A regular meeting of the City Council was called to order by Council President Ryan O'Donnell. At 7:24 p.m. on a roll call the following City Councilors were present:

At-Large Councilor Ryan O'Donnell
Ward 1 Councilor Maureen T. Carney
Ward 2 Councilor Dennis P. Bidwell
Ward 3 Councilor James B. Nash
Ward 4 Councilor Gina-Louise Sciarra

At-Large Councilor William H. Dwight
Ward 5 Councilor David A. Murphy
Ward 6 Councilor Marianne LaBarge
Ward 7 Councilor Alisa F. Klein

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

Mayor Narkewicz presented the application. The work is part of the fuel depot replacement project that has been on the capital program for the last several years. The City Council issued the initial license for the fuel depot, as it is required to do. A year or so ago, the council issued a similar license amendment for tank replacement at Cumberland Farms, he reminded. Administrators are asking to amend the license to replace two 10,000 gallon underground storage tanks with an aboveground tank with the capacity for 12,500 gallons each of gasoline and diesel, he explained.

There will be a canopy over the fuel dispensing station, concrete pad and bollards, and a fairly complicated leak detection system and fire suppression system. The fire department and State Fire Marshal have both reviewed and approved the plans and support issuance of the license. Once the DPW has the local license, it will apply for state permits, he advised. They hope the project will be completed by January 2020.

Councilor O'Donnell asked if any members of the public would like to speak for or against. No one spoke.

Councilor LaBarge asked the cost.

This is a capital improvement project that was already approved and funded at a cost of $633,000, Mayor Narkewicz responded. One of the factors precipitating the need for replacement is the age of the underground tanks. Above ground storage is far less expensive and eliminates the risk of potential underground contamination. The tanks are fire-tested, ballistically-tested and have multiple walls with leak detection systems within the walls. The system fuels not only the DPW, but police, fire and schools.

Councilor LaBarge mentioned some confusion about the use of money for capital improvements vs. pay raises.

Councilor O'Donnell cautioned that this was straying off the subject but said the Mayor was free to answer if he thought it was germane.
All he can say is that the charter requires him to present two separate proposals: the Capital Improvement Program and the budget, Mayor Narkewicz said. The project will use enterprise funds in addition to General Fund money, borrowed funds and money from the stabilization account.

Members asked questions and offered comments.

Councilor Bidwell asked if the cost included removal of the underground storage tanks, and Mayor Narkewicz said yes.

He asked if there is any indication of contaminated soil.

Not directly around the farm, Mayor Narkewicz said. Workers have done some test borings in areas around the site and have been addressing those findings so they don’t believe there will be any long-term problems due to contamination, he added.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by voice vote. The public hearing concluded at 7:33 p.m.

<table>
<thead>
<tr>
<th>Updates from Council President &amp; Committee Chairs</th>
<th>None</th>
</tr>
</thead>
</table>

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

One subject of the most recent meeting was a continuation of the central discussion of how to increase and expand access by underserved or marginalized communities who aren't necessarily aware of discussion about the charter, Councilor Dwight reported. It was a lengthy discussion expected to be continued. There is some built-in frustration in the general lack of engagement in local government. He doesn't think people understand or necessarily know that the charter is the equivalent of the city's constitution and that public input is gratefully received.

With regard to the charter’s provision for a vacancy in the Mayor's office, members received an email from Mark Warner who expressed some concern about the statement that in the event of a vacancy, the Council President will serve as Mayor...

Mayor Narkewicz interjected to clarify that the resident's concern was with the charter's provision for the Mayor's temporary absence from the city, not a permanent vacancy in the Mayor's office.

Members talked about adjusting the language in the charter to clarify what constitutes a temporary vacancy on the part of the Mayor and what responsibilities would come under the aegis of the Council President in that event, Councilor Dwight elaborated. A driver of the discussion was the recognition that access is different now; i.e. – with the ability to communicate directives in the event of an emergency, the Mayor would have to be “pretty damn far away” in order to not be able to respond or come back in time, he observed.

The next meeting is Tuesday at 6:30 p.m.

<table>
<thead>
<tr>
<th>Communications &amp; Proclamations from the Mayor</th>
<th>None</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Resolutions 19.112 Resolution in Support of Right to Counsel in Eviction Cases</th>
<th>Resolutions 19.112 Resolution in Support of Right to Counsel in Eviction Cases and Eviction Sealing to Promote Housing Opportunity and Mobility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councilor O'Donnell offered one of the resolution's sponsor the opportunity to read the resolution aloud, and Councilor Sciarra obliged.</td>
<td>527</td>
</tr>
</tbody>
</table>
Councilor Dwight moved to approve the resolution in first reading. Councilor Bidwell seconded.

Councilor Sciarra said she had a couple of amendments. As heard in public comment, a public hearing on the 'Right to Counsel' bills is scheduled before the Joint Committee on the Judiciary for next week. She proposed insertion of the phrase “and joins our state legislators Senator Jo Comerford and Representative Lindsay Sabadosa, who are co-sponsors, in supporting” after the words ‘eviction proceedings,’ in the first ‘NOW THEREFORE BE IT RESOLVED’ clause. She so moved. Councilor Dwight seconded. The motion passed unanimously 9:0 by voice vote.

