

GREENFIELD CITY COUNCIL
Regular Meeting Minutes
July 21, 2021

Webex Conferencing System

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:05 p.m. by President Ricketts.

CHAIRS STATEMENT: This meeting is being recorded and videotaped 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: All Councilors were present. (Councilor Stempel-Rae logged into meeting at 7:18 pm)

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; School Committee Chairperson Amy Proietti; DPW Director Marlo Warner; Community & Economic Development Director MJ Adams; Energy Director Carole Collins; IT Director Fernando Fleury; GCTV-15 Executive Director Nick Ring; Parliamentarian Will Roberts; GCTV-15 staff; Melina Bourdeau, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Guin, second by Councilor Jarvis, **MOVED:** TO ACCEPT THE CITY COUNCIL MINUTES OF JUNE 17 & JUNE 23, 2021.

Without objection, Councilor Elmer requested the following amendment to page 6 of the June 23, 2021, minutes to reflect the following as voiced by Councilor Mayo “suggested the property should be used exclusively for low income housing.”

It was by roll call, 12 yes, 0 no,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF JUNE 17 & JUNE 23, 2021, AS AMENDED.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: School Committee Chairperson Amy Proietti reported the following:

- The position of Superintendent of Schools had been offered to and accepted by Dr. Christine DeBarge, who was the former Superintendent of Schools in East Windsor, Connecticut. She was expected to begin on August 23, 2021.

Councilors asked the following questions:

- What time frame in terms of years would the new Superintendent’s contract cover.

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

- The public swimming pool had sustained flood damage due to the amount of rain Greenfield received. The City was working with MIIA (Massachusetts Interlocal Insurance Association), as well as FEMA, to repair the damage. There was no time frame when the pool would be opened.

Councilors asked the following questions:

- Was Nash’s Mill road closed as well due to flood damage or was the pool only affected.
- Proposed plans for the use of ARPA (American Rescue Plan Act) funds.
- Process for the change to the Court Square area and if any effective parties were notified of this change.

- Sanitation upkeep of the parking garage.
- Cost to repair damage to the parking garage elevator.
- Notification of construction on certain streets and where parking would be available on that street.
- Placement of “radar” speed limit signs on additional streets to control speeding.
- Forward plans for the Court Square area to the Commission on Disability Access.
- Montague’s role in the sale of the 382 Deerfield Street (Greenfield Montague Transportation Area).
- Had Montague’s Board of Selectmen voted on the sale of the GMTA property.
- The environmental inspections for the locations of the new Library and Fire Station.
- Addressing the concerns of constituents.

Councilor Dolan made a point of order that Councilors were engaging with the Mayor on issues that were not on tonight’s agenda and there are issues on the agenda that were waiting to be addressed. President Ricketts noted that if Councilor’s had further questions for the Mayor they could forward them to the Clerk’s office for distribution.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: IT Director Fleury and Executive Director of GCTV-15 Nick Ring presented information in regards to the possibility of remote participation and the advent of “hybrid” meetings. Points included:

- The cost to accommodate a remote participation or “hybrid meeting”, including upgrades and equipment could amount to \$22 - \$23 thousand dollars.
- Due to the increased demand for virtual meeting equipment a time frame could not be established as to when the City could obtain the necessary amenities.
- It was recommended that the City change from using the Webex Conferencing System to Zoom in order to be consistent with a “Zoom Room” that was currently being established in the City Hall meeting room.
- GCTV-15 would need to find ways to be upgraded with equipment that could broadcast a meeting with both in person and virtual attendance.

Councilors asked the following questions:

- Ability of residents to participate in a hybrid meeting environment.
- The use of MEMA (Massachusetts Emergency Management Agency) funds to properly equip the John Zon Community Center to hold hybrid meetings.

