



CITY COUNCIL  
**CITY OF NORTHAMPTON**  
MASSACHUSETTS

Councilors:

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

**Meeting Agenda**  
**On-line Video Conference**  
**Meeting Date: April 1, 2021**  
**Meeting Time: 7 p.m.**

The April 1, 2021 City Council meeting will be held by remote participation. The public can follow the council's deliberations by watching the meeting live on Comcast channel 15, live-streaming it on YouTube or joining the meeting by phone or computer. For the active YouTube link, please see Northampton Open Media's website: <http://northamptonopenmedia.org/>

Live public comment will be available using telephone call-in or video conferencing technology beginning at 7 p.m.

**INSTRUCTIONS FOR CALLING IN OR JOINING THE MEETING**

**JOIN MEETING:** <https://bit.ly/3rzjz34>

For telephone call-in, call:

+253 215-8785 US

+301 715-8592 US

MEETING ID: 969 3814 6995

PARTICIPANT #: #

PASSCODE: 837544

**1. Announcement that Meeting is Being Held Via Remote Participation and Audio/Video Recorded**

This meeting is being held via remote participation and audio/video recorded.

## 2. Public Comment

## 3. Roll Call

## 4. Public Hearings

### A. **Announcement of Public Hearing on 21.200 National Grid/Verizon Pole Petition for Warner Street (Petition#30293688)**

Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, April 15, 2021 at 7:05 p.m.** on National Grid/Verizon New England's petition to install one jointly-owned pole on Warner Street to service two new homes (Petition# 30293688). Instructions for accessing the hearing may be found on the April 15, 2021 City Council agenda to be posted on the city website ([www.northamptonma.gov](http://www.northamptonma.gov)) at least 48 hours prior to the meeting. The City Council will hear all persons who wish to be heard thereon.

Documents:

[21.200 DPW Recommendation.pdf](#)

[21.200 REVISED Cover Letter.pdf](#)

[21.200 Sketch.pdf](#)

[21.200 REVISED National Grid-Verizon Pole Petition for Warner Street.pdf](#)

## 5. Updates from Council President and Committee Chairs

## 6. Recognitions and One-Minute Announcements by Councilors

## 7. Communications and Proclamations from the Mayor

## 8. Resolutions

### A. **21.207 A Resolution Decriminalizing Controlled Substance Possession as well as Cultivation and Distribution of Psychedelic Plants - 2nd reading**

#### History:

- Amended to change 'HD3439' to 'HD3829,' Hampden County DA to Hampshire County DA, 'adults' to 'individuals' and to send resolution to Hampshire DA and N'hamp. Police Chief Jody Kasper - 3/18/2021
- Passed 1st reading - 3/18/2021

Documents:

[21.207 A Resolution Decriminalizing Controlled Substance Possession etc.of Psychedelic Plants - POST 1st rdg.pdf](#)

**B. 21.208 A Resolution to Adopt the Capital Improvement Program for FY2022-FY2026 Submitted to City Council on February 24, 2021 - 2nd reading**

**History:**

- Passed 1st reading - 3/18/2021

Documents:

[21.208 A Resolution to Adopt the Capital Improvement Program for FY2022-FY2026 Submitted to City Council on February 24, 2021.pdf](#)

**C. 21.209 A Resolution Expressing Gratitude to Northampton Health Department, First Responders, Ancillary Staff and Volunteers for Efforts to Vaccinate Our Community - 2nd reading**

**History:**

- Passed 1st reading - 3/18/2021

Documents:

[21.209 A Resolution Thanking Health Department, 1st Responders, Support Staff and Volunteers for Efforts to Vaccinate Community.pdf](#)

**D. 21.231 A Resolution Declaring a Climate Emergency - 1st reading**

Documents:

[21.231 A Resolution Declaring a Climate Emergency.pdf](#)

**E. 21.233 A Resolution to Review and Revise the Rules and Committees of the City Council - 1st reading**

Documents:

[21.233 A Resolution to Review and Revise the Rules and Committees of the City Council.pdf](#)

**9. Presentations**

**10. Consent Agenda**

**A. 21.232 Appointment of Charlene Nardi as Finance Director - for referral to City Services Committee**

Documents:

[21.232 Appointment of Charlene Nardi as Finance Director.pdf](#)

**B. 21.236 Petition for Second Hand Dealer License Renewal for Urban Exchange**

Renewal License for the following:

Urban Exchange, 233 Main Street

Petitioner: Silvia Naumburger

Documents:

[21.236 Petition for Second Hand Dealer License Renewal for Urban Exchange.pdf](#)

**11. Recess for Committee on Finance (See Separate Agenda)**

**12. Financial Orders (on 1st reading pending Finance review)**

Rule 2.6 requires the Finance Committee to consider certain financial matters.

**A. 21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving - 1st reading**

Documents:

[21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving.pdf](#)

**B. 21.234 An Order to Accept DA Sullivan \$10,000 Gift to Fund Public Art Projects - 1st reading**

Documents:

[21.234 An Order to Accept DA Sullivan 10,000 Gift to Fund Public Art Projects.pdf](#)

**C. 21.235 An Order to Appropriate Marijuana Community Impact Fee \$2.6 Million to Various Projects - 1st reading**

Documents:

[21.235 An Order to Appropriate Marijuana Community Impact Fee 2.6 Million to Various Projects.pdf](#)

**D. 21.237 An Order to Appropriate Free Cash \$400,000 to Animal Control Facility - 1st reading**

Documents:

[21.237 An Order to Appropriate Free Cash 400,000 to Animal Control Facility.pdf](#)

**13. Package of 11 Financial Orders to Implement FY2022 - FY2026 Capital Improvement Program (CIP) (On 1st reading pending Finance Review)**

Rule 2.6 requires the Finance Committee to consider certain financial matters.

**A. 21.219 FY22 CIP - An Order to Authorize Borrowing \$6 Million for Radio System Upgrade - 1st reading**

Documents:

[21.219 FY22 CIP - An Order to Authorize Borrowing 6 Million for Radio System Upgrade.pdf](#)

**B. 21.220 FY22 CIP - An Order to Authorize Borrowing \$450,000 for Hotel Bridge - 1st reading**

Documents:

[21.220 FY22 CIP - An Order to Authorize Borrowing 450,000 for Hotel Bridge.pdf](#)

**C. 21.221 FY22 CIP - An Order to Authorize Borrowing \$685,000 for DPW Vehicles - 1st reading**

Documents:

[21.221 FY22 CIP - An Order to Authorize Borrowing 685,000 for DPW Vehicles.pdf](#)

**D. 21.222 FY22 CIP - An Order to Appropriate \$500,000 from Capital Stabilization to Arch Street Bridge Repairs - 1st reading**

Documents:

[21.222 FY22 CIP - An Order to Appropriate 500,000 from Capital Stabilization to Arch Street Bridge Repairs.pdf](#)

**E. 21.223 FY22 CIP - An Order to Appropriate \$25,000 from Cemetery Perpetual Care for Cemetery Projects - 1st reading**

Documents:

[21.223 FY22 CIP - An Order to Appropriate 25,000 from Cemetery Perpetual Care for Cemetery Projects.pdf](#)

**F. 21.224 FY22 CIP - An Order to Appropriate \$1.8 Million Free Cash to Various Projects - 1st reading**

Documents:

21.224 FY22 CIP - An Order to Appropriate 1.8 Million Free Cash to Various Projects.pdf

**G. 21.225 FY22 CIP - An Order to Appropriate \$150,000 from PEG Access Fund to IT Services Projects - 1st reading**

Documents:

21.225 FY22 CIP - An Order to Appropriate 150,000 from PEG Access Fund to IT Services Projects.pdf

**H. 21.226 FY22 CIP - An Order to Appropriate \$115,000 from Parking Receipts Reserved for Parking Projects - 1st reading**

Documents:

21.226 FY22 CIP - An Order to Appropriate 115,000 from Parking Receipts Reserved for Parking Projects.pdf

**I. 21.227 FY22 CIP - An Order to Appropriate \$215,000 from Sale of Land RRA Account for NPS Projects - 1st reading**

Documents:

21.227 FY22 CIP - An Order to Appropriate 215,000 from Sale of Land RRA Account for NPS Projects.pdf

**J. 21.228 FY22 CIP - An Order to Appropriate \$94,575 from Sale of Land RRA Account for Florence Fields Recreation Area - 1st reading**

Documents:

21.228 FY22 CIP - An Order to Appropriate 94,575 from Sale of Land RRA Account for Florence Fields Recreation Area.pdf

**K. 21.229 FY22 CIP - An Order to Appropriate \$424,000 from Sale of Land RRA Account for Water Line Replacement - 1st reading**

Documents:

21.229 FY22 CIP - An Order to Appropriate 424,000 from Sale of Land RRA Account for Water Line Replacement.pdf

**14. Financial Orders (on 2nd reading)**

**A. 21.205 An Order to Establish Water and Sewer Rates for FY2022 - 2nd reading**

History:

- Public hearing held - 3/18/2021
- Positive recommendation, Finance Committee - 3/18/2021
- Passed 1st reading - 3/18/2021

Documents:

[21.205 An Order to Establish Water and Sewer Rates for FY2022.pdf](#)

## 15. Orders

### A. **21.212 An Order to Set Preliminary Municipal Election Date - 2nd reading**

**History:**

- Passed 1st reading - 3/18/2021

Documents:

[21.212 An Order to Set Preliminary Municipal Election Date.pdf](#)

## 16. Ordinances (Not yet Referred)

Rule 5.2.3 provides that no ordinance shall be voted on by the City Council until it has been considered by the Committee on Legislative Matters.

### A. **21.213 An Ordinance Relative to Parking on Pine Street**

Documents:

[21.213 An Ordinance Relative to Parking on Pine Street.pdf](#)

### B. **21.214 An Ordinance Relative to Stop Signs on Maple Street, Mann Terrace and Pine Street**

Documents:

[21.214 An Ordinance Relative to Stop Signs on Maple Street, Mann Terrace and Pine Street.pdf](#)

### C. **21.215 An Ordinance Relative to Turning Restriction on Mann Terrace**

Documents:

[21.215 An Ordinance Relative to Turning Restriction on Mann Terrace.pdf](#)

### D. **21.216 An Ordinance Relative to One-Way Street on Mann Terrace**

Documents:

[21.216 An Ordinance Relative to One-Way Street on Mann Terrace.pdf](#)

## 17. Zoning Ordinances (Not yet Referred)

**Process Note:** M.G.L. Chapter 40A, Section 5 requires the City Council to submit zoning ordinances to the Planning Board for review within 14 days of receipt and for the Planning Board and City Council or a committee designated for that purpose to hold public hearings thereon, together or separately, prior to adoption.

### A. 21.217 An Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13

Documents:

[21.217 An Ordinance to Move Zero Lot Line from Section 10.14 to Section 6.13.pdf](#)

### B. 21.218 An Ordinance to Amend Zero Lot Line Section of Code

Documents:

[21.218 An Ordinance to Amend Zero Lot Line Section of Code.pdf](#)

## 18. Ordinances

### A. 20.181 An Ordinance Relative to Affordable Housing (350-6-12) - 1st reading

**History:**

- Referred to Community Resources, Legislative Matters and the Planning Board - 1/7/2021
- Positive recommendation, Community Resources - 2/23/2021
- Joint Planning Board/Legislative Matters Committee public hearing held - 3/8/2021
- Planning Board unanimously recommends adoption (David Whitehill absent) - 3/8/2021
- Positive recommendation, Legislative Matters - 3/8/2021
- Postponed to 4/1/2021 - 3/18/2021

Documents:

[20.181 An Ordinance Relative to Affordable Housing - 350-6-12.pdf](#)

### B. 21.189 An Ordinance to Create an Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes - 1st reading

**History:**

- Referred to Community Resources, Legislative Matters and the Planning Board - 2/4/2021
- Positive recommendation, Community Resources - 2/23/2021
- Joint Planning Board/Legislative Matters Committee public hearing held - 3/8/2021

- Planning Board unanimously recommends adoption (David Whitehill absent) - 3/8/2021
- Positive recommendation, Legislative Matters - 3/8/2021
- Postponed to 4/1/2021 - 3/18/2021

Documents:

[21.189 An Ordinance to Create Incentive for Smaller Houses by Allowing Two Half-Scale Units to Count as a Single-Family for Density Purposes.pdf](#)  
[21.189 Report from Community Resources Committee.pdf](#)

## **19. Information Requests (Charter Provision 2-7) and Committee Study Requests**

## **20. New Business**

## **21. Adjourn**

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



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

413-587-1570  
Fax 413-587-1576

**Donna LaScaleia**  
Director

## Memorandum

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To: Donna LaScaleia, Director of Public Works *Approved M 3-23-21*  
From: Felix Harvey, Staff Civil Engineer  
Date: March 23, 2021  
Re: Petition for Joint or Identical Pole Locations No. 30293688

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National Grid is proposing to install one (1) Jointly Owned Pole on Warner Street approximately 163 feet from the centerline of the intersection with Federal Street, as staked.

The proposed pole location is acceptable, and does not conflict with any public utilities or public shade trees.

A valid Trench Permit issued by the Department of Public Works is required prior to pole installation.



March 23, 2021

The City Council of Northampton, Massachusetts

To Whom It May Concern:

Enclosed please find a revised petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

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

[Lisa Jasinski 413-582-7467](tel:413-582-7467)

Please notify National Grid's [Lisa Ayres](#) of the hearing date / time.

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

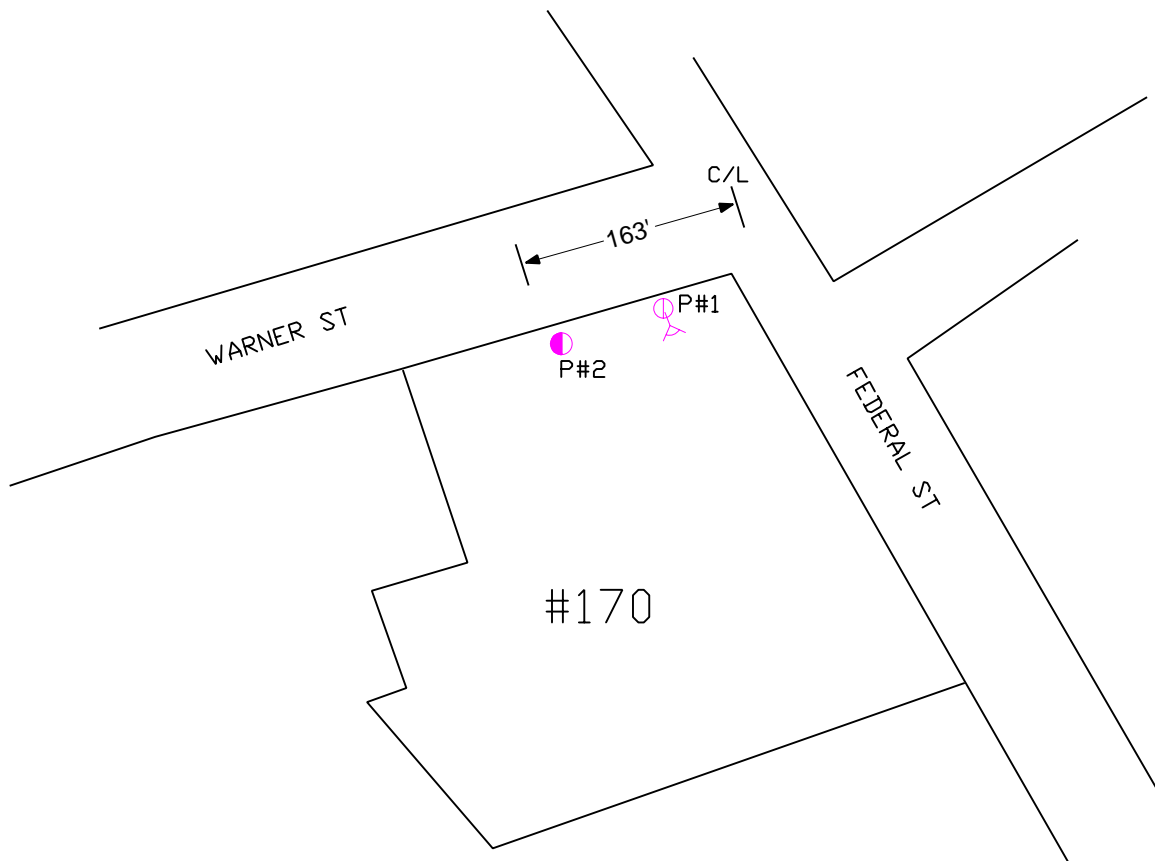
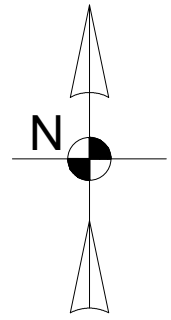
National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845  
978-725-1418


