



CITY COUNCIL MEETING
SECOND FLOOR HEARING ROOM, CITY HALL
Northampton, Massachusetts

Roll Call

A regular meeting of the City Council was called to order by Council President Jim Nash at 7:03 p.m. Upon a roll call, the following City Councilors were physically 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 6 Councilor Marianne LaBarge |
| Ward 5 Councilor Alexander Jarrett | Ward 7 Councilor Rachel Maiore |

Announcement that Meeting Audio/Video Recorded

Ward 4 Councilor Garrick Perry participated remotely.

Council President Nash announced that the meeting was being audio/video recorded. The City Council is unexpectedly convening on the second floor of City Hall since a yellow jacket nest was discovered in Council Chambers, he advised.

Public Hearings
Public Hearing on 23.348 National Grid/Verizon Pole Petition for Loudville Road (Petition# 30749004)

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Councilor Nash read the legal notice advertising the public hearing.

Councilor LaBarge moved to open the public hearing. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

The public hearing opened at 7:07 p.m.

The petition is to install a new pole (Pole #8-84) across from an existing pole on the opposite side of the road (Pole #8) to replace an old pole that is falling over and cannot be accessed in 50 Loudville Road's backyard, which is a very swampy wetland area, National Grid representative Ken Creigle explained. They are just moving the pole closer to the road.

Councilor Nash asked if anyone wished to speak to the petition.

There being no comments, Councilor LaBarge moved to close the public hearing. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote.

The public hearing was closed at 7:09 p.m.

Public Hearing on 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)

Public Hearing on 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)

Councilor Nash read the legal notice advertising the public hearing.

Councilor Jarrett moved to open the public hearing. Councilor Moulton seconded. The motion passed unanimously 9:0 by roll call vote.

The public hearing opened at 7:10 p.m.

National Grid is looking to install Pole #3-50 across from Pole #3-1, Mr. Creigle advised. A tree guy that is currently falling over was holding Pole #3-1 and a new way to support it is needed.

There being no comments, Councilor Maiore moved to close the public hearing. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote.

The public hearing was closed at 7:12 p.m.

Public Hearing on 23.335 Comcast Petition for Installation of Underground

Public Hearing on 23.335 Comcast Petition for Installation of Underground Conduit at 54 Main Street, Florence

Councilor Nash read the legal notice advertising the public hearing.

Councilor Nash noted that the Comcast petition was withdrawn at Comcast's request.

Conduit at 54 Main Street, Florence

Public Comment

Public Comment

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

Peter Kakos thanked councilors for their commitment to the betterment of their wonderful city. As most know, he has come here twice with a resolution to consider how to prepare in the event of a nuclear attack. After speaking to a few members of council, he would like to put the resolution aside and, in lieu of it, unless there are any objections, propose assembling a team of five or six people, including medical doctors, to come up with findings and report to the City Council by March 1, 2024. That report would be called Northampton's Manual for Survival and cover topics related to preparations. A nuclear attack would most likely target Chicopee, Westfield or Springfield, so topics covered would include to what extent Northampton could expect to be impacted, the location of shelters, associated medical needs, etc. As seen in places like Chernobyl, in case of fallout, children are especially vulnerable since they were inordinately affected there with things like thyroid cancer. If the city did this, it would be a prototype for municipalities across the nation and he dares say the world.

Ashley Muspratt of Northampton, a representative of the Center for EcoTechnology, an environmental nonprofit based in Northampton, spoke in support of adoption of the opt-in specialized stretch code. Her agency helps people with whole home retrofits. There is no question that systems can be sized and designed to keep people warm in the winter and cool in the summer, even in old New England homes, she assured. The fact that they're holding this vote gives the false impression that they actually have a choice to make; the reality is that they really don't since, according to the United Nations Intergovernmental Panel on Climate Change's (IPCC's) sixth assessment report published in March, limiting global warming to 1.5 degrees Celsius involves rapid and immediate greenhouse gas emissions reductions in all sectors in this decade; in other words, in the next six and a half years. The report further states that every increment of global warming will increase concurrent hazards which include human mortality, diseases, mental health challenges, flooding, biodiversity loss and decreased reproduction, among others. It is imperative that they respond robustly to the climate emergency. They are still trying to figure out how to make the energy transition accessible and affordable to all. IRA incentives, incredibly generous tax credits, etc., are a huge help but there's nothing like a policy requirement to catalyze ingenuity and creativity. Her ask to them is that they put a stake in the ground with this vote and commit to adopting this code; they can't in good conscience or with any acknowledgment of science continue constructing homes operated with fossil fuels.

Nick Mottern, 16 Strong Avenue, endorsed Peter Kakos's idea of commissioning a manual for survival, saying he hopes it is something the City Council will get behind. He feels personally that every cluster bomb sent to Ukraine, every kamikaze drone, every 155-mm. arterial shell, etc. brings them closer to nuclear attack and that it won't be limited to Europe in his opinion. He thinks they have to take very seriously what Reverend Kakos is saying.

Secondly, he rides his bike every day on the bike path and said he hopes there can be a reconsideration of the plan for rebuilding Main Street. He feels some of the bike path plans and other decisions made already aren't particularly safe. With regard to agenda item #8 - housing on King Street - he wonders if building this housing could be conditional on rent control or other ways to make it affordable. He knows people doing service jobs in the city who can't afford to rent here.

With regard to agenda item 11, the municipal opt-in stretch code, **Adele Franks of Florence** made two points: 1) unfortunately, they have not made it very clear to the public that these new codes only apply to new construction and substantial renovation. It has absolutely nothing to do with furnace or water heater replacement or storm damage. 2) As she speaks to architects, builders, etc., she finds that their objections are to the stretch code itself because it contains many energy efficiency stipulations and the way it's been rolled out has been very problematic for many people in the field. That issue is not before the City Council tonight because, as a green community, they are obligated to adopt the stretch code as much as they may object to

certain features of its rollout. The issue before the council tonight is whether to adopt the opt-in specialized code which makes very few changes from the actual stretch code itself. She thinks the changes it does make can be seen as consumer protection changes.

