



*CITY COUNCIL MEETING
CONDUCTED AS AN ON-LINE ZOOM MEETING
Northampton, MA*

Announcement of Audio/Video Recording
Public Comment

A regular meeting of the City Council was called to order by City Council President Gina-Louise Sciarra at 7 p.m.

Councilor Sciarra announced that the meeting was being audio and video recorded. The City Council accepted public comment for seven minutes. (See *Public Comment Record Sheet* for names and topics of people making public comments.)

Roll Call

At 7:07 p.m. on a roll call the following City Councilors were present:

- | | |
|--|--------------------------------------|
| At-Large Councilor Gina-Louise Sciarra | At-Large Councilor William H. Dwight |
| Ward 1 Councilor Michael J. Quinlan, Jr. | Ward 5 Councilor Alex Jarrett |
| Ward 2 Councilor Karen Foster | Ward 6 Councilor Marianne LaBarge |
| Ward 3 Councilor James B. Nash | Ward 7 Councilor Rachel Maiore |
| Ward 4 Councilor John Thorpe | |

Public Hearings
Public Hearing on 21.347 and 21.348 National Grid/Verizon Pole Petition for One (1) Jointly-owned (JO) Pole on Cross Path Road and National Grid petition to install underground conduit and heavy-duty handholes on Old Ferry Road (Petition #30408955)

Public Hearings
Public Hearing on 21.347 and 21.348 National Grid/Verizon Pole Petition for One (1) Jointly-owned (JO) Pole on Cross Path Road and National Grid petition to install underground conduit and heavy-duty handholes on Old Ferry Road (Petition #30408955)

Councilor Sciarra read the legal notice.
Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Sciarra read the DPW memo.
Lisa Jasinski presented on behalf of National Grid. According to the plans, the request is to remove the overhead line that goes over Interstate 91, she explained. National Grid is upgrading its infrastructure, the utility doesn't want to have to work on lines over the highway. It is better for everybody if they are placed underground and kept away from the traffic.

Councilor Nash pointed out that this is a floodplain and they are proposing to put electrical lines underground. Is that common practice? Is it safe? He asked.

It is safe, Ms. Jasinski assured. The wire is sealed all the way down the pole and back and the underground conduit is concrete-encased to boot. National Grid has been in the process of removing overhead wires from the overpasses on 91 and has already taken this step in other places, she indicated.

In response to a follow-up question, she said she doesn't expect the project to block the roadway. There may be only one-lane of traffic open during the work with a traffic detail.

Councilor Nash noted this is the only access for folks on Riverbank Road other than Hockanum Road.

Councilor Sciarra asked if anyone else wished to speak in favor or in opposition.

She recognized Frances Volkmann, who, since she had missed public comment, took the opportunity to thank everyone who had worked so hard on the council, especially Councilor Dwight.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The public hearing closed at

	<p>7:14 p.m.</p> <p>Councilor Foster moved to approve the petition. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Updates from Council President and Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u></p> <p>Councilor Sciarra briefly reflected on her experience serving as Council President, recalling her promise to fellow councilors at the January 7, 2020 organizational meeting that the new council session ‘wouldn’t be seamless.’</p> <p>“I was definitely right about it not being seamless,” she said. What she feels about this term and this council goes far beyond a sense of satisfaction and success; it is truly a deep sense of pride and admiration, she related. She met with individual members to try to give them an honest assessment of the time commitment and what to expect and, “I may have been off by just a hair,” she acknowledged. They all truly rose to the occasion and met their new responsibilities with grace and integrity amidst confusion and unbelievable challenges, she observed. She is extraordinarily proud to have served with them and extraordinarily grateful for the support she personally has received. To the five continuing on, she looks forward to being their colleague and continuing to work with them. To those for whom it is their last meeting, she thanked them for serving with distinction and heart and for giving their all.</p> <p>Councilor Sciarra marked Councilor Dwight’s departure from the council after 20 years by singling him out for special mention. She credited him with the ability to give historical as well as Northampton-specific context to any issue as well as to poetically elevate the council’s discourse to larger philosophical realms. He has embodied the spirit of Northampton for many decades in whatever role he has served, whether at the video store, on the radio, serving pie or on the council. On the council, he has served both with the utmost seriousness and with a really wicked sense of humor and also as a true moral compass. The council is losing a true leader and a remarkable voice and a real giant among the council and public servants.</p>
<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u></p> <p>Councilor Nash thanked continuing and departing councilors alike for their distinctive contributions, appreciatively noting councilors’ service on special committees such as the Northampton Policing Review Commission (NPRC) and Ordinance Review Committee and sponsorship of significant legislation, such as the Plastic Reduction and Sustainability Ordinance. He commented that Councilor Sciarra’s election as Council President was the best nomination he ever made and thanked Mayor Narkewicz for his leadership.</p> <p>In a touching presentation, Councilor Nash presented Councilor Dwight with drawers from a desk previously owned by Congressman Silvio Conte and more recently belonging to Dwight’s father. The drawers were signed by the elected officials with whom Dwight served, including four mayors. Tonight closes basically a quarter century of public service, Councilor Nash recounted, including eight years as the Ward 1 councilor and another ten years as Councilor At-Large. Dwight has been a champion for people with disabilities, youth, the LGBTQ community and undocumented folks and spoken eloquently defending the First Amendment and access to public space.</p> <p>Councilor Nash described Councilor Dwight as both super-likable and very persuasive. Councilor Dwight convinced him and his wife to move to Northampton, and it was Dwight who introduced him to public service by encouraging him to check out the Disability Commission, on which he served for 10 years. That became his entry into how the committee structure works in Northampton, and he’s not alone. At one point they’ve all been invited to the table and mentored by Bill, he suggested. He concluded by thanking him for his service to the city.</p> <p>Councilor Jarrett performed a medley of short original songs for each of the departing councilors and the mayor.</p>

Councilor LaBarge announced that the City Services Committee was busy in the 2020 - 2021 council session, reviewing and making recommendations on a total of 86 appointments. She thanked all 86 applicants for volunteering their time to help the new mayor and all the councilors to make the city the vibrant community that it is.

She and other councilors in turn thanked and expressed appreciation for Councilor Dwight, the Council President and the Mayor in particular and staff and departing colleagues in general. Among other sentiments, Councilor Quinlan told Councilor Dwight that before he knew him personally he admired him incredibly from afar and Councilor Foster commended Councilor Sciarra for consistently making sure all voices were heard. Referring to the 'perilous and tumultuous' events that have taken place during this term, Councilor Maiore noted that their collective experience in public service has been interwoven with 'history in the making' in a truly outstanding way.

I will not run again and, if nominated, I will not serve, Councilor Dwight stated emphatically. Having been through these transitions a few times, he's noted a camaraderie in Northampton that is not present in some other communities where there's even a kind of viciousness in some cases, he shared. The thing that marks everyone he's served with here is their innate decency and genuine devotion to public service. This particular term is distinguished by many features, not the least of which is an unprecedented amount of drama brought about by the lynching of George Floyd, COVID and all the firsts and unique emotions present throughout. This council has experienced human drama on the scale of a Shakespearean play, he suggested. It puts things in perspective when having debates about parking spaces. This body has gone through that very tough time and through strength of character and integrity proved themselves over and over again to be good and decent public servants. He wants them to know that he has not only a deep and abiding respect for them all but a real affection. He is looking forward to actually going away for a little bit, getting out of the way and watching this decent body deliberate and do public service on his behalf.

<u>Communications and Proclamations from the Mayor</u>	<u>Communications and Proclamations from the Mayor</u> None.
<u>Public Hearings</u>	<u>Public Hearings</u> None.
<u>Resolutions</u>	<u>Resolutions</u> None.
<u>Presentations</u>	<u>Presentations</u> None.
<u>Consent Agenda</u>	<p><u>Consent Agenda</u> Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request.</p> <p>Councilor Nash moved approval of the consent agenda as presented. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>The following item was approved as part of the consent agenda: A. Minutes of December 2, 2021 regular meeting</p>
<u>Recess for Committee on Finance Meeting</u>	<p><u>Recess for Committee on Finance Meeting</u> The City Council recessed for Finance Committee at 8:14 p.m. The Finance Committee adjourned at 8:19 p.m. The council reconvened at 8:19 p.m.</p>

Financial Orders
(On 1st reading)
21.375 Order
Authorizing a Five-
Year Contract for
Connecticut River
Channel Marking -
1st reading

Financial Orders (On 1st reading pending Finance Committee review)
21.375 An Order Authorizing a Five-Year Contract for Connecticut River Channel Marking - 1st reading
Councilor Foster stated that she needed to recuse herself since the company she works for - All Out Adventures - runs programs on the Connecticut River and benefits from those channel markers.
Councilor Dwight moved to approve the order in first reading. Councilor Jarrett seconded. The motion carried 8:0 by roll call vote with Councilor Foster recused.
Councilor LaBarge moved to suspend rules to allow a second reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote with Councilor Foster recused.
Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote with Councilor Foster recused.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, December 16, 2021

Upon the recommendation of Mayor David J. Narkewicz and Planning & Sustainability

21.375 An Order Authorizing a Five-Year Contract for Connecticut River Channel Marking

WHEREAS, Northampton coordinates a multi-community effort to maintain channel markers on the Connecticut River for user safety, funded with contributions from multiple communities and other entities;

WHEREAS, A five year contract is necessary for the vendor to invest in necessary equipment and provides the best value to the City and its consortium;

Ordered, that

City Council authorizes the city, acting through its Office of Planning & Sustainability, to enter into a five-year contract for channel marking services.

Rules suspended, passed two readings and enrolled.

