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: September 3, 2020
Meeting Time: 7 p.m.

The September 3, 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 computer. 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 MEETING

Join virtual meeting: https://bit.ly/31AdHfZ
For telephone call-in, call:
+253 215-8782 US
+301 715-8592 US
Meeting ID: 918 3766 3086
Participant #: #
Password: 678084

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

2. Public Comment

3. Roll Call

4. Public Hearings

A. Public Hearing on Package of Three National Grid/Verizon Pole Petitions for King Street, One NG/Verizon Pole Petition for Summer Street and One NG/Verizon Pole Petition for Finn Street

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)

Documents:

20.079 DPW Recommendation.pdf
20.079 National Grid-Verizon Pole Petition for Finn Street.pdf
20.080 National Grid-Verizon Pole Petition for King Street.pdf
20.081 National Grid-Verizon Pole Petition for King Street.pdf
20.082 National Grid-Verizon Pole Petition for King Street.pdf
20.079A DPW Recommendation.pdf
20.108 National Grid-Verizon Pole Petition for Summer Street - Petition 24881246-4.pdf

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

Documents:

20.112 A Resolution in Support of An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility.pdf

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

Documents:

20.113 Resoluton in Suport of Plastic Reduction and Sustainability Ordinance.pdf

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

Documents:

20.116 A Resolution Recognizing the Importance of the 2020 Census.pdf

9. Presentations

10. Consent Agenda

A. **Minutes of June 10, 2020 and June 23, 2020 Special Meetings**

Documents:

06-23-2020_City Council Minutes.pdf
06-10-2020_City Council Minutes.pdf

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.

See documents under public hearing above.

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

Documents:

20.117 Michael Abbatiello Application.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.

A. 20.111 An Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and Burts Pit Road - 1st reading

Process note: The legislation cited in the order is on the Governor's desk waiting for his signature. Once signed, the sponsor will want a minor amendment to provide the final citation (H 4123 will become Chapter ___ of the Acts of 2020)..

Documents:

20.111 An Order to Accept Land and Surplus it for Affordable Housing at

Laurel Street and Burts Pit Road.pdf

13. Financial Orders (on 2nd reading)

A. 20.103 An Order to Award Contract for FY2021-FY2023 Audit to Scanlon and Associates - 2nd reading

History:

- Amended in Finance Committee to make a three-year contract - 8/20/2020
- Positive recommendation, Finance Committee - 8/20/2020
- Passed 1st reading as amended in Finance - 8/20/2020

Documents:

20.103 An Order To Award Contract for FY2021 Audit to Scanlon and Associates.pdf

14. Orders

A. 20.110 Order to Waive the City's Right of First Refusal under MGL 61 for Land on Turkey Hill Road - 1st reading

Documents:

20.110 An Order to Waive the Citys Right of First Refusal under MGL 61 for Land on Turkey Hill Road.pdf

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.

A. 20.015 An Ordinance Relative to Metered Parking on Pleasant Street

History:

- At the request of the DPW, the city council referred the ordinance back to the Transportation & Parking Commission (TPC) - 2/6/2020

Documents:

20.015 Pleasant Street Parking Diagram.pdf
20.015 An Ordinance Relative to Metered Parking on Pleasant Street.pdf

B. 20.114 Plastic Reduction & Sustainability Ordinance

Documents:

20.114 Plastic Reducton and Sustainability Ordinance.pdf

C. 20.115 An Ordinance Relative to Parking on Middle Street

Documents:

20.115 Middle Street Parking Diagram.pdf
20.115 An Ordinance Relative to Parking on Middle Street.pdf

16. Ordinances

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

18. New Business

19. Adjourn

Contact: G-L Sciarra, Council President
glsciarra@northamptonma.gov
(413) 570-3133

CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060

413-587-1570
Fax 413-587-1576

Donna LaScaleia
Director

Memorandum

To: Donna LaScaleia, DPW Director MC 8-3-2020

From: Maggie Chan, Staff Civil Engineer

Date: August 3, 2020

Re: 4 Pole Petitions for Joint or Identical Pole Locations No. 24881246-1, 24881246-2, 2481246-3, 24891246-5

Joint or Identical Pole Location **No. 24881246-1**

National Grid is proposing to relocate two (2) poles (#21 and #25) on King Street beginning at a point approximately 34 feet northeast of the centerline of the intersection of King Street and North Street and continuing approximately 230 feet in the northwest direction due to DOT roadwork.

There are no conflicts with public utilities at the proposed location for #21.

There is a possibility of a conflict with the sewer at the proposed location of #25. The following is required:

- Caution should be exercised while excavating at this location. The hole for the new pole location shall be inspected by the DPW prior to actual pole installation. 24 hours notice to the DPW is required by calling 413-587-1570.
- If the sewer 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.

Joint or Identical Pole Location **No. 24881246-2**

National Grid is proposing to install one (1) pole (#28-50) and relocate three (3) poles (#28, #31, and #33) on King Street beginning at a point approximately 67 feet southeast of the centerline of the intersection of King Street and Carpenter Street and continuing approximately 391 feet in a north direction due to DOT roadwork.

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

There is a possibility of a conflict with a water service at the proposed location of #31. The following is required:

- Caution should be exercised while excavating at this location. The hole for the pole location shall be inspected by the DPW prior to actual pole installation. 24 hours notice to the DPW is required by calling 413-587-1570.
- If the 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.

Joint or Identical Pole Location **No. 24881246-3**

National Grid is proposing to relocate three (3) poles (#26, #39, and #40) on King Street beginning at a point approximately 178 feet southeast of the centerline of the intersection of King Street and Hooker Avenue and continuing approximately 290 feet in a north direction due to DOT roadwork.

There are no conflicts with public utilities at the proposed locations for #26, #39, and #40.

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

Joint or Identical Pole Location **No. 24881246-5**

National Grid is proposing to relocate one (1) pole (#2) on Finn Street beginning at approximately 138 feet southwest of the centerline of the intersection of King Street and Finn Street due to DOT roadwork.

There are no conflicts with public utilities at the proposed location for #2.

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

nationalgrid

June 10, 2020

The City Council of Northampton, Massachusetts

To Whom It May Concern:

Enclosed please find four (4) petitions of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Obrayn Cortes 508-298-1024

Please notify National Grid's Lisa Ayres of the hearing date / time.

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

Jim Kehrer/lla

Jim Kehrer
Supervisor, Distribution Design

Enclosures

Questions contact - Obrayn Cortes 508-298-1024

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Finn St. - National Grid to relocate (1) JO pole #2 on Finn St. beginning at a point approximately 138 feet southwest of the centerline of the intersection of King St. and Finn St. due to DOT roadwork.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Finn St. - Northampton, Massachusetts.

24881246-5

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID Jim Kehrer/lla
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

RECEIVED
JUN 22 2020
CITY CLERKS OFFICE
NORTHAMPTON, MA 01060

Dated: May 12, 2020

Northampton

Questions contact – Obrayn Cortes 508-298-1024

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 8th day of May 2020.

All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Finn St. - Northampton, Massachusetts.

24881246-5 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Finn St. - National Grid to relocate (1) JO pole #2 on Finn St. beginning at a point approximately 138 feet southwest of the centerline of the intersection of King St. and Finn St. due to DOT roadwork.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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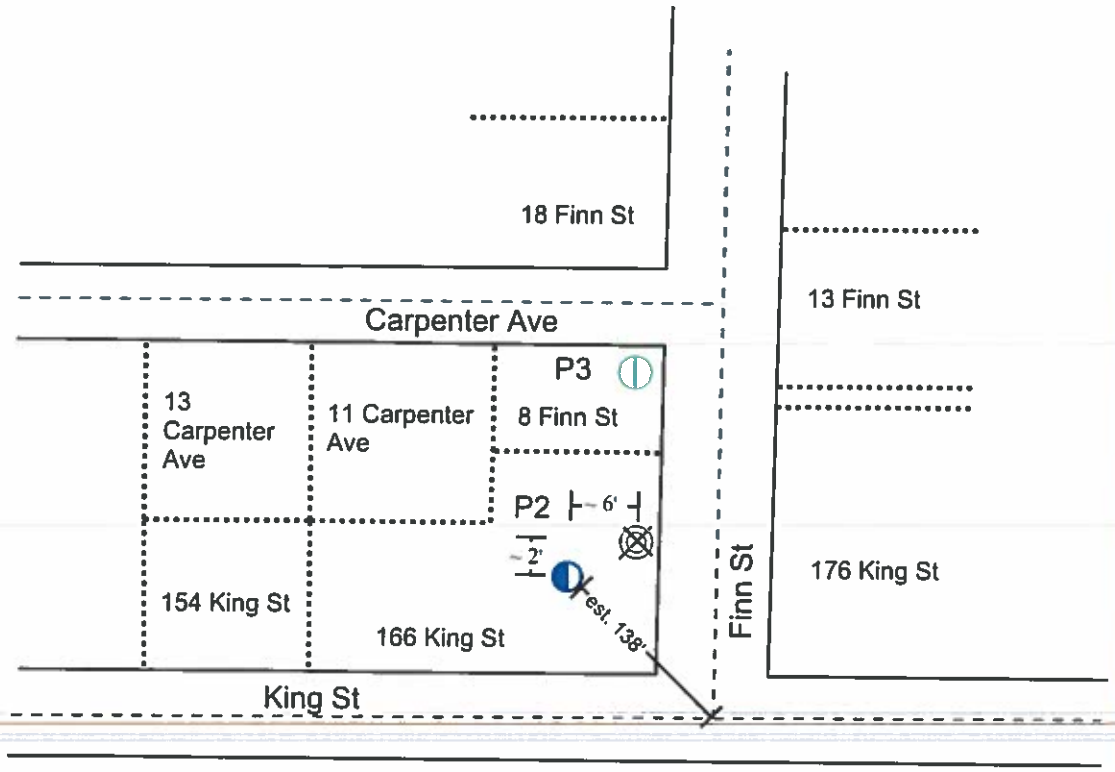
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



LEGEND
Property Line
Proposed Anchor

JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 05/05/2020

Plan Number: 24881246

To Accompany Petition Dated:

To The: City **Of** Northampton

For Proposed: **Pole:** 2 **Location:** Finn St.

Date Of Original Grant:

Questions contact - Obrayn Cortes 508-298-1024

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

King St. - National Grid to relocate (2) JO poles #21 and # 25 on King St. beginning at a point approximately 34 feet northeast of the centerline of the intersection of King St. and North St. and continuing approximately 230 feet in a northwest direction due to DOT roadwork.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – King St. - Northampton, Massachusetts.

24881246-1

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID Jim Kehrer/lla
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

RECEIVED
JUN 22 2020
CITY CLERKS OFFICE
NORTHAMPTON, MA 01060

Dated: May 12, 2020

Northampton

Questions contact – Obrayn Cortes 508-298-1024

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 8th day of May 2020.

All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – King St. - Northampton, Massachusetts.

24881246-1 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

King St. - National Grid to relocate (2) JO poles #21 and # 25 on King St. beginning at a point approximately 34 feet northeast of the centerline of the intersection of King St. and North St. and continuing approximately 230 feet in a northwest direction due to DOT roadwork.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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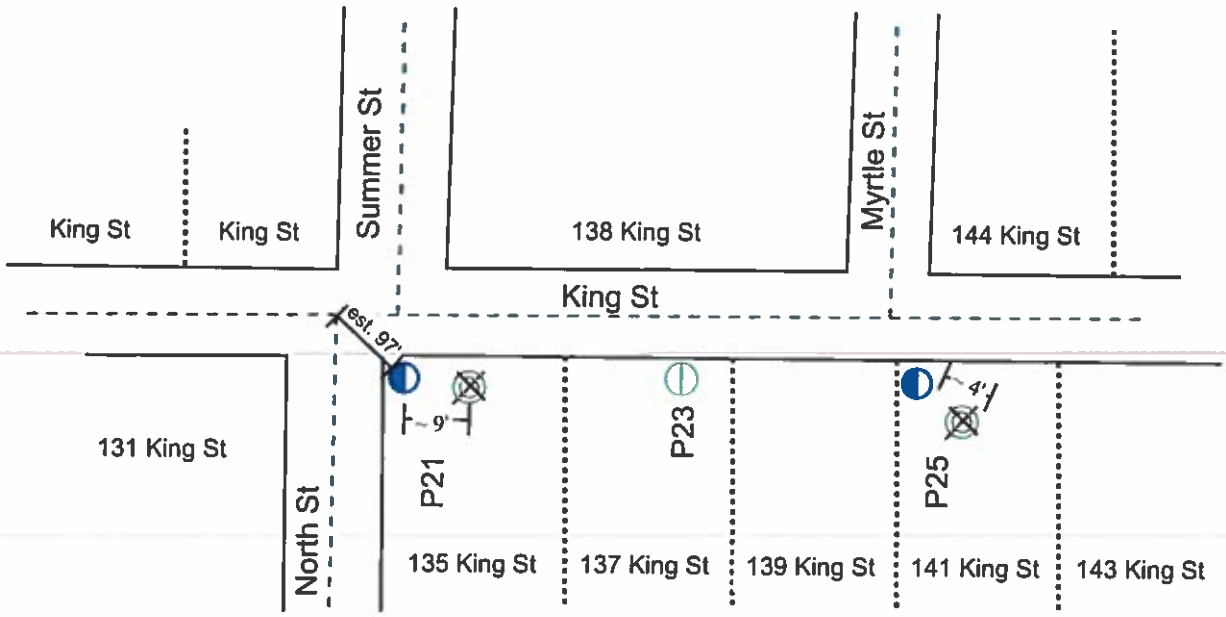
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



LEGEND
Property Line
Proposed Anchor

JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 5/5/2020

Plan Number: 24881246

To Accompany Petition Dated:

To The: City **Of** Northampton

For Proposed: **Pole:** 21 & 25 **Location:** King St.

Date Of Original Grant:

Questions contact - Obrayn Cortes 508-298-1024

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

King St. - National Grid to install (1) JO pole #28-50 and relocate (3) JO poles #28, #31 and #33 on King St. beginning at a point approximately 67 feet southeast of the centerline of the intersection of King St. and Carpenter St. and continuing approximately 391 feet in a north direction due to DOT roadwork.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – King St. - Northampton, Massachusetts.

24881246-2

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID Jim Kehrer/lla
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

RECEIVED
JUN 22 2020
CITY CLERKS OFFICE
NORTHAMPTON, MA 01060

Dated: May 12, 2020

Northampton

Questions contact – Obrayn Cortes 508-298-1024

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 8th day of May 2020.

All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – King St. - Northampton, Massachusetts.

24881246-2 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

King St. - National Grid to install (1) JO pole #28-50 and relocate (3) JO poles #28, #31 and #33 on King St. beginning at a point approximately 67 feet southeast of the centerline of the intersection of King St. and Carpenter St. and continuing approximately 391 feet in a north direction due to DOT roadwork.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of

Book Page

Attest:

City/Town Clerk

I hereby certify that on 20 , at o'clock, M

At a public hearing was held on the petition of Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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.....

.....

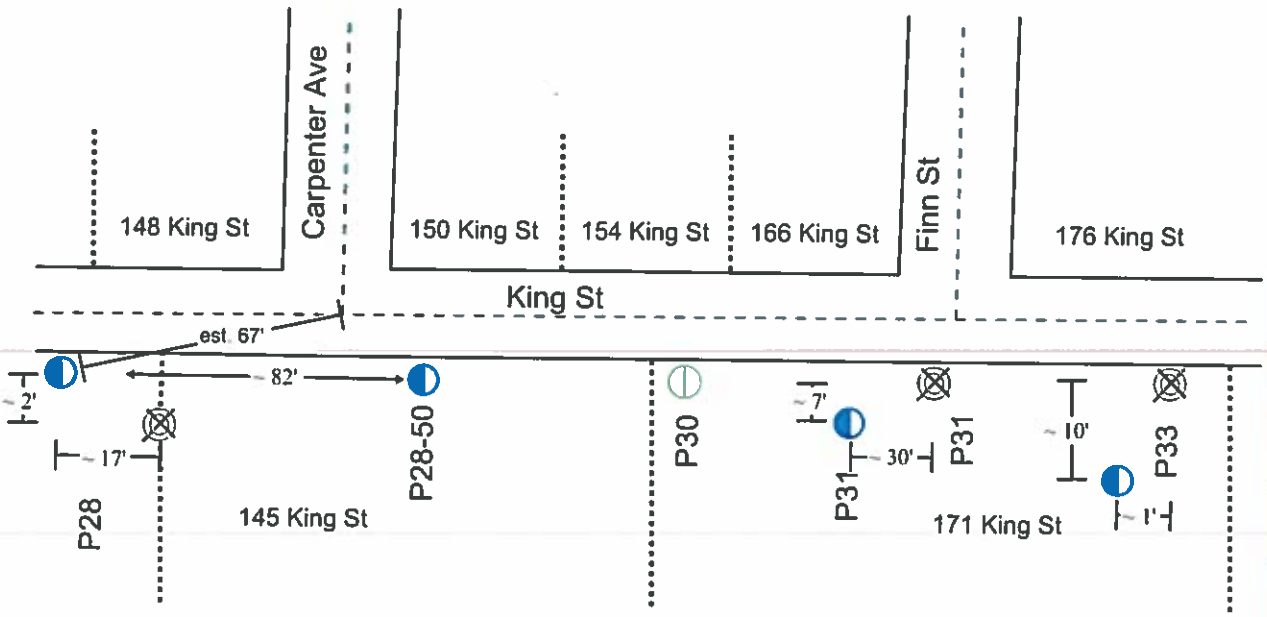
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk



LEGEND
Property Line
Proposed Anchor

JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 05/05/2020

Plan Number: 24881246

To Accompany Petition Dated:

To The: City **Of** Northampton

For Proposed: **Pole:** **Location:** King St.

