

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

July 17, 2013

GCTV-15

7:00 pm

**CALL TO ORDER:** Meeting was called to order at 7:08 p.m. by President Wisnewski.

President Wisnewski stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council was audio recording and GCTV-15 was video recording the meeting for future broadcast.

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

**ALSO PRESENT:** Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Maureen Winseck; Superintendent of Schools Susan Hollins; School Committee Member Maryelen Calderwood; Town Engineer Sara Campbell; Baystate Franklin Medical Center President Chuck Gitano; Baystate Medical Center VP of Government Affairs Steve Bradley; Attorney Kathleen Bernardo of Bulkley, Richardson, and Gelinias, LLP; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

**ACCEPTANCE OF MINUTES:** On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimously,

**VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF MAY 22, 2013.

**PUBLIC COMMENT:** The following people spoke:

- Patty Williams, 147 Davis Street – questioned what services would be provided to the community by Baystate by the acquisition of the former Holy Trinity School.
- Hazel Dawkins, 91 Smith Street, #307 - questioned what Baystate’s plan was for the former Holy Trinity School.
- James Hutchinson, 136 Main Street – asked at when would it would be appropriate to comment to comment on numerous agenda topics?
- Mr. Gitano stated Baystate Franklin Medical Center’s plan was to expand services to provide more local services and care. The types of services expected to be brought to Greenfield in the future were urologist, orthopedic surgeons, gastroenterologist, ear-nose-throat, and plastic surgery. Recent layoffs occurred due to shorter patient stays. The hospital was considering a voluntary contribution to the Town for services.

**PUBLIC HEARINGS:** None.

**COMMUNICATIONS:**

**MAYOR:** Mayor Martin summarized history of the hospital.

**SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE:** Superintendent Hollins noted the following:

- The 38 retirements from the School system this year.
- Asked the Council to review the disparity of salaries between the Greenfield School system and the Franklin County Technical School.
- Upgrades in technology.
- Briefed the Council regarding a February School Committee meeting which resulted in a School Union representative being served with a “no trespass” order for school grounds. Some School

Committee members were very uncomfortable with the situation. There was a police officer at the March School Committee member.

- Virtual School organization and benefits to Greenfield students.

School Committee member Maryellen Calderwood stated at no time during the February School Committee meeting did she feel threatened.

TOWN OFFICERS: None.

**MOTIONS, ORDERS, AND RESOLUTIONS**

**Order no. FY 14-021**

**MOTION:** On a motion by Councilor Devlin, second by Councilor Kelner, it was,

**MOVED:** THAT IT BE ORDERED THAT THE TOWN COUNCIL OF GREENFIELD HEREBY APPROVES THE ZONE MAP CHANGE AS FOLLOWS “AMEND THE GREENFIELD ZONING MAP BY RE-ZONING PARCELS 80-6, 80-7, AND 80-9 FROM URBAN RESIDENTIAL (RA) TO HEALTH SERVICES (H), BY RE-ZONING THE PORTION OF PARCEL 80-1 FROM URBAN RESIDENTIAL (RA) TO HEALTH SERVICE (H) AND BY RE-ZONING THE PORTION OF PARCEL 80-10 FROM URBAN RESIDENTIAL (RA) TO LIMITED COMMERCIAL (LC) SO THAT THE ENTIRE PARCEL IS LIMITED COMMERCIAL (LC) “EXHIBIT A” IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.



**DISCUSSION:** Representatives of the hospital responded to Councilors question by noting the following:

- The hospital hoped to raise the buildings in the spring of 2014.
- Additional medical offices were needed before additional operating rooms could be built.
- Athol, Cooley Dickenson and Brattleboro hospitals were the main competitors to the Greenfield Hospital.

Councilor Devlin reported EDC forwarded positive recommendation with 3 yes and 1 abstention. He read a portion of a letter from Attorney Bernardo which is attached.

