

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

June 15, 2022

John Zon Community Center/Zoom (Hybrid)

6:30 pm

CALL TO ORDER: Meeting was called to order at 6:30 p.m. by President Ricketts.

CHAIRS STATEMENT: This meeting is being recorded by the City Council and GCTV-15. If any other persons present are doing the same you must notify the chairperson at this time.

ROLL CALL OF MEMBERS: Roll Call was taken. Vice President Guin was absent. Councilor Bottomley was appearing through Zoom.

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; Chief of Staff Danielle Letourneau; Acting Chief of Police William Gordon; Fire Chief Robert Strahan; IT Director Fernando Fleury (who attempted to fix the technical difficulties); GCTV-15 staff and members of the public.

The Pledge of Allegiance was held.

Experiencing technical difficulties with Zoom attendees' inability to be heard and to hear anyone from the John Zon Community Center.

MOTION: On a motion by Councilor Terounzo, second by Councilor Mayo, it was,

VOTED: THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL WAIVE THE RULES OF PROCEDURE, 8 ORDER AND DISPOSITION OF BUSINESS, TO ALLOW THE AGENDA ITEMS TO BE TAKEN OUT OF ORDER.

Katherine Golub addressed the Councilors on the recommendation made to appoint her as the Precinct 1 Councilor to replace Edward Jarvis, who had resigned.

MOTION: On a motion by Councilor Bullock, second by Councilor Ricketts, it was by majority, 9 yes, 1 no,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-11, APPROVES THE APPOINTMENT OF KATHERINE GOLUB TO FILL THE PRECINCT 1 CITY COUNCIL SEAT, VACATED BY EDWARD JARVIS, UNTIL DECEMBER 31, 2023.

Clerk Scott administered the oath of office to Katherine Golub as Precinct 1 Councilor and joined the roll.

ACCEPTANCE OF MINUTES – None.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Chairperson Amy Proietti from the School Committee submitted a written report for Councilors to review (see attached).

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner reported the following:

- Supported the proposed zoning change to tier limits on marijuana cultivation sites.
- Supported the proposed appropriation for funding an audit of the Greenfield Police Department.

Councilor Mayo provided commentary to address the Mayor's inaction in regards to the racial discrimination in the Greenfield Police Department and urged the Mayor to fire the two police officials involved and believed the Mayor should resign.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: Human Rights Commission

Chairperson Daniel Cantor Yaolwitz addressed the Councilors:

- Presented commentary on the lack of communication between the Mayor, City Council, and other departments to discuss and confront significant issues that affect Greenfield.

Councilors asked the following questions:

- Entity to contact if someone believed their rights had been violated by the Police Department.
- The specific role of the Human Rights Commission.

Councilor Mayo left the rail at 7:58 pm.

PUBLIC COMMENT: The following members of the public spoke:

- Jeff Bengtson, Barton Rd., spoke in opposition to the Councilor's decision to reduce the Police Department's budget at last month's budget meeting.
- Keyedrya Jacobs, 11th St., Turner's Falls, spoke to her support of Police Chief Robert Haigh and his work with FRCOG to discuss the issue of police brutality and racism.
- Tim Farrell, Bernardston Rd., spoke in opposition to the Councilor's decision to reduce the Police Department's budget at last month's budget meeting.
- Christine Tyler, Country Club Rd., spoke in opposition to the proposed marijuana cultivation facility project on Country Club Road.
- Ann Hassett, Leonard St., spoke to a number of issues including the number of signatures needed for a petition; marijuana cultivation; concerns with the water supply and racism.
- Ellen Thompson, Greenfield, spoke to a number of issues including proposed financial appropriations; conservation of water due to low supply and the state of Greenfield's government institution.
- Sean Thomas, Maple St., spoke to a "tax and grab scheme" that could force the taking of someone's home within the City of Greenfield.
- Jon Magee, Green St., spoke in response to Acting Chief Gordon's comments regarding morale and untrustworthy feelings experienced by the Greenfield Police Department.
- Benjamin Miner, Chapman Street., spoke to the civil case involving a former Greenfield police officer against the City of Greenfield and Chief Haigh.
- Susan White, Plain Rd., spoke to her opposition to the Councilor's decision to reduce the Police Department's budget at last month's budget meeting.
- Al Collins, Country Club Rd., spoke in opposition to the proposed marijuana cultivation facility project on Country Club Road.
- Wendy Goodman, Green River Rd., spoke to a number of issues including the police budget reduction; racism in the police department and the future of the public safety institution.
- Karl Meyer, Smith St., spoke to his support of the journalists and the Recorder who covered the meetings and reported on the issues and voiced his concern with the attack on the media. He also addressed the civil case involving a former Greenfield police officer against the City of Greenfield and Chief Haigh.
- Molly Merrett, Solar Way, spoke in support of the Councilor's decision to reduce the Police Department's budget at last month's budget meeting and to the civil case involving a former Greenfield police officer against the City of Greenfield and Chief Haigh.
- Nancy McIver, Plantation Cir., spoke to her support for a proposed zoning amendment to return marijuana cultivation limits back to tier one.

