

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

February 15, 2023

John Zon Community Center/Zoom Hybrid

6:30 pm

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

CHAIRS STATEMENT: This meeting is being recorded by the City Council and GCTV-17. If any other persons present are doing the same you must notify the chairperson at this time. This meeting is being recorded by the City Council and GCTV-17. If any other persons present are doing the same you must notify the chairperson at this time. In accordance with MGLc 30A SS 20(g) “No person shall address a meeting of a public body without permission of the Chair and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.”

ROLL CALL OF MEMBERS: Roll Call was taken. Councilor Helie was absent. (Councilor Mayo appeared via Zoom)

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Assistant City Clerk Quinn Jacquins; Finance Director/City Auditor/City Accountant Diana Schindler; Chief of Staff Danielle Letourneau; Greenfield School Superintendent Dr. Christine DeBarge; School Committee Chairperson Amy Proietti; Health Director Jennifer Hoffman; Police Chief Robert Haigh; Fire Chief Robert Strahan; IT Director Fernando Fleury; Public Safety Commission Chair David Moscaritolo; Public Safety Commission Proposed Appointee Ed Jarvis; GCTV-17 staff; Mary Byrne, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Ricketts, second by Councilor Forgey, it was unanimously,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF JANUARY 5, 2023.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Superintendant Dr. DeBarge and School Committee Chair Proietti reported the following:

- Next week was February school vacation for all Greenfield students.
- Meeting and public hearing for the FY2024 School Budget would be rescheduled from March 2, 2023, 6:00 pm, at the Greenfield High School due to a posting issue. Tentative date would be March 10, 2023, via Zoom, time to be determined.
- Greenfield Public Schools food service department had received a \$146,000 grant to purchase a food truck for meal distribution services.
- Greenfield School teachers Shannon Eaton and Deb Richardson became the recipients of the Grinspoon Award which recognized excellence in teaching.
- Negotiations with teacher and staff contracts were ongoing.

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner and Chief of Staff Letourneau reported the following:

- Status on State Legislation Bill 2257, which would create a municipal and public safety building authority to establish a process for funding other municipal buildings apart from libraries and schools.

- Status on State Legislation HD 81, which addressed tax deeds and protecting equity for homeowners facing foreclosure (AKA The Equity Theft Bill).
- Status on filed legislation by Senator Comerford for a Bill SD 612, which would fairly reimburse local school transportation of foster children. The Bill would be a Statewide mandate on owed reimbursements for educational expenses that the State must demand reimbursements due from the Feds for said expenses.
- Ongoing negotiations between the City and their Union contracts continued.
- New City website would be up and running by next week on February 22nd, 2023. Chief of Staff Letourneau provided a short presentation on some features the new website would provide.

Councilors asked the following questions:

- Process for choosing appointees to Boards and Commissions, specifically the Public Safety Commission.
- Once passed, would Bill 2257 funding be retro or as of the time of adoption.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: - None.

PUBLIC COMMENT: The following members of the public spoke:

- Jesus Leyva, High Street, spoke to his support on Senator Comerford's proposed Bill 612, reimbursement of school transportation of foster children.
- Wendy Goodman, Green River Road, thanked the Council for their service and the importance of establishing a properly functioning Public Safety Commission and addressing the issues regarding the current state of the policing in Greenfield.
- Doug Selwyn, Forest Avenue, spoke to the upcoming FY2024 Budget for the City, especially education funding. He invited City Councilors to attend a Zoom meeting on March 14, to discuss the issues of funding towards education.
- Rachel Gordon, resides in Precinct 2, spoke to the COPS grant the Council was scheduled to vote on at tonight's meeting. She supported a more diverse Public Safety Commission.
- David Moscaratolio, Country Club Road, addressed alleged misconceptions as to his feelings towards City Legislation and explained the purpose and goal for the Public Safety Commission.

PUBLIC HEARINGS: Councilor Desorgher read the public hearing and second reading:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., February 15, 2023, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom:

<https://greenfield-ma-gov.zoom.us/j/94966981603?pwd=N2JYVUZ0Z0REdGswSzZvR1JlEV0lXZz09>
Meeting ID 949 6698 1603 to receive public input on the following:

- Approve Payment of Egan, Flanagan & Cohen PC invoice of \$10,507 from FY23 Town [City] Attorney Services.
- Appropriate \$100,000 from OPEB Stabilization to OPEB Trust.

