

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

August 21, 2013

GCTV-15

7:00 pm

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

President Singer 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 Hoffman was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Council Administrative Assistant Kathryn Scott; Town Accountant Elizabeth Braccia; School Superintendent Dr. Susan Hollins; Evan W. Woollacott, Jr., FCAA, MAAA, EA of Hooker & Holcombe, Inc. Benefits Consultants and Actuaries and Sharad Arora, Actuarial Specialist; Conservation Commission member John Blasiak; CDA Chairwoman Cynthia Dodge; GCTV-15 staff; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Singer, second by Councilor Devlin, it was unanimously,

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF JULY 17, 2013.

PUBLIC COMMENT: The following people spoke:

- Penny Ricketts, 497 Main Street, urged the Town to look into the condition, trash, and possibility of people sleeping in the Candle Light Motel on the Mohawk Trail.
- Al Norman, 21 Grinnell Street, asked the Council not to appoint Tom DeHoyos to the Conservation Commission. He suggested a charter change so some boards/commission would be elected not appointed. Mr. Norman requested the letter he sent to the Town Council regarding this appointment be included in the record. President Wisnewski approved the request. Mr. Norman also discussed establishment of a performance evaluation process for appointees and re-appointees.
- John Blasiak, 34 Plum Tree Lane, spoke of the mission of the Conservation Commission and requested the Council reappoint Mr. DeHoyos.
- James Hutchinson, 136 Main Street, supported the appointment of Mr. DeHoyos.
- Loren Kramer, 32 Spruce Street, questioned if the property proposed for the Sale of Town Land on Oak Street was a buildable lot. He suggested flooding of a neighbor's property would likely get worse if someone built on the parcel.

PUBLIC HEARINGS: Councilor Allis read the following public hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., August 21, 2013, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriate \$25,000 from General Stabilization Fund to fund Just Roots per agreement.
- Appropriate \$1,163.04 from Handicapped Parking Fines to the Vet Net Ramp project as provided in MGL Ch. 40, §22G.

The Town Council will consider the same on Wed., August 21, 2013, at 7:00 p.m. at GCTV-15 Studio, 393 Main Street. Materials can be obtained from the Town Clerk's Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, xt. 113.

President Wisnewski opened the Public Hearing at 7:24 pm. He asked if anyone from the public wished to speak. No member from the public spoke. He would keep the Public Hearing open.

Councilor Allis held the following second reading:

- APPROPRIATE \$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.

COMMUNICATIONS:

MAYOR: Mayor Martin spoke of his process relating to the appointment and reappointment process. Ms. Kelly introduced Mr. Woollacott and Ms. Arora of Hooker & Holcombe. They presented the attached "Other Post Employment Benefits" (OPEB) information to the Town Council.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Dr. Hollins spoke of the following:

- Due to retirements the department has hired 40 new teachers.
- There are 1750 students in the Greenfield school system.
- Attended a Greenfield Master Planning Meeting
- Finishing up on some union issues.
- A steel frame of the new high school was up.
- Approximant numbers of Virtual School employees.
- The revolving fund request on tonight's agenda for the Virtual School.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 14-030

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE PLANNING & CONSTRUCTION COMMITTEE: ELLEN BOYER - 1-YEAR TERM, JUNE 30, 2014 (REPLACING NANCY HAZARD)

DISCUSSION: Councilor Zaltzberg stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -030.

Order no. FY 14-030

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE PLANNING & CONSTRUCTION COMMITTEE: RACHEL ROBERTS - 3-YEAR TERM, JUNE 30, 2016 (REPLACING JENNICA PETRIK-HUFF)

DISCUSSION: Councilor Zaltzberg stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -030.

Order no. FY 14-031

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE HUMAN RIGHTS COMMITTEE: TROUBLE MANDESON - 3-YEAR TERM, JUNE 30, 2016

DISCUSSION: Councilor Zaltzberg stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was by majority,

VOTED: TO APPROVE ORDER NO. FY 14 -031.

