



City Council

Regular Meeting

~ Final ~

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

Gladys Oyola-Lopez

Monday, October 16, 2023

7:00 PM

Springfield City Hall -- Council Chambers

Call to Order

7:00 PM Meeting called to order on October 16, 2023 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Kateri B. Walsh	At-Large Councilor	Remote	
Michael A. Fenton	Ward 2 Councilor	Present	
Maria Perez	Ward 1 City Councilor	Remote	
Tracye Whitfield	At Large City Councilor	Absent	
Zaida Govan	Ward 8 City Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Malo Brown	Ward 4 Councilor	Remote	
Justin Hurst	At Large Councilor	Absent	
Lavar Click-Bruce	Ward 5 City Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Sean Curran	At-Large Councilor	Remote	
Victor Davila	Ward 6 Councilor	Absent	
Jesse Lederman	President	Present	

Reports of Committee

ALLEN - FINANCE

FENTON - GENERAL GOVT

EDWARDS - PLANNING AND ECO DEV

Zone Change Referrals

1. Zoning Change (ID # 7609)

To Change the Zoning of a Portion of the Property Known as 1267 Boston Road (01655-0494), from Residence a to Business A.

PETITIONER:

KA Realty Trust

ADDRESS:

1267 Boston Road

CHANGE REQUESTED:

Residence A to Business A

HISTORY:

10/02/23

City Council

CONTINUE

COMMENTS - Current Meeting:

ITEM WAS ON FOR AUTOMATIC REFERRAL

ATTACHMENTS:

- 3241_1267_Boston_Rd_Formal (PDF)

RESULT:	APPROVED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSENT:	Justin Hurst

2. Zoning Change (ID # 7665)

To Change the Zoning of the Property Known 93 (A.K.A. 97) Wilbraham Road (12282-0999) from Business a to Business B

PETITIONER:	Leonardo M Jimenez
ADDRESS:	93 (a.k.a. 97) Wilbraham Road
CHANGE REQUESTED:	Business A to Business B

COMMENTS - Current Meeting:

ITEM WAS ON FOR AUTOMATIC REFERRAL

ATTACHMENTS:

- 3242_93_Wilbraham_Rd_Formal (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Lederman
ABSENT:	Justin Hurst, Victor Davila

Informational**3. Informational 2023-1**

Confirmation of the Appointment of Walter Kroll to the Historical Commission (Mayor Sarno)

COMMENTS - Current Meeting:

COUNCILOR FENTON MOTIONED THAT THIS ITEM BE CONTINUED AS WALTER KROLL DID NOT ATTEND THE GENERAL GOVERNMENT SUBCOMMITTEE.

ATTACHMENTS:

- Kroll Walter_appointment letter (PDF)

RESULT:	COMMITTEE
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4. Informational 2023-2

Confirmation of the Appointment of Vincent Calcasola to the Historical Commission (Mayor Sarno)

COMMENTS - Current Meeting:

VINCENT CALCASOLA WAS PRESENT AND SPOKE BEFORE THE COUNCIL ON HIS APPOINTMENT TO THE HISTORICAL COMMISSION.

ATTACHMENTS:

- Calcasola Vincent_appointment letter (PDF)

RESULT: ADOPTED [12 TO 0]

AYES: Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman

ABSENT: Justin Hurst

Grants & Donations

5. Order (ID # 7695)

FY24 Springfield Library Foundation Trusts & Endowments Grant - No Match Required \$180,000.00

COMMENTS - Current Meeting:

MOLLY FOGARTY, SPRINGFIELD LIBRARY DIRECTOR, SPOKE IN SUPPORT OF THE GRANT.

ATTACHMENTS:

- Springfield Library Foundation Trust and Endowments Grant (PDF)
- Springfield Library Foundation Trust and Endowments Grant Check_Redacted (PDF)

RESULT: ADOPTED [12 TO 0]

AYES: Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman

ABSENT: Justin Hurst

6. Order (ID # 7694)

FY24 SHINE Grant - No Match Required \$80,733.00

COMMENTS - Current Meeting:

COUNCILOR BROWN SHOWED UP IN PERSON

ATTACHMENTS:

- FY24 SHINE Earmark Grant (PDF)

RESULT: ADOPTED [12 TO 0]

AYES: Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman

ABSENT: Justin Hurst

7. Order (ID # 7696)

FY24 DPW Recycling Dividends Program (RDP) Grant - No Match - \$71,500

ATTACHMENTS:

- FY24 RDP Grant Setup (PDF)
- FY24 RDP Contract Signed (PDF)

RESULT: ADOPTED [12 TO 0]**AYES:** Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman**ABSENT:** Justin Hurst**8. Order (ID # 7700)**

FY24 Library Services and Technology Act Grant - No Match Required \$11,984.00

COMMENTS - Current Meeting:

MOLLY FOGARTY, SPRINGFIELD LIBRARY DIRECTOR, SPOKE IN SUPPORT OF THE GRANT.

