

NOTICE OF MEETING

COMMITTEE: APPOINTMENTS AND ORDINANCE  
PLACE: Greenfield City Hall Meeting Room, 2<sup>nd</sup> Floor/Zoom Hybrid  
DATE: Wednesday, March 13, 2024  
TIME: 6:00 PM

To join in person:

City Hall, 14 Court Square, Greenfield

To join via Zoom:

<https://greenfield-ma-gov.zoom.us/j/94966109746?pwd=dmhTVnIyWXBoNGE2ZlFqbnZWMEFVOQT09>

Meeting ID: 949 6610 9746

To join via phone:

Dial by your location

+1 309 205 3325 US

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+1 305 224 1968 US

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

Meeting ID: 949 6610 9746 Passcode: 043963

Find your local number: <https://greenfield-ma-gov.zoom.us/u/aeuBZrjW87>

AGENDA: **(Please note: All items listed on this agenda may not be considered or discussed at this meeting and may be addressed at future meetings.)**

1. Call to Order

**CHAIRS STATEMENT:** This meeting is being recorded by the Appointment and Ordinance Committee. If any other persons present are doing the same you must notify the chairperson at this time.

**(THIS STATEMENT DOES NOT REQUIRE TO BE ANNOUNCED) FOR COUNCILORS APPEARING REMOTELY:** In accordance with open meeting law, when a Councilor or Councilors attend remotely, the chair would need to acknowledge the members of the Council/Committee who are appearing via remote access and inform the full Council/Committee that all votes will be taken by roll call. Councilors attending remotely are encouraged to have their video on at times when they are speaking and voting.

2. Roll Call of Members
3. Accept minutes - February 14, 2024 **(Pg. 3)**
4. Public Comment
5. Public Hearings – None
6. Motions
  - Mayor’s Appointments & Re-Appointments: Greenfield Local Cultural Council – Joseph JJ White; Sustainable Greenfield Implementation Committee – Marie Françoise Hatte; Commission on Disability Access – Louise Amyot; Human Rights Commission – Brian Chamberlain; Council on Aging – Noreen Grogan; Crossroads Cultural District Committee – Kate Broughan; Mayor’s Task Force Against Domestic Violence – Janine Graves (Mayor’s Appointee), Amanda Sanderson. **(Pg. 10)**
  - Amend Rules of Procedure 565-14: Request by Councilor for Legal Opinions/Material. **(Pg. 22)**
  - Take from the Table FY24-065 - Amend Rules of Procedure §565-12: Public Participation, subsection A: Conduct; subsection B: Non Residents. **(Pg. 26)**
7. Discussion
  - Amend City Code Section 110: Capital Improvement Planning Committee **(public hearing required) (Pg. 29)**
  - Amend Charter Chapter 5: Finance and Fiscal Procedures, Section 3: Submission of Budget and Budget Message; Section 6: Action on the Budget; and Section 10: Capital Improvement Program. **(public hearing required) (Pg. 31)**
  - Amend Charter Section 2-10: Council Review of Certain Appointments **(public hearing required) (Pg. 32)**
  - Final Report and Recommendations submitted by the Greenfield Charter Chapters 7-7 & 7-8 Review Ad Hoc Committee. **(Continued discussion or further action taken, including the possibility of a public hearing, if any)**
  - Updates and status on the following proposals and amendments, if any -
    - Proposed Ordinance to Address Dog Bite and Dangerous Dogs in Greenfield Ma. **(Pg. 33)**
    - Ride for Hire Ordinance. **(Pg. 41)**
    - Amend Rules of Procedure §565-12: Public Participation **(Pg. 48)**
8. Next Meeting – April 10, 2024, 6:00 pm, via City Hall Meeting Room, 2<sup>nd</sup> Floor/Zoom Hybrid, unless otherwise posted.
9. Adjournment

### **EXECUTIVE SESSION MAY BE CALLED**

*Please note that the list of topics was comprehensive at the time of posting, however, the public body may consider and take action on unforeseen matters not specifically named in this notice. Posted in accordance with M.G.L.c 30A § 18-25.*

APPOINTMENTS AND ORDINANCE COMMITTEE  
MINUTES  
February 14, 2024

City Hall Meeting Room, 2<sup>nd</sup> Floor/Zoom Hybrid

6:00 p.m.

**CALL TO ORDER** Chairperson Golub called the meeting to order at 6:00 p.m.

**CHAIRPERSON STATEMENT:** This meeting was being recorded by the Appointments and Ordinance Committee. If any other persons present were doing the same they must notify the chairperson at this time.

**COUNCILORS PRESENT IN PERSON:** Councilors Golub, Gordon, Mastrototaro and Ricketts.

**COUNCILORS PRESENT REMOTELY:** Councilor Minhas.

**ABSENT:** None.

**ALSO PRESENT** Mayor Virginia Desorgher; Finance Director Diana Schindler; Chief of Staff Keith Barnicle and members of the public.

**MOTION:** On a motion by Councilor Ricketts, second by Councilor Mastrototaro, it was by roll call, 5 yes, 0 no, **VOTED:** TO APPROVE THE APPOINTMENTS AND ORDINANCE COMMITTEE MINUTES DATED JANUARY 10, 2024.

