CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
WALLACE J. PUCHALSKI MUNICIPAL BUILDING  
212 MAIN STREET, NORTHAMPTON  
Northampton, MA  
December 18, 2014  

MEETING MINUTES -- (As amended on Jan. 15, 2015)  

Roll Call  
A regular meeting of the City Council was called to order by City Council President, William H. Dwight at 7:20 p.m. On roll call, nine (9) Councilors were present:  
At-Large Councilor Jesse M. Adams  
At-Large Councilor William H. Dwight  
Ward 1 Councilor Maureen T. Carney  
Ward 2 Councilor Paul D. Spector  
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  

Public Hearings  
None  

Communications From the Mayor  
None  

Proclamations, Resolutions, Recognitions and One-Minute Announcements  
Councilor O'Donnell announced that on Monday, Dec. 22 @ 7:00 pm @ Bridge St. School, Amtrak will make a presentation regarding Passenger Rail coming back to Northampton. A representative from Amtrak will be on hand to discuss railway safety.  
Councilor LaBarge wishes all of her constituents a very happy, healthy holiday season.  

Presentations  
None  

Licenses & Petitions  
None  

Approval of City Council Minutes  
Meeting Minutes from City Council Meeting of December 4, 2014  
Councilor LaBarge moved to approve the City Council Minutes of November 26, 2014; Councilor Spector seconded the motion. The minutes were approved on a voice vote of 9 Yes, 0 No.  

Reports of Committees, Appointments & Elections  
Appointments  
New Appointment to the Community Preservation Committee:  
- Toni Hochstadt of 22 Fruit Street, Northampton (tel. no. (413) 335-0806), will participate as the Northampton Housing Authority representative for a 3-year term. She will replace Joseph DeFazio whose term on the Committee ends January, 2015. Ms. Hochstadt's term on the Community Preservation Committee will expire January, 2018. (Refer to Comm. on Rules, Orders, Appointments and Evaluations)  
  o Councilor Carney moved to refer the appointment to Committee on Rules, Orders, Appointments and Ordinances; Councilor LaBarge seconded the motion. The motion to refer was approved on a voice vote of 9 Yes, 0 No.  
  o Councilor Adams thanked Mr. DeFazio for his years of service on
the Committee.

New Appointment to the Northampton Arts Council:

- Cassandra Kellam of 222 Prospect St., Northampton; Term Oct. 2014 - Oct. 2017 to fill the vacancy left by Robin Glenn (Positive recommendation from the Committee on Rules, Orders, Appointments and Ordinances on Dec. 8, 2014)
  - Councilor Carney moved to approve the appointment of Cassandra Kellam to the Arts Council; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

- Esther White, of 17 Summer Street; Term December 2014, - June 30, 2015 to fill the unexpired term of Sarah Marcus (Refer to Committee on Rules, Orders, Appointments and Ordinances)
  - Councilor Carney moved to refer the appointment to Committee on Rules, Orders, Appointments and Ordinances; Councilor LaBarge seconded the motion. The Referral was approved on a voice vote of 9 Yes, 0 No.

Appointment to the Northampton Board of Almoners:

- Andrea Murray of 54 Day Avenue, Northampton Term Nov. 2014 - Nov. 2015 (Positive recommendation from the Committee on Rules, Orders, Appointments and Ordinances on Dec. 8, 2014)
  - Councilor O'Donnell moved to approve the appointment of Andrea Murray to the Board of Almoners; Councilor Carney seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Meeting Minutes of Committees

- Committee on Economic & Community Development, Housing & Land Use Minutes of Oct. 7, 2014
- Committee on Public Safety Minutes of October 6, 2014
- Finance Committee Minutes of Oct. 16, Nov. 20, & Nov. 25, 2014
- Committee on Rules Orders, Appointments and Evaluations Minutes of Nov. 10, 2014

Councilor Adams moved to approve the above committee meeting minutes as a group; Councilor Spector seconded the motion; the motion was approved on a voice vote of 9 Yes, 0 No.