Councilors Sciarra moved to add the phrase “with co-sponsors Senator Jo Comerford and Representative Lindsay Sabadosa,” to the next ‘BE IT FURTHER RESOLVED’ clause. Councilor Dwight seconded. The motion passed unanimously 9:0.

Councilor Sciarra thanked Jennifer Derringer, Joel Feldman and Pamela Schwartz for speaking in support. Attorney Feldman was the one who initially approached her about the state legislation and brought it to her attention, and she immediately knew she wanted to add her voice to those calling for these changes. She thinks everyone should have a right to counsel in any legal situation but certainly when one’s home and right to shelter is at risk. Having sat on the Community Development Block Grant (CDBG) committee, she has heard about the remarkable work Community Legal Aid does around this issue and how the need far exceeds the meager resources. As they heard Ms. Derringer say, they turn away at least 50% of people seeking their help. They heard other fairly horrifying statistics from Attorneys Feldman and Schwartz about how rare it is for tenants to have representation, and she has also heard success stories about what can happen when people do get representation, Councilor Sciarra continued. If someone can step in and assist a tenant it can be the difference between someone having a home and not having a home and maintaining a stable life vs. life snowballing out of control. She thinks it is particularly appalling that children and minors named in these eviction proceedings through no fault of their own end up carrying eviction records with them. [Sealing the records] seems like a blatantly obvious way to help end generational cycles of homelessness.

She knows having attorneys do this work takes resources, but she really thinks access to legal representation should be a basic right when someone’s very home is in jeopardy. She would love to see Community Legal Aid be able to do this work fully-funded. “I just think this is a basic right that we all need to support,” she concluded.

Councilor Dwight referred to the disparity in justice reflected by the current system, suggesting that “there are some serious points of shame.” There is a gross inequity, especially for people of a certain class or cultural identity. They don’t have a more glaring example than Jeffrey Epstein, who managed to avoid criminal prosecution at the highest level because he had the means to pay for it. The fact is that people of much better moral character are in jeopardy of losing their homes, becoming homeless, and having their lives redefined by a system that is stacked against them.

This is not a panacea by any means, but the absence of representation in a very complicated legal situation is so egregious that people with no means or wherewithal to defend themselves find themselves pitted against well-practiced attorneys. “The fact that this situation exists is mortifying, and it’s very shameful,” he contended.

Regarding the eviction sealing issue, “You are condemned just by someone sending you an eviction notice,” he noted. As Attorney Schwartz said, evicted tenants “are branded with a scarlet letter ‘E.’”

“This is just grotesque,” he continued. Given the numbers described, the growth of homelessness and displacement and the disproportionate impact to people of color and people of a certain class, it is an obscenity that needs correction, he implied. This is a slight adjustment; it is not a solution by any stretch. He thinks it is incumbent upon them to at least lend their support and emphatic endorsement of this and more. It is his hope that their cosponsor representatives will be able to leverage this in some way and that the legislature will be responsive, move it out of committee and vote affirmatively.

Hearing Pamela Schwartz this evening, “it’s a disgraceful situation that’s happening here,”
Councilor LaBarge agreed.

She feels that tenants should definitely have legal aid; there should be a representative. She is hoping this is going to pass. To not even know that an occupant has representation “is the wrong way to go.” She is going to support this 100%.

She said she thought she heard there is meeting at the statehouse next Tuesday. She asked if Councilor Sciarra would like a second reading tonight to move it to Boston, and Councilor Sciarra said she would.

Councilor Bidwell thanked the sponsors for bringing the resolution forward, noting that it is no surprise that the deck is stacked pretty horribly against tenants, but having the magnitude of this inequity quantified and a personal face put on it is very powerful. He commented on the irony that, although social services and the housing community know that so many good outcomes – in health, in education, in recovery from addiction and in prevention/avoidance of a life of crime – are tied to stability of housing, they still allow incredible roadblocks to get in the way of that stability. The irony is dramatic and makes the case for passing legislation particularly compelling, he concluded.

Councilor O’Donnell pointed out that, even if the legislature is successful in passing legislation, proponents will still have a second battle to secure funding for this legal representation, and sponsors acknowledged that is the case. He called for a roll call, and the motion passed unanimously 9:0 by roll call vote.

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

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

The following resolution passed two readings:
CITY OF NORTHAMPTON
MASSACHUSETTS

In the City Council, July 11, 2019

Upon the Recommendation of Councillor Gina-Louise Sciarra and Councillor William H. Dwight

R-19.112
Resolution in Support of Right to Counsel in Eviction Cases and Eviction Sealing to Promote Housing Opportunity and Mobility

WHEREAS: Over 40,000 households in Massachusetts were served with eviction notices in 2018; and

WHEREAS: Community Legal Aid represents and advises Northampton residents about their eviction cases, but the need is far greater than the funding for Community Legal Aid’s services; and

WHEREAS: Many tenants are unaware of their rights and legal protections both in and out of the courtroom; and

WHEREAS: Overall over 92% of Commonwealth tenants received no legal guidance once an eviction notice was delivered, nor assistance from an attorney in defending the eviction in court; and

WHEREAS: Access to critical legal resources, guidance and support from a legal advocate prior to an eviction proceeding can protect people from being displaced by an eviction, prevent homelessness, and create a path to housing stability; and

