



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

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A regular meeting of the City Council was called to order by Council Vice President Gina-Louise Sciarra. At 7:53 p.m. on a roll call the following City Councilors were present:

Roll Call

At-Large Councilor William H. Dwight    Ward 4 Councilor Gina-Louise Sciarra  
 Ward 1 Councilor Maureen T. Carney    Ward 5 Councilor David A. Murphy  
 Ward 2 Councilor Dennis P. Bidwell    Ward 6 Councilor Marianne LaBarge  
 Ward 3 Councilor James B. Nash

Absent: At-Large Councilor Ryan O'Donnell, Ward 7 Councilor Alisa F. Klein

Announcement of Audio/Video Recording

Councilor Sciarra announced that the meeting was being audio and video recorded.

Public Hearings  
19.043 National Grid/Verizon New England Pole Petition for Burts Pit Road (Petition #27859494)

Public Hearings

19.043 National Grid/Verizon New England Pole Petition for Burts Pit Road (Petition #27859494)

Councilor Sciarra introduced the public hearing by reading aloud the legal notice.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 7:0 by voice vote.

National Grid representative Lisa Jasinski presented the petition. The pole being installed is a mid-span pole intended to raise a section of wire that's hanging low. The location is the section of Burts Pit Road close to Florence Road. The wire is hanging low and the utility wants to correct it. She has spoken to the DPW, and utility workers are aware that there are gas mains in that area.

Councilor Sciarra confirmed they have a memo from the DPW saying it supports the petition.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 7:0 by voice vote.

A woman in the audience who didn't identify herself asked questions to clarify the proposal. Ms. Jasinski confirmed that they are not planning to take down any trees.

Continuation of Public Hearing (from June 5, 2019) Concerning the FY20 Budget

Continuation of Public Hearing (from June 5, 2019) Concerning the FY20 Budget

Councilor Sciarra announced that she was reconvening the City Council's hearing on the FY2020 budget. She asked if anyone wished to comment on the budget.

**Penny Geis of 1 Front Street, Leeds**, said she is in support of studies to look at fiber optics to the homes. It meshes with another project the city is working on, to reduce its carbon emissions. By having fiber to the homes, it allows residents to make use of smart meters to the home and thereby adjust when they are using power and reduce peak loads, serving a dual purpose. She thanked Mayor Narke-wicz and Finance Director Susan Wright for the stellar job they have done in explaining what has gone into this budget and for the listening they have done.

**Hannah Hartford, a Northampton High School (NHS) student**, asked the Mayor if he thinks it is unreasonable in order to give teachers a raise that Smith College and the state could give the city more money.

Mayor Narkewicz said it was a great question. He is a regular testifier in Boston before the legislature as part of a local advisory commission, and members have been lobbying for several pieces of legislation to reform the way Massachusetts funds its schools and the way charter school systems are funded. There has not been much action in the budget process but he understands there is legislation pending. It is going to involve new revenue and they all know that's what they need. In terms of the PILOT issue, some may remember that a couple of years ago he led a pretty extensive public process around creating a PILOT program. He asked the city's largest tax-exempt landowners to contribute 25% of what they would pay if they were a taxable entity. It was a voluntary program and they did outreach to the largest tax-exempt owners. Owners chose not to participate. They made some modest voluntary contributions which he used for various purposes but he has no lawful authority to force a tax-exempt entity to pay taxes, he reminded.

Not only are all cities and towns impacted, but Northampton seems to have an inordinate impact because of its relationship to local charter schools and the funding formula. Under all three budget scenarios, Northampton would receive less education funding from the state in FY2020 than in FY2019. Without more state aid, they are forced to raise revenue at the local level on the tax base. The largest conundrum is that Smith College is actually one of the largest taxpayers because it does pay taxes on taxable property such as Hungry Ghost Bread and other holdings used for non-tax-exempt purposes, Mayor Narkewicz volunteered. The college has lots of rental housing and other commercial property.

There being no further public comment, Councilor Sciarra asked if there were any comments from councilors.

The donations of Smith College and the Cooley Dickinson Hospital are voluntary and are actually dedicated – directed for specific purposes, Councilor Dwight pointed out. Entities were originally given non-profit status because they were serving the public (i.e. - schools, churches and hospitals) and were not wealthy. That's changed a lot, he noted. Schools now are very wealthy. There is a lot more money in Smith College than in the city. But schools are still exempted, not required to pay. Northampton has a large percentage of non-profits. This is part of the problem of property tax being the source of revenue to fund schools because it falls on property owners. This is a holistic problem and is the reason they've been fighting for progressive taxation - requiring people to pay their fair share - ever since he took his oath. The group most culpable sits in relative distance and relative safety from the drama they experience here on the ground, and that's very frustrating. Smith College has actually been very good to this city and actually serves as sort of an anchor. This is true of every college town. If wishes were horses, they all would ride and all of the teachers would be making \$100,000 a year. They will keep asking [for reform], he assured.

Councilor Nash asked if Mayor Narkewicz could share his directive to department heads for constructing this budget.

As part of the budget process, there is a formal kick-off meeting with the City Council and School Committee where they talk about revenue projections, etc. and internally, as they work with department heads, they ask them to prepare draft budgets, Mayor Narkewicz explained. This year as part of that process, he asked all departments to prepare level-service budgets; i.e. - taking services provided in FY19 and bringing them forward, and to try to focus on level-funded in Ordinary Maintenance (OM). He met with individual department heads.

He did tell them they could discuss needed increases and DPW Director Donna LaScaleia did do some reorganization. The larger fiscal stability plan has been about maintaining level services, he noted. The prior budget construct was level funding, which basically means having to start the process by cutting. . . that has been one of the paradigm shifts they have tried to do with the fiscal stability plan.

There is a 4.4% overall increase in the budget, Councilor Nash observed. He

asked what percentage of that is contractual obligations.

On the Personnel Services (PS) side, salaries, health insurance and mandatory retirement contribution constitute about 93% of the increase, Mayor Narkewicz confirmed. The city is an organization made up of people, he pointed out. The remaining 6% is on the OM side of the budget.

The context is helpful; knowing that it is contractual obligations that largely explain the increase and not 'that we're super-expanding some service,' Councilor Nash commented. He thanked the Mayor for all the good work.

