



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: October 21, 2021**  
**Meeting Time: 7 p.m.**

The October 21, 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 virtual 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 7p.m.

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

Join the meeting: <https://bit.ly/3mU54q5>

For telephone call-in, call:

+929 436-2866 US

MEETING ID: 814 9384 7818

PARTICIPANT #: #

PASSCODE: 905688

**1. Announcement that Meeting is Being Audio/Video Recorded**

This meeting is being audio and video recorded.

**2. Public Comment**

**3. Roll Call**

**4. Public Hearings**

**A. Announcement of Tax Classification Hearing**

Per M.G.L. Ch. 40, Section 56, the Northampton City Council will hold a public hearing on Thursday, November 4, 2021 at 7:05 p.m. by remote participation to discuss the percentages of the local tax levy to be borne by each class of real and personal property within the City of Northampton for FY2022. Information regarding this hearing will be available for public inspection on line at [www.northamptonma.gov](http://www.northamptonma.gov) on or before November 2, 2021 after 12 p.m. Instructions for accessing the hearing will be posted on the November 4, 2021 City Council agenda on [www.northamptonma.gov](http://www.northamptonma.gov) no later than 48 hours prior to the meeting.

**B. 7:05 pm Public Hearing on application to amend License for Storage of Flammables and Combustibles for two (2) underground storage tanks (1-24,000 gallons gasoline and 1-12,000 gallons diesel) at 506 Pleasant Street, Northampton, MA**

The City Council will hold a public hearing on Thursday, October 21, 2021 at 7:05 p.m. The City Council will hear all persons who wish to be heard thereon.

Documents:

[21.328 Application to Amend License for Storage of Flammables and Combustibles at 506 Pleasant Street.pdf](#)

[21.328 Solicitor Memo on Fuel Storage License.pdf](#)

[21.328 Municipal Officials Licensing Guide.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. 21.340 A Resolution in Support of the Fairness to Farmworkers Act - 2nd reading

#### History:

- Passed 1st reading with correction of scrivener's error - 10/7/2021

Documents:

[21.340 A Resolution in Support of the Fairness to Farmworkers Act.pdf](#)

## 9. Presentations

### 10. Approval of Official Map, Block Report and Legal Boundary Description for Northampton - 1st reading

Process note: Ward and precinct boundaries must be finalized by City Council for submittal to the state by October 31, 2021.

Documents:

[21.346 An Order to Define Wards and Precincts in the City of Northampton.pdf](#)

## 11. Consent Agenda

### A. Minutes of October 7, 2021

Documents:

[10-07-2021\\_City Council Minutes.pdf](#)

### B. Approve 21.328 Application to Amend License for Storage of Flammables and Combustibles at 506 Pleasant Street

See documents under public hearing, above

## 12. Recess for Committee on Finance (See Separate Agenda)

## 13. Financial Orders (on 1st reading pending Finance review)

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

**A. 21.342 An Order to Appropriate Senior Center Gift Fund Money to Financial Aid Fund - 1st reading**

Documents:

[21.342 An Order to Appropriate Senior Center Gift Fund Money for Financial Aid Fund.pdf](#)

[21.342 Memo from Senior Services Director.pdf](#)

**B. 21.343 An Order to Surplus City Land for Affordable Housing and a Community Resilience Hub off Crafts Avenue - 1st reading**

Documents:

[21.343 An Order to Surplus City Land for Affordable Housing and a Community Resilience Hub off Crafts Avenue.pdf](#)

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

**A. 21.329 An Order Authorizing Gift Acceptance and Expenditure on AOM Restroom Expansion and Renovation - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 10/7/2021
- Passed 1st reading - 10/7/2021

Documents:

[21.329 An Order Authorizing Gift Acceptance and Expenditure on AOM Restroom Expansion and Renovation.pdf](#)

**B. 21.333 An Order to Appropriate \$15,000 in CPA Funds to Hampshire and Hampden Canal Historical Documentation Project - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 10/7/2021
- Passed 1st reading - 10/7/2021

Documents:

[21.333 An Order to Appropriate 15,000 in CPA Funds to Hampshire and Hampden Canal Historical Documentation Project.pdf](#)

**15. Orders**

**A. 21.331 Warrant for the November 2, 2021 Biennial Municipal Election - 2nd reading**

**History:**

- Passed 1st reading - 10/7/2021
- Revised language to add question about Municipal Light Plant added by City Clerk

Documents:

[21.331 Warrant for the November 2, 2021 Biennial Municipal Election - POST 1st rdg.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.

**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.

**18. Ordinances**

**A. 21.325 An Ordinance Relative to Compensation for Elected Officials - 2nd reading**

**History:**

- referred to Legislative Matters (LM) - 9/22/2021
- positive recommendation, LM - 10/4/2021
- passed 1st reading - 10/7/2021

Documents:

[21.325 An Ordinance Relative to Compensation for Elected Officials.pdf](#)

**B. 21.344 An Ordinance Relative to Ward and Precinct Boundaries for the City of Northampton - 1st reading**

**History:**

- Referral to Legislative Matters (LM) waived - 10/7/2021

Documents:

[21.344 An Ordinance Relative to Ward and Precinct Boundaries for the City of Northampton.pdf](#)  
[21.345 An Ordinance to Delete Ward and Precinct Boundaries from Code](#)

## 19. Zoning Ordinances

### A. 21.313 An Ordinance to Amend the Zoning Map, §350-3.4, at Chapel Street - 2nd reading

**History:**

- Referred to Community Resources (CR), Legislative Matters (LM) and Planning Board (PB)- 8/19/2021
- Positive recommendation, CR - 9/20/2021
- Joint LM/PB public hearing held - 10/4/2021
- Positive recommendation, PB - 10/4/2021
- Positive recommendation, LM - 10/4/2021
- Passed 1st reading - 10/7/2021

Documents:

[21.313 An Ordinance to Amend the Zoning Map, Section 350-3.4, at Chapel Street.pdf](#)

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

## 21. New Business

## 22. Adjourn

Contact: G-L Sciarra, Council President  
glsciarra@northamptonma.gov

(413) 570-3133



September 20, 2021

Pamela Powers  
City Clerk, City of Northampton  
210 Main Street  
Room 4  
Northampton, MA 01060

**RE: FP2 Flammable Combustible License Amendment – Global Montello Group Corp.  
506 Pleasant Street**

Dear Ms. Powers:

Atlas is an environmental and compliance consulting firm retained by Global Montello Group Corp. to assist with their storage tank compliance program. In this role, I am writing to submit an amended FP2 Flammable/Combustible License for the above-listed facility to document that the facility now stores diesel.

Please find enclosed documentation and remittance needed to perform the renewal:

1. Application for Amended License
2. Copy of most recent license
3. Copy of current FP6 Flammable Storage Permit

Thank you for your assistance. If you have any questions or need any further information, please feel free to contact me at 614-932-2170 or via email at [wendy.morgan@oneatlas.com](mailto:wendy.morgan@oneatlas.com).

Sincerely,  
Atlas

A handwritten signature in black ink that reads "Wendy Morgan".

Wendy Morgan  
Compliance Analyst

Enclosures



FP-002A  
(Rev. 1.2018)

The Commonwealth of Massachusetts

City/Town of Northampton

Application For License

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates
<u>42.311360</u>
LAT.
<u>-72.623870</u>
LONG.
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 506 Pleasant Street, Northampton MA 01060; 39A-032-001  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: O'Connell Oil Associates, Inc.

Address of Land Owner: PO BOX 1387, 55 Merrill Road, Pittsfield MA 01201

Use and Occupancy of Buildings and Structures: Retail Gasoline Station

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments  
1965, 1976, 1984, 1989

Attach a copy of the current license

**Flammable and Combustible Liquids, Flammable Gases and Solids**

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
Gasoline	I	24,000	Gal.	UST
Diesel	II	12,000	Gal.	UST

Total quantity of all flammable liquids to be stored: 24,000 Gal.

Total quantity of all combustible liquids to be stored: 12,000 Gal.

Total quantity of all flammable gases to be stored: N/A

Total quantity of all flammable solids to be stored: N/A

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: \_\_\_\_\_  
List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: \_\_\_\_\_  
List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: \_\_\_\_\_

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

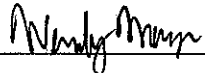
❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Wendy Morgan, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature  Date 9/20/2021 Name Wendy Morgan

**Fire Department Use Only**

I, \_\_\_\_\_, Head of the \_\_\_\_\_ Fire Department endorse this application with my

Approval  Disapproval

Signature of Head of the Fire Department \_\_\_\_\_ Date \_\_\_\_\_

Recommendations: \_\_\_\_\_

In City Council, April 6, 1989

Referred. Public hearing date of May 4, 1989 was set. Attest

**The Commonwealth of Massachusetts**

*Edith Murray*  
City Clerk



**DEPARTMENT OF PUBLIC SAFETY—DIVISION OF FIRE PREVENTION**  
1010 COMMONWEALTH AVENUE, BOSTON

Northampton Feb. 17 1989  
(City or Town) (Date)

## APPLICATION FOR LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Attest *Edith Murray*  
City Clerk

Granted

Location of land.....506 Pleasant Street.....Nearest cross street.....Fulton Avenue  
Owner of land Shell Oil Company.....Address P. O. Box 1590, 22 Waterville Road  
Number of buildings or other structures to which this application applies.....1  
Occupancy or use of such buildings.....service station.....450 gals.  
Total capacity of tanks in gallons:—Aboveground.....no change.....Underground increase w.o/ to 1,000 gal.  
Kind of fluid to be stored in tanks.....waste oil and fuel oil.....increase f.o/ to 1,000 gal.  
450 gals.

Approved—Disapproved—.....February 22 1989.....*P.A. Ayoub*.....P.Ayoub Engineering, Inc.  
(Signature of Applicant) P.A. Ayoub, Agent for

*Jeremiah P. Russell*.....414 Benefit Street.....Shell Oil Co.  
(Head of Fire Dept.).....Pawtucket, RI (Address) 02861



The Commonwealth of Massachusetts

City/Town of Northampton



Application for Standard Permit

FP-008 (Rev. 1.2018)

Return completed application to:

Permit Number:

City or Town: Northampton

Date: 9/2/2021

DIG SAFE NUMBER

Start Date:

In accordance with the provisions of M.G.L. Chapter 148, as provided in Section 10A application is hereby made

by Global Montello Group Corp. (814) 433-0170

of c/o Atlas, 705-A Lakeview Plaza Blvd., Worthington OH 43085

for permission to (state clearly purpose for which permit is requested)

To store flammable liquids underground (2 tanks- 24,000 gallons Gasoline, 1 tank - 12,000 gallons Diesel)

Name of Competent Operator (if applicable) Cert. No.

Date issued-rejected By Wendy Morgan (Signature of Applicant)

Date of expiration Fee \$50.00 Amount Paid \$

Handwritten mark



The Commonwealth of Massachusetts

City/Town of Northampton



PERMIT

FP-008 (Rev. 1.2018)

City or Town: Northampton

Date: 9/2/2021

Permit Number (if applicable):

DIG SAFE NUMBER

Start Date:

In accordance with the provisions of M.G.L. Chapter 148, as provided in 10-A this permit is granted

to Drake Petroleum Company, Inc. (Full Name of Person, Firm or Corporation)

for storing flammable liquids underground (2 tanks- 24,000 gallons Gasoline, 1 tank - 12,000 gallons Diesel)

Restrictions:

at 508 Pleasant Street, Northampton MA 01080 (Street and # or Describe Location for Adequate Identification)

Fee Paid \$50 This permit will expire on 9-2022

Signature of Official Granting Permit: [Signature] Title FPO

This permit must be conspicuously posted upon the premises



**Office of City Solicitor**  
**City of Northampton**  
210 Main Street, Room 12  
Northampton, MA 01060

Alan Seewald, Esq.  
City Solicitor

## MEMORANDUM

Please reply to:

One Roundhouse Plaza, Ste. 304  
Northampton, MA 01060  
(413) 584-4455  
aseewald@northamptonma.gov

TO: Northampton City Council  
FROM: Alan Seewald, City Solicitor  
RE: Fuel Storage Licenses, M.G.L. c. 148, § 13  
DATE: March 22, 2021

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You have requested my opinion regarding the role of the Northampton City Council in granting fuel storage licenses pursuant to M.G.L. c. 148, § 13. This issue arose when the Council was considering a fuel storage license at the Big Y Plaza on North King Street, and Councilors were unsure whether the Council was in any way constrained to approve it. The specific question related to the desire to move away from fossil fuels and to reduce greenhouse gases, and whether additional gas stations are consistent with those goals.

Section 13 does not provide narrow and objective criteria for the Council to apply in evaluating an application, so the short answer is that the Council was not constrained to grant the license. The decision whether to issue a license is vested in the Council's substantial discretion limited only by the requirement that its discretion be exercised in a manner that is not arbitrary or capricious. The process is administrative; it is not an adjudication as is, for instance, the issuance of a special permit under the specific criteria set forth in the Zoning Ordinance. Therefore, a record of the concerns underlying the denial must be made and preserved as is required under the Open Meeting Law, but the Council is not required to make detailed findings of fact to support its decision.

The case law under § 13 demonstrates the approach to such a licensing decision and the types of concerns that have supported a denial as a reasonable exercise of discretion. In Marlborough, a denial of a fuel storage license at a Cumberland Farms was upheld where the Council was concerned about "leaks and accidents affecting the nearby reservoir, compensation for affected neighbors, hours of operation, lighting, noise and odors, sidewalks on Walker Street, traffic, use of the station by large diesel trucks, opposition from residents, and competition with existing businesses." *Cumberland Farms, Inc. v. City Council of Marlborough*, 88 Mass. App. Ct. 528 (2015). A denial in Brockton was upheld where the "council may have reasoned that another station would tend to increase traffic at an already burdened intersection; that [vehicles entering and exiting the station] would further interfere with the free flow of traffic; that the risk of accidents to children and others would be increased; that there would be additional noise and odors; and that there was no counterbalancing public demand for another station in this immediate vicinity." *Kidder v. City Council of Brockton*, 329 Mass. 288, (1952).

The Court in *Cumberland Farms* acknowledged that “in exercising its wide discretion to issue or withhold licenses, a licensing authority may take into account ... factors affecting public interests and welfare.” However, the public interests in the cited cases related to the site, not to overall societal goals such as moving away from the use of fossil fuels to power automobiles. When the Court in the Brockton case noted the lack of counterbalancing public demand for another station, it was referring to the fact that there were already four stations along the same street, one of which was diagonally across the street.

While there are no cases under § 13 addressing the specific question of denying a license for a new gas station to promote sustainability goals, thereby rendering the outcome of an appeal less than certain, in my opinion the denial of a fuel storage license would be an appropriate exercise of discretion where both the Commonwealth<sup>1</sup> and the City<sup>2</sup> have specifically expressed policy goals that the Council determines would be undermined by the issuance of the license. Those policy goals are the very expression of the public interest and public welfare that are the within the Council’s wide discretion to consider when making licensing decisions under § 13.

As stated above, this opinion applies to the discretion of the Council where the statute does not provide specific criteria for the Council to apply in considering an application. Where such criteria are provided, the Council would be constrained to make specific findings and limited to applying the stated criteria.

Please let me know if you need any further information in this regard. I would be pleased to appear at an upcoming Council meeting if that would assist the Councilors in understanding their role in statutory licensing matters.

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<sup>1</sup> See, e.g., Mass. EOEI [2015 Updated Clean Energy and Climate Plan for 2020](#).

<sup>2</sup> See, e.g., [Northampton Climate Resilience & Regeneration Plan; 19.123 A Resolution Calling for the Federal Government to Pass a Green New Deal](#).

