

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
December 17, 2014

GCTV-15

7:00 pm

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

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. Councilor's Allis and Ronhave were absent.

ALSO PRESENT: Town Clerk Deborah J. Tuttle; Assistant Town Clerk Gail Zukowski; Town Accountant Elizabeth Braccia; School Superintendent Jordana Harper; School Committee Chairwoman Maryellen Calderwood; Building Inspector Mark Snow; Assistant to the Mayor for Economic Development Robert Pyers; GCTV-15 staff; Anita Fritz, *the Recorder*, and members of the public.

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

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF NOVEMBER 19, 2014.

PUBLIC COMMENT: James Lunt, 653 Bernardston Road, spoke in favor of the Town Council approving the request for an additional liquor license.

Verne Sund, 81 Barton Road, spoke in favor of the Town Council approving the request for an additional liquor license.

PUBLIC HEARINGS: Councilor Maloni read the following: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., Dec. 17, 2014, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriate \$18,000 from Parking Receipts Reserved for updating parking signage and permit program in downtown
- Appropriate \$50,000 from Free Cash, appropriation or borrowing, to fund the Parkland Acquisitions and Renovations for Communities grant program at Green River Park
- Appropriate \$ 150,000 for the demolition of the HAPCO Building for the parking garage
- Appropriate \$ 720,000 from Free Cash to General Stabilization
- Appropriate \$ 250,000 from Free cash to Building Maintenance Stabilization

The Town Council will consider the same on Wed., Dec. 17, 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, xt. 113.

Hillary Hoffman, Greenfield Town Council President opened the Public Hearing at 7:10 pm and asked if anyone from the public wished to speak; seeing none she stated the Public Hearing would remain open.

Councilor Maloni held the following second readings:

- Appropriate \$18,000 from Parking Receipts Reserved for updating parking signage and permit program in downtown
- Appropriate \$50,000 from Free Cash, appropriation or borrowing to provide Town funds for the Executive Office of Energy and Environmental Affairs Parkland Acquisitions and Renovations for Communities (PARC) grant program, at Green River Park.

- Appropriate \$ 150,000 for the demolition of the HAPCO Building in preparation for the parking garage
- Appropriate \$ 720,000 from Free Cash to General Stabilization
- Appropriate \$ 250,000 from Free cash to Building Maintenance Stabilization

COMMUNICATIONS:

MAYOR: None.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: Superintendent Harper and Chairwoman Calderwood stated:

- Negotiations were underway with the School Committee.
- Teacher evaluations were being conducted.
- School Choice was assessed by the School Committee yearly.
- Thanked the Council and community for participating in the Family & Community Communications Survey for the Greenfield Public Schools
- Resignation of the School Business Manager and a part time Human Resource employee.
- Would not discuss ongoing negotiations in Executive Session.
- Special Education Stabilization fund.
- Wished everyone a Happy Holiday.

TOWN OFFICERS: None.

President Hoffman asked if anyone from the public wished to speak at the Public Hearing; seeing none the Public Hearing was closed at 7:22 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

MOTION: On a motion by Councilor Mass, second by Councilor Athey, it was unanimously, **VOTED:** THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, # 8 ORDER AND DISPOSITION OF BUSINESS, TO ALLOW THE AGENDA ITEMS TO BE TAKEN OUT OF ORDER.

Order no. FY 15-095

MOTION: On a motion by Councilor Devlin, second by Councilor Maloni, it was, **MOVED:** THAT IT BE ORDERED, 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 ALL ALCOHOL BEVERAGES TO BE DRUNK ON THE PREMISES.

NOTWITHSTANDING 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 ALL ALCOHOL BEVERAGES TO BE DRUNK ON THE PREMISES UNDER SECTION 12 OF SAID CHAPTER 138 TO HANGAR OF GREENFIELD INC. DBA HANGAR PUB AND GRILL, LOCATED AT 298 FEDERAL STREET WITHIN THE TOWN OF GREENFIELD.

THIS LICENSE SHALL BE NON-TRANSFERRABLE IN TERMS OF LOCATION.

THE ACT SHALL TAKE EFFECT UPON ITS PASSAGE.

DISCUSSION: Councilor Devlin stated the Economic Development Committee forwarded a unanimous positive recommendation for approval. He noted the restaurant would be a welcome addition to Greenfield.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -095.

Order no. FY 15-091

MOTION: On a motion by Councilor Siano, 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 COMMISSION ON DISABILITY ACCESS – JAMES ALLEN – REMAINDER OF A THREE YEAR TERM EXPIRING JUNE 30, 2017 (TO FILL AN EXISTING VACANCY).

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation not to reject the Mayor's proposed appointment.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -091.

Order no. FY 15-075

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

MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 178 VACANT AND FORECLOSING PROPERTY ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE TOWN OF GREENFIELD.

Town Council adopted

Chapter 178

AN ORDINANCE RELATIVE TO VACANT AND FORECLOSING PROPERTIES

§ 178-1. Authority and Purpose

§ 178-2. Definitions

§ 178-3. Registration of Vacant and Foreclosing Properties

§178-4. Maintenance Requirements

§ 178-5. Administration

§ 178-1. Authority and Purpose.

Pursuant to the general powers granted to cities and towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by M.G.L., Ch. 139, § 1-3A, this ordinance is adopted to help protect the health, safety, and welfare of the citizens of Greenfield by preventing blight, protecting property values and neighborhood integrity, protecting the Town's resources, avoiding the creation and maintenance of nuisances and ensuring the safety and sanitary maintenance of all buildings and structures. Inadequately maintained residential or commercial/business buildings are at an increased risk for fire, unlawful entry, or other public health and safety hazards. This ordinance will help secure the welfare of the Town's residents and neighborhoods by requiring all property owners, including lenders, trustees and service companies and the like, to register and properly maintain their respective properties.

§ 178-2. Definitions.

BUILDING - An enclosed structure, either a principal building or shed, garage, stable, greenhouse, or other

accessory building.

~~DILAPIDATED~~ – A condition of decay or partial ruin by reason of neglect, misuse, or deterioration. The term includes, but is not limited to:

- ~~(a) Property having deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or inadequately secured windows or doors;~~
~~(b) Personal property that is broken, rusted, worn, partially or wholly dismantled or otherwise due to deterioration is unsuitable for the purpose for which designed.~~

FORECLOSING -The process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

HAZARD -- A condition likely to expose persons to injury or negative health impacts, or property to damage, loss or destruction, including but not limited to burned structures not otherwise lawfully habitable or usable, dilapidated real or personal property, and/or dangerous or unsafe structures or personal property.

INITIATION OF THE FORCECLOSURE PROCESS - Means taking any of the following actions: (i) taking possession of a property pursuant to M.G.L. Ch. 244, § 1; (ii) delivering the Mortgagee's notice of intention to foreclose to the borrower pursuant to M.G.L. Ch. 244, § 17B; or (iii) commencing a foreclosure action on a property in either the Land Court or Superior Court.

MORTGAGEE - The creditor, including but not limited to, service companies, lenders in a mortgage agreement and any agent, servant, or employee of the mortgagee, or any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

OWNER - Every person who alone or jointly or severally with others

- (a) has legal title to any building, structure or property to this Ordinance; or
 (b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, guardian or conservator of the estate of the holder of legal title; or as life tenant; or
 (c) is a lessee under a written lease agreement; or
 (d) has a mortgage in possession; or
 (e) is an agent, trustee or other person appointed by the courts.

VACANT PROPERTY - Any property not currently legally occupied and not properly maintained or secured.

§ 178.3. Registration of Vacant and/or Foreclosing Properties.

A. All Owners must register vacant and/or foreclosing properties with the Inspector of Buildings on forms provided by the Building Inspector. All registrations must state the individual owner's or agent's telephone number and mailing address located within the Commonwealth as required by M.G.L. Ch. 59, § 57D, M.G.L. Ch. 156D, § 5.02, and 950 CMR 113.20. The mailing address shall not be a P.O. Box. This registration must also certify that the property was inspected and identify whether the property is vacant at the time of filing. If the property is vacant, the owner and/or registrant must designate and retain a local individual or local property management company responsible for the security and maintenance of the property. This designation must state the individual or company's name, telephone number, and local mailing address. The mailing address shall not be a P.O. Box. If the property is in the process of foreclosure, then the registration must be received within seven (7) days of the initiation of the foreclosure process. If the Building Inspector determines that the property is vacant and that foreclosure proceedings have not been initiated, the registration must be received within fourteen (14) days of the Building Inspector's first citation for improper maintenance.

B. All property registrations are valid for one (1) calendar year. A one-time registration fee of **twenty-five** ~~one hundred~~ dollars (**\$25.00** ~~\$100.00~~) must accompany the registration form. Subsequent annual registrations are due within thirty (30) days of the expiration of the previous registration and must certify whether the foreclosing and/or foreclosed property remains vacant or not.

C. Once the property is no longer vacant or is sold, the owner must provide proof of sale or written notice and proof of occupancy to the Building Inspector.

§ 178-4. Maintenance Requirements.

Owners of vacant and foreclosing properties must fulfill the following minimum adequate maintenance requirements for any such property they own:

A. Properties subject to this section must be maintained in accordance with the relevant Sanitary Codes, Building Codes, and local regulations concerning external and/or visible maintenance. The owner, local individual or local property management company must inspect and maintain the property on a monthly basis for the duration of the vacancy;

B. The property must contain a posting with the name and 24-hour contact telephone number of the local individual or property Management Company responsible for the maintenance. This sign must be posted on the front door of the property.

C. Secure vacant and foreclosing properties subject to this ordinance to prevent unauthorized entry and exposure to the elements;

D. Maintain vacant and foreclosing properties subject to this ordinance in a manner that ensures their external/visible maintenance, including but not limited to, the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features;

E. Repair or replace broken windows or doors within thirty (30) days.

F. Compliance with this section shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

§ 178-5. Administration

A. Enforcement - This Ordinance shall be enforced by the Building Inspector. The Building Inspector shall have the authority and the duty to inspect properties subject to this section for compliance and to issue citations for any violations.

B. Penalties

(1) Failure to initially register with the Inspector of Buildings is punishable by a fine of three-hundred dollars (\$300.00).

(2) If applicable, failure to properly identify the name of the local individual or local property management company is punishable by a fine of three-hundred dollars (\$300.00).

(3) Failure to maintain the property is punishable by a fine of three-hundred dollars (\$300.00) for each week the property is not maintained.

C. Appeal - Any person aggrieved by the requirements of this section may seek an administrative appeal to the Building Inspector. Any person aggrieved by a final decision issued under this section by the Building Inspector, may seek relief in any court of competent jurisdiction as provided by the laws

of the Commonwealth of Massachusetts.

D. Applicability- If any provision of this section imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, by-law, order, or policy then the provisions of this section shall control.

E. Regulatory Authority - The Building Inspector has the authority to promulgate rules and regulations necessary to implement and enforce this section.

F. Severability - If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

DISCUSSION: Councilor Devlin stated the Economic Development Committee forwarded a unanimous positive recommendation for approval as proposed. He noted the Town Council should “un-strike” the definition of dilapidated as this was referenced in the ordinance.

MOTION: On a motion by Councilor Devlin, second by Councilor Maloni, it was unanimously, **VOTED:** TO “UN-STRIKE” THE DEFINITION OF DILAPIDATED TO INCLUDE THE LANGUAGE IN THE ORDINANCE.

Councilor Devlin discussed the advantage of the registration fee being reduced to \$25.00 rather than \$100.00 and a fee of \$300.00 if violators did not register in a timely manner.

MOTION: On a motion by Councilor Mass, second by Councilor Devlin, it was, **MOVED:** TO STRIKE IN ITS ENTIRETY SECTION 178-5 E.

DISCUSSION: Councilor Maloni suggested rather than striking the entire section the following could be struck instead “to promulgate rules and regulations” Councilor Mass accepted this change as a friendly amendment.

MOTION: On a motion by Councilor Mass, second by Councilor Devlin, it was, **MOVED:** TO STRIKE THE FOLLOWING FROM SECTION 178-5 E “TO PROMULGATE RULES AND REGULATIONS”.

DISCUSSION: In response to Councilor’s questions Mr. Snow stated:

- Notification of the ordinance would be via press releases and postings on the Town of Greenfield website.
- The town had several issues with vacant and foreclosed properties.

Councilor’s comments included:

- The non-registration penalty fee of \$300.00 was not just for residents it included banks and mortgage companies, some of which were located far outside of Greenfield.
- As long as a property was maintained, whether occupied or vacant, this ordinance would not apply.
- This ordinance should focus on vacant and/or dilapidated buildings only. Language referring to foreclosed property should be removed.
- Not opposed to dealing with blighted properties but this ordinance was too broad.
- This gives a mechanism to contact and hold accountable property holders that are not local.
- The use of the word “foreclosing” or “foreclosed”.
- Table the ordinance and send back to committee for further consideration.

- Pass the ordinance and then amend the language in the future.
- This ordinance would not achieve the objective of dealing with blight.
- Need a definition of “properly maintained”.
- The ordinance would be a helpful tool for the Inspections department.
- Fines were only instituted if the property owner was actively noncompliant.
- Owners in foreclosure would not have the funds to maintain a property.

MOTION: On a motion by Councilor Siano,

MOVED: TO CALL THE QUESTION. (No second was received, motion failed)

DISCUSSION: Councilor’s comments included:

- This ordinance was clear-cut and simple and needed to be enacted.
- Not opposed to tabling the ordinance.

MOTION: On a motion by Councilor Mass, seconded by Councilor Renaud, it was by roll call, 5 yes and 5 no,

DEFEATED: TO TABLE THE PROPOSED ORDINANCE.

It was my majority 6 yes and 4 no,

VOTED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 178 VACANT AND FORECLOSING PROPERTY ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE TOWN OF GREENFIELD, AS AMENDED.

Town Council adopted

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including broken or inadequately secured windows or doors;

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OWNER - Every person who alone or jointly or severally with others

(a) has legal title to any building, structure or property to this Ordinance; or

(b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, guardian or conservator of the estate of the holder of legal title; or as life tenant; or

(c) is a lessee under a written lease agreement; or

(d) has a mortgage in possession; or

(e) is an agent, trustee or other person appointed by the courts.

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C. Secure vacant and foreclosing properties subject to this ordinance to prevent unauthorized entry and exposure to the elements;

D. Maintain vacant and foreclosing properties subject to this ordinance in a manner that ensures their external/visible maintenance, including but not limited to, the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features;

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F. Compliance with this section shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

§ 178-5. Administration

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C. Appeal - Any person aggrieved by the requirements of this section may seek an administrative appeal to the Building Inspector. Any person aggrieved by a final decision issued under this section by the Building Inspector, may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

D. Applicability- If any provision of this section imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, by-law, order, or policy then the provisions of this section shall control.

E. Regulatory Authority - The Building Inspector has the authority to promulgate rules and regulations necessary to implement and enforce this section.

F. Severability - If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Order no. FY 15-094

Financial Order 15-018

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, \$18,000 BE APPROPRIATED FROM PARKING RECEIPTS RESERVED TO UPGRADE PARKING SIGNAGE, IMPLEMENT THE PROPOSED PARKING PERMIT CHANGES IN THE DOWNTOWN AREA, AND FOR THE MAINTENANCE CONTRACT ON NEW KIOSKS.

DISCUSSION: Councilor Maloni stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. President Hoffman stated this recommendation came from the Parking Commission. Councilor Mass expressed concerns received from constituents regarding the cost of a parking garage and the impacts on property taxes. The following comments were made:

- All town buildings other than Town Hall have free parking provided.
- Group discount rates for parking had been eliminated.
- This request could have come before the Council before now considering the town had already spent the money.
- By voting “no” this would send a message to the Mayor that it was unacceptable to expend funds without Council approval.
- Kiosks are not being well maintained.
- Parking revenue is in the form of fines.
- The program needs to be revisited; people are shying away from Greenfield because of parking issues.
- The Town Council should engage in a discussion with the Parking Commission regarding parking.

It was by roll call, 3 yes, 5 no, 1 abstain,

DEFEATED: TO APPROVE ORDER NO. FY 15 -094, FINANCIAL ORDER 15-018.

Order no. FY15-079

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

MOVED: THAT IT BE ORDERED, THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$50,000 BE APPROPRIATED FROM FREE CASH, APPROPRIATION OR BORROWING TO PROVIDE TOWN FUNDS FOR THE EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES (PARC) GRANT PROGRAM, AT GREEN RIVER PARK.

DISCUSSION: Councilor Maloni stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. President Hoffman noted the Town Council had favorably voted resolutions for this project in November.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -079.

Order no. FY 15-096

Financial Order 15-020

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$150,000 BE APPROPRIATED FROM CAPITAL STABILIZATION FOR THE DEMOLITION AND SITE PREPARATION FOR THE HAPCO BUILDING ON OLIVE STREET.

DISCUSSION: Councilor Maloni stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Vice-President Renaud would vote in opposition of this because residents do not want to spend money on a parking garage. Comments included the following:

- The Historical Commission could implement the Demolition Delay Ordinance.
- The Governor elect stated projects currently “in the pipeline” such as the proposed garage would receive funding.
- There would be no parking at the new Court House and the Town would need parking.

It was by roll call, 9 yes, 1 no, 0 abstain,

VOTED: TO APPROVE ORDER NO. FY 15 -096, FINANCIAL ORDER 15-020.

Order no. FY 15-092

Financial Order 15-015

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, \$720,000 BE APPROPRIATED FROM FREE CASH TO THE GENERAL STABILIZATION FUND.

DISCUSSION: Councilor Maloni stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Ms. Braccia discussed the following with the Council:

- Research a mechanism for a tax rebate to be given to tax payers.
- If the appropriation was approved the General Stabilization account balance would be \$2,006,883. This will allow for some protection from the operating budget due to potential cuts to State Aid or increased assessments. In light of a potential deficit in state revenues of \$385M, one or both of those scenarios could occur, and the Town absolutely should be prepared for that possibility.
- Not approving this would not accomplish anything; the Council would have to watch spending going forward.
- The Town of Greenfield should give two-thirds of the free cash back to the tax payers.
- There should be a dialog for property taxes and the budget.
- Funds should be put into an account to earn interest.
- Better uses for these funds would be 1.) Other Post Employment Benefits; and, 2.) Special Education Stabilization account.

It was unanimously, 8 yes, 2 no, 0 abstain,

DEFEATED: TO APPROVE ORDER NO. FY 15 -092, FINANCIAL ORDER 15-015.

Order no. FY 15-093

Financial Order 15-016

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, \$250,000 BE APPROPRIATED FROM FREE CASH TO THE BUILDING MAINTENANCE STABILIZATION FUND.

MOTION: On a motion by Councilor Mass, second by Councilor Kelner, it was, **MOVED:** TO TABLE THE ORDER UNTIL THE NEXT REGULAR TOWN COUNCIL MEETING.

DISCUSSION: Councilor Athey stated he had planned on voting in favor of this order. Councilor Ricketts stated this should be discussed.

Councilor Mass withdrew the motion to table.

DISCUSSION: Councilor Ricketts and Athey spoke in favor of the appropriation

It was unanimously, **VOTED:** TO APPROVE ORDER NO. FY 15 -093, FINANCIAL ORDER 15-016.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Kelner announced the committee would meet on Monday, December 22, 2014 and discuss ideas for future agenda items. She invited residents to attend the discussion.

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Devlin noted the committee continued to discuss language for a Biomass Ordinance. He stated he had a meeting scheduled with the Mayor and the Director of the Department of Energy and Sustainability to discuss the same.

WAYS AND MEANS COMMITTEE – Councilor Mass spoke of the Ways and Means Committee request to Town Councilors to submit suggestions for the Fiscal Year 2016 budget to the Committee and Mayor for discussion by the beginning of 2016.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Maloni held the following first readings:

- THAT THE *TOWN OF GREENFIELD* APPROPRIATE THE SUM OF *UP TO 2,152,314 MILLION (\$2,152,314) DOLLARS* FOR *WINDOW REPLACEMENT AND ROOF REPAIRS AT THE GREEN RIVER SCHOOL, LOCATED AT 62 MERIDIAN STREET.*, INCLUDING THE PAYMENT OF ALL COSTS INCIDENTAL OR RELATED THERETO (THE “PROJECT”), WHICH PROPOSED REPAIR PROJECT WOULD MATERIALLY EXTEND THE USEFUL LIFE OF THE SCHOOL AND PRESERVE AN ASSET THAT OTHERWISE IS CAPABLE OF SUPPORTING THE REQUIRED EDUCATIONAL PROGRAM, AND FOR WHICH THE TOWN HAS APPLIED FOR A GRANT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY (“MSBA”), SAID SUM TO BE EXPENDED UNDER THE DIRECTION OF THE SCHOOL BUILDING COMMITTEE. TO MEET SAID APPROPRIATION THE TREASURER, WITH APPROVAL OF THE MAYOR, IS AUTHORIZED TO BORROW SAID SUM UNDER M.G.L. CHAPTER 44, OR PURSUANT TO ANY OTHER ENABLING AUTHORITY. THE *TOWN OF GREENFIELD* ACKNOWLEDGES THAT THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY’S (“MSBA”) GRANT PROGRAM IS A NON-ENTITLEMENT,

DISCRETIONARY PROGRAM BASED ON NEED, AS DETERMINED BY THE MSBA, AND IF THE MSBA'S BOARD OF DIRECTORS VOTES TO INVITE THE TOWN TO COLLABORATE WITH THE MSBA ON THIS PROPOSED REPAIR PROJECT, ANY PROJECT COSTS THE **TOWN OF GREENFIELD** INCURS IN EXCESS OF ANY GRANT THAT MAY BE APPROVED BY AND RECEIVED FROM THE MSBA SHALL BE THE SOLE RESPONSIBILITY OF THE **TOWN OF GREENFIELD**, [PROVIDED THAT ANY APPROPRIATION HEREUNDER SHALL BE SUBJECT TO AND CONTINGENT UPON AN AFFIRMATIVE VOTE OF THE TOWN TO EXEMPT THE AMOUNTS REQUIRED FOR THE PAYMENT OF INTEREST AND PRINCIPAL ON SAID BORROWING FROM THE LIMITATIONS ON TAXES IMPOSED BY M.G.L. 59, SECTION 21C (PROPOSITION 2½)]; AND THAT, IF INVITED TO COLLABORATE WITH THE MSBA ON THE PROPOSED REPAIR PROJECT, THE AMOUNT OF BORROWING AUTHORIZED PURSUANT TO THIS VOTE SHALL BE REDUCED BY ANY GRANT AMOUNT SET FORTH IN THE PROJECT FUNDING AGREEMENT THAT MAY BE EXECUTED BETWEEN THE TOWN OF GREENFIELD AND THE MSBA.

- APPROPRIATE \$50,000 FROM CAPITAL STABILIZATION FOR THE FOLLOWING TECHNOLOGY UPGRADES:
 - \$20,000 FOR NETWORK SWITCH UPGRADES AND UPS UNITS
 - \$5,000 FOR THE INSTALLATION AND CONFIGURATION OF HG&E 300 MBPS INTERNET
 - \$22,500 FOR ADDITIONAL WIRING IN TOWN BUILDING TO ACCOMMODATE VOIP
 - \$2,500 FOR ADDITIONAL SET-UP FOR VOIP

Vice President Renaud requested President Hoffman create an Ad Hoc Committee whose sole purpose was to examine how much the homeless being housed in hotels is currently costing the town. After studying the issue if this committee should find the financial impact is greater then any money the town is getting from the state to negate the cost, this committee could then put together a proposal to make to the state or perhaps look at some other mechanism to lesson the financial burden to the Town.

She further suggested this special committee be called the Committee to Examine the Financial Impact of Hotels Housing the Homeless and it be comprised of 5 Town Councilors. This committee should work closely with the Mayors office.

Councilor Athey suggested this committee also include a member from the School Committee.

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

MOVED: TO DEDICATE A PAGE IN THE MINUTES TO BARBARA A. TILLMAN.

DISCUSSION: Councilors Devlin, Ricketts, Siano and Athey spoke of fond memories of Ms. Tillman.

It was unanimously,

VOTED: TO DEDICATE A PAGE IN THE MINUTES TO BARBARA A. TILLMAN.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: James Hutchinson, 136 Main Street suggested the Mayor and Recreation Departments find funding for a skate park in Greenfield.

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

VOTED: TO ADJOURN THE MEETING AT 9:35 P.M.

A true copy,

Attest: _____
 Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
 Regular Meeting
 December 17, 2014

Table
 15-075 15-075 15-094 15-096 12-092

1. Kelner, Marian	P	Y	Y	Abst.	Y	Y	
2. Siano, Alfred	P	N	Y	N	Y	N	
3. Allis, Brickett	---	---	---	---	---	---	
4. Ronhave, Steven	---	---	---	---	---	---	
5. Ricketts, Penny	P	N	Y	N	Y	Y	
6. Hoffman, Hillary	P	---	---	---	---	---	
7. Renaud, Karen	P	Y	N	N	N	Y	
8. Shapiro Miller, Karen	P	Y	N	Abst.	Y	Y	
9. Hirschfeld, Norman	P	N	Y	Y	Y	Y	
10. Athey, Dalton	P	Y	N	N	Y	N	
11. Mass, Isaac	P	Y	N	N	Y	Y	
12. Devlin, Patrick	P	N	Y	Y	Y	Y	
13. Maloni, Mark	P	N	Y	Y	Y	Y	

5- yes 6 yes 3 yes 9 yes 8 yes
 5- no 4 no 5 no 1 no 2 no
 Fail Pass 2 abst Pass Pass
 Fail

IN MEMORY OF

BARBARA ANDERER TILLMANN

JANUARY 23, 1943 – DECEMBER 7, 2014



GREENFIELD'S RAREST TREASURE