



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
Northampton, Massachusetts

Roll Call

A regular meeting of the City Council was called to order by Council President Jim Nash at 7:01 p.m. Upon a roll call, the following City Councilors were present:

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| At-Large Councilor Marissa Elkins | At-Large Councilor Jamila Gore |
| Ward 1 Councilor Stanley Moulton, III | Ward 2 Councilor Karen Foster |
| Ward 3 Councilor James Nash | Ward 4 Councilor Garrick Perry |
| Ward 5 Councilor Alexander Jarrett | Ward 6 Councilor Marianne L. LaBarge |
| Ward 7 Councilor Rachel Maiore | |

Announcement that Meeting Audio/Video Recorded

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

He opened the meeting with a moment of silence to mark the tragic killing of Tyre Nichols.

Public Hearings Announcement of Public Hearing on 22.200 National Grid/Verizon Pole Petition for Barrett Street (Petition #30474800)

Public Hearings

Announcement of Public Hearing on 22.200 National Grid/Verizon Pole Petition for Barrett Street (Petition #30474800)

Councilor Nash made the following announcement:

Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, February 16, 2023 at 7 p.m.** on National Grid/Verizon's petition to install one (1) jointly-owned riser pole and anchor on Barrett Street approximately 57 feet west of existing pole #12. (Petition #30474800). Instructions for accessing the hearing may be found on the February 16, 2023 City Council agenda to be posted on www.northamptonma.gov no later than 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon.

Announcement of Public Hearing on Administrative Order

Announcement of Public Hearing on Administrative Order

Councilor Nash read the following notice:

BY ORDER OF THE CITY COUNCIL, the Northampton City Council will hold a Public Hearing by remote participation on Thursday, February 16, 2023 at 7:03 p.m. Instructions for accessing the hearing may be found on the February 16, 2023 City Council agenda to be posted on the city website (www.northamptonma.gov) at least 48 hours prior to the meeting. The City Council will consider proposed amendments to the City of Northampton Administrative Code, Part I Administrative Organization, Section 2.0 Administrative and Finance Division to 1) add 2.08 Climate Action and Project Administration Department and 2) to amend 2.10 Office of the Auditor to transfer the position of Chief Procurement Officer from the Auditor's office to the Climate Action and Project Administration Department. The City Council will hear all persons who wish to be heard thereon.

Public Comment

Public Comment

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

Nancy Smith of Chapel Street strongly urged the Mayor and City Council to establish and fund a city-wide reparations commission to investigate the historical and current effects of enslavement and racism against black people in Northampton. She is a white woman who has lived and worked in Massachusetts all her life, and she has seen racism and its effect in education and at every company she's ever worked for at all levels. The effects can no longer be denied and it is long past time to act. She is asking the mayor and City Council to follow the guidelines set out in the petition which can be found by googling 'a petition for reparations in Northampton, MA.' Please sign if you have not already done so to show support, she urged.

Smith said she also wished to express her strong support for Northampton firefighters Local 108, who are currently negotiating with the City of Northampton. Northampton firefighters have the highest call volume in Hampshire County with over 8,300 fire and ambulance related calls per year. Northampton Fire Department's ambulance generates \$3.5 million for the city each year yet members are paid up to 42% less than some of the surrounding communities. She is urging the Mayor to support their first responders. Their petition can be found by googling

'Bridge the Gap' petition. Please sign if you have not already done so to show your support, she reiterated.

She also expressed strong support for the Mayor's move to create a climate action department and for the important work of the Northampton Climate Emergency Coalition. She urged the City Council to support it as well.

Amy Cahillane, Florence, Executive Director of the Downtown Northampton Association (DNA), spoke in support of two items: 1) special legislation relative to requesting seven liquor licenses and 2) the order in support of suspending certain ordinances. She has watched over the past several years as the lack of all alcohol liquor licenses has hampered the growth of the downtown restaurant community; a shame anywhere, but especially in their city where restaurants have been an integral part of the downtown's identity. As City Council is likely aware, there are at least three restaurants currently in Northampton who have not been able to procure licenses whether on the open market or through the lottery system. In addition, they've lost restaurants looking to open in Northampton because there were no all alcohol licenses available. While she acknowledges that obtaining these over-quota licenses risks devaluing existing all alcohol licenses for those restaurants who purchased them on the open market, she thinks the current downtown climate with empty storefronts, at least eight of which are restaurant or café spaces, risks devaluing existing business values city-wide. At this particular moment, creating an environment that makes it easier to welcome new restaurants to town, maybe filling some of those empty storefronts, would be a boost to everybody and feels desperately needed.

With respect to the order temporarily suspending ordinances to support renewed economic recovery, she would note that outdoor dining in downtown Northampton has been a lifesaver for many of their restaurants. It has provided safe, welcoming spaces for the community to enjoy not only for those dining at restaurants but also for those enjoying public outdoor seating areas. She has fielded several phone calls already this year from community members wondering when outdoor dining will start. She thinks the collaborative efforts of the city, downtown restaurants, neighboring retailers and input from the DNA has created a wonderful system and a respectful, balanced approach to outdoor dining that benefits them all.

Bob Gardner thanked the council for having a moment of silence. Regarding the commission on reparations and slavery in Northampton, he strongly supports that. He commended them for moving it forward and also thanked the sponsors who brought it to the City Council. Hopefully, it will be a very important thing for the city.

JoElla (Jada) Tarbutton of Springfield said she wanted to support the petition for reparations for the city. She was privileged to attend the webinar series and doesn't think she was able to respond because she was crying from start to finish. It was very powerful and she was struck by the connection between what happened 200 years ago and the situation going on in public housing today. She would ask and encourage the City Council and the public to really focus on public housing here in Northampton and to become aware of what is going on there. They are now being videotaped. Participate, be an eyewitness; be an advocate, she urged.

She thanked Councilor Nash, a fellow Ward 3 Neighborhood Association (W3NA) member who residents know by first name. He has been over there and brought coffee and most residents in the building have his card. She also thanked Jamila Gore; people think she's a resident. She encouraged councilors to go through the neighborhoods in their wards and to go through public housing.

Mahajoy Laufer of Burts Pit Road expressed her support for the reparations commission. She is a black person who grew up in this area and has a lot of family who are also black. To her, it's part of being truthful to their history and about recognizing harms that have been done and is a great first step; she doesn't think it's the end of anything at all.

She cited the goal of becoming more conscious of what is going on in terms of race. Why is Northampton so white and why are people feeling like they can't talk about race or the harms racism has caused? This could be an educational, political and social move for them to be more of a community, more diverse and more truthful and honest about their history. She really supports the Mayor and the City Council in taking this up and thanks the people who brought it

forward. She went to the Amherst reparations group last year and saw what they were doing and thought, what about Northampton?

Ruthy Woodring of Florence also spoke in support of a commission for reparations. She feels like a lot of white people don't know if they support reparations because, in the back of their minds, they are afraid they are going to have to give something up. She has read that that's a really white people way of thinking – a scarcity mentality. They need to shift to an abundance mentality. She appreciates the people bringing this up, working on it and supporting it because they are healers in their community and the wounds hurt them all.

With regard to lights around Northampton High School, the thing about traffic lights is that no one turns them off after they're done using them; they'll shine all night long, she observed. She wanted to give a shout out to the darkness and also say that black is beautiful.

Cathie Brown, RJT, said she also supports commissions on reparations. She is a white person and knows she has had many privileges that others have been denied and feels it is time to do something about that. She totally supports this initiative and thinks black leadership should be included in the decision about how to do the reparations. This is an important part of their awareness and making some progress on the hurts of the past.

Marisa Brown Ludwig of Florence, an ordained minister in the Greater Church of Christ and member of the NAACP of greater Springfield, spoke in support of the reparations resolution, thanking the reparations committee for the hard work they have done in bringing this resolution forward. She grew up in New York City and northern New Jersey and wanted to speak to that context. She had a father who was very active in the civil rights movement in the late fifties and early sixties and a mother who was a social worker. She lived and went to college in New York City in a multi-racial environment and thought she lived an anti-racist life. Even there, she did not see the ways in which she had access that her neighbors of color did not. When she moved to Northampton in 1989 she thought the town's progressive positions on LGBTQ rights and other social issues made them an overall more progressive town, but she grew increasingly more uncomfortable with the lack of racial diversity here.