Order no. FY 14-032

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE RECREATION COMMISSION: MICHAEL MANCINI – 1ST ALTERNATE 3-YEAR TERM, JUNE 30, 2016

DISCUSSION: Councilor Zaltzberg reported the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -032.

Order no. FY13-033

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Singer, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE CONSERVATION COMMISSION: THOMAS DEHOYOS –3-YEAR TERM, JUNE 30, 2016.

DISCUSSION: Councilor Zaltzberg stated the Appointment and Ordinance Committee forwarded a majority positive recommendation with 4 yes, 1 no, and 1 abstention. Councilors Singer, Zaltzberg and Maloni would vote in favor of the appointment. Councilor Kelner would abstain from the vote. Councilors Renaud, Athey, Devlin, Ronhave, Hirschfeld and President Wisnewski would vote in opposition of the appointment.

It was by roll call, 3 yes, 8 no, and 1 abstention,

VOTED: TO APPROVE ORDER NO. FY 14 -033.

Order no. FY 14-033

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10, ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE PARKING AND TRAFFIC COMMISSION: JEAN WALL – 3-YEAR TERM, JUNE 30, 2016 .

DISCUSSION: Councilor Zaltzberg stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -033.

President Wisnewski asked if anyone from the public wished to speak at the public hearing. Seeing none, he closed the public hearing at 8:51 pm.

Order no. FY 14-049

Financial Order 14-01

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE SUM OF \$25,000 BE APPROPRIATED FROM THE GENERAL STABILIZATION FUND TO PAY \$25,000 IN NON-FEDERAL MATCHING FUNDS TO JUST ROOTS AS PROVIDED IN THE PLEDGE AGREEMENT DATED AUGUST 3, 2012.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -049.

Order no. FY 14-050

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

MOVED: THAT IT BE ORDERED THAT \$ 1,163.04 BE APPROPRIATED FROM HANDICAP PARKING FINES FOR THE VET NET RAMP PROJECT IN ACCORDANCE WITH MGLC 40.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for the funds to be used in Greenfield. He noted the amount requested should have been \$1,630.04. Ms. Kelly stated an addition amount would be requested at a later date.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -050.

Order no. FY 14-037

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER BE AMENDED BY INSERTING IN ARTICLE 3, EXECUTIVE BRANCH, SECTION 3-2, THE FOLLOWING NEW SECTION (g), DECLARATION OF EMERGENCIES:

(g) Declaration of Emergencies

(1) Whenever a national emergency is declared by the President or designated Federal agency/department (i.e., FEMA, EPA, etc.), or a state emergency is declared by the Governor of the Commonwealth of Massachusetts or designated State agency/department (i.e., MEMA, DEP, etc.), or whenever any natural disaster, heavy snow or ice storm, drought, or fire, or chemical, biological and nuclear accident or attack, or riot, mob or other act of lawlessness or civil disorder, endangers the health, safety and good order of persons or property within the Town, the Mayor may declare a state of emergency. Any such declaration shall state the reasons for its issuance, the geographic area governed,

what property or types of property may be appropriated to respond to the specified emergency and the extent to which lawful activity shall be prohibited or impaired. The declaration shall be effective for a period of time not to exceed five (5) calendar days, except that such effective time may be extended upon the approval of the City Council that a state of emergency continues to exist. The Mayor shall, as soon as practicable transmit any such declaration to the Town Clerk. The Town Council may, **at any time** by majority vote, repeal, rescind or modify any such declaration.

(2) During any state of emergency as described herein, the Mayor, may, within the limits of the amount appropriated therefore, appoint such experts, clerks, assistants, and such personnel as the work of the Town may require, and he/she may remove them. The Mayor shall have the authority to appoint district coordinators as may be required. The Mayor may make such expenditures within the appropriation therefore, or from any funds available to him/her, as may be necessary to execute effectively the purpose of Chapter 639, Acts of 1950, or any other applicable law. The Mayor may also take command of any public building owned by the Town and all motor vehicles and other mechanical means of transportation, and all equipment related thereto, owned or controlled by the Town or any of its departments (including the School Department), boards, commissions and agencies, for the duration of the state of emergency and deem such vehicles emergency vehicles. All Town and School employees in possession of such vehicles and equipment shall comply with the directives of the Mayor regarding the use of such vehicle.