WHEREAS: The following ‘Right to Counsel’ bills have been filed for the 2019-20 Legislative Session and assigned to the Joint Committee on the Judiciary for hearing on July 16, 2019: S.913 by Senator Sal N. DiDomenico and H.3456 by Representative Chynah Tyler, both titled ‘An Act to ensure right to counsel in eviction proceedings,’ and H.1537 ‘An Act establishing a right to counsel in certain eviction cases’ filed by Representatives David M. Rogers and Michael S. Day; and

WHEREAS: Since 1988, over 1 million such eviction cases have been filed in Massachusetts and once filed become part of that tenant’s eviction record, documenting the tenant’s history of ever having sued or been sued by a landlord; and
WHEREAS: Regardless of fault, outcome, or underlying basis for a court filing, possessing any record of an eviction filing can affect a tenant’s ability to secure housing and may give a landlord reason to reject their application; and

WHEREAS: In 2013, the Massachusetts Trial Court began placing eviction record information online, making a tenant’s court record history easily accessible to the public and to tenant screening companies, which routinely recommend rejections of tenants for having been in court, regardless of the outcome of the case or proof of clerical error; and

WHEREAS: Even children and minors named in eviction proceedings risk permanent records that impact their search for housing when they become adults; and

WHEREAS: Many landlords routinely file a notice to quit simply as a matter of course at the conclusion of a tenancy, and are unaware of the collateral consequences of eviction records or of the growing record of evictions they themselves are accumulating; and

WHEREAS: Bills H.3566 and S.824 ‘promoting housing opportunity and mobility through eviction sealing (HOMES),’ sponsored by Representative Michael Moran and Senator Joseph Boncore respectively have been assigned to the Joint Committee on the Judiciary for hearing on July 16, 2019; and

WHEREAS: These bills would protect tenants from being unfairly branded with an eviction record by sealing records until a judgment is rendered and ensuring the accuracy of records while not altering the legal rights of landlords, property owners or tenants.

NOW THEREFORE BE IT RESOLVED that the Northampton City Council hereby states its support of the right to counsel for tenants in eviction proceedings, and joins our state legislators Senator Jo Comerford and Representative Lindsay Sabadosa, who are co-sponsors, in supporting the acts establishing and ensuring those rights: S 913, H 3456 and H 1537.

BE IT FURTHER RESOLVED that the Northampton City Council also hereby supports with co-sponsors Senator Jo Comerford and Representative Lindsay Sabadosa, S 824 and H 3566, the acts to promote housing opportunity and mobility through eviction sealing.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the state sponsors of the ‘Acts to ensure right to counsel in certain eviction cases,’ Representatives David M. Rogers and Michael S. Day; the sponsors of ‘An Act establishing a right to counsel in certain eviction cases,’ Representatives Michael Moran and Senator Joseph Boncore, Chairs of the Joint Committee on the Judiciary, Senator James B. Eldridge and Representative Clare D. Cronin, State Representative Lindsay Sabadosa, State Senator Jo Comerford, House Speaker Robert DeLeo, Senate President Karen Spilka and Governor Charles Baker.

Rules suspended, passed two readings and enrolled.

19.095 Resolution to Redesignate the City of Northampton Cultural District – 2nd reading
Councillor Dwight moved to approve the resolution in second reading. Councillor LaBarge seconded.

There being no discussion, the motion passed unanimously 9:0 by roll call vote.

The following resolution passed two readings:
CITY OF NORTHAMPTON
MASSACHUSETTS

In the City Council, June 20, 2019

Upon the Recommendation of Mayor David J. Narkewicz and the Arts and Culture Department

R-19.096 A Resolution
to Redesignate the City of Northampton Cultural District

WHEREAS, the City of Northampton wishes to pursue a redesignation of a state-authorized cultural district through the enabling legislation approved by the MA State Legislature and Governor’s Office; and

WHEREAS, Northampton has held a public hearing and adopted a resolution proclaiming its interest in redesignating a state-designated cultural district; and

WHEREAS, the City of Northampton has created a broad and diverse partnership of stakeholders committed to cultural, community, and economic development to provide oversight of the district through the Northampton Arts Council; and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district; now therefore be it

RESOLVED, the Honorable Mayor David Narkewicz and Northampton City Council endorse the submission of an application for redesignation and agree to foster the development of a cultural district; and be it further

RESOLVED, that the Northampton City Council endorses the state-sponsored cultural district goals; attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development, and be it further

RESOLVED, that the City Economic Development Coordinator be and hereby is requested to work in conjunction with the Director of the Arts Council to provide overall guidance and technical support in representing the city within the district partnership of said cultural district; and be it further

RESOLVED, that the Northampton City Council encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district; and be it further

RESOLVED, that the City Economic Development Coordinator be and hereby is requested to direct city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district; and be it further

RESOLVED, that the City Clerk be and hereby is requested to forward a suitable engrossed copy of this resolution to the Massachusetts Cultural Council, the Economic Development Coordinator and the Director of the Arts Council on behalf of the entire City Council with the understanding that the additional application materials will be completed for review and implementation by the Commonwealth of Massachusetts.

Rules suspended, passed two readings and enrolled.

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 – 2nd reading

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

Councilor Bidwell said he didn’t really have anything to add to the compelling comments of Reverend Ayyazian during public comment. But to update statistics, while 1,034 cases of measles were reported as of June 13th, as of July 3rd, the number of cases had risen to 1,109.

