CITY COUNCIL

CITY OF NORTHAMPTON

MASSACHUSETTS

Councilors:

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

Meeting Agenda
On-line Video Conference
Meeting Date: May 7, 2020
Meeting Time: 7 p.m.

The May 7, 2020 City Council meeting will be held via remote participation. The public can follow the council's deliberations by watching the meeting live on Comcast channel 15, live-streaming it on youtube or joining the virtual meeting by phone or video conference. For the active youtube link, please see Northampton Open Media's website: http://northamptonopenmedia.org/

Live public comment will be available using telephone call-in or video conferencing technology beginning at 7 p.m.

INSTRUCTIONS FOR CALLING IN OR JOINING THE VIDEO MEETING FOR PUBLIC COMMENT

Join the virtual meeting: https://bit.ly/2y9Cz2y

For telephone call-in, call:
+1 253 215 8782 US +1 301 715 8592 US Enter Meeting ID: 952 0948 3014 and Participant #: # You will be invited to make your comment by the host in the order in which your call is received.

1. **Announcement that Meeting is Being Held Via ZOOM and Audio/Video Recorded**
   This meeting is being held via ZOOM and audio/video recorded.

2. **Public Comment**

3. **Roll Call**

4. **Public Hearings**

5. **Updates from Council President and Committee Chairs**

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

7. **Communications and Proclamations from the Mayor**

8. **Resolutions**

   A. **20.045 A Resolution Denouncing Anti-Asian, Anti-Asian American and Xenophobic Discrimination - 2nd reading**
   History:
   - Passed 1st reading - 4/16/2020

   Documents:

   20.045 A Resolution Denouncing Anti-Asian Discrimination.pdf

9. **Presentations**

10. **Consent Agenda**

    A. **Minutes of April 16, 2020**

    Documents:

    4-16-2020_City Council Minutes.pdf

11. **Recess for Committee on Finance (See Separate Agenda)**

12. **Financial Orders (on 1st reading pending Finance review)**
    Rule 2.6 requires the Finance Committee to consider certain financial matters.

13. Financial Orders (on 2nd reading)

A. 20.043 An Order to Appropriate Free Cash to NPS for Federal Foster Care Transportation Reimbursement - 2nd reading

History:

- Positive recommendation, Finance Committee - 4/16/2020
- Passed 1st reading - 4/16/2020

Documents:

20.043 An Order to Appropriate Free Cash to NPS for Federal Foster Care Transportation Reimbursement.pdf

B. 20.046 An Order to Approve Gift Fund Expenditures for Resilience Hub - 2nd reading

History:

- Positive recommendation, Finance Committee - 4/16/2020
- Passed 1st reading - 4/16/2020

Documents:

20.046 An Order to Approve Gift Fund Expenditures for Resilience Hub.pdf

14. Orders

15. Ordinances (Not yet Referred)

Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

16. Ordinances

A. 20.037 An Ordinance Relative to Essential Services and Municipal Facilities - 1st reading

History:

- Referred to Planning Board (PB) and Legislative Matters (LM) - 4/2/2020
- Joint PB/LM Public Hearing Held - 4/23/2020
- Adoption recommended, Planning Board - 4/23/2020
- Amended to add words "and are the only dimensional lot requirements necessary to be met," LM - 4/23/2020
- Positive recommendation, LM - 4/23/2020

Documents:

20.037 An Ordinance Relative to Essential Services and Municipal Facilities.pdf

17. Information Requests (Charter Provision 2-7) and Committee Study

Requests

18. **New Business**

19. **Adjourn**

Contact: G-L Sciarra, Council President
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(413) 570-3133

In the Year Two Thousand and Twenty
Upon the recommendation of Councilor Karen Foster and Councilor Rachel Maiore

R-20.045 A RESOLUTION
DENOUNCING ANTI-ASIAN, ANTI-ASIAN-AMERICAN AND XENOPHOBIC DISCRIMINATION

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

WHEREAS, the Northampton City Council has passed a Resolution Declaring Northampton's Commitment to Being a Safe and Accepting Community on November 17, 2016 as well as a Resolution Regarding Hate Crimes on February 21, 2013 and,

WHEREAS the use of anti-Asian terminology and rhetoric related to COVID-19, such as the "Chinese Virus," "Wuhan Virus," and "Kung-flu," have perpetuated anti-Asian stigma and,

WHEREAS the use of anti-Asian rhetoric, including by our current US President and top federal officials, has resulted in people of Asian descent being harassed, assaulted, and scapegoated for the COVID-19 pandemic throughout the US including in our own community and,

WHEREAS, since January 2020, there has been a dramatic increase nationwide in reports of hate crimes and harassment of those of Asian descent, with the online reporting forum STOP Asian Americans and Pacific Islanders (AAPI) HATE logging in more than 1,100 reports of incidents of racial harassment and discrimination in the United States[1] and,

WHEREAS the Northampton City Council has established, as stated in the November 17, 2016 Resolution Declaring Northampton's Commitment to Being a Safe and Accepting Community, that it believes in 'the rights of people to to lead lives of peace and dignity free from fear, harassment and violence"

NOW, THEREFORE BE IT RESOLVED that the City Council of Northampton, Massachusetts calls on all local public officials to condemn and denounce any and all anti-Asian sentiment in any form in and around our City.

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[1]"STOP AAPI HATE Receives over 1,100 Incident Reports of Verbal Harassment, Shunning and Physical Assault in Two Weeks", last modified April 3, 2020, http://www.asianpacificpolicyandplanningcouncil.org/wp-content/uploads/Press_Release_4_3_20.pdf

BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts recognizes that the health, safety, and dignity of all residents, no matter their background, must be of utmost priority.

BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts stands with our Asian and Asian-American neighbors and business community.

BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts condemns all manifestations of Anti-Asian racism, xenophobia, discrimination, and scapegoating.

BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts calls on the United States leadership to combat misinformation and discrimination that puts Asian Americans at risk and to commit to building a more inclusive, diverse, and tolerant society.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to President Donald Trump, U.S. Senator Elizabeth Warren, U.S. Senator Ed Markey, U.S. Senator Kamala Harris, U.S. Representative Grace Meng, Congressman James McGovern, Massachusetts Governor Charles Baker, State Senator Joanne Comerford and State Representative Lindsay Sabadosa.

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

Roll Call

A regular meeting of the City Council was called to order by City Council President Gina-Louise Sciarra. At 7:02 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

At 7:02 p.m., Councilor Sciarra convened the regular meeting. She announced that the meeting was being audio and video recorded.

Presentations
Presentation by Cooley Dickinson Health Care CEO Joanne Marqusee and Community Health and Government Relations Director Jeff Harness on COVID-19 Preparedness

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Councilor Sciarra noted that representatives from the Cooley Dickinson Hospital – Cooley Dickinson Health Care Chief Executive Officer (CEO) Joanne Marqusee and Community Health and Government Relations Director Jeff Harness – were present to update councilors on COVID-19 preparedness activities at the community hospital. She stated her intention to take this agenda item out of order to accommodate the presenters. Councilor Sciarra thanked Marqusee and Harness on behalf of the council for CDH's tireless work on behalf of the community.

Ms. Marqusee thanked the council for the opportunity to make a presentation and said she would take its appreciation back to staff. She gave an overview of the hospital's COVID response. Administrators have been working really closely with Mayor Narkewicz and Public Health Director Merridith O'Leary as well as with other towns. One of the things that has really been proven during this crisis is how people come together in a time of crisis. They are all just trying to help each other and nobody says, 'it's not my job' or 'that's not within my purview.'

She presented some figures reflecting the hospital's activity. This morning, CDH had about a dozen COVID inpatients, about what they have had for the last several days whereas a week and a half ago they had as many as 15 to 17 and the projections were significantly higher, for a surge of 60 to 70 patients. They feel like the volume has plateaued for them and for western Mass and that, while they're not quite at the peak yet and they expect it to continue, they certainly will not see the volume they were anticipating seeing.

