



Roll Call

NORTHAMPTON
Northampton, MA

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET,

A regular meeting of the City Council was called to order by Council President Ryan R. O'Donnell. At 7:01 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

Councilor O'Donnell announced that the meeting was being audio and video recorded for broadcast by Northampton Community Television.

Public Hearings Continuation of Public Hearing (from June 6, 2018) Concerning the FY19 Budget

Public Hearings 7 p.m. Continuation of Public Hearing (from June 6, 2018) Concerning the FY19 Budget

Councilor O'Donnell introduced the continuation of a public hearing from the day before.

Councilor Dwight moved to open the public hearing. Councilor Sciarra seconded. The motion passed unanimously 9:0 by voice vote.

Yesterday, a number of department heads presented, Councilor O'Donnell reported. He asked if any members of the public wished to make a comment or ask a question. As no one did, he opened the floor to questions from councilors.

Councilor Klein asked what comprises the \$275,000 budget for legal services aside from the city solicitor.

The way the budget is structured, there is just one line item for all legal expenses, Mayor Narkewicz confirmed. The city has a contract with the city solicitor and he's paid an hourly rate based on billable hours. When he works for the Planning Board, City Council or other department, he assigns the hours to that particular department. The city has a second contract with the law firm of Sullivan, Hayes & Quinn - the city's labor attorney - for personnel matters and collective bargaining. Those are the two main components. The city also has specialized outside counsel it retains from time to time based on need; i.e. - for litigation regarding the Police Department the city retained outside counsel specializing in construction and litigation while for environmental issues, it retains environmental attorneys.

In FY 2017, the breakdown was roughly as follows: \$101,000 - Attorney Seewald, \$25,000 - Sullivan, Hayes & Quinn, \$9,558 - Draper & Moore (environmental, etc.) and Jankowski and Spencer (real estate specialists). Staff budget using multi-year averages. \$275,000 reflects estimated expenditures based on a five-year average. City officials are about to go into a year of collective bargaining as the city is in the last year of all its contracts, so the fee for Sullivan & Hayes will go up considerably. The city solicitor oversees the services and billing of outside counsel.

Councilor Bidwell said he had some questions following yesterday's hearing but he submitted them to the Mayor last night and they were all answered to his satisfaction.

With regard to the IT budget, councilors heard from IT Director Antonio Pagan about

a merger that was supposed to make things more efficient and also save the city money, Councilor Klein reminded. She saw that the budget increased despite the merger and wondered if the merger actually did save money.

The merger was mostly to create more efficiency in terms of having shared staff, Mayor Narkewicz responded. It was an attempt to try to unify people working on servers, hardware, etc. The costs are apportioned between Northampton Public Schools and the city. The city took on a little more of the cost of the merger because he thought it was important for streamlining operations and ultimately in the best interests of the city. An IT position was added. The department used to be called the Municipal Information Services Department, and it had become decentralized, with different departments doing different things such as hiring outside consultants and, at the Police Department, having a police officer do IT work. They have tried to move away from that and have the IT department manage IT so police and fire employees can do the jobs they are trained to do. Last year they hired a half-time staff person who is splitting his time between IT and the public safety systems. Administrators realized they needed one and a half people to handle the additional responsibility of managing the three specialized computer systems for police, fire and dispatch.

The idea is to have the police doing police work and civilians doing civilian work, he stressed.

Administrators also put additional money into the OM account in order to dedicate the needed resources to keep the IT system running as a result of having built out the system and upgraded servers, etc. They have also consolidated software licensing and equipment purchasing within the IT department, in some cases moving these away from other departments. The school department is benefitting greatly from the new model. In terms of delivery of services, and he thinks they are delivering much better services to both the city and schools. He referred to the new help desk system and phone system as examples.

Councilor Klein said she had a question from a constituent who is a retired school teacher. The woman asked why, when the city switched over to the Group Insurance Commission (GIC), the budget no longer allowed for particular kinds of health insurance for retired teachers.

The Human Resources Department did a number of public seminars for retirees to discuss the changes and put together an FAQ, Mayor Narkewicz related.

Northampton is a member of the GIC. The GIC went out to bid this year on all of its plans. There was a brouhaha earlier in the year when it was going to consolidate and eliminate plans and then went back and rescinded the proposal. When it adopted new contracts, there was a change for non-Medicare retirees. In the past, non-Medicare retirees had multiple HMO options. As part of the procurement process, the GIC ended up consolidating these options into one plan choice. Health New England (HNE) had been the long-time HMO provider and most employees were in HNE. GIC ended up selecting TUFTS to be its HMO provider, although it continued to offer an HNE Preferred Provider Organization (PPO) plan. People enrolled in HNE needed to transition to a PPO plan to remain subscribers, which meant a higher co-pay. If members wanted to keep an HMO they had to switch to the Tufts plan.

It caused some concern and disruption for retirees, he conceded. He had a pretty extensive call with the new executive director of the GIC, Roberta Herman, to explain the effect on Northampton retirees. The GIC announced the plans at the end of March, then open enrollment started, so there was no way any change could be made. Under the Health Insurance Reform Act, retirees in Massachusetts lobbied successfully to pass a law providing that municipalities could not change contribution levels for retirees so the city did not have the option of changing the contribution rate. The long and the short of it is that it did create a situation for some non-Medicare retirees. The city is now in the period when it has to begin the process to determine whether it is going to stay in the GIC. He told the director this could be a major factor affecting Northampton's decision.