Recess for Finance Committee

At 7:30 p.m., the Council broke for the Finance Committee Meeting. The Council reconvened directly following Finance, at 8:40 p.m.

Financial Orders

14.344 Order Regarding James House (1st Reading)
  - Councilor Murphy moved to approve the Order in 1st Reading; Councilor Adams seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

  - Councilor Carney moved to recognize Downey Meyer, Chair for the Community Preservation Committee; Councilor Spector seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

  Community Preservation Committee Recommendations for Funding (See Recommendation Letter from Sarah LaValley; 1st Reading)
14.334 Bridge Street Cemetery
Move to approve in first reading made by Councillor Murphy; Councillor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

14.335 HAP 129 Pleasant Street
Councillor O’Donnell moved to approve in first reading; Councillor Sciarrino seconded the motion. The motion was approved on Roll Call Vote of 8 Yes, 0 No, 1 Recusal (Councillor Murphy).

14.336 Historic Northampton
Councillor Spector moved to approve in first reading; Councillor Murphy seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.337 Playground Rehabilitation Jackson Street School
Councillor Carney moved to approve in first reading; Councillor Sciarrino seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.338 Pomeroy Terrace
Councillor LaBarge moved to approve in first reading; Councillor Adams seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.339 Pulaski Park Design
Councillor Adams moved to approve in first reading; Councillor Spector seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.340 Saw Mill Hills
Councillor LaBarge moved to approve in first reading; Councillor Carney seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.341 Seth Thomas Clock
Councillor LaBarge moved to approve in first reading; Councillor Adams seconded the motion. The motion was approved on Roll Call Vote of 9 Yes, 0 No.

14.342 VCDC Lumberyard

There are concerns from the Central Business Architecture Committee regarding how the building will fit into the downtown streetscape; abutters have voiced concerns about the overall size of the project.

Motion to recognize Joanne Campbell of the Valley CDC was made by Councillor O’Donnell and seconded by Councillor Spector. Ms. Campbell has heard about the design issues. They will be submitting new plans to the CBAC. The Valley CDC will be meeting again to review plans on Dec. 29th. With the new governor coming in, the funding commitments will need to be done by early February.

Councillor Adams moved to postpone 1st reading of this order until January 15, 2015; Councillor Spector seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 2 No (Councillors Dwight and Sciarrino) 1 Abstention (Councillor Murphy).

At 9:05 the Council took a brief recess; Council reconvened at 9:13 pm.

14.324 Order To Accept Donation of Granite Mileage Markers (2nd Reading)
Councillor Murphy moved to approve the Order in 2nd Reading; Councillor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

The following Order passed in second reading:
City of Northampton
MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of Planning and Sustainability

Ordered, that

WHEREAS, Almer (Bud) Huntley, Jr. has offered to donate two ashlar granite Boston and Maine Railroad mileage markers (B-95 and B-100) that were originally installed along the railroad tracks; and

WHEREAS, The city’s bicycle and pedestrian advisory committee supports reinstalling these markers along Northampton’s rail trail.

NOW, THEREFORE BE IT ORDERED, That the City of Northampton, acting through its Office of Planning and Sustainability and Department of Public Works, is authorized to accept this donation.

Rules suspended, passed two readings, and enrolled.

14.325 Order to Acquire Land From Peter Baye (2nd Reading)
Councillor Carney moved to approve the Order in 2nd Reading; Councillor Adams seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

The following order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of the Conservation Commission

Ordered, that

WHEREAS, The Open Space, Recreation and Multi-Use Plan: 2011-2018 recommends preserving farmland in the Meadows and improving public access to the Meadows;

WHEREAS, Peter B. Baye offered to sell a parcel of prime farmland in the Meadows on the south side of Hunts Road between King Highway and Walnut Tree Road (Map ID 40-001) totaling 7½ acres for $31,500;

WHEREAS, This acquisition will help allow the land to be remain in active agricultural production;

WHEREAS, This acquisition has the potential to be used as trade land to either preserve other farmland or help provide public access to Rainbow Beach on the Connecticut River;

WHEREAS, Funds will be drawn from CPA Conservation Fund, grants and
community donations and no additional appropriation is required for this purpose.