ATTACHMENTS:

- Request for Grant Set-Up Form LSTA (PDF)
- Letter for Library Services and Technology Act (LSTA) (PDF)

RESULT: ADOPTED [12 TO 0]**AYES:** Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman**ABSENT:** Justin Hurst**9. Order (ID # 7697)**

Order Authorizing the Library Department to Apply for Grant for the East Springfield Branch Library

ATTACHMENTS:

- Municipal Support Letter from City of Springfield for MBLC Construction Grant April 2023 (PDF)

RESULT: ADOPTED [12 TO 0]**AYES:** Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman**ABSENT:** Justin Hurst**10. Order (ID # 7699)**

Donation(S) - Police K9 Unit

COMMENTS - Current Meeting:

LINDSAY HACKETT, DEPUTY CAFO, PRESENTED THE DONATION FROM THE PIEPUL FAMILY. COUNCILOR FENTON NOTED THAT THE

ATTACHMENTS:

- Police Donation_Redacted (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSENT:	Justin Hurst

Orders

11. Order (ID # 7692)

Supplemental Budget - Increase in State Aid - \$2,735,729.00

COMMENTS - Current Meeting:

COUNCILOR DAVILA SHOWED UP IN PERSON FROM REMOTE AT 7:31 PM.

ACTING CAFO PATRICK BURNS SPOKE ON THIS ITEM. FINAL CHARTER TUITION REIMBURSEMENT.

THE FUNDS WILL BE APPROPRIATED TO THE RESERVE FOR CONTINGENCIES LINE IN THE SCHOOL DEPARTMENT BUDGET.

COUNCILOR WHITFIELD ASKED FOR ADDITIONAL INFORMATION ON THE INCREASE AND ASKED IF THEY FUNDS MUST RETURN TO THE CHARTER SCHOOLS.

COUNCILOR WHITFIELD ASKED IF THERE HAS BEEN ANY CONVERSATION ABOUT THE FUNDS GOING TO YOUTH MENTAL HEALTH SERVICES.

MR. BURNS STATED THE FUNDS CAN BE USED FOR ANY NET SCHOOL SPENDING ELIGIBLE EXPENSE.

MR. BURNS NOTED THAT THE APPROPRIATION GOES BEFORE THE SCHOOL COMMITTEE FOR A VOTE AND APPROPRIATION.

COUNCILOR DAVILA ASKED WHY THE COS IS RECEIVING AN INCREASE. MR. BURNS EXPLAINED THAT THE INCREASE IS THE DIFFERENCE BETWEEN THE GOVERNORS BUDGET AND THE FINAL APPROVED STATE BUDGET.

COUNCILOR DAVILA NOTED THAT HE WAS VOTING IN FAVOR BUT WANTED TO HEAR FROM THE MAYOR ABOUT PROPERTY TAXES

ATTACHMENTS:

- FY24 Municipal Cherry Sheet Estimates (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSENT:	Justin Hurst

12. Order (ID # 7693)

Supplemental Budget - Increase in State Aid - \$701,656.00

COMMENTS - Current Meeting:

COUNCILOR HURST SIGNED IN REMOTELY AT 7:50 PM.

ACTING CAFO PATRICK BURNS SPOKE ON THIS ITEM. INCREASE IN UNRESTRICTED GOVERNMENT AID BASED ON THE DIFFERENCE BETWEEN THE GOVERNORS BUDGET AND THE STATE BUDGET.

500K ALLOCATED TO THE PARKS DEPARTMENT FOR TREE REMOVAL AND TRIMMING . PATRICK SULLIVAN, DIRECTOR OF PARKS, SPOKE ON THIS ITEM.

201,656K TO THE LAW DEPARTMENT. DEPUTY CITY SOLICITOR KATHY BRECK SPOKE ON THIS ITEM.

ATTACHMENTS:

- FY24 Municipal Cherry Sheet Estimates (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSTAIN:	Justin Hurst

13. Order (ID # 7703)

Appropriation Order for East Springfield Branch Library Construction Project - \$150,000.00

COMMENTS - Current Meeting:

MOLLY FOGARTY, SPRINGFIELD LIBRARY DIRECTOR, SPOKE IN SUPPORT OF THE APPROPRIATION ORDER.