To get ready for the predicted surges they worked very hard and quickly to create additional capacity – especially critical care capacity - since patients who are hospitalized are often quite sick. They were able to triple the capacity of their intensive care unit (ICU) and double the number of net surge beds. The fact that the additional capacity has not been needed says that hand hygiene, social distancing and masks have really been working. She has been asked what the City Council can do for them; she is very worried that if people in Western Mass hear that it is not as bad as they thought they will misinterpret that as being an invitation to relax restrictions and, if anything, it's the opposite. We know from all over the world that there can be second waves and that it doesn't take much to have a major new outbreak. They support everything the Mayor and the city has done to be ahead of the curve in terms of those restrictions.

In terms of collaboration that's been heartening, CDH administrators have had regular communication with other hospitals around western Massachusetts. They talk at least once a week with the CEO's of Baystate, Mercy, Holyoke and Berkshire and have all sorts of plans for how they can use each other. If the ICU at CDH is overwhelmed and Mercy has capacity, they would shift staff, equipment and patients there. That's been a nice collaboration and it will continue.

Testing throughout the country was really limited as all sorts of different resources were needed –

viral media to transport the test, swabs, lab capacity etc. It was really frustrating for them and for everybody to have to restrict testing so much in the first few weeks. The good news is that they are in a better place so that, as of yesterday, they expanded the criteria for which people can get tested. They have doubled or tripled the capacity in their drive-through testing and increased the amount of on-site testing for the highest priority patients. Patients still have to check with their primary care provider and it is still restricted to those with symptoms but no longer restricted to those with symptoms who are also over a certain age or with comorbidities. Now, everyone who is in the hospital is being tested, including women coming in for childbirth. They will continue to try to expand the availability of testing and to have more of the needed supplies.

If somebody wants to get tested and doesn't have a primary care provider (PCP), they can call the Call Center, which will connect people with PCP's.

The other thing she wanted to raise is that they are getting concerned based on anecdotal accounts that people are staying away from care for COVID and non-COVID issues. They have done such a good job of telling people not to come to the hospital and to call their primary care provider that people are staying home and waiting too long to seek medical attention. They are seeing patients come in who are sicker than they should be because of the length of time they waited. They are trying to do a real community education to assure people they are here for them and not to be embarrassed to come in for issues other than COVID. The hospital has the capacity and has telephone and video capability in place. In terms of fear, if patients do have to come in they can do a lot by phone and video and have done a lot with their spaces to try to sequester those with COVID illness from others. If patients come into the emergency department without any respiratory issues they will be seen in a separate space from those who go to RED (respiratory ED). For outpatients, they have a special clinic - respiratory infection clinic (RIC) - so those going to their PCP for something else can be less concerned about being exposed. Also, visitors, patients and staff are all wearing masks. So while they want people to adhere to the stay at home order, it doesn't mean stay at home if you are sick.

She wanted to say 'thank you' to a bunch of people, Ms. Marqusee continued. She thanked the city, adding that the community has been amazing. People are donating food for front-line workers, making financial contributions, donating supplies and personal protective equipment (PPE), etc. Most of all she wanted to thank the staff. She thinks the community recognizes how heroic they are being but what they don't see is how creative and how flexible they are. People are being retrained to work in different areas, sometimes involving learning a different computer system or a new set of clinical protocols and sometimes not using their skill set. They needed some professional staff to go to the laundry room and distribute the amazing amount of gowns they need to get out every day. People are doing it and nobody is complaining.

As far as what they are doing for staff – first and foremost, they are trying to keep them safe. They were pretty early on in adopting a lot of the restrictions in terms of visitors coming in, wearing masks and infection control policies. They have reassigned many staff if their area was not busy. Many employees are working remotely if they can. If they can't work remotely, they have a 'waive security' program so people know they can have up to eight weeks at full pay, not having to dip into their sick leave. For staff there is a lot of mental and emotional stress so they have a 24-hour employee assistance program (EAP). Staff can stay at a hotel on an intermittent basis and some people have taken advantage of that at the hospital's expense.

She mentioned the call center and said she will be sure to get out information on that, on testing, and on how to make donations.

The pandemic's financial impact is a difficult topic. The impact on CDH like all hospitals is really staggering. They obviously have tons of expenses that they wouldn't usually have whether for training, PPE's, extra supplies, renting vents, etc. Even larger is the lost revenue due to stopping elective procedures and outpatient services. The federal help they have received (CARES help) only makes up for about 10 days of their losses. That's a drop in the bucket and they are all going to need to advocate strongly for lots of places that need dollars. Administrators are proud despite the financial troubles to have done the 'waive security' program and to have avoided pay cuts or furloughs.

In closing, she asked the public to do whatever they can do to keep up with social distancing and handwashing. They would like to start making plans for reopening, With that, she said she is

happy to answer questions.

Councilor LaBarge asked how they go about taking care of somebody with a disability, such as a hearing impairment, and somehow getting an interpreter for that person when there are restrictions on people coming in.

The good news is that they actually have remote interpreters they can bring in for any patient, including interpreters for the deaf, Ms. Marqusee confirmed. In general, it seems to work well. They have also translated a lot of materials, particularly communications about social distancing.

The technology is amazing, Mr. Harness agreed. Staff can wheel in a video. Their own staff can do interpretation for Spanish but they also will arrange for interpretation for other languages and ASL. They have also been in touch with Stavros to make sure people are getting the support they need.

They have a pretty restrictive visitor policy but there are some exceptions, Ms. Marqusee added: Somebody going through childbirth and inpatients who cannot appropriately articulate their needs to providers or who can't understand instructions are allowed to be accompanied by someone.

Councilor Maiore asked Ms. Marqusee if she would reinforce the importance of the face covering order that has come out. She said she knows some people have concerns.

As she noted, they are very supportive of anything that can be done to reduce the spread, Ms. Marqusee reiterated. She stressed the need to be very clear that the face covering is not instead of other important restrictions like handwashing and maintaining social distance. It seems like it is helping and the literature says is helpful for protecting those wearers come in contact with.

CDH is accepting masks, Mr. Harness said. The hospital is able to wash them, package them and turn them over to Director O'Leary for distribution. For anyone out there who is good at sewing, they would love to get more so they can do more distribution.

The Call Center is open Monday through Friday from 8 a.m. to 6:30 p.m. and 8 a.m. to 5 p.m., Saturday and Sunday. The center can be accessed through the website or people can call 1-888-554-4234, Harness said.

Some doctors and other staff have been in touch with Northampton Housing Authority staff, skilled nursing facilities and other congregate living situations to offer recommendations for hygiene and other protocols to keep people in those conjugal living situations safe, Mr. Harness advised.

Councilor Quinlan asked about access to PPE; what the supply chain is like and whether they are confident they will be able to stay in stock.

Early on, access to PPE was a very significant problem for everybody and that problem has gotten better and better over time, Mr. Harness reported. He heard recently that gowns were a little bit of a challenge. Generally, the trend has been better and better and, at the moment, they do have what they need.

This is a reflection that the supply chain has gotten better but also that they haven't needed as much as initially projected, Ms. Marqusee said. There is now a provision to decontaminate N95 masks and, right now, they have enough testing materials for the next couple of weeks. But, if at any time there were a break in the supply chain, it would quickly turn into a problem because they don't have months of stock.

Councilor Sciarra thanked both for their presentation and encouraged them to please keep in touch and not to hesitate to reach out and let them know other ways they could be helpful.

bi Communications and Proclamations from the Mayor

Communications and Proclamations from the Mayor
COVID-19 Public Health Update from Health Director Merridith O'Leary with overview of regional public health nursing disease surveillance team led by Northampton.
Today has been a very long day full of surprises, Director O'Leary related. She stated her

COVID-19 Public Health Update from Health Director Merridith O'Leary w/over-view of regional public health nursing disease surveillance team led by Northampton.

intention to update councilors on some of the big projects her department is working on and then to entertain questions.

