



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

The January 21, 2021 City Council meeting will be held via 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 7 p.m.

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

**Join Virtual Meeting:** <http://bit.ly/39GWDb8>

**For telephone call-in, call:**

**+253 215-8782 US**

**+301 715-8592 US**

**MEETING ID: 996 9498 6566**

**PARTICIPANT #: #**

**PASSCODE: 784358**

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

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

## 2. Public Comment

## 3. Roll Call

## 4. Public Hearings

### A. Announcement of Public Hearing on Package of National Grid/Verizon Pole Petitions for jointly-owned poles (2) and National Grid Pole Petitions for single-owned poles (2) on Damon Road and Bridge Road

Per M.G.L. Ch. 166, Section 22, a public hearing will be held on Thursday, February 4, 2021 @ 7:05 p.m. on the following petitions of National Grid and Verizon New England, jointly, and of National Grid, severally, to erect poles and wires upon, along, under or across one or more public ways:

20.174 National Grid Pole Petition for Bridge Road (Petition #23303524)

20.175 National Grid Pole Petition for Damon Road (Petition #23303524)

20.176 National Grid/Verizon Pole Petition for Damon Road (Petition #23303524)

20.177 National Grid/Verizon Pole Petition for Bridge Road (Petition #23303524)

Documents:

[20.174 DPW Recommendation for Poles on Bridge Road.pdf](#)

[20.174 National Grid Pole Petition for Bridge Road.pdf](#)

[20.177 National Grid-Verizon Pole Petition for Bridge Road.pdf](#)

[20.175 DPW Recommendation for Poles on Damon Road.pdf](#)

[20.175 National Grid Pole Petition for Damon Road.pdf](#)

[20.176 National Grid-Verizon Pole Petition for Damon Road.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. 20.113 A Resolution in Support of Plastic Reduction and Sustainability Ordinance - 1st reading

**Process note:** The sponsors request that this be taken up after the second reading of **20.114 Plastic Reduction and Sustainability Ordinance** if it successfully passes.

Documents:

[20.113 Resoluton in Suport of Plastic Reduction and Sustainability](#)

**9. Presentations**

**10. Consent Agenda**

**A. Minutes of December 17, 2020**

**B. 20.162 Appointments to Various Committees, all positive recommendations, City Services Committee - 1/14/2021**

**Arts Council**

**Jesse Hassinger**, 184 Main Street, Apt. 4, Northampton

Term: January 2021 - June 2024

*To fill a vacancy*

**Housing Partnership**

**Sara Howard**, 8 High Street, Florence

Term: January 2021 - June 2024

*To fill a vacancy*

**Human Rights Commission**

**Kathy Wicks**, 102 Black Birch Trail, Florence

Term: January 2021 - June 2024

*To fill a vacancy*

**Northampton Housing Authority- Board of Commissioners**

**Jo Ella Tarbutton**, 81 Conz Street, Apt. 626, Northampton

Term: January 2021 - June 2022

*To fill a newly-created position on the NHA Board of Commissioners through the Special Act*

Documents:

**C. 21.187 Appointments to Various Committees - for referral to City Services Committee**

**Arts Council**

**Dana Osterling**, 58 Paradise Road, Apt. 1, Northampton

Term: February 2021 - June 2024

*To fill a vacancy*

**Thulani Davis**, 112 Franklin Street, Northampton

Term: February 2021 - June 2024

*To fill a vacancy*

**Historical Commission**

**Dr. Jonathan Daube**, 15 Carolyn Street, Florence

Term: February 2021 - June 2024

*To fill a vacancy*

**Rev. Harvey Hill**, 19 Ward Avenue, Northampton

Term: February 2021 - June 2024

*To fill a vacancy*

Documents:

[21.187 Appointments to Various Committees.pdf](#)

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

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

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

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

**A. 20.178 An Order to Increase Personal Property Tax Exemption Threshold to \$2,500 - 2nd reading**

**History:**

- Positive recommendation, Finance Committee - 1/7/2021

- Passed 1st reading - 1/7/2021

Documents:

[20.178 An Order to Increase Personal Property Tax Exemption Threshold to 2,500.pdf](#)

**B. 20.179 An Order to Authorize Borrowing \$1.5 Million for Paving Projects - 2nd reading**

**History:**

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

Documents:

[20.179 An Order to Authorize Borrowing 1.5 Million for Paving Projects.pdf](#)

**C. 20.180 An Order to Appropriate Free Cash \$1.5 Million to Stabilization, Capital Stabilization and Fiscal Stability Stabilization Funds - 2nd reading**

**History:**

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

Documents:

[20.180 An Order to Appropriate Free Cash 1.5 Million to Stabilization, Capital Stabilization and Fiscal Stability Stabilization Funds.pdf](#)

## 14. Orders

**A. 20.183 An Order Amending the Charter to Mail Ballots for Municipal Elections to All Registered Voters - 2nd reading**

**History:**

- Passed 1st reading - 1/7/2021

Documents:

[20.183 An Order Amending the Charter to Mail Ballots for Municipal Elections to All Registered Voters.pdf](#)

**B. 20.184 An Order Amending the Charter to Allow Resident Non-Citizens to Vote in Municipal Elections - 2nd reading**

**Process note:** Revised language submitted by Attorney Seewald for consideration on second reading.

**History:**

- Passed 1st reading

Documents:

[20.184 An Order Amending the Charter to Allow Resident Non-Citizens to Vote in Municipal Elections - By adding new Section 8.6.pdf](#)

**C. 20.185 An Order Amending the Charter to Make Clarifications and Correct Deficiencies in the Prior Language - 2nd reading**

**Process note:** Revised language submitted by Attorney Seewald to address request by City Clerk to remove reference to City Clerk from Section 8-2(a).

**History:**

- Passed 1st reading - 1/7/2021

Documents:

[20.185 An Order Amending the Charter to Make Clarifications and Correct Deficiencies in the Prior Language Rev AS Redline.pdf](#)

**D. 20.186 An Order Amending the Charter to Allow Residents 16 Years of Age or Older to Vote in Municipal Elections - 2nd reading**

**Process note:** Revised language submitted by Attorney Seewald.

**History:**

- Passed 1st reading - 1/7/2021

Documents:

[20.186 An Order Amending the Charter to Allow Residents 16 Years or Age or Older to Vote in Municipal Elections Rev AS Clean.pdf](#)

[20.186 An Order Amending the Charter to Allow Residents 16 Years or Age or Older to Vote in Municipal Elections - 8-6 Redlined.pdf](#)

**15. 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.

**16. Ordinances**

**A. 20.114 Plastic Reduction & Sustainability Ordinance - 2nd reading**

**History:**

- Referred to Community Resources Committee (CRC) and Legislative Matters (LM) - 9/3/2020
- Public forum held. Positive recommendation with request for consideration of possible amendments related to enforcement/implementation date and disability accommodations - 11/16/2020
- Referred to Disability Commission - 11/5/2020
- Two exemptions recommended, Disability Commission - 11/10/2020
- Multiple amendments approved, LM - 12/14/2020
- Positive recommendation as amended, LM - 12/14/2020
- Two amendments approved to 1) require food establishments to provide accessories such as utensils only upon request and to add definitions of Disposable Food Service Ware Accessory and Online Food Ordering Platform, and 2) require retailers > 5,000 s.f. to charge .10 per checkout bag - 1/7/2021
- Passed 1st reading - 1/7/2021

Documents:

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

**18. New Business**

**19. Adjourn**

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



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

413-587-1570  
Fax 413-587-1576

**Donna LaScaleia**  
Director

## Memorandum

---

To: Donna LaScaleia, Director of Public Works *Approved 1-19-21 ML*  
From: Dawn Nims, Staff Civil Engineer  
Date: January 14, 2021  
Re: Council Orders 20.174 & 20.177 – Petition for Joint or Identical and Single Ownership Pole Relocations No. 23303524 – Damon Road Reconstruction Project MassDOT No. 608236 – Bridge Road

---

I have reviewed Department of Public Works (DPW) records and submittals including images, sketches and reconstruction plans for MassDOT Damon Road project No. 608236. This petition includes the proposed relocation of one (1) single ownership (SO) pole owned by National Grid, referenced in City Council Order 20.174, and the proposed relocation of three (3) joint ownership (JO) poles shared between National Grid and Verizon, referenced in City Council Order 20.177.

The one (1) SO pole is numbered 96-84 on Bridge Road. This pole is to be located at a point approximately 378 feet northwest of the centerline of the intersection of North King Street and Bridge Road and continuing approximately 29 feet and 6 inches in a north direction.

No potential conflicts were observed.

The three (3) JO poles include (3) poles, numbered P96, P97, and P98, on Bridge Road. These poles are to be located beginning at a point approximately 123 feet northwest of the centerline of the intersection between North King Street and Bridge Road and continuing approximately 400 feet in a west direction.

No potential conflicts were observed.

A valid trench permit approved by the DPW is required before work at these locations commences.



December 9, 2020

**City of Northampton, Massachusetts**

To whom it may Concern:

Enclosed please find two (2) petitions of NATIONAL GRID, covering NATIONAL GRID pole location(s).

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

**Dan Lopez-Velez**

Please notify National Grid's Lisa Ayres of the hearing date / time.

If this petition meets with your approval, please return an executed copy, including hearing date.

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

Very truly yours,

*Jim Kehrer/lla*

Jim Kehrer  
Supervisor, Distribution Design

Enclosures

Questions contact – Daniel Lopez-Velez 774-235-2603  
**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

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

Bridge Rd. - National Grid to relocate (1) SO pole # 96-84 on Bridge Rd. beginning at a point approximately 378 feet northwest of the centerline of the intersection of North King St. and Bridge Rd. and continuing approximately 29' 6" in a north direction.

Location approximately as shown on plan attached.

