



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

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

Roll Call

At-Large Councilor Ryan O'Donnell	At-Large Councilor William H. Dwight
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	Ward 7 Councilor Alisa F. Klein
Ward 4 Councilor Gina-Louise Sciarra	

Announcement of Audio/Video Recording

Councilor O'Donnell announced that the meeting was being audio and video recorded.

Public Hearings

Public Hearings
None.

Updates from Council President & Committee Chairs

Updates from Council President & Committee Chairs

Since a number of councilors will be stepping down after this session, Councilor Sciarra proposed the idea of taking a group picture of the sitting council. She asked councilors to let her know if they are not going to be present for any of the meetings in October or early November so she can make arrangements for a picture. It's worth noting that there is no photographic evidence that Mayor Narkewicz ever served on the City Council, Councilor Dwight pointed out.

Charter Review Committee (CRC) Update

The Charter Review Committee (CRC) is in the process of finalizing its report and making minor house-keeping changes to the charter, Councilor Dwight reported. There were a number of lengthy discussions about how the report should be done and also a discussion relative to the ongoing challenge of outreach, particularly to under-represented or marginalized communities. The best they can do at this point is to try to either book a meeting at Jackson Street School or JFK Middle School in November in the hopes people will have some interest. If any new issues are identified, members can include them but they have a December 31st deadline to get the report to the City Council and the Mayor. This is a mandated review, but charter changes can come in the interim as well, he noted. The ongoing frustration throughout the whole charter review process has been trying to get community engagement, he acknowledged.

Speakers Maria Tymoczko, Michael Kirby and Fred Zimnoch spoke about their desire to have an annual report but committee members are struggling with what form it would take. Their concern is that an electronic document is difficult to access if someone is not particularly adept at searching on line. There was a long discussion about whether to embed that requirement in the charter or consider it as a policy. He thinks the consensus was that since the language is too amorphous and would be largely aspirational, the charter would not be the proper place for it.

The hope in issuing a draft report is that it might generate interest in the community or candidates might have thoughts on it and it might come up in the course of a candidate forum.

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors
None.

<p><u>Communications & Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u> None.</p>
<p><u>Resolutions</u></p>	<p><u>Resolutions</u> None.</p>
<p><u>Presentations</u></p>	<p><u>Presentations</u> None.</p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor O'Donnell reviewed the items on the consent agenda, noting that individual items may be removed for separate consideration upon request but that otherwise there is no discussion.</p> <p>Councilor Dwight noted that Melissa Frydlo's name is misspelled, it is Fryd<i>lo</i>, not Fryd<i>io</i>.</p> <p>Councilor Dwight moved to approve the consent agenda with the correction as noted. Councilor Bidwell seconded. The motion passed unanimously 9:0 by voice vote.</p> <p>The following items were approved as part of the consent agenda:</p> <p>A. <u>Minutes of September 5, 2019</u></p> <p>B. <u>19.124 Appointments to Various Committees - all positive recommendations, City Services - 9/9/2019</u></p> <p><u>Arts Council</u> Eamonn Crowley-Edge, 56 Summer Street, Northampton Term: July 2019-June 2022 <i>Reappointment</i></p> <p><u>Central Business Architecture Committee</u> Melissa Frydlo, 123 South Street, #2, Northampton Term: July 2019-June 2022 <i>Reappointment</i></p> <p>Bridget Goggins, 783 Bridge Road, Northampton- (Association of Realtors member) Term: July 2019-June 2022 <i>Reappointment</i></p> <p><u>Housing Partnership</u> Richard Abuza, 245 Chestnut Street, Florence Term: July 2019-June 2022 <i>Reappointment</i></p> <p><u>Planning Board</u> Euripedes De Oliveira, 35 New South Street, #205, Northampton Term: July 2019-June 2022 <i>Reappointment</i></p> <p>C. <u>19.139 Appointments to Various Committees - for referral to City Services</u></p> <p><u>Trust Fund Committee</u> Katherine Foote Newman, 697 Bridge Road, Northampton Term: July 2019 to June 2022 <i>Reappointment</i></p> <p><u>Housing Partnership</u> Reverend Todd Weir, 124 Moser Street, Northampton Term: July 2019 to June 2022 <i>Reappointment</i></p> <p><u>Parks and Recreation Commission</u></p>

Kathleen M. Elliott, 39A Florence Street, Leeds
 Term: October 2019-June 2021
To fill the unexpired term of Carol Bertrand

Planning Board

Alan Verson, 508 Kennedy Road, Leeds (**Full Member**)
 Term: October 2019-June 2022
To fulfill the unexpired term of Tess Perrone Poe

David Whitehill, 60 Washington Avenue, Northampton (**Associate Member**)
 Term: October 2019-June 2021
To fulfill the unexpired term of Alan Verson

Recess for Committee on Finance Meeting

At 7:09 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 7:17 p.m. The City Council reconvened at 7:17 p.m.