	<p>The city has a model where, for HMO plans, it reimburses 80%, while for PPO's and indemnity plans, it reimburses 50%. The University of Massachusetts reimburses the same amount regardless of the type of plan so it was not as affected by the GIC action. City officials may look at changing the contribution levels. On the whole, going with the GIC has been a good deal for the city and its employees, he asserted. The GIC gives choices as opposed to a contract with a single provider and the city gains the additional bargaining power of every state employee and the benefit of the claims experience of a larger group of subscribers.</p> <p>After a final call for public comment, Councilor LaBarge moved to close the public hearing. Councilor Nash seconded. The motion passed unanimously 9:0 by voice vote. The public hearing was closed at 7:27 p.m.</p>
<p><u>Updates from Council President & Committee Chairs</u></p>	<p><u>Updates from Council President & Committee Chairs</u> Councilor O'Donnell made the following announcement regarding the November 16, 2017 Executive Session Minutes: The Open Meeting Law (M.G.L. Chapter 30A, Section 22) requires public bodies to regularly review minutes of Executive Session to determine if they may be disclosed. It has been determined that, because of pending litigation, continued nondisclosure of the November 16, 2017 minutes is warranted.</p>
<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u> The group 'Northampton Connects' had its first community conversation about issues involving downtown Northampton on April 3rd, and its second conversation will take place June 20th, Councilor Bidwell announced. It will be an open and facilitated conversation and all are welcome.</p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor O'Donnell reviewed the items on the consent agenda and asked if anyone wished to remove an item for separate discussion.</p> <p>Councilor LaBarge said she'd like to abstain on the appointment of Katherine Foote Newman. Councilor O'Donnell asked to remove items 18.119 and 18.120.</p> <p>Councilor Dwight moved to approve the consent agenda minus the removals. Councilor Bidwell seconded. The motion carried 9:0 by voice vote.</p> <p>The following items were approved as part of the consent agenda:</p> <ul style="list-style-type: none"> A. Minutes of April 19, 2018 B. 18.099 Appointments to Various Boards and Committees - all positive recommendations, City Services - 6/4/2018 <p>Board of Health Dr. Cynthia Suopis, 120 Coles Meadow Rd., Northampton, MA Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p>Laurent Levy, 4 School Street, Northampton, MA Term: July 2018-2021 <i>(Replacing the expired term of Donna Salloom)</i></p> <p>Conservation Commission Jack Finn, 57 King St., Suite B, Northampton, MA Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p>Historical Commission Barbara Blumenthal, 39 Chapel St., Northampton, MA Term: July 2018-June 2021</p>

(Reappointment)

Housing Partnership

James Reis, 108 Coles Meadow Rd., Northampton, MA

Term: July 2018-June 2021

(Reappointment)

Human Rights Commission

Joel Morse, 51 Vernon St., Northampton, MA

Term: July 2018-June 2021

(Reappointment)

License Commission

Brian Campedelli, 223 Cardinal Way, Florence, MA

Term: July 2018-June 2021

Reappointment)

C. 18.107 Various Appointments to Committees - all positive recommendations, City Services - 6/4/2018

Agricultural Commission

Robert Vollinger, 460 North Farms Road, Florence

Term: July 2018-June 2021

(Reappointment)

Board of Health

William Hargraves, 26 Crescent St., #G-1, Northampton

Term: July 2018-June 2021

(Reappointment)

Council on Aging

Cynthia Langley, 419 Fairway Village, Leeds

Term: July 2018- June 2021

(To replace the expired term of Jim Spencer)

Jeanne Hoose, 36 South Park Terrace, Northampton

Term: July 2018-June 2021

(To replace the expired term of Barbara Fungaroli)

Jean Petty, 63 N. Loudville Road, Florence

Term: July 2018-June 2020

(To replace the unexpired term of John J Kaczinski, Jr)

Kathleen Bredin, 7 Hampton Terrace, Northampton

Term: July 2018-June 2021

(To replace the expired term of Marlene Marrocco)

Housing Partnership

Michael Roy, 243 Park Hill Road, Florence

Term: July 2018-June 2021

(Reappointment)

Parks and Recreation Commission

Glen Connolly, 49 Platinum Circle, Florence

Term: July 2018-June 2021

(Reappointment)

Public Shade Trade Commission

Jennifer Werner, 16 Winthrop St., Northampton

Term: July 2018-June 2021

(Reappointment)

Molly Hale, 96 Oak Street. Florence,

Term: July 2018-June 2021

(Reappointment)

Planning Board

Mark Sullivan, 83 Maynard Road, Northampton

Term: July 2018-June 2021

(Reappointment)

Alan Verson, 508 Kennedy Road, Leeds

Term: July 2018-June 2021

(Reappointment)

D. 18.112 Second Hand Dealer License Applications

Petitions for Annual Licenses for Second Hand Dealers:

- Birdhouse Music, 164 Main Street, (Applicant - Sun Music, LLC, formerly Glenn Alper)

- Vintage Treasures, 121 North Main Street, Florence (Applicant - Cynthia K. Wheeler)