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

**23303524**

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

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

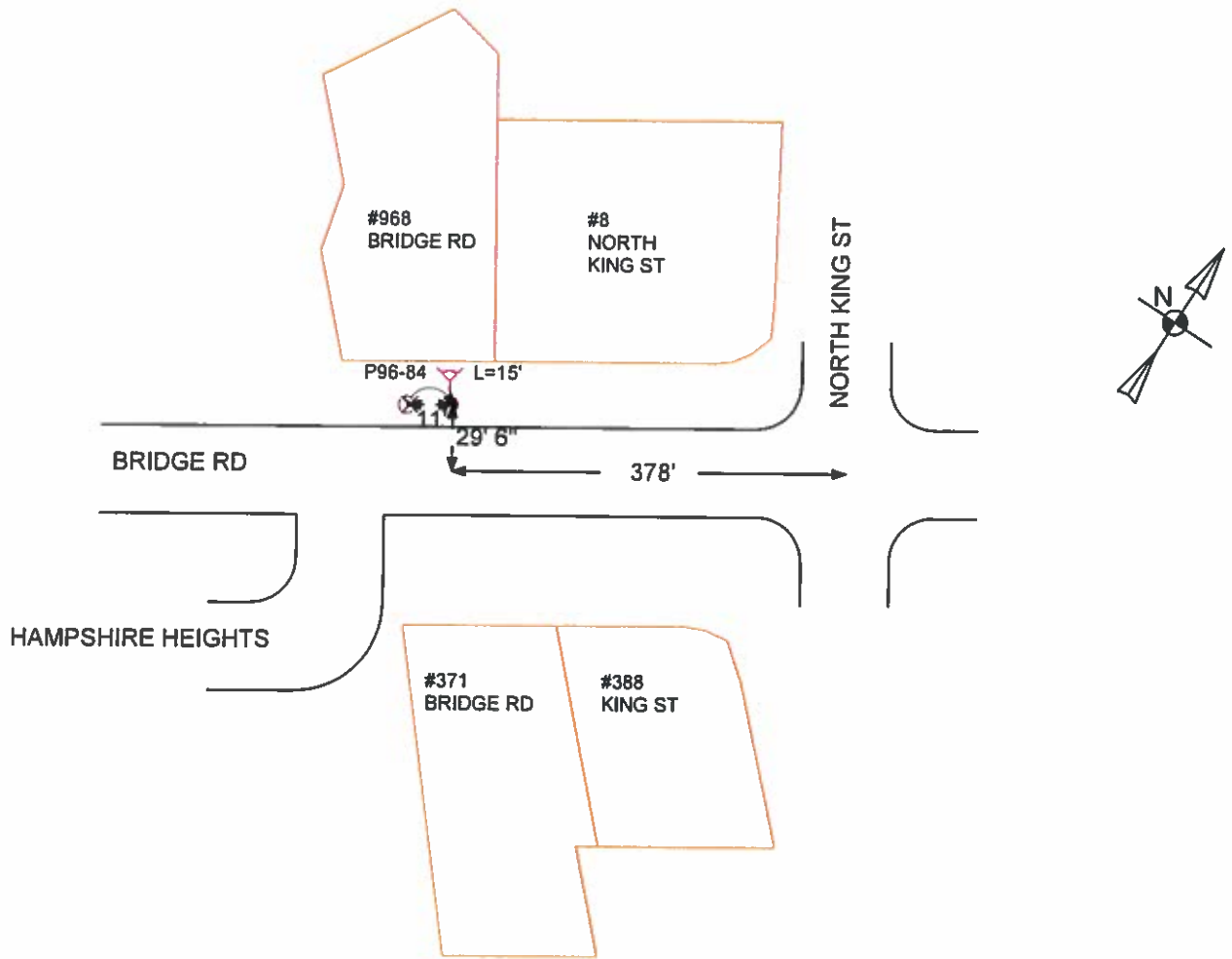
Massachusetts Electric Company d/b/a  
NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_  
Engineering Department

December 9, 2020

Bridge Rd. SO petition

SO POLES



<b>SOLELY OWNED POLE PETITION</b>		<b>nationalgrid</b> And <b>Verizon New England, Inc.</b>	
<input checked="" type="checkbox"/> Proposed NGRID Pole Locations		Date:	12/2/2020
<input type="checkbox"/> Existing NGRID Pole Locations		Plan Number:	WR# 23303524
<input checked="" type="checkbox"/> Proposed J.O. Pole Locations		To Accompany Petition Dated:	12/2/2020
<input type="checkbox"/> Existing J.O. Pole Locations		To The:	City Of Northampton
<input checked="" type="checkbox"/> Existing Telephone Co. Pole Locations		For Proposed:	SO Pole: P96-84 Location: Bridge Rd
<input type="checkbox"/> Existing NGRID Pole Location To Be Made J.O.		Date Of Original Grant:	N/A
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed			
DISTANCES ARE APPROXIMATE			

**ORDER FOR POLE AND WIRE LOCATIONS**

In the City of Northampton, Massachusetts

Notice having been given and public hearing held, as provided by law,

**IT IS HEREBY ORDERED:**

that Massachusetts Electric Company d/b/a NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 9th day of December 2020.

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

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

**23303524** Filed with this order:

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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

Bridge Rd. - National Grid to relocate (1) SO pole # 96-84 on Bridge Rd. beginning at a point approximately 378 feet northwest of the centerline of the intersection of North King St. and Bridge Rd. and continuing approximately 29' 6" in a north direction.

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

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

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

Attest:  
City/Town Clerk

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

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

**CERTIFICATE**

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

Attest:  
City/Town Clerk

Questions contact - Daniel Lopez-Velez 774-235-2603  
**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

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

Bridge Rd. - National Grid to relocate (3) JO poles P96, P97, P98 on Bridge Rd. beginning at a point approximately 123 feet northwest of the centerline of the intersection of North King St. and Bridge Rd. and continuing approximately 400 feet in a west direction.

Location approximately as shown on plan attached.

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

**23303524**

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

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

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Jim Kehrer/lla*  
BY \_\_\_\_\_  
Engineering Department

VERIZON NEW ENGLAND, INC.  
BY *Albert E. Bessette*  
Manager / Right of Way

Dated: December 3, 2020

Questions contact – Daniel Lopez-Velez 774-235-2603

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

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

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of December 2020.

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

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

23303524 Filed with this order:

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

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

Bridge Rd. - National Grid to relocate (3) JO poles P96, P97, P98 on Bridge Rd. beginning at a point approximately 123 feet northwest of the centerline of the intersection of North King St. and Bridge Rd. and continuing approximately 400 feet in a west direction.

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

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

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

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

Attest:  
City/Town Clerk

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

City/Town Clerk.

.....  
.....  
.....  
.....

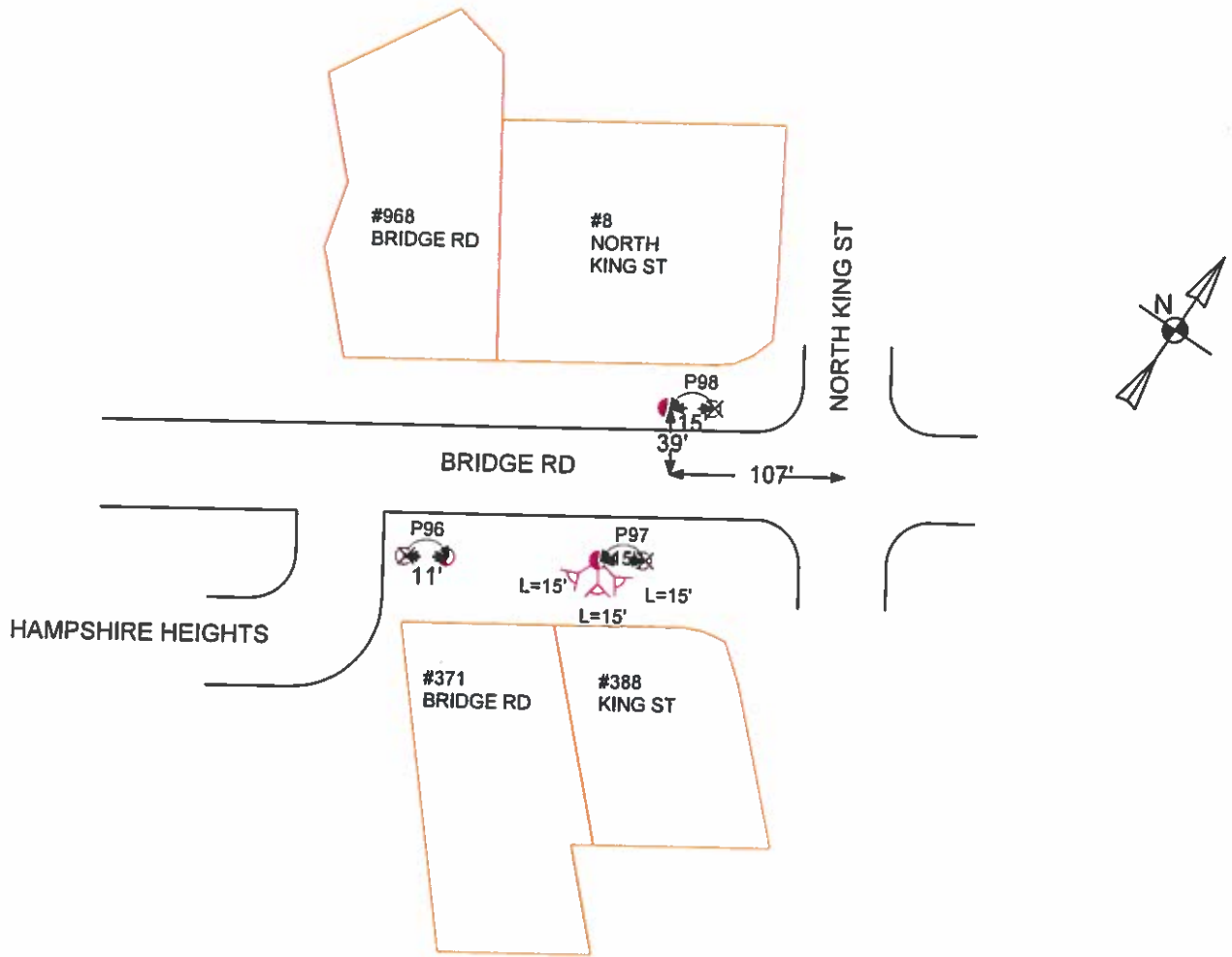
Board or Council of Town or City, Massachusetts

CERTIFICATE

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

Attest:  
City/Town Clerk

JO POLES



<b>JOINT OWNED POLE PETITION</b>		<b>nationalgrid</b> And <b>Verizon New England, Inc.</b>	
<input checked="" type="checkbox"/> Proposed NGRID Pole Locations		Date: 10/14/2020	
<input type="checkbox"/> Existing NGRID Pole Locations		Plan Number: WR# 23303524	
<input checked="" type="checkbox"/> Proposed J.O. Pole Locations		To Accompany Petition Dated: 10/14/2020	
<input type="checkbox"/> Existing J.O. Pole Locations		To The: City Of Northampton	
<input checked="" type="checkbox"/> Existing Telephone Co. Pole Locations		For Proposed: JO Pole: P96 TO P98 Location: Bridge Rd	
<input type="checkbox"/> Existing NGRID Pole Location To Be Made J.O.		Date Of Original Grant: N/A	
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed			
DISTANCES ARE APPROXIMATE			



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

**413-587-1570  
Fax 413-587-1576**

**Donna LaScaleia  
Director**

## Memorandum

---

To: Donna LaScaleia, Director of Public Works

From: Dawn Nims, Staff Civil Engineer

Date: January 14, 2021

Re: Council Orders 20.175 & 20.176 – Petition for Joint or Identical and Single Ownership Pole Installs, Removals, and Relocations No. 23303524 – Damon Road Reconstruction Project MassDOT No. 608236 – Damon Road

*Approved 1-19-21 ML*

---

I have reviewed Department of Public Works (DPW) records and submittals including images, sketches and reconstruction plans for MassDOT Damon Road project No. 608236. This petition includes the proposed installation and relocation of five (5) single ownership (SO) poles owned by National Grid, referenced in City Council Order 20.175, and the proposed installation, removal, and relocation of thirty-two (32) joint ownership (JO) poles shared between National Grid and Verizon, referenced in City Council Order 20.176.

