



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

Roll Call

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:01 p.m. on a roll call the following City Councilors were present:

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

Announcement of Audio/Video Recording

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

Public Comment

Public Comment

Councilor Sciarra opened the floor to public comment.

James Lowenthal of 181 Crescent Street informed councilors he helped write the statewide dark-sky bills and draft **20.112 A Resolution in Support of "An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility"** in support of those bills. He hopes the council will vote in favor of the resolution. He thanked the co-sponsors. As most know, work is almost finished on a major transportation project in Northampton – the new two-lane roundabout on Exit 19. It is a major MassDOT project and it comes with new lights – lots of them. The lighting plan calls for 32 LED lights of 144 watts each with blinding glare, equivalent to 240 of the 19-watt LED's Northampton has for most of its street lights; 240 of them all packed into that intersection right next to private houses and sensitive, natural habitat along the Connecticut River. "It'll look like Times Square or Las Vegas," he predicted. It will be 200 times brighter than the full moon, all night every night. This is exactly the kind of wasteful, harmful, unnecessary overuse of lighting that the twin dark-sky bills – S1937 and H2858 - are intended to prevent. If the bills make it out of the Senate Ways and Means Committee and are voted into law, they would apply common-sense rules to state-funded projects like this, such as that lights must be fully-shielded against glare. The bills will save Massachusetts cities and towns money and reduce light pollution at the same time. There is no opposition on record to the bills and they have broad support. It's a win/win.

Hildegard Freedman of 15 Fruit Street, via speaker phone from Jim Nash's device, praised the extraordinary work the mayor is endeavoring to do with the Northampton Policing Review Commission (NPRC). She has been on board only since late winter 2020. The absolutely inimitable Jim Nash and Laura Krutzler have jumped in and done so much in their communication with her. She wants councilors to devote themselves as they are to helping America along with these people and the city council and the people who have been discriminated against.

Ezekiel Baskin spoke briefly in favor of the changes proposed by the Charter Review Commission around voting, specifically lowering the age for voting in municipal elections, extending the right to vote in municipal elections to noncitizens, mailing ballots to all voters and using ranked-choice voting. He thinks they are all brilliant progressive suggestions they should be modeling for the rest of the state and the country.

Public Hearings Announcement of Public Hearing - 20.109 National Grid/Verizon New England Pole Petition for Prospect Street

Public Hearings

Announcement of Public Hearing - 20.109 National Grid/Verizon New England Pole Petition for Prospect Street (Petition #29914250)

Councilor Sciarra made the following announcement:

Per M.G.L. Chapter 166, Section 22, a public hearing will be held on Thursday, October 1, 2020 @ 7:05 p.m. on the petition of National Grid/Verizon New England to erect poles and wires upon, along, under or across one or more public ways (Pole Petition #29914250) - Prospect Street. The hearing will be held via remote participation. Please see the agenda for the October 1, 2020 City

<p><u>(Petition #29914250)</u></p>	<p>Council meeting for instructions for accessing the hearing.</p>
<p><u>Updates from Council President/ Committee Chairs</u></p>	<p><u>Updates from Council President and Committee Chairs</u> The Community Resources Committee will be meeting next Monday at 5 p.m. to begin discussing the plastic reduction & sustainability ordinance, Councilor Nash announced. The plan is to introduce the proposed ordinance to the committee and to the public. Youth Commission Chair Noah Kassis will make a Powerpoint presentation, after which the committee will discuss how it wants to go about doing outreach around this proposed ordinance. Public comment is welcome but they are looking at other ways to seek public comment beyond the one meeting.</p>
<p><u>Recognitions and One-Minute Announcements by Councilors</u></p>	<p><u>Recognitions and One-Minute Announcements by Councilors</u> Councilor Foster took a moment to publicly recognize and thank the schools. Schools began remote learning Wednesday and it was a big lift from the School Committee to school administration to the teachers and parents supporting it. She has seen a lot of moving parts coming together in troubling circumstances to do the best they can for their kids. She just wanted to recognize how much hard work behind the scenes has gone into that from a number of people.</p>
<p><u>Communications and Proclamations from the Mayor</u></p>	<p><u>Communications and Proclamations from the Mayor</u> None.</p>
<p><u>Resolutions 20.112 Resolution in Support of "An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility" – 2nd reading</u></p>	<p><u>Resolutions</u> <u>20.112 A Resolution in Support of "An Act Improving Outdoor Lighting and Increasing Dark-Sky Visibility" – 2nd reading</u> Councilor Dwight moved to approve the resolution in second reading. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote. <u>The following resolution passed two readings:</u></p>



City of Northampton
MASSACHUSETTS

In the City Council, September 3, 2020

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

R-20.112

A RESOLUTION IN SUPPORT OF “AN ACT IMPROVING OUTDOOR LIGHTING AND INCREASING DARK-SKY VISIBILITY”

WHEREAS, More than two decades of scientific studies demonstrate a strong link between excessive light at night and serious human health risks including elevated rates of breast and prostate cancer, melatonin suppression, sleep disruption, diabetes, obesity, and depression; and

WHEREAS, A 2016 report¹ by the American Medical Association concludes that glare and excessive light from LEDs at night, especially light bluer than 3000K CCT, are harmful both to human health and wildlife; and

WHEREAS, The Federal Highway Administration states in a 2012 report² that “disability glare is one of the most important elements to control in a lighting system. It affects your ability to adequately see, particularly for older drivers”; and

WHEREAS, Virtually all species of animal studied scientifically including birds, mammals, insects, amphibians, fish, and coral are negatively affected by light pollution; and

WHEREAS, The City of Northampton supports the development of foraging areas and habitat for pollinating insects, which according to a 2017 scientific study³ make 62% fewer visits to flowers in the presence of light pollution; and

