CITY COUNCIL AGENDA
WEDNESDAY, OCTOBER 6, 2021 at 6:00 p.m.
Remote meeting as allowed per Senate Bill 2475 through April 1, 2022

Topic: City Council
Time: Oct 6, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/89404563696?pwd=YVJoNDJERnRPTEpOYi9kV0tueGV2dz09

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1. **Roll Call.**

2. **Pledge of Allegiance.**

3. **Approval of Minutes:** Meeting of Sept. 22, 2021

4. **Public Speak Time.**

5. **Public Hearings (starting at 6:15 p.m):**

   a. **Supplemental Appropriations:**
      - $4,900.00 from Cannabis Stabilization for a Fire Dept. grant match to replace hose/ nozzles and purchase new hose rack.
      - $13,095.24 from Cannabis Stabilization to provide matching funds towards the purchase of a new ambulance.

   b. **Interdepartmental Transfer:**
      - $49,586.95 transfer to the PEG Access Receipts Reserved Account to be used for cable related expenses.

   c. **City Council Public Safety Committee’s Report on the Mayor’s Pledge to Reimagine Policing** (this report & proposed councilor amendments are included in the agenda packet)
6. **Communications from elected officials, boards and committees:**

7. **Correspondence, Announcements & President/Vice-President Communications:**

8. **Mayor Communications:**

9. **Reports of Standing Committees** *(Date referred to sub-committee & 90-day action deadline):*

   a. **Finance:**
      - Quarterly fiscal reports from the City Auditor (8-5-20)
      - Quarterly reports on COVID-19 grant funding and spending (4-7-21)
      - Request to change scope of CPA funded project at Old Town Hall (9-22-21) (12-21-21)

   **Interdepartmental Transfer:**
      - $49,586.95 transfer to the PEG Access Receipts Reserved Account (9-22-21) (12-21-21)

   **Supplemental Appropriations:**
      - $13,095.24 for grant match towards purchase of a new ambulance (9-22-21) (12-21-21)
      - $4,900.00 from Cannabis Stabilization for grant match – Fire Dept. hose/nozzle/rack (9-22-21) (12-21-21)

   **City Ordinance Amendments:**
      - Amend Chapter 7 to add the following positions to the Classification & Pay Plan:
         -- Community Social Worker at a Grade F (9-22-21) (12-21-21)
         -- Information Technology Director at a Grade H (9-22-21) (12-21-21)

      **Change pay grade of Public Health Nurse from Grade E to Grade F** (9-22-21) (12-21-21)

   b. **Public Safety:**
      * - Mayor’s Pledge to Reimagine Policing Report (4-7-21) (1-2-22) **Report included in agenda packet**
      - Request to review safety of the sidewalk on South Street @ Main St. intersection (7-7-21) (1-3-22)

      *Public hearings – Oct. 6, 2021

   c. **Appointments:**
      - New Mayoral appointments (4) (9-22-21) (12-21-21)

   d. **Ordinance:**
      - Discussion with EDIC about vacant storefront ordinance (9-1-21) (11-30-21)

      **City Ordinance amendments:**
      - Amendments to city ordinances, to Sec. 6-21- Prohibition of single use plastics (6-2-21) (11-29-21)
      - Juneteenth resolution & related amendments to city “holiday” ordinance (8-4-21) (11-2-21)

      **Zoning amendments:**
      - Affordable housing – in Smart Growth District & Planned Res. Developments (8-4-21) (11-2-21)

   e. **Property:**
f. **Rules & Govt. Relations:**
   - Resolution* re: De-criminalization of therapeutic psychedelic plants (6-2-21) *(10-30-21)*
     *Revised resolution included in agenda packet.*
   - Proposed amendment to council rules: Add Rule 20 - Remote Participation (6-2-21) *(10-30-21)*
   - Precinct redistricting due to 2020 Federal Census (9-22-21) *(12-21-21)*

**g. Ad Hoc Committees:**
   - Ranked Choice Voting Committee (established 2/5/2020; expires 2/5/2022)
   - Senior Tax Work-Off Committee (established 6/17/2020; expires 12/31/2021)
   - Ordinance Review Committee (established 12/16/2020) *Final report included in agenda packet*

10. **Old Business/Pending:**

11. **New Business:**
   a. **Supplemental Appropriation:**
      - $298,872.00 from Cannabis Stabilization to purchase a new ambulance ☒ ☐
      - $97,000.00 from Cannabis Stabilization to the City Planner’s budget ☒ ☐
   b. **Interdepartmental Transfer:**
      - $6,000.00 to supplement the Building Dept. budget ☒ ☐
   c. Warrant for the Nov. 2nd City Election - to be approved & signed ☒ ☐
   d. Request for electric utility easements relative to tower at 32 Payson Avenue ☒ ☐
   e. Request from Assessors re: annual tax classification hearing ☒ ☐
   f. New Mayoral appointment (1) ☒ ☐
CITY COUNCIL MEETING – SEPTEMBER 22, 2021
Meeting held remotely due to COVID 19 Pandemic Restrictions
6:00 p.m.

Members Present: President Margaret Conniff, Homar Gomez, Owen Zaret, Erica Flood, Lindsey Rothschild, Thomas Peake, Salem Derby and James Kwieckinski. Councilor Daniel Rist was absent.

Pledge of Allegiance.

Approval of Minutes: On motion made by Councilor Kwieckinski and seconded by Councilor Gomez it was unanimously voted (by roll call) to approve the minutes of the September 1, 2021 meeting.

Public Speak Time Summary:
- Julie Thomas from Pr. #1 said she had attended the Sept. 14th Public Safety meeting where they reviewed the final report on the Mayor’s pledge. She said her comments were disregarded and that she supports the Police Department. She said everyone needs to come together. She emphasized she is not supporting bad officers, but that she does support ours.

Communications:
- Councilor Gomez spoke about Hispanic Heritage Month, which is Sept. 15-Oct. 15th.
- Councilor Zaret spoke about:
  - Busing issues and a student who had been using a Valley Bike Share bike to get to school. Through “Bob the Bike Guy” and Gail Canon at EHS, they had been able to give the student a bike and helmet.
  - The “Source to Sea Cleanup” is continuing on Sept. 25th at Arcadia.
  - Notice of a potential update to the “Bottle Bill” that would increase the deposit return and include nip bottles.

On motion made by Councilor Gomez and seconded by Councilor Kwieckinski it was unanimously voted (by roll call) to open the public hearings.

PUBLIC HEARINGS – STARTING AT 6:15 p.m.

1. Interdepartmental Transfer – Library Budget Correction: Second reading by Councilor Gomez on the request to transfer funding to correct a rounding error in the library budget formula. Recommended 2 to 0 by the Finance Committee.

   Resident Eric Poulin spoke about how Easthampton had historically funded the library at a bare minimum. He said he didn’t think this reflects the priorities of the citizens and asked the city to try to do better in the future. Councilor Kwieckinski thanked Mr. Poulin for his comments and said he would “ponder heavily” on what he said.
On motion made by Councilor Gomez and seconded by Councilor Kwiecinski it was **UNANIMOUSLY VOTED** (by roll call) to transfer the sum of $1.00 from the Reserve Fund (#001.9510.5967) to Library (#001.6100.5200) to correct a rounding error in the Massachusetts Board of Library Commissioners (MBLC) calculations.

2. **Supplemental Appropriation – Main Street Capital Project:** Second reading by Councilor Gomez on the request to appropriate funds to supplement state Chapter 90 funding for the Main Street paving and drainage project. Recommended 2 to 0 by the Finance Committee. The work will pave Main Street from Park Street near the Library to South Street and replace catch basins. The total cost is $1,360,000.00, most to come from state Chapter 90 funding.

DPW Superintendent Greg Nuttleman said the project is more than just re-paving the street and includes funding for police details and construction oversight. The street pavement is expected to be milled the first week in October. The pavement will have a 20-25 year lifespan, he said. A rapid flashing beacon will also be added at the Main Street/Glendale Street intersection.

Resident Donovan Lee asked how much was being paid for police detail? He urged the city to look into using civilian flaggers. Councilor Derby said he thought this made sense.

On motion made by Councilor Gomez and seconded by Councilor Kwiecinski it was **UNANIMOUSLY VOTED** (by roll call) to appropriate the sum of $230,000.00 from Cannabis Stabilization (#087) to Main Street Capital Project (#055) to fund police details, construction oversight and survey, as well as the shortfall between the contracted amount and available Chapter 90 funding for the FY ’22 Main Street paving and drainage project.

3. **Reservation Road – Property Acquisition:** Second reading by Councilor Gomez on the two supplemental appropriations regarding the acquisition of five parcels of property along Reservation Road on Mt. Tom. The city has applied for Land Grant reimbursement, with the balance of the purchase price coming from CPA funds. The Finance Committee had voted 2 to 0 in favor of all motions related to the purchase. The CPA Committee had also voted unanimously in favor of the CPA supplemental appropriation.

City Planner Jeff Bagg announced the city had just learned it had been awarded the $245,412 Land Grant which is 68% of the project’s cost. The city would pay the remainder of the bill using CPA funding. He said this property it situated on the foothills of Mt. Tom and is important open space. It had been slated for development. Its acquisition is recommended in the city’s Open Space and Recreation Plan. Its purchase would also complement the nearby Mt. Tom North Trailhead Park and would preserve a natural habitat for rare species. There have also been concerns about development causing drainage and runoff issues. Mr. Bagg said that development is not prevented on this property.
Counselor Peake said this is extremely important to his constituents in Precinct #3. He said he was “delighted to hear we could do this”. And while he is in favor of increased affordable housing, he said there is a flip side to development in that it is not suitable in all areas.

Counselor Flood said she “absolutely saw the importance” of this acquisition, but emphasized the value of affordable housing in addition to green space. She urged citizens to “pivot their passion” to increasing affordable housing.

Counselor Kwiecinski said the “view amenity” of Mt. Tom is very special and the city needs to make its protection an important priority.

Several neighbors on Reservation Road and nearby spoke in favor of the acquisition:

- **Donald Carbaugh** – He had gathered 1,649 signatures in favor of this acquisition and preventing development of the lots.
- **Katie Carr** – She was also in support and said it would help formalize free pedestrian access to the mountain.
- **John Holbrook** – He strongly supports the acquisition. He said if the five lots were developed they would have a difficult emergency access, would increase impervious coverage and cause drainage issues.
- **Peter Steinberg** – He thanked his neighbors for their efforts. He said some map apps show that you can drive all the way up Reservation Road to the top, which is not the case. He said the road already has runoff issues and is difficult for emergency access. He thought it was vital to keep it undeveloped.

**Motion #1 - Supplemental Appropriation – Reservation Road land acquisition:**

On motion made by Councilor Gomez and seconded by Councilor Zaret it was UNANIMOUSLY VOTED (by roll call) to appropriate the sum of $245,412.00 from General Stabilization (#084) to FY ’22 LAND Grant Reservation Road (#026-1720-4680-6589-2022) for the acquisition of 5.5 acres for open space on Reservation Road, including closing costs and due diligence.