Date Of Original Grant:

Questions contact - Obrayn Cortes 508-298-1024

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

King St. - National Grid to relocate (3) JO poles #26, #39 and #40 on King St. beginning at a point approximately 178 feet southeast of the centerline of the intersection of King St. and Hooker Ave. and continuing approximately 290 feet in a north direction due to DOT roadwork.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – King St. - Northampton, Massachusetts.

24881246-3

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

RECEIVED
2020
OFFICE
MA 01060

Massachusetts Electric Company d/b/a
NATIONAL GRID Jim Kehrer/lla
BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

Dated: May 12, 2020

Northampton

Questions contact – Obrayn Cortes 508-298-1024

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 8th day of May 2020.

All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – King St. - Northampton, Massachusetts.

24881246-3 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

King St. - National Grid to relocate (3) JO poles #26, #39 and #40 on King St. beginning at a point approximately 178 feet southeast of the centerline of the intersection of King St. and Hooker Ave. and continuing approximately 290 feet in a north direction due to DOT roadwork.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
Of the City/Town of ,Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
At a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND, INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

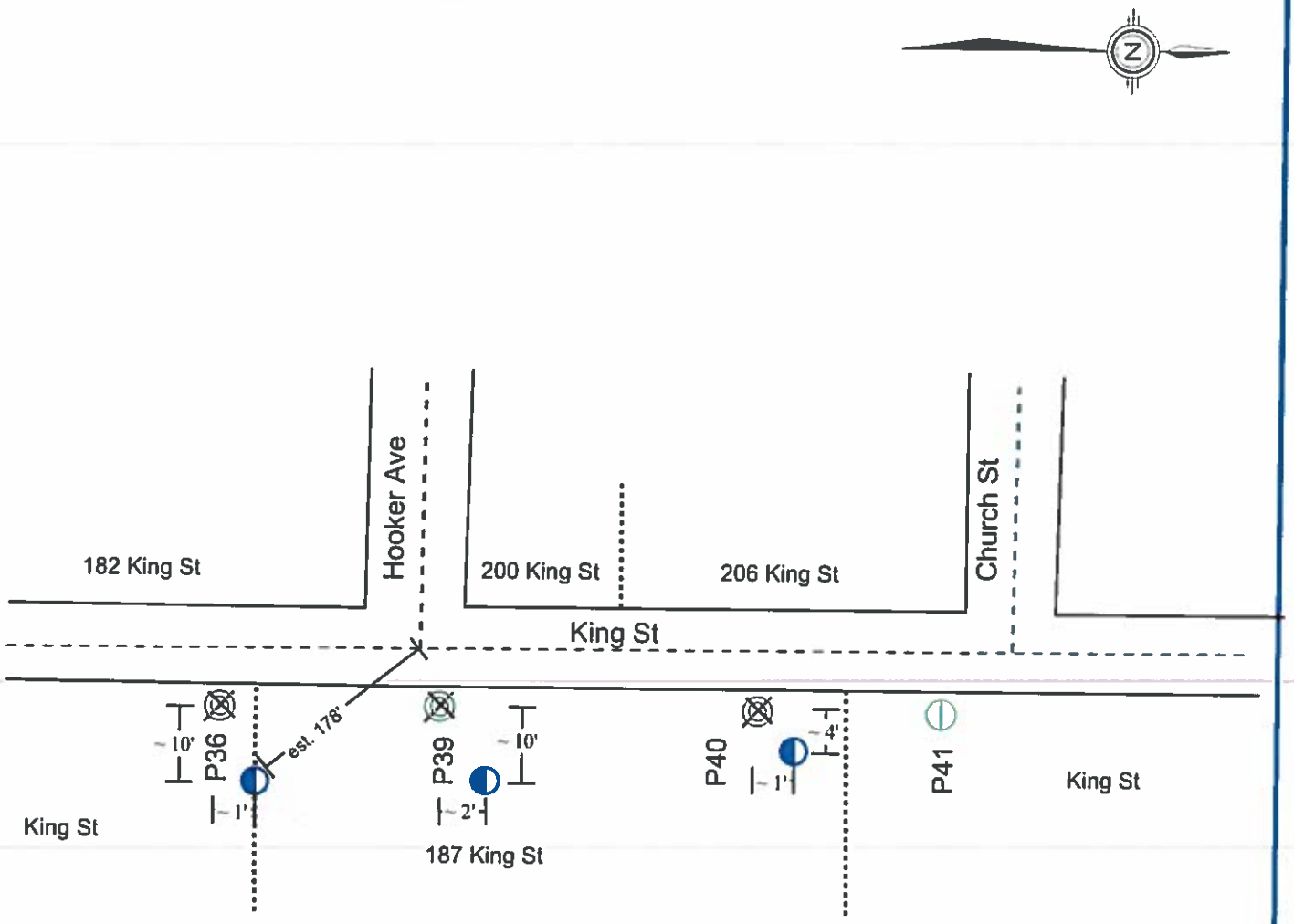
City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk



LEGEND
Property Line
Proposed Anchor

JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 05/05/2020

Plan Number: 24881246

To Accompany Petition Dated:

To The: City **Of** Northampton

For Proposed: **Pole:** **Location:** King St.

Date Of Original Grant:

CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060

413-587-1570
Fax 413-587-1576

Donna LaScaleia
Director

Memorandum

To: Donna LaScaleia M 8-28-2020

From: Maggie Chan, Staff Civil Engineer

Date: August 26, 2020

Re: Pole Petitions for Joint Pole Locations No. 24881246-4

Joint or Identical Pole Location **No. 24881246-4**

National Grid is proposing to relocate one (1) pole (#1) on Summer Street beginning at a point approximately 42 feet east of the centerline of the intersection of King Street and Summer Street due to DOT roadwork.

There are no conflicts with public utilities at the proposed location for #1.

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

Questions contact – Obrayn Cortes 508-298-1024

PETITION FOR POLE AND WIRE LOCATIONS

North Andover, Massachusetts

To the City Council
Of Northampton, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Summer St. - National Grid to relocate (1) SO pole #1 on Summer St. beginning at a point approximately 42 feet east of the centerline of the intersection of King St. and Summer St. due to DOT roadwork.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Summer St. - Northampton, Massachusetts.

24881246-4

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

RECEIVED
JUN 22 2020
CITY CLERKS OFFICE
NORTHAMPTON, MA 01060

Massachusetts Electric Company d/b/a
NATIONAL GRID Jim Kehrer/lla
BY _____
Engineering Department

May 12, 2020

Northampton

ORDER FOR POLE AND WIRE LOCATIONS

In the City of Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 8th day of May 2020.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Summer St. - Northampton, Massachusetts.

24881246-4 Filed with this order:

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Summer St. - National Grid to relocate (1) SO pole #1 on Summer St. beginning at a point approximately 42 feet east of the centerline of the intersection of King St. and Summer St. due to DOT roadwork

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

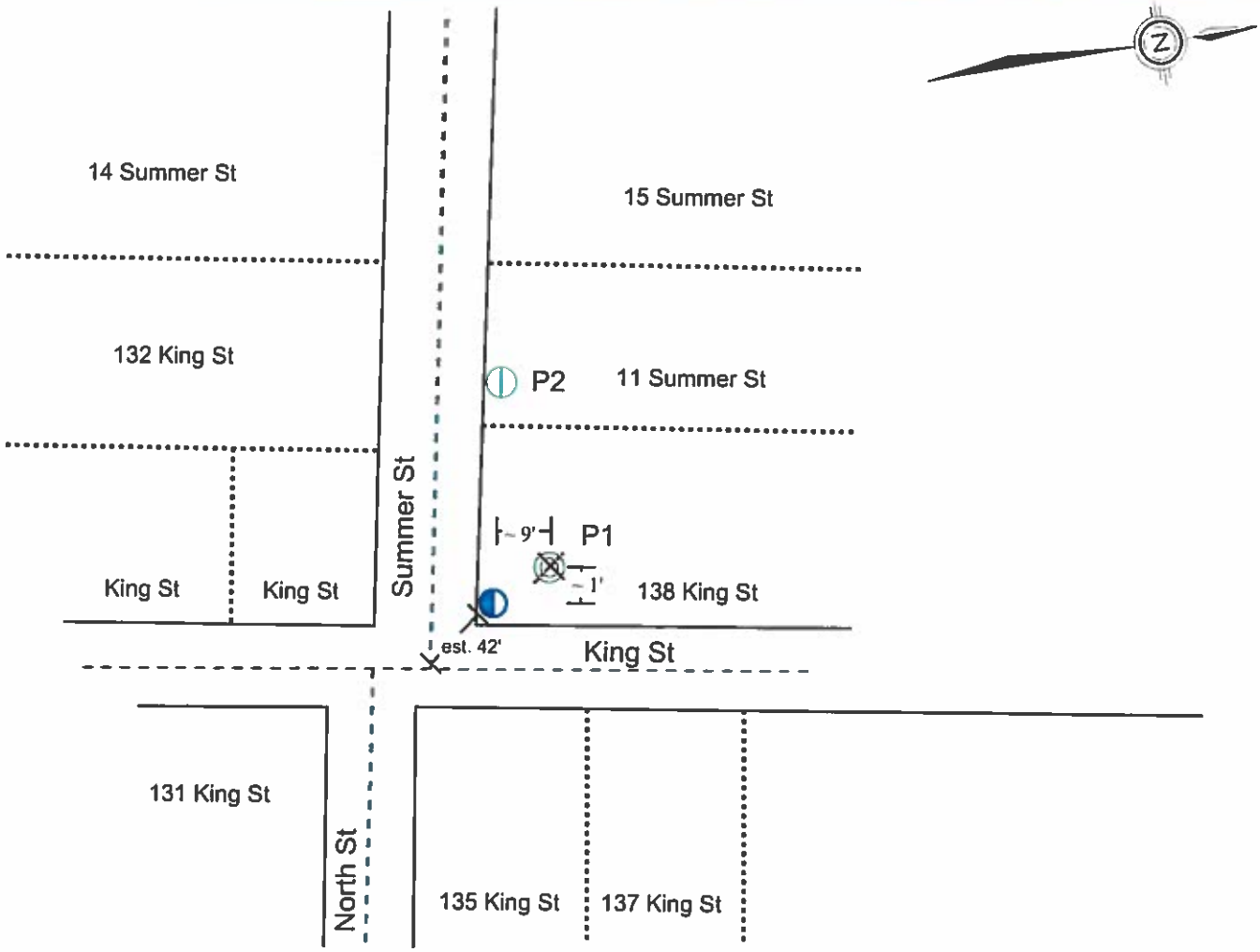
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City/Town of Massachusetts, on the day of 20 and recorded with the records of location orders of the said City, Book , and Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City/Town Clerk



LEGEND
Property Line
Proposed Anchor

JOINT OWNED POLE PETITION

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Proposed J.O. Pole Locations
- Existing J.O. Pole Locations
- Existing Telephone Co. Pole Locations
- Existing NGRID Pole Location To Be Made J.O.
- Existing Pole Locations To Be Removed

DISTANCES ARE APPROXIMATE

nationalgrid
And
Verizon New England, Inc.

Date: 5/5/2020

Plan Number: 24881246

To Accompany Petition Dated:

To The: City **Of** Northampton

For Proposed: **Pole:** 1 **Location:** Summer St.

Date Of Original Grant:

City of Northampton

MASSACHUSETTS

In the City Council, September 3, 2020

Upon the Recommendation of: Councilor Karen Foster
Councilor Alex Jarrett
Councilor Rachel Maiore

R-20.112

A RESOLUTION IN SUPPORT OF "AN ACT IMPROVING OUTDOOR LIGHTING AND INCREASING DARK-SKY VISIBILITY"

WHEREAS, More than two decades of scientific studies demonstrate a strong link between excessive light at night and serious human health risks including elevated rates of breast and prostate cancer, melatonin suppression, sleep disruption, diabetes, obesity, and depression; and

WHEREAS, A 2016 report[1] by the American Medical Association concludes that glare and excessive light from LEDs at night, especially light bluer than 3000K CCT, are harmful both to human health and wildlife; and

WHEREAS, The Federal Highway Administration states in a 2012 report[2] that "disability glare is one of the most important elements to control in a lighting system. It affects your ability to adequately see, particularly for older drivers"; and

WHEREAS, Virtually all species of animal studied scientifically including birds, mammals, insects, amphibians, fish, and coral are negatively affected by light pollution; and

WHEREAS, The City of Northampton supports the development of foraging areas and habitat for pollinating insects, which according to a 2017 scientific study[3] make 62% fewer visits to flowers in the presence of light pollution; and

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[1] CSAPH Report 2-A-16
https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/AMA_Report_2016_60.pdf

[2] FHWA-SA-11-22
https://safety.fhwa.dot.gov/roadway_dept/night_visib/lighting_handbook/

[3] Knop et al 2017, Nature, 548, pp. 206–209
https://www.nature.com/articles/nature23288

WHEREAS, An estimated 100 million to 1 billion birds die in the US every year due to light pollution, according to a 2019 scientific study[4]; and

WHEREAS, Light pollution causes the night sky to be at least 6-10 times brighter than naturally dark skies in the City of Northampton, and as much as 50 times brighter in some other parts of Massachusetts; and

WHEREAS, Light pollution, as measured in a 2017 scientific study,[5] is growing worse at 2% per year globally and up to 10% per year in some parts of Massachusetts, many times faster than population growth; and

WHEREAS, Light pollution represents wasted energy and resources, since light that shines into the sky or is brighter than needed provides no benefit; and

WHEREAS, The City of Northampton is committed to reducing greenhouse gas emissions as demonstrated by its Sustainable Northampton Comprehensive Plan, its Office of Planning and Sustainability, its Energy and Sustainability Commission, and its 5-STAR Community Rating, and has written Dark Skies standards into municipal building codes; and

WHEREAS, Curbing light pollution at night by installing only well-shielded, appropriately bright, warm-colored lighting will cost cities and towns of Massachusetts no more than installing poorly shielded, excessively bright and blue lighting, and will use less electrical power; and

WHEREAS, The starry sky and the Milky Way have led countless generations to ponder profound questions about the Universe, to incorporate planets, sun, and moon into their religions, and to create innumerable works of art and literature, and the ability to see a naturally dark starry sky is a human right espoused by the US National Park Service, the International Dark-Sky Association, the United Nations, and other national and world organizations; and

WHEREAS, The identical bills H.2858 and S.1937, "An Act improving outdoor lighting and

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[4] Loss et al 2014, The Condor, Vol. 116, Issue 1, pp. 8–23
https://doi.org/10.1650/CONDOR-13-090.1

[5] Kyba et al 2017, Science Advances, Vol. 3, no. 11
https://advances.sciencemag.org/content/3/11/e1701528

increasing dark-sky visibility", which will regulate state- and municipally-funded outdoor lighting projects, have been reported favorably by the Joint Telecommunications, Utilities, and Energy Committee of the Massachusetts Legislature; and

WHEREAS, H.2858 and S.1937 have been co-sponsored by over 25 state senators and representatives and endorsed by the Appalachian Mountain Club, Mass Audubon,t the Massachusetts Sierra Club, and the Massachusetts Medical Society; and

WHEREAS, The Massachusetts Municipal Association has endorsed virtually identical principles to those in H.2858 and S.1937; and

WHEREAS, Every New England state except Massachusetts has passed some form of legislation or regulation of light pollution;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton urges the General Court of Massachusetts and Governor Charles Baker to enact a state law curbing light pollution and protecting the Commonwealth of Massachusetts' naturally dark skies.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Governor Charles Baker, House Speaker Robert DeLeo, Senate President Karen Spilka, Senator Michael Rodrigues (Chair of Senate Ways and Means Committee), the presenters of the bill, Senator Cynthia Creem and Representative Sean Garballey, and Representative Lindsay Sabadosa and Senator Jo Comerford.