Census population data is reported in this resolution, but she wanted to name that black Americans make up about 14% of their country, but in Massachusetts they are at 7% and some data quotes Northampton as being at 2%. These demographics alone compel her to ask how they are perpetuating a system that keeps large parts of the state and parts of their town in particular mostly white; she personally wants to do something about this. She understands that how they got here is complex and that there is no easy fix. But with its track record on progressive social issues, Northampton may truly have the creativity and courage to be in the forefront of meaningful change in which black neighbors can have full access to what's good about their city and the ability to flourish like she has. She likes this resolution because it will call blacks and whites to work as partners to do the crucial work of aspects of healing: truth-telling, meaningful repair and making amends. Please vote 'yes,' she urged.

Jackie Ballance of Bay State Village said she is here to support the whole agenda, noting that they have a very interesting night ahead. She expressed how grateful she is that COVID had a little silver lining which gave them the chance as residents of Northampton to meet their city officials face to face on Zoom. Residents, councilors and other committees have gotten to know each other, and she thinks there's evidence that people are being heard on tonight's agenda. The reparations resolution as she understands it was a grassroots effort and is an idea whose time has come. The creation of the climate action department is the best thing that's happened since the council passed the Climate Resilience and Regeneration Plan two years ago. She asked them to continue remote participation in city meetings after the emergency is over because it offers them so much; it makes it so much easier for people to participate.

She also threw out a word of support to Northampton firefighters.

Adele Franks of Florence spoke in favor of two things: 1) the reparations resolution and 2) the mayor's proposed administrative order to establish a new department of Climate Action and Project Administration. She is very grateful to the mayor for listening so carefully to some of them from the Northampton Climate Emergency Coalition and for giving their ideas careful consideration. She thinks this new department will unify Northampton's policies and procedures

and purchases in accordance with their climate goals so that all parts of the city are in fact working in concert and will bring new emphasis and accountability to their climate goals by adding staff and prominence to these goals.

Florence resident Michael McSherry, senior minister of Edwards Church, related that Edwards Church (named after Jonathan Edwards) was started about 200 years ago when 99 members of First Churches withdrew from First Churches with its permission and blessing to form a new church because the congregation had grown too big to fit in the same building on Sunday mornings. He has no idea how they picked the name. He is here to talk about the reparations issue because of his work. The Christian tradition that he lives and breathes and preaches and teaches about teaches that their relationship with human beings and the divine are interdependent. They can't be in a right relationship with the Holy One if they are not in right relationships with fellow humans. Among the benefits he sees in engaging in citywide study regarding reparations is increased awareness of the continuing effects of past acts on current practices. He believes if they become more aware they cannot help but become more active.

Northampton resident Kelly Silliman identified herself as a dance artist, arts administrator, volunteer organizer with Western Mass Showing up for Racial Justice, regular voter and mom of four who lives on unseated Nipmuc and Pocumtuck land in Leeds and works in Northampton on a street named for someone who participated in slavery. She moved to Northampton 12 years ago and, when she researched the area in advance, she was thrilled. On paper it was a perfect fit. Then she got here and was surprised how often people's actions didn't match their words especially when it came to social justice topics.

"There was a culture here of assuming that we were the most advanced, or that we know best, and it often prevents us from working for justice," she suggested.

She was really lucky to grow up in a very diverse school district where they learned actual American history so it never occurred to her to question the need for reparations until she moved here and realized that, even in the most liberal, progressive bastion of the Northeast where people were so proud of their values, there was still an enormous resistance to even acknowledging the harm that white supremacy culture has caused for all people. There was often disinterest, even from well-meaning people she loves. But reparations are needed locally and nationally to reckon with the 400-plus years of racial injustice and white supremacist violence in the United State.

Northampton has come a long way in the past few years since George Floyd was murdered, and she is encouraged to see City Council discussing this reparations resolution, she continued. She sees reparations as a part of repaying the debt owed to black and indigenous people for the taking of lives, land, culture, freedom and resources. For anyone still questioning the need for reparations, she encouraged them to check out Historic Northampton's website or look up 'redlining in the Valley.' Northampton has been a leader on so many fronts and has the potential to be a leader in reparations. It is long overdue and she hopes the City Council will pass this resolution unanimously.

Susan Theberge, 319 Rocky Hill Road, said she is primarily here to speak about the mayor's proposal for a new climate office but also wanted to say that addressing white supremacy and racism is central in every possible way. Until they address this they won't be able to address anything else. She is really happy this is happening in Northampton; it is the whitest place she's ever lived and it would be incredible to make this a really welcoming community.

She deeply appreciates the way the mayor has worked with those of them in the community who have been passionately advocating for this new office and new role. The timing is wonderful because they have a mayor who is passionately committed to doing this work. It is a really positive example of grassroots and government working together. About a year ago, Climate Action Now decided to get a group going in Northampton. They quickly gathered folks from the Unitarian Society, 'Mothers Out Front,' etc. and are so thrilled with the results. It has only been about eight or nine months that they have been working on this. Cities are very important in addressing the climate emergency, she stressed.

Andrea Reber, a Franklin Street resident and member of the Northampton Reparations Committee, thanked Councilors Gore, Perry and Elkins for vastly improving on the

Northampton Reparations Committee's resolution and introducing it tonight. As to why they need reparations and why seven of them spent two years working on bringing forward a resolution, she mentioned Historic Northampton's research project on slavery. It is a beautiful and painful compilation of all that is known about enslaved individuals by name here in Northampton and also names their enslavers. Michael McSherry talked about Jonathan Edwards being one. He enslaved three people named Venus, Leah and Rose. Many of their streets are named after families that had slaves, including Strong Avenue, Pomeroy Terrace, Stoddard, Henshaw, and many others. She concluded by quoting Dr. David Raglan, founder of the truth-telling project as stating, "Don't think of reparations as charity; it's what you owe."

Corky Klimczak said she currently resides in **Deerfield**, but her family lived in Northampton for 20 years and her two children are proud Northampton natives. She and her husband continue to have strong ties to Northampton through their active membership in the Unitarian Society of Northampton and Florence where she is a member of the racial justice team, a team which helps the congregation learn about and take accountable action to address the systemic harms caused by racism and other forms of oppression. These harms are not all in the past as many of them were raised to believe. Ongoing racism continues to cause pain to black and brown people everywhere every day. Over time she has also come to understand the many harmful effects of racism on white people. She urged them to form a study commission on reparations, not only to consider how best to redress harm to black and brown people, but also to promote the healing of racial harms throughout the Northampton community. Everyone will benefit from the wise action that is before them to take. She personally benefited from the system of white privilege in many ways. She was surprised to discover that one of her white ancestors, proudly described to her as one of the signers of the Declaration of Independence, was also likely one of the largest slave owners at the time of the revolution. She feels a personal commitment to reparations because of this history.

Councilors, on the other hand, represent a whole community that has benefited from the free labor of enslaved people and continued oppression throughout its history, she asserted. It seems to her that they especially should be strongly committed to taking collective action on reparations for the benefit of everyone they represent.

Stephen Taranto of Riverside Drive commended the Mayor's office for its interest in starting a climate action department. He works with farmers on climate change adaptation, some of whose farms are in Northampton. He particularly hopes their food system will be an important focus of the new department because the farmers are under so much stress. He thinks that if they can feel they are part of a more collective action it will go a long way toward helping them do the hard work of 'on the ground, in your face' adaptation.

