



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

Roll Call

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:20 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

Councilor Sciarra announced that the meeting was being held by remote participation and audio and video recorded.

Public Hearings
Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street

Public Hearings
Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street

Councilor Quinlan said that, as an employee of Big Y, he needed to recuse himself from the hearing.

Councilor Sciarra read the legal notice as follows: The City Council will hold a public hearing on **Thursday, February 18, 2021 at 7:05 p.m.** on the application of Big Y Foods, Inc. for a License for Storage of Flammables and Combustibles to use the property at 138 North King Street, Northampton, MA (the existing Big Y Supermarket parking lot) for the storage of two (2) 20,000-gallon underground storage tanks: one (1) 20,000-gallon gasoline and one (1) 20,000 gallon split tank with 10,000 gallons of gasoline and 10,000 gallons of diesel. The City Council will hear all persons who wish to be heard thereon.

Councilor Sciarra introduced Carolyn Parker of Carolyn A. Parker Consulting, representing Big Y in its application for underground fuel storage.

Like its other locations, Big Y will be putting in a small gas station with a small kiosk building in the parking lot, Ms. Parker presented. There is currently a Jiffy Lube building there and that will be removed. She found out today the owner has changed the amount of diesel they want to put in one of the tanks. She submitted a revised application. It is the same 40,000 gallons being requested but the compartmentalized tank would have 12,000 gallons of gasoline and 8,000 gallons of diesel (instead of 10,000 gallons/10,000 gallons).

The project will be on the next Planning Board agenda. She is applying for the license because she is also submitting the self-serve fire suppression system to the state Fire Marshall's office. In order to submit the application, she needs to have a license in hand.

The administrative assistant screen-shared the revised application and a plan showing how the delivery truck will enter and exit the gas station.

Tony Coppola is also here from Big Y, Ms. Parker said. She got a call that the fire department yesterday that it has approved the fire suppression plan. The fire department also signed off on the license application.

Councilor Sciarra asked if any proponents wished to speak.

Hildegarde Freedman raised her hand, but Councilor Sciarra clarified that she is looking for comments specifically on the subject of the hearing.

Jose Adastra commented that it would be different if they were asking to put solar panels or a multi-level parking garage or something. "Let's not be performative, if we're really trying to cut our carbon emissions we don't need another gas station here; there's enough on Route 5," he

suggested. They can find something else to do for money that doesn't include granting a license for fossil fuels when they're specifically trying to move away from that.

Jackie Ballance said she agrees with Jose. Maybe they can put in EV charging stations, she suggested.

There being no further public comments, Councilor Sciarra opened the floor to councilors.

This is a license application that they are obliged to grant provided it meets all the conditions and terms of legally-mandated requirements, Councilor Dwight clarified. He absolutely agrees with comments heard, but they are not making the business decision, they can only call for modifications that would bring them into alignment with standard code. Philosophically, he thinks Jackie and Jose make good points, but they don't dictate the terms and choices of Big Y or anyone else for that matter. If there is profit to be made for establishment of an EV station, he's sure Big Y would consider it.

He asked Ms. Parker if Big Y has contractors already lined up for the project. Usually when gas station proposals are presented, they are presented by the companies doing the installation and other site work.

She has been in the petroleum industry for 25 years working for an engineering company actually drafting gas stations, Ms. Parker advised. She has drafted over 800 fire suppression plans and used to do tank and piping plans. She is very knowledgeable in the gas station industry. They probably haven't even gone out to bid yet.

Councilor Dwight asked what type of tanks are proposed.

The tanks are double-walled with vapor recovery systems and hold-open clips as allowed, Ms. Parker presented. Tank and piping plans will be approved by the fire department and a permit will be pulled prior to installation.

Councilor Dwight noted the property will be subject to 21E mitigation if called for, and Ms. Parker confirmed this would all be taken care of properly.

Councilor Dwight expressed his understanding that there will be multiple points of inspection and that the project will need to meet all necessary criteria at each step.

The license is issued first. Once tanks are put in the ground, the owners will apply for and obtain a flammable and combustible permit (formerly a permit to maintain), which is renewable every one or two years. Every year the owner pays a registration fee. Registration actually serves as renewal of the license that was granted. If she were doing a fire suppression system for an existing gas station, she would need to have all those papers in order before getting approval from the state.

