

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
February 17, 2010

Greenfield Middle School Auditorium

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:04 p.m. by President Farrell.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilor Wood was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Maureen Winseck; Department of Public Works Superintendant Sandra Shields; *the Recorder*, Anita Phillips; *the Republican*, Cori Urban; GCTV-15 staff; WHAI/WPVQ; and approximately 60 members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Maloney, second by Councilor Letourneau, it was unanimously

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF DECEMBER 9 & 16, 2009 AND JANUARY 20, 2010.

PUBLIC HEARINGS: Councilor Maloney read the following:

CHANGE OF LOCATION AND TIME

In accordance with Home Rule Charter the Greenfield Town Council will hold a public hearing on the following at the Town Council Meeting on Wednesday, February 17, 2010 beginning at 7:00 p.m. at the **Greenfield Middle School 195 Federal Street** to consider the following:

- Appropriate \$225,000 for a feasibility study relating to the renovation of the Greenfield High School located at 1 Lenox Avenue, Greenfield
- Appropriate \$592,000 from Free Cash to the Greenfield Public School Department for Out of District Tuitions
- Appropriate \$506,500 from Free Cash to Stabilization

Councilor Maloney also read the following notice:

PUBLIC HEARING

In accordance with Home Rule Charter the Greenfield Town Council will hold a public hearing on the following at the Town Council Meeting on Wednesday, February 17, 2010 beginning at 7:00 p.m. at GCTV-15, 393 Main Street to consider the following:

- ✧ Appropriate \$225,000 for a feasibility study relating to the renovation of the Greenfield High School located at 1 Lenox Avenue, Greenfield
- ✧ Appropriate \$592,000 from Free Cash to the Greenfield Public School Department for Out of District Tuitions
- ✧ Appropriate \$506,500 from Free Cash to Stabilization

A full copy of the proposals are available for review in the Greenfield Town Clerk's Office, 14 Court Square, Greenfield, MA, between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

Councilor Maloney held a second reading on the following:

- Appropriate \$225,000 for a feasibility study relating to the renovation of the Greenfield High School located at 1 Lenox Avenue, Greenfield
- Appropriate \$592,000 from Free Cash to the Greenfield Public School Department for Out of District Tuitions
- Appropriate \$506,500 from Free Cash to Stabilization

PUBLIC NOTICE

The Greenfield Town Council will hold a meeting on Wednesday, February 17, 2010, beginning at 7:00 p.m. in the Greenfield Middle School Auditorium, 195 Federal Street to consider the following:

To see if the Town Council will vote as follows: "Pursuant to Section 7-8 of the Greenfield Town Charter, shall the approval of the Town Council on December 9, 2009 of the following orders be rescinded:

Order No. FY 010-041 - Amend Sewer Use Regulations of the Code of the Town of Greenfield: Chapter 650, to allow the Mayor, with the approval of the Town Council, to enter into Wastewater Supply Contracts and set the price for supply of Wastewater.

Order No. FY 010-044 - To approve a contract to Pioneer Renewable Energy, LLC for a period of twenty (20) years under the terms and conditions as written in the proposed Wastewater Supply Agreement and authorize the Mayor to execute said agreement.

Order No. FY 010-040 - That the Greenfield Town Council approve a lease to Pioneer Renewable Energy, LLC for a period of twenty (20) years under the terms and conditions as written in the proposed lease and authorize the Mayor to execute said

lease. A full copy of the proposals is available for review in the Greenfield Town Clerk’s Office, 14 Court Square, Greenfield, MA, between 8:30 a.m. and 5:00 p.m., Monday through Friday.

COMMUNICATIONS:

MAYOR: None.