The City Council may consider the same on Wed., February 15, 2023, at 6:30 p.m. at John Zon Community Center, 35 Pleasant St., and Zoom: <https://greenfield-ma-gov.zoom.us/j/94966981603?pwd=N2JYVUZ0Z0REdGswSzZvR1JlEV0lXZz09> Meeting ID 949 6698 1603. 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.

Daniel Guin, Greenfield City Council President

President Guin opened the public hearing at 7:35 pm and asked if anyone wished to speak at the public hearing. Seeing none, he closed the public hearing at 7:36 pm.

Councilor Desorgher read second reading:

City Council – Second Reading- February 15, 2023

- Approve Payment of Egan, Flanagan & Cohen PC invoice of \$10,507 from FY23 Town [City] Attorney Services.
- Appropriate \$100,000 from OPEB Stabilization to OPEB Trust.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 23-094

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, APPROVE THE PAYMENT OF PRIOR YEAR INVOICE FOR EGAN, FLANAGAN AND COHEN, P.C. IN THE AMOUNT OF \$10,507, TO BE PAID FROM THE FY23 TOWN [CITY] ATTORNEY SERVICES, ACCT #0100.151.5302.

DISCUSSION: Due to technical issues with the Zoom system, the Ways & Means Committee could not hold their meeting and scheduled and therefore no recommendation was forwarded.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-094.

Order no. FY 23-095

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THE SUM OF \$100,000 BE TRANSFERRED FROM FUND 8406 - OPEB STABILIZATION, TO THE OPEB TRUST.

DISCUSSION: Due to technical issues with the Zoom system, the Ways & Means Committee could not hold their meeting and scheduled and therefore no recommendation was forwarded. It was noted that OPEB stood for Other Post-Employment Benefits, and it was for insurance benefits held by retirees and had no connection with pensions or other benefits.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-095.

Order no. FY 23-097

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THE MAYOR IS AUTHORIZED TO ACCEPT AND EXPEND FEDERAL FUNDS RECEIVED FROM THE FY22 COPS HIRING PROGRAM (CHP) AS PART OF A MULTI-YEAR REIMBURSEMENT GRANT FROM THE FEDERAL GOVERNMENT VIA THE US DEPARTMENT OF THE TREASURY. THESE FUNDS WILL BE USED IN ACCORDANCE WITH GRANT POLICY TO ADVANCE THE PRACTICE OF COMMUNITY POLICING THROUGH THE HIRE OR REHIRE OF ADDITIONAL CAREER LAW ENFORCEMENT OFFICERS.

DISCUSSION: It was noted this order was not forwarded to the Ways & Means Committee and came directly to the full Council. Other comments included:

- The grant had already been accepted by the Mayor; however, the Council would be voting on the acceptance and expensing funds that were their portion of the grant.
- The Council normally does not vote to accept grants and inquired how this was different from other grants the City applied for and received funding.
- The vote would reflect the Council's support of the multi-year commitment portion of this grant.
- If the Councilors voted to accept this order the police budget would increase to hire more officers; however, there was a risk of the Police Department to skirt accountability for their misconduct.
- Councilors voiced concern that the language used on the application for the grant was not completely truthful and any violations could jeopardize any ability for the City to meet the requirements and return the funds.
- Clarification was made that the money could be accepted even if the Council voted down this order and could be looked at as the Council supporting the terms of the Grant.

MOTION: On a motion by Councilor Forgey, second by Councilor Ricketts, it was by roll call, 9 yes, 3 no,
VOTED: TO CALL THE QUESTION.

Order No. FY 23-097 was on the floor for a vote.

It was by roll call, 7 yes, 3 no, 2 abstentions,
VOTED: TO APPROVE ORDER NO. FY 23-097.

President Guin called for a 5 minutes recess at 8:37 pm.
President Guin resumed meeting at 8:46 pm.

Order no. FY 23-100

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 BY THE MAYOR TO THE COUNCIL ON AGING: MARGO TOWNLEY, TERM TO EXPIRE DECEMBER 31, 2024 (SHORT TERM TO MAINTAIN STAGGERED TERMS).

