

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

September 22, 2021

Webex Conferencing System

6:30 pm

CALL TO ORDER: Meeting was called to order at 6:33 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: Roll Call was taken. All Councilors were present.

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Chief of Staff Danielle Letourneau; Greenfield School Superintendent Dr. Christine DeBarge; School Committee Chairperson Amy Proietti; DPW Director Marlo Warner; Community & Economic Development Director MJ Adams; Greenfield Public Library Foundation President Jeanne Canteen; GCTV-15 staff and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Elmer, second by Councilor Guin, it was unanimously,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF AUGUST 18, 2021.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: School Superintendent DeBarge and School Committee Chairperson Proietti reported the following:

- 2021-2022 School year began on September 1, 2021, in person with enacted COVID-19 policies and procedures.
- Newly hired Superintendent Dr. Christine DeBarge's first day began on August 23, 2021.
- The fall sports schedule would proceed as it was before with some COVID-19 policies in place.
- Pool testing for COVID in schools, beginning with the kindergarten students, would commence next week. Schools were offering rapid testing for students who complain or show signs of symptoms.
- Address staff shortage and changes, including teaching and administrative positions.
- Completed negotiations on a contract between the school and the custodial union; and other contract negotiations were ongoing.

Councilors asked the following questions:

- Number of students that would graduate at the end of the 2021-2022 school year.
- Address the issue of communication between the schools and the parents in regards to notifications of important events and/or messages.
- Specifics on the recently negotiated contract between the schools and the custodial staff.

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

- The City of Greenfield received and accepted a \$400,000 park grant towards the construction of the skate park.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: Director Adams provided a presentation of the Rapid Recovery Report.

Councilors asked the following questions:

- Utilization of properties in the downtown area currently not in use.

- Significant changes in priorities and business models since the beginning of the COVID-19 pandemic.

Greenfield Public Library Foundation President Jeanne Canteen reported the following:

- Would present a check in the amount of \$500,000 to the Mayor towards funding for the construction of the new library tomorrow morning and read a statement that would accompany the payment.

PUBLIC COMMENT: The following members of the public spoke:

- Sandy Thomas, Orchard Street, spoke to her review of the Rapid Recovery Report submitted by the Community & Economic Development Department and provided alternative plans for the downtown area improvement.
- Doug Clarke, Madison Circle, spoke to the current layout of the Court Square and Common area and it's affect on the accessibility to the Second Congressional Church.
- Pamela Goodwin, High Street, spoke to several matters including Council conduct at meetings and mask mandates enacted by the Board of Health.

PUBLIC HEARINGS: Councilor Forgey read the following public hearing notice and second reading at 7:48 pm:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., September 22, 2021, at 6:30 p.m., via Webex: <https://greenfieldma.my.webex.com/greenfieldma.my/j.php?MTID=mdeaa61c99683d06b1289777cce61a241>, to receive public input on the following:

- Transfer \$10,000 from Reserve Fund to DPW Parks Swim Area Materials to Cover Expenses of the Flooding at the Nash Mill Road recreation area.

The City Council may consider the same on Wed., September 22, 2021, at 6:30 p.m., via Webex: <https://greenfieldma.my.webex.com/greenfieldma.my/j.php?MTID=mdeaa61c99683d06b1289777cce61a241>. 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- September 22, 2021

- Transfer \$10,000 from Reserve Fund to DPW Parks Swim Area Materials to Cover Expenses of the Flooding at the Nash Mill Road recreation area.

President Ricketts asked if anyone from the public wished to speak on this issue. Seeing none, she closed the public hearing at 7:49 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 22-011

MOTION: On a motion by Councilor Forgey, second by Councilor Elmer, it was by roll call, 13 yes, 0 no, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 22-001 “UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL 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 ” WHICH WAS TABLED AT THE JULY 21, 2021, CITY COUNCIL MEETING

Order No. FY22-001 was now on the floor: 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 Forgey noted that this item had been tabled due to the Council’s request to obtain further information on this issue. She explained that the City Council of Greenfield had no legal standing to authorize the sale of property that belonged to GMTA/FRTA as its own entity. Mayor Wedegartner explained that at a minimum the GMTA/FRTA enter into a new lease in the event the GMTA decided to place this property up for sale before the FRTA could vacate.