The Northampton Health Department has been the fiduciary agent for the regional health preparedness coalition since she came to Northampton nine years ago, Ms. O'Leary reported. The majority of Hampshire County communities plus a few outliers from Franklin and Hampden Counties are part of this coalition and hold monthly meetings to prepare for an event like this. They never imagined they'd see it in their days, but they have actually been preparing for a pandemic. One of the responsibilities of a public health department is contact tracing, contact identification, interviews of confirmed and suspected cases of COVID, interview of quarantined individuals and collection of any other information necessary for the Department of Public Health (DPH) to enter into a surveillance system called MAVEN. It is a huge undertaking for even Northampton with one public health nurse, never mind communities with a board of health but no health department.

Early on when they started seeing cases, in the course of contact investigations, they had to communicate or assign cases to other communities which might have contact with someone who was COVID positive or presumed COVID positive. Trying to do these investigations with volunteer boards of health was very challenging. She quickly mobilized to do an assessment of the emergency preparedness association to see if its member communities would be willing to join a collaborative where Northampton could hire and train public health nurses to do the contact investigation work for them. When she put out the needs assessment, she knew there was a round of money coming down from DPH that was going to go to local boards of health. She knew that if the state gave them the money, they could support a program. Eleven communities now participate in this collaborative and they are actively investigating 160 positive COVID cases. For every case, they may have anywhere from two to 22 or even more people to interview and put in quarantine.

As she said, 11 communities are participating. They have eight fully-trained nurses and public health nurse Jennifer Meyer acts as the supervisor for the contracted nurses. Northampton has a Memorandum of Understanding (MOU) with each community signed on to the program for eight-week periods. Every eight weeks they will reevaluate whether said community wants to continue with the collaborative.

Councilor LaBarge read the following statement aloud, "According to the latest data, as of today, even the United States is nowhere near being able to test or trace at the scale necessary to transition out of lockdown. Americans have yet to accept the idea that isolation will continue to be part of everyday life."

She asked Director O'Leary if it is correct that the program now has about 150 patients whose contacts it will be attempting to trace.

That is correct, Director O'Leary confirmed. Contact tracing is extremely important and testing so far has been limited, she stated. A few weeks ago, they were only seeing 15 tests a day coming out of CDH and 500 tests being allowed in all of Massachusetts. Now Massachusetts is seeing almost 6,000 tests a day and has 30 labs on board, so they are ramping up. Testing is the most important component in how they move forward. Communities need to know how many people have the virus and who their direct contacts are before they make any decisions on opening up. She hasn't been releasing town or city level data at all because of privacy reasons and because, without context, the data is meaningless. Today they have 70 cases, but that is not the true story of how many Northampton residents are ill. They absolutely need more widespread testing before they make any decision on how to open up. The only people being tested right now are health care workers, first responders, essential workers such as grocery store employees and people in congregate living. They need to get to a place where anybody who is feeling sick or who has had contact with someone who is COVID positive can get tested before those decisions are made.

Councilor Jarrett wondered if the coalition is getting support from the community tracing collaborative at the state level. There was a report that they are hiring a thousand people to do contact tracing.

She is not sure what kind of support they are going to get at this point, Director O'Leary said. The collaborative is really focusing on those communities that don't have the infrastructure to do the

work. They are supposedly going to open it up to all communities by May 1st. She hates to say she is a little leery about the program because she doesn't know enough about it. What she can say is that accredited, licensed registered nurses work under her direction with the supervision of a public health nurse who has been working with her for five years, so she knows exactly the kind of questions being asked of their residents. The collaborative seems more like a hotline center where people are given scripts. Tomorrow she has a DPH call where she will learn more.

Councilor Nash thanked O'Leary for her terrific work. He feels like when he gets information from her he is getting information that is about a week ahead of what is coming out of the white house. She has done a terrific job in keeping them informed and on the cutting edge.

Councilor Sciarra said she would very much like to hear more about the homeless shelter.

Northampton has set up a 24/7 shelter for the homeless - those who identify the streets of Northampton as their residence - at the Northampton High school, Director O'Leary said. The shelter is staffed by ServiceNet, volunteers and a police officer at all times. They have broken it up into three shifts from 8 a.m. to 4 pm., 3:30 to 11 p.m. and 10:30 p.m. to 8:30 a.m. For every shift they have three ServiceNet staff, two volunteers and one security guard. They also have recovery coaches for two, two-hour blocks a day, MAT providers, Tapestry Health which brings its mobile unit every day, NA meetings, AA meetings, prescription delivery services, etc. Food is delivered three times a day by the fire department from various sources. The jail delivers breakfast and Smith College usually provides lunch and dinner. Community residents have made donations; McDonald offers a meal once a week. Steven Connor from Veterans Services did Easter brunch last week, CVS donated candy for Easter. Donations have been heartwarming.

The city provides transportation Monday through Friday at 8 a.m., 10 a.m. and 12 p.m. from the shelter to a resource center so people can do laundry. The shelter itself is very proscribed. They have expectations of their residents and they have to meet expectations or they are asked to leave. These decisions are very hard for her to make but she has to do what's in the best interest of everybody there. When someone visits the high school, the first thing they see are two giant handwashing stations donated by United Way and equipped with soap and paper towels. Inside the front doors is a sign-in station. The first time someone signs in, they get a full screening with a temperature check and a litmus of health questions. If they pass the screening, they are let into the shelter. If they have COVID symptoms, they are placed somewhere else.

The gymnasium is set up with 56 cots. It started April 1st with 36 residents and today, it is full. There are three residents in their quarantine shelter. If someone screens that they have traveled outside MA or come in contact with someone COVID positive, they take them out of the NHS shelter and put them somewhere else where they cannot possibly transmit the disease. The quarantine shelter right now is over in Hatfield and an isolation shelter was just taken over as of yesterday by MEMA at the Quality Inn. If someone is sick, they go to the hospital and then to the Quality Inn. If they have traveled out of state or came in contact with someone COVID positive, they go to quarantine.

The doors close at 9:30 p.m. sharp. If residents don't come back by this time, they lose their space. This is a dry shelter; they don't have any tolerance for drug or alcohol use. They do check back packs. Lockers are provided to all residents.

The shelter has been open for two weeks and residents are extremely respectful and extremely appreciative of the services provided. The shelter looks and smells like it did the first day it opened. She commended the emergency management team, ServiceNet, first responders and volunteers. MEMA complimented them, saying Northampton is a 'Just Do It' community. Some other communities have not been able to mobilize yet and get shelters opened.

Councilor Nash asked for ways people can help with the shelter in terms of volunteering or providing funds.

The shelter coordinator is Lauren Davine. People can sign up to be Medical Reserve Corps (MRC) volunteers. Going through this process is a lot easier than having volunteers just showing up ready to help. Having volunteers is #1. They have enough volunteers right now to get them through the next month. Once screened, volunteers can sign up for shifts. She referred to a fund set up by the city to accept financial contributions. Shelter organizers have put out a call in the

past for toiletry items such as toothbrushes, toothpaste, women's health products, hand sanitizer, sanitizer wipes, etc. If someone has a unique or special service such as counseling or SUD support of any type, she encouraged them to reach out to her. There is a lot they could do to enhance what they're already doing.

Councilor Foster said she gets questions from constituents regarding decisions that are made and said she wanted to give O'Leary the opportunity to address her decision to close parks, etc.

These are very tough decisions she has to make and provide her with a lot of sleepless nights, Director O'Leary disclosed. Any order she has ever made in the past has been evidence-based and data driven. With this being a very novel disease and the first pandemic she's ever lived through, it is hard making these decisions without having a year's worth of research or having 10 years' worth of data to look at and having to think about negative consequences that may accompany the decisions. All in all, her job is to look out for the welfare of their community, their constituents, local business owners and their employees; it is a big undertaking. She has gotten a lot of criticism for overstepping or going too far. If at the end of the day all she has to say is she's sorry and that she's making these decision to protect her community, she is willing to own that.