Councilor LaBarge thanked the Central Services director for the report on savings from the solar array from the Glendale Road landfill. She feels this landfill is extremely important. She read verbatim thereport he provided:

From December 2017 through April 2019 the landfill solar PV array produced 4,410,364 kWh of electricity. This generated \$848,104 worth of net-metering credits which were used to pay Northampton electric bills. The city paid Ameresco \$451,474 for these net metering credits resulting in a **net savings of \$396,630** since the array went live.

With regard to LED streetlights, the report stated: "Since streetlights are not metered we cannot verify actual electricity savings. But based on the wattage levels that the lights are set at, compared to the old wattage levels, the streetlights are consuming 68% less electricity than before the project, or **590,300 kWh less electricity a year**. On a cost basis, the upgrade has reduced our annual electric bill for streetlights by around 70%, or a savings of approximately \$214,000 a year."

Mayor Narkewicz noted that administrators have assigned net metering credits to both schools and the city.

Councilor Bidwell said he was struck by Superintendent Provost's description of the budget process. In February, he presented six key objectives he intended the budget to focus on, then rolled this [conceptual budget] out to the School Committee for feedback. He wondered if the Mayor might consider in the budget preparation process in the future something akin to the way the superintendent worked with the School Committee; i.e. - without getting into nuts and bolts, addressing organizational priorities. He acknowledged that it is not required by charter but wondered if the Mayor might consider the opportunity for a back and forth with the City Council before working with Ms. Wright to prepare an extremely detailed budget.

Mayor Narkewicz commented that it is a little different in that is actually the School Committee's budget and the priorities come from a school improvement plan. However, he said it is certainly something he would take under advisement.

Councilor Bidwell said he thought it would strengthen the process and the buy in for his successors on the council.

Councilor Carney noted that a couple of people have asked about the city's various stabilization funds. She asked the Mayor to speak generally about the fiscal stability fund - its restrictions, challenges and his plan.

The fiscal stability fund is a very specific fund set up after the override, Mayor Narkewicz reminded. In attempting to fill a \$1.7 million gap in the budget, voters passed a \$2.5 million override. The plan was to fill the gap in FY 2013 and, in subsequent budget years, meet level service obligations, and to put the excess in a stability fund and use it to backfill the budget. It is projected they will use the remaining balance of the fiscal stability fund in next year's budget. It was a short-term fund set up as a plan to stave off having to make cuts while providing services residents need and expect.

Councilor Carney asked the current balance of the fund, and Mayor Narkewicz said it is \$2.6 million. They are using \$778,000 to balance this year's budget and will use the remaining balance next year.

He has mentioned that the fiscal stability fund has an effect on bond rating, Councilor Carney prompted.

The city has the fiscal stability fund and also a regular stabilization account. In the last recession, the city had basically drawn down all of its reserves. One of his goals when he became Mayor was to try to rebuild them. Bond agencies go through the city's audited financial statements and assign a rating for credit purposes. City officials have tried to rebuild their credit - over the last several years they have been able to achieve and maintain an AAA bond rating, which is the highest rating available. This enables them to get a lower interest rate. The city recently secured an interest rate of about 1.5% on general obligation bonds.

They use one-time revenue such as Free Cash to contribute to stabilization funds.

Councilor Dwight said it is worth noting that while he was absolutely opposed to Proposition 21/2 and still stands against it, the premises advanced by proponents was to do just this, to structurally require communities to come to their citizens hat in hand with an explanation and justification for any proposal to raise taxes to increase revenue. Budget increases of 2 ½% were intended to run just below the rate of inflation, he noted. The idea was that communities would on a regular basis or periodically have to ask citizens for overrides. The problem is that politically it has now been demonized because it is considered a municipal failure to have to ask for an override because 'you're not living within your means.' However, "your means are actually limited on purpose so you actually won't live within your means," he pointed out. Politically it is always a heavy lift.

The mayor and finance director did precisely what they should do, long-term planning to stabilize the community for as long as they possibly could and at the same time achieve a AAA bond rating. He doesn't think they have ever fully appreciated the magnitude of the accomplishment.

"I'm a fiscal conservative according to Standard & Poor's," Mayor Narkewicz quipped.

"I was trying to avoid slurs," Councilor Dwight responded facetiously. He considers him a 'fiscal pragmatist' with buy-in from this council, he said.

He prefaced his proposal with the need to make reforms at the state level, Mayor Narkewicz added. The fiscal stability plan was sort of a stop gap measure hoping that some of the larger issues would be addressed, including the progressive income tax, he agreed.

It is a long, roundabout way of honoring the work that he's done, Councilor Dwight concluded.

Councilor LaBarge said she asked Dr. Provost about a Compensation and Classification study and was very surprised to hear that the schools have never done a study like the city has. There are discrepancies in wages for custodians [in the existing pay structure], she asserted.

Mayor Narkewicz said he can't really discuss what's happening on the school side. As a result of the comments last night there was discussion between NASE and the School Committee, and the School Committee did re-provide documents to NASE that they've provided before.

Councilor LaBarge also said she did not like to hear about a Proposition 2 ½ override. She had a breakdown of the dates and months when overrides have been passed. People are really upset that he is making it happen this year. People

