



Community Preservation Committee

Regular

~ Minutes ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Kevin Chaffee

Tuesday, May 1, 2018

6:00 PM

See Agenda

I. Call to Order

6:00 PM Meeting called to order on May 1, 2018 at See Agenda, City of Springfield, Springfield, MA.

Attendee Name	Title	Status	Arrived
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II. Public Portion

Minutes

Springfield Community Preservation Committee

Tuesday, May 1, 2018 at 6:00 pm

Springfield Preservation Trust Offices

74 Walnut Street, Springfield

Present: Gloria DeFillipo, Juanita Martinez, Bob McCarroll, Angela Roberts,

Steve Shultis, Ralph Slate

Absent: Lamar Cook, Brian Santaniello

Mr. McCarroll began the meeting and introduced Attorney Alesia Days from the Law Department.

Atty. Days explained that she wanted to share best practices in order to avoid any negative legality.

The Open Meeting Law requires, with some exceptions, that meetings of public bodies be open to the public. It seeks to balance the public's interest in witnessing the deliberations of public officials with the government's need to manage its operations efficiently.

Atty. Days stressed that the committee be in best practices in order to avoid law suits. She also emphasized that the committee must show and practice a fair process to all applicants. Open meeting law enables the government to efficiently and effectively manage the operations by allowing certain deliberations to take place in executive or closed sessions. The law permits public bodies to maintain the confidentiality of certain executive sessions records.

Executive Session: The public is not allowed to hear matters that are in executive session. Atty. Days stressed that these discussions occur outside of the public view. During executive session, the public body must maintain minutes of the meeting and retain any documents used by the public body. All votes taken during executive session must be recorded by roll call and included in the minutes. Executive session minutes as well as all documents used during an executive session must be disclosed once publication will no longer defeat the purpose for having entered into executive session unless they are exempt from disclosure under the public records.

Public Session: The public is allowed to hear any public session matters. Members of the public also have the right to attend public meetings. Atty. Days did stress that all public sessions must be open to the public. All votes taken during public sessions must be recorded by roll call and included in the minutes.

Notice/Agendas: Meeting notices must be posted in a legible, easily understandable format containing the date, time and place of the meeting and list all topics that the chair reasonably anticipates. Atty. Days did state that Meeting Notices must be posted in the Municipality's official location. A public body must post notices of every meeting at least 48 hours in advance, not including Saturdays, Sundays or legal holidays.

Public bodies do not have to post notice 48 hours before an emergency meeting. However, notice of emergency meetings must be posted as soon as reasonably possible prior to the meeting.

The City of Springfield has adopted its website as the official location. Minute Traq is the software the City uses to post agendas and minutes directly on the City's Website Calendar. Minute Traq allows the City to be in compliance with the Open Meeting Law Posting Methods.

Minutes: Atty. Days went over the importance of keeping accurate minutes. Public bodies must create and maintain accurate minutes of every executive meeting. They must also state the date, time place of the meeting and list of the members that are present. Minutes must include a summary so that a member of the public who did not attend the meeting could read the summary and understand what occurred and why the body took the action it did. Minutes must also include every decision made and the action taken, including a record of all votes. It must also contain a list of the documents and any other exhibits that are used by the public body at the meeting. However, executive session minutes must be reviewed periodically by the chair or by the public body to determine whether the purpose for the executive session remains.

Minutes must be stored in a place where it can be accessed and kept safe. The law requires that existing minutes be made available to the public within ten days of a request, whether they have been approved or remain in draft form. Materials or other exhibits used by the public body in an open public session meeting must also be made available to the public within ten days of request.

Deliberations: Atty. Days concluded her discussion by reviewing the conditions of deliberations. She stated the following: To be a deliberation the communications must involve a quorum. Deliberation is defined as an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body or any public business within its jurisdiction. It covers any communication, whether in person, over the phone, or through email, between or among a quorum of a public body. For purposes of the Open Meeting Law, a quorum is defined as a simple majority of the members of the body, unless otherwise provided in a general or special law, executive order or other authorizing provision.

After reviewing the importance of following these recommendations and distributing hand-outs regarding this information Atty. Days concluded her presentation.

Mr. McCarroll asked that the minutes for the April 3rd meeting be approved. Ralph Slate moved to approve and Steve Shultis seconded the motion.

Mr. McCarroll said he would call Stuart to ask if CPC guides applicants in the application process. He mentioned that each member of the committee will receive a copy of the applications. Mr. Mc Carroll read an e-mail from the Library inquiring whether they needed a letter from the Park Commission since their proposal was on Library property, not park property. The Committee voted that such a letter was not necessary but clarification was needed regarding what department will maintain the reading garden. At this time the committee unanimously voted that that we would need documentation as to who would be responsible for maintenance.

PUBLIC SPEAKOUT: Mr. Thomas O'Neill of Colony Hills stated that he felt deliberation should be a public meeting. He also stated that he agreed with the modification to preliminary meetings recommending that if this is not the case the application should be changed. Mr. O'Neill was concerned that his request fell into a more than one bracket. Also, if the application is for City Property repair, who would be the applicant and he asked if they could be a "joint applicant." Mr. McCarroll assured him that he would look into this matter because it is something we must have a correct answer for. Mr. O'Neill also asked if he would have to present a document regarding the maintenance of his project. Mr. McCarroll told him to note on his application that the Park Department will keep up the area.

NEXT MEETING: June 5, 2018 6 pm at the Hungry Hill Senior Center, 773 Liberty Street
(parking lot is behind the building on Kendall Street)