"I feel like the decisions that I'm making are necessary at this point in time," she stressed. If she waits for the guidance to come down from the CDC or governor, she feels like sometimes those decisions are too late. "It is with a heavy heart" that she makes the decisions, she acknowledged.

She is a scientist, data-driven public health professional and, without that, she is just going with what she knows about public health and disease transmission and trying to reduce transmission within their community, O'Leary elaborated. The director of infection control is the chair of her Board of Health, and she relies heavily on her in making these decisions.

She confirmed they are still accepting donations for the shelter through the Northampton Fire Department at 26 Carlon Drive.

Councilor Sciarra pointed out that ways to volunteer and things that are needed are posted on the COVID page of the city website.

He thinks it is important to point out that she has nothing to apologize for, Councilor Dwight assured. First of all, there is evidence that her vigilance has actually paid off. To err on the side of caution makes much more sense. No one's liberties are being deliberately constrained or being inconvenienced. For the most part, he's noticed that this community is willing to comply and understands the motivations. "I think you've made wise, judicious and appropriately protective decisions," he asserted.

He said he appreciates her explaining herself but really doesn't' think it's necessary.

Councilor Jarrett asked if she knew how many people were turned away from the shelter and what other options might be available.

They have had homeless people who've come all the way from Worcester, from Berkshire County and from Amherst, Director O'Leary advised. Because of the limitations of the shelter size, they have had to turn away 12 people. Amherst presently has Craig's Door which is still open and shelters have opened up in Greenfield, Pittsfield and Springfield that she knows of. There are alternative shelters, she confirmed.

Because of an order that took effect at 12:01 p.m. today, if people go into any essential business and can't maintain adequate social distancing, they are required to wear a face covering, Director O'Leary reminded. They are in great need of these face coverings. They started a worksheet for residents to put in a request for face coverings and have received over a thousand requests. The partnership with CDH is amazing; they are the recipients of the face coverings, and they launder them and package them in a certain way before delivering them to the health department. They don't have a fraction of what they need to go around at this point.

Councilor Sciarra asked who folks could contact to get a mask if they couldn't access the worksheet.

	They can call the Northampton Health Department at (413) 587-1214 to request as many masks as needed, Director O'Leary confirmed. The city started delivering them today. **Northampton COVID-19 Update from Mayor Narkewicz** Mayor Narkewicz echoed his incredible thanks and gratitude to Public Health Director Merridith O'Leary, who has been at the front lines of leading the city's response to this unprecedented pandemic. He is proud of the work that she, her department and their city have been able to do to protect residents, give them information and, in some cases, make decisions and be out ahead of other cities. The city is doing its best to adapt to the new environment they are working in. They continue to provide services through all city departments, obviously in a somewhat limited fashion. One of the major focuses is public safety; police and fire rescue, dispatch and public works continue to operate and continue to serve the public. They are doing their best to provide them with PPE. Councilors heard about the limitation on PPE as it pertains to health care workers; the city has experienced some of the same limitations in the supply chain. They have been working closely with MEMA to try to restock and to make sure their first responders have access to this equipment. He repeated the encouragement to residents to access the website for COVID-19 resources (www.northamptonma.gov/ COVID-19 or access from the city's home page). Whether Director O'Leary's orders or the governor's orders, it is an excellent clearing house for Northampton residents. . He continues to remain in close contact with state and federal officials as they obviously look to them for resources and support. He was on a call yesterday with the lieutenant governor, mayors across the state and the Secretary of Administration and Finance. They continue to emphasize how they have received some aid (he referred to the city's efforts to stand up a small business assistance program and open the shelter), but, at this point, they are hopeful that there will be more resources to follow because this is going to be a long and significant recovery period. His office is fully functioning in a remote capacity. All of administration and finance continues to operate through skeleton crews and remote operation and all of the other agencies -particularly social services, veterans services and senior services - are very busy doing outreach and support to their constituents who are among the most vulnerable during this crisis. She thinks the city's response to this has been nothing short of astounding, Councilor Foster commented. She has been really impressed department by department by the work that's being done. There is some concern that there are not enough restrooms in town for folks who are homeless and who are taking advantage of the shelter. She wondered if he knew of other alternatives or anything that could be done to provide bathroom access to people living without homes right now. That is a concern, Mayor Narkewicz agreed. The city had porta potties placed strategically near the bike path where they knew some homeless people were living. They are going to put another porta potty alongside city hall near the entrance people typically use to use the bathroom and are going to put in a hand sanitizer station. They are working on having a Main Street toilet. He knows First Churches has opened to allow bathroom access during some limited hours on the other side of Main Street. They are cognizant of that and are working to address it. There will be some additional outdoor resources going in.
Recess for Public Comment	**At 8:13 p.m., the City Council recessed for public comment. The City Council reconvened at 8:20 p.m.**
Public Hearing	**Public Hearing** None.
: Updates from Council President	**Updates from Council President & Committee Chairs** Councilor LaBarge announced that the May 4, 2020 City Services Committee meeting has been

& Committee Chairs	canceled since there are no new appointments. As chair, she is requesting that other members seriously think about which department they would like to bring in for the month of June.
Recognitions and One-Minute Announcements by Councilors	**Recognitions and One-Minute Announcements by Councilors** Councilor Quinlan expressed gratitude and admiration to Councilor LaBarge. The City Services Committee met at the beginning of March. Three weeks before that, in discussion, Councilor LaBarge asked Director O'Leary to come to their meeting to discuss the corona virus and the city's preparation for it. That Councilor LaBarge was thinking about that back in the beginning of February is very impressive and he just wanted to thank her for that. Councilor Foster echoed what Councilor Quinlan said. In addition, the Northampton Kiwanis Club is partnering with Steve Connor of Veterans Services and David Star from Berkshire Naturals to help transport food boxes from the Salvation Army in Springfield to surrounding towns to get food to veterans who need food access and may be home bound, she announced. Councilor LaBarge commended a resident in Ward 6 who lives on Ladyslipper Lane, Mary Engara. She has made masks for the whole police department and fire department and, with her help, passed out 25 in Ward 6A and 6B. If anybody has any white elastic, they are looking for some in Ward 6, she added. In light of what they are going through and what some in public comment have addressed, Councilor Maiore said she wanted to draw people's attention to a free bystander training program to combat Anti-Asian, Anti-Asian American and Xenophobic harassment. She showed the website, www.ihollaback.org/bystanderintervention. Studies show that something that lessens the impact to those being targeted is people appropriately standing up and speaking out and helping. The training is excellent in helping to know how and when to intervene.
Resolutions **20.045 Resolution Denouncing Anti-Asian, Anti-Asian American and Xenophobic Discrimination - 1st reading**	**Resolutions** **20.045 A Resolution Denouncing Anti-Asian, Anti-Asian American and Xenophobic Discrimination - 1st reading** Councilor Sciarra read the resolution. Councilor Dwight moved to approve the resolution in first reading. Councilor Thorpe seconded. She just really wanted to give some framing to the resolution, Councilor Maiore said. Sometimes people question when and how to use resolutions. History has shown them that anti-Asian and anti-Asian American harassment and discrimination are not new, but there is an alarming surge of racism being reported. Researchers are finding a significant surge in the last two months, and the FBI is confirming that Asians are experiencing increasing incidents of harassment since the global outbreak such as being stared at, followed, verbally assaulted, etc. This type of harassment is typically under-reported. She thinks the resolution can really bring to light what is happening and let the Northampton community know that residents of Asian descent are reporting being harassed in the valley in real time. There is an undertone of thinking that the focus should be on the COVID outbreak, but it's another type of aggression to always put the psychological and physical well-being of people of color on the back burner. In light of the failure at the federal level to address this, where the president and other federal officials have actually contributed to Anti-Asian sentiment and rhetoric, she thinks it is especially important that all leaders speak out collectively to this rising trend to reassure Asian residents that they see them and are behind them. A similar resolution is being put forward by U.S. representative Grace Meng as well as U.S. Senator Kamala Harris who wrote a companion resolution for the Senate. Studies show that speaking up to racism and hate crimes really lessens the psychological fall-out on victims of aggression and, conversely, failing to speak out raises the trauma level, so this is something they can do to help. Councilor Foster recognized Councilor Maiore's leadership and work in bringing this resolution to pass. She is very proud to be a part of it. When this was starting, a friend of hers of Asian descent mentioned that she had seasonal allergies and was trying very hard not to cough and sneeze in public because it was a very bad time to be presenting as Asian and sick. In a 2000 study by NPR of where Asians fit into the culture of racism in this country, one of the things recognized was that people of Asian descent are more likely to face individualized attacks rather