The five (5) SO poles on Damon Road include proposed installation of two (2) poles, numbered P0-50 and P7-50, and proposed relocation of three (3) poles, numbered P16, P17, and P18. These poles are to be located at a point approximately 57 feet northeast of the centerline of the intersection of North King Street and Damon Road and continuing approximately 339 feet in an east direction.

No potential conflicts were observed.

The thirty-two (32) JO poles, numbered P1 through P31 on Damon Road, include proposed installation of three (3), removal of one (1), and relocation of twenty-eight (28) poles. These poles are to be located beginning at a point approximately 140 feet northeast of the centerline of the intersection between North King Street and Damon Road and continuing approximately 4200 feet in an east direction.

The proposed relocation of P7-25 (ULT7 on MassDOT plans) appears to be less than five (5) feet from a hydrant. Please provide a minimum separation of five (5) feet.

We note that P7-25 is shown 35 feet east of P-7 on the petition but appears to be 35 feet west of P-7 on Sheet 43 of the utility plans submitted for a trench permit. Please clarify the location in writing to the DPW, attn.: Donna LaScaleia.

A valid trench permit approved by the DPW is required before work at these locations commences.

Questions contact – Daniel Lopez-Velez 774-235-2603  
**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

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

Damon Rd. - National Grid to install (2) SO poles P0-50 and P7-50 and relocate (3) SO poles P16, P17, and P18 on Damon Rd. beginning at a point approximately 57 feet northeast of the centerline of the intersection of North King St. and Damon Rd. and continuing approximately 339 feet in an east direction.

Location approximately as shown on plan attached.

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

**23303524**

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

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

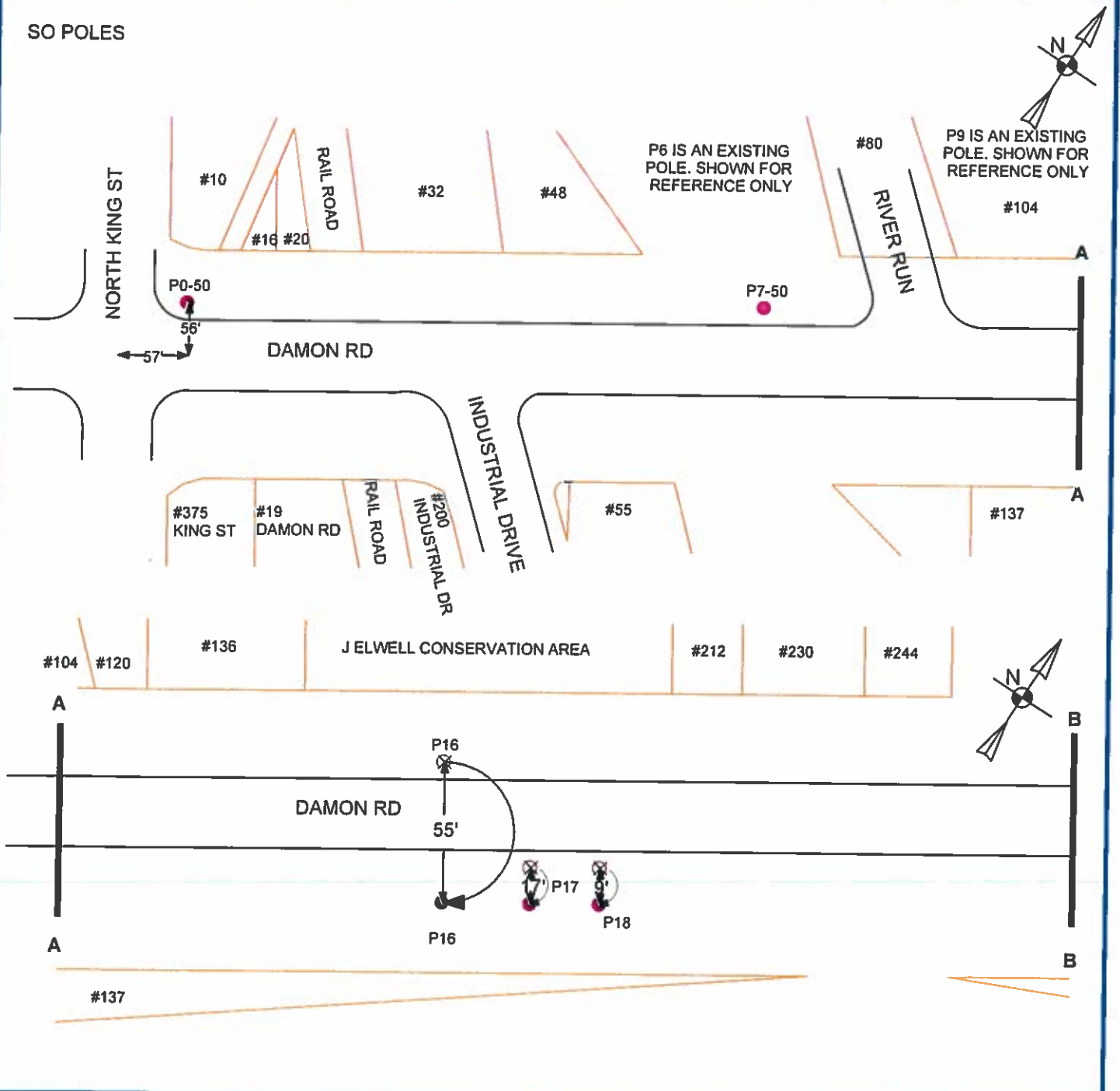
Massachusetts Electric Company d/b/a  
NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_  
Engineering Department

December 9, 2020

Damon Rd. SO petition

SO POLES



<b>SOLELY OWNED POLE PETITION</b>		<b>nationalgrid</b> And <b>Verizon New England, Inc.</b>	
● Proposed NGRID Pole Locations		Date:	12/2/2020
○ Existing NGRID Pole Locations		Plan Number:	WR# 23303524
● Proposed J.O. Pole Locations		To Accompany Petition Dated:	12/2/2020
⓪ Existing J.O. Pole Locations		To The:	City Of Northampton
⊕ Existing Telephone Co. Pole Locations		For Proposed:	SO Pole: P0-50, P16-P18 Location: Damon Rd
⊙ Existing NGRID Pole Location To Be Made J.O.		Date Of Original Grant:	N/A
⊗ Existing Pole Locations To Be Removed			
DISTANCES ARE APPROXIMATE			

**ORDER FOR POLE AND WIRE LOCATIONS**

In the City of Northampton, Massachusetts

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

that Massachusetts Electric Company d/b/a NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 9th day of December 2020.

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

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

23303524 Filed with this order:

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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

Damon Rd. - National Grid to install (2) SO poles P0-50 and P7-50 and relocate (3) SO poles P16, P17, and P18 on Damon Rd. beginning at a point approximately 57 feet northeast of the centerline of the intersection of North King St. and Damon Rd. and continuing approximately 339 feet in an east direction.

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

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

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

Attest:  
City/Town Clerk

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

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

**CERTIFICATE**

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

Attest:  
City/Town Clerk



December 9, 2020

The City Council of Northampton, Massachusetts

To Whom It May Concern:

Enclosed please find two (2) petitions of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

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

**Dan Lopez-Velez 774-235-2603**

Please notify National Grid's **Lisa Ayres** of the hearing date / time.

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

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

Very truly yours,

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

Jim Kehrer  
Supervisor, Distribution Design

Enclosures

Questions contact - Daniel Lopez-Velez 774-235-2603  
**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Northampton, Massachusetts

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

Damon Rd. - National Grid to install (3), remove (1) and relocate (28) JO poles on Damon Rd. beginning at a point approximately 140 feet northeast of the centerline of the intersection of North King St. and Damon Rd. and continuing approximately 4200 feet in an east direction; install, remove and relocate poles along Damon Rd. from P1 to P31.

Location approximately as shown on plan attached.

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

**23303524**

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

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

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Jim Kehrer/lla*

BY \_\_\_\_\_  
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *Albert C. Bessette*  
Manager / Right of Way

Dated: December 3, 2020

Questions contact – Daniel Lopez-Velez 774-235-2603

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council - Northampton, Massachusetts

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

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 3rd day of December 2020.

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

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

23303524 Filed with this order:

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

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

Damon Rd. - National Grid to install (3), remove (1) and relocate (28) JO poles on Damon Rd. beginning at a point approximately 140 feet northeast of the centerline of the intersection of North King St. and Damon Rd. and continuing approximately 4200 feet in an east direction; install, remove and relocate poles along Damon Rd. from P1 to P31.

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

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

Massachusetts

City/Town Clerk.  
20 .

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

Attest:  
City/Town Clerk

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

City/Town Clerk.

.....  
.....  
.....  
.....