(3) The Mayor on behalf of the Town shall have the authority to receive on behalf of the Town, services, equipment, supplies, material or funds by way of gift, grant or loan, for purposes of civil defense, ordered by the Federal or State government, or any agency or office thereof, or any person, firm or corporation, subject to the terms of the offer and the rules and regulations, if any, of the agency or entity making the offer.

(4) All references to Chapter 639, Acts of 1950, shall be applicable to act or acts in amendment or continuation of or substitution for Chapter 639. Nothing in this chapter shall be deemed to limit or otherwise abridge the emergency powers or direction and control over emergency management or civil defense vested in the Mayor by virtue of the Charter, any statute or the common law.”

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 Athey, it was,
VOTED: TO AMEND THE LANGUAGE FOR THE LAST SENTENCE OF THE FIRST PARAGRAPH TO READ: THE TOWN COUNCIL MAY, AT ANY TIME AFTER THE MAYOR DECLARES A STATE OF EMERGENCY BY MAJORITY VOTE, REPEAL, RESCIND OR MODIFY ANY SUCH DECLARATION.

DISCUSSION: Discussion was held proposing the charter amendment be an ordinance. Ordinances were easier to amend than the Charter.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -037 AS AMENDED:

(g) Declaration of Emergencies

(1) Whenever a national emergency is declared by the President or designated Federal agency/department (i.e., FEMA, EPA, etc.), or a state emergency is declared by the Governor of the

Commonwealth of Massachusetts or designated State agency/department (i.e., MEMA, DEP, etc.), or whenever any natural disaster, heavy snow or ice storm, drought, or fire, or chemical, biological and nuclear accident or attack, or riot, mob or other act of lawlessness or civil disorder, endangers the health, safety and good order of persons or property within the Town, the Mayor may declare a state of emergency. Any such declaration shall state the reasons for its issuance, the geographic area governed, what property or types of property may be appropriated to respond to the specified emergency and the extent to which lawful activity shall be prohibited or impaired. The declaration shall be effective for a period of time not to exceed five (5) calendar days, except that such effective time may be extended upon the approval of the City Council that a state of emergency continues to exist. The Mayor shall, as soon as practicable transmit any such declaration to the Town Clerk. The Town Council may, **at any time after the Mayor declares a state of emergency** by majority vote, repeal, rescind or modify any such declaration.

(2) During any state of emergency as described herein, the Mayor, may, within the limits of the amount appropriated therefore, appoint such experts, clerks, assistants, and such personnel as the work of the Town may require, and he/she may remove them. The Mayor shall have the authority to appoint district coordinators as may be required. The Mayor may make such expenditures within the appropriation therefore, or from any funds available to him/her, as may be necessary to execute effectively the purpose of Chapter 639, Acts of 1950, or any other applicable law. The Mayor may also take command of any public building owned by the Town and all motor vehicles and other mechanical means of transportation, and all equipment related thereto, owned or controlled by the Town or any of its departments (including the School Department), boards, commissions and agencies, for the duration of the state of emergency and deem such vehicles emergency vehicles. All Town and School employees in possession of such vehicles and equipment shall comply with the directives of the Mayor regarding the use of such vehicle.

(3) The Mayor on behalf of the Town shall have the authority to receive on behalf of the Town, services, equipment, supplies, material or funds by way of gift, grant or loan, for purposes of civil defense, ordered by the Federal or State government, or any agency or office thereof, or any person, firm or corporation, subject to the terms of the offer and the rules and regulations, if any, of the agency or entity making the offer.

(4) All references to Chapter 639, Acts of 1950, shall be applicable to act or acts in amendment or continuation of or substitution for Chapter 639. Nothing in this chapter shall be deemed to limit or otherwise abridge the emergency powers or direction and control over emergency management or civil defense vested in the Mayor by virtue of the Charter, any statute or the common law.”

Councilor Devlin stated the EDC forwarded unanimous positive recommendation for the sale of all properties listed on the agenda.