# A GUIDE FOR MUNICIPAL OFFICIALS ON LICENSING THE STORAGE OF FLAMMABLES, COMBUSTIBLE and EXPLOSIVES

## Licenses, Registrations and Permits

The purpose of this document is to provide guidance to fire departments, local licensing authorities, and municipal clerks on licenses, registrations and permits for the storage of flammable, combustible, or explosive materials in accordance with Massachusetts General Law (MGL) Chapter 148 and the Board of Fire Prevention Regulations, Code of Massachusetts Regulation (CMR), 527 CMR 1.00 Table 1.12.8.50.

- A *license* is the permission by competent authority to do an act which, without such permission, would be unlawful, a trespass, or a tort. A storage license is applied for and granted by the local licensing authority. The license is granted to the land and not to an individual. Only one license may be issued to a parcel of land. This license may be amended to reflect changes in quantity, conditions or restrictions. The license may be revoked or suspended for cause by the issuing authority. Information pertaining to the license and the license shall be maintained by the city or town clerk.
- A *registration* is the acknowledgement by competent authority of the act of recording a formal or official record. A storage registration is filed annually with the local city or town clerk. The registration serves solely to notify the community of the present license holders name and address. Only one registration may be granted for each license. Records of registration shall be maintained by the city or town clerk.
- A *permit* is a written authority or warrant, issued by a person in authority, empowering a person to do some act not forbidden by law but not allowable without such grant of authority. The law allows certain small quantities of flammable and combustibles to be kept or stored on the land without a license, but with a permit granted by the head of the fire department. 527 CMR 1.00 Table 1.12.8.50 requires a permit in addition to the license.

The following are definitions related to the terms “flammable or combustible”.<sup>1</sup>

*Combustible liquid:* Any liquid having a flash point at or above 100°F shall be known as a Class II or Class III Liquid. Combustible liquids shall be divided into the following classifications:

- Class II: Liquids having flash points at or above 100° and below 140°F.
- Class IIIA: Liquids having a flash point at or above 140°F and below 200°F.
- Class IIIB: Liquids having a flash point at or above 200°F.

*Flammable Liquids:* Any liquid having a flash point below 100° F and having a vapor pressure not exceeding 40 psia at 100°F. Flammable liquids shall be known as Class I liquids and shall be divided into the following classifications.

- Class IA: Liquids having flash points below 73°F and having a boiling point below 100°F.
- Class IB: Liquids having flash points below 73°F and having a boiling point at or above 100°F.
- Class IC: Liquids having flash points at or above 73°F and below 100°F.

The authority for the keeping and storage of flammables, combustibles, and explosives, is section 13, of Chapter 148, M.G.L. This General Law is rather lengthy; this document references only the relevant sections. In order to apply for a new license or to change the conditions or restrictions of an existing license, the applicant must apply for approval or disapproval from the head of the local fire department. Whether the local fire official approves or disapproves the application, the next step is a public hearing on the application. Not less than seven days prior to a public hearing it must be advertised in a newspaper published in the English language. At the applicants expense, all abutters and owners of real estate must be notified by registered mail not less than seven days prior to the hearing at which the licensing authority acts on the license application.

A licensing authority may prescribe conditions or restrictions to a license.

Any such license granted hereunder shall be subject to such conditions and restrictions as may be prescribed in the license by the local licensing authority, which may include a condition that the license be exercised to such extent and within such period as may be fixed by such authority.<sup>2</sup>

A certificate of registration must be filed annually on or before April thirtieth by the owner/occupant of the land who holds (exercises) the license. This informs the licensing authority that the license is still being exercised, and the name of the person or entity exercising the license.

The Board of Fire Prevention Regulations has been granted the authority to exempt certain quantities of the articles (flammables, combustibles, and explosives), articulated in section 9 of Chapter 148, from licensing, and registration.<sup>3</sup> These exemptions may be found in the relevant sections of 527 CMR 1.00 governing the articles to be stored.

Every license granted, and every certificate of registration filed under Section 13, is deemed to be granted or filed upon condition that if the land described in the license ceases to be used for the aforementioned uses, the holder of the license shall within three weeks after such cessation eliminate, in accordance with rules and regulations of the board, all hazardous conditions incident to cessation.<sup>4</sup>

Abandoned, as used here, means any tank and piping without use, either filling or draw off for a continuous period:

- (1) Any tank  $\leq$ 10,000 gallons for a continuous period in excess of 12 months.
- (2) Any above ground storage tank > 10,000 gallons for a continuous period in excess of 60 months and in compliance with 502 CMR 5: Permit Requirements and Annual Inspection of Above Ground Storage Tanks or Containers of More than Ten Thousand Gallons' Capacity.

If it is determined that a fire or explosion hazard exists or is likely to exist as the result of the continued exercise of a license, the local fire chief may issue a cease and desist order.

The fire chief shall order reasonable measures to protect the safety of the public from the hazards of a fire or explosion. Any measures so ordered are at the expense of the license holder.

“When a fire or explosion hazard exists or is liable to exist due to the exercise of such license, the marshal or head of the fire department, shall issue an order to the licensee to cease and desist in the exercise of such license and said marshal or said head of the fire department shall direct that reasonable measures to insure safety to the public be undertaken at the expense of the holder of such license.”<sup>5</sup>

The first paragraph of section 13, Chapter 148, speaks of certain articles named in section 9 of Chapter 148, that are subject to regulation. Section 9, names the articles subject to regulation by license or permit.

“The board shall make rules and regulations for the keeping, storing, use, manufacture, sale, handling, transportation or other disposition of gunpowder, dynamite, crude petroleum or any of its products, or explosive or inflammable fluids or compounds, tablets, torpedoes or any explosives of a like nature, or any other explosives, fireworks, firecrackers, or any substance having such properties that it may spontaneously, or acting under the influence of any contiguous substance, or of any chemical or physical agency, ignite, or inflame or generate inflammable or explosive vapors or gases to a dangerous extent, and may prescribe the location, materials and construction of buildings to be used for any of the said purposes. Such rules and regulations shall require persons keeping, storing, using, selling, manufacturing, handling or transporting dynamite or other high explosives to make reports to the department in such particulars and in such detail that the quantity and location thereof will always be a matter of authentic record in the department...”<sup>6</sup>

The first paragraph of section 9 of Chapter 148, states that the Board of Fire Prevention Regulations shall make rules and regulations for the keeping, storing, use, manufacture, sale, handling, transportation or other disposition of the articles name. The Board has made these Rules and Regulations with the Code of Massachusetts Regulations 527 CMR 1.00. These regulations allow the storage of certain quantities of materials to stored without a license, but subject to permit issued by the head of the fire department.

Regulation 527 CMR 1.00 Section 1.12.8.50.1, requires a permit for the storage of any flammable fluid, solid or gas. This permit is to be obtained from the head of the fire department, as provided by M.G.L. c.148, s.10A and 23. The head of the fire department may restrict the quantities to be stored under the permit.

What this means is that a permit **in addition to a license**, a permit is required from the head of the fire department for the storage of flammable and combustible fluids. The head of the fire department may reduce the quantity of product allowed by permit but may not increase the quantity beyond that allowed by the regulation.

Exceptions to the permit process are granted to certain persons for the storage and use of and use of limited quantities of flammables, combustible. These exemptions may be found in the relevant sections of 527 CMR 1.00 governing the articles to be stored.

## Important Points

- A license for the storage of flammable or combustible fluids in quantities in excess of those allowed by regulation is granted by the local licensing authority after approval or disapproval by the head of the fire department and after a public hearing. A permit is granted by the head of the fire department.
- A license is not owned by an individual as a personal privilege. A license once exercised is a grant which runs with the land. The permanent record of a license is to be recorded and maintained by the city or town clerk.
- A permit from the head of the fire department is required in addition to a license for the storage of materials regulated under 527 CMR 1.00 Table 1.12.8.50 .
- A certificate of registration is annually filed by the holder or occupant of licensed land to inform the city or town clerk to record (register) the license as still active and being exercised.
- A city or town may develop its own form for the actual license and registration. The form of the license and registration must contain, as a minimum, that information contained in Department of Fire Services Fire Prevention Forms, FP-002, License and FP-005, Registration respectively.
- A license, when exercised, is a grant running with the land. A parcel of land may only have one license for the storage of flammable or combustible fluids.
- If the conditions, capacities or restrictions authorized by a license are changed, an amended license must be obtained. A new application must be submitted to the local licensing authority, the head of the local fire department must approve or disapprove, and a public hearing must be held. If granted, the amended license supersedes and replaces the old license, and will show the aggregate total capacities allowed under the grant. The terms and conditions of the new license now prevail. The license must be plainly posted on the premises.
- A certificate of registration is the vehicle used by the license holder or occupant of licensed land to notify the city or town town clerk annually, before April thirtieth, that a license is in use and currently being exercised. If a registration is not applied for and issued, after three weeks, it may be viewed as cessation and cause for review of the license. A registration must be plainly posted on the premises.

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<sup>1</sup> 527 CMR 1.00: Sections 3.3.165.1, 3.3.165.2

<sup>2</sup> Massachusetts General Law, Chapter 148 § 13, Paragraph 3

<sup>3</sup> Massachusetts General Law, Chapter 148 § 13, Sentence 2

<sup>4</sup> Massachusetts General Law, Chapter 148 § 13, Paragraph 3

<sup>5</sup> Massachusetts General Law, Chapter 148 § 13, Paragraph 6

<sup>6</sup> Massachusetts General Law, Chapter 148 § 9



## City of Northampton

MASSACHUSETTS

### *In the City Council, October 7, 2021*

Upon the Recommendation of: Councilor Rachel Maiore, Councilor Marianne LaBarge, and Councilor Michael J. Quinlan, Jr.

### **R-21.340 A RESOLUTION IN SUPPORT OF THE FAIRNESS TO FARMWORKERS ACT**

WHEREAS, Farming in the Commonwealth is a vibrant part of our state economy, providing consumers with healthy local food options, preserving open land, supporting our local economy and reducing our carbon footprint, and;

WHEREAS, Hampshire County has 692 farms on 50,644 acres<sup>1</sup>; 213 of these farms hire farmworkers, with a total of 1,267 farmworkers employed in the County<sup>2</sup>, and;

WHEREAS, Farmworkers in Massachusetts are at present denied the wage and hour protections provided to other workers, miring farmworkers and their families in unjust work and living conditions. Twice as many farmworker families now live in severe poverty as compared to other families<sup>3</sup>, and;

WHEREAS, Farmworkers additionally face unique workplace hazards and health concerns resulting from long work hours, exposure to pesticides and a physically demanding, fast-paced work environment. Agricultural workers, alongside those in the fishing industry, experience the highest rate of occupational fatalities in Massachusetts<sup>4</sup>, and;

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<sup>1</sup> MA Department Of Agric. Res., Agric. Res. And Statistics: Statistics On Agric. In Ma (2021)

<sup>2</sup> U.S.Dep't Of Agric., 2017 Census Of Agriculture Massachusetts State And County Data 7, 9, 88 (2019)

<sup>3</sup> Connecticut River Valley Farmworker Health Program Demographics Report, Conn. River Valley Farmworker Health Program (Mar. 1, 2021)

<sup>4</sup> Mass.Dep't Of Pub.Health, Fatal Injuries At Work Massachusetts Fatality Update 2016-2017 2 (2019)

WHEREAS, Despite the elevated health and safety risks farmworkers face, many farmworkers in the Commonwealth lack benefits and resources to help address health issues. For example, 88% of Massachusetts farmworkers surveyed by the Pioneer Valley Workers Center reported that their employers did not offer paid sick days<sup>5</sup> and approximately 80% of the Connecticut River Valley Farmworker Health Program’s Massachusetts farmworker patients did not have health insurance in 2019,<sup>6</sup> and;

WHEREAS, Farmworkers in Massachusetts are overwhelmingly immigrants originating from Latin America, and;

WHEREAS, The longstanding exclusion of farmworkers from our state’s minimum wage and overtime protections – afforded to virtually all other employees, including other essential workers– is part of a national legacy of structural racism and inequality, based in the exclusion of farm work from the national landmark workplace legislation of the 1930s to allow for the continued economic exploitation of African American farmworkers, and;

WHEREAS, Massachusetts law should not permit a disproportionately immigrant and Black and Latino workforce to earn a poverty-inducing wage that is 40% lower than the current state minimum wage, essentially relegating farmworkers to a second-class employee status under the wage and hour law of Massachusetts, and;

WHEREAS, The Fairness for Farmworkers Act, ([S1205](#), [H1979](#)):

- 1) sets the wage for farmworkers at the state minimum wage,
- 2) provides overtime pay for all farmworkers. Seasonal farmworkers will receive one and a half times their normal rate of pay for work performed in excess of fifty-five (55) hours in a week,
- 3) establishes the right to a day of rest each week for seasonal farmworkers, providing overtime pay at time and a half for workers who elect to work on that day of rest, and;

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<sup>5</sup> 169 Letter from Pioneer Valley Workers Center, Initial Survey Results (Feb. 2020)

<sup>6</sup> Connecticut River Valley Farmworker Health Program Demographics Report, Conn. River Valley Farmworker Health Program (Mar. 1, 2021)

WHEREAS, The Fairness for Farmworkers Act has been endorsed by the Fairness for Farmworkers Coalition comprised of leading organizations such as ACLU of Massachusetts, Central West Justice Center, Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition, Massachusetts Law Reform Institute, Massachusetts AFL-CIO, Massachusetts Coalition for Occupational Safety and Health (MassCOSH), Pioneer Valley Workers Center Western Massachusetts, Western Massachusetts Area Labor Federation, Massachusetts United Food and Commercial Workers (UFCW) Local 1459, and;

WHEREAS, The elimination of the substandard farmworker wage is sound economic policy that will benefit the entire state.<sup>7</sup> A recent report published by the University of Massachusetts Political Economy Research Institute, (PERI), indicates that changes proposed by the Fairness for Farmworkers Act would result in a nominal increase for most farms' annual production costs,<sup>8</sup>and;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton hereby endorses The Fairness for Farmworkers Act, and asks the State Legislature to move to its passage with all deliberate speed.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to bill sponsors Senators Adam Gomez and Adam Hinds and Representatives Carlos Gonzalez and Paul Mark, The Fairness for Farmworkers Coalition, Governor Charles Baker, Attorney General Maura Healey, Representative Lindsay Sabadosa, and State Senator Jo Comerford.

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<sup>7</sup> Trish Hernandez & Susan Gabbard, Findings From The National Agricultural Workers Survey (Naws) 2015-2016: A Demographic And Employment Profile Of United States Farmworkers 36 (2018)

<sup>8</sup> Jeannette Wicks-Lim, Estimates Of The Potential Benefits And Costs Of Extending Overtime Eligibility To All Farmworkers In Massachusetts 6 (2020)

# CITY OF NORTHAMPTON

## MASSACHUSETTS

*In City Council October 21, 2021*

*Upon the Recommendation of City Clerk Pamela L. Powers & City GIS Coordinator James Thompson,*

### 21.346 An Order to Define Wards and Precincts in the City of Northampton

***Whereas,***

Northampton City Charter, Article 8 Elections, Section 8-6 Wards, calls for the city clerk to establish 7 wards to consist of nearly an equal number of inhabitants; and

***Whereas,***

Northampton City Charter further requires the City Council to review these wards every 10 years; and

***Whereas***

Northampton is required by law to re-draw precinct lines after the 2020 Federal Census concluded that existing precincts no longer meets the legal standard for equal number of residents per ward and precinct;

Now therefore be it Ordered that

The City is hereby divided into seven wards bounded as far as possible by the center line of known streets or ways or other defined limits described as follows:

**A. Ward 1A**

1  
2  
3 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
4 intersection of Broad Brook and the base of the Fitzgerald Lake Dam spillway, and proceeding northerly  
5 along Broad Brook to the Hatfield/Northampton town/city line, and proceeding easterly along the  
6 Hatfield/Northampton town/city line to the Hadley/Northampton town/city line, and proceeding westerly  
7 along the Hadley/Northampton town/city line to the Norwottuck Rail Trail, and proceeding southwesterly  
8 along the Norwottuck Rail Trail to Bates Street, and proceeding northerly along Bates Street to the  
9 intersection of Bates Street, Bradford Street, and Industrial Drive, and proceeding northwesterly along  
10 Industrial Drive approximately 1,200 feet to the Northampton Storage Solutions private road, and  
11 proceeding southwesterly along the Northampton Storage Solutions private road to the Boston and Maine  
12 Railroad right-of-way, and proceeding northerly along the Boston and Maine Railroad right-of-way to  
13 Damon Road, and proceeding westerly along Damon Road to King Street, and proceeding southerly along  
14 King Street to Barrett Street, and proceeding westerly along Barrett Street to Jackson Street, and  
15 proceeding northerly along Jackson Street to Gleason Road, and proceeding westerly along Gleason Road

16 to Prospect Avenue, and proceeding northerly along Prospect Avenue to Bridge Road, and proceeding  
17 westerly along Bridge Road to North Elm Street, and continuing westerly along Bridge Road approximately  
18 335 feet to the driveway/parking lot entrance at 572 Bridge Road, and proceeding northeasterly  
19 approximately 350 feet along the driveway/parking lot to Old Quarry Road, and proceeding northerly  
20 along Old Quarry Road to its terminus, and proceeding northerly approximately 4,900 feet from the Old  
21 Quarry Road terminus to the point of beginning.