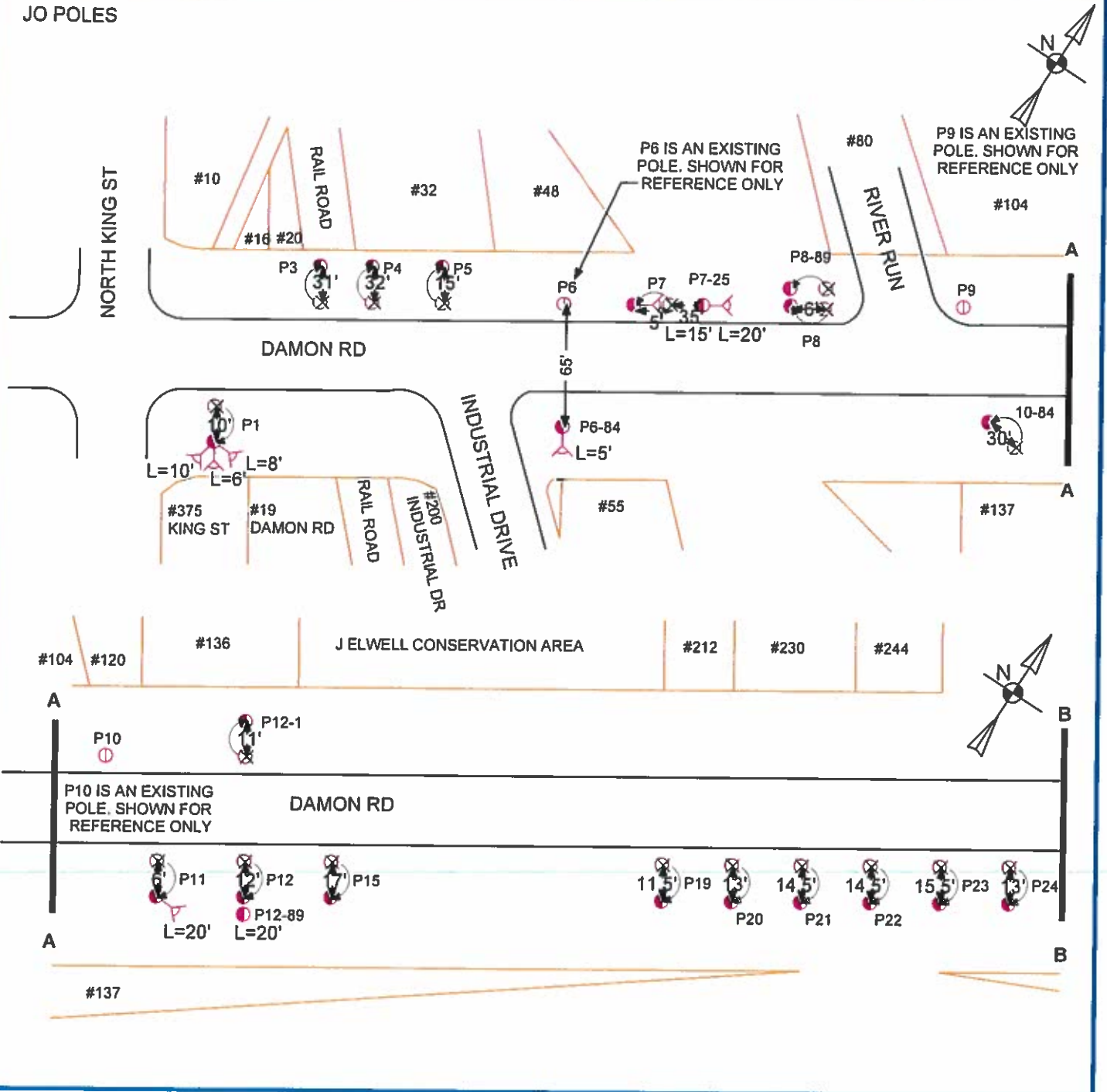
Board or Council of Town or City, Massachusetts

CERTIFICATE

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

Attest:  
City/Town Clerk

JO POLES



**JOINT OWNED POLE PETITION**

**nationalgrid**

And  
**Verizon New England, Inc.**

- Proposed NGRID Pole Locations
- Existing NGRID Pole Locations
- Ⓢ Proposed J.O. Pole Locations
- Ⓢ Existing J.O. Pole Locations
- ⊕ Existing Telephone Co. Pole Locations
- ⊙ Existing NGRID Pole Location To Be Made J.O.
- ⊗ Existing Pole Locations To Be Removed

Date: 12/2/2020

Plan Number: WR# 23303524

To Accompany Petition Dated: 12/2/2020

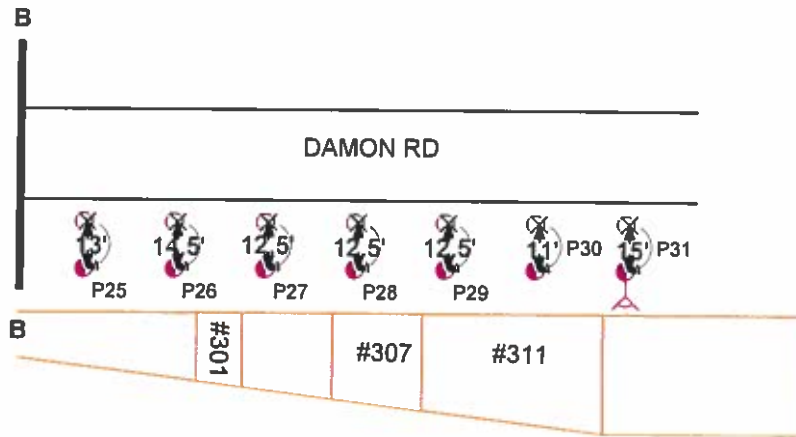
To The: City Of Northampton


For Proposed: JO Pole: P1 TO P24 Location: Damon Rd

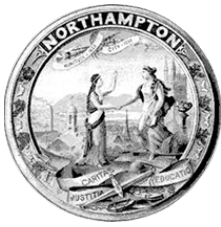
Date Of Original Grant: N/A

DISTANCES ARE APPROXIMATE

JO POLES



<b>JOINT OWNED POLE PETITION</b>	 And <b>Verizon New England, Inc.</b>
<input checked="" type="radio"/> Proposed NGRID Pole Locations	Date: 12/2/2020
<input type="radio"/> Existing NGRID Pole Locations	Plan Number: WR# 23303524
<input checked="" type="radio"/> Proposed J.O. Pole Locations	To Accompany Petition Dated: 12/2/2020
<input type="radio"/> Existing J.O. Pole Locations	To The: City Of Northampton
<input checked="" type="radio"/> Existing Telephone Co. Pole Locations	For Proposed: JO Pole: P25 TO P31 Location: Damon Rd
<input type="radio"/> Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant: N/A
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	



**City of Northampton**  
MASSACHUSETTS

***In the Year Two Thousand and Twenty***

Upon the Recommendation of the Mayor's Youth Commission, Councilor William H. Dwight and Councilor Rachel Maiore

**R-20.113 A RESOLUTION**  
**IN SUPPORT OF PLASTIC REDUCTION AND SUSTAINABILITY ORDINANCE**

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

WHEREAS, the City of Northampton has a duty to protect the natural environment, the economy and the health of its citizens, and

WHEREAS, polystyrene, polyethylene, polyethylene terephthalate, and polyvinyl chloride are typically made from fossil fuels, a non-renewable resource, and

WHEREAS, further that production of such plastics is driving fossil fuel extraction, and

WHEREAS, the manufacture, use, and disposal of these plastics requires substantial energy consumption, and contributes to the greenhouse gases that further climate change and result in adverse local and global environmental effects, and

WHEREAS, plastics 1 - 6 are common environmental pollutants that fragment into smaller non-biodegradable pieces that harm or kill marine life and wildlife when ingested, and

WHEREAS, the Environmental Protection Agency states "that such materials can also have serious impacts on human health, wildlife, the aquatic environment and the economy", and

WHEREAS, styrene, a component of polystyrene, is a known hazardous substance, classified by the National Toxicology Program (NTP) as "reasonably anticipated to be a human carcinogen" and as a potential food and beverage contaminant that may "leach from polystyrene containers used for food products", and

WHEREAS, polyethylene terephthalate and polystyrene, are based on benzene, which is a known carcinogen and hazardous substance, and

WHEREAS, polystyrene, and polyvinyl chloride are generally not recyclable, and

WHEREAS, polystyrene is used as food service ware by food establishments and packing material by retail establishments operating in the City of Northampton, and

WHEREAS, disposable food service ware constitutes a portion of the litter in Northampton's streets, parks and public places, which increases municipal expenses, and

WHEREAS, biodegradable and/or compostable materials are available as affordable and effective alternatives to most plastic products, and

WHEREAS, New York, California, Oregon, Hawaii, Puerto Rico, American Samoa Islands, Northern Mariana Islands, US Virgin Islands, and Guam have enacted plastic bag bans; with Connecticut, Delaware, and Maine having passed plastic bag ban legislation not yet in effect; and with Vermont having passed a comprehensive single-use plastic ban, and

WHEREAS, over 100 municipalities throughout the United States, Canada, Europe, and Asia have banned polystyrene food service ware, including Amherst, Brookline, Great Barrington, Somerville, Cambridge, and South Hadley in addition to 41 other municipalities in Massachusetts, as well as: Oakland, CA; Chicago, IL; Miami Beach, FL; Albany, NY; New York, NY; Portland, OR; and Seattle, WA

NOW, therefore, the City of Northampton acts to enact an ordinance to prohibit the use and distribution of polystyrene, polyethylene terephthalate, polyethylene, and polyvinyl chloride in food service ware and packaging material, and require instead the use and distribution of certified biodegradable, compostable, reusable, or recyclable products or materials.



# MAYOR DAVID J. NARKEWICZ

City of Northampton

Office of the Mayor

210 Main Street Room 12

Northampton, MA 01060-3199

(413) 587-1249 Fax: (413) 587-1275

mayor@northamptonma.gov

---

DATE: January 7, 2020

TO: City Council

FROM: Mayor David J. Narkewicz

**SUBJECT: Appointments to Boards, Committees, and Commissions**

Please find the attached appointments to City Boards, Committees, and Commissions:

## **Arts Council**

**Jesse Hassinger**, 184 Main Street, Apt. 4, Northampton

Term: January 2021-June 2024

*To fill a vacancy*

## **Housing Partnership**

**Sara Howard**, 8 High Street, Florence

Term: January 2021- June 2024

*To fill a vacancy*

## **Human Rights Commission**

**Kathy Wicks**, 102 Black Birch Trail, Florence

Term: January 2021-June 2024

*To fill a vacancy*

## **Northampton Housing Authority- Board of Commissioners**

**Jo Ella Tarbutton**, 81 Conz Street, Apt. 626, Northampton

Term: January 2021-June 2022

*To fill a newly-created position on the NHA Board of Commissioners through the Special Act*



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

7 messages

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Wed, Dec 2, 2020 at 2:11 PM

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Jesse
Last Name	Hassinger
Title, if applicable	<i>Field not completed.</i>
Address1	184 Main St. Apt. 4
Address2	<i>Field not completed.</i>
City	Northampton
State	MA
Zip	01060
Home Phone	<i>Field not completed.</i>
Work Phone	<i>Field not completed.</i>
Cell Phone	213-595-7439
Occupation & Place of Employment	chef/co-owner, Belly of the Beast
Email	<a href="mailto:themadmonk@gmail.com">themadmonk@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	4
Age	30 - 39