Jacqueline McCreanor, Ward 3, respectfully urged councilors to prioritize revisiting the pair of 2013 zoning ordinances: URB Uses by Right and Zero Reduced Lot Line. Councilor Nash wrote an excellent letter published by the Gazette in June of 2013 that stated the crux of the issue. She quoted his letter as follows:

"During my time on the Zoning Revisions Committee, the citizens of Northampton were loud and clear about sustainability and infill development. They were open to residential zoning changes as long as the character of their neighborhood would remain unchanged. Sadly, the zoning package being considered by the City Council lacks the safeguards citizens demanded. Yes, the average property owner, those of you who own one to four family homes, will be allowed greater latitude around additions to structures and use. However, this same latitude will be extended to developers and larger commercial infill projects, a fact largely omitted during public forums held by the Office of Planning and Development. What is missing from this project is design standards; regulations that insure that when development occurs it adheres to our urban streetscape and neighborhood sensibilities."

"Such regulations are even more important for larger projects. Roadways should not be setbacks. Structures should not be built on parking lots. Walkways should be required. City blocks should be encouraged. Northampton urban development should look like the Northampton we love, not a collection of townhouses on parking lots in anywhere U.S.A. Our Office of Planning and Development has had its opportunity to allay citizen concerns, but has chosen to minimize impacts rather than present real solutions, Instead of learning from past infill mistakes, this zoning pretends the problems never existed."

She said there were a few more paragraphs, but she would end there. She also urged the council to support the reparations resolution and new climate action department.

Northampton resident Dan Cannity spoke in favor of the proposed reparations panel, saying he thinks it has the potential to do something really important; not only bringing them back to the forefront in working on racial justice but helping them set up a model for how to look at other groups who have also been marginalized and oppressed. This resolution and process is specifically geared toward peoples who have been enslaved, typically black or afro-descended individuals, but it doesn't start to talk about native and indigenous populations who experienced similar living experiences. Going through the process and having a panel that looks at not just the history of enslaved peoples and how they were early excluded from economic participation but how they continue to be excluded is important; they then can take that process and apply it to other marginalized groups. He applauds this and thanked everyone involved in making it happen.

Olive Street resident Judi Wisch said she was there as a representative of the reparations working group of Congregation B'nai Israel. She wanted to make sure the City Council knew that there were folks at a Jewish institution in town who have been studying and learning for over two years around this topic and recently presented a proposal for their Jewish institution to set itself up to pay local reparations. This has started a number of community conversations and house meetings that will address the question, Why reparations? and hopefully turn over the ground to help support what will be happening in Northampton with the creation of a reparations commission. They are in support. She thanked them for considering and supporting this resolution.

Dick Evans, Florence, reminded councilors that, two weeks ago, the City Council passed a cannabis cap ostensibly at the call of the health commissioner. Now he sees from their agenda that they are about to ask the legislature to expand the availability of a different drug in Northampton - namely alcohol - notwithstanding overwhelming evidence and common knowledge that, the more alcohol outlets in a community, the worse the consequences in terms of health and crime and violence. Isn't this blatant hypocrisy? If they vote to expand the availability of alcohol, they'll be sending the message that the Northampton City Council believes booze to be less dangerous than cannabis. That message is not only false, it is dangerous, especially to those impressionable young people they claim to be worried about with the cannabis cap. He is asking them to be consistent. If their concern about public health is enough to pass the cannabis cap then surely their concern should be enough to defeat this proposal.

Northampton Reparations Committee Member Carolyn Oppenheim of Montview Avenue said she shares Andrea Reber's gratitude to the three councilors who did such a phenomenal job in reworking the resolution and is here to support that resolution. As an aside, she stated she is also a great supporter of the new climate department.

When they talked about all those empty storefronts, she had this fantasy that they would get grants and find black business owners to fill those storefronts, then she read in the New York Times that black people are leaving New York because the real estate is out of sight and they can't afford it and want to live in family-oriented communities. She thought some of those black New Yorkers might want to come here if they knew they were on a roll to become a welcoming city and bring in business and that they wouldn't have to come in as tokens. She had this vision of them being a very diverse city in a few years where people would want to come and all would flourish and their kids would really benefit from it in the schools.

Sarah Patterson spoke in favor of the resolution on a commission for reparations and also expressed support for the mayor's interest in creating a department to look into environmental sustainability. She thanked Councilors Perry, Gore and Elkins for their sponsorship. Of course, folks know Northampton community members are increasingly raising questions about black residents' quality of life, including the extent to which this group has experienced racially-motivated harm and the potential for a city-wide campaign of reparations. She thinks a commission and a funded form of redress would help answer these questions and promote economic and educational successes for not only existing but also future black community members.

She called the name Bathsheba Hall, explaining that in the 1740's, the local municipality dispossessed Bathsheba, a free black woman, of her home so that a white American with interest in starting a company could build personal and economic success. Her husband, Lee, was perpetually forced out of town and denied access to residency. These are early examples of the systematic breakdown of a black family that they can only imagine extended to others who tried to start a family and own property here. The 2020 American Community Survey, part of the U.S. census bureau, shows that, of over 500 black people, 26% are married, 5.7% are widowed, 17% are divorced and 50% have never been married. Unmarried black people such as herself are more likely to be renters than to live in an owner-occupied or self-owned housing unit. Of housing units here, about 41% renter occupied. They know this is a city of over 6,000 families. For couples who have four kids or more in their household, 27% live below poverty and for women who are single, 55% live below poverty.

She is not suggesting everyone will own a home but she is suggesting they can help renters and help black women who are single and take care of children.

Eric Broadbent, Florence, said he had the privilege and pleasure last week of attending a forum on Why reparations? Why Northampton? Why Now? He heard the amazing wisdom of three community leaders give their answers and their thoughts. He is so pleased to know there is a resolution to establish a commission which, they hope, will also listen and learn and develop answers to these questions over time.

"We as white people will benefit," he stressed. We think of this as a financial transaction, but it is so much more. It is a human capital and human spirit transaction. He had the privilege and pure enjoyment of working on the Northampton Climate Emergency Coalition and they developed a process whereby they listened to other climate leaders in other towns in the state and heard their recommendations on such an endeavor. He was so pleased to see almost all of them embodied in the mayor's pronouncement to establish a climate action and project administration department. They can't wait to start working with the Mayor and that department. They as citizens have a lot to say about what happens in Northampton on both of these.

Berte Issler, Round Hill Road, said she has been in the valley since 1980 and taught in both Amherst and New York City which is her home town. She agrees with many things said in support of the reparations resolution. She has loved living in the valley for many reasons – the richness of the Five Colleges and because it is considered a political pocket - but she also feels as a white person and teacher in the schools that there has been a lot of white flight when the demographics changed in the community. Progressive white people need to peel back the onion and look at what they are ignorant of only because of the institutions that perpetuate white supremacy. Having been a participant and donor to the Sojourner Truth School, she invited her white progressive colleagues and friends to take a look at their February offerings.

Kaia Goleman of Florence thanked councilors for their leadership and service, expressed support for the commission on reparations and thanked the council for prioritizing it.

Noah T. Winer, Ward 1, spoke in support of the commission for reparations. As a small business owner of a company that adopted a reparations framework in 2018, he wanted to say that that experience has been very positive. It has allowed their company to really transform who they are and how they work and he thinks it's made them more powerful and more effective. He agreed with what others have shared that this is about responding to history and present needs and also about the possibility of liberation for white people from white supremacy. He thinks it is an opportunity for all of them to achieve collective liberation.

Jess Gersony spoke in support of the commission on reparations and thanked the reparations committee. She is a new Northampton resident who lives downtown on Masonic street and is very excited to hear reparations being brought to the table. She is a new professor at Smith College and researches and teaches about climate change biology. With that hat on, she wanted to say there is no climate justice without racial justice. She cited work by Dr. Ayana Elizabeth Johnson and Leah Thomas as sources for further information on the topic of environmental justice. The fact that they are discussing reparations at a City Council meeting makes her proud to be a Northampton resident.