Order no. FY 14-040 A1

MOTION: On a motion by Councilor Devlin, second by Councilor Renaud, it was unanimously, (Councilor Allis abstained),

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON HOPE STREET, BEING SHOWN ON ASSESSORS MAP 18, BLOCK 19, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14-040 A2

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was it was unanimously, (Councilor Allis abstained),

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL HOPE STREET, ASSESSORS MAP 18, BLOCK 19, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14-043 A1

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was it was unanimously, (Councilor Allis and Kelner abstained),

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON MOHAWK TRAIL, BEING SHOWN ON ASSESSORS MAP R 37, BLOCK 33, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14-043 A2

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was it was unanimously, (Councilor Allis and Kelner abstained),

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL MOHAWK TRAIL, ASSESSORS MAP R37, BLOCK 33, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14 -044 A1

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON MARSHALL STREET, BEING SHOWN ON ASSESSORS MAP 23, BLOCK 47, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14 -044 A2

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL MARSHALL STREET, ASSESSORS MAP 23, BLOCK 47, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14 -045 A1

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

VOTED: IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON BERNARDSTON ROAD, BEING SHOWN ON ASSESSORS MAP R14, BLOCK 29B, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

VOTED: TO APPROVE ORDER NO. FY 14 -045 A1.

Order no. FY 14-045 A2

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL BERNARDSTON ROAD, ASSESSORS MAP R14, BLOCK 29B, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14-046 A1

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was unanimously,
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON MOHAWK TRAIL, BEING SHOWN ON ASSESSORS MAP R 37, BLOCK 24, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14-046 A2

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was unanimously,
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL MOHAWK TRAIL, ASSESSORS MAP R37, BLOCK 24, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14-047 A1

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was unanimously (Councilor Kelner abstained),
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON MOHAWK TRAIL, BEING SHOWN ON ASSESSORS MAP R 37, BLOCK 31, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14-047 A2

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was unanimously, (Councilor Kelner abstained),
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL MOHAWK TRAIL, ASSESSORS MAP R37, BLOCK 31, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14-048 A1

MOTION: On a motion by Councilor Devlin, second by Councilor Ronhave, it was unanimously (Councilor Kelner abstained),
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DECLARES REAL ESTATE ON MOHAWK TRAIL, BEING SHOWN ON ASSESSORS MAP R 37, BLOCK 34, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

Order no. FY 14-048 A2

MOTION: On a motion by Councilor Allis, second by Councilor Allis, it was unanimously (Councilor Kelner abstained),

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE MAYOR TO SELL MOHAWK TRAIL, ASSESSORS MAP R37, BLOCK 34, PURSUANT TO THE TOWN COUNCIL POLICY FOR THE SALE OF TOWN OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 14-051

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCINDS THE FOLLOWING ORDER VOTED AT A TOWN COUNCIL MEETING HELD ON JULY 17, 2013:

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 14-053

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER ARTICLE 2, SECTION 2-6: EXERCISE OF POWERS; QUORUM; SUBSECTION (c) BE AMENDED BY DELETING THE WORD "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 14-052

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCINDS THE FOLLOWING ORDER VOTED AT A TOWN COUNCIL MEETING HELD ON JULY 17, 2013:

Order no. FY 14-016

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 9, SECTION 9-5: TRANSITION AS AMENDED:

The first 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 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 14-054

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Shapiro Miller, it was unanimously,

VOTED: THAT IT BE ORDERED THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER ARTICLE 9, SECTION 9-5 BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

~~**SECTION 9-5: TIME OF TAKING EFFECT**~~

~~This Charter shall become effective on the first business day of July in the year following the year in which this Charter is adopted by the voters. In order to accomplish the staggered terms contained in this Charter: At the first regular Town Election following the Annual Town Election at which this Charter is accepted, the voters shall elect: Town Council for a term of three (3) years, one (1) Town Councilor at Large and one (1) Precinct Councilor in Precincts 1, 2,3; for a term of two (2) years, one (1) Town Councilor at Large and one (1) Precinct Councilor in Precincts 4, 5, and 6; for a term of one (1) year, two (2) Town Councilors at Large and one (1) Precinct Councilor in Precincts 7, 8 and 9.~~

SECTION 9-5: TRANSITION

The first 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 of these Charter amendments by the Legislature and voters, the terms of office of 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 Precincts 5, 6, 7, 8, and 9 for two (2) year 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.