Financial Orders (on 1st reading)
19.130 Order to Increase Energy and Sustainability Revolving Fund from \$150,000 to \$250,000 - 1st rdg
19.133 Order for FY2020 Budget Transfers - 1st reading

Financial Orders (on 1st reading)

19.130 An Order to Increase Energy and Sustainability Revolving Fund Threshold from \$150,000 to \$250,000 - 1st reading

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

See minutes of October 3, 2019 for second reading.

19.133 An Order for FY2020 Budget Transfers - 1st reading

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

See minutes of October 3, 2019 for second reading.

19.134 Order to Appropriate Stabilization Funds to Police Station Remediation - 1st reading

19.134 An Order to Appropriate Stabilization Funds to Police Station Remediation - 1st reading

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

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

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

The following order passed two readings:

City of Northampton
 MASSACHUSETTS

In City Council

September 19, 2019

Upon recommendation of the Mayor

19.134 An Order to Appropriate Stabilization Funds to Police Station Remediation

Ordered, that

the City appropriate \$79,000, from the Stabilization Fund, to complete remediation of design and construction defects at the Police Station Facility causing water infiltration issues.

Rules suspended, passed two readings and enrolled.

<p><u>19.135 Order to Suspend Parking Fees on Certain Days - 1st reading</u></p>	<p><u>19.135 An Order to Suspend Parking Fees on Certain Days - 1st reading</u> Councilor Klein moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of October 3, 2019 for second reading.</u></p>
<p><u>Financial Orders (on 2nd reading)</u> <u>19.126 Order to Appropriate Transportation Infrastructure Enhancement Funds \$6,157 for Burts Pit Road Reconstruction</u></p>	<p><u>Financial Orders (on 2nd reading)</u> <u>19.126 An Order to Appropriate Transportation Infrastructure Enhancement Funds \$6,157 for Burts Pit Road Reconstruction – 2nd reading</u> Councilor LaBarge moved to approve the order in second reading. Councilor Klein seconded. The motion passed unanimously 9:0 by roll call vote. <u>The following order passed two readings:</u></p> <p style="text-align: center;">City of Northampton MASSACHUSETTS</p> <hr style="width: 10%; margin: auto;"/> <p><i>In City Council</i> September 5, 2019</p> <hr/> <p style="text-align: center;"><u>Upon recommendation of the Mayor</u></p> <p style="text-align: center;">19.126 An Order to Appropriate Transportation Infrastructure Enhancement Funds \$6,157 for Burts Pit Road Reconstruction</p> <p><i>Whereas,</i> the city has received \$6,157 from the Commonwealth Transportation Infrastructure Enhancement Trust Fund for trips conducted by Transportation Network Companies in Massachusetts for calendar year 2017; and</p> <p><i>Whereas,</i> the funds must be appropriated by City Council upon the recommendation and approval of the Mayor; and</p> <p><i>Whereas,</i> the funds must be used to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town;</p> <p><i>Ordered, that</i></p> <p style="padding-left: 40px;">The amount of \$6,157 be appropriated from the Commonwealth Transportation Infrastructure Enhancement Fund (Fund 2316) to be used for the costs related to the reconstruction of Burts Pitt Road.</p> <p><u>Rules suspended, passed two readings and enrolled.</u></p>
<p><u>19.127 Order to Authorize Intermunicipal Agreement for Young Adult Empowerment Collaborative of Western MA</u></p>	<p><u>19.127 An Order to Authorize Intermunicipal Agreement for Young Adult Empowerment Collaborative of Western Mass – 2nd reading</u> Councilor Klein moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote. <u>The following order passed two readings:</u></p>

City of Northampton
MASSACHUSETTS

In City Council September 5, 2019

Upon recommendation of the Mayor

19.127 An Order to Authorize Intermunicipal Agreement for Young Adult Empowerment Collaborative of Western Mass

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 agreement for FY2020 and FY2021:

Young Adult Empowerment collaborative of Western Massachusetts - Contract to partner with the Franklin County Sheriff's Office, the Opioid Task Force of Franklin County and the North Quabbin Region – agreement to work cooperatively to develop and strengthen regional data systems serving young adults, preventing and addressing young adult misuse by creating and promoting evidence-based programming to support young people as they transition into the five stages of adulthood; and engaging families and communities in their roles to support young adults.