E. 18.121 Appointments to Various Boards - for referral to City Services

Arts Council

Esther White, 17 Summer Street, Northampton

Term: July 2018 - June 2021

(Reappointment)

Council on Aging

Michael Ford, 6 Massasoit Street, Northampton

Term: July 2018 - June 2020

(To fulfill the unexpired term of Lorraine Weimann)

Parks & Recreation Commission

Carol Bertrand, 65 Hastings Heights, Florence

Term: July 2018 - June 2021

(Reappointment)

Planning Board

George Kohout (Full Member), 234 State Street, Northampton

Term: July 2018 - June 2021

(To replace the expired term of John Lutz)

Christa Grenat (Full Member), 492 Elm Street, Northampton

Term: July 2018 - June 2019

(To replace the unexpired term of Dan Felten)

Councilor Dwight moved to appoint Katherine Foote Newman to the Trust Fund Committee. Councilor Sciarra seconded. The motion carried 8:0 with one abstention (Councilor LaBarge).

18.119 Application for Business Owner's Permit - Jeffrey D. Miller, Cosmic Cab Co.
18.120 Applications for Taxicab Licenses - 5 for Jeffrey Miller, Cosmic Cab Co.

18.119 Application for Business Owner's Permit - Jeffrey D. Miller, Cosmic Cab Co.
18.120 Applications for Taxicab Licenses - 5 for Jeffrey Miller, Cosmic Cab Co.

The City Council took up the issue of the five taxicab licenses on April 19th, Councilor O'Donnell reminded. The sticking point at the time was that Hooker Avenue was not zoned for commercial use so it was incumbent on the owner to go before the Zoning Board of Appeals (ZBA) for permission to use the property for that purpose. Mr. Miller applied to the ZBA on June 4th and requested an extension of the temporary licenses from the council yesterday (June 6th). He has learned from Senior Planner Carolyn Misch that the ZBA will hold a hearing on June 28th.

His recommendation as far as the taxicab licenses would be to grant another 60 days, although he is disappointed that the business owner did not come before the ZBA until pretty late in the game. Still, he is willing to allow the process to play out.

Councilor Dwight asked if the licenses are legally sustainable with the extensions.

There are two things before the council: the licenses for the taxicabs themselves and the Business Owner's Permit, Councilor O'Donnell explained.

The owner has never had a Business Owner's Permit before although he might have had something he believed was the functional equivalent. When the council revised the taxi ordinance April 19th, the new ordinance clearly states that the city council cannot grant a business permit to a company whose primary place of operation is not in conformance with state or local law.

Relative to the business permit, it appears that they do not have any leeway under their rules to grant the license, Councilor Dwight observed.

He recommends taking no action on the Business Owner's Permit, thereby maintaining the status quo, Councilor O'Donnell said. The status quo is that the company presently has no business license.

Councilor Dwight moved to put both items on the floor for approval for purposes of discussion. Councilor Bidwell seconded.

Councilor Murphy pointed out that Mr. Miller states his business address is 160 Main Street in the application, not Hooker Avenue.

That's true but he is going before the ZBA to ask to allow his business on Hooker Avenue, Councilor Sciarra responded.

The city itself bears some responsibility for the confusion since it has allowed this gray area to exist, Councilor Dwight suggested. A business address doesn't have to be directly correlated with where the business is, he noted, citing offshore enterprises that claim a business address in the United States as an example. They are talking about a cab company that provides a vital service to the community for which they have already made significant allowances. He shares the disappointment that the application with the ZBA wasn't filed more promptly. He is concerned about the issue of law with respect to their responsibility. If they are to accept the business address on the application, then maybe they should grant the business permit for purposes of clarity and further discussion. If it is not a functioning business, it's not possible to approve the taxicab licenses, he pointed out.

Councilor O'Donnell read from Section 316-17 Business Owner's Permit as follows: "Permits may be granted only to suitable persons, corporations or other entities who are the legally registered owners of the taxicabs and provided that all places of business for serving Northampton are established at a legal street address within the city conforming to all applicable City ordinances and state laws."

The question of whether Hooker Avenue is the principal place of business is academic since Mr. Miller has acknowledged it is one of the places of business, he concluded.

For tonight, Councilor O'Donnell suggested the solution of granting the vehicle permits for another 60 days and not acting on the Business Owner's Permit, thereby maintaining the status quo. He doesn't believe they are empowered by their own law to grant the business permit but he also doesn't think they are required to turn it down. His recommendation would be not to act tonight but to reconsider the application for the business permit at such time as is appropriate.

Councilor Murphy expressed his understanding that this would mean continuing the Business Owner's Permit to the meeting in July, after the ZBA determination.

Councilor Dwight moved to recognize Mr. Miller. Councilor LaBarge seconded. The motion passed unanimously 9:0 by voice vote.

He’s moved ahead with this business for six plus years with all necessary approvals and worked with the city every step of the way, Mr. Miller asserted. It is disconcerting for him to hear that there is a jeopardy of some sort within the licensing structure for the business permit, which was recently added to the ordinance.

Councilor O’Donnell expressed his understanding that the business permit has always been required.

He has a business certificate (a D/B/A certificate) but not a Business Owner’s Permit, Mr. Miller confirmed.