Very truly yours,

A handwritten signature in blue ink that reads "Jim Kehrer/lla".

Jim Kehrer  
Supervisor, Distribution Design

Enclosures



<b>POLE PETITION</b>			
<input checked="" type="radio"/> Proposed NGRID Pole Locations		<b>Date:</b>	JANUARD 7, 2021
<input type="radio"/> Existing NGRID Pole Locations		<b>Plan Number:</b>	WR #30293688
<input checked="" type="radio"/> Proposed J.O. Pole Locations		<b>To Accompany Petition Dated:</b>	
<input type="radio"/> Existing J.O. Pole Locations		<b>To The:</b>	CITY Of NORTHAMPTON
<input checked="" type="radio"/> Existing Telephone Co. Pole Locations		<b>For Proposed:</b>	J☐ Pole: 1 Location: WARNER ST
<input type="radio"/> Existing NGRID Pole Location To Be Made J.O.		<b>Date Of Original Grant:</b>	
<input checked="" type="radio"/> Existing Pole Locations To Be Removed			
<b>DISTANCES ARE APPROXIMATE</b>			

Questions contact - Lisa Jasinski 413-222-4838  
**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

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

Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

Location approximately as shown on plan attached.

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

**30293688**

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

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

Massachusetts Electric Company d/b/a

NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_

Engineering Department

VERIZON NEW ENGLAND, INC.

BY \_\_\_\_\_

Manager / Right of Way

Dated: March 23, 2021

Questions contact – Lisa Jasinski 413-222-4838

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 23rd day of March 2021.

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

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

**30293688** Filed with this order:

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

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

Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

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

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

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20\_\_ .

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

Attest:  
City/Town Clerk

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

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

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

Attest:  
City/Town Clerk

Questions contact – Lisa Jasinski 413-222-4838

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

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Warner St. - National Grid to install (1) JO pole on Warner St. beginning at a point approximately 163 feet west of the centerline of the intersection of Federal St. to provide service for 2 new homes.

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

I hereby certify that the foregoing order was adopted at a meeting of the  
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\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_ .

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

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of  
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Questions contact – Lisa Jasinski 413-222-4838

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

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\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20\_\_ .

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

City/Town Clerk.

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.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

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hearing with notice adopted by the \_\_\_\_\_ of the City of  
Massachusetts, on the \_\_\_\_\_ day of 20\_\_\_\_ and recorded with the records of location orders  
of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under the  
provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:  
City/Town Clerk



## City of Northampton

MASSACHUSETTS

*In the City Council, March 18, 2021*

Upon the Recommendation of:      Councilor William Dwight  
   Councilor Rachel Maiore

### **R-21.207 A RESOLUTION DECRIMINALIZING CONTROLLED SUBSTANCE POSSESSION AS WELL AS CULTIVATION AND DISTRIBUTION OF PSYCHEDELIC PLANTS**

WHEREAS:            “entheogenic plants,” a term originally classified by anthropologists and ethnobotanists in 1979<sup>1</sup>, are herein defined as the full spectrum of psychedelic plants, fungi, and natural materials containing indole amines, tryptamines, phenethylamines, including psilocybin mushrooms, ayahuasca, cacti, and iboga; and

WHEREAS:            substance abuse, addiction, post-traumatic stress disorder (PTSD), Persistent Traumatic Stress Environment (PTSE), chronic depression, end-of-life anxiety, grief, cluster headaches, tendencies toward recidivism, and other ailments are plaguing our community and the use of entheogenic plants has been shown to be beneficial for treating these ailments via scientific and clinical studies<sup>2</sup> and within continuing traditional, religious, and indigenous practices that catalyze profound experiences of personal and spiritual growth; and

WHEREAS:            the COVID-19 pandemic has led to a resurgence of heroin and opioid overdose deaths and severe depression in Massachusetts communities<sup>3</sup>, two ailments that entheogenic plants have been shown to have particularly strong utility in treating according to published, peer-reviewed medical research<sup>4</sup>; and

WHEREAS:            the so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and

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<sup>1</sup> Carl A. P. Ruck; Jeremy Bigwood; Danny Staples; Jonathan Ott; R. Wasson Gordon (January–June 1979). "Entheogens". *Journal of Psychedelic Drugs*.

<sup>2</sup> [Hendricks, P.S., Johnson, M.W., Griffiths, R.R. \(2016\). Psilocybin, psychological distress, and suicidality. \*Journal of Psychopharmacology\*.](#)

<sup>3</sup> [Data Brief: Opioid-Related Overdose deaths among Massachusetts Residents. June 2020.](#)

<sup>4</sup> [The association of psychedelic use and opioid use disorders among illicit users in the U.S. \*Journal of Psychopharmacology\*.](#)

people of limited financial means, rather than prioritizing harm-reduction policies to treat drug abuse as an issue of public health; and

WHEREAS: that American cities have long possessed an inferred constitutional right to regulate commerce and public safety within their jurisdictions, a principle acknowledged by the U.S. Department of Justice Cole Memorandum that permitted states and localities to deprioritize law enforcement of cannabis charges; and

WHEREAS: organizations in Northampton such as Tapestry, ServiceNet shelter, MANNA Soup Kitchen, Hampshire HOPE, Northampton Recovery Center, Nothing But Kindness, HRH413 and others have long offered services to people struggling with substance abuse by providing resources, administering syringe exchange programs, distributing naloxone, and providing education on safer drug practices to save lives in our community, which the city council profoundly appreciates; and

WHEREAS: the City Council of Somerville (9-0) and the City Council of Cambridge (8-1) passed similar resolutions following approval of their legal departments as well as decriminalization by Oakland, Denver, Ann Arbor, Santa Cruz, Washington D.C, Oregon, and around six other countries; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton hereby maintains that no City of Northampton department, agency, board, commission, officer or employee of the city, including without limitation, Northampton Police Department personnel, should use any city funds or resources to assist in the enforcement of laws imposing criminal penalties for the use and possession of entheogenic plants by ~~adults~~ individuals; and

BE IT FURTHER RESOLVED that the City Council hereby maintains that the use and possession of all controlled substances should be understood first and primarily as an issue of public health by city departments, agencies, boards, commissions, and all employees of the city; and,

BE IT FURTHER RESOLVED that the City Council hereby maintains that it should be the policy of the City of Northampton that the arrest of ~~adult~~ persons for using or possessing controlled substances shall be amongst the lowest law enforcement priority for the City of Northampton; and,

BE IT FURTHER RESOLVED that the City Council hereby maintains it should be the policy of the City of Northampton that the investigation and arrest of ~~adult~~ persons for planting, cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants listed in Classes A-E of

Chapter 94C § 31 of Massachusetts law or Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall be amongst the lowest law enforcement priority for the City of Northampton; and,

BE IT FURTHER RESOLVED that this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials on school grounds, driving under the influence of these materials; or public Disturbance; and,

