



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 (7:25 p.m.)  |
| Ward 3 Councilor James Nash           | Ward 4 Councilor Garrick Perry (7:45 p.m.) |
| Ward 5 Councilor Alexander Jarrett    | Ward 6 Councilor Marianne L. LaBarge       |
| Ward 7 Councilor Rachel Maiore        |  |

Announcement that Meeting Audio/Video Recorded

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

Public Hearings

Public Hearings

None.

Public Comment

Public Comment

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

Regarding the time limit on public comments, **Claudia Lefko of 40 Valley Street** said the two minutes is getting harder and harder the older she gets and she thinks they should consider returning it to three minutes. Thirty-six years ago in 1987 she was elected to an at-large seat on the Northampton School Committee. She thinks she was the first outsider to break into city government. Her beloved neighbor and late campaign manager Bart Gordon quit a month or so into her campaign saying her positions were too radical and she'd never get elected. She was running on a platform for more parental involvement in the schools, more collaboration with parents, teachers and administrators. It didn't sound that radical to her. She was the top vote getter that year and in each of the next two elections. The other seat would be won each time by the more conservative, Northampton-born shoe-in candidate Jim Dostal. She is not saying this to brag; she is saying this to demonstrate that advocating for the rights of people beyond voting to participate in decisions that affect their lives has been a cornerstone of her life. She thinks they'll have better schools, better neighborhoods and a better city with more resident involvement. A number of city councilors have disparaged them, saying, 'we're seeing the same few people; why aren't more people participating?' She'd say that people are losing faith and trust in a city that gives a development corporation \$500,000 for a project with very little benefit but doesn't seem willing to pay a penny for the thoughts of residents. Please vote 'no' on this zoning ordinance and instead begin a formal assessment of the impact of infill on their neighborhoods, something they've been asking for for a long time.

**Nancy Smith, Chapel Street**, thanked Councilor Moulton for requesting that data be made available to the public on how ordinance changes were actually used as a condition of his recommendation for the zoning change on tonight's agenda. Many have been abused by builders for greater profit, raising housing and rental costs, causing more gentrification and making the housing crisis worse, not better. She spoke at Legislative Matters about the importance of the city and neighborhoods working together. She would like to address comments made by two other councilors and the planning director at Monday's meeting. They disagreed with what some people wanted and said, 'if they don't like it, they can run for office and then they can build the way they want.' Unfortunately, in a democracy, people elect leaders to represent them in office, not to do whatever builders or they themselves want to do with no accountability. Not everyone is a public speaker. If people show up, it matters, and they are showing up; hence the frustration. If their councilors and Mayor do not want what the people want, they do need to recruit new leaders. Their honesty helps them to know where to focus their efforts. She is really hoping to recruit that guy who wrote the 2013 Op Ed on zoning changes, she commented facetiously.

If they're tired of hearing about the past, like last year's 107 Williams Street, Landy Avenue, etc., "City and builders won; get over it, right?" Very simply, those who don't learn from history are doomed to repeat it and they don't want to repeat it. The last few years have been rough.

She often speaks about how poorly they pay city councilors for the hours they put in. Residents do not get paid at all, she reminded. Keeping 'hamp 'hamp for everyone is vitally important to them. Please vote no on RLL ordinance 23.247 tonight. At Legislative Matters, one honest answer, straight upfront, from someone who does get paid pretty well would have saved them all a lot of time, she suggested. [Time was ended.]

Daniel Evans said he's known as 'downtown Daniel Evans.' He identified himself as the creator, founder and producer/director of Pioneer Valley access TV on Northampton Open Media, author of the Taylor/Floyd Honesty and Equitable Equality Amendment and Arbery-Brooks New Deal 2020 and founder of the Brothers and Sisters of Humanity and Tuskegee Toddler Fund. They can find PV Access TV on Facebook.

He read an excerpt from FDR's 1944 state of the union address beginning as follows: "In our day these economic truths have become accepted as self-evident. . . "

He and the Mayor are doing a press release with Channel 22 next week about the amendments. He said he would leave information at the council office.

**Jacqueline McCreanor of Northampton** said a monumental decision is before city councilors tonight. They will be voting on two-family reduced lot line (RLL) [projects] being uses allowed by right. Justice cannot be done in expressing the weight and consequence of this vote, and she respectfully and strongly urges them to vote 'no.' Residents were told the planning department would look into and share information before tonight's meeting with residents and councilors about the number of developer-driven RLL projects vs. the number of homeowner-driven RLL's over the last five years. They have not received this information. Proponents of RLL say it is good because it reduces urban sprawl, creates walkable downtown neighborhoods thereby reducing the use of cars and carbon dioxide emissions and gives property owners more flexibility to build housing on their land. But that is only half of the story and, more to the point, RLL is not necessary to achieve these admirable goals; in fact, other ordinances exist which are much more effective in achieving these goals.

The whole story is that some very powerful city officials and staff wish to maximize developer profit, luxury housing and property tax revenue at the expense of Northampton residents' health and historic neighborhoods, social justice in the housing sector, affordable and attainable housing, natural resources, the city's old existing infrastructure, life-giving trees, wetlands and true sustainability and climate-related measures, she asserted. Yes, there is a housing crisis, but the housing crisis in Northampton and across the United States is the shortage of affordable and attainable workforce housing units, not the oversized, expensive luxury housing units this amendment prioritizes. The city does not prioritize their historic town's sustainability or affordable housing. It does not prioritize their ability to respond effectively to the intensifying climate crisis. At Monday's Legislative Matters meeting, Director Misch basically said the planning department is not interested in sustainability and climate measures in URB districts if they conflict with RLL housing and development goals. With this amendment the city is pushing for reduced lot line for two families. The city has replaced accessory dwelling units (ADU's) with a new two-family regulation. ADU's were adored by residents as they enabled them to provide housing for an aging relative, college-aged kid or even rental income. The new two-family regulation eliminates the old ADU 900 square foot maximum and gives developers the opportunity to build even more gigantic, out- of-scale, out-of-proportion, fossil-fuel dependent, expensive luxury housing. A 'yes' vote will be catastrophic for Northampton on many levels. She respectfully and strongly urged them to vote 'no' on the amendment, to conscientiously reflect on the consequences of this amendment and, as they hear residents speak, to reflect and act on the greater good for all.

**James Lowenthal of 181 Crescent Street** spoke on behalf of Northampton City Lights, an organization with a steering committee of 10 Northampton residents and roughly 100 active members. They are here to congratulate and thank the city for its proclamation of International Dark Sky Week. By issuing this proclamation, the mayor and city are joining hundreds of other communities around the country and world in celebrating International Dark Sky Week, which

starts Saturday. It is a celebration of the natural darkness at night and a raising of awareness of the importance of protecting the night time for human health, wildlife, energy savings, aesthetics, economics and the starry sky itself. Here in Northampton, Smith College is celebrating by turning off the lights in the quad for several hours on Saturday so students can enjoy darkness. Sunday, April 23<sup>rd</sup>, they anticipate having a night walk where they will explore some of the hidden downtown night-time environments. He invites them to step outside and enjoy one of the great gifts of nature, natural darkness at night and the starry sky.

**Myla Kabat-Zinn, 32 Ward Avenue**, a member of Northampton City Lights, said she has been working on lighting issues for many years not only here but in her former home of Lexington, MA. She applauded the city for issuing the proclamation in support of International Dark Sky Week. The whole issue of light pollution - one of the few issues they can address quite simply by making small changes in their day-to-day life - has a big effect not only on their health but on their spirits and also, of course, on insects, wildlife and plants. This is a 'win-win' for them all.

