



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

A special City Council meeting was called to order by Council President Gina-Louise Sciarra at 6:04 p.m. On a roll call the following City Councilors were present:

Roll Call

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

Ward 1 Councilor Michael J. Quinlan, Jr. was absent.

Councilor Sciarra announced that this is a special meeting to consider the Board of Health's recommendation to opt out of the state aerial spraying program and to refer an ordinance to Legislative Matters.

Announcement of Audio/Video Recording

Councilor Sciarra announced that the meeting was being audio and video recorded.

**Ordinances Not Yet Referred
21.275 Ordinance Relative to Parking on Cross Street**

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21.275 An Ordinance Relative to Parking on Cross Street

Councilor Foster moved to refer the ordinance to Legislative Matters. Councilor Jarrett seconded. The motion passed unanimously 8:0 by roll call vote with Councilor Quinlan absent.

Discussion/deliberation of opting out of State Reclamation and Mosquito Control Board (SRMCB) Spraying

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For this process, the Board of Health (BOH) needs to have been consulted and they have been, Councilor Sciarra confirmed. She said she would open up the floor to public comment on this topic.

BOH member Cynthia Suopis said she is happy to report that the BOH recommended 4:0 to opt out of the state plan. They had a lot of public comment on this issue and heard a lot of concerns. The sentiment in favor of opting out was 10 to 0 based on comments heard. Per state law, communities have a small window of opportunity to opt out. If the state were to determine they had reached an emergency situation of Eastern Equine Encephalitis (EEE), the state would spray - first a spraying by truck then aerial spraying.

Speaking to the reason behind her vote, she was concerned because they were told that if they didn't opt out and needed to spray that the spray would avoid organic gardens. She couldn't wrap her head around how it would be possible for aerial spraying in Florence to avoid Grow Food Northampton's plots. The science is interesting on this topic as is the science on all pesticides. As it was presented to them, the last outbreak was in 2019. These outbreaks have a cycle to them and it's usually a two or three year cycle. What made her vote the way she did is that the spraying does not eliminate the risk, it *reduces* the risk. The best protection against any virus of this nature is what they all know – insect repellent, water sources, screens on windows, etc. Mosquitos seem to be in certain areas of town such as the Meadows. Health Director Merridith O'Leary would have more information about monitoring procedures, but she expressed her understanding that monitoring occurs on a regular basis

Councilor Sciarra read the order.

Councilor Dwight moved to approve the order. Councilor LaBarge seconded.

BOH member Laurent Levy confirmed that Ms. Suopis' account of the discussion in the BOH meeting is accurate. To explain his vote, he was concerned by the loss of local control.

Basically, they have to say yes or no now and ultimately suffer the consequences later. He felt that the risk of having an unnecessary spraying imposed by the state was not something he was prepared to accept. He assumed if they had a significant outbreak they could either take action themselves or the state would still come to their assistance if they chose to accept it.

Councilor Sciarra opened the floor to public comment.

Darcy Sweeney of Florence thanked the council and said she'd like them to support the BOH's recommendation to opt out of state spraying. Research has shown spraying isn't effective for various reasons and may actually increase the number of mosquitos by killing their natural predators. Wind drift makes it difficult to control where pesticides land; ground spraying can drift up to 300 feet and aerial spraying up to eight miles. It's the most vulnerable populations who are at risk, especially children and people with pre-existing conditions. Finally, all insects are at risk, including pollinators, and they are in the midst of an insect apocalypse where insects are dying en masse from humans' use of pesticides. She urged the city council to vote to opt out.

John Cohen said he wanted to urge very strongly that the city council opt out largely for the reasons Darcy spoke about. They are in the middle of an insect apocalypse and losing their insects means they lose their birds, their amphibians, their reptiles and their pollinators. This is an emergency for life on earth and they must take it with the utmost seriousness. Luckily on this local issue they have the power to make the decision. He urged the city council to vote to opt out of aerial spraying and to begin the process of encouraging the rebirth of insects, birds, reptiles, etc. and the natural habitat they require.