Financial Orders
(On 2nd reading)

Financial Orders (On 2nd reading)
21.357 An Order to Authorize the Conservation Commission to Acquire a Conservation Restriction on North Farms Road - 2nd reading
21.358 An Order to Appropriate \$3,000 in CPA Funds to Lathrop Communities for Continued Invasive Species Removal - 2nd reading
21.359 An Order to Appropriate \$31,922 in CPA Funds to Historic Northampton for Shepherd Barn Artifacts Project - 2nd reading
21.360 An Order to Appropriate \$20,000 in CPA Funds for Farmland Rehabilitation at the Community Farm and Garden - 2nd reading
21.361 An Order to Appropriate \$100,000 in CPA Funds to the Rocky Hill Accessible Trail Project - 2nd reading
21.362 An Order to Appropriate \$230,100 in CPA Funds to Valley CDC for a Mortgage Subsidy Program - 2nd reading
21.365 An Order to Appropriate \$608,000 in CPA Funds to Independent Housing Solutions for Housing the Disabled Homeless Project - 2nd reading
21.366 An Order to Appropriate \$13,000 in CPA Funds to Northampton Parks and Rec for Pickleball Feasibility Assessment - 2nd reading
21.368 An Order to Appropriate \$82,900 in CPA Funds to Michelson Galleries for 132 Main Street Facade Project - 2nd reading
21.369 An Order to Appropriate \$233,400 in CPA Funds to OPS and Conservation

Commission for Priority Property Acquisitions - 2nd reading
21.372 An Order Authorizing Acquisition of a Parcel of Land on the Northerly Side of Westhampton Road - 2nd reading
21.373 An Order to Appropriate Free Cash and Enterprise Fund Retained Earnings to Various Capital Projects - 2nd reading
21.374 An Order to Accept \$21.7 Million in American Rescue Plan Act Funds - 2nd reading

Councilor Dwight moved to approve agenda items A through N with the exception of Item I (21.357, 21.358, 21.359, 21.360, 21.361, 21.362, 21.365, 21.366, 21.368, 21.369, 21.372, 21.373 and 21.374) as a group in second reading. Councilor Jarrett seconded. The motion carried 9:0 by roll call vote.

The following orders passed two readings:

21.357 Order to Authorize the Conservation Commission to Acquire a Conservation Restriction on North Farms Road - 2nd reading

City of Northampton

MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, and the Conservation Commission

21.357 An Order to Authorize the Conservation Commission to Acquire a Conservation Restriction on North Farms Road

WHEREAS, the *Open Space, Recreation, and Multi-Use Trail Plan: 2018-2025* recommends linking conservation areas along Broad Brook and the surrounding areas to enhance wildlife values and create a continuous Broad Brook Greenway; and

WHEREAS, Gary Warner has offered to donate to the City a conservation restriction on 34+/- acres on North Farms Road adjoining land already permanently protected as part of the Broad Brook Greenway; and

WHEREAS, the project will ensure that the open fields and forests contained on the Premises will be permanently available for sustainable agriculture and forestry, and will create public access on a portion of the area for hiking, and will provide a connection from North Farms Road to the Greenway;

Ordered, that

The Conservation Commission is authorized to acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to accept conservation restrictions on any land so acquired, with such related restrictions and agreements as the City determines are agreeable. Any such restrictions shall be held under the care, custody and control of the Conservation Commission, and are found to be in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Passed two readings and enrolled.

21.358 Order to Appropriate \$3,000 in CPA Funds to Lathrop Community for Continued Invasive Species Removal - 2nd rdg.

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.358 An Order to Appropriate \$3,000 in CPA Funds to Lathrop Communities for Continued Invasive Species Removal

Ordered, that

WHEREAS, the Lathrop Communities submitted an application for Community Preservation Act Small Grant funding for continued priority invasive species removal at its North and East campuses, on both of which the City holds permanent Conservation Restrictions.

WHEREAS, the project will continue to help improve and preserve the health of sensitive habitats in the Parsons and Broad Brook watersheds, has strong community support, and will continue to leverage private funds and extensive volunteer efforts.

WHEREAS, the applicant has welcomed public use of its popular trails, and will continue to increase public knowledge of the trails on the property as part of this project.

WHEREAS, on October 6, 2021, the Northampton Community Preservation Committee, voted 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 Lathrop Communities for the Invasives Removal and Education 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).

Passed two readings and enrolled.

21.359 Order to Appropriate \$31,922 in CPA Funds to Historic Northampton for Shepherd Barn Artifacts Project - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.359 An Order to Appropriate \$31,922 in CPA Funds to Historic Northampton for Shepherd Barn Artifacts Project

Ordered, that

WHEREAS, Historic Northampton, Inc. submitted an application for Community Preservation Act for professional conservator treatment of artifacts to preserve and prepare them for exhibit in the Shepherd Barn;

WHEREAS, the collections yield important information about Northampton's history, and are frequently accessed for research by community members, businesses, and nonprofits;

WHEREAS, improved collections storage was a critical recommendation of the Massachusetts State Historic Records Board, and will protect these resources for the future;

WHEREAS, on November 17, 2021 the Northampton Community Preservation Committee, voted unanimously to recommend that \$31,922 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$31,922 be appropriated from Community Preservation Act funding to Historic Northampton, Inc. for the Shepherd Barn Artifacts project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$31,922 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

Passed two readings and enrolled.

21.360 Order to Appropriate \$20,000 in CPA Funds for Farmland Rehabilitation at the Community Farm and Garden - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.360 An Order to Appropriate \$20,000 in CPA Funds for Farmland Rehabilitation at the Community Farm and Garden

Ordered, that

WHEREAS, Grow Food Northampton submitted an application for Community Preservation Act funding for farmland rehabilitation at the Community Farm and Garden;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail by increasing community garden access and supporting agricultural operations on permanently protected farmland;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee, voted to recommend that \$20,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$20,000 be appropriated from Community Preservation Act funding to the Farmland Reclamation and Rehabilitation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$20,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

21.361 Order to Appropriate \$100,000 in CPA Funds to the Rocky Hill Accessible Trail Project - 2nd reading

Passed two readings and enrolled.

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.361 An Order to Appropriate \$100,000 in CPA Funds to the Rocky Hill Accessible Trail Project

Ordered, that

WHEREAS, the Office of Planning and Sustainability and Conservation Commission submitted a Small Grants application for construction of a universally accessible trail network at the Pine Grove section of the Rocky Hill Greenway;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail to provide for passive recreation and promote further exploration and contributes to public health by encouraging walking and hiking;

WHEREAS, on November 17, 2021, 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 Rocky Hill Accessible Trail project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$100,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed two readings and enrolled.

21.362 Order to
Appropriate
\$230,100 in CPA
Funds to Valley
CDC for Mortgage
Subsidy Program -
2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.362 An Order to Appropriate \$230,100 in CPA Funds to Valley CDC for a Mortgage Subsidy Program

Ordered, that

WHEREAS, Valley Community Development Corporation submitted an application for Community Preservation Act funding for a Mortgage Subsidy Program;

WHEREAS, the project will provide \$50,000 in direct downpayment assistance through a deferred (interest and principal) payment loan to four homebuyers earning less than 100% of area median income to be able to afford a home in Northampton, with any loan recapture being redeposited into the Community Preservation Act revenue account;

WHEREAS, affordable homeownership for families is a high priority item in the Community Preservation Plan, and the project is supported by the Northampton Housing Partnership;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee, voted unanimously to recommend that \$230,100 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$230,100 be appropriated from Community Preservation Act funding to the Northampton Mortgage Subsidy program. And, that the grantee meets the conditions above, with any mortgage note approved by the Mayor and subject to conditions imposed by the Mayor.

Specifically, \$230,100 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933

Passed two readings and enrolled.

21.365 Order to Appropriate \$608,000 in CPA Funds to Independent Housing Solutions for Housing the Disabled Homeless Project-2nd rdg.

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.365 An Order to Appropriate \$608,000 in CPA Funds to Independent Housing Solutions for Housing the Disabled Homeless Project

Ordered, that

WHEREAS, Independent Housing Solutions, Inc. submitted an application for Community Preservation Act funding for creation of a supportive, ADA-accessible facility at 5 Franklin Street to house sixteen medically complex chronically houseless individuals;

WHEREAS, the project serves a desperate local and regional need and has widespread support;

WHEREAS, the applicant will retain a qualified affordable housing development consultant for the duration of the project to guide the project through to completion;

WHEREAS, prior to the release of CPA funds, the applicant will provide to the City of Northampton either an affordable housing restriction that is senior to other private financing that shall limit housing to individuals earning 100% of area median income or below, or a mortgage that could be released if the CPA funds are returned with principal and simple interest;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$608,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$608,000 be appropriated from Community Preservation Act funding to Independent Housing Solutions for the Housing the Disabled Homeless Project. And, that the grantee meets the conditions contained herein and that the final affordable housing restriction or mortgage and the budget is approved by the Mayor, subject to conditions that the Mayor may impose.

Specifically, \$25,252 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933), and \$582,748 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed two readings and enrolled.

21.366 Order to Appropriate \$13,000 in CPA Funds to Northampton Parks and Rec for Pickleball Feasibility Assessment - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021
Upon the recommendation of the Community Preservation Committee

21.366 An Order to Appropriate \$13,000 in CPA Funds to Northampton Parks and Rec for Pickleball Feasibility Assessment

Ordered, that

WHEREAS, Northampton Parks and Recreation submitted an application for Community Preservation Act funds to conduct a feasibility study of existing City-owned recreation properties for the creation of outdoor pickleball courts;

WHEREAS, the project meets high priority goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan by creating recreational opportunities for residents of all ages and enhancing quality of life;

WHEREAS, pickleball is one of the fastest growing sports in America and the project has widespread community support,

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$13,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$13,000 be appropriated from Community Preservation Act funding to the Pickleball Feasibility Assessment Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$13,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed two readings and enrolled.

21.368 Order to Appropriate \$82,900 in CPA Funds to Michelson Galleries for 132 Main Street Facade Project - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.368 An Order to Appropriate \$82,900 in CPA Funds to Michelson Galleries for 132 Main Street Facade Project

Ordered, that

WHEREAS, the Michelson Galleries submitted a CPA application for critical exterior repairs to the 1913 Northampton National Bank Building at 132 Main Street;

WHEREAS, preservation of the building, which is listed in the State and National Registers of Historic Places is important to the public for the enjoyment and appreciation of its architectural, archaeological and historical heritage;

WHEREAS, all work will conform to the Secretary of the Interior’s Standards for the Treatment of Historic Properties;

WHEREAS, funds will be returned to the Community Preservation Act Revenue account if the building is sold within five years;

WHEREAS, CPA funds will be utilized exclusively for critical exterior repairs, and in no way contribute to the operating expenses of the Galleries;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$82,900 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$82,900 be appropriated from Community Preservation Act funding to the Michelson Galleries for the 132 Main Street facade project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$82,900 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

Further, that the City of Northampton, acting by and through its Historical Commission, is authorized to acquire for historic preservation purposes in the public interest, a historic preservation restriction, as defined in MGL Chapter 184, Section 31 of the General Laws on the above described premises, and that City Council hereby approves such historic preservation restrictions.