Councilor O’Donnell called the motion to a vote and it passed unanimously 9:0 by roll call vote.

The following resolution passed two readings:
In the City Council, June 20, 2019

Upon the recommendation of Councillor Dennis Birdwell and Councillor Gina-Louise Sciarra

R-19.666
A Resolution

Encouraging the Northampton Board of Health and the Massachusetts State Legislature to Take Action to Increase Measles Immunization Rates in our Communities

Whereas, from January 1 to June 13, 2019, 1044 individual cases of measles have been confirmed in 28 states in the United States, including Massachusetts, which is the greatest number of cases reported in the U.S. since 1992 and since measles was declared eliminated in 2000;

Whereas, measles is eight times more contagious than influenza and is over three times more contagious than Ebola, in part because an individual who has become infected can be contagious for four days prior to being symptomatic, and for 4 days after the appearance of a rash;

Whereas, those not vaccinated and in close proximity of an infected person have a 90% chance of contracting measles;

Whereas, measles can result in encephalitis and/or deafness, and in some cases can cause death;

Whereas, "herd immunity" to measles occurs when approximately 95% of the individuals in a group have immunity – either through vaccination or previous exposure to the disease – and that immunization rates below that number put individuals at much greater risk of contracting the disease;

Whereas, low immunization rates pose a particular risk for immune-compromised individuals and infants too young to be vaccinated;

Whereas, one reason that some communities have relatively low immunization rates is that a large number of families in those communities assert their "religious exemption" to vaccinations, as permitted by state law.

Whereas, religious exemptions to vaccinations claimed in the Commonwealth increased from 0.18% of children in the 1987-88 school year to 1.00% in 2017-2018, which is a five-fold increase. This trend is despite a consistent downward trend in religiosity in Massachusetts over the same time period;

Whereas, Massachusetts law requires that children entering childcare or public schools offer proof of measles vaccination, unless they assert a medical or religious exemption to vaccination;

Whereas, Hampshire County and Franklin County have some of the highest rates in the state of exemption rates, with some schools reporting kindergarten age children with exemption rates as high as 25%

Whereas, the MMR vaccine (for measles, mumps and rubella) has been repeatedly and invariably shown to be very safe and effective;
Whereas, the American Medical Association and the Massachusetts Medical Society have stated their opposition to all but medical exemptions to vaccinations;

Whereas, Northampton’s Board of Public Health and Public Health Department have been proactive in their public information campaigns and their outreach to schools, hospitals and pediatrics practices regarding the dangers of not vaccinating against measles;

Whereas, the authority of local Boards of Health to act further in this area is limited by laws that can only be changed by the Massachusetts legislature;

Whereas, on May 24, 2019 Maine became the fourth state in the country – joining California, West Virginia, and Mississippi – to disallow a religious exemption to vaccination;

Now Therefore Be It Resolved that the Northampton City Council commends the Northampton Board of Health and Northampton Public Health Department for their work in educating the public about the dangers of low vaccination rates; and

Be It Further Resolved that the Northampton City Council urges the Northampton Board of Health to explore further actions it could take to increase vaccination rates through such measures as requiring a sworn affidavit or signature from clergy to substantiate a claim of religious exemption from vaccination; and

Be It Further Resolved that the Northampton City Council urges the Massachusetts House to take up and approve HD 4284, which is co-sponsored by Representative Lindsay Sabadosa, which would eliminate the religious exemption to vaccinations, allowing only medical exemptions;

Be It Further Resolved that the Northampton City Council urges the Massachusetts Senate to take up similar legislation, with the intent of eliminating the religious exemption to vaccinations, allowing only medical exemptions;

Be It Further Resolved that the Administrative Assistant to the Northampton City Council shall cause a copy of this resolution to be sent to State Senator and Senate Chair of the Joint Committee on Public Health Joanne Comerford, State Representative Lindsay Sabadosa, Senate President Karen Spilka, House Speaker Robert DeLeo, House Chair of the Joint Committee on Public Health John J. Mahoney, Governor Charles Baker, Northampton Board of Health Chair Joanne Levin and Northampton Public Health Director Meredith O’Leary.

Rules suspended, passed two readings and enrolled.

Presentations
Presentations
None.

Consent Agenda
Consent Agenda
Councilor O’Donnell reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. **Councilor LaBarge moved to approve the consent agenda. Councilor Dwight seconded. The motion passed 9:0 by voice vote.**

The following items were approved as part of the consent agenda:

A. Minutes of June 6, 2019 and June 20, 2019
B. 19.093 Appointments to Disability Commission, etc. - all positive recommendations, City Services - 7/1/2019

**Arts Council**
Danielle Amodeo, 50 Union Street, #13, Northampton
Term: July 2019-June 2021
To fulfill the unexpired term of Dara Herman Zierlein

**Conservation Commission**
Jason Perry, 14 Carolyn Street, Florence
Term: July 2019-June 2022
Reappointment

**Disability Commission**
Judith Kimberly, 659 Park Hill Road, Florence
Term: July 2019-June 2022
Reappointment
Gene Page, 46 Evergreen Road, #107, Leeds  
Term: July 2019-June 2022  
Reappointment

Chris Palames, 659 Park Hill Road, Florence  
Term: July 2019-June 2022  
Reappointment

