



CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
WALLACE J. PUCHALSKI MUNICIPAL BUILDING  
212 MAIN STREET, NORTHAMPTON  
Northampton, MA  
May 19, 2016

Roll Call

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:30 p.m. on a roll call the following City Councilors were present:

- |                                      |                                      |
|--------------------------------------|--------------------------------------|
| At-Large Councilor William H. Dwight | At-Large Councilor (Vacant)          |
| Ward 1 Councilor Maureen T. Carney   | Ward 2 Councilor Dennis P. Bidwell   |
| Ward 3 Councilor Ryan R. O'Donnell   | Ward 4 Councilor Gina-Louise Sciarra |
| Ward 5 Councilor David A. Murphy     | Ward 6 Councilor Marianne L. LaBarge |
| Ward 7 Councilor Alisa F. Klein.     |                                      |

The following City Councilor(s) was (were) absent: None

Councilor LaBarge moved to suspend council rules regarding Order of Business; Councilor Klein seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.

Public Hearing

Public Hearing:

Public Hearing Regarding Petition from National Grid to Relocate a Pole on Elm Street

Public Hearing Regarding Petition from National Grid to Relocate a Pole on Elm Street

A motion to open the public hearing was made by Councilor Murphy and seconded by Councilor Bidwell.

Lisa Jasinski from National Grid was present as a proponent to the petition. The plan is to relocate a pole on Elm Street. This is for the new entry that is going into College Lane at Smith College. The pole will be relocated 47 feet west of intersection of College Lane which moves the pole approximately 11 feet. Currently the pole is in the way of the planned new sidewalks.

Councilor Klein asked about an order on the agenda to discontinue a portion of Elm Street. Ms. Jasinski explained that the order is probably an agreement to eliminate a couple of parking spaces on Elm Street as part of the overall project. If that does not happen, the pole will not be moved. That agreement is between the City and Smith College and she is not aware of the status of that order. The petition before council is in preparation for the entire project. She believes that the pole will not be moved if the discontinuance does not happen.

There were no opponents to the petition.

A motion to close the public hearing was made by Councilor Murphy and seconded by Councilor O'Donnell.

Announcement of Public Hearing Regarding FY2017 City Budget

Announcement of Public Hearing

The following announcement was made by Councilor Dwight. The following Public Hearing is hereby advertised in accordance with The Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-4: Action on the Operating Budget, (a) Public Hearing:

BY ORDER OF THE CITY COUNCIL, a Public Hearing to be held on Thursday, June 2, 2016 at 7:05 p.m. in the City Council Chambers located in the Wallace J. Puchalski Municipal Building, 212 Main Street, Northampton, MA. The City Council will consider the Proposed FY2017 Budget, and hear all persons who wish to be heard thereon.

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors

Announcements

Councilor O'Donnell announced that the City Council will hold two budget hearings where individual departments will present their budgets to City Council and speak to the upcoming needs for FY2017. The meetings are open to the public and will be held in the Police Department Community Room located at 29 Center Street. On May 25, 2015 the Fire Rescue Department and Central Services will present their budgets beginning at 5:30 p.m.

On Thursday, May 26, 2016, also beginning at 5:30 p.m., the Department of Public Works, Police Department, Forbes Library, Planning and Sustainability, Northampton Public Schools, and the Arts & Culture Department will present. Other departments may be invited to participate as well, however, no other departments are scheduled at this time. (Note: as of the writing of these City Council minutes, the meeting date has changed to June 1, 2016. Arts & Culture are unable to attend; other changes may be made to the schedule in advance of the meeting.)

Councilor Dwight announced that on Monday, May 30, 2016 the Memorial Day Parade will take place in Florence. The parade begins at 10:00 a.m.; line-up begins at 9:30 @ Trinity Row.

**Communications and Proclamations From the Mayor**

**Communications and Proclamations From the Mayor:**

**FY2017 Budget Message**

**FY2017 Budget Message**

Mayor Narkewicz read his budget message as presented in the FY2017 Budget Book.

**Resolutions**

**Resolutions:**

**16.093 Resolution Recognizing the Second Monday of October as Indigenous Peoples Day - 1st Reading**

**16.093 Resolution Recognizing the Second Monday of October as Indigenous Peoples Day - 1st Reading**

Councilor Klein noted that in 1990 the South Dakota legislature passed a state holiday called "Native American Day which is celebrated annually. In 1992, Berkley, California was the first to recognize Indigenous Peoples Day. Since then over twenty cities across the US have declared the second Monday of October Indigenous Peoples Day. Most recently Amherst passed a resolution that was written by Amherst Regional Middle School students to replace Columbus Day with Indigenous Peoples Day. Councilor Klein believes that the Council owes it to the children, as well as to adults, of Northampton that it was and is this country's legal, moral and fiduciary responsibility to protect and ensure the wellbeing of native tribes. Throughout the last several centuries indigenous peoples have experienced governmental and societal neglect and racism, such as higher disease rates, lower life expectancy, etc. What is important is that the resolution instills the need to recognize the needs of indigenous people beyond the one day specified by resolution.

