



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

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**Roll Call**

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:50 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	

**Announcement of Audio/Video Recording**

Councilor Sciarra announced that the meeting was being held by remote participation and audio and video recorded.

**Public Hearings  
Announcement of Public Hearing on 21.200 National Grid/Verizon Pole Petition for Warner Street (Petition#30293688)**

**Public Hearings  
Announcement of Public Hearing on 21.200 National Grid/Verizon Pole Petition for Warner Street (Petition#30293688)**  
Councilor Sciarra read the following announcement:  
Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, April 15, 2021 at 7:05 p.m.** on National Grid/Verizon New England's petition to install one jointly-owned pole on Warner Street to service two new homes (Petition# 30293688). Instructions for accessing the hearing may be found on the April 15, 2021 City Council agenda to be posted on the city website ([www.northamptonma.gov](http://www.northamptonma.gov)) at least 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon.

**I  
Updates from Council President/ Committee Chairs**

**Updates from Council President and Committee Chairs**  
Legislative Matters will have its regularly-scheduled meeting April 12<sup>th</sup>, Councilor Dwight reminded. Members will likely see a referral later in the meeting of another zoning ordinance for purposes of joint hearing with the Planning Board. Possible dates for a joint hearing are May 10<sup>th</sup>, May 13<sup>th</sup> and May 27<sup>th</sup>, so when they get to that agenda item, he will ask members for their preference, he shared.

**Recognitions and One-Minute Announcements by Councilors**

**Recognitions and One-Minute Announcements by Councilors**  
Councilor Jarrett shared recent and upcoming events in Ward 5. The Children's Advocacy Center held a luminary event today throughout Hampshire County with over 2,000 lights representing each of the children who, as survivors of abuse, have come through the CAC house since 2006. The CAC website is [www.cachampshire.org](http://www.cachampshire.org).

And, on April 8, 2021 at 7 o'clock, the David Ruggles Center is holding an online event entitled, "The Fight for Equality in Florence, the Northampton Association, David Ruggles and their Legacy Today." The association was a radical, abolitionist, utopian community, and participants will hear about how people can live those ideals today.

Lastly, Saturday, April 10<sup>th</sup>, on the Florence Civic Center lawn, the League of Women Voters of the Northampton area will have a grand opening of the "She Shapes History" exhibit which will run from April 3<sup>rd</sup> to early May in several locations in downtown Florence. The exhibit celebrates the suffragists and unsung heroes who fought for women's right to vote and also showcases the continuing battle against voter suppression. Its website is [www.lwvnorthamptonarea.org](http://www.lwvnorthamptonarea.org)

Councilor Nash let people know that the walking school bus to Bridge Street School will start up again at full capacity next week. It will have a full route with two 'drivers' walking the bus. He is getting the word out to the Bridge Street community that they can hop on the bus. The bus continues to look for volunteers. If anyone is interested, please contact the principal's office. No driver's license is necessary.

Councilor Dwight reminded listeners that on April 14<sup>th</sup>, Northampton residents will have a chance to weigh in on the continuing discussion of redesigning downtown. The discussion has been enthusiastically joined by many but there have been a number of sectors that have not been engaged. The forum is Wednesday, April 14<sup>th</sup> at 6 p.m., and a link for participation is on the Office of Planning and Sustainability (OPS) webpage. It is a once in a generation planning exercise. The redesign prefigures what the downtown will be for 100 years hence. MassDOT is prepared to commit a significant amount of money but planners need to generate consensus among community members of what it is they want and what Northampton should be.

Communications and Proclamations from the Mayor

Communications and Proclamations from the Mayor

The governor announced yesterday that Northampton was awarded a \$250,000 housing choice grant to create affordable housing on two former Northampton state hospital parcels, Mayor Narkewicz announced. A previous city council passed a home rule petition in 2015 amending the original state hospital disposition. Parcels on Laurel Street and Burts Pit Road were originally given to the housing authority for development. Since the housing authority was unable to complete the project by the deadline, the city petitioned the legislature to transfer the properties to the city to develop for affordable housing. It took several tries in the legislature, but the governor signed the bill into law at the end of the session and the transfer to the city has taken place. The grant will help pay for infrastructure needed to facilitate this. The Burts Pit Road parcels were awarded to Habitat for Humanity and Valley CDC is developing housing on the Laurel Street parcels. The grant will be significant in helping create about 25 units of new affordable housing stock in the city. He is grateful to the two organizations and legislators, particularly Representative Sabadosa and Senator Comerford for getting the bill over the finish line to the governor’s desk.

This morning, there was a small but very festive ceremony at the Unitarian Universalist Society next to City Hall. Their friend and neighbor, Irida Kakhtiranova, who’s been in sanctuary since April of 2017, celebrated her return to freedom. Her congregation and the Pioneer Valley Worker’s Center has been caring for her as she has tried to go through the legal process to avoid deportation back to Russia. Hundreds of volunteers have helped, including supporting her in starting a business. It was an amazing and very moving ceremony. Lucio Perez, who just came out of sanctuary in Amherst, actually attended. It was the first time they met each other in person. It was another incredible example of how the community has stood up for its values as a sanctuary city and embraced members of the community seeking a pathway to legal citizenship in the United States. She is no longer facing arrest and deportation by ICE.

Resolutions 21.207 Resolution Decriminalizing Controlled Substance Possession as well as Cultivation and Distribution of Psychedelic Plants – 2nd reading

Resolutions

21.207 A Resolution Decriminalizing Controlled Substance Possession as well as Cultivation and Distribution of Psychedelic Plants – 2nd reading

Councilor Dwight moved to approve the resolution in second reading. Councilor LaBarge seconded.