PUBLIC COMMENT: The following members of the public spoke:

- David Lewis, High Street, spoke to the removal of the barriers from the Court Square area and the loss of parking spaces around the City Hall and Common.
- Pamela Goodwin, High Street, spoke to her support to the establishment of hybrid meetings. She also expressed her dismay at the parking and walking difficulties in downtown Greenfield and the treatment of the homeless.
- Susan Worgaftik, Forest Avenue, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Rachel Gordon, Eastern Avenue, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Kathrine Golub, Glenbrook Drive, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Ellen Thomas, High Street, wanted to remind the public servants that there was no statute of limitations under common law for fraud and theft.
- Dawn Morin, Hope Street, spoke to her disappointment in the Mayor and Council for their performance to keep checks and balances on City spending. She also suggested that the Council had

the ability to have meetings to allow residents to appear remotely and the Council could appear in person.

- Verne Sund, Barton Road, spoke to his disappointment in the Mayor and Council’s work performance in regards to City spending.

PUBLIC HEARINGS: Councilor Forgey read the following public hearing notice and second reading at 9:42 pm. She noted that the meeting was being conducted through the Webex Conferencing System:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., July 21, 2021, at 7:00 p.m. at John Zon Community Center, 35 Pleasant St., to receive public input on the following:

- Repurpose \$20,431.92 from Previous Authorization FY19-122 from the Repair of Green River Road to Paving Mackin Avenue.

The City Council may consider the same on Wed., July 21, 2021, at 7:00 p.m. at John Zon Community Center, 35 Pleasant St. Materials can be obtained from the City Clerk’s Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Penny Ricketts, Greenfield City Council President

City Council – Second Reading- July 21, 2021

- Repurpose \$20,431.92 from Previous Authorization FY19-122 from the Repair of Green River Road to Paving Mackin Avenue.

President Ricketts opened the public hearing at 9:43 pm. She asked if anyone from the public wished to speak on this issue. Seeing none, President Ricketts closed the public hearing at 9:44 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 22-007

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-2, RULE 2, MEETINGS, SECTION A: REGULAR MEETINGS, BY DELETING “7:00 P.M.”, AND INSERTING IN ITS PLACE “6:00 P.M.”

DISCUSSION: Due to work schedules and other family responsibilities, some Councilors would have difficulty appearing at City Council meetings in a timely manner.

MOTION: On a motion by Councilor Mayo, second by Councilor Dolan, it was by roll call, 6 yes, 7 no,

DEFEATED: TO CALL THE QUESTION.

Order No. FY22-007 was still on the floor.

MOTION: On a motion by Councilor Stempel-Rae, second by Councilor Guin, it was,

MOVED: TO AMEND MOTION BY REPLACING “6:00 P.M.” WITH “6:30 P.M.”

MOTION: On a motion by Councilor Stempel-Rae, second by Councilor Bottomley, it was,

MOVED: TO CALL THE QUESTION.

It was by roll call, 13 yes, 0 no,
VOTED: TO CALL THE QUESTION.

Amendment to Order No. FY22-007 was on the floor for a vote.

It was by roll call, 13 yes, 0 no,
VOTED: TO ACCEPT AMENDMENT.

Order No. FY22-007, as amended, was now on the floor.

It was by roll call, 12 yes, 1 no,
VOTED: TO APPROVE ORDER NO. FY22-007, AS AMENDED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-2, RULE 2, MEETINGS, SECTION A: REGULAR MEETINGS, BY DELETING “7:00 P.M.”, AND INSERTING IN ITS PLACE “~~6:00 P.M.~~” “6:30 P.M.”

Order no. FY 22-005

MOTION: On a motion by Councilor Elmer, second by Councilor Desorgher, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, ACCEPT THE PACE ACT AS DEFINED UNDER M.G.L. C 23M, TO SEE IF THE CITY OF GREENFIELD WILL ACCEPT THE PROVISIONS OF CHAPTER 23M OF THE MASSACHUSETTS GENERAL LAWS ALLOWING THE CITY TO PARTICIPATE IN THE PACE ACT OF MASSACHUSETTS AS SET FORTH IN THE ATTACHED ORDINANCE. (SEE ATTACHED EXHIBIT A)

Exhibit A

**Ordinance Authorizing the City known as the Town of Greenfield to Participate in the Massachusetts
Commercial Property Assessed Clean Energy Program
(PACE Massachusetts)**