Prakash Laufer, Florence resident since 1986, said he and his wife raised five daughters in Northampton, four of whom are black women. He has always been proud to be part of Northampton especially now that they have taken the initiative to form a commission on reparations. He has been inspired by the work done in Amherst. He thinks it is long past time they moved in this direction; it is an important part of the healing they need as a community and a society. He agrees with the things said about the importance of liberation and acknowledging the white supremacy that surrounds them. He is currently working with Jamila on her campaign; she is a treasure and he is proud to see her taking this initiative.

Ciara Cosby said she supports Northampton’s efforts toward atonement for black residents. She is a descendent of both free and enslaved black American ancestors. Her family has actually owned a business in Northampton for more than 20 years, one of the only black American owned radio stations in the country. She believes true reparations is on the federal level and any municipal effort must be in addition to the success of the federal claim and not take away from it. This effort must center the voices of black Americans/Descendants of US Chattel Enslaved Persons.

Laurel Carangelo, Hockanum Road, spoke in support of the commission for reparations. One of the speakers in the information session talked about black abolitionists who were formerly enslaved people starting this reparations movement. So many cities are starting this as a way to contribute to the federal effort and it’s a great opportunity for them to be part of that very needed process. She agrees they should have a commission and that it should be centering black folks and people who have an ancestry of enslavement.

Gwendolyn Greene, Northampton resident for about five years and member of St. John’s Episcopal Church, thanked the reparations committee for bringing the issue of affordable housing to the fore. She is often asked to participate in meetings so they will have diversity, and she generally says, have more affordable housing and you won’t have a problem with diversity. This Sunday at St. Johns Church at 11 a.m. they will be continuing the conversation about racial justice.

There being no further comments, at 8:10 p.m., public comment ended.

Announcements

Announcements

It will be very cold this weekend and she wanted to make sure people know that the city will have warming centers open, Mayor Sciarra announced. The city is partnering with Manna at St. John’s Church on Elm Street, which is regularly open from 9 a.m. to 3 p.m. Monday through Thursday. This week it will also be open Friday and Saturday from 9 a.m. to 4 p.m. and Sunday from noon to 4 p.m. As always, the Northampton Police Department is open 24/7 and individuals are welcome to warm up in the lobby there and the Northampton Senior Center is open Monday through Friday from 8 a.m. to 4 p.m. and people are welcome to warm up inside. She gave huge thanks to Manna for staying open extra hours to be available for people needing to stay warm. The locations and times are on the website or people are free to call the Mayor’s office for information.

He heard that the cot shelter on Center Street will also be open and nobody will be turned away, Councilor Nash added.

A Regional Agriculture Conference will take place this Saturday, February 4th from 9 a.m. to noon in the Smith Vocational and Agricultural High School (SVAHS) library, Councilor Nash advised. The program features three different speakers. He attended a few years ago and it was very informative

Councilor Foster encouraged people to save two dates. Ward 2 is the new home of a Ukrainian family that left the Ukraine shortly after the war started. A fundraiser is planned Monday, March 13th at the Florence Civic Center where people can learn more about how they can support families living in the Ukraine through this very difficult winter. And, Sunday, March 19th a fund-raising dodge ball tournament will be held at All Sports Arena.

Councilor Nash sent out a special thank you to the Easthampton City Council who invited Councilor Foster and him last night to observe how they run their hybrid meetings. The Easthampton Council relies heavily on its committees. Their meeting was over in 24 minutes.

Consent Agenda

Consent Agenda

Councilor Nash reviewed the items on the consent agenda, noting that the administrative assistant requested removal of the January 19, 2023 minutes. **Councilor Moulton moved to approve the consent agenda with the minutes of January 19, 2023 removed. Councilor Perry seconded. The motion carried 9:0 by roll call vote.**

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

- A. 23.223 An Order to Appropriate CPA Funds for CT River Greenway Multi-Use Trail - 2nd reading
- B. 23.224 An Order to Appropriate CPA Funds for DAR House Electrical Upgrade - 2nd reading
- C. 23.225 An Order to Appropriate CPA Funds to Downtown Affordable Housing Creation Project - 2nd reading
- D. 23.226 An Order to Appropriate CPA Funds to Leeds Affordable Housing Creation Project - 2nd reading
- E. 23.227 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of NCMC - 2nd reading
- F. 23.228 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of Smith Charities Building - 2nd reading
- G. 23.229 An Order to Appropriate CPA Funds for Rocky Hill Greenway Multi-Use Trail - 2nd reading
- H. 23.230 An Order to Appropriate CPA Funds for Habitat for Humanity Affordable Housing on Burts Pit Road - 2nd reading
- I. 23.231 An Order to Appropriate CPA Funds to Acquire 229 Acres in the Saw Mill Hills - 2nd reading
- J. 23.232 An Order to Appropriate CPA Funds to the Affordable Housing Fund - 2nd reading
- K. 23.233 An Order to Appropriate CPA Funds to the Conservation Fund - 2nd reading
- L. 23.236 Appointment to Elected Officials Compensation Advisory Board - for referral to City Services

Elected Officials Compensation Advisory Board

Deborah Henson, 118 Franklin Street, Northampton
 Term: February 2023-November 2024
To fill a vacancy

Financial Orders (on 1st reading)
23.235 An Order to Reprogram Funds for Energy Control Upgrades at the Police Station
23.241 An Order to Approve a Certified Project and TIF for Property Within the Conz Street Economic Opportunity Area

Financial Orders (on 1st reading)

23.235 An Order to Reprogram Funds for Energy Control Upgrades at the Police Station
 Councilor Nash read the order.

Director McCarthy is asking for \$7,500 for energy control upgrades at the police department to replace controllers that are no longer manufactured, Finance Director Nardi presented. Last year, they proactively replaced these at the senior center and are taking the same proactive approach at the police station. The money being transferred was in error taken out of the department budget instead of coming out of this capital project account.

Councilor LaBarge moved to refer the order to the consent agenda. Councilor Jarrett seconded. The motion passed 8:0 by roll call vote with Councilor Foster absent.

See minutes of February 16, 2023 for final reading.

23.241 An Order to Approve a Certified Project and TIF for Property Within the Conz Street Economic Opportunity Area

Mayor Sciarra thanked councilors for their thoughtful participation in Tuesday's joint meeting with the two school districts. As they heard Tuesday night, the investment and time they have put into economic development has been paying off and local non-property taxes; i.e. – excise taxes and local option revenue sources, are really critical as well as new growth. They know they can't raise their largest source of revenue more than 2.5%, so increases have to come

from elsewhere. The city has the same inflationary pressures as everyone else. The only way they can afford to give the school department a 4% increase and meet their other increased expenditures is to take advantage of these other revenue sources.

The request is for a Tax Increment Financing (TIF) agreement. She thanked Councilor Gore who came to a meeting about this project with Mr. Ghalibaf, the principal of Rankin Holdings, who owns the Hotel Northampton and the Fairfield Inn on Conz Street.

Mr. Ghalibaf purchased the Gazette building on Conz Street and is working on a plan to build an extended stay hotel on Conz Street as well as two other buildings which will be retail and/or restaurants. It will be a significant development and will greatly increase the value of the property and therefore the taxes to the general fund. It will also add to the city's hotel/motel excise tax and, if there is a restaurant, to their meals tax.

The additional hotel rooms will help build back some of the hotel rooms lost since the Clarion Hotel was demolished. The city formerly had an inventory of 547 rooms and the number now stands at only 331. It is really important for a couple of reasons. The economic argument is that more hotel rooms mean more hotel/motel tax but other economic advantages also come with having the rooms in Northampton. Since they have lost inventory they are losing guests to other communities like Hadley and therefore losing other business as well.

Hotel rooms are also important because the scarcity of hotel rooms has coincided with and encouraged the growth of the short-term rental market which has greatly impacted the availability of rental units. As they all know, their residential rental market is extremely tight. There are very few vacancies and rents have risen beyond what most people can afford. 109 new hotel rooms will increase the rental inventory.