Councilor Maire said she just wanted to thank Bay Staters for Natural Medicine one more time.

The motion passed 8:0 by roll call vote with one abstention (Councilor Thorpe).

The following resolution passed two readings:



**City of Northampton**  
MASSACHUSETTS

*In the City Council, March 18, 2021*

Upon the Recommendation of: Councilor William Dwight  
Councilor Rachel Maiore

**R-21.207 A RESOLUTION DECRIMINALIZING CONTROLLED SUBSTANCE POSSESSION AS WELL AS CULTIVATION AND DISTRIBUTION OF PSYCHEDELIC PLANTS**

WHEREAS: "entheogenic plants," a term originally classified by anthropologists and ethnobotanists in 1979<sup>1</sup>, are herein defined as the full spectrum of psychedelic plants, fungi, and natural materials containing indole amines, tryptamines, phenethylamines, including psilocybin mushrooms, ayahuasca, cacti, and iboga; and

WHEREAS: substance abuse, addiction, post-traumatic stress disorder (PTSD), Persistent Traumatic Stress Environment (PTSE), chronic depression, end-of-life anxiety, grief, cluster headaches, tendencies toward recidivism, and other ailments are plaguing our community and the use of entheogenic plants has been shown to be beneficial for treating these ailments via scientific and clinical studies<sup>2</sup> and within continuing traditional, religious, and indigenous practices that catalyze profound experiences of personal and spiritual growth; and

WHEREAS: the COVID-19 pandemic has led to a resurgence of heroin and opioid overdose deaths and severe depression in Massachusetts communities<sup>3</sup>, two ailments that entheogenic plants have been shown to have particularly strong utility in treating according to published, peer-reviewed medical research<sup>4</sup>; and

WHEREAS: the so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and

<sup>1</sup> Carl A. P. Ruck; Jeremy Bigwood; Danny Staples; Jonathan Ott; R. Wasson Gordon (January–June 1979). "Entheogens". *Journal of Psychedelic Drugs*.

<sup>2</sup> [Hendricks, P.S., Johnson, M.W., Griffiths, R.R. \(2016\). Psilocybin, psychological distress, and suicidality. \*Journal of Psychopharmacology\*.](#)

<sup>3</sup> [Data Brief: Opioid-Related Overdose deaths among Massachusetts Residents. June 2020.](#)

<sup>4</sup> [The association of psychedelic use and opioid use disorders among illicit users in the U.S. \*Journal of Psychopharmacology\*.](#)

people of limited financial means, rather than prioritizing harm-reduction policies to treat drug abuse as an issue of public health; and

WHEREAS: that American cities have long possessed an inferred constitutional right to regulate commerce and public safety within their jurisdictions, a principle acknowledged by the U.S. Department of Justice Cole Memorandum that permitted states and localities to deprioritize law enforcement of cannabis charges; and

WHEREAS: organizations in Northampton such as Tapestry, ServiceNet shelter, MANNA Soup Kitchen, Hampshire HOPE, Northampton Recovery Center, Nothing But Kindness, HRH413 and others have long offered services to people struggling with substance abuse by providing resources, administering syringe exchange programs, distributing naloxone, and providing education on safer drug practices to save lives in our community, which the city council profoundly appreciates; and

WHEREAS: the City Council of Somerville (9-0) and the City Council of Cambridge (8-1) passed similar resolutions following approval of their legal departments as well as decriminalization by Oakland, Denver, Ann Arbor, Santa Cruz, Washington D.C, Oregon, and around six other countries; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton hereby maintains that no City of Northampton department, agency, board, commission, officer or employee of the city, including without limitation, Northampton Police Department personnel, should use any city funds or resources to assist in the enforcement of laws imposing criminal penalties for the use and possession of entheogenic plants by individuals; and

BE IT FURTHER RESOLVED that the City Council hereby maintains that the use and possession of all controlled substances should be understood first and primarily as an issue of public health by city departments, agencies, boards, commissions, and all employees of the city; and,

BE IT FURTHER RESOLVED that the City Council hereby maintains that it should be the policy of the City of Northampton that the arrest of persons for using or possessing controlled substances shall be amongst the lowest law enforcement priority for the City of Northampton; and,

BE IT FURTHER RESOLVED that the City Council hereby maintains it should be the policy of the City of Northampton that the investigation and arrest of persons for planting, cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants listed in Classes A-E of Chapter 94C § 31

of Massachusetts law or Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall be amongst the lowest law enforcement priority for the City of Northampton; and,

BE IT FURTHER RESOLVED that this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials on school grounds, driving under the influence of these materials; or public Disturbance; and,

BE IT FURTHER RESOLVED that the Northampton City Council calls upon the city’s officials work in support of decriminalizing entheogenic plants and approaching all controlled substances first and primarily through the lens of public health and restorative racial justice initiatives when representing the city in conversations with state and federal agencies as well as state and federal lawmakers; and,

BE IT FURTHER RESOLVED that the City Council calls upon the Hampshire County District Attorney to cease prosecution of persons involved in the use, possession, or distribution of entheogenic plants and the use or possession without the intent to distribute of any controlled substance; and,

BE IT FURTHER RESOLVED that the City Council expresses support for HD 3439 An Act Relative to Harm Reduction and Racial Justice, which would replace criminal penalties for controlled substance possession with the choice of a \$50 civil fine or a health and wellness screening to refer the person with economic and health services; and,

BE IT FURTHER RESOLVED that the City Council expresses support for HD 3829 An Act Establishing Task Force to Study Equitable Access to Entheogenic Plants, which will convene 21 experts in science, drug policy, economic and racial justice, and state government to recommend legislation to legalize entheogenic plants as well as expunge records and create equity initiatives for victims of the entire war on drugs. This task force requires the study to be done through the lens of racial justice, sustainability, and consideration for BIPOC, veterans, and people with disabilities; and,

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Representative Lindsay Sabadosa and Senator Jo Comerford, Governor Charles Baker, Attorney General Maura Healey, Hampshire District Attorney David E. Sullivan, Northampton Police Chief Jody Kasper, Secretary of Veterans’ Services Cheryl Lussier Poppe and the Board of Registration of Allied Mental Health and Human Services Professions.