22

23 **B. Ward 1B**

24 All of that portion of Hampshire County bounded and described as follows: Beginning at the point  
25 of intersection of Hatfield Street and Locust Street, and proceeding northerly along Hatfield  
26 Street to North Elm Street, and proceeding northerly along North Elm Street to Bridge Road, and  
27 proceeding easterly along Bridge Road to Prospect Avenue, and proceeding southerly along  
28 Prospect Avenue to Gleason Road, and proceeding easterly along Gleason Road to Jackson Street,  
29 and proceeding southerly along Jackson Street to Barrett Street, and proceeding easterly along  
30 Barrett Street to King Street, and proceeding southerly along King Street to Finn Street, and  
31 proceeding westerly along Finn Street to Prospect Street, and proceeding westerly on Prospect  
32 Street to Franklin Street, and proceeding southerly along Franklin Street to Elm Street, and  
33 proceeding westerly along Elm Street to North Elm Street, and proceeding northwesterly along  
34 North Elm Street to its intersection with Locust Street/Route 9, and continuing westerly along  
35 Locust Street/Route 9 to the point of beginning.

36

37 **C. Ward 2A**

38 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
39 intersection of Kensington Ave and Mandelle Road, and proceeding easterly along Kensington Avenue to  
40 Elm Street, and proceeding easterly along Elm Street to Paradise Road, and proceeding southwesterly  
41 approximately 190 feet along Paradise Road to the Smith College access road, and proceeding easterly  
42 approximately 580 feet along Smith College access road to its intersection with College Lane, and  
43 continuing southeasterly approximately 790 feet along the Smith College access road, and continuing  
44 northerly approximately 230 feet along the Smith College access road to Elm Street, and proceeding  
45 westerly along Elm Street to Prospect Street, and proceeding northeasterly along Prospect Street to its  
46 intersection with Tyler Court, and continuing northerly and westerly along Prospect Street to its  
47 intersection with Finn Street, and proceeding northerly along Prospect Street to Franklin Street, and  
48 proceeding southerly along Franklin Street to Elm Street, and proceeding westerly along Elm Street to its

49 intersection with Vernon Street, and proceeding southerly along Vernon Street to James Avenue, and  
50 continuing southeasterly along James Avenue to Washington Avenue, and proceeding northeasterly along  
51 Washington Avenue to Dryads Green, and proceeding southeasterly along Dryads Green to its intersection  
52 with Kensington Avenue, and continuing southeasterly approximately 160 feet on Dryads Green, and  
53 continuing westerly approximately 150 feet on Dryads Green, and proceeding southerly approximately  
54 205 feet to the Mill River, and proceeding easterly approximately 50 feet along the Mill River, and  
55 proceeding northeasterly approximately 345 feet to the Smith College Hashimy-Ninomiya access path,  
56 and proceeding easterly approximately 225 feet along the Smith College Hashimy-Ninomiya access path  
57 to Paradise Road, and proceeding northeasterly along Paradise Road to its intersection with Mandelle  
58 Road, and proceeding northwesterly along Mandelle Road to the point of beginning.

59

60 **D. Ward 2B**

61 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
62 intersection with the Hampshire County Jail and House of Corrections driveway and Rocky Hill Road, and  
63 proceeding northerly along the driveway of the Hampshire County Jail and House of Corrections to its  
64 intersection with the Department of food and Agriculture private road, and proceeding northerly along  
65 an Department of Food and Agriculture private road to its intersection with Burts Pit Road, and continuing  
66 northeasterly along an Department of Food and Agriculture farm road to the Mill River, and proceeding  
67 northerly approximately 1,700 feet along the Mill River to Broughtons Brook, and proceeding northerly  
68 along Broughtons Brook to Federal Street, and proceeding easterly along Federal Street to Vernon Street,  
69 and proceeding southerly along Vernon Street to James Avenue, and proceeding southeasterly along  
70 James Avenue to Washington Avenue, and proceeding northeasterly along Washington Avenue to its  
71 intersection with Dryads Green, and proceeding southeasterly along Dryads Green to its intersection with  
72 Kensington Avenue and, and continuing southeasterly approximately 160 feet on Dryads Green, and  
73 continuing westerly approximately 150 feet on Dryads Green, and proceeding southerly approximately  
74 205 feet to the Mill River, and proceeding easterly approximately 50 feet along the Mill River, and  
75 proceeding northeasterly approximately 345 feet to the Smith College Hashimy-Ninomiya access path,  
76 and proceeding easterly approximately 225 feet along the Smith College Hashimy-Ninomiya access path  
77 to Paradise Road, and proceeding northeasterly along Paradise Road to its intersection with Mandelle  
78 Road, and proceeding northwesterly along Mandelle Road to its intersection with Kensington Avenue, and  
79 continuing on Kensington Avenue to Elm Street, and proceeding easterly along Elm Street to Paradise  
80 Road, and proceeding southwesterly approximately 190 feet along Paradise Road to the Smith College  
81 access road, and proceeding easterly approximately 580 feet along Smith College access road to its  
82 intersection with College Lane and continuing southeasterly approximately 790 feet along the Smith

83 College access road, and continuing northerly approximately 230 feet along the Smith College access road  
84 to Elm Street, and proceeding southeasterly along Elm Street to West Street/Route 66, and proceeding  
85 southerly along West Street/Route 66 to its intersection with Belmont Avenue, and proceeding southerly  
86 approximately 70 feet to Veterans Field parking lot road, and proceeding easterly along the Veterans  
87 Field parking lot road to the Manhan Rail Trail, and proceeding westerly along the Manhan Rail Trail to  
88 the Mill River Dike, and proceeding northwesterly along the Mill River Dike to West Street/Route 66, and  
89 proceeding westerly along West Street/Route 66 to Earle Street, and proceeding southerly along Earle  
90 Street to Manhan Rail Trail, and proceeding westerly approximately 1,270 feet along the Manhan Trail to  
91 a brook, and proceeding north west approximately 800 feet along the thread of the brook to Grove Street,  
92 and continuing southeasterly approximately 380 feet to the terminus of the Meadowland Condo access  
93 road, and proceeding westerly along the Meadowland Condo access road to Rocky Hill Road/Route 66,  
94 and proceeding westerly along Rocky Hill Road/Route 66 to the point of beginning.

95

96 **E. Ward 3A**

97 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
98 intersection of King Street, Main Street, Pleasant Street, and proceeding easterly along Main Street to  
99 Hawley Street, and proceeding southeasterly along Hawley Street to Butler Place, and proceeding easterly  
100 along Butler Place to Pomeroy Terrace, and proceeding northerly along Pomeroy Terrace to Bridge  
101 Street/Route 9, and proceeding northerly along Bridge Street/Route 9 to southbound Interstate 91  
102 highway, and proceeding northwesterly along southbound Interstate 91 highway to the Norwottock Rail  
103 Trail, and proceeding easterly along the Norwottuck Rail Trail to the Hadley/Northampton town/city line,  
104 and proceeding southerly along the Hadley/Northampton town/city line to the  
105 Easthampton/Northampton town/city line, and proceeding westerly along the  
106 Easthampton/Northampton town/city line to Mount Tom Road/Route 5, and proceeding northerly along  
107 Mount Tom Road/Route 5 to Pleasant Street, and proceeding northerly along Pleasant Street to Dike  
108 Road, and proceeding westerly along Dike Road to Lyman Road, and proceeding northwesterly along  
109 Lyman Road to South Street/Route 10, and proceeding northerly along South Street/Route 10 to Old South  
110 Street, and proceeding northeasterly along Old South Street to its intersection with Conz Street, and  
111 continuing northerly along Old South Street to the Manhan Rail Trail, and proceeding easterly along the  
112 Manhan Rail Trail to Pleasant Street, and proceeding northwesterly along Pleasant Street/Route 5 to the  
113 point of beginning.

114

115 **F. Ward 3B**

116 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
117 intersection of Main Street and Pleasant Street, and proceeding easterly along Main Street to Hawley  
118 Street, and proceeding southeasterly along Hawley Street to Butler Place, and proceeding easterly along  
119 Butler Place to Pomeroy Terrace, and proceeding northerly along Pomeroy Terrace to Bridge Street/Route  
120 9, and proceeding northerly along Bridge Street/Route 9 to the southbound Interstate 91 highway, and  
121 proceeding northwesterly along the southbound Interstate 91 highway to the Norwottock Rail Trail, and  
122 proceeding southwesterly along the Norwottock Rail Trail to Bates Street, and proceeding northwesterly  
123 along Bates Street to the intersection of Bates Street, Bradford Street, and Industrial Drive, and  
124 proceeding northwesterly along Industrial Drive approximately 1,200 feet to its intersection with the  
125 Northampton Storage Solutions private road, and proceeding southwesterly along the Northampton  
126 Storage Solutions private road to the Boston and Maine Railroad right-of-way, and proceeding northerly  
127 along the Boston and Maine Railroad right-of-way to Damon Road, and proceeding westerly along Damon  
128 Road to King Street, and proceeding southerly along King Street to the point of beginning.

129

130

131 **G. Ward 4A**

132 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of South  
133 Street/Route 10 and School Street and proceeding westerly along School Street to Clark Avenue, and  
134 proceeding northerly along Clark Avenue to Veterans Field parking lot access road, and proceeding  
135 westerly along Veterans Field parking lot access road to its intersection with the Manhan Rail Trail, and  
136 proceeding northerly approximately 70 feet to the intersection with Belmont Avenue and West  
137 Street/Route 66, and proceeding northerly along West Street/Route 66 to Elm Street, and proceeding  
138 northerly along Elm Street to Prospect Street, and proceeding easterly along Prospect Street to its  
139 intersection with Tyler Court, and continuing northwesterly along Prospect Street to Finn Street, and  
140 proceeding easterly along Finn Street to King Street, proceeding southerly along King Street to its  
141 intersection with Main Street and Pleasant Street, and proceeding southeasterly along Pleasant  
142 Street/Route 5 to the Manhan Rail Trail, and proceeding westerly along the Manhan Rail Trail to Old South  
143 Street, and proceeding southerly along Old South Street to the point of beginning.

144

145 **H. Ward 4B**

146 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of South  
147 Street/Route 10 and School Street and proceeding westerly along School Street to Clark Avenue, and  
148 proceeding northerly along Clark Avenue to Veterans Field parking lot access road, and proceeding  
149 westerly along Veterans Field parking lot access road to the Manhan Rail Trail, and proceeding

150 southwesterly along the Manhan Rail Trail to the Mill River Dike, and proceeding northwesterly along the  
151 Mill River Dike to West Street/Route 66, and proceeding westerly along West Street/Route 66 to Earle  
152 Street, and proceeding southerly along Earle Street to the Manhan Rail Trail, and proceeding westerly  
153 approximately 1,270 feet on the Manhan Trail to a brook, and proceeding northwest approximately 800  
154 feet along the thread of the brook to Grove Street, and continuing southeasterly approximately 380 feet  
155 to the terminus of the Meadowland Condominium access road, and proceeding westerly along the  
156 Meadowland Condominium access road to Rocky Hill Road/Route 66, and proceeding westerly along  
157 Rocky Hill Road/Route 66 to the Hampshire County Jail and House of Corrections driveway, and  
158 proceeding northerly along the Hampshire County Jail and House of Corrections driveway to Burts Pit  
159 Road, and proceeding westerly along Burts Pit Road to Florence Road, and proceeding southerly along  
160 Florence Road to the Easthampton/Northampton town/city line, and proceeding easterly along the  
161 Easthampton/Northampton town/city line to Mt. Tom Road/Route 5, and proceeding northerly along Mt.  
162 Tom Road/Route 5 to Dike Road, and proceeding westerly along Dike Road to Lyman Road, and proceeding  
163 westerly along Lyman Road to South Street/Route 10, and proceeding northerly along South Street/Route  
164 10 to the point of beginning.

165

166 **I. Ward 5A**

167 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
168 intersection of Bardwell Street and North Main Street, and proceeding easterly along Bardwell Street to  
169 North Maple Street, and proceeding northerly along North Maple Street to Sheffield Lane, and proceeding  
170 easterly along Sheffield Lane to Hillcrest Drive, and proceeding northerly along Hillcrest Drive to Bridge  
171 Road, and proceeding easterly along Bridge Road to North Elm Street, and proceeding southerly along  
172 North Elm Street to Hatfield Street, and proceeding westerly along Hatfield Street to Locust Street, and  
173 proceeding westerly along Locust Street to Berkshire Terrace, and proceeding southerly along Berkshire  
174 Terrace to South Main Street, and proceeding easterly along South Main Street to Beacon Street, and  
175 proceeding westerly along Beacon Street to Mann Terrace, and proceeding westerly along Mann Terrace  
176 to its intersection with Pine Street and Maple Street, and proceeding north on Maple Street to its  
177 intersection with Main Street, North Maple Street, and North Main Street, and proceeding northwesterly  
178 along North Main Street to the point of beginning.

179

180 **J. Ward 5B**

181 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
182 intersection of Pine Street and Florence Road, and proceeding easterly along Pine Street to Park Street,  
183 and proceeding northerly along Park Street to Meadow Street, and proceeding easterly along Meadow

184 Street to North Main Street, and proceeding easterly along North Main Street to Maple Street, and  
185 proceeding southerly along Maple Street to the intersection of Maple Street, Pine Street, and Mann  
186 Terrace, and proceeding easterly along Mann Terrace to Beacon Street, and proceeding easterly along  
187 Beacon Street to South Main Street, and proceeding northerly along South Main Street to Berkshire  
188 Terrace, and proceeding northerly along Berkshire Terrace to Locust Street, and proceeding easterly along  
189 Locust Street to Hatfield Street, and continuing on Locust Street to its intersection on North Elm Street,  
190 and continuing onto North Elm Street to Elm Street, and continuing on Elm Street to Vernon Street, and  
191 proceeding southerly along Vernon Street to Federal Street, and proceeding westerly along Federal Street  
192 to Broughtons Brook, and proceeding southerly along Broughtons Brook to the Mill River, and proceeding  
193 southwesterly approximately 1,700 feet along the Mill River to the Department of Food and Agriculture  
194 farm road, and proceeding southwesterly along the Department of Food and Agriculture farm road to  
195 Burts Pit Road, and proceeding westerly along Burts Pit Road to Florence Road, and proceeding northerly  
196 along Florence Road to the point of beginning.