Carol Horowitz of 226 Emerson Way thanked the council for calling this special meeting and the BOH for recommending opting out. She is a member of Climate Action Now and on the policy committee of the Northeast Organic Farming Association (NOFA, MA). Last summer, leading environmental and conservation organizations, including Mass. Audubon, Mass. Sierra Club, NOFA, the MA Association of Conservation Commissions, Regeneration Mass. and the MA Beekeeper's Association, formed a coalition to oppose aerial and truck spraying and to work on a safe way to control disease-spreading mosquitos. Many cities and towns have already opted out, including Amherst. She thinks they are opting out because they recognize that spraying pesticides is ineffective and hazardous to the health of all living beings and that overuse of pesticides is related to the climate crisis. There is an alternative coming. In Massachusetts, Senator Jo Comerford and other legislators are supporting legislation establishing a mosquito management program in the Commonwealth to replace the current outdated program. NOFA says that not only is unrestricted spraying a threat to the integrity of insect biodiversity and ecosystem health, such spraying raises serious health concerns, especially during the COVID pandemic. These chemicals are known to elevate risk factors to human immune and respiratory systems. Not only that, but spraying adult mosquitos is the least effective and most environmentally-damaging way to control mosquito-borne diseases. She read a quote from MA Audubon that called into question the effectiveness of mosquito control in rural or suburban landscapes with large areas of wetlands. Pesticide applications may harm or kill beneficial species including pollinators and mosquito predators, alter water chemistry, lower water levels and degrade wetland habitat. There is no organized program for monitoring of such potential effects. The high reproductive rate and short life cycle of mosquitos may allow populations to evolve that are resistant to the pesticides while local populations of mosquito predators are less resilient to the spraying.

If they are looking for a mosquito control plan, a great one was developed by Boulder, CO, she shared. She urged them to please follow the BOH recommendation and vote to opt out.

Marty Nathan, 24 Massasoit Street said she is grateful to the BOH and city council, especially Councilor Maire, who really threw down on this. She is a retired family practitioner who for decades served farmers and their families, people who bear the brunt of harmful pesticides. She is here to ask for public health reasons as well as the environmental risk that the city opt out of pesticide spraying. Her understanding is that the state would use anvil 10+10, which is a combination of two ingredients: sumithrin and piperonyl butoxide. "We do not have access to the threshold or parameters of spraying since none have been made public," she related.

EEE is a severe and often fatal disease but it occurs very rarely and usually in eastern Massachusetts. Northampton is in the lowest risk category geographically. West Nile Virus has recently

been more common than EEE. On the other hand, the chemicals used in spraying to protect from those diseases also poses a significant health risk. The American Academy of Pediatrics recommends reductions in pesticide use because of the increased risk of toxicity to children. Acute pyrethrin exposure in children can result in headache, fatigue, vomiting, diarrhea, hypersecretion, respiratory symptoms and seizures among other things. Chronic exposure in humans is not well-studied, but in lab animals it can result in liver and thyroid abnormalities. Material safety sheets reveal that anvil itself has not been tested for its reproductive health effects or risk of birth defects. In other words, there's a lot they don't know.

As a doctor, with every prescription she wrote, she had to weigh the relative harms and benefits of the treatment against the risk of the disease itself. It seems here that the risk of severe, vector-borne disease is very low, spraying is not necessarily effective, and there are significant ecological and health risks with the proposed solution. They should avoid doing harm while funding and pursuing proven public health interventions to prevent mosquito-borne disease, she asserted.

Gwenevra Lodi Nabad of Northampton, a gardener, community advocate and Climate Action person, said she is very happy that the BOH saw that it's very important to eliminate pesticide spraying so that people who grow their own food can grow it without the concern of having more pesticides in the soil and also going into the waterways and harming the children.