In addition to Councilor Klein, Councilor Carney thanked the teachers, students and community members for their thoughtful participation in the creation of this important legislation. As a former teacher, she knows the importance of getting this information in to the hands of teachers well in advance of the final stages of a curriculum development. Councilor Carney believes that this is a great opportunity to educate ourselves further about the Nonotuck people who inhabited this City of Northampton long before the Europeans who came here and settled.

Councilor Dwight noted that there is no Columbus Day celebration in Northampton. Indigenous Peoples day is an appropriate honor. He cautioned that a resolution cannot change a state holiday. He intends to support the initiative.

**Motion to Approve in 1<sup>st</sup> reading**

Councilor Bidwell moved to approve the resolution in 1<sup>st</sup> reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

**Motion Carried**

**See minutes of June 2, 2016 for second reading.**

**16.077 A Resolution to affirm the City's non-discrimination policy and in support of equality of access in public places - 2nd Reading**

**16.077 A Resolution to affirm the City's non-discrimination policy and in support of equality of access in public places - 2nd Reading**

Councilor O'Donnell noted that the State Senate has acted upon legislation, but the entire legislature still has yet to weigh in on this important legislation addressing non-discrimination support. In 2012 the state of Massachusetts enacted provisions to protect against discrimination on the basis of gender identity for housing but left a "carve out" for public places. MA was the only state that passed for gender identity that had such an omission. The resolution is intended to address a civil rights loophole.

Councilor Dwight notes that the federal government has recently reacted to discriminatory law enacted by North Carolina.

**Motion to approve in 2<sup>nd</sup> reading**

Councilor LaBarge moved to approve the resolution in second reading; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.

**Motion Carried**

**The following resolution passed second reading:**

**Upon the Recommendation of Councilor Ryan R. O'Donnell**

**R-16.077**  
**A RESOLUTION**

**TO AFFIRM THE CITY'S NON-DISCRIMINATION POLICY AND IN SUPPORT OF**  
**EQUALITY OF ACCESS**  
**IN PUBLIC PLACES**

WHEREAS, The City of Northampton is guided by a fundamental and compelling interest to protect the civil rights of all its citizens and visitors, support public policies that prohibit unjust discrimination, and promote a society characterized by freedom and equality; and

WHEREAS, A free and equal society is one in which all people may access public places, including commercial space such as restaurants, hotels, and theaters as well as public space such as municipal buildings, parks and public transportation, among others, on equal terms; and

WHEREAS, In 2011 the Massachusetts legislature extended protections against discrimination on the basis of gender identity in matters of housing, employment, credit and education, but not in matters relative to public accommodations such as those described above; and

WHEREAS, Today, legislation currently before the legislature would close this gap in state law and extend such protections to all people to prohibit discrimination in matters of public accommodations on the basis of gender identity and guarantee equal access to public places regardless of gender identity;

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

1. Affirms that it is the policy of the City of Northampton that no person shall unjustly discriminate against any person belonging to a protected category, including age, ancestry or national origin, color, creed, family or marital status, gender identity, genetic information, mental or physical ability, race, religion, sex, sexual orientation, socioeconomic status or veteran status, relative to any essential public matter involving goods, services, or access that are generally available to all people, including education, employment, health care, housing, municipal services and public accommodations.
2. Affirms that it is the policy of the City of Northampton that no one shall refuse to grant admission to and full enjoyment of any public accommodation within the City of Northampton to a person consistent with that person's gender identity.
3. Supports the expeditious enactment of state legislation to extend protections against discrimination in matters of public accommodation on the basis of gender identity.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to Governor Charles Baker, Senate President Stanley Rosenberg, Speaker of the House Robert DeLeo, State Representative Peter Kocot, as well as Northampton's federal representatives.

**Enrolled**

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

**Recess for Committee on City Services**

At 8:09 p.m. the City Council recessed for the Committee on City Services meeting. The City Council reconvened at 8:39 p.m.

**Presentations**

**Presentations: None**

Consent Agenda

Consent Agenda

Motion to remove an item (16.075) from Consent Agenda

Councilor Carney moved to remove one item from the Consent Agenda (Item 16.075); Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.