BE IT FURTHER RESOLVED that the Northampton City Council calls upon the city's officials work in support of decriminalizing entheogenic plants and approaching all controlled substances first and primarily through the lens of public health and restorative racial justice initiatives when representing the city in conversations with state and federal agencies as well as state and federal lawmakers; and,

BE IT FURTHER RESOLVED that the City Council calls upon the Hampshire County District Attorney to cease prosecution of persons involved in the use, possession, or distribution of entheogenic plants and the use or possession without the intent to distribute of any controlled substance; and,

BE IT FURTHER RESOLVED that the City Council expresses support for HD 3439 An Act Relative to Harm Reduction and Racial Justice, which would replace criminal penalties for controlled substance possession with the choice of a \$50 civil fine or a health and wellness screening to refer the person with economic and health services; and,

BE IT FURTHER RESOLVED that the City Council expresses support for HD ~~3438~~<sup>3432</sup>9 An Act Establishing Task Force to Study Equitable Access to Entheogenic Plants, which will convene 21 experts in science, drug policy, economic and racial justice, and state government to recommend legislation to legalize entheogenic plants as well as expunge records and create equity initiatives for victims of the entire war on drugs. This task force requires the study to be done through the lens of racial justice, sustainability, and consideration for BIPOC, veterans, and people with disabilities; and,

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Representative Lindsay Sabadosa and Senator Jo Comerford, Governor Charles Baker, Attorney General Maura Healey, Hampshire District Attorney ~~Anthony D. Gulluni~~<sup>David E. Sullivan</sup>, Northampton Police Chief Jody Kasper, Secretary of Veterans' Services Cheryl Lussier Poppe, and the Board of Registration of Allied Mental Health and Human Services Professions.



**City of Northampton**  
**MASSACHUSETTS**

*In City Council,* \_\_\_\_\_ March 18, 2021

*Upon the recommendation of* Mayor David J. Narkewicz \_\_\_\_\_

**21.208 A Resolution**  
**to Adopt the Capital Improvement Program for FY2022-FY2026**  
**Submitted to City Council on February 24, 2021**

***Resolved, that***

The City Council hereby adopts the Capital Improvement Program for FY2022-FY2026 submitted by the Mayor on February 24, 2021, in accordance with the Charter of Northampton, Massachusetts, Article 7 Finance and Fiscal Procedures, Section 7-5: Capital Improvement Program.

***In the City Council, March 18, 2021***

**Upon the Recommendation of Councilor Marianne LaBarge, Councilor Gina-Louise Sciarra, and Councilor Michael Quinlan**

R-20.208 A Resolution Expressing Gratitude to Mayor Narkewicz, Northampton Health Director Merridith O'Leary, the Northampton Health Department, Northampton Fire Rescue, Department of Central Services, Information Technology Services and the Many Volunteers for Their Efforts to Vaccinate Our Community

WHEREAS, Northampton Health Director Merridith O'Leary and Fire Chief Jon Davine appeared before the City Council Committee on City Services on March 4, 2020 and described efforts underway by Northampton's Emergency Management Team at that time to prepare to combat the COVID-19 pandemic in Northampton, and

WHEREAS, Northampton had its first positive COVID-19 case on March 16, 2020 and since that time more than 1150 Northampton residents have contracted COVID-19, and

WHEREAS, Northampton has lost 43 people to the pandemic, including our five residents who died at the Holyoke Soldier's Home, and

WHEREAS, Mayor David J. Narkewicz and Health Director Merridith O'Leary following Commonwealth of Massachusetts guidelines, designed and advocated for a vaccination site at our Senior Center which opened and began vaccinating our community on January 11, 2021, and

WHEREAS, when vaccination clinic requirements were changed by the state in February 2021, cutting supply to many municipal clinics, Mayor Narkewicz and Health Director O'Leary quickly worked to meet the new requirements and with collaboration with the Town of Amherst, Northampton was approved as a regional vaccination clinic, ensuring that our clinic would stay in operation to provide vaccines for Northampton and other Massachusetts residents, and

WHEREAS, vaccinating our community will provide immunity and therefore save lives by preventing the further spread of COVID-19, and

WHEREAS, Health Director Merridith O'Leary, Public Health Nurse Kate Kelly, Public Health Nurse Vivian Franklin, Inspector Amy Hutchins, Inspector Jasmine Ward, COVID Compliance Agents Ben O'Connor and Kelly Constantine and 10-12 Health

Ambassadors have been working countless hours, seven days per week to operate an effective and safe vaccination clinic in Northampton, and

WHEREAS, Volunteer Coordinator and Operations Manager Loren Davine and an estimated 40 volunteers per day have worked in support of the vaccination clinic, and

WHEREAS, Fire Chief Jon Davine, Deputy EMS Chief John Garriepy, and an additional seven or so members of Northampton Fire Rescue per day have worked at the vaccination clinic, with assistance from the Easthampton Fire Department and Highland Ambulance Service, including joining the volunteer corps on days off, and

WHEREAS, Northampton's Central Services Department led by Director David Pomerantz and with special recognition of City Maintenance Foreman Warren Jones, has been vital to the success of the clinic by opening and closing the Senior Center, and taking on many additional tasks for its operation, and

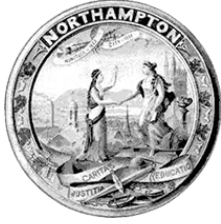
WHEREAS, the Northampton Information Technology Services Department led by Director Antonio Pagán has provided support to the Health Department at all hours of the day throughout the pandemic, and

WHEREAS, the Northampton Senior Center, led by Director Marie Westburg has been of great support and cooperation in creating an effective and safe vaccination clinic at the Senior Center, and

WHEREAS, the dedication, effort and outstanding public service of these many people is contributing to the recovery and safety of our community.

THEREFORE BE IT RESOLVED, that the Northampton City Council commends these many people for their tremendous efforts throughout the Covid-19 pandemic and in special recognition of their work to operate a safe and effective COVID-19 vaccination clinic in Northampton.

BE IT FURTHER RESOLVED, that the Administrative Assistant to the City Council will cause a copy of this resolution to be sent to the following Northampton departments: Office of the Mayor, the Health Department, Northampton Fire Rescue, Central Services, Information Technology Services, and the Senior Center with our collective gratitude.



## City of Northampton

MASSACHUSETTS

*In the City Council, April 1, 2021*

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

**R-21.231**

### **A RESOLUTION DECLARING A CLIMATE EMERGENCY**

WHEREAS, in a world facing the extreme challenges of rapid climate change, Northampton residents understand the importance of protecting the Earth and its inhabitants; can envision a better, sustainable future; and can create and execute bold plans for a prosperous economy and a thriving community; and

WHEREAS, progress toward this future is underway in Massachusetts, which is among national leaders on climate initiatives with over 100,000 jobs in the state's clean energy sector<sup>1</sup> and named a top energy efficient state for the past decade by the American Council for an Energy-Efficient Economy; and

WHEREAS, Northampton has an engaged City government and has undertaken a number of important steps on climate and the environment, (such as the Sustainable Northampton Comprehensive Plan and the Climate Resilience and Regeneration Plan), such that the City is well placed to implement the critical transition away from fossil fuels and to advance a robust, carbon-free, equitable economy and the improved health and quality of life that will result; and

WHEREAS, on April 22, 2016, world leaders from 175 countries recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep warming "well below 2°C above pre-industrial levels" and to "pursue efforts to limit the temperature increase to 1.5°C" and Mayor David J. Narkewicz committed to the Paris Accord on behalf of Northampton; and

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<sup>1</sup>O'Brien, Kelly J. "Clean energy jobs top 100,000 for first time in Mass., according to new report," *Boston Business Journal*. Dec. 15, 2016. <https://www.bizjournals.com/boston/news/2016/12/15/clean-energy-jobs-top-100-000-for-first-time-in.html>