She thanked the city for issuing the proclamation.

Councilor Foster arrived at 7:25 p.m.

**Tusi Gastonguay, Willow Street, Florence** said the revised RLL proposal is a terrible idea and makes a mockery of the Sustainable Northampton comprehensive plan. It shows no sustainability awareness and instead invites the city's favorite out-of-town developers to purchase single-family homes which could be affordable for their own middle-income residents, destroy older trees which sequester literally tons of carbon, cut down all plant life, destroy wildlife corridors and cover every inch of the land with monster buildings for wealthy out-of-towners. Allowing a second dwelling to be enlarged from 800 to 2,000 s.f. just increases the carbon footprint despite shared walls. For example, a typical two thousand square foot home requires cutting down 20 mature trees to build. Just one of these trees can hold an average of 10,000 pounds of carbon. Is getting the property tax money this way really what Northampton needs? No; they need real city planning with neighborhood involvement from the beginning and throughout the process, not top-down decision-making that benefits developer friends that make their once-charming neighborhoods look like downtown Springfield. The RLL ordinance is not a sweet proposal to help family residents build an in-law apartment next to their single-family home. Rather, it is inviting big development that drives out that family because they can't afford to live here anymore. She urged the council to vote 'no' on this very bad proposal.

**Diane Scott, 44 Landy Avenue**, asked the City Council to vote 'no' on the proposed changes to RLL uses allowed by right. This change does not benefit our city; it threatens our trees and neighborhood character. She was offended Monday night when Councilor Elkins and Councilor Nash insinuated that if they wanted change, they needed to run for and serve on the council. She doesn't believe that's how their government was intended to work; she believes that's where the word 'representative' comes into play. The councilor doesn't only bring to other councilors their personal concerns but the concerns of their constituents. She expects her councilors to do what is in their job description which is represent her. It was also said that not many people disagreed with this proposed change, but the last opportunity to speak to this was several years ago, so there hasn't been an open forum to discuss these RLL changes. She urged them to vote 'no' on this proposed change.

**Debra Bercuvitz, 41 Warner Street**, said she was at a meeting where Councilor Elkins said they were being heard but that there was disagreement and she wants to disagree. She doesn't think they are being heard because getting heard means an exchange. What she sees is tremendous polarization between residents speaking up and those representing them in their government. Basically what they're engaging in is mutual monologues and not conversation. She is a public servant; she works for state government and is responsible for policy changes and laws being changed. In her work, they bring all the different constituent groups together, everyone is meaningfully heard and they look at the advantages and disadvantages for each group and try to find common ground. That is not happening. Everybody is frustrated because they are just going ahead on their parallel tracks. Every example they've been given about ZLL development has been one-sided. There hasn't been a single example representing the concerns residents are bringing. She doesn't think it's honest and transparent and she doesn't think it is leadership acting with integrity when they don't present the downside. What she wants is a meaningful, data-driven process, and she begged councilors to vote 'no' just for

tonight to give them more time. They all say that they want sustainability but they have different understandings. She keeps hearing 'walkability' and 'infill' from councilors and the planning department but residents are bringing up different parts of sustainability. They are not even opposed to infill just thought-less infill. The only rush is that John Handzel is about to develop two lots on Garfield Street and Landy Avenue, and the kind of development he is looking for is dependent on this change going through.

**Jackie Ballance, Baystate Village**, said she thinks they have been overlooking one tiny bit of their zoning history and that is that the minimum frontage for zero lot line (ZLL) was originally 60 feet for a single-family home. When the frontage requirement was reduced to 50 feet, the appearance of ZLL houses was radically changed in relation to the streetscape.

They now know from Monday that ZLL permits have been used principally by one particular developer and that homeowner use of this provision has been negligible. "We're not giving our citizens more flexibility, we're giving one developer maximum flexibility." The real housing crisis is the lack of housing for middle income people to buy or rent. Northampton has a good record of providing affordable subsidized housing and has a glut of luxury housing. Why do we want more of it? What is the city's plan for promoting workforce housing? Why doesn't our city encourage more housing to actually meet the needs of the people who live here?

She referred to a development in Greenfield where a unit sold in 2020 for \$165,000. "That's an affordable starter home or retirement home" for middle-income working class people. She said she wished she had time to read Director Misch's description of the original intention of ZLL when asked by Councilor Nash. It was a word salad. "You can defend our neighborhoods and vote 'no' this evening," she concluded.

**Espy Thomson**, Leeds, said she is really interested in urban planning and infill and feels really conflicted about this particular discussion because she thinks infill is a fantastic idea. What a lot of her friends and her generation are looking for in infill is sustainability. They are onboard with the idea of sustainability but sustainability comes in many forms including affordability for young people and inclusivity. It's really hard to find affordable rentals right now. What a lot of her friends want is small houses with gardens and communal living where they can make their own food and feel like they belong to a small area connected to the earth. The houses that are being built aren't houses they can live in. She asked them to vote 'no' until more thought can be put into how houses can be built for young people like her.

**Rue Walther of 16 Warner Street in Florence**, which she described as 'next to one of the unsustainable developments built by Mr. Handzel,' said she would really ask that councilors vote 'no' tonight. She feels that Director Misch promised them data on the housing built by people who owned their property vs. those owned by developers. Since they have not received that material she feels it is not fair to go forward. Addressing Councilor Elkins directly, she said she was highly insulted by her remarks the other night and feels that it was really wrong of her to berate the public especially at a time when they were not able to retort. She felt it was very unprofessional and not representative of the people who voted her in.

There being no further comments, at 7:38 p.m., public comment was concluded.

Announcements

Announcements

The mayor is at School Committee and not present this evening, Councilor Nash advised. A Planning Board meeting is also going on.

Councilor Nash read a proclamation proclaiming the week of April 15<sup>th</sup> to April 22<sup>nd</sup>, 2023 "International Dark Sky Week."

Councilor Elkins announced enthusiastically that 'Pride is back!' May 6<sup>th</sup>. Northampton will have the first pride parade since 2019. A group of hardworking and earnest folks are trying to get it off the ground and make it happen. This is annually her favorite day of the year in Northampton.

Wednesday, April 26, 2023 from 6 to 8 p.m. MassDOT will be holding a 25% virtual design hearing for the redesign of Main Street, Councilor Jarrett announced. Participants do need to register for the hearing. Additional information can be found at [www.northamptonma.gov/plan](http://www.northamptonma.gov/plan).

Councilor Perry arrived at 7:45 p.m. He gave props to the arts and culture department for putting on 'KidsBestFest,' a movie festival for kids and adults with free admission during Spring school break at the Academy of Music. A free movie is being shown every day.

Councilor Nash sent out a 'thank you' to the Friends of Northampton Trails for coordinating a city-wide cleanup of the bike path last weekend. Things look spectacular. He also offered thanks to USA Hauling for providing dumpsters for all the trash that was collected.

For people interested in serving on the commission to study racialized harms, there is now an e-application, he continued. It is not yet posted on the website but will be going up tomorrow. Sponsors and he met with the mayor and have established a plan for moving forward. Applications will be accepted, sponsors will advise them and he and the mayor will appoint. They will be meeting in an open meeting process so everyone can see what they're up to and what they are thinking. He and the mayor will take sponsors' recommendations and make appointments to the new commission.

