



# City of Springfield

## Special Meeting

### ~ Minutes ~

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

Linda Fitzpatrick  
413-787-6559

Friday, September 25, 2015

10:15 AM

Springfield City Hall -- Council Chambers

## I. Call to Order

10:15 AM Meeting called to order on September 25, 2015 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

| Attendee Name     | Title                        | Status  | Arrived |
|-------------------|------------------------------|---------|---------|
| Thomas M. Ashe    | At-Large Councilor           | Absent  |         |
| Timothy C. Allen  | Ward 7 Councilor             | Present |         |
| Clodo Concepcion  | Ward 5 Councilor             | Absent  |         |
| Kenneth E. Shea   | Ward 6 Councilor             | Present |         |
| Orlando Ramos     | Vice President               | Absent  |         |
| Timothy J. Rooke  | At-Large Councilor           | Absent  |         |
| Bud L. Williams   | At-Large Councilor           | Absent  |         |
| E. Henry Twiggs   | Ward 4 Councilor             | Absent  |         |
| Justin Hurst      | At Large Councilor           | Present |         |
| Melvin A. Edwards | Ward 3 Councilor             | Present |         |
| Zaida Luna        | Ward 1 Councilor             | Present |         |
| Kateri B. Walsh   | At-Large Councilor           | Present |         |
| Michael A. Fenton | President - Ward 2 Councilor | Present |         |

## II. Order

### 1. Order (ID # 3211)

Order to Determine Whether to Appeal the Decision of Massachusetts Appeal Court to the Supreme Judicial Court

#### COMMENTS - Current Meeting:

Read and an explanation was given by City Council President Fenton stating that the Council had met in a "Committee of the Whole" session to discuss appealing the decision of the Massachusetts Appeals Court to the Supreme Judicial Court in the Palmer Renewable Energy case and the Order passed by the following roll call vote.

#### ATTACHMENTS:

- Special Notice by Mail-SAMPLE (DOCX)

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [7 TO 0]</b>                          |
| <b>MOVER:</b>    | Timothy C. Allen, Michael A. Fenton              |
| <b>SECONDER:</b> | Kenneth E. Shea, Ward 6 Councilor                |
| <b>AYES:</b>     | Allen, Shea, Hurst, Edwards, Luna, Walsh, Fenton |
| <b>ABSENT:</b>   | Ashe, Concepcion, Ramos, Rooke, Williams, Twiggs |



## City of Springfield

**ADOPTED**

Meeting: 09/25/15 10:15 AM  
Initiator: Wayman Lee  
Sponsors: President - Ward 2 Councilor Michael A. Fenton  
DOC ID: 3211 A

2.1

### Order to Determine Whether to Appeal the Decision of Massachusetts Appeal Court to the Supreme Judicial Court (President - Ward 2 Councilor Fenton)

**BE IT ORDERED THAT** the Springfield City Council hereby retains the pro bono legal services of Attorney Patrick J. Markey to represent it in the Appeal from the Judgment of the Appeals Court dated September 8, 2015 in the matter of Palmer Renewable Energy, LLC v. Zoning Board of Appeals for the City of Springfield, Brenda Doherty, Daniel Morrissey, Henry Nowick, Maria Perez, Jose Gonzalez, and Walter Gould (Docket No. 14-P-1630) to the Supreme Judicial Court.

September 22, 2015

I HEREBY CERTIFY THAT I have this date notified the members of the City Council of the City of Springfield of a **SPECIAL MEETING** to be held on **Friday, September 25, 2015 at 10:15 A.M.** in the City Council Chambers by First Class Mail of said notice to the last and usual place of abode to: COUNCILORS Timothy C. Allen, Thomas M. Ashe, Clodo Concepcion, Melvin A. Edwards, Michael A. Fenton, Justin Hurst, Zaida Luna, Orlando Ramos, Timothy J. Rooke, Kenneth E. Shea, E. Henry Twiggs, Kateri B. Walsh, Bud L. Williams, a notice of said meeting duly signed by the Council President and I further certify that I have duly notified said City Councilors in the manner aforesaid in accordance with the law.

Subscribed and sworn to before me, this 22<sup>nd</sup> day of September, 2015.

*Wayman Lee, Esq., City Clerk*

|                  |                                                  |
|------------------|--------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [7 TO 0]</b>                          |
| <b>MOVER:</b>    | Timothy C. Allen, Michael A. Fenton              |
| <b>SECONDER:</b> | Kenneth E. Shea, Ward 6 Councilor                |
| <b>AYES:</b>     | Allen, Shea, Hurst, Edwards, Luna, Walsh, Fenton |
| <b>ABSENT:</b>   | Ashe, Concepcion, Ramos, Rooke, Williams, Twiggs |



# City of Springfield

## Special Meeting

~ Agenda ~

36 Court Street  
Springfield, MA 01103  
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Linda Fitzpatrick  
413-787-6559

Monday, October 27, 2014

6:30 PM

Springfield City Hall -- Council Chambers

Attachment: Special Notice by Mail-SAMPLE [Revision 1] (3211 : Whether to Appeal Palmer Renewable Energy Decision)