WHEREAS, marginalized populations in the Commonwealth of Massachusetts and worldwide, including people of color, immigrants, indigenous communities, low-income individuals, people with disabilities, and the unhoused are already disproportionately affected by climate change, and will continue to bear an excessive burden as temperatures increase, oceans rise, and natural disasters worsen; and

WHEREAS, nearly 400 cities, districts and counties across the world collectively representing over 34 million people have recently declared or officially acknowledged the existence of a global Climate Emergency, including over 20 Massachusetts cities and towns such as Boston, Lexington, Acton, and 11 towns on Cape Cod; and

WHEREAS, declaring the climate crisis as an emergency is a crucial first step for aligning residents around the urgency of the global climate breakdown; and

WHEREAS, declaring that the climate crisis is an emergency demonstrates that our government agencies acknowledge that addressing climate change will require an emergency response at emergency speed; and

WHEREAS, the crisis caused by climate change also presents a major opportunity to invest in healthy energy, transportation, land-use, and agriculture systems that will deliver both immediate and sustained benefits to all and reduce future risks from climate change;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton affirms that human activity caused the climate crisis and that fossil fuels are the primary cause;

BE IT FURTHER RESOLVED that the City Council of Northampton hereby declares that a Climate Emergency threatens our city, state, and nation, as well as humanity broadly, and that a mobilization to meet this challenge is both a moral imperative and an unprecedented opportunity to stabilize the climate, remedy environmental harms, create clean-energy jobs, and improve human lives.

BE IT FURTHER RESOLVED that the members of the Northampton City Council call on City government and staff and all Northampton civic groups, businesses, and residents to commit to a climate mobilization effort to bring net City-wide carbon emissions to zero no later than the year 2050, though we advocate for increased state and federal assistance so that we can aim for carbon neutrality by 2030;

BE IT FURTHER RESOLVED that the City of Northampton's climate mobilization should also: (1) accelerate adaptation and resilience strategies in preparation for intensifying local and global climate impacts; (2) continue to protect trees, forests, and other open spaces because of their ability to draw carbon out of the atmosphere and store it; (3) protect the habitats and corridors of wildlife that are vulnerable to the impacts of climate change; and (4) ensure that the costs of such mobilization efforts do not unfairly burden those who are economically or socially disadvantaged and that the benefits of a realized, sustainable future accrue to all.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Representative Lindsay Sabadosa and Senator Jo Comerford, as well as Governor Charles Baker, DOER Commissioner Patrick Woodcock, and the Co-Chairs and Vice CoChairs of the Joint Committee on Telecommunications, Utilities, and Energy, Senators Mike Barrett and Mark Pacheco and Representatives Jeffrey Roy and Paul Mark.



## CITY OF NORTHAMPTON

MASSACUSETTS

*In the City Council, April 1, 2021*

Upon the Recommendation of:      Councilor William Dwight

### **21.233 A Resolution to Review and Revise the Rules and Committees of the City Council**

*Whereas*, the City Council of Northampton, on a regular basis and as the need arises, must review and revise the rules that prescribe the processes by which the body shall deliberate; and

*Whereas*, the City Council must also periodically reconsider and evaluate the Committees of the Council to determine how they may best serve the Council; and

*Whereas*, the COVID 19 pandemic required significant changes in the way the Council convenes and conducts its business; and

*Whereas*, the Open Meeting Law of the Commonwealth requirements continue to evolve in meaningful ways as the Council conducts its business remotely via a changing technology; and

*Whereas*, the City Council of Northampton abides by and upholds the principles and the spirit of open government; and

*Whereas*, some Council rules have been rendered outdated and void by recent decisions by the Attorney General and the Governor in order to allow safe participation and continuity in government;

*Now therefore, be it resolved that:* the City Council requests that the Council President appoint a select committee dedicated to the review of the Council Rules and Council Committees to assemble at a time determined by the President; and

*Be it further resolved that*, the Committee shall deliver to the Council, at a time determined by the President, recommendations to be considered; and

*Be it further resolved that*, the President shall determine the members of the Committee which may include individuals who are not City Councilors.



## **MAYOR DAVID J. NARKEWICZ**

**City of Northampton  
Office of the Mayor  
210 Main Street Room 12  
Northampton, MA 01060-3199  
(413) 587-1249 Fax: (413) 587-1275D  
[mayor@northamptonma.gov](mailto:mayor@northamptonma.gov)**

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### **MEMORANDUM**

**TO:** City Council  
**FROM:** Mayor David J. Narkewicz  
**CC:** City Clerk Pamela Powers  
**DATE:** March 19, 2021  
**RE:** Appointment of Finance Director

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I am appointing Charlene Nardi to the position of Finance Director for the City of Northampton effective Wednesday, June 30, 2021, filling the vacancy created by the retirement of Finance Director Susan Wright.

Charlene Nardi has served as Town Administrator for Williamsburg since 2011. Prior to that, she served four years as the Town Administrator for Chesterfield. Charlene was also Town Clerk in Williamsburg for 10 years and served as an elected Williamsburg School Committee member. Ms. Nardi has a Bachelor of Science degree in Business from the University of Massachusetts at Amherst.

Charlene Nardi will bring a wealth of administrative, budgetary, and leadership skills to the city's financial management team and I am honored to appoint Charlene Nardi to be the city's next Finance Director.

I respectfully submit her appointment to the City Council for confirmation in accordance with the Northampton Charter, Article 2, § 2-10. I have attached a copy of Ms. Nardi's professional resume for your review.

City of Northampton  
Application for Annual License

NORTHAMPTON, MASS., \_\_\_\_\_

To the Honorable City Council of the City of Northampton:

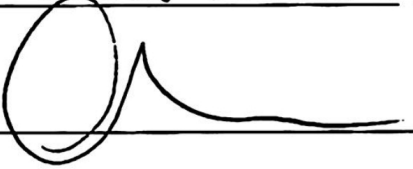
The undersigned respectfully petitions your honorable body for a License as follows:

Name of Business: Urban Exchange

Type of License: Secondhand Dealer

Location of Business: 233 Main Street

~~Print Name of Applicant:~~ (V) Silvia Naumburger

~~Signature of Applicant:~~ (V) 

~~Address of Applicant:~~ (V) No. 233 Street Main

In City Council, \_\_\_\_\_

Referred to Committee on Licenses.

ATTEST:

\_\_\_\_\_  
*City Clerk*

In Committee on Licenses, \_\_\_\_\_

Voted to recommend that Petition \_\_\_ be  
granted, \_\_\_\_\_ not granted

ATTEST:

\_\_\_\_\_  
*Clerk*

In City Council, \_\_\_\_\_ (date)

Voted that Petition be \_\_\_\_\_ granted  
\_\_\_\_\_ not granted

Attest: \_\_\_\_\_ *Clerk to City Council*

# City of Northampton

## AFFADAVIT OF WAGE COMPLIANCE

Name of Business: Urban Exchange

Location of Business: 233 Main Street

The Northampton City Council, in determining whether to issue, re-issue, modify, suspend or revoke a license. under G.L. c. 140, shall require that a potential or current licensee certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. The City Council may require a wage bond or insurance be posted by any potential licensee who does not certify that they are not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.

Applicants must check box 1 or box 2 as applicable and must sign this Form, certifying compliance with the requirements set out in this Form. This Form must be included with the application.

AFFADAVIT:  (Choose 1 below)

This License applicant is not subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years.

This License applicant is subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act within the last three years. This applicant will provide a wage bond or wage insurance for the period of the license.

Silvia Naumburger  
(Typed or printed name of applicant)

  
(Signature)

**City of Northampton**  
**Treasurer/Collector's Office**  
**Permit Denial Form**  
Revised 11-30-2018

REQUESTED BY: **Pamela L. Powers, City Clerk**

Name of Person, Corporation or Business: **Urban Exchange, Silvia Naumburger**

Location of Property, Service or Address: **233 Main Street, Northampton, MA 01060**

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**All permits denied for outstanding amounts must receive confirmation of good standing from the Treasurer/Collector's Office PRIOR to issuance of the permit.**

*For Tax Collector's/Treasurer's Office Use Only*

Please list below any tax, assessed to your office that is unpaid for twelve (12) months or more after its due date, unless there is a pending abatement or appeal before the Appellate Tax Board, for the person, corporation, or business entity noted above.

