

**RECORD  
TOWN OF GRANBY  
SPECIAL TOWN MEETING  
SEPTEMBER 20, 2021**

In accordance with the foregoing warrant, the inhabitants of the Town of Granby qualified to vote in elections and town affairs, met at the Granby Jr. Sr. High School at 385 East State Street on Monday, September 20, 2021, at 7:00 p.m. then and there to act on the following articles, to wit:

The Moderator, Lynn Snopek Mercier opened the Special Town Meeting at 7:00 p.m. with a quorum present (30 or more), 36 voters were in attendance at the time of opening. The Pledge of Allegiance to the Flag was led by Select Board Chair, Jennifer Silva, and Town Officials along with the residents joined in.

The Moderator calls on the Town Clerk, Katherine A. Kelly-Regan, to certify that all the warrants were posted in accordance with the law.  
The Clerk responds they have. The warrant for this Special Town Meeting was declared to be in order.

The Committees, Boards, and Officials present at this STM:

Select Board: Chair, Jennifer Silva, Members, Glen Sexton, and Richard Beaulieu, All Present, sitting with the Select Board was the Town Counselor, Brian O'Toole, and the Town Administrator, Christopher Martin.

Finance Committee: Members Joseph Furnia, Robert Glesmann, III, Scott Wilson, Present, and Not Present Chair, John Libera, Jr.

Assessors: Chair, William Porter, III, Gregg Leonard, and Dakota Richards

Other Officials, Boards, or Committee Members Present:  
Steve Nally, Town Treasurer  
Lee Lalonde, Board of Health  
Jennifer Bartosz, School Committee  
Alan Wishart, By-Law Review Committee  
Steve Sullivan, School Superintendent

Vote Counters & Checkers:  
Richard Gaj, Sr., Elaine Lafleur, Emily Reed, and Virginia Snopek

GCAM-Filming the meeting- Alex LaMarche and Sam Huntley

Police Officer: Stephen Marion

*Moderator, Lynn Snopek Mercier, acknowledges the Boards and Committees sitting up front, the Finance Committee, the Select Board, along with the Town Administrator, Town Counselor, and the Town Clerk.*

*She now instructs the voters on town meeting procedures and mentions that we will be using a floor microphone for this meeting that is set up in the middle of the gym*

*We are still dealing with Covid-19 and masks must be worn, she mentions you may take the mask off when speaking at the mic but to please wipe the microphone off once done speaking and dispose of the wipe in the trash can.*

The Moderator now calls for Article 1 of the STM at 7:03 P.M.

All Articles were presented by the Town Administrator, Christopher Martin

ARTICLE 1. move the Town vote to raise and appropriate the sum of \$18,679 for the purpose of funding the tuition for Smith Vocational and Agricultural High School student.

*Only Majority Vote Required* Motion 2<sup>nd</sup>  
*Presented by Christopher Martin, Town Administrator*  
*Brief Discussion* Passed -Majority-Declared by Moderator-Show of Hands

*Explanation by Mr. Martin: This article is to cover the cost of an additional student that will be attending Smith Vocational and Agricultural High School to study Graphic Communication. The Town was notified of this additional student after the Town meeting that was held in June.*

ARTICLE 2. move the Town vote to raise and appropriate \$5,000 for the purpose of funding the FY22 services of the Pioneer Valley Mosquito Control District.

*Only Majority Vote Required* Motion 2<sup>nd</sup>  
*Presented by Christopher Martin, Town Administrator*  
*Brief Discussion* Passed -Majority-Declared by Moderator-Show of Hands

*Explanation Mr. Martin: This is an annual fee to the Pioneer Valley Mosquito Control District for testing mosquitos in Granby for diseases such as EEE and West Nile virus. It gives us the early warning to allow us to raise our vigilance before disease strikes. In addition, it gives us the information needed to prevent unnecessary mosquito spraying. Without this testing, we must depend on sick people and animals to tell us when the diseases are in Town.*

ARTICLE 3. move the Town vote to raise and appropriate \$18,761 for the purpose of increasing the FY22 Assessors Personal Services budget.

*Only Majority Vote Required* Motion 2<sup>nd</sup>  
*Presented by Christopher Martin, Town Administrator*  
*Brief Discussion* Passed -Majority-Declared by Moderator-Show of Hands

*Explanation by Mr. Martin: This article is to fully fund the position of Assistant Assessor for Fiscal Year 2022. After the Annual Town Meeting, an Assistant Assessor was hired at a rate higher than what was budgeted for.*

ARTICLE 4. move the Town vote to authorize the Select Board to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

*An Act Relative to the Town of Granby.*

## ELECTED OFFICIAL RECALL

### A. RECALL DESCRIPTION

Any holder of an elected office in the Town of Granby may be recalled therefrom by registered voters of the Town as hereinafter provided. No recall petition shall be filed against an officer within six months after he/she takes office, nor, in the case of an official subjected to a recall election and not recalled thereby, until at least six months after the election at which his/her recall was submitted to the voters. The recall of an elected official will consist of a 3-step process.