Sex	Male
Racial / Ethnic Background	<i>Field not completed.</i>
Boards and Committees	Arts Council
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	I have been involved in the arts for most of my life, having written a review of a Pierre Bonnard exhibition for my local newspaper in high school, focusing on filmmaking, photography, and fine arts at Sarah Lawrence College, where I received my BA, and also at the School of the Museum of Fine Arts for a post-baccalaureate year, and an MFA in film/video from the California Institute of Art. I have also grown up playing piano, alto, tenor, and baritone saxophone, and bass guitar for most of my high school and undergraduate years. Both my parents have been involved in the arts for my whole life, and my "adoptive" family are both fine artists as well. From 2009-2013 I was the Program Manager at the Coolidge Corner Theater in Brookline, MA, programming first-run and special event films. Of late I have begun some poetry and photography series that are ongoing.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	<i>Field not completed.</i>
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Jesse Hassinger
Date	12/2/2020



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>

Sun, May 31, 2020 at 6:34 PM

To: mayor@northamptonma.gov

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Sara
Last Name	Howard
Title, if applicable	<i>Field not completed.</i>
Address1	8 High Street
Address2	<i>Field not completed.</i>
City	Florence
State	MA
Zip	01062
Home Phone	413-586-8031
Work Phone	<i>Field not completed.</i>
Cell Phone	413-461-5208
Occupation & Place of Employment	Registered Nurse, Holyoke Health Center, <a href="#">230 Maple St., Holyoke, MA 01040</a>
Email	<a href="mailto:sparrowmae33@gmail.com">sparrowmae33@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	1
Age	30 - 39

Sex	Female
Racial / Ethnic Background	White
Boards and Committees	Housing Partnership
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	For many years I lived in subsidized housing (at Village Park Apartments in Amherst). I raised my children as a single mother, utilizing public transit, the Amherst Survival Center, as well as other community resources in order to survive and thrive as a member of my community. I put myself through nursing school and became a registered nurse, made possible largely by the fact that I had affordable housing. I understand from experience the challenges, stigmas, and issues faced by people living in public housing. Conversely, also from first hand experience, I understand the value and significance of affordable housing in making the difference between surviving and thriving for a family. As a nurse working in the field of addiction and HIV treatment, I see reiterated time and again the connection between health and affordable housing. I feel passionate about housing and it's importance as a basic need for humanity, and I believe I can bring a helpful perspective to the committee based on my lived experience.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	<i>Field not completed.</i>
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Sara M. Howard
Date	5/31/2020



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

8 messages

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Sun, Oct 25, 2020 at 3:34 PM

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Kathy
Last Name	Wicks
Title, if applicable	<i>Field not completed.</i>
Address1	<a href="#">102 Black Birch Trail</a>
Address2	<i>Field not completed.</i>
City	Florence
State	MA
Zip	01062
Home Phone	(413) 587-0980
Work Phone	<i>Field not completed.</i>
Cell Phone	(413) 320-2726
Occupation & Place of Employment	Director of Sustainability University of Massachusetts Amherst Auxiliary Enterprises
Email	<a href="mailto:m.kathy.wicks@gmail.com">m.kathy.wicks@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	15
Age	50 - 59

Sex	Female
Racial / Ethnic Background	<i>Field not completed.</i>
Boards and Committees	Human Rights Commission
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	My education and experience is in public health, education, equity in the built environment and food systems. I bring 18 years of coalition building. I have been committed to lifelong learning and practicing undoing racism for the last 10 years. I facilitated the Race and Health Equity Board of Director Subcommittee for the Western MA Public Health Institute in Springfield for 5 years.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	<i>Field not completed.</i>
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Kathy Wicks
Date	10/25/2020

Email not displaying correctly? [View it in your browser.](#)

**Mayor of Northampton Mass.** <mayor@northamptonma.gov>  
 To: Wren bellavance-grace <wren.bg@gmail.com>, megpaik@gmail.com

Fri, Nov 6, 2020 at 2:35 PM

Any thoughts on Kathy Wicks for the Human Rights Commission?

Thanks-  
 Court



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>

Tue, Oct 20, 2020 at 3:30 PM

To: mayor@northamptonma.gov

## Application for Appointment to Boards, Committees and Commissions

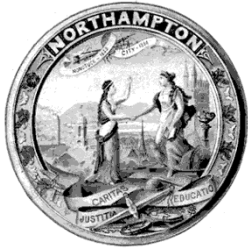
City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	JoElla
Last Name	TarbuttonSpringfield
Title, if applicable	<i>Field not completed.</i>
Address1	<a href="#">81 Conz Street</a>
Address2	Apt. 626
City	Northampton
State	Massachusetts
Zip	01060
Home Phone	4133200362
Work Phone	<i>Field not completed.</i>
Cell Phone	4133200362
Occupation & Place of Employment	Actress/Education/Counselor
Email	<a href="mailto:joellatarbutton@gmail.com">joellatarbutton@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	7
Age	50 - 59

Sex	Female
Racial / Ethnic Background	African-American
Boards and Committees	Arts Council, Disability Commission, Human Rights Commission
Please list "other" board or committee of interest	Northampton Housing Authority
What skills and experience will you bring to this committee assignment?	I'm a committed social justice activist/educator/actress who have lived in Northampton and the Pioneer Valley for over 20 years. I was a board member of the Walter Salvo tenant's association and Ward 3 Association
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	Northampton Housing Authority
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Jo Ella Tarbutton
Date	10/20/2020

Email not displaying correctly? [View it in your browser.](#)



# MAYOR DAVID J. NARKEWICZ

City of Northampton

Office of the Mayor

210 Main Street Room 12

Northampton, MA 01060-3199

(413) 587-1249 Fax: (413) 587-1275

mayor@northamptonma.gov

---

DATE: January 14, 2020

TO: City Council

FROM: Mayor David J. Narkewicz

**SUBJECT: Appointments to Boards, Committees, and Commissions**

Please find the attached appointments to City Boards, Committees, and Commissions:

## **Arts Council**

**Dana Osterling**, 58 Paradise Road, Apt. 1, Northampton

Term: February 2021-June 2024

*To fill a vacancy*

**Thulani Davis**, 112 Franklin Street, Northampton

Term: February 2021-June 2024

*To fill a vacancy*

## **Historical Commission**

**Dr. Jonathan Daube**, 15 Carolyn Street, Florence

Term: February 2021- June 2024

*To fill a vacancy*

**Rev. Harvey Hill**, 19 Ward Avenue, Northampton

Term: February 2021-June 2024

*To fill a vacancy*



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>

Thu, Jan 7, 2021 at 11:11 AM

To: mayor@northamptonma.gov

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Dana
Last Name	Osterling
Title, if applicable	MT-BC
Address1	<a href="#">58 Paradise rd</a>
Address2	apt 1
City	Northampton
State	MA
Zip	01060
Home Phone	585-267-6579
Work Phone	<i>Field not completed.</i>
Cell Phone	<i>Field not completed.</i>
Occupation & Place of Employment	Music Therapist, Cooley Dickinson Hospital and Baystate Home Health Pediatric Palliative Care
Email	<a href="mailto:danaosterling@gmail.com">danaosterling@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	3
Age	30 - 39

Sex	Female
Racial / Ethnic Background	White
Boards and Committees	Arts Council
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	7-10 years of management of a creative arts program in healthcare facilities (owner, Integrated Music Therapy LLC, and music therapist at Boston Children's Hospital for 6 years prior to moving here), experience as an independent artist in local communities (songwriter and guitarist in band CIVIC: <a href="https://consequenceofsound.net/artist/civic/">https://consequenceofsound.net/artist/civic/</a> , currently an MBA fellow at UMass Amherst Isenberg School of Business with extensive experience in data management, research related to arts and health of communities, and leadership.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	N/A
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Dana C Osterling
Date	1/7/2021

Email not displaying correctly? [View it in your browser.](#)



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

7 messages

noreply@civicplus.com <noreply@civicplus.com>  
To: mayor@northamptonma.gov

Tue, Jan 12, 2021 at 6:30 PM

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	THULANI
Last Name	DAVIS
Title, if applicable	<i>Field not completed.</i>
Address1	112 FRANKLIN STREET
Address2	<i>Field not completed.</i>
City	NORTHAMPTON
State	Massachusetts
Zip	01060
Home Phone	4132195537
Work Phone	<i>Field not completed.</i>
Cell Phone	4132195537
Occupation & Place of Employment	Director of Programming, Spectrum in Motion Dance Theatre Ensemble
Email	<a href="mailto:thulani.p.davis@gmail.com">thulani.p.davis@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	29 Years
Age	Under 29

Sex	Female
Racial / Ethnic Background	Biracial: African American / Filipino American
Boards and Committees	Arts Council
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	<p>I've always lived a dual life. I identify as biracial, with a Black father and a Filipino mother. I was born and raised in Northampton, where most of my friends were white; and in Hartford, CT, where most of my friends were of color. Since age six, when my mother accepted a position with Hartford Ballet, my life has never been the same. I'd go from being a minority in the morning to the majority in the afternoon. It doubled down on my dual life experience as both an insider and outsider. In my fervent efforts to find center, I discovered anthropology. This was an organic transition for someone who is primarily a seeker. Ruth Benedict said, "The purpose of anthropology is to make the world safe for human differences". Through my work, I developed Dance + Anthropology as an opportunity for teens and young adults to ask themselves who they are and what is important to them. Too often, marginalized children are saddled with representing entire communities while figuring out how they themselves fit into them. When we have an opportunity to share our stories, we learn, making for a more holistic perspective that protects our similarities and differences.</p> <p>I am a Northampton native and a dancer by trade. I work for a small dance nonprofit that is committed to advocating for using the arts as a platform to develop empathic, kind citizens that accepts each other's differences to create a more just world.</p> <p>I am a 2019 graduate of the Quest Program by Leadership Greater Hartford and continue to regularly volunteer/participate in their programs. I also have the honor to hold leadership roles at Asylum Hill Congregational Church. Locally, I continue to be a trainer for the Sojourner Truth School for Social Change &amp; Leadership.</p>
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	NORTHAMPTON

Required: Please read the following, by signing below you state that you understand and agree.