The council is not empowered to grant a Business Owner’s Permit to any company with any location out of compliance with state or local laws, Councilor O’Donnell explained. He encouraged Mr. Miller to expedite the process by clearing up the zoning issue with the 23 Hooker Avenue property. They all want to make sure his business stays open as he provides a valuable service to the community, he assured.

Councilor Murphy moved to continue the Business Owner’s Permit to the meeting in July. Councilor LaBarge seconded.

Councilor O’Donnell clarified that this is not the equivalent of granting a temporary business license for 60 days; rather councilors are simply not taking action. **The motion passed unanimously 9:0 by voice vote.**

Councilor Murphy moved to grant temporary licenses for the five taxicabs to extend through the July meeting. (Councilor Carney pointed out that the August meeting would be beyond 60 days.) Councilor Dwight seconded. The motion carried 9:0 by voice vote.

Recess for Committee on Finance Meeting

At 7:51 p.m. the City Council recessed for the Committee on Finance meeting. The Committee on Finance meeting adjourned at 8:20 p.m. The City Council reconvened at 8:20 p.m.

Financial Orders (on 1st reading)
18.108 An Order to Approve FY2019 General Fund Budget - 1st Reading

Financial Orders (on 1st reading pending Finance review)
18.108 An Order to Approve FY2019 General Fund Budget - 1st Reading
Councilor Dwight moved to approve the order in 1st reading. Councilor Klein seconded. The motion passed unanimously 9:0 by roll call vote.
See minutes of June 21, 2018 for second reading.

18.109 Orders to Approve FY 2019 Enterprise Funds - 1st reading

18.109 Orders to Approve FY 2019 Enterprise Funds - 1st reading
Councilor Dwight moved to approve the order in 1st reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.
See minutes of June 21, 2018 for second reading.

18.110 An Order to Approve FY2019 Revolving Funds - 1st reading

18.110 An Order to Approve FY2019 Revolving Funds - 1st reading
Councilor Dwight moved to approve the order in 1st reading. Councilor Sciarra seconded. The motion passed unanimously 9:0 by roll call vote.
See minutes of June 21, 2018 for second reading.

18.113 An Order to Appropriate Free Cash - Bid Bond Forfeiture to ADA Sidewalk Project

18.113 An Order to Appropriate Free Cash - Bid Bond Forfeiture to ADA Sidewalk Project - 1st Reading
Councilor LaBarge moved to approve the order in 1st reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.
Councilor LaBarge moved to suspend rules to allow a second reading.

Councilor Klein seconded. The motion passed unanimously by voice vote.

Councilor Dwight moved to approve the order in 2nd reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

18.113 An Order

To Appropriate Free Cash – Bid Bond Forfeiture to ADA Sidewalk Project

Whereas, the lowest bidder on the ADA Sidewalk Project failed to sign a contract for the work;

Whereas, the city is entitled to keep the bid bond when a bidder fails to honor their bid and the city plans to use the proceeds of the bid bond for the project;

Ordered, that

\$ 13,210.40 be appropriated from the FY18 General Fund Undesignated Fund Balance (Free Cash) to the ADA Sidewalk Project.

Rules suspended, passed two readings and enrolled.

18.114 An Order for
FY2018 End of Year
Budget Transfers

18.114 An Order for FY2018 End of Year Budget Transfers - 1st Reading

Councilor Dwight moved to approve the order in 1st reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to suspend rules to allow a second reading. Councilor Klein seconded. The motion passed unanimously by voice vote.

Councilor Dwight moved to approve the order in 2nd reading. Councilor Klein seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

18.114 An Order

For FY2018 End of Year Budget Transfers

Ordered, that

the following FY2018 budgetary transfers be and hereby are made:

City of Northampton
MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor

**18.114 An Order
For FY2018 End of Year Budget Transfers**

Ordered, that

the following FY2018 budgetary transfers be and hereby are made:

Department	Description	Org	Object	Transfer From:	Transfer To:
Human Resources	PS Salaries Permanent	11521	511000		1,325
Arts and Culture	PS Salaries Permanent	16991	511000		100
General Liability Insurance	OM Vehicle Insurance	19452	574002	(1,425)	
Veterans	PS Stipends	15431	519060		5,100
Veterans	OM Travel	15432	571001	(5,100)	
DPW Administration	PS Salaries Permanent	14211	511000		1,545
DPW Cemetery	PS Salaries Permanent	14911	511000		6,258
DPW Parks and Recreation	PS Salaries Permanent	14911	511000		6,500
Medical Insurance	PS Employee Insurance Benefits	19141	519400	(14,303)	
Treasurer/Collector	OM Financial Management Services	11462	530012		17,200
Parking Maintenance	OM Professional & Technical	14812	530000	(15,000)	
Parking Maintenance	OM Electricity	14812	521001	(2,200)	
Police	OM Training and Seminars	12102	53005		11,928
Police	PS Permanent Salaries	12101	511000	(11,928)	
Information Technology	OM R & M Computer Equipment	11552	524017		4,086
Information Technology	PS Permanent Salaries	11551	511000	(4,086)	
Building	OM Contracted Services	12412	531007		3,000
Building	OM Vehicles	12412	524004		3,000
Building	OM Office Equipment	12412	524010		2,000
Building	PS Permanent Salaries	12411	511000	(8,000)	
Municipal Debt Service	OM Maturing Principal - Long Term Debt	17103	591000		10,000
Interest on Municipal Debt	OM Interest on Notes	17503	592500	(10,000)	
Stormwater Enterprise Stormdrains	PS Permanent Salaries	62611	511000		8,500
Stormwater Enterprise Stormdrains	PS Overtime	62611	513000		13,500
Stormwater Enterprise Stormdrains	OM Architecture and Engineering	62612	530003	(8,500)	
Stormwater Enterprise Stormdrains	OM Catch Basin Cleaning	62612	531009	(13,500)	
Stormwater Enterprise Flood Control	PS Overtime	62631	513000		8,000
Stormwater Enterprise Flood Control	OM Architecture and Engineering	62632	530003	(8,000)	
Total Budgetary Transfers:				(102,042)	102,042