Saturday, April 29, 2023 from 9:30 to 11:30 a.m. at Smith Vocational and Agricultural High School, in celebration of the week of the young child, a children's festival and community baby shower is planned, Councilor Foster related. Among other things, the event will feature a free pop-up baby shop by the nonprofit 'It takes a village' with free clothes and toys, hands on art and live performances. The event is rain or shine.

Councilor LaBarge announced that, as many of them already know, the city of Northampton is adding 229 acres to the Sawmill Hills Greenway. As the Ward 6 councilor, she reminded listeners that Paul Foster, Dr. Joanne Bessette and the Ward 6 Association worked tirelessly to save the quarry. The quarry was a problem with 62 18-wheelers a day five days a week; a retired resident actually counted how many went up and came down. Residents went to court and Doug Kohl, a local builder who owned property near the quarry was also involved. The owner of the quarry was sick and tired of people going and complaining to him.

"We won," she reported. From then on, for the 22 years she has been a councilor, the city has been constantly preserving open space and this tops it off. They now have a total of over 1,000 acres of conservation land with trails. It's their people who made all this happen, she confirmed.

<p><u>Presentations</u></p>	<p><u>Presentations</u> None.</p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor Nash reviewed the items on the consent agenda, offering to remove any item for separate discussion upon request.</p> <p>There being no removals, <b>Councilor LaBarge moved to approve the consent agenda as presented. Councilor Jarrett seconded. The motion carried 9:0 by roll call vote.</b></p> <p>The following items were approved as part of the consent agenda:</p> <ul style="list-style-type: none"> <li>A. Minutes of March 16, 2023 and March 30, 2023</li> <li>B. <u>23.276 Appointment to the Arts Council, positive recommendation, City Services - 4/3/2023</u> <u>Arts Council</u></li> </ul> <p>Ronald Smith, 14 Emily Lane, Northampton</p> <p>Term: February 2023-June 2026</p> <p><i>To fill a vacancy</i></p> <ul style="list-style-type: none"> <li>C. <u>23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair – 2nd reading</u></li> <li>D. <u>23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study – 2nd reading</u></li> </ul>

**E. 23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems – 2nd reading**

**F. 23.292 Applications for Renewal of Secondhand Dealer License**

Applications for Renewal of Secondhand Dealer Licenses:

Antiques Corner, 81 Loudville Road

Applicant: Louis M. Farrick

Cancer Connection Thrift Shop, 375 South Street

Applicant: Christine Quinn

Cumberland Rare Books, 9 1/2 Market Street

Applicant: Hosea Baskin

Electric Eye Records, 52 Main Street, #6

Applicant: Andrew Crespo

The Family Jewels, 56 Green Street

Applicant: Richard J. Stone

Le Bonton, LLC, 150 Main Street, Suite 292

Applicant: Cigdem Turkomer

Roz's Place, 6 Bridge Street

Applicant: Timothy Saldo

The Vintage Cellar, 11 Bridge Street

Applicant: Daniel Egan

**G. 23.293 Applications for Two (2) Taxicab Licenses, Charles Bandoh Ackeifi - Hampton Taxi Service LLC**

Renewal Licenses for Taxicabs for the following vehicles:

- 2009 Chrysler Town & Country - Silver

- 2010 Chrysler Town & Country - Silver

**H. 23.294 Application for Business Owner's Permit - Charles Bandoh Ackeifi, Hampton Taxi Service LLC**

Renewal License for:

Charles Bandoh Ackeifi, Hampton Taxi Service, LLC

Business Address: 19 Maple Street, Easthampton, MA 01027

**I. 23.295 Appointments to Various Committees, for referral to City Services Energy & Sustainability Commission**

**Angela Gregory**, 595 Haydenville Road, Leeds

Term: May 2023-June 2026

*To fill a vacancy*

**Eric Winkler**, 105 Pine Street, Florence

Term: May 2023-June 2026

*To fill a vacancy*

**Urban Forestry Commission**

**Richard Parrish**, 138 South Street, Northampton

Term: May 2023-June 2026

*To fill a vacancy*

**Zoning Board of Appeals**

**Sherry Taylor**, 25 Edwards Square, Northampton (Associate Member)

Term: May 2023-June 2026

*To fill a vacancy*

J. 23.296 Petitions for Pool Table Licenses - Packard's

Renewal Licenses for:

Packards, 14 Masonic Street  
Weekday and Sunday Pool Table Licenses  
Applicant: Robert E. McGovern

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

Financial Orders (on 1<sup>st</sup> reading)

23.290 An Order to Reprogram Funds for NHS Heating System Repair - 1st reading

Financial Orders (on 1<sup>st</sup> reading)

23.290 An Order to Reprogram Funds for NHS Heating System Repair - 1st reading

Director Nardi paraphrased an email sent to council prior to the meeting explaining that the 'glycol line' referred to in the order is the heating and cooling line in the building. Glycol is an additive used as an anti-freeze primarily to avoid frozen pipes.

There was an unexpected break in the line and Supervisor Kusnierz is asking for \$10,000 to be transferred from another line item. The repair has been made.

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

See minutes of May 4, 2023 for final reading.

23.291 An Order Authorizing Taking Parcel N to Expand the Connecticut River Greenway - 1st reading - WITHDRAWN

23.291 An Order Authorizing Taking Parcel N to Expand the Connecticut River Greenway - 1st reading

Councilor Nash read an email from Office of Planning and Sustainability Director Carolyn Misch requesting withdrawal. Mr. Skibiski has signed an option with the City for the purchase of this and other land along the Connecticut River and the city is happy to pursue the purchase on a willing buyer/willing seller basis, she explained.

No action will be taken, Councilor Nash advised.

23.297 An Order to Reprogram Funds for City Wide Elevator Upgrades - 1st reading

23.297 An Order to Reprogram Funds for City Wide Elevator Upgrades - 1st reading

As they may remember, a total request of \$160,000 was included in the Capital Improvement Program (CIP) over two years to install SF90 stop switches in 10 city elevators to bring them up to code, Director Nardi reminded. Four of the 10 just need the stop switches themselves. The other six are older and need communication components to allow the new stop switches to work. The original thought was to split the work up over two years but, in speaking to the vendor, they learned that many municipalities are in the same boat, so they would like to order them now instead. A more recent quote has brought the price down to \$135,885. Since they would like to have them done by January of 2024, Central Services Director Pat McCarthy is asking for \$55,885 to be added this year so he can do all 10 elevators as soon as possible.

Councilor Elkins moved to suspend rules to allow approval without consideration at a second meeting. Councilor Moulton seconded. The motion passed unanimously 9:0 by voice vote.

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

The following order passed final reading:

**City of Northampton**  
MASSACHUSETTS

*In City Council* April 13, 2023

Upon recommendation of Mayor Sciarra

**23.297 An Order to Reprogram Funds for City Wide Elevator Upgrades**

*Whereas*, the City Council adopted the Capital Improvement Program (CIP) plan for FY2024 – FY2028 on March 30, 2023; and

*Whereas*, City Council appropriated \$80,000 to do elevator upgrades to bring them into compliance as part of the FY2024 projects in the CIP plan, and

*Whereas*, additional elevator upgrades were identified for FY2025; and

*Whereas*, the City would like to do more upgrade work with TK Elevator prior to the end of their FY2023 contract with the City, which expires on June 30, 2023.