**Motion #2 - Supplemental Appropriation from CPA – Reservation Road land acquisition:**

On motion made by Councilor Gomez and seconded by Councilor Peake it was UNANIMOUSLY VOTED (by roll call) to appropriate the sum of $121,588.00 from the following:

- CPA Reserved for Open Space (#024.0024.3241) = $80,000.00
- CPA Reserve Fund (#024.2999.5966) = $41,588.00

To Reservation Road OS Acquisition (#024.2980.5400.2599) for the acquisition of five lots for open space protection; including closing costs and due diligence.
Motion #3 - Reservation Road Resolution: On motion made by Councilor Gomez and seconded by Councilor Kwiecinski it was UNANIMOUSLY VOTED (by roll call) to approve the following resolution”

“City Council Resolution

A RESOLUTION TO FILE FOR, ACCEPT, AND EXPEND A GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS, DIVISION OF CONSERVATION SERVICES’ LOCAL ACQUISITIONS FOR NATURAL DIVERSITY (LAND) GRANT PROGRAM TO ACQUIRE THE RESERVATION ROAD PROPERTY

Whereas: The Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EEA) Division of Conservation Services (DCS) is making funding available through the Local Acquisitions for Natural Diversity (LAND) Program;

Whereas: The LAND Program was established in 1961 to assist municipal conservation commissions in acquiring land for natural resources protection and passive outdoor recreation purposes;

Whereas: The permanent preservation of open space is a priority of the City of Easthampton (“City”); Whereas: The City of Easthampton has identified an assembly of five parcels consisting of approximately 5.52 ± acres of land described as assessors map 147, parcel 33.2, parcel 33.3, parcel 33.4, parcel 33.5 and parcel 33.6 (the “Reservation Road Property”), which it seeks to acquire for the purpose of providing publically accessible protected open space in Easthampton (the “Project”), in accordance with both the City’s Master Plan and Open Space and Recreation Plan;

Whereas: The City has negotiated a purchase price of Three Hundred Fifty Thousand and 00/100 dollars ($350,000.00) for the purchase of the Reservation Road Property;

Whereas: The City believes Three Hundred Fifty Thousand and 00/100 dollars ($350,000.00) represents the fair market value of the Reservation Road Property.

Whereas: The City has projected up Seventeen Thousand and 00/100 dollars ($17,000.00) in additional Project costs, of which Ten Thousand Nine Hundred and00/100 dollars ($10,900.00) are eligible for reimbursement under the LAND program.

Whereas: The City intends to submit an application to EEA for a LAND grant to fund or reimburse up to Two Hundred Forty Six Thousand Four Hundred Twelve and 00/100 dollars ($245,412.00), which represents sixty eight percent (68%) of eligible Project costs.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor is hereby authorized to take such acts or actions as are reasonably necessary to acquire the Reservation Road Property;

2. That the Mayor, is hereby authorized to borrow and/or appropriate from the Community Preservation Act Fund, annual revenues, or available funds as necessary, the sum of One Hundred Twenty One Thousand Five Hundred Eighty Eight and 00/100 dollars ($121,588.00) in accordance with MGL Chapter 44, Section 8C and/or Chapter 44B, Section 11, and/or any other enabling authority, for the purpose of acquiring the Reservation Road Property;

3. That the Mayor is hereby authorized and requested to file an application with EEA for a LAND grant to fund or reimburse up to sixty eight percent (68%) of eligible Project costs. 4. That the Mayor is hereby authorized to accept grant funds and execute contracts, and any amendment thereto, and to take such other actions as are necessary in order to carry out the terms, purposes, and conditions of EEA DCS LAND Grant Program;
and 5. That the Conservation Commission with the Mayor’s prior approval be authorized to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction on the Property to the Kestrel Land Trust or any other organization qualified and willing to hold such a restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended.”

**Motion #4 - Reservation Road – Authorize Mayor to Purchase:** On motion made by Councilor Gomez and seconded by Councilor Zaret it was **UNANIMOUSLY VOTED** (by roll call) that the City Council authorize the Mayor to enter into an option to purchase certain real property located at the end of Reservation Road (Assessors Map 147, parcel 33.2, parcel 33.3, parcel 33.4, parcel 33.5 and parcel 33.6) with Suzanne Scallion and Rosemary LePage Scallion pursuant to the terms and conditions of a document entitled “Option to Purchase Agreement” signed by the owners on July 14, 2021 attached hereto and incorporated herein.

On motion made by Councilor Flood and seconded by Councilor Kwiecinski it was unanimously voted to close the public hearings.

**Mayor Communications:** Mayor LaChapelle spoke about the following:
- City Auditor Hetal Patel recently passed the State Auditor exam; only 13 passed the test this year.
- There will be COVID-19 pre-testing at the Farmer’s Market on Sunday.
- She promoted the “Notify Me” feature on the city’s website.
- She outlined the ARPA (America Rescue Plan Act) funding which the city is slated to receive. A consultant has been hired to prioritize projects, track expenditures, etc. One item highlighted for funding is a broadband feasibility study. By completing the study, the broadband project may be “shovel ready” for funding in 2025.
- Mayor LaChapelle acknowledged there is a busing/transportation shortage; there are not enough vehicles or drivers. Efforts to address the issue are ongoing.

Councilor Kwiecinski thanked Mayor LaChapelle for the information; in particular the updates on ARPA and the broadband feasibility study.

**Reports of Standing Committees:**

**FINANCE:** Councilor Gomez announced the Finance Committee would meet next on Sept. 29th at 5 p.m.

First reading by Councilor Gomez on the following Interdepartmental Transfer and Supplemental Appropriation requests:
- **Interdepartmental Transfer:**
  - $49,586.95 transfer to the PEG Access Account for cable related purposes
- **Supplemental Appropriations:**
  - -$4,900.00 for a grant match to purchase new hose/nozzles/rack in the Fire Department
  - $13,095.24 grant match for the purchase of a new ambulance
On motion made by Councilor Gomez and seconded by Councilor Flood it was unanimously voted (by roll call) to refer the following to the Finance Committee:

- The interdepartmental transfer and two supplemental appropriations
- A request from City Space to change the scope of a CPA funded project at the old Town Hall.

On motion made by Councilor Gomez and seconded by Councilor Zaret it was unanimously voted (by roll call) to schedule public hearings for October 6th on the interdepartmental transfer and supplemental appropriations.

On motion made by Councilor Gomez and seconded by Councilor Derby it was unanimously voted (by roll call) to refer to the Finance Committee the following requests to amend the City Ordinances, Chapter 7 (Classification and Pay Plan):

- **By adding the following positions to the Classification & Pay Plan:**
  -- Community Social Worker at a Grade F
  -- Information Technology Director at a Grade H

- **Change pay grade of Public Health Nurse from Grade E to Grade F**

**PUBLIC SAFETY:** On motion made by Councilor Gomez and seconded by Councilor Derby it was unanimously voted (by roll call) to extend the following agenda items by 90 days:

- Mayor’s Pledge to Reimagine Policing Report
- Request to review safety of the sidewalk on South Street @ Main St. intersection

Councilor Gomez said the committee had spoken with the City Planner and DPW Superintendent about the sidewalk at South/Main Street. There may be money to do a survey of this intersection; the committee will wait to see how that turns out.

Councilor Gomez said the committee’s report on the Mayor’s Pledge to Reimagine Policing is finished and he will send it out after the meeting. He said that “both groups” have been attending meetings and he says he is “in the middle”.

The Public Safety Committee will meet next on October 19th at 7 p.m.

**APPOINTMENTS:** Councilor Rothschild reported the Appointments Committee had met and reviewed the pending Mayoral appointments.

On motion made by Councilor Rothschild and seconded by Councilor Kwiecinski it was unanimously voted (by roll call) to confirm the following Mayoral appointments:
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<tr>
<td>Steven Lytwyn</td>
<td>Board of Public Works</td>
<td>Dec. 31, 2021</td>
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<td>Caitlin Trites</td>
<td>Manhan Rail Trail Committee</td>
<td>Dec. 31, 2022</td>
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On motion made by Councilor Rothschild and seconded by Councilor Kwiecinski, it was unanimously voted (by roll call) to refer four Mayoral appointments to the Appointments Committee.

Councilor Rothschild said the Appointments Committee will begin meeting on a regular schedule of the 2nd Wednesday of the month at 4 p.m. The next meeting will be on October 13th at 4 p.m.

**ORDINANCE:** Councilor Derby reported the Ordinance Committee would meet next on Sept. 28th at 6:30 p.m. They will meet with the EDIC at 6:30. At 7:00 p.m. they will discuss the plastic straw concerns with Commission on Disability.

**PROPERTY:** No report.

**RULES:** Councilor Peake reported the Rules Committee had met on Monday to discuss the two pending resolutions. They had voted 2 to 0 to recommend both. He said they will present the Climate Emergency Resolution tonight.

The following “Climate Emergency Resolution” was read by Councilor Derby:

**“EASTHAMPTON CITY COUNCIL**

**RESOLUTION DECLARING A CLIMATE EMERGENCY**

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

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

WHEREAS, national security experts agree that climate emergency is a threat multiplier contributing to the Earth’s 6th mass extinction of species; and the present level of global warming has triggered catastrophic changes to the Earth’s system, including increased wildfires, heat waves, droughts, flash floods, rising seas, and extreme weather; and continued global warming would further intensify the melting of the glaciers, polar ice sheet collapse, accelerating sea level rise, superstorms, hurricanes, mosquito-borne diseases, water and food shortages, and civil unrest; and

WHEREAS, Easthampton has an engaged City government and has undertaken a number of important steps on climate and the environment, (such as the Easthampton closed landfill solar project and green community designation), such that the City is well placed to implement the critical transition away from fossil fuels and to advance a robust, carbon-free, equitable economy and the improved health and quality of life that will result; and
WHEREAS, on April 22, 2016, world leaders from 175 countries recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep warming “well below 2°C above pre-industrial levels” and to “pursue efforts to limit the temperature increase to 1.5°C”; and

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

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

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

WHEREAS, building a society that is resilient to the current, expected, and scientifically predicted effects of Climate Change will protect health, lives, ecosystems, and economies, and such resilience efforts will have the greatest positive impact if the most dramatic potential consequences of Climate Change are taken into account; and

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

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

NOW, THEREFORE BE IT RESOLVED, the City of Easthampton declares that a Climate & Ecological Emergency threatens our city, state, region, nation, civilization, humanity, and the natural world;

BE IT FURTHER RESOLVED that the City Council of Easthampton affirms that human activity caused the climate crisis and that over use of fossil fuels and the lack of understanding of the other fundamental causes of climate change are the primary cause;

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

BE IT FURTHER RESOLVED that the members of the Easthampton City Council call on City government and staff and all Easthampton civic groups, businesses, and residents to commit to a climate mobilization effort to bring net City-wide attention to all the efforts needed to reach a sustainable course for the City of Easthampton, including reaching net zero emissions, protecting natural habitat and open space, minimizing the waste stream, moving away from fossil fuels and the impact of diet and food choices on the climate.