- Bill Johnston, Verde Dr., spoke to his support for a proposed zoning amendment to return marijuana cultivation limits back to tier one.
- Adam Belville, Cooke St., spoke to his concerns of being laid off from the police department due to the Councilor's reduction to the police department's budget.
- Mitchell Speicke, Chestnut Hill, spoke to the issue of home equity theft and what steps the Council could take to address the matter.
- Al Norman, Grinnell St., spoke to the Charter Chapter 7-7 Citizen's Initiatives and home equity theft.
- Andrea Michael, James St., spoke to her support for an audit of the police department. She also addressed the reduction of the police department's budget.
- Tom Tolg, Walnut St., spoke to this issue of home equity theft and urged the Councilors to propose an ordinance that this State mandate not be practiced in Greenfield.
- Sandy Kosterman, Barton Rd., spoke to her opposition of the proposed marijuana cultivation facility project on Country Club Road and supported a proposed zoning amendment to return the marijuana cultivation limit to tier 1.
- Michelle Allenby, Carol Ln., spoke to her disappointment in the direction in which the City of Greenfield was going with the division on current issues occurring in the City. She read from an email she originally attempted to send to one of the City Councilors.
- Pamela Goodwin, High St., spoke to a number of issues including the police budget reduction; the cleanup to the property located at 298 Federal Street and the media in Greenfield.
- Brian Hoffman, Barton Rd., spoke to his opposition to the proposed marijuana cultivation facility project on Country Club Road and supported a proposed zoning amendment to return the marijuana cultivation limit to tier 1.
- Andrew Ritchey, Beech St., thanked the Councilors for addressing the issues that have been brought forward including the marijuana cultivation facility, the proposed zoning amendment for return to tier 1; the cleanup of the property located at 298 Federal Street and police misconduct.
- Rick Pelc, Country Club Rd., spoke to his opposition to the proposed marijuana cultivation facility project on Country Club Road and supported a proposed zoning amendment to return the marijuana cultivation limit to tier 1.
- Jason Haskins, Forest Ave., spoke to his experience with the police department and raised his concerns regarding the possible layoff of some police officers due to the reduction in the police budget.
- Ashli Stempel-Rae, Conway St., spoke to her experience as a City Council President working with other committees. She also spoke to Chief Haigh's character as she witnessed.
- Jesus Leyva, High St., spoke to his experiences with the Greenfield Police Department and spoke to the reduction in the police department budget and urged the firing or accepting the resignation of Police Chief Haigh.
- Jaimye Hawkins, Cherry St., spoke to the civil case involving a former Greenfield police officer against the City of Greenfield and Police Chief Haigh. She also spoke to how misinformation and bias affected public opinion and escalate a situation.
- Ruben Mercado, West St., Northampton, spoke to his experience working with Police Chief Haigh.
- Ariel Elan, Montague, owes property on Prospect Ave., spoke to her opposition to the Councilor's decision to reduce the Police Department's budget at last month's budget meeting.

PUBLIC HEARINGS: Councilor Forgey read the public hearing notice:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., June 15, 2022, at 6:30 p.m. at John Zon Community Center and Zoom Conferencing System:

<https://greenfield-ma-gov.zoom.us/j/93216003634?pwd=M3ZqdTlleVFSbjhIUWtCME1lSVc0dz09>, to receive public input on the following:

- Approve Payment of \$10,814, FY2020 Invoice for Siemens Inc from FY22 Energy Department Budget.

The City Council may consider the same on Wed., June 15, 2022, at 6:30 p.m. at John Zon Community Center and Zoom Conferencing System: <https://greenfield-ma-gov.zoom.us/j/93216003634?pwd=M3ZqdTlleVFSbjhIUWtCME1lSVc0dz09>. Materials can be obtained from the City Clerk’s Office, 14 Court Sq. from 9:00 a.m.-4:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Sheila Gilmour, Greenfield City Council President

President Gilmour opened the public hearing at 8:54 pm. She asked if anyone from the public would like to speak. Seeing none, she closed the public hearing at 8:54 pm.

The order needed 12 Councilors to vote in favor of the measure. Because 12 Councilors weren’t present and/or unable to vote, President Gilmour asked if there was no objection to forward the order to the July City Council meeting. Seeing none, the order was forwarded to July 20, 2022, City Council meeting.

President Gilmour asked for a 5 minutes recess at 8:55 pm.

President Gilmour resumed the meeting at 9:00 pm.

