



Roll Call

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

A regular meeting of the City Council was called to order by City Council President Gina-Louise Sciarra. At 8:11 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

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

**Public Hearings
Public Hearing on Package of Three National Grid/Verizon Pole Petitions for King Street, 1 NG/Verizon Pole Petition for Summer Street and 1 NG/Verizon Pole Petition for Finn Street**

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Councilor Sciarra read the following announcement:
Per M.G.L. Ch. 166, Section 22, a public hearing is scheduled for Thursday, September 3, 2020 @ 7:05 p.m. on the following petitions of National Grid/Verizon New England to erect poles and wires upon, along, under or across one or more public ways:
20.080 National Grid/Verizon Pole Petition for King Street (Petition #24881246-1)
20.081 National Grid/Verizon Pole Petition for King Street (Petition #24881246-2)
20.082 National Grid/Verizon Pole Petition for King Street (Petition #24881246-3)
20.108 National Grid/Verizon Pole Petition for Summer Street (Petition #24881246-4)
20.079 National Grid/Verizon Pole Petition for Finn Street (Petition #24891246-5)

Councilor Sciarra read the DPW's recommendation.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 8:18 p.m.

Obrayn Cortes presented the petitions, which are due to the MassDOT King Street reconstruction project. National Grid is relocating the poles to keep the line straight to limit anchors on lines and to fit with road reconstruction, he explained.

Councilor Dwight said he presumed National Grid is prepared to meet the conditions required by the DPW, and Mr. Cortes confirmed that the utility is prepared to comply with all requirements.

Councilor Sciarra asked if there were any proponents or opponents.

Hearing none, Councilor Dwight moved to close the hearing. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was closed at 8:21 p.m.

Updates from Council President/Committee Chairs

**Updates from Council President and Committee Chairs
NORTHAMPTON POLICING REVIEW COMMISSION APPOINTMENTS**

Councilor Sciarra announced the appointments to the Northampton Policing Review Commission:

Lois Ahrens	Elizabeth Barajas-Roman	Booker Bush, MD (HRC)
Daniel Cannity	Nick Fleisher	David Hoose
Councilor Alex Jarrett	Carmen Lopez	Javier Luengo-Garrido
Nnamdi Pole, Ph.D	Councilor Michael Quinlan Jr.	Josey Rosales
Dana Olivo	Cynthia Suopis	Larissa Rivera-Gonzales

Mayor Narkewicz and Councilor Sciarra expressed deep appreciation for the many excellent

letters of interest received. It was a very challenging decision process because there were so many strong applicants who would undoubtedly contribute thoughtfully to the process.

Between the council and the mayor they had almost 65 people willing to serve. Both thanked the people willing to serve and expressed hope that they would stay engaged in the process. They are looking forward to the recommendations that they will bring forward.

PERIODIC REVIEW OF ORDINANCES COMMITTEE

Councilor Sciarra and Mayor Narkewicz jointly announced appointments to the periodic review of ordinances committee: Megan Paik and Jeff Napolitano (mayoral appointments), Councilor LaBarge, Councilor Nash and Councilor Thorpe. Administrative Assistant Laura Krutzler has agreed to provide administrative support. The charge of the committee is to review the code of ordinances to prepare a proposed revision or codification. They are asking the committee to give special attention to reviewing the ordinances for racial and ethnic bias and/or disparities.

The City Services Committee - Councilor Quinlan, Councilor Maiore, Councilor Foster and Councilor LaBarge – have interviewed many residents of the city who have volunteered to serve on city boards and committees, Councilor LaBarge related. She thanked all of the residents they have interviewed so far for their interest in serving the community and being actively engaged in city government.

Councilor LaBarge thanked DPW Director Donna LaScaleia for always being there to work with councilors, especially during the COVID-19 pandemic. She thanked her in particular for her presence on site visits on Florence Road and Cross Street to work with residents to resolve quality of life and safety issues.

<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u> As they approach a new and very different-looking school year, Councilor Maiore said she wanted to take a minute to recognize and thank teachers, administrators, school employees and school committee members for all their thoughtful and hard work this summer. It is incredibly stressful to have only not-good choices to work with and no easy solutions. She also recognized students and parents/guardians, who often go unrecognized in the equation of remote and on-line learning. “We are all in the same storm, but we are in different boats,” she observed. Half a year in, many of them, herself included, struggle to keep 24-hour households running while holding down jobs and trying to provide for the basic needs of their children let alone themselves. “Nothing reasonable is being asked of any of us right now,” she affirmed. They can only try while managing expectations of themselves and others. Keeping their children and themselves as physically and emotionally well as possible under these circumstances is what success looks like right now, she pronounced.</p> <p>Councilor Sciarra announced that Grow Food Northampton is looking for volunteers for its community food distribution project, a collaboration between Grow Food and the Northampton Survival Center. Organizers specifically asked her to see if councilors would be willing to help, but she offered to make a general announcement. On Tuesdays, teams of volunteers distribute fresh food from the survival center and area farms at Meadowbrook, Hampshire Heights, Florence Heights and the Lumberyard and, on Thursdays, the same is distributed to senior housing in Northampton. There has been a steady stream of volunteers over the summer but with the change in season there is a need for more. Help is needed Tuesday from 9:45 a.m. to 12:30 p.m. and Thursday from 9:30 to 11:30 a.m. Anyone interested can contact Francie at growfood.org or look for the community food distribution project on the Grow Food website.</p>
<p><u>Communications and Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u> None.</p>
<p><u>Resolutions 20.107 Resolution in Support of</u></p>	<p><u>Resolutions 20.107 A Resolution in Support of Actions to Combat the Public Health Crisis of Systemic Racism – 2nd reading</u></p>