BE IT FURTHER RESOLVED, in furtherance of this resolution, the clerk of the Easthampton City Council send a copy of this resolution to State Representative Dan Carey, State Senator John Velis and Congressman Richard Neal and request that all possible support and assistance in effectuating this resolution be provided.”

Councilor Zaret thanked Councilor Derby for his work on this resolution. He also said he hoped this resolution wasn’t just a “ceremonial reading”.

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On motion made by Councilor Peake and seconded by Councilor Zaret it was **UNANIMOUSLY VOTED** (by roll call) to approve a *Climate Emergency Resolution* as read by Councilor Derby.

On motion made by Councilor Peake and seconded by Councilor Gomez it was unanimously voted (by roll call) to refer the precinct redistricting due to the 2020 Federal Census to the Rules and Govt. Relations Committee.

**Ad Hoc Committees:**

**Ranked Choice Voting:** Councilor Peake said the committee is finalizing an informational mailer and working on other educational materials. Also, the committee is getting input from Council on Aging and High School representatives. Councilor Gomez asked if the materials could be made available in Spanish? Councilor Gomez also suggested reaching out to Easthampton Media.

**Senior Tax Work-Off Committee:** No report.

**Ordinance Review Committee:** Councilor Rothschild said the Ordinance Review Committee will meet next on Sept. 28th for a final meeting. They are finishing up the draft of their final report.

**Conflict of Interest disclosure:** CPA Member Jessica Allan has recently taken a position with the Valley CDC, which has worked with the city on Affordable Housing applications before the CPA Committee. She had filed a “Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. C. 268a, Sec. 20 (d)” with the council.

There was some confusion as to why the council was being asked to approve this, but on motion made by Councilor Peake and seconded by Councilor Gomez it was **VOTED** to approve the conflict of interest disclosure for CPA Committee member Jessica Allan. *Councilor Flood abstained from voting on this motion.*

On motion made by Councilor Gomez and seconded by Councilor Zaret it was unanimously voted (by roll call) that this meeting **ADJOURN**.

**TIME:** 7:47 p.m.

Respectfully Submitted,

Barbara L. LaBombard, Clerk to the City Council
Proposed Action based on the:

Mayor's Pledge to Reimagine Policing Work Group Recommendations

Submitted by the Public Safety Committee of the Easthampton City Council
Councilor Homar Gomez, Chair
Councilor Salem Derby
Councilor Lindsey Rothschild
9/16/2021

Introduction

As members of the Public Safety Committee of the Easthampton City Council, we were charged to review the Mayor's Pledge Work Group Recommendations and hear testimony from the public and those who were involved with its creation.

The Mayor's Pledge, created by My Brother's Keeper under the Obama Foundation, was signed by Mayor Nicole LaChapelle on June 3, 2020. [The Reimagining Policing Pledge](https://www.mybrotherskeeper.org/reimagining-policing-pledge) is a call for mayors and local officials to review and reform use of force policies, redefine public safety, and combat systemic racism within law enforcement.

Systemic racism is not unique to police departments. We are still living in the aftermath of the evils of slavery and segregation where public policies, institutional practices, cultural representations, and other norms work in various, often reinforcing ways to perpetuate racial group inequity. Systemic racism is not something that a few people or institutions necessarily choose to practice; rather it has been a feature of the social, economic and political systems in which we all exist. The first step to dismantling racism is to acknowledge that it exists.

We are grateful to all our community members who came forward to give public testimony. It is clear the members of the public feel divided on the topic of policing. This is no surprise as the national landscape that spurred this report is highly charged and volatile and rightly so. At extreme ends were the assumptions that all police are bad and that any change in
policy or scrutiny of the Easthampton Police Department is an attack on the police. It also became clear that there is not enough data and sharing of data to have substantive conversations around areas of bias, police oversight or policy changes.

Many members of the public, the police and those involved in the conversations expressed that if we really want to do and be better, we need to be collaborative. We need to begin to understand our neighbors' perspectives as we move forward as a community to actually solve the issues that we face in Easthampton.

The City of Easthampton has the opportunity to be proactive in working with our Police Department to create more transparency around data, practices and oversight in an effort to build trust with the community and work toward eliminating bias.

As members of the Public Safety Committee, we are in an advisory role and can affirm and recommend actions or policies. In that capacity, we would like to highlight the recommendations that we feel are most relevant and impactful as well as recommend action steps.

**Recommendation 02. Engage in robust data collection, analysis, and regular reporting (#1 PRIORITY)**

With good data collection we can track trends and patterns that can inform the approach that we need to take for all other recommendations. Open data and transparency also leads to increased trust with the community.

**Recommended Action Steps:**

- EPD join the [Police Foundation's Police Data Initiative](https://www.policefoundation.org)
- Pursue a partnership with Westfield State University's Criminal Justice Department to ensure regular data reporting and analysis
  - See attached letter of intent from Dr. Lisa Barao
- EPD report quarterly to the Public Safety Committee and via the website
  - Reporting to include: training received, use of force incidents, whether any cases have been referred to a restorative justice program
  - Data on complaints, which must contain information on ethnicity, race, gender and the reason for the interest
**Recommendation 01. Invest in community-led non-police responses to health & safety concerns**

Taking steps to make sure the EPD has support from professionals that are not armed to de-escalate situations is critical when it comes to mental health, drug addiction and domestic violence related incidents.

**Recommended Action Steps:**

- Conduct a community assessment of needs and resources (via Westfield State partnership)
- Engage the Board of Health and other community partners in creating response alternatives
- Initiate one or more of the following:
  - Formalized partnerships with Community and Support Options
  - Build capacity of community led peer support initiatives
  - Civilian Mental Health Professional position with EPD

**Recommendation 03. Strengthen oversight**

The state bill S.2963, 'An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth' will increase that oversight and accountability. Our city must increase our oversight to be able to coordinate with the new state law. To instill trust to those with grievances and ensure impartial justice, we recommend that the city establish an independent body to receive and investigate complaints.

**Recommended Action Steps: (One of the following)**

- Create an independent review committee that receives and investigates complaints
- Identify an alternate city department that receives and investigates complaints
- Hire an independent civilian investigator who has experience working in police departments. (The committee recommends that the City reach out to surrounding communities to see if this is a position that could be shared across municipalities to make it more economically feasible.)
Recommendation 04. Engage in intentional, regular, communication and collaboration with the community to understand and co-define safety needs and develop responses.

A community engaged process for identifying data needs and analyzing results will create opportunities for meaningful interaction and dialogue between community members and the EPD.

**Recommended Action Step:**

- Create an open data team comprised of community residents, police administrators and city council members to work together with the Westfield State Criminal Justice Department to identify areas of research, co-define safety needs and develop responses.

Recommendation 05. Examine police culture and training.

Real and perceived ideas of police culture impact trust with the community. As with any profession, it is critical to have quality and robust training opportunities and experiences to grow and deepen understanding.

In the wake of the events of last year, we have learned of police from across the country associated with white supremacist groups and of those who participated in the attack on the US Capitol on January 6th. Community members want assurance that members of our Department are not active in these groups or activities.

**Recommended Action Steps:**

- Work with and invite members of impacted communities to design police training curriculum (and report out on these trainings at quarterly Public Safety Committee presentations)
- Adopt a policy prohibiting any officers or recruits found to have been associated with white supremacist or other hate groups from remaining or being hired by the EPD
- Prioritize hiring people who are currently underrepresented in the Department
Recommendation 06. Educate and inform the Easthampton community about the revised use of force policy

- Develop an accessible one-page summary of changes to the use of force policy and distribute widely to the community and post prominently on the website
- Embrace the frameworks and approach to use of force analysis outlined in the Police Executive Research Forum's *What Police Chiefs and Sheriffs Need to Know about Collecting and Analyzing Use-of-Force Data*
August 5, 2021

Lindsey Rothschild  
Council Member At-Large  
50 Payson Avenue  
Easthampton, MA 01027

Councilor Rothschild,

Myself and Westfield State University would be pleased to partner with the City of Easthampton and the Easthampton Police Department (EPD) to expand data collection, analysis, and reporting efforts. We believe that this work is crucial to increase transparency, data accessibility, and build police-community trust. Openness in data can also foster community engagement and shed light on opportunities for improvement and advancement.

In this partnership, we will assist the City of Easthampton and the EPD in soliciting community input regarding research questions and metrics of special interest. We will also aid the EPD in building capacity to collect, analyze, and publish data to ensure that it is openly available to the public. We plan to offer long-term support in these data collection tasks and we will help make information about internal and external police operations easily accessible via online dashboards and clear, comprehensive annual reports.

We view this partnership as a valuable way to support and strengthen our local communities in Western Massachusetts. This collaborative relationship will also provide our undergraduate and graduate students with opportunities to assist data collection and analysis, and it will underscore for them the value of police transparency and community engagement. We very much look forward to and value the opportunity to work with your City on this important initiative.

Sincerely,

Lisa Barao, Ph.D.  
Assistant Professor  
Department of Criminal Justice  
Westfield State University  
LBarao@westfield.ma.edu
EASTHAMPTON POLICE DEPARTMENT
Preliminary Police Data Inventory

Calls for Service
- Location
- Demographics of reporting parties and subjects, if accessible
- Detailed breakdown of nature of calls

Stops
- Location
- Demographics of subjects
- Nature of stop

Citations
- Location
- Demographics of subjects
- Reason for citation

Arrests
- Location
- Demographics of subjects
- Reason for arrest

Use of Force
- Types of force
- Demographics of force subjects
- Description of force encounters

*Examine overlap and conduct multivariate analysis for all of the above

Operational Activities
- Activity as a percentage of officer time on shift, if accessible

Recruitment and Staffing
- For both applicants and incumbent officers:
  - Residence
  - Demographics
  - Education, if accessible
- Department-wide proportional analysis of gender and race/ethnicity by rank

Assaults on Officers
- Number and type of officer injuries
- Nature of incidents resulting in injury

Complaints
- Number of citizen complaints received
- Complaint disposition

**Restorative Justice Program**
- RJP referrals: Number and types of cases
- RJP engagement: Number and types of cases
- Disposition and outcomes

**Community Service Activities**
- Log of community service and engagement activities by community service and liaison positions

**Police Training**
- Descriptions of training administered and attended
- Number of officers attending listed training

**City Investments**
- Budgeted funds for activities and services related to public safety but not a direct responsibility of the police (e.g., jobs programs, mental health and addiction services)
- Budgeted funds law enforcement with detailed breakdown of allocations
- Long terms trends in law enforcement funding
Members of the council,

Thank you to the hard work over the last few months on the part of the Public Safety Committee and community to develop the Mayor’s pledge recommendations. I would like to recommend the following amendments for consideration:

Add to recommendation 4 (Engage in intentional, regular, communication and collaboration with the community to understand and co-define safety needs and develop responses.)