	<p>attended budget hearings and the Mayor did say that somewhere down the road the city would have to go for an override. . .</p> <p>He's been saying that for seven years, the Mayor stressed.</p> <p>Councilor LaBarge acknowledged the Mayor's statement in his budget message that he was going to ask to place it on the ballot in the fall.</p> <p>As far as the November timing, they are about to enter FY2020, and he will be coming to them in January to open the FY2021 budget process, Mayor Narkewicz reminded. In the past, administrators have typically waited until the end of June [to propose an override] and have passed budgets with draconian cuts in them and then presented an override saying 'please save us.' Because they've had a multi-year plan and have been forecasting the need for an override for years, he would like to have a responsible conversation with taxpayers at the time of the fall election.</p> <p>There is already an election in the fall that they are paying for, he pointed out. If Governor Baker wakes up tomorrow and says 'Let's raise taxes,' and Representative DeLeo agrees, they won't have to have an override. He does feel they have to be responsible and have a responsible conversation with people, and he thinks a municipal election is a perfect time to do that. He's prepared to go to every ward in the city and explain why they have to do this.</p> <p>From a Finance Committee perspective, it is only prudent to begin budget planning for FY2021 knowing how much they're going to have in the budget, Councilor Murphy pointed out. They start capital improvement planning in October and November for the budget the following year. To him it's ludicrous to go all the way to when the budget is presented without knowing how much money they're going to have. To not do it in November before they start planning the budget for FY 2021 is not prudent or responsible. "In that sense, I concur," he stated.</p> <p>Councilor Sciarra thanked Councilor Dwight for crystallizing the issue that the system is set up to fail. The state really shortchanges Northampton on Chapter 70 money and charter school money. "This is in no way our fault. We've done nothing but handle this responsibly," she agreed.</p> <p>There being no further comments, Councilor Dwight moved to close the public hearing. Councilor Murphy seconded. The motion passed unanimously 7:0 by voice vote (Councilors Klein and O'Donnell absent).</p>
<p><b><u>Updates from Council President &amp; Committee Chairs</u></b></p>	<p><b><u>Updates from Council President &amp; Committee Chairs</u></b></p> <p>Councilor Sciarra announced that she was going to move the updates from the Council President and Committee Chairs and the Consent Agenda to the end of the agenda.</p>
<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p>	<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p> <p>This Sunday, June 9, 2019, the Northampton Community Rowing Organization will be holding an event at the Community Boathouse off Damon Road at 10:30 a.m., Councilor Bidwell announced. There will be a gathering of rowers and a boat dedication at noon. Kendra A. Rowan, former Hamp Crew rower and one of the first rowers to go from Hamp High to the Charles tragically died this year, and the community has raised money to dedicate a boat in her name. He issued a call to any area rowers who would like to attend.</p> <p><b><u>CHARTER REVIEW COMMITTEE UPDATE</u></b></p> <p>At the most recent meeting, two members of the public spoke – one in favor of term limits and one asking about committees that answer to the City Council.</p> <p>Attorney William Newman followed up with some proposed language to emphasize</p>

	<p>or elucidate what's already embedded in the charter, the authority given to legislative bodies. He offered some language which was introduced in the minutes.</p> <p>Also coming up will be an expanded discussion about the possibility of changing the City Clerk position from elected to appointed. A report was given, and an invitation will be extended to the three living City Clerks. Adeline Murray, Chris Skorupski, and Wendy Mazza.</p>
<p><u>Communications &amp; Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u> None.</p>
<p><u>Resolutions</u> <u>19.091 Resolution Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States - 1st reading</u></p>	<p><u>Resolutions</u> <u>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</u> Councilor Sciarra read the resolution</p> <p>Councilor Dwight moved approval of the resolution. Councilor LaBarge seconded.</p> <p>Councilor Sciarra said she knows it was a very full agenda to have added this resolution to but hopes they will all agree that the urgency is absolutely warranted. She expressed regret that Councilor Klein was unable to be present and thanked her for her incredibly intensive work on this. She also thanked the Abortion Rights Fund of Western Massachusetts, Hampshire's Civil Liberties and Public Policy Program, the Pioneer Valley Women's March, Liz Friedman and Jennifer McKenna, State Advocates for Women's Rights and Gender Equality, etc. We take for granted our rights here in the commonwealth and think what's happening in other states can't happen here, she suggested. We also incorrectly believe that we have very robust and excellent abortion rights in Massachusetts. We need to wake up and fight for these fundamental rights, because judicial precedence isn't enough protection, especially when it's been almost constantly under attack, as Roe has been since passed in 1973. In these particular times of legislative and judicial crisis, no amount of protection is enough. Not only do we need to fight to protect these rights but we need to modernize and strengthen these rights. The bills cited in the resolution do just that. The acts co-sponsored by Senator Comerford and Representative Sabadosa remove prejudicial barriers and protect against the chipping away of reproductive health rights, and they expand access and resources. The federal bills are to insure equal access to health care rights and protect against the absurd restrictions that have nothing to do with health care and are meant to make it impossible to provide access to abortion. They also seek to halt the extreme and unconstitutional attempts to completely obstruct access like we're seeing in some states right now.</p> <p>As we know, the restrictions have never been about protecting life and increasing safety, they are all about cruelty and control over women and those who give birth.</p> <p>"I ask you to join me in demanding the right to bodily autonomy and the right to reproductive health care for all in Massachusetts and across the United States," she urged. She has had the privilege to have worked for planned parenthood and the ACLU's reproductive freedom project and has worked on some of the cases involving judicial bypass, parental consent, fetal abnormalities and the need for abortions in later terms. "Those stories; they haunt me," she shared. Anybody who thinks these rights and decisions are about anything other than a person at their most gut-wrenching time needing access to their health care really knows absolutely nothing about this; they can't access that pain in any way.</p> <p>Councilor LaBarge said she feels this is the greatest crisis in abortion they are faced with right now. She feels they need to make sure everyone who needs care has the right and the resources to access it. She also feels they need to stop the</p>

attacks on women and pregnant women and insure access to safe and legal abortion to women in Massachusetts and all 50 states. "I feel this is my right and every woman's right; our body and our choice. It is not President Trump's choice," she affirmed. She said she supports the Roe Act and wanted to thank Representative Sabadosa for being here tonight and being there for women in the state and country. "I feel we all need to stand up, be strong and work together and win on it."

It has often been said there is no other equivalent law particularly as it relates to men that imposes laws on how people will make health care choices, Councilor Dwight intoned. The difference being that women in the paternalistic structure are considered vessels and not autonomous people with the right to make their own health care decisions. What we're experiencing now is actually a reduction of rights established by law, which is really disturbing. That's not a conservative response, it's a response of a patriarchal structure designed to actually control and manage the lives of its citizens.

It's with awe and shame that brings him here to talk about this - the shame of being a cohort that actually dictates the terms of another cohort over which he should have no right. Is unique in that there is no other system of law that governs any other dimension of a person's life. It is governed by paternalistic religious structures that declare primacy in the United States; it is a moral equivalent of Sharia law. The shameful part is that we actually have to have this resolution; that our legislators have to craft a law to counteract this diminution of rights.