*The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.*

---

Signature

Thulani Davis

---

Date

1/12/2021

---

Email not displaying correctly? [View it in your browser.](#)

---

---

---



# City of Northampton

## Application for Appointment to Boards, Committees and Commissions

Name: Dr Jonathan M. Daube  
 Address: 15 Carolyn St., Florence, MA 01062-1019  
 Email: daubejm@gmail.com  
 Home Phone: 413/727-3624 Work: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Occupation: retired college president Years lived in Northampton: Five (approx)  
 Northampton Resident:  Yes  No

Please indicate the Committee(s) you have interest serving on: *(Appointment subject to vacancies)*

Agricultural Commission	License Commission
Almoners, Board of	Municipal Affordable Housing Trust Fund Board of Trustees
Arts Council	Parks and Recreation Commission
Assessors, Board of	Planning Board
Central Business Architecture Committee	Public Shade Tree Commission
Community Preservation Committee	Public Works Commission
Conservation Commission	Redevelopment Authority
Council on Aging	Registrars, Board of
Disability Commission	Transportation & Parking Commission
Energy & Sustainability Commission	Trust Fund Committee
Health, Board of	Youth Commission
Historical Commission <b>XX</b>	Zoning Board of Appeals
Housing Partnership	
Human Rights Commission	

What skills and experience will you bring to this Committee assignment:

*(attach additional sheet or resume if necessary)*

see brief bio. (attached) I have an interest in community history and chaired a charter review commission in Pittsfield many years ago. More details upon request

Are you currently serving or have you served on any City committee:  No  Yes\*

*(\*If yes please state what committee)* I am on the board of the Friends of Northampton Trails (FNT)

**Required:** Please read the following, by signing below you state that you understand and agree:  
 The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test AFTER being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. **IMPORTANT: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form!**

SIGNATURE  DATE Dec 2nd, 2020

Please Return Form To: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or  
 David J. Narkewicz, Mayor, 210 Main Street, Northampton, MA 01060

[See over]

**Dr. Jonathan M. Daube**, December, 2020

Born and educated in Great Britain, **Jonathan M. Daube** came to the United States in 1963. He has been an English teacher in England and the U.S.; a school superintendent in MA; a graduate school director in OH; and President of Berkshire Community College, MA, from 1978 to 1987, and of Manchester Community College, CT, from 1987 to 2008, when he retired with the title President Emeritus. A magnet high school building at MCC was named for him in 2009. He spent 2010-2011 as Interim President of Middlesex Community College, CT. His doctorate is from Harvard University, and he spent 1968-1970 at the University of Malawi in Central Africa, to which he recently returned. He has been a member of the Board of Directors of the Association of American Colleges and Universities, has served as a visiting member of the editorial board of the *Hartford Courant* and, in the fall of 2002, spent a sabbatical at the Institute of Education, University of London, where he had trained to be a teacher. In 2007 he was elected President of the University of Aberdeen (Scotland) Foundation, Inc., a position he held for five years. (He continues to serve on the Board.) He has taught at the Schools of Education, Universities of CT and MA, and has served as a consultant for the CT State Department of Education. In 2009, he was awarded the degree of Doctor of Humane Letters (*honoris causa*) by Eastern Connecticut State University, and in 2012, the degree of Doctor of the University (*honoris causa*) by his alma mater, the University of Aberdeen. He was presented to the Queen in Scotland in 2012. He has coached in an on-line doctoral program at the University of Maryland; has worked with local school systems; has completed a biography of Harry Rée, the first headmaster he ever worked for (available on amazon.com and amazon.co.uk); consults and teaches occasionally; and currently serves on the Regional Advisory Councils of Middlesex and Naugatuck Valley Community Colleges, CT.

He now lives in Northampton, MA, where he is on the Board of Directors of Friends of Northampton Trails (FNT) and is a member of the Progressive Democrats of America (PDA). He has been married for over fifty-six years; he and his wife Linda, a retired registered dietitian, have three children and three grandchildren. He loves to travel, and is a voracious reader.



# Online Form Submittal: Application for Appointment to Boards, Committees and Commissions

noreply@civicplus.com <noreply@civicplus.com>

Mon, Dec 7, 2020 at 3:52 PM

To: mayor@northamptonma.gov

## Application for Appointment to Boards, Committees and Commissions

City of Northampton Application for Appointment to Boards, Committees, and Commissions

Please return the completed form to: [Mayor@northamptonma.gov](mailto:Mayor@northamptonma.gov) or David J. Narkewicz, Mayor 210 Main Street, Northampton, MA 01060

First Name	Harvey
Last Name	Hill
Title, if applicable	<i>Field not completed.</i>
Address1	<a href="#">19 Ward Avenue</a>
Address2	<i>Field not completed.</i>
City	Northampton
State	MA
Zip	01060
Home Phone	17066761078
Work Phone	<i>Field not completed.</i>
Cell Phone	17066761078
Occupation & Place of Employment	Episcopal Priest, Saint David's Episcopal Church, Agawam
Email	<a href="mailto:revharveyhill@gmail.com">revharveyhill@gmail.com</a>
Are you a Northampton resident?	Yes
Years Lived in Northampton	11
Age	50 - 59

Sex	Male
Racial / Ethnic Background	Caucasian
Boards and Committees	Historical Commission
Please list "other" board or committee of interest	<i>Field not completed.</i>
What skills and experience will you bring to this committee assignment?	I have a PhD in the history of Christianity, and so some academic training in history. I also have a long-standing interest in local history.
Are you currently serving or have you served on any city committee?	No
Please list other city committees you have served on	<i>Field not completed.</i>
<p>Required: Please read the following, by signing below you state that you understand and agree.</p> <p><i>The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years; after that I must file a new application. Being appointed to a committee, board, or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law MGL Chapter 39: Section 23B. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the City Clerk. I will contact the appointing authority with any questions about my service. Important: Once this form is submitted it becomes a public document, if there is information you do not want open to the public please do not include it on this form.</i></p>	
Signature	Harvey Hill
Date	12/7/2020

Email not displaying correctly? [View it in your browser.](#)

**City of Northampton**  
MASSACHUSETTS

---

*In City Council*

January 7, 2021

---

Upon recommendation of the Mayor

---

**20.178 An Order to Increase Personal Property Tax Exemption Threshold to \$2,500**

*Whereas*, personal property is subject to local property taxation in Massachusetts unless specifically exempted by law depending on the ownership entity or use of the property;

*Whereas*, tangible personal property consists of goods, merchandise, equipment, tools, machinery, furnishings and effects and other movable property;

*Whereas*, all personal property, owned by Massachusetts and non-Massachusetts residents and businesses that are situated in Massachusetts on January 1, is taxable unless an exemption applies;

*Whereas*, MGL Chapter 59, s. 5 (54) allows for a local option exemption for small personal property accounts in municipalities that accept this section and further requires the municipality to establish a minimum fair cash value required for personal property accounts to be taxed, and to modify that value from time to time;

*Whereas*, City Council previously in December of 2017 set the minimum value of personal property subject to taxation at \$1000 and the Principal Assessor is recommending that the minimum be raised to \$2,500 which will eliminate the issuance of quarterly personal property tax bills of such low value, will not result in significant revenue loss and will provide welcome relief to small local business:

*Ordered, that*, the City of Northampton hereby accepts the provisions of Massachusetts General Law Chapter 59, s 5, (54) and in accordance therewith establishes a minimum value of personal property subject to taxation of \$2,500.

**CITY OF NORTHAMPTON**  
MASSACHUSETTS

*In City Council,*

January 7, 2021

Upon the recommendation of the Mayor

**20.179 An Order to Authorize Borrowing \$1.5 Million for Paving Projects**

*Ordered, that*

the sum of \$1,500,000 is appropriated to pay costs of roadway engineering, design and reconstruction, including the payment of all costs incidental or related thereto; that to meet such appropriation, the Treasurer with the approval of the Mayor is authorized to borrow such amount under M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**City of Northampton**  
MASSACHUSETTS

---

*In City Council*

January 7, 2021

---

Upon recommendation of the Mayor

**20.180 An Order to Appropriate Free Cash \$1.5 Million to Stabilization, Capital Stabilization and Fiscal Stability Stabilization Funds**

*Ordered, that*

\$ 1,500,000 be appropriated from the FY21 General Fund Undesignated Fund Balance (Free Cash) to the following accounts:

\$500,000	Capital Stabilization Fund
\$500,000	Stabilization Fund
\$500,000	Fiscal Stability Stabilization Fund

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

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

**20.183 An Order Amending the Charter to Mail Ballots for Municipal Elections to All Registered Voters**

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

NOW, THEREFORE, BE IT ORDERED

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows.*

*The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON TO ALLOW FOR EARLY MAIL-IN BALLOTS**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Amend article 8 by inserting after section 8-6 a new section 8-7 as follows: "EARLY MAIL-IN BALLOTS. (a) Each active registered voter in the city shall be issued automatically an early mail-in ballot for each preliminary election, regular city election, special city election, or local ballot question. Each active registered voter shall continue to receive an early mail-in ballot by mail until the death or disqualification of the voter, cancellation of the voter's registration, or placing the voter on inactive status, (b) Such ballots shall be mailed to each such registered voter not less than 14 days prior to the election at the address at which such voter registered to vote, and shall include a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, and a declaration that the voter must sign under penalty of perjury that they meet the qualifications to vote, and has not voted in any other ward at this election. (c) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. (d) Such ballots may be returned by mail, in person at the office of the city clerk, or in such ballot drop box as the Mayor may designate. (e) Such ballots shall be counted if postmarked by election day and received not later than the third day after election day. (f) The city may supplement the provisions of this section by ordinance not inconsistent herewith. (g) Nothing in this section shall prohibit or otherwise limit the right of a voter to vote in person during early voting period, if any, or on election day.", and by renumbering section 8-7 to section 8-8.

If the foregoing is not passed:

SECTION 1. Amend article 8 by inserting after section 8-6 a new section 8-7 as follows: "REQUEST FOR EARLY MAIL-IN BALLOT. (a) Not more than 21 days prior to any preliminary election, regular city election, special election, or local ballot question, the city clerk shall mail an application for early mail-in voting to each active registered voter in the city. The applications required pursuant to this subsection shall be in a form prescribed by the city clerk in accordance with state and federal law; provided, however, that said applications shall: (i) include clear instructions for completing and returning the application; (ii) allow a voter to designate the mailing address to which the ballot shall be sent; and (iii) be pre-addressed to the local election official with postage guaranteed. (b) Any voter applying for an early mail-in ballot shall, without specifying a reason therefor, be issued a ballot for such election. (c) The early mail-in ballot packet shall include a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, and a declaration that the voter must sign under penalty of perjury that they meet the qualifications to vote, and has not voted in any other ward at this election. (d) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. (e) Such ballots may be returned by mail, in person at the office of the city clerk, or in such ballot drop box as the Mayor may designate. (f) Such ballots shall be counted if postmarked by election day and received not later than the third day after election day. (g) The city may supplement the provisions of this section by ordinance not inconsistent herewith. (h) Nothing in this section shall prohibit or otherwise limit the right of a voter to vote in person during early voting period, if any, or on election day.", and by renumbering section 8-7 to section 8-8.