Councilor Terounzo read the second reading:

City Council – Second Reading- June 15, 2022

- Approve Payment of \$10,814 FY2020 Invoice for Siemens Inc from FY22 Energy Department Budget.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 22-158

MOTION: On a motion by Councilor Ricketts, second by Councilor Desorgher, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL APPROPRIATE OR RESERVE FROM COMMUNITY PRESERVATION FUND ANNUAL REVENUES OR AVAILABLE FUNDS THE AMOUNTS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE FOR COMMITTEE ADMINISTRATIVE EXPENSES, DEBT SERVICE, COMMUNITY PRESERVATION PROJECTS AND OTHER EXPENSES IN FISCAL YEAR 2023, WITH EACH ITEM TO BE CONSIDERED A SEPARATE APPROPRIATION AS FOLLOWS:

APPROPRIATE \$13,437.50 FROM FY2023 COMMUNITY PRESERVATION FUND REVENUES FOR ADMINISTRATIVE EXPENSES.

RESERVE \$174,687.50 FROM FY2023 COMMUNITY PRESERVATION FUND REVENUES FOR FY2023 COMMUNITY PRESERVATION FUND PURPOSES (FY2023 ANNUAL BUDGETED RESERVE).

RESERVE \$26,875.00 FROM FY2023 COMMUNITY PRESERVATION FUND REVENUES FOR OPEN SPACE.

RESERVE \$26,875.00 FROM FY2023 COMMUNITY PRESERVATION FUND REVENUES FOR HISTORIC RESOURCES.

RESERVE \$26,875.00 FROM FY2023 COMMUNITY PRESERVATION FUND REVENUES FOR COMMUNITY HOUSING.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-158.

Order no. FY 22-149

MOTION: On a motion by Councilor Desorgher, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$50,000 BE TRANSFERRED FROM THE FOLLOWING FY22 ACCOUNTS:

01001500.5305 LABOR SPECIAL LITIGATION	\$40,000
01002410.5111 BUILDING SALARIES	\$10,000

TO THE FOLLOWING ACCOUNT:

01001510.5302 FY22 CITY LEGAL	\$50,000
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DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-149.

Order no. FY 22-150

MOTION: On a motion by Councilor Desorgher, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$30,000 BE TRANSFERRED FROM THE FY22 01002120.5111 PARKING SALARIES TO FY22 01002130.5130 DISPATCH OVERTIME

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation. Other comments included:

- Rationale given for the significant balance in the Parking Salaries account.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-150.

Order no. FY 22-151

MOTION: On a motion by Councilor Forgey, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$60,000 BE TRANSFERRED FROM THE FOLLOWING ACCOUNTS:

01001550.5111 FY22 IT SALARIES	\$42,000
01001350.5111 FY22 ACCOUNTING SALARIES	\$18,000

TO THE FOLLOWING FY22 ENERGY ACCOUNTS:

01001970.521122	FIRE ELECTRIC	\$16,000
01001970.521622	FIRE PROPANE	\$23,000
01001970.521111	MIDDLE SCHOOL ELECTRIC	\$21,000

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-151.

Order no. FY 22-152

MOTION: On a motion by Councilor Forgey, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$12,600 BE TRANSFERRED FROM ACCOUNT 01001410.5111 ASSESSORS SALARIES AND WAGES TO THE FOLLOWING FY22 GENERAL FUND ACCOUNTS:

01009160.5181	MEDICARE TAX	\$10,000
01001580.5317	TAX TITLE	\$ 2,600

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-152.

Order no. FY 22-153

MOTION: On a motion by Councilor Forgey, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$65,000 BE TRANSFERRED FROM THE FY22 01001320.5781 RESERVE FUND TO FY22 CITY VEHICLE FUEL ACCOUNTS AS FOLLOWS:

01002100.5482	POLICE NO LEAD GAS	\$25,000
01002200.5482	FIRE FUEL	\$20,000
01004290.5482	DPW SERVICE GAS	\$10,000
01004290.5483	DPW SERVICE DIESEL	\$10,000

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation. Other comments included:

- Amount requested for the Police Gas account was same amount reduced in the police department’s operating budget expense line item.
- End of year transfer requests were a normal procedure used to close a fiscal year. Not every department was able to meet the accommodations of the budget, so the Mayor and Finance Director attempted to locate these funds. It was illegal to close a fiscal year with a negative balance; which could result in the raising of taxes.

It was by majority, 8 yes, 1 no,

VOTED: TO APPROVE ORDER NO. FY 22-153.

Order no. FY 22-154

MOTION: On a motion by Councilor Forgey, second by Councilor Ricketts, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$61,000 BE TRANSFERRED FROM THE FY22 01007100.59991 SHORT TERM PRINCIPAL PAYDOWN TO FY22 01007520.5925 SHORT TERM INTEREST.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-154.