Passed two readings and enrolled.

21.369 Order to Appropriate \$233,400 in CPA Funds to OPS and Conservation Commission for Priority Property Acquisitions - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of Mayor David J. Narkewicz, Planning & Sustainability, the Conservation Commission, and the Community Preservation Committee

21.369 An Order to Appropriate \$233,400 in CPA Funds to OPS and Conservation Commission for Priority Property Acquisitions

An Order

To approve purchase of 64 acres +/- in the Mineral Hills, Parsons Brook and Saw Mill Hills Greenways, and to appropriate Community Preservation Act funds for such purpose

WHEREAS, The *Open Space, Recreation, and Multi-Use Trail Plan: 2018-2025* recommends acquisition of land for recreation, conservation and open space needs, preserving character of rural areas, farms, forests and rivers, and provision of open space connections between public spaces;

WHEREAS, The City has an agreement or is negotiating to purchase three parcels: 46 acres in the Mineral Hills north of Chesterfield Road, 5.2 acres in the Parsons Brook Greenway south of Ryan Road, and 13 acres in the Saw Mill Hills Greenway north of Ryan Road that fulfill the Open Space Plan recommendations, meet unique open space and recreational needs and fill gaps in the City's open space network;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee voted unanimously to recommend that \$233,400 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That the Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions and related easements on any land so acquired. The property shall be held under the care, custody and control of the Conservation Commission, and the acquisitions are found to be in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

The Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project;

That \$233,400 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Priority Acquisitions Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$5,099 is appropriated from the CPA Budgeted Reserve (account #2344930-359930), and \$228,301 is appropriated from the CPA Open Space Reserve (account #2344930-359931).

Passed two readings and enrolled.

21.372 Order Authorizing Acquisition of a Parcel of Land on the Northerly Side of Westhampton Road - 2nd reading

City of Northampton

MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of Mayor David J. Narkewicz, the Office of Planning and Sustainability, and the Conservation Commission

21.372 AN ORDER AUTHORIZING ACQUISITION OF A PARCEL OF LAND ON THE NORTHERLY SIDE OF WESTHAMPTON ROAD

WHEREAS, the parcel subject to this Order is located on the Northerly side of Westhampton Road and is shown on a plan of land shown as “NO ASSESSORS ID N/F HEIRS OF LUMAN E. BARTLETT AREA = “3.110 AC +/-” on a plan entitled “PLAN OF LAND IN NORTHAMPTON MA MINERAL HILLS GREENWAY HAMPSHIRE REGISTRY PREPARED FOR THE CITY OF NORTHAMPTON,” dated January 13, 2020, and recorded in the Hampshire Registry of Deeds in Plan Book 249, Page 82 (“the Parcel”); and

WHEREAS, the Parcel is a landlocked parcel that is contiguous on both its east side and its west side with conservation and recreation land owned by the city and known as the Mineral Hills Greenway; and

WHEREAS, This property is owned by all of the heirs of Luman E. Bartlett, who died in 1925, and no heir is currently managing the property, paying taxes, or otherwise claiming the property; and

WHEREAS, This parcel is an inholding abutting conservation land on two sides and blocking the ability for conservation and public management between two disconnected units of the Mineral Hills Greenway.

NOW, THEREFORE BE IT ORDERED,

The City Council hereby authorizes the acquisition by purchase, gift, eminent domain, or otherwise of the Parcel believed to be owned by the Heirs of Luman E. Bartlett shown as “NO ASSESSORS ID N/F HEIRS OF LUMAN E. BARTLETT AREA = “3.110 AC +/-” on a plan entitled “PLAN OF LAND IN NORTHAMPTON MA MINERAL HILLS GREENWAY HAMPSHIRE REGISTRY PREPARED FOR THE CITY OF NORTHAMPTON,” dated January 13, 2020, and recorded in the Hampshire Registry of Deeds in Plan Book 249, Page 82, to be held in the care and custody of the Northampton Conservation Commission for the purposes of conservation, recreation, and open space subject to the provisions of Article 97 of the Massachusetts Constitution.

As damages for the taking, the City Council hereby awards Two Thousand Five Hundred Dollars (\$2,500.00).

Passed two readings and enrolled.

21.373 Order to
Appropriate Free
Cash and
Enterprise Fund
Retained Earnings
to Various Capital
Projects - 2nd
reading

City of Northampton

MASSACHUSETTS

In City Council

December 2, 2021

Upon recommendation of the Mayor

21.373 An Order to Appropriate Free Cash and Enterprise Fund Retained Earnings to Various Capital Projects

Ordered, that

\$ 100,000 be appropriated from the FY22 Solid Waste Enterprise Retained Earnings to the landfill closure account (3200640 533030) to fund ongoing expenses which include the gas flare and piping system, erosion control measures and regulatory compliance considerations.

\$ 175,000 be appropriated from the FY22 Storm Water Enterprise Retained Earnings to the drain replacement account (3200620-589022) in order to fund ongoing efforts related to controlling roadway flooding.

\$ 965,000 be appropriated from the FY22 Water Enterprise Retained Earnings to the waterline replacement account (3200610 589174) to fund DEP mandated repairs to the clearwell at the water treatment plant.

\$ 815,000 be appropriated from the FY22 Sewer Enterprise Retained Earnings to the Waste Water Treatment Plant (WWTP) improvements account (3200600 583003) to fund the design for phase II of WWTP upgrades.

\$ 70,000 be appropriated from the FY22 General Fund Undesignated Fund Balance (Free Cash) to the Highway Gasoline/Diesel account (14222 548001) to cover the increased cost of fuel.

Passed two readings and enrolled.

21.374 Order to Accept \$21.7 Million in American Rescue Plan Act Funds - 2nd reading

City of Northampton

Massachusetts

In City Council

December 2, 2021

Upon recommendation of Mayor Narkewicz & Mayor-Elect Sciarra

21.374 An Order to Accept \$21.7 Million in American Rescue Plan Act Funds

Whereas, on March 11, 2021 President Biden signed the American Rescue Plan Act of 2021 which will provide \$350 billion in emergency funding to state, local, territorial, and tribal governments around the country to respond to and recover from the COVID – 19 crisis;

Whereas, municipalities and functional counties in the Commonwealth will receive a total of \$3.4 billion of federal aid;

Whereas, the City of Northampton will receive \$21,747,984 of these relief funds over the course of the next two years;

Whereas, the funds must be committed by December 31, 2024 and fully expended by December 31, 2026;

Whereas, there are four eligible categories authorized by the Act which include responding to the public health emergency, providing essential worker premium pay, recovering revenue loss, and investments in water, sewer and broadband;

Whereas, the American Rescue Plan will provide a substantial infusion of resources allowing the City the opportunity to address the impacts of the pandemic;

Now Therefore Be it Ordered, that

The City Council accepts the Federal American Rescue Plan (ARPA) funds to the City of Northampton in the amount of twenty one million seven hundred forty seven thousand nine hundred eighty four and 00/100 dollars (\$21,747,984). Said funds will be expended in accordance with the Coronavirus State & Local Fiscal Recovery Fund (CSLRF) authorized

purposes, including recovering municipal revenue loss, and are accepted in accordance with M.G.L Chapter 44, Section 53A.

Passed two readings and enrolled.

21.367 Order to Appropriate \$70,000 in CPA Funds to OPS for Ct. River Greenway Water Access Project – 2nd rdg.

Councilor Foster said she was also going to recuse herself from this vote since All Out Adventures runs programs at the Connecticut River Greenway.

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion carried 8:0 by roll call vote with Councilor Foster recused.

The following order passed two readings:

21.367 Order to Appropriate \$70,000 in CPA Funds to OPS for Ct. River Greenway Water Access Project - 2nd rdg.

City of Northampton
MASSACHUSETTS

In City Council, December 2, 2021

Upon the recommendation of the Community Preservation Committee

21.367 An Order to Appropriate \$70,000 in CPA Funds to OPS for Ct. River Greenway Water Access Project

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted a CPA application for construction of a universally accessible access to the beach and docks at the Connecticut River Greenway;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail to increase water-based recreation opportunities and provide additional opportunities for all users;

WHEREAS, the project has widespread community support and will continue the City's partnership with Northampton Community Rowing;

WHEREAS, on November 17, 2021, the Northampton Community Preservation Committee, voted unanimously to recommend that \$70,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$70,000 be appropriated from Community Preservation Act funding to the Connecticut River Greenway Water Access project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$70,000 is appropriated from the CPA Budgeted Reserve account #2344930-359930).

Passed two readings and enrolled.

Orders
21.370 An Order to Amend the Council Rules - single reading only required

Orders
21.370 An Order to Amend the Council Rules - single reading only required

As councilors will remember, they had this discussion at their last meeting, Councilor Sciarra reminded. She said she believed they had some amended language.

Councilor Dwight moved to approve the order in first reading. Councilor Jarrett seconded.

After the council's fruitful discussion and the feedback received, she wanted to clarify the language around the process of approving financial orders, Councilor Maiore explained. She thanked Attorney Seewald for weighing in on the question of when and if Robert's Rules of Order would apply. She also gave a shout out to Councilor-Elect and former Charter Review Committee member Stan Moulton for suggesting an amendment to address a discrepancy between the council's rules and the charter.

Councilor Jarrett moved to approve the amendments as shown on the agenda. Councilor Quinlan seconded.

Councilor Jarrett reviewed the changes in detail. They are all excellent adjustments and modifications, Councilor Dwight confirmed. Councilor Jarrett and Councilor Maiore "definitely sanded down some edges" and the revised rules will hopefully serve the next council well.

Councilor Sciarra asked about the proposal to move resolutions farther down in the order of business, noting that they often get a lot of public comment around resolutions. She wondered if the rules committee discussed the impact this would have on folks waiting to hear the council's action on a particular resolution.