Councilors Devlin, Athey, Singer, Hirschfeld, Ronhave, Zaltzberg, and Kelner would vote in favor of the proposed zoning amendment. Vice-President Hoffman would either abstain or not vote in favor of the proposed zoning amendment because of the deed restrictions on the property. Councilor Renaud would abstain from the vote.

It was unanimously by roll call vote, (Councilors Renaud and Hoffman abstained),  
**VOTED: TO APPROVE ORDER NO. FY 14 -021.**

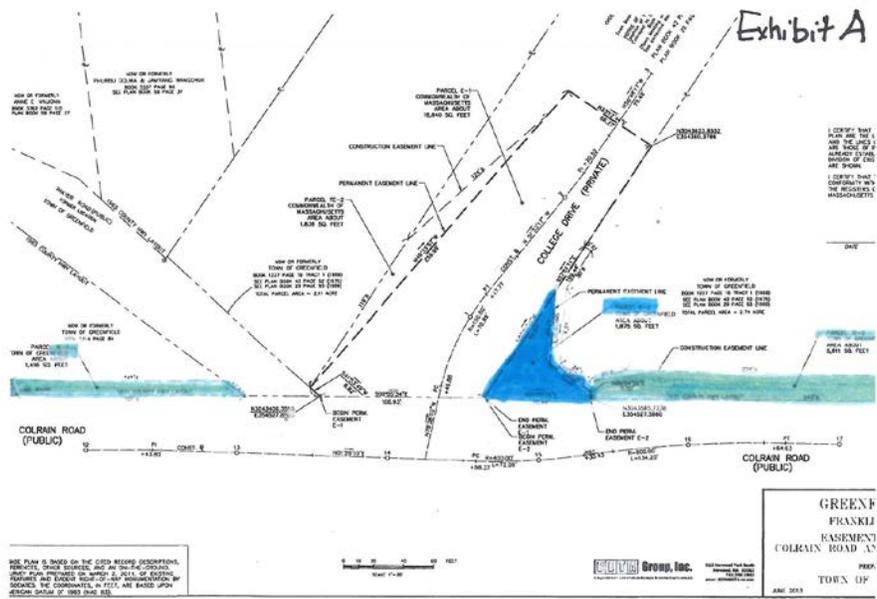
**Order no. FY 14-001 A1**

**MOTION:** On a motion by Councilor Devlin, second by Councilor Ronhave, it was,

**MOVED:** THAT IT BE ORDERED WHEREAS, ACTING IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 30 OF CHAPTER 43 OF THE MASSACHUSETTS GENERAL LAWS, THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS HAS REQUESTED THAT THE CITY OF GREENFIELD ACQUIRE CERTAIN LAND AND RIGHTS FOR THE PURPOSES OF LAYING OUT, CONSTRUCTING AND THEREAFTER OPERATING AND MAINTAINING A PUBLIC WAY IN THE CITY OF GREENFIELD AND THE MAYOR OF GREENFIELD HAS APPROVED SUCH REQUEST; AND

WHEREAS, THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THAT LAND BE ACQUIRED FOR THE AFORESAID PURPOSES;

NOW, THEREFORE, BE ORDERED THAT THE CITY COUNCIL OF THE CITY OF GREENFIELD, ACTING IN ACCORDANCE WITH ITS AUTHORITY SET FORTH IN CHAPTER 43 AND THE GREENFIELD MUNICIPAL CODE AND ACTING PURSUANT TO THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS CHAPTER 79, DOES HEREBY TAKE BY EMINENT DOMAIN ON BEHALF OF THE CITY OF GREENFIELD FOR PUBLIC WAY PURPOSES, THE FOLLOWING DESCRIBED EASEMENTS IN THE FOLLOWING DESCRIBED PARCELS OF LAND AS SHOWN ON A PLAN OF LAND ENTITLED “GREENFIELD, MA FRANKLIN COUNTY EASEMENT PLAN FOR COLRAIN ROAD AND COLLEGE DRIVE PREPARED FOR TOWN OF GREENFIELD”, ATTACHED AS EXHIBIT A, DATED MAY 4, 2013 AS PREPARED BY BETA GROUP, INC.