Rules suspended, passed two readings and enrolled.

19.129 Order Authorizing the Lease of the Sr, Center Roof for Solar Panels

19.129 An Order Authorizing the Lease of the Senior Center Roof for Solar Panels – 2nd reading

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council

September 5, 2019

Upon recommendation of the Mayor

19.129 An Order Authorizing the Lease of the Senior Center Roof for Solar Panels

Ordered, that

Whereas, the Northampton Senior Center was constructed to be highly energy-efficient in accordance with LEED standards with a potential for the future addition of a solar photovoltaic array to complement its geothermal heating, ventilation, and air conditioning system; and

Whereas, city residents Morey Phippen and Brian Adams, acting through their non-profit charitable organization Phippenadams, LLC, has generously offered to fund the installation of a solar photovoltaic array on the roof of the Northampton Senior Center and a six-year lease is a condition precedent to the grant of the array as a gift to the city; and

Whereas, M.G.L. c. 30B, § 16 requires a vote of the City Council to surplus any interest in public property prior to its disposal,

NOW, THEREFORE, BE IT RESOLVED,

The City Council declares surplus a leasehold interest in the roof of the Northampton Senior Center located at 67 Conz Street, Northampton, and authorizes the Mayor to execute a six-year lease for said roof on such terms and conditions as the Mayor deems reasonable, subject, however, to the following restrictions:

- (1) The lessee will be responsible for the care, repair, and maintenance of the solar photovoltaic array for the duration of the lease.
- (2) At the conclusion of the lease, the lessee shall gift the solar photovoltaic array to the City of Northampton.

Rules suspended, passed two readings and enrolled.

Orders
19.138 Order to Authorize Community Choice Aggregation to Reduce Greenhouse Gas Emissions - 1st reading

Orders
19.138 An Order to Authorize Community Choice Aggregation to Reduce Greenhouse Gas Emissions - 1st reading

Councilor O'Donnell read the order.

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

Mayor Narkewicz introduced the order, noting that Planning Director Wayne Feiden has served as the city's representative on the three-community working group that has been studying the proposal. As councilors may remember, the City Council passed a resolution a year ago authorizing the city, among other things, to enter into discussions to study community choice aggregation. The City Council actually did authorize the city to enter into a CCA agreement many, many years ago as part of a failed attempt to implement regional CCA with the Hampshire Council of Governments, so it has been considered in the past. Three communities (Amherst, Northampton and Pelham) have been working with the University of Massachusetts on planning and the idea is to get authorization in place to be ready to move forward.

As background, until some years ago, all utilities were monopolies for both electric supply and distribution, Mr. Feiden presented. About eight or nine states said utilities are natural monopolies for distributing power since there is only one set of utility lines but not for producing power, so the system was deregulated to allow consumers to buy power from other suppliers. The city and other large customers do not use National Grid, but most small customers use National Grid by default. Frankly, some of the claims of other companies have not stood up, and the attorney general has been investigating some companies for false advertising, so the vast majority of homeowners use National Grid.

As part of law, the state says municipalities can become the default provider of electricity for the community, and almost half the communities in the commonwealth have done that. It's a fairly simple process; they essentially do the same thing as utilities do - buy short-term power. They're not buying generation facilities but rather are going through a broker and signing an agreement.

Northampton began the process of exploring CCA almost a decade ago and found quickly that the range of CCA's varies dramatically. Most of the companies are doing it to save customers a few cents on the bill. Some communities said they wanted more renewable energy, so they proceeded to buy renewable energy credits. The problem is this does not necessarily produce additionality, truly new renewable energy generation as opposed to what is already planned. Communities tend to buy renewable energy credits from sources such as wind power in Montana, Iowa or Texas. Those wind generators in Texas are going up anyway so they aren't creating any new renewable energy. Communities are starting to think about how to get power that is as local as possible, as green as possible and, most importantly, about additionality i.e., renewable energy that wouldn't otherwise be created.

