



Residency Commission

Regular

~ Minutes ~

36 Court Street
Springfield, MA 01107
<http://www.springfieldcityhall.com>

Gladys Oyola-Lopez
413-787-6096

Friday, May 6, 2022

1:00 PM

Virtual Meeting (Zoom)

Present: Captain Drew Piemonte
Lavar Click-Bruce
Attorney Alesia Days, Director of Licensing/Deputy City Solicitor
Alex Sherman
Melanie Acobe

Absent: Gladys Oyola
Michael Fenton

Next meeting: June 2nd, 10:00 A.M., Zoom

FIRST Order of Business: Introductions

PowerPoint Presentation by Attorney Alesia Days

Attorney Days presented a PowerPoint of the Residency Ordinance:

§ 73-9. Condition of promotion

Anyone promoted by the City of Springfield after March 17th, 1995 must become a Springfield resident within 1 year.

Failure to do so is considered voluntary termination of employment.

Attorney Days notes due process does apply to this process.

§ 73-10. Certificate of residence.

Every employee will be given a copy of the residency ordinance.

Failure to receive a copy shall not be held to excuse any violation.

Every employee must submit a certificate of residence with their name and place of residency to their department head upon **acceptance of employment** and **annually on February 1st**.

If a department head receives a certificate stating the employee does not live in Springfield:

The department head shall strike the employee's name from payroll

The employee must cease their employment for the City

The department head shall give notice of their action to the City Clerk

The City Clerk shall transmit the same to the City Counsel, Mayor, Collector/Treasurer

Anyone stricken from payroll may not be reemployed by the City for one year following cessation of their employment.

Attorney Days notes due process does apply to this process.

Attorney Days clarifies the procedure noting each complaint will first be reviewed by Human Resources. If the allegations are found to have merit by Human Resources, it will be brought forward to the Residency Commission. The Residency Commission shall use the evidence obtained from Human Resource's initial investigation , along with any other information obtained from any evidentiary hearings held by the Residency Commission when determining whether or not an employee is, or is not, a resident of the City.

§ 73-15. Residency Compliance Commission: Purpose

The purpose of the Commission shall be to investigate and make findings relative to compliance with Springfield's residency ordinance.

§ 73-15. Residency Compliance Commission: Power

The Commission shall have the power to:

- Investigate

- Conduct hearings

- Administer oaths

- Take testimony of any person under oath

- Require the production for examination of any documents, books, papers, or evidence relating to any other matter in question or under investigation by the Commission.

The Commission may appoint from within or without its membership a hearing officer to conduct particular hearings upon a majority vote of the Commission.

The employees who are the subject of a hearing shall be afforded notice and an opportunity to provide testimony, witnesses, documents and to have counsel present.

Attorney Days notes that investigations and hearings are subject to Due Process Rights.

SECOND Order of Business: Complaint

There has not been any information received from Human Resources regarding the alleged complaint. Action will be taken once information has been received.

THIRD Order of Business: Motion to table co-chair vote by Commissioner Melanie Acobe

Motion 2nd by Commissioner Captain Drew Piemonte. All agree in favor, no opposition, no abstentions. The co-chair will be chosen at the next meeting.

Fourth Order of Business: Discussion

Next meeting

Attorney Days suggests a scheduled set meeting day for every month.

Everyone agrees the first Thursday of every month will be the scheduled meeting time.

All agree to select co-chair at the next meeting (June 2nd, 2022)

Hearings Officer

Captain Piemonte asks if the meetings require a certified hearing officer, to which Attorney Days states she is an official hearings officer.

Policies and Practices

Lavar asks what the process is for submitting a Residency complaint. Attorney Days states the process of filing a complaint begins at Human Resources. Furthermore, the rules and regulations for the commission will be general and will also form throughout multiple meetings. Then going forward, the general qualities will be tweaked as the commission gains experience with the process. Lavar and Captain Piemonte report individuals asking them how to file a residency complaint. Attorney Days will provide a draft of Policies and Procedures for the Commission's review prior to the next meeting.

Meeting conclusion

Attorney Days informs everyone that Maggie Martin will be the contact person for any logistics.

Meeting concluded at 1:43