197  
198 **K. Ward 6A**  
199 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
200 intersection of Parsons Brook and Ryan Road and proceeding northerly along Parsons Brook to the  
201 powerline right-of-way, and proceeding easterly along powerline right-of-way to Florence Stream, and  
202 proceeding easterly along Florence Stream to Florence Pond shoreline, and proceeding easterly along  
203 Florence Pond shoreline to the Florence Stream, and proceeding easterly along Florence Stream to  
204 Florence Road, and proceeding easterly along Florence Road to Burts Pit Road, and proceeding westerly  
205 along Burts Pit Road to the intersection of Burts Pit Road and Ryan Road, and proceeding westerly along  
206 Burts Pit Road to the intersection of Pine Valley Road, and continuing westerly along Burts Pit Road to the  
207 point of beginning.

208  
209 **L. Ward 6B**  
210 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
211 intersection of Turkey Hill Road and the Westhampton/Northampton town/city line and proceeding  
212 easterly along Turkey Hill Road to Parsons Brook, and proceeding easterly along Parsons Brook to Sylvester  
213 Road, and proceeding southerly along Sylvester Road to Ryan Road, and proceeding easterly along Ryan  
214 Road to Burts Pit Road, and proceeding easterly along Burts Pit Road to Florence Road, and proceeding  
215 southerly along Florence Road to the Easthampton/Northampton town/city line, and proceeding westerly  
216 along the Easthampton/Northampton town/city line to the Westhampton/Northampton town/city line,  
217 and proceeding northerly along the Westhampton/Northampton town/city line to the point of beginning.

218

219 **M. Ward 7A**

220 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
221 intersection of Bardwell Street and North Main Street and proceeding southerly along North Main Street  
222 to Meadow Street, and proceeding westerly along Meadow Street to Park Street, and proceeding  
223 southerly along Park Street to Pine Street, and proceeding westerly along Pine Street to the Mill River,  
224 and proceeding northerly along the Mill River to Meadow Street, and continuing along the Mill River to  
225 Willow Lake Brook, and proceeding northerly along Willow Lake Brook to Look Park Drive, and proceeding  
226 northerly along Look Park Drive to Underpass Road, and proceeding easterly along Underpass Road to  
227 Haydenville Road, and proceeding northerly approximately 2,750 feet along Haydenville Road to a point  
228 opposite 208 Haydenville Road, and proceeding easterly approximately 440 feet along the Department of  
229 Veterans Affairs property border, and proceeding approximately northerly 183 feet along the Department  
230 of Veterans Affairs property border, and proceeding easterly approximately 2,100 feet along the  
231 Department of Veterans Affairs property border, and proceeding northerly approximately 3,800 feet to  
232 the Beaver Brook tributary, and proceeding easterly approximately 420 feet along the Beaver Brook  
233 tributary, and proceeding northeasterly approximately 390 feet along the Beaver Brook tributary to the  
234 Williamsburg/Northampton town/city line, and proceeding easterly along the  
235 Williamsburg/Northampton town/city line to the Hatfield/Northampton town/city line, and proceeding  
236 easterly along the Hatfield/Northampton town/city line to Broad Brook, and proceeding southerly  
237 approximately 4,900 feet along Broad Brook to the base of the Fitzgerald Lake dam spillway, to the  
238 terminus of Old Quarry Road, and proceeding southerly along Old Quarry Road to the driveway/parking  
239 lot of 572 Bridge Road, and proceeding approximately 350 feet southwesterly along the driveway/parking  
240 lot to Bridge Road, and proceeding westerly along Bridge Road to Hillcrest Drive, and proceeding southerly  
241 along Hillcrest Drive to Sheffield Lane, and proceeding westerly along Sheffield Lane to North Maple  
242 Street, and proceeding southerly along North Maple Street to Bardwell Street, and proceeding westerly  
243 along Bardwell Street to the point of beginning.

244  
245 **N. Ward 7 B**

246 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
247 intersection of the Williamsburg/Northampton town/city line and the Westhampton/Northampton  
248 town/city line and proceeding easterly along the Williamsburg/Northampton town/city line to Beaver  
249 Brook tributary, and proceeding southerly approximately 390 feet along Beaver Brook tributary, and  
250 continuing westerly approximately 420 feet along the Beaver Brook tributary, and proceeding southerly  
251 approximately 3,800 feet to the Department of Veterans Affairs property border, and proceeding  
252 approximately 2,100 feet westerly along the Department of Veterans Affairs property border, and

253 proceeding southerly approximately 183 feet along the Department of Veterans Affairs property border,  
254 and proceeding westerly approximately 440 feet along the Department of Veterans Affairs property  
255 border to a point opposite 208 Haydenville Road, and proceeding southerly along Haydenville Road to  
256 Underpass Road, and proceeding westerly along Underpass Road to Look Park Drive, and proceeding  
257 southerly along Look Park Drive to Willow Lake Brook shoreline, and proceeding southerly along Willow  
258 Lake Brook shoreline to the Mill River, and proceeding southerly along the Mill River to Pine Street, and  
259 proceeding westerly along Pine Street to Florence Road, and proceeding easterly along Florence Road to  
260 Florence Stream, and proceeding westerly along Florence Stream to Florence Pond shoreline, and  
261 proceeding westerly along Florence Pond to Florence Stream, and proceeding westerly along Florence  
262 Stream to the path of the powerline, and proceeding westerly along the path of the powerline to Parsons  
263 Brook, and proceeding southerly along Parsons Brook to Ryan Road, and proceeding westerly along Ryan  
264 Road to Sylvester Road, and proceeding northerly along Sylvester Road to Parsons Brook, and proceeding  
265 westerly along Parsons Brook to Turkey Hill Road, and proceeding westerly along Turkey Hill Road to the  
266 Westhampton/Northampton town/city line, and proceeding northerly along the  
267 Westhampton/Northampton town/city line to the point of beginning.



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

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Announcement of Audio/Video Recording  
  
Public Comment

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra at 7:01 p.m.

Councilor Sciarra announced that the meeting was being audio and video recorded. The City Council accepted public comment for 33 minutes. (See **Public Comment Record Sheet** for names and topics of people making public comments.)

Roll Call

At 7:34 p.m. on a roll call the following City Councilors were present:

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

Public Hearings  
Announcement of Public Hearing on application to amend License for Storage of Flammables & Combustibles for 2 UST's (1-24,000 gallons gasoline & 1-12,000 gallons diesel) at 506 Pleasant St., Northampton, MA

Public Hearings  
Announcement of Public Hearing on application to amend License for Storage of Flammables and Combustibles for two (2) underground storage tanks (1-24,000 gallons gasoline and 1-12,000 gallons diesel) at 506 Pleasant St., Northampton, MA  
 Councilor Sciarra made the following announcement:  
 The City Council will hold a public hearing on Thursday, October 21, 2021 at 7:05 p.m. by remote participation. Instructions for accessing the hearing may be found on the October 21, 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. The City Council meeting begins at 7 p.m.

Updates from Council President and Committee Chairs

Updates from Council President and Committee Chairs  
 The Legislative Matters Committee may convene on October 18th to discuss an item relative to redistricting, Councilor Dwight announced.

The next City Council Rules Select Committee meeting will be Tuesday, October 12, 2021 at 6 p.m., Councilor Maiore advised.

Recognitions and One-Minute Announcements by Councilors

Recognitions and One-Minute Announcements by Councilors  
 Councilor LaBarge said she is pretty sure councilors and residents received a booklet but she reminded them that the Paradise City Arts Festival is in town this weekend from October 9<sup>th</sup> through October 11<sup>th</sup>. Ward 6 residents Linda and Jeffrey Post are directors and founders of Paradise City Arts, she shared. Artists and restaurants will be on site.

Councilor Quinlan said he wanted to take a moment to reflect on the life lost of a cyclist in front of Northampton High School the other day. The circumstances of the accident are not clear at this time, but it has given him pause. He has had calls from residents and teachers concerned about the safety of the intersection in front of the high school. He urged residents to pay great attention at that intersection and to join him in trying to pay better attention in general when behind the wheel.

Communications and Proclamations from the Mayor

Communications and Proclamations from the Mayor  
 As a follow-up to his presentation on the American Rescue Plan Act (ARPA) on September 22nd, Mayor Narkewicz noted that one item on the timeline was the city launching an on-

line survey for residents, business owners, etc. This survey was launched October 1st and is now available on the city website in both English and Spanish. They have had a great response so far with close to 700 responses in less than a week. He encouraged people to go to that page ([www.northamptonma.gov](http://www.northamptonma.gov)VARPA) for links to the surveys.

Resolutions  
21.340 Resolution  
in Support of the  
Fairness to Farm-  
workers Act - 1st  
reading

Resolutions  
21.340 A Resolution in Support of the Fairness to Farmworkers Act - 1st reading

Councilor Sciarra read the resolution.

**Councilor Dwight moved to approve the resolution. Councilor Quinlan seconded.**

Councilor Maire thanked cosponsors, Councilors LaBarge and Quinlan. This is an issue close to her heart. When she worked as the regional director of Jobs for Justice on the ballot initiative to increase the minimum wage in Massachusetts to \$15, they were thrilled to see the referendum succeed but felt special pain because they knew that farmworkers were being left behind. Other states, (CA, CO, NY, OH, etc.) have passed similar acts to correct this historic wrong. When she worked with farmworkers in her public health capacity, she did the work for a day and it was a humbling experience. (She referred to the repetitive nature of the work and the strain of doing even the same simple motion hour after hour and day after day.) It was frustrating because so much gets in the way of providing good healthcare access and options, including poverty and substandard living conditions often compounded by immigration status. She mentioned the difficulty of trying to convince farmworkers to wear gloves to protect against pesticide exposure when they were being paid by the bushel and even of trying to track health data with a seasonal population.

"I think we can all agree that farmworkers deserve the same rights as other workers in our state," she asserted.

It is not an adversarial issue, she cautioned. They all treasure local farms. It benefits everyone and most local farms already pay more than \$8 an hour. When they put money in people's pockets, it benefits the local economy and creates better health and more stability among workers, which in turn benefits farmers and farm owners. This basically codifies what they think should happen. Some farmers do pay close to minimum wage and this will just make it law. She thinks this is the time for it to happen. Claudia B. Quintero, staff attorney for migrant and seasonal farmworkers at the Central West Justice Center (CWJC), is present to answer any of councilors' questions.

When she read about the fairness to farmworker's act, she couldn't believe what she was reading, Councilor LaBarge said. She showed it to her husband, who agreed it was extremely unfair.

"I never knew this was happening to our farmworkers," she lamented. She thanked Rachel for stepping in. "It is time to make it fair and this is not fair at all." She pointed to poor working conditions such as an uncomfortable environment, long hours (50 to 60 hours a week) and no overtime or day of rest. In addition, she finds a racial problem with it. Her relatives in Brazil farm, and everybody deserves the rights of respect and dignity. Massachusetts has a state law on minimum wage, yet farmworkers are getting \$8.50 an hour.

Farmworkers deserve respect and dignity, minimum wage and a day of rest. Their housing is also not the best. Farmworkers give them the nutrition they need, she reminded. She urged fellow councilors to support it.

Councilor Quinlan thanked cosponsors for welcoming him as a sponsor. Franklin Delano Roosevelt (FDR) famously said that the best customer of American industry is a well-paid worker. He spent a lot of time thinking about how privileged he is that he doesn't have to do the back-breaking work of farming his own vegetables. They are talking about paying farmworkers a fair wage so they can afford to feed, clothe and pay for themselves and their families with dignity. Tomorrow they will see a column by John Paradis about the disparity between owners and workers. He supports this because he believes they should all want what's best for their friends and neighbors.

Councilor Foster thanked sponsors for bringing the issue forward and providing a platform for discussion and education. She has struggled for many years with the hefty American desire for cheap food, which creates a tremendous amount of suffering – from climate impacts, environmental impacts and animal suffering to the suffering of the people working to provide that food. The resolution has her support.

Councilor Nash thanked the sponsors. He is definitely supporting this. Referring to the public comment made through a translator, he said he also appreciated the level of accommodation demonstrated to hear from people affected by this and their courage to come forward and speak. "It's just great community work."

Councilor Jarrett thanked sponsors for bringing the resolution forward and said he is definitely in support. He is having some conversations about the details of the act so, if time allows, he would prefer to have two readings so he can finish those conversations. However, if there is a need to expedite the resolution based on the legislative timeline, he understands and would be willing to do so.

Councilor Maire said she believed Claudia Quintero might be able to offer information on this point. **She moved to recognize Claudia B. Quintero. Councilor Nash seconded. The motion passed unanimously 9:0 by roll call vote.**

Claudia Quintero confirmed she represents migrant and seasonal farmworkers across the state of Massachusetts. She is honored to be before the City Council and thanked councilors for considering the resolution and taking time to learn about this issue. She has been in communication with the sponsors' staff and believes a hearing is slated for November 9<sup>th</sup> so there is a little bit of time to collect more information. She would like to impress upon the council that they have a lot of wonderful farmers in the area and local people who really care about farmworkers. As Councilor Maire mentioned, it is not an adversarial thing at all. It is time to put Massachusetts' feet to the fire and get the state legislature in a place to provide equity for all workers in the state. There are 13,000 farmworkers across the state and most of them are not voters and do not have a voice in policies that affect them. They have a lot of farmers who pay more than \$8 an hour. It is highly-skilled labor that deserves to be recognized.

Councilor Maire pointed out a minor scrivener's error on the third page. 'Fairness to farmworkers' should be 'fairness *for* farmworkers.' The same typo is found in the first 'Now Therefore, Be It Resolved' clause.

Councilor Maire respectfully requested two readings. As they know, one of the purposes of resolutions is to try to build momentum toward a larger goal. She thinks finalizing it would help build that momentum and give other municipalities time to form their own resolutions.

Councilor Dwight said he appreciates the sense of urgency but another purpose of a resolution is exactly what Councilor Jarrett is proposing, which is to expand the education. The strength of this is to engage the community in a conversation they may not be too aware of. If they pass it in two readings, that's the end of it.

He worked doing outreach to tobacco workers in 1972, he continued. Farmworkers then were treated even more horribly than they are now. Housing was viciously substandard and company stores located on the farm deducted wages in the form of company scrip as payment for food and alcohol sold to laborers. Basically every chemical being applied then is now banned. He strongly supports this but thinks Councilor Jarrett has some legitimate questions; a lot of nuanced issues are associated with this. He would feel more comfortable if he had an opportunity to be clear on those points rather than rushing this to make a point they all seem prepared to make.

He sees the importance of having those conversations and giving his constituents time to hear the first reading and share their thoughts, Councilor Jarrett said. He mentioned there being no note on the agenda that two readings were being requested to alert him to the need to be ready to act tonight. He reiterated his request for a second reading on the 21<sup>st</sup>.

Councilor Maire stated her willingness to withdraw the request for two readings tonight.

Councilor Sciarra added her thanks to the resolution sponsors and state sponsors of the bills. They know the issue of wage theft is a huge issue for workers who have far more protections than farmworkers. In that context, she can only imagine how much more vulnerable farmworkers are to something like wage theft since they are in an even more vulnerable position.

**The motion to approve in first reading passed unanimously 9:0 by roll call vote.**

Presentations  
Reprecincting  
Update

Presentations  
Reprecincting Update

Presentation by City Clerk Pamela Powers and City GIS Coordinator James Thompson

She reached out to the City Council awhile back to share information about the need to 'reprecinct,' - draw new boundary lines for political wards and voting precincts - after the 2020 federal census, Clerk Powers presented. The roll out for redistricting was supposed to take place in 2021, so she is here to share the progress of the Reprecincting Working Group. The City Council has to approve the final map the committee comes up with.

She had planned to ask the council for a first reading tonight, but, when she presented the map to the state, she learned they in turn need to provide back to them a map, block report and a description of the legal boundary lines for each ward and precinct, so she is not prepared to request a first reading tonight.