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

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

20.184 An Order Amending the Charter to Allow Resident Non-Citizens to Vote in Municipal Elections

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

NOW, THEREFORE, BE IT ORDERED

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON TO ALLOW RESIDENT NON-CITIZENS TO VOTE IN PRELIMINARY AND CITY ELECTIONS**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Amend article 8 by inserting as article 8-6 the following: "QUALIFICATION FOR VOTING. Every resident of the city, whether a citizen or a non-citizen, who is not otherwise disqualified from voting under state law, shall be qualified to vote in all preliminary elections, special elections and regular city elections. In the case of a preliminary or special election for ward councilor or ward school committee, every resident of such ward, whether a citizen or a non-citizen, who is not otherwise disqualified from voting under state law, shall be qualified to vote in such preliminary or special ward election.", and by renumbering article 8-6 to 8-7 and article 8-7 to 8-8.

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

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

20.185 An Order Amending the Charter to Make Clarifications and Correct Deficiencies in the Prior  
Language

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee;  
and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

**NOW, THEREFORE, BE IT ORDERED**

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON.**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Amend section 2-2 (b) by deleting in the first sentence the words “in consultation with the mayor and the city clerk”.

SECTION 2. Amend section 2-6 (c) (1) by deleting the word “ordinance” and insert in its place the word “order”.

SECTION 3. Amend section 3-6 by deleting in the first sentence the word “, resolution”; by deleting in the first sentence the word “memorial” and inserting in its place the words “non-binding”; by deleting in the first sentence the word “selection” and inserting in its place the word “confirmation”, by deleting in the fourth sentence the word “resolution”.

SECTION 4. Amend section 3-7 by inserting in the title after the words “TEMPORARY ABSENCE” the words “OR INCAPACITATION”, amend subsection (a) by deleting the subsection in its entirety and inserting in its place the following: “The mayor shall, by a letter filed with the city council and a copy filed with the city clerk, delegate authority pursuant to Section 3-8 to a qualified city officer or employee to exercise the powers and perform the duties of the office during the temporary absence of the mayor for periods of 10 business days or less and to serve only when the needs of the city require and only to the extent necessary under the then circumstances. If the temporary absence of the mayor exceeds 10 business days, the president of the city council shall be the acting mayor. If at any time the city council determines that the mayor is incapacitated and unable to perform the duties of the office, it may appoint its president to serve as acting mayor by the affirmative vote of 7 members. Notwithstanding any general or special law to the contrary, the vote shall be taken in public session by a roll call vote.”

SECTION 5. Amend section 3-9 by deleting in its entirety and inserting in its place the following: “a) If a vacancy in the office of mayor occurs, the city council president shall serve as mayor until a mayor is elected and qualified under this section. In the event that the city council president is unable to serve as mayor under this subsection, the city council shall elect, from among its membership, a person to serve as mayor. The city council president or other councilor elected by the city council hereunder shall take office immediately upon such vacancy. b) Upon a vacancy in the office of mayor, the city council shall, under section 2-6 (c)(ii), call a special meeting of the city council, and the city council shall, under section 8-1, order a special election to be held within 90 days following the date the vacancy is created to fill that vacancy until the next regular city election. The person elected at a special city election shall be sworn to office immediately. c) Upon the adoption of an order for a special election under subsection b, the city clerk shall set the special election calendar as follows: nomination papers shall be made available within 7 days of the vacancy; nomination papers shall be filed with the board of registrars of voters within 28 days of the vacancy; the board of registrars shall certify such nomination papers within 30 days of the vacancy and the candidate shall file such certified nomination papers with the city clerk within 35 days of the vacancy; a preliminary election shall be held within 65 days of the vacancy, if required; a special election shall be held within 90 days of the vacancy. d) Notwithstanding the provisions of subsection b), no special election shall be ordered if the vacancy occurs in month sixteen, seventeen, eighteen, forty, forty-one, or forty-two of the term for which the mayor was elected. In such case, the city council president or other councilor elected by the city council shall serve as mayor until the next regular city election. The person elected at such regular city election shall be sworn to office immediately and shall serve a four-year term in accordance with section 3-1 (b). e) Notwithstanding the provisions of subsection b), no special election shall be ordered if the vacancy occurs in month forty-seven or forty-eight of the term for which the mayor was elected and the mayor will not be serving

another term. In such case, the mayor-elect shall be sworn to office immediately and shall serve the remainder of the mayoral term and the four-year term for which such person was elected. f) Any person serving as mayor under this section shall receive the compensation then in effect for the office of mayor.”

SECTION 6. Amend section 4-6, by deleting in the second sentence the word “choose” and inserting in its place the words “appoint, by majority vote of those present,”; by deleting in the third sentence the word “elected” and insert its place the word “appointed”; by deleting the final sentence in its entirety.

SECTION 7. Delete section 5-1 in its entirety.

SECTION 8. Amend section 5-2 by renumbering the section to 5-1 and by deleting the second sentence in its entirety and inserting in its place the following: “Whenever a vacancy occurs on the board of trustees under the will of Charles E. Forbes, the president of the board shall declare a vacancy and, within 30 days following the date of the vacancy, call a meeting of the trustees to fill the vacancy. The board of trustees shall choose a person to fill the vacancy from among the voters entitled to vote for the office. Persons appointed by the trustees to fill a vacancy shall serve only until the next regular city election, when the office shall be filled by the voters. The candidate elected to an office filled prior to the election shall be sworn to the office immediately and shall serve for the unexpired term of the seat to which such candidate was elected. If the seat to which the candidate was elected would have been on the ballot for the next regular city election notwithstanding the vacancy, such candidate shall be elected for a full four-year term. No vacancy shall be filled under this section if a regular city election is to be held within 120 days following the date the vacancy is declared to exist.”

SECTION 9. Amend section 5-3 by renumbering the section to 5-2, by deleting the second sentence in its entirety and inserting in its place the following: “Whenever a vacancy occurs in the office of Elector under the Oliver Smith Will, the city council shall, within 30 days following the date of that vacancy, act to fill the vacancy. A person appointed to fill a vacancy by the city council shall serve only until the next regular city election, when the office shall be filled by the voters. The person elected at such regular city election shall take office immediately. No vacancy shall be filled under this section if a regular city election is to be held within 120 days following the date of the vacancy.”, and by adding a final sentence as follows: “The process and procedure by which the City Council shall fill vacancies shall be established by ordinance.”

SECTION 10. Amend section 5-4 by renumbering the section to 5-3, by deleting the title in its entirety and inserting in its place the words “TRUSTEES OF SMITH VOCATIONAL AND AGRICULTURAL HIGH SCHOOL”, and by deleting the words “city clerk” and inserting in their place the words “school committee”.

SECTION 11. Amend section 5-5 by renumbering the section to 5-4, by deleting the second sentence in its entirety and inserting in its place the following: “Whenever a vacancy occurs on the Community Preservation Committee, the city council shall, within 30 days following the date of that vacancy, act to fill the vacancy. A person appointed to fill a vacancy by the city council shall serve only until the next regular city election, when the office shall be filled by the voters. The person elected at such regular city election shall take office immediately. No vacancy shall be filled under this section if a regular city election is to be held within 120 days following the date of the vacancy.”, and by adding a final sentence

as follows: “The process and procedure by which the City Council shall fill vacancies shall be established by ordinance.”

SECTION 11. Amend section 7-2 by deleting the words “, including the superintendent of schools“, and”; by inserting in their place the words “and trustees of the Smith Vocational and Agricultural High School and the superintendents of both districts”.

SECTION 12. Amend section 7-6 by inserting in the third sentence after the words “The award of a” the words “three-year”.

SECTION 13. Amend section 8-1 by deleting the words “superintendents of Smith's Agricultural School” and inserting in their place the words “trustees of Smith Vocational and Agricultural High School”.

SECTION 14. Amend section 8-2 (a) by inserting the word “or” between the phrases “councilor-at-large” and “school committee member-at-large”, by deleting the phrase “or city clerk”, by deleting the words “superintendents of Smith's Agricultural School” and by inserting in their place the words “trustees of Smith Vocational and Agricultural High School”.

SECTION 15. Amend article 8 by renumbering section 8-7 to 8-8, and by adding prior thereto a new section 8-7 as follows: “No candidate shall have the words “candidate for re-election” printed next to that person’s name on the election ballot”.

SECTION 16. Amend section 10-7 (a) by deleting the word “chairman” and inserting in its place the word “chair”.

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

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

20.186 An Order Amending the Charter to Allow Residents 16 Years of Age or Older to Vote in  
Municipal Elections

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

NOW, THEREFORE, BE IT ORDERED

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON TO ALLOW RESIDENTS SIXTEEN YEARS OR AGE OR OLDER TO VOTE IN PRELIMINARY AND CITY ELECTIONS**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Amend article 8 by inserting as article 8-6 the following: "QUALIFICATION FOR VOTING. Every resident of the city sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified to vote in all preliminary elections, special elections and regular city elections. In the case of a preliminary or special election for ward councilor or ward school committee, every resident of such ward sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified toAr vote in such preliminary or special ward election.", and by renumbering article 8-6 to 8-7 and article 8-7 to 8-8.

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

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

20.186 An Order Amending the Charter to Allow Residents 16 Years or Age or Older to Vote in  
Municipal Elections

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

NOW, THEREFORE, BE IT ORDERED

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON TO ALLOW RESIDENTS SIXTEEN YEARS OR AGE OR OLDER TO VOTE IN PRELIMINARY AND CITY ELECTIONS**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

~~SECTION 1. Amend article 8-1 by inserting in the title after the words "PRELIMINARY ELECTION" the words "; QUALIFICATION FOR VOTING", and inserting as final sentence therein the following: "Every resident of the city or, in the case of a preliminary election for ward councilor or ward school committee member, sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified to vote in all preliminary elections".~~

~~SECTION 2. Amend article 8-3 by inserting in the title after the words "REGULAR CITY ELECTION" the words "; QUALIFICATION FOR VOTING", and inserting as a second sentence therein the following: "Every resident of the city, sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified to vote in all regular city elections".~~

SECTION 1. Amend article 8 by inserting as article 8-6 the following: "QUALIFICATION FOR VOTING. Every resident of the city sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified to vote in all preliminary elections, special elections and regular city elections. In the case of a preliminary or special election for ward councilor or ward school committee, every resident of such ward sixteen years of age or older, who is not otherwise disqualified from voting under state law, shall be qualified to vote in such preliminary or special ward election.", and by renumbering article 8-6 to 8-7 and article 8-7 to 8-8.

**City of Northampton**  
MASSACHUSETTS

---

*In City Council*

September 3, 2020

---

Upon recommendation of the Mayor's Youth Commission, Councilor William H. Dwight and Councilor Rachel Maiore

**20.114 Plastic Reduction & Sustainability Ordinance**

ORDINANCE

An ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending Section 272-18, providing for Environmental protection and solid waste reduction.