TIF – tax increment financing - reduces the property tax by a percentage of the difference between the improved value of the property and its previous unimproved value, she explained. It is a relatively small cost for a large gain that can help make a project financially feasible and, importantly, potentially allow for leveraging state tax credits and other favorable financing. As they all know, it is a really challenging time to build things. It is a small amount to help make this project happen.

The current unimproved assessment of the property is \$4.25 million. Its improvement with the removal of the existing building and building of the new hotel is estimated to increase the value to \$6 million, so the first increment would be \$1.75 million. With further improvements to the property with the construction of two retail buildings built over the next two years, the value is estimated to increase from \$6 million to \$8 million and finally to \$9 million.

The TIF calls for a 75% reduction on the first \$1.75 million increment for that first critical year. In the 2nd year, the percentage reduces from 75% to 50% as the value increases to \$8 million and the percent reduces to 25% the next year when the value increases to \$9 million.

The value then remains at \$9 million, but the increment percentage tax reduction reduces to 15%, followed by 10% the following year. For last three years it is down to 5%. The bulk of this is frontloaded during the critical construction time when the value of the increment is the lowest. The estimate of total new tax revenue over the eight years is \$3,561,120 and the cost of that increment is \$99,643 t. To do this, they aren't giving up anything that they would get without the project and are gaining \$3,461,477.

Councilor Maiore asked about other businesses the city has awarded TIF's to. How common is this?

They had a couple of near starts recently, Chief of Staff Alan Wolf reported. Chartpak approached them but did not ultimately move forward. It is a very nominal amount for a locality but helps access things at the state level. It shows that the municipality has some skin in the game.

The city did TIF's for Coca Cola, L3 Harris and Big Y, he added. Most big projects will come as part of a package developers are trying to obtain both locally and at the state level. The owner

is hoping to approach the state for employment tax credits of somewhere between \$5,000 and \$15,000 per job. The goal is to create 50 jobs in the hotel alone.

They are getting \$3.5 million over eight years. The percent of this overall revenue the TIF represents is 2.8%.

Councilor Maiore asked if the city typically has stipulations such as local labor as opposed to union labor or other requirements.

Mayor Sciarra said the agreement can have certain negotiated elements. Adding in additional protections to protect the city's interests and values around workers and labor is something she would be willing to consider, she affirmed.

Councilor LaBarge said she feels it's the right way to go because of who he is and what he does for the community.

The L3 Harris TIF was rescinded because they did not meet the job target requirements, Chief of Staff Wolf pointed out. TIF conditions are carefully tracked by Boston and if they are not being met, the TIF goes away.

Councilor Moulton asked how the formula for structuring the TIF was arrived at in terms of the eight-year term, specific percentages, etc.

He looked at all the TIF's the city had done and there was a large variation in the number of years. The term is wide open up to 20 years and the percent is wide open. He was trying to make sure the impact of the reduction was not at all painful for the city and to frontload it to help Mr. Ghalibaf during the construction process when he needed it most. He was trying to find a number that Mr. Ghalibaf felt was supportive and that they did not think was excessive.

Councilor Moulton said he appreciated the work and thought that went into structuring this. He too would like to insure that there is some protection in terms of the labor that would be used.

Councilor Gore referred to a letter received from the Western Mass Area Labor Federation urging the council to accept additional input from the community and organized labor before approving the TIF.

Councilor Jarrett suggested referring the order to committee to allow councilors to hear the labor concerns further and see what might be possible to work into the agreement.

Councilor LaBarge moved to refer the order to the Finance Committee. Councilor Moulton seconded. Upon the suggestion of Councilor Elkins, Councilors LaBarge and Moulton accepted the friendly amendment to also refer it to Community Resources with the intention of holding a joint meeting. The motion passed unanimously 9:0 by roll call vote.

See minutes of February 16, 2023 for final reading.

Financial Orders
(on 2nd reading)

Financial Orders (on 2nd reading)

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

The following order was adopted in final reading:

23.223 An Order to Appropriate CPA Funds for CT River Greenway Multi-Use Trail - 2nd reading

23.223 An Order to Appropriate CPA Funds for CT River Greenway Multi-Use Trail - 2nd reading

City of Northampton

MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee

23.223 An Order to Appropriate CPA Funds for CT River Greenway Multi-Use Trail

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted a CPA application for design of a 1.3 mile scenic multi-use trail along the Connecticut River north of Damon Road;

WHEREAS, the path will be fully ADA compliant, will provide dramatic views of the Connecticut River and the Holyoke Range, and will connect to the MassCentral Trail and New Haven and Northampton Canal Greenway;

WHEREAS, CPA funds will be used as a match for \$238,000 in MassTrails funding;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$40,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$40,000 be appropriated from Community Preservation Act funding to the Northampton-Connecticut River Greenway Multi-Use Trail Design project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$40,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.224 An Order to Appropriate CPA Funds for DAR House Electrical Upgrade - 2nd reading

23.224 An Order to
Appropriate CPA
Funds for DAR
House Electrical
Upgrade - 2nd
reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.224 An Order to Appropriate CPA Funds for DAR House Electrical Upgrade

Ordered, that

WHEREAS, the Daughters of the American Revolution, Betty Allen Chapter, submitted a CPA application for Community Preservation Act funding for removal of knob and tube electrical at 148 South Street;

WHEREAS, the "Ebenezer Clapp House" property is located within the Fort Hill National Register Historic District and is one of the finest remaining Colonial period houses in Northampton;

WHEREAS, on December 7, 2022 Northampton Community Preservation Committee, voted unanimously to recommend that \$62,168 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$62,168 be appropriated from Community Preservation Act funding to the DAR Betty Allen Chapter for 148 South Street Electrical Upgrades. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$62,168 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled

The following order was adopted in final reading:

23.225 An Order to Appropriate CPA Funds to Downtown Affordable Housing Creation Project - 2nd reading

23.225 An Order to Appropriate CPA Funds to Downtown Affordable Housing Creation Project - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.225 An Order to Appropriate CPA Funds to Downtown Affordable Housing Creation Project

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding for the downtown affordable housing creation project;

WHEREAS, CPA funds will be used to advance designs for climate resilient housing in a central downtown location;

WHEREAS, CPA funds will be used as a match for an already-received \$921,300 Municipal Vulnerability Program grant;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$60,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$60,000 be appropriated from Community Preservation Act funding to the Downtown Affordable Housing Creation Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$60,000 is allocated from the CPA Affordable Housing Reserve (account #2344930-359933).

Passed final reading and enrolled.

The following order was adopted in final reading:
23.226 An Order to Appropriate CPA Funds to Leeds Affordable Housing Creation Project - 2nd reading

23.226 An Order to Appropriate CPA Funds to Leeds Affordable Housing Creation Project - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.226 An Order to Appropriate CPA Funds to Leeds Affordable Housing Creation Project

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding to advance site designs for an affordable housing lot on Evergreen Road;

WHEREAS, the lot has already been surplussed by the City Council for the purposes of creating affordable and attainable housing; and CPA funds will be used to complete due diligence and determine parameters for the site;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$25,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$25,000 be appropriated from Community Preservation Act funding to the Leeds Affordable Housing Creation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$25,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled

The following order was adopted in final reading:

23.227 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of NCMC - 2nd reading

23.227 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of NCMC - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.227 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of NCMC

Ordered, that

WHEREAS, the Northampton Community Music Center submitted a CPA application for Community Preservation Act funding for exterior structural rehabilitation work, including masonry, replacement doors and windows, and porch reconstruction at 139 South Street, the former South Street School;

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

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$220,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$220,000 be appropriated from Community Preservation Act funding to the Northampton Community Music Center Project for exterior rehabilitation to the South Street building. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council. Specifically, \$220,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Further, that the City Council authorizes the City of Northampton, acting through its Mayor and its Historical Commission, to acquire a Local Preservation Restriction on 139 South Street for historic preservation purposes, and that City Council hereby approves such preservation restriction.

Passed final reading and enrolled.