Councilor Dwight asked about the design for traffic circulation, whether it is cookie-cutter or site specific; in other words, designed in such a way so as not to create issues within the campus or the parking lot. The parking lot exits onto North King Street, he noted.

Vehicles can only enter [the gas station] from North King Street and must exit through the parking lot, Ms. Parker said.

Councilor Maire asked if there is any residential impact.

The site is separated from Pine Brook Curve by the Big Y and the parking lot itself, Councilor Dwight advised. It is not in close proximity to any residential properties.

Mrs. Krutzler shared that Office of Planning and Sustainability Assistant Director Carolyn Misch said the site is zoned Highway Business (HB) and that service stations are an allowed use in that zoning district with site plan approval.

Councilor Jarrett asked what legal aspects they can and should consider.

Ms. Parker commented that not a lot of these licenses are issued since gas stations are often existing, so municipal officials are often unfamiliar with the permitting process. She sent the administrative assistant information from the state Fire Marshall's office explaining the permitting procedure. If a gas station closes, the owner is responsible for removing tanks from the ground, she confirmed.

Councilor Jarrett asked if any sort of bond is posted to insure that tanks are removed. This requirement could be added if councilors feel it is necessary, Ms. Parker said.

Councilor Dwight said as far as he understands the tanks are all bonded, and decommission mitigation is mandated by state law.

"These things always frustrate me because we really don't have any say," Councilor Dwight observed. If they meet all the conditions of Massachusetts licensure, they don't have much discretion [to deny the application]. They had a similar conversation when Cumberland Farms was rebuilding the service station in Florence. The fire department said they met all the criteria and all the conditions.

Like fireworks displays, bowling alleys and pinball machine permits, the licenses are holdovers from times past and they really are not equipped with the expertise to render a reasonable decision, he commented. He would prefer that the DPW and fire department be the final arbiter.

The licensing authority is usually the City Council or Board of Selectmen, Ms. Parker confirmed.

For the future, who would be the one they would ask [for a review/recommendation]? Councilor Jarrett asked.

The building commissioner and the fire department, Councilor Dwight said.

Councilor Jarrett read a note from the administrative assistant saying the fire department was requested to attend the hearing but no representative seems to be present.

Mrs. Krutzler said her understanding from the material from the Department of Fire Services is that the license issued by the City Council is solely for the use of the land for this purpose. It's just the first step in the licensing process and there are layers of subsequent regulations. The Planning Board issues a site plan approval permit for the facility itself and the fire department issues a permit for the storage of flammable and combustible materials. The Department of Environmental Protection (DEP) issues a permit for the tanks. So this is solely granting approval for use of the land.

Councilor Dwight pointed out they don't know on what grounds they are able to withhold approval.

Councilor LaBarge said she thought the city solicitor should be involved. She has concerns about this permit, she shared. She feels this should go to the DPW and the fire department. "We're voting on something here I have a problem with."

Councilor Dwight said he thinks Councilor LaBarge just answered her own question. All of these departments and agencies will review the plans and sign off on them as it moves forward.

In response to Councilor LaBarge, Ms. Parker said her concern is basically whether the council should be issuing the license. She doesn't see why it would be a problem to have this gas station where it's located. Big Y is a good employer and good to the community; she thinks it would be a convenience to the customers. There's no reason not to approve it, she suggested.

Councilor LaBarge clarified that nobody was complaining about Big Y, their issue is with the process.

They are not the first town to have these issues, Ms. Parker advised. They did a site in West Springfield and town officials there had not issued a license in a while.

Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion

passed unanimously 8:0 with Councilor Quinlan recused.

The public hearing was closed at 7:54 p.m.

Councilor Dwight moved to approve the license. Councilor LaBarge seconded.

Councilor Nash voiced a feeling of conflict that later in the meeting they will be approving a plan to move them in a different, more squeaky-clean direction. Here they are having this discussion which seems so different from the agenda they are setting for the city. He does feel conflicted, he acknowledged.

Councilor Jarrett seconded that. He asked if they could get the city solicitor to give them an overview of their obligations and possible reasons to deny a permit, if any.

Councilor Sciarra said they certainly could ask the solicitor to do that. It might make sense to bring in the departments that do the real work of approving the licenses, she added.