**Actions to
Combat the
Public Health
Crisis of
Systemic Racism
– 2nd reading**

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

Two amendments were discussed during first reading for which language was requested by the sponsors, Councilor Sciarra reminded.

Councilor Jarrett read the first proposed amendment, which adds a clause resolving that the council act to update ordinances shown to have a disproportionate impact on communities of color and to adversely affect vulnerable populations. He moved to approve the amendment as presented. Councilor Dwight seconded.

Councilor Jarrett voiced his understanding that resolutions express the council's commitment to do work within its power and thus hold them accountable. The five-year review will be happening within the next few months, so the resolution will serve as a recent reminder of their commitment to bringing an anti-racist perspective to legislation. He stressed the need to think about intent vs. impact as a lot of ordinances do not have an intent to be discriminatory and yet may still have disparate impacts on people of color.

The National League of Cities has compiled many examples of ordinances that are rooted in racial equity such as Minneapolis's decision to eliminate single-family zoning, Albany's police officer information ordinance and Seattle's fair chance hiring and fair chance housing ordinances. The National Low-income Housing Coalition has resources on ordinances that show disparate impacts, so he'd recommend that the Ordinance Review Committee look at this information.

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

Councilor Quinlan read his proposed amendment to urge the mayor to establish an Office of Equity and Human Rights to promote equity and reduce disparities within city government. He proposed that it be added as an 11th point to the 10-point plan referenced within the resolution.

Councilor Quinlan moved to approve the amendment as presented. Councilor Foster seconded.

Councilor Dwight said he is in favor of the intent and structure of the amendment but that listing it as an addendum to a 10-point plan that came from the Massachusetts Black and Latino Legislative Caucus (MBLLC) might not be appropriate. He thinks the item should be a standalone clause and left unnumbered.

Councilor Quinlan accepted this as a friendly amendment to his motion.

Councilor Sciarra said she was going to make the same point – this is not their 10-point plan, so she does not want to alter it.

Councilor LaBarge noted that the mayor has a Human Rights Commission and questioned whether establishing an office with the same name might create confusion.

He is not opposed to a different name but wants the mission to be the same, Councilor Quinlan responded. The city does have both a Board of Health and a health department, he pointed out. He is open to changing the name, he confirmed.

Councilor Dwight said he doesn't see the two entities as being mutually exclusive. He doesn't think what Councilor Quinlan is recommending neutralizes what the Human Rights Commission does but actually enhances and expands it and gives it more teeth.

Councilor Jarrett said he would make similar arguments. The Human Rights Commission (HRC) is purely an advisory commission and doesn't have funding. An office would have funding and could carry out the work that the HRC would advise it on. The two go together.

Councilor Foster thanked Councilor Quinlan for bringing the amendment forward, noting that, in establishing the NPRC, they discussed that, in order to make progress, city resources need to be dedicated toward an effort. She appreciates the idea of formalizing the investment of city resources toward promoting equity and human rights. She offered the constructive comment that, to her, establishing an office means establishing a new department, which would be big and

budget heavy. She suggested instead considering establishing a position such as an Officer of Equity and Human Rights or advocating for establishment of a position that falls under another department's purview. She also recommended adding a reference to grant funding, since she would picture somebody in this role needing to seek funding to further their work. She sees grant development as a critical piece and something worth naming, she volunteered.

Councilor Quinlan said he is open to modifying this in a way the council as a whole supports. His intent is to urge the mayor to create what he sees as an office of accountability; how the mayor accomplishes it is his responsibility, he proposed. If it's through a position or a department, he is supportive of that. The goal for him is really to create this idea that everyone will be held accountable to treat everyone equally.

Councilor Dwight agreed the point is to urge the mayor to establish something. How it's realized and if it's realized is ultimately up to the mayor. What they're doing is endorsing and encouraging a department that obviously has costs associated with it. The fact is, the expense is a worthy investment. He thinks the language offered does just that and he's pretty sure the mayor hears it.

He sees this as an office giving the city a conscience, working to make sure that every action the city takes is handled equally for all, but specifically for seniors, residents with disabilities, people of color, LGBTQ/x, etc., Councilor Quinlan elaborated. What are we doing, how is it implemented, and does it unfairly impact anyone or any segment of our population? He asked fellow councilors to join him in supporting the amendment.

Councilor Thorpe thanked Councilor Quinlan and Councilor Jarrett for their amendments and said he supports them as presented.