**PUBLIC COMMENT:** The following members of the public spoke:

- Gary Seldon, Traver Court, thanked all the Councilors for their efforts to include the public in their meetings and support the proposal to change the rules of procedure regarding public participation.
- Alan Collins, County Club Road, spoke in opposition of any proposed changes to the Charter Chapters 7-7 & 7-8 regarding Citizen Referdums and Initi; particularly, the number of signature required to submit such requests.
- David Lewis, High Street, spoke in opposition to the proposed recommended amount of the collection of 650 signatures for a Citizen’s Petition and believed the 10% of voters who voted in the last election.
- Sandy Kosterman, Barton Road, spoke in opposition to the proposed amount of the collection of 650 signatures for a Citizen’s Referendums.
- Joan Marie Jackson, Chestnut Hill, noted (as did previous speakers) that this issue was voted on by the voters of Greenfield in 2021, and to bring this issue up again in just 3 years was unnecessary and went against what voters had previously decided.
- Alice Timmons, Haywood Street, reminded the Committee Members this issue has already been voted and opposed the discussion being addressed in less than 3 years since the vote.
- Donna Festinger, Precinct 6, urged the Committee Members to keep in place an easier process for constituents to submit initiatives and petitions to allow more participation in government and a fair opportunity for their voices to be heard.
- Mitchell Speight, Chestnut Hill, noted this issue had already been voted on by the voters of Greenfield 3 years ago and was unnecessary to re-address this issue.
- Al Norman, Grinnell Street, who as a member of the ad hoc committee that reviewed City Charter sections 7-7 & 7-8, read and submitted for the record a prepared testimonial including impact on Citizen Initiatives and his conclusions. (See attached).

- Glen Ayers, Davis Street, spoke to his opposition to the proposed recommended amount of the collection of 650 signatures for the submission of a Citizen's Referendum.
- Stephanie Duclos, Chapman Street, spoke to her opposition to the increase in signatures required to submit a Citizen's Referendum. She also inquired if the proposed language for the public participation in the rules of procedure had been vetted by an attorney to ensure the proper wording had been used.
- Pamela Goodwin, High Street, spoke to her opposition to increase the amount of signatures required to the proposed recommendation of 650. She supported the proposed ordinance regarding the dog bites and dangerous dogs.

**PUBLIC HEARING:** None.

Chairperson Golub invited David Singer, former Chair of the Ad Hoc Committee, to review Charter Chapter 7-7 & 7-8 to present their report and recommendations:

- The Ad Hoc Committee was established by the Appointments & Ordinance Committee to discuss and attempt to reach a consensus regarding the vital aspects of [Greenfield Charter] Section 7-7 and 7-8.
- Chapter 7-7 provided a method to provide voters the ability to petition the council to pass legislation and forward a vote to the ballot.
- Chapter 7-8 provided voters the ability to petition the council to reconsider a yes vote. If the council re-affirms their vote after reconsideration, the petition could be brought to the ballot to overrule the Council's yes vote.
- The report submitted by the Committee were the minutes from their final meeting which showed the nature of what the Committee believed to be the core issues and what could be agreed upon to forward to the Appointments & Ordinance Committee for review and further action, if any.
- With following the percentages, it took 650 voters to first present the petition before the City Council. If the City Council voted no to the petition, it would take another 325 voters in addition to the 650, to place the matter on the ballot.
- The timelines stated in the Charter were generous and did not prolong the procedure for an unnecessary length of time.
- The Ad Hoc Committee had reached some consensus on encouraging initiative petitions and to have an initial threshold of 10% or 650 people was discouraging for petitioners to come before the City Council. Secondly, the Committee wanted to provide another step in the process to reduce the number of people required to file a petition and mandate the City Council to hold a public hearing. If a petitioner wanted to move forward they could obtain more signatures; however, the number of required signatures would be reduced from 650 to 150 to have a petition heard before the City Council. If the Council rejects the petition through a no vote, the first 10 signatures on the petition first brought forward and filed with the City Clerk, would be given an opportunity to have an audience with a City Council Committee to come to an agreement on the matter that was brought by the petition.
- The Committee could not reach a consensus with the process for the supplemental petition. There would always be some sort of power struggle between the votes, the Council (legislation) and the Mayor (executive). If 150 voters present their argument on a matter voted by the Council and was rejected, the matter could go on the ballot. This procedure would not give the Council much power to do anything because if voters could go straight to the ballot, then coming before the Council would be fruitless; the Councilors and petitioners would not be given the opportunity to negotiate. If the negotiations ended without a compromise and agreement from both sides the petitioner would need to obtain additional signatures in order to forward it to the ballot.
- It was believed there was a possibility to amend the initiative petition process that would be an easier way for the petitioner to bring their issue to the Council.

- Suggestion was made to leave the language in [Charter Section] 7-8 as was currently written; however, there was too much cross reference to 7-7 that the two sections would need to be completely separated to avoid any further confusion.
- There were two ways to amend the Charter: One is the Council amends the Charter and then the Mayor signed off on it. A referendum petition could be filed against the Council vote would only be blocked and could not move forward. Second, a Charter Commission could be created that reviews the Charter, which could take a longer time due to the fact a Charter Commission would need to be elected, and in turn they would work on the Charter for one (1) year and file a report that would go to the ballot based on their report.

Chairperson Golub informed the Committee that she at this time would not be forwarding an proposals to amend the language to Charter Sections 7-7 & 7-8; however, if another Councilor wished to bring forward any proposals based on the report from the Committee or the discussion from tonight’s meeting they would be given the opportunity to do that.

**Order no. FY24-059**

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

**MOVED:** TO FORWARD A POSITIVE RECOMMENDATION: THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS BY THE MAYOR AS FOLLOWS:

Conservation Commission – Emily Boss (alternate to full member), Term to Expire December 31, 2027

Planning Board – Jeff Sauser; Peter McIver; Amy McMahan (full member to alternate), Terms to Expire December 31, 2027

GCET Board of Commissioners – Melodie Goodwin, Term to Expire December 31, 2027

Planning and Construction – John Shultis, Term to Expire December 31, 2027

Agricultural Commission – Elizabeth Nett, Term to Expire December 31, 2027; Denise Leonard, Term to Expire December 31, 2026\*; David Johnson, Term to Expire December 31, 2025\*

Commission on Disability Access – Amy MacKenzie, Term to Expire December 31, 2026\*

\*Appointed to Short Terms to Maintain Staggered Terms.

**DISCUSSION:** Committee Members expressed their thanks for those individuals who submitted their name and information for appointment to a Board, Committee and/or Commission.