1. “Continue to engage in and offer regular community events to facilitate and normalize the relationship between the police department and residents. This can include seminars on law enforcement issues such as diversity in policing, understanding policy, etc. The department should organize regular events that provide opportunities for residents to meet with and connect with the members of the police department for the purpose of reducing barriers to communication and facilitating dialogue.”

2. “The department should consider offering a citizens police academy for the purpose of better connecting residents with the policies and procedures of local law enforcement.”

Thank you for your consideration,

Owen Zaret
Councilor At-Large
Members of the City Council,

Attached is the version of the resolution to decriminalize entheogenic plants as approved by the Rules and Governmental Relations committee 2-0. I appreciate the engaged discussion around a very novel topic. Many thanks to the members of the committee, stakeholders, residents, and members of Bay Staters for Natural Medicine who participated in the committee discussion.

This topic comes with a significant amount of unraveling a historical narrative. I understand that for many it requires a shift in mindset. Based on the historical stigma that exists around this subject, I request that councilors with any questions or needing any clarification reach out to me prior to the meeting.

I am making two recommendations for amendments.

1) Amend the title to read “A Resolution Protecting Adult Access to Plant Medicines & Prioritizing Public Health Responses to Controlled Substance Possession”

2) Amend the paragraph the begins “BE IT FURTHER RESOLVED that the Easthampton City Council supports state and local legislation to study the therapeutic properties of entheogenic plants” to add “under the direction of a medical knowledgeable, trained, and experienced provider, or via self-administration under the appropriate guidance and education; and,”

Thank you for your time and consideration,

Owen Zaret
Councilor At-Large
In the City Council, June 2, 2021

Upon the Recommendation of: Councilor Salem Derby
Councilor Thomas Peake
Councilor Owen Zaret

A RESOLUTION DECRIMINALIZING CONTROLLED SUBSTANCE POSSESSION AS WELL AS CULTIVATION AND DISTRIBUTION OF PSYCHEDELIC PLANTS

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

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

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

WHEREAS: the so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and people of limited financial means, rather than prioritizing harm-reduction policies to treat drug abuse as an issue of public health; and

4 The association of psychedelic use and opioid use disorders among illicit users in the U.S. Journal of Psychopharmacology.
WHEREAS: that American cities have long possessed an inferred constitutional right to regulate commerce and public safety within their jurisdictions, a principle acknowledged by the U.S. Department of Justice Cole Memorandum that permitted states and localities to deprioritize law enforcement of cannabis charges; and

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

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

WHEREAS: Indigenous people have used these plants for thousands of years in spiritual and health rituals, demonstrating their efficacy as well as a critical need to preserve the ability of native peoples to access Lophophora—Southwestern cacti in the that are extremely slow-growing and endangered by animal farming, natural gas development, and non-native poaching;

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

BE IT FURTHER RESOLVED that the City Council hereby believes that it should be policy of the City of Easthampton that the arrest of persons for using or possessing controlled substances for personal adult therapeutic, excepting Lophophora and animal-derived controlled substances, shall be amongst the lowest law enforcement priority for the City of Easthampton; and,

BE IT FURTHER RESOLVED that the City Council hereby recommends it should be the policy of the City of Easthampton that the investigation and arrest of persons for planting, cultivating, purchasing, transporting, distribution by caregivers, engaging in practices with, and/or possessing entheogenic plants, for the purpose of therapeutic purposes, listed in Classes A-E of Chapter 94C § 31 of Massachusetts law or Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall be amongst the lowest law enforcement priority for the City of Easthampton; and,
BE IT FURTHER RESOLVED that this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, cultivation for large scale distribution, possessing or distributing these materials on school grounds, use or distribution of these plants to individuals under 21 years of age, driving under the influence of these materials, or public disturbance; and,

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

BE IT FURTHER RESOLVED that the Easthampton City Council supports state and local legislation to study the therapeutic properties of entheogenic plants, descheduling of these plants from the list of controlled substances for the purpose of separate regulation, and decriminalizing possession and use for therapeutic purposes; and,

BE IT FURTHER RESOLVED that the Easthampton City Council recommends appropriate community and youth education aimed at avoiding youth use as well as teaching the risks and benefits of adult therapeutic use of pharmaceutical and botanical therapeutic substances, and distinguishing and educating about the risks of illicit substance use. The City should also engage in appropriate data collection, health impact assessments, and gathering of scientific information to better inform the community and youth of the properties, risks, and benefits of these substances. Residents should also be educated on safe practices of storing medications and other ingestible substances in the home, and the City should pursue a lock box program for storage of therapeutic substances in the home.

BE IT FURTHER RESOLVED that the City Council calls upon the Hampshire County District Attorney to cease prosecution of persons involved in the use, possession, or therapeutic distribution of entheogenic plants for adult personal therapeutic use and therapeutic purposes and the use or possession without the intent to distribute of any controlled substance excepting Lophophora and animal-derived controlled substances; and,

BE IT FURTHER RESOLVED that the City Council expresses support for HD 3439 An Act Relative to Harm Reduction and Racial Justice, which would replace criminal penalties for controlled substance possession with the choice of a $50 civil fine or a health and wellness screening to refer the person with economic and health services; and,
BE IT FURTHER RESOLVED that the City Council expresses support for HD 3829 An Act. Establishing Task Force to Study Equitable Access to Entheogenic Plants, which will convene 21 experts in science, drug policy, economic and racial justice, and state government to recommend legislation to legalize entheogenic plants as well as expunge records and create equity initiatives for victims of the entire war on drugs. This task force requires the study to be done through the lens of racial justice, sustainability, and consideration for BIPOC, veterans, and people with disabilities; and,

BE IT FURTHER RESOLVED that the Clerk of the City Council shall send a copy of this Resolution to Representative Daniel Carey and Senator John Velis, Governor Charles Baker, Attorney General Maura Healey, Hampshire County District Attorney David E. Sullivan, Easthampton Police Chief Robert Alberti, Secretary of Veterans’ Services Cheryl Lussier Poppe, and the Board of Registration of Allied Mental Health and Human Services Professions.

Approved this day of 2021.

______________________________________________________________________________________________

______________________________________________________________________________________________

______________________________________________________________________________________________

______________________________________________________________________________________________

CITY COUNCIL
EASTHAMPTON, MASSACHUSETTS
September 15, 2021

To the Members of the Easthampton City Council,

In the fall of 2020, the Easthampton City Council voted to establish an Ordinance Review Committee in accordance with Section 8-6(b) of the Home Rule Charter. The purpose of the committee, as outlined in the Charter, was to determine “if any amendments or revisions may be necessary or desirable”. Additionally, the committee was charged with reviewing the existing ordinances for bias and discrimination. This was in direct response to the increased level of community concern around issues of social justice and systemic bias.

Our committee first convened in January 2021 and have steadily moved through each chapter of the ordinances. Easthampton Police Officer Mitch Cichy attended several of our meetings to answer questions as they arose. As part of our process, we solicited input from department heads as well as committee and board chairs to provide feedback on relevant ordinances.

As our charge was to review the Easthampton City ordinances for evidence of bias and discrimination, it would be a major oversight if we did not address Easthampton’s zoning ordinances.

Zoning has a direct impact on neighborhood disparities, housing costs and economic mobility. Land use laws determine where we can find housing, schools, parks and services - and who has access to them. Zoning can limit the housing supply (for both home ownership and rentals) and increase the cost of entry to our community.

We are mindful that the City of Easthampton Housing Production Plan 2021-2026 was recently completed and unanimously approved by the Easthampton City Council and the Easthampton Planning Board. We endorse this plan, which was a collaborative effort between the City Planning Department, Affordable and Fair Housing Partnership and Economic Development and Industrial Commission and urge the City Council to take action toward the identified goals.
We ask that you use zoning to encourage inclusion, create opportunity, protect open spaces and connect people to resources.

We additionally recommend that you convene a Zoning Ordinance Review Committee to review the existing ordinances for areas where they may lead to inequity and discrimination in housing.

Our committee is pleased to attach the following Ordinance Review Final Report as a result of our efforts.

Sincerely,

Lindsey Rothschild
Ordinance Review Committee, Chair
City Councilor at-large
Submitted by Committee Members:

Homar Gomez, City Councilor
Thomas Peak, City Councilor
Lindsey Rothschild, City Councilor - Chair
Sam Charron, Precinct 5 resident
Kae Collins, Precinct 4 resident
Nataly Gomez, Precinct 2 resident
Helen Korczak, Precinct 3 resident

Global recommendations:

Proposed Action: Review and revision by the Ordinance Committee

Throughout the document, the Committee recommends a shift towards gender-neutral language.

The language in Secs. 4-3. Wage Theft Ordinance11, Section 4-3.1 Definitions, d) Veterans states specifically that for a person to qualify as a veteran, that person must have been honorably discharged from the military. Between World War II and 2018, it’s estimated that more than 100,000 gay members of the US Military were discharged with dishonorable or less-than-honorable status due to sexual orientation (Justia LGBTQ Legal Resource Center justia.com). Between the years of 1993 when the “Don’t Ask Don’t Tell” law went into effect, and September 2011 when the statute was fully repealed, an estimated 13,000 service members received dishonorable or less than honorable discharges. Once “Don’t Ask Don’t Tell” was repealed during President Obama’s second administration, rather than automatically reversing those discharges, veterans were required to apply for a reversal and subsequent eligibility for veterans’ benefits including medical care, pensions, and the GI Bill which provides funds for education. The ban on transgender service members serving openly was reinstated in 2019 and removed by President Biden by executive order at the start of his term in 2021. As of July 2018, only 500 service members had gone through the appeals process, requiring veterans to hire lawyers, and 80% of those discharges were corrected. Legislation to automatically reverse those discharges has been proposed but not yet passed.

The Committee recommends that the City explore the legal viability of broadening the State definition to include Veterans whose dishonorable or less than honorable discharge status was a result of their sexuality, gender, or gender expression.

The Committee believes that the City should examine ordinances which are infrequently enforced. There is a concern that such ordinances could be enforced in an unfair manner. If the City regularly chooses not to enforce an ordinance, then either removing or more precisely defining that ordinance could be beneficial.

