



CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
Northampton, Massachusetts

Roll Call

A regular meeting of the City Council was called to order by Council President Jim Nash at 7 p.m. Upon a roll call, the following City Councilors were physically present:

At-Large Councilor Marissa Elkins	At-Large Councilor Jamila Gore
Ward 1 Councilor Stanley Moulton, III	Ward 2 Councilor Karen Foster
Ward 3 Councilor James Nash	Ward 4 Councilor Garrick Perry
Ward 5 Councilor Alexander Jarrett	

Announcement that Meeting Audio/Video Recorded

Ward 6 Councilor Marianne L. LaBarge and Ward 7 Councilor Rachel Maiore were participating remotely.

Council President Nash announced that the meeting was being audio/video recorded.

Public Hearings  
Announcement of Public Hearing on Administrative Order

Public Hearings  
Announcement of Public Hearing on Administrative Order

Councilor Nash made the following announcement:  
Per Northampton Charter Section 6-1 Organization of City Agencies, the Northampton City Council will hold a Public Hearing on Thursday, March 30, 2023 at 7 p.m. in Council Chambers, 212 Main Street, Northampton, MA on an Administrative Order. The City Council will consider a proposed amendment to the City of Northampton Administrative Code, Part II Multiple-Member Appointive Organization, Section 9.0 Council on Aging to reduce the number of members from 15 to 9. The City Council will hear all persons who wish to be heard thereon.

Announcement of Public Hearing to Consider FY2024 Water and Sewer Rates

Announcement of Public Hearing to Consider FY2024 Water and Sewer Rates

Councilor Nash announced that there will be a public hearing relative to the FY2024 water and sewer rates at a date and time to be determined. That public hearing will likely happen in the next two or three weeks.

Public Hearing on 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121)

Public Hearing on 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121)

Councilor Nash introduced a public hearing on a pole petition for North Main Street, Leeds.

Councilor LaBarge moved to open the public hearing. Councilor Moulton seconded. The motion passed unanimously 9:0 by roll call vote.

No National Grid representative was present due to the recent winter storm.

Councilor Jarrett moved to continue the public hearing to March 30, 2023 at 7 p.m. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

Public hearing re: Northampton Capital Improvement Program for FY2024 - FY2028 - Thursday, March 16, 2023

Public hearing re: Northampton Capital Improvement Program for FY2024 - FY2028 - Thursday, March 16, 2023

Councilor Nash announced a public hearing on the Capital Improvement Program (CIP) for FY2024 to FY2028.

Councilor Gore moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The public hearing was opened at 7:11 p.m.

Every year, the city charter requires the mayor to create a five-year roadmap or plan of capital needs throughout the city and schools for the next five years and to submit it 120 days prior to the start of the fiscal year, Mayor Sciarra reminded. The City Council is then required to hold a public hearing and to adopt the CIP by resolution.

Mayor Sciarra defined the term 'capital improvement,' gave examples of the types of projects included and described the process for developing the CIP. Her office worked with former

Energy and Sustainability Officer Chris Mason to substantially update the capital request form used by department heads this year. The year before she became Mayor, there was an initial attempt to incorporate details about greenhouse gas emissions/reductions and how projects fit into the city's climate resilience goals but, based on the responses received, the questions/objectives were not well understood. Working with Mr. Mason and Finance Director Charlene Nardi, she updated the form to elicit more detailed information about how the project furthers the city's climate goals. Among other things, they added dropdown lists to help identify the project's intended benefit and asked for the climate-related goal, policy or plan that it is expected to advance.

She also asked Mr. Mason to help department heads view projects through a climate action lens and to answer any questions they might have.

After collecting the capital request forms (CIP2's), department heads made presentations to the Capital Improvement Committee, which then made its recommendations for funding.

Mayor Sciarra explained some of the restrictions on borrowing, including that borrowed funds must be paid back within the useful life of the capital project and that overall borrowing must remain within statutory limits established by Mass. General Law. In addition, the impact of debt service on the overall operating budget must be analyzed to make sure it is sustainable.

As far as why reserve accounts can't be used to fund compounding, recurring expenses like salaries, Mayor Sciarra referred to her presentation at the joint City Council/School Committee meeting in January. As presented then, 10 years ago in FY2013, there were almost no funds in any stabilization account in the city and, in 2011, the capital stabilization account was at a rock-bottom low of \$4,684. Maintaining assets and moving projects forward at that time was very difficult and borrowing would have been at a much higher interest rate due to the city's lack of reserves.

Starting in FY2014 with the Fiscal Stability Stabilization Plan, the city began making annual contributions to the capital stabilization fund and has been able to maintain that practice ever since with only a brief pause in FY2021 due to the pandemic, she reported.

The funding sources for this program are outlined in the plan. The city primarily relies on one-time funding sources such as the Undesignated Fund Balance (Free Cash), Capital Stabilization and parking receipts, which fund capital projects for the parking system. Other sources of funds listed in Appendix B are revolving funds, reprogrammed funds, funds remaining from other projects, grant or gift funding, state funding such as Chapter 90 for roadwork, sale of land funds and bonds for borrowing.

The funding source for capital projects for the city's water, sewer, solid waste and stormwater and flood control systems are those system's enterprise funds.

Again this year, councilors will see a temporary source of capital funding in ARPA (American Rescue Plan Act) funds. Appearing on this plan is the \$500,000 already allocated by the City Council for Northampton High School (NHS) traffic safety improvements. As they have said, significantly more funding will be needed for the next stages of this project, likely at least three million dollars.

The capital program this year consists of projects totaling \$116,234,354 spread out over five years with projects across all city departments and the two school districts.

The recommended projects for next fiscal year (FY24) total \$36,034,187 including \$27,838,200 in enterprise projects and \$8,195,987 in projects for all other departments. Enterprise projects include \$16 million for the 2016 wastewater treatment plant (WWTP) and wastewater collection system upgrades that began last summer. This amount is part of the \$22.5 million borrowing that the City Council approved in May of 2022.

She referred to Appendix A listing all projects by department and showing their estimated cost and the year in which funding is proposed. Appendix B shows the list of projects by fiscal year with the funding source for each and Appendix C shows the details of individual projects submitted by each department.

For Northampton Public Schools (NPS), the five-year plan includes over \$16 million in capital projects to equip and maintain the NPS buildings and move them toward carbon neutrality in addition to the \$500,000 in ARPA funds for NHS traffic safety improvements.

Under Information Technology Services (ITS) projects for NPS, the 21<sup>st</sup> Century Classroom Technology Project is appearing for the second year. This project was largely funded by the unrestricted gift of half a million dollars from Smith College given to the city in December of 2021 to be divided over three years. In the current fiscal year (FY2023) and FY2024, she has directed it to technology needs in Northampton school classrooms, specifically, modernizing classroom equipment to provide interactive digital teaching and learning solutions.

The first round of delivery and installation of technology happened over winter break and a professional development day was held in January to train teachers on the use of this new technology.

Mayor Sciarra reviewed other capital projects for NPS. Having completing net-zero greenhouse gas (GHG) planning and evaluation studies for Bridge Street, Leeds and Jackson Street schools, school officials are beginning to implement the de-carbonization strategies recommended, starting with the older 50's wings of Jackson Street and Leeds elementary schools since these steam-heated school wings represent the greatest opportunity for reduction in GHG emissions and are also solid building envelopes very much worth preserving.

The plan also includes an energy management system for Building C at Smith Vocational and Agricultural High School (SVAHS, which will move that building to a primary electric system.

The Mayor's office has also continued to double the \$25,000 traffic calming and sidewalk budgets from previous years to \$50,000.

With regard to vehicles, she made a commitment that when an energy-efficient or fossil-fuel free replacement option became available, the city would purchase that option, which often comes at a higher cost, Mayor Sciarra reminded. Departments and procurement really rose to the occasion. When usual Massachusetts suppliers couldn't find them anything but gas-powered vehicles, city staff looked out of state. She particularly commended Police Chief Jody Kasper for scouring the eastern seaboard looking for hybrid cruisers then using everything learned in that process to share tips and tricks with other departments to fill their orders for hybrid and electric vehicles. The city is continuing to explore all grant options and assistance for the greening of its fleets, she added.