than the systemic barriers often faced by other groups. Attacks that they're hearing about tend to be more of that individualized nature of people not feeling safe or feeling watched and scrutinized and being very aware of how they're presenting. She echoed the importance of local leaders speaking out and people of the dominant group speaking up and speaking out. To experience racism is bad enough, but then to have to be the ones to report it and speak out about it raises the level of trauma. She thinks their taking this on and being in the forefront is important.

Councilor LaBarge said she will support this 100%. As a city councilor, in talking about racism, she and her family have been through that because of being Greek. In 2016, a similar resolution had a lot of language that 'hit you right in the heart.' It asserted that, being a safe and accepting community, they believed in the right of people to lead lives of peace and dignity free of fear, harassment and violence. Also, the resolution recognizes that the health, safety and dignity of all residents regardless of their background must be of utmost priority. Councilor LaBarge asked if this had happened already in Northampton.

The resolution was drafted after she received reports of Northampton residents of Asian descent being harassed, Councilor Maiore confirmed.

The first time they had to deal with this as a body in his tenure was in 2001 after the World Trade Center came down, Councilor Dwight reminded. Councilors drafted a resolution in response to a number of assaults and the rhetoric from Washington targeting people of middle-eastern descent or perceived middle-eastern descent or a particular faith. It is kind of shameful that, 20 years later, another crisis has struck the country, and there are still people whose tendency is to target people and use them as the focus of their ire. It is the definition of bigotry: attacking a cultural group as if they bear the responsibility in any way for the problems that we're experiencing. One thing one would hope with this pandemic is that it would be a unifying event in that no one is left unscathed. Yet they see they have a party and a president who feel that it is a politically-expedient advantage to target any group to deflect blame, responsibility and accountability. He is very grateful to the sponsors. This could not come at a more appropriate time. This is a definition of what a resolution is. A resolution is speaking in as loud a way as a body can for community members that are vulnerable. To the extent that it is merely a resolution and not a law, it does express hopefully something that is a little stronger, and that is their collective will. He has no doubt it will receive a unanimous vote. It is very distressed to hear Councilor Maiore's report that this is prompted by incidents happening in their city. "Whatever we can do to decry that, I'm all for."

Councilor Quinlan also thanked Councilor Maiore and Councilor Foster for bringing this resolution forward. He thought back to their swearing in ceremony and Dr. Avayzian saying to them to really think about people on the margins and people in a position where the overall community maybe doesn't realize what they're going through. He admires about Northampton that they try to treat everyone justly and they care for people. He is grateful for this resolution.

Having experienced and witnessed racism personally, Councilor Thorpe thanked Councilors Foster and Maiore and Megan Paik and Javier Luengo-Garrido who spoke passionately earlier. To quote an individual who spent numerous times in jail, Reverend Martin Luther King, Jr, "Injustice anywhere is a threat to justice everywhere." He is going to be happy to support this.

This will help give more people the courage to speak up when they're bystanders and to counter that, Councilor Jarrett proposed. He really appreciates and will support this.

He got a very strong letter of support for this from Laurie Loisel, Councilor Nash shared. 'I support the sentiments contained in the resolution specifically condemning anti-Asian sentiment, scapegoating and discrimination in any form in and around our city as well as any misinformation and discrimination that puts Asian Americans at risk and endorse our ongoing commitment to build a more inclusive, diverse and tolerant society," she wrote.

She frames how he feels about this as well. He appreciated what Megan said about this being an emerging trend. We're getting in front of something here, he suggested. The president will increasingly be raising anti-Asian rhetoric around his mistakes of not being in front of the crisis they're in right now. "He's looking for ways to point the finger and we can expect to hear a lot more of this. We need to stand up to this onslaught that will be coming in the next six months," he proposed. He will be supporting it, he assured.

	Councilor Sciarra added her thanks, commenting that she thinks all know her belief in resolutions. She echoed Councilor Dwight's words about the timing and appropriateness of this one. Nothing really brings it home like hearing it happening at home. Those feeling are compounded by the fact that it is happening during what is already a tragic and deeply traumatic time. She thanked both residents for speaking and sponsors. The motion passed unanimously 9:0 by roll call. **See minutes of May 7, 2020 for second reading.**
Consent Agenda	**Consent Agenda** Councilor Sciarra reviewed the single item on the consent agenda, the minutes of April 2, 2020. **Councilor Dwight moved approval of the consent agenda. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.** The following item was approved as part of the consent agenda: A. **Minutes of April 2, 2020**
Recess for Committee on Finance Meeting	**At 8:52 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 10:48 p.m. The City Council reconvened at 10:48 p.m.**
Financial Orders (on 1st reading) 20.041 Order to Authorize Acceptance of Easements from MassDOT for Damon Road Reconstruction - 1st reading	**Financial Orders (on 1st reading)** **20.041 An Order to Authorize Acceptance of Easements from MassDOT for Damon Road Reconstruction - 1st reading** Councilor Dwight moved to approve the order in first reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote. Councilor LaBarge moved to suspend rules to allow a second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote. Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. **The following order passed two readings:**

City of Northampton
MASSACHUSETTS

In City Council, April 16, 2020

Upon the recommendation of the Mayor and the Department of Public Works

20.041 An Order to Authorize Acceptance of Easements from MassDOT for Damon Road Reconstruction

Ordered, that

WHEREAS, Damon Road and Bridge Road are public ways in and for the city of Northampton; and,

WHEREAS, Damon Road and Bridge Road are in need of reconstruction, and the city, in conjunction with the Massachusetts Department of Transportation ("MassDOT"), is undertaking the reconstruction and widening of the ways, including drainage improvements and slope stabilization, from Bridge Street (Route 9) to the easterly section of Bridge Road west of King Street (Routes 5 and 10) ("the Project"); and,

WHEREAS, the reconstruction of Damon Road from Route 9 to Route 5 is currently programmed on the 2020 Pioneer Valley Region Transportation Improvement Program (TIP) at a total cost of $10,043,653, with $8,034,922 in federal transportation funds reserved to fund the project with the City of Northampton responsible for the costs of right-of-way acquisition and any water and sewer utility improvements; and

WHEREAS in order to proceed with the Project, the city needs to acquire i) permanent fee interests, ii) permanent easements, iii) permanent utility easements; and iv) temporary construction easements ("the Land Acquisitions"); and

WHEREAS, the Project and the Land Acquisitions are shown on a plan entitled "Alteration Plan of Damon Road and Bridge Road Prepared for the City of Northampton," ("Plan") dated February 28, 2019, and signed and sealed by Jeffrey P. Bradford, PLS, dated April 12, 2019; and

WHEREAS, on May 16, 2019, the Northampton City Council passed on second reading authorization to acquire all parcels needed to be acquired for the Project with the exception of the railroad land owned and controlled by the MassDOT, which the city cannot acquire absent agreement of MassDOT; and

WHEREAS, MassDOT has agreed to transfer an easement to the city for nominal consideration on the terms and conditions set forth in an instrument entitled "Easement Agreement;" and

WHEREAS, the City Council must approve the acquisition in order to accept the easement from MassDOT.