Order no. FY 22-139

MOTION: On a motion by Councilor Elmer, No second, it was,
FAILED FOR LACK OF SECOND: THAT IT BE ORDERED THAT THE CITY COUNCIL OF GREENFIELD AMEND THE ZONING ORDINANCE, CHAPTER 200, TO PROVIDE MARGINS OF PROTECTION FOR ESTABLISHED NEIGHBORHOODS IN REGARDS TO THE SETBACK, PLACEMENT AND TIER SIZE ALLOWED FOR MARIJUANA/CANNABIS CULTIVATION FACILITIES AND PROPOSE LIMITATIONS BE PUT ON ZONING LAWS FOR ESTABLISHED MEDIUM TO HIGH DENSITY NEIGHBORHOODS;
AND FURTHERMORE, TO PLACE A MORTORIUM ON ALL SPECIAL PERMITS FOR MARIJUANA/CANNABIS CULTIVATION TO ALLOW THE CITY TIME TO STUDY EXISTING CULTIVATION ESTABLISHMENTS AND TO UNDERTAKE A PLANNING PROCESS TO CONSIDER AMENDING THE ZONING BYLAWS REGARDING CULTIVATION FACILITIES IN RESIDENTIAL AREAS.
AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE. AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE CITY OF GREENFIELD.

Councilor Elmer explained this was the result of a citizen’s petition. A legal opinion was issued outlining the reasons why the language was insufficient for the Council to consider and therefore the Economic Development Committee voted to table the matter at their June14 meeting. Two proposed zoning amendments related to these issues were filed by the Planning Board and Councilor Forgey, respectively, to be presented later in meeting under New Business.

Order no. FY 22-157

MOTION: On a motion by Councilor Bullock, second by Councilor Desorgher, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL RESCIND THE FOLLOWING ORDER VOTED DURING THE REGULAR MEETING HELD ON FEBRUARY 16, 2022:

Order no. FY 22-082

On February 16, 2022, the Greenfield City Council, on a motion by Councilor Forgey, second by Councilor Mayo, it was by roll call, 10 yes, 0 no,

THAT THE GREENFIELD CITY CHARTER ARTICLE 6: ADMINISTRATIVE ORGANIZATION, SECTION 6-11 (D): PUBLIC SAFETY COMMISSION; POWERS AND DUTIES, BE AMENDED AS

INDICATED BELOW, WITH BOLD TEXT TO BE ADDED AND STRIKETHROUGH TEXT TO BE REMOVED:

SECTION 6-11: PUBLIC SAFETY COMMISSION

D) POWERS AND DUTIES: THE COMMISSION SHALL ASSIST THE MAYOR IN THE SUPERVISION AND OVERSIGHT OF ALL DEPARTMENTS ~~(FIRE, POLICE, EMERGENCY MEASURES ORGANIZATION)~~ **EMERGENCY MANAGEMENT, DISPATCH**, INCLUDING THE COORDINATION OF THE ADMINISTRATION OF ALL DEPARTMENTS WITH ONE ANOTHER, AND WITH OTHER CITY DEPARTMENTS AND AGENCIES BY MAKING RECOMMENDATIONS TO THE MAYOR CONCERNING:

1. SETTING PRIORITIES WITHIN THE SAID DEPARTMENTS.
2. THE ANNUAL OPERATING BUDGET OF ~~BOTH~~ **ALL** DEPARTMENTS, AFTER THE MAYOR AND THE COMMISSION HAVE MET WITH THE ~~CHIEFS~~ **PUBLIC SAFETY DEPARTMENT HEADS** TO DISCUSS THE PROPOSED BUDGETS.
3. THE CAPITAL BUDGET REQUESTS OF ~~BOTH~~ **ALL PUBLIC SAFETY DEPARTMENTS SHALL BE SUBMITTED TO THE MAYOR AFTER THE COMMISSION HAS MET WITH THE DEPARTMENT HEADS TO DISCUSS THE REQUESTS.** THE COMMISSION MEMBERS MAY ONLY INSPECT THE DEPARTMENTS ON AN ANNUAL BASIS IN CONNECTION WITH BUDGET REVIEW. ~~INSPECTIONS SHALL~~ **CAN INCLUDE FACILITY AND EQUIPMENT MAINTENANCE, DEPARTMENT RECORDS, STATUS OF POLICIES AND PROCEDURES, AND REVIEWS OF ANY OTHER ASPECT OF THE DEPARTMENTS DEEMED NECESSARY TO THE SMOOTH OPERATION OF SAID DEPARTMENTS.** INSPECTIONS SHALL BE MADE ONLY AFTER APPROVAL FROM THE ~~CHIEF~~ **DEPARTMENT HEAD** HAS BEEN OBTAINED TO INSURE IT WILL NOT DISRUPT DEPARTMENT OPERATIONS.
4. FINAL REVIEW FOR APPOINTMENTS AND PROMOTIONS OF ALL PERSONNEL, IN THE POLICE AND FIRE DEPARTMENTS, SHALL BE CONDUCTED BY THE COMMISSION AND THE RESPECTIVE ~~CHIEF~~ **PUBLIC SAFETY DEPARTMENT HEAD.** ~~THE CHIEF PUBLIC SAFETY DEPARTMENT HEAD~~ SHALL SUBMIT RECOMMENDATIONS TO THE COMMISSION AND THE COMMISSION, IF IT DOES NOT AGREE WITH SAID RECOMMENDATIONS, SHALL SUBMIT WRITTEN REASONS FOR NOT CONCURRING WITH SAID RECOMMENDATIONS TO THE MAYOR. APPOINTMENTS AND PROMOTIONS OF PUBLIC SAFETY PERSONNEL SHALL BE MADE IN ACCORDANCE WITH CIVIL SERVICE LAW AND GENERAL LAWS, AND LOCAL HIRING POLICY REQUIREMENTS AS DEFINED BY THE MAYOR RESPECTIVELY, AS THEY MAY APPLY TO THE CITY HIRING PROCESS. (HR & MAYOR)