It was by roll call, 5 yes, 0 no,

**VOTED:** TO FORWARD A POSITIVE RECOMMENDATION

**Order no. FY24-065**

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

**MOVED:** TO FORWARD A POSITIVE RECOMMENDATION: THAT THE GREENFIELD CITY COUNCIL AMENDS THE CITY COUNCIL RULES OF PROCEDURE §565 RULE 12: PUBLIC PARTICIPATION, SUBSECTION A: CONDUCT AND SUBSECTION B: NON RESIDENTS, BY DELETING LANGUAGE IN STRIKETHROUGH AND INSERTING IN ITS PLACE THE LANGUAGE IN BOLD AS FOLLOWS:

## New Language Proposal Draft:

### Rule 12, Public Participation at Council and Council Committee meetings.

#### A. General

- (1) Upon the request of the presiding officer all persons shall be silent.
- (2) Any member of the public may be recognized to speak at the discretion of the presiding officer or a majority of the members present.
- (3) When recognized, members of the public shall state their name and town of residence in an audible tone for the record.

#### B. Public Comment Agenda Item

- (1) All Council meetings and Council Committee meetings shall provide for a period of public comment.
- (2) Members of the public shall limit their remarks to matters generally under the purview of the City at full Council meetings or of the Committee at Council Committee meetings.
- (3) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.
- (4) Members of the public who are not residents of Greenfield may speak after all residents who wish to do so have spoken.

**DISCUSSION:** Chairperson Golub noted that she did not confer with an attorney on this proposed language, as inquired by a member of the public. She believed this language should be vetted with an attorney before forwarding to the full Council.

**MOTION:** On a motion by Councilor Golub, second by Councilor Mastrototaro, it was by roll call, 5 yes, 0 no, **TABLED:** ORDER FY24-065.

Chairperson Golub opened discussion on the status and/or updates for the following proposals:

- Amendment to Greenfield Charter Chapter 6-11: Public Safety Commission (Updated version) – Councilor Ricketts noted that some of the proposed language had already been voted on by the Council and forwarded to the State Legislation for approval. Co-sponsored by Councilors Ricketts and Gordon, they received the information they had requested and Councilor Ricketts conferred with {Former Councilor} Forgey, who originally submitted this proposal to receive further information on the issue. The Councilors would require additional time to review the information received as well as confer with the Public Safety Commission members on their input. They requested this issue be placed on their April agenda.
- Proposed Ordinance to Address Dog Bite and Dangerous Dogs in Greenfield Ma. – Councilor Minhas noted that during his research he was informed by some of the Councilors they had an issue with some of

the proposed language so he would require more time. He believed it would be ready to present at the March Appointments & Ordinance meeting.

- Ride for Hire Ordinance – Councilor Mastrototaro noted that he would have a final proposal to present at the Appointments & Ordinance Committee’s March meeting.
- Proposal for the selection of a Council Attorney – Councilor Golub was in the process of preparing a written proposal. She noted the proposal would be ready for discussion and recommendation at the March Appointments & Ordinance Committee meeting.

Next meeting scheduled for March 13, 2024, 6pm, City Hall Meeting Room, 2<sup>nd</sup> Floor/Hybrid, unless otherwise posted.

**ADJOURNMENT:** On a motion by Councilor Ricketts, second by Councilor Gordon, it was by roll call, 5 yes, 0 no,

**VOTED:** TO ADJOURN THE MEETING AT 7:25 P.M.

As read and submitted into the record by Al Norman at the February 14, 2024, Appointments & Ordinance Committee Meeting.

**Al Norman Testimony: Citizen Initiatives and Referenda 2.14.24**

1 in the spring of 2022, Dan Guin asked me if I would serve on an ad hoc subgroup on citizen initiatives and referendums. I said yes, but I asked him why he include referendums in the review--since just half a year earlier, in Nov of 2021, the voters had rejected an effort to make it harder to hold a referendum. Guin said to me: "The voters told me what they didn't want, but not what they wanted." I told him: "They told you exactly what they wanted: not to make referendums harder."

2. The subgroup held its first meeting in November of 2022---about one year after the No on 1 vote rejected. A total of 5 meetings were held, over a period of 8 months—a total of roughly 12 hours of meetings.

3. We started off saying we were not going to "re-litigate" the issue of referendums, since the voters had spoken in November of 2021.

4. At the end of our deliberations, the subgroup was pushing a plan to require citizens to gather 650 signatures to have a referendum. Today, our Charter--based on 4,258 total "voters voting" in the 2023 Mayoral elections--requires voters to gather 426 signatures, but not less than 2.5% of all registered voters, which is 326 signatures out of total voters of 13,051.

5. The actual voters voting turnout in the Mayor's race was only 33% of total voter. The subgroup plan requires 650 votes--- 54% higher than the current charter requirement of 426 signatures. THE VOTERS OF GREENFIELD REJECTED MAKING IT HARDER IN NOVEMBER OF 2021. WE ARE ASKING THEM AGAIN TO ACCEPT PLAN THAT MAKES IT 53% HARDER THAN WHAT WE HAVE NOW. THIS WILL LOSE AGAIN IF YOU PUT IT O THE BALLOT.



## **IMPACT ON CITIZEN INITIATIVES**

1. Under the current charter, a citizen initiative has two rounds of signature gathering. In the first round you have to gather 10% of the total number of voters voting, which is 426 signatures, but not less than 5% of all registered voters, which is 652 signatures. In the “supplemental” second round, you have to gather 5% of total voters voting, or 213, but not less than 2.5% of total voters, or 327. That means to get a citizen’s initiative on the ballot, you have to gather a total of 929 signatures.
2. Under the subgroup proposal, citizens would have to gather 150 signatures, followed by 500 supplemental signatures, or a total of 650 signatures.
3. The subgroups recommendation is better for citizen initiatives, but not better for referendums.

### **Conclusions**

1. Greenfield citizens do not propose frivolous initiatives or referendums. Councilors need not fear of the people who elected them. They are your constituents.
2. When you make a mistake--and we all do—they can help correct it.
3. Voters in 2021 said the referendum language in the charter “is fine as is.” We repeat now: don’t make it harder!
4. If Ordinances wants to move forward with an initiative process, I would urge you to make signature no higher than 450. And we don’t need as two-part gathering process.
5. Whatever you do, let voters have the right to take a YES vote or a NO vote to referendum.
6. I would prefer that you leave referendum language as it now is, or just table what’s in the subgroup minutes.

