



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

Announcement of Audio/Video Recording

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra at 7 p.m. Councilor Sciarra announced that the meeting was being audio and video recorded.

Councilor Sciarra explained the procedure she would use in conducting public comment and opened the floor to public comment.

Public Comment

For the next two hours and seven minutes, the council accepted public comment. (See Public Comment Record Sheet for names and topics of people making public comments.)

Roll Call

At 9:07 p.m. on a roll call the following City Councilors were present:

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

Public Hearings Public Hearing for 21.261 Application for License to Store Flammables and Combustibles at 140 Olander Drive

Public Hearings Public Hearing for 21.261 Application for License to Store Flammables and Combustibles at 140 Olander Drive

Councilor Sciarra read the legal notice. The application and a memo is attached to the agenda and the council should also have received a memo from Fire Chief Jon Davine, she noted. The council is also in receipt of a letter of support for The Community Builders, Inc. from Village Hill residents.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 9:10 p.m.

The license is for two 2,000-gallon underground storage tanks to house propane for a domestic hot water system for a 53-unit mixed-income affordable housing development at Village Hill, Julia Scannell of Community Builders presented. As the choice to use fossil fuel may surprise some, she provided additional context for how they came to this decision. North Commons is being designed to meet Passive House standards, which is considered the highest energy standard of building technology. To achieve this important energy goal, they worked with consultants to find the best system for the project in terms of sustainability. Domestic hot water systems powered by electricity are just not efficient enough to power a building of this size and currently the industry does not have air to water heat pump equipment that can adequately meet 100% of expected demand. The proposed location greatly exceeds all setback requirements and has received sign off from Northampton Fire Rescue, she confirmed. They understand this is a passionate community that cares deeply for the environment. They do too, and because of this, North Commons will be the most energy-efficient newly-built multi-family building in Northampton. They are excited to be bringing this highly energy-efficient, sustainable, affordable housing resource to Northampton and look forward to welcoming 53 new families.

Public Hearing on 21.200 National Grid/Verizon Pole Petition for Warner Street (Petition#30293688)

Councilor Sciarra asked if anyone wished to speak in favor. Mike George of George Propane said he is here to answer any technical questions.

Beth Grams Haxby said she has lived in Northampton for over 40 years and moved to Village Hill in 2015. She read aloud a letter of support signed by 24 Village Hill residents, noting that they support the application to the city for an underground propane tank.

Councilor Sciarra asked if anyone wished to speak in opposition.

Jamila Gore of Village Hill asked where the tanks are proposed to be located, and Ms. Scannell

pointed out the location on the LP Site Plan attached to the application. The tanks are to be located under some open space that is not programmed for other community use, she said.

In response to a question from Councilor Dwight, Ms. Scannell confirmed that the hot water system is being designed so that if the technology becomes available in the future, it will be possible to convert it to an electric-powered system. Councilor Dwight also asked if Community Builders is prepared to subsidize the decommissioning of the tanks, and Ms. Scannell said she believed so. Mr. George confirmed that, if the tanks were no longer in use, as assets, his company would remove them.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was closed at 9:24 p.m.

**Public Hearing on 21.238 National Grid/Verizon Pole Petition for One (1) Jointly-owned (JO) Pole on Damon Road (Petition#23303524)**

**Public Hearing on 21.238 National Grid/Verizon Pole Petition for One (1) Jointly-owned (JO) Pole on Damon Road (Petition #23303524)**

Councilor Sciarra read the following announcement:  
Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, May 20, 2021 at 7:30 p.m.** on National Grid/Verizon New England's petition to install one jointly-owned (JO) pole on Damon Road (Petition #23303524). The City Council will hear all persons who wish to be heard thereon.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 9:25 p.m.

Councilor Sciarra read the DPW recommendation.

National Grid representatives Lisa Jasinski and Dan Lopez presented.

This is part of the Damon Road road-widening project, Ms. Jasinski noted. She sent the DPW's recommendations to their line foreman, who will work out the city's requirement that the curb be placed prior to placement of the pole with the DPW. Sometimes the pole has to be out of the way for the placement of the curb.

Councilor Dwight moved to close the public hearing. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was closed at 9:30 p.m.

**Public Hearing on 21.239 National Grid/Verizon Pole Petition for Two (2) Jointly-owned (JO) Poles on Burts Pit Road (Petition#30025210)**

**Public Hearing on 21.239 National Grid/Verizon Pole Petition for Two Jointly-owned (JO) Poles on Burts Pit Road (Petition #30025210)**

Councilor Sciarra read the following announcement:  
Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, May 20, 2021 at 7:15 p.m.** on National Grid/Verizon New England's petition to install two jointly-owned (JO) poles on Burts Pit Road (Petition #30025210). The City Council will hear all persons who wish to be heard thereon.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 9:31 p.m.

Councilor Dwight read the DPW recommendation.

Ms. Jaskinski said she met with city engineer Kris Baker on site to discuss the location of these poles. They are set in place so each pole will actually service three lots.

Councilor Sciarra asked if anyone wished to speak in favor or against.

Councilor LaBarge asked if this is for the affordable housing development on Burts Pit Road.

It is for the Burt's Bog Development, Ms. Jasinski confirmed.

Councilor LaBarge asked about the reference to the intersection with Woods Road, and Ms. Jasinski explained that she typically measures the distance to the pole from the centerline of the nearest intersecting road.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was closed at 9:37 p.m.

<p><u>I</u> <u>Updates from Council President/ Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u>                  Councilor Sciarra reiterated the schedule for the upcoming budget hearings for the benefit of the public:  <b>Budget Hearings</b>                  Tuesday, May 25, 5:30pm                  Wednesday, May 26, 5:30pm</p> <p>Although the budget hearing May 25<sup>th</sup> begins at 5:30p.m., the City Council will meet at 5 p.m. to act on the appointment of Charlene Nardi as Finance Director.</p> <p>The following departments will present their FY2022 budgets on May 25th: Health Department, Northampton Public Schools (NPS), Northampton Fire Rescue and Central Services. After hearing from department heads, the floor will be opened to public testimony.</p> <p>The budget hearing will be continued to May 26<sup>th</sup> at 5:30 p.m., at which time the City Council will hear from the DPW and the Police Department. Again, after hearing from department heads, the floor will be opened to public testimony.</p> <p>Comments not specific to those departments may be given on either night, she confirmed.</p>
<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u>                  Councilor Quinlan mentioned that he joined for the 2<sup>nd</sup> time a neighborhood circle for Ward 1A. They had a terrific discussion the other night and made tentative plans for a group walk at the Barrett Street Marsh to explore the marsh and explore the history and use of Agnes Fox Park, including maybe asking the city to install bocce courts there. He said anyone interested could contact him to be put in touch with the organizers.</p>
<p><u>Communications and Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u>  <u>FY2022 Budget Message</u>                  For the next 20 minutes, Mayor Narkewicz read the Fiscal Year 2022 Budget Message as included in the City of Northampton FY2022 Proposed Budget.</p> <p>Councilor Sciarra thanked the mayor and his staff for the work that has gone into preparing the budget. She's always appreciated his budget messages and thinks this one was particularly well done. Councilors have scheduled a good deal of time in the next few weeks to ask questions and dig into specifics, so this is not the time for a detailed discussion, but she asked if councilors had general questions.</p> <p>Councilor Nash commented that it is not often that he hears a speech about finances where he actually feels a little emotional. It is a tribute to the mayor's leadership that the city is on such firm financial ground that he is introducing a new department tonight and that they actually have the finances in place to discuss and entertain it. He thanked him for all his work around that.</p>
<p><u>Resolutions 21.266 Resolution in Support of Workers of the Hampshire Gazette – 2nd reading</u></p>	<p><u>Resolutions</u>  <u>21.266 A Resolution in Support of Workers of the Hampshire Gazette – 2nd reading</u>                  Councilor Dwight said that, once again, because of a familial relationship with the owner of the newspaper, he thinks it is appropriate that he recuse himself from this conversation.</p> <p>Councilor LaBarge moved to approve the resolution in second reading. Councilor Quinlan seconded.</p> <p>Councilor Maiore thanked Bera Dunau for his update in public comment, saying she is really glad to hear there has been some movement in negotiations. She is sure they will all be paying attention. Councilor LaBarge echoed her sentiments.</p> <p>The motion passed 8:0 by roll call vote with Councilor Dwight recused.</p>