City of Northampton
MASSACHUSETTS

In the Year Two Thousand and Twenty

Upon the Recommendation of the Mayor's Youth Commission, Councilor William H. Dwight and Councilor Rachel Maiore

R-20.113 A RESOLUTION
IN SUPPORT OF PLASTIC REDUCTION AND SUSTAINABILITY ORDINANCE

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

WHEREAS, the City of Northampton has a duty to protect the natural environment, the economy and the health of its citizens, and

WHEREAS, polystyrene, polyethylene, polyethylene terephthalate, and polyvinyl chloride are typically made from fossil fuels, a non-renewable resource, and

WHEREAS, further that production of such plastics is driving fossil fuel extraction, and

WHEREAS, the manufacture, use, and disposal of these plastics requires substantial energy consumption, and contributes to the greenhouse gases that further climate change and result in adverse local and global environmental effects, and

WHEREAS, plastics 1 - 6 are common environmental pollutants that fragment into smaller non-biodegradable pieces that harm or kill marine life and wildlife when ingested, and

WHEREAS, the Environmental Protection Agency states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy", and

WHEREAS, styrene, a component of polystyrene, is a known hazardous substance, classified by the National Toxicology Program (NTP) as "reasonably anticipated to be a human carcinogen" and as a potential food and beverage contaminant that may "leach from polystyrene containers used for food products", and

WHEREAS, polyethylene terephthalate and polystyrene, are based on benzene, which is a known carcinogen and hazardous substance, and

WHEREAS, polystyrene, and polyvinyl chloride are generally not recyclable, and

WHEREAS, polystyrene is used as food service ware by food establishments and packing material by retail establishments operating in the City of Northampton, and

WHEREAS, disposable food service ware constitutes a portion of the litter in Northampton's streets, parks and public places, which increases municipal expenses, and

WHEREAS, biodegradable and/or compostable materials are available as affordable and effective alternatives to most plastic products, and

WHEREAS, New York, California, Oregon, Hawaii, Puerto Rico, American Samoa Islands, Northern Mariana Islands, US Virgin Islands, and Guam have enacted plastic bag bans; with Connecticut, Delaware, and Maine having passed plastic bag ban legislation not yet in effect; and with Vermont having passed a comprehensive single-use plastic ban, and

WHEREAS, over 100 municipalities throughout the United States, Canada, Europe, and Asia have banned polystyrene food service ware, including Amherst, Brookline, Great Barrington, Somerville, Cambridge, and South Hadley in addition to 41 other municipalities in Massachusetts, as well as: Oakland, CA; Chicago, IL; Miami Beach, FL; Albany, NY; New York, NY; Portland, OR; and Seattle, WA

NOW, therefore, the City of Northampton acts to enact an ordinance to prohibit the use and distribution of polystyrene, polyethylene terephthalate, polyethylene, and polyvinyl chloride in food service ware and packaging material, and require instead the use and distribution of certified biodegradable, compostable, reusable, or recyclable products or materials.

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.

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

Roll Call

A special meeting of the City Council was called to order by City Council President Gina-Louise Sciarra at 7:22 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

Councilor Sciarra announced that the meeting was being held by remote participation and audio/video recorded.
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CONTINUATION OF PRESENTATION AND DISCUSSION on the Northampton Policing Review Commission: A Joint Special Commission of the Mayor and City Council

CONTINUATION OF PRESENTATION AND DISCUSSION on the Northampton Policing Review Commission: A Joint Special Commission of the Mayor and City Council

The only item on the agenda is the continuation of the discussion of the Northampton Policing Review Commission (NPRC), a joint commission of the mayor and city council, Councilor Sciarra reminded. At the end of the June 10, 2020 special city council meeting, Councilor Maiore asked if the mayor and council president could flesh out the verbal commitment they had made to come up with a process for change to address the concerns of the community and put something down in writing for presentation to the council before the budget was finalized June 18th. In addition, Councilor Maiore agreed research was needed to bring about the needed change and asked that there also be a commitment of funding to this process. Councilor Sciarra and Mayor Narkewicz presented it as promised June 18th. At that presentation, there was a request by Councilor Maiore to continue the conversation to allow councilors more time to review the document.

As a process note, Councilor Jarrett expressed his understanding that councilors are not voting on anything tonight.

Councilor Sciarra said that's correct. If there are recommendations for changes, they would either incorporate them into the document or forward them directly to the commission once convened.

Councilor Jarrett said he understands the mayor has authority to create commissions, but he wanted to clarify the council's role in creation of the commission. What is the council's role in acceptance of this commission? He asked.

Mayor Narkewicz said he would echo what the council president said at a previous meeting. The council president and mayor were asked to create a framework and bring it back to the council. It is being structured as a joint commission with appointing authority by both the city council and the mayor. The commission itself is independent and goes to work; it sets its own agenda and elects its own chair. It is not unprecedented for the council and mayor to form ad hoc committees. The idea was to have both branches of government involved in the process.

Councilor Jarrett pointed out that the council never actually voted on creation of the joint commission.

Councilor Sciarra said she thinks there may be some confusion between multi-member bodies created by the mayor and this joint commission. The joint commission is something that was jointly proposed by the two bodies, she clarified.

Councilor Foster thanked the mayor and council president for the work that went into this. She does remember their asking them for this before taking their first vote on the budget. She wanted to address that she's hearing an overall mistrust; a general mistrust that the commission is going to have authority. She really likes the process described; i.e., the fact that the city council has

more appointees than the mayor, the proposal for citizen chairs, list of topics to be studied, etc.

She has definitely heard comments to the effect that the research it out there and yes it is, she agreed. However, she thinks the work of the commission now is to take the research out there and distill it down to what they have in Northampton, how it's going to work and how they're going to implement it in Northampton.

As far as fear that the commission's report will end up sitting on a shelf, she wanted to spend some time tonight discussing the council's selection process, and she hopes that discussion will gain some buy-in and trust for the commission. The commission has real potential to prioritize, make recommendations and bring the research that is out there [to bear], she suggested. That research doesn't translate into action without people to do the action. She wants to be clear that it doesn't end with the commission. She supports the proposal and recognizes there's nothing in it that precludes the council from also going ahead and studying legislative options. She views this as an important step and as a process for real meaningful change, she observed.

She appreciates that the proposal includes a commitment to file a financial order for staff support, Councilor Foster continued. One thing she is hearing is that language may be a barrier. She asked the mayor if translation or other accommodations would be made to allow participation by those who might otherwise be unable to participate.

That is certainly something that could be part of the funding, Mayor Narkewicz confirmed.

He's heard people say that the commission doesn't have power, Mayor Narkewicz observed. Neither the council nor the mayor can actually give their power to someone else under the charter, he noted. They can impanel commissions but they can only be advisory; they can't give them independent authority, he stressed. There are bodies with independent authority such as the License Commission, but this is given to them by state law. Change to this would require major structural change. "We're the folks who stood election for these positions . . . we're accountable to the voters for what happens with these recommendations," he stressed.

Councilor Sciarra added that the body would be subject to the Open Meeting Law, so there would be no private meetings. They would all be public meetings everyone could attend and where people could comment.

Councilor Nash asked if it would be okay for councilors not chosen to serve on the commission to attend the joint commission's meetings. "I'm really interested in hearing what the commission has to say," he said.
.
If a quorum of the city council or a subcommittee is present, its members could not deliberate in a commission meeting, Councilor Sciarra responded. They could attend and listen, she confirmed. She acknowledged the possibility of cross-posting certain meetings if there was a concern about the council's ability to participate.

Councilor LaBarge said her big concern now is hearing that some do not want this commission. The trust is gone; there's no doubt about it, she agreed. She asked why they don't look at doing a legislative process led by city councilors. She thinks having a process led by the city council and the people of Northampton is important, and she agrees with the suggestion of a select committee. They have many agencies such as Safe Passages they could bring in to work with as a legislative body, she pointed out.

The mayor and she talked extensively about having social service agencies be part of the commission, Councilor Sciarra related. They were going to designate some seats to be reserved for representatives of certain organizations but wanted to make sure they had as broad a representation as possible. They certainly talked specifically about asking people to participate from agencies and organizations that would be sharing in this work.

To the point about having a select committee, she knows Councilor LaBarge understands the city council cannot put forward a proposal that would involve change to a city department or staffing, Councilor Sciarra said. She is not sure what kind of substantive change can happen if they can only put forward ordinance changes that do not involve the police department.

We are the legislative body, Councilor LaBarge persisted. As city councilors, why can we not as councilors form a select committee?

Councilor Sciarra said she had tried to explain the limitations of doing that.

The city council can have a concurrent council committee researching and trying to understand what possible legislation would be appropriate for them to apply, Councilor Dwight confirmed. In fact they will be discussing a resolution which they cannot deliberate right now. [Formation of the joint commission] "is not a disqualifier [to a select committee]," he explained.

They made it a condition of a vote that the council president and mayor get together and come to them with a proposal that would allow them to consider systemic changes, Councilor Dwight continued. The council president and mayor have done just that. It doesn't mean they can't have other committees that are allowed by council rules, the charter, Mass. general law and the state constitution.

Councilor Maiore said she appreciated the work and their quick action. She wasn't requesting a committee or a joint commission, she was speaking mostly to the mayor and asking for some fundamental shifts to possibly include a reduction, reallocation in funding and proposals to address other concerns heard from residents, she clarified. One thing that would be nice before this would be something to rebuild trust. What they really need is some kind of truth and reconciliation forum right off the bat to answer questions and take responsibility for the city's part in some of the things that have happened, she suggested. People have been asking her about the use of pepper spray, the large paramilitary mobilization at the last protest and reports of disturbing behavior on the part of active officers, she elaborated. She said she would have to object to establishing something in the council's name without a vote.

She would welcome an opportunity for the mayor to address some of these lingering questions because she herself can't answer them, Councilor Maiore indicated.

They were presented with this last week, Councilor Quinlan recounted. At the moment, he was pretty excited about it. As some may remember, on June 4th, he spoke about the need for something like this, referencing the committee on sustainability created in 2005 as something that serves as a beacon to this day to the city's central services and planning and sustainability departments. He has heard the suggestion that this type of commission also might have a long-ranging effect. Maybe they could consider this going longer and being an active process they are always working on, he proposed.

The same day he got the NPRC document, he got this (he displayed a document entitled "Abolish Police") in his mailbox following a visit from the rolling protest that came to 712 Bridge Road. He asked how 'this' (the NPRC charter) and 'this' (the "Abolish Police" handout) worked together. He spoke about really wanting to make progress and use creativity. "I think this commission's a great first step," he attested. He also does see that a select committee could have some impact on some immediate things. He quoted a resident as saying she thinks the commission's great because it's very complete but it's not limiting.

He received a thoughtful, well-written email from a resident who expressed the hope this commission gives him but also the skepticism that exists around whether they will actually turn it into something for the greater good. Speaking for himself and fellow councilors, "we're pledging to make this happen," he assured. Forming this commission, getting its report and investing in this gives them a chance to hold themselves and hold the mayor accountable. He is in support of this and has some ideas about how to fill these positions.

"We have to figure out how these two documents work together, and this commission is built to do that," he concluded.

Councilor Dwight issued a general caution about talking about items pending in the next council meeting, including conversations about resolutions and proposals. Any discussion of items not posted on the agenda would be a violation of the Open Meeting Law, he reminded.

They have heard from countless residents and others about systemic racism, how policing is experienced in this community, how racism is reinforced by structures embedded in their culture

and from residents who demand that racism in all its manifestations be addressed, Councilor Dwight continued. “We all have a really long, long way to go and acknowledging our complicity is really just the start, it is not the achievement,” he suggested. Like everyone, he has been struck by the extent of the profound, passionate and personal testimony and the grace of many of those who described their own experiences. He can’t let it pass without comment that there was a distinct – not universal, but distinct - blindness evident in many of the remarks. He heard many white people and people otherwise privileged vehemently describe and define the experience of being black in particular but also indigenous, queer, trans, etc. White allies and anti-racists are not excused from culpability by their advocacy no matter how zealous or how active. Throughout 20 hours of testimony they heard from upwards of 1,000 people, yet only three speakers, two who chose to disqualify him entirely, acknowledged the presence of Councilor Thorpe. He found himself grimacing multiple times as sincere and earnest white folks explained to them the black experience in America while essentially erasing Councilor Thorpe. That is a demonstration of the pernicious condition of systemic racism, and that’s what he means when he refers to ‘us’ collectively. He is inviting them to recognize that none of them are exempt from contributing to the scourge. There are many approaches to rebuilding and their objectives are essentially the same based on what he’s heard from councilors, in testimony and from the mayor and police chief. They differ in how to get there and in what that looks like. They must do a top to bottom reassessment of public safety. They can’t just dither in well-intentioned aspirations; they must commit to action, policy and law that reflects a holistic, genuine change. That’s what he’s heard universally.

This is also reflected in what they’re witnessing nationally. “This is a moment to be seized,” he stressed. They are called to make radical change. Demanding radical change and effecting radical change are substantially different. The mission of the council is to effect radical change by abiding by the constructs, restrictions and limitation of their authority to govern. He thinks there should be broad and many community discussions but he doesn’t think it would be appropriate for the council to lead those. They clearly heard people asking to be empowered to participate in the conversation. Conversations, discussions, fora, etc. should be done by the community within the community and officiated by the community. It is not mutually exclusive to what they’re endeavoring to do. All these systems work in parallel toward one goal – to redesign, reshape and redefine what public safety means and to address all other aspects of systemic, embedded, institutional racism, white supremacy and paternalistic structures. It is a time of great upheaval. For some it’s a revolution, for them it’s a charge to do what they’ve been charged to do. That is to deliberate conscientiously and morally and render decisions that have the weight of law. That is their charge, and they will do it as they’ve taken an oath to do. That doesn’t disqualify or eliminate anyone else from participating or contributing. He encouraged people again to run. “Absolutely run for office.” Don’t run against someone or something, run *for* something and “commit yourself to this form of transactional and transitional change,” he urged.

Councilor Thorpe thanked councilors who had spoken. He appreciates each and every comment heard tonight and he takes them into consideration. With regard to the joint commission, he has heard some really great comments from people who want to see it go forward but also from constituents who are really concerned about how much authority it will have and how much their voices will actually be heard. He thinks it’s important that no matter what their opinion on the matter they be respectful to each other and include all voices that matter. He heard from a constituent who wanted to be sure they include the LGBTQ community, the elderly and people with disabilities. They really need to be mindful and do the best they can moving forward.

Councilor LaBarge thanked Councilor Thorpe. She also has great concerns about people with disabilities being included and also the Human Rights Commission. She has heard from people from Ward 6 who are case workers - social workers - who really want to be involved in this commission, some of whom would even volunteer their time. The whole idea is working together. “We need to get out of the box and look at the big picture of making everybody in this community work together and feel safe,” she asserted. She is glad they didn’t vote on it the night they had such a full agenda since it really did take time to review the document and look at its language.

Her concern is bringing back trust. She is hearing that people in this city have lost a lot of trust and she wants to bring it back by putting the appropriate people on this commission. She still feels that, as a legislative body, they should be looking at legislative options as a full council. “That can be done with a resolution. There’s no question about that,” she emphasized.

It was very important to them that at least a majority of the commission be made up of people most affected by policing, Councilor Sciarra reiterated. They worded it in a way that talked about historically-marginalized communities because they acknowledge many communities haven't had a voice on this issue. They wanted to make sure to give as much representation as possible to everyone who feels like they have a point of view on which direction they should go. "Their voices are the voices that we want to hear," she affirmed.

In response to a question from Councilor LaBarge, she confirmed that being a Northampton resident is a requirement.

Councilor Maiore acknowledged they are all evolving really fast and said she wanted to get into some false divisions. Most of them do have the same goal, but she does need to say one more time that she really objects to having the council represent something without a vote. She thinks coming back with a proposal to be voted on would have been one thing but this seems highly unusual to her.