Claudia Lefko, 40 Valley Street, said she was going to talk about the treacherous state of the sidewalk on Montview Avenue but is so disturbed by the state of the city that she wants to comment again about the redesign of Main Street. Her question is about leadership. Someone needs to step forward and try to guide the community to a resolution of what's going on. She doesn't think it is something that should be decided in the press and in these two-minute comment sessions. They need to straighten out the facts and a safe place where people can come together and express their concerns. The fact that they don't have that is creating a boiling point in the city. She feels like there is a lot of rancor and it's very unhealthy. She doesn't see why in a small town like Northampton they can't do better with these questions. The council knows there have been hot spots around the city where residents say they aren't being heard. If they are actually being heard, she's begging them to try [to broker a resolution], perhaps using money for consulting fees if the city itself can't do it. She thinks city councilors can speak up to this. Even though they have nothing to do with the decision-making, they are none the less the liaisons between the city and "city government." She is asking for some leadership on this and some solidarity from the City Council with the residents raising concerns.

Tina Ingmann, Ward 6, Northampton, spoke in favor of the opt-in specialized stretch code. She has a feeling most people in their city understand the global heating predicament humans have created for themselves by not dialing down their greenhouse gas emissions fast enough. Therefore, she is confident that they will find broad support for passing 'low hanging fruit' like this specialized stretch code. Requiring all new homes to simply be electric-ready seems like a real no-brainer and a smart courtesy for future Northampton residents. Being able to efficiently cool a home in the summer will become ever more important for residents' safety as well. She hopes the City Council votes to pass the opt-in specialized stretch code.

Benjamin Weil, 123 Audubon Road, Leeds, a professor of building science at UMass who has studied retrofits and new construction in residential and commercial areas for many, many years, spoke in support of adopting the specialized opt-in stretch code. Codes generally are consumer protection as they don't want somebody to be burdened with a house which later becomes very hard to convert. The differences between the stretch code and the opt-in specialized code are very, very small and mostly have to do with making sure an owner in the future can have an electric car or a heat pump. Many builders worry that it will dramatically raise the cost of construction. The cost is high and rising but it is not because of the code; it has to do with inflation and the cost of materials and labor. A well-designed house or any structure can meet this code and actually lower costs. Installing a heat pump and air conditioner can avoid the cost of a separate central air conditioner, the cost of gas lines and the cost of a propane tank or furnace. If things are correctly designed, it can also avoid 90 to 100% of the cost of duct work. In general, when modeled out, it not only costs less to operate but costs less to construct a house complying with the updated code.

Roger Cooney, Haydenville, Director of Special Projects works for Wright Builders, which builds so-called green homes, said he is here to encourage city councilors to basically register their support to opt in to take the stretch code a bit further. The inside joke in their office is that the stretch code is not a stretch for them. There are a lot of knowledgeable people in the valley who can achieve that standard and a wealth of knowledge available. It won't be difficult for architects, engineers, HVAC contractors, electrical contractors, etc., to do; in fact, they're doing it already. There are also stellar HERS raters, etc., who can help contractors meet these goals, all in a cost-effective way. Making houses EV-ready, etc. is not going to add cost. He wanted to dispel the notion that somehow this is cost-prohibitive.

With the knowledge base out there, Northampton can be a leader in this field.

Johnny Scarborough, Garfield Street, Florence, said he moved back to the house he grew up in and renovated it. About the opt-in specialized code, he did a lot of work to this house to bring it up to code, put in high-efficiency gas boilers, etc. If he were coming back with this new stretch code in place and putting in heat pumps and solar panels, it would be running him about \$1,000 a month for his electric bill. He doesn't understand the reasons for putting this in. If he

were to come in now as an individual, he wouldn't renovate the house with all of the stuff that's being forced on people; he would say no.

There being no further comments, at 7:37 p.m., public comment ended.

Announcements

Announcements

Councilor Jarrett announced that the Florence chicken barbeque will return Sunday, September 17, 2023 from noon to 3 p.m. at the Florence Civic Center. More info is available at www.florencemass.com/bbq.

Tomorrow (Friday, September 8th) the city and Department of Health and Human Services (DHHS) will be hosting an open house from 10 a.m. to 2 p.m. at the Division of Community Care (DCC) in the DCC community room at 1 Roundhouse Plaza, Mayor Sciarra shared. There will be some remarks commemorating this remarkable milestone and an opportunity to view the community space, meet the DCC team and participate in some of community-responder led activities. From 11:30 a.m. to 2 p.m. there will be pizza and ice cream. She encouraged everybody to come see the space, meet the responders and celebrate this big moment for their community. She is incredibly proud of Commissioner Merridith O'Leary and her team and all the work the responders have put in this summer with 150 hours of training.

And, the Taste is here Saturday from 12 to 8 p.m. on Main Street featuring food and drink from over 30 restaurants and businesses and family-friendly entertainment, Mayor Sciarra reminded. It will be a wonderful community celebration. A selective parking ban starts tonight at 11 p.m. on Main Street from Old South Street to King and Pleasant Streets. Any remaining cars after 11 tonight will be towed. The day of the Taste, Main Street from the rainbow crosswalk to King and Pleasant Streets will be closed to traffic beginning at 7 a.m. until 9 p.m. During that time there will be no thru traffic on Gothic and Center Streets but Old South Street will remain open to westbound travel.

The Ward 3 Neighborhood Association will be holding their regular board meeting Tuesday night at 7 o'clock. He will be at that meeting and hopes to be answering questions relative to the downtown redesign.