*Now, Therefore be it Ordered, that*

\$16,414.64 from the Fire Dept. Headquarters Parking Lot project (19303 586915) and \$27,292.23 from the Central Service Recreation 7 Safety Village Replacement (19303 586231) and \$12,178.13 from the Round House Parking Lot Parking project (19303 586802) for a total of \$55,885 be transferred to the City Wide Elevator upgrades account (19303 – 585705).

**Rules suspended, passed final reading and enrolled.**

**23.298 An Order to Reprogram Funds for Ryan Road School Renovations - 1st reading**

**23.298 An Order to Reprogram Funds for Ryan Road School Renovations - 1st reading**  
Supervisor of Maintenance Kuznierz is asking to reprogram these funds, Director Nardi said. When the funds were first voted back in 2018, there was some discussion and thoughts of not only refreshing the bathrooms and making changes to them but also making changes to the nurse's suite. The decision was made not to do that work. The current principal is now requesting not only refreshing the bathrooms but making some changes and renovations to the main office and general maintenance. He would like a little more flexibility in the use of the funds.

If she remembers correctly, the original order was for the restrooms to be made accessible because there was a student who could not be accommodated, Councilor Foster noted. She would love an update as to whether the student is now able to be accommodated.

At the time the student was in attendance, a little more than ADA compliance was required and the student was able to be accommodated, Director Nardi confirmed. The mayor was also concerned about that so she did check in with the school. That student has since left the school.

She had talked to the superintendent and principal and also spoke to teachers and an assistant in the hall and they actually brought her into the bathroom, Councilor LaBarge related. There were three young children in wheelchairs there and one child had to be put on a lift to be placed on the toilet. The plan at the time was to expand the bathroom into the nurse's station. The previous Mayor said there was a hold on the project because of the cost associated with it. She asked what was being done with the nurse's station.

The only thing she was told is that they are not making changes to the nurse's suite as originally planned back in 2018, Director Nardi said.



Councilor Foster said she doesn't personally feel this needs to go to Finance because it can be removed from the consent agenda for further discussion, but she asked if it would be possible to get more information on the history.

Director Nardi said she would get more information.

**Councilor Jarrett moved to refer the order to the consent agenda. Councilor Moulton seconded. The motion passed unanimously 9:0 by voice vote.**

See minutes of May 4, 2023 for final reading.

Financial Orders  
(on 2nd reading)  
23.289 An Order to  
Establish Water  
and Sewer Rates  
for FY2024 – 2nd  
reading

Financial Orders (on 2nd reading)

23.289 An Order to Establish Water and Sewer Rates for FY2024 – 2nd reading

DPW Director LaScaleia gave two presentations explaining the reasoning behind the proposed rate increase and the order was the subject of a public hearing and received a positive recommendation from the Finance Committee, Councilor Nash reported. He opened the floor to discussion.

Councilor Maiore said she had received a couple of questions from constituents. One resident asked why the cost doesn't go down with the departure of Coca-Cola and end of its usage.

They have a very extensive system with a water treatment plant, WWTP and miles and miles of distribution and collection pipes on the water and sewer side, Director LaScaleia explained. They are not able to decommission portions of the system; they can't take a pump station off line or shut down a portion of the treatment plant. They will absolutely be flowing less water out of the water treatment plant and treating less water at the WWTP and they do expect limited savings but it remains to be seen what those savings are. She anticipates they will have a savings in things like treatment costs and electricity, but they have to remember that prices are rising a lot faster than their ability to keep up with them.

There will be some level of limited operational savings which will become clearer as time goes by, she concluded.

The other theme was why they can't delay or stagger pending capital projects, Councilor Maiore said.

Director LaScaleia asked for slides from her Powerpoint presentation to be displayed. As mentioned, the system is inspected and regulated by the state Department of Environmental Protection (DEP), she reminded. Every three years, the DEP conducts what's called a sanitary survey or onsite inspection for the purpose of evaluating the system's ability to produce and distribute safe drinking water. Once the survey is done, DEP issues a report and compliance plan. The last survey was in the summer of 2021 and the report included specific recommendations the city is obligated to follow. Among other things, the city is required to follow all requirements of the Office of Dam Safety as they relate to reservoirs and dams. Their dams have known deficiencies which they have been working with the dam safety office to correct.

As far as the Main Street water main reconstruction, it is not possible to reconstruct Main Street on top of the old water mains as it would cause them to fail, she reiterated.

DEP also requires the city to update its water asset management plan. One of the deficiencies flagged was the condition of the main transmission line, which actually runs through a swamp. Its recommended replacement happens to coincide with a TIP project on Mountain Street in Williamsburg, so coordinating with that project will avoid the need to dig up that road twice.

These examples of projects in the works are ones required by the city's regulators. Deferring them is not something the city can reasonably do because they are requirements in order to continue to provide safe drinking water. On the water side, they are stuck with large expenses but they are necessary expenses, she stressed.

On the sewer side, as shown on pg. 16, they are looking at Phase 2 of the WWTP upgrade, Director LaScaleia continued. They were actually under a consent order from DEP to complete Phase 1 due to deferred maintenance. Projects for the sewer enterprise are in various stages

of development and, again, all are things that their regulators take an interest in. Deferral of them does not make them go away but creates a scenario where they could have failure in the meantime. And, costs are always rising.

Councilor Maiore thanked her for her invaluable slide presentation because it has been invaluable in answering emails.

Coke is leaving them in December but the budget makes up for an entire year's worth of revenue as if they were leaving them in July, Councilor Jarrett pointed out.

When they submit a budget to the Department of Revenue (DOR) July 1<sup>st</sup>, they have to prove revenue for the entire year, Director LaScaleia explained. They have to show the amount of revenue they reasonably expect to bring in and that it covers expenses. Coca-Cola has given them conflicting information about its schedule; its departure was originally last December, then it was later than December with a taper.

They can't put the enterprises in a position where something may or may not happen. They are dealing with very variable revenue and usage from Coca-Cola now and the company is under no obligation to stay. If they guess wrong or it doesn't have the expected level of consumption, the budget will be in deficit and they will have to make an immediate transfer from stabilization to stabilize the enterprise and balance the budget. That is not a risk she would recommend the city take. It puts them in a situation of potentially being unable to cover their expenses.

Councilor Jarrett asked why they didn't anticipate this by building up reserves over a long period of time. They are asking residents to pay a considerable amount more and that's a concern.

Coca-Cola did put them on notice of its departure some months ago, Director LaScaleia acknowledged. Over that time, they have continued to manage the enterprises and maintain level-funded budgets with no rate increase. Despite level-funded budgets each year, they have built their reserves to the maximum extent possible. The reserves are going to be needed to pay for debt service coming to them from various projects since they are not able to account for rising costs or additional expenses within the existing budgets. In particular, reserves are going to be needed to offset the significant debt service associated with Phase I of the WWTP upgrade which will hit the budget in 2025.

He asked if they anticipate lowering these base costs if they were to get a large water user in the future to replace Coca-Cola.

If they were to get a large user, the best-case scenario would be getting back to where they have healthy revenue to support the enterprise, Director LaScaleia suggested. At that time, a reassessment could be made. They reassess utility rates every year, she noted. If they had stability and a large user a la Coca-Cola, she thinks they could revisit the conversation.