Mayor Sciarra gave huge thanks to Finance Director Charlene Nardi, Court Cline and all the departments for their hard work on the capital plan and opened the floor to questions.

For the hearing, Councilor Nash said he would first allow councilors to ask informational questions then open the floor to the public.

Councilors asked questions and offered comments.

Among other things, with regard to roof repairs, Councilor Jarrett asked if the ability of the roofs to support solar panels in the future would be addressed as part of those projects.

The main reason for the roof work is to prevent water penetration so there will not be any feasibility studies regarding the structural ability of the roofs to accommodate solar panels at this time, Central Services Director Patrick McCarthy said.

Councilor Jarrett asked if the \$200,000 allocated to the Picture Main Street project is part of the \$1 million in ARPA funds already appropriated.

Office of Planning and Sustainability (OPS) Director Carolyn Misch said this is not the same as the ARPA money. The \$200,000 would be set aside for use during the construction process. MassDOT pays for construction but if unforeseen issues or field changes come up, the city's engineering consultants must be contracted to resolve the design issues with state engineers.

Mayor Sciarra clarified that the \$200,000 will actually be used in FY25, not FY24.

Councilor Moulton raised a big-picture question about Northampton's aging schools, all of which have been in use for over 50 years and have additions. One of the capital plan's themes is energy efficiency in the schools; i.e. – energy recovery ventilation systems, energy management systems, window replacement, etc. Over the five years, millions of dollars is going into the schools which suggests to him that they are committed to maintaining these four elementary schools, two high schools and JFK Middle School for years to come. She hinted at it when referring to the structural soundness of some of the school wings, but he wanted to make sure they are confident that structurally the schools are viable for years to come if they are putting money into this sort of retrofitting to increase energy efficiency.

Mayor Sciarra said she thinks structurally the buildings are sound; the question is what makes sense for the district, which is a School Committee discussion. She has indicated that since they are making really significant investments in the buildings, if the School Committee is going to have a larger conversation it would be better to have it sooner rather than later. As they have studied these buildings, they are trying to make improvements in the places that make the most sense in terms of reducing the heaviest carbon load and in the sections of buildings that it makes most sense to invest in.

He thinks she is right that if a larger conversation is to happen it needs to happen pretty quickly given this investment, Councilor Moulton agreed. It is not a question only of the structural soundness of the buildings but about of whether they are convinced that, from an equity lens, the facilities are providing equitable educational opportunities for all students no matter which school they go to, he suggested. It needs to happen pretty soon before the investment of this much money.

Councilor Foster commented that it is nice to see the sidewalk and traffic calming budgets increased significantly. Many residents come to the Transportation and Parking Commission wanting traffic calming on their streets so it is nice to see more money allocated for that.

She is also very glad to see the barriers for the roof on the parking garage moving forward.

She feels that is something that should be able to be fixed in a reasonable amount of time without extraordinary expense and they have been working very hard to make that happen, Mayor Sciarra confirmed.

On behalf of a constituent, Councilor Foster asked if there is a plan for covered parking for School Department vehicles.

Mayor Sciarra said it had never been brought up to her before. She said she will be happy to have a conversation with school officials to see if that's a concern.

With regard to the \$500,000 in ARPA funding designated for traffic and safety improvements at the high school, Councilor Foster asked if the mayor had a sense of other grant opportunities that might be available to move that project forward.

The project cost is several million dollars so it will need multiple funding sources, including Chapter 90 money and the paving bond under consideration later tonight, Director LaScaleia said. They will have to look at pulling money from all available sources.

The Mayor's office reached out to the federal delegation in conjunction with the earmark process this week for this and other projects, Alan Wolf added. While that didn't work out, Safe Streets and Roads for All was identified as a potential named source of federal funds.

Councilor LaBarge asked why such a low amount of money (\$25,000) is allocated for cemetery restoration. She has been hearing for quite a while that some stones in West Farms Cemetery are lying on the ground cracked in half.

\$25,000 is what they have been putting toward this annually, Mayor Sciarra said. As they know, the city has a master preservation plan for cemeteries which they have been working on. She encouraged them to always bring to their attention something they see as a particular need.

They need to withdraw money from cemetery funds in a sustainable way and so need to understand that sometimes the needs are greater than the funds allotted, Director LaScaleia advised. The master preservation plan identified three stages of priority restoration and Priority 1 restoration has been completed in all three cemeteries. Unfortunately, the cemeteries have experienced storm damage and vandalism so the city has had to use some money to address immediate needs that could not have been anticipated. The DPW is well aware of the needs within the cemeteries and that the stones need attention and is working through the list as quickly as possible.

At Councilor LaBarge's request, Director LaScaleia spoke to the need for \$577,000 for vehicle replacement. The DPW has a fleet of over 150 vehicles and many highly-specialized pieces of equipment for use within the enterprises and for specific activities like pothole repair and catch basin cleaning. It is a public safety issue for the equipment to work dependably since if there is a water main break or sewer back-up, equipment needs to be mobilized on the spot. Similarly, when they have a snow storm, the DPW is looking at the simultaneous mobilization of 100 pieces of equipment. She can't have down time. She has a team of five mechanics who work 40 hours a week to keep equipment in service but she has to look at the maintenance cost of keeping vehicles running vs. their replacement cost. Matrices are used to determine at what point it becomes more expensive to repair vs. replace a vehicle.

The department tries to keep the city's investment in new vehicles and maintenance costs at a reasonable level but can't afford to question the reliability of snow plows and other vehicles, she explained.

Mayor Sciarra noted that three of the vehicles being replaced on this year's plan are from the 1980's.

Councilor Maiore said she was really excited to see the play structure for Florence Fields as she knows there have been fundraising efforts for this over the years. While she knows organic management of the fields is labor intensive and can be expected to increase costs in some ways, she said she supports these efforts and is glad to see them.

Regarding \$50,000 allocated for traffic calming, she asked if this is earmarked for specific projects or for general traffic-calming efforts.

It is for design and analysis rather than construction, Director LaScaleia clarified. Historically the line item was funded at \$25,000 and intended for construction of traffic-calming features but the amount was not enough to make an impact in the construction world they live in. They often need to study particular intersections or areas, so they doubled the appropriation and now use it as requests come in to fund engineering work that can't be done in house. Construction of improvements is paid through the paving bond or the operating budget of the Highway Division. \$50,000 is to deal with traffic-calming requests as they come in and to steer that money based on input from the Transportation and Parking Commission (TPC).

Councilor Maiore asked if the \$450,000 appropriation for the Hotel Bridge is in addition to the \$450,000 already borrowed for this project.

Director LaScaleia confirmed that it is additional money on top of what has already been borrowed. By way of explanation, the idea was always to reopen the bridge to bicycle and pedestrian traffic and restore the missing link of bicycle/pedestrian access in Leeds. They have had a difficult time getting bridge contractors to bid on the project and in the meantime are operating in a hyper-inflationary environment. They are ready to put this out to bid again after expensive and extensive engineering analysis. This funding will hopefully fill the gap and get the bridge opened once and for all. The bidding is imminent and they are hopeful it will attract some attention from contractors.

Having already decided to invest in this, she hopes they see it through, Councilor Maiore said. It is one of the capital investments that fosters community and economic development. She is glad to see them persisting despite the less than ideal economic climate.

Councilor Gore said she was glad to see the money doubling for traffic calming. With regard to police department vehicles, there was also a request for police vehicles in the last CIP. Is that something generally requested with each CIP? She asked.

