A regular meeting of the City Council was called to order by Council President Ryan O’Donnell. At 7:42 p.m. on a roll call the following City Councilors were present:

At-Large Councilor Ryan O’Donnell       At-Large Councilor William H. Dwight
Ward 1 Councilor Maureen T. Carney       Ward 5 Councilor David A. Murphy
Ward 2 Councilor Dennis P. Bidwell       Ward 6 Councilor Marianne LaBarge
Ward 3 Councilor James B. Nash           Ward 7 Councilor Alisa F. Klein
Ward 4 Councilor Gina-Louise Sciarra

Councilor O’Donnell announced that the meeting was being audio and video recorded.

Public Hearings
None

Updates from Council President & Committee Chairs
None

Recognitions and One-Minute Announcements by Councilors
Councilor LaBarge announced that there will be a public forum for strengthening access to programs, services and facilities for people with disabilities presented by the Northampton Disability Commission June 24, 2019 from 7 p.m. to 8 p.m. in the Great Room at the Senior Center. The commission is seeking comment on an ADA self-evaluation of Northampton. A draft report is available on the website.

CHARTER REVIEW COMMITTEE (CRC) UPDATE
At the last meeting, members discussed the possibility of changing the City Clerk position from elected to appointed, Councilor Dwight reported. Members heard testimony from former City Clerk Wendy Mazza and Councilor LaBarge, both speaking in strong support of converting the position to appointed. It is worth noting that it was Clerk Mazza who originally stated her objection to changing the position when the charter was first drafted, but she has subsequently changed her mind and spoke courageously in support. A straw poll was taken and it showed unanimous support for making the position appointed among CRC members.

A more open and broad discussion occurred toward the end of the meeting around a concern about inclusivity in Charter Review Committee discussions. The level of engagement has been pretty low. There is a desire to reach out but the struggle is to discover the best way to reach out and encourage participation from communities that have been underserved. A committee was formed to discuss institutional barriers to access. The Mayor mentioned in the course of conversation that a study was done by the Pioneer Valley Planning Commission (PVPC) that many of them were not aware of that did a fairly deep dive into the issue of analyzing accessibility in communities. The study is on the PVPC website and they are reviewing it.

Councilor O’Donnell asked if Councilor Dwight thought the Charter Commission would run until the end of December or release a report before that time. Councilor Dwight said he thinks the intent is to use the time they have available for discussion and analysis. Former draft committee member Bill Scher came and helped them to not reinvent the wheel. His input was very helpful.
Councilor Bidwell said he would like folks to know this Saturday is the grand opening of an exhibit at Historic Northampton, ‘Making it on Main Street.’ The exhibit has been a remarkable effort involving hundreds from the community. It is a fascinating history of Northampton by way of the changes on Main Street – architectural, cultural, demographic and economic. He highly recommended going to the grand opening Saturday and in the weeks ahead. The event represents a dramatic new stage in the development of Historic Northampton.

From 10 a.m. to 12 p.m. Saturday, there will be a grand opening of the Beaver Brook Greenway recreation area that has been worked on for close to two years now by the Broad Brook Coalition and Leeds Civic Association, Councilor Klein advised. Volunteers have worked to create a clearing and new conservation area and to clear trails and create a wildlife line. There will be an overview of the new space, a tour and lemonade and cookies. The public is invited.

Monday, June 24th at 6 pm. at the Florence Civic Center, the Office of Planning and Sustainability is hosting a Florence Village community meeting to look at the kind of streetscape residents want to build in downtown Florence. Planning staff will go over plans and conduct an interactive exercise.

And, people trying to figure out how to get to the Valley Community Development Block party for Pulaski Park on Saturday in addition to these events may be relieved to learn that the event at Pulaski Park has been cancelled, Councilor Sciarra said. An alternate date is to be determined.

Communications & Proclamations from the Mayor

Presentation by members of NuclearBan.US on the International Campaign to Abolish Nuclear Weapons (ICAN) and the City of Northampton's treaty alignment efforts

Susan Lantz of Nuclear Ban.US presented Mayor David Narkewicz with a certificate recognizing the city's efforts to make the City of Northampton compliant with the United Nations Treaty on the Prohibition of Nuclear Weapons. Mayor Narkewicz signed an executive order in September of 2018 that legally prohibits the city from contracting with or investing in companies that do business with nuclear companies. The City Council also passed a resolution in 2017 - "Back from the Brink" - calling on the United States to sign the United Nations Treaty. And, the Mayor proclaimed September 26th 'Ban Nuclear Weapons Day,' she related.

Mayor Narkewicz thanked the City Council for passing the resolution and local activists for guiding the city through this process. Since the city can’t legally limit procurement because state procurement laws prohibit discrimination based on the type of company, he will be bringing a home-rule petition in the future to seek special legislation to carve out the ability to limit procurement from certain companies, he advised.

The Mayor and City Council were given copies of the report, “Warheads to Wind-mills: How to Pay for a Green New Deal.”

Resolutions

19.091 Resolution
Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States – 2nd reading

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

Councilor Klein said she wasn't here last time and so didn't get the chance to comment and publicly thank the people who helped them so much in putting this together – Carrie Baker from Smith College, Mia Kim Sullivan from Civil Liberties and Public Policy (CLPP) at Hampshire College, Liz Friedman and Jennifer McKenna – she is just very grateful and wanted to make it known publicly. She thanked Councilor Sciarra for introducing and shepherding the resolution so gracefully at the last meeting and Rachel Maiore, whose remarks prompted her to take action at the local level.

“We’re in the midst of a really well-planned and coordinated attack on reproductive freedom in this country,” Councilor Klein asserted. Abortion bans in 16 states will not only punish and incarcerate pregnant people and people who provide access to abortions, but these bans serve as blatant violations of both constitutional and human rights, she claimed. The right to health care is a human right as affirmed by the international declaration of human rights, multiple bodies of the United...
Nations and every human rights organization in the world. Laws that restrict or deny access to abortion are in violation of people’s fundamental and constitutional rights to reproductive autonomy and privacy and to human dignity.

Expanding the definition of personhood to include fertilized eggs, embryos and fetuses essentially is denying people’s right to access abortion care and potentially criminalizes pregnant people, she continued. It leads to deeply harmful outcomes for people who seek abortion care. She mentioned those most likely to suffer from these laws; at its core abortion is very much a social justice issue, she affirmed. There are racist and classist implications of this assault on abortion laws that are really at this point in plain sight. People with means are able to go to another state or even another country to access abortion care and are far less likely than poor people and people of color to be arrested and incarcerated generally; people of color and poor people are also most likely to access abortion care.

Among U.S. abortion patients, 75% are poor or low income with 49% living below the federal poverty level. Black and Latino woman more likely to experience unintended pregnancies than white women and more likely to get abortions. In 2017, the abortion rate for black women was 27 for every 1,000 women of reproductive age, for Latino women it was 18 for every 1,000 and for white women it was 10 in every 1,000 women.

She cited factors responsible for this discrepancy, including lack of adequate access to reproductive education, lack of access to reproductive health care and contraceptives, lack of access to affordable health care and transportation and the many other byproducts of historic and current racism, oppression and neglect of people of color and poor people.

