

**Pittsfield Human Rights Commission**  
**March 11, 2019**  
**7:00 PM Room 203**  
**Pittsfield City Hall, 70 Allen Street, Pittsfield MA**

**Members Present:** Drew Herzig, Chair  
Caterina Penna, Vice-Chair  
Jessica Christensen  
Peter Marchetti  
Marietta Rapetti Cawse  
Sopheap Nhim  
Robert Sykes  
Jay Lopez

**Members Absent:** Antonia (Toni) Buckley

1. **Call to Order** – Chair Drew Herzig called the meeting to order and notified all those in attendance that pursuant to Massachusetts General Law Chapter 30A section 20, all attendees are hereby informed that a video and audio recording is being made of the meeting.
2. **Roll Call of HRC members** – Drew Herzig introduced the newest member of the commission. Jay Lopez gave a brief bio about himself.
3. **Approval of Minutes** - A motion to accept the minutes from the November 8, 2018 meeting was made by Jessica Christensen and seconded by Sopheap Nhim. The motion passed. Marietta questioned correcting previous minutes. A motion to accept the minutes from the February 7, 2019 was made by Jessica Christensen and seconded by Jay Lopez. The motion passed.
4. **Public comment** – There were no members of the public present.
5. **Presentation to the Commission** – City Solicitor Stephen Pagnotta and City Clerk Michelle Benjamin provided a review of the open meeting law. City Clerk discussed the binder that all commission members should have received when they were sworn in. The binder contained information on code of conduct, open meeting law, conflict of interest and public records log. She reminded commission members that they must sign acknowledgments of open meeting law and public records log as well as reminded commission members that they must take the conflict of interest training yearly.

A lengthy discussion took place regarding the open meeting law such as:

- Meeting agenda must be posted 48 hours in advance and include location and all items to be discussed.
- Deliberation cannot take place in any way outside of the public meeting (in person, via email, texting, social media, etc.)
- Meetings can take place outside public buildings but must be handicapped accessible although it is recommended to be held in a public building

- Atty Pagnotta suggested that if there is any doubt that you are violating the open meeting law don't do it. Commission members could be fined up to \$1,000.00
- Under special circumstances commission can go into executive session and must state why before going into executive session and must disclose if they will reconvene in public session.
- Minutes are required as a synopsis of the meeting within 30 days or within 3 public meetings. If requested, minutes must be furnished within 10 days whether they have been approved or not.
- Complaints of an open meeting violation must be presented within 30 days. Commission must respond to complaint within 14 days to the complainant and the State Attorney General. Complaint form must be from the Attorney General's Office.

Marietta Rapetti Cawse asked about process for amending minutes and it was recommended not to change previous minutes but to note the correction in the meeting of which the correction is discussed.

A conversation took place as the legal constraints on HRC resolutions. Attorney Pagnotta stated that the charter provides a direction of a local mission, issues for Pittsfield. HRC was created to deal with issues involving Pittsfield. He also stated that there is nothing that prevents a broad declaration. The mission is broad and commission can state their own policies. He stated that there is no statutory prohibition and there also was no requirement for the City Council take up resolutions passed by HRC.

Marietta Rapetti Cawse thinks that the HRC serves the Pittsfield Community and that educating is part of our mission.

## 6. Unfinished Business

Revised Guideline on public comment and presentations – A motion was made by Peter Marchetti and seconded by Caterina Penna to accept the revisions to Rule 7. Much discussion took place. Jessica Christensen wanted to correct some grammatical issues. Drew stated that commissioners should not be traumatized from speakers at public comment period. Marietta Rapetti Cawse suggested that we should use cultural competency and focus on who is speaking to us and where do they come from. Peter Marchetti wanted to amend 7.1 to state: Public comment speakers must avoid personal attacks. Commission members shall not respond to speakers other than to notify speaker that they will forward relevant information requested as may be deemed appropriate. Jessica Christensen wanted some clarity in regard to 7.4 with how we vote to accept presentations. Drew suggested that all commission members to send suggested edits and he would revise rule 7 once again. Any revisions to rule 7 be discussed at the April meeting, and that the May meeting will be devoted to the mission and function of the HRC. Please only forward suggestion to the chair and not the entire commission.

7. **New Business** – it was decided to table new business. The motion was made by Caterina Penna and seconded by Jessica Christensen.

Drew Herzig mentioned that he would like the HRC to have more collaboration with other city commissions.

The next meeting will be April 8, 2019 at 7 PM in Room 203 in City Hall. The presentation will be by Jeanet Ingalls on Human Trafficking.

The May meeting will be May 15, 2019 at 7:15 pm.

8. Adjournment – A meeting to adjourn the meeting was made by Peter Marchetti and seconded by Caterina Penna. Motion passed.