

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

June 17, 2015

GCTV-15, 393 Main Street

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:06 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. All Councilor's were present.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; Town Accountant Elizabeth Braccia; Fire Chief Robert Strahan; DPW Director Donald Ouellette; Board of Health Chairwoman Janina Thayer; Energy/Sustainability Coordinator, Carole Collins; GCTV-15 staff; Anita Fritz, *the Recorder*; and members of the public.

ACCEPTANCE OF MINUTES: None.

PUBLIC COMMENT: James Hutchinson, 136 Main Street, Greenfield spoke against the reappointment of Timothy Mosher to the Conservation Commission.

The following people spoke in favor of allowing 18 year olds to purchase smoking items in Greenfield and against the proposed Tobacco Ordinance being considered:

- Alfred Myslicki, 114 Lovers Lane
- Mike Ruggeri, Ruggeri and Sons, 126 Deerfield Street.
- George Roberge, Lipton Mart, 100 Mohawk Trail.

The following people spoke in favor of adopting the proposed Biomass Ordinance to be considered by the Town Council this evening:

- Thomas Neilson, 37 Solar Way.
- Lisa Turowsky, 729 Colrain Road.
- Linda Smith, Vice-Chairperson of the Planning Board.
- Hazel Dawkins, 91 Smith Street.
- Janina Thayer, Board of Health Chairperson, 52 Forest Avenue.
- Glen Ayers, 254 Davis Street.
- Sandra Kosterman, 141 Barton Road.
- Susan Ribeiro, 675 Bernardston Road.
- Richard Stafurski, 155 Belmont Avenue, Brattleboro, Vt.
- Dr. Mary Booth, member of the Biomass Waste to Energy Committee.
- Janet Sinclair, member of the Biomass Waste to Energy Committee.

Dwayne Breger, DOER, Director of the Renewable Energy Division, suggested the Town Council not adopt the proposed Biomass Ordinance. He suggested the Council create a simple ordinance to follow state guidelines.

Linda Smith, Vice-Chairperson of the Planning Board spoke in favor of the proposed Planning Board appointments to be considered this evening.

The following people spoke in favor of adopting the proposed amendments to the Street and Sidewalks Ordinance to be considered by the Town Council this evening:

- Joannah Whitney, 112 Franklin Street.
- George Touloumtzis, 27 Abbott Street.

- Glen Ayers, 254 Davis Street.

Adelle Ferreira, 180 Davis Street, PTO President at Four Corners School stated the School Budget does not reflect the cost of School supplies. She further stated the following items and supplies are bought by the PTO on a yearly basis through fund raising and raffles:

- Art supplies.
- Library supplies.
- Indoor recess items.
- Playground items.
- Music supplies.

Robin and Sean King, Kings Gym owners, 154 Main Street, briefed Councilor's the reasons for submitting a proposed zoning amendment to be initiated by the Town Council this evening to allow a private club or membership organization to conduct business within the General Industry Zoning District. They submitted the attached map for informational purposes.

PUBLIC HEARINGS: President Hoffman opened the Public Hearing at 8:05 pm and asked if anyone wished to speak; seeing none she stated the hearing would remain open. Councilor Allis read the following Public Hearing notices:

In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., June 17, 2015, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriate \$125,000 for the demolition of 188 Main Street
- Appropriate \$200,000 for the purpose of paying forward Special Education Tuition for FY2016
- Appropriate \$35,000 from Water Retained Earnings to replace Vehicle #44

The Town Council will consider the same on Wed., June 17, 2015, 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, x. 6163.

Hillary Hoffman, Greenfield Town Council President

In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., June 17, 2015, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- THAT THE TOWN OF GREENFIELD APPROPRIATE THE SUM OF UP TO TWO MILLION THREE HUNDRED FORTY THOUSAND ONE HUNDRED NINE DOLLARS (\$2,340,109) 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 FURTHER THAT ANY GRANT THAT TOWN OF GREENFIELD MAY RECEIVE FROM THE MSBA FOR THE PROJECT SHALL NOT EXCEED THE LESSER OF (1) 77.47 PERCENT (%) OF ELIGIBLE, APPROVED PROJECT COSTS, AS DETERMINED BY THE MSBA, OR (2) THE TOTAL MAXIMUM GRANT AMOUNT DETERMINED BY THE MSBA; AND THAT 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.

The Town Council will consider the same on Wed., June 17, 2015, 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, x. 6163.

Hillary Hoffman, Greenfield Town Council President

Councilor Allis held the following second reading:

- Appropriate \$125,000 for the demolition of 188 Main Street
- Appropriate \$200,000 for the purpose of paying forward Special Education Tuition for FY2016
- Appropriate \$35,000 from Water Retained Earnings to replace Vehicle #44
- THAT THE TOWN OF GREENFIELD APPROPRIATE THE SUM OF UP TO TWO MILLION THREE HUNDRED FORTY THOUSAND ONE HUNDRED NINE DOLLARS (\$2,340,109) 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 FURTHER THAT ANY GRANT THAT TOWN OF GREENFIELD MAY RECEIVE FROM THE MSBA FOR THE PROJECT SHALL NOT EXCEED THE LESSER OF (1) 77.47 PERCENT (%) OF ELIGIBLE, APPROVED PROJECT COSTS, AS DETERMINED BY THE MSBA, OR (2) THE TOTAL MAXIMUM GRANT AMOUNT DETERMINED BY THE MSBA; AND THAT 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.

COMMUNICATIONS:

MAYOR: In response to President Hoffman’s question as to why the Mayor had not reappointed Janina Thayer to the Board of Health, Mayor Martin stated Ms. Thayer had “done a fine job” representing the

citizens of Greenfield for 17 years. The list of appointments to be considered had been submitted and another would be forthcoming next week.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: President Hoffman stated discussion would be held with attending persons after the motions were considered.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Councilor Siano stated the Appointment and Ordinance Committee forwarded unanimous positive recommendations for all of the following appointments.

Order no. FY 15-156

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was unanimously, Councilor Ricketts abstained,

VOTED: THAT IT BE ORDERED THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 THE TOWN COUNCIL APPROVES OF THE FOLLOWING REAPPOINTMENTS, BY THE MAYOR TO THE FOLLOWING BOARDS AND/OR COMMISSIONS FOR THE EXPRESSED TERM:

REAPPOINTMENT

David C. Brock	Cable Advisory Board (1st alternate)	3-year term, June 30, 2018
William Allen	Cemetery Commission	3-year term, June 30, 2018
Timothy Mosher	Conservation Commission	3-year term, June 30, 2018
Adele Corcoran	Council on Aging	3-year term, June 30, 2018
Mary C. Williford	Council on Aging	3-year term, June 30, 2018
Hazel R. Dawkins	Council on Aging	3-year term, June 30, 2018
Joyce Lanciani	Local Cultural Council	3-year term, June 30, 2018
John Passiglia	Historical Commission	3-year term, June 30, 2018
Janine Greaves	Greenfield Public Library Trustees	3-year term, June 30, 2018
Edward Berlin	Greenfield Public Library Trustees	3-year term, June 30, 2018
Joseph Ruggeri	Greenfield Public Library Trustees	3-year term, June 30, 2018
William Allen	Board of License Commissioners	3-year term, June 30, 2018
Jean Wall	Redevelopment Authority	3-year term, June 30, 2018
Penny Ricketts	Human Rights Commission	3-year term, June 30, 2018
Maureen Lyons	Human Rights Commission	3-year term, June 30, 2018
Kurt Richardson	Parking and Traffic Commission	3-year term, June 30, 2018
Jamie Pottern	Planning Board	3-year term, June 30, 2018
William Childs	Planning & Construction Commission	3-year term, June 30, 2018
William Phelps	Planning & Construction Commission	3-year term, June 30, 2018
Skip White	Public Safety Commission	3-year term, June 30, 2018
Robert Hawkins	Public Safety Commission	3-year term, June 30, 2018
Rick Roy	Recreation Commission	3-year term, June 30, 2018
Irene Woods	Taskforce on Domestic Violence	3-year term, June 30, 2018
Maria Burge	Youth Commission	3-year term, June 30, 2018
Nekke Ragoza	Youth Commission	3-year term, June 30, 2018
Lydia Taggart	Local Cultural Council	3-year term, June 30, 2018
Michael Belleau	Cable Advisory Commission	3-year term, June 30, 2018
Lucy Bonnette	Commission on Disability Access	3-year term, June 30, 2018

Order no. FY 15-157

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,
VOTED: 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 - JAMES WINN FROM 1ST ALTERNATE TO FULL MEMBER – TERM TO EXPIRE JUNE 30, 2016.

Order no. FY 15-158

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,
VOTED: 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 - IAN HODGDON – TERM TO EXPIRE JUNE 30, 2018.

Order no. FY 15-159

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 FRANKLIN COUNTY TECHNICAL SCHOOL, SCHOOL COMMITTEE – PAUL DORAN – ONE YEAR TERM TO EXPIRE JUNE 30, 2016 (TO COMPLETE THE TERM LEFT VACANT BY THE RESIGNATION OF JEFF HAMPTON).

Order no. FY15-162

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,
VOTED: 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 AS A FULL MEMBER – GEORGE TOULOUNTZIS – TERM TO EXPIRE JUNE 30, 2018.

Order no. FY 15-163

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was unanimously,
VOTED: 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– CHARLES ROBERTS - 2ND ALTERNATE – TERM TO EXPIRE JUNE 30, 2017.

Order no. FY 15-164

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 167 - TOBACCO SALES ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE AND INDEX OF CONTENTS 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.

0167 Code Format Tobacco Sales Ord v. 060815

**Chapter 167
TOBACCO SALES**

- | | |
|----------------------------------|----------------------------|
| § 167-1. Purpose | § 167- 6 - Caps on Permits |
| § 167-2. Definition | § 167- 7 - Enforcement |
| § 167- 3 - Prohibitions on Sales | § 167- 8 - Severability |

§ 167-1 - Purpose:

This ordinance shall govern the sale of tobacco products in the Town of Greenfield. This ordinance intends to balance the liberty interests of adults and the public health risks of minors using tobacco products and nicotine delivery products.

§ 167-2 – Definition:

Adult: Any individual eighteen (18) years of age or older

Commercial Roll-Your-Own (RYO) Machine: A mechanical device, by whatever manufacturer made and by whatever name known, located in a business or used for sale or distribution of tobacco that is designed to roll and wrap tobacco into products. RYO machines located in a private home, used for personal consumption, are not Commercial Roll-Your-Own machines.

Minor: Any individual who is under the age of eighteen (18).

Nicotine Delivery Product: Any manufactured article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a product approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes.

Permit Holder: Any person engaged in the sale or distribution of tobacco or nicotine delivery products directly to consumers who applies for and receives a tobacco and nicotine delivery product sales permit or any person who is required to apply for a Tobacco and Nicotine Delivery Product Sales Permit pursuant to the regulations of the Greenfield Board of Health, or his or her business agent.

Sales Associate: Any individual who sells or delivers tobacco to a person for a permit holder to include the permit holder himself or herself.

Self-Service Display: Any display from which customers may select a tobacco product or a nicotine delivery product without assistance from an employee or store personnel.

Tobacco Product: Cigarettes, cigars, chewing tobacco, pipe tobacco, bid is, snuff or tobacco in any of its forms.

Vending Machine: Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes cigarettes, any other tobacco product or nicotine delivery product.

§ 167- 3 - Prohibitions on Sales

The sale or gift of any tobacco product and nicotine delivery products to minors shall be prohibited. The parent or legal guardian of the minor, shall be exempted from this prohibition.

No permit shall be issued for the sale of tobacco products or nicotine delivery products within 500 feet of a school. Existing permit holders at the time of the enactment of this ordinance shall be exempt from this prohibition at the location which they are currently permitted.

The sale of tobacco products and nicotine delivery products from vending machines and self-service displays shall be prohibited. All humidors including, but not limited to, walk-in humidors must be locked. All commercial Roll-Your-Own machines are prohibited.

The sale of all otherwise lawful tobacco products and nicotine delivery products shall be allowed in the Town of Greenfield. No otherwise lawful tobacco products and nicotine delivery products shall be

prohibited by regulation in the Town of Greenfield. No regulation shall prohibit the sale of tobacco products or and nicotine delivery to adults.

§ 167- 4 - Fines

Violations of this offense shall carry a fine for both the permit holder and the sales associate in the amount of \$100.00 for the first offense, \$200.00 for the second offense within five year and \$300.00 for the third and subsequent offenses within five years. For the purpose of this ordinance it shall be considered a subsequent offense for the permit holder even if the prior offense included a different sales associate. The Board of Health may suspend the permit of any establishment with more than two violations within two years for a period of less than one year.

The Board of Health shall revoke for a period of not less than one year, the permit of any establishment with five or more violations within a five year period.

Any unpermitted person selling or giving tobacco products to a person under the age of eighteen shall be subject to a \$300 fine for the first and subsequent offences.

§ 167- 5 – Education and Training

Permitted tobacco sales establishments shall be required to train sales associates in accordance with a program to be established by the Board of Health in order to prevent the sales of tobacco products to persons under the age of eighteen.

Minors who have purchased a tobacco products or a nicotine delivery product shall be required to take a training class to be established by the Board of Health in order to educate them about the public health risks.

§ 167- 6 - Caps on Permits

There shall be no cap on the number of permitted establishment for the sale of tobacco products or nicotine delivery products.

§ 167- 7 - Enforcement

Enforcement of this ordinance shall be by both the Greenfield Police Department and the Greenfield Board of Health or its designated agent(s).

The Board of Health shall be able to establish further regulations designed to meet the objectives of this ordinance.

§ 167- 8 - Severability

If any provision of this ordinance is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

§ 167- 9 - Revocation

All prior ordinances or regulations or portions thereof inconsistent with this ordinance are hereby void.

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a majority negative (1 yes and 3 no) recommendation. The following comments were made during discussion:

- The Board of Health had superior authority over health issues.
- Allowing only one (1) store to sell flavored tobacco items created a monopoly.
- Personal freedoms versus rights and responsibilities to youth.

- Rights of people who choose not to smoke.
- Appreciation of the work and discussions regarding to this topic.
- Would do whatever possible to ensure the rights of legal adults.
- What was the roll of the Town Council in evaluating and overriding regulations of appointed boards; referenced the Conservation Commission regulations revisions of a few years ago.
- The Board of Health regulations overstep individual rights.
- Colorations between youth smokers and drug abuse.

It was by majority 3 yes and 8 no,

DEFEATED: ORDER NO. FY 15 -164.

President Hoffman asked if anyone wished to speak at the Public Hearings, seeing none she closed the Public Hearings at 8:49 pm

Order no. FY 15-139

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD CHAPTER 159, STREETS AND SIDEWALKS, SECTIONS 159-16 AND 159-17, AS INDICATED IN THE DRAFT ATTACHED HERETO AND FURTHER AMENDS THE 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.

159-16 Responsibilities of owners (sidewalks)

The owner of any real estate abutting any Town way where there is a sidewalk, shall within twenty-four (24) hours after the ceasing to fall or form or the accumulation from any other cause of any snow, ice or sleet upon said sidewalk, cause the same to be removed there from, **for the full width of the sidewalk and including abutting curb cuts/ramps**, and if the same cannot be wholly removed shall sprinkle thereon sand or other substance so the [sic] such sidewalks shall be safe for travel.

159-17 Violations and penalties

Whoever violates any provision of the bylaw shall be punished by a fine not exceeding ten dollars (\$10) for the first offense, twenty-five dollars (\$25) for the second offense and for the third and subsequent offenses, one hundred dollars (\$100) for each separate offense in any one (1) calendar year. **Each twenty-four-hour period a violation exists shall be considered to constitute a separate offense.**

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval including additional amendments.

MOTION: On a motion by Vice-President Renaud, second by Councilor Siano, it was,

MOVED: to add the following language at the end of section 159-17: if the owner of the aforementioned property can substantiate extenuating circumstances to the Town Inspector that prevent him/her from clearing their sidewalk that they be exempt from any violation or penalty. And instead be referred to an established volunteer committee set up to assist residents in these circumstances.

DISCUSSION: Vice-President Renaud further discussed the CRE creation for the volunteer committee possibly referred to as "SOS" Shovel our Sidewalks. Additional amendments were discussed.

Vice-President Renaud and Councilor Siano withdrew their motions respectively.

MOTION: On a motion by Vice-President Renaud, second by Councilor Mass, it was unanimously,

TABLED: ORDER NO. FY 15 -139.

Order no. FY 15-165

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

MOVED: THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD SHALL ESTABLISH AN ELECTED AND APPOINTED OFFICIAL COMPENSATION ADVISORY BOARD OF 5 MEMBERS, 2 APPOINTED BY THE MAYOR, 3 APPOINTED BY THE TOWN COUNCIL PRESIDENT. THE BOARD IS TASKED WITH REVIEWING THE EQUITY COMPENSATION, BENEFITS AND EXPENSE ALLOWANCES OF THE MUNICIPAL ELECTED AND APPOINTED OFFICIALS AND REPORT ITS FINDINGS AND RECOMMENDATION TO THE MAYOR AND TOWN COUNCIL. THE REPORT AND RECOMMENDATION SHALL BE SUBMITTED WITHIN 6 MONTHS OF THE BOARD'S FORMATION. THE BOARD'S COMPENSATION SHALL INCLUDE 1 MEMBER WITH EXPERTISE IN THE AREA OF HUMAN RESOURCES – 1 MEMBER WITH EXPERTISE IN THE AREA OF ACCOUNTING – 1 FORMER ELECTED OFFICIAL WITHIN THE TOWN OF GREENFIELD – 1 FORMER EMPLOYEE OF THE TOWN EMPLOYEE'S UNIONS – 1 TAX PAYER ADVOCATE.

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation. Councilor Mass requested and Councilor Siano approved a friendly amendment to delete the word “compensation” and insert “composition”. Councilor Devlin would not vote in favor of this. It was noted this was an advisory group only, and would not cost the town any money to gather the information.

It was by majority, 8 yes, 3 no, 1 abstain,

VOTED: THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD SHALL ESTABLISH AN ELECTED AND APPOINTED OFFICIAL COMPENSATION ADVISORY BOARD OF 5 MEMBERS, 2 APPOINTED BY THE MAYOR, 3 APPOINTED BY THE TOWN COUNCIL PRESIDENT. THE BOARD IS TASKED WITH REVIEWING THE EQUITY COMPENSATION, BENEFITS AND EXPENSE ALLOWANCES OF THE MUNICIPAL ELECTED AND APPOINTED OFFICIALS AND REPORT ITS FINDINGS AND RECOMMENDATION TO THE MAYOR AND TOWN COUNCIL. THE REPORT AND RECOMMENDATION SHALL BE SUBMITTED WITHIN 6 MONTHS OF THE BOARD'S FORMATION. THE BOARD'S **COMPOSITION** SHALL INCLUDE 1 MEMBER WITH EXPERTISE IN THE AREA OF HUMAN RESOURCES – 1 MEMBER WITH EXPERTISE IN THE AREA OF ACCOUNTING – 1 FORMER ELECTED OFFICIAL WITHIN THE TOWN OF GREENFIELD – 1 FORMER EMPLOYEE OF THE TOWN EMPLOYEE'S UNIONS – 1 TAX PAYER ADVOCATE.

Order no. FY 15-160

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 ADDING SECTION “200-7.19. BIOMASS AND WOOD BURNING FACILITIES” AS WRITTEN IN THE STRIKETHROUGH DOCUMENT ATTACHED HERETO AS “EXHIBIT A” 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.

New Section of the Greenfield Zoning Ordinance

060915 EDC Final

Underlined and ~~strikethrough~~ text indicates language changed since Town Council initiation.

Amend the Greenfield Zoning Ordinance by adding a new section on biomass and wood burning ~~facilities~~ energy systems to read as follows:

~ 200-7.19. Biomass and Wood Burning ~~Facilities~~ Energy Systems

- A. Purpose. Commercial Scale wood burning is a common practice in Greenfield. The health effects of wood smoke exposure have been well documented and the American Lung Association and other health organizations advise against wood combustion because of the adverse health outcomes. In order to minimize wood smoke exposure to the residents of Greenfield, it is important to establish clear and enforceable standards that take into consideration already existing uses of wood for fuel and the need to reduce air pollution exposures.

The rules governing Biomass and Woodburning Energy Systems set forth in this ordinance are subject to review as biomass and woodburning energy system technologies improve efficiency and operating standards.

- B. Applicability. Any new or existing commercial biomass ~~facilities~~ energy systems, located in the Town of Greenfield, for thermal, electricity or Combined Heat and Power (CHP) use located on any property shall be subject to all requirements of this ordinance. Commercial biomass ~~facilities~~ energy systems shall be allowed by right within the Planning Industry (PI) and General Industry (GI) Zoning Districts with site plan review by the Planning Board. Commercial biomass ~~facilities~~ energy systems shall be allowed by special permit from the Zoning Board of Appeals within the Central Commercial (CC), Limited Commercial (LC), General Commercial (GC), Health Service (H), and Office (O) Zoning Districts. Commercial biomass ~~facilities~~ energy systems shall be prohibited within the Rural Residential (RC), Suburban Residential (RB), Urban Residential (RA), and Semi-residential (SR) Zoning Districts.
- C. Definitions:

ANAEROBIC DIGESTER -- Anaerobic Digester means the naturally occurring process that converts organic compounds such as wastewater sludge and regional or local organic waste to produce biogas (methane), which can be used as a fuel for thermal use, electricity production, CHP, or as compressed natural gas.

~~BIOMASS FACILITY-ENERGY SYSTEM~~-- Biomass ~~facility~~-energy system means a thermal and/or energy producing ~~facility~~-energy system that uses wood pellets, wood chips or stick wood for fuel.

CLEAN DRY WOOD -- Clean dry wood means wood that has no paint, stains, or other types of coatings, and wood that has not been treated with preservatives, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol, and with a moisture content of 20% or less.

CLEAN WOOD CHIPS -- Clean wood chips means wood chips that are derived from wood that has no paint, stains, or other types of coatings, and wood that has not been treated with preservatives, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol.

CLEAN WOOD PELLETS -- Clean wood pellets means pellets that are of 100% wood composition with no construction or demolition debris such as pressure treated or painted wood (which may contain heavy metals such as copper, chromium, arsenic, lead and cadmium) or plastic binders or fillers. Pellets must have a calorific value of no less than 8000 Btu/lb, low ash content (<1%), low moisture content (<8%), chlorides less than 300 ppm and no other additives (0%).

~~COMMERCIAL BIOMASS FACILITY ENERGY SYSTEM~~ -- Commercial biomass ~~facility energy system~~ means any biomass burning ~~facility energy system~~ for thermal, electricity or Combined Heat and Power located on a single property with a total and combined capacity over 250,000 and up to 1 million btu’s per hour rated heat input as rated by the test method identified in 310 CMR 7.26(54)(c)2.

~~EXISTING BIOMASS BURNING FACILITIES ENERGY SYSTEMS~~ -- Existing biomass burning ~~facilities energy systems~~ means any biomass ~~facility energy system~~ contracted and paid for, or installed before June 17, 2015.

~~INDUSTRIAL WOOD BURNING FACILITY ENERGY SYSTEM~~ -- Industrial wood burning ~~facility energy system~~ means any biomass ~~facility energy system~~ for thermal, electricity or Combined Heat and Power located on a single property with a total and combined capacity of more than 1 million btu per hour rated heat input as rated by the test method identified in 310 CMR 7.26(54)(c)2.

~~NEW BIOMASS FACILITY ENERGY SYSTEM~~ -- New biomass ~~facility energy system~~ means any biomass ~~facility energy system~~ contracted and paid for, or installed, after June 17, 2015.

~~NON-COMPLIANT FACILITIES ENERGY SYSTEMS, APPLIANCES OR DEVICES~~ -- Non-compliant ~~facilities energy systems~~, appliances or devices means any biomass burning use that does not meet the criteria of this ordinance.

OWNER -- Owner means the owner of any wood burning ~~facility energy system~~ or appliance and/or the authorized agent of the owner and /or the person who has overall responsibility for the operation of a biomass ~~facility energy system~~.

RESIDENTIAL BIOMASS ENERGY STSTEM - - A biomass burner or boiler that delivers heat to a home or apartment.

SENSITIVE RECEPTOR SITES - - All institutional applications at schools, health care facilities, nursing homes, or other locations with similar sensitive populations.

STICK WOOD BOILER - - A boiler that burns logs or other unprocessed wood, rather than wood chips or pellets.

TOTAL COMBINED CAPACITY -- Total or combined capacity means the number of btu’s for all uses on a single property based on the thermal only btu capacity.

~~WASTE-TO-ENERGY FACILITY ENERGY SYSTEM~~ -- Waste-to-Energy ~~facility energy system~~ means any ~~facility energy system~~ that produces thermal energy, electrical energy or combined heat and power from solid waste relying on combustion, pyrolization or other advance combustion technologies.

D. ~~Restricted~~ Prohibited Uses.

- (1) Waste-to- energy ~~facilities energy systems~~ shall be prohibited in the Town.
- (2) Industrial biomass ~~facilities energy systems~~ shall be prohibited in the Town.

E. Exemptions. This ordinance shall not apply to:

- (1) Anaerobic digesters.
- (2) Residential biomass ~~facilities energy systems~~.

- F. Allowable fuels for all new and existing commercial wood burning ~~facilities~~ energy systems:
- (1) Only clean dry wood, clean wood pellets or clean wood chips are allowed.
- G. Prohibited fuels. No person shall cause, suffer, allow or permit the burning of any of the following items in a biomass ~~facility~~ energy system:
- (1) any wood that does not meet the definition of clean dry wood;
 - (2) garbage;
 - (3) tires;
 - (4) lawn clippings, leaves, brush trimmings, or general yard waste;
 - (5) materials containing asbestos;
 - (6) materials containing lead, mercury, or other heavy or toxic metals;
 - (7) materials containing plastic;
 - (8) materials containing rubber;
 - (9) waste petroleum products;
 - (10) paints and paint thinners;
 - (11) chemicals;
 - (12) coal;
 - (13) glossy or colored papers;
 - (14) construction and demolition debris;
 - (15) plywood;
 - (16) particleboard;
 - (17) salt water driftwood and other previously salt water saturated materials;
 - (18) manure;
 - (19) animal carcasses; and
 - (20) asphalt products.
 - (21) medical waste.
- H. Nuisances for all new or existing commercial wood burning ~~facilities~~ energy systems.
- (1) No person shall cause, suffer, allow or permit the operation of any wood burning ~~facility~~ energy system in such a manner as to create a condition of air pollution as defined in 310 CMR 7.00.
 - (2) No person shall cause, suffer, allow or permit the operation of any biomass ~~facility~~ energy system except in conformance with the manufacturer's operating and maintenance instructions.
 - (3) No wood burning ~~facility~~ energy system shall create a nuisance to the surrounding properties or the public as defined and enforced under MGL Chapter 111 Section 122.
- I. Biomass ~~Facility~~ Energy System change out requirements.
- (1) Any commercial biomass ~~facility~~ energy system for thermal, electricity or CHP use located on any property shall be uninstalled, and no longer used on that property in the case that the property changes ownership, unless ~~is it~~ it meets the requirements for biomass ~~facilities~~ energy systems defined in this ordinance within six (6) months of sale.
- J. Performance Standards for Commercial Biomass ~~Facilities~~ Energy Systems.
- (1) All new commercial scale wood burning devices or ~~facilities~~ energy system shall be subjected to a Board of Health environmental impact site assignment ~~and a Planning Board Site Plan Review~~.

(2) New commercial biomass ~~facilities~~ energy systems must achieve the following standards. All systems shall be limited to high-efficiency and low-emissions systems with thermal storage, bulk storage and emission control technology and use a sustainable premium wood pellet fuel or clean dry wood or clean wood chips. The system operation must be optimized using an energy management system to provide maximum efficiency on a seasonal and diurnal basis and minimize boiler cycling. Commercial Biomass ~~Facilities~~ Energy Systems must follow each of these criteria

(a) Efficiency Standards. Commercial wood pellet ~~facilities~~ energy systems and wood chip ~~facilities~~ energy systems must be fully automatic in the case of pellet boilers, and wood chip boilers must have a fully automated combustion process – though fuel can be delivered manually from the bulk storage container to the combustion day bin. They must be low mass (low volume) and have sensors and controls to optimize combustion performance. This is most easily achieved using a staged combustion design with lambda control. All commercial biomass ~~facilities~~ energy systems must have a minimum efficiency of 85% at rated output using the higher heating value (HHV) of the pellet fuel or wood chip fuel if tested using an input/output method. Alternatively a simple full load, steady-state combustion efficiency measurement by the stack loss method (Canadian Standards Association B415) may be used, but in this case, the minimum efficiency requirement is 88% HHV. Where combustion efficiency is used, the return water temperature must be greater than 130 degrees Fahrenheit. ~~Efficiency performance verification by an independent third party is required.~~

(1) Multi-Boiler Cascade System (recommended for all commercial biomass ~~facilities~~ energy systems) - Cascading two or more biomass boilers allows for the installed equipment to meet seasonal heat demand most efficiently. Boilers are brought online at maximum efficiency as needed to meet the heating load.

(2) Energy Efficient Motors. All commercial biomass ~~facilities~~ energy systems must have motors that are National Electrical Manufacturers Association (NEMA) designated “premium efficiency” motors. Motors must meet or exceed NEMA’s MG1-1993 standard.

(b) Emissions Standards.

(1) Fine Particles (PM): The biomass system for commercial installations shall have a PM emissions rate of no more than 0.080 lb/MMBtu. All institutional applications at schools, health care facilities, nursing homes, or other locations with similar sensitive populations, must have a PM emissions rate of no more than 0.030 lb/MMBtu. ~~Stick wood boilers at sensitive receptor sites are prohibited.~~

Installers and owners shall include advanced emissions control including bag houses and static precipitator technology to achieve emissions rates lower than these basic requirements, including emissions control technologies such as condensing units that can also improve energy efficiency of the heating system. The owner will be required to submit particulate emissions performance verification results. Testing for PM must have been performed by an independent third-party using the U.S. Environmental Protection Agency (EPA) Conditional Test Method 39, EPA Federally Referenced Methods 5 and 202, or EPA Other Test Method 15. Alternatively, European Norm 303-5 test results may also be considered, but must include dust and organic gases.

(2) Carbon Monoxide (CO): Commercial biomass ~~facilities~~ energy systems must have a flue gas CO concentration at rated output of no more than 270 ppm at 7% oxygen at high load. ~~Emissions performance must be verified by an independent third party.~~ For health and safety, a CO detection system must be included in the boiler room design. The

CO monitoring system must have the ability to sound an audible alarm, provide phone notification to ~~facilities~~ energy systems staff and trigger an automatic boiler shutdown if necessary.

(3) Nitrogen Oxide Emissions: Wood pellet and wood chip boilers shall use a staged combustion cycle in order to reduce nitrogen oxide emissions.

(4) Stack Height: The design of the exhaust stack and location should be done carefully to prevent exposure to building occupants and visitors or to people in frequently occupied outdoor areas such as playgrounds. The ~~facilities~~ energy systems boiler stack height must be sufficient to adequately disperse emissions from the immediate vicinity and prevent entrainment of exhaust gases and particles into the building air intakes and to minimize exposure at ground level adjacent to the building on which the stack is being located.

At a minimum, the stack shall be 5 feet above the highest point of the building that it is serving and above the roof height of any other taller building within 100 feet of the unit. In no case should the stack height be at or below the building height. In addition, the stack should not be placed in close proximity to an air intake or operable window. Stack design should also minimize horizontal piping and bends.

(c) Health and Environmental Impact Assessment. To reduce exposure to outdoor air pollutants with a particular focus on burdened neighborhoods commercial biomass ~~facilities~~ energy systems at schools, hospitals or locations with similar populations, the owner will be required to perform a health assessment (e.g. air impact assessment) to evaluate the potential public health risks associated with burning biomass. This assessment consists of modeling the anticipated emissions due to the new commercial biomass system and evaluating the resulting concentrations with a focus on ambient concentrations in the schoolyard, near doors and windows, and at building air intakes. An estimate of the number of deliveries by the pellet trucks or wood chip trucks and a comparison to the current fuel delivery schedule must be included as well. The resulting ambient particulate and gaseous concentrations are then compared to the conditions existing prior to the pellet or wood chip heating system installation. If there is a net increase in ambient concentrations, then an assessment of exposure is performed. Owners shall include an assessment of any higher emitting biomass sources (e.g. outdoor wood boilers or pre-certification wood stoves) to be switched-out with a cleaner burning unit to result in no net increase in emissions for the immediate vicinity.

(d) Proper Boiler Sizing. Commercial Biomass ~~facilities~~ energy systems shall be sized to meet the current heat load of the building, not the anticipated heat load or the peak load. Cascading boilers using biomass or existing fossil fuel boilers shall cover peak heat loads. Additionally, the biomass ~~facility~~ energy system must be designed for installation in a weatherproof, insulated space inside a building, either in a basement or a room designed specifically to accommodate the system. If space does not permit, it may be installed in a separate structure. Boilers and systems must be sized and systems planned to optimize performance throughout the heating season using thermal storage. Use of a cleaner heat source during heating season shoulders (late October or March) and for supplemental needs is strongly encouraged. These cleaner heat sources may include, for example, natural gas-, propane-, or oil-fired boilers and solar thermal sources. A bin-hour analysis of heating needs based on an energy audit, previous heating needs, and historical local temperatures during the heating season should be performed. The annual heat load profile, diurnal heat load profile on demand day, and diurnal heat load profile on a shoulder day should also be determined. Biomass ~~facilities~~ energy systems shall be sized to $\leq 60\%$ of the design load as it will capture the majority of the heating season and promote higher performance. Higher loads may be met by utilizing an existing

natural gas, propane, or oil-fired boiler, a new boiler, staging of wood fired boilers, or some other strategy involving careful energy management and thermal storage. Low loads, common during shoulder months, can be met by an auxiliary boiler or other energy management strategy. The facility energy system must be sized based on the heat load of the building where the heat load is determined using a well defined protocol such as Manual J of the Air Conditioning Contractors of America (ACCA) or an equivalent energy simulation program.

(e) Thermal Storage. Commercial scale systems must include thermal storage to minimize boiler cycling and to assist in energy management strategies. The minimum size thermal storage should be based on the boiler manufacturer's recommendation for the application and size of the boiler but must not be less than 20 gallons per 10,000 Btu/h. For example, a commercial 1.0 MMBtu/h boiler would require a minimum storage of 2,000 gallons.

(f) Pellet and woodchip storage. The risks of exposures of high levels of dust and off-gas CO shall be minimized. Due to concerns regarding explosive dust and CO exposure and the absence of a documented effective ventilation strategy for pellet and wood chip storage, all pellets and woodchips storage must be outside of the building. That may include confined spaces that are: 1) large enough for a person to enter to perform work, 2) have limited means of ingress and egress, and 3) are not intended for human occupancy. Pellet storage silos meet these criteria and because of the CO off-gassing, require an Occupational Safety and Health and Administration (OSHA) permit. Owners shall identify fire and building code and health and safety features including all applicable training requirements for personnel. Signs communicating potential CO hazards associated with bulk pellet and wood chip storage must also be posted. In addition:

(1) Pellet Boiler systems must utilize an appropriately sized covered bulk fuel storage unit suitable for the capacity of the proposed boiler; and must receive bulk pellet delivery.

(2) Wood chip boiler systems must utilize an appropriately sized covered bulk fuel storage unit suitable for the capacity of the proposed boiler. Recommended: Bulk chip storage units utilizing air flow to partially remove water vapor from wood chip surfaces and to improve the caloric value of the feedstock is HIGHLY recommended. Owners should evaluate incorporating any technology utilizing passive evaporation from airflow such as solar hot air, waste or by-product heating or active heating such as fan blown air to partially pre-dry chips. An accumulator tank is recommended to prolong pump life.

~~(3) Wood stick boilers must have fuel storage equal to annual fuel demand.~~

(g) Energy Management System.

(1) The commercial biomass facility energy system must use an energy management system and optimize boiler operation to meet seasonal and diurnal heating needs of the particular building's heat load. The system design should use a strategy that optimizes the use of both the pellet or woodchip boiler and thermal storage and the temperature requirements of the heat distribution system. By using a large enough thermal storage tank to help meet the peak demand and a properly sized boiler, the call for heat may be met with a smaller boiler without the need for additional heat input from the existing oil-fired boilers. The hot water storage can be recharged during periods when there is little call for heat in the building, which is several hours each day.

(2) All systems shall modulate to lower output and/or shut down when the heating load decreases or has been satisfied.

- (3) Pellet boilers and wood chip boilers must use a multipass heat exchanger.
- (4) Containerized high-efficiency biomass systems that offer substantial savings compared to boiler room renovations are encouraged, but not required. When containers are used, the stack height must be sufficient to adequately disperse emissions from the immediate vicinity and prevent entrainment of exhaust gases and particles into the building air intakes. Steps should be taken to minimize thermal losses to non-heated spaces including, but not limited to insulating the container that houses the boiler and insulating pipes between the container and building(s) being served.
- (h) Integration of Solar Thermal. The integration of solar thermal water heating technology is encouraged. Solar thermal integration reduces fuel consumption and can prolong the life of the biomass boiler. A solar thermal system would be integrated into the biomass heating system using best engineering practices.
- K. Air Plan Application. All solid fuel hand fed Biomass Boilers over 1 MMBTU heat input rating, and solid fuel automatic fed Biomass Boilers over 3 MMBTU heat input rating, as subject to 310 CMR 7.00, must submit a Comprehensive Plan Application to MassDEP.
- L. Continuous Compliance. All Institutional, Commercial and Industrial boilers, as defined in 40 CFR Part 63 subpart JJJJJ section 63.11237 are subject to a biennial tune-up as defined in 40 CFR Part 63 subpart JJJJJ section 63.11223, and annual tune ups according to MGL Chapter 146.
- M. Severability. Each part of this regulation shall be construed as separate to the end that if any paragraph, sentence, clause, or phrase thereof shall be held invalid for any reason, the remainder of that regulation and all other regulations shall continue in full force. If regulations are promulgated by the Greenfield Board of Health, or state, federal or other local agencies that are more restrictive than the present regulations, the state, federal or local regulations will supersede only those portions of this regulation that are less restrictive than those state, federal or local regulations.
- N. Remedies. The owner of any biomass ~~facility~~ energy system operated in violation of this ordinance shall be warned on two separate occasions. Thereafter, the owner will be punished for the first offense, by a fine of not less than fifty dollars nor more than one hundred dollars and for a subsequent offense, by a fine of not less than two hundred dollars nor more than ~~five~~ three hundred dollars. For the purpose of this paragraph each day or part thereof of violation of these regulations whether such a violation be continuous or intermittent shall be construed as a separate and succeeding offense. The enforcement agents shall order the ~~facility~~ energy system cease its operation if the ~~facility~~ energy system is deemed a continued nuisance or a health hazard.
- O. Enforcement. This ordinance shall be enforced by the Board of Health, Fire Department, Building Inspector, or their designees, ~~or a designee assigned by the City Council.~~

The rules governing Biomass and Woodburning Energy Systems set forth in this ordinance are subject to review as biomass and woodburning energy system technologies improve efficiency and operating standards.

And by adding the following to Section 200-4.1(E):

- E. Uses prohibited in all districts.
- (1) Privately owned residential wastewater treatment plants.

- (2) Waste-to- energy ~~facilities~~ energy systems.
- (3) Industrial biomass ~~facilities~~ energy systems.
- (4) Stick wood boilers.

And by adding the following to Section 200-4.6(C) – Health Service District (H):

C. Uses permitted by special permit.

- (13) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.7(C) – Central Commercial District (CC):

C. Uses permitted by special permit.

- (20) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.8(C) – Limited Commercial District (LC):

C. Uses permitted by special permit.

- (17) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.9(C) – General Commercial District (GC):

C. Uses permitted by special permit.

- (30) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.10(C) – Office District (O):

C. Uses permitted by special permit.

- (8) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.11(B) – General Industry District (GI):

B. Uses permitted.

- (25) ***Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by adding the following to Section 200-4.12(B) – Planned Industry District (PI):

B. Uses permitted.

- (22) ***(22) Commercial biomass ~~facility~~ energy system in accordance with ~ 200-7.19.***

And by amending the Table of Uses by adding the following under Commercial Uses:

Table of Uses
Ch. 200, Zoning (cont'd)

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Trucking firm (on public sewer only)	N	N	N	N	N	N	N	N	N	Y	Y
Warehouse or freight transport terminal	N	N	N	N	N	N	N	SP	N	Y	Y
Wholesale laundry or dry- cleaning plant	N	N	N	N	N	SP	SP	SP	N	SP	SP
Wholesale trade and distribution	N	N	N	N	N	SP	SP	SP	Y	Y	Y
Self storage	N	N	N	N	N	N	Y	Y	Y	Y	N
Trade shop including carpenter, Builder, electrician, plumber, Landscape or similar trade with indoor storage of tools, supplies, and equipment	N	N	N	N	N	SP	Y	Y	N	Y	N
Garden center	N	N	N	N	N	Y	Y	Y	N	N	N
<i>Commercial biomass facility energy system pursuant to ~ 200-7.19</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>Y</i>	<i>Y</i>

DISCUSSION: Councilor Devlin stated the Economic Development Committee forwarded a majority positive recommendation of 3 yes and 1 abstention. He spoke of the lengthy process by the Biomass Waste to Energy Committee when creating the draft language and the documentation used. Councilor Devlin also reviewed:

- The EDC and Planning Board zoning process.
- Recommendation for 1 million BTU's
- Planning Board recommendation.
- Environmental Justice.
- Read the attached statement.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -160.

Councilor Allis noted unless stated otherwise the Ways and Means Committee forwarded unanimous positive recommendation for all financial orders.

Order no. FY 15-105-2

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimously,
VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE TOWN OF GREENFIELD APPROPRIATE THE SUM OF UP TO TWO MILLION THREE HUNDRED FORTY THOUSAND ONE HUNDRED NINE DOLLARS (\$2,340,109) 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 FURTHER THAT ANY GRANT THAT TOWN OF GREENFIELD MAY RECEIVE FROM THE MSBA FOR THE PROJECT SHALL NOT EXCEED THE LESSER OF (1) 77.47 PERCENT (%) OF ELIGIBLE, APPROVED PROJECT COSTS, AS DETERMINED BY THE MSBA, OR (2) THE TOTAL MAXIMUM GRANT AMOUNT DETERMINED BY THE MSBA; AND THAT 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.

Order no. FY 15-135

MOTION: On a motion by Councilor Allis, second by Councilor Devlin, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 41 SECTIONS 19F AS ATTACHED (EXHIBIT A).

EXHIBIT A

Section 19F In any city which accepts this section, the city clerk shall, if in said city, he is required by statute or ordinance to serve as clerk of the city council, and notwithstanding, any provision of section thirty-three A of chapter forty-four or any other general or special law to the contrary, be paid for such services, a salary of a minimum amount of one thousand dollars but not more than four thousand dollars, which shall be in addition to any other compensation to which he may be entitled as clerk of such city.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a majority positive recommendation of 4 yes and 1 no.

It was by majority, 1 no,

VOTED: TO APPROVE ORDER NO. FY 15 -135.

Order no. FY 15-134

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ACCEPTS MASSACHUSETTS GENERAL LAW CHAPTER 41 SECTIONS 19K AND 108P AS ATTACHED (EXHIBITA).

EXHIBIT A

Section 19K In any town, that accepts this section, a town clerk who has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerk's Association as a certified Massachusetts municipal clerk, shall receive as compensation from such town, in addition to the regular annual compensation paid by such town for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. In order to qualify for such additional compensation, a town clerk shall submit to the board of selectmen of such town proof of the award of such certificate. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of town clerk for 12 consecutive months. Such additional compensation shall discontinue when certification is discontinued or withdrawn.

Section 108P In any city, town or district that accepts this section, a collector or a treasurer who has completed the necessary courses of study and training and has been awarded a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer or a certified Massachusetts district treasurer, shall receive as compensation from such city, town or district, in addition to the regular annual compensation paid by such city, town or district for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. In order to qualify for such additional compensation, a collector or treasurer shall submit to the mayor or the board of selectmen of such city or town, or the governing board of a district proof of the award of either or both such certificates. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of collector or treasurer for 12 consecutive months. Such additional compensation shall be discontinued when certification is discontinued or withdrawn.

Order no. FY 15 -155Financial Order 15-34

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$125,000 BE APPROPRIATED FROM THE FREE CASH FOR THE DEMOLITION OF THE LUCKY NAILS BUILDING LOCATED AT 188 MAIN STREET.

DISCUSSION: Councilor Allis reviewed the request and noted the Ways and Means Committee had forwarded a unanimous positive recommendation on an amended motion to appropriate \$89,500.

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

MOVED: TO DELETE "\$125,000" AND INSERT IN ITS PLACE "\$89,500".

DISCUSSION: Councilor Mass discussed the reasons for the reduced recommendation. Councilor Hirschfeld suggested the amendment underestimated the cost for raising the building.

It was unanimously, 1 abstention,

VOTED: TO DELETE "\$125,000" AND INSERT IN IT'S PLACE "\$89,500".

It was unanimously,

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$89,500 BE APPROPRIATED FROM THE FREE CASH FOR THE DEMOLITION OF THE LUCKY NAILS BUILDING LOCATED AT 188 MAIN STREET.

Order no. FY 15 -146

Financial Order 15-36

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THE SUM OF \$200,000 BE APPROPRIATED FROM FREE CASH FUND TO THE GREENFIELD PUBLIC SCHOOLS FOR THE PURPOSE OF PAYING FORWARD SPECIAL EDUCATION TUITIONS FOR FY2016.

Order no. FY 15 -147

Financial Order 15-37

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$35,000 BE APPROPRIATED FROM WATER RETAINED EARNINGS TO REPLACE VEHICLE #44.

Order no. FY 15-148

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR THE ACCOUNTING OFFICE TO BE TRANSFERRED INTO ACCOUNT NUMBER 0100.135.5313 IN THE AMOUNT OF \$30,000.00.

Order no. FY 15-149

Financial Order 15-38

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$100,000 BE APPROPRIATED FROM FREE CASH TO CAPITAL STABILIZATION.

Order no. FY 15-150

Financial Order 15-40

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

VOTED: IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$50,000 BE APPROPRIATED FROM FREE CASH TO PAY DOWN ACCOUNT 4012.398.5870, STUDENT TRANSPORT VEHICLE AUTHORIZED MARCH 30, 2011 AS PART OF THE FY12 CAPITAL BUDGET.

Order no. FY 15-151

Financial Order 15-41

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$10,000 BE TRANSFERRED FROM THE GREENFIELD POLICE BUDGET TO EMERGENCY DISPATCH.

Order no. FY 15-152

Financial Order 15-42

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$5,000 BE TRANSFERRED FROM THE ANIMAL CONTROL BUDGET TO THE HEALTH DEPARTMENT.

Councilor Mass disclosed he received Health Insurance through his wife who was a teacher at Greenfield High School. He removed himself from the table and discussion.

Order no. FY 15-153

Financial Order 15-43

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$22,000 BE TRANSFERRED FROM THE HEALTH INSURANCE TO MEDICARE MATCH.

Order no. FY 15-154

Financial Order 15-44

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, THAT \$3,400 BE TRANSFERRED FROM THE HEALTH INSURANCE TO LIFE INSURANCE.

Order no. FY 15-167

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

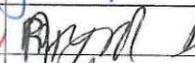
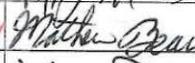
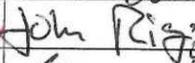
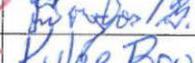
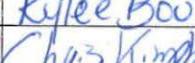
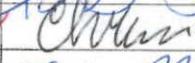
ACCEPTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL HEREBY INITIATES THE ATTACHED ZONING AMENDMENT "TO ALLOW PRIVATE CLUB OR MEMBERSHIP ORGANIZATIONS BY SPECIAL PERMIT WITHIN THE GENERAL INDUSTRY ZONING DISTRICT", AS ATTACHED HERETO, EXHIBIT A, IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.

PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE WITH G.L. c. 40A, § 5

The undersigned being ten (10) or more registered voters in the Town of Greenfield, hereby petition the Greenfield Town Council, in accordance with G.L. c. 40A, § 5, to amend the Greenfield Zoning Ordinances as follows:
(Request)

To allow private club or membership organization by special permit within the general industry zoning district.

GREENFIELD, MASS
2015 MAY 27 AM 11:01
OFFICE OF THE TOWN CLERK

	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1	✓  Jailine Ramos ^{Coraballo}	32 Chapman St.	8	32 Chapman St.	8
2	✓  Ryan Bete	123 1/2 Cleveland St		123 1/2 Cleveland St	
3	✓  Mathew Beaudoin	30 Warner St.	4	30 Warner St	4
4	✓  John Riggles	291 Silver St.		291 Silver St.	
5	✓  KRISTIE TIMBALONE	8 OSGOOD ST		8 OSGOOD ST	
6	✓  Jeff Rogels	250 Conway St.	3	250 Conway St	3
7	✓  Stephen Finn	149 MARIOTTAN ST	7	149 MARIOTTAN ST	7
8	✓  Kylee Bourassa	54 Foxglove Hollow	2	Same	2
9	✓  Kylee Bourassa	2 Village Green, Bld	2	" "	2
10	✓  Chris Kimball	9 Carol Lane	9	" "	9
11	✓  Kellye FINN	308 Wells St		-SAME-	
12	✓  Kellye FINN	30 Grinnell St.	5	-same-	5
13	✓  Kellye FINN	175 Chapman St.	6	Same	6
14	✓  Kellye FINN	308 Wells St		Same	
15	✓  Kellye FINN	308 Wells St		Same	

CERTIFICATION OF SIGNATURES
Greenfield

greenfield
may 27, 2015

We certify that-

9 nine Above signatures checked
are names of qualified voters from
this town or city

Deborah J. Little

Eva C. Carrier

Sammy S. Mosler

greenfield
may 27, 2015

We certify that-

9 nine Above signatures checked
are names of qualified voters from
this town or city

Deborah J. Little

Eva E. Carrier

Sammy S. Mosler

greenfield
May 27 2015

We certify that - 8 eight
Above signatures checked are names of qualified voters
from this town or city

Nevah J. Suttle

Eric Carrier Tammy S. Mosher

PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE WITH G.L. c. 40A, § 5

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(Request)

To allow private club or membership organization by Special permit within the general Industry zoning district

GREENFIELD, MASS
 2015 MAY 27 AM 11:01
 OFFICE OF THE TOWN CLERK

	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1	✓ Charles Kosterman	141 Barton Rd	1	same	1
2	✓ Frederick R. Smith	26 cheapside St	5	same	5
3	✓ Nancy Prettis	54 Maple St.	5	same	5
4	✓ Cynthia D. Walker	119 Unity st	8	SAME	8
5	✓ Justin Purington	127 Franklin st	6	Same	6
6	✓ Carol Gibere	136 Shelburne Rd	8	Same	8
7	✓ Tyler Johnson	466 Main Street		---	
8	W Jake Meloy	42 Hoe Shop Rd		---	
9	✓ David Ploquin	89 Hunt Ave	2	"	2
10	✓ Robin Bergeron	80 Lincoln St	4	same	4
11	✓ Stephen Smith	166 Federal St	6	---	6
12	✓ Allen Butler	26 Brookside Ave	2	same	2
13	✓ Cristal	43A Grove St.	3	Same	3
14	W [Signature]	301 LOWER Rd			
15	✓ Corey Walker	194 High St	4	"	4

CERTIFICATION OF SIGNATURES
Greenfield

greenfield
May 27 2015

We certify that twelve or
Above signatures checked are names of qualified voters
from this town or city

Secretary
Eun C. Carrier Tammy S. Mosher

PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE WITH G.L. c. 40A, § 5

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(Request)

To allow private club or membership organization by special permit within the general industry zoning district.

GREENFIELD, MASS
 MAY 27 AM 11:01
 OFFICE OF THE TOWN CLERK

	Signature To be made in person	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1	John Torracio	96 HIGHLAND AVE	5	96 HIGHLAND AVE	5
2	John Walker	168 main st			
3	David H.	110 Sand Bally		Same	
4	Elizabeth Walker	21 prospect of	5	same	5
5	Dimple Machoddy	10 Bonaventure Ave	7	same	7
6	Kathy Rowell	113 oakland st	2	same	2
7	Jasen Machoddy	10 Bonaventure Ave	7	same	7
8	Charlene Bonnett	27 Revere Cir.	1	same	1
9	Kandy Ruffier	152 Highland Ave	5	same	5
10	Kurt Ruckler	250 Conway St.	3	same	3
11	Theresa James	149 Barton Road	1	same	1
12	Rakhi Roy	64 E. Cleveland	4	same	4
13	James P. Turner	846 Country Club Rd	1	same	1
14	Shresha Wood Wood	171 Leyden rd	2	same	2
15	Oliver Hickey	397 Davis St	4	same	4

CERTIFICATION OF SIGNATURES
 Greenfield
 city or town. May 27, 2015
 month and day

We certify that
13 thirteen
 (number of names certified - words & numbers)

Above signatures checked are names of qualified voters from this town or city

Deborah J. Little
 Eva L. Carrier
 Tammy S. Mosher
 Registrars of Voters
 Town of Greenfield, Franklin County

PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE WITH G.L. c. 40A, § 5

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(Request)

To allow private Club or membership organization by special permit within the general industry zoning district.

	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1	<i>[Signature]</i>	46 W. Te St		Same	
2	<i>[Signature]</i> Grogan	32 Cleveland St	4	Same	4
3	<i>[Signature]</i> Faith	21 Haywood St		Same	
4	<i>[Signature]</i> Duane Beaumont	764 Federal St			
5	<i>[Signature]</i>	25 Deven's St		Same	
6	<i>[Signature]</i> John Sumner	34 Franklin St	6	Same	6
7	<i>[Signature]</i>				
8	<i>[Signature]</i>	4 Bowler St	4	Same	4
9	<i>[Signature]</i> Alicia Zraunig	24 Madison Cir.	6	Same	6
10					
11	<i>[Signature]</i> Jay W Lovett	101 Shelburne Rd	8	Same	8
12	<i>[Signature]</i> ROBERT W AUSTIN	28 Samess St	5	Same	5
13	<i>[Signature]</i>				
14	<i>[Signature]</i> Jean Carlsle	124 Davis St	6		6
15	<i>[Signature]</i> Jamel Shearnes	16 Gold Street	2	Same	2

Alicia Zraunig

CERTIFICATION OF SIGNATURES
 Greenfield
 city or town. May 27 2015
 month and day

We certify that
8 Eight
 (number of names certified - words & numbers)

Above signatures checked are names of qualified voters from this town or city

[Signature]
 Registrars of Voters
 Town of Greenfield, Franklin County

GREENFIELD, MASS
 2015 MAY 27 AM 11:01
 OFFICE OF THE
 TOWN CLERK

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(Request)

To allow private Club or membership organization by special permit within the general industry zoning district

	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1	✓ Tom McKenzie	29 Laurel St	7	29 Laurel St	7
2	✓ Tammy Russell	9 Wells St	8	9 Forbes Ct	9
3	✓ Michael Little	68 Beach St	3	68 Beach St	3
4	✓ David D. DeLombardi	25 High St	5	25 High St	5
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

CERTIFICATION OF SIGNATURES
 Greenfield
 city or town, May 27 2015
 month and day

We certify that
4 Four
 (number of names certified - words & numbers)

Above signatures checked are names of qualified voters from this town or city

Norah J. Little
Erin E. Carrier
Tammy S. Mosher

Registrars of Voters
 Town of Greenfield, Franklin County

GREENFIELD, MASS
 2015 MAY 27 AM 11:01
 OFFICE OF THE
 TOWN CLERK

PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE WITH G.L. c. 40A, § 5

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(Request)

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	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1 st (Street and Number)	Pct.
1					
2					
3					
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5					
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12					
13					
14					
15					

CERTIFICATION OF SIGNATURES
Greenfield *May 27 2015*
 city or town. month and day

We certify that
3000 - 0-
 (number of names certified - words & numbers)

Above signatures checked are names of qualified voters from this town or city

Deborah J. Little
Eva C. Carrier
Jammy S. Mosher

Registrars of Voters
 Town of Greenfield, Franklin County

GREENFIELD, MASS
 2015 MAY 27 AM 11:04
 OFFICE OF THE
 TOWN CLERK

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Kelner announced the committee would hold a Public Hearing on June 22, 2015 regarding a proposed resolution creating a Greenfield Downtown Cultural District.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Siano stated the committee would continue discussion on the proposed amendments to the Streets and Sidewalks ordinance. The committee would also hold initial discussion regarding the creation of the advisory board for elected and appointed benefits. Councilor Ricketts urged that a diverse advisory board be chosen.

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Devlin noted a Public Hearing would be held, possibly jointly with the Planning Board, for the Kings Gym zoning amendment. President Hoffman acknowledged a new TIF had been submitted and would be discussed at Committee Chairs and forwarded to EDC for review and recommendation.

UNFINISHED BUSINESS: Councilor Kelner thanked the EDC and Biomass Waste to Energy Committee for their heroic accomplishments in creating the Biomass Ordinance.

OLD BUSINESS: Councilor Mass asked the Mayor, as the only attending School Committee member, to assist the Ways and Means Committee in obtaining requested information from the School Committee relating to the budget. He noted it would be very difficult making a recommendation on the School Fiscal Year 2016 operating budget without the information.

NEW BUSINESS: President Hoffman announced that Dalton Athey had officially resigned from the Town Council. She thanked him for his service. President Hoffman stated applications would be taken until Wednesday, July 15, 2015 from citizens interested in filling the At-Large Town Council seat until December 31, 2015.

Councilor Allis held the following first reading:

1.) MAYOR'S PROPOSED FISCAL YEAR 2016 OPERATING BUDGET**CATEGORY**

LEGISLATIVE	\$ 49,400
EXECUTIVE	\$ 265,325
FINANCIAL ADMIN	\$ 1,044,570
OPERATIONS SUPPORT	\$ 758,950
LICENSING & REGISTRATION	\$ 229,710
LAND USE & DEVELOPMENT	\$ 130,100
OTHER GEN'L GOVERNMENT	\$ 1,430,000
PUBLIC SAFETY	\$6,201,125
EDUCATION	\$18,662,695
PUBLIC WORKS	\$2,613,000
HUMAN SERVICES	\$ 1,021,455
CULTURE & RECREATION	\$778,375
DEBT SERVICE	\$ 1,965,000
MISCELLANEOUS	\$ 11,366,175
TOTAL OPERATING BUDGET	\$ 46,515,880

DEPARTMENT

GENERAL GOVERNMENT	FUNDING SOURCE	AMOUNT
Implementation of Municipal Light Plant	Borrowing	\$500,000

Generators for Town Hall/Middle School	Borrowing	\$75,000
PARKING		
Parking Garage Engineering/OPM	Borrowing	\$250,000
Parking Garage Construction	Borrowing	\$4,000,000
Repaving of Town Hall Parking Lot	Parking Receipts	\$250,000
PUBLIC SAFETY		
Marked Cruisers	Lease	\$42,000
Taser Replacement	Capital Stabilization	\$30,000
Purchase Firefighting Equipment	Capital Stabilization	\$18,500
SCHOOL		
Parking Lot Upgrades AEL	Borrowing	\$75,000
Technology Infrastructure Upgrades	Borrowing	\$63,000
Instructional Technology	Capital Stabilization	\$17,000
Computer Labs	Capital Stabilization	\$27,000
Purchase Maintenance Truck	Capital Stabilization	\$27,000
Flooring Replacement GMS/FSS	Building Stabilization	\$36,000
Refinishing Gym Floor Green River	Building Stabilization	\$22,000
PUBLIC WORKS		
Engineering Nash's Mill Bridge	Borrowing	\$75,000
Engineering Nash's Mill Bridge	Grant	\$75,000
Purchase Recycling Truck	Borrowing	\$175,000
WATER FUND		
Replace Leyden Rd Water Main	Borrowing	\$1,375,000
Repair Ceiling Water Dept	Retained Earnings	\$25,000
Replace Green River Pump Station Pipe	Retained Earnings	\$50,000
Rocky Mountain Water Tank Repairs	Retained Earnings	\$25,000
COUNCIL ON AGING		
Senior Center OPM/Site Acquisition	Borrowing	\$150,000
LIBRARY		
Paint Rear of Library Building	Building Stabilization	\$25,000
RECREATION		
Energy Park Play Structure	Borrowing	\$40,000
Newton School Playground Replacement	Capital Stabilization	\$20,000
Park Signage and Bike Racks	Capital Stabilization	\$18,500
	TOTAL PLAN	\$7,486,000
	BORROWING	\$6,778,000
	BUILDING STAB	\$83,000
	CAPITAL STAB	\$158,000
	RETAINED EARNINGS	\$100,000
	OTHER	\$367,000

2.) THAT THE TOWN OF GREENFIELD APPROPRIATES THE SUM OF ONE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS (\$125,000) FOR THE PURPOSE OF PAYING THE COSTS OF A FEASIBILITY STUDY RELATING TO THE REPLACEMENT OF ROOFING, WINDOWS AND A BOILER AT THE FEDERAL STREET SCHOOL LOCATED AT 125 FEDERAL STREET, GREENFIELD, MASSACHUSETTS, AND IDENTIFIED AS MAP 67 LOT 29 ON THE GREENFIELD ASSESSORS' MAP AND FOR WHICH THE TOWN OF GREENFIELD MAY BE ELIGIBLE FOR A GRANT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY ("MSBA"). TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR IS AUTHORIZED TO BORROW SAID SUM

UNDER M.G.L. CHAPTER 44, OR ANY OTHER ENABLING AUTHORITY. THE TOWN OF GREENFIELD RECOGNIZES 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 ANY COSTS THE TOWN OF GREENFIELD INCURS IN EXCESS OF ANY GRANT APPROVED BY AND RECEIVED FROM THE MSBA SHALL BE THE SOLE RESPONSIBILITY OF THE TOWN OF GREENFIELD, AND THAT THE AMOUNT OF BORROWING AUTHORIZED PURSUANT TO THIS VOTE SHALL BE REDUCED BY ANY GRANT AMOUNT SET FORTH IN THE FEASIBILITY STUDY AGREEMENT THAT MAY BE EXECUTED BETWEEN THE TOWN OF GREENFIELD AND THE MSBA.

- Mayor's proposed Fiscal Year 2016 Operating and Capital Budgets
- Appropriate \$125,000 for a feasibility study relating to the replacement of roofing, windows and a boiler at the Federal Street School
- Amend the Mayor’s proposed FY16 General Fund Operating Budget to \$46,520,880 with the addition of a line item for \$5,000 under Human Services for the Youth Commission.
- Amend the Mayor’s proposed FY16 Sewer Enterprise Fund Operating Budget from \$2,088,417 to \$2,406,132.
- Appropriate \$129,400 from Free Cash to Capital Stabilization.

Councilor Devlin read the following notice for the second month as required:

Notice of proposed acquisition is hereby given to:

(X) Mayor of the Town of Greenfield

Separate notice will be given by the Department 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. 7C, Section 37, 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 Joyce Muka and consists of parcel (s) located at 614 Colrain Road 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 vegetable production.

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 3 I], and the Regulations of the Department [330 CMR 22.00 et seq].

Massachusetts Department of Agricultural Resources, by:
Richard M. Chandler, APR Regional Planner

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: James Hutchinson, 136 Main Street, Greenfield spoke of the purchase and sale of 188 Main Street for the current owner.

ADJOURNMENT: On a motion by Councilor Ricketts, second by Councilor Allis, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 10:06 P.M.

A true copy,

Attest: _____
Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
June 17, 2015

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