It was by roll call, 10 no, 3 abstentions,
DEFEATED: TO APPROVE ORDER NO. FY22-001.

Councilor Guin noted that inquiries were made in regards to following the proper procedure in which proposed City Charter changes were introduced to the Council for deliberation and vote. The City Attorney was asked to clarify this issue for the Councilors; whose written opinion had been received by the Council on September 21 and confirmed the process to be followed was correct.

Order no. FY 22-012

MOTION: On a motion by Councilor Guin, second by Councilor Elmer, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 1, INCORPORATION; SHORT TITLE; DEFINITIONS, SECTION 1-7: DEFINITIONS, NOT BE AMENDED.

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

MOTION: On a motion by Councilor Wheeler, second by Councilor Dolan, it was,
MOVED: TO POSTPONE ORDER NO. FY22-012 INDEFINATELY.

DISCUSSION: Councilor Wheeler noted that public input had not been received on this issue and was puzzled as to why an order for this was necessary since there was a decision not to accept the Charter Review Committee’s recommendation. It was noted that two hearings were held for input from the public.

It was by roll call, 2 yes, 10 no, 1 abstention,
DEFEATED: TO POSTPONE ORDER NO. FY22-012 INDEFINATELY.

Order no. FY22-012 was still on the floor.

DISCUSSION: Councilor Wheeler inquired if the Council could vote on an order in which proposed language was not accepted and therefore the item would not need to be amended. Councilor Guin noted that the proposed orders were reviewed for a legal opinion by the City Attorney who did not submit an objection to this item.

It was by roll call, 10 yes, 3 no,
VOTED: TO APPROVE ORDER NO. FY22-012.

Order no. FY 22-013

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 2 LEGISLATIVE BRANCH, SECTION 2-1: COMPOSITION; TERM OF OFFICE (b) TERM OF OFFICE, BE AMENDED AS INDICATED BELOW WITH STRIKETHROUGH TEXT TO BE REMOVED AND BOLD TEXT TO BE ADDED:

(b) *Term of Office* – The term of office for City Councilors shall be for **2** ~~4~~ years, beginning on the first business day of January after the City Election, and until the City Councilors' successors have been qualified.

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 Guin reported the Appointments and Ordinances Committee forwarded a majority negative recommendation, 2 yes, 3 no. It was noted that Councilor Elmer introduced this motion at the Appointments & Ordinances meeting. Councilor Elmer provided rationale for his proposed motion.

MOTION: On a motion by Councilor Dolan, second by, it was,

FAILED FOR LACK OF SECOND: TO TABLE ORDER NO. FY22-013.

Order No. FY22-013 was still on the floor.

President Ricketts left the rail at 8:50 pm; Vice President Gilmour resumed meeting.

President Ricketts returned to the rail at 8:54 pm.

DISCUSSION: Most Councilors noted that two years may be considered too short a time frame; however, a majority would be comfortable with serving three years. Clerk Scott explained how the reduction of years served for the Councilor could affect City elections.

It was by roll call, 4 yes, 9 no,

DEFEATED: TO APPROVE ORDER NO. FY22-013.

Councilor Guin noted that no action would be taken on Order No. FY22-014 due to the related issue addressed in Order No. FY22-012.

Order no. FY 22-015

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH, SECTION 2-2: COUNCIL PRESIDENT, (A) ELECTION AND TERM, BE AMENDED AS INDICATED BELOW WITH STRIKETHROUGH TEXT TO BE REMOVED AND BOLD TEXT TO BE ADDED:

SECTION 2-2: COUNCIL PRESIDENT AND VICE PRESIDENT

(a) *Election and Term* – ~~As soon as practicable after the Councilors elect have been qualified following each City Election or~~ On the first business day of the new year, the members of the City Council shall elect from among its members a Council President **and Vice President** who shall serve during the ensuing year.

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 Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-015.