Motion to approve Consent Agenda

Councilor LaBarge moved to approve the consent agenda; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following items were included on the consent agenda:

Minutes of the May 5, 2016 City Council Meeting for approval

Petition from National Grid to Relocate a Pole on Elm Street (16.059) for approval

16.080 Petitions for Second Hand Dealers Licenses for approval:

1. The Back Alley Antiques & Collectibles located at 238 Bridge Street
2. Ryan's Jewelers located at 14 Strong Avenue
3. Modern Myths, Inc. located at 34 Bridge Street

16.064 Petition to discontinue a portion of Elm Street for referral to the Public Works Commission

Motion to approve the appointment of Donna LaScaleia as the DPW Director

Motion to approve the Appointment of Donna LaScaleia as the Director of Public Works (16.075) made by Councilor LaBarge and seconded by Councilor O'Donnell. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

Recess for a short break

At 8:43 p.m. the City Council recessed for a short break. At 8:54 the City Council reconvened

Recess for Committee on Finance Meeting

At 8:54 p.m. the City Council recessed for the Committee on Finance meeting. The City Council reconvened at 9:44 p.m.

Financial Orders

Financial Orders

16.081 To appropriate \$39,353.78 for related infrastructure upgrades relative to the replacement of the city's VOIP system - 1st Reading

16.081 To appropriate \$39,353.78 for related infrastructure upgrades relative to the replacement of the city's VOIP system - 1st Reading

Motion to approved in 1<sup>st</sup> reading

Councilor LaBarge moved to approve the order in first reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.082 Financial Order to authorize Look Park to apply for a PARC grant and authorize related

16.082 Financial Order to authorize Look Park to apply for a PARC grant and authorize related borrowing - 1st Reading

borrowing - 1st Reading

Motion to approve in 1<sup>st</sup> reading

Councilor LaBarge moved to approve the order in first reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

Motion to approve CPA orders as a group in first reading:

Councilor Murphy moved to approve the following as a group in first reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

16.083 Stained Glass Window Restoration, First Churches of Northampton: \$213,000 – 1<sup>st</sup> Reading

16.083 Stained Glass Window Restoration, First Churches of Northampton: \$213,000 – 1<sup>st</sup> Reading

16.084 Saw Mill Hills Open Space Acquisition, Northampton Conservation Commission: \$72,000- 1<sup>st</sup> Reading

16.084 Saw Mill Hills Open Space Acquisition, Northampton Conservation Commission: \$72,000 – 1<sup>st</sup> Reading

16.085 Historic Scenic Curtain Restoration, Academy of Music: \$44,785 – 1<sup>st</sup> Reading

16.085 Historic Scenic Curtain Restoration, Academy of Music: \$44,785 – 1<sup>st</sup> Reading

16.086 Supportive Housing for Homeless Youth, Friends of Hampshire County Homeless Individuals: \$275,000 – 1<sup>st</sup> Reading

16.086 Supportive Housing for Homeless Youth, Friends of Hampshire County Homeless Individuals: \$275,000 – 1<sup>st</sup> Reading

16.087 Conservation Fund, Northampton Conservation Commission: \$30,000 – 1<sup>st</sup> Reading

16.087 Conservation Fund, Northampton Conservation Commission: \$30,000 – 1<sup>st</sup> Reading

16.089 Shepherd Barn Dendrochronolgy Study, Historic Northampton: \$2,300 – 1<sup>st</sup> Reading

16.089 Shepherd Barn Dendrochronolgy Study, Historic Northampton: \$2,300 – 1<sup>st</sup> Reading

16.090 Pulaski Park Renovation and Expansion,

16.090 Pulaski Park Renovation and Expansion, Northampton Department of Public Works: \$805,400 – 1<sup>st</sup> Reading

Northampton  
Department of  
Public Works:  
\$805,400 – 1<sup>st</sup>  
Reading

Motion Carried See minutes of June 2, 2016 for second reading.

16.088 Fitzgerald  
Lake Invasive  
Plant Control,  
Broad Brook  
Coalition  
\$12,800 – 1<sup>st</sup>  
Reading

16.088 Fitzgerald Lake Invasive Plant Control, Broad Brook Coalition \$12,800 – 1<sup>st</sup>  
Reading

Councilor Klein does not support using CPA funds to support the use of herbicides on City property.