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER

DISCUSSION: It was noted that the language used on the order in February was from an older version of the City Charter.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 22-157.

Order no. FY 22-144

MOTION: On a motion by Councilor Bullock, second by Councilor Desorgher, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 6: ADMINISTRATIVE ORGANIZATION, SECTION 6-11 (D): PUBLIC SAFETY COMMISSION; POWERS AND DUTIES, BE AMENDED AS INDICATED BELOW, WITH BOLD TEXT TO BE ADDED AND STRIKETHROUGH TEXT TO BE REMOVED:

SECTION 6-11: PUBLIC SAFETY COMMISSION

(d) *Powers and Duties:* The commission shall assist the Mayor in the supervision and oversight of ~~the~~ **ALL DEPARTMENTS** (police, ~~and~~ fire, **EMERGENCY MANAGEMENT, DISPATCH**) ~~departments,~~ including the coordination of the administration of ~~both~~**ALL** departments with one another, and with other City departments and agencies by making recommendations to the Mayor concerning: :

1. Setting priorities within said departments;
2. The annual operating budgets of **ALL** ~~both~~ departments, after the Mayor and commission have met with the **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ to discuss the proposed budgets; .
3. The capital budget requests of ~~both~~**ALL PUBLIC SAFETY** departments **SHALL BE SUBMITTED TO** , ~~after~~ the Mayor **AFTER**~~and~~ the commission **HAS** ~~have~~ met with the **DEPARTMENT HEADS** ~~chiefs~~ to discuss the requests, provided, however, that commission members may only inspect the departments on an annual basis in connection with ~~the~~ budget review. **INSPECTIONS CAN INCLUDE FACILITY AND EQUIPMENT MAINTENANCE, DEPARTMENT RECORDS, STATUS OF POLICIES AND PROCEDURES, AND REVIEWS OF ANY OTHER ASPECT OF THE DEPARTMENTS DEEMED NECESSARY TO THE SMOOTH OPERATION OF SAID DEPARTMENTS.** ~~or in relation to a written complaint from the public. (Inspections shall be made only after approval from the DEPARTMENT HEADS~~ ~~chiefs~~ ~~has been obtained to insure it will not unduly disrupt department operations.)~~
4. Final interviews for appointments and promotions of **ALL PERSONNEL** ~~officers and employees,~~ in the police and fire department, shall be conducted by the commission and the **RESPECTIVE PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~. The **PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~ shall submit ~~his~~ recommendations to the commission and the commission, if it does not agree with said recommendations, shall submit written reasons for not concurring with said recommendations to the Mayor. Appointments and promotions of public safety personnel shall be made in accordance with collective bargaining agreements and applicable General Laws, and local hiring policy requirements as defined by the Mayor, respectively.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

DISCUSSION: Councilor Bullock reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation. Other comments included:

- Mayor Wedegartner forwarded amended language for additional clarification to the Charter Section.

MOTION: On a motion by Councilor Lapienski, second by Councilor Ricketts, it was unanimously, **VOTED:** TO AMEND ORDER BY ADDING THE FOLLOWING LANGUAGE IN BOLD RED AND REMOVING LANGUAGE IN RED STRIKETHROUGH AS FOLLOWS:

SECTION 6-11: PUBLIC SAFETY COMMISSION

(d) *Powers and Duties:* The commission shall assist the Mayor in the supervision and oversight of ~~the~~ **ALL DEPARTMENTS** (police, ~~and~~ fire, **EMERGENCY MANAGEMENT, DISPATCH**) ~~departments~~, including the coordination of the administration of ~~both~~**ALL** departments with one another, and with other City departments and agencies by making recommendations to the Mayor concerning: :