The city has played this game a little bit in that it just approved leasing a rooftop for community solar and has community solar in two private installations in town and at the landfill. The question is how to minimize risk and maximize benefits. Unlike Boston, Northampton may not be big enough to get attention so they have been working with Pelham and Amherst to explore CCA. They got a \$75,000 grant from the Urban Sustainability Director's Network (USDN). The reason they got this national grant is that, as they quickly realized, there are not a lot of communities on the cutting edge. California is, so they are stealing a lot of ideas from it. They are exploring what makes sense. They want to be cutting edge but not bleeding edge. They are asking for authority now because showing a serious commitment on the part of the city helps them in applying for future grants; the reason they got this USDN grant is the City Council's vote on the record from 2012. It helps them in the planning process with other communities and will enable them, when ready, to submit an application to the Department of Public Utility (DPU).

There are lots of unknowns, he acknowledged. Two members of the council are on the Northampton Energy and Sustainability Commission (NESC) and have been part of this conversation.

If the city sets up a CCA, Northampton would become the default provider of electricity but there's no requirement that anybody stay with them. If they charge less than National Grid, electricity use will actually go up, which is not their goal. If they charge more, they will lose customers, so they are looking for the 'sweet spot' of being as close to parity as possible with National Grid rates but with much greener power.

Councilor Klein said she's really grateful to two members of the community – Sam Titelman and Adele Franks - who brought this proposal to a couple of councilors who put it into the resolution passed. She publicly thanked them for their contribution to this process.

Councilor O'Donnell said he's very supportive of this and glad to see it reach this point. He called the motion to a vote, and it passed unanimously 9:0 by roll call vote.

See minutes of October 3, 2019 for second reading.

<p><u>Petitions for Street Acceptances (for referral to Planning Board)</u></p>	<p><u>Petitions for Street Acceptances (for referral to Planning Board)</u> <u>19.131 Petition for North Street Acceptance</u> <u>19.132 Petition for Finn Street Acceptance</u> As part of the MassDOT analysis for the state-funded reconstruction of King Street, it was discovered that the process of street acceptance for North Street and Finn Street was never fully completed, Mayor Narkewicz explained. Administrators are trying Councilor Dwight moved to refer both street acceptance petitions to the Planning Board. Councilor LaBarge seconded. The motion passed unanimously 9:0 by voice vote. Ms. Krutzler noted that the earliest a public hearing could be held to lay out the streets would be October 17th, since this would allow the council to receive a report from the Planning Board and fulfilled the statutory notification requirements. Councilor O'Donnell indicated that the timeline and arrangements for a public hearing could be worked out in the process of setting the agenda for future council meetings.</p>
<p><u>Ordinances (Not yet Referred)</u></p>	<p><u>Ordinances (Not yet Referred)</u> <u>19.136 An Ordinance to Amend Chapter 312 Vehicles and Traffic</u></p>

19.136 Ordinance to Amend Ch. 312 Vehicles & Traffic
19.137 Ordinance to Amend Ch. 312 Vehicles & Traffic

19.137 An Ordinance to Amend Chapter 312 Vehicles and Traffic
 Councilor Klein moved to refer the ordinances as a group to the Transportation and Parking Commission (TPC) and to Legislative Matters. Councilor Dwight seconded. The motion carried unanimously 9:0 by voice vote.

Ordinances
19.105 Ordinance to Rezone Five Parcels from General Industrial to Office Industrial - 1st reading

Ordinances
19.105 An Ordinance to Rezone Five Parcels from General Industrial to Office Industrial - 1st reading
 Councilor O'Donnell took 19.105 out of order since Mr. Feiden was present for this zoning map change.

The current owner of Berkshire Cable approached the Planning Department to request the zoning change because Office Industrial (OI) allows more flexibility in potential use, Mr. Feiden presented. He and Principal Planner Carolyn Misch looked at all General Industrial (GI) zones in Leeds and decided rezoning made sense for all of them. Planners held a public forum and Ms. Misch met with the owners of the three businesses affected – Berkshire Cable, Chartpak and Mark Bernstein – and all were either supportive or didn't care. They haven't had any objections to the process.

