CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
July 10, 2014 Minutes

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight at 7:15 p.m. On roll call, nine (9) Councilors were present:

- At-Large Councilor Jesse M. Adams
- At-Large Councilor William H. Dwight
- Ward 1 Councilor Maureen T. Carney
- Ward 2 Councilor Paul D. Spector
- Ward 3 Councilor Ryan R. O'Donnell
- Ward 4 Councilor Gina-Louise Sciarra
- Ward 5 Councilor David A. Murphy
- Ward 6 Councilor Marianne L. LaBarge
- Ward 7 Councilor Alisa F. Klein

Communications From the Mayor

None

Proclamations, Resolutions, Recognitions, and One-Minute Announcements of Events

- **Proclamation: August 7, 2014 declared Purple Heart Day in the City of Northampton**

Mayor Narkewicz called upon all residents of Northampton to honor the service and sacrifice of persons in uniform who were wounded or killed while protecting the liberties and freedom of others. The Mayor proclaimed August 7, 2014 as Purple Heart Day.

Proclamation

- **Announcement of Public Hearing:**
  - **What: National Grid Pole Petition for Pilgrim Drive**
  - **When: 7:05 p.m., August 14, 2014**
  - **Where: Council Chambers, 212 Main Street, Northampton**

Public Hearing Announced

Councilor Dwight announced that the Pole Petition for Pilgrim Drive will take place as noted above.

Presentations

Bernadette Giblin of Safeground Organic Landcare in Northampton
Mike Bald of Got Weeds? In Royalton, VT

Licenses & Petitions

- **Vintage Treasures: Petition for a Dealer in Second Hand Articles At 238 Bridge Street, Northampton**

License Approved

Councilor Carney moved approval of the Petition for a Dealer in second Hand Articles for Vintage Treasures located at 238 Bridge St.; Councilor LaBarge seconded the motion. The License was granted on a voice vote of 9 Yes, 0 No.

- **Scanlon Avenue: Petition for Street Acceptance** *(Refer to Board of Public Works and Planning)*

Referred

Councilor Carney moved to refer the petition for Street Acceptance to the Board of Public Works and Planning; Councilor LaBarge seconded the motion. The Petition was moved in favor of referral on a voice vote of 9 Yes, 0 No.

Approval of City Council Minutes of June 19, 2014

Minutes Approved

Councilor LaBarge moved to approve the Meeting Minutes of June 19, 2014 as presented by Council Clerk, Pamela Powers; Councilor Adams seconded the motion. The City Council Minutes were approved on a Voice Vote of 9 Yes; 0 No.

Reports of Committees, Appointments, & Elections

The Council considered the Meeting Minutes of the Following Meetings:

- **Meeting Minutes from Committee on Economic & Community Development, Housing & Land Use of May 6, 2014.**
- **Meeting Minutes of the Committee on Social Services, Veterans, Culture, and Recreation of May 19, 2014.**
- **Finance Committee Meeting Minutes of June 19, 2014.**

	• **Minutes of FY2015 Budget Hearing of June 4, 2014.** • **Minutes of FY2015 Budget Hearing of June 5, 2014.** • **Meeting Minutes of the Parking Committee of the Transportation and Parking Commission of April 17, 2014 and May 8, 2014,**
Minutes Approved	***Councilor LaBarge moved to approve the Meeting Minutes above as a group; Councilor Carney seconded the motion. The Meeting Minutes listed above were approved as a group on a Voice Vote of 9 Yes; 0 No.***
	The Council considered the following appointment: **Appointment to the Board of Public Works: Patrick Goggins, 20 Bridge Road (F), Term July, 2014-March, 2015 to fill the unexpired term of K. Christopher Hellman.** ***(Refer to Committee on Rules, Orders, Appointments and Ordinances)***
Appointment Referred	***Councilor LaBarge moved to refer the appointment of Patrick Goggins; Councilor Carney seconded the motion. The referral was approved on a voice vote of 9 Yes, 0 No.***
Recess For Finance Committee	At 7:48 pm the Council recessed for a Finance Committee Meeting.
City Council Reconvened	At 8:10 p.m. the Regular Meeting of the City Council reconvened.

FIANANCIAL ORDERS

1. Capital Projects appropriated from the General Fund FY15Cash Capital Account of $250,000. ***(Request 2 Readings)***

Councilor Klein moved approval of the order in the first reading; Councilor LaBarge seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.

Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor O'Donnell seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Klein moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed second reading:
In City Council **July 10, 2014**
Upon recommendation of the Mayor

Ordered, that
the following Capital Projects be appropriated from the General Fund FY15 Cash Capital Account (19303 586300):

Upgrade Overhead Door Systems at Main and Florence Fire Stations	$25,000
Preservation of Fire Escapes at Memorial Hall and the Municipal Building	$40,000
City Hall Flooring and Plumbing Upgrades	$20,000
Leeds Elementary School Upgrade to Phone, Clock and Public Address System	$28,672
Smith Vocational and Agricultural High School Networking Infrastructure	$55,000
MIS Technology Equipment Replacements	$35,640
Recreation Department Online Registration Software	$14,374
DPW Portable Vehicle Lift System	$ 25,000
DPW Metal Fabrication Machine	$ 6,314
TOTAL:	$ 250,000

Enrolled

Rules suspended, passed two readings and enrolled.

2. FY2014 Budgetary Transfers totaling $45,389. ***(Request 2 Readings)***

Councilor LaBarge moved approval of the order in the first reading; Councilor Murphy seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.

Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Sciarra seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Murphy moved approval of the order in the second reading; Councilor O'Donnell seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed second reading:
In City Council **July 10, 2014**
Upon recommendation of the Mayor

Ordered, that
the following FY2014 budgetary transfers be and hereby are made:

Department		Description	Org	Object	Transfer From:	Transfer To:
City Clerk	OM	Election Workers	11612	531008	(128)	
City Clerk	PS	Permanent Salaries	11611	511000		128
Central Services	PS	Permanent Salaries	11921	511000	(15,000)	
General Liability Insurance	OM	Vehicle Insurance	19452	574002	(10,000)	
General Liability Insurance	OM	Property Insurance	19452	574003	(2,500)	
Workers Compensation	OM	Workers Compensation	19121	517003	(4,500)	
Medical Insurance	PS	Employee Insurance Benefits	19141	519400	(10,000)	
Interest on Debt	OM	Interest on Notes	17503	592500	(3,261)	
Central Services	OM	R & M Buildings	11922	524001		18,050
Central Services	OM	Street/Signal Lights	11922	521002		17,359
Central Services	OM	Electricity	11922	521001		4,099
Central Services	OM	Office Supplies - Photocopying	11922	542001		5,753
TOTAL:					(45,389)	45,389

Enrolled

Rules suspended, passed two readings and enrolled.

3. Transfer from Unused Earned Leave Account to the Compensated Absences Reserve Fund ($19,844) ***(Request 2 Readings)***

Councilor LaBarge moved approval of the order in the first reading; Councilor Sciarra seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.

Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Murphy moved approval of the order in the second reading; Councilor Spector seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed second reading:
In City Council July 10, 2014
Upon recommendation of the Mayor

Ordered, that
the amount of $19,844 be transferred from the FY14 Unused Earned Leave Account (19191 519600) to the Compensated Absences Reserve Fund (5000 340521) for the future payment of accrued liabilities for compensated absences due any employee or full-time officer of the city upon the termination of the employee's or full-time officer's employment.

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

4. Contract with the surrounding towns for Building Inspection & Zoning Enforcement Services, Electrical Inspection Services, Municipal Hearing Officer Services, Veterans' Services Officer Services, Sealer of Weights and Measure Services, Police, Fire and Safety Communications Department Computer Systems and Networking Resources, and other to support the Greater Franklin County Economic Target Area. ***(Request 2 Readings)***

Councilor Murphy moved approval of the order in the first reading; Councilor Spector seconded the motion.

Finance Director Susan Wright asked that the third paragraph of the order be amended as follows:

Contract with the Towns of Amherst, Easthampton *and Hadley* for Municipal Hearing Officer Services – agreement to provide a Municipal Hearing Officer pursuant to MGL C.148A s.2c to hear complaints related to alleged violations of state building codes or the state fire codes.

The order passed in first reading as amended on a Roll Call Vote of 9 Yes, 0 No.

Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Murphy moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed second reading:
In City Council July 10, 2014
Upon recommendation of the Mayor

Ordered, that
Whereas MGL C.40 s. 4A allows for joint operation of public activities among governmental units, and

Whereas, MGL c. 40, s. 4A requires that such inter-governmental agreements be approved, in a city, by the City Council and the Mayor, and;

Whereas the City of Northampton provides services to and shares services with other municipalities;

Therefore pursuant to MGL C. 40 s. 4A the City Council hereby authorizes the City of Northampton to enter into the following inter-municipal agreements for FY15:

Contract with Town of Williamsburg for Building Inspection and Zoning Enforcement Services – agreement to provide the Town of Williamsburg with these services for $ 21,000.

Contract with Town of Williamsburg for Electrical Inspection Services – agreement to provide the Town of Williamsburg with these services, with fees for permits turned over to the City of Northampton

Contract with the Towns of Amherst, Easthampton and Hadley for Municipal Hearing Officer Services – agreement to provide a Municipal Hearing Officer pursuant to MGL C.148A s.2c to hear complaints related to alleged violations of state building codes or the state fire codes.

Contract with the Towns of Amherst, Chesterfield, Cummington, Hadley, Middlefield, Pelham, Williamsburg, Goshen and Worthington to provide Veterans Services Officer Services – agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Towns of Granby and Amherst, to provide Sealer of Weights and Measures Services – agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Town of Amherst to provide on-site computer system and network maintenance for the police department's computer systems and the networking resources located at the Police Station, Fire Station and Public Safety Communications Center.

Contract with the Franklin County Regional Council of Governments to monitor and support the Greater Franklin County Economic Target Area.

Enrolled

Rules suspended, passed two readings and enrolled.

5. Purchase or otherwise acquire 47.6 +/- acres from the Sanderson Hewes Family. ~~*(1st Reading)*~~*(Request 2 Readigs)*

Councilor Murphy moved approval of the order in the first reading; Councilor LaBarge seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.

Director of Planning and Sustainability, Wayne Feiden requested that the Council perform two readings so that the an agreement could be reached with the land owner as soon as possible

Councilor Spector moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.

Councilor Murphy moved approval of the order in the second reading; Councilor Adams seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Order passed second reading:
In City Council, July 10, 2014
Upon the recommendation of Mayor David J. Narkewicz and the Conservation Commission

Whereas, The *Open Space, Recreation and Multi-Use Trail Plan: 2011-2018* recommends **open space connections** at the former Northampton State Hospital and at the Arcadia Wildlife Sanctuary; and

Whereas, The *Plan* also recommends **connecting rail trails** from the New Haven and Northampton Canal Trail to the Manhan Rail Trail spur at Ice Pond Drive; and

Whereas, The Sanderson/Hewes family has agreed to sell **47.6± acres** (Map IDs 37-049 and 37-067), fronting on Easthampton Road (Route 10), Rocky Hill Road (Route 66), and the New Haven and Northampton Rail Trail; and

Whereas, This land provides the **best ecological connection** between Arcadia and the former State Hospital agriculture land and the **best trail connection** between the two multi-use trails; and

Whereas, **On May 1, 2014 City Council appropriated $200,000** towards the purchase price of this land from Community Preservation Act funds; and

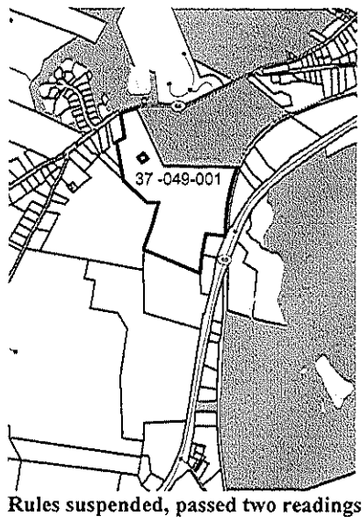
Whereas, Community donations, grants, and assistance from the Massachusetts Audubon Society will fund the remainder of the **$387,500 purchase price** and **no additional appropriation is required;** and

Whereas,

Ordered, that

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired; and that any such grants, donations, or sales shall be used to reimburse the conservation open space fund used for the purchase;

Further, that the city shall retain the right to build multi-use trail(s) through the property from the New Haven and Northampton Rail Trail to Rocky Hill Road.



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

6. Financial Order: $2,450 appropriated from the CPA Budget the Fitzgerald Lake Invasive Plant Eradication Project *(2nd Reading)*

Councilor Murphy moved approval of the order in second reading; Councilor Carney seconded the motion.

Councilor Spector moved to recognize Robert Zimmerman, President of the Broad Brook Coalition, Bernadette Giblin of Safeground Organic Landcare in Northampton and Mike Bald of Got Weeds? In Royalton, VT; Councilor LaBarge seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.