It is important to point out that they are about to approve the Climate Resilience and Regeneration Plan, Councilor Dwight noted. It would be worth asking the solicitor what type of oversight they could create or realize with the planning department that would actually fall more in line with the plan to be carbon neutral by 2050. "We're actually creating yet another legacy of carbon consumption at the same time we're trying to quickly throttle down our consumption of fossil fuels," he commented.

Councilor Foster seconded the sentiments heard. She similarly is sitting with the conflict. She certainly would appreciate seeing charging stations on any gas station proposal presented as being more in line the community's stated goals.

It would be good to know if there are additional conditions they could impose that would help meet their goals as a city that go beyond state regulations, Councilor Sciarra said.

The motion carried 8:0 with Councilor Quinlan recused by roll call vote.

Public Hearing on
20.173 National
Grid Petition for
Installation of
Underground
Conduit on
Hockanum Road

Public Hearing on 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road

Councilor Sciarra read the following announcement: Per M.G.L. Ch. 166, Section 22, the Northampton City Council will hold a public hearing on **Thursday, February 18, 2021 at 7:15 p.m.** on the petition of National Grid to install underground conduit and associated fixtures on Hockanum Road (Petition# 16315676). The City Council will hear all persons who wish to be heard thereon.

Councilor Sciarra read into the record a memo from Greg Newman, DPW Senior Engineer to DPW Director Donna LaScaleia dated January 27, 2021 re: 20.173 National Grid Petition (#16315676) – Underground Wire & Conduit in Hockanum Road.

Councilor Dwight moved to open the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 8:06 p.m.

National Grid representatives Lisa Jasinski and Aleksandr Groshev were present. MassDOT is rebuilding the bridge on I-91, Mr. Groshev presented. The intent is to remove the overhead lines and put them underground for safety so they will not have to cross I-91 and fall on the highway.

Councilor Sciarra asked if anyone wished to speak for or against the petition.

By virtue of her participation in the Spending and Contracts Subcommittee meeting yesterday, Hildegard said she understood Booker Bush is bringing something to the meeting that would propose a new department in the City of Northampton.

Councilor Sciarra informed her that the subject of the hearing is the installation of conduit on Hockanum Road.

Councilor Dwight said he presumes National Grid is in possession of the same memo from the

	<p>DPW and that they are prepared to meet all the conditions laid out in that.</p> <p>Aleksandr said that is correct.</p> <p>Councilor Nash asked the timeline of the project.</p> <p>That's a good question, Aleksandr responded. MassDOT needs to get all the approvals and get a contractor on board.</p> <p>There being no further questions or comments, Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>The hearing was closed at 8:11 p.m.</p> <p>Councilor Dwight moved to approve the petition. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>I</u> <u>Updates from Council President/ Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u></p> <p>On Tuesday, February 23rd, the Community Resources Committee will be discussing two zoning ordinances referred to them, an ordinance relative to affordable housing and an ordinance to create incentives for smaller houses by allowing two half-scale units to count as a single-family for density purposes, Councilor Nash announced. Committee members will also be having a follow-up discussion on plastic reduction and the city's waste stream and housing security.</p> <p>On Monday, February 22nd at 6:30 p.m., the Central Business Architecture Committee (CBAC) is holding a meeting to consider the demolition of St. John Cantius Church, the building that sits on the corner of Philips Place and Hawley Street. He is asking constituents and people across the city to show up to express how they would like to see this structure stay. The city has gone to great lengths to help preserve this building by extending the Central Business (CB) district to the property. It would be great if people could speak to preserving the church, he suggested.</p>
<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u></p> <p>The Northampton Policing Review Commission (NPRC) is continuing to seek public input and has a public input form that can be filled out on the city website anonymously or not, Councilor Jarrett reported. To access the form, residents can go to www.northamptonma.gov, choose 'Government', then 'Boards & Committees' and choose 'Policing Review Commission' or go to www.northamptonma.gov/2217.</p>
<p><u>Communications and Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u></p> <p>Today was a bit of a challenging and frustrating day for Massachusetts residents and municipalities and boards of health involved in the vaccination program, Mayor Narkewicz reported. The governor announced yesterday that Massachusetts would be advancing the state forward in eligibility for vaccines, including moving to vaccinate people 65 and older, folks with two or more comorbidities and folks in certain housing settings. It was a little unclear what would actually happen on February 18th. The actual letter said people would be able to register on February 18th, but the minute he announced it people immediately went to the website and began calling cities and boards of health all over the state. It was announced that the website would go on line at 8 a.m. with 70,000 new appointments but the site promptly crashed at 8:01 a.m. when a million people surged the site and it couldn't handle the traffic. The city then began receiving many calls and emails and, although they had expanded the voicemail capacity the week prior to 2,000 calls, it was quickly swamped.</p> <p>They really wanted to get the word out to people that this is not the city's website and not the city's scheduling system. It is a statewide system they rely on to run the vaccination clinics at the senior center. Just like residents couldn't access the system; it also meant the city and people running the vaccine clinics couldn't access the system and add appointments, so it was very challenging. The system has come back up as of late this afternoon although he would not say there is availability of appointments at all sites. The main message to people is to be patient, to monitor what is happening at the state level. The 211 call center also went out of existence at</p>