She hopes before the meeting is over they can hear from the mayor about addressing immediate concerns councilors are getting emails about every day. She thinks it would really help build trust if either the councilors could get the answers or they could have a forum to address the issues she brought up – the rally, grievances against active officers, COP-LINK, etc., she reiterated. "I hope before this week is out you could just address that in some way," she stated.

This is a special meeting of the council to discuss one item on the agenda, Mayor Narkewicz reminded. He was asked to be here to discuss it because he helped to create it. He wanted to be clear that he is not trying to force the council to do anything. He extended the offer to work with the council on a joint framework at the meeting at which he presented the revised budget, but it is not his intention to force the council to do anything, he stressed. He wanted to make that clear because he has heard people say that it's his commission. He was doing it out of a spirit of working on it collaboratively, but if that's not what the council wants to do, that's fine.

In terms of his turning this into a public forum on employees or other matters that councilors are hearing about, he is not really sure that's appropriate in terms of what this meeting is posted to be and set up to be.

He thinks the council *should* deliberate on whether it wants to participate in this, and if it wants to take a vote on it, it can, Mayor Narkewicz confirmed. He is not part of the council's process. He is not telling the council what it should do or how it should do it; members will have to come up with their own decision-making process, he clarified.

Councilor Maiore said she wanted to assure the Mayor they all know he had good intentions coming here. It's been a long three and a half weeks. This just wasn't sitting right with her this way. To the point about grievances and a truth and reconciliation forum, she didn't mean they had to do it right now; it's not on the agenda. She was looking for some indication of whether there will be a time when these questions will be answered.

Councilors can always send him questions and request information, Mayor Narkewicz reminded. To the extent there are questions, they'll try to answer them. A process for seeking information from the mayor is embedded in the charter. He distinctly thought she said before they go anywhere tonight she wanted to hear the mayor answer all these questions.

Councilor Jarrett said he wanted to touch briefly on some things Councilor Dwight said. He heard from a lot of folks about divisiveness and the call for respect. It is a tough thing to talk about because he knows there has been and continues to be consistent disrespect towards black, indigenous people, people of color, LGBTQ folks, people of low income, etc. It can feel hard to ever talk to anyone about respect because it's so good that people are speaking up who haven't been at these meetings. "There also is a way in which we're driving wedges between people," and he wants to figure out how they can invite people in and listen even when there's strong dis-agreement. He thinks that's part of nonviolence. It's just something he wants to be thinking about.

He has heard many voices arguing that they should *not* have this joint commission; that the viewpoints of the mayor and the council or the mayor and the people are too different, Councilor Jarrett submitted. He feels conflicted because they have a strong mayor governmental structure.

They need to work with the mayor to enact major changes.

He knows the mayor wants to listen and has been listening. It's up to the council and the community to hold the mayor accountable and, if this commission goes forward, to follow its recommendations. The city council will have the majority of seats and if the results of the commission aren't to the council's liking, they do have the power of the purse, and they've shown this month they are willing to use it. He also thinks they need a select committee independently focused specifically on legislative and budgetary aspects. A potential solution is a select committee and a mayoral commission that works together and independently.

Councilor Jarrett asked Mayor Narkewicz to talk about his commitment to moving money from policing to alternatives and to supporting human needs rather than policing and about holding people accountable – officers that they've heard complaints about. "It's related to this topic because I need to know you are really with us," he enjoined.

As expressed in his request, when he submitted the budget back on May 18th, they were in a completely different place, Mayor Narkewicz noted. The world has changed and the nation, and events of the last several weeks have crystalized what they have talked about and discussed. They've talked about it over time, but "I think we're at a place now where we have to look at these issues on a fundamental level," he confirmed. Chief Kasper has said this as well, and both of them have issued statements to that effect. He is committed to that.

"If that is where the community wants us to move, I will carry out that and I will work on that," he assured. He has spent the better part of his life working in public policy; it was his major in college and he worked as an aide in congress for many years. He did it as a resident appointed to city boards and as a city councilor. He thinks it is one of the reason people entrusted him with this role as mayor. He tries to hear from all sides and not make serious decisions lightly without a lot of input and a lot of data. He has always gotten public input.

"I am committed to making sure this city lives up to the values it espouses for itself in terms of being welcoming, in terms of being accepting and being compassionate," he affirmed. He thinks they have a strong record in terms of social services, housing, houselessness and other issues Northampton leads the way on in many cases. The challenge is obviously the funding structures that they're dealing with. If residents want them to reallocate and change their priorities that is certainly something he will be receptive to and carry out. The challenge is making those types of major, sweeping decisions without some kind of formal public process. Typically, city officials gather input, collect data and hear from stakeholders and public employees involved; that's the approach he's always taken in looking at a range of issues.

He is open to that and committed to that, he continued. He is not trying to force the council to be involved in something that he doesn't take seriously. He does take it seriously. They are in a moment where the community wants them to take action and press for serious reform. That's the spirit in which he wants to collaborate with the council. If the council wants to take a different path, he respects it. If the council wants to go in a different direction and be independent, that's fine. They have had Chief Kasper before them and have heard very clear public statements from her. She's outlined the efforts she's made to try to move the department in a forward direction and adopt some of the progressive policies and other reforms. Is it enough? Clearly what they're hearing from the community is that it's not. But Chief Kasper like him is someone who cares very much about getting the policies right and having the best possible outcome for the people they serve. If they form this commission and it comes up with recommendations that represent their community, he will work to advance those recommendations he is able to advance.

Councilor Jarrett thanked the mayor and said he appreciates his attention to detail and to policy. He is hearing that if they reach the conclusion as a body to move to alternatives to policing and to supporting human needs, the mayor will support that. He asked if this is correct.

Yes, the mayor said. He feels like their community and his administration has been working hard to support human needs like affordable housing and fair housing. "I believe that if you look at my record, I'm someone who has taken these types of studies and I've worked to implement them," he added, citing the resiliency hub as an example. That came out of the panhandling report and his administration is trying to push that forward. Of all the recommendations, everyone, including people on the streets, have said that is the #1 need in Northampton.

He has a whole list of suggestions for the commission, and the resiliency hub is part of that, Councilor Jarrett responded. He is so glad the mayor is moving forward on that.

In deliberations last week, he was talking about them getting to the point of doing planning and coming up with a plan for how they're going to transition to new services, policies and ways of doing policing, Councilor Nash recounted. He views this commission as an essential part of making that happen. There are some important elements here, particularly, that both the mayor and the council are part of the commission and have influence over it. They don't necessarily have to wait until next March to move on something that seems vitally important. The commission is a body that will reflect who they largely aren't as a largely white community. They are asking for input from people in their community who've been marginalized. They're going to provide their feedback and advise them and be involved in the policy-making process. He thinks it's really critical for them to honor people who have been marginalized and subjected to abuse and murder culturally.

It is his hope that they're going to get much deeper information there. As someone who sat in on a lot of ISP's and IEP's; these are the essentials of how services are delivered. He thinks it's essential that they take this step and that it includes the mayor because he thinks it will allow them to move much quicker. He looks at this as a collaboration and a place where they're going to come together, listen to ideas and move quickly. "I see this as the quickest way to get there." He endorses this process and hopes defund advocates can see a way to support it.

Councilor Sciarra made the point that the mayor will not be sitting on this commission but there actually will be two city councilors sitting on it. There seems to be a worry about an imbalance of power. In addition to the council having more appointees, two of those appointees are councilors whereas the mayor will not be sitting on it himself.

Councilors discussed the logistics of the appointment process. They will create an application, Councilor Sciarra advised. Her suggestion for appointing council representatives is that she and the two councilors appointed to serve will sit down and look through the applications. As she's clearly stated, they are going to really privilege the voices of people who have been most affected and who have been marginalized on these issues in the application process.

Councilor Maiore said she had some suggestions for the bullet point area. She appreciates what Councilor Sciarra said about privileging marginalized people. She hopes that would extend to the trans community and the queer community. Also, domestic violence survivors are not mentioned and she would like to see them added.

She likes the line about rethinking 'how we structure and fund community safety moving forward.' She gets concerned later when the documents says "transform how the city delivers policing services." She thinks part of the point is to see beyond just policing services and that's what the strong sentence above suggests. Personally, she thinks they need to transform public safety.

Also, instead of: 'issues to be studied,' she suggested 'issues to be tailored to Northampton and enacted' would be stronger.

Because of the power differential, she thinks the mayor should have four appointees and the council should have 11. By the nature of councilors' jobs, she thinks they are more in touch with residents than the Mayor is since they represent certain wards.

She gets very concerned when they start talking about social workers and mental health workers, Councilor Maiore continued. She is very excited about transitioning 911 calls to mental health workers but they have to be very careful about how they do so. A lot of these agencies, whether intentionally or not, tend to uphold oppressive systems. She thinks maybe the city should have its own agency. The Department of Children and Family Services has historically disproportionally harmed people of color. "We don't want police-like," she stressed. There are wonderful programs out there but they have to make sure they are not inadvertently adding to the oppression. DCF has a very long history of this.

Also, when they mention houselessness and substance abuse, she thinks domestic violence needs to be right there. She's heard individually from residents that it's an area that's broken in

Northampton. It's an issue that's not addressed and most of the time re-traumatizes survivors, she suggested. That's something she really feels passionate about. And, she thinks they need to add a bullet point for "looking at investments that prevent crime."

Resourced communities have low crime rates, so they need to look at things that prevent crimes, like education, housing and jobs, she asserted. Finally, she thinks any public safety initiative needs to be community led and community run and not run by outside agencies that might have a bad history with people of color.

Councilor Sciarra agreed they should add domestic violence. When they're talking about social service agencies, they're talking about local agencies such as Tapestry, she clarified. They are talking about private, locally-run agencies, she confirmed.

Mayor Narkewicz agreed he was thinking about agencies like Clinical & Support Options (CSO), Tapestry, Safe Passages, etc., i.e. - agencies the city works with now.

Councilor Sciarra asked if Councilor Maiore could email her the list of proposed changes, and Councilor Maiore said yes.

Councilor Dwight said it is his hope that they are going to empower an advisory panel and not dictate the terms to them, but rather that these recommendations be forwarded to them. As they form themselves and determine their leadership, he suggested they be empowered to define themselves as well. He agrees with every box Councilor Maiore ticked. He thinks any recommendation should be drafted in the form of a letter and given to them when it's assembled. Part of the problem is that they are talking about a committee that doesn't exist yet. In order for this commission to be successful it is important that they be as unencumbered as possible and allowed to set their own agenda. It's particularly being populated by people chosen for their independent minds and independent expertise so it makes sense to have them determine the more granular details. It's important that the people who have not enjoyed the privileges have the opportunity to make their own terms.

The only thing we can do about the mistrust is earn trust back. That remains to be seen and we need to have the opportunity to do that. He agrees with other councilors that this actually has a chance, and legislators need this. "We have a lot of people saying wonderful things about how we should reallocate funds for housing," but right now, under the existing structure, they don't have the authority to do that. "How do we do that?" he asked rhetorically. It would be his hope that this panel would have some recommendations. "These challenges are huge and I don't want to narrow their agenda by defining it for them; I want them to define it for us," he concluded.

Councilor Jarrett echoed Councilor Maiore's suggestions of adding domestic violence and shifting the number of appointees. On meeting human needs, there isn't presently a bullet point for that, and he thinks it is really an essential thing that needs to be in there. Meeting people's needs for healthcare, jobs and education reduces the need to police them.

He raised the issue of providing compensation to people serving on the commission as a means to encourage diversity. Members of the council are mostly white, mostly homeowners and do get paid. "There's so many people who couldn't afford to do this job and they're disproportionately black, people of color and low-income people. If we want diversity on our boards and commissions, we need to pay people to serve on them," he asserted. He knows this commission will be funded so he thinks that's something they should strongly consider.

Regarding the issue of qualified immunity for officers, Councilor Jarrett said he thinks it's a good idea for the commission to take a position on it. Qualified immunity means police are not liable for actions that violate someone's constitutional rights unless there is a court precedence already.

Another thought is having a majority/minority report. Rather than having just one report, they could allow for a minority opinion, which would allow for more diversity of opinion.

Members will also have to figure out the decision-making process, whether recommendations will require a majority or super-majority vote, he pointed out. He mentioned reviewing whether to have a police professional liability insurance policy. Most professionals carry liability insurance, including the city's teachers. It removes liability from them as a city and transfers it to police

officers themselves as professionals so that their rates go up if they receive complaints.

Councilor Jarrett also suggested adding a little more about the powers of the commission to demand certain documents that might otherwise not be available or to require testimony from city staff including police officers. It has already been decided to replace the word 'citizen' with the word 'resident' in every occurrence.

Finally, he thinks they should consider having a council vote at their next meeting on formation of the commission. It could just be a resolution in which they adopt the language. It would help him feel that they are actually choosing this.

With regard to representation, Mayor Narkewicz pointed out that he does actually get elected as well by the people of the city and is the chief elected official, so he doesn't understand the concept that he doesn't represent the people of this city. In working with the council president he thought it was important to distribute the appointments the way they distributed them. It doesn't really feel like a joint commission if it is 90% appointed by the city council or whatever they're suggesting. He feels like he has a lot of expertise in making appointments to commissions and committees and believes he could make some strong appointments to the commission.

It's hard to call it a joint commission when they have so much less power as a body; that's why she brought up looking at that balance, Councilor Maiore responded. She didn't mean to imply that he wasn't elected or didn't represent people, she stressed.

Their respective powers under the charter have nothing to do with the power of the commission since it's an independent commission, Mayor Narkewicz countered.

Councilors offered additional comments and suggestions. Councilor Quinlan suggested charging the commission with creating an initial report and then allowing it to continue its work in case the prescribed time frame is not long enough.

Councilor Sciarra said she would be very open to that. The timeline was built around having the commission's report inform the budget for next year. She would be happy to have them continue on if they felt that was needed.

Councilor Quinlan also relayed a Ward 1 resident's suggestion of having the commission invest in some anti-bias/racism training at the outset of its work.

Councilor Sciarra asked Councilor Quinlan to also send her that suggestion. If the commission would like to work with a consultant they want to empower them to do that and give them the resources they need, including any training they need to carry out their mission.

Mayor Narkewicz said he is not really sure about the salary piece and would have to understand it a little more. It's not something any of their other boards or commissions receive or that was envisioned when they created this.

It has to do with who can afford to spend the time, Councilor Jarrett elaborated. If someone doesn't have transportation or childcare, it necessarily skews who is available to do the job. Given that they are specifically trying to insure people from different backgrounds that historically don't make as much money are included, he thinks it's very relevant.

It absolutely makes sense, Councilor Sciarra agreed. She and Councilor Dwight have had an ongoing conversation for years about such barriers to participation, particularly around the council. She is not sure what mechanism they have for it, but it is something she thinks about a lot and has wished they had a way to structure.

He is not saying it's possible or impossible, he is just looking for more guidance from the council about what it would look like, Mayor Narkewicz clarified. If councilors want to incorporate this, they would need to advertise it to applicants, so it is a decision that would have to be made sooner rather than later.

Regarding the appointment process, if the two councilors serving on it are also the ones chiming in about the appointments, it seems like a lot of power on just two councilors, Councilor Maiore

noted. She would like a way for the rest of the council to have input into the appointments. She suggested the possibility of other councilors giving a recommendation to the two councilors appointed to serve.

She is going to task the council with going out, informing people about the commission, asking people to participate and finding people with the right criteria willing to do the work, Councilor Sciarra related.

Councilor Quinlan expressed his understanding that the two councilors appointed to the commission and the council president would select the candidates. He asked if the full council would approve those.

What doesn't feel comfortable to her is having a public meeting where they go through each application and talk about each person, Councilor Sciarra responded.

Would the two councilors and council president bring forth nominees to the full council for discussion? Councilor Quinlan asked.

Her idea was that they would present their recommendations, Councilor Sciarra said.

In response to additional questions, Councilor Sciarra said she and the mayor discussed creating a uniform application since it didn't feel fair to have different applications for council and mayoral appointees. They also talked about letting applicants designate which appointing authority they wished to apply to, Mayor Narkewicz added.

Councilor Foster suggested perhaps setting aside eight $1,000 stipends for people who need them in order to have childcare.

The commission may be meeting over Zoom so this might create possibilities for people who might not otherwise be able to participate, Councilor Sciarra noted.

Regarding city councilors appointed to serve, Councilor Foster asked if she as council president would appoint the two members to serve on the body.