Councilor Carney thanked Councilor Sciarra and Councilor Klein for introducing the resolution and everybody who came and spoke tonight, especially Representative Sabadosa and Senator Comerford who are championing this effort at the state-house. For those of them who were around when Roe v. Wade was passed in 1973 it was really incredible for women to know that that option was available for anyone who got pregnant, just generally knowing that that decision now belonged to her or her sister or her and family. In the last few months as states have ratcheted up this clamp down, "it's been pretty scary." She is heartened by the fact that in this state they can challenge that kind of crack down on their rights. She appreciates all the efforts here. Sometimes they wonder if resolutions are appropriate but it is certainly appropriate when they hear from their state rep that this gives her ammunition to go back and speak to her colleagues.

Councilor Nash thanked Councilor Klein and Councilor Sciarra and those who spoke tonight both for and against. He hates this kind of issue because it is so horribly divisive and divisive about what is such a deeply private harrowing decision. He is Catholic. He visited his mother last week and the topic of Governor Northrup's radio conversation and the topic of late-term abortions came up, and he had this moment when they were just on opposite sides. "It brought tears to my mother," he related. "She looked at me and said something to the effect of 'Jimmy, how can you allow this; how can you vote for this.'"

He is going to vote yes for this resolution because he has known women in his life who have had to make this decision. "I am supportive of them having the right to make that difficult decision."

There's been a lot of focus on late-term abortion. He is very much in support of women having this decision that he as a man is not placed in the position of making. He thinks he as a man needs to support women's right to make that decision.

Councilor Bidwell said he appreciated the work of the sponsors. It is only in recent months that he has understood how weak in Massachusetts their legislative protection is in protecting the right of a woman to make her own decision about her body. He very much appreciates the Roe act that takes those protections, codifies them and provide assurances of greater access. He is strongly supportive of the Roe Act. At the same time, he has struggled to listen to those speaking against the Roe Act and more generally against abortion. He is working hard not to demonize

	<p>and be judgmental. He gives folks with some differences the benefit of the doubt as to the sincerity of their motivation.</p> <p>He asked about the act to provide medication abortion.</p> <p>The chair recognized Representative Sabadosa, who explained that the legislation is based on legislation introduced in California last session. It was something she was working on with students at UMass Amherst. A medication abortion consists of two pills – the first generally taken in the doctor's office and the second at home. Students at UMass can have difficulty finding providers. The nearest clinic is in Springfield. She felt it was really essential that health services on campus be able to provide this option. It only applies to campuses that have health services, and it can only be provided up to 10 weeks. It is the next step. She felt that, particularly in western Massachusetts where transportation is sometimes a big barrier, it is something needed.</p> <p>In the 4<sup>th</sup> 'Whereas' clause, Councilor Dwight added the state of Louisiana. He so moved, and Councilor Bidwell seconded. The motion to amend passed unanimously 7:0 by voice vote.</p> <p>Councilor Sciarra confirmed she supports women's right to make medical and hard decision for themselves. She called the motion to a vote, and it passed unanimously 7:0 by roll call (Councilors Klein and O'Donnell absent).</p> <p>The City Council took a five-minute recess. The City Council reconvened at 9:38 p.m.</p>
<p><u>Presentations</u></p>	<p><u>Presentations</u> None.</p>
<p><u>Consent Agenda</u> <u>19.060 Applications for Business Owner's Permit and 5 Taxicab Licenses from Jeffrey Miller - Cosmic Cab Co.</u></p>	<p><u>Consent Agenda</u> Councilor Dwight moved to remove <u>19.060 Applications for Business Owner's Permit and 5 Taxicab Licenses from Jeffrey Miller - Cosmic Cab Co.</u> from the consent agenda since the applicant is present and the rest of agenda will not be considered until the end of the meeting. There being no objection, the item was removed by consent.</p> <p>Councilor Dwight moved to approve <u>19.060 Applications for Business Owner's Permit and 5 Taxicab Licenses from Jeffrey Miller - Cosmic Cab Co.</u> Councilor Nash seconded.</p> <p>Councilor Murphy said he was present for the ZBA finding and neighbors were quite complimentary about Mr. Miller. Councilor Nash commended Mr. Miller for the work he's done. He is the one cab company owner who is working hard to comply with their regulations.</p> <p>The motion passed unanimously 7:0 by voice vote (Councilors Klein and O'Donnell absent).</p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 9:43 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 10:22 p.m. The City Council reconvened at 10:22 p.m.</p>
<p><u>Financial Orders (on 1st reading)</u> <u>19.081 Order to Borrow Money and Authorize</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 7:0 by roll call vote with two absent</p>

Acquisition of 100 Acres at Pine Grove Golf Course - 1st read  
19.082 Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway - 1st reading

(Councilors Klein and O'Donnell).

See minutes of June 20, 2019 for second reading.

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

Councilor Dwight moved to approve the order in first reading. Councilor Bidwell seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

See minutes of June 20, 2019 for second reading.

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

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

Councilor LaBarge moved to approve the order in first reading. Councilor Bidwell seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

Councilor LaBarge moved to suspend rules to allow a second reading. Councilor Dwight seconded. The motion passed unanimously 7:0 by voice vote.

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

The following order passed two readings:

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, June 6, 2019*

*Upon the recommendation of Mayor David J. Narkewicz and the Historical Commission*

19.083 An Order to Convey a Permanent Historic Preservation Restriction for Bridge Street Cemetery

WHEREAS, The Bridge Street Cemetery, established in 1661, is the City's oldest place of interment, and an important historic landscape that is a critical piece of the Pomeroy Terrace Historic District; and

WHEREAS, A 2016 Preservation Master Plan for the Cemetery identified 13 priority preservation projects necessary to preserve and manage the historic Cemetery; and

WHEREAS, The Massachusetts Historical Commission Massachusetts Preservation Project Fund grant provides up to 50% reimbursement for projects that support the preservation of properties, landscapes, and sites listed in the State Register of Historic Places which requires that areas selected for funding be protected by permanent preservation restrictions, and

WHEREAS, The City has received \$50,000 in state funds to conserve the highest priority threatened gravestones within the Cemetery;

***Ordered, that***

The City, acting through its Mayor, is authorized to convey a perpetual historic preservation restriction on the Bridge Street Cemetery to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission.

Further that the City of Northampton confirms fee title of the Bridge Street Cemetery, an ancient burial ground for which no deed of record is found.