NOW, THEREFORE BE IT ORDERED,
That the City is authorized to acquire this property to use for trade land; and

The City’s Conservation Commission is authorized to transfer this land to a private owner for use as farmland either:
1. In return for land which could provide public access to Rainbow Beach; or
2. In return for an agriculture preservation restriction or conservation restriction on other land in the meadows; or
3. In return for funding at least equal to the purchase price of this land.

Further, the Conservation Commission is authorized to retain an agriculture preservation restriction or conservation restriction, as defined by MGL Chapter 184, Section 31, on this land prior to transferring it out, and that said restriction is hereby accepted.

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 agriculture or conservation restriction as defined in Section 31 of Chapter 184 of the General Laws or any other interest in land that provides access to Rainbow Beach and any immediately adjoining land; that the City Council hereby accepts such restrictions; and that the Conservation Commission is authorized to grant agriculture or conservation restrictions on any land so acquired.

Enrolled Rules suspended, passed two readings and enrolled.

14.326 Order To Accept A Deed in Lieu of Foreclosure (2nd Reading)
Councilor Murphy moved to approve the Order in 2ND Reading; Councilor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

The following order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of Mayor David J. Narkiewicz and the Conservation Commission

Ordered, that

WHEREAS, The Open Space, Recreation and Multi-Use Plan: 2011-2018 recommends protecting open space adjacent to the historic Mill River;

WHEREAS, The city is reducing properties in tax title, including those parcels for which it is highly unlikely any taxes will ever be paid;

WHEREAS, David Golash and the Golash family has agreed to donate two parcels with negligible value totaling 1.5± acres on the historic Mill River (39A-044 and 39A-071) to the City with a deed in lieu of foreclosure;

WHEREAS, The US Fish and Wildlife Service is interested in acquiring 39A-071 to add to the existing Conte Fish and Wildlife Refuge;

WHEREAS, The city is interested in acquiring 39A-044 adjacent to the historic Mill River and the city's Hockanum Road flood control structure.

NOW, THEREFORE BE IT ORDERED,
That the City Council authorizes the Mayor to accept a deed in lieu of foreclosure for the above parcels for general government purposes;

Further, that the Mayor is authorized to deed the parcel adjacent to the Conte Fish and Wildlife Service (39A-071) to the USA for no consideration.

Enrolled

Rules suspended, passed two readings and enrolled.

14.328 Order For $99,900 For Forbes Library Elevator Project (2nd Reading) Councillor LaBarge moved to approve the Order in 2nd Reading; Councillor Murphy seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

The following order passed in second reading:

City of Northampton
MASSACHUSETTS
DECEMBER 4, 2014

In City Council

Upon recommendation of the Mayor

Whereas,

City Council appropriated $100,000 in the FY14 Capital Plan for the installation of an elevator to enhance handicapped accessibility at Forbes Library, based on original project estimates of $300,000;
Whereas,

Forbes Library Trustees have raised $200,000 in donations for the handicapped entrance project;

Whereas,

After the first round of bids came in high, the project specifications were revised and the second round of bids has resulted in a projected total cost of $399,900 resulting in a need for additional funds to see the project thru to completion;

Ordered, that

$99,900 be appropriated from the Stabilization Fund (5000 340574) for the purposes of installing an elevator at the entrance to Forbes Library that will replace the lift currently used by patrons to access the first floor from the ground level entrance.

Rules suspended, passed two readings and enrolled.

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<tr>
<th>Orders and Ordinances</th>
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<tr>
<td>14.346 Order Regarding Special Legislation (1st Reading)</td>
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<td>Councillor Adams moved to approve the Ordinance in 1st Reading; Councillor Spector seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.</td>
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| 14.311 Order To Modify Council Rules to Add DPW Committee (2nd Reading) |
| Councillor Adams moved to approve the Order in 2nd Reading; Councillor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No. |
| Councillor Dwight appointed Councillors Adams, Klein & Spector to the newly formed committee. |

The following order passed in second reading:

City of Northampton
MASSACHUSETTS

In City Council, December 4, 2014

Upon the recommendation of Councillor Jesse M. Adams and William H. Dwight

Ordered, that

That the following changes to the City Council Rules are adopted:

Addition to ORDERS – COUNCIL COMMITTEES:

Public Works Committee

A. Duties and Responsibilities

The Public Works Committee shall provide the means for direct exchange of information and
regular communication between the City Council and the Department of Public Works.