Many fines and fees, especially those passed decades ago, are very low, having not kept up with inflation. The Committee recommends a global review of these fines and fees.
### Proposed Action: Refer to the Ordinance Committee for review and revision

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 1-4</td>
<td>Strike “authorizes any act from being performed”; replace with “prohibits any act”.</td>
</tr>
<tr>
<td>Sec. 1-7</td>
<td>Language be updated to note that the City Ordinances are available online. The Committee also recommends that the City not charge for a copy of the City Ordinances if a resident does not have internet access.</td>
</tr>
<tr>
<td>Chapter 2, Article 3</td>
<td>There are several boards and committees which require their members to be registered voters. There are a number of reasons why an individual might not be able to register to vote, including citizenship/immigration status, and some of those people may be valuable contributors to a board or committee. The Committee recommends that “registered voter” be changed to “resident”.</td>
</tr>
<tr>
<td>Sec. 2-51</td>
<td>No term length is given for members of the Council on Aging. This is out of sync with city policy, which has been to treat those as three-year appointments. The Committee recommends formally establishing a term length of three years for members of the Council on Aging.</td>
</tr>
<tr>
<td>Sec. 2-83</td>
<td>The committee recommends that the City strike the words “if appropriate” from the second paragraph, therefore always requiring a public hearing.</td>
</tr>
<tr>
<td>Chapter 5</td>
<td>The Committee found much of Chapter 5 to be outdated. It is unclear what activity this section seeks to enforce or how reliably it is enforced, outside of Article 3. Garage Sales. In speaking with City Clerk Barbara LaBombard, the Committee came to the conclusion that the City’s current garage sale ordinance imposes an administrative burden on the clerk’s office which is not necessarily covered by the small fees. The Committee recommends that the Council eliminate or rework most of this section. The Police Department also described Sections 5-1, 5-3, and all of Section 5, Article II as obsolete.</td>
</tr>
<tr>
<td>Sec. 6-1</td>
<td>The Police Department noted that the language as it currently stands is not sufficiently detailed and sometimes does not stand up in court. This should be reviewed and updated. (This is under purview of the Building Dept.)</td>
</tr>
<tr>
<td>Sec. 6-5</td>
<td>Eliminate this ordinance. Outdated. (Keeping Swine)</td>
</tr>
<tr>
<td>Sec. 6-6</td>
<td>Outdated. Eliminate or revise. (Sale of certain non-intoxicating beverages)</td>
</tr>
<tr>
<td>Sec. 6-7</td>
<td>The Police Department noted that State Law covers Section 6-7: Swimming in the Nude. Potentially - eliminate from city ordinances.</td>
</tr>
<tr>
<td>Sec. 6-21</td>
<td>There are accessibility concerns when it comes to the use of plastic straws. A member of the Commission on Disability gave the opinion that the harm that requiring a person with a disability to have to ask for a plastic straw is not worth the benefit of restricting plastic straws. See attached letter from a Member of the Commission on Disability.</td>
</tr>
<tr>
<td>Sec. 7-15</td>
<td>This needs updating. Griffenhagen and Associates are no longer providing reports. The Collins Center Report is now being used.</td>
</tr>
<tr>
<td>Sec. 7-16</td>
<td>Updating needed.</td>
</tr>
<tr>
<td>Section</td>
<td>Notes</td>
</tr>
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<tr>
<td>Sec. 8-1</td>
<td>(a) This paragraph is written as one sentence and is difficult to decipher. Revise text to be easier to comprehend and update.</td>
</tr>
<tr>
<td>Sec. 8-21</td>
<td>Needs updating. “Injure the feet of horses”</td>
</tr>
<tr>
<td>Sec. 8-23</td>
<td>Needs updating. “Play any game of ball, football, quoits…”</td>
</tr>
<tr>
<td>Sec. 8-35</td>
<td>Needs updating. “Any coal, trunk, bale…”</td>
</tr>
<tr>
<td>Sec. 8-61</td>
<td>Needs updating. “Lighted lanterns”</td>
</tr>
<tr>
<td>Sec. 8-62</td>
<td>Needs updating. “Coal hole”</td>
</tr>
<tr>
<td>Chapter 8 Article V.</td>
<td>This section on signs should be reviewed for accuracy with current practices. The Board of Public of Works reported not having any issues of this kind come before them in recent history. Do these fall under the Board of Public Works, Zoning or the Building Inspector? This should be reviewed and clarified.</td>
</tr>
<tr>
<td>Sec. 8-76</td>
<td>The ordinance only relates to non-profit organizations (churches, civic organizations or for community drives or celebrations) “In regard to the issuance of such permits and the location, and character of the matter displayed the discretion of the Board of Public Works shall be final.” This absolute discretion resting with the Board of Public Works feels problematic. Please review. Why is this here? Should this be part of the zoning ordinance, Section X?</td>
</tr>
<tr>
<td>Chapter 11</td>
<td>The Animal Control ordinances need to be updated to match current practices.</td>
</tr>
<tr>
<td>Ordinance</td>
<td>Recommendation</td>
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<tr>
<td>Sec. 3-76</td>
<td>The City should formalize its current practices around helmet enforcement for youth on bicycles, which prioritizes education and connection to helpful resources over fines and potential impoundment.</td>
</tr>
<tr>
<td>Sec. 6-8</td>
<td>The Committee expressed concern around enforcement. The Police Department also stated that the current ordinance is outdated. The Committee recommends striking this ordinance.</td>
</tr>
<tr>
<td>Sec. 6-9</td>
<td>The Police Department noted that Section 6-9 is also outdated, and that the matter is now covered by legislation surrounding hunting licenses.</td>
</tr>
<tr>
<td>Sec. 6-15</td>
<td>The Police Department noted that the list of ordinances subject to non-criminal disposition is not an exhaustive list and should be updated. They also noted that the city fine for violating the handicapped parking ordinance is $50, as opposed to a $500 state fee.</td>
</tr>
<tr>
<td>Sec. 8-4 &amp; 8-5</td>
<td>Concern that these could be enforced with bias. These two are also redundant and could be combined. Review and revise.</td>
</tr>
<tr>
<td>Chapter 8,</td>
<td>This section greatly impacts those in our community with disabilities and those with limited access to transportation. See attached letter from the Commission on Disability. Needs revision to be more inclusive.</td>
</tr>
<tr>
<td>Article III</td>
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<tr>
<td>Division 2</td>
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</table>
Dear Lindsey

Thank you for approaching the commission for our opinion on the plastic straw ordinance. As I mentioned in our June meeting, there are many elements of a ban that are problematic from a disability rights perspective. Many prominent disability rights organizations have done a great job of articulating these pitfalls, and I'd urge you to inform your decisions with these perspectives as well. This said, I'll try my best in this letter to do them justice.

For many in the disabled community, straws are an essential part of daily life. Disabilities involving muscle spasticity, inability to hold a cup, difficulty regulating fluid intake and swallowing, and difficulty bending towards a cup are some of the many reasons that straws are vital to fluid intake.

While the movement to curtail plastic straw usage is certainly well intentioned from an environmental standpoint, we feel that the restrictions and bans being adopted by many municipalities are discriminatory in that they place an undue burden on people with disabilities.

Unfortunately, current alternatives to readily available plastic straws each pose challenges in terms of accessibility or practicality. Biodegradable straws tend to get soggy or break apart, which can be burdensome for those with muscle spasticity or who take longer to drink. Other disposable alternatives such as organic straws may contain potential allergens like gluten.

Some cities have attempted to work around these accessibility issues by creating an opt-in system for plastic straws. Such a system forces people with disabilities to "disclose" and have a potentially uncomfortable conversation each time they want to drink in public. Moreover, such a system is difficult to enforce, and will almost certainly lead to establishments either "running out of" or being unable to locate "alternative" supplies.

Lastly, there are those who would suggest that people should just carry the supplies they need. While some people with disabilities certainly do have to carry many supplies, it is often the case that the need to carry so many supplies creates a huge barrier towards accessing the community. Adding yet one more thing to carry is potentially prohibitive to allowing people with disabilities to spontaneously enjoy dining establishments like their fellow citizens. Society's goal should always be less things to carry, not more.

One of the most important frontiers for ensuring the rights of people with disabilities is the idea of universal design. As a community and society, we should be promoting elements in the community that disabled and non-disabled people alike can access equally. Somewhat by happenstance, plastic straws are one of those elements. Eliminating them is a step backwards for disability rights.
We agree that helping the environment and controlling waste is a key challenge for our generation and generations to come. Developing a flexible plastic alternative for straws and other products is critical. However we also feel it critical that conversations about the betterment of society emphasize that such improvements do not come at the expense of vulnerable populations. Too often through our history this has been the case and we can do better!

We feel that exempting plastic straws from the ban can make a valuable statement towards these ends and make a positive difference in people's lives.

Sincerely

Jeffrey A. Brown

Member:

Easthampton Council on Disability
MEMORANDUM

To: Lindsey Rothschild (City Councilor)
From: Angelique Baker (Chair), Eli Damon (Vice Chair), Commission on Disability
Date: April 2021
Subject: Easthampton City Council Request for Ordinance Reviews

In response to the City Council’s recent request for Easthampton Committees and Commissions to review local ordinances for accuracy or recommendations, the Commission on Disability focused on the current “Snow Removal Ordinance” (Easthampton City Ordinance, section 8-41). The Commission recognizes the significant safety and quality of life impact unkempt sidewalks and pathways have on our aging and disabled citizens.

There are two significant areas of implicit bias embedded into the Snow Removal Ordinance itself, which continues to fail our citizens during the winter months:

I. Disability- and Accessibility-Specific Implicit Bias (ableism)

- The Snow Removal Ordinance relies on each private residence or business to maintain compliance with section 8-41, but does not recognize the interconnectedness of neighborhoods and community locations. When one private residence or business fails to adequately clear the sidewalk abutting their home or business location, the entire network within that area has failed. A majority of sidewalks in one neighborhood could be cleared, but the moment an individual encounters one area of a sidewalk system that has not been adequately cleared, their path is blocked.

- It is impossible for community members to know whether the entire sidewalk system is adequately cleared when starting a trip. This limits disabled people from freely and independently traveling to appointments, employment, school, and accessing the goods and services provided in our community at large. Those who encounter inadequately cleared sidewalks often have two options: abandon the trip or, if physically possible, traverse the snow banks into the street to complete the journey. Neither option is acceptable and street travel during winter for pedestrians is a significant safety issue.

- As a city, appropriate snow removal is necessary for the entire community, including those who are permanently disabled (e.g., a citizen with cerebral palsy who uses a wheelchair), temporarily disabled (e.g., a citizen with a broken leg who uses crutches), or situationally disabled (e.g., delivery personnel utilizing a dolly cart to bring packages into a local business).
MEMORANDUM

- The Snow Removal Ordinance requires the owners of the private residence or business to clear the sidewalks/pathways abutting their property. This ordinance does not provide support nor adequately acknowledge our aging and disabled property owners who may be physically unable to adequately clear their property. This ignores the systemic issues that exist which disenfranchise aging and disabled community members who may not have disposable income enough to hire support to fulfill these requirements.

- The city itself does not lead by example because city-owned property with abutting sidewalks and pathways is not consistently and adequately cleared after each snowstorm (e.g., the rail trail, the boardwalk, and some bridges and parks/cemeteries). This ignores the needs of our aging and disabled community members with seemingly no repercussions.

- Resources are not made readily available in accessible formats to citizens about the Snow Removal Ordinance prior to the winter season. Resources are not made appropriately clear to citizens who may need more support. Benefits of adequate sidewalk clearing are not discussed, including the ways in which it supports our aging and disabled community members. City Council, alongside the Commission, must use their community clout to help educate the community on the importance of snow removal while working toward a better solution for the city overall.