**DISCUSSION:** Councilor Devlin stated the EDC forwarded a unanimous positive recommendation. DPW Engineer Sara Campbell reviewed the project and easements required to create a round-about at the intersection of Colrain Road and the entrance to GCC. The project would be funded by the State.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -001 A1.

**Order no. FY 14-001 A 2**

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

**MOVED:** THAT IT BE ORDERED WHEREAS, IT IS NECESSARY TO ACQUIRE CERTAIN PERMANENT EASEMENTS FOR THE CONSTRUCTION, MAINTENANCE, AND FUNCTION OF THE COLRAIN ROAD/COLLEGE DRIVE ROAD IMPROVEMENT PROJECT, THE CITY COUNCIL DOES HEREBY TAKE, ON BEHALF OF THE CITY OF GREENFIELD, AS PERMANENT EASEMENTS, THE FOLLOWING PARCELS OF LAND. SAID EASEMENTS ARE PERMANENT IN NATURE AND CONSIST OF THE RIGHT OF THE CITY OF GREENFIELD TO ENTER UPON SAID LAND AT ANY TIME FOR THE PURPOSES OF CONSTRUCTING AND/OR MAINTAINING THE AFOREMENTIONED IMPROVEMENTS.

THE PROPOSED PERMANENT ALTERATIONS CONSIST OF WIDENING PORTIONS OF COLRAIN ROAD AND COLLEGE DRIVE AS CURRENTLY LAID OUT. THE BASELINE USED FOR THE ALTERATIONS ARE THE PROPOSED 2013 BASELINES IN THE MASSACHUSETTS COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83).

**PERMANENT EASEMENT - AT COLRAIN ROAD-COLLEGE DRIVE**

A PORTION OF THAT PARCEL OF LAND SUPPOSED TO BE OWNED BY THE CITY OF GREENFIELD RECORDED IN THE FRANKLIN COUNTY REGISTRY OF DEEDS IN BOOK 1227, PAGE 19 AS SHOWN AS PARCEL E-2 ON A PLAN OF LAND ENTITLED "GREENFIELD, MA FRANKLIN COUNTY EASEMENT PLAN FOR COLRAIN ROAD AND COLLEGE DRIVE PREPARED FOR TOWN OF GREENFIELD", DATED MAY 4, 2013 AS PREPARED BY BETA GROUP, INC. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LAYOUT LINE (1971 COUNTY HWY L.O.) OF COLRAIN ROAD AND TURNING NORTHWESTERLY ON A BEARING OF N57°01'11"W FOR A DISTANCE OF 84.59 FEET ALONG THE EASTERLY PROPERTY LINE OF COLLEGE DRIVE TO A POINT; THENCE TURNING SOUTHEASTERLY ON A BEARING OF S86°16'01"E FOR A DISTANCE OF 47.69 FEET TO A POINT; THENCE TURNING NORTHEASTERLY ON A BEARING OF N33°35'26"E FOR A DISTANCE OF 33.00 FEET TO A POINT; THENCE TURNING NORTHEASTERLY ON A BEARING OF N89°54'26"E FOR A DISTANCE OF 5.00 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY LAYOUT LINE (1971 COUNTY HWY L.O.) OF COLRAIN ROAD; THENCE TURNING SOUTHEASTERLY ALONG THE AFOREMENTIONED WESTERLY LAYOUT LINE (1971 COUNTY HWY L.O.) OF COLRAIN ROAD ON A BEARING OF S00°05'34"E FOR A DISTANCE OF 70.44 FEET TO THE POINT OF THE BEGINNING, SAID PERMANENT EASEMENT E2 AREA CONTAINING 1,875 SQUARE FEET.