The following order was adopted in final reading:

23.228 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of Smith Charities Building - 2nd reading

23.228 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of Smith Charities Building - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.228 An Order to Appropriate CPA Funds for Exterior Structural Rehabilitation of Smith Charities Building

Ordered, that

WHEREAS, the Trustees of Smith Charities submitted a CPA application for continued critical exterior repairs to the Smith Charities Building at 51 Main Street;

WHEREAS, the Smith Charities have operated continuously since 1865 from the building, which was designed by noted architect William Ferno Pratt, and is located within the Downtown National Register Historic District;

WHEREAS, the project will continue to address the most critical needs identified in an historic building assessment to ensure that it will remain a unique part of the downtown streetscape in the future, and will leverage state grant funds;

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

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee voted unanimously to recommend that \$183,315 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$183,315 be appropriated from Community Preservation Act funding to the Smith Charities for the Smith Charities Emergency Repairs 2 project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$183,315 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.229 An Order to Appropriate CPA Funds for Rocky Hill Greenway Multi-Use Trail - 2nd reading

23.229 An Order to Appropriate CPA Funds for Rocky Hill Greenway Multi-Use Trail - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023
Upon the recommendation of the Community Preservation Committee

23.229 An Order to Appropriate CPA Funds for Rocky Hill Greenway Multi-Use Trail

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted a CPA application for final design of a half mile multi-use trail within the existing City-owned Rocky Hill Greenway;

WHEREAS, the spur trail will connect residential areas along Rocky Hill Road to the New Haven and Northampton Canal trail and will advance the goals of the Open Space Recreation and Multi-Use Trail Plan;

WHEREAS, CPA funds will be used to complete designs to then be eligible for \$3.6 million in construction funding;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$60,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$60,000 be appropriated from Community Preservation Act funding to the Northampton-Rocky Hill Greenway Multi-Use Trail Design project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$60,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.230 An Order to Appropriate CPA Funds for Habitat for Humanity Affordable Housing on Burts Pit Road - 2nd reading

23.230 An Order to Appropriate CPA Funds for Habitat for Humanity Affordable Housing on Burts Pit Road - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023 _____

Upon the recommendation of the Community Preservation Committee

23.230 An Order to Appropriate CPA Funds for Habitat for Humanity Affordable Housing on Burts Pit Road

Ordered, that

WHEREAS, Pioneer Valley Habitat for Humanity submitted an application for Community Preservation Act funding for creation of three energy efficient affordable homes on Burts Pit Road;

WHEREAS, Habitat for Humanity has an excellent record of creating housing throughout the Pioneer Valley and beyond, and the project has wide community support, leverages funding from many other sources, and utilizes volunteer labor;

WHEREAS, the homes will be permanently restricted to individuals and families earning 60% of area median income or below;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee voted unanimously to recommend that \$180,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$180,000 be appropriated from Community Preservation Act funding to Pioneer Valley Habitat for Humanity for the Victoria Bismarck Farm project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$142,837 is allocated from the CPA Affordable Housing Reserve (account #2344930-359933) and \$37,163 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.231 An Order to Appropriate CPA Funds to Acquire 229 Acres in the Saw Mill Hills - 2nd reading

23.231 An Order to Appropriate CPA Funds to Acquire 229 Acres in the Saw Mill Hills - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.231 An Order to Appropriate CPA Funds to Acquire 229 Acres in the Saw Mill Hills

Ordered, that

WHEREAS, the Northampton Conservation Commission and Office of Planning & Sustainability submitted a CPA application for purchase of 229 acres in the Saw Mill Hills;

WHEREAS, the parcel includes priority and estimated habitat of rare and endangered species, vernal pools, and multiple headwater streams, and a diversity of landforms, surficial geology and hydrology that increase variation create important wildlife habitat and climate change resiliency;

WHEREAS, CPA funds will be used as a match for an already received \$400,000 state Local Acquisitions for Natural Diversity Grant;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee voted unanimously to recommend that \$300,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$300,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Saw Mill Hills Core open space acquisition Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$47,162 is appropriated from the CPA Budgeted Reserve (account #2344930-359930), and \$252,838 is appropriated from the CPA Open Space Reserve (account #2344930-359931).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.232 An Order to Appropriate CPA Funds to the Affordable Housing Fund - 2nd reading

23.232 An Order to Appropriate CPA Funds to the Affordable Housing Fund - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee

23.232 An Order to Appropriate CPA Funds to the Affordable Housing Fund

Ordered, that

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding for the Affordable Housing Fund;

WHEREAS, the fund, which has proven successful, will be used for due diligence and soft costs for predevelopment work necessary for new affordable housing opportunities that the City creates, and for which no other funds are readily available, and will help to leverage future funding opportunities from other sources;

WHEREAS, this fund will result in new affordable housing opportunities in Northampton, meets the goals of the Housing Needs Assessment and Strategic Plan, and will help to address impediments to fair housing identified in the Fair Housing Assessment;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$50,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$50,000 be appropriated from Community Preservation Act funding to the Affordable Housing Fund. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$50,000 is allocated from the CPA Affordable Housing Reserve (account #2344930-359933).

Passed final reading and enrolled.

The following order was adopted in final reading:

23.233 An Order to Appropriate CPA Funds to the Conservation Fund - 2nd reading

23.233 An Order to Appropriate CPA Funds to the Conservation Fund - 2nd reading

City of Northampton
MASSACHUSETTS

In City Council, January 19, 2023

Upon the recommendation of the Community Preservation Committee
23.233 An Order to Appropriate CPA Funds to the Conservation Fund

Ordered, that

WHEREAS, the Northampton Conservation Commission submitted an application for Community Preservation Act funding for the Conservation Fund;

WHEREAS, the fund makes possible increased acquisition or protection of open space parcels in Northampton by supporting fast action on time-sensitive real estate opportunities and placement of permanent conservation restrictions;

WHEREAS, the project meets the goals of the Northampton Sustainability Plan for protection of open space and agricultural lands, and the applicant has used these funds effectively in the past towards the protection of hundreds of acres of open space;

WHEREAS, on December 7, 2022, the Northampton Community Preservation Committee, voted unanimously to recommend that \$50,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$50,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Fund. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$50,000 is allocated from the CPA Budgeted Reserve (account #2344930-359930).

Passed final reading and enrolled.

Ordinances (Not Yet Referred)

Ordinances (Not Yet Referred)
None.

Orders
23.237 An Order Revoking Acceptance of Ch. 31 Relative to Civil Service Positions in the DPW and Central Services Department - 1st reading
23.238 An Order for Special Legislation Relative to Civil Service Positions in the DPW and Central Services Department - 1st reading

Orders
23.237 An Order Revoking Acceptance of Ch. 31 Relative to Civil Service Positions in the DPW and Central Services Department - 1st reading
23.238 An Order for Special Legislation Relative to Civil Service Positions in the DPW and Central Services Department - 1st reading
Early in the 2000's, special legislation was passed that exempted almost all City of Northampton jobs from civil service, Mayor Sciarra related. Existing employees that already had civil service tenure were grandfathered in. Withdrawal from civil service allowed the city to have higher eligibility standards for hires and a greater pool of candidates. For reasons unknown, certain positions in the DPW and Central Services were not identified for exclusion from civil service in any of those session laws. The decisions predate not only her administration but the Human Resources director, former Mayor David Narkewicz and present labor counsel.

It is possible and maybe probable that exclusion of those positions from session laws was just an oversight. It was discovered in 2019 in the course of a civil service audit which found that the city was not following the civil service hiring process. This leads those looking back to think that it was not understood that these positions were not covered by the special legislation that removed all other civil service positions in the city.

A resolution to the audit was reached and tenure was restored to covered employees. Since then, the city has been complying with civil service requirements, which are somewhat significant. Fire and police civil service processes were administered by the state while these

positions have to be administered by the city, which makes hiring and HR processes for them out of alignment with all other positions. A key issue is that the city is not allowed to hire the most qualified or suitable candidate but is limited to choosing from candidates whose names appear highest on a labor service list.