¹ CSAPH Report 2-A-16
https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/AMA_Report_2016_60.pdf

² FHWA-SA-11-22
https://safety.fhwa.dot.gov/roadway_dept/night_visib/lighting_handbook/

³ Knop et al 2017, Nature, 548, pp. 206–209
<https://www.nature.com/articles/nature23288>

- WHEREAS, An estimated 100 million to 1 billion birds die in the US every year due to light pollution, according to a 2019 scientific study⁴; and
- WHEREAS, Light pollution causes the night sky to be at least 6-10 times brighter than naturally dark skies in the City of Northampton, and as much as 50 times brighter in some other parts of Massachusetts; and
- WHEREAS, Light pollution, as measured in a 2017 scientific study,⁵ is growing worse at 2% per year globally and up to 10% per year in some parts of Massachusetts, many times faster than population growth; and
- WHEREAS, Light pollution represents wasted energy and resources, since light that shines into the sky or is brighter than needed provides no benefit; and
- WHEREAS, The City of Northampton is committed to reducing greenhouse gas emissions as demonstrated by its Sustainable Northampton Comprehensive Plan, its Office of Planning and Sustainability, its Energy and Sustainability Commission, and its 5-STAR Community Rating, and has written Dark Skies standards into municipal building codes; and
- WHEREAS, Curbing light pollution at night by installing only well-shielded, appropriately bright, warm-colored lighting will cost cities and towns of Massachusetts no more than installing poorly shielded, excessively bright and blue lighting, and will use less electrical power; and
- WHEREAS, The starry sky and the Milky Way have led countless generations to ponder profound questions about the Universe, to incorporate planets, sun, and moon into their religions, and to create innumerable works of art and literature, and the ability to see a naturally dark starry sky is a human right espoused by the US National Park Service, the International Dark-Sky Association, the United Nations, and other national and world organizations; and
- WHEREAS, The identical bills H.2858 and S.1937, "An Act improving outdoor lighting and

⁴ Loss et al 2014, *The Condor*, Vol. 116, Issue 1, pp. 8–23

<https://doi.org/10.1650/CONDOR-13-090.1>

⁵ Kyba et al 2017, *Science Advances*, Vol. 3, no. 11

<https://advances.sciencemag.org/content/3/11/e1701528>

increasing dark-sky visibility”, which will regulate state- and municipally-funded outdoor lighting projects, have been reported favorably by the Joint Telecommunications, Utilities, and Energy Committee of the Massachusetts Legislature; and

WHEREAS, H.2858 and S.1937 have been co-sponsored by over 25 state senators and representatives and endorsed by the Appalachian Mountain Club, Mass Audubon, the Massachusetts Sierra Club, and the Massachusetts Medical Society; and

WHEREAS, The Massachusetts Municipal Association has endorsed virtually identical principles to those in H.2858 and S.1937; and

WHEREAS, Every New England state except Massachusetts has passed some form of legislation or regulation of light pollution;

NOW, THEREFORE BE IT RESOLVED, that the City Council of Northampton urges the General Court of Massachusetts and Governor Charles Baker to enact a state law curbing light pollution and protecting the Commonwealth of Massachusetts’ naturally dark skies.

BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall send a copy of this Resolution to Governor Charles Baker, House Speaker Robert DeLeo, Senate President Karen Spilka, Senator Michael Rodrigues (Chair of Senate Ways and Means Committee), the presenters of the bill, Senator Cynthia Creem and Representative Sean Garballey, and Representative Lindsay Sabadosa and Senator Jo Comerford.

Passed two readings and enrolled.

Consent Agenda

Consent Agenda

Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate discussion upon request. **Councilor Dwight moved to approve the consent agenda. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote. The following items were approved as part of the consent agenda:**

A. 20.106 Appointments to Various Committees - positive recommendations w/changes as indicated, City Services Committee - 9/9/2020

Arts Council

~~Matthew Vanderslice, 231 Elm St. Rear, Northampton, MA~~

~~Term: July 2020-June 2023~~

~~To fill a vacancy~~

Application withdrawn

Lori Steiner, 18 Ridgewood Terrace, Northampton, MA

Term: July 2020-June 2023

Reappointment

Board of Health

Dr. Suzanne Smith, 134 State St., Northampton, MA

Term: July 2020-June 2023

Reappointment

Conservation Commission

Kevin Lake, 35 Washington Ave., Northampton, MA

Term: July 2020-June 2023

Reappointment

Downtown Business Architecture Committee

Emily Wright, 244 South St., Northampton, MA

Term: July 2020-June 2023

To fill a vacancy

Human Rights Commission

Nural Mohammed, 34 Michelman Ave., Apt. 2, Northampton, MA

Term: July 2020-~~June 2023~~ September 2020

Reappointment

Human Rights Commission (continued)

Deidre Cuffee-Gray, 2 Burts Pit Rd., Northampton, MA

Term: August 2020-June 2023

To fill a vacancy

Chelsea Villareal, 23A Lyman Rd. Northampton, MA
 Term: August 2020-June 2023
To fill a vacancy

B. **20.125 Petitions to Operate a Bowling Alley**
 Northampton Bowl, 525 Pleasant Street - Weekday License
 Northampton Bowl, 525 Pleasant Street - Sunday License
 J. Michael Corley, Petitioner

C. 20.127 Appointments to Various Committees - for referral to City Services Committee

Arts Council

Ashlynn Cradic, 386 Bridge St., Northampton, MA
 Term: September 2020-June 2023
To fill a vacancy

Conservation Commission

Jennifer Smith, 24 Audubon Road, Leeds, MA
 Term: September 2020-June 2023
To fill a vacancy