FOR DAMAGES SUSTAINED BY THE FOLLOWING OWNERS OF PROPERTY BY REASON OF THE AFORESAID TAKING AND IN ACCORDANCE WITH THE PROVISIONS OF GENERAL LAWS, CHAPTER 79, SECTION 12,AS AMENDED, AWARDS ARE MADE. THE CITY RESERVES THE RIGHT TO AMEND THE AWARDS AT ANY TIME PRIOR TO THE PAYMENT THEREOF FOR GOOD CAUSE SHOWN.

PARCEL NO.-- E – 2  
SUPPOSED OWNER -- CITY OF GREENFIELD  
AREA -- 1,875 +/-  
BOOK -- 1227  
PAGE -- 19  
COMPENSATION -- -0-

**DISCUSSION:** It was noted construction would begin in the autumn of 2013 and there would be an option to use the back entrance to GCC.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -001 A1.

**Order no. FY 14-003**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Ronhave, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 2, SECTION 2-1: COMPOSITION; TERM OF OFFICE SUBSECTION (b) TERM OF OFFICE, BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

(b) *Term of Office* - The term of office for all Town Councilors shall be for ~~three (3)~~ **four (4)** years each, beginning on the first business day of ~~July~~ **January** after the ~~Annual~~ Town Election, and until their successors have been qualified.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**DISCUSSION:** Councilor Zaltzberg noted the Appointment and Ordinance Committee forwarded unanimous positive recommendation for all the proposed **charter** amendments. The State Legislature would send these amendments to be voted on by the citizens. Councilor Allis reviewed the **charter** amendment process.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -003.

**Order no. FY 14-004**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Devlin, it was unanimously,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 2, SECTION 2-2: COUNCIL PRESIDENT SUBSECTION (a) ELECTION AND TERM, BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

(a) *Election and Term* - As soon as practicable after the Councilors-elect have been qualified following each ~~Annual~~ Town Election **or on the first business day of the new year** the members of the Town Council shall elect from among its members a Council President who shall serve during the ensuing year.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-005**

**MOTION:** On a motion by Zaltzberg, second by Councilor Hoffman, it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER ARTICLE 2, SECTION 2-5: GENERAL POWERS AND SECTION 2-6: EXERCISE OF POWERS; QUORUM; SUBSECTION (c) BE AMENDED BY DELETING THE WORDS “BYLAW” AND INSERTING THEREOF THE FOLLOWING WORD “**ORDINANCE**” AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN CHARTER.

**Order no. FY 14-006**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 3, SECTION 3-1: MAYOR: QUALIFICATIONS; TERM OF OFFICE; COMPENSATION SUBSECTION (b), BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION  
(b) *Term of Office* - The term of office of the Mayor shall be ~~three (3)~~ **four (4)** years beginning on the first business day of ~~July~~ **January** following the ~~Annual~~ Town Election at which ~~he/she was~~ chosen and until a successor is qualified.  
AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-007**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** BE HEREBY AMENDED BY INSERTING THE FOLLOWING NEW SECTION IN ARTICLE 3, SECTION 3-3, SUBSECTION: (d) APPOINTMENTS BY THE MAYOR  
**(d)The Mayor shall appoint five (5) members of the Board of Trustees for Soldiers’ Memorials, subject to confirmation by the Town Council, consistent with General Laws (MGL c. 41, ~ 105).**  
AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-008**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman it was unanimously,  
**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 3, SECTION 3-9: VACANCY IN OFFICE OF MAYOR SUBSECTION (a) SPECIAL ELECTION, BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:  
(a) *Special Election* - If a vacancy in the office of Mayor occurs in the first ~~twenty-seven (27)~~ **thirty nine (39)** months of the term for which the Mayor is elected, whether by reason of death, resignation, removal from office, or otherwise, the Town Council shall forthwith order a special election, to be held within ninety (90) days following the date the vacancy is created, to fill such vacancy for the balance of the then unexpired term.  
AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-009**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 4, SECTION 4-1: SCHOOL COMMITTEE SUBSECTION (b) TERMS OF OFFICE, BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