The following resolution passed two readings:



**City of Northampton**  
MASSACHUSETTS

*In the City Council, May 6, 2021*

Upon the Recommendation of:      Councilor Karen Foster  
   Councilor Marianne LaBarge  
   Councilor Rachel Maiore  
   Councilor Gina-Louise Sciarra

**R-21.266 A RESOLUTION IN SUPPORT OF WORKERS OF THE HAMPSHIRE GAZETTE**

WHEREAS:    the *Daily Hampshire Gazette* has been an institution in our community for nearly 235 years; and

WHEREAS:    the *Gazette* has tirelessly chronicled the triumphs, tragedies and history of the people of the Connecticut River Valley, keeping the public informed and proving itself invaluable in exposing injustice in Northampton and beyond; and

WHEREAS:    local news is critical to a working democracy, ensuring communities have accurate information, uplifting marginalized voices, and providing crucial oversight over local governance; and

WHEREAS:    Northampton’s municipal government relies on the *Gazette* to communicate issues, events, projects and public notices to the public; and

WHEREAS:    the *Gazette* is made by its workers and this Council appreciates how they have persevered through a global pandemic, despite losing over half their staff, to keep the Valley informed of vital information, and in the early stages of the pandemic making the important decision to provide coronavirus-related news to our community at no charge to readers; and

WHEREAS:    the *Gazette’s* unionized workers have been in contract negotiations with the *Gazette’s* parent company, Newspapers of New England, for nearly two years; and

WHEREAS:    the *Gazette’s* workers deserve protections against the outsourcing of their work as well as a contract that provides for a fair wage with cost of living increases and remains intact no matter who owns the newspaper; and

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WHEREAS:    the *Gazette’s* workers who were laid-off deserve the opportunity to be rehired if their positions return to the paper;

NOW, THEREFORE BE IT RESOLVED, that the Northampton City Council stands in solidarity with the workers of the *Daily Hampshire Gazette*, and asks Newspapers of New England to swiftly bargain a contract that improves the well-being of its workers, which will strengthen the newspaper and help it continue for years to come. We call on Newspapers of New England to invest in the *Gazette* and its workers, and to make a commitment to local ownership;

BE IT FURTHER RESOLVED that the Northampton City Council recognizes the importance of the *Daily Hampshire Gazette* to our region, and encourages our local community to support the *Gazette* to help maintain the financial viability of this critical source of local news;

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to U.S. Senators Elizabeth Warren and Ed Markey, U.S. Representative Jim McGovern, Senator Jo Comerford, Representative Lindsay Sabadosa, Newspaper of New England President and CEO Aaron Julien, *Daily Hampshire Gazette* Publisher Shawn Palmer, Editor-in-Chief Joan Livingston and the Pioneer Valley News Guild.

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Passed two readings and enrolled.

21.267 Resolution

21.267 A Resolution in Support of the Recommendations of the Northampton Policing

in Support of the  
Recommendations  
of the  
Northampton  
Policing Review  
Commission – 2nd  
reading

Review Commission – 2nd reading

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

The last time he proposed a rather lengthy amendment, Councilor Nash reminded. Now that he’s had a little more sleep, he would like to amend the 1<sup>st</sup> ‘Now Therefore Be It Resolved’ clause to read as follows: “the Northampton City Council supports all fourteen recommendations outlined in the Final Report of the Northampton Policing Review Commission.”

Councilor Maire seconded. The motion to amend passed 8:0 with one abstention (Councilor Thorpe) by roll call vote.

The motion to approve the resolution as amended passed 8:0 with one abstention (Councilor Thorpe) by roll call vote.

The following resolution passed two readings:

*In the City Council, May 6, 2021*

Upon the Recommendation of: Councilor Rachel Maire and Councilor Michael J. Quinlan, Jr

R-21.267

A Resolution In Support of the Recommendations of the  
Northampton Policing Review Commission

WHEREAS, the Mayor and City Council of Northampton committed to “actions at the local level to combat the public health crisis of systemic racism” by creating the Northampton Policing Review Commission and charging the Commission to study these complex issues and recommend reforms to the current organizational and oversight structures, municipal funding allocations, and policies and ordinances that together can transform how the city delivers policing services while ensuring community safety equitably and justly for all, and

WHEREAS, The Northampton Policing Review Commission met that charge through dedicated work, holding three public hearings, more than 70 meetings of the full commission and sub-committees, and countless hours of research, and

WHEREAS, The Northampton Policing Review Commission’s final report underscored the importance of building a new system that reflects Northampton’s values and is designed to promote the care, health, and well-being of everyone in our community at no one’s expense.

WHEREAS, The Northampton Policing Reviewing Commission in the Reimagining Safety report states, “the Department of Community Care be established and funded in FY 2022 and fully operational in FY 2023,” and

WHEREAS, The Northampton Policing Reviewing Commission in the Reimagining Safety report states, “the Commission recommends that this department be intentionally independent from the Northampton Police Department, but open to collaboration with all City departments. Given the nature of the responsibilities we are recommending this department take on, and the recognition of racism itself as a health crisis, we advocate that the department be situated underneath the Board of Health,”

NOW, THEREFORE BE IT RESOLVED, that the Northampton City Council supports all fourteen recommendations outlined in the Final Report of the Northampton Policing Review Commission.

BE IT FURTHER RESOLVED, that the Northampton City Council commends the members of the Northampton Policing Review Commission for their effort and dedication to Northampton.