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

Councilor Maiore offered another proposed amendment, which she read into the record as follows:

Whereas:

On May 29, 2020 the American Public Health Association declared racism an ongoing public health crisis, deeming racism a barrier to health equity and a driving force of inequitable social determinants of health; the social, environmental, and economic factors that influence health, including employment, housing, education, access to health care and nutritious food; impacting life-long health outcomes even before birth; and on June 7, 2020 the American Medical Association stated racism is an urgent threat to public health-; and

Whereas:

Numerous studies have linked racism to negative health outcomes, which are associated with increased risk for mental and physical chronic conditions such as heart disease, cancer, asthma, stroke, disproportionately high maternal and infant mortality, most recently, COVID-19, and the American College of Physicians has found that Black Americans in particular are at risk of being subjected to race-based discrimination and violence against them, and that hate crimes are a public health issue.

Councilor Maiore moved to approve the amendment as presented. Councilor Jarrett seconded.

The public health language backs up the need for declaring racism a public health emergency, Councilor Jarrett commented.

She is in full support of this resolution but just wanted to expand it a little to encompass the whole spectrum of racism barriers to health equity such as both chronic and acute disease and access to health care, Councilor Maiore explained. Because really it is racism, not race which is killing black people and people of color. Even when controlled for social factors such as education and income level, health disparities still endure both in chronic long-term indicators and in acute crises like the disproportionate rates of COVID-19 in black, Latin/x and indigenous communities.

This is reinforcing language to bolster or essentially footnote the declaration or resolution, which he has no problem with, Councilor Dwight observed. It is worth noting though, that, while it is a big list, it is actually incomplete. They could probably create a document that's 400 pages citing health impacts, including food deserts and lack of access to nutritious foods, also discrimination not just from police but from fellow citizens. Part of the problem is that once you pull the thread

on that sweater, it starts to unravel.

He doesn't have a problem with it, he reiterated. The resolution does make broad statements and declarations and resolutions frequently are held up to hold them to account when they are crafting laws. It seems as if they are all on the same page. He just wanted to caution all of them as they add to this. What she is proposing reflects that they are prompted by an understanding of the conditions that exist and are complicit even, he stated.

Councilor Sciarra concurred with what Councilor Dwight said. While perhaps the language was seen as too succinct, she would be concerned with the impression that they were leaving out the countless ways racism does affect people's health.

Councilor Thorpe agreed with Councilor Dwight. He said he appreciated Councilor Maiore providing this and wanting to add this to the resolution.

Councilor Maiore said she actually was thinking the addition kind of went with the 'Be it Further Resolved' clauses because it talks about health equity in the general sense. The 'Be it further resolved' section talks a lot about health equity and health inequities. Since the 'Whereas' clauses only talk about police violence, she felt like it needed to be mentioned to round it all out.

Councilor Dwight noted that the title is not specific to police actions but said he takes her point. His caution is not to deny this amendment but just to say that maybe this is the point at which they put a period; i.e. – not expand it further.

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

Councilor Jarrett read another proposed amendment aloud:

Be it further resolved that:

The Northampton City Council will consider systemic changes that are within our power and advocate for those which are not, including but not limited to a shifting of municipal resources from punitive approaches to public safety to supportive and restorative ones, changes to the tax structure to help build wealth among those who have been discriminated against, and updating zoning codes, housing laws and transportation systems to create more affordable housing and accessible jobs, and to ensure equal access to health care.

Councilor Jarrett moved to approve the amendment. Councilor Dwight seconded.

He wants the council to hold a view of the structural changes that are necessary to actually solve the problems of racism, although he does not know them all, Councilor Jarrett explained. It is the start of a list from the reading and listening that he's done. Some the council has the power to enact and some the executive branch. One of the tasks of the NPRC is to figure out how, specifically in Northampton, they can move from punitive approaches to public safety to positive and restorative ones. Racism has created wealth inequality. Things like a progressive tax structure will help to change that, although he thinks reparations will be necessary as well.

Local codes contribute to the situation where people are priced out of Northampton. He thinks this amendment adds important examples of systemic change that they can hold in their minds as they're doing their jobs.

He has no problem supporting this amendment, Councilor Dwight confirmed. It actually charts actions and appropriate actions he has no problem supporting and in fact has supported throughout his tenure. "I'm actually grateful for this because it distills down to a more essential description the issues that are at hand."

He is grateful that it makes a point of pointing out that there are clearly things within their realm and those that are not. By being elected officials within their municipality, their voices are amplified above those of the average citizen. This embodies that; "I'm grateful for it," he said.

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

Councilor Sciarra called the motion to approve the resolution in second reading as amended to a vote, and it passed unanimously 9:0 by roll call vote.