II. Class-Specific Implicit Bias (classism)

- Sidewalks are not evenly distributed throughout the city. There are more sidewalks and pathways in the parts of the city that are population dense and more economically disadvantaged. There are fewer or no sidewalks in the outlying and more economically privileged areas of the city.

- Associated Snow Removal Ordinance fines distributed for not adequately clearing sidewalks are, due to the distribution of sidewalk and pathway systems throughout the city, statistically more likely to be issued to individuals at an economic disadvantage who are less able to pay for adequate and consistent snow removal.

- Current Snow Removal Ordinance fine processes rely on police complaints. Calls to police are significantly more likely to disproportionately and negatively affect underrepresented populations due to implicit and explicit biases specific to racism, ableism, classism, ageism, sexism, and more. Calling on police for a low-level non-emergency situation increases confrontations with police and risk of escalation. Not all community members are safe to call upon the police for support.
MEMORANDUM

- Prioritizing roads over sidewalks is significantly biased against our citizens who rely on safe transport via sidewalks and pathways. Prioritizing roadway snow clearing over sidewalk snow discriminates in favor of those who are privileged enough to own and drive a vehicle. This feeds into systemic issues that exist in the space of race, class, gender, age, and ability. It perpetuates cycles of classism that continue to oppress community members.

In conclusion, the Snow Removal Ordinance needs to be explicitly reviewed by the City Council in conjunction with the Commission on Disability to remove biased policies and procedures. As we move toward creating an inclusive community, we must think broadly and holistically about how our outdated ordinances, created dozens of years ago, do not include the intersectional justice we seek in our community today. The city must take responsibility for ensuring the safety and security of all our community members, while attempting to access education, employment, goods, services, and more. The disability community is the largest underrepresented population in the world and the only underrepresented community anyone can become a part of at any time.

If any of our community members or visitors are denied access to our city, we all lose. The Commission on Disability welcomes partnership in reviewing this ordinance as soon as possible in order to appropriately prepare for winter 2022.
Supplemental Appropriation
FY 2022

Date: 09/17/2021

Request is hereby made for approval of the following appropriation:

1. **Amount requested:** $ 298,872.00

2. **To be transferred from:** # 087 Cannabis Stabilization $298,872.00

3. **To be transferred to:**
   
   FY 22 New Ambulance-001.2200.5831.2022 $298,872.00

4. The amount requested will be used for the following purpose: These funds will be used to purchase a new ambulance and replace a 2013 ambulance.

Nicole LaChapelle, Mayor

Department Head Signature

City Council Action
Date of City Council meeting: October 6, 2021
Date referred to Subcommittee: October 6, 2021
Public hearing date: Date of Advertising:
Number present & voting: Appropriation approved $:
Appropriation Disapproved $:


Mayoral Approval

Date of City Council approval: 
Amount approved $: 
Department transferred to: 

Pursuant to Section 3-7 of the Easthampton Home Rule Charter, I, Nicole LaChapelle, Mayor of the City of Easthampton, hereby approve the foregoing City Council action.

Nicole LaChapelle, Mayor

Date of Approval
Mayor LaChapelle,

As we begin to formulate a plan for the procurement of a new ambulance, I wanted to provide you with some additional information on potentially purchasing two ambulances at the same time that will provide a significant cost savings to the city and provide relief to front line ambulances with over 100,000 miles on each of them.

- **Overall cost savings** - The overall cost savings by leveraging the purchase of two ambulances compared with one will be $31,681. This savings is reflected in an overall savings of $17,400 by ordering two vehicles at once. The additional savings of $14,281 is the savings from the vendor holding the current price of the vehicles. The cost of the vehicles increased on September 1, 2021 and has gone up 5%. *They will hold the current pricing until September 30, 2021 (see attached email).*

- **Operational impact** - The staffing configuration at Easthampton Fire does not allow personnel to be assigned to one specific vehicle during their shift. They are required to be competent and familiar with every vehicle for both fire and EMS. The ability to purchase two ambulances at the same time will allow the department to standardize the layout of our ambulances enabling our personnel a consistent platform and configuration to work during emergency responses. This will help reduce the additional confusion and stress personnel may have during a medical emergency trying to remember locations of equipment within the different ambulances.

- **Mileage** - The ambulances have the following mileage on them: A1- 64,521; A2- 100,526; A3- 112,537. Last year, we went to Westhampton 89 times, and traveled to Baystate Medical Center 261 times. These are just quick examples of the extended distances traveled with these ambulances for medical emergencies. We have been given estimates from the time of order to the time of delivery for an ambulance will be anywhere from at least 8-12 months. A year from the date of order, our newest ambulance (A1) will have at least 80,000 miles on it. Purchasing two ambulances at once will provide two new front-line ambulances enabling us to rotate each one out first and will allow us to move A1 to the backbone and not have to replace that until FY 2025.
• **Replacement of A2** - The grant was purposely written to replace A3. This is our oldest ambulance and lined up better with the priorities for replacement established by the federal government. We cannot deviate from this as FEMA requires documentation of VIN numbers upon their audits. Unfortunately, as we have run our ambulances for the past years, A3 is more reliable than A2 and is always second out the door. I’ve been told by members of the department and Dennis Routhier from Motor Repair that A2 has always been problematic and unreliable. Also, given the mileage and age on both A2 & A3, all warranties are now expired, and any significant breakdowns or repairs will have to be fully incurred through our budgetary process.

• **Overall Costs & Match** - The original amount requested in the grant application was $295,000. This amount was reduced to a total of $275,000 for departments across the country receiving awards as the FEMA program found in their market research the average cost was this amount that was awarded. The required minimum match for the grant award is $13,096. The reduction in the grant award along with the actual cost of a new ambulance will exceed this minimum amount (see chart below). The cost of the new ambulance in 2018 was $299,238. If the city was to move forward with the purchase of two new units, the overall cost to the city, averaged between the two unit would be $155,984.

<table>
<thead>
<tr>
<th></th>
<th>1- Ambulance</th>
<th>2- Ambulances</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of Ambulance(s)</td>
<td>$285,636</td>
<td>$553,872</td>
</tr>
<tr>
<td>Grant Award</td>
<td>$261,904</td>
<td>$261,904</td>
</tr>
<tr>
<td>City funding (includes radios)</td>
<td>$43,732</td>
<td>$311,968</td>
</tr>
<tr>
<td>Variance</td>
<td>NA</td>
<td>*$268,236</td>
</tr>
</tbody>
</table>

*Additional cost to city to purchase two ambulances at same time is $268,236*

Mayor, I wanted to provide you this context and information as we understand this would be a significant financial investment to the city. It’s important you have all this information to help base your decision. EMS responses have continued to be at least 75-80% of our overall call volume and it is continuing to increase each year. COVID-19 has further enhanced this need for new ambulances as personnel are seeing increased severity in the types of emergencies to which they respond. Thank you for all your continued support and I am strongly encouraging you to consider this request for the purchase of two ambulances.
Supplemental Appropriation  
FY 2022

Date: September 28, 2021

Request is hereby made for approval of the following appropriation:

1. **Amount requested:** $97,000

2. **To be transferred from:** # 087 Cannabis Stabilization Account

3. **To be transferred to:**

   A. Planner-Full Time Reg. 001.1720.5111 $34,000
   B. Planner-Prof. Services 001.1720.5319 $60,000
   C. Planner- PVPC Assessment 001.1720.5699 $3,000

4. The amount requested will be used for the following purposes:
   A. To fund approximately 40% of the City Planners salary for FY21 from Cannabis Stabilization rather than the General Fund correlating to cannabis related activities (the replaced General Funds will remain in the Department and be used to fund the Conservation Agent position full time). This not a salary increase or raise.
   B. To fund cannabis and general planning related activities within the Department including but not limited to: hiring consultants to evaluate cannabis impacts, hiring consultants for due diligence and creation of design plans, or preparing other studies as needed.
   C. To fund the City’s annual PVPC membership assessment levied to all communities in the region.

Nicole LaChapelle, Mayor

Department Head Signature
City Council Action

Date of City Council meeting: Oct. 6, 2021
Date referred to Subcommittee: Oct. 6, 2021
Public hearing date: _____________________ Date of Advertising: _____________________
Number present & voting: __________________ Appropriation approved: $_______________
Appropriation Disapproved: $________________

Mayoral Approval

Date of City Council approval: _____________________
Amount approved: $_______________
Department transferred to: _____________________

Pursuant to Section 3-7 of the Easthampton Home Rule Charter, I, Nicole LaChapelle, Mayor of the City of Easthampton, hereby approve the foregoing City Council action.

Nicole LaChapelle, Mayor _____________________ Date of Approval _____________________
DATE: WEDNESDAY, SEPTEMBER 29, 2021
TO: MAYOR LACHAPELLE
FROM: JEFF BAGG, CITY PLANNER
RE: CANNABIS STABILIZATION REQUEST (PLANNING DEPARTMENT)

Dear Mayor LaChapelle,

This request includes three parts, the first relating to the budget for salaries and the second relating to cannabis and general planning related projects. The third relates to a City assessment.

A. This request ($34,000) seeks to fund a portion of the City Planner’s salary (approximately 40%) with cannabis revenue rather than the General Fund. This is not a salary increase or a raise. This is reflective of the impact on the amount time spent creating and supporting a robust and successful cannabis industry in Easthampton. Over the past four years the Planning Department, particularly the City Planner, has absorbed an immense amount of work associated with the creation of zoning, consultation with a large number and wide range of prospective businesses, extensive administration of Special Permit processes, and numerous other tasks supporting the creation of this new industry in the City.

For reference, funding of portions of positions in the Planning Department with sources other than the General Fund is not new. Some examples include funding of the Assistant Planner position with CDBG funds (29%)/CPA funds (5%), and, the Conservation Agent position (12 hours per week) with Wetland Protection Act fees (50%). This proposal seeks to acknowledges the impact that our local cannabis industry has had on the Planning Department; largely the additional work required of the City Planner position. This proposal considers the past four years and looks ahead at least a few years as the industry continues to evolve, in anticipation of efforts to allow social consumption, and the work needed to assess and respond to impacts. It is understood that this is not a permanent solution.

The General Funds replaced by cannabis revenue will stay in the Planning Department. The shifted General Funds will be used to fund the Conservation Agent position full time. This is a much-needed change that will allow the Planning Department – through the Conservation Agent, to begin a more concerted focus on environmental projects, climate change, and sustainability efforts. This increase in the Conservation Agent hours is critical to happen now. As the Commonwealth begins to ramp up programs and initiatives around climate change and sustainability, we need additional staff support to understand the programs, pursue the available funding, and then administer new projects. As the City makes clear the goals of combating climate change, the full time position will allow us to more directly respond to climate change, municipal vulnerability, install more electric vehicle charging stations, more solar, pollinator gardens, and provide more access to trails and spaces outside.

This creative thinking acknowledges the impact of cannabis while demonstrating a clear plan and focus on increasing the services offered by – and expected of the Planning Department. As the
economy recovers and the municipal budget allows for increases in spending, the Planning Department will begin to shift the 40% of the salary back to the General Fund.

