



CITY COUNCIL
CITY OF NORTHAMPTON
MASSACHUSETTS

Councilors:

- Marissa Elkins, At-Large
- Jamila Gore, At-Large
- Stanley W. Moulton, III, Ward 1
- Karen Foster, Ward 2, Vice President
- James Nash, Ward 3, President
- Garrick M. Perry, Ward 4
- Alex Jarrett, Ward 5
- Marianne L. LaBarge, Ward 6
- Rachel Maiore, Ward 7

Meeting Agenda
On-line Video Conference
Meeting Date: March 3, 2022 Meeting
Meeting Time: 7 p.m.

The March 3, 2022 City Council meeting will be held by remote participation. **The public can follow the council's deliberations by watching the meeting live on Comcast channel 15, live-streaming it on YouTube or joining the virtual meeting by phone or computer. For the active YouTube link, please see Northampton Open Media's website: <http://northamptonopenmedia.org/>**

Live public comment will be available using telephone call-in or video conferencing technology beginning at 7p.m.

INSTRUCTIONS FOR CALLING IN OR JOINING THE MEETING

Join the meeting: <https://bit.ly/35BOHd3>

For telephone call-in, call:

+929 436-2866 US

MEETING ID: 876 4337 3298

PARTICIPANT #: #
PASSCODE: 749418

1. Roll Call

2. Announcement that Meeting is Being Audio/Video Recorded

This meeting is being audio and video recorded.

3. Public Hearings

A. 7:00 pm **Public hearing concerning the Northampton Capital Improvements Program for FY2023-FY2027**

In accordance with Article 7, Section 7-5 of the Charter, the Northampton City Council will hold a public hearing on Thursday, March 3, 2022 at 7 p.m. The City Council will consider the Capital Improvement Program for FY2023-FY2027, and hear all persons who wish to be heard thereon. The CIP is available for inspection [here](#).

Documents:

[Capital Improvement Program Public Hearing.030222.pdf](#)

4. Public Comment

5. Announcements from Councilors and the Mayor

6. Presentations

7. Consent Agenda

Rule 4.4.4 There shall be no debate or discussion by any City Council member regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Rule 4.4.5 Any item may be removed from the Consent Agenda upon the request of any City Council member prior to the taking of a vote on the motion to approve it. All such items will be considered individually, in the order in which they were removed, immediately following consideration of the Consent Agenda.

A. **Minutes of February 17, 2022**

Documents:

[02-17-2022_City Council Minutes.pdf](#)

8. Financial Orders (on 1st reading)

Rule 2.6.1.1.1 Process. Financial orders will be introduced and discussed at a full City Council meeting and referred to either the consent agenda of a future meeting or the Finance Committee for more public input, discussion and recommendation.

A. 22.031 An Order to Add \$1,460 Free Cash to Funds for CS Vehicle Replacement

History: The City Council previously reprogrammed \$17,000 from other Central Services projects to add to the original appropriation of \$45,000 for this Central Services maintenance vehicle for a total of \$63,000 (See [21.305 An Order to Reprogram CS Surplus Funds to CS 2005 Vehicle Replacement](#)).

Process note: Two readings are respectfully requested as the truck is ready to be picked up once additional funds are available.

Documents:

[22.031 An Order to Add 1,460 Free Cash to Funds for CS Vehicle Replacement.pdf](#)

9. Package of 11 Financial Orders to Implement FY2023 - FY2027 Capital Improvement Program (CIP) (On 1st reading)

A. 22.032 FY23 CIP - An Order to Approve Appropriating Smith College Gift Toward 21st Century Classroom Technology Project - 1st reading

Documents:

[22.032 FY23 CIP - An Order to Approve Appropriating Smith College Gift Toward 21st Century Classroom Technology Project.pdf](#)

B. 22.033 FY23 CIP - An Order to Authorize Borrowing \$594,900 for DPW Vehicles - 1st reading

Documents:

[22.033 FY23 CIP - An Order to Authorize Borrowing 594,900 for DPW Vehicles.pdf](#)

C. 22.034 FY23 CIP - An Order to Authorize Borrowing \$1.5 Million for Road Reconstruction Projects - 1st reading

Documents:

[22.034 FY23 CIP - An Order to Authorize Borrowing 1.5 Million for Road Reconstruction Projects.pdf](#)

D. 22.035 FY23 CIP - An Order to Appropriate \$291,000 from Capital Stabilization to Various Capital Projects - 1st reading

Documents:

[22.035 FY23 CIP - An Order to Appropriate 291,000 from Capital Stabilization to Various Capital Projects.pdf](#)

E. 22.036 FY23 CIP - An Order to Appropriate \$25,000 from Cemetery Trust and Income for Cemetery Projects - 1st reading

Documents:

[22.036 FY23 CIP - An Order to Appropriate 25,000 from Cemetery Trust and Income for Cemetery Projects.pdf](#)

F. 22.037 FY23 CIP - An Order to Appropriate Parking Receipts Reserved Funds for Parking Projects - 1st reading

Documents:

[22.037 FY23 CIP - An Order to Appropriate Parking Receipts Reserved Funds for Parking Projects.pdf](#)

G. 22.038 FY23 CIP - An Order to Appropriate Gift Fund Balance to JFK Energy Management System Upgrades - 1st reading

Documents:

[22.038 FY23 CIP - An Order to Appropriate Gift Fund Balance to JFK Energy Management System Upgrades.pdf](#)

H. 22.039 FY23 CIP - An Order to Appropriate \$2.06 Million Free Cash to Various Projects - 1st reading

Documents:

[22.039 FY23 CIP - An Order to Appropriate 2.06 Million Free Cash to Various Projects.pdf](#)

I. 22.040 FY23 CIP - An Order to Reprogram Unused Funds to OPS and NPS Projects - 1st reading

Documents:

[22.040 FY23 CIP - An Order to Reprogram Unused Funds to OPS and NPS Projects.pdf](#)

J. 22.041 FY23 CIP - An Order to Appropriate \$31,000 from State Earmark to Support DCC for Electric Vehicle - 1st reading

Documents:

[22.041 FY23 CIP - An Order to Appropriate 31,000 from State Earmark to Support DCC for Electric Vehicle.pdf](#)

K. 22.042 FY23 CIP - An Order to Appropriate \$137,500 from Sale of Land RRA Account for Ice Pond Nature-Based Solution Project - 1st reading

Documents:

[22.042 FY23 CIP - An Order to Appropriate 137,500 from Sale of Land RRA Account for Ice Pond Nature-Based Solution Project.pdf](#)

10. Financial Orders (on 2nd reading)

A. 22.025 An Order to Acquire Property Located at 196 Cooke Avenue - 2nd reading

History:

- Referred to Finance Committee - 2/17/2022
- Finance Committee recommendation pending - 3/1/2022

Documents:

[22.025 An Order to Acquire Property Located at 196 Cooke Avenue.pdf](#)
[22.025 Berkshire Design Group Memo.pdf](#)

11. Orders

A. 22.043 An Order for Special Legislation to Prohibit Landlords and Brokers from Requiring Brokers' Commissions to be Paid by a Tenant or Prospective Tenant - 1st reading

Documents:

[22.043 An Order for Special Legislation Relative to Brokers Commissions.pdf](#)

12. Ordinances (Not yet Referred)

Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

13. Ordinances

A. 19.176 An Ordinance Prohibiting the Use of Face Surveillance Systems - Three-year review

Per a provision of this ordinance, the ordinance is subject to review three years after its enactment. Enactment date: December 19, 2019

Section 3.

Miscellaneous

1. Three years from the month of enactment of this ordinance, this ordinance shall be placed on the agenda of the City Council for review.