As a result of the 2020 census, the state is redrawing lines due to population shifts and growth from one precinct to another. As a result of the shifts, city officials were given standards they must maintain for each of the new precincts. She and GIS Coordinator James Thompson formed a working group consisting of Mike Stiles, Howard Moore, Valle Dwight, Mariel Addis, Robbie Sullivan, Samantha Hopper and David Stevens.

The state sent them a proposed map and they were told they either had the option of moving forward with it or making recommendations to the state for adjusting the lines, Clerk Powers advised. She displayed the map proposed by the state.

As they can see, there were some big shifts in all the wards. Working group members knew this was not good for Northampton. She drew attention to the geographical footprint of Ward 7, where a large portion of what was formerly Ward 6B would become 7B under the state's redistricting proposal.

Some of the rationale the group discussed was the distance between some of the new boundaries and where folks in various precincts would be voting. People on the lower part of Westhampton Road would be driving all the way to Leeds School for any election that took place. That seemed a little difficult for them to accept. The working group developed a list of 30 or 40 concerns and worked very diligently to make adjustments based on the make-up of neighborhoods and the goal of maintaining the integrity of the historic maps as much as they could. Knowing that they have to live with this for the next 10 years, they continued even today looking for opportunities to fine-tune the map.

The hard truth here is that change is necessary and either they accept the huge shifts as proposed by the state or look at more modest shifts recommended by the group. Ward 2 in particular is going to be reduced in size in terms of its geographical footprint because of the higher-density population within that ward, and Wards 6 and 7 are likely to grow in size.

The group met and discussed the 30 or 40 opportunities to improve what the state sent them. She showed an alternative map that 'felt a little bit more like what we could live with.' The changes are not as drastic for some of the outlying wards and precincts. She compared the shape of Ward 7B proposed by the state with the shape recommended by the working group, commenting that "this is what we felt was a little bit more in line with what our Ward 6 footprint is today."

Other changes since 2010 affected the final outcome. In 2010, 745 census blocks were

defined by the federal census consisting of anywhere from 0 to 702 people. In 2020, they now have 512 blocks. The change is probably a result of better technology. The entire shape of Northampton in terms of the block boundaries was redefined in 2020 so it was impossible to retain the 2010 footprint.

She showed the map attached to the City Council agenda. Discussion continued after submitting that map since they will potentially have to live with it for 10 years. As a result, they came up with another map that they feel is most appropriate for the City Council to weigh in on.

The state will be sending the new map, block report and legal block descriptions associated with the new boundaries. Since ward descriptions are part of the city code, amendments to them will need to go to Legislative Matters (LM) and have two votes of council.

The timeline is pretty condensed and doesn't coincide with the City Council's schedule. She asked for the council's help in helping her meet the October 30th deadline knowing that they are now waiting on final descriptions from the state. The descriptions will need to be reviewed by the city solicitor before being sent to LM.

Clerk Powers confirmed her committee is doing a public review of the redistricting proposal on Thursday, October 14<sup>th</sup>. At this meeting, the goal is for people to be able to hone in and ask questions.

Councilor Sciarra laid out the options for the City Council to proceed. Today, they can refer the ordinance to LM which is prepared to hold a special meeting on October 18<sup>th</sup>. Or, the council could waive referral to LM, thereby suspending the rule requiring referral. The ordinance will return to City Council on October 21<sup>st</sup>, at which time the council can either take two readings or schedule a special meeting for the second reading.

Councilor Dwight expressed his understanding that the new map will go into effect before the next election.

The official map goes to the secretary of the Commonwealth and the deadline for the legislature to pass the redistricting proposal is July of 2022, Clerk Powers explained. The next election after that would be the state elections, so changes would be in effect for that. They have to notify every resident affected and at the September election next year people will be voting in the new locations for the first time. The changes do not apply to the election looming in November.

The working group took a look at where incumbent elected officials and candidates on the ballot were in terms of boundaries, although it was not a determining factor in drawing the lines. The redistricting does impact two School Committee members. If those folks are elected in November, beginning next July, they will be living in a different precinct than the one they were elected to represent.

Councilor LaBarge asked how that is handled.

For the candidate it is an inconvenience. The next time they run they may need to run for a different ward, Clerk Powers explained. The committee focused on the legal requirements of reprecincting; i.e. maintaining a comparable number of residents in each ward. They took the approach of not engaging elected officials to determine those boundaries.

She will be getting Ryan Road back again, Councilor LaBarge said. She lost them 10 years ago.

Members asked questions and offered comments. Councilor Nash thanked the working group, GIS coordinator and Clerk Powers, adding a special thank you to Howard Moore for fighting for Ward 3 turf and for his equanimity in the discussion involving the Lathrop Community. The federal government's delay in undertaking the census and getting the figures out to the states for reprecincting is what has communities so under the gun, he asserted. "It's rather unprecedented. We're basically taking the recommendations of the state and just running with it," rather than taking a more thoughtful approach over a few

months, he noted.

He expressed the opinion that the amendment should definitely go to LM. LM can solidify the legislation before it comes back to City Council on October 21<sup>st</sup>. That's the route he'd like to see it go.

As the Ward 3 councilor, he can say there are some hard changes. "It's with regret that I'm backing this process," he commented.

The committee recognized that there were a lot of difficult decisions, and there is not really anything anybody can do about it, Clerk Powers said. The hardest decision for the entire city has to be Ward 2. It is shrinking in size, which affects a lot of people who live by the high school. Those folks have aligned themselves a great deal with Ward 2 initiatives. Not that they couldn't align with other initiatives, but she sees that as a cohesive neighborhood, and it is unfortunate that they had to draw a line as they did.

At this point, the reprecincting group can be somewhat flexible but the argument really needs to be compelling for them to go back to the drawing board; that is, something the committee overlooked or didn't think through enough. There is some level of flexibility. Everything is liquid until the City Council actually says, 'this is the solid.'

In the past, it might have been less possible to make last-minute changes because the city was coming up with the language. Now, they are feeding the state the blocks and the state is coming back with the language for the boundary descriptions.

**Councilor Quinlan moved to recognize Reprecincting Working Group member David Stevens. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.**

This is his third time participating in reprecincting, Mr. Stevens shared. He commended the work of Pam Powers and GIS Coordinator James Thompson. He hates the fact that it is rushed, but they don't have control of that.

If they don't have this done by the end of the month, the map James showed early on - the state map - will take over. "We have a deadline," he stressed.

He is firmly convinced that this is the best they could do given the three weeks they had to work. The whack-a-mole analogy is relevant, he said, referring to an analogy Clerk Powers used to describe the effect of one map change on other areas of the map.

Councilor Quinlan echoed Councilor Nash's thanks to Clerk Powers, the GIS coordinator and seven community members. He thinks there is a provision in the charter that if ward boundaries change, the ward representative could finish his/her term in that ward. He recognizes that the state's map had much more disruption than what the working group has come up with in their diligence.

Councilor LaBarge also thanked David Stevens.

**Councilor Quinlan moved to refer the ordinance change to Legislative Matters. Councilor LaBarge seconded.**

Members discussed. Clerk Powers explained that the state will provide legal descriptions based on the final map and she and the GIS coordinator will fill in the blanks for geographical landmarks such as streams that are not identified by the state. It's those kinds of things LM will review. It is only the council's own rules that require referral to LM; it's not a state requirement, she added. There are 14 pages of descriptions.

Councilor Dwight expressed his understanding that, by the time it gets to LM, it is mostly a done deal.

Regardless of the process, the City Council will rely heavily on staff for a thorough review of the descriptions, Clerk Powers confirmed. She doesn't want to bypass LM but she can't

emphasize enough that unless they are willing to dedicate a full eight hours to go through all of the descriptors, they are definitely going to be relying on what she and James pull together.

Councilor Dwight said he is perfectly comfortable keeping the process in council and bypassing LM given the time constraints and lack of flexibility available to them. He would have no problem approving the ordinance in full council.

Councilor LaBarge said she also feels it should not have to come to LM. Time is of the essence here, she commented.

**The motion to refer failed 2:7 with Councilors Foster and Nash in favor and the rest opposed by roll call vote.**

Members discussed a tentative special meeting date of Tuesday, October 26<sup>th</sup> if councilors are not comfortable taking two readings on the 21<sup>st</sup>.

<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate consideration upon request. <b>Councilor Sciarra asked for removal of the appointment of Pamela Powers. Councilor Dwight moved approval of the consent agenda with the removal. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</b></p> <p>The following items were approved as part of the consent agenda:  <b>A. <u>Minutes of September 22, 2021</u></b>  <b>B. <u>21.327 Appointment to Council on Aging, positive recommendation, City Services Committee – 10/4/2021</u></b>  <u><b>Council on Aging</b></u>                  Carolyn Sandel, 132 Chesterfield Road, Leeds                  Term: October 2021- June 2024                  To fill a vacancy  <u><b>21.341 Appointment to the Arts Council - for referral to City Services</b></u>  <u><b>Arts Council</b></u>                  Mi Belitsky, 20 Lasell Avenue, Northampton                  Term: October 2021- June 2024                  To fill a vacancy</p> <p><u><b>21.324 Appointment of Pamela Powers as City Clerk, positive recommendation, City Services Committee – 10/4/2021</b></u>  <b>Councilor Dwight moved to approve the appointment of Pamela Powers as City Clerk. Councilor Foster seconded.</b></p> <p>Councilor Sciarra disclosed that Pamela Powers contributed to her campaign. This does not exclude her from voting, but since this is a paid city appointment, she is going to abstain, she said. <b>The motion passed 8:0 by roll call vote with Councilor Sciarra recused.</b></p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p><u>Recess for Committee on Finance Meeting</u> The City Council recessed for Finance Committee at 9:25 p.m. The Finance Committee adjourned at 9:52 p.m. After a brief recess, the council reconvened at 10:01 p.m.</p>
<p><u>Financial Orders (On 1<sup>st</sup> reading)</u> <u>21.329 Order Authorizing Gift Acceptance and Expenditure on AOM Restroom Renovation-1st rdg.</u></p>	<p><u>Financial Orders (On 1<sup>st</sup> reading pending Finance Committee review)</u> <u>21.329 An Order Authorizing Gift Acceptance and Expenditure on AOM Restroom Expansion and Renovation - 1st reading</u> Councilor Dwight moved to approve the order in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>See minutes of October 21, 2021 for second reading.</u></p>

21.330 Order to Authorize Payment of Prior Year Bills to AMERESCO - 1st reading

21.330 An Order to Authorize Payment of Prior Year Bills to AMERESCO - 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 Dwight moved to suspend the rules to allow a second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

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

The following order passed two readings:

**City of Northampton**  
MASSACHUSETTS

*In City Council* \_\_\_\_\_ October 7, 2021

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

21.330 An Order to Authorize Payment of Prior Year Bills to AMERESCO

*Ordered, that*

the Council authorize payment of prior fiscal year bills (FY2021) for the following AMERESCO invoices for net metering credits associated with the Glendale Road solar array lease and power purchasing agreement - funds which are ultimately credited back to city utility accounts by National Grid resulting in lower energy costs.

November 4, 2020 – AMERESCO	\$8,072.70
December 2, 2020 – AMERESCO	\$7,145.40
January 5, 2021 – AMERESCO	\$4,757.81
February 3, 2021 – AMERESCO	\$4,967.26

Rules suspended, passed two readings and enrolled.

21.332 An Order to Appropriate FY2022 CPA Funds for Community Preservation Purposes - 1st reading

21.332 An Order to Appropriate FY2022 CPA Funds for Community Preservation Purposes - 1st reading

Councilor Dwight moved to approve the order in first reading. Councilor LaBarge 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 roll call vote.

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

The following order passed two readings:

**City of Northampton  
MASSACHUSETTS**

*In City Council, October 7, 2021*

*Upon the recommendation of the Community Preservation Committee*

21.332 An Order to Appropriate FY2022 CPA Funds for Community Preservation Purposes

**Ordered, that**

The following amounts be appropriated or reserved from fiscal year 2022 Community Preservation Fund estimated revenues \$2,075,465 (\$1,482,475 FY22 local assessment estimate, plus \$592,990 estimated state match) for fiscal year 2022 Community Preservation purposes:

\$228,301 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Open Space Reserve (account # 2344930-359931)

\$228,301 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Historic Preservation Reserve (account # 2344930-359932)

\$228,301 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Affordable Housing Reserve (account # 2344930-359933)

\$75,000 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Administrative Account (account # 2344930-359934)

\$1,315,562 from FY22 Total Estimated CPA Revenue to the Community Preservation Fund Budgeted Reserve (account # 2344930-359930)

Also, the following amounts be appropriated from the Community Preservation Fund Budgeted Reserve (account #2344930-359930) for FY21 Community Preservation bonding repayment purposes:

\$60,000 for principal and \$6,075 for interest for Bean Farm bond (account #3100931-393102-11)

\$90,000 for principal and \$16,200 for interest for Florence Fields bond (account #3100931-393103-12)

\$65,000 for principal and \$12,800 for interest for Pulaski Park II bond (account #3100931-393105-16)

Rules suspended, passed two readings and enrolled.

21.333 Order to Appropriate \$15,000 in CPA Funds to Hampshire/Hampden Canal Historical Documentation Project - 1st reading

21.333 An Order to Appropriate \$15,000 in CPA Funds to Hampshire and Hampden Canal Historical Documentation Project - 1st reading

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

See minutes of October 21, 2021 for second reading.

21.334 Order to Reprogram Funds for NPS Early Childhood Program Lease - 1st reading

21.334 An Order to Reprogram Funds for NPS Early Childhood Program Lease - 1st reading

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

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

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

The following order passed two readings:

MASSACHUSETTS

*In City Council* \_\_\_\_\_  
October 7, 2021

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

**21.334 An Order to Reprogram Funds for NPS Early Childhood Program Lease**

*Ordered, that*

\$18,300 in the Northampton Public Schools Electrical and AC Units Upgrades (19303-586911), be reprogrammed to a designated line account in the Central Services budget (11922) to cover the Northampton Public Schools Early Childhood Program lease at 40 Main Street Office #206 for a 12 month period, November 1, 2021 through October 30, 2022, whereupon the Northampton Public Schools will fund any such lease moving forward directly from its budget.