*(b) Term of Office.* The term of office for the 6 persons elected by the voters as school committee members shall be for ~~3~~ **four (4)** years each, with staggered terms, beginning on the first business day of ~~July~~ **January** after the ~~Annual~~ town election and continuing until their successors have been qualified. ~~Transitional elections shall provide for 1 member of the school committee to be elected for a 3-year term in the 2008 election, 1 member of the school committee to be elected for a 3-year term and 1 member of the school committee to be elected for a 2-year term in the 2009 election, 2 members of the school committee to be elected for 3-year terms and 1 member of the school committee to be elected for a 2-year term in the 2010 election and 2 members of the school committee to be elected for 3-year terms at each election thereafter. (effective 01/10/2009)~~

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-010**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 4, SECTION 4-2: SCHOOL COMMITTEE CHAIR SUBSECTION (a) ELECTION AND TERM, BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

*(a) Election and Term -* As soon as practicable after the school committee members-elect have been qualified following each ~~Annual~~ Town Election **or on the first business day of the New Year**, as provided in section 8-8, the school committee shall organize by electing **one (1)** of its members to serve as school committee chair and **one (1)** of its members to serve as school committee vice chair ~~until the next town election~~ **who shall serve during the ensuing year.**

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-011**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 6, SECTION 6-11: PUBLIC SAFETY COMMISSION SUBSECTION (c), BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

*(c) ~~After initial appointment,~~* The members shall serve for three-year **staggered** terms. ~~so arranged that the terms shall be staggered. The initial appointments shall consist of two (2) positions appointed for three (3) years, two (2) positions appointed for two (2) years, and one (1) position appointed for one (1) year.~~ Commission members shall serve without compensation.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14-012**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 6, SECTION 6-14: BOARD OF ASSESSORS SUBSECTION (a), BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

(a) There shall be a Board of Assessors consisting of three (3) members, one (1) appointed by the Mayor for an indefinite term, who would act as "chief assessor" and two (2) elected at large by the voters, for staggered terms of ~~three (3)~~ **four (4)** years.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14 -013**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 6, SECTION 6-22: OTHER ELECTED OFFICIALS SUBSECTION (a), BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

(a) ~~The Town, At the Annual~~ election, **the voters** shall in every year when the terms of officers referred to herein expires, elect the following Town officers for the following terms: Three (3) trustees of the A.K. Warner Trust for a term of ~~three (3)~~ **two (2)** years; three (3) Trustees of the Jennie L. Bascom Education Fund for a term of ~~three (3)~~ **two (2)** years; one (1) elector under the Will of Oliver Smith for a term of ~~one (1)~~ **two (2)** years; ~~five (5) [three (3) veteran and two (2) non-veteran] trustees of the Soldiers' Memorial for terms of three (3) years;~~ and such other officers as required by law to be elected, ~~which term shall be staggered.~~

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14 -014**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 7, SECTION 7-1: TOWN ELECTIONS, BE AMENDED BY DELETING THE CURRENT SECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SECTION:

## 7-1: TOWN ELECTIONS

The regular Town election shall be held on the ~~second Tuesday in June~~ **first Tuesday after the first Monday in November on years ending in an odd numbers**. All Town elections shall be nonpartisan and no party mark, emblem or other designation shall appear on any ballot used at a preliminary or general election for Town offices.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN **CHARTER**.