The following resolution passed two readings:

In the Year Two Thousand and Twenty

Upon the recommendation of Councilor Gina-Louise Sciarra, Councilor William H. Dwight and Councilor John T. Thorpe

**R-20.107 A RESOLUTION
IN SUPPORT OF AND COMMITTING TO ACTIONS AT THE
FEDERAL, STATE AND LOCAL LEVEL TO COMBAT THE
PUBLIC HEALTH CRISIS OF SYSTEMIC RACISM**

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

Whereas:

George Floyd, an unarmed African-American man, was asphyxiated by a Minneapolis police officer or officers on May 25th 2020; and

Whereas:

Breonna Taylor, an African-American Emergency Room Technician, was shot eight times and killed in her own home by Louisville police on March 13th, 2020; and

Whereas:

Ahmaud Arbery, an African-American man was shot and killed by two white civilian men while jogging through a South Georgia neighborhood on February 23rd, 2020; and

Whereas:

Mr. Floyd’s, Ms. Taylor’s, and Mr. Arbery’s deaths and the manner of their deaths are yet more examples, in a list of countless examples, of an endemic culture of oppression and racism that exists in our country; and

Whereas:

The widespread revulsion demonstrated by our fellow citizens to this, and to all of the accumulated historical racist actions, requires a reckoning and a commitment from all of us to confront this greatest threat to our society; and

Whereas:

In the absence of presidential leadership, it is incumbent upon local authorities to respond to the suffering that racism inflicts; and

Whereas:

We continue to acknowledge the deaths chronicled in this resolution and all of the racially perpetrated deaths that preceded them, as well as the racial violence and state and federal violence throughout the country that has followed them; and

Whereas:

The City Council of Northampton has for decades decried and condemned by resolution and laws the myriad racist acts committed by individuals and persons in authority; and

Whereas:

The City Council of Northampton will continue to stand unified in our commitment to confront institutional racism, implicit bias, and bigotry in all forms and violence; and

Whereas:

On May 29, 2020 the American Public Health Association declared racism an ongoing public health crisis, deeming racism a barrier to health equity and a driving force of inequitable social

determinants of health; the social, environmental and economic factors that influence health, including employment, housing, education, access to health care and nutritious food; impacting life-long health outcomes even before birth; and on June 7, 2020 the American Medical Association stated that racism is an urgent threat to public health; and

Whereas:

Numerous studies have linked racism to negative health outcomes, which are associated with increased risk for mental and physical chronic conditions such as heart disease, cancer, asthma, stroke, disproportionately high maternal and infant mortality, most recently, COVID-19, and the American College of Physicians has found that Black Americans in particular are at risk of being subjected to race-based discrimination and violence against them, and that hate crimes are a public health issue.

Now therefore be it resolved that the City Council of Northampton:

Reasserts its unequivocal opposition to expressions and acts of hate; and

Be it further resolved that:

We will devote our efforts to expanding the challenging but necessary community conversation on racism and on all of our respective culpabilities; and

Be it further resolved that:

We have an obligation to advance racial equity by undoing the inequities found in the law, and to proactively pass ordinances and make budget decisions that address inequity. During the Periodic Review of Ordinances which occurs every 5 years as per the City Charter Section 10-5, and at other times when it comes to the attention of the Council, we will act to update ordinances that have been shown to have a disproportionate impact on communities of color and adversely affect vulnerable populations. We will also consider these impacts during our annual budget process and as financial orders are brought to the council; and

Be it further resolved that:

We call for increased resources from the Commonwealth for comprehensive anti-racism trainings for state and municipal employees and students; and

Be it further resolved that:

The Northampton City Council supports the Massachusetts Black and Latino Legislative Caucus' proposed 10-Point Plan to Combat Systemic Racism in Policing and Police Brutality stating:

At the Federal level:

1. Pass Congresswoman Pressley's Resolution to condemn police brutality, racial profiling and the excessive use of force.
2. Improve oversight and independent investigations to hold individual law enforcement officers and police departments accountable.
3. Department of Justice must reassert its statutory authority to investigate individual instances of racial profiling, police brutality and violence and investigate and litigate individual law enforcement officers and police departments routinely violating civil rights.

4. Adopt sound and unbiased law enforcement policies at all levels of government that reduce the disparate impact of police brutality, racial profiling and use of force on Black and Brown people and other historically marginalized communities.

At the State level:

5. Resolve to provide for a “Special Commission on Peace Officer Standards and Training” to study and make recommendations concerning the implementation of a state-wide Peace Officers Standards and Training (POST) system, H2146, to certify police officers and enable de-certification for misconduct and abuse.

6. Pass An Act to Reform Civil Service Exams, H2292, establishing an Office of Diversity and Equal Opportunity to establish guidelines and review for diversity plans for all state agencies, establish a peace officer exam advisory board to review examinations for appointment and promotion of peace officers.

7. Pass an Act establishing a special commission on structural racism, H1440, establishing a commission to study how the systemic presence of institutional racism has created a culture of structural racial inequality which has exacerbated disproportionate minority contact with the criminal justice system in Massachusetts.

8. Adopt clear statutory limits on police use of force, including choke-holds and other tactics known to have deadly consequences. Require independent investigation of officer-related deaths. Require data collection and reporting on race, regarding all arrests and police use of force by every department.

At the Municipal level:

9. Declare Racism is a Public Health Crisis and worthy of treatment, assessment and financial investment in order to eradicate negative health impacts.