Motion to  
approve in 1<sup>st</sup>  
Reading

Councilor Murphy moved to approve the order in first reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 7 Yes, 1 No (Councilor Klein), 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.091 Financial  
Order to allow  
the City's Tree  
Warden to  
accept gifts of  
\$25,000 or less -  
1st Reading

16.091 Financial Order to allow the City's Tree Warden to accept gifts of \$25,000 or less - 1st Reading

Motion to  
approve in 1<sup>st</sup>  
Reading

Councilor LaBarge moved to approve the order in first reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.092 Order to  
rescind TIF  
previously  
granted to  
Grantham Group  
- 1st Reading

16.092 Order to rescind TIF previously granted to Grantham Group - 1st Reading

Motion to  
approve in 1<sup>st</sup>  
Reading

Councilor O'Donnell moved to approve the order in first reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

Motion to  
suspend council  
rules for 2<sup>nd</sup>  
reading

Motion to suspend City Council rules to allow for a second reading was made by Councilor Carney and seconded by Councilor Murphy. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

Motion to  
approve in 2<sup>nd</sup>  
reading

Councilor Murphy moved to approve the order in 2<sup>nd</sup> reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon the recommendation of the Mayor

16.092  
AN ORDER

**To Rescind TIF previously granted to the Grantham Group**

**16.092**  
**Continued**

*Ordered, that:*

Whereas, on March 7, 2013, the City Council granted a Tax Increment Financing (TIF) Plan to the Grantham Group for the assisted living project know as Christopher Heights;

Whereas, the vote authorized the Mayor to execute and implement a TIF agreement and that agreement was not executed by mutual agreement of the City and the Grantham Group;

Whereas, the Commonwealth of Massachusetts has requested that the city rescind its authorization for this project;

Therefore be it ordered, that the vote taken by the City Council on March 7, 2013 to grant a TIF to the Grantham Group is hereby rescinded.

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

**16.060 Financial**  
**Order regarding**  
**budgetary**  
**transfers**  
**between various**  
**department - 2nd**  
**Reading**

**16.060 Financial Order regarding budgetary transfers between various department - 2nd Reading**

**Motion to**  
**approve in 2<sup>nd</sup>**  
**reading**

Councilor Murphy moved to approve the order in second reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

**Motion Carried**

**The following order passed second reading:**

Upon recommendation of the Mayor

**O-16.060**

**An Order**

**For Budgetary Transfers between Various Accounts**

*Ordered, that*

the following FY2016 budgetary transfers be and hereby are made:

Department		Description	Org	Object	Transfer From:	Transfer To:
City Council	PS	Salaries Permanent	1111	511000		1,130
Information Technology	PS	Salaries Permanent	11551	511000		9,150
Planning & Sustainability	PS	Salaries Permanent	11751	511000		621
Parking Maintenance	PS	Salaries Permanent	14811	511000		6,541
Veterans	PS	Salaries Permanent	15431	511000		2,675
Arts & Culture	PS	Salaries Permanent	16991	511000		6
Reserve for Personnel	PS	Wage Adjustment	19491	519700		1,754
Parking Maintenance	OM	NBID Assessment	14813	569400	(6,541)	
Medical Insurance	PS	Employee Insurance Benefits	19141	519400	(15,336)	
City Council	OM	Travel	11112	571001		2,100
Arts and Culture	OM	Telephone	16992	534100		540
Interest on Municipal Debt	OM	Interest on Notes	17503	592500	(2,640)	
<b>TOTAL:</b>					<b>(24,517)</b>	<b>24,517</b>

Enrolled Rules suspended, passed two readings and enrolled.

16.063 Financial Order to authorize payment of a prior fiscal year bill for Smith Vocational & Agricultural School in the amount of \$8,135.36 - 2nd Reading

16.063 Financial Order to authorize payment of a prior fiscal year bill for Smith Vocational & Agricultural School in the amount of \$8,135.36 - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor LaBarge moved to approve the order in second reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon recommendation of the Mayor

16.063  
AN ORDER  
To authorize payment of a prior fiscal year bill for  
Smith Vocational and Agricultural School

BE IT ORDERED

the Council authorize payment of a prior fiscal year bill (FY2015) from Smith Vocational and Agricultural School for \$8,135.36 owed to Durham School Services for Transportation Services.

Enrolled

Rules suspended, passed two readings and enrolled.

16.066 Order to purchase land off of Reservoir Road - 2nd Reading

16.066 Order to purchase land off of Reservoir Road - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor O'Donnell moved to approve the order in second reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.066**  
**An Order**  
**To Purchase Land off of Reservoir Road**

Ordered, that

WHEREAS, The *Open Space, Recreation and Multi-Use Plan: 2011-2018* recommends protecting conservation land and unprotected gaps in the Saw Mill Hills;