Human Rights Commission  
Jeromie Whalen, 31 Union Street, Northampton  
Term: July 2019- June 2022  
Reappointment

Public Shade Tree Commission  
Marilyn Castriotta, 79 West Street, Northampton  
Term: July 2019-June 2022  
Reappointment

C. 19.100 Appointments to Various Committees – all positive recommendations, City Services – 7/1/2019

Disability Commission  
Rodney Kunath, 8 Reed Street, Northampton  
Term: July 2019 to June 2022  
To fill a vacancy

Energy & Sustainability Commission  
Gordon Meadows, 239 Bridge Street, Northampton  
Term: July 2019-June 2022  
To fill a vacancy

Planning Board  
Marissa Elkins, 50 Washington Avenue, Northampton  
Term: July 2019 to June 2022  
To fill a vacancy

D. 19.106 Application for Amended Fuel Storage License - DPW Headquarters, 125 Locust Street

E. 19.107 Petition for Annual Secondhand Dealer License - Vintage Treasures  
Annual Secondhand Dealer License Renewal: Vintage Treasurers, 41 Strong Street  
Petitioner: Cynthia K. Wheeler

F. 19.111 Appointments to Various Committees - for referral to City Services

Board of Assessors  
Margo E. Welch, 349 Coles Meadow Road, Northampton  
Term: July 2019-June 2022  
Reappointment

Disability Commission  
Michal C. Morton, 95 Washington Avenue, Northampton  
Term: July 2019-June 2022  
To fill a vacancy

Human Rights Commission  
Davina Miller, 33 Summer Street, Northampton  
Term: July 2019-June 2022  
Reappointment

Board of Registrars  
Joseph Tarantino, 110 N. Elm Street, Northampton  
Term: July 2019-June 2022  
To fill a vacancy
At 8:03 p.m., the City Council recessed for the Committee on Finance meeting. The Committee on Finance adjourned at 8:23 p.m. The City Council reconvened at 8:23 p.m.

### Financial Orders (on 1st reading)

**19.103 Order to Transfer Funds from FY2019 Unused Earned Leave to Compensated Absences Reserve 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 Dwight seconded. The motion passed unanimously 9:0 by voice vote.

Councilor Bidwell 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:

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In City Council

July 11, 2019

Upon recommendation of the Mayor

19.103 An Order to Transfer Funds from FY2019 Unused Earned Leave to Compensated Absences Reserve Fund

Ordered, that

the amount of $124,666.92 be transferred from the FY19 Unused Earned Leave Account (519191 519600) to the Compensated Absences Reserve Fund (5000 340521) for the future payment of accrued liabilities for compensated absences due any employee or full-time officer of the city upon the termination of the employee's or full-time officer's employment.
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Rules suspended, passed two readings and enrolled.

**19.104 Order to Appropriate FY2020 Cash Capital Funds for Various Capital Projects - 1st reading**

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

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

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:
In City Council July 11, 2019

Upon recommendation of the Mayor

19.104 An Order to Appropriate FY2020 Cash Capital Funds for Various Capital Projects

Ordered, that

the following Capital Projects are appropriated from the General Fund FY2020 Cash Capital Account:

<table>
<thead>
<tr>
<th>Capital Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Services – Municipal Building - Elevator Shaft Roof Repair</td>
<td>$40,000</td>
</tr>
<tr>
<td>Central Services – Municipal Building – Replace Boiler</td>
<td>$45,000</td>
</tr>
<tr>
<td>Central Services – Municipal Building – Security Upgrades to Collector/Parking Offices</td>
<td>$20,000</td>
</tr>
<tr>
<td>Central Services – Replace HVAC Technicians Van</td>
<td>$45,000</td>
</tr>
<tr>
<td>Central Services – Senior Center Space Utilization Study</td>
<td>$10,000</td>
</tr>
<tr>
<td>Central Services - Fire Station – Replace Cooling Condensers</td>
<td>$25,000</td>
</tr>
<tr>
<td>Information Technology Services – Municipal Broadband Study</td>
<td>$30,000</td>
</tr>
<tr>
<td>Fire Rescue – Vehicle Lift for Shop</td>
<td>$48,000</td>
</tr>
<tr>
<td>Fire Rescue – Staff Vehicle Replacement in Rotation</td>
<td>$42,000</td>
</tr>
<tr>
<td>Parks and Recreation – Playing Field Maintenance</td>
<td>$15,000</td>
</tr>
<tr>
<td>DPW – Traffic Calming</td>
<td>$10,000</td>
</tr>
<tr>
<td>DPW – Wood Waste Disposal</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$340,000</strong></td>
</tr>
</tbody>
</table>

Rules suspended, passed two readings and enrolled.

19.108 An Order to Authorize FY2020 Intermunicipal Agreements - 1st reading

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

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

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
MASSACHUSETTS

In City Council July 11, 2019

Upon recommendation of the Mayor

19.168 An Order to Authorize FY2020 Intermunicipal Agreements

Ordered, that

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

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

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

Therefore pursuant to MGL C. 40 s. 4A the City Council hereby authorizes the City of Northampton to enter into the following inter-municipal agreements for FY2020 (all agreements for one year unless specifically noted):

Contract with Town of Williamsburg for Building Inspection and Zoning Enforcement Services – agreement to provide the Town of Williamsburg with services for a lump sum annual fee.