The intent was to focus action on business items requiring the presence of city department heads earlier in the meeting, Councilor Foster explained. A thread that went through their discussion was the broad discretion of the council president to reorder the agenda. They do have resolutions that include quite a lot of council discussion but not a lot of interest from the public. Some have a lot of interest and the chair would have the discretion to move those up on the agenda.

Councilor Dwight confirmed it would be appropriate to add orders to set the council's calendar to items requiring only a single reading.

CHANGES ON FINANCE

Councilor Sciarra asked to recognize Finance Director Charlene Nardi to discuss some concerns she had about items that need to be handled fairly quickly.

She knows this is really a new process for her but looking back over the last year and talking to the former Finance Director, some things which might require prompter action would be year-end transfers, Director Nardi explained. Financial officers need to make financial transfers to close the books at the end of the year but have a really short time-frame in which to work. Approval of these transfers would be something they normally would not want to push to two meetings. Other items which might need to be handled more quickly are transfers of additional funds to ongoing projects to keep a contract moving forward. If the need came up right after one of their meetings, it could be as long as 34 days before they could get a second vote. Besides ongoing projects, other items in that category might be the acquisition of easements and purchase of land.

Even with the best of planning, some types of orders sometimes need faster approval, she shared. She would just want to make sure that there is an opportunity to shorten the approval process. To her this would always be true with year-end transfers. She understands the importance of having time to answer questions but wants to make sure the process does not stop the work of the city.

Councilor Jarrett expressed his understanding that, similar to how they can now suspend rules to allow a second reading, they could waive the requirement for an order to be introduced at a meeting prior to a vote. It would simply be a suspension of rules needing a two-thirds majority, he noted.

Under the new rules, the council would enjoy the flexibility it currently has that it has employed to effect, Councilor Dwight agreed. If necessary, they could hold a special meeting if even more discussion is needed. "I don't see any of these as impediments; I see them as basically defining the best process," he explained.

There are contingencies built in to accommodate special circumstances, he stressed. He voiced the assumption that year-end transfers would just go directly to the consent agenda. "These constraints exist now and we've made accommodations for them," he pointed out.

"I think this is a system that will work and make those adjustments as needed," he added.

Councilor Nash said he really appreciated what Director Nardi shared since it addressed his concern about creating opportunity for more public input without unnecessarily gumming up the works.

He said he would like to amend the first line of 2.6.1.1 Committee on Finance to read "for more public input, discussion and recommendation" instead of "for more granular discussion and recommendation."

Councilor Jarrett accepted this as a friendly amendment to his motion to amend. **The motion passed unanimously 9:0 by roll call vote.**

The motion to approve the order in one reading passed unanimously 9:0 by roll call vote.

The following order passed a single reading:

**CITY OF NORTHAMPTON
MASSACHUSETTS**

In the City Council, December 16, 2021
Upon the Recommendation of the City Council Rules Select Committee

21.370 AN ORDER
TO AMEND THE COUNCIL RULES

Ordered that the "RULES OF THE 2020-2021 CITY COUNCIL OF THE CITY OF NORTHAMPTON" be amended as shown on the attached document.

20.001 As Adopted in City Council on January 7, 2020
~~As Amended in City Council on December 16, 2021 by 21.370~~



**RULES OF THE 2020-2021 CITY COUNCIL
OF THE CITY OF NORTHAMPTON**

- 1. These Rules
 - 1.1. Adoption
 - 1.2. Repeal or Amendment
 - 1.3. Precedence
 - 1.4. Suspension
- 2. Organization
 - 2.1. Presiding Officer
 - 2.1.1. Duties
 - 2.1.2. Participation
 - 2.1.3. Order of Succession
 - 2.2. Election of Council President and Vice-President
 - 2.3. Council President - Duties and Powers
 - 2.4. Council Vice-President - Duties and Powers
 - 2.5. Administrative Assistant to the City Council
 - 2.5.1. Duties
 - 2.6. Council Committees
 - 2.6.1. Establishment of Standing Committees
 - 2.6.1.1. Committee on Finance
 - 2.6.1.2. Committee on Community Resources
 - 2.6.1.3. Committee on City Services
 - 2.6.1.4. Committee on Legislative Matters
 - ~~2.6.1.5. Committee on Public Works and Utilities~~
 - 2.6.2. Powers and Duties of Council Committees
 - 2.6.3. Select Committees
- 3. Duties and Powers of the City Council
 - 3.1. Selection of an Outside Auditor
- 4. Order
 - 4.1. Quorum
 - 4.2. Calling Meetings to Order
 - 4.3. Recognition of Mayor and Department Representatives
 - 4.4. Consent Agenda
 - 4.5. Order of Business

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 4.6. Minutes of Previous Meeting
 - 4.7. Conduct
 - 4.8. Public Comment
 - 4.9. New Business
 - 4.10. Recess
 - 4.11. Order and Manner of Speaking
 - 4.12. Order During Debate
 - 4.13. Voting
 - 4.13.1. Deciding Votes
 - 4.13.2. Votes Required to Pass Measures
 - 4.13.3. Roll Call Votes
 - 4.13.3.1. Request
 - 4.13.3.2. Method of Recording
 - 4.13.4. Reconsideration
 - 4.14. Remote Meeting Participation
 - 4.15. Minutes of Executive Session Meetings
- 5. Legislative Process
 - 5.1. Proposed Matters
 - 5.1.1. Timely Filing
 - 5.1.2. Presentation to Council, Mayor
 - 5.1.3. Adding Matters to Council Agenda
 - 5.1.4. Presentation and Enacting Style of Matters
 - 5.1.5. Supporting Documents
 - 5.2. Referral of Matters to Committee
 - 5.3. Solicitor Review of Ordinances
 - 5.4. Withdrawal of Matters
 - 5.5. Matters Requiring Two ~~Votes~~ Readings
 - 5.6. Matters Requiring One ~~Vote~~ Reading
 - 5.7. Enrollment Committee
 - 5.8. Automatic Carryover
- 6. Appendices
 - 6.1. Special Permit Granting Authority
 - 6.2. Examples of Presentation and Enacting Styling of Matters

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

1. These Rules

- 1.1. ADOPTION. When adopted by the City Council, these Rules shall take effect at the time of the first Council meeting following January 1, 202~~0~~.
- 1.2. REPEAL OR AMENDMENT. City Council Rules may only be repealed or amended with a two-thirds majority vote of quorum present. The latest version of these Rules shall be published online.
- 1.3. PRECEDENCE. The City Council Meetings shall conform to parliamentary practices as set forth in the Rules of the City Council. The procedures defined in the most current version of Robert's Rules of Order will resolve questions not addressed by the Council Rules.
- 1.4. SUSPENSION. Suspension of these rules or any part thereof shall require a two-thirds majority of the quorum present. Nothing herein shall be construed to authorize suspension of any provision of the Charter of the City of Northampton, or any ordinance of the City of Northampton.

2. Organization

2.1. PRESIDING OFFICER

- 2.1.1. DUTIES. When present, the Council President shall be the presiding officer of the City Council at every meeting. The duties as presiding officer shall be only those set forth herein:
 - 2.1.1.1. To open the meeting at the appointed time by taking the chair, calling the meeting to order, and ascertaining that a quorum is present.
 - 2.1.1.2. To announce in proper sequence the business that comes before the City Council.
 - 2.1.1.3. To recognize members who are entitled to the floor.
 - 2.1.1.4. To state and to put to vote all questions that legitimately come before the City Council as motions or that otherwise arise in the course of proceedings (except questions that relate to the presiding officer as noted below), and to announce the result of each vote or, if a motion that is not in order is made, to rule it out of order; or, to refuse to recognize obviously frivolous or dilatory motions as defined by Robert's Rules;.
 - 2.1.1.5. To expedite business in every way compatible with the rights of all members of the body.

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 2.1.1.6. To respond to inquiries of City Councilors relating to parliamentary procedure or factual information bearing on the business of the City Council.
 - 2.1.1.7. To declare the meeting adjourned when the City Council so votes or, when applicable, at the time prescribed in the order of business, or at any time in the event an emergency.
 - 2.1.1.8. To determine whether an amendment is germane to the motion under consideration.
- 2.1.2. PARTICIPATION. The Presiding Officer may make statements, ask questions and give opinions during debate without relinquishing the chair.
- 2.1.3. ORDER OF SUCCESSION. In the absence of the Council President, the first of the following list of persons who is not absent shall preside and shall retain voting privileges:
- First, the Council Vice-President
 - Second, the Chair of the Committee on Finance
 - Third, the Chair of the Committee on Legislative Matters
- If none of the above are present or able to preside, the City Council shall elect by majority vote a President pro-tempore who shall preside for that meeting and shall retain voting privileges. Should the City Council fail to elect a President pro-tempore the meeting shall be adjourned.
- 2.2. ELECTION OF COUNCIL PRESIDENT AND VICE-PRESIDENT.
- 2.2.1. The City Council President and Vice-President shall be elected:
 - 2.2.1.1. At the first City Council meeting of a two-year session; and
 - 2.2.1.2. In the event of a vacancy for either office.
 - 2.2.2. At any meeting when a City Council President is to be elected, the previous Council President will preside. If the previous Council President is absent or no longer a member of the Council, the longest serving member of the Council will preside. If two members of the Council are equal in seniority, a coin toss will determine which Councilor presides over the election of the Council President. If more than two members of the Council are equal in seniority they will draw lots to determine which Councilor will preside over the election of the Council President.
 - 2.2.3. After nominations are made by members of the Council, candidates may present to the council.
- 2.3. COUNCIL PRESIDENT POWERS AND DUTIES. The powers and duties of the Council President shall include all duties pursuant to the Charter and also:

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 2.3.1. To assign councilors to serve on any committee established by the City Council.
- 2.3.2. To remove members of a committee from a committee, or reassign them, at any time.
- 2.3.3. To appoint members to select committees, as provided below.
- 2.3.4. To determine seating arrangements for the members of the City Council.
- 2.3.5. To appoint the membership of Enrollment Committee and modify the membership meeting to meeting for any reason.
- 2.3.6. To set an agenda for the City Council.
- 2.3.7. To hire the Administrative Assistant to the City Council and to supervise the individual in that position generally including conducting an annual performance review. The administrative assistant appointment must be ratified by the whole City Council.
- 2.3.8. To issue a Committee Study Request to any committee. Such a request shall require a committee to report to the full Council on a particular policy or issue area within 120 days optionally accompanied by legislation. However a committee may by majority vote decline to consider or respond to such a request.