Rules suspended, passed two readings and enrolled.

18.115 An Order To Appropriate Free Cash to Capital Stabilization and uStabilization Fnds - 1st Reading
18.116 An Order to Appropriate Free Cash to FY18 Snow and Ice Deficits - 1st Reading
18.117 An Order to Transfer \$178,977 from Employee Health Insurance to OPEB Trust - 1st Reading
18.118 An Order to Appropriate \$11,000 from Bates Tomb Trust Fund for Tomb Restorative Improvements - 1st Reading

18.115 An Order To Appropriate Free Cash to Capital Stabilization and Stabilization Funds - 1st Reading

18.116 An Order to Appropriate Free Cash to FY18 Snow and Ice Deficits - 1st Reading

18.117 An Order to Transfer \$178,977 from Employee Health Insurance to OPEB Trust - 1st Reading

18.118 An Order to Appropriate \$11,000 from Bates Tomb Trust Fund for Tomb Restorative Improvements - 1st Reading

Councilor Murphy moved to approve Orders 18.115, 18.116, 18.117 and 18.118 as a group in 1st reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Klein moved to suspend council rules to allow two readings. Councilor Dwight seconded. The motion carried 9:0 by voice vote.

Councilor Bidwell moved to approve Orders 18.115, 18.116, 18.117 and 18.118 as a group in 2nd reading. Councilor Sciarra seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor

18.115 An Order

To Appropriate Free Cash to Capital Stabilization and Stabilization Funds

Ordered, that

\$500,000 be appropriated from the FY18 General Fund Undesignated Fund Balance (Free Cash) to the following accounts:

\$250,000	5000	340616	Capital Stabilization Fund
\$250,000	5000	340574	Stabilization Fund

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor

18.116 An Order

To Appropriate Free Cash for FY18 Snow and Ice Deficits

Ordered, that

\$ 234,483 be appropriated from the FY18 General Fund Undesignated Fund Balance (Free Cash) to the following accounts to cover deficits in the snow and ice accounts:

14231	513000	Overtime – Snow and Ice	\$96,815
14232	553020	Snow Removal Supplies	\$95,485
14232	548000	Vehicular Supplies	\$42,183

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor

18.117 An Order

To Transfer \$178,977 from Employee Health Insurance to OPEB Trust

Ordered, that

The sum of \$178,977, which represents the Medicare Part D reimbursement from the GIC, be transferred from the Employee Health Insurance account (19141 519400) to the Other Post- Employment Benefits Trust Fund (OPEB) (5000 340518).

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor

18.118 An Order

to Appropriate \$11,000 from Bates Tomb Trust Fund for Tomb Restorative Improvements

Ordered, that

Pursuant to the FY2019-FY2023 Capital Improvement Program, that \$11,000 be appropriated from the Bates Tomb Trust Fund, such funds to be added to the funds appropriated March 15, 2018 for restorative improvements to Bates Tomb.

Rules suspended, passed two readings and enrolled.

Financial Orders (on 2nd reading)
18.100 Order to acquire one parcel of land containing 50 acres, more or less, located on Henhawk Trail in Williamsburg – 2nd Reading

Financial Orders (on 2nd reading)

18.100 An Order to acquire one parcel of land containing 50 acres, more or less, located on Henhawk Trail in Williamsburg – 2nd Reading

Councilor Klein moved to approve the order in 2nd reading. Councilor LaBarge seconded. The motion carried 9:0 by roll call vote

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 17, 2018

Upon the recommendation of the Mayor and the Department of Public Works

18.100
An Order

To acquire one parcel of land containing 50 acres, more or less, located on Henhawk Trail in Williamsburg

Ordered, that

WHEREAS, The City of Northampton owns a surface drinking water supply in the Town of Whately surrounded by watershed land owned by both the City and private property owners, and;

WHEREAS, It is in the interest of the City to acquire privately held parcels within this watershed as they become available for sale to protect its drinking water supply, and;

WHEREAS, Certain parcels of land within the watershed are available for acquisition, and it is in the interests of the City to acquire the parcels for watershed protection.

NOW, THEREFORE, BE IT ORDERED,

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, the fee interest in one parcel of land containing 50 acres, more or less, located on Henhawk Trail in Williamsburg and shown on Town of Williamsburg Assessor's Map 2B as Lot 25.1. This acquisition is for the purpose of the sanitary protection of the Ryan and West Whately Reservoirs, part of the City of Northampton's Water Supply. The parcels shall be held in the custody and control of the Department of Public Works.