Rules suspended, passed two readings and enrolled.

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

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

Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded.

Several if not all of them have been entreated to vote down the budget in order to somehow position themselves to encourage a [favorable] salary contract for Northampton schools, Councilor Dwight presented. He is going to vote to approve the

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

budget because to vote down the General Fund budget while the contract is in mediation . . . He has enormous respect for labor and labor governance and the labor process, which includes collective bargaining, and they pervert that if they interfere in any way. They are not privy to the details of negotiations and it would be really inappropriate of them to jeopardize the entire budget just to make a demonstration, he suggested. That is not a mature or responsible way to do fiscal oversight. If mediation results in more money being awarded to the schools, the Mayor will return to them for further appropriation, he pointed out.

Councilor Sciarra said she agreed, and Councilor Bidwell concurred. Like his colleagues, he's received literally hundreds of e-mails as well as postcards and phone calls. He would not presume to substitute his judgment for those involved, he elaborated.

Councilor Carney read a sentence of charter section 7-4. Reading this, it's her understanding that voting down the budget isn't even an option. What they can do is make amendments to the budget in the form of deletions. It says the council 'shall adopt the budget,' so she doesn't understand that they even have the option not to adopt the budget.

Mayor Narkewicz said he believed the city solicitor has opined on this. He interprets as Councilor Carney does that the city has to have a budget in place by July 1<sup>st</sup>. They could refrain from approving it but the budget would go into effect anyway.

They are required by Mass. General Law to have a budget, Councilor Dwight confirmed. The fact is, they can amend. There are mechanisms that have been employed in the past under the old charter. One councilor wanted to delete funding for the salaries of an entire department, but that councilor didn't get a majority vote.

It's not just the city's charter that restricts the City Council's authority, Mass. General Law also dictates what the City Council can and cannot do, Councilor Sciarra added. It says the City Council can only reduce the budget.

The City Council can lower the bottom line number of the school budget but can't go into the budget and make cuts, Mayor Narkewicz clarified.

Councilor Nash thanked city administrators for their work on the budget.

The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

See minutes of June 20, 2019 for second reading.

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

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

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

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

Councilor Murphy moved to approve the remaining enterprise fund budgets as a group (19.085, 19.086, 19.087 and 19.088). Councilor Dwight seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell)

See minutes of June 20, 2019 for second readings.

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

Councilor Dwight moved to approve the order in first reading. Councilor Bidwell seconded. The motion passed unanimously 7:0 by roll call vote with two absent

(Councilors Klein and O'Donnell).

See minutes of June 20, 2019 for second reading.

19.090 Order to Rescind Borrowing Authority - 3 Votes - 1st reading  
19.092 An Order to Rescind Unused Borrowing Authority for MSBA Projects -  
Bridge Street and Leeds School Roofs - 1st reading

Councilor Murphy moved to approve 19.090 and 19.092 (borrowing authorizations) as a group in first reading. Councilor Dwight seconded. The motion passed unanimously 7:0 by roll call vote (Councilors Klein and O'Donnell absent).

See minutes of June 20, 2019 for second readings.

Financial Orders  
(on 2<sup>nd</sup> reading)  
19.075 Order to  
Authorize  
Borrowing \$15  
Million for  
Electrical and  
Process  
Upgrades to the  
WWTP – 2<sup>nd</sup>  
reading

Financial Orders (on 2<sup>nd</sup> reading)

19.075 An Order to Authorize Borrowing \$15 Million for Electrical and  
Process Upgrades to the Wastewater Treatment Plant – 2<sup>nd</sup> reading

Councilor Bidwell moved to approve the order in second reading. Councilor Dwight seconded. The motion passed 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

The following order passed two readings:

**City of Northampton**  
MASSACHUSETTS

*In City Council*

May 16, 2019

Upon recommendation of the Mayor

19.075 An Order to Authorize Borrowing \$15 Million for Electrical and Process Upgrades to the  
Wastewater Treatment Plant

*Ordered, that*

*Whereas*, in 2016, the City finalized its Comprehensive Wastewater Management Plan, which is an evaluation of existing conditions and future needs for its wastewater collection system and Wastewater Treatment Plant that includes a Capital Improvement Plan to prioritize its most critical needs, and;

*Whereas*, the Massachusetts Clean Water Trust is a state agency that improves water quality and infrastructure throughout the Commonwealth by providing low interest loans to municipalities, and the City applied for and received approval for inclusion on the 2019 Intended Use Plan, which details the projects, borrowers and amounts to be financed through the Clean Water State Revolving Fund loan program, and;

*Whereas*, the City is required to comply with the provisions of multiple federal and state water pollution statutes, enforced by the United States Environmental Protection Agency and the Massachusetts Department of Environmental Protection, including but not limited to 33 U.S.C. section 1251 et seq., MGL c 21 sections 26-53, the Surface Water Discharge Permit Regulations at 314 CMR 3.00, the Groundwater Discharge Permit Regulations at 314 CMR 5.00, the Sewer System Extension and Connection Permit Regulations at 314 CMR 7.00, and the Operation and Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Discharges at 314 CMR 12.00,

*Now therefore be it ordered that,*

\$15,000,000 is appropriated for the purpose of financing the construction of electrical and process upgrades to the City's Wastewater Treatment Plant including all costs incidental and related thereto and, without limitation, all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as amended; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$15,000,000 and issue bonds or notes therefor under any enabling authority, including Chapter 44, Section 7(1) or 8(14) of the General Laws and/or Chapter 29C of the General Laws, as amended; that

such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C of the General Laws, as amended; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as amended; and in connection therewith to enter into one or more loan agreements and/or security agreements with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to any such loan, and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into one or more project regulatory agreements with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Rules suspended, passed two readings and enrolled.

**19.077 An Order to Establish Marijuana Community Impact Fee Stabilization Fund – 2nd reading**

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

The following order passed two readings:

**City of Northampton  
MASSACHUSETTS**

*In City Council* May 16, 2019

Upon recommendation of the Mayor

**19.077 An Order to Establish Marijuana Community Impact Fee Stabilization Fund**

*Ordered, that*

Pursuant to Chapter 40, § 5B of the Mass. General Laws, the City Council hereby authorizes the creation of a Marijuana Community Impact Fee Stabilization Fund, for the purpose of receiving and expending host community impact fees collected as part of the negotiated limited term host community agreements with both medical and adult-use marijuana licensees. The funds will be used, subject to appropriation, to mitigate the impacts of marijuana operations upon the city's road system, law enforcement, inspection services, permitting services, administrative services and public health services, in addition to potential additional unforeseen impacts upon the City.