Consent Agenda

Consent Agenda

Councilor Nash reviewed the items on the consent agenda. There being no requests for removal, **Councilor LaBarge moved to approve the consent agenda as presented. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote.**

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

- A. Minutes of August 17, 2023
- B. Approve 23.348 National Grid Pole Petition for Loudville Road (Petition# 30749004)
- C. Approve 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)
- D. 23.358 Appointment to Urban Forestry Commission, positive recommendation, City Services - 8/29/2023

Urban Forestry Commission

Jordan Friede, 49 Beacon St., Florence

Term: July 2023 – June 2026

New Appointment

- E. 23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates – 2nd reading
- F. 23.367A Appointments to Various Committees, positive recommendation, City Services – 8/29/2023

Process note: the reappointment of Marilyn Richards to the Northampton Housing Authority (NHA) was temporarily withdrawn so as not to exceed the 45-day timeframe (See [Charter Section 2-10](#)) for consideration of mayoral appointments. Additional time was needed since the item was tabled at the 8/29/2023 City Services Committee meeting to accommodate a request for a meeting with the NHA executive director.

Human Rights Commission

	<p>Donnell Turner, 73 Barrett St., Northampton</p> <p>Term: August 2023 – August 2026</p> <p><i>New Appointment</i></p> <p>G. <u>23.368 Appointment of Assistant Fire/Rescue Chief Andrew Pelis as Chief of Northampton Fire/Rescue, positive recommendation, City Services – 8/29/2023</u></p> <p>H. <u>23.376 Appointment of Chad Dunham as Director of Human Resources - for referral to City Services</u></p> <p>I.</p> <p>For the text of financial orders approved as part of the consent agenda, see Financial Orders (on 2nd reading) below.</p>
<p><u>Presentations</u></p>	<p><u>Presentations</u></p> <p>None</p>
<p><u>Review of Request for Proposals (RFP) for 33 King Street</u></p>	<p><u>Review of Request for Proposals (RFP) for 33 King Street</u></p> <p>Office of Planning and Sustainability (OPS) Director Carolyn Misch reviewed amendments to the request for proposals (RFP) which came out of a joint meeting of the Finance Committee and Community Resources Committee the day before (September 6, 2023). The changes include adding a range of acceptable splits required for additional points related to providing a mixed income housing option in any redevelopment proposal. There was a lot of discussion about giving a little more flexibility in the upper end between 60 and 70%, so that is reflected in the amended RFP (Scoring criterion D).</p> <p>In the paragraph about additional beneficial features that will be considered favorably, there was also discussion about increasing the requirement for earning points for making parking spaces available to the public from three days to five days.</p> <p>Other administrative changes related to the date of issuance, due date for response, etc. which are yet to be determined (TBD) based on when the city can post and send the required legal notice under M.G.L. Chapter 30B.</p> <p>Councilor Jarrett thanked Director Misch for incorporating the requested changes. Everything is very clear as to when respondents get two points and five points. He asked if the intent is that three points be awarded for proposals which call for anywhere between 40% and 60% of Market Rate housing? For example, would bidders get points for a 55/45 split?</p> <p>Director Misch voiced her assumption that anyone responding and trying to get points would hit the target number. She thinks it becomes really complicated if they start interpreting [point value] in between those points.</p> <p>Councilor Moulton also expressed appreciation for the incorporation of requested changes, including raising the expectation for parking and defining what the city values in terms of housing creation. He thinks it will be beneficial for developers.</p> <p>Councilor Maiore appreciated Councilor Moulton bringing up the parking and Director Misch being amenable to that. She thinks adding some parking in that area will support the Main Street redesign.</p> <p>Councilor Elkins similarly thanked Director Misch for hearing the council's ideas and for her patience with the council being invited into a process that it doesn't normally participate in. She is really excited about this RFP. She thinks it provides the opportunity for a project to come to them that meets their needs and goals for the city and downtown. It is a once in a generation chance to meaningfully extend the footprint of downtown. It is really big to have this coming on line even as they are looking at redesigning Main Street.</p> <p>She commended everybody who worked on this and thanked Councilor Jarrett for encouraging the council to have a seat at the table and some input.</p>

Councilor LaBarge appreciatively recalled the request for councilor participation being made when the concept was originally brought to council. She expressed general satisfaction with the RFP's terms.

Councilor Nash thanked former planning director Wayne Feiden and Director Misch, noting that this process started with the last council. He commended councilors and members of the public for being part of the joint meeting and for their homework behind the scenes. A critical piece that became clear to him was the importance of having a minimum bid. Although there are instances where city officials reduce the price to solicit specific types of projects, in this case, he thinks exciting projects can happen but they owe it to the city to get the market value.

The site is in Ward 3, and what stands out to him is that there currently is no housing on the right side of King Street from Chase Bank north other than a little enclave at Edwards Square and a space behind A to Z. He applauded the step of bringing housing to this location, saying he knows the planning department is also looking at another housing project on King Street.

Councilor Jarrett said he, too, wanted to appreciate the process. He is excited for what this means for downtown and really hoping it will be a lot of housing with a variety of unit sizes. He stressed the importance of housing in this area as downtown residents in addition to visitors help support downtown businesses. These are people that won't have to drive and probably won't even have to bike. He expressed appreciation for the flexibility in parking requirements for the building itself since parking increases the cost of housing and people can avail themselves of the many lots nearby.

As someone who spent a large part of his life living on Center Street and working downtown he knows how important it is to be able to walk to work, Councilor Perry added. He is hoping it will be a place other workers in Northampton's service industry can avail themselves of and that it will contribute to the 'new bloom' of Northampton.

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

Financial Orders
(on 1st reading)
23.373 An Order to
Appropriate \$206,603
from Stabilization for
Emergency
Replacement of the
Forbes Library Boiler
- 1st reading

Financial Orders (on 1st reading)
23.373 An Order to Appropriate \$206,603 from Stabilization for Emergency Replacement of the
Forbes Library Boiler - 1st reading

This is a perfect example of why stabilization funds are necessary, Mayor Sciarra noted. The Forbes Library boiler had a catastrophic failure a couple of weeks ago and for the library to be usable this winter it must be replaced. As councilors know, they are in the process of doing a feasibility study for geothermal energy for the library and the resilience hub, so it is unfortunate the boiler couldn't have held out a little longer.

