

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

February 19, 2014

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:17 p.m. by Vice-President Hoffman.

Vice-President Hoffman 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. Councilors Athey, Ronhave, and President Wisnewski were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; Town Accountant Elizabeth Braccia; Chief Assessor Audrey Murphy; DPW Director Art Baker; Assistant to the Mayor for Economic Development and Marketing Robert Pyers; Veterans Agent Timothy Niejadlik; Town Council Administrative Assistant Kathryn Scott; GCTV-15 staff; Anita Fritz, *the Recorder*; and members of the public.

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

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF JANUARY 15, 2014.

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

VOTED: THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS.

Order no. FY 14-105

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

MOVED: THAT IT BE ORDERED THAT IN ACCORDANCE WITH GREENFIELD HOME RULE CHARTER, SECTION 2-8 (b) THE GREENFIELD TOWN COUNCIL ELECTS DEBORAH J. TUTTLE AS TOWN CLERK FOR A TERM OF THREE YEARS.

DISCUSSION: Councilors Singer and Allis spoke in favor of the election of Ms. Tuttle as Town Clerk.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -105.

Kathryn J. Scott administered the oath of office to Town Clerk Deborah J. Tuttle.

PUBLIC COMMENT: The following people spoke during the public comment section of the meeting:

- Teresa Conti, 46 French King Highway, thanked the Conservation Commission for their hard work on the amendments to the Wetlands Ordinance and looked forward to seeing their report.
- Alex Haro and Pat Serrentino, 72 Hastings Street, spoke in favor of the removal of the Wiley & Russell Dam.
- Christine Serrentino, 524 Leyden Road, spoke in favor of the removal of the Wiley & Russell Dam.

- Garrett Connelly, 84 Congress Street, thanked the Council for opening the Wetlands Ordinance discussion to the public prior to the completion of the discussion.
- Wendy Goodman, 84 West St., thanked the Town Council for their service and for searching for the best solution for the Town to move forward with the amendments to the Wetlands Ordinance.
- Micah Kieffer, 53 Birch Street, spoke in favor of the removal of the Wiley & Russell Dam.
- Jim Allen, 8 Maple Lane, asked for the resignations of President Wisnewski and Councilor Singer for requesting and allowing Mr. Norman to draft amendments to the Wetlands Ordinance. He also requested the Town Council not appoint any of the proposed appointees to the Planning Board.
- Lisa Howard, 30 Spring Terrace, spoke in favor of the removal of the Wiley & Russell Dam.
- Al Norman, 21 Grinnell Street, spoke of the importance of free speech which allowed anyone interested to participate in all discussion held by the Council or subcommittee.
- James Hutchinson, 136 Main Street, spoke regarding the Wetlands Ordinance.

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., Feb. 19, 2014, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriate \$150,000 from Post Employment Benefits to an OPEB Trust
- Appropriate \$150,000 from free cash to purchase the HAPCO Building on Olive Street from the Greenfield Redevelopment Authority

The Town Council will consider the same on Wed., Feb. 19, 2014, at 7:00 p.m. at GCTV-15 Studio, 393 Main St. 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, ext. 112

Vice-President Hoffman opened the Public Hearing at 7:47 pm. She asked if anyone would like to speak. Seeing none the hearing would remain open.

Councilor Allis held the following second readings:

- 8700.920.5966 Post Employment Benefits (OPEB) to an OPEB Trust
- To appropriate \$150,000 from free cash to purchase the HAPCO Building on Olive Street from the Greenfield Redevelopment Authority

COMMUNICATIONS:

MAYOR: Mayor Martin read the attached document outlining the following:

- Budget issues facing the Town.
- Drug issues within the Town.
- Respectful Governance.

Mayor Martin suggested the Town Council consider amendments to the Rules of Procedures to include committee protocol and prohibitive actions by committees or its members.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: School Committee member Maryelen Calderwood spoke regarding the following topics being reviewed by the Health and Safety subcommittee of the School Committee:

- Drug abuse.
- Safety in school buildings.
- Nursing in schools

- School resource officer.
- School safety manuals.