**Order no. FY 14 -015**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN **CHARTER** ARTICLE 7, SECTION 7-2: PRELIMINARY ELECTIONS, SUBSECTION (b) SIGNATURE REQUIREMENTS,

BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

(b) *Signature Requirements* - The number of signatures of voters required to place the name of a candidate on the official ballot to be used at a preliminary election shall be as follows: for the office of Mayor not less than one hundred (100) such signatures, provided, however, that not more than twenty-five (25) signatures from any one precinct shall be counted in the minimum number of required signatures; for the office of Councilor-at-Large or School Committee member, not less than one hundred (100) such signatures, provided, however, that not more than twenty-five (25) signatures from any one (1) precinct shall be counted in the minimum number of required signatures; for the office of Precinct Councilor not less than fifty (50) such signatures, all of which shall be from the precinct from which the nomination is sought; *for the office of Assessor, not less than one hundred (100) such signatures, provided, however, that not more than twenty-five (25) signatures from any one (1) precinct shall be counted in the minimum number of required signatures;* All other elected officials shall be required to obtain not less than twenty-five (25) signatures to place their name on the official ballot. ~~All other elected officials shall be required to conform to this section.~~

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN CHARTER.

**Order no. FY 14-016**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was,

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER BE HEREBY AMENDED BY INSERTING THE FOLLOWING NEW SECTION IN ARTICLE 9, SECTION 9-5: TRANSITION:

**SECTION 9-5: TRANSITION**

The first ~~Annual~~ Town Election will be held on the first Tuesday after the first Monday in November on years ending in an odd number in the year following the year in which the charter amendments are accepted by the voters and legislature.

Upon acceptance these Charter amendments by the Legislature and voters all elected officials holding office on that date will expire on December 31, 2015.

Transitional elections in 2015 shall provide for one (1) Mayor to be elected for a four (4) year term; two (2) town councilors at large and Precinct councilors in precinct 1, 2, 3, and 4 for four (4) year terms and two (2) town councilors at large and Precinct councilors in precinct 5, 6, 7, 8, and 9 for two (2) years terms; three (3) school committee members to be elected for four (4) year terms and three (3) members of the school committee to be elected for two (2) year terms; one (1) Assessor to be elected for four (4) year terms and one (1) Assessor to be elected for two (2) year term.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN CHARTER.

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

**VOTED:** to amended the motion to included the following sentence at the end of the proposed section: THEREAFTER ELECTIONS SHALL PROVIDE FOR ELECTED OFFICIALS TO HOLD TERMS OF OFFICE AS PROVIDED FOR IN THIS CHARTER.

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

**VOTED:** to amend the proposed section as indicated by the bold text: Upon acceptance of these Charter amendments by the Legislature and voters all elected officials holding office on that date will expire on December 31, 2015.

Transitional elections in 2015 shall provide for one (1) Mayor to be elected for a four (4) year term; two (2) town councilors at large and Precinct councilors in precincts 1, 2, 3, and 4 for four (4) year terms and two (2) town councilors at large and Precinct councilors in precinct 5, 6, 7, 8, and 9 for two (2) years terms; three (3) school committee members to be elected for four (4) year terms and three (3) members of the school committee to be elected for two (2) year terms; one (1) Assessor to be elected for a four (4) year term and one (1) Assessor to be elected for a two (2) year term.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -016 AS AMENDED AS FOLLOWS: The first Annual Town Election will be held on the first Tuesday after the first Monday in November on years ending in an odd numbers in the year following the year in which the charter amendments are accepted by the voters and legislature.

Upon acceptance of these Charter amendments by the Legislature and voters all elected officials holding office on that date will expire on December 31, 2015.

Transitional elections in 2015 shall provide for one (1) Mayor to be elected for a four (4) year term; two (2) town councilors at large and Precinct councilors in precincts 1, 2, 3, and 4 for four (4) year terms and two (2) town councilors at large and Precinct councilors in precinct 5, 6, 7, 8, and 9 for two (2) years terms; three (3) school committee members to be elected for four (4) year terms and three (3) members of the school committee to be elected for two (2) year terms; one (1) Assessor to be elected for a four (4) year term and one (1) Assessor to be elected for a two (2) year term.

