



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA
March 3, 2016

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:06 p.m. on a roll call eight (8) councilors were present:

At-Large Councilor Jesse M. Adams Ward 1 Councilor Maureen T. Carney
Ward 2 Councilor Dennis P. Bidwell 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

At-Large Councilor William H. Dwight was absent.

Vice-President Ryan R. O'Donnell presided over the meeting.

Councilor O'Donnell asked for a moment of silence to honor former City Councilor William Ames who passed away on February 22, 2016. Mr. Ames was a former Ward Two Councilor and an At-Large Councilor for nearly three decades.

Public Hearings

Public Hearings:

Councilor O'Donnell made the following announcement: By Order of the City Council, a Public Hearing will be held on Tuesday, March 22, 2016 5:00 p.m. in the City Council Chambers in accordance with The City Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-5: Capital Improvement Program, (b) Public Hearing. The City Council will consider the Capital Improvement Program FY2017-FY2021.

Councilor O'Donnell also announced that there will be a public hearing on Wednesday, March 9, 2016 at 6 pm in City Council Chambers, 212 Main Street regarding the proposed water and sewer rates for FY2017.

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Announcements

Announcements:

Councilor Sciarra announced that N.E.F. will be holding its annual spelling bee on Wednesday, March 30 beginning at 6 pm at JFK Middle School. Sponsors and teams are still being accepted. For more information, visit the N.E.F. webpage @ <http://www.northampton-edfoundation.org/spellingbee/index.htm>

Communications and Proclamations From the Mayor

Communications and Proclamations From the Mayor:

Mayor Narkewicz presented a proclamation to Mary Collier of Northampton. The Mayor's Proclamation declared March 2016 as Brain Injury Awareness month.

Mayor Narkewicz also proclaimed March 10, 2016 as Tibet Day. The proclamation was presented to Thondurp Tsering & Kalsang Nangpa.

Resolutions

Resolutions:

16.023 Resolution to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past – 2nd Reading

16.023 Resolution to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past – 2nd Reading

Councilor LaBarge read a letter written by Patty Healy regarding the concerns with the Transpacific Partnership Agreement as it is currently written. The letter states that the agreement will give healthcare corporations the right to privatize national healthcare systems and will allow pharmaceutical companies to create monopolies on drugs allowing drug companies to charge higher prices. This will affect people who need special medications for serious conditions, such as HIV/Aids and certain cancers. The TPP will also weaken our food safety system. Many unions are opposed to fast-tracking the TPP. Councilor Klein outlined her concerns with the agreement. Since the first vote, she had

hoped that councilors who were unfamiliar with the TPP had a chance to review the issues and that they will move forward in support of the resolution. She read a letter from the National American Friends Service Committee. If approved by Congress, the TPP will establish rules that will regulate about 40% of the global economy. Among its anticipated effects, the TPP would delay the introduction of generic medicines and allow corporations to bypass a country's judicial system to challenge environmental and public health laws.

Councilor Carney agreed with Councilor Klein on many of her points. She states that Sen. Elizabeth Warren is very concerned about the Investor State Dispute Settlement clause as it undermines the U.S. legal system.

Councilor Sciarra commented that her abstention after the first reading was less about a lack of research or understanding about TPP, but more of an understanding about how complex the document and the issues are concerning TPP. After hearing what others spoke about regarding the corporatization of all aspects of the government, she states that this issue resonated with her and feels more comfortable supporting the resolution at this point.

Motion to Approve in 2nd Reading

Councilor LaBarge moved to approve in 2nd Reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 6 Yes, 0 No, 2 Abstentions (Councilors Murphy and Bidwell), 1 Absent (Councilor Dwight).

Motion Carried

The following resolution passed second reading:

In the Year 2016
Upon the Recommendation of City Councilors Maureen T. Carney, Alisa F. Klein, and Council President William H. Dwight

R-16.023

**A Resolution to Oppose the TPP and Similar Trade Deals
If They Fail to Restructure the Misguided and Failed Policies of the Past**

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

WHEREAS, The **Trans-Pacific Partnership (TPP)** is a trade agreement among twelve Pacific Rim countries concerning a variety of matters of economic policy, which was reached on 5 October 2015 after 7 years of negotiations.

