

GREENFIELD TOWN COUNCIL
Special Meeting Minutes
March 24, 2011

Town Hall, 14 Court Sq, 2nd Floor

5:30 pm

CALL TO ORDER: Meeting was called to order at 5:30 p.m. by President Farrell.

President Farrell stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council was audio recording and GCTV-15 was video recording the meeting for future broadcast.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilor Letourneau was absent.

ALSO PRESENT: Mayor William Martin; Assistant Town Clerk Deborah Tuttle; Candidates for Town Council at Large Cameron Ward and Karen Renaud; Anita Phillips, *the Recorder*; GCTV-15 staff; and members of the public.

MOTION: On a motion by Councilor Singer, second by Councilor Allis, it was unanimously,

VOTED: THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS.

President Farrell reviewed the Town Council process to date regarding the petition forwarded to the State Legislature to eliminate the April 19, 2011 Town Preliminary Election. He noted a Citizen Petition had been received by the Town on Tuesday, March 2, 2011. The Town Council would not vote to rescind the vote taken to eliminate the April 19, 2011 Election for the following reasons:

- The petition filed did not have any bearing on the April election.
- The petitioners need to continue the process by gathering 500 signatures as required by charter.

President Farrell asked for this meeting to be held for Town Council to discuss the election because the ballots would need to be ordered by tomorrow, Friday, March 25, 2011, if the election were to be held. The Council had the following two options:

1. Allow the process to happen at the State level; require the petitioners to gather the necessary signatures for the Town Council to rescind the vote; and order the ballots for the April 19, 2011 election.
2. Allow the process to happen at the State level and take the chance of the State not approving the measure to eliminate the April 19, 2011 Preliminary Election. While waiting for the State decision, choose not to order the ballots.

President Farrell noted the petitioners could choose to move forward by obtaining signatures for a special election. If this were to happen, a special election would cost the same amount of money as the preliminary election. The Councilors needed to decide if the Town should order ballots for April 19, 2011.

President Farrell noted Councilor Vicencio-Rasku had the right to speak. Councilor Vicencio-Rasku noted reasons for signing the petition were: a few weeks ago 10 people proposed to change the Town Charter; the Charter process included multiple opportunities and time for people to discuss and consider the language of the current charter; the process that took place a few weeks ago was not as carefully considered as the deliberative process that allowed for the input as it had for the charter process; the charter review process allows review and recommendations for changes to take place. She believed we need to engage in a more considered process when it comes to issues that were voted on by the entire town.

Comments included the following:

- Timelines and deadlines during the Election cycle such as dates for candidates to withdraw, voter registration, and ordering ballots.
- June 14, 2011 was the general election date.
- The submission of the petition did slow down the State Legislature consideration of the Town Council's request. At this point, the State would not consider the request until next week.
- Town Attorney agreed that a citizen petition could not supersede legislation by the State.
- Massachusetts does not allow for instant run-off elections.
- The ballot cost would be approximately \$6,000 to \$8,000 for the April election.
- A former Citizen Petition was done incorrectly. The Town Council should not have voted to rescind previous orders before the appropriate signatures were obtained by the petitioners.
- Town Council Rules of Procedure allow for Councilors to submit a "Motion to Reconsider" by 3:00 pm the day after the order was voted.
- Must be very careful on the precedent being set.
- Anyone could find 10 people in town to disagree with any vote the Town Council takes.
- If this petition did not exist, the Council would still need to decide if ballots should be ordered because the State had not voted on the town's request.

- o The late date of the March 7, 2011 vote to petition the State had placed a burden on the process.
- o It was not that the system was not working; this was a time sensitive issue.
- o It was suggested to order the ballots; allow the state to continue the legislative process; and have the petitioners obtain the required 500 signatures. This way, if the town needed to have an election, the ballots would be available and if not, the full cost of the election was not spent.
- o This action had threatened the credibility of the Town Council.
- o The State had not acted on the legislation; the ballots need to be ordered tomorrow; and this entire process was now moot.
- o Perhaps the Town should go back to open town meeting.
- o Nothing that was said or done here tonight can stop the State from taking legislative action if they choose to.

Councilor Allis stated the Charter Review Committee would meet on March 29, 2011 at 6:30 pm at the Veterans/Planning Office, 114 Main Street. The committee would be discussing specifics of the section of the charter relative to the elections process. Also during the meeting, there would be a Public Forum to discuss any issue with the charter.

Councilor Guin stated in the beginning of this charter, a request was sent out reminding Councilors that they may not send correspondence or make request on behalf of the Town Council without Presidential or Council approval. He suggested the Council review the Rules of Procedure.

President Farrell noted the Town Attorney remarked in a conversation earlier today that this section of the Charter should be "tightened up." The citizens who filed the petition would be told to begin collecting 500 signatures.

Vice-President Singer stated for the record, the previous charter also included a section allowing for a Citizens Petition.

ADJOURNMENT: On a motion by Councilor Farrell, second by Councilor Allis, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 6:43 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

Town Hall Meeting Room
Special Meeting
March 24, 2011

1. Bitters, Paul	P						
2. McLellan, Thomas	P						
3. Allis, Brickett	P						
4. Maloney, Mark	P						
5. Singer, David	P						
6. Letourneau, Danielle	A						
7. Sluter, Shenandoah	P						
8. Vicencio-Rasku, Iris	P						
9. Hirschfeld, Norman	P						
10. Farrell, Timothy	P						
11. Guin, Daniel	P						
12. Devlin, Patrick	P						
13. Sutphin, Tracey	P						