WHEREAS, pursuant to M.G.L. c. 23M (the "PACE Act"), the Commonwealth has established a commercial sustainable energy program known as the Massachusetts Property Assessed Clean Energy Program ("PACE Massachusetts") to provide a financing mechanism ("PACE financing") to private owners of commercial and industrial properties for certain qualifying commercial energy improvements ("improvements"); and

WHEREAS, pursuant to the PACE Act, PACE Massachusetts is administered by the Massachusetts Development Finance Agency ("MassDevelopment"), in consultation with the Massachusetts Department of Energy Resources; and

WHEREAS, under PACE Massachusetts, the owner of the commercial or industrial property benefiting from the improvements (the "benefitted property") is required to repay the PACE financing through the payment of a betterment assessment (a "PACE betterment assessment") placed on such benefitted property by the municipality in which the benefitted property is located; and

WHEREAS, in order for an owner of commercial or industrial property to participate in PACE Massachusetts, Section 2 of the PACE Act requires that the municipality in which such property is located must elect to participate in PACE Massachusetts; and

WHEREAS, the City known as the Town of Greenfield (the "Municipality") has determined that it is in the best interest of the Municipality to participate in PACE Massachusetts as a "participating municipality," as provided in the PACE Act, to permit the owners of commercial and industrial properties located in the Municipality to access PACE financing for qualifying commercial energy improvements through PACE Massachusetts;

WHEREAS, NOW THEREFORE, BE IT ORDERED, as follows:

The City known as the Town of Greenfield with the approval of the Town Council of the City known as the Town of Greenfield hereby approves the Municipality participating in PACE Massachusetts pursuant to the PACE Act, and authorizes the Mayor to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement (the "Agreement") with MassDevelopment, pursuant to which the Municipality will agree to (i) levy PACE betterment assessments and impose PACE betterment assessment liens on benefitted properties located in the Municipality, in the amounts determined by MassDevelopment to be sufficient to repay the PACE financing, (ii) assign the PACE betterment assessment liens to MassDevelopment, which MassDevelopment may in turn assign to the providers of the PACE financing (each a "capital provider"), as collateral for such PACE financing, (iii) include on the property tax bills for the benefitted properties the installment payments necessary to repay the PACE betterment assessments, in the amounts and at the times as determined by MassDevelopment, (iv) collect and pay over to MassDevelopment or its designee, the PACE betterment assessment installment payments, as and when collected, and (v) enforce, to the extent required by the Agreement, the PACE betterment assessments and liens; the Agreement to be substantially in the form presented to this meeting, with such changes, modifications and insertions as the Mayor may approve as being in the best interest of the Municipality. The Collector Treasurer of the City or such other City agency as may be designated in the Agreement is authorized to levy such PACE betterment assessments and impose the PACE betterment assessment liens on behalf of the City without further authorization by this legislative body.

Notwithstanding any other provision of law to the contrary, officers and officials of the Municipality, including, without limitation, municipal tax assessors and tax collectors, are not personally liable to MassDevelopment or to any other person for claims, of whatever kind or nature, under or related to PACE Massachusetts, including, without limitation, claims for or related to uncollected PACE betterment assessments. Other than fulfillment of the obligations specified in the Agreement, the Municipality has no liability to the owner of the benefitted property or to any capital provider related to the Municipality's participation in PACE Massachusetts.

DISCUSSION: Councilor Desorgher reported the Economic Development Committee forwarded a unanimous positive recommendation.

It appeared Councilor Wheeler was no longer logged into the meeting. There was no determination if he was having technical difficulties or if he logged out of the meeting.

It was by roll call, 12 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-005.

Order no. FY 21-102

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, APPROVES REPURPOSING IN THE AMOUNT OF \$20,431.92 OF THE PREVIOUS AUTHORIZATION FY19-122 FOR THE REPAIR OF GREEN RIVER ROAD FOR PAVING MACKIN AVENUE.

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

It was by roll call, 12 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY21-102.