BE IT FURTHER RESOLVED, that the Northampton City Council urges the Mayor to establish a Department of Community Care in this fiscal year and fund it with a meaningful investment that will assure viability in the FY22 Budget.

BE IT FURTHER RESOLVED, that the City Council recommends that given the nature of the responsibilities that are recommended for this department to take on, and the recognition of racism itself as a health crisis, we advocate that the department be housed outside of the police department.

BE IT FURTHER RESOLVED, that the Administrative Assistant to the City Council shall send a copy of this Resolution to Mayor David Narkewicz, Health Director Merridith O’Leary and The Commissioners of the Northampton Policing Review Commission.

Passed two readings and enrolled.

21.272 Resolution Urging Action on an Act to Prevent Wage Theft, Promote Employer Accountability and Enhance Public Enforcement - 1st reading

21.272 A Resolution Urging Action on an Act to Prevent Wage Theft, Promote Employer Accountability and Enhance Public Enforcement - 1st reading

Councilor Sciarra read.

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

Lisa Clausen spoke earlier, and, as noted in the body of the resolution, the City Council has taken what actions it can under law, Councilor Dwight reminded. The city created a law and subsequent executive policy orders that compel contractors applying for work with the City of Northampton to abide by existing and standing laws. The resolution cites specific laws and supports the creation of a clear definition of the term ‘wage theft’ in state law, without which the Attorney General’s office has struggled to enforce violations. The order that they have has served them okay. They are in an economy that relies heavily on what’s identified as service industry workers. He was one of them until COVID-19 and has been one for some 30 years. Fortunately, he has always been aligned with employers who were very conscientious and paid well above minimum wage and provided health insurance. He is very privileged in that respect. There are a myriad of people who are subject to employers who have historically and continue to exploit workers, including some of the most vulnerable. What makes this appeal to the legislature important is to codify the term wage theft and to acknowledge it, not as a series of crimes that may affect some people, but as a culture of criminality that has been historically condoned and a form of exploitation which, when prosecuted, has proven to be a stark obscenity endured by fellow citizens. It would be forward thinking of them in this Commonwealth, a place where they supposedly share the wealth, to protect people that don’t enjoy the weal of the common and offer them the protection of the state that purports to protect them. He is grateful for Representative Sabadosa and Senator Comerford’s fervent advocacy and hope they can continue to give them the support they need to make this law in the state.

Councilor Jarrett seconded everything stated by Councilor Dwight and said he wanted to elaborate a little on enforcement and the disproportionate way money is spent prosecuting property theft, while this issue, which primarily affects people who are low income, immigrants and workers with limited English proficiency, is not often prosecuted. It is critical that the Attorney General’s office be given enough resources to do that work and that local law enforcement as well as community legal aid and their future Department of Community Care be well-versed on these issues. Getting that information out there to make people aware of their rights is a critical part of this. He thanked Councilor Sciarra and Councilor Dwight for welcoming him onto this resolution.

Councilor Sciarra thanked her co-sponsors and those who spoke at public comment and offered a very special thanks to Lisa Clausen, who was instrumental to the work the city did around wage theft in 2017. She also thanked Senator Comerford, Representative Sabadosa and other western Massachusetts legislators who signed onto the column and are co-sponsors of the bill. It should go without saying that employers cannot cheat workers, be dishonest, pay off the books, not provide required benefits or prey upon vulnerable workers. It *should* go without saying, but that’s why they thought it was important to list the various forms of wage theft and the laws that are being violated. Nationwide, nearly \$1 billion in wages are stolen from workers each year by their employers and less than 1% of that money is ever recovered. This bill insures contractors cannot use subcontractors that use wage theft and claim no responsibility for it. It also helps the AG’s office to bring civil wage cases to court and fight this at state level. She hopes the council will join them in supporting this bill which will help bolster what Northampton has already done and provide greater protections throughout the Commonwealth.

As a process note, they are hearing that there is a hearing in the Joint Committee on Labor and Workforce development in early June. Since it could take place before 2<sup>nd</sup> reading, she would respectfully request two readings if it passes on 1<sup>st</sup> reading tonight so they could add this resolution to the testimony for that hearing.

Councilor Maire thanked sponsors and said she was really excited to see this on the agenda. This is something that has really bothered her for a long time. She knows anecdotally from some of the Pioneer Valley Worker's Center events how prevalent it is in the valley, and it was first brought to her attention when she was following migrant farm workers for her Master's thesis. She was looking at pesticide exposure but ended up being equally appalled by the brazen and commonplace crime of wage theft; she was really floored by it. It preys on existing inequalities. Women she knew were particularly vulnerable to wage theft and it becomes a real gender and class and race issue. She's excited to see the bills pending and will be paying attention to their progress.

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

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

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

**The following resolution passed two readings:**

*In the City Council, May 20, 2021*

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

**R-21.272**

**A RESOLUTION URGING ACTION ON AN ACT TO PREVENT WAGE THEFT, PROMOTE EMPLOYER ACCOUNTABILITY, AND ENHANCE PUBLIC ENFORCEMENT**

WHEREAS, the practice known as "wage theft" harms employees, their families, and their communities; and

WHEREAS, according to the Economic Policy Institute, the amount of wage theft nationwide is estimated to be at least three times as much as all robberies, burglaries, larcenies, and motor vehicle thefts combined, yet enforcement at the federal level is less than it was in 1948 despite a workforce six times larger; and

WHEREAS, low-income, immigrant, and workers with limited English proficiency are most vulnerable to this practice; and

WHEREAS, workers, especially those in the construction and hospitality businesses, are vulnerable to and should be protected from employers, contractors, and subcontractors who engage in illegal practices such as paying in cash, failing to pay overtime, failing to make payroll deductions, not covering workers with worker's compensation or unemployment benefits, or misclassifying workers as independent contractors; and

WHEREAS, there are several practices injurious to workers and their families and the City that constitute wage theft including:

- the failure to pay a required minimum wage (MGL c. 151 § 1);
- the failure to pay overtime as required (MGL c. 151 §§ 1A, 1B);
- paying an unreasonable or oppressive wage to an employee in farming or agriculture or other occupations (MGL c. 151 §§ 2A, 7);
- the failure to pay wages timely or in full (MGL c. 149 §§ 148, 150, MGL c. 151 §§ 19, 20);
- the failure to properly classify an individual as an employee (MGL c. 149 § 148B);
- the failure of the employer to provide sick time at a minimum of one hour of earned sick time for every thirty hours worked by an employee (MGL c. 149 § 148C);
- improperly taking or requiring workers to pay any part of their tips to employers (MGL c 149 § 152A);
- a staffing agency charging prescribed fees or charging more for transportation than allowed (MGL c 140 § 159C(c) and (d));
- the failure to provide an individual with the status of employee when such status would be appropriate (MGL c 151 § 19); and

WHEREAS, in order to be protected against wage theft, employees must be fully informed about working conditions and their terms of employment, which, at the outset of employment, includes being provided with information regarding their rate of pay and whether that rate is based on hourly, shift, day week, salary, piece, or commission rate; and