**Passed two readings and enrolled.**

**21.208 Resolution to Adopt the Capital Improvement Program for FY2022-FY2026 Submitted to City Council on February 24, 2021 – 2<sup>nd</sup> reading**

**21.208 A Resolution to Adopt the Capital Improvement Program for FY2022-FY2026 Submitted to City Council on February 24, 2021 – 2nd reading**

Councilor Quinlan moved to approve the resolution in second reading. Councilor Dwight seconded.

Councilor Foster said she couldn’t remember what the \$6 million for the radios was for.

It is a multi-year project to upgrade the communication system across all city departments, including Fire/Rescue, Police, Dispatch, DPW and the schools, Mayor Narkewicz reminded. The city currently uses a hodge podge of different channels, equipment and towers. They have been doing a multi-year study to try to modernize the system and eliminate some of the gaps in the network, particularly in some of the schools and other buildings. (There is sometimes no cell service at JFK Middle School, he noted.) The intention was to look at a city-wide solution to allow all departments to communicate, so it is a pretty significant project. A borrowing authorization is proposed for the full amount but they will borrow the money over two years. The CIP includes a detailed project description.

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

**The following resolution passed two readings:**

**City of Northampton  
MASSACHUSETTS**

*In City Council,* \_\_\_\_\_ March 18, 2021 \_\_\_\_\_

*Upon the recommendation of* Mayor David J. Narkewicz \_\_\_\_\_

**21.208 A Resolution**  
**to Adopt the Capital Improvement Program for FY2022-FY2026**  
**Submitted to City Council on February 24, 2021**

***Resolved, that***

The City Council hereby adopts the Capital Improvement Program for FY2022-FY2026 submitted by the Mayor on February 24, 2021, in accordance with the Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-5: Capital Improvement Program.

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**Passed two readings and enrolled.**

**21.209 A Resolution Expressing Gratitude to Northampton Health Department, First Responders, Ancillary Staff and Volunteers for Efforts to Vaccinate Our Community – 2nd reading**

Councilor Dwight moved to approve the resolution in second reading. Councilor LaBarge seconded.

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

**The following resolution passed two readings:**

21.209 Resolution  
Expressing  
Gratitude to  
Northampton  
Health  
Department, First  
Responders,  
Ancillary Staff and  
Volunteers for  
Efforts to  
Vaccinate Our  
Community – 2nd  
reading

*In the City Council, March 18, 2021*

**Upon the Recommendation of Councilor Marianne LaBarge, Councilor Gina-Louise Sciarra, and Councilor Michael Quinlan**

**R-20.208 A Resolution Expressing Gratitude to Mayor Narkewicz, Northampton Health Director Merridith O'Leary, the Northampton Health Department, Northampton Fire Rescue, Department of Central Services, Information Technology Services and the Many Volunteers for Their Efforts to Vaccinate Our Community**

WHEREAS, Northampton Health Director Merridith O'Leary and Fire Chief Jon Davine appeared before the City Council Committee on City Services on March 4, 2020 and described efforts underway by Northampton's Emergency Management Team at that time to prepare to combat the COVID-19 pandemic in Northampton, and

WHEREAS, Northampton had its first positive COVID-19 case on March 16, 2020 and since that time more than 1150 Northampton residents have contracted COVID-19, and

WHEREAS, Northampton has lost 43 people to the pandemic, including our five residents who died at the Holyoke Soldier's Home, and

WHEREAS, Mayor David J. Narkewicz and Health Director Merridith O'Leary following Commonwealth of Massachusetts guidelines, designed and advocated for a vaccination site at our Senior Center which opened and began vaccinating our community on January 11, 2021, and

WHEREAS, when vaccination clinic requirements were changed by the state in February 2021, cutting supply to many municipal clinics, Mayor Narkewicz and Health Director O'Leary quickly worked to meet the new requirements and with collaboration with the Town of Amherst, Northampton was approved as a regional vaccination clinic, ensuring that our clinic would stay in operation to provide vaccines for Northampton and other Massachusetts residents, and

WHEREAS, vaccinating our community will provide immunity and therefore save lives by preventing the further spread of COVID-19, and

WHEREAS, Health Director Merridith O'Leary, Public Health Nurse Kate Kelly, Public Health Nurse Vivian Franklin, Inspector Amy Hutchins, Inspector Jasmine Ward, COVID Compliance Agents Ben O'Connor and Kelly Constantine and 10-12 Health

Ambassadors have been working countless hours, seven days per week to operate an effective and safe vaccination clinic in Northampton, and

WHEREAS, Volunteer Coordinator and Operations Manager Loren Davine and an estimated 40 volunteers per day have worked in support of the vaccination clinic, and

WHEREAS, Fire Chief Jon Davine, Deputy EMS Chief John Garriepy, and an additional seven or so members of Northampton Fire Rescue per day have worked at the vaccination clinic, with assistance from the Easthampton Fire Department and Highland Ambulance Service, including joining the volunteer corps on days off, and

WHEREAS, Northampton’s Central Services Department led by Director David Pomerantz and with special recognition of City Maintenance Foreman Warren Jones, has been vital to the success of the clinic by opening and closing the Senior Center, and taking on many additional tasks for its operation, and

WHEREAS, the Northampton Information Technology Services Department led by Director Antonio Pagán has provided support to the Health Department at all hours of the day throughout the pandemic, and

WHEREAS, the Northampton Senior Center, led by Director Marie Westburg has been of great support and cooperation in creating an effective and safe vaccination clinic at the Senior Center, and

WHEREAS, the dedication, effort and outstanding public service of these many people is contributing to the recovery and safety of our community.