Order no. FY 22-016

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH, SECTION 2-2: COUNCIL PRESIDENT, (C) COUNCIL VICE-PRESIDENT, BE AMENDED AS INDICATED BELOW WITH STRIKETHROUGH TEXT TO BE REMOVED AND BOLD TEXT TO BE ADDED:

SECTION 2-2: COUNCIL PRESIDENT AND VICE PRESIDENT

(c) *Council Vice-President* - ~~The members of the City Council shall also elect from among its members a~~ **The Vice-President shall serve as Acting President** Council Vice-president who shall serve as Acting President during the temporary absence or disability of the Council President during the ensuing term of office. The powers of an acting Council President shall be limited to only those powers of the president as may be necessary to the conduct of the business of the City Council in an orderly and efficient manner and which may not be delayed.

(d) **Vacancies in the office of President or Vice President – In the event the Council President or Vice President shall vacate their office for any reason prior to the end of their term of office, at the next regularly scheduled meeting after such vacating and prior to conducting business the Councilors shall elect from among its members a successor President or Vice President to serve for the remainder of the term.**

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 Guin reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

Without objection from the full Council, “COUNCIL VICE-PRESIDENT WHO SHALL SERVE AS ACTING PRESIDENT”, WHICH FOLLOWED THE BOLD TEXT LANGUAGE TO BE ADDED, would be stricken from Order No. FY22-016.

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-016, AS AMENDED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH, SECTION 2-2: COUNCIL PRESIDENT, (C) COUNCIL VICE-PRESIDENT, BE AMENDED AS INDICATED BELOW WITH STRIKETHROUGH TEXT TO BE REMOVED AND BOLD TEXT TO BE ADDED:

SECTION 2-2: COUNCIL PRESIDENT AND VICE PRESIDENT

(c) *Council Vice-President* - ~~The members of the City Council shall also elect from among its members a Council Vice-president who shall serve as Acting President~~ **The Vice-President shall serve as Acting President** during the temporary absence or disability of the Council President during the ensuing term of office. The powers of an acting Council President shall be limited to only those powers of the president as may be necessary to the conduct of the business of the City Council in an orderly and efficient manner and which may not be delayed.

(d) **Vacancies in the office of President or Vice President – In the event the Council President or Vice President shall vacate their office for any reason prior to the end of their term of office, at the next regularly scheduled meeting after such vacating and prior to conducting business the Councilors shall elect from among its members a successor President or Vice President to serve for the remainder of the term.**

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. FY 22-017

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH SECTION 2-6: EXERCISE OF POWERS; QUORUM; RULES, (C) RULES OF PROCEDURE, 2, BE AMENDED AS INDICATED BELOW WITH STRIKETHROUGH TEXT TO BE REMOVED AND BOLD TEXT TO BE ADDED:

2. Special meetings of the City Council shall be held at the call of the Council President, or, on the call of any five (5) or more members, by written notice delivered in hand or to the place of residence of each member **or by secure electronic communication that allows receipt confirmation** and which contains a listing of the items to be acted upon. Except in case of an emergency, of which the Council President shall be judge, such notice shall be delivered at least forty-eight (48) hours in advance of the time set for such meeting. A copy of the notice to members shall, forthwith, be posted upon the City bulletin board.

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: Vice President Gilmour noted that the Appointments & Ordinances Committee forwarded to the full Council without a recommendation. She explained that the amendment would allow for flexibility for Councilors to receive notice of a special meeting either by hand delivery or electronic mail receipt.

It was by roll call, 13 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY22-017.

Order no. FY 22-009

MOTION: On a motion by Councilor Forgey, second by Councilor Mayo, 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 \$10,000 BE TRANSFERRED FROM 01001320.5781 RESERVE FUND TO DPW PARKS 01004380.5433 SWIM AREA MATERIALS TO COVER EXPENSES ASSOCIATED WITH THE UNFORESEEN FLOODING AT NASH MILL ROAD RECREATION AREA.

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

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-009.