COUNCILOR FENTON NOTED THE NEED FOR AN UPDATE TO THE EAST SPRINGFIELD LIBRARY.

COUNCILOR WHITFIELD SPOKE IN SUPPORT OF THE UPDATE.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman

14. Order (ID # 7701)

Bills of Prior Year - Various Departments - \$8,125.00

COMMENTS - Current Meeting:

LINDSAY HACKETT, DEPUTY CAFO, PRESENTED DETAILS ON THIS ITEM.

ATTACHMENTS:

- CAFO CERT - BOPYS (PDF)
- Elections BOPY - Bridgeport National Bindery Invoice (PDF)
- ITD BOPY - ESRI Invoice (PDF)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman

15. Resolution 2023-8

Study for the Creation of a Historic District

COMMENTS - Current Meeting:

COUNCILOR EDWARDS SPOKE ON THIS ITEM.

THE ADMINISTRATION ASKED THAT THE ITEM BE SENT BACK AND THE PROCESS BE STARTED AGAIN.

COUNCILOR DAVILA ASKED WHY THIS PROCESS NEEDS TO BEGIN AGAIN.

COUNCILOR EDWARDS GAVE THE EXPLANATION AND NOTED THE CLEANEST WAY TO ENSURE THE PROCESS IS DONE CORRECTLY IS TO START AGAIN.

IT WILL NOT AFFECT THE CREATION OF HISTORIC DISTRICTS THAT HAVE ALREADY BEEN APPROVED. IT WILL IMPROVE THE PROCESS GOING FORWARD FOR THE CREATION OF HISTORIC DISTRICTS.

COUNCILOR DAVILA ASKED IF THERE WAS ANYONE FROM THE LAW DEPARTMENT PRESENT. ATTORNEY KEN SHEA TOOK THE PODIUM ON BEHALF OF THE CITY LAW DEPARTMENT.

COUNCILOR DAVILA ASKED HOW THE CITY WOULD GET TO DO THE STUDY AND WHAT THE TIMELINE WOULD BE. HE ASKED FOR FURTHER EXPLANATION AND ENCOURAGED THE HISTORIC COMMISSION TO GET THEIR DUCKS IN A ROW AS THIS COULD END UP IN COURT.

ATTORNEY SHEA PROVIDED A RECAP OF THE STATUTORY OBLIGATIONS UNDER CHAPTER 40C. HE NOTED THAT RESTARTING THE PROCESS WILL BE THE CLEANEST PATH AND ENSURE THAT WHATEVER DECISION IS MADE CAN BE DEFENDED.

COUNCILOR WALSH NOTED THAT THE GROUP ADVOCATING FOR THE CREATION OF HISTORIC DISTRICT DID NOT ACT IN BAD FAITH AND WILL BE VOTING IN FAVOR UNDER DURESS SO THAT THIS WILL GO FORWARD AS THE COUNCIL HAS BEEN WRESTLING WITH THIS FOR CLOSE TO A YEAR.

COUNCILOR CLICK-BRUCE ASKED WHO WOULD BE PAYING FOR THE STUDY. COUNCILOR SHEA NOTED THAT THE HISTORIC COMMISSION WOULD PAY FOR THE

THE SYSTEM FOR THE CREATION OF A HISTORIC DISTRICT WAS NEVER QUESTIONED IN THE PAST.

COUNCILOR HURST NOTED THAT THE SYSTEM IS FLAWED. ASKED WHAT WOULD HAPPEN WITH THE PREVIOUSLY APPROVED HISTORIC DISTRICTS.

ATTORNEY SHEA NOTED THE PREVIOUSLY CREATED DISTRICTS WOULD BE SAFE DUE TO A STATUTE OF LIMITATIONS.

COUNCILOR HURST NOTED THAT BECAUSE PEOPLE DON'T KNOW THE LAW THEN THERE MAY BE THE OPPORTUNITY TO CHALLENGE. HE ASKED WHAT THE STATUTE OF LIMITATIONS IS. HE ASKED ATTORNEY SHEA WHAT THE STATUTE OF LIMITATIONS IS. ATTORNEY SHEA WAS NOT SURE BUT NOTED THAT MOST STATUTE OF LIMITATIONS ARE 7 YEARS. HE ASKED IF THE CITY OF SPRINGFIELD WOULD BE DOING THIS GOING FORWARD.