THEREFORE BE IT RESOLVED, that the Northampton City Council commends these many people for their tremendous efforts throughout the Covid-19 pandemic and in special recognition of their work to operate a safe and effective COVID-19 vaccination clinic in Northampton.

BE IT FURTHER RESOLVED, that the Administrative Assistant to the City Council will cause a copy of this resolution to be sent to the following Northampton departments: Office of the Mayor, the Health Department, Northampton Fire Rescue, Central Services, Information Technology Services, and the Senior Center with our collective gratitude.

Passed two readings and enrolled.

21.231 Resolution  
Declaring a  
Climate  
Emergency

21.231 A Resolution Declaring a Climate Emergency – 1<sup>st</sup> reading

Councilor Sciarra read,

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

When the extinction rebellion group approached her with the request for a resolution to declare a climate emergency, she was enthusiastic, Councilor Foster confirmed. They talked about the timing and the context for it given how much Northampton has already done around climate. The resolution for a Green New Deal included language referring to it as a climate emergency and it felt like standing boldly to declare it a climate emergency was important to do. Earth day is coming up April 22nd. The paragraph that really stood out to her is the one calling on city government, staff, civic groups, businesses and residents to continue to commit to carbon neutrality and climate initiatives because “it’s all of us; we all have a role here.”

They did write this prior to the Massachusetts act creating a next generation road map for Massachusetts, which is fantastic and has 2050 as a goal. The city has said that with additional state and federal resources it could aim for carbon neutrality by 2030 but that, with the current landscape, they don’t have the resources to aim for 2030. She thinks it’s important to name that sooner is better, although official state policy is looking at 2050.

As a city, they have made considerable progress on this issue, but they are moving nowhere near fast enough, Councilor Jarrett asserted. He cited the Climate Resilience and Regeneration Plan, stretch code and land use regulations supporting walking, biking and public transport as



testaments to that investment in energy efficiency. They need to bring the issue to the forefront again and again. Justice and climate work together. "I don't think we can solve one without the other." City officials have made a commitment to city buildings being carbon neutral by 2050, which is fabulous. He looks forward to figuring out how to get the rest of the city there and to consider how much of the scope comes from services and products they import from far away.

He mentioned a small scrivener's error in the last paragraph (the word 'vice-chairs' missing a hyphen).

Councilor Maiore thanked her cosponsors. What they are doing with this resolution is acknowledging the need to act now and offering political commitment, which sometimes is the hardest part. It is really a call for a shift in mindset for residents, businesses and municipal bodies. She hopes it will act as a guidepost that they can carry with them in decision-making at every level. Successful climate action necessitates the engagement and collaboration of all stake holders.

Councilor Foster corrected that 20 cities and towns in Massachusetts have declared climate emergencies (as opposed to 200 as misstated).

Councilor LaBarge thanked sponsors. This is a definite emergency and they need to move very quickly on it, she agreed. The city has been working very tirelessly on helping them by making many changes within the departments - Central Services right down the line. She thanked David Pomerantz and others for working to help them. She will support this. It's in dire need.

Councilor Sciarra added her thanks to sponsors and echoed Councilor LaBarge's thanks to city departments who do work very hard to achieve these goals. She fully agrees they must reach farther and faster to reach carbon neutrality by 2030 instead of 2050 and it's really something that will take work from every group and every constituency. It pertains to all of them; there is no one for whom this issue is not important or doesn't affect their lives.

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

See minutes of April 15, 2021 for second reading.

21.233 Resolution to Revise Council Rules and Committees – 1st reading

21.233 A Resolution to Revise Council Rules and Committees – 1st reading

Councilor Sciarra read the resolution.

Councilor Dwight moved to approve the resolution in first reading. Councilor Nash seconded.

Councilor Dwight referred to the 'wheezy technology' being used to conduct the meeting and the fact that, a year ago, this congregation would be illegal under state law. That has since changed. It has presented new challenges and new opportunities that were never considered under their rules and it is appropriate for them to reconsider them.

The fact is, this type of participation will continue to be allowed and, for many, it will be their only choice. It expands opportunities for people to serve representative government where they might not otherwise have been able to. It is necessary and appropriate to try to anticipate what's coming, address what's here and realign their rules principally to advance and promote transparency in local government and promote fair and equitable access so that people may participate in a process that's fair and open but also efficient. Some of the challenges they have experienced need to be addressed as well and should be covered under their rules. He has a sneaking suspicion that he may be tagged for the committee. He looks forward to having this conversation with other councilors. The Council President may consider other folks; he heard Ezekiel Baskin expressing his hopes for more opportunity for dialogue between councilors and the public. They will also review committees to see if they are doing the best they can or if there is a need to expand or modify committees. Whatever rules are generated out of this eventually he probably is never going to have to abide by.

Councilor Nash said he agrees with everything Councilor Dwight just shared. They are in a new world and really should evaluate how they're doing their meetings; what's worked and what's not working, and take advantage of living in this time and using this technology. He thinks it has been a boon for a lot of people to be able to zoom into meetings.

