



Public Works Committee of the City Council

**Councilor Paul D. Spector
Councilor Jesse M. Adams
Councilor Alisa F. Klein**

**Location: City Council Chambers
210 Main St., Northampton**

9/3/2015 - Minutes

1. Meeting Called to Order

At 6:00 p.m. Councilor Spector called the meeting to order. Present were Councilors Spector, Adams and Klein.

2. Approve Minutes of the Previous Meeting

Councilor Klein moved to approve the minutes of the August 13, 2015; Councilor Adams seconded the motion. The minutes were approved on a voice vote of 3 Yes, 0 No.

3. Discussion: Reconsideration of the Taking of Center Court

There is a question regarding the interpretation of the Council vote that took place on Dec. 4, 2014 about the taking of Center Court. The motion on the floor was to accept the recommendation of the Board of Public Works. The motion failed on a Roll Call Vote of 4 Yes, 4 No, 1 Abstention.

Mayor Narkewicz was present to provide input about this issue.

The Mayor stated that his interpretation of the outcome of the vote was a 4-4 failed motion did not indicate a clear affirmation by the Council that it was in favor of accepting Center Court as a public way. The Mayor stated that he will veto an order presented to him to accept Center Court as a city street, in which case the City Council will need to override the veto.

Councilor Adams shared Atty. Seewald's interpretation of the City Council vote: "Does the City Council saying no to the BPW's recommendation mean that the city council has voted in favor of laying it out?" The solicitor indicated that he believed it did.

Mayor Narkewicz indicated that there was no clear decision by the council with a 4-4 vote ("push").

Councilor Spector indicated that there is a practical issue-do we want to commit resources to do work up front if the Mayor will veto the order?

Without doing any of the engineering or any work by the DPW, the Mayor would like to see an affirmative council vote to move forward to make Center Court a public way. He suggested that when the first vote failed (on Dec. 4), it would have been better that council put forward a recommendation to accept Center Court as a public way.

Councilor Klein commented that the vote did not fail due to a clear majority, but rather that it failed because we did not accept the recommendation of the BPW. She was concerned that procedurally by the committee's own discretion, that it would ignore outcome of the council vote. This seemed procedurally faulty.

The Mayor clarified that Mass Gen Law says that there has to be an affirmative vote by the council in order to lay out a public way.

Councilor Spector questioned whether we would spend the money to do the upfront work to lay out a city street if the Mayor was going to veto it anyway.

Mr. Floyd Andrus indicated that regarding prelim work, there was a crew down at Center Court for several days. In his discussion with Mr. Huntley, he talked about developing a right of way for Center Court. The Mayor thought this might be due to some sewer easement related issues.

4. New Business

None

5. Adjourn

At 6:25 Councilor Klein moved to adjourn; Councilor Adams seconded the motion. The motion was approved on a voice vote of 3 Yes, 0 No.

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