10. Create a Civil Review Board/Commission with subpoena power to investigate allegations of law enforcement wrongdoing.

The Northampton City Council acknowledges the steps that the Northampton Police Department has previously taken that align with the Plan, including use of force policies and prohibiting chokeholds, and we assert there is more we can do as a city to combat systemic racism in our municipality and policing. We support the work of the Northampton Policing Review Commission created on July 9, 2020 to study and make informed recommendations for change to the city’s approach to policing.

Be it further resolved that:

The Northampton City Council will urge the Mayor to establish an Office of Equity and Human Rights, to promote equity and reduce disparities within City government; provide guidance, education and technical assistance to all municipal offices in achieving equitable outcomes and services; support human rights and opportunities for everyone to achieve their full potential; work to resolve issues rooted in bias and discrimination, through research, education and interventions.

Be it further resolved that:

The Northampton City Council strongly agrees that racism is a public health crisis and in addition to asking to declare it so at the municipal level, asks the Commonwealth to devote the resources needed to combat this crisis at both the state and local levels.

Be it further resolved that:

The Northampton City Council will consider systemic changes that are within our power and advocate for those which are not, including but not limited to a shifting of municipal resources from punitive approaches to public safety to supportive and restorative ones, changes to the tax structure to help build wealth among those who have been discriminated against, and updating zoning codes, housing laws and transportation systems to create more affordable housing and accessible jobs, and to ensure equal access to health care.

Be it further resolved that:

The Administrative Assistant shall cause a copy of this resolution to be delivered to Governor Charles Baker, Attorney General Maura Healy, Senators Elizabeth Warren and Edward Markey, Congressman James McGovern, Massachusetts Senator Jo Comerford and Massachusetts Representative Lindsay Sabadosa and the Chair of the MBLLC, Representative Carlos González; Commissioner of the Massachusetts Department of Public Health, Dr. Monica Bharel; Northampton Director of Public Health, Merridith O’Leary.

Passed two readings and enrolled.

20.112 A Resolution in Support of "An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility" - 1st reading

Councilor Sciarra invited one of the sponsors to read the resolution aloud. Councilor Foster

**20.112 A
Resolution in**

Support of "An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility" - 1st reading

obliged.

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

The resolution is in support of statewide legislation but she wanted to take a moment to commend councilors in Northampton who introduced light pollution legislation from 2006 on and thank James Lowenthal and Northampton City Lights for its continued important 'resident expert' work, Councilor Maiore commented. Residents are very lucky to have them advocating in their community. She emphasized that this is also about energy over consumption and about physical and mental health and the wellbeing of their natural world.

Councilor Jarrett pointed out a scrivener's error, an extraneous 't' before Massachusetts Sierra Club. For him, light pollution has been a creeping change; it has been gradual enough that he doesn't notice it until he travels to a place where he can actually see the night sky, then he remembers as a child in the '80's how much of the sky he could actually see.

Councilor Foster echoed the comments from Councilor Maiore and Councilor Jarrett and also extended thanks to James Lowenthal and Northampton City Lights. She thinks these bills moving forward will really help to consider the natural world and human impacts of light pollution. She urged fellow councilors to support it.

Councilor LaBarge said she will support this, also commending James Lowenthal for all his hard work. She drew parallels between odors at the landfill making people sick and similar symptoms associated with light pollution. "Blue lights are awful," she observed. "This is absolutely necessary."

Councilor Quinlan thanked sponsors and Dr. Lowenthal. Similar to Councilor Jarrett, when contacted and presented with a questionnaire regarding these concerns during the recent campaign, he was prompted to realize it is brighter in Northampton today than when he was growing up. Even looking out from his front door, between Northampton Nursing Home and the top of the hill are a number of street lights and it's a straight away. "If we can do something to make the situation better, we should," he agreed.

Councilor Sciarra added her appreciation to sponsors and residents who have worked tirelessly on this issue.

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

See minutes of September 17, 2020 for second reading.

20.113 Resolution in Support of Plastic Reduction and Sustainability Ordinance - 1st reading
20.116 A Resolution Recognizing the Importance of the 2020 Census - 1st reading

20.113 A Resolution in Support of Plastic Reduction and Sustainability Ordinance - 1st reading

Councilor Sciarra announced that the resolution has been withdrawn by the sponsors.

20.116 A Resolution Recognizing the Importance of the 2020 Census - 1st reading

Councilor Sciarra read the resolution aloud.

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

Councilor Sciarra thanked co-sponsor Jarrett who has been working on this issue as the council liaison to the Complete Count Committee and Javier Luengo-Garrido, who brought the resolution to their attention. With the constant firehose that is this administration it is easy to forget that this census has had roadblocks and efforts to thwart it basically since the president took office, she reminded.

It is an act of resistance at this point to fight for the census, work to make sure everyone is counted and acknowledge the mistrust and counteract it with facts about the safety of the census, Councilor Sciarra continued. It is crucial for Northampton and all communities to have a complete count; there is so much crucial funding that is dependent on each and every person being accounted for. She urged the council to not only support this resolution but to commit to doing what they can in the next 27 days to inform and encourage people to complete it, either on their own or by responding if they are contacted.