The organization ‘Color of Change’ stated that, “restrictive abortion measures will only further racism and misogyny by giving the state additional means to punish black pregnant people who exercise their reproductive autonomy,” she shared.

And, Councilor Klein quoted Margaret Atwood as saying recently that, “When states obligate women into childbearing, they are instituting a form of slavery with two outcomes; that women die and orphanages fill up.”

This could be illustrated by the experience of Texas, which began the active process of funneling funds away from abortion providers in 2011, she suggested. In the past eight years, maternal mortality rates there have risen and birth rates have spiked, she reported.

The point is also witnessed by the fact that, in the decade after Roe vs. Wade, abortion-related deaths decreased by 73%.

For all these reasons, she is grateful for having written and co-sponsored this resolution and thankful to her colleagues for passing it in first reading. She mentioned that it is fairly rare for people to come to second reading to talk about the content of a resolution and is testimony to how much people in this community are committed to unfettered abortion access.

She also expressed appreciation to their electives at both the state and federal level for leadership on this issue, especially thanking Representative Sabadosa, Senator Comerford, U.S. Representative McGovern and Senators Warren and Markey for their sponsorship of related bills. Somehow the resolution turned into a resolution about the Roe act and she and Councilor Sciarrara were careful to craft it to be broader than the Roe act; they wanted the Northampton City Council to make a broader statement and a deeper commitment in an ongoing way. She thinks this can be seen if readers look at the text of the entire resolution. She thinks this can be seen if readers look at the text of the entire resolution. She concluded by thanking fellow councilors for their expected favorable votes this evening.

Councilor Sciarrara thanked Councilor Klein for all of her work and for adding her voice tonight, which she had been looking forward to hearing. She thanked others for their support tonight and in the last two weeks and those who went to the state-house to speak about the bill. The eloquence of the people in Northampton often awes her and always humbles her, she shared. She expressed hope that the council would agree that the last two weeks have reaffirmed that these protections need to be passed in the commonwealth. Barriers to reproductive health care need to be removed because, “we can’t rely on being able to receive it in another state when reproductive health is under attack in all states and on the federal level,” she observed.
Councilor Sciarra read aloud a letter from the National Institute of Reproductive Health (NIRH).

Councilor LaBarge said she talked about it two weeks ago and wanted to make clear again that she supports this 100%. She feels they are in the greatest crisis of abortion access and need to make sure that every woman who needs care has the right and resources to access it. She feels they need to stop the attacks on women and pregnant women and insure access to safe and legal abortion in Massachusetts and all 50 states. “I support this Roe act 100%,” she confirmed.

Councilor O’Donnell said he thought those who spoke provided fitting testimony as to why this deserved to pass unanimously tonight and that he hoped for further progress at the state and federal level. He called the motion to a vote, and it passed unanimously 9:0 by roll call vote. He announced the resolution was approved unanimously in second reading to general applause.

The following resolution passed two readings:

City of Northampton
Massachusetts

In the City Council, June 6, 2019

Upon the Recommendation of: Councilor Alisa F. Klein
Councillor Gina-Lousie Sciarra

R-19.091
A RESOLUTION AFFIRMING SUPPORT FOR ACCESS TO SAFE AND LEGAL ABORTION IN THE COMMONWEALTH OF MASSACHUSETTS AND ACROSS THE UNITED STATES

WHEREAS, on January 22, 1973, in a historic and landmark decision, the U.S. Supreme Court ruled in Roe v. Wade that the U.S. Constitution safeguards a woman’s ability to make her own personal medical decisions about when or whether to have children, as grounded in “the Due Process Clause of the Fourteenth Amendment, which protects against state action the right to privacy, including a woman’s qualified right to terminate her pregnancy;” and

WHEREAS, this right has been affirmed in subsequent Supreme Court cases such as Planned Parenthood v. Casey (1993) and Whole Women’s Health v. Hellerstedt (2016); and

WHEREAS, the Trump-Pence administration’s repeated attacks on, and stated desire to restrict access to, abortion and other reproductive health care have given states across the United States a green light to pass unconstitutional barriers to safe and legal abortion; and

WHEREAS, many states including Alabama, Kentucky, Georgia, Louisiana and Missouri have, in direct conflict with Supreme Court precedent, recently passed laws that ban or restrict access to legal and safe abortions, and similar measures have been proposed in several more states; and

WHEREAS, with the appointment last year of Justice Brett Kavanaugh tipping the U.S. Supreme Court in favor of restricting abortion, these state laws are additionally intended to serve as test cases for the Supreme Court to overturn Roe v. Wade and effectively restrict or eliminate access to legal and safe abortions across the country; and

WHEREAS reproductive health, including abortion, is a vital component of overall health, and health care is recognized as a fundamental human right; and
WHEREAS, an individual's freedom to make reproductive decisions is vital to their safety, well-being, economic opportunity, and ability to participate equally in society; and

WHEREAS, if health insurance coverage for abortion is restricted, this restriction harms most those who already face significant barriers to receiving high-quality health care, such as low-income individuals, immigrants, young people, people of color, and transgender and gender-nonconforming people; and

WHEREAS, when an individual is denied access to abortion, they are more likely to fall into poverty than an individual who has been able to get an abortion; and

WHEREAS, the U.N. Human Rights Committee stated in 2018 that governments “should not introduce new barriers and should remove existing barriers that deny effective access by women and girls to safe and legal abortion.”

WHEREAS, the Massachusetts State Senate is currently considering S.1209, “An Act to Remove Obstacles and Expand Abortion Access,” also known as the “ROE Act,” co-sponsored by State Senator Joanne N. Commerford, and the Massachusetts House is considering H.3320, “An Act Removing Obstacles and Expanding Access to Women’s Reproductive Health,” co-sponsored by State Representative Lindsay N. Sabadosa, both bills serving as a buttress to the 1981 Massachusetts Supreme Judicial Court’s codification of the right to abortion in the Commonwealth by:

- removing prejudicial language in the general law;
- removing gestational age from the language so termination may still occur for fetal abnormalities;
- allowing additional monies to be used to fund procedures for those who do not qualify for MassHealth; and
- removing judicial bypass, which is particularly crucial for minors in the foster care system and other situations; and

WHEREAS, State Representative Lindsay N. Sabadosa has introduced in the House HD.3658, “An Act to Require Public Universities to Provide Medication Abortion” calling for the establishment of a “fund to be known as the Public University Health Center Sexual and Reproductive Health Preparation Fund for medical abortion readiness” to be administered by the Massachusetts Commission on the Status of Women and calling for a “grant of $200,000 to each public university health

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Rules suspended, passed two readings and enrolled.

19.095 Resolution to Redesignate the City of Northampton Cultural District - 1st reading
Councilor O'Donnell read the text of the resolution.