2.4. COUNCIL VICE-PRESIDENT - POWERS AND DUTIES. The powers and duties of the City Council Vice-President will include all duties pursuant to the Charter.

2.5. ADMINISTRATIVE ASSISTANT TO THE CITY COUNCIL

2.5.1. DUTIES. The Administrative Assistant shall report to the City Council President, who may assign duties in addition to the following:

- 2.5.1.1. To maintain a record of all matters and their status as they proceed through various legislative stages and committees, as well as all amendments and related documents.
- 2.5.1.2. To provide staff support and recordkeeping to ~~all~~ standing Council committees and select committees as assigned and to assist committees with all aspects of reporting.
- 2.5.1.3. To act as custodian of all books, documents and papers belonging to the City Council and to keep an accurate list thereof.
- 2.5.1.4. To notify the chair of any Council committee, board, executive commission, or other body when a matter is referred to it and to provide the body with all documents relative to the matter.
- 2.5.1.5. To ensure that all documents addressed to the Council shall be provided to each Councilor, and that any documents reviewed during the meeting become part of the permanent public record of Council that meeting at which the documents are distributed.
- ~~2.5.1.6. To secure two video records of meetings of the City Council that were so recorded.~~

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

~~2.5.1.7-2.5.1.6~~ To notify the appointees to all Council committees in writing upon their appointment.

~~2.5.1.8-2.5.1.7~~ To assist in preparing requests for proposals for an independent auditor in accordance with Sec 7-6 of the Charter.

~~2.5.1.9-2.5.1.8~~ To advise the Council President on matters of parliamentary procedure.

2.6. COUNCIL COMMITTEES

2.6.1. ESTABLISHMENT OF STANDING COMMITTEES. The following committees are established as described below.

2.6.1.1. COMMITTEE on FINANCE

~~2.6.1.1.1~~ Process. Financial orders will be introduced and discussed at a full City Council meeting and referred to either the consent agenda of a future meeting or the Finance Committee for more public input, discussion and recommendation. The Finance Committee will then convene separately outside of the full council meeting and before the next meeting.

~~2.6.1.1.2~~ 2.6.1.1.2 Jurisdiction. Financial matters. The Committee shall review all orders authorizing a loan, supplemental appropriation, or financial transfer submitted by the Mayor in accordance with such authority by either the Massachusetts General Laws, the Charter of the City of Northampton, or the Code of Ordinances of the City of Northampton and make recommendations on ~~the matter referrals~~ to the City Council.

~~2.6.1.1.3~~ 2.6.1.1.3 In addition to the outside audit provided by Section 7-6 of the Charter, the Committee may request access to all books, vouchers, notes, securities, and bonds in the possession of the Treasurer-Collector, City Auditor or any board or executive commission and make a report thereof to the City Council.

~~2.6.1.1.4~~ 2.6.1.1.4 The Committee shall review all proposals to sell or lease any City-owned land or building not put to public use that are submitted to the City Council for approval and all proposals to purchase or lease real property that are submitted to the City Council for approval. The Committee shall make recommendations to the City Council on the matter. All instruments of conveyance and leases approved by the City Council shall be executed by the Mayor on behalf of the City unless otherwise provided by Massachusetts General Laws.

~~2.6.1.1.5~~ 2.6.1.1.5 The Committee shall consist of four Councilors.

~~2.6.1.1.6~~ 2.6.1.1.6 The Committee may hold public hearings on water, sewer, Stormwater and other municipal utility rates.

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

2.6.1.2. COMMITTEE on COMMUNITY RESOURCES

- 2.6.1.2.1. Jurisdiction. Matters affecting the community including economic development, local business, tourism, the environment, the arts, planning, zoning, sustainability, land use, housing and affordability, among others.
- 2.6.1.2.2. The Committee may review and make recommendations on licenses and permits.
- 2.6.1.2.3. The Committee shall consist of four Councilors.

2.6.1.3. COMMITTEE on CITY SERVICES

- 2.6.1.3.1. Jurisdiction. Matters related to the activities and operation of municipal government.
- 2.6.1.3.2. The Committee shall serve as the standing committee to review all candidates for appointment to boards and commission in accordance with Section 2-10 of the Charter.
- 2.6.1.3.3. The Committee shall consist of four Councilors.

2.6.1.4. COMMITTEE on LEGISLATIVE MATTERS

- 2.6.1.4.1. Jurisdiction. Upon referral by the City Council, the Committee shall have the power to make recommendations on ordinances, orders, resolutions and the rules of the City Council. Such recommendations shall be made in consultation with the City Solicitor.
- 2.6.1.4.2. The Committee may choose to be the last committee to review any matter that is also referred to another Council committee. The Committee shall not be required to wait to receive the report of any executive commission.
- 2.6.1.4.3. The Committee shall consist of four Councilors.

2.6.2. POWERS AND DUTIES OF COUNCIL COMMITTEES. The following shall apply to all committees unless otherwise stated:

- 2.6.2.1. Election of officers. Council Committees shall elect officers from among their members, such as Chair and Vice-Chair. At a committee's first meeting, the member who was first in the order of those announced by the Council President to serve on the committee shall preside until a Chair is elected.

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 2.6.2.2. Meetings. Committees shall meet as required by the City Council, the Committee's Chair, or at the request of two members. Committees shall hold an initial meeting no later than three months after the appointment of its members.
- 2.6.2.3. Requests to appear before committees. A committee may make information requests pursuant Section 2-7 of the Charter.
- 2.6.2.3.1. Notice. A committee shall give a minimum of 7 days notice to a person it may require to appear before it. No person shall be required to respond to any question not related to those questions presented in advance and in writing. The Committee will notify the Mayor of any Information Request under this section.
- 2.6.2.4. Committees shall have the power to hold hearings on and develop, review and recommend policies on any matter within their jurisdiction.
- 2.6.2.5. Power to amend. Council committees may recommend amendments to any measure. However, when a measure has been referred to the Committee on Legislative Matters, the Committee on Legislative Matters shall consider all amendments previously proposed by other committees and report one version of an amended measure to City Council.
- 2.6.2.6. Duty to report. "To report" shall mean transmitting a positive/favorable, negative/neutral or neutral recommendation and associated votes as well as any suggested textual amendments and related documents.
- 2.6.2.6.1. For matters referred to the Committee on Legislative Matters, among others: All committees other than the Committee on Legislative Matters shall report to the Committee on Legislative Matters and the City Council within 60 days, whereupon the Committee on Legislative Matters shall report to the full City Council within an additional 30 days.
- 2.6.2.6.2. For matters referred to the Committee on Legislative Matters exclusively: The Committee on Legislative Matters shall report to the full City Council within 60 days.
- 2.6.2.6.3. For matters referred to committees not including the Committee on Legislative Matters: Committees shall report to the full City Council within 90 days.

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

2.6.2.6.4. Committees shall make all reports in writing.

2.6.3. SELECT COMMITTEES. The City Council may establish select committees for the purpose of considering a particular policy or issue or for other purposes. Such committees may make recommendations and may sponsor ordinances, resolutions or other matters. Such committees may be created by resolution approved by a two-thirds vote of a quorum. The resolution shall specify the composition and scope of the select committee. No such committee shall exist beyond the current term of the Council. The Council President shall appoint all members to such committees, and may appoint members of the public who are residents of the City of Northampton or city employees provided the Mayor approve the appointment of any city employee. Select Committees shall elect their own Chair and other officers from among those appointed. At the first meeting, the person whose appointment was first announced by the Council President shall serve as temporary Chair until elections occur.

2.6.4. A majority of those appointed and serving on a committee shall constitute a quorum.

3. Duties and Powers of the City Council.

The City Council shall have those duties and powers pursuant the Charter and also:

3.1. SELECTION OF AN OUTSIDE AUDITOR. Pursuant Section 7-6 of the Charter, the City Council shall select an independent auditor according to the following provisions:

3.1.1. ~~The Council shall by October 1 of the fiscal year for which the audit is to be done establish a Select Committee for the purpose of making a recommendation on an independent auditor to the full Council. The Finance Committee shall oversee the process of selection of an independent auditor and shall make a recommendation on the award of a contract for auditing services to the full Council.~~

3.1.2. ~~The Council shall award a contract to audit on or before March 1 of the fiscal year for which the audit is to be done. The award of a three-year contract to audit shall be made by the City Council on or before September 15 of every third year.~~

3.1.3. The Council shall require the report of the audit to be filed in final form with the Council not later than ~~January 15~~ March 1 in the year following

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

its award.

4. Order

- 4.1. QUORUM. The presence of 5 members shall constitute a quorum of the City Council.
- 4.2. CALLING MEETINGS TO ORDER. The presiding officer shall call the City Council to order at the time appointed for the meeting or to which it may have adjourned, if a quorum be present, which shall be determined by calling the roll. The names of members not present at the meeting shall be recorded by the Administrative Assistant to the City Council.
- 4.3. RECOGNITION OF MAYOR AND DEPARTMENT REPRESENTATIVES. The Mayor and all City department representatives are recognized at all Council Meetings.
- 4.4. CONSENT AGENDA
 - 4.4.1. When any item of business requires action by the City Council, but is of a routine nature, such item may be presented at a regular meeting of the City Council as part of the Consent Agenda. Items eligible for consideration on the Consent Agenda include: approval of minutes, appointments, licenses, and petitions.
 - 4.4.2. The Consent Agenda may be introduced by a motion "To approve the Consent Agenda," and may be considered by the City Council as a single item.
 - 4.4.3. The presiding officer shall read the title of each item contained in the Consent Agenda before a vote.
 - 4.4.4. There shall be no debate or discussion by any City Council member regarding any item on the Consent Agenda, beyond asking questions for simple clarification.
 - 4.4.5. Any item may be removed from the Consent Agenda upon the request of any City Council member prior to the taking of a vote on the motion to approve it. All such items will be considered individually, in the order in which they were removed, immediately following consideration of the Consent Agenda.
 - 4.4.6. Approval of the motion to approve the Consent Agenda shall be fully equivalent to approval, adoption, referral or enactment of each item of business thereon, exactly as if each had been acted upon individually.
 - 4.4.7. When an appointment has not received a recommendation from the standing committee pursuant Sec 2-10 of the Charter, a vote within the

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

Consent Agenda shall be equivalent to a motion to refer it to said standing committee. Otherwise a vote shall be equivalent to approval.