**CITY COUNCIL ORDER**  
**City of GREENFIELD**  
**MASSACHUSETTS**

Councilor \_\_\_\_\_ :  
Second by Councilor \_\_\_\_\_ :

*The City Council,*

*Moved that it be ordered,*

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10, AFFIRMS THE FOLLOWING APPOINTMENTS & RE-APPOINTMENTS BY THE MAYOR (ALL TERMS TO EXPIRE DECEMBER 31, 2027)

Greenfield Local Cultural Council – Joseph JJ White

Sustainable Greenfield Implementation Committee – Marie-Francoise Hatte

Commission on Disability Access – Louise Amyot

Human Rights Commission - Brian Chamberlain

Council on Aging – Noreen Grogan

Crossroads Cultural District Committee – Kate Broughan

Mayor’s Task Force Against Domestic Violence – Janine Greaves (Mayor’s Appointee); Amanda Sanderson

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to affirm the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”

Virginia "Ginny" Desorgher  
Mayor



City of  
**GREENFIELD, MASSACHUSETTS**  
**OFFICE OF THE MAYOR**

City Hall  
14 Court Square  
Greenfield, MA 01301  
Phone 413-772-1560 • Fax 413-772-1519  
mayor@greenfield-ma.gov  
www.greenfield-ma.gov

To: City Council  
From: Mayor Virginia Desorgher  
Date: February 27, 2024  
RE: Appointment to City Boards and Commissions

GREENFIELD, MASS  
2024 FEB 29 AM 11:06  
OFFICE OF THE  
CITY CLERK

I submit the following names for appointments and re-appointments to these City Boards and Commissions:

- Greenfield Local Cultural Council; Joseph JJ White; December 31, 2027
- Sustainable Greenfield Implementation Committee; Marie-Francoise Hatte; December 31, 2027
- Commission on Disability Access; Louise Amyot; December 31, 2027
- Human Rights Commission; Brian Chamberlain; December 31, 2027
- Council on Aging; Noreen Grogan; December 31, 2027
- Crossroads Cultural District Committee; Kate Broughan; December 31, 2027
- Mayor's Task Force Against Domestic Violence; Janine Greaves, Mayor's Appointee; December 31, 2027
- Mayor's Task Force Against Domestic Violence; Amanda Sanderson; December 31, 2027

Respectfully submitted,

*Virginia Desorgher*  
Mayor Virginia Desorgher



*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer, a designated Green Community and a recipient of the "Leading by Example" Award.*





Mayor of Greenfield <mayor@greenfield-ma.gov>

**Fwd: My application to the Cultural Council**

1 message

**JJ White** <joseph.h.white@gmail.com>

To: Janine Greaves <mayor@greenfield-ma.gov>

Cc: Christian LaPlante <christian.laplante@greenfield-ma.gov>

Tue, Jan 30, 2024 at 12:48 PM

Hi Janine -- below is the application I submitted to the previous mayor via her assistant. I've copied Christian LaPlante who was also on those emails.

If you need anything else, please let me know. Thank you for your assistance!

JJ White  
413.774.7666

----- Forwarded message -----

From: **JJ White** <joseph.h.white@gmail.com>

Date: Mon, Dec 11, 2023, 4:28 PM

Subject: My application to the Cultural Council

To: Roxann Wedegartner <roxann.wedegartner@greenfield-ma.gov>

Cc: Christian LaPlante <christian.laplante@greenfield-ma.gov>

Hi Roxann -- It was good to chat with you today. Thank you for the information about how to apply for one of the three open seats on the Cultural Council. As I mentioned, I had a conversation with Christian about the process as well so I've copied him on this email.

Below are key considerations that demonstrate our qualifications for and interest in a position on the Cultural Council.

- JJ White is a gender-fluid artist in Western Massachusetts focusing on concept-driven art using photography, poetry, video, collage, sculpture, and re-purposed items. While politics and gender exploration were driving forces in the short-lived Art Deviation Gallery in South Deerfield, our current area of interest is Landscape Art. Greenfield Recorder Feb 6, 2020. <https://www.recorder.com/Art-Deviation-Gallery-and-Store-opens-32513264>
- In addition to the opening of the gallery in January 2020, our work included the June 2019 **Storefront Pride** exhibit in the former World Eye Bookshop, and the video expose at the 2020 Triple SSS show at the Shea Theater. Our work titled **"The Portrait of Us"** was shown as part of the **"This Is Us: Regional Portraiture Today"** exhibit from October 24- January 10 in the D'Amour Museum of Fine Arts. The "Not your Hostage" photo by Stephen Neil Gill, JJ's "Bombing for Peace" photo, and the provocative sculptures "Handmaid" and "Shell Shocked" have been featured locally at LAVA.
- JJ is mostly a self-taught artist who started writing and performing spoken-word poetry as expressions of gender exploration and political outrage. We performed at the **2018 Garlic Festival**, several Annual Word Festivals, and events in Boston and Toronto. Their eclectic art can be seen at [www.artdeviation.com](http://www.artdeviation.com).
- Finally, before founding Art Deviation, JJ was a fundraising consultant for dozens of non-profit, advocacy, educational, and arts organizations including Greenfield Community College, ACLU, The Whitney Museum of American Art, and many public broadcasting stations.

I would be honored to be appointed to the Greenfield Local Cultural Council where my artistic endeavors and creative business experience will be put to good use for the benefit of the City of Greenfield and our important artistic community.

If I can provide additional information to support my application, please let me know. Thank you for your consideration.