Vehicles are core to the functioning of the department, Mayor Sciarra stressed. The department had been on a program of purchasing three vehicles every year to rotate into its primary fleet. In FY2021 and FY2022 all vehicles were cut from the budget. Instead of having some vehicles nearing the end of their life it left the fleet with four vehicles completely inoperable and decommissioned and others with high mileage. Last year, the council began to build back the fleet, which they saw in person during their tour of city facilities. They purchased six vehicles last year and talked about how they would purchase five this year and then be back on the regular schedule of vehicle replacement. In FY2025, they should be back to purchasing three vehicles a year. These five hybrid vehicles will replace the five gas-powered vehicles that have been failing the most and are the most unreliable. The police department just this month got its first all-electric vehicle for animal control that was ordered last year. The five cruisers are expected to be delivered next spring or summer and will bring the fleet up to 16 electric or hybrid vehicles, meaning almost all of the primary fleet will be hybrid.

The cost of the five cruisers is \$366,000.

Three of the vehicles being replaced have over 100,000 miles and one needs a \$9,000 transmission repair, Police Chief Kasper advised. When the capital plan was approved last year, six vehicles were ordered in April and still haven't come in yet. The department is excited to see the fleet converted to hybrid and to have its first electric vehicle.

The mayor and city staff fielded additional questions and comments on specific projects. Councilor Nash noted that the Friends of Northampton Trails are working on a proposal to repave the section of the bike trail from King Street up to Florence. He asked Director Misch if the \$30,000 earmarked annually for Shared Use Paths could be used for this type of project.

The intent of this line item is to set money aside for feasibility studies and design costs so the city can be ready and in the cue if funding comes down for construction, Director Misch said. This section of trail is existing so it is considered a maintenance project. It is really a question of how the city wants to allocate its resources for maintaining existing infrastructure. The \$30,000 capital request is small and probably wouldn't cover the design costs of a maintenance and repair project of this length. It is not necessarily meant for a one-off project but to potentially leverage other funds to close gaps in the trail network as opposed to general maintenance.

Councilor Nash clarified that the local trails group isn't looking for money for maintenance but rather to pay for a design proposal from Berkshire Design.

The \$30,000 is really for new projects not existing, Ms. Misch clarified. The bike path needs repair because, as the city's oldest rail trail, it is 40 years old and has not been regularly maintained. Some sections are so deteriorated that they need more than regular maintenance; they actually need design. CIP funds could be used for projects such as this particularly for trying to correct drainage problems that weren't present 40 years ago but are now undermining the path.

After varied other questions, Councilor Nash opened the floor to public comment.

Two couples brought the poor condition of sidewalks in the South Street area to the attention of the City Council. **Dave Potter** of **Fairview Avenue** (accompanied on Zoom by his husband **Chris Mazzei**) and **David Richmond** of **South Street** and his partner **John** raised concerns about deteriorated pavement, overgrown vegetation and inadequate snow removal on the sidewalks leading to downtown. Neighbors had a meeting with Ward Councilor Garrick Perry and are not sure whether this is a capital improvement or maintenance issue, Mr. Potter said. One of their neighbors is wheelchair bound and has to go into the street to bypass roots and broken/uneven areas of pavement. The city should enforce ordinances for maintaining the sidewalks in a passable condition, especially in front of commercial enterprises like apartments and multi-unit rentals, but the bigger issue is the condition of the pavement, he stressed. They like to avoid driving to reduce their carbon footprint and walk downtown a couple of times a week to support local businesses but the condition of the sidewalks makes it hard to access downtown on foot.

Similarly, David Richmond said the couple just moved back downtown and like to walk downtown. It is not too bad in wintertime because a lot of the vegetation has died back but, in the summer, they really cannot walk on the sidewalks because of the overgrown hedges. He also mentioned the need for enforcement.

The city did a comprehensive sidewalk study so city staff know sidewalks need significant maintenance, Mayor Sciarra acknowledged. They try to do that maintenance in conjunction with road repairs. There is a bit of a conflict between their love of public shade trees and sidewalks because tree roots wreak havoc on pavement.

She confirmed there is a snow removal ordinance and that snow removal is the responsibility of property owners. Sidewalks should be cleared down to the pavement 24 hours from when a storm ends. If that is not happening, people should be reporting it and the city should be taking enforcement action.

Sidewalks are one of the city's more challenging pieces of infrastructure, Director LaScaleia confirmed. Years ago, narrow sidewalks were installed to fit the width of the right-of-way and so are not ADA compliant. When the city reconstructs roadways it has to make them code compliant. The challenge is to fit the sidewalks in without encroaching on public shade trees. The ordinance around vegetation blocking sidewalks is one of the more controversial since folks often get very attached to the plantings in their yards. The DPW is the enforcing authority and issues letters asking property owners to trim back their bushes and letting them know that if they don't do it in a certain amount of time the city will do it for them and bill them. They don't have a particular way to recoup the expense for vegetation management on private property so it turns into an operational challenge. She tries to encourage people ward by ward to encourage their neighbors to maintain vegetation because the city does not have the resources to trim bushes and bill residents.

Keith Benoit has prepared a letter he is happy to send to folks to help them understand the importance of keeping sidewalks clear of vegetation, Councilor Jarrett noted.

Councilor Nash asked if it would be reasonable to assume that the city would do work on South Street to include sidewalks within the next three to five years.

Director LaScaleia cautioned that South Street is very, very wide and very, very long and most of it needs full-depth reconstruction involving significant design and construction costs. They would also want to incorporate complete street modeling to make it more bicycle and pedestrian friendly. Since the city is looking at a very high price tag it would have to be done in sections. It will be a focus in years to come but is not a focus in the current year, she said.

In response to a question from Councilor Nash, Director LaScaleia confirmed that the city prioritizes main arterial roads and heavily-trafficked streets for road and sidewalk reconstruction.

There being no further comments, **Councilor Perry moved to close the public hearing. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.**

**The public hearing was closed at 8:51 p.m.**

Recess

Recess

The City Council recessed briefly at 8:51 p.m. At 8:59 p.m., the council reconvened.

Public Comment

Public Comment

Councilor Nash explained the procedure he would use in conducting public comment and opened the floor to comments.

**Ellen Brown** said she is a 1st grade teacher at Jackson Street School and joined tonight's meeting to talk about the Northampton Public Schools. She is here to ask if city councilors really know about Northampton Public Schools, not the buildings themselves but what happens inside the buildings. Did they know that their class sizes are trending above the state average

even though they advertise the opposite? Did they know that Northampton families are leaving their public schools? Did they know there is diminishing support for children with emotional and social challenges? Did they know that direct service providers like reading interventionists are not being filled in order to pay for the deficits in the school budget? Did they know that essential and critical direct service provider jobs are being cut to balance the budget for next year? Did they know that positions in their schools remain open because of lack of interest and that teachers are weary from the burden of lack of needed student support and weary from needing to stand up and speak out for properly funding their schools?

She asked them to stop underfunding their schools and neglecting their students and families and to release the reserves and give their schools what they deserve.

**Samantha Brit** spoke in favor of the ordinance allowing marijuana microbusinesses by right in Florence. The Cannabis Control Commission (CCC) has opened the opportunity for micro-businesses just for social equity and economic empowerment applicants, meaning women, people of color and people affected by the war on drugs. With respect to concerns about odor, marijuana manufacturers are regulated by the CCC and required to put in air handlers, specifically carbon filters. They will be putting filters in every single one of the 800 square foot grow rooms. She asked city councilors to please help her by passing this forward.

There being no further comments, at 7:19 p.m., public comment ended.

Announcements

Announcements

The Select Committee to Study Barriers to Serving on City Boards and Committees is having a listening session for the public to come and speak on Sunday, March 26th at 12 p.m., Councilor Gore announced. More information will be available on the city website and she invited anyone with questions to email her at [jgore@northamptonma.gov](mailto:jgore@northamptonma.gov).

Councilor Perry let folks know that Friday, March 24, 2023, Salsa con Cervezas will offer the first of a series of free dance lessons and socials at Progressions to help the community learn salsa and enjoy Latin dance and culture. The event is sponsored by the Northampton Arts Council.