4.5. ORDER OF BUSINESS.

4.5.1. The order of business at every regular meeting of the Council shall be as follows unless otherwise decided by the Presiding Officer:

- Roll Call
- Public Hearings
- Public Comment
- ~~Roll Call~~Announcements from Councilors and the Mayor
- ~~Public Hearings~~
- ~~Recognitions and One Minute Announcements by Councilors~~
- ~~Communications and Proclamations from the Mayor~~
- Resolutions
- Presentations
- Consent Agenda
 - Approval of minutes
 - Licenses and Petitions
 - Appointments
 - Financial Orders (As Referred)
- ~~Resolutions for Committee on Finance~~
- Financial Orders
- Orders
- Ordinances (Not Yet Referred)
- Ordinances
- Resolutions
- ~~Updates from Council President and Committee Chairs~~
- Information Requests (Charter Provision 2-7) and Committee Study Requests
- New Business

4.5.2. The agenda shall be published in this manner and adhered to at all meetings. The presiding officer may implement a change in the order of business unless any single Councilor objects, in which case the rules may be suspended as provided in these Rules.

4.6. MINUTES OF PREVIOUS MEETING. The Administrative Assistant to the City Council shall submit the minutes of the previous meeting with the Council agenda for the next regular scheduled meeting of the City Council.

4.7. CONDUCT. City Councilors and members of the public shall conduct themselves with civility and respect at all times.

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 4.8. PUBLIC COMMENT. Members of the public may address the Council and all Council Committees on any matter for a period of ~~three-two~~ minutes. This period may be extended or reduced at the discretion of the presiding officer. Public comment may be accepted for no more than 90 minutes. Whenever language translation is required for a member of the public to address the City Council, such person shall be provided ~~six-four~~ minutes. Individuals wishing to speak will be recognized by the presiding officer and shall state their name and city or town of residence and, optionally, their address. Councilors will not respond to any comments from the public. The City Council will take public comment in person or by remote participation as the technology allows.
- 4.9. NEW BUSINESS. Any Councilor may introduce any written proposed order, ordinance, or resolution to be considered by the Council at the next meeting, but not to be debated during new business.
- 4.10. RECESS. Any Councilor may call for and be granted a recess the length of which will be determined by the presiding officer.
- 4.11. ORDER AND MANNER OF SPEAKING. No City Councilor shall speak more than once on a question, to the prevention of any other who has not spoken,— and is desirous of speaking. The presiding officer may allow a brief immediate response to any statement posed directly to a particular City Councilor by a City Councilor. The presiding officer may request that any speaker discontinue any overly lengthy speech, but the right of a City Councilor to speak shall not be limited unless a formal motion is passed to set limits to debate for all City Councilors.
- 4.12. ORDER DURING DEBATE. No member should be interrupted while speaking, but by a call to order, or a request for information, or a question of privilege to appeal a decision from the presiding officer, or for the correction of a mistake, nor shall there be any conversation among the members while a paper is being read, or a question stated from the presiding officer
- 4.13. VOTING
 - 4.13.1. DECIDING VOTES. The presiding officer shall decide all votes, but if a member rises to doubt a vote the presiding officer shall order a roll call vote.
 - 4.13.2. VOTES REQUIRED TO PASS MEASURES
 - 4.13.2.1. The affirmative vote, taken by roll call, of 6 members shall be required to adopt an appropriation order or transfer.
 - 4.13.2.2. The affirmative vote, taken by roll call, of 6 members shall be required to adopt a zoning ordinance.
 - 4.13.2.3. In the absence of statutory requirements providing otherwise, the

20.001 As Adopted in City Council on January 7, 2020
~~As Amended in City Council on December 16, 2021 by 21.370~~

affirmative vote, taken by roll call, of 5 members shall be required to adopt any other ordinance.

4.13.2.4. In the absence of statutory requirements providing otherwise, an affirmative vote of a majority of a quorum shall pass any other measure.

4.13.3. ROLL CALL VOTES.

4.13.3.1. REQUEST. Any member may request a roll call vote on any question before the City Council and the Administrative Assistant to the City Council shall take the census of the Council in that manner.

4.13.3.2. METHOD OF RECORDING. Roll call votes shall be conducted by this method. The first roll call vote of every session of the City Council shall be in alphabetical order. Each roll call vote after that shall progress to the next City Councilor in the alphabet to be the first Councilor voting, so that at the end of every nine roll call votes each Councilor has by alphabetical progression voted first in one of the nine roll call votes.

4.13.4. RECONSIDERATION.

4.13.4.1. When a vote has passed, except for adjournment or to lay on the table, any member voting with the majority may move a reconsideration, to be acted upon at the same meeting. Any member voting with the minority may move a reconsideration to be acted upon at the next meeting.

4.13.4.2. Minority reconsideration shall have priority over majority reconsideration. Minority reconsideration shall be used to allow time for the submission of new or additional information. Reconsideration shall not be used in a dilatory manner as defined in Robert's Rules of Order.

4.13.4.3. No motion shall be twice reconsidered.

4.14. REMOTE MEETING PARTICIPATION. Councilors may participate remotely in meetings pursuant to the following regulations:

4.14.1. Requirements

4.14.1.1. Any Councilor who participates remotely and all persons present at the meeting location shall be clearly audible to each other;

4.14.1.2. A quorum including the presiding officer shall be physically present at the meeting location;

4.14.1.3. Any Councilor who participates remotely may vote and shall not be deemed absent.

~~4.14.1.4. Any Councilor may not participate remotely more than six times in a calendar year.~~

4.14.2. Permissible Reasons for Remote Participation. Any Councilor may participate remotely if the presiding officer determines that one or more of

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

the following factors make the participation of the Councilor’s physical attendance unreasonably difficult:

- 4.14.2.1. Personal Illness;
- 4.14.2.2. Personal Disability;
- 4.14.2.3. Emergency;
- 4.14.2.4. Military Service; or
- 4.14.2.5. Geographic Distance
- 4.14.2.5-4.14.2.6. Family Illness or Family Caretaking

4.14.3. Technology

- 4.14.3.1. The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any Councilor who requires TTY service, video relay service, or other form of adaptive communications.
 - 4.14.3.1.1. Telephone, Internet, or satellite-enabled audio or video conferencing;
 - 4.14.3.1.2. Any other technology that enables the remote participation and all persons present at the meeting location to be clearly audible to one another.
- 4.14.3.2. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
- 4.14.3.3. The presiding officer may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to call a brief recess while reasonable efforts are made to correct any problem that interferes with a remote participant’s ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.
- 4.14.3.4. All costs associated with remote participation, if any, shall be borne by the Councilor remotely participating.

4.14.4. Procedures

- 4.14.4.1. Any Councilor who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the presiding officer of their desire to do so and the reason for and facts supporting their request.
- 4.14.4.2. At the start of the meeting, the presiding officer shall announce the name of any member who will be participating remotely and the reason for their remote participation. This information shall be recorded in the meeting minutes.
- 4.14.4.3. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- 4.14.4.4. Any Councilor participating remotely may participate in executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

location. Any Councilor participating remotely who cannot certify that no other person is present and/or able to hear the discussion at the remote location may not participate in executive session.

4.14.4.5. When feasible, the presiding officer shall distribute to remote participants, in advance of the meeting, copies of any documents of exhibits that they reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be a part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with Massachusetts General Law Chapter 30A Section 22.

4.14.5. Application. This rule shall apply to Council Committees.

4.14.6. Amendment. This section may not be amended unless it is in accordance with the Mayor's Remote Meeting Participation Policy, Massachusetts General Law Chapter 30A Sections 18-25 and 940 Code of Massachusetts Regulations 29.10.

4.15. MINUTES OF EXECUTIVE SESSION. The City Council shall create and maintain accurate minutes of all executive sessions in accordance with the following:

4.15.1. The minutes shall set forth the day, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes.

4.15.2. Any vote taken in an executive session shall be recorded by roll call and entered into the minutes.

4.15.3. The minutes of any executive session and the notes, or other materials used in the preparation of such minutes, and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety, according to the provisions of M.G.L. Chapter 4 § 7 (26) (a), as long as publication would defeat the lawful purposes of the executive session, but no longer.

4.15.4. Approving minutes.

4.15.4.1. Votes to approve executive session minutes may be, but are not required to be, taken in executive session.

4.15.4.2. Review of, deliberation on and amendments to executive session minutes shall be done in executive session.

4.15.5. Releasing minutes.

4.15.5.1. As provided in MGL Ch 30A, Sec 22(g)(1), The Council President, with the assistance of the Administrative Assistant to the City Council and City Solicitor, shall, at reasonable intervals, not to exceed three months, review the minutes of executive sessions to

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

determine if the relevant statutory provisions warrant continued nondisclosure. Such determination shall be announced at the City Council's next meeting and such announcement shall be included in the minutes of that meeting.

4.15.5.2. Whenever the Council President requests that a vote of the Council be taken to determine whether to release executive session minutes, that vote must be taken in executive session.

4.15.6. Upon request by any person to inspect or copy the minutes of an executive session or any portion thereof, the Council shall respond to the request within 10 days following receipt and shall release any such minutes that would not defeat the lawful purposes of the executive session.

4.15.7. Any notes, documents or other exhibits used in the preparation of the minutes of executive sessions shall be retained for at least 60 days following the approval of the minutes of the executive session by the Council. The Council President shall periodically review said notes and other documents prior to the discarding or destruction thereof.

5. Legislative Process

5.1. PROPOSED MATTERS

5.1.1. Matters proposed for inclusion in City Council agendas shall be filed with the Administrative Assistant to the City Council. Agendas shall be published in accordance with the Open Meeting Law.