Councilor LaBarge referred to an email sent to the council by Tom Riddell, a professor at Smith College. She quoted Mr. Riddell's email as saying that the total annual increased cost for typical residential users with 5/8" meters is \$244 and that, when compared to the total charge, it amounts to a 28.6% increase (\$244 divided by the FY2023 total cost of \$854). In the current economic situation, even that is an unexpectedly large increase, according to Mr. Riddell. "But if you calculate the change in the base charge, it is an even larger and astounding 400% increase," he claimed. (The \$32.16 increase in the quarterly water base charge plus the \$28.85 increase in the quarterly sewer base charge = \$61.01 divided by the \$15.29 current charge.)

She read the remaining two paragraphs verbatim. (See Email from Tom Riddell re: Proposed Water and Sewer Rates for 2024.)

There has been some conversation about math and percentages, Director LaScaleia observed. They need to be careful about how they're talking about these numbers in order to accurately represent what they're talking about, she cautioned.

She asked Director Nardi to share slide 22.

She reviewed the two components to water and sewer rates: a quarterly base charge based on meter size and a usage charge. The quarterly base charge is the only thing that's changing. The only difference in proposed water rates is going to be the difference in numbers for the quarterly base charge; the usage rate stays the same, she stressed.

For sewer, what's changing is the addition of quarterly base charges; usage charges are staying exactly the same. Mathematically, they want to make sure they are putting the right information out there. She showed the slide "Annual User Cost Impacts," noting that while percentages can seem high, they need to talk about the actual dollar amount. The actual increase is \$20.25 per month.

The city is losing significant revenue and they have to look at the best way to amortize this loss across the connections in the city in the fairest and least impactful way possible, she advised.

She would never say it is not burdensome or cannot be disruptive but they have built this model to help stabilize the enterprises. She reiterated that income exemption discounts are available for folks who qualify. Principal Assessor Marc Dautreuil and Director Nardi will be holding a presentation on abatements for seniors in May which will be publicized.

She appreciates Tom Riddell's email but thinks what is most helpful is to talk about the dollar impact to the average residential user. She thinks talking about percentages can be misleading.

She has people so upset about this increase, Councilor LaBarge reported. "Right now, people are outraged." Some may be \$500 over and cannot get an exemption. She is getting calls from people all over the city. She has met with people and brought information about the exemptions with her. "You're gonna hear it, that many people want to move out of here."

She feels bad for people because this is a big increase. She wishes they could help people that are over that threshold and they cannot.

Councilor Foster said she hears her. People are being squeezed. She thanked the director for her presentations. She has heard from people who originally were deeply concerned or not understanding. She has shared the link to the presentation and people who watched it said they understand and it hurts but they get it. She appreciates all of the thought and work that has gone into not only making up for the loss of Coca-Cola but making it something where as many people as possible will qualify for exemptions. She also appreciates that they will be putting on a presentation for people about exemptions.

"The hard truth is that we have to pay for our services," she stated. She recognizes the difficult position that the DPW, the city and residents themselves are in. She does intend to vote for the proposed water and sewer rates, she shared.

There is no question there is severe stick shock with this; they've all heard it, Councilor Moulton commented. It has to be put in the context that for the last three years there has been no increase and for four out of six years there have been no increases. It does not diminish the fact that for quarterly base charges, the quarterly bill will be going up 400%. That is an accurate percentage. "It's unfortunate."

Once they understand the initial operational savings he asked if that would be factored into recommendations for future rate increases.

Director LaScaleia stressed that it will take some time to assess operations and determine what the impact is. It will absolutely be reflected in her remarks moving forward, she assured.

One of her residents asked if it might make sense to cut the meter increase in half and raise the usage rate slightly so people who are struggling could save a little by conserving water, Councilor LaBarge said. The resident was sure there would be overuse by a few to make up for any decrease in volume.

Director LaScaleia reiterated that they looked at a lot of different scenarios for how to make up the lost revenue. If they were to alter usage rates, it could create a disincentive to use. Creating a disincentive to use is not what they are going for; they are trying to stabilize the enterprise.

What could potentially happen is that they would not achieve their usage target so they would not raise the revenue required to run the enterprise. They are trying to achieve immediate stabilization of the enterprise without the possibility of a deficit. "If we're wrong; the budget does not balance, and that's a problem," she pointed out.

Discussion continued. Director LaScaleia confirmed that replacing the transmission line on Mountain Street while the TIP project is in process will result in a savings to the city since it will be spared the expense of digging up and repaving the road.

In talking to residents, there is a perception that the city is making money off them, Councilor Nash volunteered. However, it is the city's water system. "This is a collective operation and we're all in this together," he pointed out. He acknowledged the increase presents a hardship. "We've benefitted from having Coca-Cola here for all of these years paying a good rate for our really good water," he observed.

It does feel a bit like they're left holding the bag. It doesn't feel great; but it's their bag. He appreciates the idea of raising the lost revenue through the meter fee because exemptions and abatements are available. He understands they don't work for everybody but if they did this through usage rates, none of this would be available. Another thing he appreciates about doing it through the meter rates is that it is 100% predictable. They can tell people exactly what their increase will be.

As he said in Finance, he thinks this is something they need to do. It is one of those votes hard for them as councilors but it is a well thought-out approach to a tough situation. He will be supporting this.

Councilor Moulton commended the mayor's office for pursuing the low-income household water assistance program administered through Community Action Pioneer Valley after councilors raised concern about the impact of the increase on renters. It seems to be a promising avenue of relief.

**Councilor Elkins moved to approve the order. Councilor Foster seconded.**

Councilor Jarrett said he appreciated all the presentations. He is certainly uncomfortable with how it charges people more without an incentive to reduce, with the general increasing burden, with how exemptions are tied to the CPA and with how the city accommodated Coca-Cola for its expansions but now has to deal with the repercussions. It is all very difficult but he sees the necessity of it and that it's the best way forward with what they've got, so he'll be voting for it.

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

**The following order passed final reading:**

23.289 An Order to Establish Water and Sewer Rates for FY2024 – 2nd reading

**City of Northampton**  
MASSACHUSETTS

*In City Council, March 30, 2023*

Upon recommendation of Mayor Sciarra

**23.289 AN ORDER TO ESTABLISH WATER AND SEWER RATES FOR FY2024**

**Ordered, that:**

Effective July 1, 2023, the per 100 cubic foot (CCF) rates for water and sewer and the quarterly base rate charges for Fiscal Year 2024 will be as follows:

**WATER**

Customers with 1” meter or smaller:

Tier 1 consumption: 0 – 16 CCF \$4.51 per CCF

Tier 2 consumption: >16 CCF \$6.09 per CCF

Customers with meter larger than 1”

All consumption \$5.99 per CCF

Quarterly Base Rate Charges:

Quarterly Base Rate Charge FY24		
Water		
Meter Size	FY23	FY24
5/8 Inch	\$ 15.29	\$ 47.45
3/4 Inch	\$ 22.95	\$ 71.25
1 Inch	\$ 38.23	\$ 118.65
1.25 Inch	\$ 57.34	\$ 177.95
1.5 Inch	\$ 76.44	\$ 237.25
2 Inch	\$ 122.30	\$ 379.55
2.5Inch	\$ 175.81	\$ 545.60
3 Inch	\$ 229.31	\$ 711.65
4 Inch	\$ 382.18	\$ 1,186.05
6 Inch	\$ 764.35	\$ 2,372.05
8 Inch	\$ 1,222.95	\$ 3,795.25

**SEWER**

Non-metered

\$7.86 per CCF based on 80% of metered water consumption

Metered

\$7.86 per CCF

Quarterly Base Charges:

Quarterly Base Rate Charge FY24		
Sewer		
Meter Size	FY23	FY24
5/8 Inch	0.00	28.85
3/4 Inch	0.00	36.06
1 Inch	0.00	50.49
1.25 Inch	0.00	86.55
1.5 Inch	0.00	86.55
2 Inch	0.00	129.83
2.5Inch	0.00	230.80
3 Inch	0.00	230.80
4 Inch	0.00	375.05
6 Inch	0.00	735.68
8 Inch	0.00	1,168.43

Passed final reading and enrolled.