Yes, Councilor Sciarra said.

Councilor Maiore asked if Councilor Sciarra needed a stipend for childcare or extra support to make this happen. Councilor Sciarra said she greatly appreciated the thought but she is fine.

Councilor Quinlan mentioned the possibility of holding public hearings around the city if they are able to be in person.

Councilor Dwight said if no one had further comments or questions, he would like to move to adjourn. Councilor LaBarge seconded.

The motion failed 2:7 by roll call vote with only Councilors Dwight and LaBarge in favor.

Councilor Foster asked the timeline around appointments.

As stated, the appointment process shall be completed on or before August 20th and the commission shall convene its first organizational meeting on or before September 10th, Councilor Sciarra said. They are planning on getting moving on the application process as soon as possible. They don't yet have a deadline for applications, just a date by which the process of choosing must be finished.

Councilor Maiore asked if the commission itself could amend the established timelines.

She feels strongly that she would like to see something in time for it to be included in the budget process, but since the commission will be reporting to the council, they can feel empowered to come to them and say they don't feel comfortable with the timeline, Councilor Sciarra said.

Motion to Adjourn	Upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the meeting was adjourned at 9:12 p.m. The motion carried 8:1 by roll call vote with Councilor Dwight opposed. Attest:_____ Administrative Assistant to the City Council

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

Roll Call

A special meeting of the City Council was called to order by City Council President Gina-Louise Sciarra at 7:13 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

Councilor Sciarra announced that the meeting was being held by remote participation and audio/video recorded.
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Withdrawal of 20.053 Order to Approve FY2021 General Fund Budget and Substitution of 20.065 Order to Approve FY2021 General Fund Budget

Withdrawal of 20.053 An Order to Approve FY2021 General Fund Budget and Substitution of 20.065 An Order to Approve FY2021 General Fund Budget
Councilor Sciarra informed those present there is only one item on the agenda. In response to questions raised during public comment, she said recordings of the meetings are always posted on Northampton Open Media's (NOM's) government video archive channel. The City Council's rules and the city charter are available on www. northamptonma.gov.

At the regular meeting June 4, 2020, sometime after 2 a.m., the City Council moved to continue its discussion of the order then on the floor, 20.053 An Order to Approve FY2021 General Fund Budget, Councilor Sciarra reminded. Since that time, the Mayor has withdrawn that order and replaced it with a new order, 20.065 An Order to Approve FY2021 General Fund Budget. What that essentially does is wipe the slate clean so that the City Council will now start its consideration of the new order over from the beginning.

Councilor Jarrett explained that he has a conflict of interest because of a pre-existing contract with the city. He will stop his video which is the equivalent of stepping away.

Councilor Maiore requested a five-minute recess.

The council recessed at 7:18 p.m. and reconvened at 7:30 p.m.

Councilor Sciarra called for a motion to put adoption of the FY2021 General Fund budget on the floor for discussion (not order 20.065 but the GF budget itself). Councilor LaBarge so moved. Councilor Dwight seconded.

Councilor Dwight moved to divide the question to separately consider the $38,000 line item in the Central Services Parking Maintenance budget for the Pedal People contract. Councilor LaBarge seconded. The motion passed 8:0 with Councilor Jarrett recused.

Councilor Jarrett returned.

Councilor Sciarra invited Mayor Narkewicz to introduce the revised budget.

Obviously, he has attended and followed very closely the two nights of public hearings on the budget, including listening to comments and following the council's debate, Mayor Narkewicz confirmed. The original budget submitted contained a $193,579 level services increase to the police department spread across the three main budget areas: Personnel Services (PS), Ordinary Maintenance (OM) and Other than Ordinary Maintenance (OOM).

When deliberation on the budget left off at 2 or 3 a.m. June 4th, there was a motion and a second on the floor to eliminate the $193,579 increase.

It felt to him like there was consensus on the council to reduce the budget but discussion as to whether the proposed approach [eliminating the increase to each of the three budget areas] was the clearest way or whether there were alternatives. His attempt was, first of all, to acknowledge the concern in the community as well as councilors' almost unanimous concern about an increase to the police budget at this time. For this reason, he withdrew the previous order under the council rules and submitted a revised order essentially eliminating any kind of increase.

The revised budget retains the PS increase of $140,042, reflecting contractually-obligated salary increases consistent with other departments and school budgets, and eliminates the OM increase of $8,072. Instead of just eliminating the $45,465 increase to OOM to cover the increased cost of changing the annual replacement of five cruisers to five hybrid cruisers, the revised budget proposes reducing that line item significantly from $358,925 to $146,262, effectively meaning the city would only replace two cruisers.

That is the substance of what he has proposed. Obviously, he was trying to respond to what he was hearing from the council and the public about being opposed to any increase at this time. He understands that, since he submitted the budget on May 18, 2020, they are in a different place, and he shares the concern and outrage the public has expressed about the tragic killing and murder of George Floyd. He wants to work with the City Council to address these issues, including discussing how they do policing going forward, not only as a community but as a nation. His purpose in this order was trying to achieve what he thinks the council was working toward last Friday – i.e., trying to eliminate any kind of increase to the FY2021 police budget.

He has reached out to the council president and indicated that he wants to sit down with her and come up with a process for how they will start to take the information and concerns they have heard from the public and work toward forming a committee to study these issues. Those who have worked with him know that he takes a very serious approach when faced with a problem in the community, including bringing in groups of people to advise him. He would want to work with the City Council to come up with a process for how they could work together as a unified city government to address these serious issues.

Northampton has a declining crime rate and a force larger than most towns of its size, Councilor Jarrett noted. About 50 officers would be average for a town this size. He asked if the mayor could explain why they have a force larger than that.

City officials have done a lot of analysis of the police department over time including when planning for building the new police station several years ago, Mayor Narkewicz responded. One thing that makes Northampton different from similarly-sized communities is the incredible amount of visitors they have to the community. Northampton's downtown is a major draw, and the city has concerts, art galleries and restaurants that bring lots of people into the community. On a weekend in Northampton, they present as a much bigger city in terms of visitors and activity. In looking at data such as motor vehicle accidents, a high number responded to by Northampton police occur among people who do not live in the city. He would say that has not changed dramatically. A study was done when looking at the police station as they tried to understand what size force they should be building the station for. He said he doesn't know what communities Councilor Jarrett is comparing them with. Amherst has the benefit of a separate state agency, the UMass police force, which is basically policing a population of 30,000 as well.

Councilor Jarrett said he was looking at national averages. Regarding the declining crime rate, he asked the mayor to explain how that factors in to the size of the force.

Major crimes have been going down nationwide, Mayor Narkewicz acknowledged. This doesn't account for the fact that they still receive many, many calls for service. Police may not be responding to major crimes but they now see them responding to other issues. He mentioned how the opioid crisis has affected the city and communities across the nation and other calls that don't count as major crimes, such as mental health calls. This is part of the conversation they have heard in public comment, questions as to whether police are the most appropriate people to be responding to such calls. He mentioned the panhandling study group and its recommendation of forming a crisis intervention team.

He and Chief Kasper are definitely open to the concept of moving away from having police respond to those type of calls, he confirmed. For him, it's important to have a plan for making that

transition and for who is going to provide those services and respond to those calls. There are models around the country and those are what they will need to look at. It may be possible to reduce the size of the force, but they'd have to be able to assure the community that when they call 911 some kind of service will respond.

Councilor Jarrett thanked him for putting forth those ideas and his willingness to begin that process. He asked if he had any thoughts about the military-style response seen on Saturday. Just the presence of that equipment can escalate the situation and put more people at risk, he suggested. He also heard from some people who were afraid to come and exercise their freedom of speech, not because of the protestors but because of the police. It was disturbing to him and others, he shared.

It was going to be a large event so they planned for the support of state police and other mutual aid partners, Mayor Narkewicz confirmed. One of the challenges was where to properly stage them. The fact that they were staged near downtown obviously raised concerns, and he appreciates that. Police presence at the actual event itself was minimized. There were no officers in the crowd and no officers were dispatched as part of the march. The city shut down Main Street and tried to put safety measures in place so no one could try to harm the protesters. It was the same approach used at other rallies up and down the valley, including Holyoke and Greenfield. State police were also present in those communities and parked offsite.

He hears the concerns and it's something they could certainly look at going forward. When Chief Kasper briefed him on the plan, the concern was that outside people might try to incite violence. They're always looking at these events after the fact; after last Monday's event, they looked at and tried to reexamine their approach to prevent people from climbing on the parking garage or building. "We certainly can learn from the concern," he observed.

Councilor Jarrett asked about people being pepper-sprayed. He asked if that had been reviewed and whether it was deemed as something that was necessary and would be used going forward.

They were now straying from the topic of the budget hearing, Mayor Narkewicz said. He would rather try to address that with Chief Kasper present in a different venue.

Councilor Jarrett agreed that was appropriate.

Councilor Nash said he heard throughout public testimony of disturbing interactions between people and their police department. One thing that became apparent is that they do not now have a good and trusted way for people to bring concerns forward. He thanked everyone who had brought them forward. He wants to go on record as saying he thinks that is one of the things they really need to explore in the very near future. He appreciates Mayor Narkewicz wanting to have a conversation with them. "I am so ready to have that conversation," he enthused.

They need to do it with speed. They need to do it in a way that is thoughtful and attentive to all of the details, but he doesn't envision something that is going to stretch out over a year or two. "We're talking about something that is going to move quickly," he proposed.

Whatever process is put in place would have to look at those issues – the current complaint system and whether it works and, if it doesn't, how could they make it work better, Mayor Narkewicz agreed. Over the last week they have heard some best practices for improving policing. President Obama came out last week and did a town hall on policing and presented a pledge for mayors throughout the country. He took that pledge and is committed to looking at their use of force policy. Their policies almost exactly align with current recommendations. "We need to be ready and willing to scrutinize this carefully and hear the suggestions and hear the concerns," he submitted.

Councilor LaBarge said she feels that as a city council they have an opportunity for change and for reimagining and making a shift in how their police department is run. With what they heard from so many people, it's telling them as councilors they need to make a change. "I feel we need to think out of the box." This has really opened her eyes, she shared. She described her personal reaction to the protest Saturday and hearing about the state police being there with an armored truck. "I'm not too happy about that," she acknowledged.

As soon as possible, they need to create a community oversight board with legal power, she asserted. Some serious changes in policy, culture and practices are indicated. She agrees city money can be used to develop an exploratory body or hire consultants tasked with researching and developing a set of alternatives to policing. Further, as suggested by Chief Kasper, she really feels they should hire social workers. When police officers retire, they could fill the positions with trained social workers to respond to calls such as disturbances because of certain disabilities.

She has received over 2,631 emails plus many calls and thinks the voices in this city are extremely valuable for telling them what is needed. She wants to be part of it 100%. She reiterated the need to create a community oversight board with legal power.

Mayor Narkewicz thanked her for putting those ideas forward. He agreed they are hearing from a lot of the community. He wants to be responsive and to work with the City Council and is open to the idea of enlisting help, he confirmed.

Councilor Quinlan said he appreciates the discussion tonight and thinks it is what the community was hoping to hear last week. With some late nights, they didn't get to it. In terms of it being a budget discussion, they have heard from a lot of residents that the budget should reflect the values of the city, so discussing values is entirely appropriate, he suggested. He asked the mayor to describe the role of Elliot Homeless Services (EHS) in working with the NPD.

The mayor explained that EHS is a valley-wide agency that works closely with both police and homeless people on the street.

One of several recommendations that came out of the panhandling study report was having a crisis-response team made up of police with social workers involved, he reminded. Administrators have been working on the study's recommendations, including the first and foremost proposal of creating a community resource center, which has been further exposed as being a critical need during the pandemic.

In response to a question about EHS's funding, the mayor said typically social service agencies have contracts with the state.

Councilor Quinlan said he believes providing mental health services as part of the city's emergency response is vital and he is glad to hear the mayor talking about coming up with a process to study police reform. He cited the steering committee formed in 2005 by Mayor Higgins to create a sustainability plan to address climate change and the panhandling work group formed by Mayor Narkewicz as models for such a process. He thinks it's time they do something similar to address racism.

Councilor Thorpe said he noticed the mayor cut training from the police budget and wondered how this would impact anti-bias or de-escalation training.

He was trying to mimic what was proposed at the last meeting by level-funding this line item, Mayor Narkewicz said. They will continue to prioritize those and related trainings for current and new officers. It will not affect the city's commitment to those trainings, he assured.

Councilor Thorpe echoed what other councilors said earlier about policing needing a major revamp and the importance of creation of a civilian oversight board. They need to make changes and to look as a council as a whole at some of the ideas that have been coming their way. He stressed the need for meaningful representation from both the council and people of color in any proposed process and for community buy-in.

Mayor Narkewicz said he agreed with everything said. At the end of the day, if there is not community buy-in, it is bound to fail.

There is indeed a national movement and a national reckoning, Councilor Dwight observed. As someone commented earlier, there is significant urgency in the appeal for holistic, demonstrable and real change. It is not just a request for a decrease at this time but for a progressive decrease for all time of the current policing systems and how they are subsidized. There is no doubt in his mind that there is not just a request but a demand for a structural redesign and new approach to what public safety is and what it means and for whom.

At the first budget presentation, he commented that there had been a profound and structural change in what used to be the fire department and is now fire rescue. It was a significant cultural shift and did not come without controversy. In some cases, that transition was easier to make because the public had become very good at reducing fires and increasing fire safety so there was less and less for firefighters to do. When they switched to ambulance and EMS response, it imbued the department with a new sense of value and not only changed its name but changed members' attitudes and sense of mission.

Councilor Dwight sought reassurance that a decision on the budget would just be an initial step in responding to the more urgent appeal that's been heard. Before going further on the budget, "I need to get a sense that we are basically allied in trying to achieve what has been asked of us," he stressed. It's not just a defunding of the police but a discussion of what it means to be policed and for whom and for what. He doesn't have a direct question but wants to impress upon him that he is indeed shaken to his core, not only from the testimonies but from their volume. "Our portion of the reckoning is here tonight and it doesn't stop here; it is merely an initial step," he emphasized.

Mayor Narkewicz said he hears what Councilor Dwight is saying and agrees they're at a turning point. In terms of what comes next, as elected officials, they'll be judged on what comes next. They are elected to represent their constituents and they will be the judge of what they do and whether it meets the demand he's described. He is committed to working with them to make the real change people are asking for.

Councilor Maiore said she has been really moved at the level of concern in the community and by the tragic stories and is impressed with the level of knowledge. She was prepared last Thursday to cut the budget and, upon reflection, is prepared to do so again this week. What she's heard in the past 24 hours is that proposed cuts before them are not enough, and she agrees. To make fundamental changes to their public safety system, so much more is needed. She thinks the change does need to be thoughtful but it does not need to be gradual. To everyone who has reached out, she wants them to know she is committed to this fundamental change and to exploring further cuts to the police department. As everyone recognizes, budget cuts are just one piece of the picture and what they really need is transformative change.

Past efforts to involve the community may not have had enough authority, independence or fair representation, and that may be why people did not show up to meet the chief, she suggested. For the council, she believes they need a select committee to look at policing and establishment of a truly independent civilian review board. The greatest deterrent to the use of excessive force has been shown to be oversight, not training, she contended. They also need to look at where to reallocate money. She would love to work with the mayor, but she thinks the legislative branch also needs to work independently to identify legislative options.

"I don't want to lose this energy; I don't want to lose this opportunity," she stressed. What's resonating across their country and in their beautiful little city is that it's past time to put public back in public safety in a meaningful way, and that's what she's looking for, she concluded.

Mayor Narkewicz acknowledged her point. Part of it is figuring out the best process, whether it be a council select committee or a mayoral committee. He is hoping for a combination of the two, and that's what he has been discussing with the council president. Formation of new agencies is not something that is done by ordinance so it require executive involvement. Obviously the city council is an independent branch of government and can work any way it chooses. His intention is to affirm that he shares the commitment to having this community conversation and to trying to make the changes people want them to make.

Councilor Maiore said 'yes please' and that she thinks they need all of that. She would love to work with him. The community also needs a sense of balance and accountability between the different branches of government, she added.

Mayor Narkewicz said he didn't disagree. As elected officials, all of them are accountable to the residents and taxpayers, he acknowledged.