5.1.2. COMMUNICATION WITH MAYOR'S OFFICE. The Administrative Assistant to the City Council shall serve as a point of contact with the Mayor's office regarding the City Council's agendas.

5.1.3. ADDING MATTERS TO COUNCIL AGENDA. The Council President shall have discretion over the items added to Council agendas, except that if the addition of an item has been once requested by a member of the City Council or the Mayor and at the discretion of the Council President that item is not placed on an agenda of a regular Council meeting, then before the next regular Council meeting any two members of the City Council may petition the Council President who shall then add the item to the agenda of the next regular Council meeting.

5.1.4. PRESENTATION AND ENACTING STYLE OF MATTERS

5.1.4.1. Matters shall be presented in a format as indicated in the table below:

Line	Ordinances	Orders	Resolutions
------	------------	--------	-------------

20.001 As Adopted in City Council on January 7, 2020
 As Amended in City Council on December 16, 2021 by 21.370

1. Date	“In the Year 2016”	“In the City Council, February 2, 2016.”	“In the Year 2016”
2. Sponsorship	“Upon the recommendation of...”		
3. ID Number	Not prefaced	Prefaced by “O”	Prefaced by “R”
4. Type of Matter	“An Ordinance”	“An Order”	“A Resolution”
5. Short Title	“Relative to...” “Entitled the ... Ordinance of 2016”, or “To ...” et al.	“To...” et al.	“To...”, “In support of...”, et al.
6. Enacting Clause	“Be it ordained by the City Council of the City of Northampton in City Council assembled, as follows”	“Ordered, that”	“Be it resolved by the City Council of the City of Northampton in City Council assembled, as follows”

5.1.4.2. Administrative ID Number. The Administrative Assistant to the City Council shall assign each matter, upon formal submission, a unique identification number, in the form of the last two digits of the calendar year followed by an incrementally increasing number. The incrementally increasing portion shall reset to “1” every Council session.

5.1.4.3. Additions to the Code of Ordinances shall be indicated in bold and/or underline. Deletions shall be indicated by striking through.

5.1.5. SUPPORTING DOCUMENTS. Maps and visuals, along with all other supportive evidence essential to a matter, shall be presented in a clear and intelligible way.

5.2. REFERRAL OF MATTERS

5.2.1. In general, all matters may be referred to Council committees or executive multiple-member bodies, which shall constitute a request for a report on such matters.

5.2.2. Financial orders. No order or resolution authorizing a loan, the levying of a tax or the expenditure of money (with the exception of the printing of the annual reports) shall be voted on by the City Council until it has been considered by the Committee on Finance, unless the Council determines that such consideration is not necessary, as provided in 2.6.1.1.1. It shall be the duty of such committee to report on the relation of such order, resolution, levy or expenditures to the finances of the City, but new provisions shall not be added to such resolution, order, levy or expenditure

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

by the Committee unless directly connected with the financial features thereof, and then by recommendation only.

5.2.3. Ordinances. No ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

5.2.4. Licenses and permits. Licenses and permits may be referred to the Committee on Community Resources for the committee's recommendation.

5.2.5. Should a committee fail to report within the time set forth in Section 2.6.2.6, or if a multiple-member body fails to report within 45 days of referral to that body, the City Council shall be authorized to proceed with the matter in absence of such report.

5.3. SOLICITOR REVIEW OF ORDINANCES. At or before the meeting at which the Committee on Legislative Matters considers any matter for approval and/or recommendation the City Solicitor shall be requested to examine the matter's form and legal character.

5.4. WITHDRAWAL OF MATTERS. If the Council has previously acted on a matter, the matter may be withdrawn by this method. At the written request of any sponsor(s) of a matter, a matter shall be withdrawn from consideration in the City Council and in all City Council Committees to which the matter had been referred provided the withdrawal be placed on the agenda of a City Council meeting. No vote shall be required. However, if at that meeting all sponsors of a matter do not unanimously agree to withdraw a matter, the matter shall not be withdrawn. However at that time any Councilor shall upon their request have their individual sponsorship removed.

5.5. MATTERS REQUIRING TWO ~~VOTES~~ READINGS. ~~To be approved, every matter shall have two separate votes on two separate days unless otherwise provided in these Rules. Before a vote on a matter may be held, it must first have been introduced at a prior City Council meeting, unless otherwise provided in these Rules. Introduction shall include a description of purpose and effects. Council discussion is allowed for questions and clarification, and full discussion by the Council is allowed.~~

5.6. MATTERS REQUIRING ONE ~~VOTE~~ READING. The following shall require only one ~~vote~~ reading of the Council:

~~5.6.1. Administrative orders submitted by the Mayor for either approval or disapproval~~

~~5.6.2-5.6.1. Licenses~~

~~5.6.3-5.6.2. Approval of minutes~~

~~5.6.4-5.6.3. Acceptances of reports~~

~~5.6.5-5.6.4. Petitions, and orders to grant petitions~~

~~5.6.6-5.6.5. Appointments, and~~

~~5.6.6. Orders to adopt or amend the Council Rules and~~

~~5.6.7. Orders to set dates and times of Council meetings.~~

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

- 5.7. ENROLLMENT COMMITTEE. When matter has passed the required number of votes, it shall be signed by the Administrative Assistant to the City Council and signed by the Enrollment Committee consisting of two City Councilors.
- 5.8. AUTOMATIC CARRYOVER. Matters that have not passed the required number of votes by the end of the current session shall automatically carry over to the next session of the City Council and shall remain in the Council and in all committees and executive commissions to which they have been referred at the start of the next session unless:
 - 5.8.1. A matter has already failed on the first of two required votes; or
 - 5.8.2. A matter has received a negative recommendation from the Committee on Legislative Matters; or
 - 5.8.3. The City Council votes to prevent automatic carryover of a matter to the next session. For this purpose, at the request of any City Councilor, the City Council President shall place any such pending matter on the agenda at the final meeting of the session. Only one vote shall be required to prevent automatic carryover, but 2/3 majority of the full Council shall be required; or
 - 5.8.4. None of the sponsors of a matter will be serving in the next session of the City Council.

6. APPENDICES

6.1 SPECIAL PERMIT GRANTING AUTHORITY

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

Chair/Moderator

I. Selection of a Chair/Moderator

The City Council President will serve as the presiding officer of the hearing.

MEETINGS AND HEARINGS

II. Notice of Public Hearings

Notice of hearings shall be advertised as required by the provisions of General Law Chapter 40A. In addition to the legally required notices the City Council will make every effort to publish this notice broadly so the public will be fully informed, methods might include the City website, email distribution list and Northampton Community Television.

III. Calling of Public Hearing

All hearings held by the Council as a Special Permit Granting Authority Shall be open to the public.

IV. Public Hearings

1. Public hearings, when called, will be conducted in the following manner:
 - A. The presiding officer will announce that it is time for a Public Hearing and will announce the subject of such hearing.
 - B. The presiding officer will review evidence of adequate advertisement and legal notice and, if found to be appropriate and proper according to law, will have the advertisement read into the record. The presiding officer will then explain the procedure to be followed, including the time limits on speakers' and the fact that each speaker shall give their name and address for the record. By majority vote the City Council may extend the time granted to a particular speaker by the presiding officer. The chair may limit testimony that is repetitive.
 - C. The presiding officer will report on any new or changed information pertinent to the subject, if any, and then have read into the record all memoranda, opinions, comments and recommendations or City departments or boards pertinent to the matter.
 - D. The applicant will be given a reasonable amount of time to make a presentation regarding the matter.
 - E. Other persons supporting the position of the proponents will then be allowed to express the fact of their support and to present such supportive information as was not included in the initial or previous presentations. A five-minute time limit shall apply but the Council could extend the time on a majority vote.
 - F. Before opponents to an application or petition are called to speak, a member of the Council may move for invocation of a summary procedure and, if seconded and approved by a majority of the quorum, may subsequently move to deny the request made by the applicant, based on a finding that the evidence presented was not adequate to justify the request. If the motion for

20.001 As Adopted in City Council on January 7, 2020
As Amended in City Council on December 16, 2021 by 21.370

denial is then seconded and is approved by the quorum, the public hearing may be deemed complete.

- G. Those persons speaking in opposition to the position taken by the principal proponent are then allowed to speak, each being allowed to express the fact of their opposition and to present such supportive information as was not included in previous presentations before the Council. A five-minute time limit shall apply and the Council could extend the time on a majority vote.
- H. After all opponents have been heard, the presiding officer will then allow the proponent and or project staff person to respond to any issues/questions raised by the opponents.
- I. After the proponents have responded to the opponents, the opponents shall have an additional opportunity to respond, the presiding officer shall determine which opponent shall respond at which time. A three minute time limit shall apply but the Council may extend the time by majority vote. The motion to extend time is non-debatable.
- J. The presiding officer will then enter all documents received concerning the matter into the record. The applicant or project staff may then answer any questions raised in the letters.
- K. If new information is presented the presiding officer or the Council may allow additional time for the appropriate party to respond. Immediately or in writing later but before the close of the public hearing.
- L. The presiding officer will then hear questions from the general public regarding aspects/issues that have not been addressed in previous testimony. The presiding officer shall refer questions to the appropriate person and may rule questions out of order if the subjects of the questions have already been addressed. Questions may also be submitted in writing.
- M. At any point, a public hearing may be continued or postponed to a time, place and date certain, provided that these rules and procedures are adhered to when it is resumed, or may be continued or postponed to a time, place and date not certain, providing required advertising and notice procedures are followed to announce the time, place and date of resumption. Each meeting is a continuation of the same public hearing.

V. Votes of the Council

All votes for Special Permits shall require a 2/3 majority of the Council to pass.

Applications before the City Council

VI. Permit Applications

Applications for a Special Permit before the City Council shall be prepared in accordance with the procedures in the Northampton Zoning Ordinance and the instruction on and attached to the application form. Every application for action by the Council shall be made on the official application form, and as approved by the Council and adopted by reference in these Bylaws and Rules of Procedure.