around 10 a.m. this morning. They are trying to do everything they can to accommodate appointments but they all have to be scheduled through the state Vaxfinder system.

The other development is the state has announced that, beginning March 1st, they are going to severely limit the number of communities that can continue giving the vaccine. The state was providing 100 doses to any board of health administering vaccinations. Now, communities have to guarantee they are able to do 750 vaccinations a day in order to qualify. There was a bit of angst here in Northampton but after some planning and space planning they believe they will be able to meet that target and are going to apply to continue being a regional vaccination site. If they weren't going to be able to meet that target they would be relying on regional vaccination sites like the Eastfield Mall.

He encouraged residents to continue monitoring the site, saying he hopes they will work out the glitches for appointments. The health department, fire/rescue department, etc. are all working to deliver vaccinations. He knows the impulse is to call the health department, and they've even had people show up at the senior center to say they couldn't reach the health department and so are here to get vaccinated. They cannot vaccinate people that way, he stressed.

They have to be able to guarantee a volume of 750 vaccinations per day. This is not insignificant when you consider that people have to be socially distant. Everything remains the same until March 1st. This is a big debate, whether megasites are the way to do it or if they should be local sites. He thinks the states that have been more successful have taken a more localized approach.

The problem is the technological support in order to be able to do that has not been very resilient and needs to be improved. The order does not apply to several dozen gateway communities in the commonwealth that have been identified as having a high number of vulnerable populations. The Mullins Center was not doing 750 vaccinations a day. He is confident that between EMS Deputy Chief John Garriepy and Health Department Director Merridith O'Leary they'll be able to MacGyver a solution to this.

The health department has a 2,000-call voice limit that's chock full.

Councilor Foster asked how many vaccinations Northampton is doing a day right now.

On high days, it has been on the order of 400 to 500 a day. To qualify as a regional site, they have to be able to do a minimum of 750 doses a day five days a week. Some of the challenges have been technological. Councilors may have heard about them having extra doses at the end of the day because of people either inadvertently double-booking themselves or people who weren't eligible booking appointments. One of the big obstacles they overcame more recently is the ability to use the refrigeration at the senior center. They have obtained technology that monitors and can certify the refrigerator is able to maintain an acceptable temperature. They now have the ability to thaw vaccines in smaller increments and store them on site. The big challenge now is booking the appointments and getting people through the door safely. Director O'Leary does not want to lessen any of the public safety measures and create any of the things they've see elsewhere with people lined up out of doors or not wearing masks properly. If they scale up, they want to do it correctly.

Health department staff believe that by utilizing additional space in the senior center and potentially extending some hours they can achieve the necessary volume.

Councilor Maiore expressed her understanding that, regardless of the status of the application, Northampton will continue to provide vaccinations at the senior center until March 1st. She mentioned the wait list button being no longer available.

The wait list was for people 65 and older able to receive vaccinations if they had extra vaccines at the end of the day, Mayor Narkewicz explained. Now that they're able to schedule appointments themselves, the waiting list is no longer necessary. The plan today was to send out an email to everyone on the list with a link to register but they didn't want to do that because the link was dead.

Now that there is this new infusion of eligibility, they don't think they are going to lack for people

filling appointments. Unfortunately, he thinks it will mean pushing appointments out further and further.

Councilor Maiore asked if there would be a waiting list for the next eligible group. Mayor Narkewicz said he doesn't think that's going to happen.

In response to another question, he said the state is saying even those communities that get shut off after March 1st will not be shut off from administering second doses to people who received their first dose at the local site.