Disability Commission

Kathy Murri, 50 Laurel Park, Northampton, MA
 Term: September 2020-June 2023
To fill a vacancy

Human Rights Commission

Susan MacDonald-Bolanos, 1 Chapin Way, Unit 7517, Smith College, Northampton, MA
 Term: September 2020- June 2022
To fill a vacancy

Planning Board

Janna White,
Full Member
 Term: September 2020-June 2022
To fill the unexpired term of Euripedes de Oliveira
Chris Tait, 46 Upland Road, Leeds, MA
Associate Member
 Term: September 2020- June 2021
To fill the unexpired term of Janna White

20.128 Warrant for November 3, 2020 State Election - 1st reading

20.128 Warrant for November 3, 2020 State Election - 1st reading

Councilor Sciarra read the warrant in its entirety. She noted the date of introduction needs correction as a scrivener's error.

Councilor Dwight moved to approve the warrant in first reading with the scrivener's error adjusted to correct the date to September 17, 2020. Councilor Jarrett seconded.

Councilor Sciarra recognized the presence of City Clerk Pamela Powers.

Clerk Powers noted that presidential primary, state primary candidates and two initiative questions are all on this ballot.

Councilor Sciarra asked why it is a warrant for a state election as opposed to a state and federal election.

Clerk Powers said it is a good question that a lot of people have been asking. It is not a federal election; it is a state election in which they elect the electors for president. It is considered a state election, she confirmed. Most of the positions on the ballot are actually state positions not federal.

Councilor Foster asked Clerk Powers to talk about voter turnout in the last election.

In the state primary, people had the opportunity to either vote by mail or in person, Clerk Powers related. If they chose to get a vote-by-mail ballot but then go to the polls as well, that was also their option. They had a tremendous turnout; 53% of registered voters voted in the state primary, 7,900 voted as early voters with 7,200 actually voting by mail. The Clerk's office received over 9,000 applications to get those 7,000 ballots. It was a tremendous turnout. Compared to the 2016 state election, which was about a 35% turnout, it was much higher.

Councilor Dwight said it is worth noting that there was only one contested race on the ballot. There is certainly an engaged electorate at this point. He imagines that the turnout for the presidential election will exceed what they experienced for the primary.

Right now, they have over 10,000 applications ready in their queue to send folks the November ballot, Clerk Powers advised. 10,000 ballots for sure are going out the door the first week of October. They have been promised all of their ballots and envelopes no later than October 5th. It should take a full week to process those requests. People should have their ballots hopefully no later than October 13th.

Part of that 10,000 is people who live overseas or live abroad, and they've already received their ballots. Most of them were emailed. She has received a handful back already. Just under 200 people requested to vote from overseas.

"There's a lot of work to it, but I think it's pretty rewarding," she reflected. To see the turnout the way it was and to hear people be appreciative of the fact that they are able to participate without concern about health risk is really great.

Councilor Maiore asked if she is still looking for election workers for the November election.

Right now quite a few people have responded to posts and emails from councilors. She feels pretty confident that they will be able to fill all of the positions that they need at this point.

In addition to working the November 3rd election, they will have early voting again at the senior center from 8:30 a.m. to 4:30 p.m., so they are looking to staff that as well. If they can imagine what it looks like to sort 10,000 ballots, they also need hands to be able to do that. They have a pretty good hand on the applications but once those ballots come in they will need people to help sort them. They will be looking for people to help once the ballots come in.

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

See minutes of October 8, 2020 Special City Council meeting for second reading.

Deliberate and vote on Individual Charter Review Committee Recommendation

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Deliberate and vote on Individual Charter Review Committee Recommendations

Councilor Sciarra reminded councilors that they reviewed and voted on most of the recommendations at the March 5, 2020 City Council meeting and intended to take remaining items up at the next meeting. She doesn't need to tell anyone that everything changed after March 5th. She thanked Charter Review Committee (CRC) members for their patience.

She also reminded members they are voting on each individual recommendation given by the CRC and that discussion and approval has to be in conjunction with the mayor. Some changes have proposed language, while others like the ones on the agenda this evening will need language crafted by the city solicitor once council decides on how it wants to proceed.

Councilor Sciarra recognized the presence of CRC members Sam Hopper (Vice chair), Stan Moulton (Chair), Bob Boulrice and Councilor Dwight.

Councilor Sciarra suggested first handling the language clarification, which pertained to correct names and terms for Smith Vocational and Agricultural High School (SVAHS) and its board of trustees. The school is referred to in multiple ways throughout the charter and they want to have it be consistent. Attorney Seewald worked with the superintendent, who found minutes of 1994 where the trustees voted to change the name. Attorney Seewald says it is officially Smith Vocational and Agricultural High School.

The other question is how to refer to the governing body. The solicitor found that based on a 1920 change to the number of superintendents, it is his opinion that they should be referred to as 'superintendents.'

Councilor Dwight noted that referring to the governing body as superintendents could create the possibility of confusion because there is an employee referred to as the superintendent.

Attorney Seewald said there is always the possibility of a formal name change. Until that time, they are superintendents. They function as a board of trustees. He acknowledged there is a possibility of some confusion. It may be that in the course of this process they would ask the trustees to formally change their names to trustees.

As one of those superintendents, they have always called themselves the board of trustees, Mayor Narkewicz confirmed. He thinks Superintendent Linkenhoker may be only the third superintendent in the history of the school because the top administrator was always called the director. At some point, the name was changed to superintendent.

He thinks now that the school has a superintendent they should take it up, but if this is what it's called, this is what it's called. He does think it is confusing.

Attorney Seewald said he thought there should be a vote to alter any reference to Smith Agricultural School to Smith Vocational and Agricultural High School.