Councilor Foster said she has emailed and spoken with so many constituents in the last week

and it's been incredibly powerful. People of color, transgender people and domestic violence survivors have reached out to her to share their stories and she recognizes and wants to center and honor the courage that takes. Constituents have also reached out to her to say 'you are my councilor and I want you to represent my view too.' They're getting to a point where they recognize the role of police is outsized in their community and across the country. They are calling on police for issues where they should not be calling on armed law enforcement. She talked to a constituent with an adult son with an intellectual disability who has had to call the police for support with him because she has nowhere else to turn. Social service agencies are chronically underfunded and often experience high staff turnover; they do not have the capacity right now to respond. Police are ramping up and responding to these moments, and "that's not what we as a community are saying we want to see as a response."

They are seeking people trained to respond to the issues people are currently calling police about such as addiction, homelessness, mental health and issues related to poverty. So many of these calls in theory can be handled by people trained to deal with them but they have to shore up those resources. Northampton is a city that is progressive and not afraid to step forward. She cited charter review committee recommendations of extending the right to vote to 16-year olds and noncitizens – amazing progressive steps – as examples. She sees that they do have a commitment to change and hundreds and hundreds of people in support and a community right here with an awful lot of expertise as well as other police departments across the country. She thinks it's imperative to look at examples of what other departments are incorporating as well as to the expertise in their own community. It's important for the legislative and executive branches to work together so it's a unified solution. She also sees that they need to center the voices of people of color, domestic violence survivors and LGBTQ groups as well as other marginalized communities so that any solution formed has the buy-in of the community.

She concluded by echoing calls for a community oversight committee. She also said she recognizes that the legislative branch is not able to appropriate funds and so called for city resources – dedicated staff time and resources – to go toward solving this issue.

Councilor LaBarge repeated the call for creation of a community oversight board with legal power. She emphasized that she has heard this request from 'thousands' of people.

Councilor Sciarra said she is certainly glad they all seem to agree the time is past due for them to examine not only policing but broader public safety in general, including how issues of people's lives and of life and death are handled and have ended up under policing even though they don't necessarily fit there. She's spoken to Chief Kasper about this and knows she's very thoughtful and open about social services that have come under the purview of police because of the systemic federal and state defunding of services for decades. She shared her confidence that Chief Kasper is someone who is willing to have the needed conversations. "I believe we can have them here and that we will be able to put action behind the words," she stated.

She knows there is hurt and distrust, and the strength and heartbreak of the testimony evidences why, but she does think there is a way forward. She thanked Councilor Dwight for demanding greater specificity on it. As Mayor Narkewicz said, he did reach out to her. She appreciates that the mayor understands that change is needed and that they must work together. She will be holding him to the commitment to not only include the council and council president but to partner with them. The council could certainly form a select committee, but it doesn't have jurisdiction over departments or staff. She doesn't just want to issue a report or put forward recommendations. She doesn't want the city council to just have a seat at the table or some form of representation, she wants the council and the mayor to work together toward reform. She thinks it needs both forms of government. She thanked the mayor for being willing to partner with them and said she hopes they can get started on this work very quickly.

Councilor Dwight said he didn't want to overlook the fact that, as a city, they are also part of a larger structure and a continuum. They are one small community within a state and federal government. He hopes the energy they are responding to is shared toward Boston. The city is literally not allowed to do a number of the solutions mentioned, such as development of housing. The energy needs to be amplified beyond this zoom meeting; it's got to go to their state senators and representatives, who he knows will be receptive.

The appeal is for them to defund or to reduce the police budget significantly, he acknowledged.

But if they defund, they create essentially a vacuum for the very real, valuable work that needs to be done. They have a dysfunctional system with armed police officers responding to crises that in many cases makes matters worse. However, he cannot bring himself to propose such a large cut at this time given that he does not know how they would provide the services that actually have a benefit for people. He declared himself to be at a loss.

Councilor Jarrett said he shares Councilor Dwight's concern. He made the following observations:

- Northampton is not immune to systemic racism. He has been listening to people of color, mostly black people, describe what it's like to be black in Northampton. Most of the white people he talks to think that their police department is doing just fine but it's very clear to him that it's not.
- Systemic bias is reflected in the types of crimes likely to be investigated. As an example, wage theft primarily affects those who are low-income and people of color. It is a much bigger crime than property theft but is less likely to be prosecuted.
- He believes in the innate goodness of individuals and thinks most members of the police department care about people and want the best for their community. He acknowledges the valuable work done by police every day. He doesn't agree with demonizing individuals but thinks holding individuals responsible for their actions is crucial.
- Systemic change is what will really bring about [reform] as opposed to just prosecuting individuals.

He is a strong supporter of alternatives to policing both to do emergency response work in a way that leads to better outcomes and to support people being policed instead of just policing them. Meeting basic human needs will reduce the need for policing.

He doesn't think they will have the best outcomes if they rush the process. He wants to reduce the police budget further but wants to know what they are replacing it with and to have a plan in place. As mentioned, the people who are doing the emergency response work now are the police along with fire rescue, and they are doing public health work, mental health work and traffic details as well as working with addiction and the unhoused. This needs to shift as fast as possible but with a plan. He expressed the opinion that a separate department that is independently dispatched if appropriate is needed in order to create the necessary separation with police.

Councilor Jarrett appealed to those advocating for change to help by making sure the voices most affected by the decision-making are heard and making sure the process keeps moving forward. He acknowledged the need to create a body to explore alternatives to policing but said he thinks the council should have its own committee to explore legislative actions. He cited the Select Committee on Pesticide Reduction (SCPR) as an example of city councilors making policy for implementation by the executive, a model consistent with the city's charter.

They need to insure that police union contracts don't imperil public safety, and he would love to see them implement participatory budgeting, he continued. They don't have to make a rush decision tonight. They have another meeting in eight days.

Councilor Jarrett raised a legal question. They are at a moment where they have this power and they don't have it for another year. If they reduce the budget and essentially ask the mayor to come back with an additional appropriation later as a way to hold him accountable, does it give them the power to make sure the things they want to see are implemented? He asked.

The council is voting tonight on a General Fund budget, and its vote will stand alone, Attorney Seewald clarified. Councilors can send a message to the mayor that he's welcome to come back with a supplemental appropriation, but there's no legal effect to their request. The mayor has discretion within each section of the budget to determine how money is spent.

If they move forward in this process and identify things that require funding, he will put forward that funding, Mayor Narkewicz asserted. He referred to his track record of putting forward money to pay for other initiatives following a study process, such as the resilience hub. It would be his commitment that; if they were to come up with solutions, he would come up with the funding with the usual caveats around fiscal constraints.

Councilor Jarrett asked specifically about the mayor's ability to transfer money to create a new department and/or lay off police if their services were provided by another department. Mayor

Narkewicz stressed that the budget is a living document that can change throughout the fiscal year.

Councilor Maiore said she deeply appreciated the mayor voicing his commitment. Since they have a second reading next Thursday, there is time to get some of that commitment down [in writing] before they vote again and finalize the budget, she pointed out.

Mayor Narkewicz said he is happy to have a more extended conversation with the council president. They could put together a picture of what that structure or process could look like before next Thursday, he offered.

Including some amount of funding to get some backbone to changes they would like to make would be putting their money where their mouth is, Councilor Maiore suggested.

Councilor Sciarra said she's happy to work with the mayor this week.

Councilor Foster thanked Councilor Jarrett and Councilor Maiore for sharing their thoughts. She sees the value of working with the mayor on this and knows he is committed to this process. To echo Councilor Maiore, she has been struggling with the actual task at hand, the FY2021 budget. Having more of a structure and more teeth before taking another vote would mean a lot to her commitment to this budget, she volunteered.

Mayor Narkewicz reiterated that this is his commitment.

Based on the discussion they've had thus far and the emerging commitments, he is comfortable voting for the mayor's budget as proposed tonight, Councilor Nash advised. He stressed that he's doing so with the idea that there's a lot of work ahead. They've gotten a lot of feedback that they need to move. He's comfortable voting yes tonight with the commitment they'll have more to bring to the table next week.

Councilor Sciarra reminded members that the motion on the floor is to adopt the FY2021 General Fund budget minus the $38,000 line item that has been removed. She outlined remaining steps for approval of the order itself.

Councilor Foster reminded those listening that the council will take a second vote at its next meeting. Councilor Jarrett clarified that if the budget fails in first reading, the budget passes as is. Although he has concerns, he intends to vote yes because he doesn't want to see it fail and not have the opportunity for further discussion, he explained. He doesn't mean any disrespect to the mayor, but he is concerned about accountability, he added.

Members asked questions about other departmental budgets, including the Auditor and City Clerk's office. The mayor and finance director offered explanations for increased personnel costs.

The city solicitor confirmed that the mayor's budget automatically takes effect 45 days after it is submitted unless it is amended by the City Council.

Councilor Sciarra called adoption of the FY2021 General Fund budget to a vote and it was unanimously approved 9:0 by roll call vote.

Approval of $38,000 Pedal People Contract
Councilor Jarrett disclosed that he has a financial interest in this item and recused himself.

Councilor Dwight moved to approve the $38,000 line item in the Central Services Parking Maintenance budget for the Pedal People contract. Councilor Thorpe seconded.

Councilor Dwight asked if there is a way Councilor Jarrett can avoid this process in next year's budget. As long as he has a financial interest in any financial matter being deliberated by the council, he has to recuse himself, the solicitor advised

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

Discussion of 20.065 An Order to Approve the FY 2021 General Fund Budget.

	Councilor Sciarra reminded members that she read the order in its entirety at the last meeting. Councilor Dwight asked if Councilor Sciarra would just read the items that have changed, and she complied. Councilor Nash moved to approve the order in first reading. Councilor Thorpe seconded. Councilor Maiore said she honestly had been torn about what to do, but with a second reading next Thursday and the commitment from the mayor to present a plan for addressing residents' concerns, she is willing to vote in favor. Councilor Quinlan and Councilor Foster also expressed intentions to vote favorably. Councilor LaBarge questioned whether the council could somehow amend the budget at its next meeting to formally incorporate the Mayor's commitment. Mayor Narkewicz clarified that the commitment he has made is to sit down with council leadership to discuss a framework for conducting this critical community conversation. If and when they complete that work and develop a set of recommendations, he's committed to working with the council to advance those. For tonight, the commitment is to come back to the council next week with a proposed structure for a community process to be worked out with the council president. Councilor Sciarra said she looks forward to sitting down with him and working on this and coming back next week with a report. Councilor Dwight pointed out that there's no amendment councilors could make that would require the mayor to say or do anything. The council does have the authority to vote down the budget or amend it, he clarified. Councilor Nash thanked the mayor and council president for their willingness to engage in a conversation to produce a plan. Councilors LaBarge and Maiore thanked Councilor Sciarra. Councilor Maiore said she wanted to make clear that she was prepared to vote against the budget tonight and is prepared to do so next week. It will really depend on what she hears. Councilor Sciarra called the motion to a vote, and it passed 8:0 by roll call vote with Councilor Jarrett recused.
Motion to Adjourn	Upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the meeting was adjourned at 9:49 p.m. The motion passed unanimously 9:0 by roll call vote. Attest:_____ Administrative Assistant to the City Council

NORTHAMPTON CITY COUNCIL

PUBLIC COMMENT RECORD SHEET

June 10, 2020

General public comment preceding the convening of the regular meeting

NAME	ADDRESS	SUBJECT
Sascha Bratton	Easthampton	In favor of not just cutting budget but cutting # of police
M (Smith student)	Colchester, VT	claims assaulted by NPD last year when she returned to CDH to pick up her wallet; declined to give name
Daniel Cannity	Northampton	urged councilors to advocate for needed changes to police; related discrimination experienced at hands of police
Robert Eastham	Easthampton	demanded council pass ordinance for creation of community oversight board w/legal power to recommend disciplinary actions
Nicole LaRue	Easthampton	spoke to risk/benefit calculation councilors make in decision on budget; Black Lives Matter, not white regret after the fact
Jose Adastra	Northampton	moved to Northampton because thought better chance of passing as white; mother warned him about police
Orianna Riley	Ward 3	drew attention to letter signed by 9 small business owners supporting 35% reduction in police budget
Mimi Odgers	Ward 6	Disputed fact that police protect citizens; per Supreme Court. police only required to protect citizens when in police custody
Brie Deschesnes	Ward 4	said disproportionate # of people w/ disabilities harmed by police
Lois Ahrens	Ward 1	police not wearing masks
Lucy Smith	Northampton	thinks a community without police is possible; presented statistics to show # of cruisers in N'hamp is excessive
Dana Goldblatt	Northampton	disputed contention that N'hamp police different; claims Officer Powers trained npd to distinguish cars popular w/minorities
Lucien Baskin	Northampton	supports divesting from policing and investing in community
Saraphina Foreman	Northampton	shared statement from Sunrise Northampton. Advocated cutting police budget at least 35%
Sakiya Bichenee	Ward 3	She was assaulted by two officers. Supports defunding police
John Cohen	Ward 3A	seconded everything said, especially Saraphina and Daniel Cannity
Danielle Amodeo	Northampton	dittoed numerous previous speaker; told Mayor and Councilor Nash disappointed in them
Catherine Kay	Florence	wants N'hamp to be a place where racial justice and inclusion are bedrock qualities; defunding police not the answer
Jina Kim	Ward 2	SC professor; anti-racist educator; supports defunding police
Jesse Hassinger	Belly of the Beast	Supports defunding police; criticized NPD for not wearing; Militarized presence at protest Saturday
Jake Meginsky	Ward 3	police role is to contain and control those who threaten status quo of white supremacy; related incidents of police brutality

NORTHAMPTON CITY COUNCIL

PUBLIC COMMENT RECORD SHEET

June 10, 2020

General public comment preceding the convening of the regular meeting

NAME	ADDRESS	SUBJECT
Gillian Cannon	Northampton	Mayor's proposal offensive; minimal reduction intended solely to appease protestors
Kathleen Rose		Agreed with other speakers except Catherine Kay; as domestic violence survivor, hasn't found police helpful; supports defunding
Georgia Parker	Ward 4	supports defunding police
Abigail Parker	Comment rec'd via chat	was raped in 2019; police have been unable to interview white assailant; police do not protect and serve; supports defunding
Zac Lounsbury	Northampton	Denounced "charade of white supremacy"
Emily Hunerwadel	Northampton	sister, victim of domestic violence, reported police interaction second worst experience; she is rape victim, police blamed her
Annie Wood	Northampton	Addressed councilor reluctance to cut police budget based on support for organized labor
Sammy Cunningham	Ward 3	former shelter worker; homeless need crisis services, housing
Amy Stan	Ward 7	4,500 people demonstrated, 15% of pop.; 508 attended budget hearing; Mayor's proposal cuts by only .19%
Erica Roper	Northampton	victim of NPD brutality because of her mental health and abuse by partner
Jon Liebman	Northampton	demanding reduction in the # of officers not deferral of buying police cruisers; no mayoral justification for level-funding
Jan Alice Ahn	SC student	situations addressed by police are often criminalized because of their position in society
Amy Goldstein Bookbinder	Ward 3	invoked names of Eric Matlock and Jonas Correia; where is concern about racist policing and use of force in N'hamp?
Jane Doe, rape victim	Northampton	had positive experience with NPD. Shocked at disrespect directed at them; NPD responded sensitively to murder/suicide
Celina Della Croce	Ward 5	acknowledged people have different experiences w/police but 400 people on call have testified to traumatic experiences
Julie Areno		No one she knows with experience of sexual assault or domestic violence has had positive experience with police
Bobbio		Asked series of questions re: access to information about police policies, disciplinary actions & collective bargaining agreements
Susan McGuire & Maureen Morocco, N'hamp		spoke in support of police, urged Mayor and council not to cut NPD budget
Nicole Chakis	Ward 4	22 officers earn over $100,000, 11 between $90,000 and $100,000; seems disproportionate
Mark Guglielmo	Florence	City is in historic moment; councilors are only ones who can "check this white male mayor"
Jeffrey Hume	Greenfield	Police established to protect private property of ruling class; Urged council to abolish police

City of Northampton

Mayor of Northampton Mass. <mayor@northamptonma.gov>

Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>
To: mayor@northamptonma.gov

Thu, Aug 13, 2020 at 8:11 PM

Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions
Please return the completed form to: Mayor@northamptonma.gov or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Michael
Last Name	Abbatiello
Title, if applicable	*Field not completed.*
Address1	161 Main Street
Address2	*Field not completed.*
City	Leeds
State	MA
Zip	01053
Home Phone	*Field not completed.*
Work Phone	4132684322
Cell Phone	2035217387
Occupation & Place of Employment	Technical Director - Academy of Music Theatre
Email	abbatiellomichael@gmail.com
Are you a Northampton resident?	Yes
Years Lived in Northampton	3
Age	Under 29

Sex	Male
Racial / Ethnic Background	White
Boards and Committees	Arts Council
Please list "other" board or committee of interest	*Field not completed.*
What skills and experience will you bring to this committee assignment?	Over a decade of experience in the arts in multiple capacities and a BFA in dance.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	*Field not completed.*

Required: Please read the following, by signing below you state that you understand and agree.
The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.