Councilor Foster thanked Councilor Dwight for bringing this forward. The need for these changes has been on her mind for a while. She thinks it's clear this is the time to step back and evaluate where they are and where they're heading. Just over a year ago, she and Councilor Maiore were exploring the possibilities for allowing remote participation for public comment and now here they are. She has seen a cross-section of people participating that would not have been able to get to council chambers at 7 o'clock on a Thursday. Also, as a parent with young children, there have been times when she would not have been able to be here. She would like to participate in this committee.

Councilor Jarrett commented that this is very exciting and interesting. He definitely studied the rules in great detail as a new councilor and noticed what's out of date. He is very excited to get back in person with fellow councilors and constituents. He thinks it leads to so much more personal connection and a sense of each other that's been missing. He thinks not being in person has led to some of the division and factionalism they have had over the past year. He is also interested in continuing remote participation as an option. He is in definitely support.

He asked if a separate resolution would be needed to actually create the select committee.

The intention of the resolution is to create a select committee without specifically saying so, Councilor Dwight advised. They could add another "Now Therefore Be It Resolved" clause to make it more explicit. It is a request of the Council President to assemble such a committee.

Councilor Jarrett thanked him for the clarification and suggested making that language clear for second reading.

Councilor LaBarge said she agrees with Councilor Dwight that it is definitely a time for change. She sees the dire need of adding on new committees. She said she is very interested and expressed interest in serving on the committee.

Councilor Quinlan also thanked Councilor Dwight for bringing this forward. He makes great points about the modernization alone. He is particularly interested in discussing his thoughts about meeting times and places. Everyone has talked about increased participation through remote participation but he also thinks making meetings accessible through different times and locations would also be great.

This got her thinking about, maybe not expanding committees, but looking at the missions of current committees, Councilor Maiore volunteered. She sees ordinance review and public safety work as really being ongoing and thinks maybe there's a way to change committees so they address those in an ongoing way.

Councilor Nash said he would happily serve.

Councilor Dwight stressed that formation of the select committee doesn't disqualify other councilors from participating and sharing ideas. The recommendations will have the opportunity to be discussed and debated and amended on the floor. No one is disqualified.

"This is something that will be discussed by all of us so we will all participate in this discussion," Councilor Sciarra confirmed. She thanked Councilor Dwight for bringing this forward in this way because often how rule changes happen is a councilor goes off and drafts changes and then presents them. She is a collaborative person and so likes a collaborative process.

The rules say the resolution shall specify the composition and scope of the select committee, Councilor Jarrett noted. He asked if the resolution will be amended to actually create the select committee.

Councilor Dwight said it was his thought that, as the appointing authority, the Council President would be able to dictate the scope and composition of the group. He thought it was better to leave it open. He would ask the Council President to think about it for second reading and come up with some ideas.

Councilor Sciarra said she would be happy to have an amendment ready for second reading that includes the committee's composition.

	<p>The motion passed unanimously 9:0 by roll call vote.</p> <p><u>See minutes of April 15, 2021 for second reading.</u></p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u>                  Councilor Sciarra said she would like to take the items separately since there are only two and one has been changed.  <u>21.232 Appointment of Charlene Nardi as Finance Director - for referral to City Services Committee</u>                  Councilor Dwight moved to refer the appointment of Charlene Nardi as Finance Director to the City Services Committee. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>21.236 Petition for Second Hand Dealer License Renewal for Urban Exchange</u>                  Councilor Dwight moved to approve the Second Hand Dealer License for Urban Exchange. Councilor LaBarge seconded.</p> <p>Councilor Sciarra said she separated this out because initially a denial of the application was uploaded to the agenda. This was in error, and the application is ready to go forward, she confirmed. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 8:51 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 11:13 p.m.</p> <p>The City Council took a brief recess and reconvened at 11:21 p.m.</p>
<p><u>Financial Orders (on 1st reading pending Finance)</u>  <u>Package of 11 Financial Orders to Implement FY2022 - FY2026 Capital Improvement Program</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u>  <u>Package of 11 Financial Orders to Implement FY2022 - FY2026 Capital Improvement Program (CIP)</u></p> <ul style="list-style-type: none"> <li>A. <u>21.219 FY22 CIP - An Order to Authorize Borrowing \$6 Million for Radio System Upgrade - 1st reading</u></li> <li>B. <u>21.220 FY22 CIP - An Order to Authorize Borrowing \$450,000 for Hotel Bridge - 1st reading</u></li> <li>C. <u>21.221 FY22 CIP - An Order to Authorize Borrowing \$685,000 for DPW Vehicles - 1st reading</u></li> <li>D. <u>21.222 FY22 CIP - An Order to Appropriate \$500,000 from Capital Stabilization to Arch Street Bridge Repairs - 1st reading</u></li> <li>E. <u>21.223 FY22 CIP - An Order to Appropriate \$25,000 from Cemetery Perpetual Care for Cemetery Projects - 1st reading</u></li> <li>F. <u>21.224 FY22 CIP - An Order to Appropriate \$1.8 Million Free Cash to Various Projects - 1st reading</u></li> <li>G. <u>21.225 FY22 CIP - An Order to Appropriate \$150,000 from PEG Access Fund to IT Services Projects - 1st reading</u></li> <li>H. <u>21.226 FY22 CIP - An Order to Appropriate \$115,000 from Parking Receipts Reserved for Parking Projects - 1st reading</u></li> <li>I. <u>21.227 FY22 CIP - An Order to Appropriate \$215,000 from Sale of Land RRA Account for NPS Projects - 1st reading</u></li> <li>J. <u>21.228 FY22 CIP - An Order to Appropriate \$94,575 from Sale of Land RRA Account for Florence Fields Recreation Area - 1st reading</u></li> <li>K. <u>21.229 FY22 CIP - An Order to Appropriate \$424,000 from Sale of Land RRA Account for Water Line Replacement - 1st reading</u></li> </ul> <p><u>21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving - 1st reading</u>  <u>21.234 An Order to Accept DA Sullivan \$10,000 Gift to Fund Public Art Projects - 1st reading</u>  <u>21.235 An Order to Appropriate Marijuana Community Impact Fee \$2.6 Million to Various Projects - 1st reading</u>  <u>21.237 An Order to Appropriate Free Cash \$400,000 to Animal Control Facility - 1st</u></p>

reading

Councilor Dwight moved to approve the 11 CIP Orders (21.219 – 21.229), 21.230, 21.234, 21.235 and 21.237 as a group in first reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

See minutes of April 15, 2021 for second reading.