B. This request ($60,000) will fund cannabis and general planning related activities including but not limited to: hiring consultants to evaluate cannabis impacts, hiring consultants for due diligence and creation of design plans, or preparing other studies as needed. The City will continue to experience cannabis related impacts. The need for continued focus and due diligence is critical as the State continues to advance the industry. An example is the anticipated creation of social/onsite consumption opportunities which will demand arguably more time, effort, and focus than what we experienced these past four years. In addition, as dispensaries and cultivation facilities have opened and operated for varying periods of time, it is important that we continue to evaluate and respond to potential impacts associated with the new industry. An example of a type of project that might be funded under professional services is the re-alignment of Parson/Ferry Street or the installation (which cost $46,000) and the plan and design of Rapid Flashing Beacons on Rt. 10 in front of River Valley Coop (which cost approximately $6,000). The funds may also be used by the Planning Department to focus on connectivity studies, preparation of design plans, or other projects as needed.

C. This request ($3,000) seeks funds to cover the annual PVPC membership assessment fee.

Thank you,

[Signature]

Jeff Bagg
City Planner
INTERDEPARTMENTAL TRANSFER
FY 2022

Date: 9/30/2021

Request is hereby made for approval of the following appropriation:

1. Amount requested: $ 6,000.00

   (Auditor’s Approval)

2. To be transferred from: Reserve Fund
   $ 6,000.00
   #001.9510.5967

3. To be transferred to: Building – F.T. Permanent Position
   $ 6,000.00
   #001.2410.5111

4. The amount requested will be used for the following purpose:
   Fix building department budget

Nicole LaChapelle, Mayor

Department Head Signature

Department Release of Appropriation

9/30/2021

Date: ________________

I hereby certify that the amount of $ 6,000.00 can be released from my departmental appropriation, and that it will not, in any way, interfere with the operation of this department.

Department Head Signature

I hereby certify that the amount of $_______________ will place a burden on the functions of this department.
City Council Action

Date of City Council meeting: Oct. 6, 2021
First Reading: Oct. 6, 2021
Second Reading: Oct. 6, 2021

Department Head Signature

Number present & voting: Appropriation approved $: 
Appropriation Disapproved $:

Mayoral Approval

Date of City Council approval: 
Amount approved $: Department transferred to: 

Pursuant to Section 3-7 of the Easthampton Home Rule Charter, I, Nicole LaChapelle, Mayor of the City of Easthampton, hereby approve the foregoing City Council action.

Nicole LaChapelle, Mayor

Date of Approval: 

2
Hampshire, ss.

In the name of the Commonwealth, you are hereby directed to notify the inhabitants of the City of Easthampton qualified to vote in elections, to meet at their respective polling places in said City, on Tuesday the 2nd day of November, 2021 from 7:00 a.m. to 8:00 p.m. for the following purposes:

To cast their votes for the following offices:

**MAYOR**………………………………………………………………. For a term of four years
**CITY COUNCILORS AT LARGE (4) **………………..For terms of two years
**DISTRICT CITY COUNCILORS (5)**
    (One from each precinct)…………………………………….For terms of two years
**SCHOOL COMMITTEE MEMBERS (6)**…………………..For terms of two years

The polling place for all precincts will be at Easthampton High School, 70 Williston Avenue.

It is hereby directed that an attested copy of this Warrant be posted in a public place at the Easthampton Municipal Building, 50 Payson Avenue at least seven days prior to the date of said election.

Given under our hands this 6th day of October, 2021

_____________________________  ______________________________  ______________________________

_____________________________  ______________________________  ______________________________

_____________________________  ______________________________  ______________________________

__CITY COUNCIL - CITY OF EASTHAMPTON, MASSACHUSETTS__

**ATTEST:** ______________________________

Barbara L. LaBombard, City Clerk

Date: ______________________________

__To whom it may concern:__

I have this day posted a true and attested copy of the Warrant for the Biennial City Election to be held in the City of Easthampton, Massachusetts on Tuesday, the 2nd day of November, 2021 in a public place in the Easthampton Municipal Building, 50 Payson Avenue.

_____________________________

Barbara L. LaBombard
City Clerk
August 31, 2021

Mark Tanner, Esq.
Bacon Wilson
57 Center Street
Northampton, MA  01060

Re: File No. E21079
New Cingular Wireless, LLC
Payson Avenue
Easthampton, Massachusetts

Dear Attorney Tanner:

NStar Electric Company ("NStar"), doing business as Eversource Energy, has received a request for electric service from your client, referenced above, that will require an easement across private property, as indicated on the enclosed map.

As legal counsel for the requester, please prepare the enclosed easement documents and preliminary certificate of title which should include all encumbrances existing on the premises, have executed and send copies of same to me for review (to obtain an electronic copy of this document package, please e-mail me your request). Once I have an opportunity to review and approve them, you will be notified to proceed with the recording of the documents.

After recording, you must provide me with the original recorded documents (or time-stamped copies) and the original final certificate of title which should include the mylar filing information and an explanation of each encumbrance that the easement is subject to.

Your client will be responsible for any expenses incurred by you for providing this service.

To avoid unnecessary expenses, electric distribution facilities will not be installed or energized until all the aforementioned requirements are met. If there are any legal problems that prevent you from providing the items requested, please call me immediately to discuss possible solutions.

Sincerely,

Kristen B. Locarno
Kristen Burdick Locarno

Enclosures
cc:  Customer (w/o enclosures)
For valuable consideration of One ($1.00) Dollar, receipt and sufficiency of which is hereby acknowledged, ____________________________, a _____________________________ with ____________________________ located at _______________________________ (hereinafter referred to as the “Grantor”) hereby grants unto NSTAR ELECTRIC COMPANY dba Eversource Energy, a Massachusetts corporation with an office at 300 Cadwell Drive, in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, its successors and assigns, (hereinafter referred to as the “Grantee”) and VERIZON NEW ENGLAND, INC. (formerly known as New England Telephone and Telegraph Company), a New York corporation having its principal place of business at 125 High Street, Oliver Tower, 7th Floor, Boston, Massachusetts 02110, its successors and assigns, the perpetual right to lay, construct, reconstruct, maintain, operate, replace and rebuild on, across, over and under the easement area hereinafter described, electric and transmission of intelligence distribution systems consisting of poles, guys, braces, wires, pipes, cables, conduits, transformers, manholes, anchors, silos, handholes, transformer pads, pedestals, meters, fixtures and other appurtenances useful in providing electric and transmission of intelligence service such as the said company may from time to time see fit to install in said easement area; including wires, cables and conduits running from the poles, transformers and pedestals to any structures erected on the premises; the right to provide electric service by means of the same; and the right to enter said land for the purpose of inspecting; maintaining or removing same; and the right to trim and keep trimmed, cut and remove such trees located within the easement area as in the judgment of the Grantee are necessary to maintain its services.

Said easement area is located on the Grantor's land on the southerly side of Payson Avenue on property known as 32 Payson Avenue, in the City of Easthampton, County of Hampshire, Commonwealth of Massachusetts, and more particularly shown the plan entitled “Map Showing Easement Area to be Granted to NStar Electric Company d/b/a Eversource Energy Across the Property of City of Easthampton 32 Payson Avenue, Easthampton, MA Scale: 1” = 10’ Date: 08-24-2021 NStar File No. E21079” which map has been or will be filed in the Hampshire County Registry of Deeds.

The Grantor agrees, except with the written permission of the Grantee, that (1) no building, structure, other improvement or obstruction shall be located upon; there shall be no excavation, filling, flooding or grading of; and there shall be no planting of trees or shrubbery upon the easement area; and (2) nothing shall be attached, temporarily or permanently, to any property of the Grantee erected or installed by virtue of this easement. In the event of the damage to or destruction of any of said facilities of the Grantee by the Grantor or agents or employees thereof, all costs of repair or replacement shall be borne by the Grantor.

Any additional poles, guys, wires, cables, braces, conduits and other appurtenances which may be necessary or advisable in the opinion of the Grantee to provide electric service by
means of said system are to be located by the Grantee in such places on, upon, under, over and across the easement area as may be reasonable and consistent with the use of said land at the time.

The Grantee, by the acceptance of this easement, agrees that upon request of the Grantor and upon execution and delivery to the Grantee of rights and easements acceptable to the Grantee, it will relocate at the expense of the Grantor any part of said electric distribution systems which the Grantor may reasonably request to be relocated, provided that such relocation is practicable and consistent with sound engineering principles, including any removal and relocation of such system improperly located due to incorrect street and property line locations furnished by the Grantor, the Grantor's agents or employees.

The Grantee further agrees, by the acceptance of this easement, that as long as and to the extent that the electric distribution systems, together with appurtenances, located on said land pursuant to this easement are used to provide electric service, the Grantee will repair, replace and maintain such facilities at its own expense (except otherwise provided) and in connection with any repair, replacement or maintenance of said system the Grantee shall promptly restore the premises to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, that such restorations shall not include any structures, other improvement or plantings made by the Grantor contrary to the provisions herein.

Any rights herein described or granted, or any interest therein or part thereof, may be assigned herein for the transmission of intelligence purposes, and the Grantor hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used by the assignee therein for said purposes.

The words “Grantor” and “Grantee” shall include lessees, heirs, executors, administrators, successors and assigns where the context so requires or permits.

TO HAVE AND TO HOLD the premises unto it, the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor caused _______ hand(s) and seal(s) to be hereunto affixed this _____ day of ____________________, 20__.

Signed, sealed and delivered
in the presence of:

Witness: ____________________________________________
By: 
Its:
ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF __________________________  S.S. __________________________

On this _____ day of __________, 20___, before me, the undersigned notary public, __________________ personally appeared and proved to me through satisfactory evidence of identification, which was __________________ to be the person whose name is signed on the preceding document and acknowledged to me that such person is [the duly authorized ______________ of [GRANTOR] and that such person signed such document voluntarily as such person’s free act and deed for its stated purpose [on behalf of such [GRANTOR].

IN WITNESS WHEREOF, I hereunto set my hand.

____________________________________  Notary Public

My commission expires: __________________

STATE OF ___________________________

COUNTY OF __________________________  S.S. __________________________

On this _____ day of __________, 20___ before me, the undersigned officer, personally appeared ______________ who acknowledged him/herself to be the person whose name is subscribed to the within instrument and acknowledged that they, being duly authorized to do so, executed the same for the purposes therein contained as said Grantor’s free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal.