All accounts are current.

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Signed:     *Kristine Bissell*    

Dated:     April 1, 2021

**CITY OF NORTHAMPTON**  
**MASSACHUSETTS**

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*In City Council*

April 1, 2021

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\_\_\_\_\_  
Upon recommendation of the Mayor

**21.230 An Order to Reprogram Funds to AOM Fire Suppression and Leeds Elementary Parking Lot Repaving**

*Ordered, that*

the following accounts with surplus funds be reprogrammed and added to the Academy of Music Fire Suppression System Project (19303 586229):

AOM Stage Lighting (19303 586311)	\$ 5,340.00
Municipal Building Elevator (19303 585501)	\$ 3,201.88
Fire Station Energy Management System (19303 586904)	\$12,352.30

the following account with surplus funds be reprogrammed and added to the Leeds Elementary School Parking Lot Repaving Project (19303 586815):

Leeds Chimney Repairs (19303 586705)	\$6809.50
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**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.234 An Order to Accept DA Sullivan \$10,000 Gift to Fund Public Art Projects**

*Ordered, that*

The Northampton City Council gratefully accepts the donation of \$10,000, a gift to the City of Northampton from D.A. Sullivan and Sons, Inc., and in accordance with Massachusetts General Law Chapter 44, Section 53A approves using the gifted funds to fund public art projects under the direction of the Northampton Arts and Culture Department.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.235 An Order to Appropriate Marijuana Community Impact Fee \$2.6 Million to Various Projects**

*Ordered, that*

\$ 2,640,000 be appropriated from the Marijuana Community Impact Fee Stabilization Fund to the following accounts:

\$1,610,000	Community Resilience Hub Acquisition and Development
\$1,000,000	Pleasant Street Roadway and Streetscape Improvements from Hockanum Road to the Conz Street Roundabout
\$ 15,000	Accessible Bus Stop Design and Construction at 34 Bridge Street
\$ 15,000	Valley Bike Share Installation at 81 Conz Street (Salvo House)

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.237 An Order to Appropriate Free Cash \$400,000 to Animal Control Facility**

*Ordered, that*

the sum of \$400,000 be appropriated from the FY2021 General Fund Undesignated Fund Balance (Free Cash) to be added to the appropriation for the construction of an Animal Control Facility by Central Services originally funded in the FY2018 – FY2022 Capital Improvement Program.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.219 FY22 CIP – An Order to Authorize Borrowing \$6 Million for Radio System Upgrade**

*Ordered, that*

\$6,000,000 is appropriated to pay costs of upgrading the city-wide radio system, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.220 FY22 CIP – An Order to Authorize Borrowing \$450,000 for Hotel Bridge**

*Ordered, that*

\$450,000 is appropriated to pay costs of making structural and road surface improvements to the Hotel Bridge to accommodate bicycle and pedestrian traffic, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

April 1, 2021

Upon the recommendation of the Mayor

**21.221 FY22 CIP - An Order to Authorize Borrowing \$685,000 for DPW Vehicles**

*Ordered, that*

\$685,000 is appropriated to pay costs of acquiring various vehicles and other equipment for the Department of Public Works, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to take any action necessary or convenient to carry out this project; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs of the project approved by this order in accordance with Chapter 44, Section 20 of the General Laws and thereby reduce the amount of the authorized borrowing by a like amount.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.222 FY22 CIP - An Order to Appropriate \$500,000 from Capital Stabilization to Arch Street Bridge Repairs**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$500,000 from the Capital Stabilization Fund be appropriated for repairs to the Arch Street Bridge in Leeds.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.223 FY22 CIP - An Order to Appropriate \$25,000 from Cemetery Perpetual Care for Cemetery Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$25,000 be appropriated from the Cemetery Trust and Income, to be used to fund restorative work at the city's cemeteries.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.224 FY22 CIP - An Order to Appropriate \$1.8 Million Free Cash to Various Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, the following Capital Projects be appropriated from the FY2021 General Fund Undesignated Fund Balance (Free Cash):

Central Services – Academy of Music – Fire Suppression System Upgrades	\$ 150,000
Central Services – Senior Center – Paint Exterior of Building	\$ 118,000
Central Services – Florence Fire Station - Pave Rear Parking Lot	\$ 65,000
Central Services – Lighting Upgrades – Multiple City Facilities	\$ 110,000
Dispatch – Radio Positions Upgrades	\$ 150,000
IT – Northampton Public Schools – Wireless System Upgrade and Replacement	\$ 220,000
Planning – Comprehensive Planning	\$ 60,000
Fire Rescue – Replace 2007 Mechanic Plow Vehicle	\$ 65,000
Fire Rescue – Replace Cardiac Monitors in Four Ambulance Units	\$ 75,000
Northampton Public Schools – Replace 2005 – 30 Passenger Wheelchair Bus	\$ 55,000
Northampton Public Schools – JFK – Energy Management System	\$ 150,000
Northampton Public Schools – DW Facilities Assessment for Greenhouse Gas	\$ 60,000
Northampton Public Schools – NHS – Repoint Chimney	\$ 40,000
Smith Vocational and Agricultural High School – Building C Boiler Replacement	\$ 180,000
Smith Vocational and Agricultural High School – Nurses Office Renovation	\$ 206,000
<u>Department of Public Works – Sidewalks</u>	<u>\$ 175,000</u>
<b>TOTAL:</b>	<b>\$ 1,879,000</b>

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.225 FY22 CIP - An Order to Appropriate \$150,000 from PEG Access Fund to IT Services Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$150,000 be appropriated from the PEG Access and Cable Related Fund (Fund 2337) to Information Technology Services for the following projects:

City Server System Replacement	\$ 100,000
Northampton Public Schools – Wireless System Upgrade and Replacement	\$ 50,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.226 FY22 CIP - An Order to Appropriate \$115,000 from Parking Receipts Reserved for Parking Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, that \$115,000 be appropriated from the Receipts Reserved for Appropriation – Parking to fund the following projects:

Replace 2011 Flatbed Truck for Parking Maintenance	\$ 60,000
EJ Gare Garage Repairs	\$ 25,000
Replace 2015 Nissan Leaf for Parking Enforcement	\$ 30,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.227 FY22 CIP - An Order to Appropriate \$215,000 from Sale of Land RRA Account for NPS  
Projects**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$215,000 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of the South Street School) to the following projects:

Northampton Public Schools – NHS – Replace Theater Fire Curtain	\$ 50,000
Northampton Public Schools – Leeds – Replace Handicap Lift in Cafeteria	\$ 100,000
Northampton Public Schools – Leeds – Floor Replacement	\$ 65,000

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

**21.228 FY22 CIP - An Order to Appropriate \$94,575 from Sale of Land RRA Account for Florence  
Fields Recreation Area**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$94,575 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of various lots by the Planning Department) for stage two of the development of the Florence Fields Recreation Area.

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

April 1, 2021

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Upon recommendation of the Mayor

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**21.229 FY22 CIP - An Order to Appropriate \$424,000 from Sale of Land RRA Account for Water Line Replacement**

*Ordered, that*

Pursuant to the FY2022-FY2026 Capital Improvement Program, \$424,000 be appropriated from the Receipts Reserved for Appropriation - Sale of Land Account (proceeds from the sale of the Prospect Street Water Department Building) for the replacement of water lines throughout the city.