WHEREAS, U.S. trade deals for the past 25 years have been corporate-driven, incorporating rules that skew benefits to economic elites while requiring working families to bear the brunt of such policies, and

WHEREAS, the growing trade deficits, driven by the North American Free Trade Agreement (NAFTA), China's accession to the World Trade Organization, and the U.S.-Korea Free Trade Agreement, have displaced from the U.S. 700,00 jobs, 3.2 million jobs, and 75,000 jobs, respectively, and

WHEREAS, between 2000 and 2015, U.S. employment in manufacturing dropped by 5 million, and

WHEREAS, jobs lost due to trade devastate families and entire communities and can permanently reduce lifetime earnings for hundreds of thousands of workers, and

WHEREAS, the long decline of the American manufacturing base -- exacerbated by bad trade policies that reward outsourcing -- has undermined our economic security and poses a direct threat to our national security, and

WHEREAS, the offshoring of manufacturing and service jobs deprives local and state governments of sorely needed revenues, jeopardizing the livelihoods of millions of public servants as well as construction workers whose jobs depend upon infrastructure building, repair and maintenance, and

WHEREAS, Under NAFTA-style trade rules, the U.S. annual trade deficit has increased dramatically from 70 billion in 1993, the year before NAFTA went in to effect, to more than \$508 billion in 2014, and

WHEREAS, the disproportionate voice of powerful global corporation in the formation of U.S. "free trade" agreements has advance an agenda that undermines the public interest and threatens democracy, and

WHEREAS, NAFTA and all but two of the U.S. trade deals that followed it include special legal rights for foreign investors, known as "investor-to-state dispute settlement" (ISDS), a private justice system that undermine US sovereignty and democratic control over our economy by allowing foreign firms to bypass state and federal courts to challenge state and federal laws, regulations, and administrative and judicial decisions in international tribunals, and

WHEREAS, Foreign investors have already used NAFTA's ISDS provisions to challenge decisions regarding local building permits, environmental regulations, state bans on toxic chemicals and decisions of state courts, and

WHEREAS, Climate change and environmental degradation threaten communities across the globe, and ISDS provisions in the Trans-Pacific Partnership may expose nations enacting policies to fight climate change to ISDA cases that undermine these efforts, and

WHEREAS, Promoting economic growth with equity in Northampton requires an approach that reforms the entire

trade negotiation process to ensure that voices of workers, farmers, small businesses, families and communities are heard and their interests addressed, and

WHEREAS, the TPP has been negotiated in secret, effectively shutting state and local governments out of the process, limiting our ability to influence its rules to ensure the people of Northampton can participate in the benefits of trade, and

WHEREAS, Given the enactment of fast track trade negotiating authority, states, localities and their citizens will have no opportunity to correct shortcomings in the TPP since its text will not be made public until it is final and no longer can be improved, and

WHEREAS, Repeating old mistakes in negotiating new trade agreements such as the TPP represents a missed opportunity to strengthen our economy, reduce income inequality and promote sustainable growth,

NOW THEREFORE BE IT RESOLVED, that the City Council of Northampton, Massachusetts

1. Calls upon our elected officials in the U.S. Senate and the U.S. House of Representatives to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past.
2. Hereby requests that the Council Clerk forward suitably engrossed copies of this resolution to the Massachusetts Delegation to the United States Senate and the United States Congress on behalf of the entire City Council.

Enrolled Rules suspended, passed two readings and enrolled.

Presentations Presentations None

Consent Agenda Consent Agenda: Councilor O'Donnell read the items within the Consent Agenda. They are:

- Minutes of February 18, 2016 City Council Meeting
- 16.035 - Reappointment of Natalia Munoz, 63 Rick Drive, Florence, to the Human rights Commission - term December 2015 - June 2018

Councilor Klein commented that she thought based on a personal conversation with Ms. Munoz that she was not interested in being reappointed to the committee as designated. As a result, this item was removed from the consent agenda for further discussion.