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

The resolution is fairly self-explanatory, Mayor Narkewicz confirmed. Those driving into Northampton see signs for Paradise City Cultural District. The law requires them to reapply for this designation, and the Arts Council thoroughly supports them in doing so. The resolution is one component of the application. The cultural district designates the importance of the arts and also provides the city with access to funding. (He mentioned a grant Northampton recently received.) Not only is it an important designation but making this commitment to the arts provides them with access to funds. He asked the council to support them in renewing the designation.

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

See minutes of July 11, 2019 for second reading.

19.096 A Resolution Encouraging the Northampton Board of Health and the Massachusetts
State Legislature to Take Action to Increase Measles Immunization Rates in our Communities - 1st reading
Councilor O'Donnell offered the sponsor – Councilor Bidwell – the opportunity to read the resolution aloud, and he obliged.

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

Council Sciarrap thanked Councilor Bidwell, who took the lead in engaging the council on this issue, both in Community Resources and in this meeting. She also thanked Public Health Director Meredith O'Leary, Public Health Nurse Jennifer Meyer and Board of Health Chair Joanne Levin for coming to meetings and talking about what they think can be helpful. Here in Hampshire County they have higher exemption rates than the state average and those are trending upward. Northampton has two of the schools with the highest vaccination exemption rates in the county. City officials need to do a better job in reaching vaccine hesitant families and helping them overcome their hesitancy. They all know everyone wants to do what is best and safest for their children. They know with certainty vaccinating them is the safest thing that can be done for their health and for the community's health. Babies can't be vaccinated until 15 months of age so that population needs to be protected by others' vaccination. She always respects religious freedom and has great respect for personal religious beliefs but when the expression of one's religious beliefs put other lives at risk, it really goes beyond an individual's rights. Religious leaders from major faiths have clearly stated that not only is there not a moral objection to vaccination but there is a moral obligation to guarantee the vaccination coverage necessary for the safety of others.

Councilor Bidwell emphasized how safe and effective the vaccine is. Much to the regret of everyone in public health a bogus study was published in 1998 in a medical journal which claimed a link between the measles vaccination and autism. That study has since been totally discredited and the physician who wrote it has lost his license. The study is 'totally, totally bogus.'

It is also a very, very effective vaccine. When taken in the proper sequence of two doses, it has a 97% effective rate. He thinks it is important that the legislature seriously consider eliminating the religious exemption because, since there is no philosophical objection in Massachusetts and, since it is very loosely defined and loosely administered, it becomes a catch all for anybody who has any squeamish-ness. It either needs to be dramatically tightened up or, preferably, eliminated. Religious freedom is critically important, and he is on the record as supporting religious liberty and religious expression. However, he doesn't believe it extends to the point when it begins endangering other members of the community. “This is an appropriate restriction on religious freedom, I believe.” He hopes his colleagues would support him and Councilor Sciarrap in urging the legislature to look at this seriously and hopefully consider removing the religious exemption. He concluded by complimenting the Board of Health for its excellent work.

Councilor LaBarge asked about medical exemptions. Members recognized Joanne Levin, MD. There are medical reasons why some people should not take the vaccine, Dr. Levin confirmed. Some people are allergic to an antibiotic that is in the vaccine and people who are immune-compromised or under six months old cannot take the vaccine.

Councilor Dwight commented that their reaction to requirements or mandates from the government is interesting; they would expect resistance as they don't all think the same. This is when they talk about the value of the larger group over people who have a variety of concerns, real and imagined. There’s been a long discussion about the ability of the government to impose medical decisions /behaviors in order to advance the best interests of the larger population. Vaccination requirements came at a time when infectious diseases (polio, smallpox, etc.) were affecting a lot of people. They have recently seen increases of auto-immune diseases like HIV, with large segments of the population who are particularly vulnerable. For quite a period there was an epidemic there that met political resistance that resulted in the deaths of thousands of people due to political indifference. He thinks what they’re asking for here is some continuity in the law. As Councilor Bidwell noted, some people have made some rather facile use of the religious exemption; he hasn't heard of an organized religion that opposes vaccination. He is morally comfortable with the idea that the best interests of the greater whole are better served by a vaccination that is efficacious at the same time as its absence is a threat. He has no problem supporting this.
<table>
<thead>
<tr>
<th>Immunization Rates in our Communities - 1st reading</th>
<th>Councilor Nash thanked the sponsors for bringing this forward. There has been a growing skepticism about the effectiveness of all vaccinations, and a lot of it stems from the success of the times they live in, he suggested. He recalled being taken to be vaccinated as a child, noting that his parents had no question it was the right thing to do because it was saving lives. In this generation, kids are really healthy by and large and disabilities from infectious disease that were commonplace a few generations back are way down. He remembers talking to great aunts, etc. and hearing stories of cousins and siblings and friends they lost growing up because of infectious disease. He stands tonight 100% behind this because “sometimes they just forget.” He is very grateful to have that lesson from his family and hopes they can project that forward today. “Science is a good thing... we don’t want to go back to the way things were,” he proposed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presentations</td>
<td>Presentations None.</td>
</tr>
<tr>
<td>Consent Agenda</td>
<td>Consent Agenda Councilor O’Donnell reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. Mrs. Krutzler asked that the June 6, 2019 minutes be removed since she was not able to finish both sets of minutes. <strong>Councilor Dwight moved to approve the consent agenda with the removal of the June 6, 2019 regular meeting minutes. Councilor LaBarge seconded. The motion passed 8:0 by voice vote with one absent.</strong> (Councilor Bidwell stepped out.) The following items were approved as part of the consent agenda: A. Minutes of June 5, 2019 Special City Council Meeting (Budget hearing) B. 19.043 National Grid/Verizon New England Pole Petition for Burts Pit Road (Petition #27858494) C. 19.100 Appointments to Various Committees – for referral to City Services</td>
</tr>
<tr>
<td>Disability Commission</td>
<td>Disability Commission Rodney Kunath, 8 Reed Street, Northampton Term: July 2019 to June 2022 To fill a vacancy</td>
</tr>
<tr>
<td>Energy &amp; Sustainability Commission</td>
<td>Energy &amp; Sustainability Commission Gordon Meadows, 239 Bridge Street, Northampton Term: July 2019-June 2022 To fill a vacancy</td>
</tr>
<tr>
<td>Planning Board</td>
<td>Planning Board Marissa Elkins, 50 Washington Avenue, Northampton Term: July 2019 to June 2022 To fill a vacancy D. 19.101 Petition for Annual Second Hand Dealer License New Second Hand Dealer License: Born Again Vintage &amp; Consignment, 4 Old South Street Applicant: Laura Burke</td>
</tr>
<tr>
<td>Recess for Committee on Finance Meeting</td>
<td>Recess for Committee on Finance Meeting At 8:45 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 9:05 p.m. The City Council reconvened at 9:05 p.m.</td>
</tr>
<tr>
<td>Financial Orders (on 1st reading) 19.097 Order to Surplus Prospect</td>
<td>Financial Orders (on 1st reading) 19.097 An Order to Surplus Prospect Street Water Department Building - 1st reading Councilor Bidwell moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</td>
</tr>
</tbody>
</table>
June 20, 2019 City Council Meeting Minutes

Approved July 11, 2019

504

Street Water Department
Building - 1st rdg

19.098 An Order for FY2019 Budget Transfers - 1st reading

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

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

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council

June 20, 2019

Upon recommendation of the Mayor

19.098 An Order for FY2019 Budget Transfers

Ordered, that

<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Org</th>
<th>Object</th>
<th>Transfer Fonds</th>
<th>Transfer To</th>
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<tr>
<td>Highway</td>
<td>Salaries Permanent</td>
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<tr>
<td>Secure Enterprise: WATF</td>
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<td>Stormwater Enterprise - Flood Control</td>
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<td>Stormwater Enterprise - Storm Drain</td>
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<td>Total Budgetary Transfers</td>
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<td>(401,061)</td>
<td>(307,061)</td>
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</table>

Rules suspended, passed two readings and enrolled.