1. Setting priorities within said departments;
2. The annual operating budgets of **ALL** ~~both~~ departments, after the Mayor and commission have met with the **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ to discuss the proposed budgets; .
3. The capital budget requests of ~~both~~**ALL PUBLIC SAFETY** departments **SHALL BE SUBMITTED TO** ~~after~~ the Mayor **AFTER**~~and~~ the commission **HAS** ~~have~~ met with the **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ to discuss the requests, provided, however, that commission members may only inspect the departments on an annual basis in connection with ~~the~~ budget review. **INSPECTIONS CAN INCLUDE FACILITY AND EQUIPMENT MAINTENANCE, DEPARTMENT RECORDS, STATUS OF POLICIES AND PROCEDURES, AND REVIEWS OF ANY OTHER ASPECT OF THE DEPARTMENTS DEEMED NECESSARY TO THE SMOOTH OPERATION OF SAID DEPARTMENTS.** ~~or in relation to a written complaint from the public. (Inspections shall be made only after approval from the~~ **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ ~~has been obtained to insure it will not unduly disrupt department operations.)~~
4. Final interviews for appointments and promotions of **ALL PERSONNEL** ~~officers and employees~~, in the police ~~and~~ **or** fire department, shall be conducted by the commission and the **RESPECTIVE PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~. The **RESPECTIVE PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~ shall submit ~~his~~ recommendations to the commission and the commission, if it does not agree with said recommendations, shall submit written reasons for not concurring with said recommendations to the Mayor. Appointments and promotions of public safety personnel shall be made in accordance with collective bargaining agreements and applicable General Laws, and local hiring policy requirements as defined by the Mayor, respectively.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

Order no. FY22-144, as amended, was on the floor: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 6: ADMINISTRATIVE ORGANIZATION, SECTION 6-11 (D): PUBLIC SAFETY COMMISSION; POWERS AND DUTIES, BE AMENDED AS INDICATED BELOW, WITH BOLD TEXT TO BE ADDED AND STRIKETHROUGH TEXT TO BE REMOVED:

SECTION 6-11: PUBLIC SAFETY COMMISSION

(d) *Powers and Duties:* The commission shall assist the Mayor in the supervision and oversight of ~~the~~ **ALL DEPARTMENTS** (police, ~~and~~ fire, **EMERGENCY MANAGEMENT, DISPATCH**) ~~departments~~, including the coordination of the administration of ~~both~~**ALL** departments with one another, and with other City departments and agencies by making recommendations to the Mayor concerning: :

1. Setting priorities within said departments;

2. The annual operating budgets of ~~ALL both~~ departments, after the Mayor and commission have met with the **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ to discuss the proposed budgets; .

3. The capital budget requests of ~~both~~ **ALL PUBLIC SAFETY** departments **SHALL BE SUBMITTED TO** ~~after~~ the Mayor **AFTER** ~~and~~ the commission **HAS** ~~have~~ met with the **PUBLIC SAFETY DEPARTMENT HEADS** ~~chiefs~~ to discuss the requests, provided, however, that commission members may only inspect the departments on an annual basis in connection with ~~the~~ budget review. **INSPECTIONS CAN INCLUDE FACILITY AND EQUIPMENT MAINTENANCE, DEPARTMENT RECORDS, STATUS OF POLICIES AND PROCEDURES, AND REVIEWS OF ANY OTHER ASPECT OF THE DEPARTMENTS DEEMED NECESSARY TO THE SMOOTH OPERATION OF SAID DEPARTMENTS.** ~~or in relation to a written complaint from the public. (Inspections shall be made only after approval from the PUBLIC SAFETY DEPARTMENT HEADS~~ ~~chiefs~~ ~~has been obtained to insure it will not unduly disrupt department operations.)~~

4. Final interviews for appointments and promotions of **ALL PERSONNEL** ~~officers and employees,~~ in the police ~~and~~ ~~or~~ fire department, shall be conducted by the commission and the **RESPECTIVE PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~. The **RESPECTIVE PUBLIC SAFETY DEPARTMENT HEADS** ~~chief~~ shall submit ~~his~~ recommendations to the commission and the commission, if it does not agree with said recommendations, shall submit written reasons for not concurring with said recommendations to the Mayor. Appointments and promotions of public safety personnel shall be made in accordance with collective bargaining agreements and applicable General Laws, and local hiring policy requirements as defined by the Mayor, respectively.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-144 AS AMENDED.

Order no. FY 22-156

MOTION: On a motion by Councilor Bullock, second by Councilor Ricketts, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS AND RE-APPOINTMENTS BY THE MAYOR:

Appointments:

- Council on Aging - Randie Handleman, Term to Expire December 31, 2022 (short term to replace Mary Williford)
- Human Rights Commission - Philippe Simon, Term to Expire June 30, 2023 (short term to replace Carolyn McDaniel)
- Human Rights Commission - Irene Woods, Term to Expire December 31, 2024 (short term to replace Maureen Lyons)
- Mayor's Task Force Against Domestic Violence - Scott Smith, Term to Expire December 31, 2024 (short term to replace Irene Woods)
- Sustainable Greenfield Implementation Committee - Walter Kim Boas, Term to Expire June 30, 2025

Reappointments:

- Council on Aging - Margaret "Peg" Saulnier, Term to Expire June 30, 2025
- Housing Authority - Trish Leonard, Term to Expire June 30, 2027

- Sustainable Greenfield Implementation Committee - Nancy Hazard, Term to Expire June 30, 2025

DISCUSSION: Councilor Bullock reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 22-156.