Robert Zimmerman, described the difficulties that have been encountered in trying to eradicate Phragmites australis, a fast-growing, invasive species that has been identified in a remote location in the Fitzgerald Lake area. The exact location is difficult to access. The eradication will preserve native habitat of the Broad Brook, some of which is rare and endangered.

Bernadette Giblin spoke about the environmental risks of Rodeo herbicide as a method of eradicating phragmites. Rodeo contains the active ingredient Glyphosate. This chemical has been banned in certain countries. This particular chemical has a negative impact on vernal pools. She also feels that this method of eradication has the potential for re-growth. Ms. Giblin offered potential alternative to removal of phragmites, including removing undersized culverts, breaching berms, and gene silencing.

Mike Bald spoke about non-chemical methods to manage invasive species. He believes that the goal to managing phragmites should be to seek non-chemical, organic alternatives. In addition, stewardship of the land is a responsible method for making any eradication method a long-term effective solution.

Councilor Spector offered that Rodeo is used in Martha's Vineyard to control this dominant invasive species. The team of conservationists in Martha's Vineyard evaluated other methods; none were effective. They chose Rodeo as a solution to their invasive species problem.

The motion to approve in second reading passed on a Roll Call Vote of 8 Yes, 1 No (Councilor Klein).

The Following Order passed second reading

In City Council, June 5, 2014

Upon the recommendation of the Community Preservation Committee

Ordered, that

WHEREAS, the Broad Brook Coalition submitted an expedited application for Community Preservation Act funding for priority invasive species removal in the 2014 growing season of approximately one acre of *Phragmites australis* within the Fitzgerald Lake Conservation Area.

WHEREAS, the project will help to improve and preserve the health of Northampton's premier wildlife conservation area by preventing the expansion of a threatening invasive wetland plant

WHEREAS, the project's control and removal of invasive plants meets goals established by the Northampton Open Space Recreation and Multi-Use Trail Plan.

WHEREAS, the applicant has used these funds effectively in the past.

WHEREAS, on May 21, 2014, the Northampton Community Preservation Committee, voted unanimously to recommend $2,450 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $2,450 be appropriated from Community Preservation Act funding to the Fitzgerald Lake Invasive Plant Eradication Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $2,450 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Enrolled

Rules suspended, passed two readings and enrolled.

At 9:35pm Councilor Murphy made a motion to take a short recess; Councilor Spector seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No. At 9:45 pm City Council reconvened.

ORDERS AND ORDINANCES

1. Order: Authorization for the Mayor to execute and cause to be recorded 7 Notices of Activity and Use Limitation for City Properties *(1st Reading)*

Councilor LaBarge moved to approve in first reading; Councilor O'Donnell seconded.

Mayor Narkewicz provided the Councilors an overview of what has been discussed regarding moving forward with development of the Roundhouse Lot. To date there have been a series of meetings with legal teams to work thru an understanding about what is the City's liability and what is Columbia Gas's responsibility pertaining DEP concerns. Councilor LaBarge moved to recognize Robert Cleary from Columbia Gas; Councilor Adams seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No. Mr. Cleary defined AUL as Activity and Use Limitations which is a tool provided by Massachusetts Regulations. Land that has been previously contaminated may be subject to certain AULs, which will limit future development opportunities. Current and future owners will need to be knowledgeable about what the limitations are. For example, building on the Roundhouse site for human occupancy in single family homes is not allowed. (The City's Municipal Building is not included in the footprint where restricted use is established.) Columbia Gas has already done certain clean up and protection activities. Partial removal of contaminated soil has already been done, followed by backfilling with clean fill. An orange film is used as a marker layer to show where clean-up of the soil has ended. Soil on top of the marker materials prevents odors.

The order presented to Council authorizes the Mayor to record 7 notices of Activity and Use Limitations with regard to 7 city properties and includes the Settlement Agreement with Columbia Gas of Massachusetts.

The Order passed first reading with a Roll Call Vote of 9 Yes, 0 No.

2. Order: Warrant for State Primary Election, September 9, 2014 *(1st Reading)*

Councilor LaBarge moved to approve the Warrant for a State Primary Election; Councilor Spector seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.

Councilor LaBarge moved to approve No. 3, 4 & 5 (Below) as a group; Councilor Murphy seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.