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

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-100.

Order no. FY 23-103

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 APPOINTMENT BY THE MAYOR TO THE HISTORICAL COMMISSION: MATT ABBEY, FOR A THREE YEAR TERM TO EXPIRE DECEMBER 31, 2025.

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

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 23-103.

Order no. FY 23-104

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 APPOINTMENT BY THE MAYOR TO THE PUBLIC SAFETY COMMISSION: ED JARVIS, FOR A THREE YEAR TERM TO EXPIRE DECEMBER 31, 2025.

DISCUSSION: Councilor Bullock reported the Appointments & Ordinances Committee forwarded a majority negative recommendation, 4 no, 1 abstention. Councilors discuss the process the Mayor used to appoint individuals to board, committees and commissions, specifically the Public Safety Commission, and encouraged a more diverse commission membership.

It was roll call 4 yes, 8 no, (9 no votes required to reject)

VOTED: TO APPROVE ORDER NO. FY 23-104.

Order no. FY 23-105

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 APPOINTMENT BY THE MAYOR TO THE PUBLIC SAFETY COMMISSION: KAREN WESSINGER, FOR A TERM TO EXPIRE DECEMBER 31, 2025 (SHORT TERM TO REPLACE MICHELLE LAURIE).

DISCUSSION: Councilor Bullock reported the Appointments & Ordinances Committee forwarded a majority negative recommendation, 1 yes, 4 no. Councilors noted committee experience was lacking for this candidate. Though the Councilors would like to see more diversity on the Commission, appointing a person based on race or gender should not be the sole reason for appointing a member to the Public Safety Commission.

MOTION: On a motion by Councilor Lapienski, no Second, it
FAILED FOR LACK OF A SECOND: TO RECOGNIZE PROPOSED APPOINTEE KAREN WESSINGER.

It was by roll call, 3 yes, 9 no,

DEFEATED: TO APPROVE ORDER NO. FY 23-105.

Order no. FY 23-106

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 APPOINTMENT BY THE MAYOR TO THE SUSTAINABLE GREENFIELD IMPLEMENTATION COMMITTEE: MARY CHICOINE, FOR A TERM TO EXPIRE DECEMBER 31, 2024 (SHORT TERM TO MAINTAIN STAGGERED TERMS).

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-106.

Order no. FY 23-107

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-14, RULE 14, REQUEST BY COUNCILORS FOR LEGAL OPINIONS/MATERIAL AS WRITTEN IN EXHIBIT A ATTACHED:

Exhibit A

§ 565-14. Rule 14, Request by Councilors for Legal Opinions/Material.

A. DEFINITION

“Request by Councilors for legal opinions” is defined as any request by a Councilor for a legal opinion/material from any person that would incur an expense for the City of Greenfield.

B. ACTION REQUIRED BY COUNCILORS

Any Councilor(s) wishing to receive an opinion or material that would incur an expense must submit in writing to the City Council President **and Vice President** the reasons for the request, **the name of an appropriate legal counselor chosen based on the area of expertise, and an outline of the estimated cost.**

The Council President **and Vice President** will ~~present this request to the Council chairs within 30 days.~~ **have twenty (20) calendar days to submit their approval or rejection in writing to the requesting Councilor(s).**

~~C. ACTION BY CHAIRS~~

~~Once presented to the Chairs, it shall be handled in a like matter, as all material referred to the same.~~

C. APPROVAL OF REQUEST FOR LEGAL OPINIONS/MATERIALS

When an approval is granted, the requesting Councilor(s) will forward the request, along with the name and contact information of the chosen legal counselor and estimated cost invoice, to the Clerk of the Council. The Clerk will send the legal counselor the request for the opinion/materials. **Once the information-opinion/material is received, it will be forwarded to the full Council.**

D. REJECTION OF REQUEST FOR LEGAL OPINIONS/MATERIALS

If a rejection is entered, or if the President and Vice President could not reach a unanimous decision, the Councilor(s) can appeal the decision by **having said request placed on the next regular council meeting agenda for consideration by the full Council. If a majority of the full council approves the measure** ~~presenting the request to the full Council at the next regular meeting.~~ **If the Councilor(s) are successful in receiving an approval by a majority vote, the Councilor(s) would proceed as outlined in section C.**

E. PAYMENT FOR LEGAL COUNSELOR SERVICES

The legal counsel chosen will submit a good faith estimate to the City Council President and Vice President, which shall include expected cost and possible expenses to be incurred. Council leadership shall review the estimate and within 10 days submit their approval or rejection in writing to the Council Clerk. If approved the process in § C shall be followed (as applicable); if rejected the process in § D shall be followed (as applicable).