Sincerely,

Joseph (JJ) White



Mayor of Greenfield <mayor@greenfield-ma.gov>

**Re: Sustainable Greenfield Implementation Committee**

1 message

**Ginny Desorgher** <ginny.desorgher@greenfield-ma.gov>  
To: Mayor of Greenfield <mayor@greenfield-ma.gov>

Mon, Feb 5, 2024 at 5:37 PM

Put her in for next month appointments

On Mon, Feb 5, 2024 at 4:03 PM Mayor of Greenfield <mayor@greenfield-ma.gov> wrote:

Janine M. Greaves  
Executive Assistant to:

Virginia "Ginny" Desorgher, Mayor  
City of Greenfield  
City Hall, 14 Court Square  
Greenfield, MA 01301  
413-772-1560  
mayor@greenfield-ma.gov  
greenfield-ma.gov

**Public Record Statement/Confidentiality.** Under Massachusetts Law, any email created or received by an employee of the City of Greenfield is considered a public record. All email correspondence is subject to the requirements of M. G. L. Chapter 66.

----- Forwarded message -----

From: **Marie-Françoise Hatte** <mfhatte@gmail.com>  
Date: Mon, Feb 5, 2024 at 4:00 PM  
Subject: Sustainable Greenfield Implementation Committee  
To: Mayor of Greenfield <mayor@greenfield-ma.gov>

Dear Ginny,

If there is still an opening in the **Sustainable Greenfield Implementation Committee**, I would like to apply for consideration. I just retired from UMass as the Associate Director of the Water Resources Research Center, where I worked for 37 years. I'm mostly interested in natural resources and I understand that this is an area of the Sustainable Master Plan that will be revised this year.

I served on several boards related to that topic:  
Greenfield Agriculture Commission  
Greenfield Farmland Committee  
Green River Watershed Preservation Alliance  
Deerfield River Watershed Association  
Franklin County Conservation District.

I attach my résumé for your review.

Kind regards,  
Marie-Françoise Hatte  
63 Washington St, Greenfield, Ma 01301

Ginny Desorgher  
Mayor of Greenfield



Mayor of Greenfield <mayor@greenfield-ma.gov>

**Commission on Disability Access?**

1 message

**Louise Amyot** <lamyot@yahoo.com>

Mon, Jan 15, 2024 at 10:49 PM

To: "mayor@greenfield-ma.gov" <mayor@greenfield-ma.gov>

Dear Ginny,

Susan tells me that you have suggested me to sit on the Commission on Disability Access. I certainly agree that we citizens need to be stepping up to the plate to serve on the various commissions and committees of the city but I'll admit to being reluctant to take something on right now. My husband are still getting over COVID and my "bounce" is pretty slow in coming back.

However, I do care that people with disabilities should have their needs heard and met so I am writing to say that I will try sitting on the commission for now, as long as you are still interested in my participation.

One caveat, however, is that the very next meeting which, I believe, is scheduled for Thursday, February 8 from 1-2:30pm will clash with the training that the City Clerk will be giving for poll workers that day. For me, working the polls is a sacred duty I take very seriously so I wouldn't want to miss it.

So, if you still want me to try my hand at sitting on the Commission for Disability Access, please confirm this to me at your earliest convenience. If confirmed by the Council, I will plan on sitting on the ccommission starting in March 2024.

Thank you for the opportunity to serve,  
Louise Amyot  
413-773-5165



Resume for Louise Amyot, February 13, 2024

Louise Amyot  
56 Madison Circle  
Greenfield, MA 01301 –  
Telephone: 413-773-5165

Born in Manchester, NH 1943  
Living in Greenfield since 1974

Married to Robert B. Amyot, 1965, with whom I lived in Central America, South America and Europe.  
Mother of Robert P. and Stephanie Amyot

Fluent in Spanish and French (but getting a little rusty)

Education:

BA in French, Rivier College, Nashua NH 1964  
BS in Human Nutrition, UMass Amherst, 1986  
Retired Registered Dietitian, Registered through UMass/Amherst, 1997

Work History:

Secretary Religious Education, Blessed Sacrament and Holy Trinity Parishes, 1983-1985 (?)  
Senior Nutritionist, WIC Program, 1986-1997  
Outpatient Dietitian for the Community Health Center, 1997-2003  
Self-employed Dietitian 2003 – 2010

Memberships, past and current:

Greening Greenfield  
FCCPR (Franklin County Continuing the Political Revolution)  
LWV (League of Women Voters)  
RJR (Racial Justice Rising)  
NIOT (Not in Our Town)  
YMCA (Silver Sneakers 3 times a week)

Committees, past and current:

SGIC committee  
Film Committee for Greening Greenfield (GG)  
Friends of Reusable Bags  
GG Forum Committees  
Housing Greenfield Committee

The Environment and Justice for Everyone are particular areas of interest/passion. Helped lead the drive to ban single-use plastic bags and, later, the ban on use of styrofoam containers for takeout foods and beverages here in Greenfield. Currently active in the struggle to save the Connecticut River from First Light's abuse.

Respectfully submitted,  
Louise Amyot

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# BRIAN CHAMBERLAIN

13 RIDDELL STREET GREENFIELD, MA 01301

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01/11/2024

Isaac Mass  
355 Main Street  
Greenfield, MA 01301

Dear Isaac,

Please forward my name for volunteer positions within the Greenfield municipal government. I am attaching my past volunteer positions, however prior to 1991.

Sincerely,

Brian

*bch653@gmail.com*

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STREET ADDRESS, CITY, ST ZIP CODE  
T (123) 456-7890 U WWW.COMPANY.COM

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## EXTRACURRICULAR AND COMMUNITY INVOLVEMENT

Being involved in community affairs has offered rewarding experience and insight into the human condition in the urban environment. The following summarize my extracurricular and community involvement.

### FOSTER CARE REVIEWER

Massachusetts Dept. of Social Services  
Worcester, Ma.

October 1987 to November 1990

Reviewed service plans of children in placement with the department. Interacted with other foster care reviewers and D.S.S. Administrators evaluating the placement and services offered. This volunteer activity has offered perspective into the reality of displaced children in our society.

### COMMITTEE MEMBER

City of Worcester Human Rights Commission  
Worcester, Ma.

January 1990 to Present

Serve appointed term as member of the Advisory Human Rights Committee providing research information relating to civil/human rights to the city's department heads, city manager, city council and school committee.