### B. INITIATION OF THE RECALL AFFIDAVIT

(Step one) The Affidavit

Any 100 registered voters of the Town of Granby may initiate a recall petition by filing an affidavit with the Town Clerk. The affidavit shall contain the name of the official sought to be recalled and a statement of the grounds of recall.

- (1) The Select Board may appoint a Temporary/ Interim Town Clerk to handle the recall process and Election should the Town Clerk be the Elected official subjected to the recall.

### C. THE PETITION

(Step two) The Petition

If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Select Board and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, the grounds of recall as stated in the affidavit, and shall demand the election of a successor to such office. Such blanks must be provided within five Town hall business days during regular business hours. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the requesting voter receives the blank petitions from the Town Clerk. In the event that the Town hall is not open on the 28th day, the petition may be filed during normal business hours on the next Town hall business day. The petition, before being returned and filed, shall be signed by qualified voters of the Town, equal in number to at least 25 percent of the qualified voters of the Town as of the date the affidavit was filed with the Town Clerk. Every signature must be accompanied by the signer's place of residence, giving the street and number. The Registrars of Voters shall forthwith certify the number of signatures.

### D. THE RECALL ELECTION

(Step three) The Recall Election

If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it with the certificate to the Select Board. The Select Board shall forthwith give written notice to said official of the receipt of said certificate and, if the official sought to be removed

does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Select Board may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

#### **E. STATEMENT OF GROUNDS**

The reasons for which a recall may be initiated include but are not limited to:

- (1) Lack of Fitness -insobriety while performing official functions, involuntary commitment to a mental health facility, being placed under guardianship or conservatorship by a probate court.
- (2) Conviction- conviction of a felony involving moral turpitude, conviction or bribery, or extortion.
- (3) Neglect of Duties- repeated absences from meetings without just cause. Just cause shall include, but not be limited, to illness or regular vacation periods.
- (4) Misfeasance - performance of official acts in an unlawful manner, or a willful violation of the conflict-of-interest law, open meeting law or other ethical violations.

#### **F. DUTIES OF THE INCUMBENT**

The incumbent shall continue to perform the duties of his/her office until the recall election. If the official is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, except as provided in this act. If the official is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

#### **G. RECALL ELECTION BALLOT**

Ballots used in a recall election shall submit the following propositions in the order indicated: For the recall of (name of official). Against the recall of. (name of official). Immediately at the right of each proposition, there shall be

an oval above which reads 'vote for one". The voter, by filling in said oval, may vote for either of such propositions. Under the propositions shall appear the word 'Candidates," and the direction "vote for one" and beneath this the names of candidates nominated as hereinbefore provided. In case of other forms of balloting, appropriate provisions shall be made to allow the same intent of the voter.

#### **H. VOTING RESULTS**

If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of votes on the question is in the negative, the ballot for candidates need not be counted.

## I. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

Any elected official sought to be recalled may not be a candidate to succeed himself/herself. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

## J. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

Any person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall not be appointed to any Town office within two years after such removal or such resignation.

## K. EFFECTIVE DATE

This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill unless the Select Board approves amendments to the bill before enactment by the General Court. The Select Board is hereby authorized to approve amendments, which shall be within the scope of the general public objectives of the petition.

*Explanation by Mr. Martin: This article is to submit a Home Rule Petition to the State Legislature in order for the Town to include an elected official recall process in the Town 's General Bylaws.*

*Only Majority Vote Required*

Motion 2<sup>nd</sup>

*Presented by Christopher Martin, Town Administrator*

*Short discussion Passed -Majority-Declared by Moderator-Show of Hands*

*Richard Domeracki, 428 Batchelor Street, tells the voters he was the one who initiated this Article and worked very hard to get this presented at Town Meeting. He thanks Alan Wishart, By-law Review Chairperson, for all his time and hard work with this project.*

*Mr. Domeracki hopes the voters will take this Article very seriously for he explains that it's very important to have something in place if there ever be a need to remove an elected official.*

*Some voters feel that the Article should have less the number of signatures required to be collected for a Recall to be considered. For the Select Board to call for a Recall Election the proposed by-law requires a total of 25% of the of registered voters in town.*

*Alan Wishart, By-law Review Chair, explains that we need to have a strict enforcement so that this isn't taken lightly. We don't want voters to attempt to petition a Recall because of personal reasons such as not liking an idea or a person.*

*This By-law is meant to protect the town if there ever is a need to Recall an elected official, there must be a valid reason, such as Lack of Fitness, Conviction, Neglect of Duties or Misfeasance.*

*Lynn Snopek Mercier, Moderator, asks if there are any more discussions, she calls for a vote and Article 4 passes by a Majority Vote.*

*The Moderator mentions this is one of the fastest Town Meetings she has ever moderated. She now calls for a motion to adjourn.*

**The Moderator motions to adjourn this STM  
All in favor to adjourned:**

**Motion 2<sup>nd</sup>**

**Passed: Unanimous- By Voice**

**The business for this STM held on September 20, 2021, has been completed, all Articles have been voted on and the Moderator officially dissolves this STM at 7:34 P.M.**

**There were 45 voters, and 5 non-voters that showed up to support and contribute to this meeting.**

**Respectfully submitted,**



**Katherine A. Kelly-Regan  
Town Clerk, CMMC**