The goal of local administrators is to have a regional vaccination site in Hampshire County. He was on a call with Paul Bockelman this afternoon about the possibility of collaborating with Amherst on a regional site.

Mayor Narkewicz thanked the legislative delegation because he knows they've been applying pressure. An emergency oversight hearing is scheduled for the 25th. [Legislators] are going to be asking the administration for some answers as to how this could have happened the way it happened and not been better anticipated. It goes back to lines of 75-year olds standing outside the Eastfield mall last week.

Resolutions
21.193 Resolution
Opposing Internet
Data Caps and
Committing to
Achieving Just
Internet Access
and Affordability –
2nd reading

Resolutions
21.193 A Resolution Opposing Internet Data Caps and Committing to Achieving Just
Internet Access and Affordability – 2nd reading

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

Since their first reading, Springfield has now passed a similar resolution after Holyoke did, Councilor Sciarra reported. West Springfield and Agawam either have resolutions in the works or have passed them already.

Comcast has delayed implementation of these caps in the northeast, but they really need to keep pushing until they abandon this idea and acknowledge that there's really no need for these caps and they're just meant to squeeze money out of families desperately struggling to do everything at home with this necessary utility. Comcast either needs to abandon this or Northampton needs to develop it for itself.

Councilor Dwight said 'ditto.'

Councilor Maiore thanked sponsors. It is a perfect example of a resolution that is a piece of advocacy and she thinks it's really important. It does kind of snowball as Councilor Sciarra related. "I'm glad that we're on board with that," she volunteered.

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

The following resolution passed two readings:

In the City Council, February 4, 2021

Upon the Recommendation of Councilor Gina-Louise Sciarra, Councilor William H. Dwight and Councilor James Nash

21.193 A Resolution Opposing Internet Data Caps & Committing to Achieving Just Internet Access and Affordability

WHEREAS, the internet has become a critical utility for individuals, families, businesses and government, and

WHEREAS, during the COVID-19 pandemic internet access has become even more essential to safely participate in education, earn a living, obtain healthcare, connect with family, friends, and community, and participate in local government, and

WHEREAS, Northampton residents are primarily served by Comcast/Xfinity for their internet service, and

WHEREAS, Comcast/Xfinity has announced for the first time the imposition of a "data-cap"¹ beginning in the spring of 2021, that will place a limit on the amount of data an internet consumer may utilize before facing additional charges for internet service, and

WHEREAS, data-caps have no purpose for the consumer. They do not address network traffic or peak time capacity, as they are based on a monthly total of usage. Their irrelevance was proven by Comcast when they suspended already existing data-caps in other parts of the country from the beginning of the COVID-19 pandemic to July 2020 without detriment to the network, and

WHEREAS, the rising cost of internet access, unimpeded by lack of market competition and the increased service demand during the pandemic, is of concern to residents across Northampton, and

WHEREAS, on December 31, 2020 a group of seventy-one Massachusetts legislators sent a letter to Comcast/Xfinity urging them to reconsider their decision to impose this data-cap², and

¹ Butz, Greg. "Our Nationwide Data Plan," *Comcast Corporate*. Nov 24, 2020.

<https://corporate.comcast.com/stories/our-nationwide-data-plan>

² Bray, Hiawatha. "Mass. lawmakers oppose Comcast's plan to charge home Internet users extra: fee for exceeding data cap is at odds with life during pandemic, they say." *Boston Globe*. December 31, 2020. <https://www.bostonglobe.com/2020/12/31/business/mass-lawmakers-warn-comcast-new-data-caps/>

21.193

WHEREAS, as is the case with all essential utilities, the City of Northampton has a responsibility to ensure affordable access to all residents,

NOW, THEREFORE BE IT RESOLVED, that the Northampton City Council urges Comcast/Xfinity to reverse their decision to impose a data-cap on customers, and

BE IT FURTHER RESOLVED, that the Northampton City Council urges our state and federal legislative delegations to consider consumer protection legislation to regulate and end data-caps, and

BE IT FURTHER RESOLVED that, the Northampton City Council supports and endorses emergency House bill HD663 "An Act protecting internet access during the COVID-19 pandemic."