WHEREAS, to be further protected against wage theft, an employee should also be informed about other employment terms, such as whether there are any allowances claimed as part of minimum wage (including meal, tip, or lodging allowances), the regular pay day, information about their employer’s name, address, and phone number plus the name, address, and phone number of the employer’s worker’s compensation insurance carrier; and

WHEREAS, employers acting as lead contractors may employ labor contractors and labor subcontractors, all of whom must be held accountable if they engage in wage theft with any of their employees; and

WHEREAS, for the protection of workers in Massachusetts, the law must define wage theft and must provide rights and remedies for workers who have been victims of wage theft by employers; and further, that such rights and remedies should be enforceable by the Attorney General, the aggrieved individual worker, or by a whistleblower or representative organization; and

WHEREAS, employees should be protected in seeking their rights under the wages and hours laws, and should be free from employer discrimination or retaliation for asserting those rights (MGL c. 149 §148A); and

WHEREAS, in 2017 the Northampton City Council approved “An Order – Wage Compliance Certificates Required for Licenses,” and Mayor David J. Narkewicz issued an “Executive Policy Order Establishing Wage Law Compliance Certification Requirements for Procurement and Contracts,” and an “Executive Policy Order Establishing Wage Law Compliance Certification Requirements for Tax Increment Financing (TIF),” each of which support the City’s desire to avoid doing business with vendors and/or their subcontractors who have engaged in wage theft or employment practices that violate MGL c 149 § 151, or the Fair Labor Standards Act; and

WHEREAS, H1959 / S1179, An Act To Prevent Wage Theft, Promote Employer Accountability, and Enhance Public Enforcement, which is co-sponsored by Northampton’s State Senator Jo Comerford, and State Representative Lindsay Sabadosa, will codify the definition of “wage theft” within the laws of the Commonwealth, require employers to disclose terms of employment including those relating to pay, employer contact information, and worker’s compensation coverage, and also provide a process for individuals, whistleblowers, the Attorney General, or the aggrieved employee to enforce violations constituting wage theft without fear of retaliation or discrimination.

NOW THEREFORE BE IT RESOLVED that the City Council of Northampton asks the State Legislature to pass with haste H1959 and S1179 to add state protection to the municipal protection for Northampton workers, and provide those protections to workers throughout the Commonwealth.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to Governor Charles Baker; Lead Sponsor on S.1179 Sal N. DiDomenico; Lead Sponsor on H.1959 Daniel M. Donahue; State Senator Jo Comerford; State Representative Lindsay Sabadosa, Chairs of the Joint Committee on Labor and Workforce Development State Senator Patricia D. Jehlen and State Representative Josh S. Cutler.

Rules suspended, passed two readings and enrolled.

Councilor Sciarra said she would like to skip the consent agenda and Finance Committee meeting for now and instead take up ordinances.

<u>Recess</u>	<u>Recess</u> The City Council took a brief recess at 10:28 p.m. The City Council reconvened at 10:34 p.m.
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<u>ORDINANCES</u> <u>21.217 Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13 - 1st reading</u> <u>21.218 Ordinance to Amend Zero Lot Line Section of Code - 1st reading</u>	<u>ORDINANCES</u> <u>21.217 An Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13 - 1st reading</u> Councilor Sciarra read.  Councilor Dwight moved to approve the ordinance in first reading. Councilor LaBarge seconded.  Office of Planning and Sustainability Assistant Director Carolyn Misch gave a brief Powerpoint presentation reviewing the background of <b>§350-10.14 Zero lot line (ZLL) developments</b> and the prior history of its use. There have been some modifications since the ordinance’s initial introduction which she said she would go through as part of the presentation. It can be a cumbersome zoning ordinance to explain for users as well as anybody else looking at ways to develop a single-family lot.
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Zero lot line (ZLL) is a term used around the country that typically refers to a situation where there is a reduced side lot line between two properties that can be reduced down to zero. Setbacks from property lines dictate where structures can be placed on lots and may be different on all four sides. In this case, they are talking about the side setback line.

ZLL has been an option for a way to lay out property in Northampton for about 20 years. Initially it was adopted to facilitate developing two-family homes with attached structures while giving individual unit owners the opportunity to own the land under their individual units. It was also adopted initially within a cluster/open space layout as one way of creating parcels within an open space residential development. Later, it was adopted as a 'by right' mechanism for arranging structures on parcels within Urban Residential-B (URB) and Urban Residential-C (URC) districts. Primarily at that time it was used as a mechanism to reduce the frontage required in those districts. At the time, there was a 75-foot frontage requirement in both URB and URC, and the ZLL tool was used to reduce the frontage down to 65 feet and also to reduce setbacks.

Ms. Misch showed examples of actual projects using ZLL, one that was used to allow an existing house to sit closer to the lot line of a newly-created lot than otherwise allowed and another where the ZLL provision was used to create a dividing line down the middle of a duplex on Emerson Way, allowing each condominium owner to have ownership of the underlying land.

Over time, they have made some modifications to the way this is used. Since 2012 forward, it has primarily been used to reduce setbacks on parcels. As with any zoning ordinance that is adopted, the goal from the city and planning office's perspective in terms of policy direction is to clearly define the kind of development the city wants to see and to spell it out clearly so there is a clear path forward for approval.

Some complain that Northampton has convoluted rules and strategies to address desired outcomes but there's general acknowledgement that, by spelling out clearly what it wants, at the end of the day, the community will achieve what it wants and will identify a clear path forward for developers without a lot of obstacles.

She showed other examples of how ZLL has been used more recently and the location of the districts where it is allowed.

Changes before them now are related to design issues and tweaking those to address issues and concerns that have been raised during public comment. In particular, there was a concern about structures being too close to each other using the ZLL provision. Changes also include making the provision a little more understandable by adding graphics and setting a maximum for how much the setback can be reduced. Finally, the change includes relocation of the provision within the code itself to move it to the section dealing with dimensional regulations.

The ordinance was never and is not now intended to limit the size of homes or to try to address concerns about the size of the house or to address any kind of affordability, she stressed. It is just tweaking an existing ordinance that has created flexibility for single-family home owners or people creating single-family lots to have different ways of locating structures on the property.

There have been some modifications since the ordinance was first introduced to City Council. There was a lot of discussion during Community Resources and the joint hearing between Legislative Matters and the Planning Board. Also, the city solicitor suggested some changes to clarify language and some additional changes are being proposed by Councilor Jarrett.

Since this is a by right provision that does not currently require a special permit, adding a special permit component to the ordinance at this point would not be allowed. That would require a new ordinance and new public hearing.

Since both ordinances were being discussed, Councilor Sciarra suggested it might be in order to move them as a group.

Councilor Dwight moved to consider the two ordinances as a group. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

## DISCUSSION

Referring to comments heard in the joint hearing and again tonight, Councilor Dwight noted that some have lobbied against moving the ordinance from Section 10.14 to Section 6.13, based on an apparent presumption that its location in Section 10.14 means it automatically invokes site plan review. He expressed his understanding that this is not true and that, as it stands, no special permit requirement is associated with ZLL.