The parcel is held by the estate of Eva Lawrence, and is recorded in the Hampshire Registry of Deeds Book 708, Page 337 (also in Book 4182, Page 348). The property is bounded on the east, south and west by City of Northampton watershed land, and to the north by the Conway State Forest. Most of this parcel is located within Surface Water Protection Zone C of the Ryan Reservoir. A tributary to Avery Brook runs through the parcel, and as a result, about nine acres is located within Surface Water Protection Zone A of the Ryan Reservoir.

The DPW has secured a Drinking Water Supply Protection grant in the amount of \$34,063 towards the purchase of this property. The agreed purchase price is \$126,199 and the balance will be paid from Water Enterprise (Land - 61523-581000-11).

Rules suspended, passed two readings and enrolled.

Community Preservation Committee Projects for Funding – 2nd Reading

- Community Preservation Committee Projects for Funding – 2nd Reading
- 18.101 An Order for Priority Historic Gravestone Restoration, Northampton Historical Commission, \$100,000
- 18.102 An Order for Historic Arms Storage, Historic Northampton, \$2,976
- 18.103 An Order for Conservation Area Historical and Ecological Interpretive Signage, Office of Planning & Sustainability, \$2,900
- 18.104 An Order for State Hospital Interpretive Signage, State Hospital Memorial Committee, \$3,000
- 18.105 An Order for Theater Restoration Phase II, Academy of Music, \$50,000

Councilor Dwight moved to approve 18.101, 18.102, 18.103, 18.104 and 18.105 as a group in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following orders passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, May 17, 2018

Upon the recommendation of the Community Preservation Committee

18.101 An Order
For Priority Historic Gravestone Conservation, Northampton Historical Commission, \$100,000

Ordered, that

WHEREAS, the Northampton Historical Commission submitted a CPA application for conservation of priority 1 gravestones at the Bridge Street, West Farms and Park Street Cemeteries;

WHEREAS, the priority stones were identified through an extensive preservation planning effort, and are in imminent danger of being lost forever;

WHEREAS, the project has a wide range of community support, and will augment ongoing efforts by the Department of Public Works to preserve Northampton’s historic cemeteries, which are a significant and important component of the City’s historic fabric;

WHEREAS, on April 4, 2018, the Northampton Community Preservation Committee voted unanimously to recommend that \$100,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$100,000 be appropriated from Community Preservation Act funding to the Northampton Historical Commission for the Priority Historic Gravestone Conservation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$89,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932), and \$11,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 17, 2018

*Upon the recommendation of the Community Preservation
Committee*

18.102 An Order
for Historic Arms Storage, Historic Northampton, \$2,976

Ordered, that

WHEREAS, Historic Northampton, Inc. submitted a Small Grants application for Community Preservation Act funding to purchase climate controlled museum collection storage units to properly, securely and safely display historic firearms;

WHEREAS, the firearms collection includes significant swords, bayonets and firearms, many of which were produced in Northampton and are connected to past residents;

WHEREAS, the project is part of ongoing work by Historic Northampton to make the history of the city more accessible to residents and visitors;

WHEREAS, on April 4, 2018 the Northampton Community Preservation Committee, voted unanimously to recommend that \$2,976 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$2,976 be appropriated from Community Preservation Act funding to Historic Northampton, for the historic arms storage project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$2,976 is appropriated from the CPA Undesignated Funds Reserve (account #2344930-359930)

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 17, 2018

*Upon the recommendation of the Community Preservation
Committee*

18.103
An Order
For Conservation Area Historical and Ecological Interpretive Signage, Office of
Planning & Sustainability, \$2,900

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted a Small Grants application for creation of informational signage at permanently protected open spaces around the City.

WHEREAS, the project will provide historical, cultural, and natural resource information about the City’s conservation areas and will help encourage visitation to these open spaces;

WHEREAS, the project meets goals of both historic preservation and open space and recreation, and is supported by the Conservation Commission

WHEREAS, on April 4, 2018, the Northampton Community Preservation Committee, voted unanimously to recommend that \$2,900 in Community Preservation Act funds be used to support this project.

WHEREAS, if successful, the interpretive signage program will be incorporated into planning for future acquisitions.

NOW, THEREFORE BE IT ORDERED,

That \$2,900 be appropriated from Community Preservation Act funding to Conservation Area Historical and Ecological Interpretive Signage Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$2,900 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 17, 2018

Upon the recommendation of the Community Preservation Committee

18.104

An Order

For State Hospital Interpretive Signage, State Hospital Memorial Committee, \$3,000

Ordered, that

WHEREAS, the State Hospital Memorial Committee submitted a Small Grants application for historical interpretive signage at the former state hospital;

WHEREAS, the project will help preserve the memory of the Northampton State Hospital and its importance to the history of the City and

the many people who lived and worked there;

WHEREAS, the project has wide community support, and was enthusiastically supported by the Northampton Historical Commission;

WHEREAS, on April 4, 2018, the Northampton Community Preservation Committee, voted unanimously to recommend that \$3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$3,000 be appropriated from Community Preservation Act funding to the State Hospital Interpretive Signage Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$3,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Rules suspended, passed two readings and enrolled.