ATTORNEY SHEA NOTED THAT THE CITY OF SPRINGFIELD WOULD BE FOLLOWING THE STATUTE GOING FORWARD.

COUNCILOR GOVAN COMMENDED THE HISTORIC COMMISSION MEMBERS ON THEIR WORK. SHE WILL BE VOTING IN FAVOR SO THAT THE STUDY SHOULD TAKE PLACE AS SOON AS POSSIBLE.

COUNCILOR PEREZ NOTED THAT SHE WOULD BE VOTING IN FAVOR OF THE STUDY.

COUNCILOR DAVILA ASKED FOR CLARIFICATION ON THE ITEM. IF THE COUNCIL PASSES THIS ORDER TODAY WILL THE HISTORIC COMMISSION BE FORCED TO DO THE STUDY? ATTORNEY SHEA ANSWERED IN THE AFFIRMATIVE.

COUNCILOR DAVILA ASKED IF THE HISTORIC COMMISSION WOULD CHOOSE WHO WILL DO THE STUDY. WILL THE HISTORIC COMMISSION DO AN RFP.

ATTORNEY SHEA NOTED THE PROCESS IS ENTIRELY IN THE HANDS OF THE HISTORIC COMMISSION.

COUNCILOR WHITFIELD NOTED HER CONFUSION. WHAT WILL THE STUDY TELL THE COUNCIL WHEN IT IS COMPLETE. COUNCILOR WHITFIELD ASKED IF ANYONE FROM THE FINANCE DEPARTMENT WAS PRESENT TO ANSWER PROCUREMENT QUESTIONS. WITHOUT THE ANSWERS TO HER PROCUREMENT/BUDGET QUESTIONS SHE WILL NOT BE VOTING IN FAVOR OF THIS ITEM.

COUNCILOR LEDERMAN NOTED THAT THE DIRECTOR OF ECO DEV COMMITTED TO THE FUNDING.

COUNCILOR ALLEN RELAYED WHAT MR. SHEEHAN SHARED IN THE FINANCE COMMITTEE MEETING. MR. SHEEHAN PLEDGED TO COVER THE COST FROM THE ECONOMIC DEVELOPMENT BUDGET.

COUNCILOR BROWN ASKED FOR AN ESTIMATE ON HOW LONG THE STUDY WOULD TAKE. ATTORNEY SHEA WAS NOT CERTAIN.

COUNCILOR FENTON CONTESTED THE CHARACTERIZATION THAT THE COUNCIL CAN ORDER THE HISTORIC COMMISSION TO DO ANYTHING IN REGARDS TO THIS MATTER. HE NOTED THAT THE COUNCIL CAN MAKE A RECOMMENDATION.

COUNCILOR DAVILA NOTED THE ABSENCE OF MEMBERS OF THE HISTORIC COMMISSION AND THE OFFICE OF ECONOMIC DEVELOPMENT. HE MADE A MOTION TO CONTINUE TO THE NEXT MEETING AND REQUEST BOTH DEPARTMENTS TO BE PRESENT. COUNCILOR WHITFIELD SECONDED THE MOTION.

COUNCILOR EDWARDS NOTED THAT THE CC ECO DEV SUB COMMITTEE HAS ALREADY MET WITH FINANCE AND THE COS OFFICE OF ECONOMIC DEVELOPMENT PRESENT.

COUNCILOR WHITFIELD NOTED THAT ALTHOUGH A SUB COMMITTEE MEETING WAS HELD, ALL COUNCILORS WERE NOT PRESENT AND MORE DISCUSSION SHOULD BE HAD.

COUNCILOR PEREZ NOTED HER CONFUSION. SHE NOTED THE FACT THAT REGARDLESS OF THE FINANCIAL ASPECT. WILL THIS BE THE PROCESS GOING FORWARD. ATTORNEY SHEA AGREED.

COUNCILOR WALSH CLARIFIED THAT THE STUDY HAS TO BE DONE TO GO FORWARD TO CREATE THE DISTRICT. ATTORNEY SHEA NOTED ANY CONCERNED CITIZEN COULD REQUEST THAT THE HISTORIC COMMISSION DO A FEASIBILITY STUDY.

COUNCILOR LEDERMAN NOTED THAT HE INTENDS TO SPEAK ON THE MOTION.

COUNCILOR WALSH ASKED HOW MANY VOTES ARE NECESSARY FOR PASSAGE. COUNCILOR LEDERMAN NOTED 7 VOTES ARE NEEDED.

COUNCILOR HURST IF THIS VOTE WAS TO APPROVE THE PROCESS GOING FORWARD.