Councilor Dwight moved to change all references to Smith (or Smith's) Agricultural School to Smith Vocational and Agricultural High School. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Sciarra confirmed that since the trustees are already referred to as superintendents in the charter, no change is necessary.

Section 3.9 Vacancy in Office of Mayor

Councilor Dwight moved to reconsider Section 3.9 for the purposes of amendment. Councilor Foster seconded.

Councilor Sciarra read Attorney Seewald's response as follows: "With regard to Section 3-9 (d) issues: in response to Councilor Foster's concern, the committee was aware of the potential realignment of the four-year mayoral term should a mayor resign in the first half of the term. I could not identify any legal issues arising out of that change. The over-arching goal of the committee was for the city to have a mayor elected in the normal electoral process as soon as possible. [Re:] Councilor Jarrett's concern about the final phrase of this subsection "serve a four-year term" ending at the next mayoral election, I believe that the phrase read in conjunction with Section 3-1 (b) makes clear that the four-year term ends on the first Monday in January. If the council would like to be more specific in this regard, I suggest with the concurrence of the committee chair changing the phrase to "shall serve a four-year term in accordance with Section 3-1 (b)."

Councilor Dwight moved to accept Attorney Seewald's proposed amendment. Councilor LaBarge seconded.

Councilor Dwight moved to recognize Charter Review Committee members Stan Moulton, Sam Hopper and Bob Boulrice. Councilor Jarrett seconded. The motion passed unanimously 9:0 by roll call vote.

Mr. Moulton said he appreciates the council reviving its discussion of the committee's recommendations after the unforeseen six-month hiatus. Attorney Seewald did consult him and Ms. Hopper regarding their recollection of the committee's discussion around the possibility of changing the mayoral election cycle if the incumbent mayor left in the first half of a four-year term. The committee felt it was more important that the will of the electorate decide who is filling the mayor's office rather than appointment by council. They are comfortable with the possibility of the election cycle changing, he confirmed.

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

ARTICLE 8. ELECTIONS

The remaining recommendations are without recommended language so in conjunction with the mayor they will need to decide how to proceed, Councilor Sciarra reiterated. The two on the agenda today are ranked choice voting and extending voting rights to non-citizens.

RANKED CHOICE VOTING

Councilor Sciarra read the paragraph from the CRC's executive summary regarding expansion of the electorate.

Councilor Dwight moved to accept the committee's recommendation to adopt ranked choice

voting. Councilor Thorpe seconded.

As their resident ranked-choice voting expert, Mr. Moulton deferred to Mr. Boulrice to summarize the CRC's position.

During the course of their deliberations, ranked choice voting received virtual universal approval from roughly a hundred speakers, Mr. Boulrice reported. To bring them all up to speed on what's happened over the summer and where they stand now, it can be said that four million Americans vote for candidates using ranked choice voting, including Portland, Maine, Minneapolis, St. Paul, Santa Fe, New Mexico, Telluride, Colorado and Cambridge, Massachusetts. Recently Easthampton and Amherst voted to implement ranked choice voting and very recently so did New York City. The momentum and choice for ranked choice voting as a better way of electing elected officials continues to grow. In the Commonwealth, not a lot has occurred since last they heard. Four bills are in front of the legislature now for local jurisdictional control to implement ranked choice voting and a separate set of bills are pending to make it statewide.

In the face of the petition that went forward which is now going to reveal itself as Massachusetts ballot question #2 in November - the citizen initiative supporting ranked choice voting - he imagines the legislature decided to wait and see how that turns out before taking up the bills they filed. One hopes that the state will vote favorably for ranked choice voting. Proposition two only deals with state offices and some county offices, so if the petition passes in November, it will help Northampton out only indirectly. It is felt that if it passes statewide, the state will be more inclined to look favorably on individual initiative petitions.

During the course of their deliberations, they essentially focused on five points: 1) ranked choice voting insures a majority support by eliminating the 'spoiler' effect and 2) minimizes strategic voting and no longer requires bullet voting and/or voting for the lesser of two evils. Majority support will elect officials for local positions and that's deemed to be a very important thing. Very recently in the primary, a stunning example of the spoiler effect occurred in Massachusetts U.S. House District 4. Eight candidates were on the ballot. Mr. Auchincloss was deemed to be the winner with 22% of the vote. There were at least five candidates with double digit support. While Mr. Auchincloss was deemed to be the winner, it is highly unlikely that he achieved majority support. One of the great attributes of ranked choice voting is it has a way of electing people who have garnered a majority of support among the electorate in the city.

Ranked choice voting 1) insures a majority support by eliminating the 'spoiler' effect and 2) minimizes strategic voting and insures no 'lesser of two evil' voting, he reiterated.

The Charter Review Committee made a lot of effort to try to put forward recommendations that encourage voter participation and encourage more candidates to run for office. 3) Ranked choice voting is considered to encourage more candidates to run without fear of vote splitting, thereby generating greater voter participation. All five points focused on were given considerable anecdotal support among municipalities. 4) Ranked choice voting is deemed to curb negative campaigning because a candidate asks supporters to vote for them due to their attributes, not to any perceived deficiencies in the opposition.

Finally, 5) when ranked choice voting is used to elect candidates, there is no need for primaries. Not holding primaries saves money and strengthens party unity because candidates are not beating each other up to get to the general election.

Mr. Boulrice thanked councilors for the opportunity to refresh his memory as to why ranked choice voting was so compelling during their deliberations. He hopes ballot question #2 passes this November and that Northampton joins Easthampton and Amherst in initiating it locally.