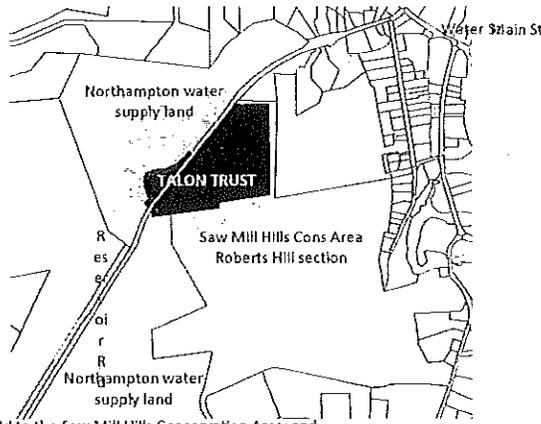
WHEREAS, Talon Trust has agreed to sell 20+ acres off Reservoir Road (Map ID 10D-36), surrounded by conservation land on three sides and water supply land on one side, for \$150,000 to add to the Saw Mill Hills Conservation Area; and

WHEREAS, The land provides trail links, protects the city's drinking water system (current emergency reservoir), and provides wildlife links between upland areas, wetlands and water; and

WHEREAS, All funds will be drawn from CPA funds and current and past grants and donations; This Order includes no new appropriation.

NOW, THEREFORE BE IT ORDERED,

That the Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by Section 8C of Chapter 40 of the General Laws, the Community Preservation Act, and Article 97 of the Amendments to the Massachusetts Constitution, any fee, easement or conservation restriction as defined in Section 31 of Chapter 184 of the General Laws or



any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission and the Mayor are jointly authorized to grant conservation restrictions on any land so acquired.

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

**Enrolled**

**16.068 Order to purchase 55 +/- acres located between Glendale & Westhampton Roads - 2nd Reading**

**Motion to approve in 2<sup>nd</sup> Reading**

**Motion Carried**

**16.068 Order to purchase 55 +/- acres located between Glendale & Westhampton Roads - 2nd Reading**

Councilor Bidwell moved to approve the order in second reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

**The following order passed second reading:**

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.068**  
**An Order**  
**To Purchase 55 +/- acres located between Glendale & Westhampton Roads**

Ordered, that

WHEREAS, The *Open Space and Recreation Plan: 2011-2018* recommends preserving open space and valuable wetlands and upland habitat to connect the Mineral Hills Conservation Area with West Farms and

16.068  
Continued

filling in gaps and missing teeth in the city's open space system and provided for multiuse trail opportunities;

WHEREAS, The owners of 55± acres located between Glendale and Westhampton Roads, the approved Kensington Estates subdivision, have agreed to sell their property for \$450,000;

WHEREAS, The City is working with the seller who may carve off some small amount of the land to lower the purchase price;

WHEREAS, The Massachusetts LAND Grant provides up to 64% reimbursement for acquisition of certain conservation areas and is a reimbursement program which requires that the City demonstrate that it has all of the funds necessary to acquire conservation properties prior to state reimbursement; and

*Ordered, that*

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Energy and Environmental Affairs, under the LAND/Self-Help Act, MGL Chapter 132A, §11;

Further that \$450,000 is appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$450,000 under MGL c.44, §7(3); and that the Conservation Commission is authorized to contract for any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Environmental Affairs, under the LAND Self-Help Act, Chapter 132A, §11 of the General Laws;

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.



Enrolled

Rules suspended, passed two readings and enrolled.

16.069 Order to  
authorize the  
purchase of 110  
+/- acres to add  
to the  
Brookwood  
Marsh  
Conservation  
Area - 2nd  
Reading

16.069 Order to authorize the purchase of 110 +/- acres to add to the Brookwood Marsh Conservation Area - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor LaBarge moved to approve the order in second reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried The following order passed second reading:

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

16.069  
An Order

Authorize purchase of 110 +/- acres to add to the Brookwood Marsh Conservation Area

*Ordered, that*

WHEREAS, The *Open Space and Recreation Plan: 2011-2018* recommends preserving open space on Burts Pit Road to preserve Northampton's only bog and rare species habitat and provide for a multiuse trail to serve the area;

WHEREAS, The owners of 110± acres located on Burts Pit Road, Stone Ridge Road and Overlook Drive have agreed to sell their property for \$500,000;

WHEREAS, The City is working with the seller who may carve off some small amount of the land to lower the purchase price;

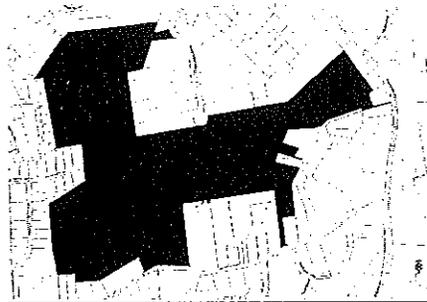
WHEREAS, The Massachusetts LAND Grant provides up to 64% reimbursement for acquisition of certain conservation areas and is a reimbursement program which requires that the City demonstrate that it has all of the funds necessary to acquire conservation properties prior to state reimbursement; and

*Ordered, that*

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Energy and Environmental Affairs, under the LAND/Self-Help Act, MGL Chapter 132A, §11;

Further that \$500,000 is appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$500,000 under MGL c.44, §7(3); and that the Conservation Commission is authorized to contract for any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Environmental Affairs, under the LAND Self-Help Act, Chapter 132A, §11 of the General Laws;

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.