RESULT:	ADOPTED [11 TO 2]
MOVER:	Jesse Lederman, President
AYES:	Walsh, Fenton, Perez, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Lederman
NAYS:	Tracye Whitfield, Victor Davila

Motion to Continue

COUNCILOR DAVILA MADE A MOTION TO CONTINUE ITEM 15

Study for the Creation of a Historic District

*Motion to Call the Question***Ordinances**

- (16.) **ORD-2023-5 Order Amending the Community Preservation Committee Ordinance to Allow Holdover Terms Chapter 16, Article XX Community Preservation Committee, Section 16-75 Terms of Office**

**AN ORDER AMENDING CHAPTER 16, BOARDS,
COMMISSIONS AND COMMITTEES,
ARTICLE XX. COMMUNITY PRESERVATION COMMITTEE, BY REVISING
SECTION 16-75 TERMS OF OFFICE:**

Be it ordained by the City Council, in session assembled, that the following amendment to the Code of the City of Springfield, as amended, be enacted:

1. CHAPTER 16, BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE XX. COMMUNITY PRESERVATION COMMITTEE, of the Code of the City of Springfield, SECTION 16-75, TERMS OF OFFICE, be amended to add a new section (C), as follows:

“C. Each member shall continue in office after the expiration of their term until a successor is duly appointed and qualified, provided the person remains a member of the body they represent.”

2. Upon passage, the effective date for the amendments listed above shall be _____, 202__.

Approved as to form,

Associate City Solicitor

RESULT:	FIRST STEP	Next: 12/18/2023 7:00 PM
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COMMENTS - Current Meeting:

COUNCILOR FENTON SPOKE ON THE MOTION NOTED THAT HE INTENDS ON BRINGING ANOTHER VOTE AT A FUTURE MEETING TO REMOVE TERM LIMITS.

COUNCILOR BROWN NOTED THAT THERE ARE MEMBERS OF THE COMMUNITY THAT HAVE INSTITUTIONAL KNOWLEDGE THAT THE CITY WOULD BENEFIT FROM.

COUNCILOR FENTON

AMENDMENT: FOR A PERIOD NOT TO EXCEED ONE YEAR.

17. Order (ID # 7685)

An Order to Amend Chapter 327-13-M

COMMENTS - Current Meeting:

COUNCILOR DAVILA SPOKE ON THIS ORDINANCE.

HE NOTED THAT COUNCILOR FENTON IS A CO-SPONSOR AND MAYOR SARNO IS IN SUPPORT.

COUNCILOR FENTON ECHOED COUNCILOR DAVILA.

COUNCILOR CLICK-BRUCE THANKED COUNCILOR DAVILA AND NOTED HIS SUPPORT.

COUNCILOR HURST NOTED HIS SUPPORT AND SUGGESTED THAT THE FEES COLLECTED COULD GO TOWARD REDUCING THE COST OF BULK TRASH ITEMS

COUNCILOR WHITFIELD SUGGESTED THAT THE COST SHOULD GO TO CLEANING UP LITTER

COUNCILOR WHITFIELD, CLICK-BRUCE, PEREZ AS CO-SPONSORS.

COUNCILOR GOVAN NOTED SHE IS IN FAVOR BUT CONCERNED ABOUT THE INCREMENTAL FINES BEING REMOVED AND THE ATTACHMENT OF UNPAID FINES TO AN INDIVIDUALS DRIVER'S LICENSE.

COUNCILOR DAVILA MADE NOTE OF MORE SUBSTANTIAL FINES IMPOSED BY THE STATE, WORCESTER AND LOWELL.

COUNCILOR PEREZ ASKED A PARLIAMENTARY QUESTION REGARDING ADDITIONAL QUESTIONS/CONCERNS BEING ADDRESSED.

COUNCILOR LEDERMAN NOTED THAT THIS IS FIRST STEPS. A GENERAL GOVERNMENT MEETING WOULD BE HELD BEFORE THE ITEM COMES UP FOR 2ND&3RD STEPS.

COUNCILOR WALSH ASKED ABOUT THE RMV ATTACHMENT OF UNPAID FINES.

COUNCILOR DAVILA NOTED THERE IS A 90 DAY GRACE PERIOD BEFORE ATTACHMENT.

COUNCILOR FENTON NOTED THAT THERE IS NO CHANGE IN THE ATTACHMENT ONLY TO CHANGE THE FEE SCALE.

ATTACHMENTS:

- Chapter 327-13-M (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael A. Fenton, Ward 2 Councilor
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman