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Presentation to the 2020 Greenfield City Charter Commission

Thank you for giving us the opportunity to speak to the changes in the Greenfield Town Charter. We would like to consider 5 issues:

- The Number of Councilors on the City Council
- The Chair of the School Committee
- The Public Safety Commission
- Citizen Referendum Procedures
- Review of Greenfield Ordinances

Article 2 Section 2-1

The draft that the Commission has made available to the community most recently changes the number of At Large Councilors from 4 to 2. First of all, we do not understand why this is even being suggested. We don't know of any community groundswell to make this change. But perhaps, we missed it. In any case, we find this to be a highly undemocratic move by the Commission. We have heard that there is some belief that we have more Councilors than a community of this size needs. We don't know what that means. In a representative democracy, the more voices that can be part of the process, the better.

We know that there has been concern on the Council for a need for more diversity. An effort to raise the stipend for Councilors from \$2000 to \$4000 per year was put through to help respond to the need for childcare and travel expenses of Councilors. Of course, if you want to really deal with the need for further diversity, the stipend should actually be \$10,000 or more, to allow someone to give up a part-time job to become a Councilor. That is an unlikely possibility in the present economy.

So, since we cannot provide a greater stipend for Councilors, we could give them more time. At the present time, Councilors often have to be on several Council committees. That involves a lot of time, study and energy on top of responding to constituent needs and questions and the regular Council Meetings. If it is assumed that the time commitment of Councilors is preventing people from becoming Councilors, then we need more Councilors, not fewer. Our suggestion is to increase the number of At Large Councilors from 4 to 6. This would allow Councilors to concentrate on fewer committee assignments and decrease the time commitment for each Councilor. And....it would also increase democracy by allowing more voices to enter the discussion. A 15 person Council is not any more unwieldy than one of 13.

Article 4 Section 1(a) School Committee

In this section, the addition allows the Mayor to become the Chair of the School Committee. It is perfectly reasonable to have the Mayor on the School Committee, particularly in regard the

budgetary concerns. Allowing the Mayor to become Chair of the School Committee is an unnecessary concentration of power in one individual. By dint of his or her position as Mayor, the Mayor already wields a level of authority in the School Committee that other members of the Committee do not have. This change in the Charter would be another example of a narrowing of democracy, rather than expanding it. We believe that this should not be included in the Charter revisions.

Article 6 Section 6-11 Public Safety Commission

There is a great deal of discussion about the need for an independent police review board. This requires a great deal of consideration and we would suggest that the Council create a commission with a broadly defined membership including formerly incarcerated individuals to discuss this issue and report back to the Council within a year. But that is not the subject of this Charter Commission.

In section 6-11-(i) of the Charter, it states that the members of the Public Safety Commission shall be considered “special municipal employees”. What does that mean? If it means, that they are aligned with the concerns of City government, then that creates a conflict of interest when people bring complaints to the Commission and the Commission are charged with “investigating complaints and holding hearings concerning complaints made to it regarding the operation of the police or fire department and the conduct and officers and employees of each department.” [6-11-(e)] If this designation does not mean that, what does it actually mean? How is it different from other commissions?

In addition, we would like to suggest that, at minimum, the requirements of the membership in this Commission become more specific including at least one person of color, one woman, and no more than one former member of the police or fire departments.

If we have a truly independent police review board, all these issues and more will become part of the Charter. In the meantime, these changes can ensure a bit more equity within a board that, as written, is supposed to have oversight over the police and fire.

Section 7-8 Citizen Referendum Petitions

During the last year and a half or so there has been a great deal of discussion about the vagueness of the Citizen Referendum Petition process whereby citizens can put reversal of a decision made by either the Council or School Committee onto the ballot. We believe that this process should be available to the populace. It requires, however, a recognition that we have elected the Council and School Committee to represent us and that this effort to overturn Council decisions is a serious matter. We, therefore, would like to suggest the following:

- A petition can be submitted to the City Clerk as described in 7-8 (a)
- Once that petition has been verified by the Clerk, then following 7-7 (b) is appropriate.

- Where we differ is on the number of signatures needed and the percentage in 7-7 (c) Rather than asking for a percentage of the registered voters, we would suggest that the requirement be that 100 valid signatures of registered voters from each precinct be collected and verified before such a referendum be allowed on the ballot. Our reasoning is that under the present system and that suggested in the draft, a relatively small group of people for a very small section of the city can go to their friends for signatures and those people from only a portion of the city can demand a vote from everyone. Under our suggestion, there would have to be some recognition that this is an issue of importance to at least some people throughout the city. People who gather signatures would not only have to talk to their friends but also to people they do not know who live in other parts of the City. They would have to explain why it is important to override the Council or the School Committee on the question that is on the table and convince them to sign the petition. By doing that they have demonstrated that this is an issue that should be on the ballot for all in the City to consider.

Additional Section- Review of Greenfield Ordinances

In the fiscal year ending in “2”, the Council will appoint a 3 person committee, including one lawyer, a councilor, and a resident to review the City’s ordinances to ensure that there are no prejudicial, antiquated or otherwise outdated or no longer useful ordinances active in Greenfield. Within one year, this committee will report back to the Council with a list of those ordinances which are no longer appropriate for action by the Council.

Because, in our country’s history, ordinances that are not generally used are sometimes unearthed to harass citizens who are seen as out of favor, “not one of us”, politically unacceptable or otherwise seen as out of the norm, it is important for Greenfield to review our active ordinance list and clear it of such ordinances. By keeping the ordinance list current and appropriate, we will be more confident that our laws are used for their intended purposes and not brought up from the depths of history for purposes for which they were never intended.