Financial Orders  
(in 2<sup>nd</sup> reading)  
21.205 An Order to  
Establish Water  
and Sewer Rates  
for FY2022 – 2nd  
reading

Financial Orders (in 2<sup>nd</sup> reading)

21.205 An Order to Establish Water and Sewer Rates for FY2022 – 2nd reading

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

The following order passed two readings:

**City of Northampton**

MASSACHUSETTS

*In City Council, March 2, 2021*

Upon recommendation of the Mayor

21.205 AN ORDER

TO ESTABLISH WATER AND SEWER RATES FOR FY2022

***Ordered, that:***

Effective July 1, 2021, the per 100 cubic foot (CCF) rates for water and sewer for Fiscal Year 2022 will remain unchanged from Fiscal Year 2021. Rates will remain as follows:

**WATER**

Customers with 1” meter or smaller

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

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

Customers with meter larger than 1”

All consumption \$5.99 per CCF

**SEWER**

Non-metered

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

Metered

\$7.86 per CCF

Passed two readings and enrolled.

ORDINANCES  
20.181 Ordinance  
Relative to  
Affordable  
Housing (350-6-12)  
- 1st reading

ORDINANCES

20.181 An Ordinance Relative to Affordable Housing (350-6-12) - 1st reading

Councilor Sciarra read the ordinance.

Councilor Dwight moved to approve the ordinance in first reading. Councilor LaBarge seconded

Office of Planning and Sustainability (OPS) Assistant Director Carolyn Misch presented. At the last meeting, she went through the whole framework of housing proposals the mayor has sponsored over the last several months to try to address housing needs in the city, Ms. Misch reminded. This is one of the pieces of that package to address some of the burdens mostly encountered by the nonprofit sector in the region in trying to provide subsidized affordable housing. Currently, it is necessary to go through the state eligibility process before it is even possible to come before the Zoning Board, which can take months. Under M.G.L. Chapter 40B, there is essentially a waiver process from zoning for the purpose of providing affordable

housing. The language in front of them creates a parallel process at the local level and removes some of the burden affordable housing developers face in first having to go to the state for approval before coming back to local cities and towns. The intent is to streamline the process for developers of affordable housing. The ordinance lays out very specific waiver standards that aren't already established under Ch. 40B. It is just another tool for entities like Habitat or Valley CDC to use as one path for permitting affordable housing in the city, she suggested.

Chapter 40B is a state enabling law that essentially allows a developer to come into a community and bypass a lot of the strict zoning if that community does not meet a certain threshold of affordability, Councilor Dwight explained. The fact is that Northampton meets and exceeds that threshold, which is actually the baseline of affordability. This is a community expressing itself and saying it is actually inviting affordable housing developers into the community. "We are actually enabling with some carrots and a streamlined process that you are welcome to consider developing affordable projects here," he elaborated. The two developers Ms. Misch cited have been considerably good to this community. That said, they have met with considerable resistance for some projects which typically comes from neighbors and abutters. "You'll find lots of buy in from the community agreeing wholeheartedly that we should whatever we can to promote and expand affordable housing until someone starts staking out a project in their neighborhood," he observed.

It is incumbent on us to walk the talk. If we subscribe to the notion that diversity strengthens and enhances a community than we had better be willing to promote opportunities for that to occur. It is part of a comprehensive package. Offering more attainable housing reduces pressure on existing affordable units.

There will be projects proposed under this arrangement which will meet with community resistance, he advised. But if they're going to talk about embedding climate resiliency, equity and social equity in decisions and providing opportunities for communities that have run into barriers, if they want those principles to inform everything they discuss and to be real on the ground, then this is a perfect assembly of proposals and this in particular is the one that appeals to him the most, he shared.

The state threshold for affordable housing is 10%, below which a developer can propose a 40B project which would request a waiver of any number of the local community's zoning regulations, Ms. Misch continued. If the ZBA didn't grant the permit, there would be an appeal process which bypasses the local community and goes straight to the state for review. Many communities fear dropping below that 10% because they would be potentially subject to projects completely out of scale with the community. Northampton is just over 12%, so they haven't been subject to the 'threat' of an outsized large-scale developer coming in and building these units. Because they know 10, 11 or 12% isn't enough to meet community needs, they have consistently worked with Valley CDC and Habitat on projects they might not be able to do with underlying zoning but could with waivers through the 40B process. They refer to that as a friendly 40B, and they have had a number of these projects approved.

Coming out of Community Resources there was a recommendation to clarify the language about getting these units counted on the state's inventory of affordable housing, she shared. Planners would like to amend the language of paragraph A (3) to say that, "Prior to obtaining a building permit, the applicant shall obtain a) DHCD approval as a Local Initiative Program (LIP) unit, so that all affordable units created under this section can be listed by DHCD on their Subsidized Housing Inventory or b) show evidence of other Commonwealth funding that requires these units to be counted on the DHCD subsidized housing inventory."