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by purchase, gift, eminent domain, or otherwise, of three (3) permanent easements and one (1) temporary construction easement for the purposes of widening and reconstructing Damon Road, as shown on the Plan and on the terms and conditions set forth in the proposed Easement Agreement. No appropriation is needed for this acquisition because the easement is to be conveyed for nominal consideration.

Rules suspended, passed two readings and enrolled.

20.042 Order to Authorize Inter-municipal Agreement with Towns for Public Health Nursing Program - 1st reading

20.042 An Order to Authorize Intermunicipal Agreement with Towns for Public Health Nursing Program - 1st reading

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

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

Councilor Dwight moved to approve the order in second reading. Councilor Maiore seconded.

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council April 16, 2020

Upon recommendation of the Mayor

20.042 An Order to Authorize Intermunicipal Agreement with Towns for Public Health Nursing Program

Ordered, that

Whereas MGL C.40 s. 4A allows for joint operation of public activities among governmental units, and

Whereas, MGL c. 40, s. 4A requires that such inter-governmental agreements be approved, in a city, by the City Council and the Mayor, and;

Whereas the City of Northampton provides services to and shares services with other municipalities;

Therefore pursuant to MGL C. 40 s. 4A the City Council hereby authorizes the City of Northampton to enter into the following inter-municipal agreement for FY2020 and FY2021:

Public Health Nursing Program - Contract to partner with the following communities to provide assistance with infectious disease surveillance reporting thru the Massachusetts Virtual Epidemiologic Network (MAVEN) for the COVID-19 crisis: Middlefield, Chesterfield, Huntington, Plainfield, Worthington, Easthampton, East Longmeadow, and the Foothills Health District, which serves the towns of Whately, Westhampton, Williamsburg and Goshen.

Rules suspended, passed two readings and enrolled.

20.043 Order to Appropriate Free Cash to NPS for Federal Foster Care Transportation Reimbursement - 1st reading
20.044 Order to Authorize Intermunicipal Agreement with MEMA During COVID Emergency - 1st reading

20.043 An Order to Appropriate Free Cash to NPS for Federal Foster Care Transportation Reimbursement - 1st reading
Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

See minutes of May 7, 2020 for second reading.

20.044 An Order to Authorize Intermunicipal Agreement with MEMA During COVID Emergency - 1st reading
Councilor LaBarge moved to approve the order in first reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

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

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

The following order passed two readings:

CITY OF NORTHAMPTON

MASSACHUSETTS

In City Council, April 16, 2020

Upon the recommendation of the Mayor

20.044 An Order to Authorize Intermunicipal Agreement with MEMA During COVID Emergency

WHEREAS, a sudden, generally unexpected occurrence of circumstances demanding public action has arisen within the world, country, state and City of Northampton due to the coronavirus/COVID-19 pandemic and other illnesses ("the pandemic"); and

WHEREAS, the President of the United States has declared a national emergency due to the pandemic; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts declared a State of Emergency in the Commonwealth of Massachusetts due to the pandemic; and

WHEREAS, on March 16, 2020, the Mayor of the City of Northampton declared a State of Emergency in the City of Northampton due to the pandemic; and

WHEREAS, on March 20, 2020, the Northampton Board of Health declared a State of Emergency in the City of Northampton due to the pandemic; and

WHEREAS, in response to the pandemic, the Commonwealth, through the Massachusetts Emergency Management Agency, has contracted for isolation and quarantine housing at the Quality Inn and Suites, 117 Conz Street, Northampton; and

WHEREAS, the City has agreed to provide support to this site through the Northampton Police Department, and the Commonwealth has agreed to reimburse the City for certain expenses associated with that police support; and

WHEREAS, the Commonwealth proposes to memorialize the agreement in a Memorandum of Agreement entitled, MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMONWEALTH OF MASSACHUSETTS AND THE CITY OF NORTHAMPTON, dated April , 2020; and

WHEREAS, in accordance with Mass. Gen. Laws 40, § 4A, the approval of the City Council is required in order for the City to enter into an agreement to perform joint services with a state agency.

NOW, THEREFORE, BE IT ORDERED:

In accordance with M.G.L. c. 40, § 4A, the Northampton City Council approves the agreement between the City of Northampton and the Commonwealth of Massachusetts entitled MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMONWEALTH OF MASSACHUSETTS AND THE CITY OF NORTHAMPTON, dated April , 2020, for provision of security support for isolation and quarantine housing at the Quality Inn and Suites, 117 Conz Street, and for reimbursement by the Commonwealth for certain expenses associated therewith.

Rules suspended, passed two readings and enrolled.

20.046 Order to Approve Gift Fund Expenditures for Resilience Hub - 1st reading

20.046 An Order to Approve Gift Fund Expenditures for Resilience Hub - 1st reading
Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

See minutes of May 7, 2020 for second reading.

Financial Orders (on 2nd reading) 20.032 Order to Establish Water and Sewer Rates

Financial Orders (on 2nd reading)
20.032 An Order to Establish Water and Sewer Rates for FY2021 - 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.

for FY2021 - 2nd reading

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, March 19, 2020

Upon recommendation of the Mayor

20.032 AN ORDER
TO ESTABLISH WATER AND SEWER RATES FOR FY2021

Ordered, that:

Effective July 1, 2020, the per 100 cubic foot (CCF) rates for water and sewer for Fiscal Year 2021 will remain unchanged from Fiscal Year 2020. Rates will remain as follows:

WATER

Customers with 1" meter or smaller

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

Tier 2 consumption: >16 CCF $6.09 per CCF

Customers with meter larger than 1"

All consumption $5.99 per CCF

SEWER

Non-metered

$7.86 per CCF based on 80% of metered water consumption (FY19 rate $7.67)

Metered

$7.86 per CCF (FY19 rate $7.67)

Passed two readings and enrolled.

20.035 Order to Accept a Donation of Land on Woodland Drive for Housing and Trail Uses - 2nd reading

20.035 An Order to Accept a Donation of Land on Woodland Drive for Housing and Trail Uses - 2nd reading

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, April 2, 2020
Upon the recommendation of Mayor David J. Narkewicz and Planning & Sustainability

20.035 An Order to Accept a Donation of Land on Woodland Drive for Housing and Trail Uses

WHEREAS, David Teece has offered to donate to the City or its assignees 1.906± acres on Woodland Drive (Map ID 42-031) with a deed in lieu of foreclosure for back real estate taxes, stormwater fees, and all interest in penalties;

WHEREAS, Consistent with the City's Sustainable Northampton Comprehensive Plan and the Open Space, Recreation, and Multiuse Plan, the property can, subject to final due diligence and to permitting by the Zoning Board, be used for:
1. One first-time homebuyer or affordable home
2. One work-force housing or market rate home
3. A potential parklet that might, in the future, provide a walking and bicycling path a portion of the way from Woodland Lane to Ladyslipper Lane

Ordered, that

The Mayor is authorized to accept said deed to the above referenced 1.906± acres;

Further that City Council declares the two potential building lots surplus to City needs;

Further that the Mayor is authorized to transfer deeds for the building lots subject to the city retaining an affordable housing restriction.