**Rules suspended, passed two readings and enrolled.**

**Financial Orders**  
**(On 2<sup>nd</sup> reading)**  
**21.320 Order to**  
**Suspend Parking**  
**Fees on Certain**  
**Days – 2nd**  
**reading**

**Financial Orders (On 2<sup>nd</sup> reading)**  
**21.320 An Order to Suspend Parking Fees on Certain Days – 2nd reading**  
Councilor Dwight moved to approve the order in second reading. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

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

*In City Council, September 22, 2021,*

*Upon the recommendation of Mayor David J. Narkewicz*

**21.320 An Order to Suspend Parking Fees on Certain Days**

*Ordered, that*

On the following days, collection of fees for on-street and off-street parking spaces, excluding the EJ Gare Parking Garage, shall be suspended:

Saturday, November 20, 2021 (Bag Day)

Friday, November 26, 2021 (Black Friday)

Saturday, November 27, 2021 (Small Business Saturday)

Friday, December 24, 2021 (Christmas Eve)

Friday, December 31, 2021 (New Year's Eve)

**Passed two readings and enrolled.**

**21.321 An Order Authorizing the Lease of Rooftop Space on Bridge Street, Leeds and Ryan Road Elementary Schools for Solar PV Arrays – 2nd reading**  
Councilor Jarrett 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:**

21.321 Order Authorizing Lease of Rooftop Space on Bridge Street, Leeds and Ryan Road Schools for Solar PV Arrays – 2nd reading

**City of Northampton**  
MASSACHUSETTS

*In City Council*

September 22, 2021

Upon recommendation of the Mayor

21.321 An Order Authorizing the Lease of Rooftop Space on Bridge Street, Leeds, and Ryan Road Elementary Schools for Solar Photovoltaic Arrays

*Ordered, that*

Whereas, Mayor Narkewicz committed and City Council endorsed a goal for Northampton to be a net carbon neutral city by 2050, and

Whereas, installing solar photovoltaic arrays on school facilities will reduce greenhouse gas and carbon emissions resulting from school operations, and

Whereas, in order to avoid unnecessary cost, it is best practice that a roof that is slated to hold a solar photovoltaic array have sufficient life remaining so that re-roofing is unlikely to be needed during the lifetime of the solar array; and

Whereas, Bridge Street Elementary, Leeds Elementary, and Ryan Road Elementary Schools have all recently undergone roof replacements and thus re-roofing is unlikely to be needed during the lifetime of solar photovoltaic arrays installed on said roofs; and

Whereas, city residents Morey Phippen and Brian Adams, acting through Phippenadams, LLC, have generously offered to fund the installation of three solar photovoltaic arrays on the roofs of Bridge Street Elementary, Leeds Elementary, and Ryan Road Elementary Schools and a six-year lease is a condition precedent to the grant of the array as a gift to the city; and

Whereas, on September 9, 2021, the Northampton School Committee voted unanimously to surplus the three school roofs in support of this important renewable energy project; and

Whereas, M.G.L. c. 30B, § 16 requires a vote of the City Council to surplus any interest in public property prior to its disposal,

NOW, THEREFORE, BE IT RESOLVED,

The City Council declares surplus a leasehold interest in the roofs of Bridge Street Elementary School located at 2 Parsons St, Northampton, Leeds Elementary School located at 20 Florence St, Leeds, and Ryan Road Elementary School located at 498 Ryan Rd, Northampton, and authorizes the Mayor to execute a six-year lease for said roofs on such terms and conditions as the Mayor deems reasonable, subject, however, to the following restrictions:

- (1) The lessee will be responsible for the care, repair, and maintenance of the solar photovoltaic array for the duration of the lease.
- (2) At the conclusion of the lease, the lessee shall gift the solar photovoltaic array to the City of Northampton.

Passed two readings and enrolled.

21.323 An Order to Acquire, Surplus and Dispose of a Certain Property Located at 33 King Street – 2nd reading

This is the second reading, but additional language has been added, Councilor Sciarra noted. She read the amended language.

Councilor Dwight moved to accept the amendments and approve the order as amended in second reading. Councilor LaBarge seconded.

These amendments were worked on since the last meeting in response to concerns about making sure the council has a role in the public process and Request for Proposals (RFP), Mayor Narkewicz advised. Before any RFP or proposal is issued, it will be brought to the council for its review and approval, he assured.

She sent Director Feiden an email and wanted to say publicly that she really appreciated

21.323 Order to Acquire, Surplus and Dispose of a Certain Property Located at 33 King Street – 2nd reading

his responsiveness in naming the public process as well as including the council in [development of] the RFP, Councilor Foster said.

Councilor Quinlan said he just wanted to understand what the engagement will be. He asked if they could highlight that process.

They have had some brief discussions about this, Mayor Narkewicz confirmed. City officials are right in the middle of the Main Street redesign and the city election is November 2nd. They don't want to conflate it with the Main Street project. His sense would be that after November 2<sup>nd</sup> they would be prepared to roll out some public meetings and stakeholder outreach to try to engage people to attend those meetings. He would defer to Director Feiden to create a roadmap for that.

Director Feiden said he totally agrees with the mayor that they wouldn't want to do it before the election. The city is currently doing an environmental site assessment and the Commonwealth is going through their paperwork. The council has been talking a lot about equity. Planners are trying to do a better job of engaging people, such as by not having too many meetings since that rewards the people who come but thinking instead about people who are not at the table. He doesn't have a specific schedule.

Councilor LaBarge thanked Director Feiden for the added language. Councilor Jarrett said he really appreciates the new version and feels like it takes into account the concerns expressed.

The motion passed 8:0 by roll call vote with Councilor Thorpe recused.

The following order passed two readings:

**City of Northampton**

MASSACHUSETTS

*In City Council, September 22, 2021*

*Upon the recommendation of Mayor David J. Narkewicz and Office of Planning & Sustainability*

**21.323 An Order to Acquire, Surplus, and Dispose of a Certain Property Located at 33 King Street**

WHEREAS, Whereas Chapter 345 of the Acts of 2020 authorizes the Massachusetts Department of Capital Asset Management and Maintenance to transfer 33 King Street, the former Probate and Family Court, to the City of Northampton, with a formula for splitting the proceeds of the ultimate sale of the land between the City and the Commonwealth; and

WHEREAS, the land to be transferred is shown Lots 1, 2, 3, 6 and 7 on a plan entitled “Plan of Land in Northampton, Mass. Prepared for the Hampshire County Commissioners, dated January 31, 1972, and recorded in the Hampshire Registry of Deeds in Plan Book 83, Page 95.

WHEREAS, Consistent with the City’s Sustainable Northampton Comprehensive Plan, this property provides a critical redevelopment opportunity for downtown Northampton, with a reuse that can advance downtown vibrancy;

WHEREAS, Redevelopment of this property in the core of the Central Business District has the potential to advance economic development, downtown vibrancy, housing, affordable housing, and other important city interests;

WHEREAS, The City will engage community members, community development stakeholders and economic development stakeholders to help set priorities prior to issuing a Request for Proposals.

***Ordered, that***

The Mayor is authorized to accept a deed or other instrument of conveyance for the property located at 33 King Street in accordance with and subject to the provisions of St. 2020, c. 345; and Further that City Council declares the property located at 33 King Street surplus to City needs; and

Further, after obtaining City Council approval of the Request for Proposals prior to its issuance, that the Mayor is authorized to transfer, subject to retained easements and restrictions as the Mayor deems reasonable, the property at 33 King Street for redevelopment, which may include but is not limited to parking, commercial uses, market and affordable housing, streetscape improvements, shared use path access, and/or other redevelopment opportunities, consistent with state procurement requirements;

Further, Mayor is authorized to execute such documents and instruments as may be necessary to achieve the purposes of this Order.

---

Passed two readings and enrolled.

**21.326 An Order Adding Parcel on Mt Tom Road and Dike Road to CT River Greenway-Historic Mill River – 2nd reading**

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

The following order passed two readings:

21.326 Order Adding Parcel on Mt Tom Road and Dike Road to CT River Greenway-Historic Mill River - 2nd reading

**City of Northampton**  
MASSACHUSETTS

*In City Council, September 22, 2021*

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

21.326 An Order Adding Parcel on Mt Tom Road and Dike Road to CT River Greenway-Historic Mill River

WHEREAS, The *Open Space and Recreation Plan: 2019-2025* recommends filling gaps within the Connecticut River Greenway-Meadows and the Historic Mill River; and

WHEREAS, The City acquired 0.45 acres, on the southwest corner of Mount Tom Road and Dike Road (Map ID 39A-048) by Judgement in Tax Lien Case, City of Northampton vs. William Wilkin (Hampshire Registry Book 13247, Page 112 on 4/29/2019);

WHEREAS, The parcel abuts other portions of the Connecticut River Greenway-Historic Mill River and its highest and best value is conservation;

***Ordered, that***

The Mayor is authorized to sign a deed to the City of Northampton in the care and custody of the Conservation Commission for conservation and passive recreation purposes, as provided by MGL Chapter 40, §8C.

Passed two readings and enrolled.

Orders  
21.331 Warrant for the November 2, 2021 Biennial Municipal Election - 1st reading

Orders  
21.331 Warrant for the November 2, 2021 Biennial Municipal Election - 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 Jarrett said he noticed the warrant did not have the non-binding question about the municipal light plant on it. He asked if that was because a separate order was already approved by the council authorizing its placement on the warrant.

Mayor Narkewicz said that would be a question for the City Clerk. Councilor Sciarra said they would make sure to ask before the second reading.

See minutes of October 21, 2021 for second reading.

Ordinances (Not yet Referred)  
21.335 Ordinance Relative to Stop Signs on Evergreen Road and Chestnut Avenue  
21.336 Ordinance Relative to Off-Street Handicapped Parking Spaces  
21.337 Ordinance Relative to Parking on Main Street  
21.338 Ordinance Relative to a Stop Sign on Cross Path Road

Ordinances (Not yet Referred)  
21.335 An Ordinance Relative to Stop Signs on Evergreen Road and Chestnut Avenue  
21.336 An Ordinance Relative to Off-Street Handicapped Parking Spaces  
21.337 An Ordinance Relative to Parking on Main Street  
21.338 An Ordinance Relative to a Stop Sign on Cross Path Road

Councilor Dwight moved to refer the ordinances as a group (21.335, 21.336, 21.337 and 21.338) to Legislative Matters. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

<p><u>Zoning Ordinances (Not yet Referred)</u>  <u>21.339 Ordinance to Allow Beverage Service and Entertainment at Farm Stands Under Certain Circumstances</u></p>	<p><u>Zoning Ordinances (Not yet Referred)</u>  <u>21.339 An Ordinance to Allow Beverage Service and Entertainment at Farm Stands Under Certain Circumstances</u>                  Councilor Dwight moved to refer the ordinance to Legislative Matters and the Planning Board. Councilor Nash seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Ordinances</u>  <u>21.325 Ordinance Relative to Compensation for Elected Officials</u></p>	<p><u>Ordinances</u>  <u>21.325 An Ordinance Relative to Compensation for Elected Officials – 1<sup>st</sup> reading</u>                  The ordinance proposes to strike the City Clerk from the section on elected officials’ annual compensation since the clerk’s position is now appointed and to remove a name no longer used for the superintendents of Smith Vocational and Agricultural High School, Councilor Sciarra explained.                   Councilor Dwight moved to approve the ordinance in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Zoning Ordinances</u>  <u>21.313 Ordinance to Amend the Zoning Map, §350-3.4, at Chapel Street - 1st reading</u></p>	<p><u>Zoning Ordinances</u>  <u>21.313 An Ordinance to Amend the Zoning Map, §350-3.4, at Chapel Street - 1st reading</u>                  Councilor Dwight moved to approve the ordinance in first reading. Councilor Thorpe seconded.                   The proposal is to designate the parcel as a smart growth district in order to allow denser development and create an incentive for the construction of affordable housing, Mayor Narkewicz explained.                   The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>New Business</u></p>	<p><u>New Business</u>                  None.</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor LaBarge, the meeting was adjourned at 10:46 p.m. The motion passed 9:0 by roll call vote.                   Attest: _____ Administrative Assistant to the City Council</p>

**City of Northampton**  
MASSACHUSETTS

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*In City Council*

October 21, 2021

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Upon recommendation of the Mayor

**21.342 An Order to Appropriate Senior Center Gift Fund Money for Financial Aid Fund**

*Ordered, that*

Up to \$3,600 in Fiscal Year 2022 from the Northampton Senior Center Gift Fund be used to provide financial assistance to seniors to attend fee based programs offered at the Senior Center, provided that each participating senior meet financial aid guidelines established by the Senior Services Director and that such assistance be limited to no more than \$180 per person per year.

N O R T H A M P T O N  
*Senior Services*



67 Conz Street  
Northampton, MA 01060  
Director: Marie Westburg  
Assistant Director: Janet Yurko

October 7th, 2021

Hello City Council Members,

I respectfully request that \$3600 from the Gift Fund be allocated for a Financial Aid Fund at the Senior Center. This fund will help us to ensure that participants who currently are unable to attend fee based programs have the option to do so. Qualifying criteria will mirror income guidelines for SNAP (165% of the poverty income guidelines) for Tier A discounts and the 250% poverty guidelines for Tier B discounts. Having two tiers for qualifying will allow older adults who are struggling financially, but just miss the line for many programs they still need, to access programs and services that will have a significant and positive impact on their quality of life.

Applicants who qualify will be able to use this funding for health and wellness programs such as a fitness center membership, fitness classes, foot clinics, reiki, discounted lunch in Mary's Bistro, a Senior Farm Share, and other similar programs.

Financial aid awards will be distributed through credit towards program fees and will not be carried over month to month or year to year. Applicants will be required to reapply annually. Applicants will be asked on the application if they would like to be screened, and assisted in applying for other community, state and federal income based programs, but this will not be required. Our hope is that we will connect low income patrons with more services while also making our current programs and services more accessible.

With the \$3600 we will begin by offering 20 people with up to \$15 a month to use towards designated programs. A total maximum of \$180 per year, per applicant.

Thank you for your consideration and support in our efforts to serve the seniors of Northampton!

Sincerely,

Marie Westburg

# City of Northampton

MASSACHUSETTS

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## *In City Council, October 21, 2021*

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

### 21.343 An Order to Surplus City Land for Affordable Housing and Community Resilience Hub off Crafts Avenue

WHEREAS, Consistent with the *Sustainable Northampton Comprehensive Plan, Open Space, Recreation, and Multi-Use Trail Plan, Housing Needs Assessment and Strategic Housing Plan*, and *Unlocking Opportunity: An Assessment of Barriers to Fair Housing*, the city has a comprehensive affordable housing program, including limited development, funding, regulatory incentives, and surplusing of city land;

WHEREAS, Consistent with the *Climate Resilience and Regeneration Plan, Community Resilience Building Findings, and Mayor's Task Force on Panhandling*, the city has a program to create a Community Resilience Hub as a downtown facility with a coordinated program for frontline communities and any residents who face chronic and acute stress due to disasters, pandemics, climate change, and other social and economic challenges. It will serve the 1% (homeless and those with severe chronic stress), the 15% (below the poverty line), the 40% (housing-burdened and under chronic stress) and the 100% (those at risk of acute adverse events), by providing access to resource, a social network, and building social resilience;

WHEREAS, Downtown studio apartments are especially important to help transition people who are experiencing houselessness or who face extreme housing burdens;