The state tracks these units so it's known across the Commonwealth what percentage a community is meeting. It is important that anytime a community creates units that will be permanently protected as affordable housing that they get counted on this state inventory.

Councilor Dwight moved an amendment under A (3) that the clause Ms. Misch listed as b be included as an amendment. Councilor Thorpe seconded.

Ms. Misch also proposed an amendment to strike the word 'wood' from the list of fossil fuels in sentence A (2) above.

Councilor Dwight agreed to accept this as a friendly amendment to this motion. The motion to amend passed unanimously 9:0 by roll call vote.

The motion to approve the ordinance as amended passed unanimously 9:0 by roll call vote.

See Minutes of April 15, 2021 for second reading.

21.189 Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes - 1st reading

21.189 An Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes - 1st reading

Councilor Sciarra read the ordinance.

Councilor Dwight moved to approve the ordinance in first reading. Councilor LaBarge seconded.

The idea of introducing an incentive for smaller units for rental or ownership units is to try to encourage filling that gap in housing, Ms. Misch presented. Over the years, planners have heard people say there aren't options for people who don't need so much space. It is a more cost-attainable, cost-effective way for people to be able to get into the housing market. The way zoning is set up based on the allowance of units per lot size, there is a built-in incentive for large units. If developers are only allowed to build four units on a property, they are going to maximize the size of the units up to the limits of the open space and setback constraints on the property. This provides a mechanism to encourage smaller units without being penalized since it basically allows two smaller units to count for one regularly-sized unit.

The 800 square feet comes from talking to a few different people and also happened to be the original size allotted when the city first adopted Accessory Dwelling Units (ADU's) 25 years ago. It doesn't change the parking requirement. Zoning requires one space per 1,000 s.f. of living area so anything over 1,000 s.f. automatically requires two parking spaces. Single-family homes require two parking spaces and here, a property owner is essentially getting two units and is still required to provide two spaces. The ordinance specifies it would be applicable in areas where they currently allow single-family, multi-family homes and the special permit threshold of more than 7 units, i.e. - Urban Residential B (URB) and Urban Residential C (URC).

It is worth noting that anyone of them has heard from a number of people in the community about the 'tiny house' movement, Councilor Dwight volunteered. This does not qualify as 'tiny house' size, but the fact is, it is the next best thing. The two items they are voting on tonight are the more affordable dimensions of the package. As a forewarning, it will generate resistance; he guarantees it. The challenge is to hear the pain being described by people who oppose these things but to realize they are also devoted to the very right and moral principles of expanding options of affordability in their community.

Councilor LaBarge echoed everything Councilor Dwight stated. She will fight for what she believes in, and she believes in affordable housing. She got a phone call today a from resident who does not want anybody moving into their city, does not want affordable housing, does not want two-families, does not want anybody moving into a neighborhood, period. This is what she deals with out there in Ward 6. Councilor Dwight has been with her in some really nasty, nasty situations. I stand strong on that, she stressed. She said she hates to see Councilor Dwight leave because he's always been there helping her, "because this is not an easy ward at all."

"You better be strong and you better fight for it, because you are going to get resistance," she agreed.

Councilor Nash thanked Aidan O'Donoghue for his wonderful tour of his personal little house. It's great, and the fact that he's so pleased with it convinces him, he shared.

Councilor Sciarra said she thinks this is great. By definition, it will be more attainable than a single-family house on a lot.

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

See minutes of April 15, 2021 for second reading.

<p><u>21.212 An Order to Set Preliminary Municipal Election Date – 2nd reading</u></p>	<p><u>21.212 An Order to Set Preliminary Municipal Election Date – 2nd reading</u>                  Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>The following order passed two readings:</u></p> <p style="text-align: center;"><b>City of Northampton</b>                  MASSACHUSETTS</p> <p><i>In City Council March 18, 2021</i>                  Upon the recommendation of City Clerk Pamela L. Powers</p> <p style="text-align: center;"><u>21.212 An Order to Set Preliminary Municipal Election Date</u></p> <p><i>Whereas</i>, the City of Northampton Charter Chapter C. Article 8 Section 8-1 requires that a preliminary election take place on the third Tuesday in September in each odd-numbered year in which candidates are to be elected; and</p> <p><i>Whereas</i>, the provisions of this section allow the city clerk , with the approval of the city council, to reschedule the preliminary election to the fourth Tuesday in September to avoid a conflict with any civil or religious holiday; and</p> <p><i>Whereas</i> the third Tuesday of September in 2021 marks the observance of Sukkot by members of the Jewish community; and</p> <p><i>Ordered that</i>,                  A preliminary election to nominate candidates for mayor, councilor-at-large, school committee member-at-large, city clerk, ward city councilor, ward school committee member, trustees under the will of Charles E. Forbes, elector under the Oliver Smith will, superintendents of Smith's Agricultural School shall be held on the Tuesday, September 28, 2021.</p> <hr/> <p><u>Passed two readings and enrolled.</u></p>
<p><u>Ordinances (Not Yet Referred)</u></p>	<p><u>Ordinances (Not Yet Referred)</u>  <u>21.213 An Ordinance Relative to Parking on Pine Street</u>  <u>21.214 An Ordinance Relative to Stop Signs on Maple Street, Mann Terrace and Pine Street</u>  <u>21.215 An Ordinance Relative to Turning Restriction on Mann Terrace</u>  <u>21.216 An Ordinance Relative to One-Way Street on Mann Terrace</u>                  Councilor LaBarge moved to refer 21.213, 21.214, 21.215 and 21.216 as a group to Legislative Matters. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Zoning Ordinances (Not Yet Referred)</u></p>	<p><u>Zoning Ordinances (Not Yet Referred)</u>  <u>21.217 An Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13</u>  <u>21.218 An Ordinance to Amend Zero Lot Line Section of Code</u>                  Councilor Dwight moved for both ordinances to be referred for a joint public hearing by Legislative Matters and the Planning Board. Councilor Foster seconded.</p> <p>Councilor Maire said there has been some discussion about whether these zoning ordinances should also be referred to Community Resources since there has been a lot of community discussion and concern around them.</p> <p>Councilor Nash agreed. He said he would like to see these go to Community Resources (CR) since there's been a lot of discussion of the zero lot line portion of zoning throughout the discussions with Bay State folks. He is also interested in having a discussion of the full council when meeting with the Planning Board. He personally would like to be part of discussions with the Planning Board when they are vetting zoning matters.</p> <p>Councilor Dwight said he respectfully disagrees. If the councilor is interested, he can certainly</p>