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 17, 2018

Upon the recommendation of the Community Preservation Committee

18.105

An Order

For Theater Restoration Phase II, Academy of Music, \$50,000

Ordered, that

WHEREAS, the Academy of Music submitted a CPA application for continued restoration to the historic auditorium, including appropriate architectural lighting and opera box improvements;

WHEREAS, the project will complete renovations to the auditorium that have been in progress for several years and will allow the theater to be more fully enjoyed by visitors;

WHEREAS, on April 4, 2018, the Northampton Community Preservation Committee voted unanimously to recommend that \$50,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$50,000 be appropriated from Community Preservation Act funding to the Academy of Music for Theater Restoration Phase II project, specifically auditorium lighting, stenciling, carpet, seating and rails. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

	<p>Specifically, \$50,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).</p> <p><u>Rules suspended, passed two readings and enrolled.</u></p>
<p><u>Orders</u></p>	<p><u>Orders</u></p> <p>None.</p>
<p><u>Ordinances (Not yet Referred)</u> <u>18.111 An Ordinance Relative to Parking on Pleasant Street</u></p>	<p><u>Ordinances (Not yet Referred)</u> <u>18.111 An Ordinance Relative to Parking on Pleasant Street</u> Councilor Dwight moved to refer the ordinance to the Legislative Matters Committee. Councilor Klein seconded.</p> <p>This parking realignment is part of the 'Pleasant Futures Rebuild' on Pleasant Street, Councilor Nash indicated. Parking is being moved from one side of the street to the other. This is looking at parking as a group within that corridor, and many of the changes have already been made, he reported.</p> <p>Councilor Dwight requested that a map showing parking conditions before and after be provided for purposes of discussion within the committee.</p> <p>The motion passed unanimously 9:0 by voice vote.</p>
	<p><u>Ordinances</u> <u>18.072 Ordinance Relative to Parking on Hooker Avenue – 2nd Reading</u> Councilor Dwight moved to approve the order in second reading. Councilor Klein seconded. The motion carried 9:0 by roll call vote.</p> <p><u>The following ordinance passed second reading:</u></p>

**CITY OF NORTHAMPTON
MASSACHUSETTS**

In the Year Two Thousand and Eighteen
Upon the Recommendation of the Transportation and Parking Commission

**18.072
AN ORDINANCE**

**RELATIVE TO PARKING ON
HOOKER AVENUE**

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 § 312-103 of the Code of Ordinances be amended as follows:*
4
5 § 312-103 Schedule II: No Parking Certain Times.
6

Location *Tow-Away Zone	Side	Times/Days	From	To
Hooker Avenue {Added 3-5-1987}	Northerly	11:00 p.m. to 5:00 a.m./All	Point 65 feet westerly of King Street	End of Street
Hooker Avenue {Added 3-5-1987}	Southerly	11:00 p.m. to 5:00 a.m./All	Point 35 feet westerly of King Street	End of Street

7
8

Rules suspended, passed two readings, ordained and enrolled.

18.073 Ordinance Relative to Parking on Vernon Street – 2nd Reading

Councilor Nash read an e-mail from DPW Director Donna LaScaleia relative to the ordinance. He has been to the site two times, Councilor Nash related. Although concern was expressed at the last meeting that they would lose a huge amount of parking by eliminating parking on one side, there is a fire hydrant and really huge curb cut there that minimizes the amount of parking available, he pointed out. His recommendation is that councilors send the proposal back to the Transportation and Parking Commission (TPC) to see if there is some kind of metric that should be established for similar situations.

The city has had a snow emergency process in place for two decades now that would address the issue relative to access for snow plows, Councilor Dwight noted. He thinks the understanding that there are already mechanisms in place to address this needs to be figured into the calculus. It seems as if if the winter parking ban is enforced, it would resolve the problem.

Whenever parking is eliminated, cars end up parking somewhere else, he added. He likes the strategy of looking at this holistically and trying to address it holistically.

Councilor Bidwell said he also likes that approach. If they are eliminating parking on one side of the street here, why are they not doing it on other streets? He asked rhetorically. He thinks some metric that takes into account the 25-foot width would be appropriate.

Councilor Sciarra agreed she would welcome a metric or some kind of policy that applies to the whole city.

Councilor Dwight moved to refer the ordinance to the TPC. Councilor LaBarge seconded. The motion passed unanimously by voice vote.

18.098 Ordinance to Delete Sewer Use from Chapter 260 of the Northampton Code - 1st Reading

	<p>He asked that this be continued to today just for clarification, Councilor O'Donnell reminded. It seemed like administrators were transferring a section of the code and putting it under the purview of the director through departmental regulations. He expressed his understanding that it is a 'clean-up' thing; i.e. – a holdover from the separation of powers and the new charter. He was satisfied with the explanation provided by the Mayor, he concluded.</p> <p>Councilor Dwight moved to approve the ordinance in first reading. Councilor Klein seconded. The motion carried 9:0 by roll call vote.</p>
<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u></p>	<p><u>Information Requests (Charter Provision 2-7) and Information Study Requests</u></p> <p>None</p>
<p><u>Motion to Adjourn</u></p>	<p>At 8:41 p.m., a motion to adjourn was made by Councilor Dwight and seconded by Councilor Klein. The motion passed on a voice vote of 9 Yes, 0 No.</p> <p>Attest: Laura Krutzler, Administrative Assistant to the City Council</p>