Recess

Recess

The City Council recessed briefly. The council reconvened at 9:17 p.m.

**Ordinances**  
**23.278 Ordinance to Reclassify Parking Meter Zones on Elm Street – 2<sup>nd</sup> reading**

*Councilor Nash proposed moving Items #12 A and B up on the agenda and taking them out of order.*

**Ordinances**

**23.278 An Ordinance to Reclassify Parking Meter Zones on Elm Street – 2<sup>nd</sup> reading**

The ordinance proposes changing the parking class for certain groups of meters on Elm Street, Councilor Nash explained.

These changes are tweaks to the parking class codes inadvertently left out of the package of system-wide changes to the parking regulations approved in January and recently implemented, OPS Director Misch explained.

Councilor Nash asked if the Transportation and Parking Commission had weighed in on this.

They didn't weigh in on these specific adjustments but reviewed the package of comprehensive changes, Director Misch advised.

Councilor Foster said she almost views this as a scrivener's error. As a TPC member, she doesn't see the need to review it.

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

**The following ordinance passed final reading:**

*In the Year Two Thousand and Twenty-Three*

*Upon the recommendation of Mayor Gina-Louise Sciarra*

**23.278 An Ordinance to Reclassify Parking Meter Zones on Elm Street**

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

*An ordinance of the City of Northampton, Massachusetts providing that the Code of Ordinances, City of Northampton, Massachusetts be amended by amending section 312-109 Meter Zones to reclassify sections on Elm Street consistent with changes made previously to surrounding streets.*

*Amend §312-109 as shown:*

**§312-109 Schedule VIII: On-Street Parking Meter Zones**

Location	Side	From	To	Time Limit/Class
Elm Street	Northeast and North	A point 185 feet northwesterly of State Street	Round Hill Road (unless otherwise specified)	10 hours/Class 3C-3D and Class 4C-4A
Elm Street	Southwest and South	West Street	College Lane (unless otherwise specified)	10 hours/Class 3C-3D and Class 4C-4A

**Passed final reading, ordained and enrolled.**

**23.279 An Ordinance to Clarify Parking Garage Time Limits – 2<sup>nd</sup> reading**

The change is to properly name the E. John Gare parking garage and add the Gothic Street garage, Councilor Nash advised.

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

**The following ordinance passed final reading:**

23.279 Ordinance to Clarify Parking Garage Time Limits – 2<sup>nd</sup> reading

*In the Year Two Thousand and Twenty-Three*  
Upon the recommendation of Mayor Gina-Louise Sciarra

**23.279 An Ordinance to Clarify Parking Garage Time Limits**

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

An ordinance of the City of Northampton, Massachusetts providing that the Code of Ordinances, City of Northampton, Massachusetts be amended by amending section 312-36 A clarification about parking garage fees.

§312-36 A The above shall not apply to the Downtown ~~Parking~~ E. John Gare Parking Garage and the Gothic Street Parking Garage. Parking in the E. John Gare ~~said facility~~ Garage shall be allowed for 24 hours per day seven days per week based on a fee and time limit to be found in ~~Schedule E(1) below of this chapter.~~ **Parking in the Gothic Street Garage shall be allowed based on the fee and time limits to be found below.**

Passed final reading, ordained and enrolled.

Zoning Ordinances  
23.247 Ordinance to Clarify Reduced Lot Line Uses Allowed by Right - 2<sup>nd</sup> reading

Zoning Ordinances  
23.247 An Ordinance to Clarify Reduced Lot Line Uses Allowed by Right - 2<sup>nd</sup> reading

Some questions were raised in Legislative Matters so she thought it would be helpful to run through some slides, Director Misch said. She screen-shared a Powerpoint presentation. The change only affects Urban Residential B (URB) and Urban Residential C (URC) districts.

This is a change in definition or allowances within the allowed by right section of the tables of use, she presented. Right now reduced lot line (RLL) is allowed for a single-family home and this proposal is to allow it for a single-family or a two-family as long as the units are under the same roof structure. It meets the goals of the Sustainable Northampton Plan to create housing options and flexibility. It is not about creating new units; it is a reversion to what was previously allowed. The effect of the change is not to increase the total number of units because a property owner could still add units to a property within the context of a larger lot without creating a new lot. It is just about allowing property owners to create a dividing line to create separation of ownership of the units and allowing flexibility for the placement of structures on a parcel. It reinstates what was previously allowed through the accessible dwelling unit (ADU) provision since a home with an ADU was still considered a single-family home.

Back in 2021, the city made a lot of changes to encourage housing production, including allowing two-families by right. There was a package of zoning related to residential housing and another package to change zero lot line (ZLL) to reduced lot line (RLL) to address concerns being raised in neighborhood discussions about dimensions between structures. The impetus for that was to create minimum standards for separation between houses.

With the introduction of two-family by right zoning, the definition of an ADU which was previously defined as being part of a single-family home was merged with the definition of a two-family, modifying the concept of what was meant by two units. What was previously considered a single-family home with an ADU was placed in the bucket of 'two families.' When ZLL was changed to RLL, this type of two-family was left out of uses allowed by right.

They are back here today to effectively revert to what was previously allowed. Some concerns were raised at LM about the ratio of larger structures relative to lot width since the minimum lot width in these districts is 50 feet. She thought it would be instructive to consider the existing context in some neighborhoods. There are no restrictions on the width of single-family homes, she pointed out. She showed examples of 27- and 30-foot wide houses on 51' lots showing that it is not inconsistent with many neighborhoods in the URB and URC districts. Also, the median size of units in two-family structures are smaller than the median size of single-family homes, so two-families use less land per unit and also create less impervious surface and use less energy. Creating opportunities for two families accomplishes other goals of the Sustainable Northampton Plan as well.

The question was raised of how many ANR's have been created for the purpose of allowing RLL. There have been nine throughout the city. The change is about creating flexibility in lots and not necessarily new units, she reiterated.

In the discussion that followed, a few councilors responded not only to the proposed change but to the assertion of several residents throughout the process that they felt they were not being heard.

When asked for an explanation by Councilor LaBarge, Director Misch said that whenever the city makes changes, some people are happy and some people are not. They try to build consensus to the extent they can. Since adoption of the updated Sustainable Northampton Plan in 2010, the plan has received a lot of input and public comment. The city has also done a lot of studies on housing needs and barriers to housing development and it all has led to the creation of implementation mechanisms to try to address the deficits in housing and implement other plan policies. Zoning is one tool to address the policies identified, such as the need to provide housing for people at all income levels. They need to create housing and in order to do that they need to adjust zoning to match the policies adopted by the City Council and various committees. It is typical that even though people participate in conversations about policy and regulations to match the policy, it is hard to envision what that will look like on the ground in a real project and it obviously creates change in a neighborhood. That can be unsettling and can create concerns about individual projects, even though they might meet the overall goals of the plan, she suggested.