Order no. FY 22-161

MOTION: On a motion by Councilor Desorgher, second by Councilor Lapienski, it was by roll call, 9 yes, 1 abstention,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL APPROVES THE RESOLUTION TITLED “A RESOLUTION REGARDING THE CONTINUED SERVICES OF O’REILLY, TALBOT AND OKUN (OTO) ACTING AS THE LICENSED SITE PROFESSIONAL (LSP) FOR THE BROWNFIELD CLEAN-UP OF THE LUNT PROPERTY AT 298 FEDERAL STREET (RTN 1-18869), AS ATTACHED IN EXHIBIT A.

WHEREAS, it is confirmed by the recent Massachusetts Department of Environmental Protection (DEP) Audit Report, that OTO has failed to conduct an adequate and thorough characterization and assessment of the extent of contamination on the Lunt property, especially pertaining to Trichloroethylene (TCE) contamination and other Dense Non-aqueous Phase Liquids (DNAPLs);

WHEREAS, it is confirmed by the DEP Audit, that OTO failed to implement the necessary contaminant containment to isolate the TCE contamination and to prevent further TCE spread and exposure to the public;

WHEREAS, OTO allowed the premature opening of the detox unit before necessary contaminant controls were established. Failure to properly test indoor air quality resulted in an emergency situation in which the DEP highest category imminent hazard alert was triggered. Imminent hazard alerts are based in-part on the potential for carcinogenic health effects;

WHEREAS, failure by OTO resulted in the unnecessary exposure to vapors of chlorinated solvents, primarily TCE, to the staff and residents occupying the Franklin Recovery Center;

WHEREAS, such actions or lack of actions by OTO continue to unnecessarily expose workers and residents to vapors of chlorinated solvents without their knowledge or consent;

WHEREAS, OTO failed to design and install a groundwater collection and treatment system as proposed in the 2012 Phase II Report and reaffirmed in the FRCOG Analysis.

WHEREAS, the City turned over the preparation of the Public Involvement Plan (PIP) to 401 Liberty Street, LLC, (Raipher Pellegrino) the lessee of the Lunt property who has a financial conflict of interest in the outcome;

WHEREAS, OTO has lost the confidence of the public by the above actions;

WHEREAS, by failing to adequately control the contamination and to prevent the continuing migration of contamination off-site, it significantly increases the City’s exposure to potential liability related to the hazardous wastes present at the Lunt property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Greenfield has lost confidence in the further involvement of OTO acting as the LSP for the Lunt property clean-up and directs the Mayor of Greenfield to retain the services of a different LSP who will gain control of the remaining contaminants at the Lunt property and actually implement the Public Involvement Plan to guide the clean-up process going forward.

Order no. FY 22-160

MOTION: On a motion by Councilor Lapienski, No second, it was,

FAILED FOR LACK OF SECOND: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL APPROVES THE ATTACHED RESOLUTION:

Resolved, that the City Council finds full and appropriate reason to declare that police chief Robert Haigh has lost the confidence of the citizens of Greenfield; and finds further reason to declare that Mayor Roxann Wedegartner, due to her public support of Chief Haigh, has similarly lost the confidence of the citizens of Greenfield.

The City Council therefore calls on the Mayor to rectify this crisis of confidence either by firing Chief Haigh immediately or by resigning from office.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS – None.

REPORTS OF COMMITTEES – Councilor Elmer inquired as to the recommendation the Economic Development Committee forwarded on the sale of land located on Summer Street not appearing on this month's agenda for a vote.

UNFINISHED BUSINESS: None.

OLD BUSINESS: Councilor Lapienski inquired as to the proposed Charter Change for Section 7-7 he submitted in March moving forward to a recommendation at the Appointments & Ordinances Committee and then to full Council for a vote.

MOTION: On a motion by Councilor Lapienski, No second, it was,

FAILED FOR LACK OF SECOND: TO AMEND SECTION 7-7 OF THE CHARTER OF THE CITY OF GREENFIELD BY STRIKING THE WORDS "NOT LESS THAN 10 PERCENT OF THE TOTAL NUMBER OF VOTERS VOTING IN THE MOST RECENT BIENNIAL TOWN ELECTION.", AND THE WORD "BUT" FROM SUBSECTION C, ADDING THE WORDS "AND SHALL SUBMIT THE PROPOSED MEASURE WITHOUT ALTERATION TO THE VOTERS FOR DETERMINATION AT THE NEXT REGULAR ELECTION, WHETHER IT BE A CITY OF STATE ELECTION." AND THAT'S ADDING IT TO SUBSECTION D AND STRIKING SUBSECTION E IN ITS ENTIRETY.

NEW BUSINESS: Councilor Forgey requested to step down from the Appointments & Ordinances Committee. Councilor Ricketts announced that she would like to be appointed to the Appointments & Ordinances Committee.

President Gilmour called for a 5 minute recess at 10:11 pm.