Documents:

[19.176 An Ordinance Prohibiting the Use of Face Surveillance Systems - FINAL Certified.pdf](#)

B. 21.355 An Ordinance Relative to Housekeeping Changes to the General Ordinances - 2nd reading

History:

- Referred to Legislative Matters (LM) - 11/18/2021
- Positive recommendation with correction of scrivener's errors, LM - 2/14/2022
- Amended to add replacement of the word "Development" with the word "Sustainability" in the title of the Office of Planning and Sustainability in Section 156-5 - 2/17/2022

Documents:

[21.355 An Ordinance Relative to Housekeeping Changes to the General Ordinances - POST 1st RDG.pdf](#)

14. Zoning Ordinances (Not yet Referred)

Process Note: M.G.L. Chapter 40A, Section 5 requires the City Council to submit zoning ordinances to the Planning Board for review within 14 days of receipt and for the Planning Board and City Council or a committee designated for that purpose to hold public hearings thereon, together or separately, prior to adoption.

15. Zoning Ordinances

A. 21.339 An Ordinance to Allow Beverage Service and Entertainment at Farm Stands Under Certain Circumstances - 2nd reading

History:

- Referred to Planning Board (PB) and Legislative Matters (LM) for public hearing
- 10/7/2021

- Public hearing continued by PB - 11/18/2021
- Continuation of PB public hearing - 2/10/2022
- Positive recommendation w/amendments, PB - 2/10/2022
- Positive recommendation as amended by PB, LM - 2/14/2022
- Amended to add "exceeding 12 such events per year" to final sentence - 2/17/2022

Documents:

[21.339 An Ordinance to Allow Beverage Service and Entertainment at Farm Stands PB Recommendation to Council - POST 1st RDG.pdf](#)

B. 21.356 An Ordinance Relative to Housekeeping Changes to the Zoning Ordinance - 2nd reading

History:

- Referred by City Council to Planning Board (PB) and Legislative Matters (LM) - 11/18/2021
- PB hearing held, positive recommendation with comments - 1/13/2022
- Positive recommendation with consideration of PB comment, LM - 2/14/2022 [Note: Opinion received from city solicitor that using different term for wheelchair ramp in local ordinance shouldn't be a problem; Senior Services Director opinion sought on preferred term for referring to residents over age 65]
- Added amendment to replace phrase "the elderly" in section 350-20.7 subsection A with phrase "persons 60 years and over" - 2/17/2022

Documents:

[21.356 An Ordinance Relative to Housekeeping Changes to the Zoning Ordinance - POST 1st RDG.pdf](#)

16. Resolutions

A. 22.030 A Resolution to Adopt the Capital Improvement Program for FY2023-FY2027 Submitted to City Council February 17, 2022

Per [Charter Section 7-5 CAPITAL IMPROVEMENT PROGRAM](#), "At any time after the public hearing but before the first day of the last month of the current fiscal year, the city council shall by resolution adopt the capital improvements program, which may be amended, provided that each amendment shall be voted on separately and that an increase in the capital improvements program as submitted shall clearly identify the method of financing to accomplish the proposed increase."

Documents:

[22.030 A Resolution to Adopt the Capital Improvement Program for FY2023-](#)

17. Interim Procedure for Conducting City Council Meetings (Remote vs. In-person)

Review of January 3, 2022 decision to continue holding Northampton City Council meetings remotely until April 1, 2022.

Process note: Governor Baker has extended the provision modifying the Open Meeting Law (OML) to allow governmental bodies to continue meeting remotely until July 15, 2022.

18. Information Requests (Charter Provision 2-7) and Committee Study Requests

19. New Business

Rule 4.9 NEW BUSINESS. Any Councilor may introduce any written proposed order, ordinance, or resolution to be considered by the Council at the next meeting, but not to be debated during new business.

20. Adjourn

Contact: Jim Nash, Council President

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