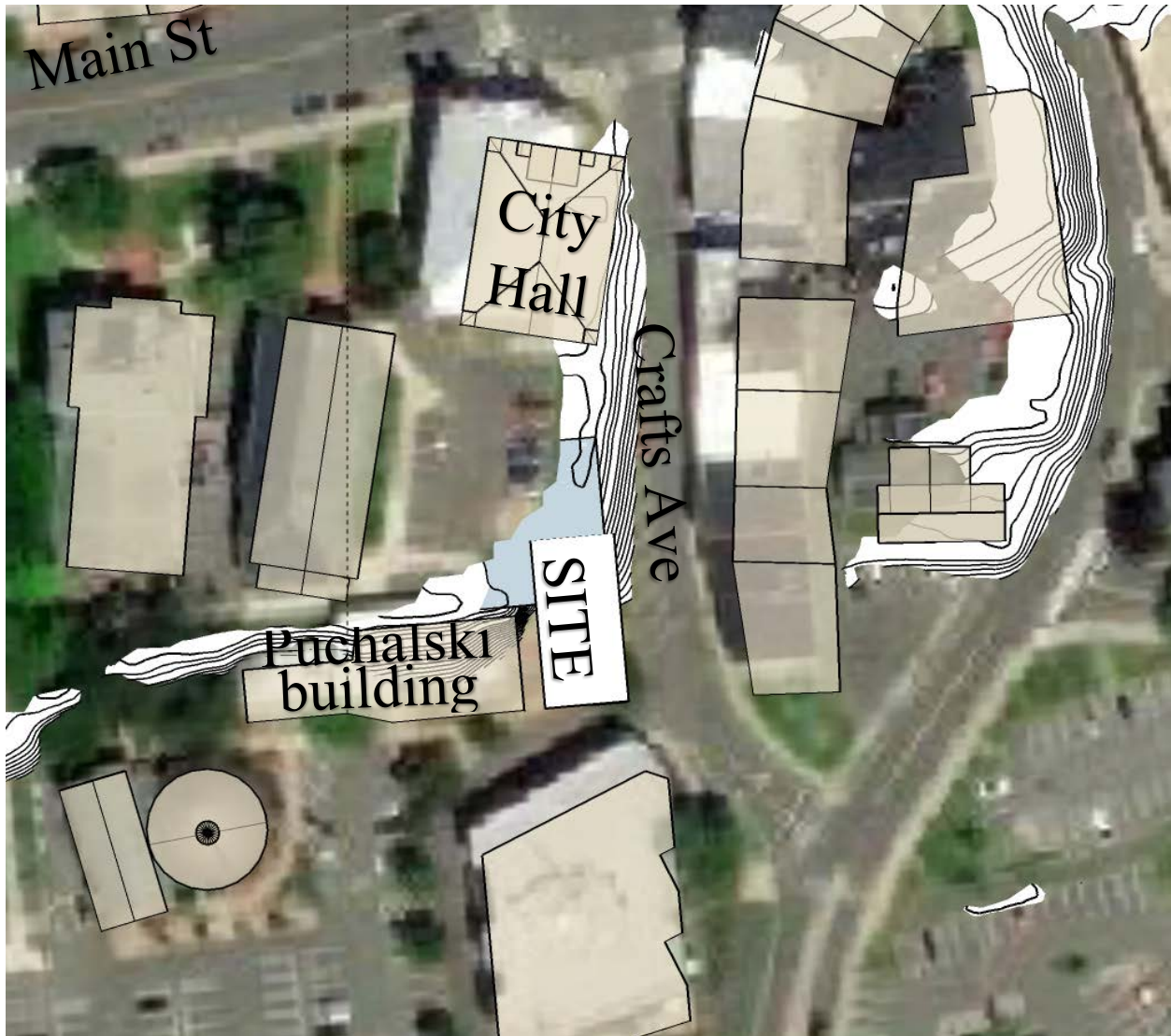
WHEREAS, The city has made offers for the Roundhouse and for St. John Cantius Church and explored other options for a community resilience hub, while exploring a back-up option of developing a hub in a new building, potentially co-located with affordable housing;

WHEREAS, The city's property extending from the Puchalski Municipal Office Building to the Roundhouse bus station driveway to Crafts Avenue, to the southerly most parking spaces in the city hall parking lot potentially is viable for affordable housing studios and/or a community resilience hub;

***Ordered, that***

City Council declares this land surplus to city needs;

Further that the Mayor is authorized to transfer deeds, easements, and/or leases for the land for affordable housing and/or a community resilience hub, subject to restrictions and conditions that the Mayor imposes to accomplish these needs.



# City of Northampton

MASSACHUSETTS

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*In City Council*

October 7, 2021

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Upon recommendation of the Mayor

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21.329 An Order Authorizing Gift Acceptance and Expenditure on AOM Restroom Expansion and Renovation

*Ordered that*

The Northampton City Council accepts the donation of \$39,150.31 from the Northampton Academy of Music, Inc., and in accordance with Massachusetts General Law Chapter 44, Section 53A approves using the gifted funds for the expansion and renovation of the Academy of Music restroom facilities project (19303 586405).

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

*In City Council, October 7, 2021*

*Upon the recommendation of the Community Preservation Committee*

21.333 An Order to Appropriate \$15,000 in CPA Funds to Hampshire and Hampden Canal  
Historical Documentation Project

***Ordered, that***

WHEREAS, the Office of Planning and Sustainability submitted an application for Community Preservation Act funding for documentation and preservation of the Hampshire and Hampden portions of the New Haven and Northampton Canal;

WHEREAS, the Canal is a significant historical and cultural resource, of which most portions have been lost. The project will increase knowledge of the Canal and related resources, and help to inform future preservation and placemaking efforts;

WHEREAS, the project is a regional collaboration, supported by all communities in which the Canal was located, and is the first to attempt to document the canal in its entirety in Massachusetts;

WHEREAS, on August 4, 2021, the Northampton Community Preservation Committee, voted unanimously to recommend that \$15,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$15,000 be appropriated from Community Preservation Act funding to the Hampshire and Hampden Canal Historical Documentation Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$15,000 is allocated from the CPA Historic Preservation Reserve (account #2344930-359932).

**City of Northampton**  
MASSACHUSETTS

*In City Council October 7, 2021*

*Upon the recommendation of City Clerk Pamela L. Powers*

**O-21.331**

**Warrant for the 2021 Biennial Election to be held on November 2, 2021**

Ordered, that a meeting of the inhabitants of the City of Northampton qualified to vote will be held on Tuesday, November 2, 2021, in the several polling places designated by the City Council, as follows:

WARD 1, Precinct A-In Jackson Street School Auditorium  
WARD 1, Precinct B-In Jackson Street School Auditorium  
WARD 2, Precinct A-In Smith Vocational-Agricultural High School – Building B  
WARD 2, Precinct B-In Smith Vocational-Agricultural High School – Building B  
WARD 3, Precinct A-In the Senior Center, 67 Conz Street – Great Room  
WARD 3, Precinct B-In the Senior Center, 67 Conz Street – Great Room  
WARD 4, Precinct A-In the Senior Center, 67 Conz Street – Patte’s Front Room  
WARD 4, Precinct B-In the Senior Center, 67 Conz Street – Activity Rm #1  
WARD 5, Precinct A-In Florence Civic and Business Building, 90 Park Street  
WARD 5, Precinct B- In Smith Vocational-Agricultural High School – Building B  
WARD 6, Precinct A-In Robert K. Finn Ryan Road School Gymnasium  
WARD 6, Precinct B-In Robert K. Finn Ryan Road School Gymnasium  
WARD 7, Precinct A-In John F. Kennedy Middle School Community Room  
WARD 7, Precinct B-In Leeds School Gymnasium, Lower Level

The polls will be opened at seven o'clock in the forenoon and closed at eight o'clock in the evening of the said day, and all such voters will within the said hours in the wards in which they are individually entitled to vote give in their votes for Mayor for four ensuing municipal years, for two Councilors-at-Large for two ensuing municipal years, for one Councilor from each of the seven wards of the City for two ensuing municipal years, for two members of the School Committee at Large for two ensuing municipal years, for one School Member from each of the seven wards of the City for two ensuing municipal years from the first Monday of January, 2022; for three Trustees of Smith Vocational and Agricultural High School to serve for two years from the first Monday of January, 2022, and for one Elector under the Oliver Smith will for two years from the first Wednesday of May, 2022, and for two Trustees under the will of Charles E. Forbes for four years from the first Monday of January, 2022.

And all such voters in the several wards and precincts in which they are individually entitled to vote between said hours give their votes Yes or No on the following question:

#### QUESTION 1

A YES vote on this question is non-binding; a NO vote is binding

Do you vote to ratify the two prior affirmative votes of the city council authorizing the city to take all necessary and appropriate action to establish and maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of the Department of Public Utilities and Department of Telecommunications and Cable, a municipal light plant for all purposes allowable under the laws of the Commonwealth, including without limitation the operation of a telecommunications system and any related services?

Summary: Question 1 would authorize but not require the city to establish a municipal light plant, which is a city-owned company that can provide utilities services including telecommunications systems. The municipal light plant, if approved, would be able to provide internet to businesses and households in the city.

A YES vote does not obligate the city to establish a municipal light plant, but the city cannot form a municipal light plant without voter ratification of the two prior city council votes in favor.

A NO vote would prohibit the city from forming a municipal light plant.

A "YES" vote would indicate your support for authorizing a municipal light plant.

A "NO" vote would indicate your opposition to authorizing a municipal light plant.

YES

NO

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

In the Year Two Thousand Twenty-one

UPON THE RECOMMENDATION OF *Mayor David J. Narkewicz*

21.325 An ORDINANCE  
Relative to Compensation for Elected Officials

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

*Section 1.* That section § 5-5 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

“Section § 5-5. Compensation of elected officials.

A. Compensation. Elected officials' annual compensation shall be as follows:

~~*City Clerk*~~ ~~—————~~ ~~*Until January 4, 2016: \$74,000*~~

~~*As of January 4, 2016: \$74,000*~~

B. Benefits and expenses. The Mayor, ~~*City Clerk*~~, City Council, School Committee and Trustees of Smith Vocational and Agricultural High School (~~*also known as Superintendents of Smith's Agricultural School*~~) shall be eligible to enroll in the City's municipal health insurance program and retirement plans.

# CITY OF NORTHAMPTON

## MASSACHUSETTS

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of City Clerk Pamela L. Powers and City GIS Coordinator James Thompson,

### **21.344 An Ordinance**

#### **Relative to Ward and Precinct Boundaries for the City of Northampton**

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

#### SECTION 1

*Delete Chapter 33 Election Districts, Section 1 Division of Wards in its entirety and replace with the following:*

The City is hereby divided into seven wards as follows:

#### **A. Ward 1A**

1  
2  
3 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
4 intersection of Broad Brook and the base of the Fitzgerald Lake Dam spillway, and proceeding northerly  
5 along Broad Brook to the Hatfield/Northampton town/city line, and proceeding easterly along the  
6 Hatfield/Northampton town/city line to the Hadley/Northampton town/city line, and proceeding westerly  
7 along the Hadley/Northampton town/city line to the Norwottuck Rail Trail, and proceeding southwesterly  
8 along the Norwottuck Rail Trail to Bates Street, and proceeding northerly along Bates Street to the  
9 intersection of Bates Street, Bradford Street, and Industrial Drive, and proceeding northwesterly along  
10 Industrial Drive approximately 1,200 feet to the Northampton Storage Solutions private road, and  
11 proceeding southwesterly along the Northampton Storage Solutions private road to the Boston and Maine  
12 Railroad right-of-way, and proceeding northerly along the Boston and Maine Railroad right-of-way to  
13 Damon Road, and proceeding westerly along Damon Road to King Street, and proceeding southerly along  
14 King Street to Barrett Street, and proceeding westerly along Barrett Street to Jackson Street, and  
15 proceeding northerly along Jackson Street to Gleason Road, and proceeding westerly along Gleason Road  
16 to Prospect Avenue, and proceeding northerly along Prospect Avenue to Bridge Road, and proceeding  
17 westerly along Bridge Road to North Elm Street, and continuing westerly along Bridge Road approximately  
18 335 feet to the driveway/parking lot entrance at 572 Bridge Road, and proceeding northeasterly  
19 approximately 350 feet along the driveway/parking lot to Old Quarry Road, and proceeding northerly

20 along Old Quarry Road to its terminus, and proceeding northerly approximately 4,900 feet from the Old  
21 Quarry Road terminus to the point of beginning.

22

23 **B. Ward 1B**

24 All of that portion of Hampshire County bounded and described as follows: Beginning at the point  
25 of intersection of Hatfield Street and Locust Street, and proceeding northerly along Hatfield  
26 Street to North Elm Street, and proceeding northerly along North Elm Street to Bridge Road, and  
27 proceeding easterly along Bridge Road to Prospect Avenue, and proceeding southerly along  
28 Prospect Avenue to Gleason Road, and proceeding easterly along Gleason Road to Jackson Street,  
29 and proceeding southerly along Jackson Street to Barrett Street, and proceeding easterly along  
30 Barrett Street to King Street, and proceeding southerly along King Street to Finn Street, and  
31 proceeding westerly along Finn Street to Prospect Street, and proceeding westerly on Prospect  
32 Street to Franklin Street, and proceeding southerly along Franklin Street to Elm Street, and  
33 proceeding westerly along Elm Street to North Elm Street, and proceeding northwesterly along  
34 North Elm Street to its intersection with Locust Street/Route 9, and continuing westerly along  
35 Locust Street/Route 9 to the point of beginning.

36

37 **C. Ward 2A**

38 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
39 intersection of Kensington Ave and Mandelle Road, and proceeding easterly along Kensington Avenue to  
40 Elm Street, and proceeding easterly along Elm Street to Paradise Road, and proceeding southwestly  
41 approximately 190 feet along Paradise Road to the Smith College access road, and proceeding easterly  
42 approximately 580 feet along Smith College access road to its intersection with College Lane, and  
43 continuing southeasterly approximately 790 feet along the Smith College access road, and continuing  
44 northerly approximately 230 feet along the Smith College access road to Elm Street, and proceeding  
45 westerly along Elm Street to Prospect Street, and proceeding northeasterly along Prospect Street to its  
46 intersection with Tyler Court, and continuing northerly and westerly along Prospect Street to its  
47 intersection with Finn Street, and proceeding northerly along Prospect Street to Franklin Street, and  
48 proceeding southerly along Franklin Street to Elm Street, and proceeding westerly along Elm Street to its  
49 intersection with Vernon Street, and proceeding southerly along Vernon Street to James Avenue, and  
50 continuing southeasterly along James Avenue to Washington Avenue, and proceeding northeasterly along  
51 Washington Avenue to Dryads Green, and proceeding southeasterly along Dryads Green to its intersection  
52 with Kensington Avenue, and continuing southeasterly approximately 160 feet on Dryads Green, and

53 continuing westerly approximately 150 feet on Dryads Green, and proceeding southerly approximately  
54 205 feet to the Mill River, and proceeding easterly approximately 50 feet along the Mill River, and  
55 proceeding northeasterly approximately 345 feet to the Smith College Hashimy-Ninomiya access path,  
56 and proceeding easterly approximately 225 feet along the Smith College Hashimy-Ninomiya access path  
57 to Paradise Road, and proceeding northeasterly along Paradise Road to its intersection with Mandelle  
58 Road, and proceeding northwesterly along Mandelle Road to the point of beginning.

59

60 **D. Ward 2B**

61 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
62 intersection with the Hampshire County Jail and House of Corrections driveway and Rocky Hill Road, and  
63 proceeding northerly along the driveway of the Hampshire County Jail and House of Corrections to its  
64 intersection with the Department of food and Agriculture private road, and proceeding northerly along  
65 an Department of Food and Agriculture private road to its intersection with Burts Pit Road, and continuing  
66 northeasterly along an Department of Food and Agriculture farm road to the Mill River, and proceeding  
67 northerly approximately 1,700 feet along the Mill River to Broughtons Brook, and proceeding northerly  
68 along Broughtons Brook to Federal Street, and proceeding easterly along Federal Street to Vernon Street,  
69 and proceeding southerly along Vernon Street to James Avenue, and proceeding southeasterly along  
70 James Avenue to Washington Avenue, and proceeding northeasterly along Washington Avenue to its  
71 intersection with Dryads Green, and proceeding southeasterly along Dryads Green to its intersection with  
72 Kensington Avenue and, and continuing southeasterly approximately 160 feet on Dryads Green, and  
73 continuing westerly approximately 150 feet on Dryads Green, and proceeding southerly approximately  
74 205 feet to the Mill River, and proceeding easterly approximately 50 feet along the Mill River, and  
75 proceeding northeasterly approximately 345 feet to the Smith College Hashimy-Ninomiya access path,  
76 and proceeding easterly approximately 225 feet along the Smith College Hashimy-Ninomiya access path  
77 to Paradise Road, and proceeding northeasterly along Paradise Road to its intersection with Mandelle  
78 Road, and proceeding northwesterly along Mandelle Road to its intersection with Kensington Avenue, and  
79 continuing on Kensington Avenue to Elm Street, and proceeding easterly along Elm Street to Paradise  
80 Road, and proceeding southwestly approximately 190 feet along Paradise Road to the Smith College  
81 access road, and proceeding easterly approximately 580 feet along Smith College access road to its  
82 intersection with College Lane and continuing southeasterly approximately 790 feet along the Smith  
83 College access road, and continuing northerly approximately 230 feet along the Smith College access road  
84 to Elm Street, and proceeding southeasterly along Elm Street to West Street/Route 66, and proceeding  
85 southerly along West Street/Route 66 to its intersection with Belmont Avenue, and proceeding southerly  
86 approximately 70 feet to Veterans Field parking lot road, and proceeding easterly along the Veterans

87 Field parking lot road to the Manhan Rail Trail, and proceeding westerly along the Manhan Rail Trail to  
88 the Mill River Dike, and proceeding northwesterly along the Mill River Dike to West Street/Route 66, and  
89 proceeding westerly along West Street/Route 66 to Earle Street, and proceeding southerly along Earle  
90 Street to Manhan Rail Trail, and proceeding westerly approximately 1,270 feet along the Manhan Trail to  
91 a brook, and proceeding north west approximately 800 feet along the thread of the brook to Grove Street,  
92 and continuing southeasterly approximately 380 feet to the terminus of the Meadowland Condo access  
93 road, and proceeding westerly along the Meadowland Condo access road to Rocky Hill Road/Route 66,  
94 and proceeding westerly along Rocky Hill Road/Route 66 to the point of beginning.