Meeting resumed at 10:19 pm.

Discussion on the use of City of Greenfield social media platforms for the purpose of intimidation and retaliation against an individual or group. Comments included:

- President Gilmour provided rationale for why this issue was placed on the agenda.
- Some Councilors had approached President Gilmour with their experiences receiving harassing phone calls and comments on social media platforms that were construed as threatening in nature.
- The Mayor's office does not receive notification or gives permission to anyone who has access to post on a City of Greenfield website.
- The Mayor's administration was in the process of putting policies in place in regards to the City's social media platforms and their specific uses.
- Concern was raised as to the numerous posts and specific wording used that could be interpreted as harassment of threat.

- It was noted that Councilors, both past and present, have also posted on social media or had written communications that could have been taken as intimidating and harassing as well.
- If an employee of the City intentionally posted incorrect or misleading information on a City website they would receive disciplinary action and the post would be removed from the website and archived as public record.

Councilor Forgey read the first reading:

City Council – First Reading- June 15, 2022

- Appropriate \$175,000 from Fund 8400 General Stabilization for Independent Assessment/Audit of the City of Greenfield’s Police Department’s Structure, Policies and Practices.

Councilor Elmer read the notice of zoning amendment proposals:

Notice of Zoning Amendment proposals – June 15, 2022

The following zoning amendment proposal(s) have been submitted to the Greenfield City Council for consideration:

- Add Section 200-7.3 to place a 1-year moratorium on all outdoor marijuana/cannabis cultivation facilities to allow the City time to study existing cultivation establishments and to undertake a planning process to consider amending the Zoning Ordinance regarding cultivation facilities in residential areas.

Councilor Elmer noted that many residents had requested to change the tier 1 limits on marijuana grow facilities before the vote to establish a 1 year moratorium. He signed a civil action in the Town of Acton in which the Town had the right to limit the amount of activity on a property without changing the project itself. He read the proposed zoning amendment submitted by Councilor Forgey:

- Motion: Pursuant to the provisions of Chapter 94G, section 3 of the M.G.L., in order to impose reasonable safeguards on the operation of outdoor marijuana cultivations, and to restrict the licensed cultivation, processing and manufacturing of marijuana, the City of Greenfield hereby makes the following amendments to its Zoning Ordinance:
 - 1. Section 200-4.2 Rural Residential District (RC) section (C) Uses by special permit, is hereby amended by adding the following new section:
“(22) Marijuana cultivation limited to Tier 1 (5,000 square feet) pursuant to ~200-7.17”
 - 2. ~ 200-7.17. Marijuana Establishments is hereby further amended by adding at the end of section (B) 4 the following new language: **“A marijuana outdoor cultivation is limited to Tier 1 (5,000 square feet) per license. No Person or Entity Having Direct or Indirect Control shall be granted, or hold, more than three licenses in a particular class. The maximum outdoor canopy permissible under all licenses for a single parcel is 15,000 sq. ft.”**

The Councilors discussed whether they had the ability to vote on the measure submitted by Councilor Forgey tonight at this meeting.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Helie, it was unanimously, **VOTED:** TO ADJOURN THE MEETING AT 11:52 P.M.

A true copy,

Attest: _____
 Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

John Zon Community Center/Zoom Hybrid
 Regular Meeting
 June 15, 2022

	Attendance	FY22-161				
1. Golub, Katherine	Y	Y				
2. Guin, Daniel	N	---				
3. Desorgher, Virginia	Y	Y				
4. Bottomley, John	Y	---				
5. Bullock, Marianne	Y	Y				
6. Gilmour, Sheila	Y	Y				
7. Lapienski, Jasper	Y	Y				
8. Mayo, Douglas	Y	---				
9. Helie, Derek	Y	A				
10. Elmer, Philip	Y	Y				
11. Forgey, Christine	Y	Y				
12. Ricketts, Penny	Y	Y				
13. Terounzo, Michael	Y	Y				

9 y
 1 abs

Submitted by School Committee Chair Amy Proietti for June 15, 2022, City Council meeting.

----- Forwarded message -----

From: **Amy Proietti** <amypro1@gpsk12.org>
Date: Wed, Jun 15, 2022 at 9:57 AM
Subject: 6/15 Report from GPS to the City Council
To: Kathy Scott <kathy.scott@greenfield-ma.gov>
Cc: Christine DeBarge <chrdeb1@gpsk12.org>

Hi, Kathy.

Superintendent DeBarge and I submit the attached as our report from the Schools to the Council for June 2022.

We encourage the Councilors to review the full NESDEC presentation:

https://www.gpsk12.org/sites/default/files/School_Committee/NESDEC_BestUseofEdFacilitiesPresentation_Rev2_06082022.pdf

The presentation and discussion can be viewed on the GCTV recording of the 6/8 School Committee meeting, which beginning around minute 35:

<https://www.youtube.com/watch?v=ccTIQdMizXA>

Thank you,

--Amy P.