This past December, the city and the new union representing DPW and Central Services labor employees - the International Union of Operating Engineers, Local 98 - entered into a new contract. As part of that agreement, Local 98 agreed to take a position of neutrality and not oppose the city's efforts to remove the positions from civil service. Employees who have tenure under the law will remain grandfathered and will not lose civil service protections. It simplifies and streamlines hiring especially for those positions which they have really been struggling to fill at the DPW. That the city would petition to do this is part of a signed collective bargaining agreement with Local 98.

The other order is the request for special legislation to take this action.

Councilor LaBarge asked how many positions they are talking about. Mayor Sciarra said 60 or so.

Councilor Moulton asked if the Mayor is reasonably certain these are the last civil service positions in Northampton, and Mayor Sciarra said she is.

There being no further discussion, items 23.237 and 23.238 will appear on the council's next agenda for final action.

Recess

Recess

At 9:14 p.m., the City Council recessed briefly. The council reconvened at 9:22 p.m.

Orders

Orders

23.240 An Administrative Order to Amend the City of Northampton Administrative Code - 1st reading

Mayor Sciarra read her message into the record.

Councilor Jarrett said a big thank you to the mayor for putting this together. He has had constituents talking to him about this suggestion for quite some time and it is good to see it moving forward.

Mayor Sciarra gave huge thanks to the committed group of residents who did deep research and really collaborated with her. It was truly the greatest privilege to work with them.

Councilor LaBarge thanked the mayor for listening, hearing what these residents working so tirelessly have said and putting this in place.

Councilors Moulton and Nash echoed their thanks. Councilor Moulton added that it is very forward-looking. Combined with the Climate Change Mitigation Stabilization Fund approved last month, it is going to do wonders to advance their goals. Councilor Nash noted that it shows an eye for how the organization of the city can be improved. They saw this last year with the Department of Community Care (DCC) and see it here with this new department.

23.240 will appear on the February 16, 2023 agenda and be the subject of a public hearing.

Orders (continued)
23.242 An Order for Special Legislation Relative to Requesting Seven Licenses for the Sale of All Alcoholic Beverages to be

Orders (continued)

23.242 An Order for Special Legislation Relative to Requesting Seven Licenses for the Sale of All Alcoholic Beverages to be Drunk on the Premises - 1st reading

Councilor Nash noted that councilors heard earlier from Downtown Northampton Association (DNA) Executive Director Amy Cahillane in support.

Mayor's office staff have been working very closely with state Representative Lindsay Sabadosa to bring forth this order to petition the General Court for seven all alcohol special act

Drunk on the
Premises - 1st
reading
23.243 An Order
Temporarily
Suspending the
Effect of Certain
Ordinances to
Support Renewed
Economic
Recovery - 1st
reading

liquor licenses, Mayor Sciarra presented. These licenses are not transferrable, so if a business closes, the license comes back to the city for re-issuance. Representative Sabadosa has been in touch with the Alcoholic Beverages Control Commission (ABCC) and they've said they would not oppose this. She offered huge thanks to Rep Sabadosa for all of her work and advocacy.

At the License Commission meeting last month, one of the previous special act licenses was redistributed by lottery. Paul and Elizabeth's won the lottery but it left three other businesses without a full liquor license. Previously when Sierra Grille closed, India House won that lottery but was competing with seven other businesses. She thinks it is something really important for the city's economic development.

She's been talking about existing businesses but, additionally and critically, they are struggling to bring in new restaurants and have been particularly struggling because of the unavailability of all alcoholic liquor licenses. Recently, there was a business interested in moving into one of the larger empty restaurant spaces but it did not move forward because there was no guarantee of a liquor license. The new licenses would not dismantle the secondary market. Some of the six or seven businesses that did not win the lottery previously went ahead and ended up buying liquor licenses on the secondary market. This will not eliminate that but will help current business and provide opportunities for future businesses. It is something they think is really important as they are trying to help current restaurants survive and bring new businesses to their empty storefronts.

Councilor Jarrett asked if the licenses are restricted to restaurants or if they also could be used by bars, and Mayor Sciarra said they are not limited to restaurants.

Councilor Jarrett asked how many licenses they have now. He expressed his understanding that Northampton requested a special act in the past.

Northampton currently has 32 All Alcohol restaurant licenses, 13 Wine and Malt restaurant licenses, 17 Package Store licenses, six General On-Premises licenses (three for inns and three for clubs) and nine Seasonal licenses which operate from April 1st to January 15th. In addition, there are four pouring permits for two farmer-wineries and two farmer-breweries.

Councilor Moulton said he wanted to be clear on the number of non-transferable licenses.

The previous special legislation was for four, Mayor Sciarra said.

This would move about one-quarter out of the secondary market, Councilor Moulton noted.

They have certainly heard that the addition of all alcohol licenses is significant for the financial model of restaurants, Chief of Staff Wolf commented.

He has spent most of his life in the service industry, especially in bars and entertainment, and their bread and butter is their alcohol sales, Councilor Perry confirmed. Businesses are definitely hindered by being limited to wine and malt. As someone who has lived under the shadow of these limited licenses and seen how it has hurt the city, he is very excited. He feels like the city is in a time of rebirth and growth and they really need to be as attractive as possible. He is very thankful to the city for moving this forward.

Councilor Foster wondered about the impact on current restaurants and outreach that had been done to them.

Mayor Sciarra expressed her perception that there is less concern about it at this time. She had asked Director Cahillane if she'd heard a concern. She hopes they are getting to a place where they recognize that the more people they bring downtown and the more business they have the more it benefits everyone. Particularly their nightlife world is struggling right now.

Councilor Jarrett said he thinks it would be helpful to hear from city officials and public health experts similar to the process they went through when considering a cap on cannabis retail. **He moved to refer the order to the Community Resources Committee. Councilor Foster seconded.**

Councilor Maiore said that sounds reasonable to her.

Councilor LaBarge asked if there had been a hearing with business people and Mayor Sciarra said 'no.' Councilor LaBarge recalled there being a huge outcry when it was proposed by Mayor Narkewicz.

Mayor Sciarra said she thinks this is a very different moment in time in terms of the pressures businesses are under.

The process of seeking a home rule petition is expected to take 15 months.

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

23.243 An Order Temporarily Suspending the Effect of Certain Ordinances to Support Renewed Economic Recovery - 1st reading

Councilor Nash commented that this is a familiar order the council has seen for a few years now.

They made some key changes to the 'Whereas' clauses, Mayor Sciarra advised. They thought they were going to try to bring more permanent changes but, as they all know, they are redesigning Main Street and that will break ground in two years. Instead of doing more permanent changes that will only last a short time, they are requesting to continue doing what they have been doing for the last few years to allow outdoor dining.

That being said, the request is to again allow relaxing those rules and regulations around this use of space to have outdoor dining again. She thinks culturally it has become an important part of Northampton.

Councilor Foster said she agrees outdoor dining has breathed some lovely outdoor life into downtown and she is glad they can support that with this kind of order. She agrees with her that she would love to see this be a permanent change but agrees it makes sense to wait until they have Main Street as it will be. She is pleased to support this.

One of the few benefits of the pandemic has been a reimagining of their public space and what they can do with it, Councilor Perry observed. Things like 'Summer on Strong' have really brought this city together. He was very pleased the city stepped up and not only helped bolster Summer on Strong but looked for creative and inspiring ways to expand on it, such as bringing back the Taste of Northampton and creating 'Masonic Street Live.' This is a great move in the right direction.

In a sneak preview, the Mayor noted that first there was 'Summer on Strong' and last year they created 'Masonic Street Live.' This year they are looking to promote a third space with the working title 'Garage Band.'

Councilor Jarrett said he loves how this has enlivened their civic space. He wants to encourage that they continue to set aside some of the space for non-exclusive public use. He noted that several of the zoning districts shown on the accompanying maps no longer exist.

The Mayor said they would correct it for wherever it shows up next.

To his point about public space, that is something she was absolutely adamant about last year, Mayor Sciarra assured. It is really important to her that anyone can use the space and that visitors don't need to purchase something to be in that public space.