Councilor Foster reminded listeners that a dodge ball tournament will be held at Allsport Arena Sunday, March 19th as a fundraiser for humanitarian aid to the Ukraine. There is still room for people to sign up. She, Councilor Maiore and Councilor Nash have formed a team and are looking for additional members.

Councilor Elkins said she's in. She gave a shout out to the Smith College basketball team which made it to the NCAA Final Four in its division and will be playing against Transylvania University Saturday at 7:30 p.m.

Mayor Sciarra reminded residents that, as of March 13th, Northampton has implemented long overdue reforms to the parking system downtown. They are currently in a 'soft rollout' phase of changes with parking enforcement agents issuing warnings for violations. They have sent out media advisories with details as well as updated maps. Full enforcement begins March 27th. The Park Mobile app will reflect the new rules and can guide users to using the new system.

And, the Western Massachusetts Passenger Rail Commission will meet Tuesday, March 21, 2023 at 1 p.m. at the Northampton Senior Center at 67 Conz Street. This is Northampton's opportunity to answer questions such as whether they want a robust regional passenger rail service in western Massachusetts and to discuss how passenger rail service could benefit the region. If people would like to submit written testimony or join remotely additional information can be found on the newsflash feature of the city website.

In keeping with programming for the Four Sunday in March series sponsored by the Northampton Arts Council, this Saturday, March 18th, the Psychedelic Cinema Orchestra will perform SOUTH, Ernest Shackleton and the Endurance expedition, at 7 p.m. at the Academy of Music. Also, the high school is putting on its annual musical. Rock of Ages starts tonight at 7 p.m. with additional shows March 17th at 7 p.m., March 18th at 7 p.m. and a matinee Sunday, March 19th at 2 p.m. More information and tickets are available at [NHSmusical.com](http://NHSmusical.com).



Councilor Nash gave a shout out to the Mayor and the DPW for the fine work they did during Monday's snow storm and thanked Council Vice President Karen Foster who recently announced that she is not seeking re-election.

Consent Agenda

Consent Agenda

Councilor Nash reviewed the items on the consent agenda offering to remove any item for separate consideration upon request. He removed Item B Approve 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121) since the hearing had been continued.

There being no other requests for removal, Councilor Jarrett moved to approve the consent agenda with the pole petition removed. Councilor Moulton seconded. The motion carried 9:0 by roll call vote.

The following items were approved as part of the consent agenda:

- A. Minutes of February 16, 2023 and March 2, 2023
- B. 23.253 An Order to Approve FY23 COLA Increase for Retirees - 2nd reading
- C. 23.276 Appointment to the Arts Council - for referral to City Services Arts Council

**Ronald Smith**, 14 Emily Lane, Northampton

Term: February 2023-June 2026

*To fill a vacancy*

For the text of financial orders approved as part of the consent agenda, see Financial Orders (on 2<sup>nd</sup> reading) below.

Ordinances  
23.246B A Zoning Ordinance Amendment Related to the Form-Based Code - 2nd reading

Ordinances

23.246B A Zoning Ordinance Amendment Related to the Form-Based Code - 2nd reading

Councilor Nash moved the zoning ordinances up on the agenda. The ordinance to allow marijuana microbusinesses in downtown and village center zoning districts came out of Legislative Matters (LM) with a neutral recommendation, he shared.

The two concerns raised in LM were whether the technology for addressing odors is sufficient and whether the ordinance belongs in the general code instead of the zoning ordinance, Councilor Jarrett advised.

Concern about odors came up several years ago when the original language was adopted for Office Industrial (OI), General Industrial (GI) and Planned Village (PV) districts, Director Misch said. At the time, there was a lot of discussion about what approach to take and the City Council adopted an approach that looks at the mechanics of addressing odor as opposed to more subjective measures such as odor detection. What is in place is the standard which has been used across many industries for decades. The footnote takes the same language attached to cannabis production in other districts and applies it wherever these kinds of uses - i.e. - growing, cultivation and extraction - are allowed. It doesn't matter how big or small the operation is but indicates that, no matter what the scale, marijuana production facilities have to incorporate odor control.

There was discussion in LM about whether there might be more concern about moving into an area with more residential uses. The Planning Board noted that the city doesn't have odor control requirements for other uses some might think are not so pleasant such as restaurants, gas stations, casket companies, etc.

The provision could certainly be in the general code since it is not a land use regulation, per se, Director Misch advised. Councilors could opt to move ahead with the zoning now and have a conversation later about whether they want to pull that piece out of zoning and make it more across the board in the general code section.

She would recommend acting on the zoning ordinance now because the provision for addressing odors is just one piece of the amendment, she clarified.

In general he hasn't heard many complaints, Councilor Jarrett related. There is one operation he has heard complaints about but it is not clear to him whether it is currently in compliance; that still needs to be determined. As far as he knows, the standard requiring high efficiency particulate air handlers with activated carbon filters and exhaust systems is pretty strict. If they find in the future that it is not sufficient they could adopt a general ordinance that requires additional measures to be taken. This is a good standard from all the information he's received.

Director Misch explained the distinction between environmental standards and land use regulations. Land use regulations do not apply retroactively but environmental standards can be applied to existing uses.

Councilor Moulton thanked Director Misch for sending councilors an email Wednesday with a link to a cannabis industry source citing carbon filters as a best management practice for controlling odor.

Councilor Foster said she is inclined to support the ordinance. With the adoption of a cap on cannabis retailers, the general code now contains a separate section for cannabis, she noted.

He thinks this is what has been used and been most effective in filtering out odors, Councilor Moulton volunteered. He has been doing a little reading about Santa Barbara County because of its extensive experience with grow facilities. He has no objection to the concept of allowing microbusinesses in the Florence village district but does want to be careful about subjecting denser residential areas to odors. One of the steps Santa Barbara took in its code is using the term 'best available technology' to make sure establishments are using the most up-to-date technique. He would hate to see them get trapped by having zoning that talks about carbon filters and would prefer to work on a general ordinance that acknowledges that technology is evolving so they aren't locked into an old standard.

However, Director Misch said she thinks having a precise standard is better for all parties since 'best available technology' is nebulous language and the term requires an arbiter.

Councilor Elkins said she would be in favor of leaving it as is at this point in time.

Councilor Moulton asked how they will address this if a business opens meeting the standard of having carbon filters and there is still a problem with odors.

Air handling and exhaust systems need maintenance such as replacing filters so the first tack would be to make sure the operator is following the manufacturer's guidelines for maintenance, Director Misch advised. Her understanding is that the city is not trying to make sure that no odor is ever emanating from these places.

Councilor Perry said he finds himself somewhat baffled by this conversation. They have already established that cannabis is one of the most well-regulated industries and they are talking about something that is subjective rather than a safety issue. "We're talking about odors. Are we really here to discuss whether someone can smell weed?" He asked.

They have someone here who is a social equity candidate, and it is disheartening to see more pressure put on these businesses that are already struggling. To impose more requisites or requirements seems like they don't want to have these businesses here.

During recent cannabis discussions, there was a lot of concern about people smelling weed around town, especially people in recovery, Councilor Nash reminded. In this case, they are talking about a business producing some kind of odor that could be difficult for somebody recovering from addiction. His concern on Monday had to do with the effectiveness of the systems in place. He is comfortable moving this forward tonight, he confirmed.

**Councilor Elkins moved to approve the ordinance. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote.**

The following ordinance passed final reading:

**City of Northampton  
MASSACHUSETTS**

**In the Year Two Thousand Twenty-Three**

Upon the Recommendation of Mayor Gina-Louise Sciarra and Planning & Sustainability

**Section 350-22.1, 22.2, 22.3, 22.4, 22.5 (Central Business and Florence Village Center Districts) to be Amended for further clarity and implementation of the Form-Based Code**

**23.246B A Zoning Ordinance Amendment Related to the Form-Based Code**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding text to Sections 350-22.1, 22.2, 22.3, 22.4, 22.5 to allow small/microbusiness marijuana growing/production in certain locations within downtown and village center business districts.