Order no. FY 22-021

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 ROXANN WEDEGARTNER, THE CITY COUNCIL AUTHORIZES THE MAYOR TO RELEASE THE CITY’S RIGHT TITLE AND INTEREST IN THE PAPER STREET THAT GOES ACROSS THE PROPERTY AS SHOWN ON PLAN BOOK 6, PAGE 97 AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF LOT 13, THENCE CONTINUING IN A WESTERLY DIRECTION ALONG LOTS 14, 15, AND A PORTION OF LOT 16 TO THE EASTERLY SIDE OF THE EXISTING PRIVATE ROAD A TOTAL DISTANCE OF APPROXIMATELY 260 FEET, THENCE NORTHERLY ALONG THE PRIVATE ROAD TO LOT 38 BEING APPROXIMATELY 60 FEET, THENCE EASTERLY ALONG LOTS 38, 39, 40, AND LOT 23 TO MONTAGUE CITY ROAD APPROXIMATELY 260 FEET, AND THEN SOUTHERLY ALONG MONTAGUE CITY ROAD APPROXIMATELY 60 FEET TO THE POINT OF BEGINNING ALL AS SHOWN ON THE A CERTAIN PLAN OF LAND RECORDED IN FRANKLIN REGISTRY OF DEEDS IN PLAN BOOK 6, PAGE 97.

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

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-021.

Order no. FY 22-022

MOTION: On a motion by Councilor Guin, second by Councilor Mayo, 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 GREENFIELD CULTURAL DISTRICT COMMITTEE: GRETCHEN GREEN, FOR A TERM TO EXPIRE UPON COMPLETION OF PROJECT.

DISCUSSION: Vice President Gilmour reported the Appointments & Ordinances Committee forwarded a unanimous positive recommendation.

It was by roll call, 13 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-022.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS - None

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – None

ECONOMIC DEVELOPMENT COMMITTEE – None

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairperson Guin noted that if any Councilors had questions or issues concerning the Charter amendments to provide advanced notice for further research to be completed by the next Appointments & Ordinances Committee meeting.

WAYS AND MEANS COMMITTEE – None

TREASURER REPORT - None

UNFINISHED BUSINESS: None.

OLD BUSINESS: None

NEW BUSINESS: Councilor Forgey held the following first reading:

City Council – First Reading- September 22, 2021

- Transfer \$41,100 from Capital Stabilization for Wisdom Way Engineering & Construction Administration Services.
- Transfer \$200,000 from OPEB Stabilization Fund 8406 to the OPEB Trust.

MOTION: On a motion by Councilor Forgey, second by Councilor Gilmour, it was, unanimously, **VOTED:** TO INCLUDE THE INSERTION OF A MEMORIAM PAGE IN THE MINUTES TO COMMEMORATE THE 20TH ANNIVERSARY OF THE LIVES LOST ON THE SEPTEMBER 11, 2001, ATTACKS.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Elmer, second by Councilor Mayo, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:47 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

Webex Conferencing System
 Regular Meeting
 September 22, 2021

	Attendance	FY22-011	FY22-001	Postpone Charter Indef	FY22-012	FY22-013	FY22-015	FY22-016	Fy22-017	FY22-009	FY22-021	FY22-022
1. Jarvis, Edward	Y	Y	A	N	Y	N	Y	Y	Y	Y	Y	Y
2. Guin, Daniel	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
3. Desorgher, Virginia	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
4. Bottomley, John	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
5. Dolan, Timothy	Y	Y	N	A	N	Y	Y	Y	Y	Y	Y	Y
6. Gilmour, Sheila	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
7. Wheeler, Otis	Y	Y	A	Y	N	Y	Y	Y	Y	Y	Y	Y
8. Mayo, Douglas	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
9. Hirschfeld, Norman	Y	Y	N	N	N	N	Y	Y	Y	Y	Y	Y
10. Elmer, Philip	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y
11. Forgey, Christine	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
12. Ricketts, Penny	Y	Y	N	N	Y	N	Y	Y	Y	Y	Y	Y
13. Stempel-Rae, Ashley	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y
		13 y 0 n	0 y 10 n 3 abs	2 y 9 n 1 abs	10 y 3 n	4 y 9 n	13 y 0 n	13 y 0 n	13 y 0 n	13 y 0 n	13 y 0 n	13 y 0 n

TO COMMEMERATE THE 20TH ANNIVERSARY OF
THE LIVES LOST AND AFFECTED BY THE
EVENTS OF SEPTEMBER 11, 2001



The courage of life is often a less dramatic spectacle than the courage of a final moment; but it is no less a magnificent mixture of triumph and tragedy.

- John F. Kennedy