### VOLUNTEER

Massachusetts Public Interest Resource Group  
Worcester, Ma.

1988, 1989, 1990

Students volunteered to earn credit for participation on and off campus working on Massachusetts public policy issues by lobbying state legislators. It was very interesting to affect the law on the state level and promoting interest in public policy.

### BOARD MEMBER

South Neighborhood and Piedmont Center  
Worcester, Ma.

September 1988 to June 1990

Formulated policy and direction of the outreach centers. Assisted in delivering services to the general public and proposed solutions for meeting the needs of residents.

### TASK FORCE MEMBER

Reclaim Our Community Task Force  
Worcester, Ma.

May 1990 to November 1990

Served on neighborhood based committee to reduce drug related crime and youth violence. Worked with residents, education officials, law enforcement personnel, and business representatives in an effort to coordinate the activities of 14 neighborhood groups concerned with housing code and safety issues.



Janine Greaves <janinem.greaves@greenfield-ma.gov>

**Re: Potential COA appointment**

1 message

**Ginny Desorgher** <ginny.desorgher@greenfield-ma.gov>

Tue, Feb 13, 2024 at 5:11 PM

To: Hope Macary <hope.macary@greenfield-ma.gov>, Janine Greaves <janinem.greaves@greenfield-ma.gov>

Sounds good. Janine will touch base with her.

Thank you,

On Tue, Feb 13, 2024 at 9:37 AM Hope Macary <hope.macary@greenfield-ma.gov> wrote:  
Good Morning,

Noreen Grogan has expressed an interest in serving on the COA. She is one of our Front Desk volunteers, formerly working at the DA's office. She has a good grasp on senior issues and also the many challenges faced by disadvantaged and marginalized populations.

I think she'd be an excellent fit. She will be contacting the Mayor's Office to express her intent.

Best,  
Hope

"Keep a green tree in your heart and perhaps a singing bird will come."

**Hope Macary, BS, RN**  
Director  
Greenfield Council on Aging / Senior Center  
City of Greenfield  
35 Pleasant St.  
Greenfield, MA 01301  
(413) 772-1517 ext. 2  
internal ext. 7019  
hope.macary@greenfield-ma.gov  
Greenfield-Ma.gov

**Public Record Statement/Confidentiality.** Under Massachusetts Law, any email created or received by an employee of the City of Greenfield is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

--  
Ginny Desorgher  
Mayor of Greenfield  
City Hall, 14 Court Square  
Greenfield, MA 01301



Mayor of Greenfield <mayor@greenfield-ma.gov>

---

**Board of directors at COA**

1 message

---

**Noreen Grogan** <brodyo4@icloud.com>  
To: Mayor@greenfield-ma.gov

Wed, Feb 14, 2024 at 2:31 PM

My name is Noreen Grogan and I am interested in the position on the Board of Directors for COA.

I have worked for the District Attorney's Office for 30 years. I cared for my Mother when she had Dementia, I have also cared for elders in their homes. I worked last summer at the COA and at present I am working 2 half days at COA.

I look forward to hearing from you.

Thank you for your attention

Thank you, Noreen Grogan

Sent from my iPad



Janine Greaves <janinem.greaves@greenfield-ma.gov>

**Crossroads cultural committee**

1 message

**Kate Broughton** <broughtonk8@gmail.com>

To: janinem.greaves@greenfield-ma.gov

Thu, Feb 15, 2024 at 4:25 PM

Hello Janine,

I am writing to apply for a seat on the crossroads cultural committee. I understand there is an opening and I hope that my qualifications make me a good candidate.

During the majority of my professional life I have been in the publications industry as a writer, editor, and publisher. My areas of deepest interest — personally and professionally — have to do with showcasing artisans, artists, and others in the creative economy.

My husband and I recently moved here from Amesbury Massachusetts where, for 20 years I was involved in a variety of arts-related civic and professional endeavors, including the following (many of these activities involved regular interaction with the Massachusetts Cultural Council):

- Co-founder of the Amesbury Heritage Fund
- Founder of Music in the Millyard summer concert series
- Amesbury Studio Tour coordinator and participant
- Library trustee and member of the library expansion committee
- Master plan subcommittee on the arts, heritage and open space
- Chairman of the Amesbury Days committee annual summer celebration
- Author of Textile Dyeing Techniques and Showcase (Rockport Press)
- Publisher of PortFolio magazine (bi-monthly magazine for the North Shore's creative community)

Since moving to Greenfield, I decided to semi retire from my freelance writing work to launch Kate's Threads, a small cottage industry specializing in custom and heirloom embroidery ([www.katesthreads.com](http://www.katesthreads.com)). I work out of my studio on Meridian Street but have a flexible schedule that would allow me the opportunity to work with the other members of Crossroads.

Please let me know if you need additional information. You can contact me at the phone number (also for texting) and the email address below.

Thanks for your consideration!

Kate Broughton

**KATE BROUGHTON**

34 Meridian Street, Greenfield MA 01301  
113-824-9189 - broughtonk8@gmail.com



Mayor of Greenfield <mayor@greenfield-ma.gov>

### Interest in Joining Mayor's DV Taskforce

1 message

**Amanda Sanderson** <amanda@nelcwit.org>

Thu, Feb 29, 2024 at 10:53 AM

To: "mayor@greenfield-ma.gov" <mayor@greenfield-ma.gov>

Greetings,

My name is Amanda Sanderson, and I am the acting Executive Director of NELCWIT, a domestic and sexual violence agency in Greenfield serving survivors across Franklin County and the North Quabbin region. I am writing to share my interest in joining the Mayor's DV Task Force.


Please let me know if you need additional information, and I look forward to advancing the task force's mission in our community!