Enrolled Rules suspended, passed two readings and enrolled.

16.071 Financial Order to appropriate

16.071 Financial Order to appropriate \$32,356.31 from the GF Free Cash to NPS for federal eRate to support technology infrastructure - 2nd Reading

\$32,356.31 from the GF Free Cash to NPS for federal eRate to support technology infrastructure - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor O'Donnell moved to approve the order in second reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon recommendation of the Mayor

16.071

An Order

To appropriate \$32,356.31 from the GF Free Cash to NPS for federal eRate to support technology infrastructure

*Ordered, that*

\$32,356.31 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) to the Northampton Public Schools to pass through to the school department their federal eRate funds for supporting technology infrastructure, said funds to be deposited into W1245132 587014.

Enrolled

Rules suspended, passed two readings and enrolled.

16.072 Financial Order to Rescind Borrowing Authority for Land off of Easthampton Road (previously Approved in August, 2015) - 2nd Reading

16.072 Financial Order to Rescind Borrowing Authority for Land off of Easthampton Road (previously Approved in August, 2015) - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor Bidwell moved to approve the order in second reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon recommendation of the Mayor

16.072

An Order

to rescind borrowing authority on a LAND Grant vote taken August 13, 2015

*Ordered, that*

the \$150,000 of borrowing authority authorized under the loan order approved on August 13, 2015 for the acquisition of land on Easthampton Road, to expand open space land preservation near the Arcadia Wildlife Sanctuary be rescinded, as the City has received a LAND Self-Help Act grant for the acquisition.

Enrolled

Rules suspended, passed two readings and enrolled.

16.076 To appropriate \$9,850 from the GF Free Cash for technical assistance to analyze broadband services - 2nd Reading

16.076 To appropriate \$9,850 from the GF Free Cash for technical assistance to analyze broadband services - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor O'Donnell moved to approve the order in second reading; Councilor Sciarra seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon recommendation of the Mayor

**16.076**  
**An Order**

**To appropriate \$9,850 from the GF Free Cash for technical assistance to analyze broadband services**

*Ordered, that*

\$9,850 be appropriated from the FY16 General Fund Undesignated Fund Balance (Free Cash) for technical assistance to the City to analyze existing broadband services in the city and a Feasibility Study to address the possibility of Northampton providing broadband and broadband-enabled services to private enterprise customers in proximity to its existing municipal fiber network.

Enrolled

Rules suspended, passed two readings and enrolled.

Orders

Orders

16.065 An Order to surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge - 2nd Reading

16.065 An Order to surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor Carney moved to approve the order in second reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following order passed second reading:

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

**16.065**  
**AN ORDER**

**To surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge**

Ordered, that

WHEREAS, The *Open Space, Recreation and Multi-Use Plan: 2011-2018* recommends preserving open space along the Connecticut River and the Connecticut River floodplain; WHEREAS, On December 19, 2014, City Council authorized the City to accept a deed for two parcels adjacent to the flood control dikes and the historic Mill River (Map ID 39A-44 and

**16.065**  
**Continued**

39A-71) and transfer 39A-071 to the USA for inclusion in the Conte National Fish and Wildlife Refuge;

WHEREAS, On August 13, 2015, City Council authorized the City to transfer a surplus city parcel on Hockanum Road (Map ID 39-18) to the USA for inclusion in the Conte Fish and Wildlife Refuge;

WHEREAS, The US Fish and Wildlife Service has expressed interest in the second parcel by the flood control dike (Map ID 39A-44) and a second parcel adjacent to the Hockanum Road parcel (Map ID 39-55);

WHEREAS, The Conservation Commission, Agriculture Commission, and Department of Public Works have all previously reviewed this request and support the transfer;

**NOW, THEREFORE BE IT ORDERED,**

The City Council finds said parcels (Map IDs 39-55 and 39A-44) surplus to City uses and authorizes the Mayor to transfer them to the USA for inclusion in the Conte Fish and Wildlife refuge.