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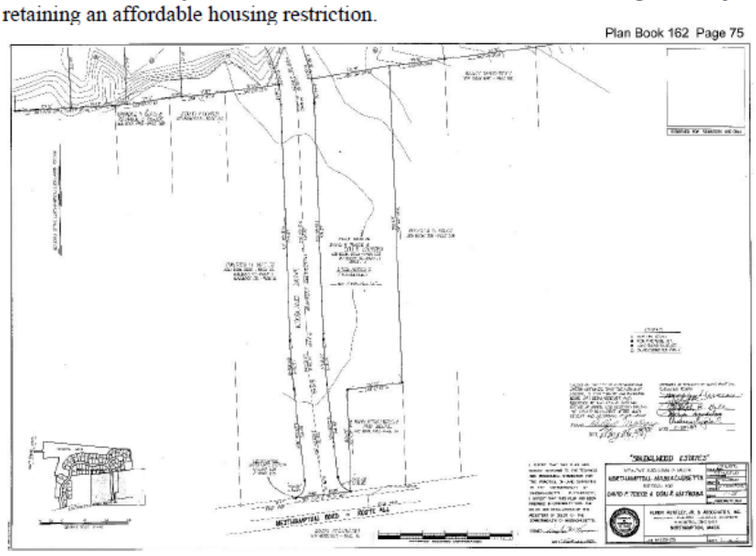


Passed two readings and enrolled.

20.036 Order to Accept Donation of Easement for Electric Power to NSH Memorial Park - 2nd reading

20.036 An Order to Accept a Donation of Easement for Electric Power to NSH Memorial Park - 2nd reading

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, April 2, 2020

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

20.036 An Order to Accept a Donation of Easement for Electric Power to NSH Memorial Park

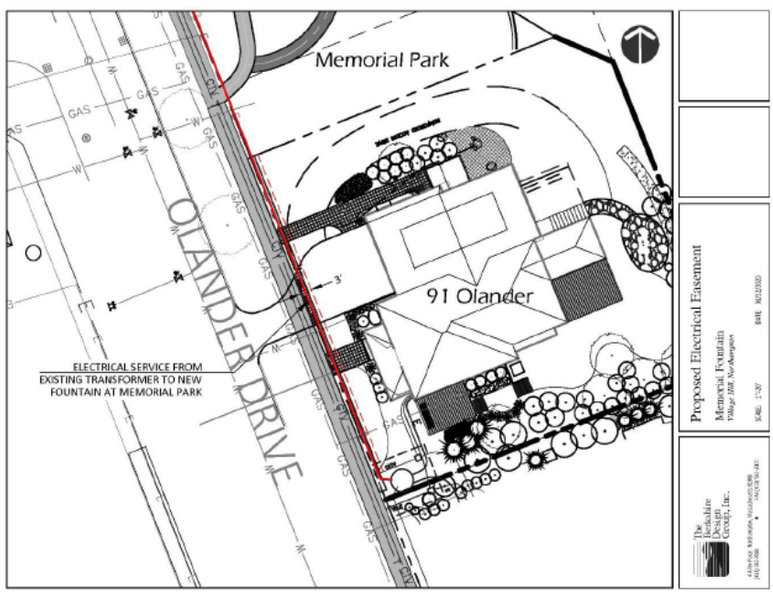
WHEREAS, The City has accepted the Memorial Park at the former Northampton State Hospital to preserve the memory of the State Hospital and its workers and patients; and

WHEREAS, The City's MassWorks grant will fund certain improvements at the Memorial Park, including extending electric power to the historic fountain there;

WHEREAS, Jonathan A. and Margaret K. Wright have offered to donate an easement for said power;

Ordered, that

The Mayor is authorized to accept said easement on behalf of the city.



Passed two readings and enrolled.

20.038 Order to Appropriate $3,000 in CPA Funds to Lathrop Communities for Invasive Species Removal - 2nd reading

20.038 An Order to Appropriate $3,000 in CPA Funds to Lathrop Communities for Invasive Species Removal - 2nd reading

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

As they know, a couple of weeks ago he abstained from voting, and he has done more research in the last couple of weeks, Councilor Jarrett related. The Community Preservation Act (CPA) grants before them will use a combination of mechanical and chemical means to control and remove invasive plants. Not being a scientist or public health professional, he finds himself in the position of trying to evaluate scientifically whether this use of pesticides is appropriate and safe.

Former members of the Select Committee on Pesticide Reduction (SCPR) have given him some great resources, and what they reveals is that the science is not conclusive. He is a firm believer in the scientific method but he also sees how science is corrupted by the profit motive of large corporations since it is these corporations and companies associated with them that sponsor the studies on the health risks of these products. As a famous quote from Upton Sinclair states, "it is difficult to get a man to understand something when his salary depends on his not understanding it."

His evaluation reveals that there is little risk to the public from the kind of application these grants will fund. The greatest risk may be to those who are applying these pesticides. There are many questions about the safety of even small quantities and its persistence in the environment. The pesticide itself may have been studied thoroughly and its effects understood, but the additives or adjutants have often not been studied as thoroughly. As far as ecosystems, there has always

been change in ecosystems. Birds and other animals have transported new species and caused numerous changes throughout history; humans are just doing this much faster. An alternative perspective on invasive species is to consider that ecosystems will adapt to new species and, after their initial expansion, other species will move in and a balance will be found. So there is another way to look at this other than the militaristic language of 'alien invaders' and 'waging a battle,' and these alternative perspectives are worth considering. He believes in the democratic process which they've established and he doesn't believe that that work is complete. The SCPR recommends that its work be continued with the establishment of another select committee and a permanent pesticide reduction oversight committee. Another side is that the applicants have put in tremendous work. Hundreds of volunteers have put in countless hours manually pulling plants. The applicant's goals are not to apply pesticides on an ongoing basis but to use them to reach a goal after which manual methods will be used.

He still feels conflicted but he is inclined to vote for these grants this time. If in a few years the applicants came back to seek grants for continuing work on these properties he would feel less likely to support it. He strongly encourages the council to continue the work of the select committee so they can have a knowledgeable advisory board to weigh in on specific use cases. The Conservation Commission does weigh in, and it has given a positive recommendation. He was glad to do that research and feels much better about voting at this time. He did want to ask the council president if, once the current crisis has passed, she will work with him to establish another select committee per the recommendation of the previous one to explore how to carry out the first committee's recommendations.

In thinking about it, Councilor Sciarra said it became clear to her that the topic is really outside the bounds of what can be included in tonight's conversation. She said she thought she could use it as a tool to highlight something that can really be confusing and maybe deserves some explanation.

In her time on the council she has heard many times that something is not in order or is not to the motion or question. She wanted to explore that further. The sort of incremental building of knowledge that is something that these positions demand is something she takes very seriously. One thing that has made this moment in time very frustrating is that it's really upended what is still the beginning of a new council term with a majority of new councilors. For her – a new president – it has made the process of preparing for and presiding over meetings challenging in new ways that she couldn't even have fathomed six weeks ago.

She proceeded to give a brief explanation based on the Open Meeting Law (OML) and Robert's Rules of Order for why the council does not digress from the topic at hand during meetings. The motion on the floor is for a very specific and discreet order that's been listed on the agenda, she explained. The items on the agenda are those things reasonably expected to be discussed during the publicly-posted meeting. Those items on the agenda should be reasonably specific to sufficiently inform the public of what will be discussed.

The council goes even farther than that by making its best efforts to attach to the agenda the actual documents to be reviewed so the public can see them. Discussion should be limited to agenda items because otherwise the public has no way of knowing that something will be the topic of discussion.

The Open Meeting Law is really about the public's access to deliberations. Additionally, Roberts Rules of Order state that debate or deliberation applies to discussions on the merits of the pending question; that is, whether the proposal under consideration should or should not be agreed to. Members' remarks should be germane to the question and must have a bearing on whether the immediately-pending motion should be adopted.

She is trying to become better at keeping this in mind when they start to wander in discussions. She appreciates the question; however, the establishment of a select committee is not on the current agenda and would require its own motion and deliberation. Instead of just saying 'the measure is not to the question,' she wanted to spend a little more time and explain that. She encouraged all members and the administrative assistant to feel free to raise points of order.

Councilor Jarrett thanked her for the explanation and said he would withdraw the question and simply say instead that he urged her to work with him in the future [to establish a select

committee].

Councilor Maiore thanked Councilor Jarrett for his really thoughtful research. She validated his perception that scientific assessments of the safety and appropriateness of specific pesticide applications are not always clear. She will support this because, in talking to the applicants, she sees that those making the decisions look very hyper-locally, so she trusts their judgment on this.