TOWN OFFICERS: None.

Vice-President Hoffman closed the Public Hearing at 8:03 pm

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 14-106

MOTION: On a motion by Councilor Singer, 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 ZONING BOARD OF APPEALS: STEVEN RONHAVE – FROM 1ST ALTERNATE TO FULL MEMBER, TERM TO EXPIRE JUNE 30, 2015 (TO FILL THE VACANCY LEFT BY THE RESIGNATION OF HOWARD BARNARD).

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -106.

Order no. FY 14-107

MOTION: On a motion by Councilor Singer, 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 COMMISSION ON DISABILITY ACCESS: LYNNE KELLEY– TO FILL THE REMINDER OF A THREE-YEAR TERM , EXPIRING JUNE 30, 2016 (TO FILL AN EXISTING VACANCY).

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -107.

Order no. FY 14-108

MOTION: On a motion by Councilor Singer, second by Councilor Renaud, 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 BOARD: VIRGINIA DESORGHYER –TO FILL THE REMINDER OF A THREE-YEAR TERM EXPIRING JUNE 30, 2016 (REPLACING JAMES ALLEN).

DISCUSSION: Councilor Singer stated the Appointment and Ordinance Committee forwarded a majority (3 yes and 1 abstention) positive recommendation for approval. Ms. Desorgher reviewed her personal and professional history and stated her reasons for wanting to be appointed to the Planning Board. Councilor Hirschfeld questioned Ms. Desorgher as to her interest in the future plan for Greenfield. Mayor Martin spoke of the process used for every person who exhibits interest in a town

board or commission. He spoke as to why she would be a good person to have on the Planning Board. The Town Council discussed their right to interview the Mayor’s proposed appointees and review of resumes and biographies submitted.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -108.

Order no. FY14-110

MOTION: On a motion by Councilor Singer, 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 PLANNING BOARD: JAMIE POTTERN – 1ST ALTERNATE TO FILL THE REMINDER OF A THREE-YEAR TERM EXPIRING JUNE 30, 2016 (TO FILL AN EXISTING VACANCY).

DISCUSSION: Councilor Singer stated the Appointment and Ordinance Committee forwarded a majority (3 yes and 1 abstention) positive recommendation for approval. Ms. Pottern reviewed her personal and professional history and stated reasons for wanting to be appointed to the Planning Board. The Councilors thanked Ms. Pottern for her willingness to serve.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -110.

Order no. FY 14-111

MOTION: On a motion by Councilor Singer, second by Councilor Kelner, 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 BOARD: GEORGE TOULOUMTZIS– 2ND ALTERNATE TO FILL THE REMINDER OF A THREE-YEAR TERM EXPIRING JUNE 30, 2014 (TO FILL AN EXISTING VACANCY).

DISCUSSION: Councilor Singer stated the Appointment and Ordinance Committee forwarded a majority (3 yes and 1 abstention) positive recommendation for approval. Mr. Touloumtzis stated his reasons for wanting to be appointed to the Planning Board. The Town Council thanked Mr. Touloumtzis for remaining interested and involved in the appointment process.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -111.

Order no. FY 14-109

MOTION: On a motion by Councilor Singer, 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 GREENFIELD HISTORICAL COMMISSION: CHRISTOPHER MILLER –TO FILL THE REMINDER OF A THREE-YEAR TERM EXPIRING JUNE 30, 2015.

DISCUSSION: Councilor Singer stated the Appointment and Ordinance Committee forwarded a positive unanimous recommendation for approval. Mr. Miller stated his reasons for wanting to be appointed to the Historical Commission.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -109.

Order no. FY 14-112

MOTION: On a motion by Councilor Singer, 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 RECREATION COMMISSION: MARC LOMBARD –TO FILL THE REMINDER OF A THREE-YEAR TERM AS 2ND ALTERNATE; TERM EXPIRING JUNE 30, 2016.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -112.