Councilor Klein confirmed they held a public forum in Leeds. She reached out to owners of the buildings and made sure everybody affected by the change came. There were some questions about the owner's idea of creating self-storage as people were worried that the rodent population would increase. She expressed her understanding that the city is doing this in all GI districts so it is part of a bigger picture of overall zoning.

They are doing it in all districts that are old historic mill sites, Feiden clarified. The two areas that will remain GI are the industrial park and Packaging Corp. Everything along the Mill River has either been done or is in process.

One other concern expressed by folks on Water Street was whether the space could be used for things that would draw more traffic and/or large trucks. From the explanations provided, she thinks everyone was satisfied.

Councilor Dwight reminded those present that the proposal includes converting a parcel from GI/FP to Special Conservancy (SC).

The ordinance received a positive recommendation from Legislative Matters, he confirmed

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

See minutes of October 3, 2019 for second reading.

19.102 Ordinance Relative to Parking on Glendale Road - 1st reading
19.110 Ordinance Relative to Bus Stops on Bridge Street - 1st reading

19.102 An Ordinance Relative to Parking on Glendale Road - 1st reading
 Councilor Dwight moved to approve the ordinance in first reading. Councilor Murphy seconded.

As it was presented at Legislative Matters, the change is essentially removing all parking prohibitions that currently exist on Glendale Road because of its historic use as a landfill, Councilor Dwight explained. Now that it's closed the restrictions are no longer necessary.

The ordinance received a positive recommendation from TPC and Legislative Matters.

For years when the landfill was open, big 18-wheelers would be out there at 6:30 a.m. parking and idling, Councilor LaBarge reminded. There is no longer a reason as the landfill is closed.

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

See minutes of October 3, 2019 for second reading.

19.110 An Ordinance Relative to Bus Stops on Bridge Street - 1st reading

Councilor O'Donnell noted that the ordinance appears to be adding a bus stop in the vicinity of the post office.

Councilor Klein moved to approve the ordinance in first reading. Councilor LaBarge seconded.

This marks a continuation of the fine work Councilor O'Donnell started around Bridge Street school, Councilor Nash observed. One of the issues is that the bus stop near Bridge Street school is actually not codified in city ordinance. In discussion with PVTA, they thought it was better to relocate it across the street from the post office. In terms of public transportation, it makes sense for east and west bus stops to be paired with each other, he asserted.

Lastly, the relocation of the bus stop is helping clear up confusion for parents parking at Bridge Street. Most people know they should not park at a bus stop and there is a bus stop sign. The proposal received positive recommendations from TPC and Legislative Matters.

Councilor Sciarra thanked Councilor Nash – he did an amazing amount of work on this, she noted.

Further details such as the dimensions of the bus stop and whether it will have a kiosk were not presented, Councilor Dwight said. Councilor Sciarra expressed her understanding that PVTA is putting down a pad for wheel chairs so they can embark and disembark. Councilor Nash said he will have additional details for second reading. The DPW worked with PVTA to come up with the proposal, he confirmed.

It's not an ideal location for a shelter because most riders are disembarking at that point, Councilor Nash added.

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

See minutes of October 3, 2019 for second reading.

<p><u>Other Matters</u> <u>Deliberate and vote on process by which the City Council shall designate voting representatives to International Code Council (ICC) for purpose of casting four votes relative to the International Energy Conservation Code (IECC) and the method by which such votes shall be decided and cast</u></p>	<p><u>Other Matters</u> <u>Deliberate and vote on the process by which the City Council shall designate its voting representatives to the International Code Council (ICC) for the purpose of casting four votes relative to the International Energy Conservation Code (IECC) and the method by which such votes shall be decided and cast.</u></p> <p>Second vote on motion: "move to refer discussion of the 2021 International Energy Conservation Code (IECC) to the Community Resources Committee which in turn will make a recommendation that will come back to the full Council for a vote on November 21, 2019 and further, to ask for consideration of suspension of the rules to allow two votes at that meeting with the friendly amendment that the four designees be the members of the committee and that the designees be bound to transmit the opinion of the entire City Council as adopted."</p> <p>Councilor Dwight so moved. Councilor Klein seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>The motion passed two readings.</u></p>
<p><u>Information (Charter Provision 2-7) & Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u></p> <p>None</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the meeting was adjourned at 7:59 p.m.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>