Rules suspended, passed two readings and enrolled.

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

Councilor Bidwell moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

The following order passed two readings:

**19.077 Order to Establish Marijuana Community Impact Fee Stabilization Fund – 2nd reading**

**19.078 Order to Dedicate Marijuana Host Community Fees to Marijuana Community Impact Fee Stabilization Fund – 2nd reading**

**City of Northampton**

MASSACHUSETTS

*In City Council*

May 16, 2019

Upon recommendation of the Mayor

**19.078 An Order to Dedicate Marijuana Host Community Fees to Marijuana Community Impact Fee Stabilization Fund**

***Ordered, that***

The Northampton City Council accepts the fourth paragraph of MGL C.40, s. 5B, which allows the dedication, without further appropriation, of 100% of the host community impact fees collected as part of the negotiated limited term host community agreements with both medical and adult-use marijuana licensees, to the Marijuana Community Impact Fee Stabilization Fund established under MGL. C. 40, s. 5B, to be effective for the fiscal year beginning on July 1, 2019.

Rules suspended, passed two readings and enrolled.

<p><u>Orders</u></p>	<p><u>Orders</u> None.</p>
<p><u>Ordinances (Not yet Referred)</u></p>	<p><u>Ordinances (Not yet Referred)</u> None.</p>
<p><u>Ordinances</u> <u>18.231 Ordinance</u> <u>Relative to Large-</u> <u>Scale Ground-</u> <u>Mounted Solar</u> <u>Arrays – 2nd</u> <u>reading</u></p>	<p><u>Ordinances</u> <u>18.231 An Ordinance Relative to Large-Scale Ground-Mounted Solar Arrays –</u> <u>2nd reading</u> Councilor Dwight moved to approve the ordinance in second reading. Councilor Murphy seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell)</p> <p><u>The following ordinance passed two readings:</u></p>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Nineteen*

**Upon the Recommendation of the Mayor and Public Shade Tree Committee**

**18.231 An Ordinance Relative to Large-Scale Ground-Mounted Solar Arrays**

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, be amended by modifying allowances under special permit for ground mounted solar photovoltaic arrays.

**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:

**USES ALLOWED**

**Uses Allowed By-Right [for RR, SR, URA, URB, URC, WSP zoning districts FOR WSP, delete from uses allowed by Special Permits]:**

- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic (PV) ground-mounted on a parcel with any building/use, provided that the PV is sized to generate no more than 200% of the annual projected electric use of the non-PV building/use or 12 KW, whichever is greater. The setbacks for such a PV shall be the same as for detached accessory structures as set forth in the table above.

**Move from Uses Allowed by Special Permit to Uses Allowed by Right in the OI, GI, CB Districts**

Accessory solar photovoltaic ground-mounted on a parcel with any building or use, provided that the PV is sized to generate no more than 200% of the annual projected electric use of the non-PV building or use

**Delete the following from all districts:**

**Administrative Site Plan Approval Required for the Following [for all zoning districts]:**

- ~~Solar photovoltaic of any size, ground-mounted; shall be permitted with administrative site plan from the Office of Planning & Sustainability if one of the following is met:~~
  1. ~~The PV array is constructed over any legal parking lot or driveway; or~~
  2. ~~The PV array is constructed at any assigned landfill site not separated from the site-assigned property by any road; or~~
  3. ~~The PV array is constructed at an airport not separated from the runways by any road; and~~
  4. ~~The power and telecommunications extensions are not visible from the public way.~~

**[for RR, SR, URA, URB, WSP, ]Site Plan Approval required for the following uses by Planning Board unless otherwise noted:**

- Any other Solar photovoltaic (PV), large-scale ground-mounted not listed above, where less than two acres of tree removal is planned. The removal of significant trees on the subject parcel(s) must be replaced in accordance with 350-12.3 and includes tree removal that occurs within 12 months immediately prior to an application for installation of such a system.

**Setbacks:**

Front = 50 feet

Side = 50 feet

Rear = 50 feet

Maximum height = 30 feet

Open space = 20%

1. A planted buffer to abutting residential property shall be at least 15 feet in width along the property boundary. It shall contain a screen of plantings in the center of the strip not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs shall be planted not more than five feet on center, and individual trees thereafter shall be maintained by the owner or occupants so as to maintain a dense screen year-round. At least 50% of the plantings shall be evenly spaced. Whenever possible, existing trees and ground cover should be preserved in this strip, reducing the need to plant additional trees. Trees may not be cut down in this strip without site plan approval.
2. The owner or operator shall remove the installation no more than 150 days after the date of discontinued operations. Removal shall consist of:
  - a. Removal of all structures, equipment, security barriers, transmission lines, conduits, poles.
  - b. Disposal of all waste in accordance with local, state, and federal waste disposal regulations. [
  - c. Stabilization or re-vegetation of the site as necessary to minimize erosion.If the owner /operator fails to remove the installation in accordance with the requirements of this section, the City shall have the right, exercise or call the bond/performance guarantee in order to cover the cost of removal.
3. Performance Guarantee: Applicants shall submit an itemized cost estimate for complete decommissioning of the array as specified above. Prior to beginning construction the applicant shall post a performance guarantee in the form of a bond or escrow or other guarantee approved by the Planning Board for the amount to cover decommissioning, including a 20% contingency and calculated with 20 year inflation factor.

**For RR, WSP, SR, URA, URB, within uses allowed by Special permit, Amend ground mounted PV solar array as follows:**

Projects resulting in more than two acres of canopy removal shall submit the following additional information to that which is required by site plan for large scale ground mounted solar above with their application. The Board must find that the removal of trees will not negatively impact the health safety and welfare of the residents of Northampton by maintaining a robust and diverse ecosystem for the

residents while also creating renewable energy systems. In order for the Board to make such finding, the applicant shall submit an analysis of the proposed project's impact relative to the benefit of the solar installation as follows:

1. Analysis showing that tree removal which occurs on more than one acre of slopes greater than 20% will not cause erosion of top soil and will not increase siltation of any streams present on the site or within 200' of the property boundary.
2. Analysis of the forest type and relevant habitat that will be lost. This analysis must include the structure and diversity of the canopy, midstory and understory of the forested area to be cleared. Analysis must be performed by an individual with a master's degree in wildlife biology or ecological science from an accredited college/university or other competent professional with at least two years of experience in wildlife habitat evaluation.
  - a. Any forested area within which certifiable vernal pools are found, must be identified and a permit from the Conservation Commission must be granted prior to review by the Planning Board.
  - b. Any forested area containing clusters of five or more healthy trees of 20" Diameter Breast Height or greater that are not in decline shall be preserved in order to continue to provide high value ecological benefit to the community. Connection of these larger trees to surrounding stands of trees shall be maintained.
  - c. As part of the forest type analysis, the report shall contain information regarding the abundance and distribution of habitats within the region and of the specific site and any historical information on the extent and quality of these habitats and impact of clearing on these habitats. The applicant must show through analysis that habitat is not fragmented and that connectivity remains in the proposed conditions.
3. Analysis by a qualified third party showing that the project will be carbon-neutral over the first ten years of operation. The applicant shall provide the following calculations:
  - a. The total volume of trees to be removed (provided by an independent certified forester) and the projected volume of trees over a 10 year period of additional growth.
  - b. Subtracting the estimated live-wood in replacement trees provided under the Significant Tree section of this zoning ordinance ten years after planting
  - c. Conversion of the net live-wood to be removed to short tons of carbon (using research from the Northern Institute of Applied Climate Science or other methodology after approval by the permit granting authority)
  - d. Subtraction of the carbon offsets (short tons of carbon) provided by the solar photovoltaic project over ten years of operation, including the calculation of potential carbon stored had the trees continued to thrive in that same 10 year window.
  - e. If there is any net release of carbon with the above calculations, the applicant shall assign Renewable Energy Credits (REC) to the City to match or exceed said release of carbon. However, RECs may not be used to fund biomass projects.
4. At least 50% of the property, shall be protected from tree clearing and future development for the duration of the operation of the solar array installation and until such time as the system is decommissioned and removed.
5. Within the area beyond the first two acres of canopy removed, stumps for removed trees must remain in place and no excavation/soil disturbance is allowed other than what would be required to bore support posts for the PV panels.
6. Electrical transformers for utility interconnections may be above ground only if required by the utility provider. Power and telecommunications poles and equipment shall not be visible from the public way.

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

**19.039 Ordinance  
Relative to  
Parking on Main  
Street, Florence –  
2nd reading  
19.052 Ordinance  
Relative to  
Parking on  
Chestnut Street –  
2nd reading**

**19.039 An Ordinance Relative to Parking on Main Street, Florence – 2<sup>nd</sup> reading**

**19.052 An Ordinance Relative to Parking on Chestnut Street – 2nd reading**  
Councilor Carney moved to take the two parking ordinances (19.039 and 19.052) as a group. Councilor LaBarge seconded. The motion passed 6:0 by voice vote with two absent (Councilors Klein and O'Donnell) and one abstention (Councilor Dwight).

(Councilor Dwight recused himself because he is an employee of the Florence Pie Bar.)

Councilor Bidwell moved to approve the ordinances as a group in second reading. Councilor Nash seconded. The motion passed 6:0 by roll call vote with two absent (Councilors Klein and O'Donnell) and one abstention (Councilor Dwight).

**The following ordinances passed two readings:**

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**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Nineteen*

Upon the Recommendation of the Transportation and Parking Commission

**19.039 AN ORDINANCE  
RELATIVE TO PARKING ON MAIN STREET, FLORENCE**

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

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SECTION 1

*That the § 312-104 of the Code of Ordinances be amended as follows:*

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

Main Street (Florence) [Amended 11-1-2018 by Ord. No. 18.125]	Northerly	2 hrs./ All	140 feet east of the easterly side of Keyes Street
<b><u>Main Street (Florence)</u></b>	<b><u>Northerly</u></b>	<b><u>15 mins./8:00 a.m. to 6:00 p.m.; Monday through Saturday</u></b>	<b><u>A point 30 feet west of Chestnut Street</u></b>

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Rules suspended, passed two readings, ordained and enrolled.

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Nineteen*

Upon the Recommendation of the Transportation and Parking Commission

**19.052  
AN ORDINANCE**

**RELATIVE TO PARKING ON CHESTNUT STREET**

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:

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SECTION 1

*That the § 312-102 of the Code of Ordinances be amended as follows:*

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

Location	Side	From	To
Chestnut Street	<del>Both</del> <b><u>Westerly</u></b>	Main Street (Florence)	Northerly for 160 feet
<b><u>Chestnut Street</u></b>	<b><u>Easterly</u></b>	<b><u>Main Street (Florence)</u></b>	<b><u>A point 195 feet northerly from Main Street</u></b>

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Rules suspended, passed two readings, ordained and enrolled.

19.054 An Ordinance Allowing Marijuana Testing and Processing in Core Business Districts – 1<sup>st</sup> reading

19.055 An Ordinance Allowing Marijuana Production/Cultivation, Testing and Processing in the PV District – 1<sup>st</sup> reading

19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration – 1<sup>st</sup> reading

19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration – 1<sup>st</sup> reading

19.058 An Ordinance Clarifying the Provisions for Outdoor Growing of Marijuana – 1<sup>st</sup> reading

Councilor Dwight moved to approve the marijuana ordinances (19.054, 19.055, 19.056, 19.057 and 19.058) as a group in first reading. Councilor Bidwell seconded.

Mayor Narkewicz explained that, when administrators first presented zoning for marijuana, it broadly used the term ‘manufacturing’ and included testing in that. They wanted to come back and revisit that since testing is a less intensive use and they want to allow it in more districts. Testing labs are needed to support the industry and they have had inquiries from testing labs that are somewhat limited by current zoning. The revised ordinance allows testing in core business districts as well as the Planned Village (PV) district.

The next ordinances clarify air filtration requirements for marijuana operations and the final one is about outdoor growing.