Contract with Town of Williamsburg for Electrical Inspection Services – agreement to provide the Town of Williamsburg with services, with permit fees turned over to the City of Northampton.

Contract with the Towns of Amherst, Hadley and Easthampton for Municipal Hearing Officer Services – agreement to provide Municipal Hearing Officer Services pursuant to MGL C.148A s.2c to hear complaints related to alleged violations of state building codes or the state fire codes for a lump sum per the agreement.

Contract with the Towns of Amherst, Chester, Chesterfield, Cummington, Hadley, Middlefield, Pelham, Williamsburg, Goshen and Worthington to provide Veterans Services Officer Services –
agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Towns of Granby, Hadley, Amherst, South Hadley and Easthampton, to provide Sealer of Weights and Measures Services – agreement to provide these services to the various communities and assessments to individual towns per the agreement.

Contract with the Franklin County Regional Council of Governments to monitor and support the Greater Franklin County Economic Target Area.

Contract with Town of Amherst for kennel services – Town of Amherst to provide kennel space for dogs in the custody of the Northampton Animal Control Officer per the agreement.

Contract with the Franklin Regional Council of Governments to partner with the City of Northampton, through its Health Department, relative to the following contracts: 1) to provide services relative to the Hampshire Medical Reserves Corps and 2) to provide emergency management services for the Hampshire Public Health Emergency Preparedness Coalition.

Contract with Amherst, South Hadley, Pelham, Ware, Belchertown and Easthampton – agreement to jointly create a coalition called the Hampshire Opioid Abuse Prevention Collaborative charged with mobilizing local boards of health, medical providers, educational facilities, social service agencies, community organizers and others in Hampshire County to create sustainable policies, programs and practices to change community ideas and expectations regarding opioid use and abuse, as well as to reduce the morbidity and mortality rates that result from opioid use and abuse.

Pioneer Valley Opioid Data Collaborative - Contract with Bay State Health Inc., City of Springfield Department of Health and Human Services, Hampden County DA, Northwestern DA, Hampden County Sheriff’s Department, Opioid Task Force, Berkshire opioid Abuse Prevention Collaborative, North Quabbin Community Coalition, Partners for a Healthier Community Inc – agreement to work cooperatively to create methods to collect, store and aggregate data regarding opioid use and abuse in the region with the goal of analyzing trends and identifying short and long term intervention strategies.

Contract with Pioneer Valley Mosquito Control District, working under the oversight of the Massachusetts Department of Agriculture, focused on mosquito surveillance and control. The City, through its Health Department participates in this regional effort to assist western Massachusetts communities with mosquito related health concerns.

Contract with the Towns of Williamsburg, Goshen, Southampton, Chesterfield, Huntington, Hadley and Westhampton - agreement to provide Laserfiche Hosting Services for an annual fee thru FY2022.
Contract with the Towns of Amherst and Pelham to seek and accept grants where possible and
to otherwise explore the mutual advantages of electricity community aggregation.

Contract with Pioneer Valley Bike Share and to enter into agreements with the cities of West
Springfield and Chicopee and the Town of Hadley to participate in the Pioneer Valley Bike Share
program along with the following entities which are already part of the existing Inter-municipal
agreement for the program: Holyoke, Springfield, Amherst, South Hadley, UMass, PVPC and
Easthampton already approved through FY2021.

Contract to participate in the Connecticut River Task Force with the police departments of
Easthampton, Hadley, South Hadley, Chicopee and the Northwestern District Attorney in
partnership with the Massachusetts Environmental Police to enhance law enforcement efforts
on the Connecticut River due to the heavy volume of boating activity within the regional
boundaries of the adjacent agencies – three year agreement to May of 2022.

Agreement for Fiber Optic Cable with Five College Net, LLC – Agreement to allow the city use of
four strands of the Cable Network, including the right to transport and distribute digital signals
for data – renewal of agreement for five years from 2019 – 2024 and allowing for automatic
renewal for another five years from 2024-2028.

Public Health Substance Use Health Information Exchange & DART Case Management
Database – Agreement to share data on Opioid Use among these entities: Hampshire County
Police Departments - Amherst, Belchertown, Chesterfield, Easthampton, Goshen, Granby,
Hadley, Hatfield, Huntington, Middlefield, Plainfield, South Hadley, Southampton, Ware,
Williamsburg, Amherst College; Hampshire County EMS/FD Providers; Behavioral Health
Network, CSO, Northampton Recovery Center, Cooley Dickinson Hospital, Baystate Health
Systems: the Northwest District Attorney; Massachusetts Ambulance TRIP data MATRIS;
Department of Public Health; Mass Registry of Vital Records Death Certificate data; MA
Executive Office of Public Safety and Security Crime Research Unit National Incident Based
Reporting System (NIBRS); PnIP/Mass PAT; MAVEN & other Mass Chip data and other relevant
behavioral health and substance use related data.

Agreement to participate in the Domestic Violence Intervention Project, a regional partnership
formed between the Northwestern District Attorney’s office, Safe Passage, The New England
Learning Center for Women in Transition and area police departments – four year agreement to
December of 2022.

