

GREENFIELD TOWN COUNCIL

Special Meeting Minutes

August 24, 2017

Planning Office, 141 Main Street

6:30 pm

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

President Allis 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. Chris Collins was also recording the meeting.

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

ALSO PRESENT: Mayor William Martin; Town Clerk Deborah J. Tuttle; Finance Director/Town Auditor/Town Accountant Elizabeth Braccia; Director of Administration Mark Smith; Town Attorney Gordon Quinn; GCTV-15 staff; Aviva Luttrell, *the Recorder*; and members of the public.

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

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

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 18-026

MOTION: On a motion by Councilor Mass, second by Councilor Burge, it was,

MOVED: THAT IT BE ORDERED, THAT PURSUANT TO THE POWERS CONTAINED IN THE GREENFIELD TOWN CHARTER, SECTION 2-7 (A), THE GREENFIELD TOWN COUNCIL VOTES TO SUBPOENA WITNESSES TO INVESTIGATE THE AFFAIRS OF THE TOWN AND GCET.

DISCUSSION: President Allis gave background information leading up to this meeting. Discussion was held regarding whether the Town Council wanted to subpoena witnesses and records. Comments included:

- The Town Council has every right to do this.
- Have seen enough that raised red flags to warrant this investigation.
- Information should be provided to be an open book.
- When issuing a subpoena specific questions needed to accompany the subpoena.
- Process to be followed when receiving and disbursing information received.
- Persons subpoenaed may have an attorney present if they choose.
- Protecting the “whistle blower” from retaliation.
- Factual information will be preferable rather than hearsay.
- Don’t want the image of GCET to be tarnished; the Town Council should send a message that there is faith in GCET.
- A careful and thorough investigation as well as proper follow-up would be important.
- Troubling hearing and seeing the emotions of employees fearing retaliation.
- Oaths would be administered to witnesses’ when they testified before the Town Council.
- Four separate subpoenas would be issued; Keeper of Records; Town Accountant; Treasurer/Collector; and Mayor.
- Believed the Town Council would get the information requested because this process had the force of the law behind it.
- Some of the questions had been posed but had not been fully answered.
- The GCET manager had discussed issues over the phone but would not put his answers in writing. Once the records were received the truth would be evident.
- What was the goal of the Town Council for this process?
- The Legislature had sent the request back to the Town for a signature. The Legislation was not close to being approved. Until the Legislation was approved the Mayor was responsible for the GCET Manager.

- Under M.G.L.c 164 if GCET runs out of funds, the Town of Greenfield is obligated to continue to pay for the project no matter the cost, and the Town Council has no oversight.
- Is the Town Council trying to investigate criminal activity or the character of the GCET Director?
- The first step should be to subpoena documents rather than personnel if necessary.
- Questions decided upon by the Town Council could be answered in writing rather than verbally.
- There is an Executive Order in place which prevents the Town Council from speaking directly to Department Heads. Subpoenas are the only method the Town Council has to speak directly to town employees without violating the Executive Order.
- Timeline for and process for the issuing of subpoenas.
- The proposed questions (Attached Exhibit A & B) were read out loud. When people testified additional or backup questions cannot be asked. Additional questions may be generated and could be asked at another time.
- Amending, clarification, and an additional question were added to Exhibit A & B.
- There are legal and political consequences if the information requested is not received.
- The date of the meeting for Councilors to hear testimony of those subpoenaed would be Wednesday, September 20, 2017, 7:00 pm, Greenfield High School Cafeteria, 21 Barr Avenue.

President Allis stated the motion would be amended to include pertinent information discussed above.

It was unanimously,

VOTED: THAT IT BE ORDERED, THAT PURSUANT TO THE POWERS CONTAINED IN THE GREENFIELD TOWN CHARTER, SECTION 2-7 (A), THE GREENFIELD TOWN COUNCIL VOTES TO SUBPOENA WITNESSES TO INVESTIGATE THE AFFAIRS OF THE TOWN AND GCET, ATTACHED AS EXHIBIT A&B. INFORMATION TO BE PROVIDED TO THE TOWN COUNCIL BY WEDNESDAY, SEPTEMBER 20, 2017.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Pyfrom, it was unanimously,

VOTED: TO ADJOURN THE MEETING AT 7:35 P.M.

A true copy,

Attest: _____
Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

Planning Office, 114 Main Street
 Special Meeting
 August 24, 2017

	Attendance	Budget 1% Amendment				
1. Sund, Verne	Y	Y				
2. Lobik, John	Y	Y				
3. Allis, Brickett	Y	---				
4. Muzyka-Pyfrom, Wanda	Y	Y				
5. Wainstein, Robert	A	---				
6. Burge, Maria	Y	Y				
7. Childs, William	Y	Y				
8. Stempel, Ashley	Y	Y				
9. Leonovich, Daniel	Y	Y				
10. Mass, Isaac	Y	Y				
11. Renaud, Karen	Y	Y				
12. Ricketts, Penny	Y	Y				
13. Maloni, Mark	Y	Y				

11
 yes