Mr. Boulrice was comprehensive, Councilor Dwight commented appreciatively. In the absence of primaries, the phenomenon known as voter fatigue is reduced, he noted. As they've discovered now in this primary, most elections are already decided by the primary. People sometimes argue for term limits because incumbents seemingly enjoy the benefit of staying in office until they want to leave. He's always said elections are term limits, but in the case of ranked choice voting, there is less of a disincentive for people to consider running for office, thereby giving the electorate more opportunities for choice. The benefit is having a much broader and engaged conversation about the issues. The phenomenal turnout for the primary is very encouraging and he is

expecting an even greater turn out for the general election. But it always saddens him that turn-out for local elections is dismally low. That indicates a sense of disconnect or complacency that shouldn't exist. It is unfortunate, because people are hardly complacent and he would like to see that interest and passion translate to elections. He really believes ranked choice voting would allow them to look at elections in all new ways. If it reduces by even an 1/8th the amount of negative campaigning, it would be so refreshing. As Bob pointed out, there was unanimity in their discussions; he remembers people asking questions, but he doesn't remember anyone coming out in opposition to this. 'Amen,' he concluded. The upsides trump everything and so far they haven't identified any downsides.

Councilor Jarrett thanked Mr. Boulrice and Councilor Dwight for touching on some of the issues he was going to speak about. Ranked choice voting increases the likelihood that someone will choose to run because, as a candidate, you're not worried about spoiling the turnout for another candidate. He had a question about bullet voting, where a person only votes for one even though he/she can vote for more than one such as in the case of at-large positions. The state question says it will not apply in cases where people are voting for more than one person.

In their case, are they talking about it applying in cases where you are able to vote for more than one person? He asked.

The council has the discretion to make that determination, Councilor Sciarra suggested.

Councilor Dwight said he would defer to Mr. Boulrice on this issue. Ranked choice voting somewhat discourages bullet voting because the voter is basically squandering his/her level of influence, he noted.

With ranked choice voting, when you have an opportunity to express your feeling, you're encouraged to do so, Mr. Boulrice pointed out. He used to bullet vote all the time. In the absence of ranked choice voting, if he supported someone but was not sure they would get enough votes, he would just vote for that one person and not the other person thereby diminishing the chances the other would get in. Ranked choice voting eliminates this need because it allows voters to rank their preferences.

Councilor Quinlan asked if there was a recommendation for the number of rankings. If there were eight candidates on the ballot, would you rank them all? He asked.

If you wanted to, yes, Mr. Boulrice replied.

The other practical disincentive against bullet voting is that, if you only vote once, your ballot doesn't count if it goes to a second round so you're basically disenfranchising yourself, Mayor Narkewicz added.

To amplify, there's nothing at least in the state ballot question that requires a voter to rank all of the candidates, Mr. Moulton clarified. As the mayor pointed out, if you don't rank them all, you run the danger of disenfranchising yourself if there are the maximum number of rounds. It's flexible in that sense.

Councilor Sciarra asked Attorney Seewald how to proceed. What does he need to be able to craft language?

He would suggest there be a vote generally to accept ranked choice voting, Attorney Seewald said. They could then discuss amongst the three of them what they would like to see and propose language to bring back to the council.

Councilor Sciarra said she would like the council to weigh in on what it would like to see.

Councilor Dwight moved approval of the recommendation to employ ranked choice voting in the City of Northampton. He hears the solicitor say that they will hammer out the specifics, he noted.

Councilor Sciarra said she'd like the council to hammer out some of the specific terms it would like to see.

Councilor Thorpe seconded the motion.

Members discussed how granular the council's recommendation should be, whether it should simply approve the concept of ranked choice voting or determine more specifically how it should apply in Northampton.

Mayor Narkewicz confirmed that he agrees with the concept of ranked choice voting. He is comfortable with allowing the solicitor to adapt a ranked choice model to fit Northampton's electoral make-up and present it to the council for discussion.

Councilor Sciarra asked Mr. Boulrice if he thought there was anything else they needed to discuss.

Mr. Boulrice said he thinks the city solicitor is prepared to craft appropriate language as long as councilors are prepared to stick with the district structure as it now exists with the same number of at-large councilors. Further discussion would only be needed if they envision changes.

Councilor Jarrett asked councilors if there are any positions they see that they think should *not* be part of this or if they are talking about applying it to every elected position.

Councilor Dwight said he did not see where [making exceptions] would be advantageous. He advocated for the most simple and direct structure they could adopt without exceptions. He thinks making an exception would do more harm than good. There will be a learning curve for ranked choice voting, so the most elemental, simple form they can present; the better. "I don't want to muddy the waters any further," he observed.

Attorney Seewald cautioned that if they are going to exempt any positions they might run into needing a primary, and since they're going to be eliminating the primary, that would be difficult.

Councilor Foster said she appreciated this opinion. It makes sense that it be across the board, she agreed.

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

RECOMMENDATION TO EXTEND VOTING RIGHTS TO NON-CITIZENS

Councilor Sciarra read the paragraph from the CRC's executive summary regarding the recommendation to extend voting rights to non-citizens.

Councilor Maiore moved to accept the recommendation to extend voting rights to non-citizens. Councilor Dwight seconded.

This is a time he believes it is important for the community to go beyond making aspirational statements that reflect their values and take decisive action that demonstrates Northampton's commitment to equity, diversity and inclusivity, Mr. Moulton asserted. Extending voting rights meets that goal and is consistent with other recommendations of the Charter Review Committee to expand the electorate. During the October 29, 2019 public hearing at least 15 people, including some who lived here while undocumented, described the frustration and disenfranchisement they felt because they were not allowed to vote for local officials who make decisions affecting their lives. As tax-paying contributors to the community they asked to be allowed to vote on issues that decide how that money is spent. Those people who spoke so eloquently and moved the committee to vote unanimously in favor of this recommendation are friends, neighbors, co-workers and colleagues but lack the voting rights the rest of them enjoy. While it remains illegal for non-citizens to vote in federal and state elections, federal law gives states the right to decide whether non-citizens may vote in local elections if requested by a municipality. So far, noncitizens are allowed to vote in some local elections in at least eleven states but not Massachusetts. With a vote tonight approving this recommendation, the City Council can take the first step toward making Northampton another groundbreaking community in Massachusetts while also making a powerful statement in support of all people living and working in their community.