19.099 An Order to Dedicate Medicare Part D Reimbursement to OPEB Trust Fund - 1st reading

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

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

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

The following order passed two readings:

See minutes of July 11, 2019 for second reading.
Financial Orders (on 2nd reading)  
19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course - 2nd reading  

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

Councilor Dwight thanked Wayne Feiden for providing a tax analysis of the effect of acquiring the property. The motion passed unanimously 9:0 by roll call vote.  

The following order passed two readings:
City of Northampton

Massachusetts

In City Council, June 6, 2019

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

19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course

Ordered, that

WHEREAS, The Open Space, Recreation and Multiuse Trail Plan: 2018-2025 recommends “preserving ecologically valuable land and filling gaps at ... Rocky Hill Greenway”;

WHEREAS, The City has an option to purchase approximately 100 acres at the Pine Grove Golf Course to restore its natural ecological functioning, improve the riparian (river-edge) habitat that feeds the Arcadia Wildlife Sanctuary, and expand the adjacent Rocky Hill Greenway;

WHEREAS, The seller is retaining land to expand one building lot and create three new building lots, achieving the Open Space Plan recommendation of creating new lots to avoid open space from artificially inflating the cost of building lots in Northampton; and

WHEREAS, The City is partnering with the Massachusetts Audubon Society and the Kestrel Land Trust and one or both organizations will hold the required conservation restriction and management easements at no cost to the City;

Ordered, that

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions and related easements on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Energy and Environmental Affairs, under the LAND Self-Help Act, MGL Chapter 132A, §11, with such related restrictions and agreements as the City determines are agreeable;

Further that $650,000 is appropriated for such acquisition; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow $650,000 under MGL c. 44, §7(3); and that the Conservation Commission is authorized to contract for any federal, state, or other aid available for this project, including any grant from the Division of Conservation Services of the Executive Office of Environmental Affairs, under the LAND Self-Help Act, Chapter 132A, §11 of the General Laws;

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.
19.082 Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway - 2nd reading

Rules suspended, passed two readings and enrolled.

19.082 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway - 2nd reading

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

The following order passed two readings:
City of Northampton

In City Council, June 6, 2019

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

19.052 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway

Ordered, that

WHEREAS, The Open Space, Recreation and Multiuse Trail Plan: 2018-2025 recommends “preserving ecologically valuable land and filling gaps at Broad Brook-Fitzgerald Lake Greenway”;

WHEREAS, The City has an option to purchase approximately 5.8 acres off Boggy Meadow Road in the heart of the Broad Brook-Fitzgerald Lake Greenway for $6,000;

WHEREAS, The City is partnering with the Broad Brook Coalition who we expect will help fund this purchase;

Ordered, that

The Conservation Commission is authorized to purchase or otherwise acquire for conservation and passive recreation purposes, as provided by MGL Chapter 60, §8C, any fee, easement or conservation restriction as defined in MGL Chapter 184, §31 or any other interest in the above land and any immediately adjoining land; that the City Council hereby accepts such conservation restrictions; that the Conservation Commission is authorized to grant conservation restrictions and related easements on any land so acquired; and that the Conservation Commission is authorized to contract for and expend any federal, state, or other aid available for this project, with such related restrictions and agreements as the City determines are agreeable.

Further that any grants, donations, or sales shall be used to reimburse open space funds used for the purchase.
19.084 An Order to Approve FY2020 General Fund Budget - 2nd reading
Councilor Dwight moved to approve the order in second reading. Councilor Nash seconded.

Councilor LaBarge asked how much money there is in the School Committee’s rainy day fund. Mayor Narkewicz said that would be the school choice budget controlled by the School Committee. It is not really a rainy day fund. It is school choice money. The funds in the account are used in the following year to help support the overall budget. Superintendent Provost has created a sort of a sustainability plan using school choice funds similar to the city’s fiscal sustainability fund, he noted. There is $2.2 million in this account, he said.

Ms. Wright referred Councilor LaBarge to page 160 of the budget book. The ending balance in FY2018 was $3.9 million, Ms. Wright noted. The money comes in when students are tuitioned in to the district. It is roughly $5,000 per student. The money that comes in in the current year is used the following year, she explained. In some schools, money is so tight they are using the money the year it comes in. The schools have used at least a million dollars from the school choice account every year for the past 15 years, she confirmed. If the school ends the year with any surplus it would flow into this account as well.

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

The following order passed two readings:
9:34 An Order to Approve FY2020 General Fund Budget

Ordered, that

the sum of $94,766,462 which is the full amount necessary for the Fiscal Year 2020 General Fund Budget (July 1, 2019 to June 30, 2020), be appropriated for the purposes stated, provided that the appropriation for Smith Vocational and Agricultural School shall be used solely for the purposes of earning net school spending as defined by the Department of Elementary and Secondary Education and no funds so appropriated shall be transferred to any account or expended for any purpose that would not be included in the calculation of net school spending. To meet this appropriation, $1,857,604 will be raised and appropriated from Parking Meter Receipts Reserved, $935,319 from Sewer Enterprise Funds, $260,420 from Water Enterprise Funds, $104,721 from Solid Waste Enterprise Funds, $280,008 from Storm Water Enterprise Funds, $15,776 from Community Preservation Act Administrative Funds, $28,306 from the Reserve for Police Station Debt Service, $775,874 from the Fiscal Stability Stabilization Fund and $80,005,874 will be raised and appropriated.

