation of the Mayor

19.182 An Order to Rescind Borrowing Authority for Audubon Tank Repairs

Ordered, that

the City Council rescind the following order because such borrowing authority is no longer necessary:

$250,000 of borrowing authority authorized under the loan order approved on April 20, 2017 for repairs to the Audubon Road Water Tank as the project scope has changed and funding has been appropriated to fund the Leeds High Pressure System Reconstruction.

Rules suspended, passed two readings and enrolled.

19.183 Order to

19.183 An Order to Hold Special Election for $2.5 Million Operating Override on March 3,

Hold Special Election for $2.5 Million Operating Override on March 3, 2020 – 2nd rdg.

2020 – 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor Klein seconded.

Councilor Sciarra apologized for not being present for the first vote to put the override on the ballot. It's not something she would ever, ever want to miss, since putting the override on the ballot is the responsible thing to do; it's not fair to deny the people of Northampton their say, their participation and the opportunity to determine their path forward. They'll be having a very big community conversation for the next few months. It's a conversation they've known was coming – every year they've been reminded and updated on it for seven years. It's a conversation they need to have, and to deny that reality would be to shirk their responsibility; the responsibility for which they've been elected. She will absolutely vote to put it on the ballot and very willingly participate in that conversation. She is ready to talk to anyone who wants to talk to her about the subject, she volunteered.

Councilor Dwight agreed it is their obligation to put this on the ballot, adding that it is incumbent upon the Mayor and councilors to make their case. When Proposition 2 and ½ proponents introduced the legislation, their stated objective was to require local governments to make their case each time before requesting more money.

The 2 ½ percent limit on tax increases – half a percent below the standard inflation rate – guarantees that every community that wants to continue to function must ask for more money, Councilor Dwight noted. Municipalities are subject to the same inflationary pressures as residents since their utility bills, employment costs, etc. also continue to rise. He noticed some residents who benefit from pensions from the city speaking against the override; those pensions don't stay static, the city has to pay for them, he pointed out. The state in its continued abdication of responsibility has continued to put the greater burden on communities to do more with less. This community has proven itself - by its bond rating, as a perfect example - to be a very fiscally sound and well-managed city but still city officials have to make the case. Because of the way Proposition 2 ½ is structured, they now have to ask the citizens to make a choice, and to not give them the opportunity for that choice or that discussion is bad governance. Voting to put this on the ballot is not an endorsement of the override; it is merely an endorsement of giving the public the opportunity to weigh in. With no election, that doesn't happen, and that is an abrogation of their responsibility.

Mayor Narkewicz interjected to express appreciation for the public comment and to clarify that, since Proposition 2 ½ was enacted 38 years ago (in 1982), Northampton has only passed two general operating overrides. They've attempted four but only enacted two, he stressed. He looks forward to holding Town Halls in all the wards so he has the opportunity to make that case.

There being no further discussion, Councilor O'Donnell called for a roll call, and the motion passed 8:1 by roll call vote with Councilor LaBarge opposed.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council December 5, 2019

Upon the recommendation of Mayor David J. Narkewicz

19.183 An Order to Hold Special Election for $2.5 Million Operating Override on March 3, 2020

Ordered, that a special election be held in Northampton on March 3, 2020, and that the following question be placed on the ballot, pursuant to Massachusetts General Laws Chapter 59, Section 21 C (g):

Shall the City of Northampton be allowed to assess an additional $2,500,000 in real estate and personal property taxes for the purposes of funding the operating budgets of the City and Public Schools for the fiscal year beginning July 1, 2020?

Yes_____ No _____

Rules suspended, passed two readings and enrolled.

19.185 Order to Adjust Property Tax Exemption Eligibility Requirements for Seniors under MGL Ch. 59, Section 5 – 2nd rdg.

19.185 An Order to Adjust Property Tax Exemption Eligibility Requirements for Seniors under MGL Ch. 59, Section 5 – 2nd reading

Councilor Bidwell moved to approve the order in second reading. Councilor Klein seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council December 5, 2019

Upon recommendation of Mayor David J. Narkewicz

19.185 An Order to Adjust Property Tax Exemption Eligibility Requirements for Seniors under MGL Ch. 59, Section 5

Whereas; a general fund operating override to renew the fiscal stability plan has been proposed for Fiscal Year 2021;

Whereas; property taxes can pose a significant financial challenge for some senior residents with limited or fixed incomes;

Whereas; in order to lessen the potential impact of the proposed override on seniors with certain income and asset limitations, the Mayor recommends adoption of additional property tax relief provisions for income eligible seniors allowable under MGL C.59 s. 5 clause 41C;