She is happy to have the opportunity to introduce Northampton's new Energy and Sustainability Officer Joshua Singer and grateful for the work he and the city's new Chief Procurement Officer Will Coffey are already doing. She got lovely feedback from Benjamin Weil, a member of the Northampton Energy and Sustainability Commission (NESC) about how great it was to have both Josh and Will at the table and how he already saw the power and advantage of the Climate Action and Project Administration (CAPA) department. CAPA staff were able to work together and talk about the most efficient way to replace the boiler and make smart decisions now that will allow them to make even smarter decisions in the future. He commended them on creating this department to look at any of their projects with both a broad, wide lens and a more detailed lens as to how the project fits into the city's climate action goals. He got to have a front row seat of that already working.

They learned about the problem with the boiler August 4th, Mr. Singer related. In consultation with Central Services Director Pat McCarthy, they went through the usual processes followed when something like this happens to see if they could fix it or if there was a way to repair it. With the supply chain issues they've been experiencing, it turned into an emergency situation as they could not find parts for the current steam system, which is relatively old. The new smaller-sized boiler they are replacing it with can be used as a backup in the future which was the plan for the old boiler. Benjamin Weil, himself and Will were all engaged to consider other procurement options that could be more sustainable. The plan will be to upgrade the system in

the future potentially with geothermal or something else. The new boiler can potentially be converted to a hot water hydraulic system and, in this form, continue to function as a trim boiler, meaning it would work on very cold days to supplement the primary system.

They were faced with 45 days to replace the boiler, Director McCarthy shared. If they had gone with a hot water system they wouldn't have received the equipment until sometime in February. By code, they needed to have the system up and running by October 15th. Working backward, this means they needed a signed contract with the boiler company (Industrial Steel and Boiler of Chicopee) by September 15th to allow them a full month to secure the parts and install the equipment. He thanked Benjamin Weil and mechanical engineer Phil Towsley who also has donated his time and energy.

It's nice to hear how this will actually complement planned work and how all those pieces are coming together, Councilor Foster observed.

Councilor Moulton moved to suspend rules to waive second reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

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

The following order passed final reading:

City of Northampton

MASSACHUSETTS

In City Council

September 7, 2023

Upon recommendation of Mayor Sciarra

23.373 An Order to Appropriate \$206,603 from Stabilization for Emergency Replacement of the Forbes Library Boiler

Ordered, that

The sum of \$206,603 be appropriated from the General Stabilization Fund (5000 340574) to support the emergency replacement of the Forbes Library Boiler.

Rules suspended, passed final reading and enrolled.

23.374 An Order to Appropriate up to \$20,000 from Senior Services Gift Fund for Painting and Molding at Senior Center - 1st reading

23.374 An Order to Appropriate up to \$20,000 from Senior Services Gift Fund for Painting and Molding at Senior Center - 1st reading

Mayor Sciarra referred to a memo from Senior Services Director Kim Park. As she details, this is an opportunity to do work they were going to do anyway now and save money in the process.

The work involves two separate capital projects: window repairs currently underway to address issues with window sill plates and end dams and interior painting, Director Park explained. Ideally, water is directed out of the building but the absence of end dams is allowing water to penetrate the interior. Painting is not part of the capital plan for this year, so she would like to request up to \$20,000 from the gift fund to bundle the two projects. As part of the window repair project, windows are actually being taken out and put back in place, which involves drywall repair and painting. Nine walls in seven rooms of the senior center are having windows replaced so she saw a perfect opportunity to combine the projects. Rather than looking down the road at painting entire rooms, it will only involve painting a few additional walls because repainting the other walls is already covered by the window repair project. They also expect to see some savings because teams are already mobilized and in place and painters are on site.

They don't expect the \$20,000 to cover all the painting needs at the senior center but it will allow them to address all the rooms where work is currently being done. In addition, the lobby has chair rail crown molding and they would like to continue the crown molding into the billiards

room, which is presently not visually appealing because of an odd mix of chair rails which gives it a disjointed appearance.

The gift fund consists of monetary donations made to the senior center, she noted. The nonprofit organization Friends of Northampton Senior Center has a separate fund.

Councilor LaBarge moved to suspend rules to waive second reading. Councilor Moulton seconded. The motion passed unanimously 9:0 by roll call vote.

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

The following order passed final reading:

City of Northampton

MASSACHUSETTS

In City Council

September 7, 2023

Upon recommendation Mayor Sciarra

23.374 An Order to Appropriate up to \$20,000 from Senior Services Gift Fund for Painting and Molding at Senior Center

Ordered, that

The following expenditure from the Senior Services Gift Fund (2522541) be approved:

Up to \$20,000 for painting in various rooms and putting new molding in the billiard's room in the Senior Center Facility.

Rules suspended, passed final reading and enrolled.

23.375 An Order to Accept Gift of Sheds from Ray Ellerbrook Family Memorial Fund - 1st reading

23.375 An Order to Accept Gift of Sheds from Ray Ellerbrook Family Memorial Fund - 1st reading

Councilor Nash read the order.

Just like the kindness, care and generosity Director Ellerbrook showed to the community, his family has continued that remarkable generosity with this fund, Mayor Sciarra related.

Recreation Director Ann-Marie Moggio reiterated her appreciation for the donation, saying the department is happy and grateful to be the recipient.

Councilor Maiore asked if the sheds are related to the exciting new pickle ball courts.

Currently, they have softball, field hockey and soccer there and, if plans come to fruition, it will be a place they can put pickle ball equipment, too, Director Moggio confirmed.

Councilor LaBarge thanked the Ellerbrook family, who she has known for a long time. The gift is well-appreciated, she assured.