**Enrolled**

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

**16.067 Order authorizing the Mayor to waive & decline the City's right of first refusal on property located on Rocky Hill Road - 2nd Reading**

**16.067 Order authorizing the Mayor to waive & decline the City's right of first refusal on property located on Rocky Hill Road - 2nd Reading**

**Motion to approve in 2<sup>nd</sup> reading**

Councilor Klein moved to approve the order in second reading; Councilor Carney seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

**Motion Carried**

**The following order passed second reading:**

**Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission**

**16.067**  
**An Order**

To Authorize the Mayor to Waive & Decline the City's Right of First Refusal on Property located on Rocky Hill Road

Ordered, that

WHEREAS, Joseph S. Popiokek, Jr. owns 14.429 acres on Rocky Hill Road (Map ID 37-90) in the Massachusetts recreation current use taxation program (MGL Chapter 61B); and

WHEREAS, Chapter 61B gives the city the right-of-first refusal to purchase the land when it is removed from Chapter 61B; and

WHEREAS, the property does not fit within the objectives of the Northampton Open Space, Recreation, and Multiuse Trail Plan;

NOW, THEREFORE BE IT ORDERED,

That the Mayor is authorized to waive and decline to assign the city's right of first refusal on the property.

Enrolled Rules suspended, passed two readings and enrolled.

Ordinances

Ordinances

16.025 An Ordinance regarding parking on Center Street - 1st reading

16.025 An Ordinance regarding parking on Center Street - 1st reading

Motion to approve in 1<sup>st</sup> reading

Councilor O'Donnell moved to approve the ordinance in first reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.061 An Ordinance to establish two one-hour parking spaces in Florence on Main Street - 1st Reading

16.061 An Ordinance to establish two one-hour parking spaces in Florence on Main Street - 1st Reading

Motion to approve in 1<sup>st</sup> reading

Councilor O'Donnell moved to approve the ordinance in first reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 7 Yes, 0 No, 1 Abstention (Councilor Dwight), 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.062 An Ordinance to add a yield sign at Venturers Field Road - 1st Reading

16.062 An Ordinance to add a yield sign at Venturers Field Road - 1st Reading

Motion to approve in 1<sup>st</sup> reading

Councilor LaBarge moved to approve the ordinance in first reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

See minutes of June 2, 2016 for second reading.

16.034 Ordinance pertaining to water resources - 2nd Reading

16.034 Ordinance pertaining to water resources - 2nd Reading

Motion to approve in 2<sup>nd</sup> reading

Councilor Bidwell moved to approve the ordinance in second reading; Councilor Sclarra seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Vacant.

Motion Carried

The following ordinance passed second reading:

Upon the Recommendation of Councilor Ryan R. O'Donnell and Mayor David J. Narkewicz.

**16.034  
AN ORDINANCE**

**RELATIVE TO PUBLIC OWNERSHIP OF  
NORTHAMPTON'S WATER RESOURCES**

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

**SECTION 1**

*That § 325 of the Code of Ordinances be amended as follows:*

~~Article I Water Use Regulations~~ Article I Water Resources

§ 325-1 (Reserved) Public Ownership and Control of Water Resources

The public water resources and infrastructure of the City of Northampton, including systems and facilities related to the supply, storage, treatment and distribution of water, shall be owned or leased by the City of Northampton and/or and controlled by the City of Northampton. Such resources and infrastructure and shall not be sold, leased or transferred into private ownership or control.

**SECTION 2**

*That the article title "Water Use Regulations" be moved directly before § 325-2 and that the article titles within Chapter 325 be renumbered:*

~~Article I~~ Article II Water Use Regulations  
~~Article II~~ Article III Water Emergencies and Restrictions  
~~Article III~~ Article IV Drinking Water Protection

Ordained and enrolled

Rules suspended, passed two readings, ordained and enrolled.

Updates from Council President and Committee Chairs

Updates from Council President and Committee Chairs

None

Information Requests (Charter Provision 2-7) and Information

Information Requests (Charter Provision 2-7) and Information Study Requests

None

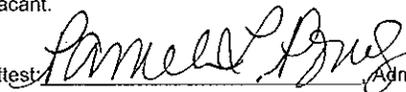
Study Requests

New Business

New Business

None

At 10:10 p.m., a motion to adjourn was made by Councilor LaBarge and seconded by Councilor O'Donnell. The vote to adjourn passed on a voice vote of 8 Yes, 0 No, 1 Vacant.

