

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
September 18, 2013

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:00 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 Athey 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; Acting Fire Chief Robert Strahan; School Committee member Margret Betts; Conservation Commission member Alex Haro; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

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

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF AUGUST 21, 2013.

PUBLIC COMMENT: The following members of the public spoke:

- Margaret Betts, 16 West Street, requested the Council take action regarding Hillside Park. She described an incident at the park where a 16 year old was carrying a knife and a gun. The park was frequently used by drug dealers. She requested the fence be repaired and surveillance cameras be installed.

PUBLIC HEARING 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., September 18, 2013, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

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

The Town Council will consider the same on Wed., September 18, 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.

Councilor Allis held the following second readings:

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

President Wisnewski opened the Public Hearing at 7:09 pm. He asked if anyone from the public wished to speak. Seeing none, he noted the hearing would remain open.

COMMUNICATIONS:

MAYOR: Mayor Martin discussed the following:

- Police Outside Detail appropriation request.
- Requested the Marijuana Moratorium and the 2013 Mass Works Application be approved.
- A legal opinion from the Town Attorney noting the Town Council did not have the authority to create and ad hoc committee. The Mayor was the only authority with the ability to create and appoint members to committee.
- Greenfield High School project was on schedule and currently under budget. A webcam should be functional at the site by the end of the month.

- The Fire Department was in the process of looking for an emergency response vehicle for medical calls rather than using Engine No. 1.
- He would follow up on the comments regarding Hillside Park.
- Update on the Chapman/Davis parking lot paving plan. The project would be done in two sections. The top portion first then the bottom. If the project not able to be completed by Thanksgiving, it would be postponed until the spring of 2014.
- All kiosk parking lots will be free between November 29, 2013 and December 21, 2013.
- First reading for the \$100,000 appropriation for Chapman /Davis Street parking lot.

CONSERVATION COMMISSION: Chairman Haro discussed the proposed amendments to the Wetlands Protection Ordinance. He reviewed the process for updating the ordinance by the commission and the reason the waiver was included in the proposal.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Superintendent Hollins discussed the following:

- The school year began with the highest enrollment in 5 years.
- Current issues include: staffing of nurses and Assistant Principal at the Greenfield High School; transportation expense; meeting the needs of special education students.
- School budget issues.
- Percentage of students within the schools which have Individual Education Plan (IEP).
- Competitive pay rate for nurses and substitute teachers.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 14-060

MOTION: On a motion by Councilor Zaltzberg, second by Councilor Allis, 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 SCHOOL BUILDING COMMITTEE: DARYL ESSENSA – SCHOOL COMMITTEE REPRESENTATIVE – UNTIL THE COMPLETION OF THE PROJECT.

DISCUSSION: Councilor Zaltzberg noted the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -060.

President Wisnewski asked if anyone from the public wished to speak at the Public Hearing. Seeing none he closed the Public Hearing- at 8:14 pm.

Order no. FY 14-061

Financial Order 14-18

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$90,000 BE APPROPRIATED FROM THE CAPITAL PROJECT STABILIZATION FUND TO UNDERWRITE THE DEMOLITION OF THE BUILDING LOCATED AT 253 MAIN STREET KNOWN AS THE TOWN HALL ANNEX.

DISCUSSION: Councilor Allis reported the Ways and Means Committee forwarded a unanimous positive recommendation for approval. To the best of his knowledge, this appropriation would provide the town with a level dirt surface for paving. Paving was not included in this appropriation. The slab would not be removed.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -061.

Order no. FY 14-062

Financial Order 14-15

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$28,699 BE RAISED AND APPROPRIATED TO UNDERWRITE THE COST OF UNCOLLECTIBLE POLICE OUTSIDE DETAIL CHARGES FROM FY2004-FY2012.

DISCUSSION: Councilor Allis noted the Ways and Means Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -062.

Order no. FY 14-039

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD ZONING ORDINANCE CHAPTER 200, BY INSERTING NEW SECTION “ 200-4.19 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES/TREATMENT CENTERS” AS WRITTEN IN THE DOCUMENT ATTACHED HERETO AS “EXHIBIT A” AND AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE.

AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE ORDINANCE BE PERMITTED IN ORDER TO BE CONSISTENT WITH THE FORMAT OF THE CODE OF THE TOWN OF GREENFIELD.

**PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE
May 16, 2013**

Note: Text with a ~~strike through~~ is text to be deleted, ***black bold italic*** text is proposed new text.

Amend the Greenfield Zoning Ordinance by adding the following new section for a temporary moratorium on Medical Marijuana Dispensaries/Treatment Centers:

EXHIBIT A

~ 200-4.19 Temporary Moratorium on Medical Marijuana Dispensaries/Treatment Centers

A.

Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law’s effective date. Currently under the Zoning Ordinance, a Medical Marijuana Dispensary/Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Dispensaries/Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Dispensaries/Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding regulation of Medical Marijuana Dispensaries/Treatment Centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Dispensaries/Treatment Centers so as to allow the

Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. Definition

“Medical Marijuana Dispensary/Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

C. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Ordinance to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Dispensary/Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Dispensaries/Treatment Centers and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Dispensaries/Treatment Centers and related uses.

DISCUSSION: Councilor Devlin noted the Economic Development Committee forwarded a unanimous positive recommendation for approval of a moratorium of 6 months Discussion included:

- Moratoriums should only be sought proposals poses a threat to the community.
- Reduce the time of the moratorium from 6 months to 3 months.
- Proceed with a zoning amendment regarding marijuana dispensaries and cultivation which would take anywhere between 3 and 6 months.
- Already a defacto moratorium exists because business cannot come to town until laws were in place.
- What would happen in the event it was necessary for an individual to take this medication on school grounds when smoking was prohibited?

President Wisnewski requested Councilors ask questions of the Mayor at the beginning of the discussion rather than having a “back and forth” discussion during Council deliberations.

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

MOVED: TO AMEND THE ORDINANCE FOR THE MORATORIUM TO BE IN EFFECT UNTIL DECEMBER 18, 2013.

DISCUSSION: Vice-President Hoffman, Councilor Zaltzberg would not vote in favor of a moratorium in any form. Councilor Hirschfeld would vote in favor of the amendment. Regardless of the final outcome of the moratorium, President Wisnewski would vote to send this to Economic Development Committee for discussion and deliberation.

It was by majority,

VOTED: TO AMEND THE ORDINANCE FOR THE MORATORIUM TO BE IN EFFECT UNTIL DECEMBER 18, 2013.

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

MOVED: TO AMEND THE ORDINANCE BY STRIKING THE WORDS “CONSIDER ADOPTING” AND INSERT “ADOPT” IN THE LAST SENTENCE OF PARAGRAPH C.

DISCUSSION: President Wisnewski, Councilor Singer and Zaltzberg accepted a friendly amendment by Councilor Shapiro Miller to include the following “shall by the end of the moratorium period adopt” rather than just the word “adopt”.

It was by majority,

VOTED: TO AMEND THE ORDINANCE BY STRIKING THE WORDS “CONSIDER ADOPTING” AND INSERT “SHALL BY THE END OF THE MORATORIUM PERIOD ADOPT” IN THE LAST SENTENCE OF PARAGRAPH C.

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

MOVED: TO STRIKE ALL PROPOSED LANGUAGE AFTER THE WORD “ADOPT” AND INSERT IN ITS PLACE THE FOLLOWING “NEW ZONING BYLAWS WHICH DETERMINE WHERE MEDICAL DISPENSARIES/TREATMENT CENTERS CAN BE LOCATED.”

DISCUSSION: Councilor Allis understood why the language “impact and operation” was in the proposed ordinance. Councilors Kelner, Ronhave and President Wisnewski accepted a friendly amendment to “NEW ZONING BYLAWS WHICH IMPACT AND DETERMINE WHERE MEDICAL DISPENSARIES/TREATMENT CENTERS CAN BE LOCATED.”

It was by roll call, 5 yes and 7 no,

DEFEATED: TO STRIKE ALL PROPOSED LANGUAGE AFTER THE WORD “ADOPT” AND INSERT IN ITS PLACE THE FOLLOWING “NEW ZONING BYLAWS WHICH IMPACT AND DETERMINE WHERE MEDICAL DISPENSARIES/TREATMENT CENTERS CAN BE LOCATED.”

DISCUSSION: Councilor Zaltzberg noted the changes allowed the town to work on language at the same time as upholding a moratorium. It was noted the Town Council was the final board to consider a zoning amendment. Mayor Martin spoke of the complexity of the Mass Law regarding medical marijuana.

It was by roll call, 8 yes and 4 no,

DEFEATED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD ZONING ORDINANCE CHAPTER 200, BY INSERTING NEW SECTION “ 200-4.19 TEMPORARY MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES/TREATMENT CENTERS” AS WRITTEN IN THE DOCUMENT ATTACHED HERETO AS “EXHIBIT A” AND AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE.

AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE ORDINANCE BE PERMITTED IN ORDER TO BE CONSISTENT WITH THE FORMAT OF THE CODE OF THE TOWN OF GREENFIELD.

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A. Purpose

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complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Dispensaries/Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Ordinance regarding regulation of Medical Marijuana Dispensaries/Treatment Centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Dispensaries/Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. Definition

“Medical Marijuana Dispensary/Treatment Center” shall mean a “not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.”

C. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Ordinance to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Dispensary/Treatment Center. The moratorium shall be in effect through December 18, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Dispensaries/Treatment Centers and related uses, and shall by the end of the moratorium period adopt new Zoning Bylaws to address the impact and operation of Medical Marijuana Dispensaries/Treatment Centers and related uses.

Order no. FY14-058

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCINDS THE FOLLOWING ORDER VOTED DURING A REGULAR TOWN COUNCIL MEETING HELD ON FEBRUARY 20, 2013 AND FURTHER REQUEST THE STATE LEGISLATURE TO WITHDRAW THE TOWN OF GREENFIELD PETITION REQUESTING THAT THE STATE LEGISLATURE CREATE A NEW ANNUAL ON-PREMISE BEER & WINE ALCOHOLIC BEVERAGES LICENSE BEYOND GREENFIELD'S QUOTA FOR THE RESTAURANT LOCATED AT 286 MAIN STREET:

Order no. FY 14 -077

THAT THE TOWN OF GREENFIELD HEREBY PETITIONS THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS TO PASS SPECIAL LEGISLATION AS FOLLOWS:

AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES.

NOT WITHSTANDING SECTION 17 OF CHAPTER 138 OF THE GENERAL LAWS OR ANY OTHER GENERAL OR SPECIAL LAW TO THE CONTRARY, THE LICENSING AUTHORITY OF THE TOWN OF GREENFIELD MAY GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES UNDER SECTION 12 OF SAID CHAPTER 138 TO M AND S CAFE, LLC OR THE PENDING TRANSFEREE BISTRO MUZZY LLC, LOCATED AT 286 MAIN STREET WITHIN THE TOWN OF GREENFIELD.

THE ACT SHALL TAKE EFFECT UPON ITS PASSAGE.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -058.

Order no. FY 14-064

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVE THE FILING OF A 2013 MASSWORKS INFRASTRUCTURE PROGRAM APPLICATION WITH THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT TO FUND THE CONSTRUCTION OF LAUREL STREET EXTENSION AND UTILITIES AT 180 LAUREL STREET (PARCEL R41-2) TO INCLUDE THE DEMOLITION OF THE EXISTING 90,000 SQUARE FOOT BUILDING.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. This was the former Bendix property.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -064.

President Wisnewski stated the Mayor had given him a copy of a legal opinion which stated the Mayor “may” have an argument against the Town Council creating a committee according to the Charter. He noted the memo was vaguely worded. President Wisnewski suggested this was not a committee of the town, but an advisory committee to a subcommittee of the Town Council.

Order no. FY 14-065

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE FORMATION OF THE “BIOMASS/WASTE TO ENERGY ADVISORY COMMITTEE,” AN AD-HOC COMMITTEE OF THE TOWN COUNCIL, FOR THE PURPOSE OF ESTABLISHING A TOWN ORDINANCE REGARDING BIOMASS/WASTE TO ENERGY. MEMBERS SHALL BE APPOINTED BY THE TOWN COUNCIL PRESIDENT WITH APPROVAL OF THE TOWN COUNCIL AND SHALL SERVE UNTIL FINAL APPROVAL OF A BIOMASS/WASTE TO ENERGY ORDINANCE.

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

MOVED: TO STRIKE “AN AD-HOC COMMITTEE OF THE TOWN COUNCIL,” IN ITS ENTIRETY.

DISCUSSION: Councilor Allis made this motion to clarify that this was only an advisory committee in order to satisfy the Charter.

It was unanimously, (Councilor Hoffman abstained)

VOTED: TO APPROVE THE AMENDMENT.

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

VOTED: TO STRIKE “ESTABLISHING” AND INSERT IN ITS PLACE “ADVISING IN THE ESTABLISHMENT OF.”

It was unanimously,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE FORMATION OF THE “BIOMASS/WASTE TO ENERGY ADVISORY COMMITTEE,” FOR THE PURPOSE OF ADVISING IN THE ESTABLISHMENT OF A TOWN ORDINANCE REGARDING BIOMASS/WASTE TO ENERGY. MEMBERS SHALL BE APPOINTED BY THE TOWN COUNCIL

PRESIDENT WITH APPROVAL OF THE TOWN COUNCIL AND SHALL SERVE UNTIL FINAL APPROVAL OF A BIOMASS/WASTE TO ENERGY ORDINANCE.

Order no. FY 14-059

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE FOLLOWING APPOINTMENTS BY THE TOWN COUNCIL PRESIDENT, TO THE TOWN COUNCIL AD HOC “BIOMASS/WASTE TO ENERGY ADVISORY COMMITTEE.”