Within the table listing uses allowed within CB-Core, CB-Side, CB-Gateway, FV-G, and FV-C, add the following line to each table:

Uses	CB-Core, CB-Side, CB-Gateway, FV-G, FV-C
<u>Marijuana production of small-scale less than 5,000 sf of cumulative square footage of growing area. No portion of such use shall front on a public way. Use may only occur at the back of a building or in a building behind another building.<sup>1</sup></u>	<u>Y</u>

Add footnote below each table:

- 1 All such spaces must incorporate both high-efficiency particulate air handlers with activated carbon filters and exhaust systems designed with vents that force the air at least 10 feet above the roofline of the building. Alternative technology may be used upon finding by the Planning Board through site plan approval process that such other technology will to the extent practicable limit odors from marijuana in any place where the public or clients are present

[No other changes to these sections.]

Passed final reading, ordained and enrolled.

**23.246A A Package of Six (6) Ordinance Amendments Related to the Form-Based Code - 2nd reading**

This package was primarily a clean-up of the code to remove remaining references to old zoning designations and replace them with the character-based zoning districts established by the form-based code, Director Misch advised.

With regard to parking standards, although making changes is not the intent here, he raised the point in LM that it might be worth talking more about parking standards in the future, Councilor Jarrett shared. As an example, he questioned whether it makes sense to have parking requirements in very walkable areas like Central Business-Gateway (CBG) since they know creating parking adds to the cost of housing whether parking is needed or not.

Also, LM made an amendment related to the Central Business-Gateway (CBG) district to clarify that mobile food vehicles are still allowed there, Councilor Jarrett advised. Lastly, there is an actual change to the snow clearing ordinance to make a distinction between business districts and other areas of the city. Business districts must be cleared by 9 a.m. the following day as opposed to 24 hours after the snow stops. As someone who used to live on Hooker Avenue and walk down King Street after a snow storm, he is supportive of that expansion, he said.

Councilor Elkins moved to approve the ordinance. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote.

The following ordinance passed final reading:

23.246A A Package of Six (6) Ordinance Amendments Related to the Form-Based Code - 2nd reading

City of Northampton

MASSACHUSETTS

In the Year Two Thousand Twenty-Three

Upon the Recommendation of Mayor Gina-Louise Sciarra and Planning & Sustainability

Multiple sections of the General Code to be Amended for further clarity and implementation of the Character Based Districts: CBc CBs CBg, FVg, FVc. Amendment the following sections:

350-7.9; 350-8.1;  
285-4; 285-12B; 285-17;  
337-2

23.246A A Package of Six (6) Ordinance Amendments Related to the Form-Based Code

350- 7.9 An Ordinance to Amend Where Sandwich Board Signs are Allowed

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by adding/deleting text to Section 350-7.9 as shown:

350-7.9

Stationary off-premises sandwich board signs (intended for pedestrian orientation) are permitted in the Central Business ~~(CB)~~ Districts (CBc, CBs, CBg), Florence Village-Center (FVc), Florence Village-General (FVg), General Business (GB) District and Neighborhood Business (NB) District for restaurants and retail business establishments in those districts. All sandwich board signs must receive a permit from the Northampton Board of Public Works in accordance with the provisions of §§ 264-2 and 264-3 of the Code of Ordinances for the City of Northampton.

350- 8.1 An Ordinance to Clarify Parking Standards in Character Based Districts

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding/deleting text to Section 350-8.1(C) as shown. The remaining parts of the table shall remain unchanged.

Table of Off-Street Parking Regulations. Parking shall be provided to serve the parking needs which are generated by a particular use or structure. When there is more than one primary use of a structure, the parking requirements for each use must be met unless one use is incidental to the principal use of the structure. Additional spaces where passengers may be dropped off may be required by the Planning Board for projects which require site plan approval.

Table of Off-Street Parking Regulations

Use	In Central Business <u>(CBc &amp; CBs)</u> (one space per)	All <u>other</u> Districts <u>including</u> CBg (one space per)
Any dwelling unit (including residential component of mixed residential/work space), except as noted below		See specific district use table, <u>or 1/1000 sf &amp; 2 max. per unit</u>
Multifamily dwelling for elderly and people with disabilities, lodging house, dormitory, SRO, and halfway house		1,000 square feet of gross floor area, up to a maximum of one per dwelling unit for multifamily dwellings

285-4

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding text to Sections 285-4(4) to clarify that mobile food carts will continue to be prohibited in Florence Center.

285-4(4)Location of mobile food vehicles.

(a) Mobile food vehicles are not permitted to operate in the Central Business ~~Districts or in areas of Florence zoned General Business~~ or Florence Village Districts, as delineated on the Northampton Zoning Map (§ 350-3.4).

(b) Mobile food vehicles may park and operate in legal public parking spaces outside of the Central Business ~~Core (CBc), Central Business-Side (CBs) and Florence Village Districts or in areas not zoned General Business in Florence~~. Mobile food vehicles must not impede traffic, may not park or operate in accessible spaces, commercial loading zones or other restricted parking spaces. Mobile food vehicles must pay applicable parking fees. They are exempt from the time limits on the parking meters, but must pay the meter fees during all enforcement hours. No overnight parking is allowed by mobile food vehicles.

285-12B

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding text to Sections 285-12B to clarify mobile bicycles/scooters etc will continue to be prohibited in Florence Center.

Amend 285-12B as by inserting text as shown:

(1) Bicycles/scooters/SMDs shall be allowed to be driven on all streets and shall be allowed on all sidewalks outside the Central Business Districts, Florence Village Districts, Office Industrial District, and the General Business District.

(2) Bicycles/scooters/SMDs shall not be allowed to be driven on the sidewalks in the Central Business Districts, Florence Village Districts, Office Industrial District and General Business District, except that bicycles/scooters/SMDs shall be allowed to be driven in those districts on any section of sidewalk that is part of any marked multiuse trails (bicycle path), or marked cycle track or buffered bicycle lane.

285-17

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding text to Sections 285-17 to clarify that sidewalk clearing will continue to be required in Florence Center.

Amend 285-17 as by inserting and deleting text as shown:

285-17 A. The owner responsible for a building, structure or lot of land bordering on any street, lane, court, square or public place within the City where there is a sidewalk, including any curb ramp/cut, shall, after snow has ceased to fall thereupon or whenever snow shall have collected or deposited upon any such sidewalk, within 24 hours, remove the same or cause the same to be removed from such sidewalk; and also remove or cause to be removed from such sidewalk, or cover or cause to be covered with sand or some other suitable substance, within 24 hours after it has formed or appeared, any ice with which the same may be encumbered, in such a way as to render such sidewalk safe and convenient for travel, to the full width. For property located in the Central Business Districts or ~~in areas of Florence zoned General Business~~ the Florence Village Districts as delineated on the Northampton Zoning Map, the above requirements must be met within 24 hours or by 9:00 a.m. on the next business day, whichever is sooner. If a person is found to be violating the provisions of this section, it shall be the duty of the Chief of Police, or his/her designee, the Director of Public Works, or his/her designee, or Parking Enforcement Officers, to assess a fine to any such person in accordance with the fine schedule set forth in Chapter 40, Enforcement, § 40-5. Each twenty-four-hour period a violation of Subsection A or B exists shall be considered to constitute a separate offense.



337-2

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended adding text to Sections 337-2 to add a reference to Florence Village Center Districts.

Add the following text to 337-2 {no other changes to this section}

**Zoning District and/or Area of City**

Central Business Districts, Florence Village Districts, General Business, Neighborhood Business, Highway Business, Entranceway Business, General Industrial, Office Industrial, Planned Village, Medical, Urban Residential-B and Urban Residential-C and municipal landfill properties

**Vernal Pool Resource Area Size**

Vernal pool and areas within 100 feet of the vernal pool

Passed final reading, ordained and enrolled.