____________________________________  Notary Public - Seal Required

My Commission Expires ________________
PRELIMINARY CERTIFICATE OF TITLE

__________________________, Massachusetts

__________ , 20___

TO: NSTAR ELECTRIC COMPANY
dba Eversource Energy

This is to certify that as of the date set forth and as disclosed by the land records of the Hampshire County Registry of Deeds, title to the premises situated on the southerly side of Payson Avenue on property known as 32 Payson Avenue, in the City of Easthampton, of Hampshire County, Massachusetts, which are described in a deed dated _______________ and recorded with said Registry in Book _____ at Page _____ and more particularly shown on a certain map entitled “Map Showing Easement Area to be Granted to NStar Electric Company d/b/a Eversource Energy Across the Property of City of Easthampton 32 Payson Avenue, Easthampton, MA Scale: 1”=10’ Date: 08-24-2021 NStar File No. E21079” a copy of which is attached hereto and made a part hereof, is vested in:

________________________________

free and clear of all encumbrances except:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.

2. Installments of real property taxes to municipal authorities which are not yet due and payable.

3. ________________________________________________________________
   __________________________________________________________________
   __________________________________________________________________
   __________________________________________________________________

Counsel to Grantor has reviewed the above-mentioned exceptions to the title identified herein as item numbers _____________________________, and, based upon such review hereby represents that each such easement/agreement/encumbrance/lien does not adversely impact, impair, conflict with or limit any of the rights and easements to be granted to NStar Electric Company d/b/a Eversource Energy in the electric distribution easement to which this Certificate of Title pertains.

__________________________
Attorney-at-law
Commonwealth of Massachusetts
BBO Number _____________
FINAL CERTIFICATE OF TITLE

____________________, Massachusetts

____________________, 20___

TO: NSTAR ELECTRIC COMPANY
dba Eversource Energy

This is to certify that as of the date set forth and as disclosed by the land records of the Hampshire County Registry of Deeds, title to the easement rights situated on the southerly side of Payson Avenue on property known as 32 Payson Avenue, in the City of Easthampton, of Hampshire County, Massachusetts, which are described in an easement dated ______________, 20___ and recorded with the Hampshire County Registry of Deed on ______________, 20___ in Book _____ at Page _____ and more particularly shown on a certain map entitled “Map Showing Easement Area to be Granted to NStar Electric Company dba Eversource Energy Across the Property of City of Easthampton 32 Payson Avenue, Easthampton, MA Scale: 1”=10’ Date: 08-24-2021 NStar File No. E21079” which map has been recorded with said Registry on ______________, 20___ in Plan Book _____ at Page _____, is vested in The NStar Electric Company dba Eversource Energy, free and clear of all encumbrances except:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.

2. Installments of real property taxes to municipal authorities which are not yet due and payable.

3. ______________________________________________________________
   __________________________________________________________________
   __________________________________________________________________
   ______________________________________________________________
   __________________________________________________________________

Counsel to Grantor has reviewed the above-mentioned exceptions to the title identified herein as item numbers __________________, and, based upon such review hereby represents that each such easement/agreement/encumbrance/lien does not adversely impact, impair, conflict with or limit any of the rights and easements to be granted to NStar Electric Company dba Eversource Energy in the electric distribution easement to which this Certificate of Title pertains.

___________________________________
Attorney-at-law
Commonwealth of Massachusetts
BBO Number____________
SUBORDINATION

KNOW YE, That ___________________________________________ of _____________________________,
for one dollar and other consideration, does hereby grant, remise, release and quit-claim, without warranties of
any kind, the rights and easements granted by _____________________________ to NStar Electric
Company dba Eversource Energy by Easement dated __________________, and recorded or to be recorded in
the Hampshire County Registry of Deeds: and does hereby subordinate the lien of a certain mortgage from
______________________ to _________________________ dated ______________, recorded in the
Hampshire County Registry of Deeds in Volume ____________, at Page ____________, said mortgage being,
however, not otherwise released.

TO HAVE AND TO HOLD the premises unto the said releasee and to its successors and assigns forever.

IN WITNESS WHEREOF ___________________________ hereunto set (caused) _________________, hand(s)
and seal(s) to be affixed this __________ day of _______________, 20___.

Signed, sealed and delivered in the presence of:

____________________________________  _________________________________(L.S.)
Witness
By:
Its:

____________________________________  _________________________________
Witness

COMMONWEALTH OF MASSACHUSETTS  SS: ______________________________
COUNTY OF ________________________

On this ____ day of __________, 20___, before me, the undersigned officer, personally appeared ___________,
who acknowledged himself to be the ________________ of ________________________, a corporation, and
that he, as such ______________________, being authorized to do so, executed the foregoing instrument for the
purposes contained, by signing the name of the corporation by himself as such ____________________, and as
the free act and deed of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand.

__________________________________
Notary Public
My commission expires:

STATE OF __________________________  SS: ______________________________
COUNTY OF ________________________

On this ____ day of __________, 20___, before me, the undersigned officer, personally appeared ___________,
who acknowledged himself to be the ________________ of ________________________, a corporation, and
that he, as such ______________________, being authorized to do so, executed the foregoing instrument for the
purposes contained, by signing the name of the corporation by himself as such ____________________, and as the
free act and deed of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand.

__________________________________
Notary Public
My commission expires:
CERTIFICATE OF CORPORATE RESOLUTION

I hereby certify that at a meeting of the members of ________________ duly called on ________________, 20___, at which a quorum was present and acting throughout, the following resolutions were unanimously adopted, to wit:

RESOLVED: That this Company grant and convey to

NStar Electric Company dba Eversource Energy

a corporation with its principal office in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, its successors and assigns, permanent rights for the installation, maintenance and repair of electric lines over, under and across land of the Company situated in the City of Easthampton, County of Hampshire, Commonwealth of Massachusetts, as set forth in the proposed easement presented to this meeting, which is hereby ordered filed with the records of this meeting; and

RESOLVED: That ________________, the ________________ of this Company be and he hereby is authorized to execute and deliver in the name of the Company an easement presented to this meeting and to do any and all other acts to effectuate the foregoing.

I FURTHER CERTIFY that the form of easement attached hereto is an exact copy of the aforesaid proposed easement presented at said meeting.

I DO FURTHER CERTIFY that the foregoing resolutions are still in full force and effect as of this date.

IN WITNESS WHEREOF, I have caused the corporate seal of this Company to be hereunto affixed, duly attested by me this ____ day of _____________________, 20__.

___________________________________
Secretary

(Corporate Seal)

PLEASE RETURN UNRECORDED ORIGINAL TO ME FOR MY FILE
MAP SHOWING EASEMENT AREA TO BE GRANTED TO
NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
ACROSS THE PROPERTY OF
CITY OF EASTHAMPTON
32 PAYSON AVENUE, EASTHAMPTON, MA
SCALE: 1" = 10'
DATE: 08-24-2021
NSTAR FILE NO. 21079

SCALE: 1" = 10'          DATE: 08-24-2021
NSTAR FILE NO.   21079
LOCUS MAP
1"=120'
WHEREAS, the City of Easthampton owns certain real property know as 32 Payson Avenue, Easthampton, MA; and

WHEREAS, the construction of a certain cellular and communications tower to benefit the City of Easthampton requires an easement for the routing of electrical service conduits for Eversource to service said (Tower); and

WHEREAS, Eversource is an electric company as defined in M.G.L. Chapter 164, § 1 and provides electric service within the City of Easthampton; and

WHEREAS, Eversource requires that the City of Easthampton grant it an access easement to run electrical service conduits under real property owned by the City of Easthampton in order to provide electrical service to said Tower; and

WHEREAS the City Council for the City of Easthampton, Massachusetts believes, it is in the best interest of the inhabitants of the City of Easthampton, Massachusetts to grant the utility easement detailed herein:
NOW, THEREFORE, BE IT RESOLVED

That the Mayor for the City of Easthampton is hereby authorized to negotiate, execute and record in the Registry of Deeds for Hampshire County, Massachusetts perpetual easement(s) over real property owned by the City of Easthampton, Massachusetts:

a. In favor of Eversource for the provision of electrical services to the Tower to be located at 32 Payson, Avenue the area marked on the plan of land attached hereto as Exhibit A; and

This Resolution shall become effective upon passage and according to the rules and regulations of the charter for the City of Easthampton, Massachusetts and the General Laws of the Commonwealth of Massachusetts."
The Board of Assessors anticipates having Preliminary Certification for the Fiscal Year 2022 by the end of October. We are requesting the City Council to schedule a public Classification Hearing for November 3rd.
MAYORAL APPOINTMENTS

Pursuant to Easthampton Home Rule Charter, Section 3-3 the following position are hereby recommended for appointment approval:

<table>
<thead>
<tr>
<th>Name</th>
<th>Board/Committee</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shira Simon</td>
<td>Affordable and Fair Housing Partnership</td>
<td>12/31/2022</td>
</tr>
</tbody>
</table>

In accordance with Charter Section 2-10 this appointment is hereby submitted for council review.

Submitted to City Council Clerk this 28th day of September, 2021.

Nicole LaChapelle, Mayor

On this ______ day of ________, 2021 City Council hereby approves/denies the above appointment(s).

Margaret Conniff, President
APPLICATION TO SERVE ON A BOARD/COMMITTEE

First Name*  Last Name*
shira        simon

Address*

City*        State*        Zip Code*
easthampton ma 01027

Phone Number*  Daytime Phone Number*

Email Address*

Board/Committee you are applying for:*  How did you learn of this vacancy?*
Affordable & Fair Housing Partnership easthamptonma.gov

Why are you interested in serving?*
I want to be more involved in my community. This one is perfect for me, having been involved in communities needing affordable housing for many years now. As a landlord myself, I am also interested in ensuring tenants are able to locate and obtain fair, affordable housing.
9 September 2021

City of Easthampton, MA
Affordable and Fair Housing Partnership

To Chairperson Janna Tetrault et al:

I write to express my interest in joining the Affordable and Fair Housing Partnership of the city of Easthampton. As at 15-year Easthampton resident who works with low-literacy adults and incarcerated inmates, I think this role would be beneficial for both your committee and me.

After moving into a month-to-month apartment on Pleasant St. in 2006, I quickly fell in love with Easthampton, and stayed in that apartment for years. This city is where I met my husband and most of my friends. I truly love our community, and I would like to be more involved.

This desire led me to the easthamptonma.gov page where I learned of openings on this committee. It struck me as being perfect for me. Having been a tenant, a landlord, and a homeowner in Easthampton, I want to do what I can to ensure others can access the same fairness and accessibility I was lucky enough to experience.

But more than that, I have worked with marginalized populations in St. Louis MO, Springfield MA, and at the Hampden County Sheriff’s Department correctional facility in Ludlow, MA. It is of the utmost importance to me that the underprivileged be able to obtain fair and affordable housing, while understanding their rights as tenants or homeowners.

I am a responsible adult, a self-employed business owner, and a part-time teacher of high school equivalency (“GED” or HiSET) subjects. I know that I have the skills necessary to be effective here, and that I will have the time to devote to this committee.

In these 15 years, I’ve seen our city grow and change for the better. As we make social progress, it is of utmost importance we strive to lessen the gap between demographic groups, particularly by ensuring we can offer affordable housing, housing choices, access to housing, and fair and safe housing. In these next 15 years, I envision more growth and betterment for our community, and I would like to be part of that.

Thank you,

Shira Simon