(2) The committee may require any member of a Multiple-Member Body or any city employee to appear before it to give any information relevant to public works that the committee may require in relation to the municipal services, functions, powers, or duties which are within the scope of responsibility of that person and are not within the jurisdiction of the School Committee. The committee shall give a minimum of 7 days notice to a person it may require to appear before it under this section. The notice shall include specific questions on which the committee seeks information and no person called to appear before the Committee under this section shall be required to respond to any question not relevant or related to those question presented in advance and in writing.

The Committee will notify the Mayor of any Information Request under this section.

D. Membership. The Committee shall consist of three City Councillors.

C. Meetings. The Committee shall meet at the request of the Chair, or at the request of two City Councillors.

Rules suspended, passed two readings and enrolled.

Enrolled

14.329 & 14.330 Orders pertaining to Dogs Running at Large (Request 2 Readings)

Councilor Murphy moved to approve the Orders as a group in 1st Reading; Councilor Carney seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

Councilor LaBarge moved to Suspend Rule 14; Councilor Adams seconded the motion. The motion was approved on a Voice Vote of 9 Yes, 0 No.

Councilor Specter moved to approve the Orders in 2nd Reading; Councilor O'Donnell seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

The following order passed in second reading:

City of Northampton
MASSACHUSETTS

In City Council, December 18, 2014

Upon the recommendation of the Chief of Police

Ordered, that,

pursuant to authority granted by General Laws Chapter 140, Section 167, all dogs in the City of Northampton shall be restrained from running at large during the period from January 1, 2015 through and including December 31, 2015. The owner or keeper of a dog may use such dog for sporting purposes during the hunting seasons provided for by the fish and game laws of the Commonwealth.

Enrolled Rules suspended, passed two readings and enrolled.

The following order passed in second reading:

City of Northampton
MASSACHUSETTS

In City Council, December 18, 2014
Upon the recommendation of the Chief of Police

Ordered, that,

a warrant be issued by the City Council to the Police Department under G.L.C. 140, Sec. 167, to catch and confine or kill all dogs within the City of Northampton that are running at large as provided in Section 167 of said Chapter 140 during the period from January 1, 2015 through and including December 31, 2015.

Rules suspended, passed two readings and enrolled.

Ordinances Regarding Salaries & Benefits for Elected Officials

Council will be voting on benefits and salaries for the next session and will therefore, not directly benefit by this Council Vote.

14.304 Benefits
Councillor Carney moved to approve in first reading; Councillor Adams seconded the motion. The motion was approved on a Roll Call Vote of 8 Yes, 0 No, 1 Abstention (Councillor Spector).

(Neutral recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; Positive recommendation from the Finance Committee; 1st Reading)

Councillor Spector suggested a higher salary for elected councillors (i.e. $17,000) but no other benefits to part time employees.

Councillor O'Donnell suggested that rather than limit or eliminate benefits, he would rather have the benefits expanded.

Councillor Adams recalled that the Elected Officials Advisory Committee recommended that benefits be eliminated. After reviewing the report, he concluded that this recommendation is inconsistent with the trend regarding the surrounding communities that are benchmarked in the Committee’s report.

Councillor Carney supports making healthcare benefits more widely available to all part time employees in the City.

As a matter of disclosure, Councillor O’Donnell revealed that he is covered by the City’s Healthcare Plan; Councillor Carney is not part of its plan.

Councillor Adams moved to approve the Ordinance in 1st Reading; Councillor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 8 Yes, 0 No 1 Abstention (Councillor Spector).

14.305 City Council Salary
(Neutral recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; Positive recommendation from the Finance Committee; 1st Reading)

Councillor LaBarge moved to approve in 1st Reading; Councillor Carney seconded the motion.