Ordered, that

The exemptions for eligible property owners pursuant to the provisions of MGL C.59 s. 5 clause 41C be adjusted beginning Fiscal Year 2021 per the statute as follows:

1) Reduce the requisite age of eligibility from 70 years of age, down to any person aged 65 years or older;
2) Increase the maximum exemption amount from $650 to $1,000 per fiscal year;
3) Increase the income limitations for eligibility from $18,000 for single and $20,000 for married persons to $20,000 for single and $30,000 for married persons;
4) Increase the asset limitations for eligibility from $28,000 for single and $30,000 for married persons to $40,000 for single and $55,000 for married persons.

Rules suspended, passed two readings and enrolled.

Orders
19.184 Order to Accept M.G.L. Ch. 138, Section 12 Permitting Cordials and Liqueurs - 2nd reading

Orders
19.184 An Order to Accept M.G.L. Ch. 138, Section 12 Permitting Cordials and Liqueurs - 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor Sciarra seconded. The motion passed 8:0 with one absent. (Councilor Bidwell stepped out.).

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, December 5, 2019

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

Ordered, that

19.184 An Order to Accept M.G.L. Ch. 138, Section 12 Permitting Cordials and Liqu

WHEREAS, Massachusetts General Law, chapter 138, section 12 includes the following paragraph stating, "In any city or town which votes to accept the provisions of this paragraph, a common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter; and

WHEREAS, liqueurs and cordials are defined as flavored spirits product containing not less than 2½% by weight sugar, dextrose, levulose or a combination thereof made by mixing or redistilling any class or type of spirits with or over fruits, flowers, plants or pure juices therefrom or other natural flavoring materials or with extracts derived from infusions, percolation or maceration of such materials.; and

WHEREAS, the City of Northampton's acceptance of this provision will support local wine and malt license holders who wish to expand options for their customers while supporting the overall strength and vibrancy of our local economy; and

WHEREAS, upon acceptance of this provision any establishment seeking to serve liqueurs or cordials in Northampton would be required to obtain a permit from the License Commission and approval from the Massachusetts Alcoholic Beverages Control Commission (ABCC), and so

NOW, THEREFORE BE IT ORDERED,

That the City of Northampton accepts the paragraph of Section 12 of M.G.L. Chapter 138 allowing a common victualler, who holds a license under Section 12 to sell wines and malt beverages to, upon written approval, also sell liqueurs and cordials pursuant to said license and all other licensing provisions of M.G.L. Chapter 138.

Rules suspended, passed two readings and enrolled.

Ordinances (Not Yet Referred)

Ordinances (Not Yet Referred)
None.

Ordinances
19.137 Ordinance to Amend Ch. 312 Vehicles and Traffic [to delete handicapped parking space on Pleasant St. - in parking lot

Ordinances
19.137 An Ordinance to Amend Chapter 312 Vehicles and Traffic [to delete handicapped parking space on Pleasant Street - in parking lot off Gleason Plaza] - 1st reading
Councilor Klein moved to approve the ordinance in first reading. Councilor Dwight seconded.

This handicapped parking space was located in the Depot parking lot, Councilor Nash explained. The ordinance refers to Pleasant Street [off Gleason Plaza] because that's how it is listed in the table of Off-Street Handicapped Parking Spaces but the space was actually in the former Depot

off Gleason Plaza] - 1st reading

Lot. He visited the lot prior to the TPC meeting and counted eight or nine handicapped spaces still located in the lot now under private management.

There being no further discussion, the motion carried 9:0 by roll call vote.

See minutes of February 6, 2020 for second reading.

19.167 Ordinance Requiring the Use of Organic Pest Management Practices in the Municipal Places Where Children Play – 2nd reading

19.167 An Ordinance Requiring the Use of Organic Pest Management Practices in the Municipal Places Where Children Play – 2nd reading
Councilor Klein moved to approve the ordinance in second reading. Councilor Dwight seconded.

Councilor Nash said he refrained from speechifying at the last meeting due to the lateness of the hour but wanted to say that this is the second of nine recommendations by the Select Committee on Pesticide Reduction (SCPR) and he is very happy to be co-sponsoring it. He recognized the 'amazing' work of his fellow sponsor, Councilor Klein, in reaching out to the DPW and working out the details with Director LaScaleia. He appreciates that it meets the goals of the select committee and also works for the DPW. There are eight other recommendations, and he is committed to working on those recommendations in the next term. He looks forward to working with his SCPR colleagues to achieve those goals.

She also abbreviated her comments at the last meeting but is not going to speechify tonight either because she knows her colleagues are on board, Councilor Klein observed. They also have the SCPR report that includes a recommendation for legislation very much along the lines of what is presented here. She thanked everybody involved in the process, including her colleague Jim Nash who helped create the select committee, the SCPR members themselves who worked incredibly hard for four months, and Councilor O'Donnell, who was very involved in working with the DPW, the Mayor's office, the Health Department and the city solicitor to create something they could all support. As she leaves the City Council, it feels like one of the best pieces of work she was able to be a part of collaboratively. She is really grateful that her colleagues on the council supported it unanimously the last time and hopes they will do so again.

Councilor Dwight reported that he introduced the ordinance to the Youth Commission last night, and they are very much in favor of it, in concert with the city's Resiliency Plan. They have a great sense of urgency, so if proponents need more support, they are 'adamant and vehement.'

Councilor O'Donnell offered the following technical amendment:

- On page 3, Section C.3, deleting the words "stinging, biting, crawling and/or flying"

He so moved. Councilor Klein seconded. The motion carried 9:0 by voice vote.

He also proposed substituting the words "organic management practices" for "organic management program" under the first paragraph of the 'Purpose' subheading. Councilor O'Donnell so moved. Councilor Dwight seconded.

Councilor Klein stated her understanding that 'program' is actually the acceptable term used in similar contexts, and Councilor O'Donnell withdrew his motion out of deference to her as sponsor.

Councilor O'Donnell called the motion to a vote, and it passed unanimously 9:0 by roll call.

The following ordinance passed two readings:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of Councilors Alisa F. Klein, James B. Nash and Ryan R. O'Donnell,

19.167 AN ORDINANCE
REQUIRING THE USE OF ORGANIC PEST MANAGEMENT PRACTICES IN THE MUNICIPAL PLACES WHERE CHILDREN PLAY
"KEEPING CHILDREN SAFE FROM PESTICIDES AND CHEMICAL FERTILIZERS"

Purpose
The purpose of this ordinance is to safeguard the health and welfare of the children and other residents of the City of Northampton by protecting them from pesticides and requiring the adoption of Organic Pest Management (OPM) practices for the turf and landscape of the city's municipally-owned parks, playing fields, and playgrounds. This ordinance, to be known as the "Keeping Children Safe from Pesticides Ordinance" is designed to, over a period of three years, reduce and ultimately eliminate the use of chemical fertilizers and pesticides by implementing an organic management program in the places children play.

The "Keeping Children Safe from Pesticides Ordinance" recognizes that the use of pesticides may have unintended and profound effects upon indigenous and desirable plants, surface and ground water, bees, desirable insects, birds, fish, wildlife, pets, people, and especially children in the vicinity of treated areas. It recognizes that all citizens, particularly children, fetuses, and people with immune deficiencies, are vulnerable to the deleterious effects of pesticides and have a right to protection from exposure to the hazards pesticides pose. The City of Northampton recognizes that it is in the best interest of the public health of Northampton's residents and visitors to reduce and ultimately eradicate the use of pesticides and chemical fertilizers in the municipal places where children play.

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

That Chapter 285 of the Code of Ordinances be amended to add Article IV - Parks, Playing Fields, and Playgrounds *as follows:*

Article IV – Parks, Playing Fields, and Playgrounds
§285-53 – Pesticide Use.

A. Definitions. For purposes of this section:

1. "Pesticides" means any spray adjuvant, substance, or mixture of synthetic chemical substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest which may infest or be

detrimental to vegetation, humans, animals, or households, including fungicides, herbicides, rodenticides, insecticides, acaracides, nematicides, larvicides, defoliants, and plant growth regulators. This includes any fertilizer mixture that includes pesticides within it.

2. "Chemical fertilizer" means any inorganic material of wholly or partially synthetic origin that is added to soil to sustain plant growth.

3. Broadcast application means the spreading of pesticides over an entire area or substantial part of an area.

4. Isolated spot application means a non-broadcast generally non-recurring application of pesticides targeting a specific pest in a specific location.

5. Emergency situation means a serious and unanticipated situation that threatens the public health or is likely to result in significant damage to property or the environment and that requires immediate action and for which no organic pest management alternative is expeditiously available.

6. Organic Pest Management (OPM) means the act of managing or controlling pests through the use of mechanical, biological processes, or through the use of natural, organic, or non-synthetic substances.

7. Pests means any agent (animal, plant, insect, organism, or microorganism) targeted for elimination or control by a pesticide.