Attest:  Administrative Assistant to the City Council

Record of City Council Votes for May 19, 2016										
	Vacant	Eldwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sclarra	Total
Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:30 p.m.										
16.093 Resolution Recognizing the Second Monday of October as Indigenous Peoples Day			Present	Present	Present	Present	Present	Present	Present	8 Present, 0 Absent, 1 Vacant
16.075 Approve the appointment of Donna LaScala as the Director of Public Works			Motion to remove from Consent Agenda							Motion Carried 8 Yes, 0 No, 1 Vacant
			Councilor Carney moved to remove the item from the Consent agenda; Councilor LaBarge seconded the motion. The motion was approved on a voice vote.							
	Approve	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.081 To appropriate \$39,553.78 for related infrastructure upgrades relative to the replacement of the city's VOIP system	1st Reading	Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.082 Financial Order to authorize Lock Park to apply for a PARC grant and authorize related borrowing	1st Reading	Yes	Second Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.083 Stained Glass Window Restoration, First Churches of Northampton: \$213,000	1st Reading	Yes	Yes	Yes	Yes	Second Yes	Motion to Approve As a Group Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.084 Saw Mill Hills Open Space Acquisition, Northampton Conservation Commission: \$72,000										
16.085 Historic Scenic Curtain Restoration, Academy of Music: \$44,785										
16.086 Supportive Housing for Homeless Youth, Friends of Hampshire County Homeless Individuals: \$275,000										
16.087 Conservation Fund, Northampton Conservation Commission: \$30,000										
16.089 Shepherd Barn Dendrochronology Study, Historic Northampton: \$2,300										
16.090 Fulaaski Park Renovation and Expansion, Northampton Department of Public Works: \$805,400										

Record of City Council Votes for May 19, 2016												
		Vacant	Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sciara	Total	
16.088 Fitzgerald Lake Invasive Plant Control, Broad Brook Coalition \$12,800	1st Reading		Yes	Yes	Yes	No	Yes	Motion to Approve Yes	Second Yes	Yes	Motion Carried 7 Yes, 1 No, 1 Vacant	
16.091 Financial Order to allow the City's Tree Warden to accept gifts of \$25,000 or less - 1st Reading	1st Reading		Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.092 Order to rescind TIF previously granted to Grantham Group - 1st Reading	1st Reading		Yes	Yes	Yes	Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
Councillor Carney moved to suspend council rules to allow for second reading; Councillor Murphy seconded the motion. The motion was approved on a voice vote.												
	Suspend Council Rules for 2nd Reading										8 Yes, 0 No, 1 Vacant	
	2nd Reading		Yes	Second Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.060 Financial Order regarding budgetary transfers between various department	2nd Reading		Yes	Yes	Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.063 Financial Order to authorize payment of a prior fiscal year bill for Smith Vocational & Agricultural School in the amount of \$8,135.36	2nd Reading		Yes	Yes	Yes	Second Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.066 Order to purchase land off of Reservoir Road	2nd Reading		Yes	Yes	Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.068 Order to purchase 55 +/- acres located between Glendale & Westhampton Roads	2nd Reading		Motion to Approve Yes	Yes	Yes	Second Yes	Second Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.069 Order to authorize the purchase of 110 +/- acres to add to the Brookwood Marsh Conservation Area	2nd Reading		Yes	Second Yes	Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	
16.071 Financial Order to appropriate \$32,356.31 from the GF Free Cash to NPS for federal eRate to support technology infrastructure	2nd Reading		Yes	Yes	Yes	Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant	

Record of City Council Votes for May 19, 2016												
			Vacant	Bidwell	Carney	Dwight	Klein	LaBarge	Murphy	O'Donnell	Sciarra	Total
16.072 Financial Order to Reassign Borrowing Authority for Land off of Easthampton Road (previously Approved In August, 2015)	2nd Reading			Motion to Approve Yes	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.076 To appropriate \$9,650 from the GF Free Cash for technical assistance to analyze broadband services	2nd Reading			Yes	Yes	Yes	Yes	Yes	Yes	Motion to Approve Yes	Second Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.065 An Order to surplus property and authorize the Mayor to transfer the property to the USA for inclusion in the Conte Fish & Wildlife Refuge	2nd Reading			Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.067 Order authorizing the Mayor to waive & decline the City's right of first refusal on property located on Rocky Hill Road	2nd Reading			Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.025 An Ordinance regarding parking on Center Street	1st Reading			Yes	Yes	Yes	Yes	Second Yes	Yes	Motion to Approve Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.061 An Ordinance to establish two one-hour parking spaces in Florence on Main Street	1st Reading			Yes	Yes	Abstain	Second Yes	Yes	Yes	Motion to Approve Yes	Yes	Motion Carried 7 Yes, 0 No, 1 Abstain, 1 Vacant
16.062 An Ordinance to add a yield sign at Venturers Field Road	1st Reading			Yes	Yes	Yes	Yes	Motion to Approve Yes	Yes	Second Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
16.034 Ordinance pertaining to water resources	2nd Reading			Motion to Approve Yes	Yes	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion Carried 8 Yes, 0 No, 1 Vacant
At 10:10 p.m. Councilor LaBarge motioned to adjourn; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 8 Yes, 0 No, 1 Vacant.												
Recorded By:												
Pamela L. Powers, Administrative Assistant to the City Council												
(413) 587-1210; powers@nothamptonma.gov												