95

96 **E. Ward 3A**

97 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
98 intersection of King Street, Main Street, Pleasant Street, and proceeding easterly along Main Street to  
99 Hawley Street, and proceeding southeasterly along Hawley Street to Butler Place, and proceeding easterly  
100 along Butler Place to Pomeroy Terrace, and proceeding northerly along Pomeroy Terrace to Bridge  
101 Street/Route 9, and proceeding northerly along Bridge Street/Route 9 to southbound Interstate 91  
102 highway, and proceeding northwesterly along southbound Interstate 91 highway to the Norwottock Rail  
103 Trail, and proceeding easterly along the Norwottuck Rail Trail to the Hadley/Northampton town/city line,  
104 and proceeding southerly along the Hadley/Northampton town/city line to the  
105 Easthampton/Northampton town/city line, and proceeding westerly along the  
106 Easthampton/Northampton town/city line to Mount Tom Road/Route 5, and proceeding northerly along  
107 Mount Tom Road/Route 5 to Pleasant Street, and proceeding northerly along Pleasant Street to Dike  
108 Road, and proceeding westerly along Dike Road to Lyman Road, and proceeding northwesterly along  
109 Lyman Road to South Street/Route 10, and proceeding northerly along South Street/Route 10 to Old South  
110 Street, and proceeding northeasterly along Old South Street to its intersection with Conz Street, and  
111 continuing northerly along Old South Street to the Manhan Rail Trail, and proceeding easterly along the  
112 Manhan Rail Trail to Pleasant Street, and proceeding northwesterly along Pleasant Street/Route 5 to the  
113 point of beginning.

114

115 **F. Ward 3B**

116 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
117 intersection of Main Street and Pleasant Street, and proceeding easterly along Main Street to Hawley  
118 Street, and proceeding southeasterly along Hawley Street to Butler Place, and proceeding easterly along  
119 Butler Place to Pomeroy Terrace, and proceeding northerly along Pomeroy Terrace to Bridge Street/Route  
120 9, and proceeding northerly along Bridge Street/Route 9 to the southbound Interstate 91 highway, and

121 proceeding northwesterly along the southbound Interstate 91 highway to the Norwottock Rail Trail, and  
122 proceeding southwesterly along the Norwottock Rail Trail to Bates Street, and proceeding northwesterly  
123 along Bates Street to the intersection of Bates Street, Bradford Street, and Industrial Drive, and  
124 proceeding northwesterly along Industrial Drive approximately 1,200 feet to its intersection with the  
125 Northampton Storage Solutions private road, and proceeding southwesterly along the Northampton  
126 Storage Solutions private road to the Boston and Maine Railroad right-of-way, and proceeding northerly  
127 along the Boston and Maine Railroad right-of-way to Damon Road, and proceeding westerly along Damon  
128 Road to King Street, and proceeding southerly along King Street to the point of beginning.

129

130

131 **G. Ward 4A**

132 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of South  
133 Street/Route 10 and School Street and proceeding westerly along School Street to Clark Avenue, and  
134 proceeding northerly along Clark Avenue to Veterans Field parking lot access road, and proceeding  
135 westerly along Veterans Field parking lot access road to its intersection with the Manhan Rail Trail, and  
136 proceeding northerly approximately 70 feet to the intersection with Belmont Avenue and West  
137 Street/Route 66, and proceeding northerly along West Street/Route 66 to Elm Street, and proceeding  
138 northerly along Elm Street to Prospect Street, and proceeding easterly along Prospect Street to its  
139 intersection with Tyler Court, and continuing northwesterly along Prospect Street to Finn Street, and  
140 proceeding easterly along Finn Street to King Street, proceeding southerly along King Street to its  
141 intersection with Main Street and Pleasant Street, and proceeding southeasterly along Pleasant  
142 Street/Route 5 to the Manhan Rail Trail, and proceeding westerly along the Manhan Rail Trail to Old South  
143 Street, and proceeding southerly along Old South Street to the point of beginning.

144

145 **H. Ward 4B**

146 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of South  
147 Street/Route 10 and School Street and proceeding westerly along School Street to Clark Avenue, and  
148 proceeding northerly along Clark Avenue to Veterans Field parking lot access road, and proceeding  
149 westerly along Veterans Field parking lot access road to the Manhan Rail Trail, and proceeding  
150 southwesterly along the Manhan Rail Trail to the Mill River Dike, and proceeding northwesterly along the  
151 Mill River Dike to West Street/Route 66, and proceeding westerly along West Street/Route 66 to Earle  
152 Street, and proceeding southerly along Earle Street to the Manhan Rail Trail, and proceeding westerly  
153 approximately 1,270 feet on the Manhan Trail to a brook, and proceeding northwest approximately 800  
154 feet along the thread of the brook to Grove Street, and continuing southeasterly approximately 380 feet

155 to the terminus of the Meadowland Condominium access road, and proceeding westerly along the  
156 Meadowland Condominium access road to Rocky Hill Road/Route 66, and proceeding westerly along  
157 Rocky Hill Road/Route 66 to the Hampshire County Jail and House of Corrections driveway, and  
158 proceeding northerly along the Hampshire County Jail and House of Corrections driveway to Burts Pit  
159 Road, and proceeding westerly along Burts Pit Road to Florence Road, and proceeding southerly along  
160 Florence Road to the Easthampton/Northampton town/city line, and proceeding easterly along the  
161 Easthampton/Northampton town/city line to Mt. Tom Road/Route 5, and proceeding northerly along Mt.  
162 Tom Road/Route 5 to Dike Road, and proceeding westerly along Dike Road to Lyman Road, and proceeding  
163 westerly along Lyman Road to South Street/Route 10, and proceeding northerly along South Street/Route  
164 10 to the point of beginning.

165

166 **I. Ward 5A**

167 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
168 intersection of Bardwell Street and North Main Street, and proceeding easterly along Bardwell Street to  
169 North Maple Street, and proceeding northerly along North Maple Street to Sheffield Lane, and proceeding  
170 easterly along Sheffield Lane to Hillcrest Drive, and proceeding northerly along Hillcrest Drive to Bridge  
171 Road, and proceeding easterly along Bridge Road to North Elm Street, and proceeding southerly along  
172 North Elm Street to Hatfield Street, and proceeding westerly along Hatfield Street to Locust Street, and  
173 proceeding westerly along Locust Street to Berkshire Terrace, and proceeding southerly along Berkshire  
174 Terrace to South Main Street, and proceeding easterly along South Main Street to Beacon Street, and  
175 proceeding westerly along Beacon Street to Mann Terrace, and proceeding westerly along Mann Terrace  
176 to its intersection with Pine Street and Maple Street, and proceeding north on Maple Street to its  
177 intersection with Main Street, North Maple Street, and North Main Street, and proceeding northwesterly  
178 along North Main Street to the point of beginning.

179

180 **J. Ward 5B**

181 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
182 intersection of Pine Street and Florence Road, and proceeding easterly along Pine Street to Park Street,  
183 and proceeding northerly along Park Street to Meadow Street, and proceeding easterly along Meadow  
184 Street to North Main Street, and proceeding easterly along North Main Street to Maple Street, and  
185 proceeding southerly along Maple Street to the intersection of Maple Street, Pine Street, and Mann  
186 Terrace, and proceeding easterly along Mann Terrace to Beacon Street, and proceeding easterly along  
187 Beacon Street to South Main Street, and proceeding northerly along South Main Street to Berkshire  
188 Terrace, and proceeding northerly along Berkshire Terrace to Locust Street, and proceeding easterly along

189 Locust Street to Hatfield Street, and continuing on Locust Street to its intersection on North Elm Street,  
190 and continuing onto North Elm Street to Elm Street, and continuing on Elm Street to Vernon Street, and  
191 proceeding southerly along Vernon Street to Federal Street, and proceeding westerly along Federal Street  
192 to Broughtons Brook, and proceeding southerly along Broughtons Brook to the Mill River, and proceeding  
193 southwesterly approximately 1,700 feet along the Mill River to the Department of Food and Agriculture  
194 farm road, and proceeding southwesterly along the Department of Food and Agriculture farm road to  
195 Burts Pit Road, and proceeding westerly along Burts Pit Road to Florence Road, and proceeding northerly  
196 along Florence Road to the point of beginning.

197

198 **K. Ward 6A**

199 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
200 intersection of Parsons Brook and Ryan Road and proceeding northerly along Parsons Brook to the  
201 powerline right-of-way, and proceeding easterly along powerline right-of-way to Florence Stream, and  
202 proceeding easterly along Florence Stream to Florence Pond shoreline, and proceeding easterly along  
203 Florence Pond shoreline to the Florence Stream, and proceeding easterly along Florence Stream to  
204 Florence Road, and proceeding easterly along Florence Road to Burts Pit Road, and proceeding westerly  
205 along Burts Pit Road to the intersection of Burts Pit Road and Ryan Road, and proceeding westerly along  
206 Burts Pit Road to the intersection of Pine Valley Road, and continuing westerly along Burts Pit Road to the  
207 point of beginning.

208

209 **L. Ward 6B**

210 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
211 intersection of Turkey Hill Road and the Westhampton/Northampton town/city line and proceeding  
212 easterly along Turkey Hill Road to Parsons Brook, and proceeding easterly along Parsons Brook to Sylvester  
213 Road, and proceeding southerly along Sylvester Road to Ryan Road, and proceeding easterly along Ryan  
214 Road to Burts Pit Road, and proceeding easterly along Burts Pit Road to Florence Road, and proceeding  
215 southerly along Florence Road to the Easthampton/Northampton town/city line, and proceeding westerly  
216 along the Easthampton/Northampton town/city line to the Westhampton/Northampton town/city line,  
217 and proceeding northerly along the Westhampton/Northampton town/city line to the point of beginning.

218

219 **M. Ward 7A**

220 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
221 intersection of Bardwell Street and North Main Street and proceeding southerly along North Main Street  
222 to Meadow Street, and proceeding westerly along Meadow Street to Park Street, and proceeding  
223 southerly along Park Street to Pine Street, and proceeding westerly along Pine Street to the Mill River,

224 and proceeding northerly along the Mill River to Meadow Street, and continuing along the Mill River to  
225 Willow Lake Brook, and proceeding northerly along Willow Lake Brook to Look Park Drive, and proceeding  
226 northerly along Look Park Drive to Underpass Road, and proceeding easterly along Underpass Road to  
227 Haydenville Road, and proceeding northerly approximately 2,750 feet along Haydenville Road to a point  
228 opposite 208 Haydenville Road, and proceeding easterly approximately 440 feet along the Department of  
229 Veterans Affairs property border, and proceeding approximately northerly 183 feet along the Department  
230 of Veterans Affairs property border, and proceeding easterly approximately 2,100 feet along the  
231 Department of Veterans Affairs property border, and proceeding northerly approximately 3,800 feet to  
232 the Beaver Brook tributary, and proceeding easterly approximately 420 feet along the Beaver Brook  
233 tributary, and proceeding northeasterly approximately 390 feet along the Beaver Brook tributary to the  
234 Williamsburg/Northampton town/city line, and proceeding easterly along the  
235 Williamsburg/Northampton town/city line to the Hatfield/Northampton town/city line, and proceeding  
236 easterly along the Hatfield/Northampton town/city line to Broad Brook, and proceeding southerly  
237 approximately 4,900 feet along Broad Brook to the base of the Fitzgerald Lake dam spillway, to the  
238 terminus of Old Quarry Road, and proceeding southerly along Old Quarry Road to the driveway/parking  
239 lot of 572 Bridge Road, and proceeding approximately 350 feet southwesterly along the driveway/parking  
240 lot to Bridge Road, and proceeding westerly along Bridge Road to Hillcrest Drive, and proceeding southerly  
241 along Hillcrest Drive to Sheffield Lane, and proceeding westerly along Sheffield Lane to North Maple  
242 Street, and proceeding southerly along North Maple Street to Bardwell Street, and proceeding westerly  
243 along Bardwell Street to the point of beginning.

244

245 **N. Ward 7 B**

246 All of that portion of Hampshire County bounded and described as follows: Beginning at the point of  
247 intersection of the Williamsburg/Northampton town/city line and the Westhampton/Northampton  
248 town/city line and proceeding easterly along the Williamsburg/Northampton town/city line to Beaver  
249 Brook tributary, and proceeding southerly approximately 390 feet along Beaver Brook tributary, and  
250 continuing westerly approximately 420 feet along the Beaver Brook tributary, and proceeding southerly  
251 approximately 3,800 feet to the Department of Veterans Affairs property border, and proceeding  
252 approximately 2,100 feet westerly along the Department of Veterans Affairs property border, and  
253 proceeding southerly approximately 183 feet along the Department of Veterans Affairs property border,  
254 and proceeding westerly approximately 440 feet along the Department of Veterans Affairs property  
255 border to a point opposite 208 Haydenville Road, and proceeding southerly along Haydenville Road to  
256 Underpass Road, and proceeding westerly along Underpass Road to Look Park Drive, and proceeding  
257 southerly along Look Park Drive to Willow Lake Brook shoreline, and proceeding southerly along Willow

258 Lake Brook shoreline to the Mill River, and proceeding southerly along the Mill River to Pine Street, and  
259 proceeding westerly along Pine Street to Florence Road, and proceeding easterly along Florence Road to  
260 Florence Stream, and proceeding westerly along Florence Stream to Florence Pond shoreline, and  
261 proceeding westerly along Florence Pond to Florence Stream, and proceeding westerly along Florence  
262 Stream to the path of the powerline, and proceeding westerly along the path of the powerline to Parsons  
263 Brook, and proceeding southerly along Parsons Brook to Ryan Road, and proceeding westerly along Ryan  
264 Road to Sylvester Road, and proceeding northerly along Sylvester Road to Parsons Brook, and proceeding  
265 westerly along Parsons Brook to Turkey Hill Road, and proceeding westerly along Turkey Hill Road to the  
266 Westhampton/Northampton town/city line, and proceeding northerly along the  
267 Westhampton/Northampton town/city line to the point of beginning.

# **CITY OF NORTHAMPTON**

## **MASSACHUSETTS**

*In the Year Two Thousand and Twenty-One*

Upon the Recommendation of City Clerk Pamela L. Powers

### **21.345 An Ordinance To Delete Ward and Precinct Boundaries from Code Book and Maintain by Council Order**

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

#### SECTION 1

*Delete Chapter 33 Election Districts, Section 1 Division of Wards in its entirety.*

**City of Northampton  
MASSACHUSETTS**

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

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

**21.313 An Ordinance to Amend the Zoning Map, §350-3.4, at Chapel Street**

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 350-3.4, the Zoning Map, to add a new Smart Growth-c overlay district.

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

**Amend {§ 350-3.4 Zoning Map to add additional Smart Growth-c overlay district (SG-c), in addition to the existing SG overlays, overlain on the existing Planned Village District (PV), on Map ID 38A-149-001, as shown below. SG-c matches the zoning for affordable housing on Laurel Street and other areas of the former Northampton State Hospital, now known as Village Hill.}**