Ms. Misch said that is correct. Many of the items in Section 10 do relate to special permit items. She thinks the reason for its original placement there is that it was first conceived as a possible configuration for cluster developments, which require a special permit. But for the last 15-plus years, it has been listed in URB and URC zoning as a 'by right' use. Since it really deals with dimensional and layout standards, it is better suited for Section 6.13, she suggested.

Councilor Dwight noted there is a call to require a special permit for projects using ZLL, but he confirmed his understanding that they cannot make that modification here on the floor. It is a significant change to the original ordinance and as such would be a violation of Open Meeting Law. It is important to understand that, despite appeals from the neighborhood, this is not an option.

In that respect, the proposal to shift the ZLL section from one place in the code to another is benign in both senses of the word. It's not going to do what people hope it will do and it's not going to inflict the damage feared. It's just being relocated.

One concern he has heard is that if ZLL is removed from the special permit section, all of the uses in URB/URC could use ZLL because the 'Layouts/Setbacks for All Uses' section of the URB/URC table of use lists 'side setback = 0 feet for zero lot line,' Councilor Jarrett shared. He spoke to the city attorney, and he is of the opinion that ZLL is only allowed where it is explicitly specified. If they wanted to be extremely clear, they could add the word single-family to that reference. Attorney Seewald believes it is just an administrative change to clarify what's already intended so that it could be done as part of this process.

Ms. Misch confirmed that if they wanted to add a belt and suspenders, Attorney Seewald said they could add 'for single-family homes.' She expressed her understanding that he is referring to the first pages of the Tables of Use and Dimensional Regulations for the URB/URC Districts. That piece is not in the council packet, but there could be an added reference in this ordinance to state that on those attachments, the ZLL reference should say 'zero lot line for single-family.'

Councilor Jarrett said he did not want to move that amendment now since there is still another reading and he would like to confer with Attorney Seewald.

Councilor Nash asked why they don't just make lot sizes smaller since in some cases developers use ZLL to get around established lot sizes.

She wouldn't say this is about reducing the lot size, it is more about shifting the setbacks, Ms. Misch responded. But he is absolutely right; if they think that setbacks are too great in some districts, maybe they should be reduced. They did this for URC, she reminded. About eight years ago, setbacks for A, B and C were all 15 feet. Because of the extraordinary number of pre-existing nonconforming setbacks in URC that were well under 15 feet, it was pretty clear that a 15-foot setback was not representative. Frontages were reduced in both districts, but, for B, they did not reduce setbacks.

She thinks he is right that it may be more straightforward and more appropriate to reduce side setbacks in URB and maybe even C again. If that was the case, the use of this tool might not be as desirable or necessary. The use of this tool is really about allowing reduced setbacks. Historically, lots in those districts had smaller setbacks to begin with.

Discussion continued at some length. Councilor Nash pointed out that ZLL is an equitable solution for certain situations. He asked if there is a way to delineate between these and other situations, such as the way it is being used on Warner Street.

But, zoning is setup to apply to all cases, Ms. Misch reminded.

Councilor Dwight cautioned fellow councilors that, although the focus of complaints has been on

a particular developer, making rules around a specific development or developer is spot zoning and against the law. They are not talking about a developer, they are talking about development [in general]. It can't be as precise as people wish and hope it will be.

When they have these conversations it is imperative that they remember they are not making laws for specific neighborhoods or developers but are making holistic laws that are not a panacea, he continued. This has been a difficult conversation to have as a councilor and as committee members because there is no project currently under review and they do not have the authority to review a project. He wants them to be really, really careful as they proceed because applying it to specific projects exposes them to liability and is really unjust and unfair.

Councilor Jarrett introduced a proposed amendment to 1) provide more flexibility than the current options and 2) set the width between structures to be closer to historical development patterns of the districts. In URB, it would require a 20-foot minimum distance between principal structures and in URC it would require a 10-foot separation. The amendment uses the term 'reduced lot line' rather than 'zero lot line' since zero is only one of the options.

His concern in general is that ZLL allows larger houses on smaller lots without the review and requirements that would be required for multi-unit construction. This style of development (several houses closer together than usually allowed) is expected by many to go through site plan review. ZLL has advantages. Current setbacks often don't meet historical development patterns. Also, it allows for buildings to move to adjust to site conditions and allows people to own their homes without a condominium association or other legal structure that adds cost and complexity. The disadvantage is that it doesn't trigger the Significant Tree Ordinance or fossil fuel-free requirement, traffic mitigation, etc. that a multi-family project would.

His question for the council is, are the benefits of zero or reduced lot line worth the loss of control they don't get with single-family home projects. His answer is 'yes' in certain circumstances. He's struggling with where to set that threshold. He is conflicted about where that threshold is appropriate and would appreciate the thoughts of other councilors.

Councilor Dwight asked Ms. Misch if she sees any disadvantage to Councilor Jarrett's proposal. What holistically is the objective the city is trying to achieve? He asked rhetorically.

ZLL applies to single-family homes, Ms. Misch reiterated. Zoning doesn't require site plan or special permits for single-family homes. No matter how many single-family house lots are created through the Approval Not Required (ANR) process, they are still single-family homes. The ordinance is really about allowing a single-family home to have flexibility to be located on a parcel to potentially avoid special features like trees or ledge. It isn't intended to try to limit the size of a structure. Other dimensional requirements such as open space dictate how large a structure can be built on a property. With single-family homes, there is no tree replacement requirement. She doesn't see this as a loss of review because there has never been review for single-family homes.

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

Councilor Jarrett reviewed the amendment as reflected in the document entitled "21.218 Proposed AJ Amendment."

The change between Councilor Jarrett's proposal and what came out of Legislative Matters is to allow greater flexibility for where the lot line is located, Ms. Misch elaborated. Both versions set a minimum distance between structures, but Councilor Jarrett's proposal allows the setback to be larger or smaller on one side of the lot line or the other. In other words, it maintains the same total separation of 10 feet (in URC), but one structure could be three feet from the property line while the other is seven feet instead of each having a fixed five-foot setback.

Councilor Nash asked what the advantage is of having this 'squishy' boundary line.

Councilor Jarrett said it is the ability to locate a structure more flexibly to avoid special site features such as trees.

Members discussed how to proceed. Absent solid language, Councilor Dwight recommended

postponing the vote until the next meeting when clean language could be introduced.

He recommended separating the two ordinances (21.217 and 21.218), voting on the first and delaying the vote on the second.

Councilor Jarrett withdrew his amendment and Councilor Dwight withdrew the second.

Councilor Dwight moved to separate the two items. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote.