Clerk Scott explained that due to an error, item IV was not removed from the agenda. The item V was the true order to be considered by the Council.

Order no. FY 22-001

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AUTHORIZES THE GREENFIELD MONTAGUE TRANSPORTATION AREA (GMTA) TO SELL 382 DEERFIELD STREET, ASSESSORS MAP 15-4-0, UNDER THEIR AUTHORITY AS THE OWNERS OF THE PROPERTY.

DISCUSSION: Councilor Desorgher reported that the Economic Development Committee forwarded a unanimous positive recommendation on the previous order before it was corrected. There was concern that this new motion would need further inquiries.

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was by roll call, 11 yes, 1 no,

TABLED: ORDER NO. FY22-001.

Order no. FY 22-006

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

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MGL PART I, TITLE II, CHAPTER 10, SECTION 58A, RENEWS THE STATE-AUTHORIZED CULTURAL DISTRICT FOR FIVE (5) YEARS TO BE NAMED “THE CROSSROADS CULTURAL DISTRICT”, AND FURTHER, ENDORSES THE SUBMISSION OF THIS APPLICATION FOR RENEWAL AND AGREES TO FOSTER THE CONTINUED DEVELOPMENT OF THE CULTURAL DISTRICT, ENDORSES THE STATE-SPONSORED CULTURAL DISTRICT GOALS: ATTRACTING ARTISTS AND CULTURAL ENTERPRISES, ENCOURAGING BUSINESS AND JOB DEVELOPMENT, ESTABLISHING TOURIST DESTINATIONS, PRESERVING AND REUSING HISTORIC

BUILDINGS, ENHANCING PROPERTY VALUES, AND FOSTERING LOCAL CULTURAL DEVELOPMENT, WILL APPOINT THE MAYOR OR DESIGNEE TO REPRESENT THE CITY WITHIN THE DISTRICT PARTNERSHIP OF SAID CULTURAL DISTRICT, ENCOURAGES ALL WHO OWN PROPERTY OR BUSINESSES WITHIN SAID CULTURAL DISTRICT TO INVOLVE THEMSELVES AND PARTICIPATE IN THE FULL DEVELOPMENT OF THE CULTURAL DISTRICT, AND RECOMMENDS THAT CITY AGENCIES IDENTIFY PROGRAMS AND SERVICES THAT COULD SUPPORT AND ENHANCE THE DEVELOPMENT OF THE CULTURAL DISTRICT AND ENSURE THAT THOSE PROGRAMS AND SERVICES ARE ACCESSIBLE TO THE CULTURAL DISTRICT.

DISCUSSION: Councilor Guin noted that this motion was not forwarded to a sub-committee. He explained that the language presented to the Council was a State issued resolution. Director Adams presented rationale for the renewal of the Cultural District Committee.

It was by roll call, 11 yes, 1 abstention,
VOTED: TO APPROVE ORDER NO. FY22-006.

Order no. FY 22-003

MOTION: On a motion by Councilor Desorgher, second by Councilor Guin, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, VOTE TO ACCEPT A GIFT OF PROPERTY TO THE CITY OF GREENFIELD AT 0 BUNGALOW AVENUE (PARCEL ID 127-65-0).

DISCUSSION: Councilor Desorgher reported the Economic Development Committee forwarded a unanimous positive recommendation.

It was by roll call, 12 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY22-003.

Order no. FY 22-008A1

MOTION: On a motion by Councilor Forgey, second by Councilor Mayo, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, DECLARES REAL ESTATE ON LAUREL STREET, BEING SHOWN ON ASSESSORS MAP 41, BLOCK 2-0, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

DISCUSSION: Mayor Wedegartner presented rationale for the sale of this property.

It appeared Councilor Mayo was no longer logged into the meeting. There was no determination if he was having technical difficulties or if he logged out of the meeting.

It was by roll call, 10 yes, 1 abstention,
VOTED: TO APPROVE ORDER NO. FY22-008A1.