CITY OF NORTHAMPTON, MASSACHUSETTS

FISCAL YEAR 2020 BUDGET APPROPRIATION ORDER

<table>
<thead>
<tr>
<th>GENERAL FUND</th>
<th>Personal Services</th>
<th>Ordinary Maintenance</th>
<th>Other Than Ordinary Maintenance</th>
<th>FY 2020 Total Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL GOVERNMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CITY COUNCIL</td>
<td>348,260</td>
<td>36,500</td>
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<td>385,060</td>
</tr>
<tr>
<td>MAYOR</td>
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<td>16,442</td>
<td>0</td>
<td>492,395</td>
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<td>AUDITOR</td>
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<td>5,280</td>
<td>0</td>
<td>307,470</td>
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<tr>
<td>WARDENS</td>
<td>378,628</td>
<td>124,350</td>
<td>0</td>
<td>502,757</td>
</tr>
<tr>
<td>TREASURER</td>
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<td>2,433</td>
<td>0</td>
<td>2,433</td>
</tr>
<tr>
<td>ASSESSOR</td>
<td>297,734</td>
<td>127,473</td>
<td>0</td>
<td>425,207</td>
</tr>
<tr>
<td>LEGAL SERVICES</td>
<td>0</td>
<td>276,500</td>
<td>0</td>
<td>276,500</td>
</tr>
<tr>
<td>HUMAN RESOURCES</td>
<td>315,483</td>
<td>95,230</td>
<td>0</td>
<td>410,713</td>
</tr>
<tr>
<td>INFORMATION TECHNOLOGY</td>
<td>433,626</td>
<td>155,219</td>
<td>0</td>
<td>588,845</td>
</tr>
<tr>
<td>CITY Clerk’s Payroll of Voters</td>
<td>272,850</td>
<td>82,515</td>
<td>0</td>
<td>355,365</td>
</tr>
<tr>
<td>PLANNING &amp; SUSTAINABILITY</td>
<td>352,164</td>
<td>51,573</td>
<td>0</td>
<td>403,737</td>
</tr>
<tr>
<td>CENTRAL SERVICES</td>
<td>627,298</td>
<td>1,944,200</td>
<td>0</td>
<td>2,571,392</td>
</tr>
<tr>
<td>Total</td>
<td>1,545,073</td>
<td>2,473,594</td>
<td>0</td>
<td>4,018,667</td>
</tr>
</tbody>
</table>

PUBLIC SAFETY

| POWER | 5,644,855 | 608,146 | 305,860 | 6,558,858 |
| PARKING DIVISION - ENFORCEMENT | 209,306 | 12,200 | 0 | 221,506 |
| PUBLIC SAFETY COMM CENTER | 426,006 | 67,600 | 0 | 493,606 |
| FIRE RESCUE | 3,837,075 | 505,800 | 210,000 | 4,553,875 |
| BUILDING INSPECTION | 493,321 | 24,700 | 0 | 518,021 |
| PARKING DIVISION - MAINTENANCE | 214,527 | 224,876 | 0 | 439,403 |
| Total | $11,794,968 | 6,408,711 | 405,860 | $18,609,539 |

EDUCATION

| SMITH VOCATIONAL HIGH SCHOOL | 0 | 0 | 0 | 0 |
| SCHOOL DEPARTMENT | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 |

PUBLIC WORKS

| ADMINISTRATION AND ENGINEERING | 231,906 | 52,575 | 0 | 284,481 |
| STREET GENERAL MOWING | 795,742 | 409,750 | 185,000 | 1,389,492 |
| STREET SNOW AND ICE CONTROL | 333,000 | 260,000 | 0 | 593,000 |
| PARKS AND GROUNDS DIVISION | 272,308 | 276,800 | 75,000 | 524,116 |
| Total | 1,535,355 | 1,668,105 | 200,000 | 3,303,460 |

HUMAN SERVICES

| HEALTH DEPARTMENT | 267,143 | 35,710 | 0 | 302,853 |
| SENIOR SERVICES | 262,746 | 46,244 | 0 | 309,000 |
| VETERANS SERVICES | 204,424 | 738,983 | 0 | 943,407 |
| Total | 734,313 | 811,837 | 0 | 1,556,150 |
19.085 Order to Approve FY2020 Sewer Enterprise Fund Budget - 2nd reading

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

The following order passed two readings:

19.086 An Order to Approve FY

Rules suspended, passed two readings and enrolled.
19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget - 2nd reading
Councillor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council June 6, 2019

Upon recommendation of the Mayor

19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget

Ordered, that

the sum of $7,280,000 which is the full amount necessary for the Fiscal Year 2020 Water Enterprise Fund Budget (July 1, 2019 to June 30, 2020), be appropriated for the purposes stated and to meet said appropriation. $6,095,580 is to be raised from water receipts, $620,420 shall be allocated to indirect costs.

<table>
<thead>
<tr>
<th>WATER ENTERPRISE FUND</th>
<th>FY 2020 Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>WATER TREATMENT AND OPERATIONS</td>
<td>1,475,191</td>
</tr>
<tr>
<td>WATER DEBT</td>
<td>0</td>
</tr>
<tr>
<td>WATER INTEREST</td>
<td>0</td>
</tr>
<tr>
<td>WATER RESERVE COSTS</td>
<td>0</td>
</tr>
<tr>
<td>WATER RESERVE ACCOUNTS</td>
<td>0</td>
</tr>
</tbody>
</table>

TOTAL WATER ENTERPRISE FUND APPROPRIATION 3,060,951

Rules suspended, passed two readings and enrolled.

19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget - 2nd reading
Councillor LaBarge moved to approve the order in second reading. Councilor Sciarrra seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council June 6, 2019

Upon recommendation of the Mayor

19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget

Ordered, that

the sum of $602,659 which is the full amount necessary for the Fiscal Year 2020 Solid Waste Enterprise Fund Budget (July 1, 2019 to June 30, 2020), be appropriated for the purposes stated and to meet said appropriation. $376,279 is to be raised from solid waste receipts, $104,721 shall be allocated to indirect costs, and $121,659 to be made available from the Retained Earnings Balance of the Solid Waste Enterprise Fund.

<table>
<thead>
<tr>
<th>SOLID WASTE ENTERPRISE FUND</th>
<th>FY 2020 Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>OTHER WASTE FUND PROGRAMS</td>
<td>278,502</td>
</tr>
<tr>
<td>SOLID WASTE DIRECT &amp; INDIRECT COSTS</td>
<td>278,502</td>
</tr>
</tbody>
</table>

TOTAL SOLID WASTE ENTERPRISE FUND APPROPRIATION 602,659

Rules suspended, passed two readings and enrolled.
2020 Stormwater and Flood Control Enterprise Fund Budget - 2nd reading

19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget - 2nd reading

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

The following order passed two readings:

**City of Northampton**
**Massachusetts**

*In City Council* June 6, 2019

Upon recommendation of the Mayor

**19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget**

Order, that

the sum of $1,990,486 which is the full amount necessary for the Fiscal Year 2020 Stormwater and Flood Control Enterprise Fund Budget (July 1, 2019 to June 30, 2020), be appropriated for the purposes stated and to meet said appropriation. $1,716,478 is to be raised from Stormwater and Flood control receipts and $280,008 shall be allocated to indirect costs.