SCHOOL COMMITTEE CHAIRMAN: None.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 10 -052

MOTION: On a motion by Councilor Maloney, second by Councilor Allis, it was,

MOVED: THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD APPROPRIATES THE SUM OF TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000) FOR A FEASIBILITY STUDY RELATING TO THE RENOVATION OF THE GREENFIELD HIGH SCHOOL LOCATED AT 1 LENOX AVENUE, GREENFIELD, MASSACHUSETTS, SAID SUM TO BE EXPENDED UNDER THE DIRECTION OF THE SCHOOL BUILDING COMMITTEE, AND TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR IS AUTHORIZED TO BORROW SAID SUM UNDER M.G.L. CHAPTER 44, OR ANY OTHER ENABLING AUTHORITY; THAT THE TOWN OF GREENFIELD RECOGNIZES THAT THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY’S (“MSBA”) GRANT PROGRAM IS A NON-ENTITLEMENT, DISCRETIONARY PROGRAM BASED ON NEED, AS DETERMINED BY THE MSBA, AND ANY COSTS THE TOWN OF GREENFIELD INCURS IN EXCESS OF ANY GRANT APPROVED BY AND RECEIVED FROM THE MSBA SHALL BE THE SOLE RESPONSIBILITY OF THE TOWN OF GREENFIELD, AND THAT THE AMOUNT OF BORROWING AUTHORIZED PURSUANT TO THIS VOTE SHALL BE REDUCED BY ANY GRANT AMOUNT SET FORTH IN THE FEASIBILITY STUDY AGREEMENT THAT MAY BE EXECUTED BETWEEN THE TOWN OF GREENFIELD AND THE MSBA.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for Council approval. He reviewed the potential reimbursement rate from the State when a the reconstruction project of the Greenfield High School was undertaken.

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10 -052

Order no. FY 10 -054

MOTION: On a motion by Councilor Maloney, second by Councilor Allis, it was,

MOVED: THAT IT BE ORDERED THAT THE SUM OF \$592,000.00 BE APPROPRIATED FROM FREE CASH TO THE GREENFIELD PUBLIC SCHOOL DEPARTMENT OUT OF DISTRICT TUITIONS BUDGET LINE ITEM.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for Council approval. He noted this was for out of district special education cost.

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10 -052

Order no. FY 10-051

MOTION: On a motion by Councilor Maloney, second by Councilor Allis, it was,

MOVED: THAT IT BE ORDERED THAT THE SUM OF \$506,500.00 BE APPROPRIATED FROM FREE CASH TO THE STABILIZATION FUND.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for Council approval.

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10 -051

Order no. FY 10-057

MOTION: On a motion by Councilor Guin, second by Councilor Letourneau, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO 7-8 OF THE GREENFIELD TOWN CHARTER SHALL THE APPROVAL OF THE TOWN COUNCIL ON DECEMBER 9, 2009 OF ITS ORDER NO. FY 010-041 “THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD, CHAPTER 650, SECTIONS 49 THROUGH SECTION 64 BY INSERTING THE FOLLOWING LANGUAGE AND RENUMBERING EXISTING SECTIONS ACCORDINGLY:

SECTION 650-49(A) – ADD (11) SUPPLY OF WASTE WATER UNDER A CONTRACT ENTERED INTO PURSUANT TO SECTION 650-55. SUPPLY OF WASTE WATER. ADD SECTION 650-55. SUPPLY OF WASTE WATER – THE MAYOR, WITH THE PRIOR APPROVAL OF THE TOWN COUNCIL, MAY ENTER INTO A CONTRACT FOR THE SUPPLY OF TREATED WASTE WATER, THE DURATION OF WHICH SHALL NOT EXCEED TWENTY (20) YEARS. THE PERSONAL ENTITY RECEIVING SUPPLY OF SUCH WASTE WATER SHALL OBTAIN AT ITS SOLE COST, ALL NECESSARY PERMITS FROM LOCAL, STATE AND FEDERAL AUTHORITIES. SAID CONTRACT SHALL SET FORTH THE PRICE FOR SUPPLY OF SUCH WASTE WATER AND ALL OTHER TERMS AND CONDITIONS RELATED TO SUCH SUPPLY. THE PRICE FOR SUCH WASTE WATER MAY INCLUDE ALL OR A PORTION OF SEWER USE FEES THAT MAY HAVE BEEN CHARGED ON THE RETURN OF WASTE WATER TO THE SEWER IN LIEU OF SEPARATE CHARGE FOR SUCH SEWER USE. AND FURTHER AMENDS THE TABLE AND INDEX OF CONTENTS OF THE CODE” BE RESCINDED?