BE IT FURTHER RESOLVED, that the Northampton City Council commits to evaluating internet services moving forward with the goal of ensuring all residents have equitable and affordable options to necessary high quality internet, and

BE IT FURTHER RESOLVED, that the City of Northampton shall continue to explore just and fair alternative internet service systems for the vital use of the entire community.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to the Federal Communications Commission, Karen Charles Peterson, Commissioner of the Massachusetts Department of Telecommunications and Cable, Senator Elizabeth Warren, Senator Edward Markey, Congressman Jim McGovern, State Senator Jo Comerford and the State Representative Lindsay Sabadosa.

Passed two readings and enrolled.

<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u> Councilor Sciarra reviewed the consent agenda, consisting only of the minutes of January 21, 2021. She offered to remove them for separate discussion if needed. Councilor Dwight moved to approve the consent agenda as presented. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The following item was approved as part of the consent agenda: A. <u>Minutes of January 21, 2021 City Council Meeting</u></p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 8:42 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 9:13 p.m. The City Council reconvened at 9:13 p.m.</p>
<p><u>Financial Orders (on 1st reading pending Finance)</u> <u>21.194 Order to Rescind Borrowing Authority - 3 Votes - 1st reading</u> <u>21.195 Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement-1st rdg</u> <u>21.196 Order to Surplus 56 Vernon Street and Lease</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>21.194 An Order to Rescind Borrowing Authority - 3 Votes - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of March 4, 2021 for second reading.</u> <u>21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote. <u>See minutes of March 4, 2021 for second reading.</u> <u>21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The</p>

for Continued Use as Head Start Day-care and Early Education Facility - 1st reading

motion passed unanimously 9:0 by roll call vote.

See minutes of March 4, 2021 for second reading.

Financial Orders (in 2nd reading)
21.191 Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection-2nd rdg

Financial Orders (in 2nd reading)

21.191 An Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection – 2nd reading

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

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council, February 4, 2021

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

21.191 An Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection

Ordered, that

WHEREAS, The City of Northampton owns a surface drinking water supply in the town of Whately which is surrounded by watershed land owned by both the City and private property owners, and;

WHEREAS, It is in the interest of the City to acquire privately held parcels within this watershed as they become available for sale to protect its drinking water supply, and;

WHEREAS, Certain parcels of land within the watershed are available for acquisition, and it is in the interest of the City to acquire the parcels for watershed protection.

NOW, THEREFORE, BE IT ORDERED,

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, the fee interest in one parcel of land containing 14.79 acres, more or less, located on Nash Hill Road in Williamsburg and shown on a plan entitled "Plan of Land in Williamsburg, Massachusetts Prepared for Northampton Dept of Public Works," dated December 16, 2020, by Holmberg & Howe Land Surveyors. This acquisition is for the purpose of the sanitary protection of the West Whately Reservoir, part of the City of Northampton's Water Supply. The parcels shall be held in the custody and control of the Department of Public Works.

Further, that no appropriation is necessary for the acquisition of the easement authorized hereunder inasmuch as sufficient funds for this acquisition have been appropriated in Water Enterprise 61523-581000-11 – Land.

Passed two readings and enrolled.

21.192 Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt – 2nd reading

21.192 An Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt – 2nd reading

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council February 4, 2021

Upon recommendation of the Mayor

21.192 An Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt

Ordered, that

\$ 288,725 be appropriated from the FY21 General Fund Undesignated Fund Balance (Free Cash) to the following accounts:

- | | |
|-----------|--|
| \$ 34,512 | City Clerk PS Election Workers (11611 512010) |
| \$ 4,213 | City Clerk PS Overtime (11611 513000) |
| \$250,000 | DPW Streets – Asphalt for Road Improvements (14223 584010) |

Passed two readings and enrolled.

Orders
21.190 Order
Endorsing the
Climate Resilience
and Regeneration
Plan – 2nd reading

Orders
21.190 An Order Endorsing the Climate Resilience and Regeneration Plan – 2nd reading
Councilor Dwight moved to approve the order in second reading. Council LaBarge seconded.

Councilor Nash said he appreciated Director Feiden’s presentation. Prior to the meeting he gave the document a once over but he took a much deeper dive afterwards. He found it super helpful in providing a context for the three zoning ordinances before the council now, which are in many ways related to this document. He gave a shout out to Harrison Blum and Jackie Ballance for going through the document in such detail. He thinks it is really helpful in framing the different items that come before them.