Thereafter elections shall provide for elected officials to hold terms of office as provided for in this charter.

**Order no. FY 14-028**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER BE HEREBY AMENDED BY INSERTING THE FOLLOWING NEW SECTION IN ARTICLE 6, SECTION 6-14, BOARD OF ASSESSORS SUBSECTION (d) :

(d) *Term of Office* - The term of office for all elected members of the Board of Assessors shall be for four (4) years each, with staggered terms, beginning on the first business day of January after the Town Election, and until their successors have been qualified.

AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN CHARTER.

**Order no. FY 14-027**

**MOTION:** On a motion by Councilor Zaltzberg, second by Councilor Hoffman, it was unanimously,

**VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL FORWARD ALL CHARTER AMENDMENTS VOTED IN THE AFFIRMATIVE AT THE JULY 17, 2013 MEETING TO THE TOWN ATTORNEY FOR REVIEW AND RECOMMENDATION.

**Order no. FY 14-017**

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

**MOVED:** THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD AUTHORIZE THE ESTABLISHMENT OF A MAINTENANCE AND UPKEEP OF PROPERTIES REVOLVING FUND PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 53 E ½.. THE FUNDS MAY BE EXPENDED BY THE FINANCE DEPARTMENT FOR THE COSTS ASSOCIATED WITH PROPERTIES ACQUIRED THROUGH FORECLOSURE UNDER THE TAX TITLE PROCESS NOT TO EXCEED \$20,000.00 IN ANY ONE FISCAL YEAR. THE BALANCE

SHALL REMAIN IN THE FUND AT THE CLOSE OF THE FISCAL YEAR.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation. Funds from this account would be used to correct code violations on the properties. All monies spent would be recouped at the time of sale.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -017.

**Order no. FY 14-018**

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE TOWN COUNCIL AUTHORIZE THE TOWN TREASURER TO FILE AN APPLICATION WITH THE APPROPRIATE OFFICIALS OF THE COMMONWEALTH OF MASSACHUSETTS TO QUALIFY UNDER CHAPTER 44A OF THE GENERAL LAWS ANY AND ALL BONDS OF THE TOWN CURRENTLY AUTHORIZED BUT NOT YET ISSUED AS PERMANENT DEBT, AND TO PROVIDE SUCH INFORMATION AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED IN CONNECTION THEREWITH.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation. This would allow the town to obtain the State bond rate which was a better rate than the town could obtain by itself.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -018.

**Order no. FY 14-020**

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE GREENFIELD TOWN COUNCIL APPROVE THE AGREEMENT SIGNED BY MAYOR MARTIN ON AUGUST 8, 2012 TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF \$75,000 TO JUST ROOTS, INC. AS A PART OF THEIR USDA GRANT APPLICATION.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention. Councilor Allis stated the Mayor signed an extension for the original agreement with Just Roots. The funds requested were part of the agreement. Councilor Hoffman disclosed that she provided volunteer assistance for Just Roots. Councilor Allis abstained from the vote at Ways and Means Committee because it was a contract with a private entity was signed and public money disbursed. Councilor Zaltzberg disclosed he had done some private consulting for Just Roots. Councilor Hirschfeld disclosed that he was a member the board and gave funds to Just Roots within the recent past.

It was unanimously (Councilor Allis abstained),

**VOTED:** TO APPROVE ORDER NO. FY 14 -020.

**Order no. FY 14-022**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR VETERANS SERVICES TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-541- 5771 IN THE AMOUNT OF \$5,000.00.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention. Councilor Athey abstained. The Fiscal Year books should not be balanced by using funds from the Reserve Fund. He cited **Charter** Section 5-9 (a) and (b) which stated persons who over expend a line items shall be personally liable for the amount. By voting to approve the reserve fund transfers tonight, the Town Council was taking action not outlined in the **Charter**. The following comments were made:

- It was noted the Town could not use the reserve fund to balance the budget
- The balances would be taken out of Free Cash in the following year.
- The reserve fund was part of the budget and could be used to balance the operating budget.
- These orders were not in violation of the **charter**.
- All department heads were aware of **Charter** Sections 5-9 (a) and (b).