Councilor Elkins acknowledged expressing some frustration with folks feeling like they're not being heard. She did not mean to insult anybody and doesn't recall berating anyone. What she meant is that she fully supports the policies of the Sustainable Northampton Plan and thinks it's been the product of a very robust community conversation. She recited the history of adoption and amendment of various components of the plan and the plan itself, citing the wide range of organizations involved in its consideration and approval, including the City Council, Historical Commission, Conservation Commission, Transportation and Parking Commission and Youth Commission. She also named many of the 41 community participants recognized in the plan's acknowledgement including the Broad Brook Coalition, Friends of Northampton Trails, Grow Food Northampton, the Greater Northampton Chamber of Commerce, PVPC, Mothers Out Front, Climate Action Now and the Cooley Dickinson Hospital.

"That is a remarkably collaborative community effort over the course of a decade," she stated. What she was trying to express Monday is that she supports this policy and supports the process that got them here and agrees with the zoning changes they have enacted. She would vote again for the two family by night provision. "We have to implement this work that was done by so many people," she proposed.

"We are listening and there's not always agreement," she suggested. She supports this ordinance and thinks it continues to effectuate their goals. She will vote 'yes,' she confirmed.

Councilor Nash expressed his understanding that the reduced lot line (RLL) provision is already in place so what they are doing tonight is merely bringing it into alignment with the two-family by right ordinance recently approved. When the RLL amendment moved forward, it lost the ability to apply to single-family homes with an ADU since they are now considered two-families. He hears that some folks would like to see the entire zoning package taken away and that's what they are hoping for. As Director Misch knows, probably no one pushed back against some zoning that went through more than him as part of the Ward 3 Neighborhood Association and protections were put in place as a result of that advocacy.

He doesn't think there is the will in the room to throw the whole package out. If folks really feel that way, it's something that needs to be brought to the voters. Throwing the whole system out would be a mandate. If people want to do that, there is an election coming up in the fall so they can see if there is a mandate for it.

Councilor Maiore commented on the fact that there is unanimous agreement on the goal of sustainability and this appears to be a disconnect. Councilor Elkins spoke about sustainability and people who spoke in opposition in public comment talked about sustainability too. "We have this common base of these goals." The question is whether this is supporting those goals or taking away from them.



A wide-ranging discussion followed. Among other things, Director Misch elaborated on the planning department's strategies for creating more housing. What they're trying to do is not create new barriers. The bottom line is they want to make sure they are thinking creatively about different ways to allow opportunities for people to find homes.

Also, from a regulatory perspective, they need to be blind to who's doing what. Developers are the ones who are building housing for people in Northampton. "We definitely don't differentiate between residents and nonresidents when it comes to allowing development;" it has to be across the board.

One idea in the Sustainable Northampton Plan is to create incentives in the Site Plan Approval process for negotiations between neighbors and developers for projects in residential neighborhoods, Councilor Foster pointed out. She asked about the possibility of incorporating incentives for this type of negotiation.

There is never unanimity when a project finally comes forward for approval, Director Misch stated. She shared her perspective that zoning regulations adopted by the council should set the guardrails for what is allowed so residents and applicants know going in what the rules are. Zoning are pre-established requirements that are 'off the table,' so to speak, but there are lots of other areas where negotiations could lead to refinements that could make the project more acceptable to neighbors, she suggested. The process could be more formalized than it is now where the city just strongly encourages applicants to speak to the neighborhood. Maybe if an applicant agrees to have one or two meetings before a public hearing, there could be some relief in terms of the timing of the project or fees.

Councilor Foster said she would be interested to see what could be formalized or incorporated. She thinks it helps give the neighborhood some ownership and buy in.

Councilor Moulton said it has been a very instructive conversation. He thanked Director Misch for following up on the questions raised Monday night and thanked councilors for addressing what he believes was correctly referred to as a 'disconnect' in their understanding of objectives.

The median size for a two-family unit is 1,200 square feet and what they are considering tonight is reversion to what was formerly allowed, i.e., that a single-family homeowner can add a second family unit of up to 2,000 square feet by right. Anything over 2,000 s.f. still goes back to the Planning Board for review. That is a very narrow change in his mind. It does allow more flexibility and more economic accessibility and allows property owners to take equity out of the value of their land. To him, it meets many of the energy goals found in the Sustainable Northampton Plan. He doesn't see this as opening a Pandora's box; he sees it as a positive reversion to what has been the practice in Northampton, and he supports it.

Councilor Jarrett related his experience of being able to buy in Northampton because he bought a two-family with friends. Zoning only influences so much. Nothing that gets built on the open market today is going to be affordable for people in the 80% area median income (AMI) range and even the 80 to 120% AMI. They need a subsidy not only for the 80% or less but for the middle. They also need enough supply to allow the demand for older housing to fall. They need housing at all income levels to increase the supply.

People who have single-family lots that were created with RLL will now be able to add a 2<sup>nd</sup> unit to their home, he added. Director Misch did send councilors a map of the lots created with RLL and he said he would be happy to send it to any residents.

Councilor Perry said he is heartened to see that the city is trying to think creatively and is willing to use any tool at its disposal to provide additional opportunities to create housing. If anyone wants to study up some more, he encouraged them to go back and look at some of the recent Community Resources Committee meetings.

**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

**23.247 AN ORDINANCE TO CLARIFY REDUCED LOT LINE USES ALLOWED BY RIGHT**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to allow specific two-family homes to be allowed with reduced lot line to restore what was previously allowed as single family with accessory dwellings.

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

Amend 350 Attachment 7, 8 for URB and URC tables with additions and strikethroughs as follows, with *no other changes to those attachments*:

Uses Allowed By Right:

- Reduced lot line single or two-family, so long as the two units are under a single roof structure; see § 350-6.13.

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**Passed final reading, ordained and enrolled.**

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**Ordinances (Not Yet Referred)**

**Ordinances (Not Yet Referred)**

**17.240 Order to Lower Default Speed Limit to 25 mph**

The order's prefix is 17 instead of 23 because he and former Council President Ryan O'Donnell first introduced it in 2017, Councilor Nash explained. At the time, it was referred to both LM and the TPC. LM eventually acted on it and returned it with a neutral recommendation but TPC tabled it and the next meeting was snowed out. (He was TPC chair at the time.)

Sponsors read the order into the record.

They have added amendments and would like to re-refer it to both LM and the TPC, Councilor Nash advised.

**Councilor Moulton moved to refer the order to Legislative Matters and the TPC. Councilor Jarrett seconded. The motion passed unanimously 9:0 by voice vote.**

**Financial Orders (on 2nd reading)**

**Financial Orders (on 2nd reading)**

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

**23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair – 2nd reading**

23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair – 2nd reading

**City of Northampton**  
MASSACHUSETTS

*In City Council* March 30, 2023

Upon recommendation of Mayor Sciarra

**23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair**

*Ordered, that*

\$4,773 from the Ryan Road Library A/C Account (19303 586217) be reprogrammed for the purpose of paying the costs to fix the failed fire alarm panel at Ryan Road school.

Passed final reading and enrolled

23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study – 2nd reading

23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study – 2nd reading

**City of Northampton**  
MASSACHUSETTS

*In City Council* March 30, 2023

Upon recommendation of Mayor Sciarra

**23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study**

WHEREAS, the Route 9 and Route 66 corridors in the vicinity of the Smith College Campus are heavily traveled by vehicles, bicyclists and pedestrians; and

WHEREAS, roadway safety is a high priority for both the City and Smith College; and

WHEREAS, Smith College wishes to fund a corridor safety study which will consider pedestrian improvements to crossings along Route 9 and Route 66 from the intersection of Paradise Road and Rt. 9 to the Smith College Athletic Fields on Route 66.