<table>
<thead>
<tr>
<th></th>
<th>FY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STORMWATER ENTERPRISE FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Stormwater Chan OPerations</td>
<td>$381,262</td>
</tr>
<tr>
<td>Stormwater Flood Control OPerations</td>
<td>$335,100</td>
</tr>
<tr>
<td>Stormwater Maint</td>
<td>$440,250</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$754,652</td>
</tr>
<tr>
<td><strong>STORMWATER FLOOD CONTROL ENTERPRISE FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Stormwater Maint</td>
<td>$77,030</td>
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<tr>
<td>Stormwater Maint</td>
<td>$43,150</td>
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<tr>
<td>Maintenance</td>
<td>$66,373</td>
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<tr>
<td>Maintenance</td>
<td>$727,266</td>
</tr>
<tr>
<td><strong>STORMWATER ENTERPRISE FUND</strong></td>
<td></td>
</tr>
<tr>
<td>Stormwater Maint</td>
<td>$80,000</td>
</tr>
<tr>
<td>Stormwater Maint</td>
<td>$80,000</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$80,000</td>
</tr>
<tr>
<td>Maintenance</td>
<td>$80,000</td>
</tr>
<tr>
<td><strong>TOTAL STORMWATER ENTERPRISE FUND APPROPRIATION</strong></td>
<td>$1,990,486</td>
</tr>
</tbody>
</table>

Rules suspended, passed two readings and enrolled.

19.089 An Order to Approve FY2020 Revolving Funds - 2nd reading

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

The Mayor’s office has asked to amend 19.089 in second reading to increase the amounts of two revolving accounts because of increased activity: Senior Services Activities (increased from $90,000 to $150,000) and Senior Services Food Services (increased from $35,000 to $90,000), Councilor O'Donnell reported.

Ms. Wright explained a procedural change as a result of the Municipal Modernization Act. Revolving funds are now codified by ordinance, so rather than vote to establish the funds, City Council just votes each year to set the limit of spending.

She confirmed that the gift shop at the Senior Center closed. Because its revolving fund was created by ordinance, an ordinance change is necessary to eliminate it. It is possible they will be asking to delete it in the future, she confirmed

Councilor Dwight moved to approve the requested amendment. Councilor Klein seconded. The motion passed unanimously 9:0 by voice vote.

He called the main motion to a vote, and it passed unanimously 9:0.

The following order passed two readings:
19.090 Order to Rescind Borrowing Authority - 3 Votes - 2nd reading

Rules suspended, passed two readings and enrolled.

19.090 Order to Rescind Borrowing Authority - 3 Votes - 2nd reading
Councillor Bidwell moved to approve the order in second reading. Councillor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:
19.092 An Order to Rescind Unused Borrowing Authority for MSBA Projects - Bridge Street and Leeds School Roofs - 2nd reading

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

The following order passed two readings:

Orders

19.092 An Order to Rescind Unused Borrowing Authority for MSBA Projects - Bridge Street and Leeds School Roofs

Rules suspended, passed two readings and enrolled.

Orders

Execution of Order of Taking for Damon Road Reconstruction - an affirmative vote will authorize City Councilors to sign the Order of Taking

This document spells out exactly what land is being taken, Mayor Narkewicz advised. Each of the property owners has been met with and received a certified letter and told the amount of...
compensation. This signing is the final piece in getting the document executed to satisfy the state
that easements and takings are in place.

Councilor Dwight moved to approve executing the Order of Taking. Councilor Sciarra seconded.

Councilor Nash asked if there was anyone participating unwillingly.

Mayor Narkewicz said he couldn’t really answer that. He didn’t know of anyone who was objecting. Owners can contest the amount of damages, he clarified.

Councilor O’Donnell read aloud the first page of the Order of Taking. The motion passed unanimously 9:0 by roll call vote.

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

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

The following Order of Taking was duly executed:

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79 and Chapter 82, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto as Exhibit A, does hereby take, for and on behalf of the Inhabitants of the City of Northampton, the parcels and interests referenced in Exhibit B-1 through and including B-25, attached hereto, for all purposes for which public ways are used in the City of Northampton, including the widening and reconstruction of Damon Road and Bridge Road, both being public ways in and for the City of Northampton.

The parcels hereby taken are shown as on a plan entitled, “Alteration Plan of Damon Road and Bridge Road Prepared for the City of Northampton,” dated June ____, 2019, and recorded in Plan Book ____, Page ____, and are more particularly bounded and described as set forth on Exhibit B-1 through and including B-25, attached hereto.

The owners of the parcels taken hereunder and the damages awarded, if any, are set forth in Exhibits B1 through and including B-25, attached hereto. In accordance with M.G.L. Chapter 79 § 6, as amended, such damage awards are made by the City of Northampton for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any interest in the Property and entitled to any damages by reason of the taking. The City of Northampton reserves the right to amend the award at any time prior to payment for good cause shown.

No betterments shall be assessed as a result of the improvements to Damon Road and/or Bridge Road.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
The Order of Taking included Attachment A, a City Council order to appropriate money and authorize eminent domain taking for Damon Road reconstruction and Attachments B-1 through B-25, containing metes and bounds descriptions of temporary and permanent easements.

Rules suspended, passed two readings and enrolled.

<table>
<thead>
<tr>
<th>Ordinances (Not yet Referred)</th>
<th>Ordinances (Not yet Referred)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None.</td>
<td>None.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ordinances</th>
<th>Ordinances</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration – 2nd reading</td>
<td>19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration – 2nd reading</td>
</tr>
<tr>
<td>19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration – 2nd reading</td>
<td>19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration – 2nd reading</td>
</tr>
</tbody>
</table>


The motion to approve all five ordinances as a group passed unanimously 9:0 by roll call vote.
The following ordinances passed two readings:

19.057 Ordinance
Amending Requirements for Marijuana Manufacturing in OI and GI by Adding Air Filtration
19.058 Ordinance
Clarifying Provisions for Outdoor Growing of Marijuana

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of the Mayor

19.054 An Ordinance
allowing marijuana testing and processing in core business districts

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended by modifying allowances under the by-right uses within the Central Business, Entrance Business, Highway Business & General Business Districts

ORDINANCE

Be it ordained by the City Council of the City of Northampton, that:

Within the CB (Attachment 9), EB (Attachment 10) HI, (attachment 12), GB (Attachment 2) Districts Table of Use and Dimensional regulations a new row be added for uses by-right

Any marijuana independent testing laboratory or other testing labs only when located below grade, above the first floor or behind a street front unit reserved for an allowed commercial use, which is at least 10’ deep, or in a building that does not abut on a public way maintained by the City.

Rules suspended, passed two readings, ordained and enrolled.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of the Mayor

19.055 An Ordinance
allowing marijuana production/cultivation, testing and processing in the PV district

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended by modifying allowances under the by-right uses within the Planned Village District

ORDINANCE

Be it ordained by the City Council of the City of Northampton, that:

Within the PV (Attachment 19) District Table of Use and Dimensional regulations a new row be added for uses by-right:

Any marijuana manufacturing, cultivation or testing. All manufacturing/cultivation facilities must incorporate both high efficiency particulate air handlers with activated carbon filters and exhaust systems designed with vents that force the air at least 10’ above the roof line of the building. Alternatively, other technology may be used upon finding by the Planning Board through Site Plan Approval process that such other technology will, to the extent practicable, limit odors from marijuana in any place where the public or clients are present.

Rules suspended, passed two readings, ordained and enrolled.
CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.056 An Ordinance
amending the requirements for medical marijuana manufacturing operations by adding air filtration

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350-11.6(4) Code of Ordinances, City of Northampton, Massachusetts, be amended by modifying site plan requirements for medical marijuana manufacturing.

