

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
April 21, 2010

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:05 p.m. by President Farrell.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilors Allis, Joseph, Guin, and Siano were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; School Superintendent Susan Hollins; Town Clerk Maureen Winseck; Department of Public Works Superintendant Sandra Shields; Police Chief Executive Assistant Christine Scott; GCTV-15 staff; *the Recorder* Anita Phillips; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Maloney, second by Councilor McLellan, it was unanimously **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF FEBRUARY 17, 2010 AND MARCH 17, 2010.

PUBLIC HEARINGS: None.

COMMUNICATIONS:

TOWN OFFICERS: Ms. Shields updated the Town Council regarding the Solar Farm at the land fill. She noted an Evaluation Committee had been formed and reviewed the seven (7) proposals submitted. Negotiations with Axio Power, who's New England Office was located in Poughkeepsie, New York were ongoing. Ms. Shields reviewed some previous projects and awards obtained by Axio Power. She noted the 20 year contract would be forwarded to the Town Council for consideration at the May meeting. The benefit to the town would be the purchase of the electricity generated at a reduced rate, which would save the town approximately \$200,000 in energy costs per year.

Ms. Shields stated the State was doing the engineering and work related to the Covered Bridge project. The timeline for the bridge opening was unknown at this time.

MAYOR: None.

SCHOOL SUPERINTENDANT: Dr. Hollins reported:

- The school department was being very careful and would come in "on" budget for Fiscal Year 2010.
- Searching for additional ways to collaborate with the town.
- Kindergarten enrollment was ongoing with large enrollment numbers.
- Grants were being obtained to allow for advanced placement courses.
- The School Committee was reviewing the policy manual for amendments.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 10 - 048

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

MOVED: THAT IT BE ORDERED THAT THAT THE CITY OF GREENFIELD, KNOWN AS THE TOWN OF GREENFIELD, ACCEPT G.L. c. 64L, § 2(A) TO IMPOSE A LOCAL MEALS EXCISE.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a majority positive recommendation for Town Council approval. Councilors McLellan, Canteen, Singer, Letourneau, and Maloney would vote in favor of the proposal. President Farrell would not vote in favor of the proposal.

It was by majority, 7 yes and 2 no,

VOTED: TO APPROVE ORDER NO. FY 10 – 048.

Order no. FY 010-072

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 104 NAMING OF MUNICIPAL BUILDING, FACILITIES AND PUBLIC PLACES ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE AND INDEX OF CONTENTS OF THE CODE

New Ordinance – Draft 3
Code Draft format created by KJS 4-15-10

Chapter 104

NAMING OF MUNICIPAL BUILDINGS, FACILITIES AND PUBLIC PLACES

§ 104-1. Purpose.

§ 104-5. Applicability of this Ordinance.

§ 104-2. Definition.

§ 104- 6. Existing names to be retained.

§ 104--3. Initiating Procedure.

§ 104-7. Severability Clause

§ 104- -4. Public Hearing and Recommendation.

[History: adopted by the Town Council of the Town of Greenfield on 00-00-0000]

GENERAL REFERENCES

§ 104-1. Purpose

The Town of Greenfield hereby establishes a policy and set of procedures to govern the naming or renaming of municipal buildings, other fixed facilities, and public places. A sound naming policy adds meaning, significance and uniformity to public facilities, minimizes conflict and provides a clear and meaningful forum for discussion.

This ordinance shall not govern the procedure for naming streets, and is subject to the terms and conditions of M.G.L.c. 85 §3.

§ 104-2. Definitions

For the purpose of this section a public place shall include but not be limited to any building or a portion thereof, athletic fields, parking lot, municipal lot, side walk, trail, bike path, park, garden, playground, cemetery, or any such place owned or under the dominion of the Town which may reasonably be expected to be viewed by others.

§ 104-3. Initiating Procedure

Requests to name or rename a municipal building, other fixed facilities or a public place shall be made in writing and filed with the Town Clerk of the Town Council. Such requests may be made by the Mayor, a Town Councilor, or by petition of at least 100 registered voters of the Town of Greenfield. The written request shall also include the rationale and background information explaining why the request is being made at that time.

Upon receipt, the request shall be placed on the agenda of the next Town Council meeting, who may by majority vote agree to forward the request to the Planning and Construction Committee for hearing and recommendation back to the Town Council.

§ 104-4. Public Hearing and Recommendation

Within 45 days of receipt of the Town Council vote, the Planning and Construction Committee shall hold a public hearing on each nomination referred to it.

At the conclusion of the Public Hearing the Planning and Construction Committee shall deliberate and vote. Upon agreement of a majority of the Committee, the written decision and recommendation shall be delivered in writing to the Town Clerk within 5 days of the Public Hearing. The request, along with the written decision of the Planning and Construction Committee, shall, within 30 days after receipt by the Town Clerk, be sent to the Town Council for deliberation and vote at the next available meeting. It shall require an affirmative vote by majority vote of the Town Council to name or rename municipal buildings, other fixed facilities, and public places. Should the vote fail to secure the support of a majority

of the Town Council, the name shall not again be considered as the name to be affixed to a municipal buildings, other fixed facilities, and public places until after the expiration of 12 months from the Town Council vote.

§ 104-5. Applicability of this Ordinance

This Ordinance shall not apply to the naming and renaming of municipal buildings, other fixed facilities, and public places which were donated to the Town contingent upon assignment of a specific name or to any facility constructed or purchased from money or property donated to the Town for the purpose of securing a name. Further, this Ordinance does not apply to the naming or renaming of school buildings, fixed facilities and public places or any other property under the jurisdiction of the School Committee.

§ 104-6. Existing names to be retained.

Municipal buildings, other fixed facilities, and public places shall retain the names as named by the Town Council. The Town Council may, by a two-thirds vote of the whole council, change the name of any municipal buildings, other fixed facilities, and public places in the Town provided that, whenever renaming is considered, the matter is first referred to the Planning and Construction Committee and sent back to the Town Council in accordance with the requirements of this ordinance.

§ 104-7. Severability Clause.

Should any section or portion thereof of this Ordinance herein be rendered or declared invalid, unlawful, or unenforceable, by reason of any existing or subsequently enacted legislation or by a court of competent jurisdiction such legislation or decision shall apply only to the specific sections, or portion thereof directly specified in the legislation or decision. All other provisions, sections, or portions thereof shall remain in full force and effect.

DISCUSSION: Councilor Singer reviewed the process for bringing the proposed Ordinance forward. The proposed ordinances did not apply to Streets or School properties/facilities.

It was unanimously

VOTED: TO APPROVE ORDER NO. 010-072.

Order no. FY 10 -070

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

MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 APPROVES OF THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE CHARTER REVIEW COMMITTEE: MARCIA DAY, DAVID NIXON, DIANA SCHINDLER, AND PETER RUGGERI FOR A ONE YEAR TERM.

AND FURTHERMORE APPROVES THE FOLLOWING TOWN COUNCIL APPOINTMENTS TO THE CHARTER REVIEW COMMITTEE: COUNCILORS DAVID SINGER, BRICKETT ALLIS, AND THOMAS MCLELLAN.

DISCUSSION: Councilor Singer stated the Appointments and Ordinance Committee forwarded a positive recommendation to the Town Council for approval. He noted the committee did not have Peter Ruggeri's name for consideration at the time of the meeting.

It was unanimously (Councilor Singer abstained)

VOTED: TO APPROVE ORDER NO. FY 10 -070.

Councilor Singer requested anyone with recommendations or suggestions for possible amendments to the Charter bring them forward. President Farrell stated if it was determined the change was considered major, it would need to be voted by the citizens.

Order no. FY 10 -071

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

MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 APPROVES OF THE FOLLOWING APPOINTMENTS BY THE MAYOR TO SCHOOL BUILDING COMMITTEE, UNTIL COMPLETION OF THE RENOVATION OF THE GREENFIELD HIGH SCHOOL: MARJORIE L. KELLY, WILLIAM MARTIN, KEITH MCCORMIC, SUSAN HOLLINS, SANDRA SHIELDS, DONNA WOODCOCK, MICHAEL KOCIELA, MICHAEL MURPHY, KEN BLACK, ROBERT TOMBS, AND TIMOTHY FARRELL.

DISCUSSION: Councilor Singer stated the Appointments and Ordinance Committee forwarded a unanimous positive recommendation to the Town Council.

It was unanimously (Councilor Farrell abstained)

VOTED: TO APPROVE ORDER NO. FY 10 -071.