*Now Therefore Be It Ordered,*

the City Council gratefully accepts the \$66,800 gift from Smith College and in accordance with Massachusetts General Law 44, Section 53A approves using the funds to support the safety study of the roadways in the vicinity of the Smith College Campus.

Passed final reading and enrolled.

23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems – 2nd reading

23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems – 2nd reading

**City of Northampton**

MASSACHUSETTS

In City Council

March 30, 2023

Upon recommendation of Mayor Sciarra

**23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems**

Whereas, in 2023 Mayor Sciarra, with approval of the City Council, created a Climate Change Mitigation Stabilization Fund; and

Whereas, this Fund is for the purpose of allocating expenditures relative to the city's operations and capital needs to mitigate the impacts of climate change and to support the city's net carbon neutral goals; and

Whereas, the city has adopted a goal to become net carbon neutral for energy in its municipal buildings and services by 2030; and

Whereas, in 2021 the city conducted a Capital Improvement Planning Study to Upgrade Seven Municipal Buildings to Net-Zero Energy Use and this study recommended ground source heat pump systems for municipal buildings; and

Whereas, Forbes Library has heating ventilation and air conditioning systems that are at the end of their functional and operational life cycles; and

Whereas, the city is in negotiation to purchase 298 Main Street for the Resilience Hub and is also exploring the possibility of alternative heating and cooling for this building in conjunction with Forbes Library.

**Now, Therefore be it Ordered, that**

the sum of up to \$30,000 be allocated from the Climate Change Mitigation Stabilization Fund to pay for a feasibility study to evaluate geothermal district heating and cooling systems for the downtown municipal campus, 298 Main Street, and Forbes Library.

Passed final reading and enrolled.

New Business

New Business

None.

Adjourn

Adjourn

Councilor Elkins moved to adjourn. Councilor LaBarge seconded. The motion passed unanimously 9:0 by voice vote. The meeting was adjourned at 10:42 p.m.

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

## EXHIBIT A

List of Documents Reviewed at April 13, 2023 Northampton City Council Meeting:

1. April 13, 2023 Agenda
2. Minutes of March 16, 2023 and March 30, 2023
3. Handouts from Downtown Daniel Evans including the Taylor/Floyd Honesty & Equitable Equity Amendment and Arbery-Brooks New Deal 2020.
4. Email from Tom Riddell to Laura Krutzler dated April 13, 2023 re: Proposed Water and Sewer Rates for 2024
5. Powerpoint presentation entitled, "Water and Sewer Rates FY2024" prepared by Donna LaScaleia, Director, Department of Public Works for March 30, 2023 City Council meeting.
6. 23.276 Appointment to the Arts Council –Ronald R. Smith Application for Appointment to the Arts Commission
7. 23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair
8. 23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study
9. 23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems
10. 23.292 Applications for Renewal of Secondhand Dealer Licenses
11. 23.293 Applications for Two (2) Taxicab Licenses, Charles Bandoh Aceifi - Hampton Taxi Service LLC
12. 23.294 Application for Business Owner's Permit - Charles Bandoh Aceifi, Hampton Taxi Service LLC
13. 23.295 Appointments to Various Committees – Memo from Mayor Gina-Louise Sciarra to City Council dated April 13, 2023 re: Appointments to Boards, Committees, and Commissions proposing the appointment of Angela Gregory and Eric Winkler to the Energy & Sustainability Commission, Richard Parrish to the Urban Forestry Commission and Sherry Taylor to the Zoning Board of Appeals, together with their applications
14. 23.296 Petitions for Pool Table Licenses - Packard's
15. 23.290 An Order to Reprogram Funds for NHS Heating System Repair
16. 23.291 An Order Authorizing Taking Parcel N to Expand the Connecticut River Greenway
17. 23.291 Order of Taking.pdf
18. 23.297 An Order to Reprogram Funds for City Wide Elevator Upgrades
19. 23.298 An Order to Reprogram Funds for Ryan Road School Renovations
20. 23.289 An Order to Establish Water and Sewer Rates for FY2024
21. 17.240 Order to Lower Default Speed Limit to 25 mph
22. 17.240 Order to Lower Default Speed Limit to 25 mph - redlined version.pdf
23. 23.278 An Ordinance to Reclassify Parking Meter Zones on Elm Street
24. 23.279 An Ordinance to Clarify Parking Garage Time Limits
25. 23.247 An Ordinance to Clarify Reduced Lot Line Uses Allowed by Right

Record of City Council Votes for April 13, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total	
Roll Call by Council Administrative Assistant Laura Krutzler @ p.m.		Present	Absent - 7:25 p.m. arrival	Present	Present	Present	Present	Present	Present	Absent - 7:45 p.m. arrival	7 Present; 2 Absent on roll	
Approval of Consent Agenda:		Yes	Yes	Yes	Second Yes	Motion to approve	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call	
Minutes of March 16, 2023 and March 30, 2023												Consent
23.276 Appointment to the Arts Council, positive recommendation, City Services - 4/3/2023												Consent
23.284 An Order to Reprogram Funds for Ryan Road Fire Alarm Panel Repair - 2nd reading												Consent
23.285 An Order to Accept Smith College Gift to Conduct School Corridor Safety Study - 2nd reading												Consent
23.287 An Order to Appropriate \$30,000 to Evaluate the Feasibility of Geothermal Heating and Cooling Systems - 2nd reading												Consent
23.292 Applications for Renewal of Secondhand Dealer Licenses												Consent
23.293 Applications for Two (2) Taxicab Licenses, Charles Bando Ackeifi - Hampton Taxi Service LLC												Consent
23.294 Application for Business Owner's Permit - Charles Bando Ackeifi, Hampton Taxi Service LLC												Consent
23.295 Appointments to Various Committees, for referral to City Services												Consent
23.296 Petitions for Pool Table Licenses - Packard's		Consent										
23.290 An Order to Reprogram Funds for NHS Heating System Repair - 1st reading		Referred to consent	Yes	Motion to refer	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
23.297 An Order to Reprogram Funds for City Wide Elevator Upgrades - 1st reading		Suspend rules	Motion to suspend	Yes	Yes	Yes	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call
		2nd reading	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion to approve	Motion carried 9:0; roll call
23.298 An Order to Reprogram Funds for Ryan Road School Renovations - 1st reading		Referred to consent	Yes	Yes	Yes	Motion to refer	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call
23.289 An Order to Establish Water and Sewer Rates for FY2024 - 2nd reading		1st reading	Motion to approve	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
17.240 Order to Lower Default Speed Limit to 25 mph		Referred to TPC & LM	Yes	Yes	Yes	Second Yes	Yes	Yes	Motion to refer	Yes	Yes	Motion carried 9:0; roll call
23.278 An Ordinance to Reclassify Parking Meter Zones on Elm Street - 2nd reading		Approved	Yes	Yes	Yes	Motion to approve	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
23.279 An Ordinance to Clarify Parking Garage Time Limits - 2nd reading		Approved	Yes	Yes	Yes	Yes	Second Yes	Yes	Motion to approve	Yes	Yes	Motion carried 9:0; roll call

Record of City Council Votes for April 13, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total
23.247 An Ordinance to Clarify Reduced Lot Line Uses Allowed by Right - 2nd reading	2nd reading	Motion to approve	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
Adjourn		Motion to ajourn	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call