20.001 As Adopted in City Council on January 7, 2020
[As Amended in City Council on December 16, 2021 by 21.370](#)

6.2 Examples of Presentation and Enacting Styling of Matters

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

15.073
AN ORDINANCE

**RELATIVE TO ZONING IN CENTRAL BUSINESS (OR)
ENTITLED THE ZONING ORDINANCE OF 2016 (OR)
TO REVISE SEC. 000 OF THE CODE OF ORDINANCES**

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

In the Year Two Thousand and Fifteen
Upon the Recommendation of Councilor J. Calvin Coolidge

R-15.003
A RESOLUTION

**IN SUPPORT OF DEMOCRACY (OR)
TO CREATE A SELECT COMMITTEE TO RECOMMEND A
STATE LEGISLATIVE AGENDA**

Be it resolved by the City Council of the City of Northampton, in City Council

20.001 As Adopted in City Council on January 7, 2020
 As Amended in City Council on December 16, 2021 by 21.370

In the City Council, January 1, 2016
 Upon the Recommendation of Councilor J. Calvin Coolidge

O-15.001
AN ORDER

**TO APPROPRIATE FUNDS FROM COMMUNITY
 PRESERVATION ACT FUNDING**

Ordered, that:

23 of 23

Passed single reading and enrolled.

<p><u>Ordinances (Not yet Referred)</u></p>	<p><u>Ordinances (Not yet Referred)</u> None.</p>
<p><u>Ordinances 21.371 An Ordinance Extending the Effective Date of Section 272-18 to July 1, 2022 – 2nd reading</u></p>	<p><u>Ordinances 21.371 An Ordinance Extending the Effective Date of Section 272-18 to July 1, 2022 – 2nd reading</u> Councilor Jarrett said that, due to a potential conflict of interest, he was going to recuse himself. Councilor Dwight moved to approve the ordinance in first reading. Councilor Maiore seconded. Councilor Dwight referred to the letter from the Youth Commission read aloud in public comment. The motion carried 8:0 by roll call vote with Councilor Jarrett recused. <u>The following ordinance passed two readings.</u></p>

**City of Northampton
MASSACHUSETTS**

In the Year Two Thousand and Twenty-One

Upon the recommendation of Councilor Rachel Maiore

21.371 An Ordinance Extending the Effective Date of Section 272-18 to July 1, 2022

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to extend the date on which Section 272-18, Environmental Protection and Solid Waste Reduction, shall take effect.

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

The Code of Ordinances shall be and hereby is amended as follows:

In section 272-18, by deleting in subsection F the word "January" and replacing it with the word "July".

Passed two readings, ordained and enrolled.

<p><u>Zoning Ordinances (Not yet Referred)</u></p>	<p><u>Zoning Ordinances (Not yet Referred)</u> None.</p>
<p><u>Zoning Ordinances</u></p>	<p><u>Zoning Ordinances</u> None.</p>
<p><u>New Business</u></p>	<p><u>New Business</u> None.</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the meeting was adjourned at 8:55 p.m. The motion passed 9:0 by roll call vote.</p>
	<p>Attest: _____ Administrative Assistant to the City Council</p>

EXHIBIT A

List of Documents Reviewed at December 16, 2021 Northampton City Council Meeting:

1. December 16, 2021 Agenda
2. Minutes of December 2, 2021 City Council Meeting
3. Youth Commission Statement on Plastic Reduction and Sustainability Ordinance Implementation Delay
4. 21.347 National Grid-Verizon Joint Pole Petition for Cross Path Road (Petition No. 30408955)
5. 21.348 National Grid Petition to Install Underground Conduit on Old Ferry Road (Petition No. 30408955)
6. 21.347 and 21.348 DPW Recommendation – Memorandum from Kris Baker, P.E. to Donna LaScaleia Dated December 1, 2021 re: Petition No. 30408955 to Install Underground Conduit and a Joint Pole Location at Cross Path Road and Old Ferry Road
7. 21.375 An Order Authorizing a Five-Year Contract for Connecticut River Channel Marking
8. 21.357 An Order to Authorize the Conservation Commission to Acquire a Conservation Restriction on North Farms Road
9. 21.358 An Order to Appropriate \$3,000 in CPA Funds to Lathrop Communities for Continued Invasive Species Removal
10. 21.359 An Order to Appropriate \$31,922 in CPA Funds to Historic Northampton for Shepherd Barn Artifacts Project
11. 21.360 An Order to Appropriate \$20,000 in CPA Funds for Farmland Rehabilitation at the Community Farm and Garden
12. 21.361 An Order to Appropriate \$100,000 in CPA Funds to the Rocky Hill Accessible Trail Project
13. 21.362 An Order to Appropriate \$230,100 in CPA Funds to Valley CDC for a Mortgage Subsidy Program
14. 21.365 An Order to Appropriate \$608,000 in CPA Funds to Independent Housing Solutions for Housing the Disabled Homeless Project
15. 21.366 An Order to Appropriate \$13,000 in CPA Funds to Northampton Parks and Rec for Pickleball Feasibility Assessment
16. 21.367 An Order to Appropriate \$70,000 in CPA Funds to OPS for Ct. River Greenway Water Access Project
17. 21.368 An Order to Appropriate \$82,900 in CPA Funds to Michelson Galleries for 132 Main Street Facade Project
18. 21.369 An Order to Appropriate \$233,400 in CPA Funds to OPS and Conservation Commission for Priority Property Acquisitions
19. 21.372 An Order Authorizing Acquisition of a Parcel of Land on the Northerly Side of Westhampton Road
20. Order of Taking
21. Survey of Land Now or Formerly of Luman E. Bartlett
22. 21.373 An Order to Appropriate Free Cash and Enterprise Fund Retained Earnings to Various Capital Projects
23. 21.374 An Order to Accept \$21.7 Million in American Rescue Plan Act Funds
24. 21.370 An Order to Amend the Council Rules - POST120221
25. 21.370 An Order to Amend the Council Rules
26. Amendment to 3.1 SELECTION OF AN OUTSIDE AUDITOR
27. 21.371 An Ordinance Extending the Effective Date of Section 272-18 to July 1, 2022

Record of City Council Votes for December 16, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
Roll Call by Laura Krutzler, Administrative Assistant to the City Council @ 7:07 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 Present
Open Public Hearing on 21.347 and 21.348 National Grid/Verizon Pole Petition and National Grid Petition to Install Underground Conduit		Motion to approve	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Close Public Hearing on 21.347 and 21.348 National Grid/Verizon Pole Petition and National Grid Petition to Install Underground Conduit		Motion to approve	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Approval of Consent Agenda		Yes	Yes	Yes	Second Yes	Yes	Motion to approve	Yes	Yes	Yes	Motion carried 9:0; roll call
Approve Petition on 21.347 and 21.348 National Grid/Verizon Pole Petition and National Grid Petition to Install Underground Conduit		Second Yes	Motion to approve	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
RECESS FOR FINANCE COMMITTEE											
Approval of Minutes of December 2, 2021					Motion to approve			Yes	Yes	Second Yes	Motion carried 4:0; roll call
21.375 An Order Authorizing a Five-Year Contract for Connecticut River Channel Marking					Yes			Positively Recommend	Yes	Second Yes	Motion carried 4:0; roll call
ADJOURN FINANCE					Yes			Motion to adjourn	Yes	Second Yes	Motion carried 4:0; roll call
RESUME CITY COUNCIL MEETING											
21.375 An Order Authorizing a Five-Year Contract for Connecticut River Channel Marking - 1st reading	1st reading	Motion to approve	Recused	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Foster recused; roll call
	Suspend rules	Second Yes	Recused	Yes	Motion to suspend	Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Foster recused; roll call
	2nd reading	Second Yes	Recused	Yes	Motion to approve	Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Foster recused; roll call

Record of City Council Votes for December 16, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
21.357 An Order to Authorize the Conservation Commission to Acquire a Conservation Restriction on North Farms Road - 2nd reading	21.357 - 21.374 with the exception of 21.367, 21.370 and 21.371 moved as a group in 2nd reading	Motion to approve	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.358 An Order to Appropriate \$3,000 in CPA Funds to Lathrop Communities for Continued Invasive Species Removal - 2nd reading											
21.359 An Order to Appropriate \$31,922 in CPA Funds to Historic Northampton for Shepherd Barn Artifacts Project - 2nd reading											
21.360 An Order to Appropriate \$20,000 in CPA Funds for Farmland Rehabilitation at the Community Farm and Garden - 2nd reading											
21.361 An Order to Appropriate \$100,000 in CPA Funds to the Rocky Hill Accessible Trail Project - 2nd reading											
21.362 An Order to Appropriate \$230,100 in CPA Funds to Valley CDC for a Mortgage Subsidy Program - 2nd reading											
21.365 An Order to Appropriate \$608,000 in CPA Funds to Independent Housing Solutions for Housing the Disabled Homeless Project - 2nd reading											
21.366 An Order to Appropriate \$13,000 in CPA Funds to Northampton Parks and Rec for Pickleball Feasibility Assessment - 2nd reading											
21.368 An Order to Appropriate \$82,900 in CPA Funds to Michelson Galleries for 132 Main Street Facade Project - 2nd reading											
21.369 An Order to Appropriate \$233,400 in CPA Funds to OPS and Conservation Commission for Priority Property Acquisitions - 2nd reading											
21.372 An Order Authorizing Acquisition of a Parcel of Land on the Northerly Side of Westhampton Road - 2nd reading											
21.373 An Order to Appropriate Free Cash and Enterprise Fund Retained Earnings to Various Capital Projects - 2nd reading											
21.374 An Order to Accept \$21.7 Million in American Rescue Plan Act Funds - 2nd reading											
21.367 An Order to Appropriate \$70,000 in CPA Funds to OPS for Ct. River Greenway Water Access Project - 2nd reading	2nd reading	Motion to approve	Recused	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Foster recused; roll call
21.370 An Order to Amend the Council Rules - single reading only required	Amend Order	Yes	Yes	Motion to amend	Yes	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call
	1st reading	Motion to approve	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call

Record of City Council Votes for December 16, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
21.371 An Ordinance Extending the Effective Date of Section 272-18 to July 1, 2022 - 2nd reading	2nd reading	Motion to approve	Yes	Recused	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Jarrett recused; roll call
Motion to Adjourn	to Adjourn	Motion to adjourn	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call

At 8:55 p.m., Councilor Dwight moved to adjourn the meeting; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No