Johanna Halbightson said she lives right next to the Barrett Street Marsh and wanted to put in a very personal plea for it. Cutting back on the insects which would cut back on the birds and other animals in the marsh seems catastrophic to her. She's a gardener and lives in an apartment complex with a mini-community garden in the back right next to the marsh. The marsh would presumably be producing a lot of mosquitos and it surprisingly doesn't. Spraying would affect her health. She put in a plea for their marshes and their wetlands.

Steve Jones, Florence, said his background is as a retired public health physician. He is asking that the city council opt out. As Marty said, the risk is quite low and the effects on the environment are awful. It's sort of like using a shotgun and has all sorts of undesirable impacts on the environment. He would ask that the city council opt out.

Ilia Corner-Rivera, Northampton, said she has been following the discussion about opting out and is really pleased to see how many people are aware that this is something they can't continue to do. She believes that with every city and town added to the list of those in opposition, it helps to reinforce the message so that other cities, towns and states can follow suit, adding them to so many communities worldwide, because the problem is not local, it is worldwide. She has had the privilege of interpreting for an indigenous tribe in the Amazon recently that has worked tirelessly to be able to bring that message loud and clear to the planet. To do so they have had to learn new language and new technology but, fortunately, they have prevailed to the point that they are now being used as an example to the rest of the world that we cannot continue this irresponsible course of destroying the planet.

Councilor Sciarra read a comment from the chat from Rebecca Hart Olander, a teacher from Florence. Rebecca said she would like to urge the council to opt out for the bees, organic farms and fields, the people and the environment.

Councilor Maiore shared how impressed she's been since serving on the council with residents and their level of expertise. To frame the issue for councilors, last year Governor Baker filed a bill to empower the state's mosquito control board to take action when the Department of Public Health (DPH) determines there is an elevated risk and to create a task force. More recently Rep. Sabadosa and Senator Comerford filed a bill entitled, "An Act Providing for the Public Health by Establishing an Ecologically-Based Mosquito Management Plan in the Commonwealth."

What impresses her is the wildly varying rates of how effective spraying it is at killing mosquitos, from 38% to 91%. Similarly, there is no evidence that spraying reduces EEE. The Department of Public Health (DPH) stated that a reduction in the risk of EEE relies primarily on the use of personal prevention behaviors by individuals.

The Massachusetts Department of Environmental Protection (DEP) says Anvil 10+10 is toxic to aquatic life and highly toxic to honey bees. She really doesn't want to rely on the state to make

these calls. They sprayed last year in September after the summer was over. She thinks people have established that it is antiquated science and time to think of things differently. She is annoyed with the state because the state will pay for aerial spraying but, if communities opt out, the cost falls on the municipality. It is very disappointing and she is hoping state legislators will be able to remedy that. The state itself posted that controlling larval mosquitos while still concentrated in a pool of water is easier, more efficient and less costly environmentally than killing adult mosquitos.

Councilor LaBarge thanked everybody for speaking out and said she agrees. It definitely affects the health of every one of them and their animals. She feels like this is the right way to go. She thanked the BOH for making that decision, saying she feels like it is the right one.

Councilor Foster thanked Councilor Maire for bringing this forward and Councilor Sciarra for agreeing to hold a special meeting on this issue, also Northampton residents who really pushed for this and the BOH. She works with folks with disabilities and has a number of adults who have brain injuries due to mosquito-borne illnesses but aerial spraying introduces other factors into the environment with known damaging impacts.

She expressed gratitude for the process. In another community where she lived, there was a push to kill an invasive species with chemicals without a discussion and it was a real driver for her in wanting to be involved in local government. She said she looks forward to supporting this.

Councilor Nash said he noticed Health Director Merridith O'Leary was not part of this discussion. He asked if somebody could summarize her position on opting out.

Councilor Dwight noted that she shared that with them last night [during her presentation at the FY2022 budget hearing].

Councilor Sciarra pointed out that the process involves a pretty long application and Director O'Leary has agreed to complete that as part of the process. She's been working on it basically since the BOH voted.