14.309 School Committee & Other Salaries
(Neutral recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; Positive recommendation from the Finance Committee; 1st Reading)

Amendment Proposed: Councillor O’Donnell moved to take the City Council and School Committee and all other elected official items as a group; Councillor Carney seconded the motion. The motion passed on a voice vote of 6 Yes, 3 No
Councilor O’Donnell voiced that the group needs to act on unambiguous recommendations from a neutral committee. Since the Council is not following the recommendation for benefits, it is difficult to determine what the recommendation would have been for salaries.

Councilor Dwight noted that since the report contains some level of discrepancies, it is difficult to have confidence in the recommendations presented.

The motion to approve passed on a Roll Call Vote of 6 Yes, 2 No (Councilor Sciarra, Councilor O'Donnell), 1 Abstention (Councilor Spector).

At 10:58 pm, Councilor LaBarge moved to suspend rule 27 to allow the meeting to extend beyond 11:00pm; Councilor Carney seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

14.306 City Clerk Salary
(Neutral recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; No recommendation from the Finance Committee; 1st Reading)

Councilor Adams moved to amend the Ordinance to increase the City Clerk Salary to $74,000. Councilor Carney seconded the motion. The motion was approved on a roll call vote of 5 Yes, 4 No (Councilors Spector, Murphy & Sciarra, and O'Donnell).

Councilor Adams moved to approve the Ordinance in 1st Reading; Councilor LaBarge seconded the motion. The motion was approved on a Roll Call Vote of 7 Yes, 2 No (Councilors Spector & O'Donnell).

Councilor Adams moved to specify an effective date of “Upon Approval” by the City Council; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

14.308 Mayor Salary
(Neutral recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; Positive recommendation from the Finance Committee; 1st Reading)

Councilor O’Donnell moved to amend the Ordinance to reflect an effective date of January 1, 2018; the motion failed due to a lack of a second.

Councilor LaBarge moved to approve the Ordinance in 1st Reading; Councilor Sciarra seconded the motion. The motion was approved on a Roll Call Vote of 8 Yes, 1 No (Councilor O’Donnell).

14.321 Code Section 312-104 Schedule III - Limited Time Parking - Middle St., Florence
(Positive Recommendation from the Comm. on Rules, Orders, Appointments and Ordinances; 1st Reading)

Councilor LaBarge moved to approve the Ordinance in 1st Reading; Councilor O’Donnell seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

Councilor Murphy moved to suspend Council Rule 14 to allow for a second reading; Councilor Carney seconded the motion. The motion was approved on a
voice vote of 9 Yes, 0 No.

Councillor Carney moved to approve the Ordinance in 2nd Reading; Councillor Murphy seconded the motion. The motion was approved on a Roll Call Vote of 9 Yes, 0 No.

Councillor Adams moved to refer the following Ordinances as a Group; Councillor Labarge seconded. The motion was approved on a voice vote of 9 Yes, 0 No.

14.331 Ordinance Pertaining to Best Management Practices for Stormwater as Part of the Site Plan Review (Refer to Committee on Rules, Orders, Appointments & Ordinances and the Public Works Committee & Planning)

14.333 Ordinance Regarding Section 280-4 and 280-6 Stormwater Flood Control Utility (Refer to Committee on Rules, Orders, Appointments and Ordinances and to the Public Works Committee)

14.343 Ordinance to Correct Errors in Chapter 312 - Vehicles and Traffic (Refer the Committee on Rules, Orders, Appointments and Ordinances)

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<th>Updates from Council President &amp; Committee Chairs</th>
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<td>At 11:45 p.m., a motion to adjourn was made by Councillor Carney and seconded by Councillor Spector. The vote to adjourn passed unanimously (9 Yes, 0 No).</td>
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Record of Roll Call Vote of the Norwalk City Council
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President: F. Douglass
Secretary: Karen L. Powers

Time: 11:45p
Date: 9/12/21


Roll Call Vote

Record of Roll Call Votes of the Northampton City Council.