Order no. FY 14-121

Financial Order FY14-25

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

MOVED: THAT IT BE ORDERED THAT \$150,000 BE TRANSFERRED FROM 0100.920.5966 OTHER POST EMPLOYMENT BENEFITS TO THE OPEB TRUST.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a positive unanimous recommendation for approval. He stated the trust did not cover the employee pension fund it only covers sick and vacation time accrued.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -121, Financial Order 14-025.

Order no. FY 14-120

Financial Order FY14-24

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

MOVED: THAT IT BE ORDERED THAT \$150,000 BE APPROPRIATED FROM FREE CASH TO PURCHASE THE HAPCO BUILDING LOCATED AT 11 OLIVE STREET.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a positive recommendation for approval. He shared the building was attached to a dance studio however the request to purchase was solely for the HAPCO building. Councilors disagreed with the use of free cash for the purchase of the building. It was suggested that the town borrow for the purchase rather than use free cash. Mayor Martin spoke of the transportation bond bill for a parking garage. He reviewed steps taken by the Town of Greenfield to be prepared to apply for a grant for the parking garage. Discussion between the Town Council, Mayor Martin, and Ms. Kelley concluded with holding a first reading

tonight to begin the process to borrow funds for the purchase of the HAPCO building. Ms. Kelly reviewed interest rates on borrowings.

It was unanimously,

DEFEATED: ORDER NO. FY 14 -120, Financial Order 14-024.

Order no. FY 14-117

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR A FISCAL YEAR 2013 BILL TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-399-5652 IN THE AMOUNT OF \$12,500.00.

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

VOTED: TO DELETE “2013” AND INSERT IN ITS PLACE “2014”.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. He noted the bill this was not included in the operating budget due to fact the student did not begin attending Smith Vocational School until after the start of the school year.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -116 AS AMENDED.

Order no. FY 14-116

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR A FISCAL YEAR 2013 BILL TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-192-5211-1650 IN THE AMOUNT OF \$1,419.64.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -116.

Order no. FY 14-115

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR A FISCAL YEAR 2013 BILL TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-158-5317 IN THE AMOUNT OF \$1,675.00.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. This legal bill was for a specialized bankruptcy attorney for the Lunt properties.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -115.

Order no. FY14-114

MOTION: On a motion by Councilor Allis, second by Councilor Maloni, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR A FISCAL YEAR 2013 BILL TO BE TRANSFERRED INTO ACCOUNT NUMBER 0100.192.5242.1190 IN THE AMOUNT OF \$160.00.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -114.

Order no. FY 14-119

MOTION: On a motion by Councilor Allis, second by Councilor Maloni, it was,
MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE DEPARTMENT OF PUBLIC WORKS MAY MAKE EXPENDITURES IN EXCESS OF THE BUDGET FOR SNOW & ICE REMOVAL FOR FISCAL YEAR 2014 IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 31D.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. This would allow the DPW to deficit spend for snow and ice removal for public safety.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -119.

Order no. FY 14-122

MOTION: On a motion by Councilor Allis, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL WITH THE APPROVAL OF THE MAYOR, ACCEPT MASSACHUSETTS GENERAL LAW CHAPTER 59 §5K WHICH ESTABLISHES A TAX WORK-OFF PROGRAM FOR ELIGIBLE SENIORS, AND THE COUNCIL FURTHER AUTHORIZES AN APPROVED REPRESENTATIVE FOR PERSONS PHYSICALLY UNABLE TO PROVIDE SUCH SERVICES TO THE TOWN.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Ms. Murphy summarized this would allow seniors to work specific months of the year and earn up to \$500.00 and in lieu of a paycheck they would deduct the amount earned from their property tax bill.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -112.