Signature	Michael Abbatiello
Date	8/13/2020

Email not displaying correctly? View it in your browser.

City of Northampton

MASSACHUSETTS

_____

In City Council, April 2, 2020

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

20.111 An Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and Burts Pit Road

WHEREAS, Successive legislation (Chapter 86 of the Acts of 1994, Chapter 241 of the Acts of 2016, and House 4123, 2020, awaiting the Governor's signature) has set aside lots on Laurel Street and Burts Pit Road for affordable housing, to transfer the land to the City of Northampton, and to waive consideration (respectively);

WHEREAS, Consistent with the City's Sustainable Northampton Comprehensive Plan, Housing Needs Assessment, and Fair Housing plans, the city has planned since 1994 for this land to be used for affordable housing;

WHEREAS, City Council has consistently endorsed this use of the land, petitioning the state legislature for these pieces of legislation and most recently zoning Laurel Street parcels as part of the Smart Growth overlay on April 2, 2020.

Ordered, that

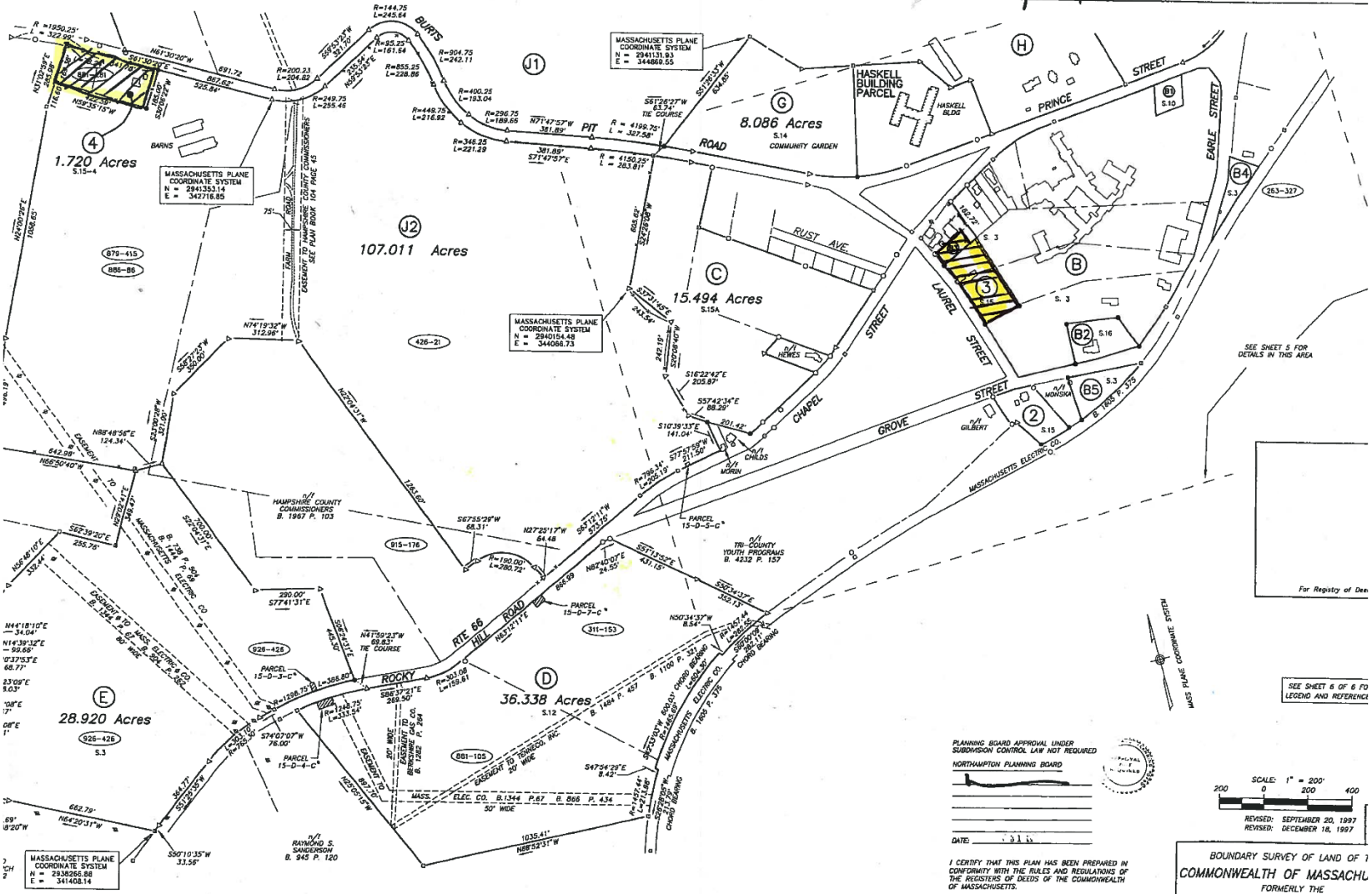
The Mayor is authorized to accept said deed to the above referenced land, approximately 3.4 acres in aggregate, at 23 Laurel Street and 278 Burts Pit Road;

Further that City Council declares the parcels surplus to City needs;

Further that the Mayor is authorized to transfer deeds for the land subject to the city retaining affordable housing restriction;

Further, to the extent consistent with the authorizing legislation, the Mayor is authorized to adjust parcel boundaries with neighboring properties such that the final land dedicated to affordable housing is no less than the current lot configurations.

PB 183 PG 4 12/31/97


4
1.720 Acres
S.15-4
BARNS
MASSACHUSETTS PLANE COORDINATE SYSTEM
N = 2941353.14
E = 342716.85
J1
J2
107.011 Acres
BURYS
PIT ROAD
MASSACHUSETTS PLANE COORDINATE SYSTEM
N = 2941131.93
E = 344869.55
G
8.086 Acres
S.14
COMMUNITY GARDEN
HASKELL BUILDING PARCEL
HASKELL BLDG
H
PRINCE STREET
EARLE STREET
B1
S.10
B4
S.3
263-327
B
S. 3
3
S.16
B2
S.16
B5
S.3
B. 1605 P. 375
C
15.494 Acres
S.15A
RUST AVE.
LAUREL STREET
CHAPEL STREET
GROVE STREET
n/l HEWES
n/l CHILDS
n/l MORIN
n/l MONSKA
n/l GILBERT
2
S.15
MASSACHUSETTS ELECTRIC CO.
SEE SHEET 5 FOR DETAILS IN THIS AREA
879-415
886-86
426-21
915-176
926-428
926-426
881-105
311-153
n/l HAMPSHIRE COUNTY COMMISSIONERS B. 1967 P. 103
n/l TRI-COUNTY YOUTH PROGRAMS B. 4232 P. 157
PARCEL 15-D-5-C*
PARCEL 15-D-7-C*
PARCEL 15-D-3-C*
PARCEL 15-D-4-C*
RTE 66
ROCKY HILL ROAD
D
36.338 Acres
S.12
E
28.920 Acres
S.3
EASEMENT TO TENNECO, INC. 20' WIDE
EASEMENT TO BERKSHIRE GAS CO. B. 1205 P. 284
20' WIDE
MASS. ELEC. CO. B.1344 P.67 B. 866 P. 434
50' WIDE
n/l RAYMOND S. SANDERSON B. 945 P. 120
MASSACHUSETTS PLANE COORDINATE SYSTEM
N = 2938266.88
E = 341408.14
MASSACHUSETTS PLANE COORDINATE SYSTEM
N = 2940154.48
E = 344066.73
EASEMENT TO HAMPSHIRE COUNTY COMMISSIONERS SEE PLAN BOOK 101 PAGE 16
MASSACHUSETTS ELECTRIC CO. B. 1344 P. 67 B. 866 P. 434 50' WIDE
MASSACHUSETTS ELECTRIC CO. B. 1100 P. 321 B. 1484 P. 457 B. 1605 P. 375
MASS. ELECTRIC CO.
MASS. ELECTRIC CO. B. 1344 P. 67 B. 866 P. 434 50' WIDE

City of Northampton

MASSACHUSETTS

In City Council August 20, 2020

Upon the recommendation of the Finance Committee

20.103 An Order
To Award Contract for FY2021 – FY2023 Audit to Scanlon and Associates

Ordered, that

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.

Now therefore be it ordered,

That the City Council hereby awards a three-year contract for auditing services for the FY2021 to FY2023 audits to Scanlon and Associates, LLC at the prices and rates quoted in the proposal dated August 11, 2020 attached hereto.

Scanlon & Associates
CERTIFIED PUBLIC ACCOUNTANTS

SCANLON & ASSOCIATES, LLC, 8 Tina Drive, S. Deerfield, MA 01373
413.665.4001 (t) 413.665.0593 (f) www.scanlonhaynes.com

August 11, 2020

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

Dear Council Members:

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

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

A summary of audit fees for fiscal years 2021, and optional years for 2022 and 2023 is as follows:

Fiscal Year	Financial Statement Audit	Single Audits (a)	School End of Year Reports (2) - AUP	Retirement GASB 67/68
2021	$ 46,000	$850/per day	$ 10,000	$ 6,000
(Optional)				
2022	$ 48,000	$850/per day	$ 10,000	$ 6,500
2023	$ 48,000	$850/per day	$ 10,000	$ 6,500

(a) The fee amount is based on a billing amount of $850 per day for days spent on auditing major programs. Historically Northampton has averaged between 8 – 12 days related to major programs for the single audit. Covid-19 may have an impact on increasing the number of days related to single audit.

The increase from fiscal year 2020 fees are mainly due to new GASB's, increased reporting requirements, increased programs/activities within the City and increased audit requirements.

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

Sincerely,

Scanlon and Associates, LLC

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

City of Northampton

MASSACHUSETTS

In City Council, September 3, 2020

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

20.100 AN ORDER WAIVING THE CITY'S RIGHT OF FIRST REFUSAL UNDER MGL 61 FOR LAND ON TURKEY HILL ROAD

WHEREAS, The City holds a right-of-first refusal to purchase land on 13.1807 acres at 332 Turkey Hill Road (Map ID: 34-034), more particularly described in a deed recorded in the Hampshire County Registry of Deeds Book 11149, Page 346, as part of a Chapter 61 lien; and

WHEREAS, The City, through Planning & Sustainability, helped create this parcel of land as part of the housing element in a limited conservation development, that preserved a significant amount of land for the Mineral Hills Greenway-Turkey Hill;

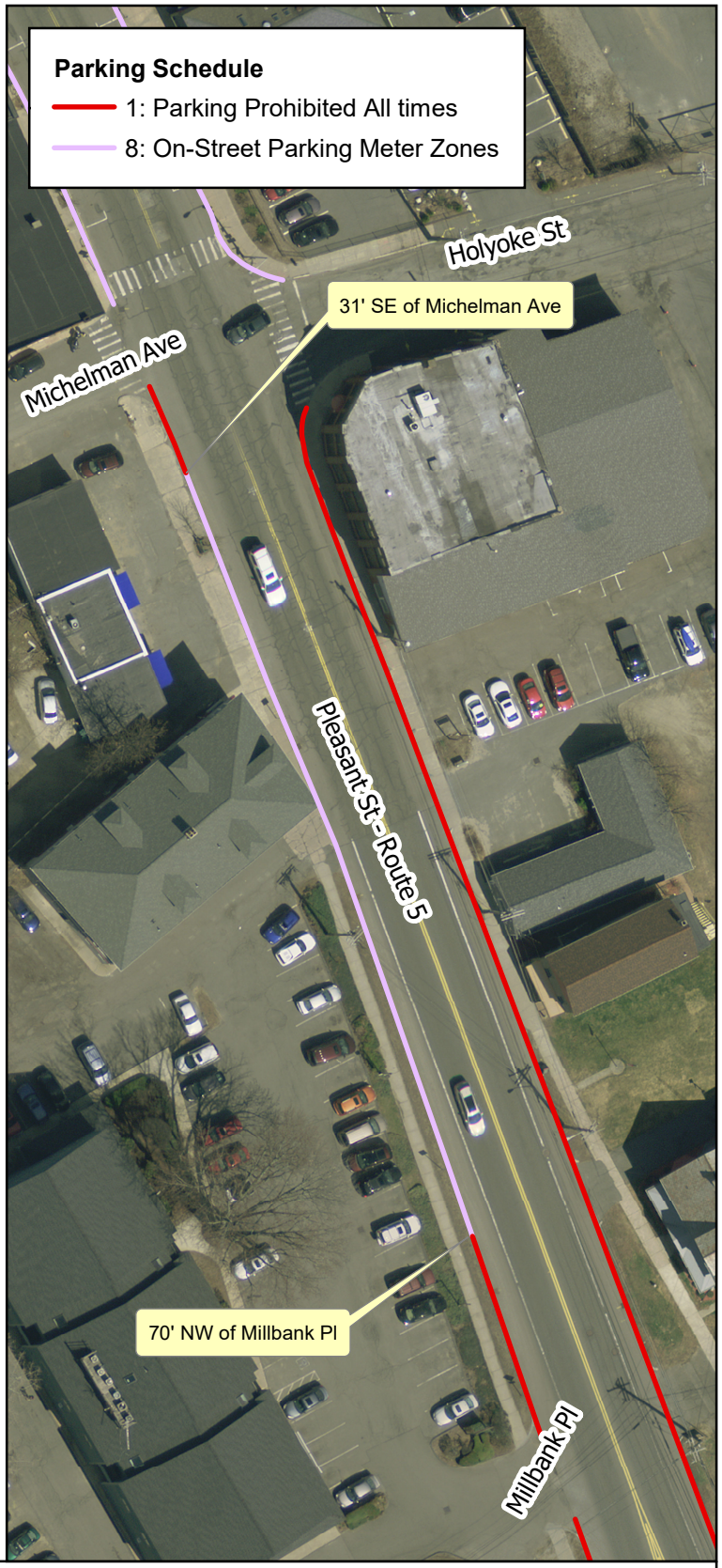
NOW, THEREFORE BE IT ORDERED,

City Council authorizes the Mayor to waive the City's right of first refusal pursuant to the provisions of G.L. c. 61B.

Parking Schedule on Pleasant Street

Existing Parking Ordinance(s)

Proposed Parking Ordinance(s)



City of Northampton

Prepared by:
Engineering Division
Department of Public Works
City of Northampton

March 2, 2020

1" = 60'

Disclaimer: The information on this map was derived from digital databases on the City of Northampton's GIS. Care was taken in the creation of this map. The City of Northampton cannot accept any responsibility for errors, omissions, or positional accuracy. Notification of any errors will be appreciated.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Twenty
Upon the Recommendation of Mayor David J. Narkewicz

20.015
AN ORDINANCE

RELATIVE TO METERED PARKING ON PLEASANT STREET

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That the § 312-102 of the Code of Ordinances be amended as follows:

§ 312-102 Schedule I: Parking Prohibited All Times.

Location *Tow-Away Zone	Side	From	To
Pleasant Street	**Westerly**	**Michelman Avenue**	**A point 31 feet southeasterly of Michelman Avenue**
Pleasant Street	**Westerly**	**Millbank Place**	**A point 70 feet northwesterly of Millbank Place**

SECTION 2

That the § 312-109 of the Code of Ordinances be amended as follows:

§ 312-109 Schedule VIII: On-Street Parking Meter Zones.

Location	Side	From	To	Time Limit/Class
Pleasant Street	**Westerly**	**A point 31 feet southeasterly from Michelman Avenue**	**A point 70 feet northwesterly from Millbank Place**	**10 hours/Class 3D and Class 4A**

City of Northampton

MASSACHUSETTS

In City Council September 3, 2020

Upon recommendation of the Mayor's Youth Commission, Councilor William H. Dwight and Councilor Rachel Maiore

20.114 Plastic Reduction & Sustainability Ordinance

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 272-18, providing for Environmental protection and solid waste reduction.

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

Remove: Existing §272-18

Add:

§Section 272-18: Environmental protection and solid waste reduction.