Agreement to participate in the Northwestern District Anti-Crime Task Force with all
communities and their respective law enforcement entities within the jurisdiction of the
Northwestern District, which are within the jurisdiction of the Northwestern District courts and
that of the Northwestern District Attorney’s Office – multi-year agreement with no end date.
19.109 An Order to Authorize Gift Fund Expenditure by Human Rights Commission - 1st reading

Councilor Klein moved to approve the order in first reading. Councilor LaBarge 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 8:1 by voice vote with Councilor O'Donnell opposed.

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

The following order passed two readings:

Contract with the Commonwealth of Massachusetts, the Pioneer Valley Planning Commission, and multiple towns for the Mass in Motion Program, renew for three more years - through FY2022.

The following are agreements currently authorized by the city and have not expired:

Contract with Pioneer Valley Planning Commission for EPA Stormwater MS4 Permit Assistance – through March of 2022

Paramedic Intercept Agreements with multiple towns and ambulance districts – through November of 2041

Contract with Pioneer Valley Transit Authority for Senior Transportation Services – through November of 2041

Contract with the Pioneer Valley Planning Commission for local planning technical assistance through the Local District Technical Assistance and the Local Technical Assistance programs – through FY2020.

Contract with the Pioneer Valley Planning Commission for traffic and transportation analysis through the Federal Department of Transportation Unified Work Program – through FY2020.

Contract with the Pioneer Valley Planning Commission for historic preservation planning through the Community Preservation Act program – through FY2020.

Contract with Greenfield Community College to use one strand of our Five College Fiber Network for an annual fee, per the agreement – through FY2022.
July 11, 2019 City Council Meeting Minutes

City of Northampton

MASSACHUSETTS

In City Council

July 11, 2019

Rules suspended, passed two readings and enrolled.

Upon recommendation of the Mayor

19.109 An Order to Authorize Gift Fund Expenditure by Human Rights Commission

Ordered, that

the Northampton City Council in accordance with Massachusetts General Law Chapter 44, Section 53 A (Grants and gifts; acceptance and expenditure) authorizes the expenditure of up to $1,000 from the General Gift Fund (Fund 2501) to be used by the Human Rights Commission for expenses related to their mission.

The following order passed two readings:

Financial Orders (on 2nd reading)

19.097 An Order to Surplus Prospect Street Water Department Building – 2nd reading

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

**Orders**

None.

### Ordinances (Not yet Referred)

<table>
<thead>
<tr>
<th>Ordinance Number</th>
<th>Ordinance Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.102</td>
<td>An Ordinance Relative to Parking on Glendale Road</td>
</tr>
<tr>
<td>19.105</td>
<td>An Ordinance to Rezone Five Parcels from General Industrial to Office Industrial</td>
</tr>
<tr>
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<td>An Ordinance Relative to Bus Stops on Bridge Street</td>
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### Ordinances (Not yet Referred)

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<td>An Ordinance to Rezone Five Parcels from URC to CB and to Include Parcels in CBAD - 1st reading</td>
</tr>
</tbody>
</table>

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**City of Northampton**

**Massachusetts**

**In Council**

June 20, 2019

**Upon recommendation of the Mayor**

19.097 An Order to Surplus Prospect Street Water Department Building

Ordered, that

Whereas, the City of Northampton owns a property located at 237 Prospect Street known as the Water Department building, and shown on Assessors Map 240, Lot 2; and;

Whereas, the Department of Public Works has consolidated its Water Division operations in one location at the City of Northampton’s water treatment facility and consolidated its Administration and Engineering Division at its headquarters on Locust Street and no longer has a use for the property; and;

Whereas, the City of Northampton does not have a municipal use for the property and M.G.L. c. 30B, §16 requires a vote of City Council to surplus any interest in public property prior to its disposal; and so

Now therefore be it ordered that,

The property at 237 Prospect Street is declared surplus to City of Northampton needs and is hereby transferred to the care, custody, and control of the Mayor for the purpose of selling such property in accordance with Massachusetts procurement law and on such terms and conditions as the Mayor deems reasonable and appropriate, provided that the property shall not be sold for less than its current fair market value and, if sold to a nonprofit entity, shall be subject to the successful bidder entering into an agreement for payment in lieu of taxes.

Rules suspended, passed two readings and enrolled.
### Parcels from URC to CB and to Include Parcels in CBAD - 1st reading

Councilor Murphy moved to approve the ordinance in first reading. Councilor Klein seconded.

Over time, city officials have made some incremental changes to the Central Business district and this adds five parcels, Mayor Narkewicz confirmed.

Councilor Nash said he made multiple attempts to contact all of the property owners affected. He wasn't able to reach the owner of 69 Bridge Street but spoke to all other owners, and they are supportive.

It's a natural continuation and makes sense given the changing circumstances, Councilor Dwight affirmed. It is basically an adjustment that recognizes the changes on the ground. No objections were made.

Councilor Sciarra said the ordinance was also reviewed by Community Resources, and a handful of people attended to ask questions. Councilor Bidwell noted that it includes properties of Historic Northampton and provides this agency with somewhat greater flexibility in its operations.

Councilor Nash advocated for changing the current notification procedure to include direct abutters as well as property owners of proposed zoning map changes. The policy of the Office of Planning and Development now is to notify property owners but not direct abutters, he advised. This is the time they should be notifying residents since this is the opportunity to have a discussion about what should go on in a particular neighborhood, he suggested. He said he looks forward to working with the Mayor to come up with a solution.