B. Organic Pest Management. Except as provided in Section C, over a period of three (3) years from the date of ratification of this ordinance, the turf and landscape management of parks, playing fields, and playgrounds owned by the City of Northampton will be transitioned to an Organic Pest Management System. Three (3) years from the date of the ratification of this ordinance, the use of pesticides on parks, playing fields, and playgrounds owned by the City of Northampton will be prohibited.

C. Exceptions. The prohibition shall not apply:

1. To properties under the jurisdiction of the Northampton Public and Smith Vocational school districts.

2. In instances where the reconstruction of parks, playing fields, or playgrounds is undertaken, or in instances where the City assumes ownership and/or operational control of a park, playing field, or playground where Organic Pest Management practices were not previously employed. A three year transition period shall be allowed in such instances and at such facilities.

2

3. In the presence of insects that may pose an immediate threat to users of the facilities described in this ordinance. The Director of the Department of Public Works shall have the authority to approve the immediate isolated spot application of a pesticide to eliminate the threat.

4. In emergency situations as defined in this section. The Director of the Department of Public Works shall have the authority to approve a one-time broadcast application of pesticides.

5. Within two (2) business days after the application of pesticide/s as detailed in C(3) and C(4) are carried out, the Department of Publics Works shall make a report to the Mayor and the Board of Health documenting the reasons why the application was necessary.

Rules suspended, passed two readings, ordained and enrolled.

Information (Charter Provision 2-7) & Study Requests	Information (Charter Provision 2-7) and Information Study Requests None

Motion to Adjourn	Upon motion made by Councilor Bidwell and seconded by Councilor Klein, the meeting was adjourned at 10:02 p.m. by roll call vote with Councilor Dwight in opposition. Attest:_____ Administrative Assistant to the City Council

MAYOR DAVID J. NARKEWICZ

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

DATE: January 16, 2020

TO: City Council

FROM: Mayor David J. Narkewicz

SUBJECT: Appointments to Boards, Committees, and Commissions

Please find the attached appointments to City Boards, Committees, and Commissions:

<u>Board of Assessors</u>

David Murphy, 78 North Elm Street, Northampton
Term: January 2020 - June 2023
To fill a newly created seat

<u>Planning Board</u>

Melissa Fowler, 87 Chesterfield Road, Leeds
Term: January 2020 – June 2021
To fill the unexpired term of Mark Sullivan

City of Northampton

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

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

1 message

noreply@civicplus.com <noreply@civicplus.com> Tue, Jan 7, 2020 at 1:05 PM
To: mayor@northamptonma.gov

Application for Appointment to Boards, Committees and Commissions

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

First Name	Melissa
Last Name	Fowler
Title, if applicable	*Field not completed.*
Address1	87 Chesterfield Road
Address2	*Field not completed.*
City	Leeds
State	MA
Zip	01053
Home Phone	*Field not completed.*
Work Phone	*Field not completed.*
Cell Phone	413-977-0455
Occupation & Place of Employment	Construction Project Manager - Self Employed - Fowler Consulting Services LLC - Working mostly with Western Builders for the last 4 years.
Email	melissa@goodstrongbean.com
Are you a Northampton resident?	Yes
Years Lived in Northampton	29
Age	50 - 59

Sex	Female
Racial / Ethnic Background	Caucasian
Boards and Committees	Planning Board
Please list "other" board or committee of interest	*Field not completed.*
What skills and experience will you bring to this committee assignment?	I have been working in the Construction industry since 1987 as a mechanical engineer and construction manager. I have a Bachelor's Degree in Mechanical Engineering from UMASS and a Master's Degree in Construction Management from the University of Florida. I'm a native of Northampton, born at Cooley Dickenson and graduated from Northampton High School in 1984. I moved away for College in 1991 and returned in 2012 to raise my then 5-year old son in Northampton. We were living in Metro Boston and I didn't want that childhood for him. I wanted him to grow up in the Pioneer Valley like I did. My skills are Project Management and Construction Management of Themed, Industrial, Commercial and Residential construction for the past 33 years. I worked for Disney as an Imagineer for almost 10 years; managing design and construction of new attractions at Walt Disney World. After that, I went on to manage design and construction of luxury estate homes in the Metro Boston area - homes up to 20,000 sf and $20M. My work path has also taken me through a genetic research facility in San Francisco CA, the first ever female management trainee for the Gilbane Building Co in Providence RI, production home building in Orlando FL, hotel renovations in Fort Myers FL and Kansas City KS and construction management in all 4 theme parks and 2 water parks at Walt Disney World FL. For the past 4 years I have been working almost exclusively with Western Builders here in the Pioneer Valley. I managed construction of the 5 new apartment buildings at the end of Paradise Road at Smith College. I built the Pet Hotel in Hadley. I've estimated, bid and have been awarded numerous projects for Western Builders, including the Sargent House on Main Street in Northampton and another housing unit up on Village Hill (which I still remember of course as the State Hospital). I'm currently finishing a 3-year program of renovations at the Basketball Hall of Fame in Springfield MA, including re-finishing all the panels on the outside of the Sphere last Summer. I'm also currently co-managing a 150-unit Assisted and Independent Living facility in Hudson MA. Throughout these 33 years I have become proficient at

	budgeting, scheduling, estimating, awarding contracts, accounting and all other aspects of construction management. I have sat in front of many planning boards. I understand the language and the needs between Cities, Designers and Builders. I am always looking for the win-win-win-win scenario between Owner, Builder, Design and Municipality. I have my General Contracting license and just recently started a Home Improvement Company (I will transition from Western Builders to do this). I have also done some consulting for real estate attorneys over the past 3 years. It has long been an interest of mine to serve my hometown in some way with the toolbox of skills I acquired through my career. Although it may not seem so from the description above, life has settled in for me now, 8 years after my move back here. Now is a great time for me to offer my assistance. I would love nothing more than to give back to my City and have a hand in its future.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	*Field not completed.*

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

Signature	Melissa A. Fowler
Date	1/7/2020

Email not displaying correctly? View it in your browser.

City of Northampton

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

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

1 message

noreply@civicplus.com <noreply@civicplus.com> Tue, Jan 7, 2020 at 4:16 PM
To: mayor@northamptonma.gov

Application for Appointment to Boards, Committees and Commissions

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

First Name	David
Last Name	Murphy
Title, if applicable	*Field not completed.*
Address1	78 North Elm Street
Address2	*Field not completed.*
City	Northampton
State	MA
Zip	01060
Home Phone	*Field not completed.*
Work Phone	582-7190
Cell Phone	530-2275
Occupation & Place of Employment	Real Estate Broker/Appraiser
Email	david.nurphy8@comcast.net
Are you a Northampton resident?	Yes
Years Lived in Northampton	64
Age	60 - 69
Sex	Male

Racial / Ethnic Background	*Field not completed.*
Boards and Committees	Assessors, Board of
Please list "other" board or committee of interest	*Field not completed.*
What skills and experience will you bring to this committee assignment?	I am Massachusetts Certified Real Estate Appraiser. I am a Massachusetts Accredited Assessor #930, re-certified until October 22, 2021. I served as a Northampton Assessor from 1998 until 2006.
Are you currently serving or have you served on any city committee?	Yes
Please list other city committees you have served on	Cable TV, Elm Street Historic, Housing Partnership, Central Business Architecture, Assessors, City Council

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

Signature	David A. Murphy
Date	1/7/2020

Email not displaying correctly? View it in your browser.

City of Northampton

MASSACHUSETTS

_____

In City Council, January 16, 2020

Upon the recommendation of the Community Preservation Committee

20.008 An Order to Appropriate CPA Funds to Purchase 105 Acres in Rocky Hill Greenway

Ordered, that

WHEREAS, The Northampton Conservation Commission and Office of Planning & Sustainability submitted a Community Preservation Act application for purchase of 105 acres within the Rocky Hill Greenway at the former Pine Grove Golf Course;

WHEREAS, The parcel includes more than half a mile of Nashawannuck Brook riparian area, is part of a wildlife corridor, abuts existing protected areas in the Rocky Hill Greenway, and presents a myriad of opportunities for climate change adaptation, natural communities restoration, and recreation;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan to protect open space, provide for passive recreation, and protect heritage landscapes;

WHEREAS, CPA funds will provide a match for a state Local Acquisitions for Natural Diversity grant;

WHEREAS, on November 20, 2019, the Northampton Community Preservation Committee voted unanimously to recommend that $250,000 in Community Preservation Act funds be used to support this project.

Ordered, that

That $250,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Nashawannuck Riparian Restoration Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $172,000 is appropriated from the CPA Open Space Reserve (account #2344930-359931), and $78,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

City of Northampton

MASSACHUSETTS

_____

In City Council, January 16, 2020

Upon the recommendation of the Community Preservation Committee

20.009 An Order to Appropriate CPA Funds for Affordable Home on Glendale Road

Ordered, that

WHEREAS, Pioneer Valley Habitat for Humanity submitted an application for Community Preservation Act funding for creation of an affordable single-family home on Glendale Road;

WHEREAS, Habitat for Humanity has an excellent record of creating housing throughout the Pioneer Valley and beyond, and has already created three affordable units on Glendale Road;

WHEREAS, the project has wide community support, leverages funding from many other sources, and utilizes volunteer labor;

WHEREAS, the home will be restricted to individuals and families earning 60% of area median income or below;

WHEREAS, on November 20, 2019, the Northampton Community Preservation Committee voted unanimously to recommend that $30,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $30,000 be appropriated from Community Preservation Act funding to Pioneer Valley Habitat for Humanity for the Glendale Road Small Home Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $30,000 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933).

City of Northampton

MASSACHUSETTS

_____

In City Council, January 16, 2020

Upon the recommendation of the Community Preservation Committee

20.010 An Order
to Appropriate CPA Funds to Community Builders for North Commons Project

Ordered, that

WHEREAS, The Community Builders submitted an application for Community Preservation Act funding for creation of affordable housing units at the North Commons project;

WHEREAS, in conjunction with the Village Hill Apartments, the project will create approximately 65 units of mixed income rental housing at Village Hill on two parcels, and 35 of these will be restricted to households and individuals earning 60% of area median income or below;

WHEREAS, playgrounds and approximately 30 acres of open space are are part of the project and will be open and available for use by the public;

WHEREAS, The Community Builders has an excellent record of providing affordable housing in Northampton and beyond;

WHEREAS, the project will leverage funds from a variety of other sources and has wide community support;

WHEREAS, on November 20, 2019, the Northampton Community Preservation Committee voted unanimously to recommend that $250,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $250,000 be appropriated from Community Preservation Act funding to The Community Builders for the North Commons project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $142,000 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933), and $108,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

City of Northampton

MASSACHUSETTS

_____

In City Council, January 16, 2020

Upon the recommendation of the Community Preservation Committee

20.011 An Order to Appropriate CPA Funds to NHA for Hampshire Heights Playground

Ordered, that

WHEREAS, the Northampton Housing Authority submitted an application for Community Preservation Act funding for playground creation at Hampshire Heights;

WHEREAS, the Hampshire Heights development has never had a dedicated playground space, and the majority of its residents are youth and children for whom access to other playgrounds is limited;

WHEREAS, the project has wide support, including Hampshire Heights residents, the Housing Partnership, and Healthy Hampshire, and will contribute to positive health status of residents and enhance quality of life;

WHEREAS, CPA funds will be leveraged by additional grant funding and donated labor and services;

WHEREAS, on November 20, 2019, the Northampton Community Preservation Committee, voted unanimously to recommend that $200,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That **$**200,000 be appropriated from Community Preservation Act funding to the Northampton Housing Authority for the Hampshire Heights Playground Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $200,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930)

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

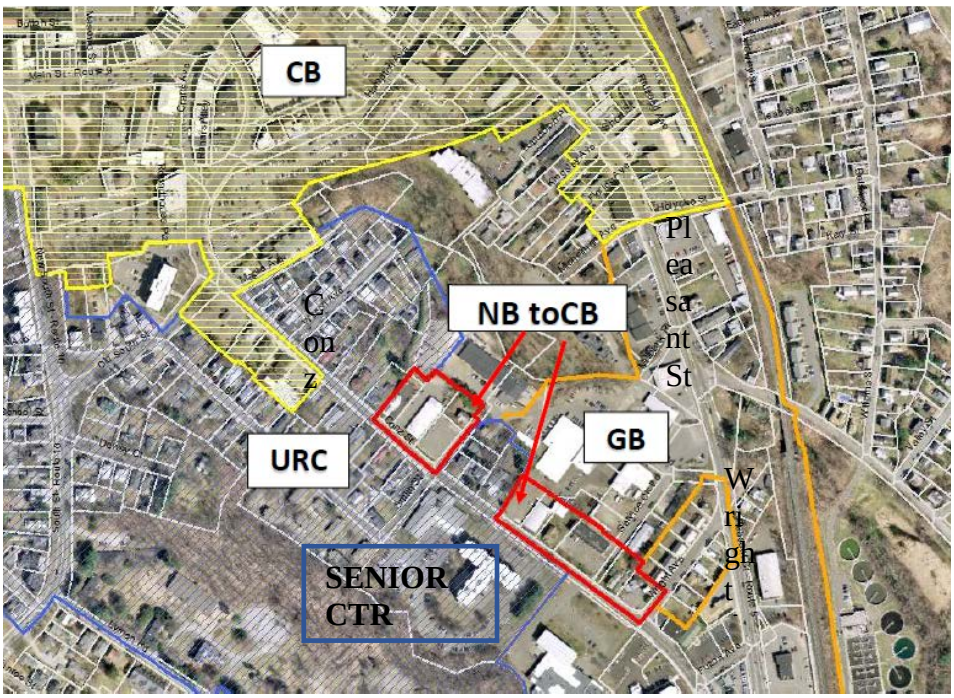
20.004 An Ordinance to Rezone Eight Conz Street Parcels from NB to CB

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 350-3.4 Zoning Map to rezone some parcels in Neighborhood Business to Central Business.