A. General definitions. As used in this ordinance, the following terms shall have the meanings indicated:

ASTM STANDARD

Standards developed by the American Society for Testing and Materials (ASTM), including only International Standards D6400 or D6868 for biodegradable and compostable plastics. D6400 is the specification for plastics designed for compostability in municipal or industrial aerobic composting facilities and D6868 is the specification for aerobic compostability of plastics used as coatings on a compostable substrate.

BIODEGRADABLE

Entirely made of organic materials such as wood, paper, bagasse or cellulose; or bioplastics that meet the American Society for Testing and Materials (ASTM) D7081 standard for Biodegradable Plastics in the Marine Environment or any other standard that may be developed by the American Society for Testing and Materials specifically for an aquatic environment.

BPI CERTIFIED

Refers to compostable products and packaging certified as compostable according to the Biodegradable Products Institute.

COMPOSTABLE

Disposable food service ware or packaging is compostable if it meets ASTM Standards for compostability, and is BPI-certified.

DISPOSABLE FOOD SERVICE WARE

All containers, bowls, plates, trays, cartons, cups, lids, straws, stirrers, forks, spoons, knives, and other items

(1) designed for one-time or non-durable uses; or
(2) in which any food vendor directly places or packages prepared foods; or
(3) which are used to consume foods.

Such food service ware includes, but is not limited to, service ware for takeout foods and/or leftovers from partially consumed meals prepared at food establishments.

FOOD ESTABLISHMENT

An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.001. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a “food establishment” for purposes of this ordinance.

MEDICAL CARE FACILITY

An establishment in which people receive physical or medical treatment or care, as further defined in 521 CMR 13.01.

POLYSTYRENE

The term polystyrene refers to a synthetic plastic polymer used to make food containers, cups, packaging materials, utensils, among other products. It is commonly known and referred to as plastic #6.

POLYETHYLENE

The term polyethylene refers to the synthetic plastic polymer used to make grocery bags, shampoo bottles, and other containers, among other products. It is commonly known and referred to as plastics #2 and #4. For the purposes of this legislation, both plastics #2 and #4 should be considered polyethylene.

POLYETHYLENE TEREPHTHALATE

The term polyethylene terephthalate, also known as PET, is a common plastic polymer widely used to make packaging for foods and beverages, such as soft drinks, juices and water, among other products. It is commonly known and referred to as plastic #1.

POLYVINYL CHLORIDE

The term polyvinyl chloride, also known as PVC, refers to a synthetic plastic polymer used to make plastic straws and utensils, among other products. It is commonly known and referred to as plastic #3.

POLYSTYRENE LOOSE FILL PACKAGING

A void-filling packaging product made of expanded polystyrene that is used as a packaging fill, commonly known as “packing peanuts”.

PREPARED FOOD

Prepared food means any food or beverage prepared by the food establishment at any location owned or controlled by the food establishment using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten either on or off the premises.

RECYCLABLE

Material that can be sorted, cleansed, and reconstituted by Northampton’s year-round municipal recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include thermally destroying or converting solid waste.

RETAIL ESTABLISHMENT

Any commercial facility that sells goods directly to the consumer, including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items, and dry cleaning services.

REUSABLE

Products that are designed to be used more than once in the same form by a food or retail establishment.

BIODEGRADABLE BAGS

Bags that:

(1) contain no polymers derived from fossil fuels; and

(2) are intended for single use and will decompose in a natural setting to an environmentally beneficial material at a rate comparable to other biodegradable materials such as leaves, and food waste.

REUSABLE BAGS

Bags that are not made of plastic, are for multiple use and are made of cloth, fabric or other durable materials that do not decompose into harmful chemical components. A reusable bag is recyclable, biodegradable or compostable and is specifically designed and manufactured for multiple reuse.

COMPOSTABLE BAGS

Bags that:

(1) conform to the current ASTM D6400 standard for compostability; and
(2) are certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity.

RECYCLABLE PAPER BAG

Paper bags that:

(1) are 100 percent recyclable including the handles; and
(2) contain at least 40% post-consumer recycled paper content; and
(3) display the words "recyclable" and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.

PRODUCT BAG

Bags without handles in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are usually placed by the consumer to deliver such items to the point of sale or checkout area of the store. These are also sometimes used by cashier or checkout personnel to contain items at point of sale.

CHECKOUT BAG

Carryout bags provided by a store to a customer at the point of sale. Checkout bags are distinct from product bags.

B. General prohibition and regulation.

(1) Food establishments are prohibited from providing prepared food to customers using polystyrene, polyvinyl chloride, polyethylene, polyethylene terephthalate, or other nonrecyclable disposable food service ware.
(2) Food establishments using any disposable food service ware shall use biodegradable, compostable, reusable or recyclable food service ware. All compostable food service ware used by food establishments must be clearly labeled with the applicable standard on the product or its packaging.
(3) Retail establishments are prohibited from selling or distributing polystyrene food service ware to customers. This includes sale of polystyrene ware for home food use.
(4) Retail establishments are prohibited from selling or distributing polystyrene loose fill packaging to customers.
(5) Retail and food establishments may only sell or distribute product bags which are either (i) biodegradable, (ii) compostable, or (iii) reusable. All compostable product bags used by retail and food establishments must be clearly labeled with the applicable standard on the bag.
(6) If any retail establishment provides a checkout bag to customers, the bag shall be either a recyclable paper bag, or a reusable bag.

C. Exemptions.

(1) The Mayor's designee may exempt a food or retail establishment from the requirements of this ordinance for a period of up to six (6) months, upon a finding by the Mayor's designee that the requirements of this ordinance would cause undue hardship to the establishment. The Mayor's designee may approve one (1) additional 6-month period upon the showing of a continued undue hardship. For medical care facilities seeking a temporary exemption due to undue hardship, the Mayor's designee shall grant an exemption for one (1) year, with an opportunity to extend the exemption for an additional one (1) year period. An "undue hardship" shall only be found in:
    (a) Circumstances or situations unique to the particular food or retail establishment such that there are no reasonable alternatives to plastic products or materials banned in this ordinance that are necessary to the establishment's operations; or
    (b) Circumstances or situations unique to the food or retail establishment such that compliance with the requirements of this ordinance would deprive a person of a legally protected right; or
    (c) Circumstances where a food or retail establishment requires additional time in order to draw down an existing inventory of plastic products or materials banned in this ordinance.

    Any food or retail establishment receiving an exemption shall file with the Mayor's designee monthly reports on inventory and remaining stocks.

(2) Any food or retail establishment seeking an exemption shall apply to the Mayor's designee using forms provided by the Health Department, and shall allow the Mayor's designee, or his or her designee, to access all information supporting its application.
(3) The Mayor's designee may approve the exemption request, in whole or in part, with or without conditions.
(4) The Mayor's designee, by regulation, may establish a fee for exemption requests.
(5) Certain products are exempt from this ordinance's prohibitions; these include:
    (a) Flexible transparent covering (commonly referred to as plastic wrap).

(b) Thin-film plastic bags used to contain dry cleaning or newspapers, typically without handles.
    (i) Product bags are not exempt from this ordinance's prohibitions.
(c) Packaging utilized for prescription drugs.

D. Penalties and enforcement.

(1) The Mayor's designee shall provide to food and retail establishments succinct materials explaining the requirements of this ordinance and recommendations for proper waste stream procedure.
(2) If it is determined that a violation of this ordinance has occurred, the Mayor's designee shall issue a warning notice for the initial violation.
(3) If an additional violation of this ordinance has occurred within one year after a warning notice has been issued for an initial violation, the Mayor's designee shall issue a notice of violation and shall impose a penalty against the food or retail establishment.
(4) Each penalty of this ordinance's clauses shall be no less than: 1) $50 for the first offense; 2) $100 for the second offense and all subsequent offenses. Payment shall be made within twenty-one (21) days to the City Clerk. Non-payment of such fines may be enforced through civil action in the Northampton District Court. No more than one (1) penalty shall be imposed upon a food or retail establishment within a seven (7) calendar day period.
(5)

E. Severability.

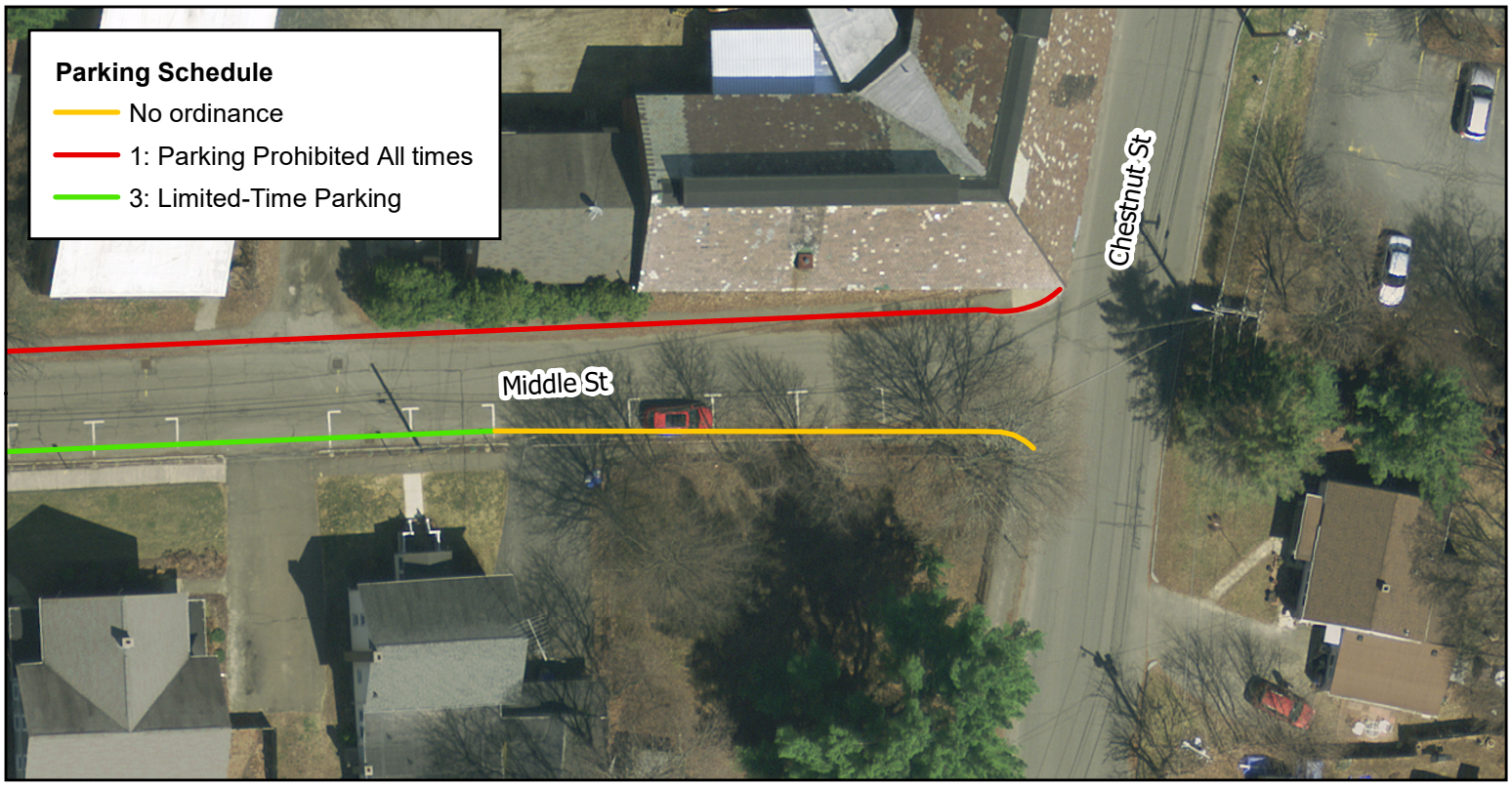
If any provision or section of this ordinance shall be held to be invalid, then such provision or section shall be considered separately and apart from the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

F. Effective date.

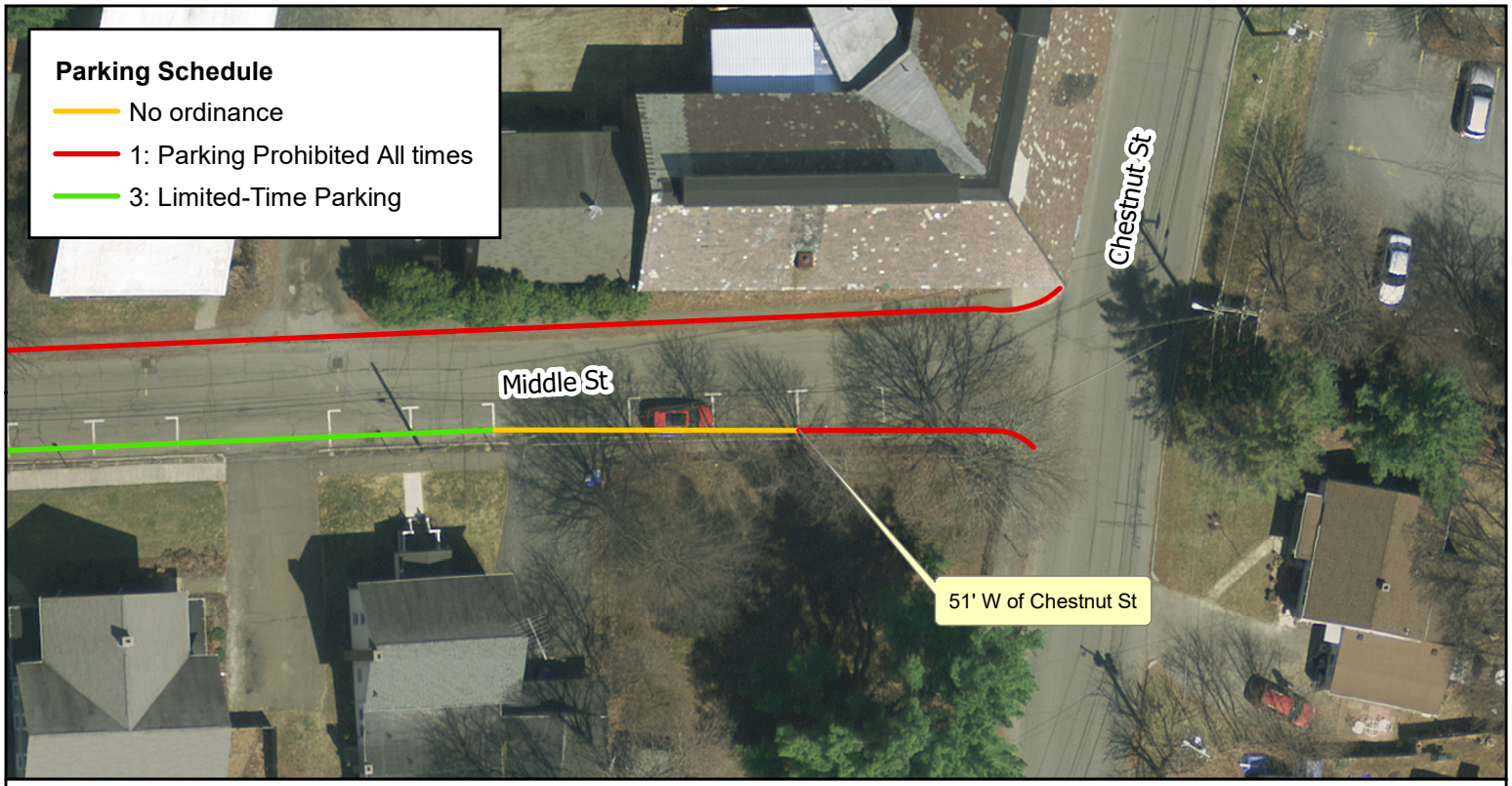
This ordinance will take effect on 08/01/2021.

Parking Schedule on Middle Street

Existing Parking Ordinance(s)



Proposed Parking Ordinance(s)



City of Northampton

Prepared by:
Engineering Division
Department of Public Works
City of Northampton

July 28, 2020

1" = 40'

Disclaimer: The information on this map was derived from digital databases on the City of Northampton's GIS. Care was taken in the creation of this map. The City of Northampton cannot accept any responsibility for errors, omissions, or positional accuracy. Notification of any errors will be appreciated.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Twenty
Upon the Recommendation of the Transportation and Parking Commission

20.115
AN ORDINANCE

RELATIVE TO PARKING ON MIDDLE STREET

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That the § 312-102 of the Code of Ordinances be amended as follows:

§ 312-102 Schedule I: Parking Prohibited All Times.

Location	Side	From	To
Middle Street	**Southerly**	**Chestnut Street**	**A point 51 feet westerly of Chestnut Street**