DISCUSSION: Councilor Singer would not vote to rescind this order. President Farrell explained if the vote was not rescinded the question would be placed on the June 2010 town election ballot.

It was by roll call 2 yes and 7 no,

DEFEATED: TO APPROVE ORDER NO. FY 10 -057

Order no. FY 10-055

MOTION: On a motion by Councilor Guin, second by Councilor Letourneau, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO 7-8 OF THE GREENFIELD TOWN CHARTER, SHALL THE APPROVAL OF THE TOWN COUNCIL ON DECEMBER 9, 2009 OF ITS ORDER NO. FY 010-044 “THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES A CONTRACT TO PIONEER RENEWABLE ENERGY, LLC FOR A PERIOD OF TWENTY (20) YEARS UNDER THE TERMS AND CONDITIONS AS WRITTEN IN THE PROPOSED WASTEWATER SUPPLY AGREEMENT AS AMENDED ATTACHED HERETO AS EXHIBIT A AND AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT” BE RESCINDED?

DISCUSSION: President Farrell explained if the vote was not rescinded the question would be placed on the June 2010 town election ballot. Councilors Singer, Letourneau, and Siano would vote to rescind this order. President Farrell, Councilors Guin, Sutphin, Allis, Maloney, McLellan and Canteen would not vote to rescind this order.

It was by roll call 3 yes and 7 no,

DEFEATED: TO APPROVE ORDER NO. FY 10 -055

Order no. FY 10-056

MOTION: On a motion by Councilor Guin, second by Councilor Letourneau, it was by roll call 3 yes and 7 no,

DEFEATED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO 7-8 OF THE GREENFIELD TOWN CHARTER SHALL THE APPROVAL OF THE TOWN COUNCIL ON DECEMBER 9, 2009 OF ITS ORDER NO. FY 010-040 “THAT THE GREENFIELD TOWN COUNCIL APPROVE A LEASE TO PIONEER RENEWABLE ENERGY, LLC FOR A PERIOD OF TWENTY (20) YEARS UNDER THE TERMS AND CONDITIONS AS WRITTEN IN THE PROPOSED LEASE ATTACHED HERETO AS EXHIBIT A AND AUTHORIZE THE MAYOR TO EXECUTE SAID LEASE” BE RESCINDED?

President Farrell stated there was not an item on the agenda to put these questions on the June 8, 2010 ballot, however, if a motion was made it could be voted tonight or held for the next meeting. This vote would clarify for the public when the questions would be on the ballot.

MOTION: On a motion by Councilor Singer, second by Councilor Allen, it was unanimously,

VOTED: PURSUANT TO CHARTER SECTION 7-8 THE GREENFIELD TOWN COUNCIL VOTES TO SUBMIT THE CITIZENS’ REFERENDUM QUESTIONS TO THE VOTERS ON THE BALLOT AT THE ANNUAL TOWN ELECTION SCHEDULED FOR JUNE 8, 2010.

Order no. FY 10-059

MOTION: On a motion by Councilor Maloney, second by Councilor Allis, it was,

MOVED: THAT UPON RECOMMENDATION OF THE MAYOR THAT THE FOLLOWING BORROWING AUTHORITIES BE RESCINDED:

6/26/1996	Title V Mass Water Pollution Trust	\$482,875
6/28/2000	Town Hall Security System	\$ 1,000
6/26/2002	Replace Sections of the HS Roof	\$ 500
6/25/2003	Reconstruct Green River & Oak Hill Plants	\$ 15,000
6/1/2004	Renovate Police Dispatch Office	\$ 50
6/1/2004	Install Sidewalks on Laurel Street	\$ 30,000
6/1/2004	Replace Mountain Rd Guardrail	\$ 250
6/1/2004	Replace Library Computers	\$ 1,500
9/21/2005	Purchase Fire Dept Radios	\$ 35,000
12/20/2006	Purchase Wedgewood Gardens Property	\$325,850
5/23/2007	Rehabilitate Millbrook Well	\$ 48,000
8/20/2008	Purchase Assessor's Vehicle	\$ 700
8/20/2008	Loomis Road Water Main	\$ 67,100
9/24/2008	Federal Street Roof Repair	\$ 7,000
	Total	\$1,014,825

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for Council approval. It was noted this would "clean-up the books" and the Town' borrowing capacity would be approximately \$60,000,000.00.

It was unanimously

VOTED: TO APPROVE THE MOTION ORDER NO. FY 10 -059.

Order no. FY 10-060

MOTION: On a motion by Councilor Maloney, second by Councilor Allis, it was,

MOVED: THAT UPON RECOMMENDATION OF THE MAYOR THAT THE GREENFIELD TOWN COUNCIL IN ACCORDANCE WITH THE REGULATIONS PROMULGATED IN M.G.L. LAWS CHAPTER 30B, THE COUNCIL APPROVES A FOUR YEAR BUS CONTRACT BETWEEN THE GREENFIELD PUBLIC SCHOOLS AND F. M. KUZMESKUS AS NEGOTIATED IN COLLABORATION WITH THE FRANKLIN COUNTY PUBLIC SCHOOLS.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation for Council approval.

It was unanimously

VOTED: TO APPROVE THE MOTION ORDER NO. FY 10 -060.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Guin noted the Committee was considering the Sale of 10 parcels of Town owned land; an Agricultural Preservation Act for the "poor farm;" the Stretch Code; and a portion of the Green Communities Act.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Singer reported the committee continued the process of reviewing the General Ordinances.

President Farrell stated the Mayor would be appointing two people to the Charter Review Committee.

WAYS AND MEANS COMMITTEE – Chairman Maloney reminded Councilors budget season was fast approaching.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Letourneau noted the committee would meet on March 1, 2010. Agenda items included discussion regarding Beacon Field and School Volunteers.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS:

Order no. FY 10 -058

MOTION: On a motion by Councilor Guin, second by Councilor McLellan, it was unanimously

VOTED: THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES THE FOLLOWING ACCEPTANCE OF THE STRETCH CODE AND FORWARDS TO THE ECONOMIC DEVELOPMENT COMMITTEE FOR RECOMMENDATION.

Councilor Maloney held a first reading:

- The Police Department Salary & Wages be reduced by \$150,000.00 from the fiscal year 2010 general fund operating budget.

Councilor Guin announced the Annual Telethon will be held on March 3, 2010 to benefit the Greenfield High School Band.

President Farrell asked if any Councilor was interested in being the representative to the Greenfield Business Association.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: See attached.

ADJOURNMENT: On a motion by Councilor Guin, second by Councilor Sutphin, it was unanimously

VOTED: TO ADJOURN THE MEETING AT 8:48 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

Greenfield Middle School
Regular Meeting
February 17, 2010

		041	044	040			
1. Wood, Peter	A	--	--	--			
2. McLellan, Thomas	P	N	N	N			
3. Allis, Brickett	P	N	N	N			
4. Maloney, Mark	P	N	N	N			
5. Singer, David	P	N	Y	Y			
6. Letourneau, Danielle	P	Y	Y	Y			
7. Canteen, Jeanne	P	N	N	N			
8. Joseph, Christopher	A	--	--	--			
9. Sullivan, Mary-Catherine	A	--	--	--			
10. Farrell, Timothy	P	--	N	N			
11. Guin, Daniel	P	N	N	N			
12. Siano, Alfred	P	Y	Y	Y			
13. Sutphin, Tracey	P	N	N	N			

7 no 7 no 7 no
2 yes 3 yes 3 yes