Best,  
Amanda

--

Amanda Sanderson (she/her)  
Co-Executive Director of Programs  
New England Learning Center for Women in Transition (NELCWIT)  
website: [www.nelcwit.org](http://www.nelcwit.org)  
17 Long Ave, Greenfield MA

GREENFIELD, MASS  
2024 FEB 29 AM 11:05  
OFFICE OF THE  
CITY CLERK



**The Power to Persevere 2024!**  
 Join The Friends of NELCWIT for our 15th annual celebration and fundraiser  
 Thursday, April 18th, 2024, from 5:00-8:00pm  
 at the Guiding Star Grange  
 401 Chapman St, Greenfield, MA 01301  
 We will have Contra Dancing, appetizers, a cash bar, and a short program honoring NELCWIT & Survivors.

RSVP or Donate [HERE](#)

***CITY COUNCIL ORDER***  
***City of GREENFIELD***  
**MASSACHUSETTS**

Councilor \_\_\_\_\_ :

Second by Councilor \_\_\_\_\_ :

*The City Council,*

*Moved that it be ordered,*

THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-14, RULE 14: REQUEST BY COUNCILORS FOR LEGAL OPINIONS/MATERIAL, BY ADDING LANGUAGE IN BOLD AND BY DELETING LANGUAGE IN STRIKETHROUGH AS FOLLOWS:

§ 565-14

Rule 14, Request by Councilors for legal opinions/material.  
[Amended 2-15-2023 by Order No. FY 23-107]

**A. Definition.** "Request by Councilors for legal opinions" is defined as any request by a Councilor for a legal opinion/material from any person that would incur an expense for the City of Greenfield.

**B. ~~Action required by Councilors~~ Request.** Any Councilor(s) wishing to receive an opinion or material that would incur an expense must submit in writing to the City Council President and Vice President ~~the detailed reasons for the request,~~ **with proposed scope of work for counsel. the name of an appropriate legal counselor chosen based on the area of expertise, and an outline of the estimated cost.** The Council President and Vice President will have 20 calendar days to submit their approval or rejection in writing to the requesting Councilor(s). **If the requesting Councilor wishes to submit a suggestion for a legal counselor, they may submit the name along with the estimated cost.**

**C. ~~Approval of request for legal opinions/materials~~ Agreement or Disapproval.** When an approval is granted, the requesting Councilor(s) will forward the request, along with the name and contact information of the chosen legal counselor and estimated cost invoice, to the Clerk of the Council. The Clerk will send the legal counselor the request for the opinion/materials. Once the opinion/material is received, it will be forwarded to the full Council. **The Council President and Vice President will have 20 calendar days to submit their agreement to proceed with seeking counsel or rejection of request in writing to the requesting Councilor(s).**

**If a rejection is entered, or if the President and Vice President could not reach a unanimous decision**

about whether to hire legal counsel, the Councilor(s) can appeal the decision by having said request placed on the next regular Council meeting agenda for consideration by the full Council. If a majority of the full Council approves the measure, the Councilor(s) would proceed as outlined in Subsection D.

~~D. Rejection of request for legal opinions/materials~~ **Selection of Legal Counsel.** If a rejection is entered, or if the President and Vice President could not reach a unanimous decision, the Councilor(s) can appeal the decision by having said request placed on the next regular Council meeting agenda for consideration by the full Council. If a majority of the full Council approves the measure, the Councilor(s) would proceed as outlined in Subsection C. **In the case of an approval of the request, the Council President and Vice President will select a legal counselor. If the Council President and Vice President cannot agree on a legal counselor, they will bring the selection of such counselor to Committee Chairs for a vote.**

The Council President will then seek a good faith estimate from the selected legal counselor with expected cost and possible expenses to be incurred. The estimate shall be obtained through the exercise of sound business practice.

~~E. Payment for legal counselor services~~ **Review of Proposal.** The legal counsel will submit a good faith estimate to the City Council President and Vice President, which shall include expected cost and possible expenses to be incurred. Council leadership shall review the estimate and within 10 days submit their approval or rejection in writing to the Council Clerk. If approved the process in Subsection C shall be followed (as applicable); if rejected the process in Subsection D shall be followed (as applicable).

If the Council President and Vice President approve the proposal, the Council President will forward the payment request, along with the name and contact information of the chosen legal counselor and estimated cost invoice, to the Clerk of the Council.

If the Council President and Vice President reject the proposal, they may select another legal counselor and the process in Subsection D shall be followed (as applicable). If Councilors disagree with this decision, the process in Subsection C may be followed.

**F. Contracting legal opinions/materials.** The Clerk will send the legal counselor the request for the opinion/materials. Once the opinion/material is received, it will be forwarded to the full Council.

**Note to Councilors: MGL Chapter 30B Section 4c states “A procurement in the amount of less than \$10,000 shall be obtained through the exercise of sound business practices.**

Majority Vote Required

VOTE:

Explanation of supporting rationale:

Proposed language submitted by Councilor Golub on February 27, 2024.  
Previous language and proposed new language.

**Current Language:**

§ 565-14

Rule 14, Request by Councilors for legal opinions/material.  
[Amended 2-15-2023 by Order No. FY 23-107]

**A. Definition.** "Request by Councilors for legal opinions" is defined as any request by a Councilor for a legal opinion/material from any person that would incur an expense for the City of Greenfield.

**B. Action required by Councilors.** Any Councilor(s) wishing to receive an opinion or material that would incur an expense must submit in writing to the City Council President and Vice President the reasons for the request, the name of an appropriate legal counselor chosen based on the area of expertise, and an outline of the estimated cost. The Council President and Vice President will have 20 calendar days to submit their approval or rejection in writing to the requesting Councilor(s).

**C. Approval of request for legal opinions/materials.** When an approval is granted, the requesting Councilor(s) will forward the request, along with the name and contact information of the chosen legal counselor and estimated cost invoice, to the Clerk of the Council. The Clerk will send the legal counselor the request for the opinion/materials. Once the opinion/material is received, it will be forwarded to the full Council.

**D. Rejection of request for legal opinions/materials.** If a rejection is entered, or if the President and Vice President could not reach a unanimous decision, the Councilor(s) can appeal the decision by having said request placed on the next regular Council meeting agenda for consideration by the full Council. If a majority of the full Council approves the measure, the Councilor(s) would proceed as outlined in Subsection C.