Of all the marijuana uses, outdoor growing has been the most controversial, Planning Director Wayne Feiden reported. Right now, outdoor growing is allowed. The city solicitor feels that if they allow outdoor growing they have to allow accessory structures so they want to reasonably regulate them. The proposed ordinance is more restrictive than the current rules, he related.

The motion to approve all five ordinances as a group passed 7:0 by roll call vote with two absent (Councilors Klein and O’Donnell).

See minutes of June 20, 2019 for second reading.

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

Councilor Dwight moved to approve the ordinance in second reading. Councilor Bidwell seconded. The motion passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O’Donnell).

The following ordinance passed two readings:

19.054 Ordinance Allowing Marijuana Testing and Processing in Core Business Districts  
19.055 Ordinance Allowing Marijuana Production/Cultivation, Testing and Processing in PV  
19.056 Ordinance Amending Requirements for Medical Marijuana Operations by Adding Air Filtration  
19.057 Ordinance Amending Requirements for Marijuana Manufacturing in OI and GI by Adding Air Filtration  
19.058 Ordinance Clarifying Provisions for Outdoor Growing of Marijuana

City of Northampton  
Massachusetts

In the Year 2019

Upon the Recommendation of City Council President Ryan R. O'Donnell

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

19.062 AN ORDINANCE  
To amend Chapter 5 of the Code of Ordinances by amending Section 5-7  
Special Municipal Employees

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by adding § Chapter 5-7 of said Code; providing that § 5-7 Part I: Administrative Legislation: Administration of Government – Special Municipal Employees  
Be it ordained by the City Council of the City of Northampton, in city Council assembled, as follows:

Chapter 5 of the Code of Ordinances of the City of Northampton, Massachusetts, shall be amended by adding § 5-7, which shall read as follows:

§ 5-7 Special Municipal Employees.

In accordance with Massachusetts General Laws, Chapter 268A, section 1(n) the following positions of the City of Northampton shall be and hereby are designated as special municipal employees. This ordinance shall supersede all prior Orders of the Northampton City Council designating Special Municipal Employees, and any Order designating a position as Special Municipal Employee that is not set forth herein shall be and hereby is rescinded

Add:

*Members of the following Boards, Committees & Commissions:*

City Council Select Committee on Pesticide Reduction

Rules suspended, passed two readings, ordained and enrolled.

19.068 An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling – 1<sup>st</sup> reading

19.069 An Ordinance to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts – 1<sup>st</sup> reading

19.070 An Ordinance to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts – 1<sup>st</sup> reading

19.071 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URC District – 1<sup>st</sup> reading

19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts – 1<sup>st</sup> reading

19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts – 1<sup>st</sup> reading

19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District – 1<sup>st</sup> reading

Councilor Murphy moved to approve the ordinances related to Short-Term Rentals (19.068, 19.069, 19.070, 19.071, 19.072, 19.073 and 19.074) as a group in first reading. Councilor Dwight seconded.

Councilor Carney moved to waive the reading of the ordinances. Councilor LaBarge seconded. The motion passed 6:0 by voice vote with one abstention (Councilor Dwight).

There being no objection to taking the ordinances as a group, Councilor Sciarra called the motion to a vote, and it passed unanimously 7:0 by roll call vote with two absent (Councilors Klein and O'Donnell).

See minutes of June 20, 2019 for second reading.

19.068 Ordinance to Amend Zoning to Add Definitions

<p><u>of Short-Term Rental and Owner-Occupied Dwelling 19.069 Ordinance to Allow Short-Term Rentals in WSP, SC, SR and RR Districts 19.070 Ordinance to Allow Short-Term Rentals in URA/URB Districts 19.071 Ordinance to Allow Short-Term Rentals in the URC District 19.072 Ordinance to Allow Short-Term Rentals in GB/NB Districts 19.073 Ordinance to Allow Short-Term Rentals in the CB, EB, HB and OI Districts 19.074 Ordinance to Allow B&amp;B's and Short-Term Rentals in PV</u></p>	
<p><u>Updates from Council President &amp; Committee Chairs</u></p>	<p><u>Updates from Council President &amp; Committee Chairs</u>  <u>Appointments to Select Committee on Pesticide Reduction</u>                  Councilor Sciarra read aloud a letter from Council President Ryan O'Donnell regarding appointments to the City Council Select Committee on Pesticide Reduction. The letter announced the appointment of City Councilors Alisa Klein and Jim Nash and Adele Frank, Kate Simmons and Cynthia Suopis to the group.</p> <p>Councilor Dwight noted that councilors just authorized designating them as special municipal employees.</p> <p>Councilor Sciarra read the following announcement:  <u>Announcement regarding Executive Session Minutes</u>                  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.</p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u>                  Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. <b>Councilor Dwight moved to approve the consent agenda. Councilor Bidwell seconded. The motion passed unanimously 7:0 by voice vote with two absent (Councilors Klein and O'Donnell).</b></p> <p>The following items were approved as part of the consent agenda:                  A. <u>Minutes of May 16, 2019</u>                  B. <u>19.040 Appointment to Council on Aging - Positive recommendations, City</u></p>

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*

**C. 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~~

**Note: Terry Culhane has withdrawn his request for 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*

**D. 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*

**E. 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**

	<p>Term: July 2019-June 2022  <i>Reappointment</i>  <b>Human Rights Commission</b>  <b>Jeromie Whalen</b>, 31 Union Street, Northampton                  Term: July 2019- June 2022  <i>Reappointment</i>  <b>Public Shade Tree Commission</b>  <b>Marilyn Castriotta</b>, 79 West Street, Northampton                  Term: July 2019-June 2022  <i>Reappointment</i>  <b>F. <u>19.094 Petitions for Annual Second Hand Dealer Licenses</u></b>                  Renewal Licenses for:</p> <p>Electric Eye Records, 52 Main Street, #6                  Petitioner: Andrew Crespo</p> <p>Ryans Jewelers, 14 Strong Avenue                  Petitioner: John Malikowski</p>
<p><b><u>Information (Charter Provision 2-7) &amp; Study Requests</u></b></p>	<p><b><u>Information (Charter Provision 2-7) and Information Study Requests</u></b></p> <p>None</p>
<p><b><u>Motion to Adjourn</u></b></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor Carney, the meeting was adjourned at 11:14 p.m.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>