**Councilor Dwight moved to approve 21.217 An Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13 in first reading. Councilor Foster seconded. The motion passed unanimously 9:0 by roll call vote.**

**21.218 An Ordinance to Amend Zero Lot Line Section of Code - 1st reading**

Councilor Dwight moved to postpone the vote for 21.218 until the next meeting. Councilor LaBarge seconded. The motion to postpone passed unanimously 9:0 by roll call vote.

**See minutes of June 3, 2021 for first reading.**

**Consent Agenda**

**Consent Agenda**

Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate discussion upon request. Councilor Dwight moved to approve the consent agenda as presented. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The following items were approved as part of the consent agenda:

- A. Minutes of April 1, 2021
- B. Approve 21.261 Application for License to Store Flammables and Combustibles at 140 Olander Drive
- C. Approve 21.238 National Grid/Verizon Pole Petition for One (1) Jointly-owned (JO) Pole on Damon Road (Petition#23303524)
- D. Approve 21.239 National Grid/Verizon Pole Petition for Two (2) Jointly-owned (JO) Poles on Burts Pit Road (Petition#30025210)
- E. 21.273 Reappointments to Various Committees - for referral to City Services Committee

**Arts Council**

**Danielle Amodeo**, 50 Union Street, Apt. #13, Northampton

Term: July 2021-June 2024

*Reappointment*

**Freeman Stein**, 27 Fairfield Avenue, Florence,

Term: July 2021-June 2024

*Reappointment*

**Council on Aging**

**Cynthia Langley**, 419 Fairway Village, Leeds

Term: July 2021-June 2024

*Reappointment*

**Housing Partnership**

**Jennifer Dierenger**, 60 North Street, Northampton

Term: July 2021- June 2024

*To fill a vacancy*

	<p><b><u>Urban Forestry Commission</u></b></p> <p><b>Jen Werner</b>, 16 Winthrop Street, Northampton</p> <p>Term: July 2021-June 2024</p> <p><i>Reappointment</i></p> <p><b>Molly Hale</b>, 96 Oak Street, Florence</p> <p>Term: July 2021-June 2023</p> <p><i>Reappointment</i></p>
<p><b><u>Recess for Committee on Finance Meeting</u></b></p>	<p>At 11:53 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 12:47 p.m.</p> <p>The City Council reconvened at 11:57 p.m.</p>
<p><b><u>Financial Orders (on 1st reading pending Finance)</u></b></p>	<p><b><u>Financial Orders (on 1st reading pending Finance review)</u></b></p> <p><b><u>21.271 Order to Authorize Conservation Commission to Acquire Massachusetts Audubon Society Conservation Restriction - 1st reading</u></b></p> <p>Councilor Quinlan moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><b><u>See minutes of June 3, 2021 for second reading.</u></b></p>
<p><b><u>Financial Orders (in 2<sup>nd</sup> reading)</u></b></p> <p><b><u>21.265 Order Authorizing Acquisition and Establishment of a Municipal Light Plant – 2<sup>nd</sup> reading</u></b></p>	<p><b><u>Financial Orders (in 2<sup>nd</sup> reading)</u></b></p> <p><b><u>21.265 An Order Authorizing Acquisition and Establishment of a Municipal Light Plant – 2<sup>nd</sup> reading</u></b></p> <p>Councilor LaBarge moved to approve the order in second reading. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><b><u>The following order passed two readings:</u></b></p>

**City of Northampton**

MASSACHUSETTS

**In City Council, May 6, 2021**

Upon the recommendation of Mayor David J. Narkewicz

**O-21.265 AN ORDER AUTHORIZING ACQUISITION AND ESTABLISHMENT OF A MUNICIPAL LIGHT PLANT**

WHEREAS, the Mayor and City Council approved a two-phase market study and comprehensive feasibility study of municipal broadband as part of the FY2020-FY2024 Capital Improvement Program; and

WHEREAS, the City of Northampton awarded a contract for the aforementioned two-phase study to Design Nine, Inc. which has completed a market study, the overwhelmingly positive results of which dictate moving forward with the comprehensive feasibility study; and

WHEREAS, if based on the results of both studies the City of Northampton decides to implement municipal broadband, the city would be required to establish a Municipal Light Plant in accordance with M.G.L. c. 164, § 35; and

WHEREAS, establishment of a Municipal Light Plant under section 35 first requires two separate approval votes of the City Council by a two-thirds majority in two separate fiscal years; and

WHEREAS, the City Council approved the establishment of a Municipal Light Plant in fiscal year 2020 on June 18, 2020; and

WHEREAS, in the interest of not unnecessarily delaying a future potential municipal broadband project, it would be prudent to complete the second required approval vote in fiscal year 2021 ending June 30, 2021.

NOW, THEREFORE, be it ordered, the City Council authorizes in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and the Department of Telecommunications & Cable, a municipal lighting plant for all purposes allowable under the laws of the Commonwealth, and more particularly for the establishment of a municipal broadband system for the City of Northampton. The Mayor is hereby authorized to execute any documents necessary to effectuate this Order.

Passed two readings and enrolled.

<p><u>Ordinances Not Yet Referred</u>  <u>21.240 Ordinance Relative to Parking on Front Street</u>  <u>21.241 Ordinance Relative to Parking on Grove Avenue-</u>  <u>21.242 Ordinance Relative to Parking on Florence Street</u>  <u>21.243 Ordinance Relative to Parking on Main Street, Leeds</u></p>	<p><u>Ordinances Not Yet Referred</u>  <u>21.240 An Ordinance Relative to Parking on Front Street - 1st reading</u>  <u>21.241 An Ordinance Relative to Parking on Grove Avenue - 1st reading</u>  <u>21.242 An Ordinance Relative to Parking on Florence Street - 1st reading</u>  <u>21.243 An Ordinance Relative to Parking on Main Street, Leeds - 1st reading</u>  Councilor Sciarra read the following process note:  Due to not having sufficient information, Legislative Matters forwarded 21.240, 21.241, 21.242 and 21.243 to the full council on 5/10/2021 with a neutral recommendation. Since then, in consultation with the DPW Director and Council President, there has been a request to refer these ordinances back to LM for further discussion.   Councilor Dwight moved to refer items 21.240, 21.241, 21.242 and 21.243 back to Legislative Matters for further discussion. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.</p>
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<p><u>New Business</u></p>	<p><u>New Business</u> None.</p>
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<u>Information (Charter Provision 2-7) &amp; Study Requests</u>	<u>Information (Charter Provision 2-7) and Information Study Requests</u>
<u>Motion to Adjourn</u>	Upon motion made by Councilor Dwight and seconded by Councilor Jarrett, the meeting was adjourned at 12:06 a.m. The motion carried unanimously 9:0 by roll call vote.  Attest: _____ Administrative Assistant to the City Council

# NORTHAMPTON CITY COUNCIL

## PUBLIC COMMENT RECORD SHEET

May 20, 2021

NAME ADDRESS SUBJECT

Margaret Sawyer Amherst, Co-director of PV Worker's Center. Here in favor of wage theft resolution to support state wage theft bill. Were thrilled to work a few years ago with City Council in passing a municipal wage theft ordinance which has made a difference in creating a financial penalty and making sure violators can't receive public funds in Northampton for a period of time. Pleased that supporting a resolution in favor of the statewide bill.