EXHIBIT A

List of Documents Reviewed at June 7, 2018 Northampton City Council Meeting:

1. June 7, 2018 Agenda
2. Public Comment Sign-up Sheet for June 7, 2018
3. "City of Northampton Fiscal Year 2019 Proposed Budget," prepared by Mayor David J. Narkewicz dated May 17, 2018
4. City Council Minutes of April 19, 2018
5. Memorandum from Mayor David J. Narkewicz to the Northampton City Council dated May 1, 2018 re: Appointments to Boards, Committees and Commissions, together with Applications for Appointment to Boards, Committees and Commissions from Dr. Cynthia Suopis, Laurent Levy, Jack Finn, Barbara Blumenthal, James Reis, Joel Morse and Brian Campedelli.
6. Memorandum from Mayor David J. Narkewicz to the Northampton City Council dated May 16, 2018 re: Appointments to Boards, Committees and Commissions, together with Applications for Appointment to Boards, Committees and Commissions from Robert Vollinger, William Hargraves, Cynthia Langley, Jeanne Hoose, Jean Petty, Kathleen Bredin, Michael Roy, Glen Connolly, Jennifer Werner, Molly Hale, Mark Sullivan, Alan Verson and Katherine Foote Newman.
7. Petition for Annual License for Second Hand Dealer from Sun Music, LLC, d/b/a Birdhouse Music at 164 Main Street, together with Wage Compliance Certificate and Certificate of Status in Good Standing for State Tax Filing & Payment.
8. Petition for Annual License for Second Hand Dealer from Vintage Treasures at 121 North Main Street, Florence, together with Wage Compliance Certificate, Certificate of Status in Good Standing for State Tax Filing & Payment and Letter to Cynthia Wheeler informing her of past due balance for license.
9. Application for Business Owner's Permit from Jeffrey D. Miller for Cosmic Cab Company of 160 Main Street, #8, together with Wage Compliance Certificate and Certificate of Status in Good Standing for State Tax Filing & Payment.
10. Five (5) Applications for Vehicle Registration (Taxicab Licenses) for Cosmic Cab Company for 2003 PT Cruiser, 2000 Chevrolet Suburban, 2008 Dodge Grand Caravan (black), 2008 Dodge Grand Caravan (Brown) and 2003 PT Cruiser (red), together with Certificates of Registration and Vehicle Inspection Reports.
11. Memorandum from Mayor David J. Narkewicz to the Northampton City Council dated June 5, 2018 re: Appointments to Boards, Committees and Commissions, together with Applications for Appointment to Boards, Committees and Commissions from Esther White, Michael Ford, Carol Bertrand, George Kohout and Christa Grenat.
12. 18.108 An Order to Approve FY2019 General Fund Budget
13. 18.109 Orders to Approve FY2019 Enterprise Funds
14. 18.110 An Order to Approve FY2019 Revolving Funds
15. 18.113 An Order to Appropriate Free Cash - Bid Bond Forfeiture to ADA Sidewalk Project
16. 18.114 An Order for FY2018 End of Year Budget Transfers
17. 18.115 An Order To Appropriate Free Cash to Capital Stabilization and Stabilization Funds
18. 18.116 An Order to Appropriate Free Cash to FY18 Snow and Ice Deficits
19. 18.117 An Order to Transfer \$178,977 from Employee Health Insurance to OPEB Trust
20. 18.118 An Order to Appropriate \$11,000 from Bates Tomb Trust Fund for Tomb Restorative Improvements

21. 18.100 An Order to acquire one parcel of land containing 50 acres, more or less, located on Henhawk Trail in Williamsburg
22. 18.101 An Order for Priority Historic Gravestone Conservation, Northampton Historical Commission, \$100,000
23. 18.102 An Order for Historic Arms Storage, Historic Northampton, \$2,976
24. 18.103 An Order for Conservation Area Historical & Ecological Interpretive Signage, Office of Planning & Sustainability, \$2,900
25. 18.104 An Order for State Hospital Interpretive Signage, State Hospital Memorial Committee, \$3,000
26. 18.105 An Order for Theater Restoration Phase II, Academy of Music, \$50,000
27. 18.111 An Ordinance Relative to Parking on Pleasant Street
28. 18.072 Ordinance Relative to Parking on Hooker Avenue
29. 18.073 Ordinance Relative to Parking on Vernon Street
30. 18.080 An Ordinance Limiting the Number of Retail Marijuana Establishments in the City
31. 18.098 Ordinance to Delete Sewer Use from Chapter 260 of the Northampton Code

18.072 Ordinance Relative to Parking on Hooker Avenue	2nd Reading	Yes	Yes	Motion to Approve	Second	Yes	Yes	Yes	Yes	Yes	Motion carried; 9 Yes, 0 No
18.073 Ordinance Relative to Parking on Vernon Street	2nd Reading			Move to Refer-Transportation & Parking Commission		Second					Motion carried; 9 Yes, 0 No by voice vote
18.098 Ordinance to Delete Sewer Use from Chapter 260 of the Northampton Code	1st Reading	Yes	Yes	Motion to Approve	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried; 9 Yes, 0 No

At 8:41 p.m. Councilor Dwight moved to adjourn the meeting; Councilor Klein seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Recorded by: Laura Krutzler, Administrative Assistant to the City Council