Councilor Jarrett thanked Councilor Sciarra and Javier Luengo-Garrido. He emphasized Councilor Sciarra's last point to talk to people they know about the census and take the time to listen to their concerns and share accurate information. Personal contact may move people who haven't felt comfortable responding to the census to respond, he suggested.

Councilors Maiore, Foster and Nash each expressed support for the resolution in turn. Councilor Foster mentioned the reflexive mistrust in government associated with the census and the importance of helping people understand why they're filling it out and that it's safe to do so.

Councilor Nash asked what he could do to help census workers. Councilor Jarrett suggested helping them make connections with any historically hard to count communities that may be present in individual wards. He hasn't heard that enumerators are having any particular issues in Northampton.

Councilor Sciarra moved to recognize Mr. Luengo-Garrido. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

The core of the problem right now is that they have been working very hard with the college and Pioneer Valley Complete Count Committee to count all of those hard to count communities, Mr. Luengo-Garrido confirmed. With the constant fight of the federal government, in this last month, they are absolutely reaching out to the hardest of the hardest. One of the things the city council and city can do is be proactive by putting information in different languages. "That would be incredibly useful," he affirmed. Also, making clear that Title 13 protects information acquired by the census. Having the city council pass this tonight could mean a lot because nowadays the community needs reassurance that this is something that is safe and will have a positive impact. He has a ton of material if anyone wants to get in touch with him.

Councilor Dwight echoed the importance of citing Title 13 protections. It is really important in approaching people to open with that; how critically important it is and how they are protected. "You are not putting yourself in jeopardy of deportation or harassment or arrest or anything else," he stressed. That would be the primary concern of people who would have the most trepidation about responding, he suggested.

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

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

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

The following resolution passed two readings:

In the Year Two Thousand and Twenty

Upon the Recommendation of Councilor Gina-Louise Sciarra and Councilor Alex Jarrett

R-20.116

A RESOLUTION

RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS AND ENCOURAGING RESIDENTS OF THE CITY OF NORTHAMPTON TO PROMOTE AND COMPLETE THE CENSUS TO ENSURE A FAIR AND COMPLETE COUNT

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

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population every ten years, and this count provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS the City of Northampton is committed to ensuring every resident is counted;

WHEREAS the City of Northampton includes hard to count communities, which are those that face barriers to full and equitable representation in the data collection process, and that historically have been undercounted;

WHEREAS the federal government recently decreased the time for non-response follow up to the census by a crucial month and instituted a new deadline of September 30, 2020, endangering a complete count;

WHEREAS this reduction of time is another attempt to impede the complete count by the executive branch, as the former director of the Census Bureau, Kenneth Prewitt, testified in an emergency congressional hearing on July 25, 2020 that "With approximately a third of the population still to be counted, the President is sending a powerful signal that the 2020 census is a partisan tool, greatly complicating the task of a census still in the field."

WHEREAS this reduction of time is also coming in a census year with extraordinary challenges for the door-to-door census operation due to the Covid-19 pandemic and because of fear of divulging personal information and distrust of the federal government in the current political climate;

WHEREAS despite the fear engendered and stoked by the political climate, it is completely safe to respond to the census. The information collected by the census is confidential. Title 13 of the U.S. Code prohibits the Census Bureau from releasing any identifiable information about individuals, households, or businesses. The information can only be used for statistics and by law cannot be used against someone;

WHEREAS census data plays an important role in the allocation of federal and state funding to state and local communities, including funds for school lunch programs, education grants and other child welfare programs, housing funds such as Section 8 vouchers, SNAP benefits, transportation funding for highways; health benefits like Medicare Part B, and others;

WHEREAS census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment;

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents;

NOW THEREFORE BE IT RESOLVED that the City of Northampton is committed to partnering with the U.S. Census Bureau and the Commonwealth of Massachusetts to achieve a complete and accurate count of all persons within our borders;

BE IT FURTHER RESOLVED that the City of Northampton supports the goals and ideals for the 2020 Census and has and will disseminate 2020 Census information and encourages all residents to fill out the 2020 census before September 30, 2020;

BE IT FURTHER RESOLVED that the City of Northampton supports Partnership Specialists, Census Takers and other U.S. Census Bureau staff as they help our community complete an accurate count;

BE IT FURTHER RESOLVED that the Northampton City Council encourages all residents to safely participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;

BE IT FURTHER RESOLVED that the Northampton City Council encourages all Northampton residents to engage in conversations about the 2020 Census with people they are close to, listen to any of their concerns and share information about its importance and safety.

Rules suspended, passed two readings and enrolled.

Councilor Dwight said he wanted to explain the withdrawal of **20.113 A Resolution in Support of Plastic Reduction and Sustainability Ordinance.**

Councilor Sciarra recognized Councilor Jarrett. Councilor Jarrett said he has spoken with the city solicitor and he has advised him to recuse himself on this ordinance due to a possible financial impact negative or positive to his business, Pedal People. He stated his intention to recuse himself.

The reason sponsors requested withdrawal is that the resolution presumes an outcome on the vote on the ordinance, Councilor Dwight explained. The ordinance is not being withdrawn and will be taken up later on the agenda. The resolution will be resubmitted at such a time when and if the ordinance passes, he stated.