Jose Adastr, Northampton Has been coming since last year which shouldn't be the case since he feels local government should be able to hear and enact local efforts to address what they've been saying since last May. Thinks need to defund the police by at least 50%. Just saw one of police department's new diversity hires, only one that hasn't harassed him this month. Police assigned summons to someone in mental health crisis. Feels like NPRC was a farce.

Aaron Clark Ward 7B, Northampton here to echo Jose in calling to cut police budget by 50% and fund Dept. of Community Care by at least \$882,000. If mayor willing to give \$882,000 to police last year, Northampton can at least give DDC \$882,000. Newly proposed budget does not adequately fund. \$423,000 is a slap in the face. Any change meaningless without accountability to people most impacted by police violence. Read quote.

Carpenters LU 336 Springfield, Lisa Clausen, Ward 2 Here to urge support for resolution on wage theft. Is a huge problem in the construction industry. The state house is taking up legislation and she appreciates Councilors Sciarra, Jarrett and Dwight for drafting this resolution and moving it forward.

James Lowenthal, Crescent Street Last year, major report to United Nations concluded that light pollution is a serious and growing problem. Report also found light pollution is disproportionately present in communities with high percentages of people of color, so is also a social justice issue. NESC unanimously approved five principles of outdoor lighting and Northampton approved CR&R, which also includes principles. Plan to rebuild Roundhouse parking lot violates all the five principles of responsible outdoor lighting that the city has endorsed. Urged simple changes.

Letitia, Ward 4 Agrees with Jose that police need to do more training. Suggested fundraising to support police.

Mary, Northampton Here to express support for Northampton police department. Feels like budget should not be cut, should be increased. Thinks any cuts would be detrimental to the dept. in terms of resources. Thinks cuts would harm the diversity of the department because the newest hires would be the ones eliminated and those are people of color and women. In 35 years has lived here, has seen a decline and thinks atmosphere of Northampton would come crashing down if severe cuts to the NPD.

Dana Goldblatt, Northampton mayor's budget made her angry. In response to calls from community where 800 people showed up to call for defunding police and redirecting resources responded by saying needed commission. Commission studied it and said need NPD to be cut and replaced and his response is to ignore it. COP stands for constable on patrol. It is an outdated service. Idea was if needed help they could come. Now throwing \$ at people who literally come between us and people who can help. Related story of police responding to call for lock out of car.

Lilly Lombard, Monroe Street part of steering committee of group Northampton City Lights. Address issues around light pollution in our city. As James said, coming tonight with particular issue around the Roundhouse parking but raises larger issue of establishing an outdoor lighting commission in the city. James is an internationally-respected leader in this field and they have those kinds of resources in Northampton. Beseched to establish lighting committee.

Myla Cabotson, 32 Ward Avenue supported James and Lilly. Also on steering committee of Northampton City Lights. True that projects keep coming up and they keep trying to improve them after the fact. Thinks this plan is going to produce too much light, too much glare and too much blue light; very close to 34 South Street and McDonald House.

Ed Olmstead, Florence re: creation of DCC. Believes creating DCC is important step for Northampton. Thinks of it as way to optimize approaches to community safety. Appreciates statements made about need for decreasing or eliminating policing. Believes DCC positive step to achieving steps Angela Davis speaking about. Council voted in first reading to delete specification that DCC be funded by \$882,602 and instead be funded by meaningful investment. Concerned by lack of specificity.

**Ryan Wadsworth**, Ward 3 math teacher Supports wage theft resolution mentioned but here tonight to echo once again call to reduce the harm caused by policing by reducing the NPD's budget and replacing it with peer-led alternative.

**Darcy Sweeney**, 31 Lexington Avenue Urged city council to keep zero lot line provision in special permit section. Thinks allows heightened scrutiny of those developments. Requiring special permit seems like reasonable response to resident's concerns. Allowing developers to circumvent special permit surely doesn't benefit residents. Also spoke against aerial spraying. Northampton should implement robust mosquito prevention measures now.

**Rye Buckley**, Ward 3 has been looking over budget and making graphs. Has been looking at visual representation of how spending our \$. Graphs of this year and last are virtually identical. After residents, NPRC commissioners, city council spent hours, this year's budget changed nothing. Budget disrespects time put in. Commissions historically are tactics to delay and prevent change and are white supremacist tools.

**Pat Schumann**, Bay State concerned about policing. Unaware of any police problem in Northampton, knows there are problems in other areas of the United States. Thinks we do need our police. Agrees need education in various areas. Put police where they need to be not where they would cause any more distress.

**Kathryn Komidar**, Bay State re: Zero lot line amendments. When Nu-Way homes began constructing homes at 170 Warner Street, she and neighbors believed rogue developer had run amok and city would adjust zoning regulations. Were sure city would see Nu-way home development as inconsistent with its values. Discovered were wrong. Read from zoning ordinance that new developments should be evaluated for scale and massing. City should grant zero lot line by special permit only, a process that allows residents and planners to evaluate projects on case-by-case basis.

**Victor**, Northampton worker, Easthamptonre: NPRC statistics, noticed mental health calls represented small proportion of calls. 443 out of 40,000 one year. Asked series of questions: If choose to defund police and someone dies, will city be liable for that. Have you actually studied and considered the negative effects on response times? Have you polled city residents on their feelings about drastically reduced police force? What kind of credentials required for DCC responders?

**NPD officer spouse**, Westfield, said didn't feel comfortable giving her name for security purposes. felt imperative to speak about perspectives and experiences of last year. Her officer has served the city with integrity for a # of years. Last year on May 25<sup>th</sup>, watched death of George Floyd in horror, along with the rest of the world. Spoke of demonstrators during protest who assaulted them with rocks, smashed windows with garbage can, graffitied the building and attempted to break into the building itself. Statistical data showing no discrimination was ignored. Watched as recklessly defunded department by 10%. Watched as officers fled the city.

**Gwenevra Nabad**, said in good mood, just got unanimous opt-out mosquito recommendation from BOH. Also wanted to speak about lighting and its impact. Lives in public housing. Makes huge impact to have telephone pole and bright light blasting into her house each night. When she and her sister were 12, were severely abused by their dad and left bleeding. When cop came, he was a friend of their dad and he said they probably deserved it. Hasn't had this experience in Northampton, has had supportive experience.

**Jane Doe**, resident and victim of sexual assault Re: 21.265 and mayor's proposed allocation of \$423,955 to create DCC. Opposes both for multiple reasons. As survivor of rape, wants councilors to know NPD saved her life. When rape reported, officer was calm, respectful, trauma-informed and victim-centered. She felt completely safe in his presence. Those with restraining orders need the police to protect them every day. Cuts to the police department threaten her life.