It was a board vote, BOH Member Suopis stressed. She said she doesn't want to assume Director O'Leary was for or against anything. She didn't push them in one direction or another, she elaborated. She knew this was a monumental task to get this done but she rose to the challenge again.

"She was moderating the discussion and giving us the information that the board needed," she advised.

As Member Suopis pointed out, Director O'Leary is always very neutral so as not to influence their deliberations, Member Levy confirmed. "I would say she was neither strongly in favor nor against opting out," he reported.

The neutrality was evident when she was speaking to the council; her presentation was very informational, Councilor Nash agreed. The presence of EEE in their community is very minimal, and the places it could occur are in very specific locations. By and large, applications of BTI, the anti-larval application, are the most effective treatment to suppress mosquitos along with Councilor Maire's mention of personal protective behaviors, he observed. He liked the way Dr. Nathan laid it out; that there is not a lot of EEE, that West Nile is more pervasive and not as deadly and that the effectiveness of spraying is dubious.

Councilor Jarrett said he agrees with other councilors and members of the public. Speaking to the issue of PFA's contamination, a 'forever' chemical found in many of the sprays, it is a serious water concern in southeastern Massachusetts, he pointed out. These aren't just temporary problems but potentially permanent problems, he noted.

Councilor Sciarra added her thanks to Marty Nathan, Councilor Maire, the BOH and Director O'Leary who has taken on a huge task to complete this application. She also thanked Administrative Assistant Laura Krutzler who did a good deal of scrambling to pull together the special meeting. She shares Councilor Maire's frustration and annoyance with the state and fully supports this.

Councilor Sciarra called the motion to approve the order to a vote, and it passed unanimously 8:0 by roll call vote with Councilor Quinlan absent.

Councilor Dwight moved to suspend rules to allow a second reading. Councilor LaBarge seconded. The motion passed unanimously 8:0 by roll call vote with Councilor Quinlan absent.

Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote with Councilor Quinlan absent.

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, May 27, 2021,

Upon the recommendation of City Councilor Rachel Maiore.

**21.276 AN ORDER OPTING OUT OF THE MOSQUITO CONTROL SPRAYING
CONDUCTED BY THE STATE RECLAMATION AND MOSQUITO CONTROL BOARD**

WHEREAS, pursuant to M.G.L. c. 252, § 2A(b)(2), the Massachusetts Executive Office of Energy and Environmental Affairs (“EEA”) is authorized to develop a process for the State Reclamation and Mosquito Control Board to permit municipalities to opt out of spraying conducted by the Board pursuant M.G.L. c. 252, § 2A(a); and

WHEREAS, the EEA has developed a process for such opt-out, which requires in a city that the city council hold a public meeting in which public comment is permitted and that the council seek input from the local board of health; and

WHEREAS, the process developed by the EEA also requires that the city submit an application for approval by EEA of an alternative management plan for mosquito control; and

WHEREAS, on May 20, 2021, the Northampton Board of Health voted to recommend that the city opt-out of the state mosquito spraying program.

NOW, THEREFORE, the Northampton City Council orders as follows.

Ordered, that

The City of Northampton shall opt-out of the mosquito control spraying conducted by the State Reclamation and Mosquito Control Board under M.G.L. c. 252, Section 2A(a). The foregoing vote was taken after a public hearing in which public comment was permitted and it is in accordance with the recommendation of the Northampton Board of Health. On or before May 28, 2021, the City shall file with the Executive Office of Energy and Environmental Affairs an application for approval of an alternative management plan, which approval shall be required for the opt-out to be recognized by the State Reclamation and Mosquito Control Board.

Rules suspended, passed two readings and enrolled.

<p><u>New Business</u></p>	<p><u>New Business</u> None.</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor Jarrett, the meeting was adjourned at 6:55 p.m. The motion carried unanimously 8:0 by roll call vote with Councilor Quinlan absent.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>