Councilor Maire thanked Councilor Nash, commenting that it really is a kind of living document. It was an interesting document to work on in that it is hard to strike a dynamic balance between aspirational goals and achievable goals. She thinks it will probably keep morphing over time but is a great jumping off point for the city.

As hinted at earlier, having a visioning document such as this is only valuable if they have the courage to enact and do things relative to it, Councilor Dwight observed. The charge of the resiliency plan is not just environmental, embedded in it should always be social justice and equity but also the issue of addressing climate change based on the guidelines prescribed in the document and being prepared to defend them. There will be resistance. He doesn’t think they could find a person in this community who would say it is a stupid idea. The devil comes when specific projects or idea are proposed, at that point people start to waffle or push back or resist but they have to understand that’s going to be a given. It’s going to be difficult, it’s going to be a struggle but they must always keep in mind how this will affect people in need, how it will affect their impact on the climate and how to best prepare for all the changes that are certain to come regardless. It’s not just a feel-good document. He cautioned them to remember how important this document truly is. “If we’re going to derive any value from it, we’re going to have to consider it a Bible,” he pronounced.

Councilor Jarrett acknowledged public comment, noting that some actions, ordinances or the results of ordinances may not be in line with this. To look at the implications of a particular ordinance, they are going to have to do a lot more research. They will be revisiting the plan

every two years and hopefully can strengthen it; they may be able to achieve their carbon goals sooner than they currently have the means to do. He encouraged fellow councilors and the public to be involved in that process every two years.

Councilor Sciarra agreed that those inclined to dismiss it maybe haven't paid attention to its predecessor either. These documents that are created and take intense research and work have guided so much of what they have done in the last ten years and they shouldn't be dismissed. They really guide how the city goes about its planning and decisions.

She called the motion to a vote, and it passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council, February 4, 2021

Upon the recommendation of Mayor David J. Narkewicz, Planning and Sustainability, Planning Board, and Energy and Sustainability Commission

21.190 AN ORDER ENDORSING THE CLIMATE RESILIENCE AND REGENERATION PLAN

WHEREAS, the Northampton Planning Board unanimously adopted the *Northampton Climate Resilience and Regeneration Plan* as an element of and an amendment to the *Sustainable Northampton Comprehensive Plan*, in accordance with Massachusetts General Law Chap. 41, Section 81D (1/28/21)

WHEREAS, the Energy and Sustainability Commission unanimously endorsed the *Climate Resilience and Regeneration Plan* (12/22/20)

WHEREAS, the plan creates a comprehensive climate action plan framework for Northampton with a commitment and roadmap to action

WHEREAS, City Council endorsement does not imply agreement with every recommendation but does imply acceptance of the overall plan and its call to action

NOW, THEREFORE BE IT ORDERED,
The City Council hereby endorses the *Northampton Climate Resilience and Regeneration Plan: An element of the Sustainable Northampton Plan, Addressing the climate emergency by regenerating a healthy community, adapting to and mitigating climate change.*

Passed two readings and enrolled.

<u>Ordinances (Not Yet Referred)</u>	<u>Ordinances (Not Yet Referred)</u> None.
<u>Ordinances</u>	<u>Ordinances</u> None.
<u>New Business</u>	<u>New Business</u> None
<u>Information (Charter Provision 2-7) & Study Requests</u>	<u>Information (Charter Provision 2-7) and Information Study Requests</u> None

Motion to Adjourn

Upon motion made by Councilor Foster and seconded by Councilor Jarrett, the meeting was adjourned at 9:27 p.m. The motion carried unanimously 9:0 by roll call vote.

Attest: _____ Administrative Assistant to the City Council

EXHIBIT A

List of Documents Reviewed at February 18, 2021 Northampton City Council Meeting:

1. February 18, 2021 Agenda
2. City Council Meeting Minutes of January 21, 2021
3. 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street
4. Memo from Greg Newman, Senior Engineer, Department of Public Works to Donna Lascaleia, Department of Public Works Director dated January 27, 2021 re: 20.173 National Grid Petition (#16315676) – Underground Wire & Conduit in Hockanum Road
5. 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road (Petition#16315676)
6. 21.193 A Resolution Opposing Internet Data Caps and Committing to Achieving Just Internet Access and Affordability
7. 21.194 An Order to Rescind Borrowing Authority - 3 Votes
8. 21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement
9. 21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility
10. 21.191 An Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection
11. Plan entitled “Ryan Reservoir & West Whately Reservoir Watersheds, Proposed Land Acquisition, Przasnyski Parcel, February 2021, Prepared by: City of Northampton, Department of Public Works, Engineering Division”
12. Plan entitled “Plan of land in Williamsburg, Massachusetts Prepared for Northampton Dept. of Public Works” by Holmberg & Howe Land Surveyors, dated December 16, 2020
13. Plan entitled “Ryan Reservoir & West Whately Reservoir Watersheds, Proposed Land Acquisition, Przasnyski Parcel, February 2021, Prepared by: City of Northampton, Department of Public Works, Engineering Division” Watershed zones
14. 21.192 An Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt
15. 21.190 An Order Endorsing the Climate Resilience and Regeneration Plan

Record of City Council Votes for February 18, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
Roll Call by Laura Krutzler, Administrative Assistant to the City Council @ 7:20 p.m.		Present	Present	Present	Present	Present	Present	Present	Present	Present	9 present
Open Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street		Motion to open Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 8:0 with Quinlan recused; roll call
Close Public Hearing on 21.188 Application for License to Store Flammables and Combustibles at 138 North King Street		Motion to close Yes	Yes	Yes	Second Yes	Yes	Yes	Recused	Yes	Yes	Motion carried 8:0 with Quinlan recused; roll call
Approve License to Store Flammables and Combustibles at 138 North King Street		Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Recused	Yes	Yes	Motion carried 8:0 with Quinlan recused; roll call
Open 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road		Motion to open Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Close 20.173 National Grid Petition for Installation of Underground Conduit on Hockanum Road		Motion to close Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Approve Grant of Location for Installation of Underground Conduit on Hockanum Road		Motion to approve Yes	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.193 A Resolution Opposing Internet Data Caps and Committing to Achieving Just Internet Access and Affordability - 2nd reading	2nd reading	Motion to approve Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Approval of Consent Agenda		Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
RECESS FOR FINANCE COMMITTEE											
Approval of Minutes of January 21, 2021					Motion to approve Yes			Yes	Yes	Second Yes	Motion carried 4:0; roll call
21.194 An Order to Rescind Borrowing Authority - 3 Votes - 1st reading					Yes			Motion to positively recommend	Yes	Second Yes	Motion carried 4:0; roll call
21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 1st reading					Yes			Motion to positively recommend	Yes	Second Yes	Motion carried 4:0; roll call
21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 1st reading					Second Yes			Motion to positively recommend	Yes	Yes	Motion carried 4:0; roll call

Record of City Council Votes for February 18, 2021		Dwight	Foster	Jarrett	LaBarge	Maiore	Nash	Quinlan	Sciarra	Thorpe	Total
ADJOURN FINANCE					Yes			Motion to adjourn Yes	Yes	Second Yes	Motion carried 4:0; roll call
RESUME CITY COUNCIL MEETING											
21.194 An Order to Rescind Borrowing Authority - 3 Votes - 1st reading	1st reading	Yes	Yes	Yes	Motion to to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call
21.195 An Order to Appropriate Free Cash for COVID Expenses Potentially Ineligible for CARES Act Reimbursement - 1st reading	1st reading	Yes	Yes	Yes	Motion to to approve Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
21.196 An Order to Surplus 56 Vernon Street and Lease for Continued Use as Head Start Daycare and Early Education Facility - 1st reading	1st reading	Second Yes	Yes	Yes	Motion to to approve Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
21.191 An Order to Acquire Land on Nash Hill Road in Williamsburg for Water Supply Protection - 2nd reading	2nd reading	Yes	Yes	Yes	Motion to to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Motion carried 9:0; roll call
21.192 An Order to Appropriate Free Cash to City Clerk for Elections and DPW for Asphalt - 2nd reading	2nd reading	Yes	Yes	Yes	Motion to to approve Yes	Yes	Yes	Yes	Yes	Second Yes	Motion carried 9:0; roll call
21.190 An Order Endorsing the Climate Resilience and Regeneration Plan - 2nd reading	2nd reading	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call
Motion to Adjourn		Yes	Motion to adjourn Yes	Second Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion carried 9:0; roll call

At p.m., Councilor Foster moved to adjourn the meeting; Councilor Jarrett seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No