**Bera Dunau**, unit council chair of Pioneer Valley News Guild In support of second reading in favor of union contract support. Met with company this week and happy to say there was some movement, some progress. Hopeful can carry momentum into next bargaining session on June 15<sup>th</sup>. Need continued support of community to get fair contract.

**Jamila Gore**, Ward 2, running for city council at large. Dittoed comment of Margaret from PV Worker's center and Lilly Lombard and James Lowenthal's comments on lighting. Budget doesn't seem to incorporate values she's hearing. Called for public hearing and transparency. Hopes more discussion because seems like a lot of misunderstanding.

**Bill Ryan**, Bay State Submitted written image to council members vis a vis ZLL. Tried to encapsulate what really happens when change lot line. If change setback from lot line from 15 feet to zero, house can be 15 feet wider. When thinking about decreasing the setback, have to realize that the houses are going to be bigger. Thinks should stay in special permit where currently is. Erroneously stated is not provision for ZLL for two- and three-families.

**Sandy Mandel**, Bay State Keeping ZLL under special permit preserves the right of case-by-case consideration and some semblance of control. Believe if remove ZLL from sp will increase predatory development happening in community.

**Ashwin Ravikumar**, Amherst Mayor's budget proposal creates a DCC but simply doesn't fund it enough to allow it to thrive. Addressed comments expressing fear about divesting from policing and investing in alternative services.

Fundamentally have to remember the evidence is in that police do not keep us safe. Police causes racialized harm. Budget is not worthy of moral commitments to anti-racism.

**Jackie Ballance**, Ward 5 Bay State villagers have already bombarded council since LM meeting about zero lot lines because feel such a sense of urgency about the developments going on in Bay State. Three are underway and are other Nu-way properties with no plans on file yet. Bombardment is because of desperation residents feel. Knows have presented some reasonable arguments for making ZLL subject to special permits. Urged to put ZLL developments under sp review and say no to complicated revisions.

**Lemy**, Ward 1 quoted mayor in budget message about his hope for shared purpose and collaboration with Northampton Police Department among others. The one stakeholder named by name is NPD. Leading with naming police department as stakeholder does not bode well for how this will go.

**Robert**, Ward 3 supporting and echoing others asking to cut police budget by 50% and using money to invest in community care with at least \$882,000 going to DCC. Money could go toward mobile response team. Sees NYC has already instituted a pilot program. Referred to ABLE training, creating culture where police have strength to intervene if fellow officers break department policy. Mayor wrote letter supporting application before commission work done. Does not support this training. Experience has shown training does not work. Whether or not officer intervenes, police union is going to defend them.

**Debra Bercuvitz** Speaking against change to ZLL, especially current amendments. Being told will allow for more flexibility to protect trees. Testified to removal of trees for current development. Are appealing to city council to say, listen to us, help us. Urged not to approve amendments to allow for even closer, even bigger housing.

**Gina**, Montague So angry. Mayor has absolutely screwed us over. Seems to him unpaid work of the commission was a distraction. are here because policing is harming the community and policing is a legacy of slavery. If fail to listen to Black and Brown community, are selfish and racist. Shared personal experience with NPD. Has recording on her phone where can hear someone screaming 'tear gas.' It was actually pepper spray. Police do not protect homeless.

**Shanna Fishel**, Chesterfield Road, Expressed recognition that DCC is in the budget. Very concerned that is no provision for peer-led responders. Here to speak about parking ordinances and Mill River swimming. Reminded councilors of statements of concerned residents of Leeds. Acknowledged problems of human waste, abundance of cars. She doesn't agree with parking restrictions and thinks should be community forum for Leeds residents. Should be cessation of police enforcement of trespassing on private property and porta potties.

**Mareatha Wallace**, Amherst, has heard people say everything is fine, it doesn't happen in Northampton. It's frustrating and makes her angry that people have rose-colored glasses on. When people who look like her tell them there is a problem; there is a problem. Having a way to help people without calling the police is so very important. She's afraid to call the cops because she's afraid they might shoot her. Frustrated that with all that's happened in country still have to convince people.

**Sean Don**, thanked Mayor Narkewicz for starting to fund DCC. Sounds like has only been listening to about 5% of what's been shared from way has funded it. Sang song advocating for adequate funding for DCC and decreased funding to NPD.

**Dan Cannity**, Ward 4B It is now budget season, where hard work pays off and comes in. excited to see DCC as line item in budget. A little concerned about the amount and what it means in terms of actionable items before the end of the fiscal year. Some funds allocated to hires, wondered about other funds. Where does that leave them if that person wants to make hires before next year? What flexibility is there? Would advocate for more \$ to handle upfront costs.

**Ya-Ping**, showed graph comparing department budgets from 1994 to FY2022. Police budget over time has grown 148%. Public works 58%, arts and culture, 103% and Human Services 124%. Showed comparison of police funding to other departments. Read excerpts from statement for black lives. "We are mobilizing to defund and abolish the police. . . there is no reforming the system. The time is now to invest in . . . a vision of public safety that protects us all."

**Lee Lemaire**, Ward 1 stated support for defunding inherently violent, ableist and misogynistic institution of policing. Policing at its core is coercive, controlling and punitive. Uplifted voices of people who are saying that violent, racist actions are happening in this community. Has worked in domestic violence and most of survivors are terrified of calling police. Police families experience domestic violence at two to four times the rate of the general population.

**Jesse Hassinger**, Ward 4 thanked those for sharing, especially Mareatha Wallace. Last year in aftermath of public lynching of George Floyd, Ahmaud Arbery, as calendar turned quickly became obvious that call for change has not yet occurred. Last year mayor and city council put forward resolution in support of anti-racism. Called for full 10% cut to go toward funding DCC. Budget is slap in the face. In addition to only funding DCC by \$423,000 Mayor proposes increasing funding of police department by almost \$200,000.

Bo Clark, Hadley, in support of resolutions for wage theft and Gazette workers. Thanked Shanna Fishel for bringing up parking. grew up in Main Street, Leeds and grew up swimming in the river. Keeps hearing from white landowners in the area that it's too loud and there's too much trash. It's a really racialized thing that's happening. Agrees shouldn't spend money on police details for private property. Insulted by mayor's budget. Thinks DCC needs more \$.

John Handzel a lot of things said tonight aren't true. Someone said tonight tree was trimmed and overly done. Was done by L. Frank, who is used by tree warden. All houses have to be built to support solar and to have conduit from the basement to the attic. When people say not solar-ready, doesn't know where they're coming up with this stuff. Houses aren't McMansions, they're 1,800 s.f. thinks ZLL is a good thing. It's not his intention to ruin the neighborhood.

Rue Walther, wholeheartedly supports moving ZLL into special permits. At last meeting, councilor Jarrett had idea for 20 feet between housing. Thinks it would be even better.

Grace Rountree, Greenfield, former Ward 4 resident, echoed call to defund Northampton police by 50% and reallocate those resources. Would like to see DCC funded by at least amount cut last year. Expressed disappointment in budget that is looking to raising the police budget.