Motion to Approve minutes on Consent Agenda Councilor LaBarge moved to approve the consent agenda containing only the minutes of February 18, 2016; Councilor Adams seconded the motion; the motion was approved on a voice vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).

Motion Carried Mayor Narkewicz indicated that he was not aware of Ms. Munoz's decision to leave the Human Rights Commission; he suggested referring to committee. Councilor Klein agreed that the process should not be stalled.

Motion to refer appointment to the Committee on City Services Councilor LaBarge moved to approve the consent agenda containing only the referral of the appointment of Ms. Munoz to the Committee on City Services; Councilor Adams seconded the motion; the motion was approved on a voice vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).

Motion Carried

Recess for Committee on Finance Meeting At 7:30 p.m. the City Council recessed for a Finance Committee meeting. The Council reconvened at 7:37 p.m.

Financial Orders Financial Orders

16.032 Financial Order for Inter-Municipal Agreements with Williamsburg & West Springfield - 1st Reading West Springfield: to provide use of a GMC activity bust for transportation to a tournament March 25 - 28, 2016

Williamsburg & West Springfield - 1st Reading Williamsburg: for a new public access pedestrian trail to provide a new public access trail to the historic Williamsburg Reservoir Dam

Motion to Councilor LaBarge moved to approve the order in 1st Reading; councilor Klein seconded the

<p><u>approve in 1st Reading</u></p> <p><u>Motion Carried</u></p>	<p>motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).</p> <p><u>See minutes of March 17, 2016 for second reading.</u></p>
<p><u>16.033 An Order to appropriate \$30,825 from insurance proceeds to Police Department OOM Account - 1st Reading</u></p> <p><u>Motion to approve in 1st Reading</u></p> <p><u>Motion Carried</u></p>	<p><u>16.033 An Order to appropriate \$30,825 from insurance proceeds to Police Department OOM Account - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st Reading; councilor Adams seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).</p> <p><u>See minutes of March 17, 2016 for second reading.</u></p>
<p><u>Orders</u></p>	<p><u>Orders:</u> None</p>
<p><u>Ordinances</u></p> <p><u>16.034 Ordinance pertaining to water resources – Refer to Committee</u></p> <p><u>Motion to refer to committees</u></p> <p><u>Motion carried</u></p>	<p><u>Ordinances</u></p> <p><u>16.034 Ordinance pertaining to water resources – Refer to Committee on Community Resources, Committee on Public Works and Utilities and the Committee on Legislative Matters</u></p> <p>Councilor Murphy moved to refer to committees as indicated; Councilor Bidwell seconded the motion. The motion to refer to committee was approved on a voice vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).</p>
<p><u>Updates from Council President and Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u></p> <p>Councilor Murphy announced again the Public Hearing regarding the proposed water/sewer rates coming up on March 9, 2016 6 pm in City Council Chambers. The public are encouraged to attend.</p>
<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u></p>	<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u></p> <p>Councilor O'Donnell read into the record a committee study request submitted by Council President William H. Dwight and Council Vice-President Ryan R. O'Donnell. The request asks the Committee on community Resources to study issues relative to the local economy, with the focus on businesses and workers in downtown Northampton and Florence. The purpose is to identify practical recommendations that the City Council could pursue to strengthen the local economy. Section 2.3.8 of the City Council Rules provides the City Council President with the authority to issue such a request.</p> <p>Councilor Adams noted that given what the study might encompass, the water and sewer rates vote might be premature. The proposed water and sewer rates, in his opinion, will likely have a negative impact on business as the study might show. He thinks that the water/sewer rate vote should be postponed.</p> <p>Councilor Carney commented that part of the study will encompass issues facing workers, such as wage theft. Councilor Dwight wanted to broaden the scope, but Councilor Carney feels that any one of the topics on the suggested list could take the full 120 days to research properly.</p> <p>Councilor Bidwell noted that there will be a special meeting of the Comm. On Community Resources on Tuesday, March 8th at 5 pm. The committee will have a chance to look into the scope further.</p> <p>Councilor O'Donnell noted that the outcome of the committee's research will be up to the committee. Perhaps there is nothing that the City Council can do to address economic concerns facing Northampton, however, until the study is done, that has yet to be decided.</p>