She told Councilor Sciarra she appreciated her digression.

Councilor Sciarra called the motion to a vote, and it passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, April 2, 2020

Upon the recommendation of the Community Preservation Committee
20.038 An Order to Appropriate $3,000 in CPA Funds to Lathrop Communities for Invasive Species Removal

Ordered, that

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

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

WHEREAS, the project's control and removal of non-native invasive Japanese Barberry, Oriental Bittersweet, Mutiflora Rose, Winged Euonymus, Garlic Mustard, will complement City efforts to reduce invasives in critical areas.

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

WHEREAS, on February 5, 2020, the Northampton Community Preservation Committee, voted unanimously to recommend $3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $3,000 be appropriated from Community Preservation Act funding to the Lathrop Communities for the Invasives Removal and Education project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $3,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed two readings and enrolled.

20.039 Order to Appropriate CPA Funds for Beaver Brook Greenway Invasive Plant Control Project - 2nd reading

20.039 An Order to Appropriate CPA Funds for Beaver Brook Greenway Invasive Plant Control Project - 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, April 2, 2020

Upon the recommendation of the Community Preservation Committee

20.039 An Order to Appropriate CPA Funds for Beaver Brook Greenway Invasive Plant Control Project

Ordered, that

WHEREAS, the Broad Brook Coalition and Leeds Civic Association submitted an application for Community Preservation Act 'Small Grant' funding for priority invasive species removal within the Beaver Brook Greenway on Haydenville Road;

WHEREAS, the project's control and removal of invasive plants meets goals established by the Northampton Open Space Recreation and Multi-Use Trail Plan, and will promote native grassland habitat of rare and threatened species;

WHEREAS, the applicants have used Community Preservation Act funding at the Greenway effectively in the past, creating interpretive trails and a wildlife blind, matching grant funding with many hours of volunteer labor;

WHEREAS, on February 5, 2020, the Northampton Community Preservation Committee, voted unanimously to recommend $3,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That $3,000 be appropriated from Community Preservation Act funding to the Beaver Brook Greenway Habitat Improvement Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, $3,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).

Passed two readings and enrolled.

Orders

Orders
None.

Ordinances (Not Yet Referred)

Ordinances (Not Yet Referred)
None.

Ordinances
19.173 Ordinance to Allow Change from One Conforming Use to Another without a Finding – 2nd reading

Ordinances
19.173 An Ordinance to Allow Change from One Conforming Use to Another without a Finding – 2nd reading
Councilor Dwight moved to approve the ordinance in second reading. Councilor LaBarge seconded.

Councilor Jarrett asked if Councilor Quinlan would be able to explain his no vote in the first reading further. The zoning rules at present mean that no changes presently can be made in the use of nonconforming lots unless there is a hardship. Does his no vote mean that he wants the rules to stay this way or is there another approach he would favor? He asked.

Councilor Quinlan said his no vote was based largely on a feeling that they needed to address some of the concerns of the residents that were opposed to the change to the ordinance. Those residents in almost every case were not saying vote no and don't consider it, they were asking for it to be considered a little more thoughtfully. His idea was to engage that community further and ask them a few more questions. He is still a 'no' vote, he confirmed. His vote was primarily based on trying to listen to those people who had asked them to consider this a little more slowly.

Councilor Sciarra called the motion to a vote, and it passed 8:1 by roll call vote with Councilor Quinlan opposed.

The following ordinance passed two readings:

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Nineteen

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

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by changing Section 350-9.3 B1& 2 to be consistent with other sections of 9.3.

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

Amend as shown

§350-9.3 Change, extension or alteration of legally preexisting nonconforming structures, uses, or lots.
Legally preexisting nonconforming structures, uses, or lots may be changed, extended or altered as set forth below, except as noted in § 350-9.2A above. If a use is not eligible under one subsection, proceed to the next subsection.

B. A conforming use on a preexisting nonconforming lot: A conforming use on such a lot may be changed, extended or altered:
(1) As-of-right to the same conforming use in a conforming structure, which meets all the dimensional, and density provisions of the current zoning, except for the pre-existing non-conforming dimensional elements.
(2) With a finding from the Zoning Board of Appeals when said change, extension or alteration is to a different conforming use which a) meets all the dimensional and density provisions of the current zoning, except for the pre-existing non-conforming dimensional elements and b) does not trigger a review under other sections of the Zoning Ordinance by any other Board. When no other board is required to review the proposed change, extension or alteration, the Zoning Board shall make a Finding as defined in 9.2B. If the proposal triggers review by another Board under subsection b, above, no ZBA finding shall be required.

Passed two readings, ordained and enrolled.

Information (Charter Provision 2-7) & Study Requests	**Information (Charter Provision 2-7) and Information Study Requests** None
Motion to Adjourn	**Councilor Nash moved to adjourn. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The meeting was adjourned at 11:23 p.m.** Attest:_____ Administrative Assistant to the City Council

City of Northampton

MASSACHUSETTS

In City Council April 16, 2020

Upon recommendation of the Mayor

20.043 An Order to Appropriate Free Cash to NPS for Federal Foster Care Transportation Reimbursement

Ordered, that

$ 4248 be appropriated from the FY20 General Fund Undesignated Fund Balance to Northampton Public Schools for Federal Foster Care Transportation Reimbursement (W033000-533002).

CITY OF NORTHAMPTON

MASSACHUSETTS

In City Council, April 16, 2020

Upon the recommendation of the Mayor

20.046 An Order to Approve Gift Fund Expenditures for Resilience Hub

Whereas, one of the key service gap recommendations of the 2019 Mayor's Work Group on Panhandling Study Report (*A Downtown Northampton for Everyone: Residents, Visitors, Merchants, and People At-Risk*) was the creation of a community day center to serve Northampton's at-risk population; and

Whereas, in line with that recommendation and concurrent with Northampton's climate resiliency efforts, the city is exploring creation of a resilience hub and day program to support vulnerable residents facing chronic and acute stress due to climate change and other disasters, and social and economic challenges; and

Whereas, during normal times a resilience hub would serve those at the frontline of chronic stress (i.e. frontline communities, including homeless, Single Room Occupancy (SRO) residents, those living in extreme poverty, and climate vulnerable populations) and possibly other community needs; and

Whereas, the resilience hub will be designed, however, so that during times of acute stress or major disruption (e.g. a major storm event, disaster, or pandemic) and during the recovery phase, it can serve all residents; and

Whereas, preliminary community discussions of this resilience hub concept as part of the city's Community Development Block Grant (CDBG) Action Plan development have created significant interest and already inspired two substantial donations to support the effort.

Ordered that, Northampton City Council in accordance with Massachusetts General Law Chapter 44, Section 53 A (Grants and gifts; acceptance and expenditure) authorizes the expenditure of funds donated by the public to be used for the ongoing planning and potential implementation of a resilience hub and day program to support Northampton residents who face chronic and acute stress due to climate change and other disasters, and social and economic challenges.

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Twenty

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

20.037 An Ordinance Relative to Essential Services and Municipal Facilities

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to indicate that within all use and dimensional tables essential services and municipal facilities do not require a minimum lot size, depth or frontage. This change restores the original intended dimensional requirements and corrects an oversight that occurred in more recent table changes that inadvertently eliminated this provision in some districts. For more than 15 years, the zoning ordinance made clear that minimum lot size was not required for these type of essential services provided by the City.

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

1) A footnote to Chapter 350 Attachments 4-8, 18, 24:

* No Minimum Lot size, depth, or frontage required for essential services or municipal facilities as defined in 2.1. Minimum setbacks for principal buildings as part of municipal facilities are the same as other principal uses in table above. and are the only dimensional lot requirements necessary to be met.

2) Adding a line within 350 Attachment 19 showing municipal and essential facilities are allowed by right.