Councilor O'Donnell agreed, and Councilor Dwight said he didn't disagree. A formal protocol of notifying abutters of map changes is appropriate to assure informed consent, he observed.

The motion passed unanimously 9:0.

*See minutes of August 15, 2019 for second reading.*

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

<table>
<thead>
<tr>
<th>Information (Charter Provision 2-7) and Information Study Requests</th>
<th>None</th>
</tr>
</thead>
</table>

### Motion to Adjourn

Upon motion made by Councilor Dwight and seconded by Councilor Bidwell, the meeting was adjourned at 8:42 p.m.

Attest: ________________________ Administrative Assistant to the City Council
EXHIBIT A

List of Documents Reviewed at July 11, 2019 City Council Meeting:

1. July 11, 2019 Agenda
2. Public Comment Sign-up Sheet for July 11, 2019
3. City Council Meeting Minutes for June 6, 2019 and June 20, 2019
4. Application for Amended License for Fuel Storage (FP-002A) at DPW Headquarters, 125 Locust Street
5. City Council Signature Page for Fuel Storage License
6. Plot Plan of 125 Locust Street
7. E-mail from Fire Chief Duane Nichols Recommending Approval of Application to Amend License
8. Image of Highland Tank
9. 19.112 Resolution in Support of Right to Counsel in Eviction Cases and Eviction Sealing to Promote Housing Opportunity and Mobility
10. 19.095 Resolution to Redesignate the City of Northampton Cultural District
11. 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
12. 19.093 Appointments to Disability Commission, etc. - Memo from David J. Narkewicz to City Council dated June 6, 2019 re: Appointments to Boards, Committees and Commissions proposing the appointments of Danielle Amodeo to the Arts Council, Jason Perry to the Conservation Commission, Judith Kimberly, Gene Page and Chris Palames to the Disability Commission, Jeromie Whalen to the Human Rights Commission and Marilyn Castriotta to the Public Shade Tree Commission, together with Applications for Appointment to Boards, Committees and Commissions.
13. 19.100 Appointments to Various Committees
14. 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.
16. 19.111 Appointments to Various Committees - Memo from David J. Narkewicz to City Council dated July 11, 2019 re: Appointments to Boards, Committees and Commissions proposing the appointments of Margo E. Welch to the Board of Assessors, Michael C. Morton to the Disability Commission, Davina Miller to the Human Rights Commission and Joseph Tarantino to the Board of Registrars, together with Applications for Appointment to Boards, Committees and Commissions.
17. 19.103 An Order to Transfer Funds from FY2019 Unused Earned Leave to Compensated Absences Reserve Fund
18. 19.104 An Order to Appropriate FY2020 Cash Capital Funds for Various Capital Projects
19. 19.108 An Order to Authorize FY2020 Intermunicipal Agreements
20. 19.109 An Order to Authorize Gift Fund Expenditure by Human Rights Commission
21. 19.097 An Order to Surplus Prospect Street Water Department Building
22. 19.102 An Ordinance Relative to Parking on Glendale Road
23. 19.102 Glendale Road Parking Diagram
24. 19.105 An Ordinance to Rezone Five Parcels from General Industrial to Office Industrial
25. 19.110 An Ordinance Relative to Bus Stops on Bridge Street
26. 19.025 An Ordinance to Rezone Five Parcels from URC to CB and to Include Parcels in CBAD
### 2018 - 2019 ROLL CALL RECORD FOR NORTHAMPTON CITY COUNCIL

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Committee</th>
<th>Date</th>
<th>1st Reading</th>
<th>2nd Reading</th>
<th>1st Reading</th>
<th>2nd Reading</th>
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<tr>
<td>19.095 Resolution to Redesignate the City of Northampton Cultural District</td>
<td>2nd reading</td>
<td>2019</td>
<td></td>
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<tr>
<td>19.096 A Resolution Encouraging the Northampton BOH ... ( \ldots )</td>
<td>2nd reading</td>
<td>2019</td>
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<td>19.104 An Order to Appropriate FY2020 Cash Capital Funds for ( \ldots )</td>
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</table>

**Record of City Council Votes for July 11, 2019**

<table>
<thead>
<tr>
<th>Bidwell</th>
<th>Carney</th>
<th>Dwight</th>
<th>Klein</th>
<th>LaBarge</th>
<th>Murphy</th>
<th>Nash</th>
<th>O'Donnell</th>
<th>Sciarra</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>Present</td>
<td>9 Present</td>
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</table>

Roll Call by Laura Krutzler, Administrative Assistant to the City Council @ 7:24 p.m.

**Present Present Present Present Present Present Present Present Present Present 9 Present**

- **Motion carried 9:0; voice vote**
- **Motion carried 9:0; roll call**

*Note: The resolutions are numbered consecutively. The table above provides a brief overview of the resolutions passed, along with the roll call results.*
<table>
<thead>
<tr>
<th>Resolution</th>
<th>1st reading</th>
<th>Present</th>
<th>Present</th>
<th>Present</th>
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<td>Yes</td>
<td>Yes</td>
<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>19.097 An Order to Surplus Prospect Street Water Department Building - 2nd reading</td>
<td>Motion to suspend</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Motion to suspend</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>2nd reading</td>
<td>Yes</td>
<td>Second</td>
<td>Yes</td>
<td>Motion to approve</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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At 8:42 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.