convene his committee, he acknowledged. There is a hearing open to the entire public which includes councilors, although he would caution them against participating in anything that could be considered deliberative, he pointed out. He for one does not want to be deliberating [as a full council] in the process of a subcommittee review. It is certainly the right of CR to ask for a referral and to conduct their meeting as they see fit. He has a problem with a public hearing involving a subcommittee where councilors are able to participate once the hearing is closed while the rest of the public cannot. There will be multiple opportunities for councilors to weigh in during the hearing and during the debate in the council. In the interests of maintaining a well-functioning meeting, he prefers to basically stay constrained under the guidelines he lays out as the presiding officer of Legislative Matters (LM).

It is certainly within Councilor Nash's right to ask the chair of the Planning Board if he sees it differently, he allowed.

He is not asking Legislative Matters to open up the floor to include other councilors, Councilor Nash clarified. He is asking for the full council to have the public hearing with the Planning Board around this zoning matter. For him, it is really helpful to have the discussion with Planning Board members. At a recent joint meeting, he really wanted to engage in the discussion with the Planning Board and thinks it is appropriate for the entire council to be able to participate, he explained.

Councilor Dwight said he had listed his objections and they stand.

Councilor Jarrett asked if the objection had to do with the quasi-judicial nature of the deliberation at that point.

Engaging and deliberating are two different things, Councilor Dwight noted. They could convene as a full council with the Planning Board but that's an animal of a different nature. He has discussed this with Councilor Nash in the past and believes it will come up in the context of their rules discussion. Essentially it is an adjudication, he asserted. They are adjudicating and creating a law and in that respect he thinks they should be assiduous in following the best practices and guidelines.

If the council's preference is to convene as an entire council with the Planning Board than the question of referral to a subcommittee is moot, he proposed. It wouldn't be fair to the public to have two public hearings on the same item. This is the opportunity for the public to share their thoughts. It is less the opportunity for the council to do so since they have multiple other opportunities.

Just to clarify, even if the full council were to hold the public hearing, it would still need to go to LM, Councilor Sciarra averred.

Councilor Nash said he doesn't view it as an opportunity for him to voice his ideas but rather for him to hear the thoughts of the Planning Board. He really values hearing the Planning Board's opinions and being part of that discussion. For himself, he would like to be part of that and he suspects some other councilors might like to as well.

It would honor the committee hearing process to have the joint hearing held by the full council, he maintained.

Councilor Jarrett asked if they could have an LM meeting immediately after the full council meeting. Councilor Dwight said yes.

In that case he would be willing not to have a Community Resource process, Councilor Nash said.

Councilor Foster said her understanding is that it is posted as a full council meeting.

Councilor Dwight said that was done in response to the state's recommendation that it be posted as a full council meeting to avoid the possibility of violating the Open Meeting Law (OML) by the presence of a quorum of councilors.



"I believe that subcommittees should function as subcommittees," he commented.

Members discussed at some length.

Councilor Sciarra noted that the Finance Committee convenes during the full council meeting, but Councilor Dwight said that was a holdover from the old charter.

Councilor Jarrett noted that there is a level of efficiency in combining the meetings of LM and CR since all but two councilors (Councilors LaBarge and Quinlan) are on one of the two committees. He would like to hear how the council would feel about having a joint meeting of the full council and Planning Board immediately followed by a meeting of LM.

If convened as a full council, the council president would preside, so he would defer to her, Councilor Dwight pointed out.

Councilor Dwight clarified that the motion on the floor is to refer the ordinances to the Planning Board and LM for a joint hearing of the Planning Board/LM and to refer them to CR.

Councilor Jarrett said he spoke to the Tree Warden and he would like it referred to the Urban Forestry Commission (UFC) as well.

Councilor Dwight said he was willing to bundle this with his motion.

Councilor Foster expressed her understanding that the motion on the floor would result in Councilor Dwight's preference of hosting the Planning Board/LM hearing with other councilors able to participate as members of the public but not as deliberators.

If the motion fails, he and Councilor Nash will sponsor a motion for it to go to a joint public hearing of the Planning Board and full council, Councilor Jarrett advised.

Councilor Sciarra called the motion to a vote, and it carried 6:3 with Councilor Jarrett, Councilor Foster and Councilor Nash opposed.

Members discussed possible dates for a joint hearing and decided to tentatively schedule it for May 10<sup>th</sup>.

<p><u>New Business</u></p>	<p><u>New Business</u> None.</p>
<p><u>Information (Charter Provision 2-7) &amp; Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u> <u>Appointment of committee to review and recommend changes to council rules.</u></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 12:30 a.m. The motion carried unanimously 9:0 by roll call vote.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>