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

Amend the Zoning Map as shown

Rezone Map Id's along Conz Street from Neighborhood Business to Central Business:
32C-102
32C-104
32C-105
32C-131 NB Portion Only
39A-002
39A-003
39A-008
39A-009


CB
NB toCB
GB
URC
SENIOR
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City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

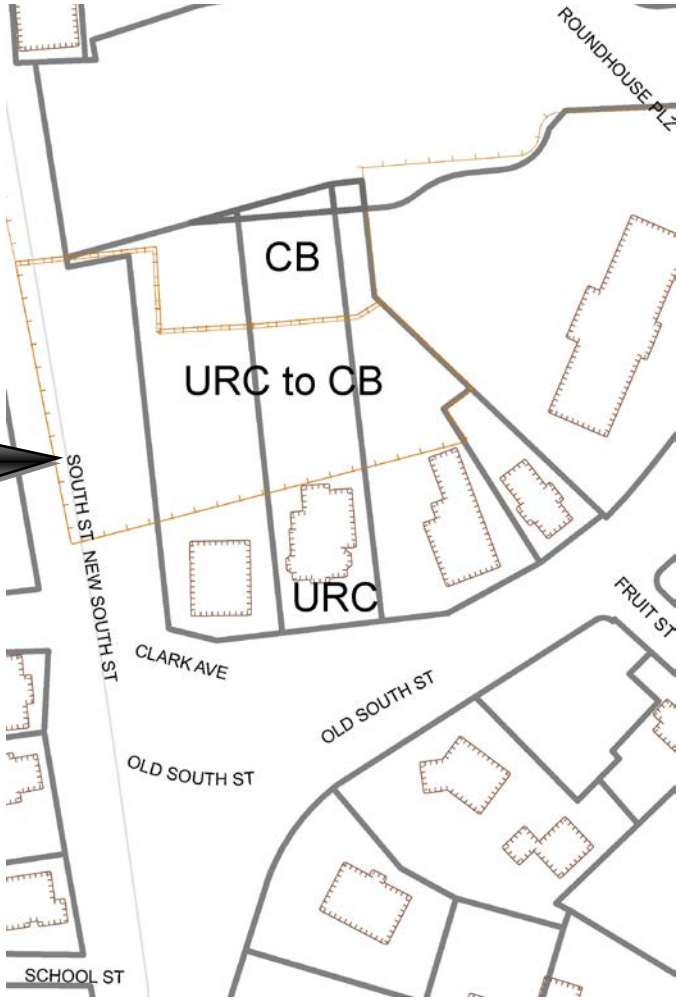
20.005 An Ordinance to Amend the Zoning Map on Old South St. and Clark Ave.

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to change the boundary between Central Business (CB) and Urban Residential-C (URC) zoning districts.

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

Amend
{§ 350-3.4 Zoning Map to expand the limits of Central Business (CB) zoning district behind the first set of homes on Old South Street and Clark Avenue, on a portion of Map ID 38A-222, 223, and 224, as shown below.

This change would keep the homes on Old South Street and Clark Avenue within the Urban Residential C (URC) zoning district but would expand the CB slightly in the rear yards of those homes.}



City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

Upon the Recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.006 An Ordinance