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

See minutes of September 21, 2023 for final reading.

Orders

Orders

23.371 An Order to Authorize Partial Termination of Notice of Activity and Use Limitation re Parcel B on the southerly side of the Roundhouse Parking Lot - 1st reading
23.372 An Order to Authorize Notice of Activity and Use Limitation re Parcel B and Parcel C on the southerly side of the Roundhouse Parking Lot - 1st reading

23.371 An Order to Authorize Partial Termination of Notice of Activity and Use Limitation re Parcel B on the southerly side of the Roundhouse Parking Lot - 1st reading
23.372 An Order to Authorize Notice of Activity and Use Limitation re Parcel B and Parcel C on the southerly side of the Roundhouse Parking Lot - 1st reading

The orders relate to parcels B and C, little pieces of property on the south side of the Roundhouse plaza which previously were part of private properties fronting on Clarke Avenue, Director Misch advised. The parcels carry with them activity and use limitations (AUL's) because of a Department of Environmental Protection (DEP) stipulation. After an environmental clean-up, Eversource Gas was required to attach a statement of limitations of activity and use to make sure there was no potential risk to the next generation of folks who might develop the parcels. These little bits came to the city after AUL's were written for the larger parcels. Parcels B and C will hereby be made subject to those AUL's and then the AUL on Parcel B will be terminated. Procedurally, an order needs to come to council to accept the language and then eliminate it for Parcel B since it is city property.

They don't really have a choice; it is mandated by DEP due to contamination found on the site and intended to protect users of the site going forward. A licensed professional put together the AUL language which they hope will be accepted by DEP. If there is ever an issue it will be rectified through a DEP process.

Councilor Nash said it sounded like they should consider them as a group.

Councilor Nash said he spoke to the city solicitor who explained that they are the getting the language to line up between all of these parcels.

The orders will appear on the next agenda, Councilor Nash clarified.

See September 21, 2023 minutes for final reading.

23.337 An Order to Adopt the Massachusetts Municipal Opt-In Specialized Stretch Code - 2nd reading

Councilor Nash reviewed the order's legislative history.

Councilor Jarrett thanked Councilor Elkins and Legislative Matters Committee members for holding the meeting in his absence, saying he recently listened to that recording. He especially appreciated Councilor Elkin's comments at the end about the urgency of their situation and the need to take action at each level of government and society. This is one thing they can do at this level. This change is mostly about not digging a deeper hole since it only applies to new construction and substantial renovation. The specialized code adds requirements and encourages all electric construction but doesn't require it. If a building has a mixed fuel option, it requires that it be wired for electric for the future and also requires a lower HERS rating. It pushes people towards the all-electric option but doesn't require it and prepares them for the future by enabling future occupants to convert.

Lower HERS ratings mean that the energy-efficiency required is very high. He heard someone earlier talking about how much it would cost to use electricity with heat pumps. He doesn't think the person understood the degree to which the renovation would need to be insulated, meaning the costs for all-electric are comparable. As well as incentives and subsidies being available, as they heard, if a structure is well-designed, there isn't an additional cost. Depending on the design, any increased cost is minimal and made up very quickly by reduced energy costs.

If they want to decarbonize, they need to decarbonize buildings and Massachusetts is already at a disadvantage because of its older housing stock, Councilor Maiore stressed. Being part of green communities opens doors in terms of incentives and grants. She is always impressed with their resident experts who deftly explained the issues and that this isn't really a choice. They need to pre-electrify and have solar; it's reasonable, the solar allows for exemptions for shade. It is something that needs to happen as part of their regeneration goals and plan. The writing is on the wall; otherwise, it will cost so much more to have to retrofit later.

She thinks it is very in keeping with their values in Northampton. The cost in terms of heating and cooling has to be looked at in terms of the cost to their environment of not reducing greenhouse gas emissions. She will be very proud to have this and to be a model for western

Mass and other communities. She thanked Adele Franks, NESAC, community members who have advocated for this step and the mayor's office for its willingness to co-sponsor.

They can't go back in time with a lot of their housing stock and magically put in this kind of infrastructure but they can control what is being built now, Mayor Sciarra noted. Even if new buildings aren't all-electric, it is important to prepare them for the direction they need to move in. She added her thanks to Adele Franks and Denise Lello, in particular for helping them allay some fears. She thinks there has been some confusion and misinformation as people really didn't understand that this applies to new construction and massive additions, not existing homes.

Councilor LaBarge said she talked to Louis Hasbrouck at length the next day since, as a city councilor, she had many people worried about the implications for people heating with gas or wood stoves. He really clarified that it did not require replacement of existing systems. She is supporting this. She thanked the building inspector for the time spent reviewing it with her.

This is an opportunity for Northampton to be a leader in western Massachusetts and be forward-thinking, Councilor Moulton suggested. It is imperative for them to adopt this now and not wait to see what happens in other communities. It is fortunate that they are doing it in conjunction with the start of the new CAPA department, which will soon be fully staffed. He suspects one of its tasks will be to locate new sources of funding and help educate residents and sort out the questions of what this means.

Councilor Foster echoed gratitude to the sponsors and the mayor for bringing this forward and to residents for putting so much work into it. As they have declared, they are in a climate emergency. This is one logical step to make sure they are taking the climate into account in Northampton. She is looking forward to supporting this.

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

The following order passed final reading:

**CITY OF NORTHAMPTON
MASSACHUSETTS**

23.337 An Order to
Adopt the
Massachusetts
Municipal Opt-In
Specialized Stretch
Code - 2nd reading

In the City Council,
Upon the Recommendation of Mayor Gina-Louise Sciarra and Councilors Rachel Maiore and Alex Jarrett.