Consent Agenda

Consent Agenda

Councilor Sciarra reviewed the items on the consent agenda, offering to remove an item for separate discussion upon request. There being none, **Councilor Dwight moved to approve the consent agenda. Councilor LaBarge 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 June 10, 2020 and June 23, 2020 Special Meetings**

B. Approve 20.079, 20.082 and 20.108 National Grid/Verizon Pole Petitions for King Street, Summer Street and Finn Street (Petition #'s 24881246-3, 24881246-4 and 24891246-5)

National Grid must obtain an "Excavation/Trench Permit" issued by the City of Northampton prior to construction.

There are no conflicts with public utilities at the proposed locations for #1, #2, #26, #39 and #40. See documents under public hearing above.

C. Approve 20.080 and 20.081 National Grid/Verizon New England Pole Petitions for King Street with conditions recommended by the DPW (Petition #'s 24881246-1 and 24881246-2)

The DPW has recommended the following conditions for Pole #25 as shown on plan attached to Petition #24881246-1 and Pole #31 as shown on plan attached to Petition #24881246-2 due to potential conflicts with the sewer and a water service, respectively:

- Caution should be exercised while excavating at these locations. The hole for the new pole location shall be inspected by the DPW prior to actual pole installation. 24-hour notice to the DPW is required by calling (413) 587-1570.
- If the sewer and/or water service is disturbed, it must be repaired/relocated by the Contractor at the direction of the City Engineer.

National Grid must obtain an "Excavation/Trench Permit" issued by the City of Northampton prior to construction.

There are no conflicts with public utilities at the proposed locations for #21, #28, #28-50 and #33.

D. 20.117 Appointment to the Arts Council - for referral to City Services Committee

Arts Council

Michael Abbatiello, 161 Main St., Leeds, MA

Term: September 2020-June 2023

To fill a vacancy

<p><u>Recess</u></p>	<p><u>Recess</u> Councilor Quinlan requested a recess. The City Council took a seven-minute recess. The council reconvened at 10:01 p.m.</p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 10:01 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 10:17 p.m. The City Council reconvened at 10:17 p.m.</p>
<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>20.111 Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and Burts Pit Road - 1st reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>20.111 An Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and Burts Pit Road - 1st reading</u> Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of September 17, 2020 for second reading.</u></p>

<p><u>Financial Orders (in 2nd reading)</u> <u>20.103 Order to Award Contract for FY2021-FY2023 Audit to Scanlon and Associates – 2nd reading</u></p>	<p><u>Financial Orders (in 2nd reading)</u> <u>20.103 An Order to Award Contract for FY2021-FY2023 Audit to Scanlon and Associates – 2nd reading</u> Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>The following order passed two readings:</u></p> <p style="text-align: center;">City of Northampton MASSACHUSETTS</p> <hr style="width: 10%; margin: auto;"/> <p style="text-align: center;"><i>In City Council</i> August 20, 2020</p> <hr/> <p style="text-align: center;">Upon the recommendation of the Finance Committee</p> <hr/> <p style="text-align: center;"><u>20.103 An Order</u> <u>To Award Contract for FY2021 – FY2023 Audit to Scanlon and Associates</u></p> <p><i>Ordered, that</i></p> <p>Whereas, Section 7-6 of the Northampton City Charter requires that the City Council annually award a contract 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.</p> <p><i>Now therefore be it ordered,</i></p> <p>That the City Council hereby awards a three-year contract for auditing services for FY2021 to FY2023 to Scanlon and Associates, LLC at the prices and rates quoted in the proposal dated August 11, 2020 attached hereto.</p> <hr/> <p><u>Passed two readings and enrolled.</u></p>
<p><u>Orders</u> <u>20.110 Order to Waive the City's Right of First Refusal under MGL 61 for Land on Turkey Hill Road - 1st reading</u></p>	<p><u>Orders</u> <u>20.110 Order to Waive the City's Right of First Refusal under MGL 61 for Land on Turkey Hill Road - 1st reading</u> Councilor Sciarra read the order.</p> <p>Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded.</p> <p>When the city made a major land preservation acquisition at Turkey Hill several years ago it was a multi-element plan, Mayor Narkewicz explained. The procurement was intended to preserve 150 acres in the Mineral Hills and create four condominiums and one high-end housing lot. The four condominiums have already been created. Since the land was acquired under Massachusetts General Law for open space acquisition, the city has a built-in right of first refusal. The city does not want to exercise its right of first refusal and basically wants to sell this as a market-rate lot as originally proposed. The order is asking the city council to affirm that the city will not buy the lot and will waive its right of first refusal to allow it to be sold.</p> <p>Councilor LaBarge expressed her understanding that the city is trying to get some of its money back.</p> <p>It's too expensive a parcel to acquire as open space, Mayor Narkewicz confirmed. It's a developable parcel. The city preserved 150 acres but is trying to balance that with creating housing. This will complete the development plan that was put in place, particularly to preserve</p>

the open space for people to enjoy and recreate.

Councilor Jarrett asked who owns the land now.