ORDINANCE

11.6 4 Amend as shown

Medical marijuana manufacturing operations shall meet the following criteria:

(b) Buildings must be ventilated, incorporate both high efficiency particulate air handlers with activated carbon filters and exhaust systems designed with vents that force the air at least 10' above the roof line of the building. Alternatively, other technology may be used upon finding by the Planning Board through Site Plan Approval process that such other technology will, to the extent practicable, limit odors from marijuana in any place where the public or clients are present.

Rules suspended, passed two readings, ordained and enrolled.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.057 An Ordinance
amending the requirements for marijuana manufacturing in the OI and OI Districts by adding air filtration

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350-Attachments 15 and 16 Code of Ordinances, City of Northampton, Massachusetts, be amended as shown below

ORDINANCE

Uses Allowed by Right

• Marijuana production/manufacturing. All facilities must incorporate both high efficiency particulate air handlers with activated carbon filters and exhaust systems designed with vents that force the air at least 10' above the roof line of the building. Alternatively, other technology may be used upon finding by the Planning Board through Site Plan Approval process that such other technology will, to the extent practicable, limit odors from marijuana in any place where the public or clients are present.

Rules suspended, passed two readings, ordained and enrolled.
19.068 An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling – 2nd reading

19.069 An Ordinance to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts – 2nd reading

19.070 An Ordinance to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts – 2nd reading

19.071 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URC District – 2nd reading

19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts – 2nd reading

19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts – 2nd reading

19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District – 2nd reading


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

The following ordinances passed two readings:
CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of the Mayor

19.068 An Ordinance
to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of
Ordinances, City of Northampton, Massachusetts, be amended to define short-term rentals.

ORDINANCE

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:

Amend § 2.1 as follows by adding/deleting as shown

TOURIST HOME BED AND BREAKFAST
An owner-occupied single-family dwelling which may rent up to a maximum of three rooming units for
transient occupancy, not to exceed a total of six renters (without individual kitchen facilities and with an
individual or shared bath/toilet facility, with at least one toilet, one bath/shower and one wash basin,
separate from those required for the single-family dwelling), which share a common entrance for the
single-family dwelling. The use of that portion of the dwelling devoted to transient occupancy shall be
secondary to the use of the dwelling as a single-family dwelling and shall not change the character thereof:

SHORT TERM RENTAL
A dwelling unit or a room within a dwelling, which is leased to an individual or a group for less
than 30 days at a time (A room for rent within an owner-occupied dwelling unit is an allowed
accessory use for any dwelling unit.)

OWNER OCCUPIED DWELLING
A dwelling that is the principal residence of the owner and where the owner resides or intends to reside as his
or her domicile.

Rules suspended, passed two readings, ordained and enrolled.
CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of the Mayor

19.069 An Ordinance
to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to specify where short term rentals are allowed.

Amend the following tables: WSP, SC, SR, RR, Tables - Attachment 24, 18, 5, 4
Under Uses Allowed by Right, Add:
  • Short Term Rental, allowed only upon annual registration with the City. Use as a registered rental is only valid for the year in which registration is completed and expires December 31st each year.
Uses Allowed by Special Permit Amend:
  • Tourist home\(\text{bed-and-breakfast}\)

Rules suspended, passed two readings, ordained and enrolled.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen
Upon the Recommendation of the Mayor

19.070 An Ordinance
to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to define that short-term rentals are allowed in the URA and URB districts.

Amend URA Table Attachment 6.3 & 6.4 and URB Table Attachment 7:3 and 7:6
Under Uses Allowed by Right Add:
  • Short Term Rental, allowed only upon annual registration with the City. Use as a registered rental is only valid for the year in which registration is completed and expires December 31st each year.

Under Uses Allowed by Special Permit Amend:
  • Bed-and-breakfast\(\text{tourism home}\)

Rules suspended, passed two readings, ordained and enrolled.
CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.071 An Ordinance to Amend Zoning to Allow Short Term Rentals in the URC District

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to specify that short term rentals are allowed in the URC district.

Amend URC Table Attachment 8:4
Uses Allowed By Right Add:
- Bed and Breakfast
- Short Term Rental, allowed only upon annual registration with the City. Use as a registered rental is only valid for the year in which registration is completed and expires December 31st each year.

Uses Allowed by Special Permit Modify:
- Bed and Breakfast

Rules suspended, passed two readings, ordained and enrolled.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to specify that short term rentals are allowed in the GB and NB districts.

Attachment 2 Table of Dimensional and Density Regulations

<table>
<thead>
<tr>
<th>GB</th>
<th>NB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourist home/Bed and Breakfast</td>
<td>No PAA</td>
</tr>
<tr>
<td>Short Term Rental</td>
<td>A A</td>
</tr>
</tbody>
</table>

2 Short Term Rentals must be registered with the City and are only valid for the year in which registration is completed and expires December 31st each year.

Rules suspended, passed two readings, ordained and enrolled.
CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to specify that short term rentals are allowed in the CB, EB, HB, and OI districts.

Amend tables CB Attachment 9, EB Attachment 10, HB Attachment 12, OI Attachment 16
(Add new row — allowed by right)

- Short-term rentals. Such rentals must be registered with the City and is only valid for the year in which registration is completed and expires December 31st each year.

Rules suspended, passed two readings, ordained and enrolled.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Nineteen

Upon the Recommendation of the Mayor

19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended to allow bed and breakfast and short term short-term rentals in the PV district.

PV Attachment 19. Modify as shown

- Any residential structure or mix thereof as part of the overall master planned project and not exceeding 85% of gross floor area of commercial uses in the village. (This cap shall no longer apply when the project reaches 400,000 square feet of commercial uses in the PV District). single-family dwelling, two-family, three-family multifamily or townhouse development. Any accessory buildings. Any Bed and Breakfast. Any Short Term Rental. Short Term Rentals must be registered with the City is only valid for the year in which registration is completed and expires December 31st each year.

Rules suspended, passed two readings, ordained and enrolled.

Information (Charter Provision 2-7) and Information Study Requests

None
<table>
<thead>
<tr>
<th>Motion to Adjourn</th>
<th>Upon motion made by Councilor Dwight and seconded by Councilor Bidwell, the meeting was adjourned at 9:40 p.m.</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Attest: ___________________________ Administrative Assistant to the City Council</td>
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</tbody>
</table>
EXHIBIT A

List of Documents Reviewed at June 20, 2019 City Council Meeting:

1. June 20, 2019 Agenda
2. Public Comment Sign-up Sheet for June 20, 2019
3. City Council Meeting Minutes for June 5, 2019
4. 19.091 A Resolution Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States
5. Letter from National Institute of Reproductive Health
6. 19.095 Resolution to Redesignate the City of Northampton Cultural District
7. 19.096 A Resolution Encouraging the Northampton Board of Health and the Massachusetts State Legislature to Take Action to Increase Measles Immunization Rates in our Communities
8. 19.043 National Grid/Verizon New England Pole Petition for Burts Pit Road (Petition #27859494)
9. Memo from Kristine Baker, P.E. to DPW Director Donna LaScaleia dated April 29, 2019 re: National Grid/Verizon New England Pole Petition #27859494 (Burts Pit Road)
10. 19.100 Appointments to Various Committees
11. Memo from David J. Narkewicz to City Council dated June 20, 2019 re: Appointments to Boards, Committees and Commissions proposing the appointments of Rodney Kunath to the Disability Commission, Gordon Meadows to the Energy and Sustainability Commission and Marissa Elkins to the Planning Board, together with Applications for Appointment to Boards, Committees and Commissions.
12. 19.101 Petition for Annual Second Hand Dealer License – New License Application from Born Again Vintage and Consignment, 4 Old South Street; Petitioner: Laura Burke
13. 19.097 An Order to Surplus Prospect Street Water Department Building
15. 19.099 An Order to Dedicate Medicare Part D Reimbursement to OPEB Trust Fund
16. Damon Road Order of Taking (for Damon Road reconstruction
17. 19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course
18. 19.082 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway
19. 19.084 An Order to Approve FY2020 General Fund Budget
20. 19.085 An Order to Approve FY2020 Sewer Enterprise Fund Budget
21. 19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget
22. 19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget
23. 19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget
24. 19.089 An Order to Approve FY2020 Revolving Funds
25. 19.090 Order to Rescind Borrowing Authority
27. 19.054 An Ordinance Allowing Marijuana Testing and Processing in Core Business Districts
28. 19.055 An Ordinance Allowing Marijuana Production/Cultivation, Testing and Processing in the PV District
29. 19.056 An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration
30. 19.057 An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration
31. 19.058 An Ordinance Clarifying the Provisions for Outdoor Growing of Marijuana
32. 19.068 An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling
33. 19.069 An Ordinance to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts
34. 19.070 An Ordinance to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts
35. 19.071 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the URC District
36. 19.072 An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts
37. 19.073 An Ordinance to Amend Zoning to Allow Short-Term Rentals in the CB, EB, HB and OI Districts
38. 19.074 An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District
<table>
<thead>
<tr>
<th>Resolution</th>
<th>Status</th>
<th>Yes</th>
<th>Yes</th>
<th>Second</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Motion carried 9:0, roll call</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.091 A Resolution Affirming Support for Access to Safe and Legal Abortion in the Commonwealth of Massachusetts and Across the United States - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>19.095 Resolution to Redesignate the City of Northampton Cultural District - 1st reading</td>
<td>1st reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Motion carried 9:0, roll call</td>
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<tr>
<td>19.096 A Resolution Encouraging the Northampton BOH and the MA State Legislature to Take Action to Increase Measles Immunization Rates - 1st reading</td>
<td>1st reading</td>
<td>Yes</td>
<td>Yes</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Motion carried 9:0, roll call</td>
</tr>
<tr>
<td>19.097 An Order to Surplus Prospect Street Water Department Building - 1st reading</td>
<td>1st reading</td>
<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>19.098 An Order for FY2019 Budget Transfers - 1st reading</td>
<td>1st reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Motion carried 9:0, roll call</td>
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<td></td>
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<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td></td>
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<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
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<td>19.099 An Order to Dedicate Medicare Part D Reimbursement to OPEB Trust Fund - 1st reading</td>
<td>1st reading</td>
<td>Yes</td>
<td>Yes</td>
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<td>Yes</td>
<td>Yes</td>
<td>Motion carried 9:0, roll call</td>
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<td></td>
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<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
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<td>Yes</td>
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<td></td>
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<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>19.081 An Order to Borrow Money and Authorize Acquisition of 100 Acres at Pine Grove Golf Course - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>19.082 An Order to Purchase 5.8 Acres in the Broad Brook-Fitzgerald Lake Greenway - 2nd reading</td>
<td>2nd reading</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>19.084 An Order to Approve FY2020 General Fund Budget - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Yes</td>
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<td>19.085 An Order to Approve FY2020 Sewer Enterprise Fund Budget - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>19.086 An Order to Approve FY 2020 Water Enterprise Fund Budget - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>19.087 An Order to Approve FY 2020 Solid Waste Enterprise Fund Budget - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Yes</td>
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<tr>
<td>19.088 An Order to Approve FY 2020 Stormwater and Flood Control Enterprise Fund Budget - 2nd reading</td>
<td>2nd reading</td>
<td>Yes</td>
<td>Yes</td>
<td>Second</td>
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<td>19.089</td>
<td>An Order to Approve FY2020 Revolving Funds - 2nd reading</td>
<td>Councillor Dwight moved to amend to increase the Senior Services Activities fund from $90,000 to $150,000 and to increase Senior Services Food Services from $35,000 to $90,000. Councilor Klein seconded. The motion passed unanimously 9:0 by voice vote.</td>
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<tr>
<td>19.090</td>
<td>Order to Rescind Borrowing Authority - 3 Votes - 2nd reading</td>
<td>Motion to amend</td>
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<tr>
<td>19.092</td>
<td>An Order to Rescind Unused Borrowing Authority for MSBA Projects - Bridge Street and Leeds School Roofs - 2nd reading</td>
<td>Second motion to approve</td>
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<td></td>
<td>Execution of Order of Taking for Damon Road Reconstruction - an affirmative vote</td>
<td>Authorizes City Councilors to sign the Order of Taking</td>
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<td>19.055</td>
<td>An Ordinance Allowing Marijuana Production/Cultivation, Testing and Processing in the PV District - 2nd reading</td>
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<td>19.056</td>
<td>An Ordinance Amending the Requirements for Medical Marijuana Operations by Adding Air Filtration - 2nd reading</td>
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<td>19.057</td>
<td>An Ordinance Amending the Requirements for Marijuana Manufacturing in the OI and GI Districts by Adding Air Filtration - 2nd reading</td>
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<td>19.058</td>
<td>An Ordinance Clarifying the Provisions for Outdoor Growing of Marijuana - 2nd reading</td>
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<td>19.068</td>
<td>An Ordinance to Amend Zoning to Add Definitions of Short-Term Rental and Owner-Occupied Dwelling - 2nd reading</td>
<td>Councilor Dwight moved to approve the short-term rental (STR) ordinances (19.068, 19.069, 19.070, 19.071, 19.072, 19.073 and 19.074) as a group in second reading. Councilor LaBarge seconded.</td>
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<td>19.069</td>
<td>An Ordinance to Amend Zoning to Allow Short-Term Rentals in WSP, SC, SR and RR Districts - 2nd reading</td>
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<td>19.070</td>
<td>An Ordinance to Amend Zoning to Allow Short-Term Rentals in URA and URB Districts - 2nd reading</td>
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<td>19.072</td>
<td>An Ordinance to Amend Zoning to Allow Short-Term Rentals in GB and NB Districts - 2nd reading</td>
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<tr>
<td>19.074</td>
<td>An Ordinance to Amend Zoning to Allow Bed and Breakfasts and Short-Term Rentals in the PV District - 2nd reading</td>
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</table>
At 9:40 p.m., Councilor Dwight moved to adjourn the meeting; Councilor Bidwell seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.