Financial Orders (on 1st reading)

Package of 10 Financial Orders to Implement FY2024 - FY2028 Capital Improvement Program (CIP)

23.265 An Order to Appropriate \$450,000 from Capital Stabilization for Hotel Bridge Project - 1st reading

23.266 An Order to Appropriate Smith College Gift Toward 21st Century Classroom Technology Project - 1st reading

23.267 An Order to Authorize Borrowing \$577,500 for DPW Vehicles - 1st reading

23.268 An Order to Authorize Borrowing \$1.5 Million for Paving Projects - 1st reading

23.269 An Order to Appropriate \$25,000 from Cemetery Trust and Income for Cemetery Restorative Work - 1st reading

23.270 An Order to Reprogram Unused Funds to City Hall Exterior Repairs and OPS Shared Use Paths - 1st reading

23.271 An Order to Appropriate Parking Receipts Reserved Funds for Parking Projects - 1st reading

Financial Orders (on 1st reading)

Package of 10 Financial Orders to Implement FY2024 - FY2028 Capital Improvement Program (CIP)

23.265 An Order to Appropriate \$450,000 from Capital Stabilization for Hotel Bridge Project - 1st reading

Councilor Jarrett moved to refer 23.265 to the consent agenda. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

See minutes of March 30, 2023 for second reading.

23.266 An Order to Appropriate Smith College Gift Toward 21st Century Classroom Technology Project - 1st reading

23.267 An Order to Authorize Borrowing \$577,500 for DPW Vehicles - 1st reading

23.268 An Order to Authorize Borrowing \$1.5 Million for Paving Projects - 1st reading

23.269 An Order to Appropriate \$25,000 from Cemetery Trust and Income for Cemetery Restorative Work - 1st reading

23.270 An Order to Reprogram Unused Funds to City Hall Exterior Repairs and OPS Shared Use Paths - 1st reading

23.271 An Order to Appropriate Parking Receipts Reserved Funds for Parking Projects - 1st reading

23.272 An Order to Appropriate \$2.63 Million Free Cash to Various Capital Projects - 1st reading

23.273 An Order to Appropriate \$30,000 from Sale of Land RRA Account for Tax Title Properties - 1st reading

23.274 An Order to Appropriate \$975,000 from Stabilization for Various Capital Projects - 1st reading

Councilor Elkins proposed referring the financial orders associated with the capital plan to the consent agenda as a group since a number of them were spoken to in the course of the public hearing.

She moved to refer Items #9 B, C, D, E, F, G, H, I and J (23.266, 23.267, 23.268, 23.269, 23.270, 23.271, 23.272, 23.273 and 23.274) to the consent agenda as a group. Councilor LaBarge seconded.

With regard to the order for the 21<sup>st</sup> century classroom technology project, Smith College gave the city a gift of \$500,000 in December of 2021 to be appropriated over three years, Mayor Sciarra reminded. The project has been in the works for over four years and they were excited to begin implementing it this year. The first installation of Smart boards happened over December break and a professional development day was held in January to get teachers up to speed on the new technology. Digital designers have been working with teachers to figure out what their classrooms need and when the generous gift came from Smith College she was happy to direct it toward this project.

Councilor Foster expressed her understanding that there is a deficit in the budget but said she understands this is a one-time source of funds.

23.272 An Order to Appropriate \$2.63 Million Free Cash to Various Capital Projects - 1st reading  
23.273 An Order to Appropriate \$30,000 from Sale of Land RRA Account for Tax Title Properties - 1st reading  
23.274 An Order to Appropriate \$975,000 from Stabilization for Various Capital Projects - 1st reading

It is a one-time unrestricted gift, Mayor Sciarra confirmed. They often try to use gifts from Smith College for the public schools. Next year will be the last year of three years of funding from that source.

With respect to the \$577,000 for DPW vehicles, the city will bond for these in September of 2023 but the debt service won't hit the budget until fiscal year 2025, Director Nardi advised.

With regard to the \$1.5 million borrowing order, Councilor Jarrett asked what the paving projects are for this year.

On tap this year are projects to tie in the recently-repaved sections of Bridge Road and North Main Street by resurfacing the approaches to the entire Look Park roundabout, Mayor Sciarra presented. The DPW will also finish resurfacing Spring Street from Meadow Street to Colonel LaValley Lane and pave Loudville Road from Route 66 to a point south to tie into work done in 2021.

Winter Street work will begin next week, she said.

With regard to City Hall exterior repairs, Director McCarthy has done a great job of looking at City Hall campus buildings and identifying deferred maintenance. Water is getting in in lots of places and they are not as tight and efficient as possible. They are trying to tackle some of these envelope repairs to be able to work more extensively to decarbonize the buildings.

The order for parking projects includes an appropriation for safety barriers on the E.J. Gare Parking Garage, Councilor Jarrett noted. Mayor Sciarra confirmed the city is looking for more permanent solutions to safety issues. There have been some tragic incidents at the garage. The estimates they have gotten were truly astronomical so she has been asking for a way to get this done and make it safer in a way that is more manageable. The money is being put toward studying how this can be done.

Councilor Moulton thanked Mayor Sciarra and Councilor Foster for advocating for this. His constituent Liz Hamilton lost her son in August of 2009 when he was either pushed, jumped or fell from the roof and there were two other fatalities in 2007 and 2020 resulting from similar incidents. This is a critical safety concern. He is glad a study is going forward and hopes once solutions have been determined they will move forward as quickly as possible. He knows there is funding in the CIP in FY2025 and FY2026 to actually install the barriers on the upper floors.

Members asked questions on individual projects to be funded through Free Cash.

Regarding the appropriation from the Sale of Land Receipts Reserved Account, Councilor Jarrett asked if the city has taken any tax title properties in the past year.

Director Nardi said she didn't think so.

His understanding is that the city has been waiting for years for the state to take action to allow it to actually take tax title properties, Councilor Jarrett said. He follows certain tax title properties for constituents who want to take ownership but can't until the land is first taken by the city, he explained.

Director Nardi said she would get him an answer from the Treasurer.

There being no further questions, **the motion to refer the orders as a group to the consent agenda passed unanimously 9:0 by roll call vote.**

See minutes of March 30, 2023 for final reading.

Recess

Recess  
 The City Council recessed briefly at 10:46 p.m. The council reconvened at 10:51 p.m.

Financial Orders (on 1st reading)

Financial Orders  
(on 1st reading)

23.262 Order to  
Appropriate \$45,000  
Free Cash to  
Economic  
Development  
Projects and  
Initiatives - 1st  
reading

23.263 Order to  
Authorize Additional  
FY2023 Inter-  
municipal  
Agreements - 1st  
reading

23.264 Order to  
Appropriate Free  
Cash to Purchase  
LUCAS 3 Devices for  
NFR - 1st reading

23.262 An Order to Appropriate \$45,000 Free Cash to Economic Development Projects and Initiatives - 1st reading

23.263 An Order to Authorize Additional FY2023 Inter-municipal Agreements - 1st reading

23.264 An Order to Appropriate Free Cash to Purchase LUCAS 3 Devices for NFR - 1st reading

Councilor Jarrett proposed moving 23.262, 23.263 and 23.264 as a group to the consent agenda. **He so moved. Councilor Maio seconded.**

The \$45,000 appropriation for economic development projects is Mayor Sciarra continuing to support economic development downtown, Chief of Staff Alan Wolf stated. A philosophy shared by economic development staff and the Arts Council is that the city's chief and most effective role is to encourage people to come downtown. The city's efforts so far include supporting outdoor dining, encouraging and partnering with Summer on Strong and promoting Masonic Street Live. A small amount of funding has had a major impact on bringing back some of the hotel/motel and meals local excise taxes, and this pot of money is trying to encourage and expand on this behavior going forward.