Order no. FY 22-008A2

MOTION: On a motion by Councilor Forgey, second by Councilor Jarvis, it was by roll call, 11 yes, 0 no,
VOTED: THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL AUTHORIZES THE MAYOR TO SELL LAUREL STREET, ASSESSORS MAP R 41-2-0, PURSUANT TO THE CITY COUNCIL POLICY FOR THE SALE OF CITY OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.**REPORTS OF COMMITTEES****COMMUNITY RELATIONS AND EDUCATION COMMITTEE** – None.

ECONOMIC DEVELOPMENT COMMITTEE – Chairperson Desorgher reported that the Economic Development Committee had a productive meeting with information provided by Community & Economic Development Director MJ Adams. She also wanted to bring attention to Phantom Brewery on Wells Street and that they could use extra help.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairperson Guin reminded Councilors that on Tuesday, July 27, 2021, 5:30 pm, via Webex, A & O had scheduled the public hearing for the proposed Charter recommendations.

WAYS AND MEANS COMMITTEE – Chairperson Forgey encouraged other members of the Council to attend future Ways & Means meetings. She had hoped that future meetings would be informative.

TREASURER REPORT None.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: - The Councilors discussed the continuation of meetings through virtual or in person.

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

MOVED: TO CONTINUE TO CONDUCT CITY COUNCIL AND SUBCOMMITTEE MEETINGS REMOTELY.

DISCUSSION: The Councilors continue their deliberations to conduct meetings through virtual or in person.

President Ricketts made a friendly amendment to continue to conduct subcommittee meetings remotely and conduct the city council meetings in person. Councilor Desorgher rejected the friendly amendment. The original motion was still on the floor.

MOTION: On a motion by Councilor Gilmour, second by Councilor Elmer, it was by roll call, 11 yes, 0 no,

TABLED: TO CONTINUE TO CONDUCT CITY COUNCIL AND SUBCOMMITTEE MEETINGS REMOTELY.

President Ricketts requested a page on the minutes be dedicated to Dee Letourneau. She also voiced her thoughts to the Town of Montague who were in a State of Emergency due to the exorbitant amount of rain and thanked the Greenfield Fire Department for their assistance to Montague.

Vice President Gilmour requested to hold a moment for the passing a former Councilor Brickett Allis's father. She requested a future discussion on Open Meeting Law for better clarification.

Vice President Gilmour and Councilor Bottomley requested a future discussion on Open Meeting Law for better clarification of its role in subcommittee meetings.

Councilor Forgey requested that the Committee schedule public hearings on the ARPA funds that the City would be receiving from the State.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Elmer, second by Councilor Guin, it was unanimously, **VOTED:** TO ADJOURN THE MEETING AT 11:30 P.M.

A true copy,

Attest: _____
 Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

Webex Conferencing System
 Regular Meeting
 July 21, 2021

	Attendance	Amend Minutes	Call FY22-007	Amend FY22-007	Call Amendment FY22-007 as Amended	FY22-005	FY21-102	FY22-001 Tabled	FY22-006	FY22-003	FY22-008A1	FY22-008A2	Table Remote	
1. Jarvis, Edward	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
2. Guin, Daniel	Y	Y	N	Y	Y	Y	Y	Y	AN	Y	Y	Y	Y	
3. Desorgher, Virginia	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4. Bottomley, John	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
5. Dolan, Timothy	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	
6. Gilmour, Sheila	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	AN	Y	Y	
7. Wheeler, Otis	Y	Y	Y	Y	Y	Y	---	---	---	---	---	---	---	
8. Mayo, Douglas	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	---	---	---	
9. Hirschfeld, Norman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
10. Elmer, Philip	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
11. Forgey, Christine	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
12. Ricketts, Penny	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
13. Stempel-Rae, Ashley	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
		13 y 0 n	6 y 7 n	13 y 0 n	13 y 0 n	12 y 1 n	12 y 0 n	12 y 0 n	12 y 1 n	11 y 0 n 1 abt	12 y 0 n	10 y 0 n 1 abt	11 y 0 n	11 y 0 n

IN MEMORY OF

*DEANNE LYNNE
LETOURNEAU*

JANUARY 14, 1967 – JUNE 27, 2021