# City of Northampton

MASSACHUSETTS

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*In City Council, March 2, 2021*

Upon recommendation of the Mayor

21.205 AN ORDER  
TO ESTABLISH WATER AND SEWER RATES FOR FY2022

***Ordered, that:***

Effective July 1, 2021, the per 100 cubic foot (CCF) rates for water and sewer for Fiscal Year 2022 will remain unchanged from Fiscal Year 2021. Rates will remain as follows:

**WATER**

Customers with 1” meter or smaller

Tier 1 consumption: 0 – 16 CCF \$4.51 per CCF

Tier 2 consumption: >16 CCF \$6.09 per CCF

Customers with meter larger than 1”

All consumption \$5.99 per CCF

**SEWER**

Non-metered

\$7.86 per CCF based on 80% of metered water consumption

Metered

\$7.86 per CCF

**City of Northampton**  
MASSACHUSETTS

***In City Council March 18, 2021***

Upon the recommendation of City Clerk Pamela L. Powers

**21.212 An Order to Set Preliminary Municipal Election Date**

*Whereas*, the City of Northampton Charter Chapter C. Article 8 Section 8-1 requires that a preliminary election take place on the third Tuesday in September in each odd-numbered year in which candidates are to be elected; and

*Whereas*, the provisions of this section allow the city clerk , with the approval of the city council, to reschedule the preliminary election to the fourth Tuesday in September to avoid a conflict with any civil or religious holiday; and

*Whereas* the third Tuesday of September in 2021 marks the observance of Sukkot by members of the Jewish community; and

*Ordered that*,

A preliminary election to nominate candidates for mayor, councilor-at-large, school committee member-at-large, city clerk, ward city councilor, ward school committee member, trustees under the will of Charles E. Forbes, elector under the Oliver Smith will, superintendents of Smith's Agricultural School shall be held on the Tuesday, September 28, 2021.

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of Mayor David J. Narkewicz and the Department of Public Works

**21.213  
AN ORDINANCE**

**RELATIVE TO PARKING ON  
PINE STREET**

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

SECTION 1

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

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

Location	Side	From	To
Pine Street [Added 8-15-1985]	North-wes terly	Chestnut Street	<del>Point 210 feet north-</del> <del>westerly from Chestnut Street</del> <b>South Main Street</b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of Mayor David J. Narkewicz and the Department of Public Works

**21.214  
AN ORDINANCE**

**RELATIVE TO STOP SIGNS ON  
MAPLE STREET, MANN TERRACE, AND PINE STREET**

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

SECTION 1

*That the § 312-113 of the Code of Ordinances be amended as follows:*

§ 312-113 Schedule XII: Stop and Yield Intersections.

A. Isolated stop signs. Stop intersections are established at the following locations:

Location	Direction of Travel	At the Intersection of
<del>Pine Street</del>	East	<del>Maple Street</del>
<del>Pine Street</del>	West	<del>Maple Street</del>
<b><u>Mann Terrace</u></b>	<b><u>North</u></b>	<b><u>Pine Street</u></b>

D. Multiway stop signs. Multiway stop intersections are established at the following locations:

Name of Street	Direction of Travel	Intersection
<b><u>Pine Street</u></b>	<b><u>East/West</u></b>	<b><u>Maple Street</u></b>
<b><u>Maple Street</u></b>	<b><u>North/South</u></b>	<b><u>Pine Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of Mayor David J. Narkewicz and the Department of Public Works

**21.215  
AN ORDINANCE**

**RELATIVE TO TURNING RESTRICTION ON  
MANN TERRACE**

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

SECTION 1

*That the § 312-115 of the Code of Ordinances be amended as follows:*

§ 312-115 Schedule XIV: Left Turns Prohibited.

Name of Street	Direction of Travel	Left Turn Prohibited Onto
<b><u>Mann Terrace</u></b>	<b><u>North</u></b>	<b><u>Pine Street</u></b>

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of Mayor David J. Narkewicz and the Department of Public Works

**21.216  
AN ORDINANCE**

**RELATIVE TO ONE-WAY STREET ON  
MANN TERRACE**

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

SECTION 1

*That the § 312-112 of the Code of Ordinances be amended as follows:*

§ 312-112 Schedule XI: One-Way Streets.

Location	Direction	From	To
Mann Terrace	Northwesterly	A point 60 feet southeasterly of Pine Street	Pine Street

# City of Northampton

## MASSACHUSETTS

### In the Year Two Thousand Twenty One

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

#### **21.217 AN ORDINANCE TO MOVE ZERO LOT LINE FROM SECTION 10.14 TO SECTION 6.13**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to refer Zero Lot Line projects to a new subsection 6.13

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

Amend Chapter 350 Attachment 7 & 8

Zero lot line single-family; see § 350-~~10.14~~6.13

Anywhere else in Chapter 350, Replace Zero Lot Line 10.14 to §6.13.

# City of Northampton

## MASSACHUSETTS

### In the Year Two Thousand Twenty One

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

### 21.218 AN ORDINANCE TO AMEND ZERO LOT LINE SECTION OF CODE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to alter the requirements of Zero Lot Line projects in order to maintain more consistent setbacks within neighborhoods.

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

Move subsection 10.14 to a new Subsection in Chapter 350-6 and amend as shown

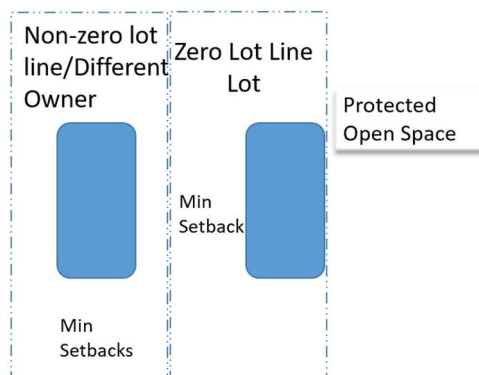
#### § 350-~~40.146.13~~ **Zero lot line (ZLL) developments.**

Zero lot line (ZLL) developments are developments, or portions of developments, where house lots have a ~~minimum~~ side yard setback of zero feet on one side (the "zero lot line"), while the opposite side meets the standard side yard setback of the district, if the following standards are met:

~~A. If a garage or other parking structure is built, it must be set back at least twice the normal front yard setback, or the garage/structure must cover no more than 25% of the front facade of the principal structure; and~~

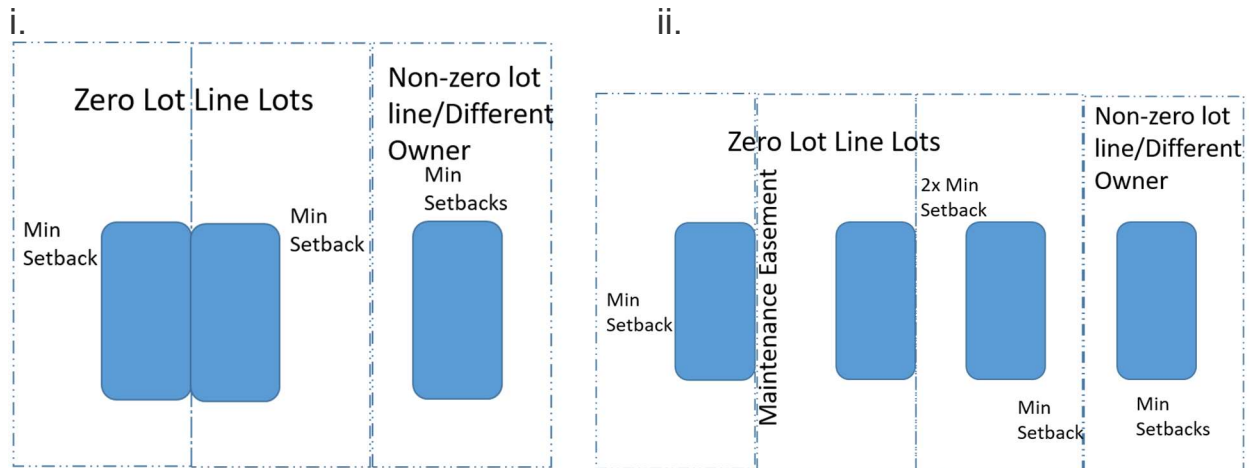
~~B.A.~~ The zero lot line side of a house must:

- 1) Abut permanently protected open space where the owner can show a maintenance easement, as defined below, will be granted; or



2) Abut the lot line of a lot which is under the control of the same property owner at the time the zero lot line development is proposed and

- i. shares a party wall with the abutting structure on the separate parcel OR
- ii. Abuts the typical setback area of an adjoining zero lot line lot under the same ownership. However the last such lot in a series as described under the same ownership shall have 2x the typical setback on the shared setback and a typical setback on the side of a non-zero lot line.;



C-B. A five-foot maintenance easement must be granted to the owner of a house on a zero lot line by the abutting property in 2(ii) above to allow normal maintenance. Said easement may allow a roof overhang of up to two feet and may allow roof drainage to sheet flow into the easement area. In addition, private covenants may be required to insure proper maintenance of the house abutting the zero lot line; and

C. There shall be a minimum of four shade trees of not less than 2.5 inches' caliper planted or maintained on each lot, including two along the street frontage. (See also § 350-6.5D.)

