



CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

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

Meeting Agenda
City Council Chambers
Walter J. Puchalski Municipal Building
212 Main Street, Northampton
Meeting Date: June 6, 2019
Meeting Time: 7:00pm

1. Announcement of Audio/Video Recording

This meeting is being audio and video recorded.

2. Public Comment

3. Roll Call

4. Public Hearings

A. 7:00 pm Continuation of Public Hearing (from June 5, 2019)
Concerning the FY20 Budget

IN ACCORDANCE WITH The Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-4: Action on the Operating Budget, and BY ORDER OF THE CITY COUNCIL, a Public Hearing will be held to consider the Proposed FY2020 budget commencing on June 5, 2019 at 7 p.m. in Council Chambers, 212 Main Street, Northampton, MA and continuing on June 6, 2019 at 7:00 p.m. in Council Chambers. The City Council will hear all

persons who wish to be heard thereon.

B. 7:05 pm Public Hearing on 19.043 National Grid/Verizon New England Pole Petition for Burts Pit Road (Petition #27859494)

In accordance with the provisions of Section 22, Chapter 166 of the General Laws, a public hearing will be held on Thursday, June 6, 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 #27859494 - Burts Pit Road.

Documents:

[19.043 DPW Recommendation.pdf](#)

[19.043 National Grid-Verizon Pole Petition for Burts Pit Road.pdf](#)

5. Updates from Council President & Committee Chairs

A. Announcement regarding Executive Session Minutes

The Open Meeting Law (M.G.L. Chapter 30A, Section 22) requires public bodies to regularly review minutes of Executive Session to determine if they may be disclosed. The Executive Session minutes of November 16, 2017, February 21, 2019 and March 21, 2019 have been reviewed. It has been determined that, because of pending legal action and ongoing contract negotiations, disclosure would defeat the lawful purpose of the Executive Sessions, so continued nondisclosure is warranted

6. Recognitions and One-Minute Announcements by Councilors

7. Communications and Proclamations from the Mayor

8. Resolutions

A. 19.091 A Resolution Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States - 1st reading

Documents:

[19.091 A Resolution Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States.pdf](#)

9. Presentations

10. Consent Agenda

A. Minutes of May 16, 2019

Documents:

[05-16-2019_City Council Minutes.pdf](#)

B. 19.040 Appointment to Council on Aging - Positive recommendations, City Services - 5/6/2019

Council on Aging

Robert Dionne, 87 Vernon Street, Northampton

Term: April 2019 to June 2021

To fulfill the unexpired term of Jean Petty

Housing Partnership

(Correction to term length for recently appointed member)

Carmen Junno, 73 Straw Avenue, Florence

Corrected Term: March 2019 to June 2022

Documents:

[19.040 Appointment to Council on Aging.pdf](#)

C. 19.060 Applications for Business Owner's Permit and 5 Taxicab Licenses from Jeffrey Miller - Cosmic Cab Co.

Process note: On 5/23/2019, the ZBA issued a finding that the non-conforming commercial use of Hooker Avenue is not more detrimental to the neighborhood than the previous non-conforming use, so the storage/maintenance site is in compliance with zoning.

Documents:

[19.060 Cosmic Cab Insurance Declarations Page.pdf](#)

[19.060 Applications for Business Owners Permit and 5 Taxicab Licenses from Jeffrey Miller - Cosmic Cab Co..pdf](#)

[19.060 Business Owners Permit.pdf](#)

[19.060 ZBA Finding for Hooker Avenue.pdf](#)

D. 19.065 Appointments to Various Committees - all positive recommendations with removals as shown, City Services - 6/3/2019

Arts Council

~~**Rachel Hart**, 211 Elm St., Unit 2A, Northampton~~

~~**Term:** July 2019-June 2022~~

Reappointment

Note: Removal – per Mayor's office, Rachel Hart was reappointed March 7, 2019 to a

term ending in June of 2021 and so is not in need of reappointment.

Courtney Hummel, 320 Elm St., #2R, Northampton

Term: July 2019-June 2022

Reappointment

Board of Assessors

Denny Nolan, 319 Elm St., Northampton

Term: July 2019-June 2022

Reappointment

Board of Health

Joanne Levin, 40 Columbus Ave., Northampton

Term: July 2019-June 2022

Reappointment

Council on Aging

Donna Park, 205 Prospect St., Northampton

Term: July 2019-June 2022

Reappointment

Robert Dionne, 87 Vernon St., Northampton

Term: July 2019-June 2022

Reappointment

Note: Removal – Robert Dionne was forwarded for reappointment by memo dated April 4, 2019 and the City Services Committee forwarded a positive recommendation on this appointment at its meeting May 6, 2019. He is already on the June 6, 2019 agenda to be officially reappointed through June 2021 and so is not in need of additional action.

Benjamin Capistrant, 48 High St., Florence

Term: July 2019-June 2022

Reappointment

Community Preservation Committee

Brian Adams, 36 Arlington St., Northampton

Term: July 2019-June 2022

Reappointment

Conservation Commission

C. Mason Maronn, 18 Ellington Rd., Florence

Term: July 2019-June 2022

Reappointment

Randy Krotowski, 171 Emerson Way, Florence

Term: July 2019-June 2022

Reappointment

Disability Commission

Emma Cornwell, 35 Holyoke St., Northampton

Term: July 2019-June 2022

Reappointment

Historical Commission

Martha Lyon, 313 Elm St., Northampton

Term: July 2019-June 2022

Reappointment

Craig Della Penna, 62 Chestnut St.

Term: July 2019-June 2022

Reappointment

Housing Partnership

Tess Perrone Poe, 32 Masonic St., #4, Northampton

Term: July 2019-June 2022

To fill a vacancy as representative from the Planning Board

Human Rights Commission

Megan Paik, 9 Laurel St, Northampton

Term: July 2019-June 2022

Reappointment

Note: Removal –Megan Paik was appointed March 7, 2019 to a term ending in June of 2022 and so is not in need of reappointment.

Karen Bellavance-Grace, 19 Church St., Northampton

Term: July 2019-June 2022

Reappointment

Parks & Recreation Committee

Thomas Dunphy, 6 Chesterfield Rd., Leeds

Term: July 2019-June 2022

Reappointment

David Cronin, 103 Pioneer Knolls Ext., Florence

Term: July 2019-June 2022

Reappointment

Planning Board

Terry Culhane, 5 Stearns Court, Northampton

Term: July 2019-June 2022

Reappointment

Christa Grenat, 492 Elm St., Northampton

Term: July 2019-June 2022

Reappointment

Zoning Board of Appeals

Elizabeth Silver, 67 Willow St., Florence

Term: July 2019-June 2022

Reappointment

Sara Northrup, 147 Hinckley St., Florence

Term: July 2019-June 2022

Reappointment

Documents:

[19.065 Appointments to Various Committees.pdf](#)

E. 19.079 Appointments to Various Committees - all positive

recommendations, City Services - 6/3/2019

Community Preservation Committee

Linda Morley, 244 Prospect Street, Northampton

Term: July 2019-June 2022

Reappointment

Housing Partnership

Patrick Boughan, 95 Straw Avenue, Florence

Term: July 2019-June 2022

Reappointment

Alexander Jarrett, 8 High Street, Florence

Term: July 2019-June 2022

Reappointment

Gordon Shaw, 582 Haydenville Road, Leeds

Term: July 2019-June 2022

Reappointment

Planning Board

Tess Perrone Poe, 32 Masonic St., #4, Northampton

Term: July 2019-June 2022

Reappointment

Whiting Street Fund Committee

Michael Quinlan, 712 Bridge Road, Northampton

Term: July 2019- June 2022

Reappointment

Documents:

[19.079 Appointments to Various Committees.pdf](#)

F. 19.093 Appointments to Disability Commission, etc. - for referral to City Services

Arts Council

Danielle Amodeo, 50 Union Street, #13, Northampton

Term: July 2019-June 2021

To fulfill the unexpired term of Dara Herman Zierlein

Conservation Commission

Jason Perry, 14 Carolyn Street, Florence

Term: July 2019-June 2022

Reappointment

Disability Commission

Judith Kimberly, 693 Park Hill Road, Florence

Term: July 2019-June 2022

Reappointment

Gene Page, 46 Evergreen Road, #107, Leeds

Term: July 2019-June 2022

Reappointment

Chris Palames, 659 Park Hill Road, Florence

Term: July 2019-June 2022

Reappointment

Human Rights Commission

Jeromie Whalen, 31 Union Street, Northampton

Term: July 2019- June 2022

Reappointment

Public Shade Tree Commission

Marilyn Castriotta, 79 West Street, Northampton

Term: July 2019-June 2022

Reappointment

Documents:

G. 19.094 Petitions for Annual Second Hand Dealer Licenses

Renewal Licenses for:

Electric Eye Records, 52 Main Street, #6

Petitioner: Andrew Crespo

Ryans Jewelers, 14 Strong Avenue

Petitioner: John Malikowski

Documents:

[19.094 Petitions for Annual Second Hand Dealer Licenses.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. 19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course - 1st reading

Documents:

[19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course.pdf](#)

B. 19.082 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway - 1st reading

Documents:

[19.082 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway.pdf](#)

C. 19.083 An Order to Convey a Permanent Historic Preservation Restriction for Bridge Street Cemetery - 1st reading

Process note: Two readings are respectfully requested to expedite reimbursement request.

Documents:

[19.083 An Order to Convey a Permanent Historic Preservation Restriction for Bridge Street Cemetery.pdf](#)

D. 19.084 An Order to Approve FY2020 General Fund Budget - 1st reading

Documents:

[19.084 An Order to Approve FY2020 General Fund Budget.pdf](#)

E. 19.085 An Order to Approve FY2020 Sewer Enterprise Fund Budget - 1st reading

Documents:

[19.085 An Order to Approve FY2020 Sewer Enterprise Fund Budget.pdf](#)

F. 19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget - 1st reading

Documents:

[19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget.pdf](#)

G. 19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget - 1st reading

Documents:

[19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget.pdf](#)

H. 19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget - 1st reading

Documents:

[19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget.pdf](#)

I. 19.089 An Order to Approve FY2020 Revolving Funds - 1st reading

Documents:

[19.089 An Order to Approve FY2020 Revolving Funds.pdf](#)

J. 19.090 Order to Rescind Borrowing Authority - 3 Votes - 1st reading

Documents:

[19.090 An Order to Rescind Borrowing Authority - 3 Votes.pdf](#)

K. 19.092 An Order to Rescind Unused Borrowing Authority for MSBA Projects - Bridge Street and Leeds School Roofs - 1st

reading

Documents:

[19.092 An Order to Rescind Unused Borrowing Authority for MSBA Projects - Bridge Street and Leeds School Roofs.pdf](#)

13. Financial Orders (on 2nd reading)

A. **19.075 An Order to Authorize Borrowing \$15 Million for Electrical and Process Upgrades to the Wastewater Treatment Plant - 2nd reading**

History:

- Positive recommendation, Finance Committee - 5/16/2019
- Passed 1st reading - 5/16/2019

Documents:

[19.075 An Order to Authorize Borrowing 15 Million for Electrical and Process Upgrades to the Wastewater Treatment Plant.pdf](#)

B. **19.077 An Order to Establish Marijuana Community Impact Fee Stabilization Fund - 2nd reading**

History:

- Positive recommendation, Finance Committee - 5/16/2019
- Passed 1st reading - 5/16/2019

Documents:

[19.077 An Order to Establish Marijuana Community Impact Fee Stabilization Fund.pdf](#)

C. **19.078 An Order to Dedicate Marijuana Host Community Fees to Marijuana Community Impact Fee Stabilization Fund - 2nd reading**

History:

- Positive recommendation, Finance Committee - 5/16/2019
- Passed 1st reading - 5/16/2019

Documents:

[19.078 An Order to Dedicate Marijuana Host Community Fees to Marijuana Community Impact Fee Stabilization Fund.pdf](#)

14. Orders

15. 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.

16. Ordinances

A. **18.231 An Ordinance Relative to Large-Scale Ground-Mounted Solar Arrays - 2nd reading**

History:

- Referred to Legislative Matters Committee and Planning Board - 1/17/2019
- Joint Public Hearing, LM and PB - 2/11/2019 (PB hearing continued to 3/28/2019; LM continued to 4/8/2019)
- Alternate version proposed by Public Shade Tree Committee
- PB opted for its own amendments; positively recommended ordinance as amended - 3/28/2019
- Public Shade Tree Committee endorsement withdrawn
- At LM hearing, PB and PSTC advocated for two different thresholds of review: 1 acre vs. 3 acres - LM continued to 5/13/2019 with request that PB and PSTC reach consensus
- Compromise language reached between PB and PSTC; PSTC endorsement restored
- Positive recommendation of version representing consensus of PB & PSTC, LM - 5/13/2019
- Passed 1st reading - 5/16/2019

Documents:

[18.231 An Ordinance Relative to Large-Scale Ground-Mounted Solar Arrays.051019.pdf](#)

B. **19.039 An Ordinance Relative to Parking on Main Street, Florence - 2nd reading**

History:

- Referred to Legislative Matters - 4/4/2019
- Positive recommendation, LM - 5/13/2019
- Passed 1st reading - 5/16/2019

Documents:

[19.039 An Ordinance Relative to Parking on Main Street, Florence.pdf](#)
[19.039 Diagram of Main Street Parking.pdf](#)

C. **19.052 An Ordinance Relative to Parking on Chestnut Street - 2nd reading**

History:

- Referred to Legislative Matters - 5/2/2019
- Positive recommendation, LM - 5/13/2019
- Passed 1st reading

Documents:

[19.052 An Ordinance Relative to Parking on Chestnut Street.pdf](#)
[19.052 Chestnut Street Parking Diagram.pdf](#)

D. **19.054 An Ordinance Allowing Marijuana Testing and Processing in Core Business Districts - 1st reading**

History:

- Referred to Planning Board, Legislative Matters and Community Resources - 5/2/2019
- Neutral recommendation, Community Resources - 5/20/2019
- Joint public hearing held by PB and LM - 5/23/2019
- Amended to add words "below grade."
- Positive recommendation as amended, PB - 5/23/2019
- Positive recommendation as amended, LM - 5/23/2019

Documents:

[19.054 An Ordinance Allowing Marijuana Testing and Processing in Core Business Districts as amended 052319.pdf](#)

E. 19.055 An Ordinance Allowing Marijuana Production/Cultivation, Testing and Processing in the PV District - 1st reading

History:

- Referred to Planning Board, Legislative Matters (LM) and Community Resources - 5/2/2019
- Positive recommendation, Community Resources - 5/20/2019
- Joint Public Hearing held by PB and LM - 5/23/2019
- Amended to insert words "manufacturing/cultivation" before "facilities" - 5/23/2019
- Positive recommendation as amended, Planning Board - 5/23/2019
- Positive recommendation as amended, LM - 5/23/2019

Documents:

[19.055 An Ordinance Allowing Marijuana Production-Cultivation, Testing and Processing in the PV District as amended 052319.pdf](#)

F. 19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration - 1st reading

History:

- Referred to Planning Board, Legislative Matters (LM) and Community Resources (CR) - 5/2/2019
- Amended to insert word "manufacturing" after "Medical Marijuana" in title and body, CR - 5/20/2019
- Positive recommendation, Community Resources - 5/20/2019
- Joint Public Hearing held by PB and LM - 5/23/2019
- Positive recommendation as amended, PB - 5/23/2019
- Positive recommendation as amended, LM - 5/23/2019

Documents:

[19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration.pdf](#)

G. 19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration - 1st reading

History:

- Referred to Planning Board, Legislative Matters (LM) and Community Resources - 5/2/2019

- Positive recommendation, Community Resources - 5/20/2019
- Joint Public Hearing held by PB and LM - 5/23/2019
- Positive recommendation, PB - 5/23/2019
- Positive recommendation, LM - 5/23/2019

Documents:

[19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration.pdf](#)

H. 19.058 An Ordinance Clarifying the Provisions for Outdoor Growing of Marijuana - 1st reading

History:

- Referred to Planning Board, Legislative Matters (LM) and Community Resources (CR) - 5/2/2019
- Amended to delete word "processing," CR - 5/20/2019
- Positive recommendation as amended, CR - 5/20/2019
- Joint Public Hearing held by PB and LM - 5/23/2019
- Amended to allow starting structures the whole months of April and May - 5/23/2019
- Positive recommendations as amended, PB and LM - 5/23/2019

Documents:

[19.058 An Ordinance Clarifying the Provisions for Outdoor Growing of Marijuana.pdf](#)

I. 19.062 An Ordinance to Amend Chapter 5 of the Code of Ordinances by Amending Section 5-7 Special Municipal Employees - 2nd reading

History:

- Referred to LM - 5/2/2019
- Positive recommendation, LM - 5/13/2019
- Passed 1st reading - 5/16/2019

Documents:

[19.062 An Ordinance to Amend Chapter 5 of the Code of Ordinances by Amending Section 5-7 Special Municipal Employees.pdf](#)

17. Ordinances

Process note: Package of seven ordinances to add definitions of 'Short-Term Rental (STR)' and 'Owner-Occupied Dwelling,' change 'Tourist Home/Bed and Breakfast' to 'Bed and Breakfast' and allow STR's in all zoning districts, including PV.

History:

- Referred to Planning Board and Legislative Matters (LM) Committee - 5/16/2019
- Joint Planning Board/Legislative Matters Committee Public Hearing held - 5/23/2019
- Positive recommendation of seven ordinances to define Short-Term Rentals and allow them in all zoning districts, Planning Board - 5/23/2019
- Positive recommendation of package of changes related to Short-Term Rentals, LM - 5/23/2019

A. 19.068 An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling - 1st

reading

Documents:

[19.068 An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling.pdf](#)

B. 19.069 An Ordinance to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts - 1st reading

Documents:

[19.069 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the WSP, SC, SR and RR Districts.pdf](#)

C. 19.070 An Ordinance to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts - 1st reading

Documents:

[19.070 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URA and URB Districts.pdf](#)

D. 19.071 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URC District - 1st reading

Documents:

[19.071 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URC District.pdf](#)

E. 19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts - 1st reading

Documents:

[19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts.pdf](#)

F. 19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts - 1st reading

Documents:

[19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts.pdf](#)

G. 19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District - 1st reading

Documents:

[19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District.pdf](#)

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

19. New Business

Contact: R. O'Donnell, Council President
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