Councilor Nash said he has a question as to why they are using the phrase non-citizens instead of saying all residents can vote.

"I think we are specifically identifying a class of residents that are not given the right to vote in municipal elections," Mr. Moulton responded.

Councilor Dwight said he appreciates the distinction Councilor Nash is making but noted that they're talking about a class that is disenfranchised currently and seeking to identify them clearly. The definition of residency is the crux of the whole argument. Some insist that people who are not documented don't qualify as residents, they're 'illegals.'

"I think it's incumbent on us to be very clear and succinct about what it is that we're asking for, the enfranchisement of people currently disallowed from participating in their governance," he explained. "We are trying to assert our rights to allow people who we feel are part of our community that are not being incorporated in our process in joining us in at least the very elemental right of determining their governance and how they will be governed.'

"We are making a loud declarative statement," he stressed. He does appreciate the distinction. Everyone's vote is *not* predicated on what they own, what they possess, who they are, who they worship, where they came from, etc., he continued. If they're going to subscribe to that very simple right, he thinks they should declare it very clearly without hesitation in their charter.

Attorney Seewald clarified that the distinction is not based on residence. A person can have many residences, he pointed out. The question is where someone is a 'domiciliary.' A person's domicile is where they make their home and where their civic and social connections are. There is already a law saying all domiciliaries over the age of 18 are eligible to vote. The purpose is to bring in a class of people who are not considered domiciliaries for the purpose of registering to vote.

Councilor Nash thanked them for the explanations.

Councilor Maiore said she remembered the evening at the CRC public hearing and it was quite moving. She thinks there were one or two against it, and that was very illuminating, too. If they're not afraid of true democracy, she doesn't think they should be afraid of including all residents, including non-citizens. The state does have the right to give noncitizens the right to vote. It has been done before in their history in a much bigger way in the San Francisco area. She thinks this is a great move if they are looking to have true representative democracy in their city. There are still some who can't vote such as people who are incarcerated, she noted. She hopes as they take on initiatives like this they will achieve a much bigger bandwidth of residents who are represented.

Councilor Foster said she can think of no better statement of community than who gets to have a voice in how their community is run and who gets to have a say. This is one of her very favorite points of the Charter Review Commission. "I wholeheartedly support expanding the voices in our local government," she affirmed.

Councilor LaBarge echoed what Councilor Foster and Councilor Maiore said. She was there that evening too hearing the testimony of the 15 residents that came in. "I will support this 100%," she confirmed.

Councilor Jarrett expressed his support. He has met many people who are here legally – people who are documented and people who are not - and this would apply to both. 'If you're a local person you should have local power.' He expressed his understanding that if it is included as part of the proposal to amend the charter, the state legislature could decline a piece of the proposal without rejecting the rest.

Mr. Moulton confirmed that it is not an 'all or nothing' vote on the home rule petition by the state legislature. Particular pieces of it could be turned down.

When this is in final form, the City Council will vote to authorize the legislature to make changes to the proposed legislation or not, Attorney Seewald advised. One possibility is sending in the more controversial amendments separately. That way city officials can retain their control over the rest of the amendments by not allowing the legislature to change them except as to form.

Mayor Narkewicz confirmed that he is supportive and that it is just a matter of crafting language.

	<p>There is a strategy piece because they wouldn't want it to sink the basic housekeeping items of the charter, he agreed. He expressed the opinion that this will be a major discussion point.</p> <p>Councilor Sciarra thanked CRC members. She called the motion to accept the recommendation to a vote, and it passed unanimously 9:0 by roll call vote.</p>
<p><u>Recess</u></p>	<p><u>Recess</u> Councilor Quinlan requested a recess. The City Council took a seven-minute recess at 8:51 p.m. The council reconvened at 9 p.m.</p>
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 9 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 9:37 p.m. The City Council reconvened at 9:37 p.m.</p>
<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>20.118 Order to Appropriate \$54,075 in CPA Funds for West Farms Road APR Project - 1st rdg</u> <u>20.119 Order for FY2021 Budget Transfers - 1st reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u> <u>20.118 An Order to Appropriate \$54,075 in CPA Funds for West Farms Road APR Project - 1st reading</u> Councilor LaBarge moved to approve the order in first reading. Councilor Jarrett seconded.</p> <p>Members asked questions and offered comments. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>See minutes of October 1, 2020 for second reading.</u></p> <p><u>20.119 An Order for FY2021 Budget Transfers - 1st reading</u> Councilor Dwight moved to approve the order in first reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor LaBarge moved to suspend rules to allow a second reading. Councilor Nash seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><u>The following order passed two readings:</u></p>

City of Northampton
MASSACHUSETTS

In City Council September 17, 2020

Upon recommendation of the Mayor

20.119 An Order for FY2021 Budget Transfers

Ordered, that

The following budgetary transfers be made:

Department	Description	Org	Object	Transfer From:	Transfer To:
General Liability Insurance	OM Property and Casualty	19452	574003		\$ 50,980
General Liability Insurance	OM Public Officials	19452	574004		\$ 30,947
Workers Comp	PS Workers Comp	19121	517003	\$ (69,340)	
Workers Comp	PS Police and Fire Accident	19122	517004	\$ (12,587)	
Total Budgetary Transfers:				\$ (81,927)	\$ 81,927

20.120 Order to Authorize Payment of a Prior Year Bill - 1st reading

Rules suspended, passed two readings and enrolled.

20.120 An Order to Authorize Payment of a Prior Year Bill - 1st reading

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

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

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council September 17, 2020

Upon recommendation of the Mayor

20.120 An Order to Authorize Payment of a Prior Year Bill

Ordered, that

the Council authorize payment of a prior year bill (FY20) from Human Resources for \$7,287.84 for Medicare Part B refunds that were due in June of 2020.

Rules suspended, passed two readings and enrolled.

20.122 Order to Appropriate FY21

20.122 An Order to Appropriate FY2021 CPA Funds for Community Preservation Purposes

CPA Funds for
Community Preservation Purposes -
1st reading
20.123 Order to
Appropriate
\$25,000 for
Northampton
Policing Review
Commission Staff
Support - 1st
reading

- 1st reading

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

See minutes of October 1, 2020 for second reading.

20.123 An Order to Appropriate \$25,000 for Northampton Policing Review Commission Staff Support - 1st reading

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

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

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

The following order passed two readings:

**City of Northampton
MASSACHUSETTS**

In City Council September 17, 2020

Upon recommendation of the Mayor

20.123 An Order to Appropriate \$25,000 for Northampton Policing Review Commission Staff Support

Ordered, that

the sum of \$25,000 be raised and appropriated in the FY2021 budget and added to the City Council Salary Line Item PS Technical/Professional (11111 512000) for part-time staff support to the Northampton Policing Review Commission.

20.124 Order
Authorizing
Acquisition of
Drainage
Easement on the
East Side of
North Farms
Road - 1st
reading

Rules suspended, passed two readings and enrolled.

20.124 An Order Authorizing Acquisition of Drainage Easement on the East Side of North Farms Road - 1st reading

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

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

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

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council, September 17, 2020

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

**O-20.124 AN ORDER AUTHORIZING ACQUISITION OF DRAINAGE EASEMENT
ON THE EAST SIDE OF NORTH FARMS ROAD**

WHEREAS, the City needs to upgrade, replace and extend a drainpipe on the east side of North Farms Road, which outlets onto land of Robert J. Vollinger, Parcel ID 07-042-001; and

WHEREAS, the extended easement is shown on a plan of land entitled "Drain Line Easement North Farms Road, Vollinger's Field, Florence, MA," dated August 2020 by City of Northampton Department of Public Works; and

WHEREAS, Robert J. Vollinger is willing to grant the City the extended easement and to release all claims for the taking of the easement for the consideration of Twenty-Two Thousand Five Hundred Dollars (\$22,500.00).

NOW, THEREFORE BE IT ORDERED,

The City Council hereby authorizes the acquisition by purchase, gift, eminent domain, or otherwise of easement interests in a portion of tax parcel ID 07-042-001, as shown on the above-referenced plan, in order to access, install, realign, maintain, repair, and replace one or more drainage pipes and lines, stone pipe end, and associated infrastructure, and to enter and remain upon the easement area by foot and with vehicles and equipment for said purposes. No appropriation is needed as sufficient funds are available in the Drain Replacement Fund 3200620-589022 to pay Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) as consideration or damages for the acquisition authorized hereunder.

Rules suspended, passed two readings and enrolled.

**Financial Orders
(in 2nd reading)
20.111 Order to
Accept Land and
Surplus it for
Affordable
Housing at Laurel
Street and Burts
Pit Road – 2nd
reading**

**Financial Orders (in 2nd reading)
20.111 An Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and
Burts Pit Road – 2nd reading**

Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded.

Councilor Dwight moved to amend the order to add the citation for the enabling legislation, Chapter 169 of the Acts of 2020. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

Councilor Dwight moved to approve the order as amended. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, September 3, 2020

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

20.111 An Order to Accept Land and Surplus it for Affordable Housing at Laurel Street and Burts Pit Road

WHEREAS, Successive legislation (Chapter 86 of the Acts of 1994, Chapter 241 of the Acts of 2016, and Chapter 169 of the Acts of 2020) has set aside lots on Laurel Street and Burts Pit Road for affordable housing, to transfer the land to the City of Northampton, and to waive consideration (respectively);

WHEREAS, Consistent with the City’s Sustainable Northampton Comprehensive Plan, Housing Needs Assessment, and Fair Housing plans, the city has planned since 1994 for this land to be used for affordable housing;

WHEREAS, City Council has consistently endorsed this use of the land, petitioning the state legislature for these pieces of legislation and most recently zoning Laurel Street parcels as part of the Smart Growth overlay on April 2, 2020.

Ordered, that

The Mayor is authorized to accept said deed to the above referenced land, approximately 3.4 acres in aggregate, at 23 Laurel Street and 278 Burts Pit Road;

Further that City Council declares the parcels surplus to City needs;

Further that the Mayor is authorized to transfer deeds for the land subject to the city retaining affordable housing restriction;

Further, to the extent consistent with the authorizing legislation, the Mayor is authorized to adjust parcel boundaries with neighboring properties such that the final land dedicated to affordable housing is no less than the current lot configurations.

Passed two readings and enrolled.

Orders
20.110 Order to Waive the City’s Right of First Refusal under MGL 61 for Land on Turkey Hill Road – 2nd reading

Orders
20.110 Order to Waive the City’s Right of First Refusal under MGL 61 for Land on Turkey Hill Road – 2nd reading

Councilor Dwight moved to approve the order in second reading. Councilor Maiore seconded.

Councilor Jarrett said he spoke to Mr. Feiden about this after the discussion at the last meeting. He explained that due to the cost of the lot and extensive site work that would be needed the parcel isn’t feasible to use for affordable housing.