to Amend Zoning Map to Add New Smart Growth Overlay District at Laurel Street

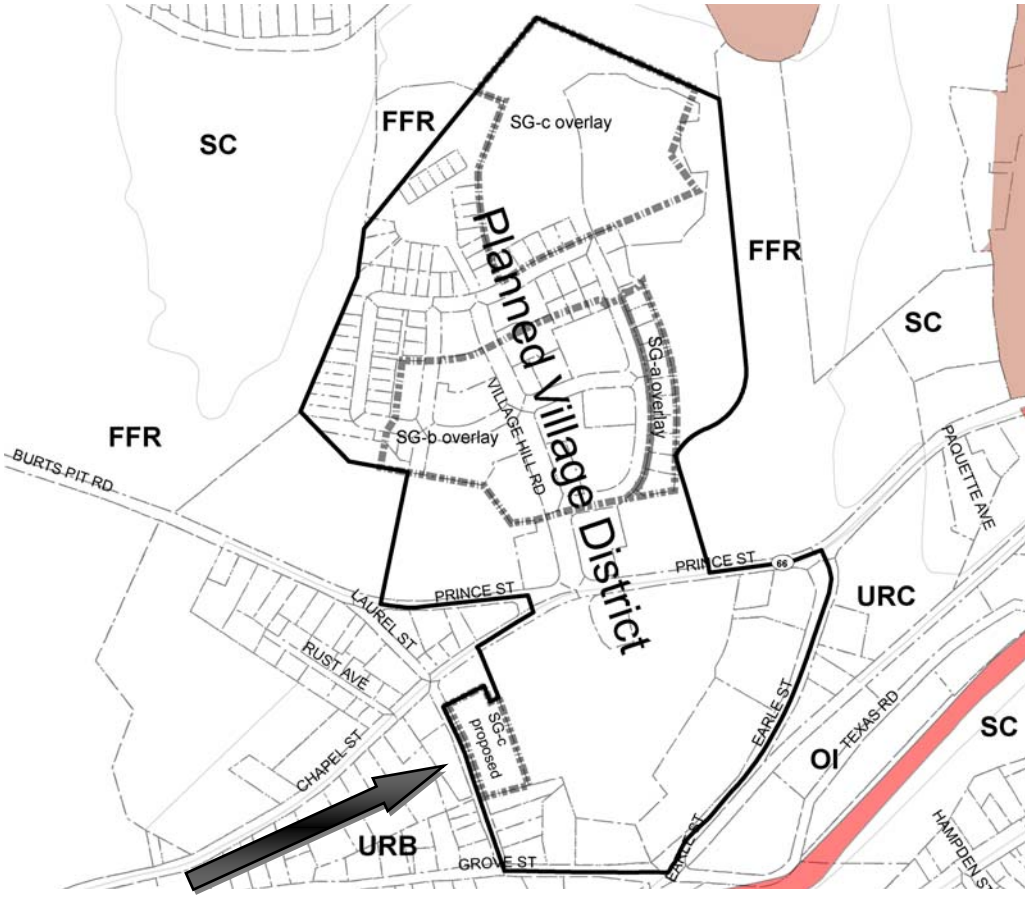
An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to add a new Smart Growth-c overlay district.

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

Amend

{§ 350-3.4 Zoning Map to add additional Smart Growth-c overlay district (SG-c), in addition to the existing three SG overlays, overlain on the existing Planned Village District (PV), on Map ID 38A-049-001, as shown below.

SG-c does not increase the allowed density (the existing PV has no minimum lot size, frontage, width, depth, or setback requirements) but does allow Commonwealth Smart Growth Overlay bonus to the City for affordable housing. Map 38A-049 has already been dedicated to affordable housing by the City's State Hospital reuse planning and the resulting state legislation.}



CITY OF NORTHAMPTON

MASSACHUSETTS

In the Year Two Thousand and Twenty
Upon the Recommendation of the Mayor and Historical Commission

20.012 An Ordinance
Relative to Demolition Review for Historically-Significant Buildings

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to modify the buildings and structures to which Demolition review applies. The amendments will apply Demolition review to all buildings and structures built in 1900 and earlier, and all principal structures on a lot built in 1945 or earlier to allow for more effective protection and preservation of the City of Northampton's significant historic resources.

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Amend the text with the additions, modifications, and deletions shown below.

§161-3

Buildings and structures regulated by this chapter are buildings or structures built in 1945~~39~~ or earlier, determined to be historically significant and preferably preserved by the Northampton Historical Commission. Such regulated buildings or structures are all of those~~will be defined by age for properties~~ built in 1900 and earlier, and all principal buildings or principal structures (e.g., not including out buildings, sheds, accessory structures, fences) ~~and determined by inventory listing for those~~ built between 1901 and 1945~~39~~. ~~The Northampton Historical Commission will create the inventory within a two-year period from the date of the adoption of this chapter. The Historical Commission shall make a report to the City Council every six months after the date of the adoption of this chapter for the two-year period, to report on the progress. All reviews will be conducted based on a construction date of 1939 or earlier during the time that the inventory is being developed~~. After the initial age ~~- and inventory~~-based threshold determination, the Commission will institute the public hearing process to ascertain if the historically significant and preferably preserved criteria apply. At that time the determination will be made whether or not to activate a review period.