

COMMUNITY RELATIONS AND EDUCATION COMMITTEE  
MINUTES  
February 28, 2022

Webex Conferencing System

6:00 p.m.

**CALL TO ORDER** Chairperson Bottomley called the meeting to order at 6:00 p.m.

**PRESENT** Councilors Bottomley, Gilmour, Lapienski, Ricketts and Terounzo.

**ABSENT** None.

**ALSO PRESENT** Health Department Director Jennifer Hoffman and members of the public.

**CHAIR STATEMENT:** This meeting is being recorded by the Community Relations and Education Committee. If any other persons present were doing the same they must notify the chairperson at this time. It was noted that Dawn Morin was also recording this meeting.

Approval of Minutes – None.

Public Comment: The following members of the public spoke:

- Dawn Morin, Hope Street, spoke to the issue of mask mandates in the schools and how the decision should be handled by the Board of Health and data and not the School Committee and opinions.

Point of order was made that this issue would not be discussed at tonight's meeting and needed to be addressed to the School Committee. It was noted that public comment was for citizens to speak to issues without interference or interaction from Council members.

Communications from School Department – None.

Communications from Department Heads – None.

Chairperson Bottomley noted that the Housing in Greenfield discussion scheduled for tonight's meeting was postponed to either April or May due to new developments and more information that would be presented to the Council.

Chairperson Bottomley opened discussion on Enforcement of City Housing Codes:

- Jesus Leyva presented rationale for submitting numerous Housing Code violations involving rental property owner Theodore Burrell.
- It was stated that Mr. Burrell did not receive notice to appear at this meeting.
- Numerous pieces of documentation were submitted to the Councilors on the violations against Mr. Burrell, including Police, Fire and Building Inspection records.
- Request was made for the Council President, with support of CRE Committee Members, to submit a request for an investigation by the Attorney General's Office to investigate Mr. Burrell.
- Had other individuals who rented or abutted Mr. Burrell's properties request the City Council to submit a complaint with the Attorney General's Office.

- Mr. Leyva request to the Legislative Branch was reasonable considering the Executive Branch had not taken any appropriate action against Mr. Burrell.
- It was noted that not one department involved with issues related to Mr. Burrell was to be held responsible for the situation that had escalated; however, improvements were needed for these departments to adequately deal with individuals similar to Mr. Burrell's.
- Develop a more proactive approach to hold repeat code violators accountable for their actions.
- It was noted that Mr. Leyva had gone to the Attorney General's office to file a complaint against Mr. Burrell and was denied mainly due to his tenants' hesitation to become involved for fear of retaliation.
- Mr. Leyva felt that if the Council or Mayor filed a request for an investigation against Mr. Burrell to the Attorney General's office it would carry more weight and allow indirect involvement from tenants who had concern submitting a complaint themselves.

**MOTION:** On a motion by Councilor Lapienski, second by Councilor Gilmour, it was,  
**MOVED:** A RECOMMENDATION TO THE FULL COUNCIL TO FORWARD MR. JESUS LEYVA'S COMPLAINT TO THE ATTORNEY GENERAL'S OFFICE AS THE CITY COUNCIL.  
 (No vote was taken by Committee)

**DISCUSSION:** An inquiry was made as to whether the Complaint to the Attorney General should be made by the City Council President. President Gilmour noted that this issue would need to be considered by the full Council to ensure the complete backing of the City Council President moving forward with this matter.

**MOTION:** On a motion by Councilor Terounzo, no second, it was,  
**FAILED FOR LACK OF A SECOND:** TO AMEND MOTION FOR THE FULL COUNCIL TO VOTE FOR THE CITY COUNCIL PRESIDENT TO CONTACT THE ATTORNEY GENERAL.

Councilor Gilmour noted that a resolution had to be drafted based on the conversation from this meeting. Once completed it would be forwarded to the Clerk's office for placement on the next Committee Chairs' agenda.

Councilor Ricketts suggested before forwarding the proposed resolution to the full Council Mr. Burrell should be invited to present his defense in accordance with procedure.

Councilor Lapienski would prepare the proposed resolution for submission to the Council. He had no objection to Mr. Burrell's presence; however, was of the opinion the Committee was dealing with a criminal and criminals receive their say in court.

Councilor Ricketts made a point of order reminding Councilors that as elected officials certain decorum was expected of them and therefore need to be aware of the language used in discussion.

Councilor Gilmour made a point of order in regards to City Councilors naming individuals involved in legal proceedings who have not had their due process and therefore need to be cautious of what language was used. She stated if a Councilor wanted to draft a resolution for consideration by the Council it would be presented at the Committee Chairs meeting in April.

Chairperson Bottomley pointed to the documentation, which was public record, submitted to the Councilors in regards to Mr. Burrell's past behavior and allegations; however, he did agree that Councilors restrain themselves from using language that was not appropriate for this discussion.

Committee members continued discussion on the proper approach to move forward with this issue and find solutions to prevent future incidents.

It was noted that departments associated with this issue lacked sufficient staff or funding to continue to follow up and take action against repeat non-compliant landlords.

Mr. Glen Ayers commented that this issue should be handled by the Board of Health under the minimum standards for human habitation as described in Title 105 of the Code of Massachusetts Regulations 410.

Chairperson Bottomley opened discussion on Noise Complaints. Committee members felt not enough information was presented to address issue at this time.

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

**MOVED:** TO TABLE DISCUSSION.

(No vote was taken by Committee)

**OTHER BUSINESS:** Councilor Lapienski noted in review of the mandate for the Community Relations and Education Committee and discovered the Committee was in violation of the mandate. He stated the mandate “shall promote on-going communication between residents and City government, encourage resident participation in City meetings, and provide forums, **both in-person and electronic**, for interaction between Council members and the public.”

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

**FAILED FOR LACK OF A SECOND:** THE COMMUNITY RELATIONS AND EDUCATION COMMITTEE MEET IN PERSON HENCEFORTH, REGARDLESS OF WHAT THE REST OF THE COUNCIL DOES.

Councilor Gilmour noted that this issue would be addressed at the Committee Chairs meeting on March 1, 2022.

Councilor Lapienski proposed that this Committee make its own decision for this Committee, specifically because this Committee was in violation of its stated mandate, which was updated on January 12, 2022.

It was noted that the Governor’s orders had allowed Councilors to meet remotely and the Committee complied with the order and the Council had adopted at this juncture.

Councilor Lapienski reiterated that this Committee was explicitly in violation of its mandate as updated about 6 weeks ago and it was unclear on whether a citizen could take legal action against this Committee. The Committee should think about what the Committee was doing and not just doing it because the Councilors don’t feel like showing up

Councilor Gilmour noted that if someone from the Town wanted to take legal action against the City Council, they are welcome to do that. Given the order from the Governor right now, it was believed they would not stand a chance.

Councilor Ricketts stated the Committee had so many participants on right now, it is believed because we are remote. I can’t say one hundred percent if the Committee were in person right now in City Hall, because that’s where this meeting would be held, everyone would still come right now.

Councilor Lapienski countered this issue he raised was not whether everyone who had a simulation of themselves on this screen would show up in City Hall. The issue raised was that this Committee was under a mandate and was choosing not to follow it because the Committee doesn’t feel like it.

Councilor Gilmour made a point of order that if a motion was made and doesn't receive a second it means that we stop discussion; so this issue will be discussed tomorrow at Committee Chairs.

**NEXT MEETING:** March 21, 2022, 6:00 pm, City Hall or via Webex, if required.

It was the consensus of the Committee members to adjourn the meeting at 7:26 pm.