The pandemic has forced them to reimagine public spaces and forced them to forge a new partnership between the downtown and the city, Councilor Nash reflected. The willingness to have a dialogue between the downtown business community and the city has really undergone a change.

The Mayor gave huge thanks to Chief of Staff Wolf and Economic Development Coordinator Annie Lesko, her economic development team.

	<u>See minutes of February 16, 2023 for final reading.</u>
<u>Ordinances</u>	
<u>Recess</u>	<u>Recess</u> The City Council recessed briefly at 10:08 p.m. The council reconvened at 10:15 p.m.
<u>Ordinances</u>	<u>Ordinances</u> None.
<u>Zoning Ordinances</u>	<u>Zoning Ordinances</u> None.
<u>Resolutions</u> <u>23.239 Resolution to Create a Commission to Investigate Racialized Harms Perpetrated Against Black Residents and Workers in Northampton, MA- 1st reading</u>	<p><u>Resolutions</u> <u>23.239 Resolution to Create a Commission to Investigate Racialized Harms Perpetrated Against Black Residents and Workers in Northampton, MA- 1st reading</u> Sponsors read the resolution aloud.</p> <p>Councilor Nash thanked the sponsors. As council president, he has been aware of the work and time they have put into this over the last several months. It is an extremely thoughtful piece of legislation. It has an open heart to it and strikes the tone they need to have a productive discussion. He is very much blown away by the work they have pulled off.</p> <p>Councilor Nash recognized the reparations committee in the community for its work. This is the best resolution he’s seen in council during his seven years. He is deeply impressed and moved. He thanked the electorate of Northampton. The people of Northampton elected this council and, unlike other councils, it has the diversity of representation to adequately take on this discussion. He recognized black colleagues Councilor Gore and Councilor Perry for having the courage to bring this forward. He is 100% with them tonight. Northampton did a great job in the last election; electing a majority of women and two people of color, he pointed out.</p> <p>She is also thankful to the Northampton electorate for electing her, thankful to the Northampton Reparations Committee for bringing this forward and thankful to the people who were supportive in public comment, Councilor Gore added. She thinks it starts at the local level and they have an opportunity to be in the forefront when it comes to redressing harms done. She thinks they are the kind of city that can do that and is looking forward to seeing what Northampton can do.</p> <p>Councilor Perry extended thanks and gratitude to the many people who were part of sending this forward and making this happen.</p> <p>When he first came to this area 25 years ago, he could never imagine being in this position. He came here from the Maryland/DC area - affectionately known as ‘chocolate city’ - and remembers his grandmother’s fear that he was going to the whitest place she could imagine. Representation matters. As one of only three black people to ever serve on the Northampton City Council, he is honored to bring this forward. As the father of two biracial children, he is proud to present this because he is excited for what it means for the future of Northampton.</p> <p>He is very thankful for this and glad Northampton did speak out and elect this City Council. He is glad they are finally able to wrestle with this.</p> <p>Councilor Elkins joined fellow sponsors in thanking the Northampton Reparations Committee. She was invited by Councilors Gore and Perry to join this process relatively late but is honored to have been asked and to have had the opportunity to participate. A good deal of what is in the resolution came from the work and information provided to them. Although she joined the resolution relatively recently, she has been a longtime student of this issue. As they were putting together the historical timeline and thinking what the harm has been and the effect on Northampton, the thing she was struck by was the absence, the diminution of the black</p>

community; the times and points in history where there could have been an opportunity for that community to grow, but because of, first, slavery and then, the city's complicity in other practices in which it fully participated, they don't have that community that they could have had.

She has been really struck by Heather McGee's book "The Sum of Us," where she talks about the idea of racial equity and reparations and that all are enriched when they work to reverse historic patterns of injustices and harms. As one of their commenters said, white people are diminished too when they diminish their communities in this way. She is very grateful to have had the opportunity to participate in this and eager to see what the commission will come up with. She thinks it is really important that they grapple with what it means to be a very white city and how they got to be that way and that it was not by accident.

Councilor Foster agreed with the council president that this is the best resolution she has seen in council. It is very powerful and she appreciates that it includes the ways past councils have participated in collective harms and apologizes for that.

She has received a whole bunch of emails and every single one of them has been in support of this idea. The lack of diversity in Northampton is actually the direct result of past practices. She thinks it is important that they start with a 30,000 foot view of the issue.

It is a beautifully, eloquently written resolution, Councilor Maiore volunteered. She thanked the sponsors and committee. She is really proud to be a part of this council and this community. To her, this is crystal clear. Without proactive repair and apology they will keep finding themselves stuck as a nation and as a city and on a deep, psychic, personal level, they will be wallowing in the loss they felt this week; the loss of lives, the loss of friendships never made, relationships never built and lives never fully realized. This liberation is a liberation from the legacy of being terribly harmed and of doing terrible harm and so offers equal healing for all of them.

Councilor LaBarge said she thinks it is very thoughtful resolution and time something like this came forth. She thanked the reparations committee and sponsors for all the hard work that went into it.

Councilor Jarrett concurred that the resolution is very well-crafted. Like many of them, he met with the members of the reparations committee and appreciates their work in making this into a resolution. He remembers public forums in 2018 and 2019 when this was brought up and people didn't know what to say to it and appreciates that they have made progress since then. He has received some concerns; many of them are about other groups that may be deserving of this approach. He appreciated what he heard in public comment about using it as a model to address other marginalized groups. He noted that the resolution proposes a joint council/mayoral commission and pointed out that they don't unilaterally have the authority to do that.

Councilor Moulton thanked sponsors for this very detailed and moving resolution. For him, a white person who's lived and worked in Northampton for 47 years, it's been a real journey to understand and confront the history of their community and the slavery that existed here. Historic Northampton has done a phenomenal project that really puts a name and face on the people who were enslaved. It involved painstaking research using municipal and church records. This is an opportunity for them as a community to understand that history and to learn from it and to have a meaningful way of addressing the harms.

If there is a need to hammer out further details of the joint commission with the Mayor's office she would be glad to see this in city services, Councilor Foster offered.

The model she has for this is the Northampton Policing Review Commission agreement that was worked out between her and Mayor Narkewicz, Mayor Sciarra volunteered.

The council president asked sponsors how they would like to proceed.

Councilor Perry said he and his co-sponsors would relish the opportunity to work with the Mayor's office.

She would be delighted to set up a meeting with the sponsors and start working with the three of them, Mayor Sciarra said. She thanked the sponsors, noting she spoke to Councilor Perry about this quite a while ago. The work that has been done since then is remarkable.

Mayor Sciarra said she would like to recognize additional work done by former Councilor John Thorpe. In 2020, the City Council passed a resolution (R20.107) to combat the public health crisis of systemic racism. As a result of that resolution, the Ordinance Review Committee that takes on a review of ordinances every five years took on the special charge of reviewing ordinances from a social justice lens. She wanted to acknowledge the work of that group and particularly Councilor Thorpe who was the first person of color to serve on the council.

Councilor Elkins said they would add a reference to this to the resolution for its final passage. Sponsors hope to pass the resolution this month because it is Black History Month.

Councilor Nash stated the expectation that they would see some of these details worked out in the final version of the resolution.

See February 16, 2023 minutes for final reading.

New Business

New Business

The Governor's order allowing government bodies to meet remotely is due to expire in April, Councilor Nash reminded. Council leadership is proposing holding the two March council meetings in hybrid format so they can work out some of the details before it's imposed upon them. He is a real proponent of continuing the option of remote participation and realizes for a number of councilors it would be really difficult if not impossible to meet in person.

He thinks it would be good for them to talk about what it is they would ideally like. They could then craft a resolution to send to the governor and their state representatives.

City Services is slated to consider the piece around public participation at its meeting on Monday, Councilor Foster advised.

Adjourn

Adjourn

Councilor Maiore moved to adjourn. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote. The meeting was adjourned at 11:18 p.m.

Attest: _____, Administrative Assistant