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -022.

**Order no. FY 14-023**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR HUMAN RESOURCES TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-125-5345 IN THE AMOUNT OF \$4,500.00.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention.

**MOTION:** On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimously,

**VOTED:** TO AMEND THE ACCOUNT NUMBER TO READ 0100-152-5345.

It was unanimously, 1 abstention (Councilor Athey),

**VOTED:** TO APPROVE ORDER NO. FY 14 -023.

**Order no. FY 14-024**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR LABOR SPECIAL LITIGATION TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-150- 5305 IN THE AMOUNT OF \$19,000.00.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention.

It was unanimously, 1 abstention (Councilor Athey),

**VOTED:** TO APPROVE ORDER NO. FY 14 -024.

**Order no. FY 14 -025**

***Financial Order 13 - 30***

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

**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$10,300 BE TRANSFERRED FROM DEPARTMENT 914 EMPLOYEE HEALTH INSURANCE TO DEPARTMENT 145 TREASURER-COLLECTOR BUDGET TO BALANCE THE FY 14 OPERATING BUDGET.

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention.

It was unanimously,

**VOTED:** TO APPROVE ORDER NO. FY 14 -025, Financial Order 13-30.

**Order no. FY 14-026**

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

**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR BOARD OF ASSESSORS RECORDING EXPENSES TO BE TRANSFERED INTO ACCOUNT NUMBER 0100.141.5318 IN THE AMOUNT OF \$ 71.46

**DISCUSSION:** Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation, 4 yes and 1 abstention.

It was unanimously, (Councilor Athey abstained),

**VOTED:** TO APPROVE ORDER NO. FY 14 -026.

**PRESENTATION OF PETITIONS AND SIMILAR PAPERS** None.

**REPORTS OF COMMITTEES** None

**UNFINISHED BUSINESS:** None.

**OLD BUSINESS:** President Wisnewski requested Town Council members notify the office if you they be out of town or unavailable to attend meetings.

**NEW BUSINESS:** Councilor Allis held the following first reading:

- APPROPRIATED \$25,000 FROM THE GENERAL STABILIZATION FUND TO FOR JUST ROOTS AS PROVIDED IN THE PLEDGE AGREEMENT DATED AUGUST 3, 2012.
- \$ 1,163.04 BE APPROPRIATED FROM HANDICAP PARKING FINES FOR THE VET NET RAMP PROJECT IN ACCORDANCE WITH MGLC 40.

President Wisnewski discussed the legal opinion received relating to the Mayor’s withdrawal of two appointments to the Planning Board. He would not pursue a second opinion. However, he hoped the Mayor would resubmit the two applicants he had withdrawn.

**MOTIONS FOR RECONSIDERATION:** None.

**PUBLIC FORUM:** None.

**ADJOURNMENT:** On a motion by Councilor Devlin, second by Councilor Allis, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:41 P.M.

A true copy,

Attest: \_\_\_\_\_  
 Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15  
 Regular Meeting  
 July 17, 2013

Rezoning

1. Kelner, Marian	P	Y					
2. Zaltzberg, Keith	P	Y					
3. Allis, Brickett	P	Y					
4. Ronhave, Steven	P	Y					
5. Singer, David	P	Y					
6. Hoffman, Hillary	P	Abstain					
7. Renaud, Karen	P	Abstain					
8. Shapiro Miller, Karen	Absent	---					
9. Hirschfeld, Norman	P	Y					
10. Athey, Dalton	P	Y					
11. Wisnewski, Mark	P	Y					
12. Devlin, Patrick	P	Y					
13. Maloni, Mark	Absent	---					