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

Remove: Existing **§272-18**

Add:

**§Section 272-18: Environmental protection and solid waste reduction.**

A. General definitions. As used in this ordinance, the following terms shall have the meanings indicated:

**ASTM STANDARD**

Standards developed by the American Society for Testing and Materials (ASTM), including only International Standards D6400 or D6868 for biodegradable and compostable plastics. D6400 is the specification for plastics designed for compostability in municipal or industrial aerobic composting facilities and D6868 is the specification for aerobic compostability of plastics used as coatings on a compostable substrate.

**BIODEGRADABLE**

Entirely made of organic materials such as wood, paper, bagasse or cellulose; or bioplastics that meet the American Society for Testing and Materials (ASTM) D7081 standard for Biodegradable Plastics in the Marine Environment or any other standard that may be developed by the American Society for Testing and Materials specifically for an aquatic environment.

## BIODEGRADABLE BAGS

Bags that:

- (1) contain no polymers derived from fossil fuels; and
- (2) are intended for single use and will decompose in a natural setting to an environmentally beneficial material at a rate comparable to other biodegradable materials such as leaves and food waste.

## BPI CERTIFIED

Refers to compostable products and packaging certified as compostable according to the Biodegradable Products Institute.

## CHECKOUT BAG

Carryout bags provided by a store to a customer at the point of sale. Checkout bags are distinct from product bags.

## COMPOSTABLE

Disposable food service ware or packaging is compostable if it meets ASTM Standards for compostability and is BPI-certified.

## COMPOSTABLE BAGS

Bags that:

- (1) conform to the current ASTM D6400 standard for compostability; and
- (2) are certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity.

## DISPOSABLE FOOD SERVICE WARE

All containers, bowls, plates, trays, cartons, cups, lids, straws, stirrers, forks, spoons, knives, and other items designed for one-time or non-durable uses

- (1) in which any food vendor directly places or packages prepared foods; or
- (2) which are used to consume foods.

Such food service ware includes, but is not limited to, service ware for takeout foods and/or leftovers from partially consumed meals prepared at food establishments.

## DISPOSABLE FOOD SERVICE WARE ACCESSORY

All types of disposable food service ware provided alongside prepared food, including but not limited to utensils, chopsticks, napkins, cup lids, cup sleeves, food or beverage trays, condiment

cups or packets, straws, stirrers, splash sticks, and cocktail sticks. This does not include such items that are necessary for the containment of foods, such as plates, bowls and bags.

## **FOOD ESTABLISHMENT**

An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.001. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a “food establishment” for purposes of this ordinance.

## **ONLINE FOOD ORDERING PLATFORM**

The digital technology provided on a website or mobile application through which a consumer can place an order for pick-up or delivery of prepared food. Such platforms include those operated directly by food establishments, by companies that provide delivery of prepared meals to consumers, and by online food ordering systems that connect consumers to prepared food vendors directly.

## **POLYETHYLENE**

The term polyethylene refers to the synthetic plastic polymer used to make grocery bags, shampoo bottles, and other containers, among other products. It is commonly known and referred to as plastics #2 and #4. For the purposes of this legislation, both plastics #2 and #4 should be considered polyethylene.

## **POLYETHYLENE TEREPHTHALATE**

The term polyethylene terephthalate, also known as PET, is a common plastic polymer widely used to make packaging for foods and beverages, such as soft drinks, juices and water, among other products. It is commonly known and referred to as plastic #1.

## **POLYPROPYLENE**

The term polypropylene, also known as PP, refers to a synthetic plastic polymer used to make food containers, disposable diapers, disposable cutlery and plastic straws, among other products. It is commonly known and referred to as plastic #5.

## **POLYSTYRENE**

The term polystyrene refers to a synthetic plastic polymer used to make food containers, cups, packaging materials, utensils, among other products. It is commonly known and referred to as plastic #6.

## **POLYSTYRENE LOOSE FILL PACKAGING**

A void-filling packaging product made of expanded polystyrene that is used as a packaging fill, commonly known as "packing peanuts".

## **POLYVINYL CHLORIDE**

The term polyvinyl chloride, also known as PVC, refers to a synthetic plastic polymer used to make plastic straws and utensils, among other products. It is commonly known and referred to as plastic #3.

## **PREPARED FOOD**

Prepared food means any food or beverage prepared by the food establishment at any location owned or controlled by the food establishment using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten either on or off the premises.

## **PRODUCT BAG**

Bags without handles in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are usually placed by the consumer to deliver such items to the point of sale or checkout area of the store. These are also sometimes used by cashier or checkout personnel to contain items at point of sale.

## **RECYCLABLE**

Material that can be sorted, cleansed, and reconstituted by Northampton's year-round municipal recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include thermally destroying or converting solid waste.

## **RECYCLABLE PAPER BAG**

Paper bags that:

- (1) are 100 percent recyclable including the handles; and
- (2) contain at least 40% post-consumer recycled paper content; and
- (3) display the words "recyclable" and "made from 40% post-consumer recycled content" (or other applicable amount) in a visible manner on the outside of the bag.

## **RETAIL ESTABLISHMENT**

Any commercial facility that sells goods directly to the consumer, including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items, and dry-cleaning services.

## **REUSABLE**

Products that are designed to be used more than once in the same form by a food or retail establishment.

## **REUSABLE BAGS**

Bags that are not made of plastic, are for multiple use and are made of cloth, fabric or other durable materials that do not decompose into harmful chemical components. A reusable bag is recyclable, biodegradable or compostable and is specifically designed and manufactured for multiple reuse.

## B. General prohibition and regulation.

- (1) Food establishments are prohibited from providing prepared food to customers using polystyrene, polyvinyl chloride, polyethylene, polyethylene terephthalate, or other nonrecyclable disposable food service ware.
- (2) Food establishments using any disposable food service ware shall use biodegradable, compostable, reusable or recyclable food service ware. All compostable food service ware used by food establishments must be clearly labeled with the applicable standard on the product or its packaging.
- (3) Retail—establishments are prohibited from selling or distributing polystyrene food service ware to customers. This includes sale of polystyrene ware for home food use.
- (4) Retail—establishments are prohibited from selling or distributing polystyrene loose fill packaging to customers.
- (5) Retail and food establishments may only sell or distribute product bags which are either (i) biodegradable, (ii) compostable, or (iii) reusable. All compostable product bags used by retail and food establishments must be clearly labeled with the applicable standard on the bag.
- (6) If any retail establishment provides a checkout bag to customers, the bag shall be either a recyclable paper bag, or a reusable bag.
- (7) No retail or food establishment shall sell or distribute straws made of polystyrene, polyvinyl chloride, polyethylene or polyethylene terephthalate. Retail and food establishments may sell or distribute compostable, biodegradable, and reusable straws upon request by the consumer. Upon request of a plastic straw, retail and food establishments may sell or distribute polypropylene straws. Retail and food establishments are encouraged to offer compostable or reusable straws.
- (8) Food establishments must provide disposable food service ware accessories only upon request by customers or at a self-serve station.
  - a) Online food ordering platforms that take orders of prepared food for pickup by or delivery to customers in the City of Northampton are required to provide options on their ordering platform that enable customers to choose which disposable food service ware accessories to include with each order. When no options are selected by the customer, the default practice shall be that no disposable food service ware accessories are provided. The platform must provide the food establishment an option/method for listing a customized list of accessories that are offered by each food establishment listed on their platform.
  - b) For delivery orders, food establishments may choose to include specific accessories, such as cup lids, spill plugs, and trays, in order to prevent spills and deliver food and beverages safely.
- (8)(9) Any retail establishment or food establishment that is greater than 5,000 square feet in area and provides any type of checkout bag shall sell such checkout bags for no less than ten cents (\$0.10) per checkout bag. All proceeds from the sale of such checkout bags shall be retained by the retail establishment or food establishment. Any charge for a checkout bag shall be separately stated on a receipt provided to the consumer at the time of sale and shall be identified as the "checkout bag charge" thereon.

## C. Exemptions.

- (1) The Mayor's designee may exempt a food or retail establishment from the requirements of this ordinance for a period of up to one (1) year, upon a finding by the Mayor's designee that the requirements of this ordinance would cause undue hardship to the establishment. The Mayor's

designee may approve two (2) additional 6-month periods upon the showing of a continued undue hardship. An "undue hardship" shall only be found in:

- (a) Circumstances or situations unique to the particular food or retail establishment such that there are no reasonable alternatives to plastic products or materials banned in this ordinance that are necessary to the establishment's operations; or
  - (b) Circumstances or situations unique to the food or retail establishment such that compliance with the requirements of this ordinance would deprive a person of a legally protected right; or
  - (c) Circumstances where a food or retail establishment requires additional time in order to draw down an existing inventory of plastic products or materials banned in this ordinance.
- (2) Any food or retail establishment receiving an exemption shall file with the Mayor's designee monthly reports on inventory and remaining stocks.
  - (3) Any food or retail establishment seeking an exemption shall apply to the Mayor's designee using forms provided by the Health Department, and shall allow the Mayor's designee, or his or her designee, to access all information supporting its application.
  - (4) The Mayor's designee may approve the exemption request, in whole or in part, with or without conditions.
  - (5) The Mayor's designee, by regulation, may establish a fee for exemption requests.
  - (6) Certain products are exempt from this ordinance's prohibitions; these include:
    - (a) Flexible transparent covering (commonly referred to as plastic wrap).
    - (b) Thin-film plastic bags used to contain dry cleaning or newspapers, typically without handles.
      - (i) Product bags are not exempt from this ordinance's prohibitions.
    - (c) Packaging utilized for prescription drugs.

#### D. Penalties and enforcement.

- (1) The Mayor's designee shall provide to food and retail establishments succinct materials explaining the requirements of this ordinance and recommendations for proper waste stream procedure.
- (2) If it is determined that a violation of this ordinance has occurred, the Mayor's designee shall issue a warning notice for the initial violation.
- (3) If an additional violation of this ordinance has occurred within one year after a warning notice has been issued for an initial violation, the Mayor's designee shall issue a notice of violation and shall impose a penalty against the food or retail establishment.
- (4) Each penalty of this ordinance's clauses shall be no less than: 1) \$50 for the first offense; 2) \$100 for the second offense and all subsequent offenses. Payment shall be made within twenty-one (21) days to the City Clerk. Non-payment of such fines may be enforced through civil action in the Northampton District Court. No more than one (1) penalty shall be imposed upon a food or retail establishment within a seven (7) calendar day period.

#### E. Severability.

If any provision or section of this ordinance shall be held to be invalid, then such provision or section shall be considered separately and apart from the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

F. Effective date.

This ordinance will take effect on 01/01/2022.