- Patrick Devlin, Town Councilor – To Serve as Chairman of the Advisory Committee
- David Singer, Town Councilor
- Mark Maloni, Town Councilor
- Clayton Sibley, Planning Board Representative
- George VanDelinder, Central Maintenance Representative
- Carole Collins, Energy/ Sustainability Coordinator Representative
- Mary Booth, PhD, Pelham, MA
- Robert Sagor, Greenfield, MA
- Janet Sinclair, Shelburne, MA.
- Glen Ayers, R.S., C.H.O, Greenfield, MA
- Donald Reid, Turners Falls, MA

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

VOTED: TO STRIKE “TOWN COUNCIL AD HOC” IN ITS ENTIRTY.

Councilor Devlin stated all applicants who submitted letters of interest would be on the advisory committee. Councilor Allis did not like having non-community members on committees. It was noted the members were acting as expert consultants. The EDC committee would be crafting the ordinance language to be proposed for consideration. Councilor Devlin stated the first meeting would be held on September 24, 2013, at 6:30 pm at 20 Sanderson Street.

It was unanimously, (Councilor Allis abstained)

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE FOLLOWING APPOINTMENTS BY THE TOWN COUNCIL PRESIDENT, TO THE “BIOMASS/WASTE TO ENERGY ADVISORY COMMITTEE.”

- Patrick Devlin, Town Councilor – To Serve as Chairman of the Advisory Committee
- David Singer, Town Councilor
- Mark Maloni, Town Councilor
- Clayton Sibley, Planning Board Representative
- George VanDelinder, Central Maintenance Representative
- Carole Collins, Energy/ Sustainability Coordinator Representative
- Mary Booth, PhD, Pelham, MA
- Robert Sagor, Greenfield, MA
- Janet Sinclair, Shelburne, MA.
- Glen Ayers, R.S., C.H.O, Greenfield, MA
- Donald Reid, Turners Falls, MA

It was unanimously, Councilor Allis abstained,

VOTED: TO APPROVE ORDER NO. FY 14 -059.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS Councilor Devlin read the attached citizen petition for a zoning amendment. President Wisnewski stated this had been forwarded to the Planning Board and EDC for review and recommendation.

REPORTS OF COMMITTEES

WAYS AND MEANS COMMITTEE – Chairman Allis stated the Ways and Means Committee would receive monthly updates of the Greenfield High School construction. President Wisnewski approved a request that the Greenfield High School Building Committee Chairman and the Construction Supervisor attend the Town Council meeting to provide an update.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Renaud announced the committee would hold a Public Hearing on Monday, September 30, 2013, regarding the Mayor’s proposal to remove the Police and Fire Chiefs from Civil Service.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Zaltzberg informed the Councilors the committee has several ordinances under consideration at this time. The next meeting will be held on October 7, 2013 after Committee Chairs due to the Columbus Holiday.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Allis held the following first reading:

- The sum of \$40,000 be appropriated for the purchase of one (1) marked police cruiser and to meet said appropriation, the Treasurer with the approval of the Mayor, is hereby authorized to borrow said sum of \$40,000.
- The sum of \$100,000 be appropriated to repave the Chapman & Davis Parking Lot and to meet said appropriation, the Treasurer with the approval of the Mayor, is hereby authorized to borrow said sum of \$100,000.

Councilor Allis read the following notice of proposed acquisition relating to the Unaitis Farm on Colrain Road.

NOTICE OF PROPOSED ACQUISITION

OF AN AGRICULTURAL PRESERVATION RESTRICTION ON PROPERTY IN THE CITY/TOWN OF GREENFIELD

Date of this Notice: 8/15/2013

Notice of proposed acquisition is hereby given to:

() Chairman of the Board of Selectmen of the Town of _____, or
(X) Mayor or City Manager of the City of Greenfield

Separate notice will be given to the appropriate: County Commissioners, Regional Planning Agency, and the members of the General Court representing the district in which the land is located.

In compliance with G. L. c. 7, Section 401, the Commonwealth Massachusetts, acting by and through its Department of Agricultural Resources (the "Department"), hereby gives notice that it proposes to acquire an agricultural preservation restriction ("APR") on the real property identified herein for the purpose of protecting in perpetuity its superior and productive agricultural resources by preventing their conversion to other uses.

The application received by MDAR indicates that the property is owned by Charles Unaitis and consists of parcel (s) located at Ireland Street Extension as approximately represented on the attached map. The APR may encompass all or parts of the area shown.

The current use of the property is primarily for silage corn and vegetables.

Following the recording of the APR, the use of the subject property is limited to agricultural use as

more particularly set forth in the APR document, the General Laws [Chapter 184, Sections 31], and the Regulations of the Department (330 CMR 22.00 et seq).

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM:

ADJOURNMENT: On a motion by Councilor Hoffman, second by Councilor Devlin, it was unanimously **VOTED: TO ADJOURN THE MEETING AT 9:55 P.M.**

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
September 18, 2013

Kelner Moratorium
Amendment

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

5 Yes 8 Yes
7 No 4 No