Mayor Sciarra came up with the 'garage band' theme to try to activate the space on the brewery side of the E.J. Gare Garage with another installation where music might play in the early evening hours. The last \$5,000 is to infuse a little money to expand activities on the lawn between the Lilly Library and the Florence Civic Center in Florence.

The breakdown of expenses is as follows: \$5,000 for each of the four music locations: Summer on Strong, Masonic Street Live, Garage Band and Florence; \$10,000 for a portable, easy-to-set up/break down stage; \$5,000 for soil and filters for barrier planters all over the city to help define boundaries for outdoor dining and installations and \$10,000 to replace some of the tables in Pulaski Park and purchase tables and chairs for other public seating.

He believes they have demonstrated that small infusions of cash make huge impacts on local receipts.

In response to a question from Councilor Perry, he confirmed that the \$5,000 is to pay for bands for the music venues.

Councilor Foster asked if the stage itself is accessible or if it has a portable ramp. Wolf said he would bring that up with Director Foote.

In new intermunicipal agreements, Northampton has added Belchertown to its intermunicipal agreement with several other towns for the services of a municipal hearing officer, Director Nardi presented.

The other contract is to hire Whip City Fiber to assist with the upgrade and expansion of the fiber optic loop connecting municipal facilities, Chief of Staff Wolf explained.

The Lucas 3 devices were demonstrated by Fire Chief Davine during the council's recent tour, Councilor Nash reminded.

**The motion passed unanimously 9:0 by roll call vote.**

See minutes of March 30, 2023 for final reading.

23.275 An Order to Appropriate Additional Funding for Hybrid Inspection Vehicle - 1st reading

Councilor Moulton moved to suspend rules to allow the order to be approved tonight. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Jarrett moved to approve the order. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed final reading:

23.275 Order to  
Appropriate  
Additional Funding  
for Hybrid Inspection  
Vehicle - 1st reading



MASSACHUSETTS

*In City Council*

March 16, 2023

Upon recommendation of the Mayor

**23.275 An Order to Appropriate Additional Funding for Hybrid Inspection Vehicle**

*Ordered, that*

\$9549.15 from the FY23 General Fund Undesignated Fund Balance (Free Cash) be appropriated and added to the appropriation of \$27,349.85 for a total of \$36,899 to purchase a hybrid vehicle for the Building Inspection Services Department (19303-586623).

Rules suspended, passed final reading and enrolled.

Financial Orders  
(on 2nd reading)

Financial Orders (on 2nd reading)

The following order was approved as part of the consent agenda:

The following order passed final reading:

23.253 An Order to Approve FY23 COLA Increase for Retirees - 2nd reading

**City of Northampton**

MASSACHUSETTS

*In City Council*

March 2, 2023

Upon recommendation of Mayor Sciarra

**23.253 An Order to Approve FY23 COLA Increase for Retirees**

*WHEREAS*, on November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022, “An Act Relative to Cost-of-Living Adjustments for Retirees” into law, which provides local retirement systems a local option to increase the Cost of Living Adjustment (COLA) for Fiscal Year 2023 up to 5% on the base amount specified in communities that have accepted the provisions of G.L. c. 32, section 103. The approval of the increase can occur at any time during the fiscal year and will retroactively take effect as of July 1, 2022; and

*WHEREAS*, the City accepted the provisions of section 103 by Order passed by the City Council on June 18, 1998; and

*WHEREAS*, the Northampton Retirement Board engaged the services of Stone Consulting to conduct a study on the impact of a one-time additional 2% increase; and

*WHEREAS*, on February 23, 2023 after review of the study and in support of the city’s retirees during a time of high inflation, the Board voted to increase the FY23 COLA from 3% to 5%; and

*WHEREAS*, in order to enact the measure, it must receive local approval through a recommendation by the Mayor followed by a vote in favor by the City Council.

*Now, Therefore be it Ordered, that*

The City Council approves an increase to the FY2023 retiree cost-of-living-adjustment, from 3% to 5% retroactive to July 1, 2022 in accordance with the provisions of Chapter 269 of the Acts of 2022.

23.253 An Order to  
Approve FY23  
COLA Increase for  
Retirees - 2nd  
reading

Passed final reading and enrolled.

<p><u>Orders</u>  <u>23.277 Administrative Order to Amend the City of Northampton Administrative Code - 1st reading</u></p>	<p><u>Orders</u>  <u>23.277 An Administrative Order to Amend the City of Northampton Administrative Code - 1st reading</u>                  Councilor Nash read the Mayor’s Administrative Order Message into the record. The order itself will be on the council’s next agenda following a required public hearing, he noted.   <u>See minutes of March 30, 2023 for final reading.</u></p>
<p><u>Ordinances (Not Yet Referred)</u></p>	<p><u>Ordinances (Not Yet Referred)</u>                  None.</p>
<p><u>Ordinances</u>  <u>23.244 Ordinance Relative to Parking on North Elm Street, referred by City Council - 2nd reading</u>  <u>23.245 An Ordinance Relative to School Zones - 2nd reading</u></p>	<p><u>Ordinances</u>  <u>23.244 An Ordinance Relative to Parking on North Elm Street, referred by City Council - 2nd reading</u>  <u>23.245 An Ordinance Relative to School Zones - 2nd reading</u>                  Councilor Foster moved to approve 23.244 and 23.245 as a group. Councilor Gore seconded. The motion passed unanimously 9:0 by roll call vote.   <u>The following ordinances passed final reading:</u></p>

CITY OF NORTHAMPTON  
MASSACHUSETTS

*In the Year Two Thousand and Twenty-Three*  
Upon the Recommendation of the Transportation and Parking Commission

**23.244**  
**AN ORDINANCE**

**RELATIVE TO PARKING ON NORTH ELM STREET**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

1 SECTION 1  
2

3 *That the § 312-102 of the Code of Ordinances be amended as follows:*

4  
5 § 312-102 Schedule I: Parking Prohibited All Times.  
6

Location	Side	From	To
North Elm Street	Easterly	Woodlawn Avenue	<del>Northerly for 100 feet</del> <u>point 370 feet north of Woodlawn Avenue</u>
<del>North Elm Street</del>	<del>Easterly</del>	<del>Point 200 feet north of Woodlawn Avenue</del>	<del>Point 370 feet north of Woodlawn Avenue</del>

7  
8 SECTION 2  
9

10 *That the § 312-104 of the Code of Ordinances be amended as follows:*

11 § 312-104 Schedule III: Limited-time Parking.  
12  
13  
14

Name of Street	Side	Time Limit/Hours; Days	From	To
<del>North Elm Street</del>	<del>Easterly</del>	<del>1 hr./7:00 a.m. to 3:00 p.m.; Monday through Friday</del>	<del>Point 100 feet northerly from Woodlawn Avenue</del>	<del>Point 188 feet northerly from Woodlawn Avenue</del>

Passed final reading, ordained and enrolled.

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-Three*  
Upon the Recommendation of the Transportation and Parking Commission

**23.245  
AN ORDINANCE**

**RELATIVE TO SCHOOL ZONES**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

1 SECTION 1  
2  
3 *That the § 312-18 of the Code of Ordinances be amended as follows:*  
4  
5 § 312-18 School zones.  
6  
7 The following school zones are hereby established per MGL c. 90, § 17:  
8

School	Description of School Zone
<u>Northampton High School</u>	<u>On Elm Street, extending from North Elm Street (Route 9) to Hospital Road.</u>
	<u>On Elm Street (Route 9), extending from Woodlawn Avenue to Vernon Street.</u>
	<u>On North Elm Street (Route 9), extending from Woodlawn Avenue to a point 430 feet north of Elm Street.</u>
<u>Smith Vocational and Agricultural High School</u>	<u>On Milton Street, extending from Elm Street to a point 585 feet south of Ormond Drive.</u>
	<u>On Locust Street, extending from a point 145 feet west of North Elm Street to a point 720 feet west of Hatfield Street.</u>

9  
10  
11

Passed final reading, ordained and enrolled.