D. Only one principal structure per lot is allowed.

E. Any detached accessory structure on the lot must meet the minimum setbacks for such structures.

**City of Northampton**  
**MASSACHUSETTS**

**In the Year Two Thousand Twenty-One**

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

**20.181 An Ordinance Relative to Affordable Housing (350-6.12)**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by adding Section 350-6.12 to encourage affordable housing and maximize local control without requiring a Massachusetts Department of Housing and Community Development Site Eligibility Letter and other non-relevant requirements.

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

Add

**350-6.12 Affordable Housing**

**Whereas, the “Massachusetts Comprehensive Permit Law” (Massachusetts General Law Chapter 40B, Sections 20 to 22) and the “Massachusetts Comprehensive Permit: Low and Moderate Income Housing” regulations (760 CMR 56.00), allow for a single local board to administer and to waive any and all local zoning ordinance and other local ordinances and regulations, as the single approving authority, to encourage affordable housing, upon obtaining a Site Eligibility Letter from the Massachusetts Department of Housing and Community Development (DHCD). Such Site Eligibility Letter creates a burden for some projects, especially small projects. It requires the paying of a fee, the calculation of a developer’s reasonable return, the provision of architectural elevations, among other requirements;**

**Whereas, it is the City’s intention to provide some zoning relief, consistent with city needs, and while avoiding the need for a DHCD Site Eligibility Letter.**

- A. All projects approved under this section must meet the following criteria:**
- 1. At least 50% of the residential units being created shall be “Affordable Units.”**
  - 2. All permanent energy sources (thermal loads, hot water, and electric loads) shall be from grid-supplied electricity or otherwise not use fossil fuels (natural gas, propane, oil, wood). This shall not apply to emergency generators, outdoor grilling, or mobile energy uses.**
  - 3. Prior to obtaining a building permit, the applicant shall obtain DHCD approval as Local Initiative Program (LIP) units, so that all affordable units created under this section can be listed by DHCD on their Subsidized Housing Inventory.**
  - 4. Prior to obtaining a building permit, the applicant shall obtain Site Plan Approval (Section 350-11).**
- B. The Planning Board may approve Affordable Housing projects as part of a Site Plan Approval when:**

- 1. The allowable dwelling units per acre (density) of the entire project is 250% of that otherwise allowed by this zoning ordinance in the zoning district in which the property is located. There are no other minimum lot size requirements for any lots created under this section.**
  - 2. The minimum frontage, lot depth, and lot width is at least 40% of that otherwise required by this zoning ordinance in the zoning district in which the property is located.**
  - 3. When significant trees on the property are cut they shall be replaced on-site with new trees to the extent feasible without blocking solar photovoltaic or hot water systems, but no payment in-lieu is required when such planting is not feasible. Full mitigation is required for cutting public shade trees.**
  - 4. All other zoning applies and is complied with.**
- C. The Planning Board may issue a Special Permit for additional zoning dimensional and density relief when:**
- 1. The application specifically details requested zoning relief to ensure that the project and project permit conditions are not uneconomic, as defined by MGL 40B and 760 CMR 56.00.**
  - 2. The Planning Board finds that the project, with a Special Permit for the requested zoning relief, still meets Local Concerns (as defined in 760 CMR 56.00 and as evidenced by the City's master, comprehensive, and strategic plans).**
  - 3. The Planning Board finds that the Special Permit conditions of Section 350-10 are met.**

## In the Year Two Thousand Twenty One

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

### **21.189 AN ORDINANCE TO CREATE INCENTIVE FOR SMALLER HOUSES BY ALLOWING TWO HALF-SCALE UNITS TO COUNT AS A SINGLE-FAMILY FOR DENSITY PURPOSES**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended to create an incentive for smaller residential units to be built in the URB and URC districts by allowing Half-Scale units to count as half a single regular sized unit for density purposes. Further, whereas electricity from an electric grid (which must meet state renewable energy portfolio standards and is more easily converted to renewable energy) will facilitate the City's effort to attain carbon neutrality by 2050, new projects created within this proposed zoning shall be built so all on-site systems are fossil fuel-free for thermal and electric loads.

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

Add a new definition in 350 2.1 as follows:

#### **DWELLING, Half-Scale**

A unit that is no larger than 800 square feet of gross living area. Within the table of uses where allowed and for the purposes of calculating total allowable density, two half-scale units shall be treated as one dwelling unit.

Amend Attachment 7(URB) & 8(URC) as follows:

Lot Dimensional Requirements

#### **Lot Size**

Single, Two family or Two Half-Scale units: 3,750 ft<sup>2</sup>

3+ units: 2,500 ft<sup>2</sup> minimum (min) per unit or per two Half-Scale units

#### **Uses Allowed By Right:**

- Single-, two-, three-family, multifamily, townhouses with six or fewer units, or 12 or fewer Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.

**Site Plan Approval Required for the Following:**

- Any Construction ~~(other than for a single family home or two-family less than 3,400 sf)~~ greater than 2,000 ft<sup>2</sup> . This requirement applies to all uses except for: single family homes and up to 2 Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.

**Special Permit Approval Required for the Following Uses by Planning Board**

- Any multifamily or townhouse project creating seven or more units or 14 or more Half-Scale units. Half-Scale units shall not have any on-site use of fossil fuels (natural gas, propane, oil) for any thermal (heating, cooling, water heating) or electric loads. Electricity from an electric grid and fossil fuel use limited to emergency generators, outdoor grilling, or mobile uses (cars, lawnmowers, snow blowers) are permitted.



*City of  
Northampton*

Laura Krutzler <lkrutzler@northamptonma.gov>

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## CR Report on 20.181 & 21.189

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**Jim Nash** <jimnashcitycouncil@gmail.com>  
To: Gina-Louise Sciarra <glsciarra@northamptonma.gov>  
Cc: Laura Krutzler <lkrutzler@northamptonma.gov>

Tue, Mar 9, 2021 at 5:31 PM

March 9th, 2021

Dear Council President Sciarra,

On February 23rd Community Resources considered two items referred to our committee for public input and discussion, **20.181 An Ordinance Relative to Affordable Housing** and **21.189 An Ordinance To Create Incentive For Smaller Houses By Allowing Two Half-Scale Units to Count As A Single-Family For Density Purposes**.

Senior Land Planner, Carolyn Misch, attended to present each item. For additional insight and expertise, guest speakers Laura Baker of Valley Community Development Corporation and Christopher Lee of Backyard ADUs were also present. Discussion between Senior Land Planner Misch and the guests speakers provided insight into how the new zoning language might be implemented. Ms. Misch and the guest speakers took questions from the public and city councilors.

Item 20.181 An Ordinance Relative to Affordable Housing was referred back to City Council with a Positive Recommendation. The motion was made by Councilor Thorpe and seconded by Councilor Jarrett, the motion passed 4-0.

Item 21.189 An Ordinance to Create Incentive For Smaller Houses By Allowing Two Half-Scale Units To Count As A Single-Family for Density Purposes was referred back to City Council with a Positive Recommendation. The motion was made by Councilor Foster and seconded by Councilor Jarrett, the motion passed 4-0.

Sincerely,

Councilor Nash  
Chair, Community Resources Committee