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 14-055

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

VOTED: THAT IT BE ORDERED THAT IT BE ORDERED THAT THE GREENFIELD TOWN CHARTER ARTICLE 8, SECTION 8-8: OATH OF OFFICE OF MAYOR, COUNCILORS, AND SCHOOL COMMITTEE MEMBERS, SUBSECTION (a), BE AMENDED BY DELETING THE CURRENT SUBSECTION AND INSERTING IN PLACE THEREOF THE FOLLOWING SUBSECTION:

- (a) The Mayor-elect, Councilors-elect and School Committee members-elect shall, on the first business day ~~in of July~~ **the New Year** ~~of each year~~, meet and be sworn to the faithful discharge of their duties. The Mayor or Mayor-elect shall preside at such joint session. In years following the election of the Mayor the oath shall first be administered to that officer by the Town Clerk, or by a judge of a court of record, or by a justice of the peace. The oath may be administered to the members of the Town Council and the School Committee by the Mayor, after the Mayor has

been duly sworn, or by any of the above named officials. A certificate that said oath or oaths have been taken shall be entered in the journal of the Town Council.

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 14-056

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 THE GREENFIELD LIBRARY REPAIRS, MAINTENANCE BUILDING/GROUNDS TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-610- 5241 IN THE AMOUNT OF \$9,500.00.

DISCUSSION: Councilor Athey noted this was exactly what the Reserve Fund Transfer account was for.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -056.

Order no. FY 14-057

Financial Order FY14-16

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THE TOWN OF GREENFIELD AUTHORIZES THE ESTABLISHMENT OF A SCHOOL DEPARTMENT REVOLVING FUND PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 53 E ½ FOR THE FISCAL YEAR 2014, TO DEPOSIT THE DEPARTMENTAL RECEIPTS RECEIVED IN CONNECTION WITH THE GREENFIELD PUBLIC SCHOOL'S CENTRAL ADMINISTRATIVE SERVICES MEMORANDUM OF UNDERSTANDING WITH THE MASSACHUSETTS VIRTUAL ACADEMY AT GREENFIELD COMMONWEALTH VIRTUAL SCHOOL. EXPENDITURES MAY BE MADE WITHOUT FURTHER APPROPRIATION FROM THE FUND TO SUPPORT THE EXPENSES ASSOCIATED WITH THE CENTRAL ADMINISTRATIVE SERVICES. THE AGGREGATE AMOUNT OF THE REVOLVING FUND SO AUTHORIZED IS NOT TO EXCEED \$267,621.

DISCUSSION: Councilor Allis stated the Ways and Means committee forwarded a unanimous positive recommendation. Ms. Kelly explained the reasons for the creation of this account and who would control the intake and expenditure of funds.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -057.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES - None

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Allis held the following first reading:

- Appropriate \$90,000 – from General Stabilization fund - Municipal Transport Network – Planning and Management Services

- Appropriate \$90,000 – from Capital Project Stabilization Fund – Demolition of Town Hall Annex
- Appropriate \$28,699 - uncollectible Police outside Detail charges from FY2004-FY2012.

President Wisnewski announced an event sponsored by Hands Across America to be held on the 30th of each month at Veterans Mall in Greenfield in tribute to Sgt. Bowe Robert Bergdahl, America’s only living prisoner of war in Afghanistan. The event will be held until he is returned home.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: Jim Hutchinson, clarified that Mr. DeHoyos would become a member of the Conservation Commission. He stated Mr. DeHoyos was on vacation at Cape Code.

ADJOURNMENT: On a motion by Councilor Athey, second by Councilor Allis, it was unanimously **VOTED: TO ADJOURN THE MEETING AT 9:39 P.M.**

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
August 21, 2013

T. DeHoyos

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

3 Yes
8 No
1 Abstain