**O-23.337
AN ORDER**

**TO ADOPT THE MASSACHUSETTS MUNICIPAL
OPT-IN SPECIALIZED STRETCH CODE**

Ordered, that

WHEREAS, Buildings are one of the largest sources of greenhouse gas emissions in Massachusetts. Between oil and gas heating, hot water heaters and gas stoves, they're responsible for about 27% of our annual emissions. The largest greenhouse gas emissions impact for many buildings stems from the heating loads and choice of heating fuel for the building; and

WHEREAS, The purpose of 225 CMR 22.00 and 23.00 including Appendices RC and CC, also referred to as the Specialized Energy Code, is to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code; and

WHEREAS, The Department of Energy Resources (DOER), recommends that the communities that want to participate in the Ten Communities Program (requiring all electric heating for new construction) adopt the Specialized Code, and Northampton has filed a home rule petition to become part of that pilot program; and

WHEREAS, the Opt-in Specialized Energy Code will help us meet the carbon neutrality goals of Northampton's Climate and Regeneration Plan.

NOW, THEREFORE, BE IT ORDERED

That the the City of Northampton hereby adopts 225 CMR 22 and 23, including Appendices RC and CC, known as the Massachusetts Municipal Opt-In Specialized Stretch Code, to take effect in the City of Northampton as of January 2024, as required by state regulation.

Passed final reading and enrolled.

23.363 Warrant for the November 7, 2023 Biennial Municipal Election – 2nd reading

Councilor Nash reviewed amendments to the warrant made by the City Clerk to correct the location of the polling places for Ward 4, precincts A and B. Instead of the Senior Center Great Room, the polling place for precinct A is Patte's Front Room and the polling place for precinct B is the Activity Room #1 & 2.

Councilor LaBarge moved to approve the warrant as amended. Councilor Perry seconded. The motion passed unanimously 9:0 by roll call vote.

The following warrant passed final reading:

23.363 Warrant for the November 7, 2023 Biennial Municipal Election – 2nd reading

In City Council August 17, 2023
Upon the recommendation of City Clerk, Pamela L. Powers

23.363

A Warrant

Regarding the Municipal Election scheduled for November 7, 2023

a meeting of the inhabitants of the City of Northampton qualified to vote will be held on Tuesday, November 7, 2023, in the several polling places designated for the purpose by the City Council, as follows:

- WARD 1, Precinct A - In Jackson Street School Auditorium
- WARD 1, Precinct B - In Jackson Street School Auditorium
- WARD 2, Precinct A - In Smith Vocational-Agricultural High School Gymnasium
- WARD 2, Precinct B - In Smith Vocational-Agricultural High School Gymnasium
- WARD 3, Precinct A - In the Senior Center, Great Room, 67 Conz Street
- WARD 3, Precinct B - In the Senior Center, Great Room, 67 Conz Street
- WARD 4, Precinct A - In the Senior Center, Patte's Front Room, 67 Conz Street
- WARD 4, Precinct B - In the Senior Center, Activity Room #1 & 2, 67 Conz Street
- WARD 5, Precinct A - In Florence Civic and Business Building, 90 Park Street
- WARD 5, Precinct B - In Smith Vocational-Agricultural High School Gymnasium
- WARD 6, Precinct A - In Robert K. Finn Ryan Road School
- WARD 6, Precinct B - In Robert K. Finn Ryan Road School
- WARD 7, Precinct A - In John F. Kennedy Middle School, Community Room
- WARD 7, Precinct B - In Leeds School Gymnasium, Lower Level

The polls will be opened at seven o'clock in the forenoon and closed at eight o'clock in the evening of the said day, and all such voters will within the said hours in the wards in which they are individually entitled to vote give in their votes for two Councilors At Large for the two ensuing municipal years, for one Councilor from each of the seven wards of the City for the two ensuing municipal years, for two members of the School Committee at Large for two years from the first Monday of January, 2024, for one School Committee Member from each of the seven wards of the City for two years from the first Monday of January, 2024, for three Superintendents of Smith's Agricultural School to serve for two years from the first Monday of January, 2024, for one Elector under the Oliver Smith Will for two years from the first Wednesday of May, 2024, for three Trustees under the Will of Charles E. Forbes for four years from the first Monday of January, 2024, and for one members of the Community Preservation Committee At Large for four years from the first Monday of January, 2024, and one member of the Community Preservation Committee At Large to begin serving upon certification of the November 7th election results and to continue serving for four years beginning the first Monday of January, 2024.

Pursuant to Mass. Gen. Laws c. 54, sec. 72, Ordered that the City Clerk shall detail no fewer than one constable for each precinct located in a polling place, no fewer than one police officer in each polling location in a school building when school is in session, and, in consultation with the Chief of Police, shall detail such other staff as may be necessary and prudent to assure a safe and orderly election in accordance with state and local laws relating to elections.

23.363

Pursuant to MGL Chapter 54 Section 25B(c)(1)

In-person early voting shall be as follows:

Before the November 7, 2023 Biennial Municipal Election:

Saturday	October 21	9:00 am – 3:00 pm	City Hall
Saturday	October 28	9:00 am – 5:00 pm	City Hall
Monday through Friday	October 23 – October 27	8:30 am – 4:30 pm	City Hall
Monday through Friday	October 30 – November 3	8:30 am – 4:30 pm	City Hall

Passed final reading and enrolled.

Proposed City Council Meeting Format for Remainder of Session

Proposed City Council Meeting Format for Remainder of Session

As Council President, he is proposing that the council meet in hybrid format for the rest of the session, Councilor Nash announced. The council met remotely over the summer and he thinks it was very effective but he thinks hybrid is effective as well. No minimum quorum of councilors is necessary, he clarified.

Councilor LaBarge said she feels very comfortable with how they're doing it.

Councilor Maiore said she really enjoys being together but would like to see what happens over the fall. They are leaders in the city, and she thinks it is bad modeling to meet in person if the community transmission risk for COVID gets greater. She also thinks there is a disadvantage to councilors who participate remotely under the hybrid format. She is fine continuing for the rest of the year but would hope they could be flexible if the COVID season gets particularly bad.