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

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council, September 3, 2020

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

20.110 AN ORDER WAIVING THE CITY'S RIGHT OF FIRST REFUSAL UNDER MGL 61 FOR LAND ON TURKEY HILL ROAD

WHEREAS, The City holds a right-of-first refusal to purchase land on 13.1807 acres at 332 Turkey Hill Road (Map ID: 34-034), more particularly described in a deed recorded in the Hampshire County Registry of Deeds Book 11149, Page 346, as part of a Chapter 61 lien; and

WHEREAS, The City, through Planning & Sustainability, helped create this parcel of land as part of the housing element in a limited conservation development, that preserved a significant amount of land for the Mineral Hills Greenway-Turkey Hill;

NOW, THEREFORE BE IT ORDERED,
City Council authorizes the Mayor to waive the City's right of first refusal pursuant to the provisions of G.L. c. 61B.

Passed two readings and enrolled.

<p><u>Ordinances (Not Yet Referred)</u> <u>20.121 Ordinance to Amend Section 5.3 to Reduce the Setback from Street Lot Lines for Accessory Stables</u></p>	<p><u>Ordinances (Not Yet Referred)</u> <u>20.121 An Ordinance to Amend Section 5.3 to Reduce the Setback from Street Lot Lines for Accessory Stables</u> Councilor Dwight moved to refer the ordinance to the Planning Board and Legislative Matters. Councilor Quinlan seconded. The motion passed unanimously 9:0 by roll call vote.</p>
<p><u>Ordinances</u> <u>20.014 Ordinance Relative to Parking on Bridge Street - 1st reading – 1st reading</u></p>	<p><u>Ordinances</u> <u>20.014 An Ordinance Relative to Parking on Bridge Street - 1st reading</u> Councilor Sciarra read the ordinance while the Administrative Assistant posted the diagram. Councilor Dwight moved to approve the ordinance in first reading. Councilor Nash seconded. Councilor Jarrett noted the time limit is 10 hours, not eight (8) hours as mistakenly read. As background, about a year and a half ago, the city renegotiated its agreement with the Depot parking lot, Councilor Nash reminded. The Depot lot had long-term meters that allowed people to feed in quarters and long-term parking passes which allowed people to park there for the month without feeding the meter. Typically, the people who used these meters were downtown employees. When they changed the lot, some of these people were displaced and needed alternate parking. As councilors will remember, in the fall, the council converted six long-term meters in front of Augie's to two-hour meters. This parking zone is an outcome of looking for replacement long-term parking, particularly for downtown employees. He did a lot of outreach, flying businesses and knocking on doors. The business that had the most questions was understandably Historic Northampton as these spaces are in front it. But his assessment and that of the parking folks is that the meters will create turnover and actually result in more available parking for Historic Northampton rather than letting people park there all day free of charge. The zone creates a handicapped parking space that will be available for people going to Historic Northampton and, if needed, downtown stores.</p>

As the ward councilor and TPC member that did a lot of outreach, he recommends a positive vote.

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

See minutes of October 15, 2020 for second reading.

**20.015 Ordinance
Relative to
Metered Parking
on Pleasant St. –
1st reading**

20.015 Ordinance Relative to Metered Parking on Pleasant St. – 1st reading

Councilor Foster disclosed that she is the Executive Director of All Out Adventures which is located along this stretch of Pleasant Street. She anticipates that the ordinance will have an impact on her organization so she is recusing herself.

Councilor Dwight moved to approve the ordinance in first reading. Councilor Maiore seconded.

Councilor Sciarra read the ordinance while the Administrative Assistant posted the diagram.

Again, he did a lot of outreach, flyering vehicles and talking to businesses, Councilor Nash reported. One of the points of feedback he got from Millbank tenants is that the parking zone extended too close to one of the exits, obscuring sight lines for cars pulling out onto Pleasant Street. That was the delay for these two ordinances in moving forward - the DPW pulled it back, reworked it a bit and amended the parking area. As Ward 3 councilor, he supports this.

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

See minutes of October 15, 2020 for second reading.

**20.115 Ordinance
Relative to
Parking on Middle
Street - 1st
reading**

20.115 Ordinance Relative to Parking on Middle Street – 1st reading

Councilor Sciarra read the ordinance while the Administrative Assistant posted the diagram.

Councilor Dwight moved to approve the ordinance in first reading. Councilor Jarrett seconded.

This came out of a larger conversation with residents around Middle Street parking, Councilor Jarrett advised. A resident asked him to bring the parking space closest to Chestnut Street to the attention of the DPW. When the street is narrowed due to snow storage, a dangerous situation is created for vehicles turning onto Chestnut Street. Residents will lose one of the three non-time-limited spots on the street. There is a long history of workers at nearby offices filling many of the parking spaces on Middle Street before time-limited parking was put in place. The retention of the three non-time-limited spots came out of an agreement that some parking spaces would be reserved when other spaces were made time-limited. Elimination of one of the non-time limited spots shouldn't be a problem, but between first and second reading he is going to reach out to the businesses nearby to make sure no hardship is created.

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

See minutes of October 15, 2020 for second reading.

<p><u>New Business</u></p>	<p><u>New Business</u> None</p>
<p><u>Information (Charter Provision 2-7) & Study Requests</u></p>	<p><u>Information (Charter Provision 2-7) and Information Study Requests</u> None</p>
<p><u>Motion to Adjourn</u></p>	<p>Upon motion made by Councilor Dwight and seconded by Councilor Nash, the meeting was adjourned at 10:15 p.m. The motion carried unanimously 9:0 by roll call vote.</p> <p>Attest: _____ Administrative Assistant to the City Council</p>