The owners do not live in Northampton, Councilor LaBarge said. The property is owned by Chen and Bangas.

Councilor Jarrett asked about the possibility of using it for affordable housing.

The cost of the lot and the value of the lot is prohibitive for the goal of affordable housing, Mayor Narkewicz said. The original plan was for a mix of affordable and market-rate homes. Planning Director Wayne Feiden could address that in greater detail. It would be \$200,000 to buy the land itself so it represents a fairly capital-intensive investment. He reiterated that the city did develop four affordable units.

It is worth noting that there is a need to balance competing priorities in property acquisition, Councilor Dwight asserted. The city took a substantial amount of property off the tax rolls. The market-rate lot helps offset the loss of revenue for creation of the affordable housing. "There's a method to the madness, as it were," he suggested. As Northampton acquires and preserves land for conservation they want to make sure that they don't cut off their nose to spite their face and lose potential revenue.

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

See minutes of September 17, 2020 for second reading.

Ordinances (Not Yet Referred)
20.015 Ordinance Relative to Metered Parking on Pleasant St.
20.114 Plastic Reduction & Sustainability Ordinance
20.115 Ordinance Relative to Parking on Middle Street

Ordinances (Not Yet Referred)

20.015 An Ordinance Relative to Metered Parking on Pleasant Street

Councilor Foster moved to refer the ordinance to Legislative Matters. Councilor Nash seconded. The motion passed unanimously 9:0 by roll call vote.

20.114 Plastic Reduction & Sustainability Ordinance

The city solicitor has advised him to recuse himself on this ordinance due to a potential financial impact – negative or positive – to his business, Pedal People, Councilor Jarrett advised. He said he would stop his video.

Councilor Nash moved to refer the ordinance to Legislative Matters and Community Resources. Councilor LaBarge seconded.

They know this is a very big issue, Councilor LaBarge said. She believes in this ordinance and knows a lot of work has been put into it by the Youth Commission and councilors. Knowing what has happened with COVID-19, there is a lot of anger out there right now because more doors are going to be closing. She is glad to see this is going to be going to Community Resources and Legislative Matters.

Talking to former Council President Jesse Adams, she knows how much research and outreach was done in connection with the single-use plastic bag ban. She is asking that there be a massive outreach to the business community including the Chamber of Commerce, Downtown Northampton Association and the many, many businesses ranging from large retail businesses to small food markets, so that businesses will be able to voice their concerns. Many will have to close their doors if they are required to spend more money to make this happen. She just feels this is such a bad time for businesses in the city. Many are angered right now about losing parking on Main Street, as they know. She has been asked today what businesses have been reached out to already. There was some confusion when she got calls yesterday about the resolution and the ordinance.

She is 100% for it, she confirmed. She agrees with Amy Cahillane, what she talked about today. She does agree with a lot of the language on this ordinance. She is just hearing from business people that their voices need to be heard. "I'm asking that we really do intensive research in connecting with all of the businesses in our city."

There was outreach done, Councilor Dwight assured. This process has been going on for two years. He is not opposed to additional outreach. Whatever we can do to expand the community conversation on this, all the better. The process for granting exemptions embedded in the language is based on the reaction from businesses. He asked if she was making a particular proposal or requesting an additional referral.

Her concern is that they do intensive research out there with the Chamber of Commerce and small business association just like Jesse and Paul Spector did, Councilor LaBarge urged. They did intensive hearings on this.

The hearings were no more or less than what we're proposing here, Councilor Dwight responded. It's worth noting that all those agencies and those businesses have the opportunity to attend Community Resources and Legislative Matters and the City Council debate. Everyone can also submit written testimony.

She is suggesting having total transparency, Councilor LaBarge stressed. She wants to let businesses know they are holding hearings and that they have the opportunity to come and speak.

Councilor Dwight encouraged her to encourage people to participate in meetings at Community Resources and Legislative Matters. The Youth Commission has worked really hard. They have drafted a report based on their interviews. They went in person when they could and since COVID have been doing phone calls and emails. "We're doing our due diligence," he assured Having Amy Cahillane speak is excellent. He hopes business owners will come and give their testimony and express their concerns and also be willing to listen and hear the advocacy.

Councilor Nash said that, as chair of Community Resources, he welcomes this discussion when they get it on the table. Based on Ms. Cahillane's testimony, there's a little more listening they need to do and a little more outreach with the business community about precisely what's in the ordinance. Community Resources and Legislative Matters are the places they can do that.

The motion to refer passed 8:0 by roll call vote with Councilor Jarrett recused.

20.115 An Ordinance Relative to Parking on Middle Street

Councilor Dwight moved to refer the ordinance to Legislative Matters. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

As a point of information, the plastic reduction and sustainability ordinance may not appear on the next Legislative Matters Committee agenda depending on the outcome of its review in Community Resources, Councilor Dwight noted.

<p><u>New Business</u></p>	<p><u>New Business</u> None</p>
<p><u>Information (Charter Provision 2-7) & Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u> None</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor LaBarge and seconded by Councilor Nash, the meeting was adjourned at 10:45 p.m. The motion carried unanimously 9:0 by roll call vote.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>