Order no. FY 14-123

MOTION: On a motion by Councilor Allis, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE TOWN COUNCIL WITH THE APPROVAL OF THE MAYOR VOTES TO ACCEPT MASSACHUSETTS GENERAL LAW CHAPTER 59 §5N WHICH ESTABLISHES A TAX WORK-OFF PROGRAM FOR VETERANS, AND THE COUNCIL

FURTHER AUTHORIZES AN APPROVED REPRESENTATIVE FOR PERSONS PHYSICALLY UNABLE TO PROVIDE SUCH SERVICES TO THE TOWN.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Mr. Niejadlik summarized this would allow veterans to work specific months of the year and earn up to \$1,000.00 and in lieu of a paycheck they would deduct the amount earned from their property tax bill.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -123.

Order no. FY 14-118

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH THE CHARTER, BYLAWS, AND ORDINANCES, THAT THE SUPERINTENDENT IS AUTHORIZED TO SUBMIT TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY THE STATEMENT OF INTEREST FOR 2014, FOR **THE GREEN RIVER SCHOOL**, LOCATED AT **62 MERIDIAN STREET**, WHICH DESCRIBES AND EXPLAINS THE FOLLOWING DEFICIENCIES AND THE PRIORITY CATEGORIES FOR WHICH AN APPLICATION MAY BE SUBMITTED TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN THE FUTURE:

- REPAIR/REPLACE ROOF
- REPLACE WINDOWS
- REPLACE OLD INEFFICIENT BOILER

AND HEREBY FURTHER SPECIFICALLY ACKNOWLEDGES THAT BY SUBMITTING THIS STATEMENT OF INTEREST FORM, THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN NO WAY GUARANTEES THE ACCEPTANCE OR THE APPROVAL OF AN APPLICATION, THE AWARDING OF A GRANT OR ANY OTHER FUNDING COMMITMENT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY, OR COMMITS THE GREENFIELD SCHOOL DISTRICT TO FILING AN APPLICATION FOR FUNDING WITH THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 14 -118.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Devlin noted the committee continued there February public hearing regarding a new ordinance titled Nuisance and Vacant Properties Ordinance and the reason for the continuance.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Renaud announced the committee would hold a public hearing regarding the Wiley & Russell Dam on Monday, February 24, 2014 at 114 Main Street.

WAYS AND MEANS COMMITTEE – Chairman Allis noted the Capital Improvement committee had forwarded recommendations to the Mayor.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Singer stated the committee held discussion regarding the Wetlands and Native American Ordinances. The committee will hold a Public Hearing in March regarding the Wetlands and Noise Ordinances.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Allis held the following first reading:

- Ordered that \$350,000 be transferred from the Contractual Stabilization Account to the General Stabilization Account.
- Ordered that \$100,000 be transferred from Contractual Stabilization to the Compensated Absences Special Fund
- Ordered that \$200,000 be transferred from Free Cash to the Capital Stabilization Account
- Ordered that \$150,000 be appropriated from Free Cash to the OPEB Liability Trust
- Ordered that \$18,700 be appropriated from Capital Stabilization to the LED Streetlight replacement project
- Ordered that \$150,000 be borrowed for the purchase of the HAPCO Building at 11 Olive Street from the Greenfield Redevelopment Authority.

Councilor Kelner commented on the inaccurate coverage of the Wetlands Ordinance and recent discussion by the Recorder. She requested the Recorder speak to the Councilors prior to publishing an article which involves them. The second item requested was to have a column for the Town Council to publish information.

Town Council intends to begin holding office hours, beginning in April, for constituents to come and speak with Councilors.

Vice-President Hoffman expressed frustration with the Recorder relating to cooperative reporting in relation to Council business.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: James Hutchinson, 136 Main Street spoke relating to a request in the police log from a citizen regarding information on a local sex offender and the possibility of creating a local ordinance regarding sex offender information.

ADJOURNMENT: On a motion by Councilor Maloni, second by Councilor Devlin, it was unanimously

VOTED: TO ADJOURN THE MEETING AT 9:45 P.M.

A true copy,

Attest: _____
 Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
 Regular Meeting
 February 19, 2014

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