If there's an outbreak, they will be discussing with Commissioner O'Leary and the Mayor how to proceed, Councilor Nash assured. There is an advantage in terms of accommodating families and people working remotely, he said. By allowing remote participation, they are allowing different types of households and families to be able to participate.

As they look forward in trying to recruit more folks for service he thinks this method really does allow folks with all sorts of family issues as well as work issues to participate in this form of government, Councilor Perry observed. He wholeheartedly endorses continuing in this hybrid method.

Councilor Foster echoed what Councilor Maiore and Councilor Perry said. She appreciates Councilor Nash's compassion and family-first attitude. She acknowledged Councilor Maiore's point that the hybrid format presents a bit of a disadvantage to councilors who are remote yet noted that the hybrid format is allowing everybody to participate. She encouraged continued flexibility for either councilors, department heads or the council's administrative assistant to be able to participate remotely if needed.

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

23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates – 2nd reading

Financial Orders (on 2nd reading)

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

23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates – 2nd reading

**City of Northampton
MASSACHUSETTS**

In City Council August 17, 2023

Upon the recommendation of the Finance Committee

23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates

Whereas, Section 7-6 of the Northampton City Charter requires that the City Council annually provide for an outside audit of the books and accounts of the city to be conducted by a certified public accountant or by a firm of certified public accountants, which has no personal interest, direct or indirect, in the fiscal affairs of the city or any of its officers; and

Whereas, Section 7-6 further requires that the award of a three-year contract to audit shall be made by the City Council on or before September 15th of every third year; and

Whereas, on September 3, 2020, the City Council last awarded a three-year contract for auditing services to Scanlon and Associates, LLC.

Now, therefore, be it ordered,

That the City Council hereby awards a three-year contract for auditing services for FY2024, FY2025 and FY2026 to Scanlon and Associates, LLC at the prices and rates quoted in the proposal dated May 9, 2023 attached hereto.



SCANLON & ASSOCIATES, LLC, 8 Tins Drive, S. Deerfield, MA 01373
413.685.4001 (t) 413.685.0593 (f) www.scanlonhaynes.com

May 9, 2023

To the Honorable City Council
City of Northampton
210 Main Street
Northampton, MA 01060

Dear Council Members:

Thank you for the opportunity to submit a proposal for audit services for the City of Northampton, Massachusetts. Scanlon and Associates, LLC is independent of the City of Northampton, Massachusetts as defined by professional standards (AICPA) and government auditing standards (yellow book). Scanlon and Associates, LLC has met peer review standards as defined by the American Institute of Certified Public Accountants (AICPA). All partners and staff to be assigned to the City's engagement have extensive knowledge and experience of auditing municipalities and have met the continuing education requirements as defined by auditing standards.

We are excited about the opportunity to continue working with the City. We believe our firm provides timely, quality work and excellent service at a reasonable fee and would be of great value to the City. Some of the reasons to select our firm include our experience, our personnel, our process and our commitment to ensure quality work.

A summary of audit fees for fiscal years 2024, and optional years for 2025 and 2026 is as follows:

Fiscal Year	Financial Statement Audit	Single Audits (a)	School End of Year Reports (2) - AUP	Retirement GASB 67/68
2024	\$ 52,000	\$ 9,600	\$ 10,000	\$ 7,000
(Optional)				
2025	\$ 53,000	\$ 9,600	\$ 10,000	\$ 7,000
2026	\$ 54,000	\$ 9,600	\$ 10,000	\$ 7,000

(a) The fee amount is based on 4 major programs being tested. Historically Northampton has averaged between 3 – 4 major programs for the single audit.

The increase from fiscal year 2023 fees are mainly due to new GASB's, increased reporting requirements, increased programs/activities within the City and increased audit requirements.

We appreciate this opportunity to continue to be service to you. If you have any questions, please contact us immediately.

Sincerely,

Scanlon and Associates, LLC

Thomas J. Scanlon Jr., CPA
Scanlon and Associates, LLC

Passed final reading and enrolled.

<u>Ordinances (Not Yet Referred)</u>	<u>Ordinances (Not Yet Referred)</u> None.
<u>Ordinances</u>	<u>Ordinances</u> None.
<u>Resolutions</u>	<u>Resolutions</u> None.
<u>New Business</u>	<u>New Business</u>

Adjourn

Adjourn

Councilor Foster moved to adjourn. Councilor Elkins seconded. The motion passed unanimously 9:0 by roll call vote. The meeting was adjourned at 9:06 p.m.

Attest: _____, Administrative Assistant

EXHIBIT A

List of Documents Reviewed at September 7, 2023 Northampton City Council Meeting:

1. September 7, 2023 Agenda
2. 23.348 National Grid-Verizon Pole Petition for Loudville Road
3. 23.348 DPW Recommendation – Memo from Greg Newman, Senior Engineer to Donna LaScaleia, DPW Director, dated August 10, 2023 Re: National Grid petition to install (1) JO utility pole on Loudville Road
4. 23.360 National Grid-Verizon Pole Petition for Bradford Street, Petition No. 30759246
5. 23.360 DPW Recommendation – Memo from Greg Newman, Senior Engineer to Donna LaScaleia, DPW Director, dated August 9, 2023 Re: National Grid petition to install (1) JO utility pole on Bradford Street
6. 23.335 Comcast Petition for Underground Conduit at 54 Main Street, Florence
7. 23.335 Plan
8. August 17, 2023 City Council minutes
9. 23.358 Appointment to Urban Forestry Commission - Memo from Mayor Gina-Louise Sciarra to City Council dated July 14, 2023 re: Appointment to Boards, Committees, and Commissions proposing the appointment of Jordan Friede to the Urban Forestry Commission, together with application for appointment
10. 23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates
11. 23.367 Appointments/Reappointments to Various Committees - Memo from Mayor Gina-Louise Sciarra to City Council Dated August 17, 2023 re: Appointment to Boards, Committees, and Commissions proposing the appointment of Donnell Turner to the Human Rights Commission and Marilyn Richards to the Northampton Housing Authority, together with applications for appointment. (Shown as 23.367A on agenda since appointment of Marilyn Richards was withdrawn.)
12. 23.368 Appointment of Assistant Fire/Rescue Chief Andrew Pelis as Chief of Northampton Fire/Rescue
13. 23.376 Appointment of Chad Dunham as Director of Human Resources – Memo from Mayor Gina-Louise Sciarra to City Council dated September 6, 2023 re: Appointment of Human Resources Director
14. 23.364 Request for Proposals for 33 King Street
15. 23.373 An Order to Appropriate \$206,603 from Stabilization for Emergency Replacement of the Forbes Library Boiler
16. 23.374 An Order to Appropriate up to \$20,000 from Senior Services Gift Fund for Painting and Molding at Senior Center
17. 23.375 An Order to Accept Gift of Sheds from Ray Ellerbrook Family Memorial Fund
18. 23.337 An Order to Adopt the Massachusetts Municipal Opt-In Specialized Stretch Code
19. 23.363 Warrant for the November 7, 2023 Biennial Municipal Election
20. 23.372 An Order to Authorize Notice of Activity and Use Limitation re Parcel B and Parcel C on the southerly side of the Roundhouse Parking Lot
21. 23.372 AUL Package Parcels B and C - Notice of Activity and Use Limitation for Parcels B and C on the southerly side of the Roundhouse Parking Lot
22. 23.371 An Order to Authorize Partial Termination of Notice of Activity and Use Limitation re Parcel B on the southerly side of the Roundhouse Parking Lot
23. 23.371 Plan – Lots A-D - Plan entitled, “Plan of Land in Northampton, MA Prepared for Tighe & Bond, Inc.” dated 06-15-2017 recorded in Hampshire County Registry of Deeds Plan Book 241, Pg. 88, 01/05/2018
24. 23.371 AUL Term Pkg Parcels B Termination – Partial Termination of Notice of Activity and Use Limitation for Parcel B

Record of City Council Votes for September 7, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total
Roll Call by Council Administrative Assistant Laura Krutzler @ p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9
Open Public Hearing on 23.348 National Grid/Verizon Pole Petition for Loudville Road (Petition# 30749004)		Yes	Yes	Yes	Yes	Motion To Approve	Second	Yes	Yes	Yes	Motion passed 9:0; Roll call
Close Public Hearing on 23.348 National Grid/Verizon Pole Petition for Loudville Road (Petition# 30749004)		Second	Yes	Yes	Yes	Motion To Approve	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
Open Public Hearing on 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)		Yes	Yes	Yes	Motion To Approve	Yes	Yes	Second	Yes	Yes	Motion passed 9:0; Roll call
Close Public Hearing on 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)											
Approval of Consent Agenda:											
Minutes of August 17, 2023 City Council Meeting	Consent										
Approve 23.348 National Grid Pole Petition for Loudville Road (Petition# 30749004)	Consent										
Approve 23.360 National Grid/Verizon Pole Petition for Bradford Street (Petition #30759246)	Consent										
23.358 Appointment to Urban Forestry Commission, positive recommendation, City Services - 8/29/2023	Consent										
23.361 An Order to Award Contract for FY2024 - FY2026 Audit to Scanlon and Associates - 2nd reading	Consent	Second	Yes	Yes	Yes	Motion To Approve	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.367A Appointments to Various Committees, positive recommendation, City Services - 8/29/2023	Consent										
23.368 Appointment of Andrew Pelis as Chief of Northampton Fire Rescue, positive recommendation, City Services - 8/29/2023											
23.376 Appointment of Chad Dunham as Director of Human Resources - for referral to City Services	Consent										
Review of Request for Proposals (RFP) for 33 King Street		Second	Yes	Yes	Motion To Approve	Yes	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.373 An Order to Appropriate \$206,603 from Stabilization for Emergency Replacement of the Forbes Library Boiler - 1st reading	Suspend rules	Yes	Yes	Yes	Yes	Second	Yes	Motion to Suspend	Yes	Yes	Motion passed 9:0; Roll call
	Approve	Yes	Second	Yes	Yes	Yes	Motion to Approve	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.374 An Order to Appropriate up to \$20,000 from Senior Services Gift Fund for Painting and Molding at Senior Center - 1st reading	Suspend rules	Yes	Yes	Yes	Yes	Motion To Suspend	Yes	Second	Yes	Yes	Motion passed 9:0; Roll call
	Approve	Motion To Approve	Yes	Second	Yes	Yes	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.375 An Order to Accept Gift of Sheds from Ray Ellerbrook Family Memorial Fund - 1st reading	1st reading	Second	Yes	Yes	Motion To Approve	Yes	Yes	Yes	Yes	Absent	Motion passed 8:0 With Perry Absent;
23.337 An Order to Adopt the Massachusetts Municipal Opt-In Specialized Stretch Code - 2nd reading	2nd reading	Motion To Approve	Yes	Yes	Second	Yes	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.363 Warrant for the November 7, 2023 Biennial Municipal Election - 2nd reading	2nd reading	Yes	Yes	Yes	Second	Motion To Approve	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call
23.371 An Order to Authorize Partial Termination of Notice of Activity and Use Limitation re Parcel B on the southerly side of the Roundhouse Parking Lot - 1st reading	1st reading	Introduced and discussed/No vote taken									

Record of City Council Votes for September 7, 2023		Elkins	Foster	Gore	Jarrett	LaBarge	Maiore	Moulton	Nash	Perry	Total
23.372 An Order to Authorize Notice of Activity and Use Limitation re Parcel B and Parcel C on the southerly side of the Roundhouse Parking Lot - 1st reading	1st reading	Introduced and discussed/No vote taken									
Adjourn		Second	Motion to adjourn	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion passed 9:0; Roll call