3. Ordinance: Amend §312-102 Schedule I: Parking Prohibited All Times – Maple Street *(2nd Reading)*

4. Ordinance: Amend §312-104 Schedule III: Limited-Time Parking – Maple Street *(2nd Reading)*

5. Ordinance: Amend §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces – Maple Street *(2nd Reading)*

The ordinances passed in second reading on a Roll Call Vote of 9 Yes, 0 No.

The Following Ordinance passed second reading:
In City Council, In the Year Two Thousand and Fourteen
UPON THE RECOMMENDATION OF Councilor Marianne L. LaBarge and the Commission on Disability

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-102 of said Code;
providing that Schedule I: Parking Prohibited All Times.

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

Section 1: That section §312-102 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-102 Schedule I: Parking Prohibited All Times

AMEND:

Location	Side	From	To
Maple Street	Westerly	North Main Street	Point ~~55~~ 48 feet southerly

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

The Following Ordinance passed second reading:
In City Council, In the Year Two Thousand and Fourteen
UPON THE RECOMMENDATION OF Councilor Marianne L. LaBarge and the Commission on Disability

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-104 of said Code;
providing that Schedule III: Limited-Time Parking.

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

Section 1: That section §312-104 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-104 Schedule III: Limited-Time Parking

AMEND:

Location	Side	From	To	Time Limit/Hours
Maple Street	Westerly	Point ~~55~~ 72 feet south of North Main Street	Point 350 feet southerly	1 hrs./All

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

The Following Ordinance passed second reading:
In City Council, In the Year Two Thousand and Fourteen
UPON THE RECOMMENDATION OF Councilor Marianne L. LaBarge and the Commission on Disability

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-117 of said Code;
providing that Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces.

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

Section 1: That section §312-117 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces

ADD:

Location	Side	Location
Maple Street	Westerly	First parking spaces southerly from North Main Street

Rules suspended, passed two readings, ordained and enrolled.

Ordained and Enrolled

6. Ordinance: Amend §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces – Henshaw Avenue ***(2nd Reading)***

Councilor O'Donnell moved to approve in second reading; Councilor Adams

seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.

The Following Ordinance passed second reading:
In the Year Two Thousand and Fourteen
UPON THE RECOMMENDATION OF Councilor Paul D. Spector and the Transportation and Parking Commission

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-117 of said Code; providing that Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces.

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

Section 1: That section §312-117 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces
DELETE:

Location	Side	Location
Henshaw Avenue	Easterly	First parking space 41 feet south of intersection of Henshaw Avenue and Crescent Street

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

7. Ordinance: Amend §312-102 Schedule I: Parking Prohibited All Times – Massasoit Street *(2nd Reading)*

Councilor O'Donnell moved to approve in second reading; Councilor Adams seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.

The Following Ordinance passed second reading:
In the Year Two Thousand and Fourteen
UPON THE RECOMMENDATION OF Councilor Paul D. Spector and the Transportation and Parking Commission

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section §312-102 of said Code; providing that Schedule I: Parking Prohibited All Times.

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

Section 1: That section §312-102 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

Section §312-102 Schedule I: Parking Prohibited All Times

ADD:

Location	Side	Location
Massasoit Street	Easterly	Prospect Street Point 35 feet southerly

Rules suspended, passed two readings, ordained and enrolled.

Ordained and Enrolled

8. Ordinance: Amend §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces – Prospect Street *(~~Request 2 Reading~~ (1st Reading)*

Councilor Spector moved to approve in first reading; Councilor LaBarge seconded. The Order passed first reading with a Roll Call Vote of 9 Yes, 0 No.

The sponsor of this ordinance had asked for two readings, however, has since indicated that there is no reason to have two readings at one meeting. Please see City Council Minutes of August 14, 2014 for second reading.

9. Ordinance: Amend §312-75 - Compression release engine brake use; operation of

heavy commercial vehicles *(2nd Reading)*

Councilor Sciarra moved to approve in second reading; Councilor Adams seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.

The Following Ordinance passed second reading:
In the Year Two Thousand and Fourteen
Upon the Recommendation of Councilor Ryan R. O'Donnell *and the Transportation and Parking Commission*

ORDINANCE
An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section § 312-75 of said code; providing that **Compression release engine brake use; operation of heavy commercial vehicles.**

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: that section § 312-75 of the Code of ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

§ 312-75 Compression release engine brake use; operation of heavy commercial vehicles.

B. The use and operation of heavy commercial vehicles as defined in § 312-1 are hereby restricted on the following named streets or parts thereof, and in the manner outlined and during the period of time set forth. Violators shall be subject to a fine of $300.

Street	From	To	Times Prohibited
Day Avenue.	Bridge Street	North Street	All times
Elizabeth Street	Bridge Street	North Street	All times
Jackson Street	Bridge Road	Prospect Street	All times
Lincoln Avenue (south- easterly direction)	Bridge Street	North Street	All times
North Street	Market Street	Lincoln Avenue	All times
North Street (south- westerly direction)	Lincoln Avenue	Day Avenue	All times
Orchard Street	Bridge Street	North Street	All times
Parsons Street	Bridge Street	North Street	All times
Prospect Avenue	Bridge Road	Prospect Street	All times

C. Warnings and penalties for repeated use of truck detours. Operators of heavy commercial vehicles as defined in § 312-1 *shall may* first be issued an informational warning for using established truck detours on Lincoln Avenue and Phillips Place for the purpose of correcting a navigation error that would otherwise have led the vehicle to a prohibited route. However, operators who have previously received such a warning within the last two years shall be subject to a fine of $300.

~~C.~~ **D.** Exemptions. Subsection A of this section shall not apply to heavy commercial vehicles going to or coming from places upon such streets for the purpose of making deliveries of goods, materials, or merchandise to or similar collections from abutting land or buildings or adjoining streets or ways to which access cannot otherwise be gained; or to vehicles used in connection with the construction, maintenance and repair of such streets or public utilities therein; or to federal, state, municipal or public service corporation owned vehicles.

E. Signage. The Department of Public Works shall establish clear and conspicuous signage on prohibited streets and official detour routes indicating the nature of the commercial vehicle prohibition and dollar amount of the accompanying fine. Where the state may have jurisdiction, the Department of Public Works shall inform the Massachusetts Department of Transportation of signage needs.

Ordained and Enrolled

Rules suspended, passed two readings, ordained and enrolled.

LATE FILE

10. Order: Accept as public streets: Village Hill North, Moser St. West, Olander Dr. North, and Ford Crossing *(1st Reading)*

Councilor Carney moved approval in the first reading; Councilor LaBarge seconded. The Order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.

Item 32 only-Rules suspend and enrolled

NONE

Updates from Council President and Committee Chairs	Updates from Council President and Committee Chairs--***NONE***
Information Requests (Charter Provision 2-7)	Information Requests (Charter Provision 2-7)--***NONE***
New Business	NEW BUSINESS – Reserved for topics that the Chair did not reasonably anticipate would be discussed.--***None***

At 10:10 p.m., a motion to adjourn was made by Councilor Adams and seconded by Councilor LaBarge. The vote to adjourn passed unanimously (9-0).

Attest: _____, Clerk of Council

July 10, 2014 7:15 p.m.	**ROLL CALL VOTE** **City Council** 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
Roll Called by Pamela L. Powers, Clerk of the City Council		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present 0 Absent
1.	Vintage Treasures: Petition for a Dealer in Second Hand Articles At 238 Bridge Street, Northampton *Councilor Carney moved approval of the Petition for a Dealer in second Hand Articles for Vintage Treasures located at 238 Bridge St.; Councilor LaBarge seconded the motion. The License was granted on a voice vote of 9 Yes, 0 No.*										Voice Vote 9Yes 0No
2.	Scanlon Avenue: Petition for Street Acceptance *(Refer to Board of Public Works and Planning)* *Councilor Carney moved to refer the petition for Street Acceptance to the Board of Public Works and Planning; Councilor LaBarge seconded the motion. The Petition was moved in favor of referral on a voice vote of 9 Yes, 0 No.*										Referred on a Voice Vote of 9 Yes, 0 No
3.	Appointment to the Board of Public Works: Patrick Goggins, 20 Bridge Road (F), Term July, 2014-March, 2015 to fill the unexpired term of K. Christopher Hellman. *Councilor LaBarge moved to refer the appointment of Patrick Goggins; Councilor Carney seconded the motion. The referral was approved on a voice vote of 9 Yes, 0 No.*										Referred on a Voice Vote of 9 Yes, 0 No

July 10, 2014 7:15 p.m.	**ROLL CALL VOTE** **City Council** 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
4.	**APPROVAL OF City Council MINUTES OF June 19, 2014** ***Councilor LaBarge moved to approve the Meeting Minutes of June 19, 2014 as presented by Council Clerk, Pamela Powers; Councilor Adams seconded the motion. The City Council Minutes were approved on a Voice Vote of 9 Yes; 0 No.***										**Approved on a Voice vote of 9 Yes, 0 No**
5.	**Meeting Minutes:** • **Meeting Minutes from Committee on Public Safety of May 5, 2014.** • **Meeting Minutes from Committee on Economic & Community Development, Housing & Land Use of May 6, 2014.** • **Meeting Minutes of the Committee on Social Services, Veterans, Culture, and Recreation of May 19, 2014.** ***Councilor LaBarge moved to approve the Meeting Minutes above as a group; Councilor Carney seconded the motion. The Meeting Minutes listed above were approved as a group on a Voice Vote of 9 Yes; 0 No.***										**Minutes approved on a voice vote of 9 Yesm, 0 No**

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6.	Financial Order: Capital Projects appropriated from the General Fund FY15Cash Capital Account of $250,000 *(Request 2 Readings)* *Councilor Klein moved approval of the order in the first reading; Councilor LaBarge seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.*	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1st Reading Roll Call Vote 9 Yes, 0 No
	Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor O'Donnell seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.										Rules Suspended Voice Vote 9 Yes, 0 No
	Councilor Klein moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call Vote 9 Yes, 0 No
7.	FY2014 Budgetary Transfers totaling $45,389. *(Request 2 Readings)* *Councilor LaBarge moved approval of the order in the first reading; Councilor Murphy seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.*	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1st Reading Roll Call Vote 9 Yes, 0 No
	Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Sciarra seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.										Rules Suspended Voice Vote 9 Yes, 0 No
	Councilor Murphy moved approval of the order in the second reading; Councilor O'Donnell seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	2nd Reading Roll Call Vote 9 Yes, 0 No

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8.	Transfer from Unused Earned Leave Account to the Compensated Absences Reserve Fund ($19,844) *(Request 2 Readings)*										**1st Reading Roll Call Vote 9 Yes, 0 No**
	Councilor LaBarge moved approval of the order in the first reading; Councilor Sciarra seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
	Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.										**Rules Suspended Voice Vote 9 Yes, 0 No**
	Councilor Murphy moved approval of the order in the second reading; Councilor Spector seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	**2nd Reading Roll Call Vote 9 Yes, 0 No**

July 10, 2014 7:15 p.m.	ROLL CALL VOTE City Council 2014-2015	Councilor Jesse M. Adams	Councilor Maureen T. Carney	Councilor William H. Dwight	Councilor Alisa F. Klein	Councilor Marianne L. LaBarge	Councilor David A. Murphy	Councilor Ryan R. O'Donnell	Councilor Gina-Louise Sciarra	Councilor Paul D. Spector	Total
9.	Contract with the surrounding towns for Building Inspection & Zoning Enforcement Services, Electrical Inspection Services, Municipal Hearing Officer Services, Veterans' Services Officer Services, Sealer of Weights and Measure Services, Police, Fire and Safety Communications Department Computer Systems and Networking Resources, and other to support the Greater Franklin County Economic Target Area. ***(Request 2 Readings)*** ***Councilor Murphy moved approval of the order in the first reading; Councilor Spector seconded the motion.*** ***Finance Director Susan Wright asked that the third paragraph of the order be amended as follows:*** Contract with the Towns of Amherst, Easthampton *and Hadley* for Municipal Hearing Officer Services – agreement to provide a Municipal Hearing Officer pursuant to MGL C.148A s.2c to hear complaints related to alleged violations of state building codes or the state fire codes. ***The order passed in first reading as amended on a Roll Call Vote of 9 Yes, 0 No.***	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	**1st Reading Roll Call Vote 9 Yes, 0 No**
	Councilor Labarge moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.										**Rules Suspended Voice Vote 9 Yes, 0 No**
	Councilor Murphy moved approval of the order in the second reading; Councilor LaBarge seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	**2nd Reading Roll Call Vote 9 Yes, 0 No**

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10.	Purchase or otherwise acquire 47.6 +/- acres from the Sanderson Hewes Family. ***(Request 1 2 Readings)***										
	Councilor Murphy moved approval of the order in the first reading; Councilor LaBarge seconded the motion. The order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	**1st Reading Roll Call Vote 9 Yes, 0 No**
	Councilor Spector moved to suspend Rule 14 to allow for a second reading, Councilor Murphy seconded the motion. The motion passed on a Voice Vote of 9 Yes, 0 No.										**Rules Suspended Voice Vote 9 Yes, 0 No**
	Councilor Murphy moved approval of the order in the second reading; Councilor Adams seconded the motion. The order passed in second reading on a Roll Call Vote of 9 Yes, 0 No.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	**2nd Reading Roll Call Vote 9 Yes, 0 No**
11.	Financial Order: $2,450 appropriated from the CPA Budget the Fitzgerald Lake Invasive Plant Eradication Project ***(2nd Reading)***										
	Councilor Spector moved to recognize Bernadette Giblin of Safeground Organic Landcare in Northampton and Mike Bald of Got Weeds? In Royalton, VT, and Robert Zimmerman, President of the Broadbrook Coalition; Councilor LaBarge seconded the motion. The motion passed on a voice vote of 9 Yes, o No.	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	**2nd Reading Roll Call Vote 8 Yes, 1 No (Councilor Klien)**
	Councilor Murpy moved to approve in the second reading; Councilor Carney seconded the motion. The Order passed on a Roll Call Vote of 8 Yes, 1 No (Councilor Klein),										

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12.	Order: Authorization for the Mayor to execute and cause to be recorded 7 Notices of Activity and Use Limitation for City Properties *(1st Reading)* ***Councilor LaBarge moved to approve in first reading; Councilor O'Donnell seconded. The Order passed first reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**1st Reading Roll Call Vote 9 Yes, 0 No**
13.	Order: Warrant for State Primary Election, September 9, 2014 *(1st Reading)* ***Councilor LaBarge moved to approve the Warrant for a State Primary Election; Councilor Spector seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**1st Reading Roll Call Vote 9 Yes, 0 No**
Councilor LaBarge moved to approve No. 14, 15 & 16 (Below) as a group; Councilor Murphy seconded the motion. The motion passed on a voice vote of 9 Yes, 0 No.											
14.	Ordinance: Amend §312-102 Schedule I: Parking Prohibited All Times – Maple Street *(2nd Reading)*	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**2nd Reading Roll Call Vote 9 Yes, 0 No**
15,	Ordinance: Amend §312-104 Schedule III: Limited-Time Parking – Maple Street *(2nd Reading)*										
16.	Ordinance: Amend §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces – Maple Street *(2nd Reading)* ***The Ordinances passed in second reading on a Roll Call Vote of 9 Yes, 0 No.***										

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17.	Ordinance: Amend §312-117 Schedule XVI: On-Street and Off-Street Handicapped Parking Spaces – Henshaw Avenue *(2nd Reading)* ***Councilor O'Donnell moved to approve in second reading; Councilor Adams seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**2nd Reading Roll Call Vote 9 Yes, 0 No**
18.	Ordinance: Amend §312-102 Schedule I: Parking Prohibited All Times – Massasoit Street *(2nd Reading)* ***Councilor O'Donnell moved to approve in second reading; Councilor Adams seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**2nd Reading Roll Call Vote 9 Yes, 0 No**
19.	XVI: On-Street and Off-Street Handicapped Parking Spaces – Prospect Street *(~~Request 2 Readings~~) (1st Reading)* ***Councilor Spector moved to approve in second reading; Councilor LaBarge seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**1st Reading Roll Call Vote 9 Yes, 0 No**
20.	Ordinance: Amend §312-75 - Compression release engine brake use; operation of heavy commercial vehicles *(2nd Reading)* ***Councilor Sciarra moved to approve in second reading; Councilor Adams seconded. The Order passed second reading with a Roll Call Vote of 9 Yes, 0 No.***	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**2nd Reading Roll Call Vote 9 Yes, 0 No**

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21.	Order: Accept as public streets: Village Hill North, Moser St. West, Olander Dr. North, and Ford Crossing *(1st Reading)* ***Councilor Carney moved approval in the first reading; Councilor LaBarge seconded. The Order passed in first reading on a Roll Call Vote of 9 Yes, 0 No.***	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1st Reading Roll Call Vote 9 Yes, 0 No

At 10:10 p.m., a motion to adjourn was made by Councilor Aams and seconded by Councilor LaBarge. The vote to adjourn passed 9 Yes, 0 No