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-107.

Order no. FY 23-108

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

MOVED: THAT IT BE ORDERED MOVED THAT IT BE ORDERED, THAT THE GREENFIELD CITY COUNCIL AMENDS, BY ACKNOWLEDGING A SCRIVENERS ERROR, THE CODE OF THE CITY OF GREENFIELD CHAPTER 394 – TAG SALES, AS WRITTEN IN THE DRAFT ATTACHED HERETO.

§ 394-3REGISTRATION REQUIRED.

- INSERT THE WORD “UNTIL” AFTER THE WORD SALE IN THE FIRST SENTENCE.

AND FURTHER AMEND THE INDEX OF THE CODE, AND FURTHER THAT NO SUBSTANTIVE 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.

DISCUSSION: Explanation to correct an erroneous strikethrough of the word “until”, which was needed to maintain the grammatical structure.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 23-108.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES None.

UNFINISHED BUSINESS: None.

OLD BUSINESS: President Guin announced that Vice President Forgey had agreed to the appointment of the Councilor Representative to the Mayor’s Domestic Violence Task Force.

NEW BUSINESS: Councilor Ricketts had brought forward a proposal to start the regular Council meetings at 6:00 pm. Her rationale was since all other board, committee and commission meetings began at 5:30 pm or 6:00 pm the Council should be at the same time. Councilor Bullock suggested that the meetings be set from 6:30 pm to 10:30 pm and any unfinished business would be addressed Thursday. Councilors address availability for meeting times for Councilors who had issues when they leave work and if they could get proper child care or other issues that would allow them to get to meetings on time. Councilor Lapienski suggested every two years this issue would be brought up on the Organizational meeting for a new Council to decide a best time to start meetings.

President Guin would take this issue under advisement.

Councilor Desorgher held the following first reading:

City Council – First Reading- February 15, 2023

- Appropriate \$200,000 from borrowing to Pay Costs of a Lead Service Line Inventory and Replacement Plan Program.
- Approve Payment of invoice for Connecticut Business Systems of \$104.00 from FY23 Veterans Various Paper Products.
- Transfer \$16,865.78 from the FY23 01001320.5781 Reserve Fund to the FY23 Library account 01006100.5241 Building & Grounds Maintenance.

Clerk Scott informed the Council that Councilor Bullock had prepared a Google Doc form for Councilors to use when they want to request information from Heads of Departments related to Council business.

Councilor Bullock addressed the issue of public requests from some members of the police department regarding Councilors and had informed Vice President Forgey of the issue. President Guin noted that he would meet and confer with Vice President Forgey of the situation.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Elmer, second by Councilor Ricketts, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:46 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

John Zon Community Center/Zoom Hybrid
 Regular Meeting
 February 15, 2023

	Attendance	FY23-097 Call Question	FY23-097	FY23-104	FY23-105	
1. Golub, Katherine	Y	Y	A	N	N	
2. Guin, Daniel President	Y	N	Y	N	Y	
3. Desorgher, Virginia	Y	Y	Y	N	N	
4. Bottomley, John	Y	Y	N	N	N	
5. Bullock, Marianne	Y	Y	A	Y	N	
6. Gilmour, Sheila	Y	Y	Y	N	N	
7. Lapienski, Jasper	Y	N	N	N	N	
8. Mayo, Douglas	Y	N	N	N	N	
9. Helie, Derek	N	----	----	----	----	
10. Elmer, Philip	Y	Y	Y	Y	Y	
11. Forgey, Christine Vice - President	Y	Y	Y	N	N	
12. Ricketts, Penny	Y	Y	Y	Y	Y	
13. Terounzo, Michael	Y	Y	Y	Y	N	

9 y 7 y 4 y 3 y
 3 n 3 n 8 n 9 n
 2 abs