Order no. FY 10-069

Financial Order 2010

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

MOVED: THE TOWN COUNCIL, UPON RECOMMENDATION OF THE MAYOR, MOVE THAT IT BE ORDERED THAT, THE SNOW & ICE REMOVAL BUDGET FOR FISCAL YEAR 2010 MAY INCUR EXPENDITURES IN EXCESS OF APPROPRIATION IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 31D.

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

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10 -069.

Order no. FY 10-073

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

VOTED: THAT IT BE ORDERED, THE GREENFIELD TOWN COUNCIL HEREBY APPROVES THE ATTACHED TOWN ELECTION WARRANT AND FURTHER AUTHORIZES THE TOWN COUNCIL PRESIDENT TO SIGN SAID WARRANT ON BEHALF OF THE TOWN COUNCIL.

TOWN ELECTION WARRANT
TOWN OF GREENFIELD
COMMONWEALTH OF MASSACHUSETTS

Franklin, ss

To either of the Constables of the Town of Greenfield, County of Franklin

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said town, who are qualified to vote in elections, to meet at the polling places designated for the several precincts in said Town as follows:

Precincts 1, 2, 3, 4, 5, 6, 7, 8, and 9

Greenfield Senior High School

On **TUESDAY, THE EIGHTH DAY OF JUNE, 2010** from 7:00 am to 8:00 pm for the following purpose:

To choose by ballot the following Town Officers:

- Two Town Councilors-at-Large 3 Years
- One Town Councilor – Precinct 7 3 Years
- One Town Councilor – Precinct 8 3 Years
- One Town Councilor – Precinct 9 3 Years
- One Assessor 3 Years
- Two School Committee Members 3 Years
- One School Committee Member 2 Years
- One Trustee of A.K. Warner Fund 3 Years
- One Trustee of Jennie L. Bascom Fund 3 Years
- One Elector Under Will of Oliver Smith 1 Year
- One Trustee of Soldiers’ Memorial (Veteran) 3 Years

Constable	Date of Posting
<u>PRESENTATION OF PETITIONS AND SIMILAR PAPERS</u>	None.

REPORTS OF COMMITTEES

WAYS AND MEANS COMMITTEE – Chairman Maloney noted Fiscal Year 2011 Budget meetings would be scheduled and Councilors and Departments would be notified of the dates.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Letourneau stated the committee met with the Superintendent of School and discussed enrollment and volunteers in the Schools.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS:

Councilor Maloney held a first reading for the proposed Mayors Fiscal Year 2011 Operating Budget:

CATEGORY	MAYOR'S PROPOSED FY 2011 BUDGET
LEGISLATIVE	\$ 38,000
EXECUTIVE	\$ 186,500
FINANCIAL ADMIN	\$ 813,425
OPERATIONS SUPPORT	\$ 257,450
LICENSING & REGISTRATION	\$ 212,805
LAND USE & DEVELOPMENT	\$ 119,100
OTHER GEN'L GOVERNMENT	\$ 1,460,000
PUBLIC SAFETY	\$ 4,928,375
EDUCATION	\$ 15,636,360
PUBLIC WORKS	\$ 2,330,350
HUMAN SERVICES	\$ 691,300
CULTURE & RECREATION	\$ 617,350
DEBT SERVICE	\$ 3,200,000
MISCELLANEOUS	\$ 9,508,000
TOTAL OPERATING BUDGET	\$ 39,999,015
SEWER ENTERPRISE FUND	\$ 2,256,170
WATER ENTERPRISE FUND	\$ 1,613,760

Councilor Maloney spoke of the passing of former Town Councilor, Planning Board, and Town Meeting member Pat Conway. He spoke fondly of Ms. Conway and her efforts to better her community.

MOTION: On a motion by Councilor Maloney, second by Councilor McLellan, it was unanimously,
VOTED: TO RESERVE A PAGE IN THE MINUTES FOR FORMER TOWN COUNCILOR PATRICIA CONWAY.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: None.

ADJOURNMENT: On a motion by Councilor Maloney, second by Councilor McLellan, it was unanimously
VOTED: TO ADJOURN THE MEETING AT 8:17 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
April 21, 2010

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

In memory of

PATRICIA M. CONWAY

SEPTEMBER 18, 1938 - APRIL 8, 2010