The study request is open ended and the councilors will have an opportunity to weigh different factors. He feels that the committee is also the right place for to hear the concerns of a broad section of the community, including business owners, property owners, workers, etc.

Councilor Sciarra noted that this is a new process for councilor committees to go through. The meeting will take place next week for the purpose of organizing how the committee will proceed, and what the scope might be.

Councilor Klein noted that the concerns outlined in the request letter are things that City Councilors need to be concerned about. She acknowledges that the city has expertise on staff and talked about perhaps putting a list of questions together in which city staff can help address some of those questions.

Councilor O'Donnell noted that the committee could chose not to accept the request; they could, for example, place the item on their agenda and then vote not to take on the assignment. He also cautioned that there is a separation between the divisions of government within the city and suggested that perhaps the scope can be framed more about what the City Council could do.

Councilor LaBarge also noted that the Economic Development Director would be a good resource. She is concerned about the increases that businesses will be subject to. She notes that it is difficult to look at commercial businesses in the city that are already subject to a stormwater utility fee and now they are getting hit with this.

Councilor Adams asked whether the goal was to make policy or if this is an academic exercise. Councilor O'Donnell noted that the trick to economic development is not necessary tied to legislation, but rather economic development initiatives. The local economy is everything, so it is difficult to predict what will come out of the committee. Councilor Adams noted that in the past the city has promised to provide economic indicators; perhaps this could be provided as part of the outcome.

Councilor Carney noted that the scope is so broad at this point, but wanted to remind the council that the specific issue regarding wages in Northampton was the initial goal of this request.

Councilor Bidwell Councilor Bidwell noted that his objective will be to focus on where the city council can make a difference. Are their policies that can be implemented within the council, for example? There may also be specific recommendations that could be made to the executive branch. He is not interested in just providing a forum for a whole lot of debate and analysis and exposition without the likelihood of it all going somewhere. He also agrees with Councilor Klein that he would not like the committee to re-invent the wheel. He is aware that there is an abundant amount of data and information already and the committee members should avail themselves to what has already been done. He also stated that he would be comfortable setting water – sewer rates for this year using the proposed model even before the committee work began. He had a hunch, pending real data, that business owners would not cite water-sewer rates as a top five concern for their business.

Councilor Sciarra reminded the council that what was put into the memo was examples; the committee can choose how many things they would like to tackle. That will be the committee's first order of business. They will also look at who to invite and what process they will use to complete the project.

New Business

New Business: None

At 8:17 p.m., a motion to adjourn was made by Councilor Klein and seconded by Councilor Carney. The vote to adjourn passed on a voice vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).

Attest:  Administrative Assistant to the City Council

2014-2015 City Council Roll Call Record
 Record of City Council Votes for March 3, 2016

	Adams	Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sclarra	Total
Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:06 p.m.	Present	Present	Present	Absent	Present	Present	Present	Present	Present	8 Present, 1 Absent
16.023 Resolution to Oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past	Yes	Abstain	Second Yes	Absent	Yes	Motion to Approve Yes	Abstain	Yes	Yes	Motion Carried 6 Yes, 0 No, 1 Absent, 2 Abstentions
16.032 Financial Order for Inter-Municipal Agreements with Williamsburg & West Springfield	Yes	Yes	Yes	Absent	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Absent
16.033 An Order to appropriate \$30,825 from insurance proceeds to Police Department OOM Account	Second Yes	Yes	Yes	Absent	Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Absent

At 8:17 p.m. Councilor Klein motioned to adjourn; Councilor Carney seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Absent (Councilor Dwight).

Recorded By:

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