Resolutions

Resolutions  
23.256 A Resolution to Adopt the Capital Improvement Program for FY2024-FY2028  
Submitted to City Council March 2, 2023 - 1st reading  
The resolution is here for introduction and will be up for a vote at the next meeting.

Continue Discussion of Hybrid Meeting Guidelines

Continued Discussion of Hybrid Meeting Guidelines/Optional Directive to State Legislators regarding Preferred Meeting Format  
He is not sure they are ready to decide how to move forward tonight, Councilor Nash said. He will place this on the agenda for the next meeting when they will probably know more.

New Business

New Business  
None.

Adjourn

Adjourn  
Councilor Foster moved to adjourn. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote. The meeting was adjourned at 11:35 p.m.

Attest: \_\_\_\_\_, Administrative Assistant

## EXHIBIT A

List of Documents Reviewed at March 16, 2023 Northampton City Council Meeting:

1. March 16, 2023 Agenda
2. Minutes of February 16, 2023 and March 2, 2023
3. 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121) together with DPW Recommendation – Memo from Greg Newman, Senior Civil Engineer to Donna LaScaleia, DPW Director Dated February 21, 2023 re: Petition No. 30610121 to install two SO poles on North Main Street
4. 23.253 An Order to Approve FY23 COLA Increase for Retirees
5. 23.276 Appointment to the Arts Council - Memo from Mayor Gina-Louise Sciarra to City Council dated March 16, 2023 re: Appointment to Boards, Committees, and Commissions proposing the appointment of Ronald Smith to the Arts Council.
6. 23.262 An Order to Appropriate \$45,000 Free Cash to Economic Development Projects and Initiatives
7. 23.263 An Order to Authorize Additional FY2023 Inter-municipal Agreements
8. 23.264 An Order to Appropriate Free Cash to Purchase LUCAS 3 Devices for NFR
9. 23.275 An Order to Appropriate Additional Funding for Hybrid Inspection Vehicle
10. 23.265 An Order to Appropriate \$450,000 from Capital Stabilization for Hotel Bridge Project
11. 23.266 An Order to Appropriate Smith College Gift Toward 21st Century Classroom Technology Project
12. 23.267 An Order to Authorize Borrowing \$577,500 for DPW Vehicles
13. 23.268 An Order to Authorize Borrowing \$1.5 Million for Paving Projects
14. 23.269 An Order to Appropriate \$25,000 from Cemetery Trust and Income for Cemetery Restorative Work
15. 23.270 An Order to Reprogram Unused Funds to City Hall Exterior Repairs and OPS Shared Use Paths
16. 23.271 An Order to Appropriate Parking Receipts Reserved Funds for Parking Projects
17. 23.272 An Order to Appropriate \$2.63 Million Free Cash to Various Capital Projects
18. 23.273 An Order to Appropriate \$30,000 from Sale of Land RRA Account for Tax Title Properties
19. 23.274 An Order to Appropriate \$975,000 from Stabilization for Various Capital Projects
20. 23.277 An Administrative Order to Amend the City of Northampton Administrative Code
21. 23.277 Administrative Order Message.pdf
22. 23.244 An Ordinance Relative to Parking on North Elm Street, referred by City Council
23. 23.244 Parking Schedule on North Elm Street.pdf
24. 23.245 An Ordinance Relative to School Zones
25. 23.245 Map of NHS and SVAHS School Zones.pdf
26. 23.246A A Package of Six (6) Ordinance Amendments Related to the Form-Based Code
27. 23.246B A Zoning Ordinance Amendment Related to the Form-Based Code
28. 23.256 A Resolution to Adopt the Capital Improvement Program for FY2024-FY2028 Submitted to City Council March 2, 2023

Record of City Council Votes for March 16, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total	
Roll Call by Council Administrative Assistant Laura Krutzler @ p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present; 0 Absent	
Open Public Hearing on 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121)		Yes	Yes	Yes	Yes	Motion to open	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call	
Continue Public Hearing on 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121) to March 30, 2023 at 7:20pm		Yes	Yes	Yes	Motion to close	Yes	Second Yes	Yes	Yes	Yes	Motion carried 9:0; roll call	
Open Public hearing re: Northampton Capital Improvement Program for FY2024 - FY2028		Yes	Yes	Motion to open	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call	
Close Public hearing re: Northampton Capital Improvement Program for FY2024 - FY2028		Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion to open	Motion carried 9:0; roll call	
Approval of Consent Agenda:		Yes	Yes	Yes	Motion to approve	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call	
Minutes of February 16, 2023 and March 2, 2023												Consent
<del>Approve 22.199 National Grid/Verizon Pole Petition for North Main Street (Petition #30610121)</del> Removed as hearing was not held												Removed
23.253 An Order to Approve FY23 COLA Increase for Retirees - 2nd reading												Consent
23.276 Appointment to the Arts Council - for referral to City Services												Consent
23.265 An Order to Appropriate \$450,000 from Capital Stabilization for Hotel Bridge Project - 1st reading		1st reading	Yes	Yes	Yes	Motion to refer	Yes	Second Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.266 An Order to Appropriate Smith College Gift Toward 21st Century Classroom Technology Project - 1st reading		Referred 23.266, 23.267, 23.268, 23.269, 23.270, 23.271, 23.272, 23.273 & 23.274 as group to consent agenda	Motion to refer	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.267 An Order to Authorize Borrowing \$577,500 for DPW Vehicles - 1st reading												
23.268 An Order to Authorize Borrowing \$1.5 Million for Paving Projects - 1st reading												
23.269 An Order to Appropriate \$25,000 from Cemetery Trust and Income for Cemetery Restorative Work - 1st reading												
23.270 An Order to Reprogram Unused Funds to City Hall Exterior Repairs and OPS Shared Use Path6 - 1st readings												
23.271 An Order to Appropriate Parking Receipts Reserved Funds for Parking Project6 - 1st readings												
23.272 An Order to Appropriate \$2.63 Million Free Cash to Various Capital Projects - 1st reading												
23.273 An Order to Appropriate \$30,000 from Sale of Land RRA Account for Tax Title Properties - 1st reading												
23.274 An Order to Appropriate \$975,000 from Stabilization for Various Capital Projects - 1st reading												

Record of City Council Votes for March 16, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total
23.262 An Order to Appropriate \$45,000 Free Cash to Economic Development Projects and Initiatives - 1st reading	Referred as group to consent agenda	Yes	Yes	Yes	Motion to refer	Yes	Second Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.263 An Order to Authorize Additional FY2023 Inter-municipal Agreements - 1st reading											
23.264 An Order to Appropriate Free Cash to Purchase LUCAS 3 Devices for NFR - 1st reading											
23.275 An Order to Appropriate Additional Funding for Hybrid Inspection Vehicle - 1st reading	Suspend rules	Yes	Yes	Yes	Yes	Yes	Yes	Motion to approve	Yes	Second Yes	Motion carried 9:0; roll call
	2nd reading	Second Yes	Yes	Yes	Motion to approve	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.277 An Administrative Order to Amend the City of Northampton Administrative Code - 1st reading	1st reading										
23.244 An Ordinance Relative to Parking on North Elm Street - 2nd reading	2nd reading	Yes	Motion to approve	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.245 An Ordinance Relative to School Zones - 2nd reading	2nd reading										
Record of City Council Votes for March 16, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total
23.246A A Package of Six (6) Ordinance Amendments Related to the Form-Based Code - 2nd reading	2nd reading	Motion to approve	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
23.246B A Zoning Ordinance Amendment Related to the Form-Based Code - 2nd reading	2nd reading	Motion to approve	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
23.256 A Resolution to Adopt the Capital Improvement Program for FY2024-FY2028 Submitted to City Council March 2, 2023 - 1st reading	1st reading										
Continued Discussion of Hybrid Meeting Guidelines											
Adjourn		Second Yes	Motion to adjourn	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call