**E. Payment for legal counselor services.** The legal counsel will submit a good faith estimate to the City Council President and Vice President, which shall include expected cost and possible expenses to be incurred. Council leadership shall review the estimate and within 10 days submit their approval or rejection in writing to the Council Clerk. If approved the process in Subsection C shall be followed (as applicable); if rejected the process in Subsection D shall be followed (as applicable).

**Proposed Change:**

§ 565-14

Rule 14, Request by Councilors for legal opinions/material.  
[Amended 2-15-2023 by Order No. FY 23-107]



**A. Definition.** "Request by Councilors for legal opinions" is defined as any request by a Councilor for a legal opinion/material from any person that would incur an expense for the City of Greenfield.

**B. Councilor Request.** Any Councilor(s) wishing to receive an opinion or material that would incur an expense must submit in writing to the City Council President and Vice President detailed reasons for the request with proposed scope of work for counsel. If the requesting Councilor wishes to submit a suggestion for a legal counselor, they may submit the name along with the estimated cost.

**C. Agreement or Disapproval.** The Council President and Vice President will have 20 calendar days to submit their agreement to proceed with seeking counsel or rejection of request in writing to the requesting Councilor(s).

If a rejection is entered, or if the President and Vice President could not reach a unanimous decision about whether to hire legal counsel, the Councilor(s) can appeal the decision by having said request placed on the next regular Council meeting agenda for consideration by the full Council. If a majority of the full Council approves the measure, the Councilor(s) would proceed as outlined in Subsection D.

**D. Selection of Legal Counsel.** In the case of an approval of the request, the Council President and Vice President will select a legal counselor. If the Council President and Vice President cannot agree on a legal counselor, they will bring the selection of such counselor to Committee Chairs for a vote.

The Council President will then seek a good faith estimate from the selected legal counselor with expected cost and possible expenses to be incurred. The estimate shall be obtained through the exercise of sound business practice.

**E. Review of Proposal.** The Council President and Vice President shall review the estimate and within 10 days submit their approval or rejection in writing to the Council Clerk.

If the Council President and Vice President approve the proposal, the Council President will forward the payment request, along with the name and contact information of the chosen legal counselor and estimated cost invoice, to the Clerk of the Council.

If the Council President and Vice President reject the proposal, they may select another legal counselor and the process in Subsection D shall be followed (as applicable). If Councilors disagree with this decision, the process in Subsection C may be followed.

**F. Contracting legal opinions/materials.** The Clerk will send the legal counselor the request for the opinion/materials. Once the opinion/material is received, it will be forwarded to the full Council.

Note to Councilors: MGL Chapter 30B Section 4c states "A procurement in the amount of less than \$10,000 shall be obtained through the exercise of sound business practices."

**CITY COUNCIL ORDER**  
**City of GREENFIELD**  
**MASSACHUSETTS**

Councilor \_\_\_\_\_ :  
Second by Councilor \_\_\_\_\_ :

*The City Council,*

*Moved that it be ordered,*

THAT THE APPOINTMENTS & ORDINANCE COMMITTEE TAKE FROM THE TABLE ORDER NO. FY 24-065 “AMENDS THE CITY COUNCIL RULES OF PROCEDURE §565 RULE 12: PUBLIC PARTICIPATION, SUBSECTION A: CONDUCT AND SUBSECTION B: NON RESIDENTS,” WHICH WAS TABLED AT THE FEBRUARY 14, 2024, APPOINTMENTS & ORDINANCE COMMITTEE MEETING.

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

**TAKE FROM TABLE** YES \_\_\_\_\_ NO \_\_\_\_\_ ABST \_\_\_\_\_  
**CALL THE QUESTION** YES \_\_\_\_\_ NO \_\_\_\_\_ ABST \_\_\_\_\_  
**MAIN MOTION** YES \_\_\_\_\_ NO \_\_\_\_\_ ABST \_\_\_\_\_

Order no. FY 24-065

*The City Council,*

*Moved that it be ordered,*

THAT THE GREENFIELD CITY COUNCIL AMENDS THE CITY COUNCIL RULES OF PROCEDURE §565 RULE 12: PUBLIC PARTICIPATION, SUBSECTION A: CONDUCT AND SUBSECTION B: NON RESIDENTS, BY DELETING LANGUAGE IN STRIKETHROUGH AND INSERTING IN ITS PLACE THE LANGUAGE IN BOLD AS FOLLOWS:

§ 565-12. Rule 12, Public Participation **at Council and Council Committee meetings.**

A. **CONDUCT GENERAL**

~~Any member of the public desiring to address the City Council shall be recognized by the Chairperson or Presiding Officer, shall state their name and address in an audible tone for the record, and shall limit their remarks to matters of City business.~~

~~(1) Any citizen or petitioner shall be limited to three (3) minutes or another amount of time at the discretion of the Presiding Officer.~~

~~(2)~~ (1) Upon the request of the Presiding Officer all persons shall be silent.

~~(3)~~ **(2) Any member of the Ppublic members may be recognized to speak to the Council at the pleasure discretion of the Presiding Officer or a majority of the Council members present.**

~~(3) Public members may be recognized to speak to the Council at the pleasure of the Presiding Officer or a majority of the Council present.~~ **When recognized, members of the public shall state their name and town of residence in an audible tone for the record.**

**B. ~~NON RESIDENTS~~ PUBLIC COMMENT AGENDA ITEM**

**(1) All Council meetings and Council Committee meetings shall provide for a period of public comment.**

**(2) Members of the public shall limit their remarks to matters generally under the purview of the City at full Council meetings or of the Committee at Council Committee meetings.**

**(3) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.**

**(4) Members of the public who are not residents of Greenfield may speak ~~when~~ after all residents who wish to do so have spoken.**

Majority Vote Required

VOTE

Explanation of supporting rationale:

Proposed language submitted by Councilor Golub February 8, 2024

**Current Language:**

§ 565-12 Rule 12, Public participation. [Amended 8-17-2022 by Order No. FY 23-023]

*A. Conduct. Any member of the public desiring to address the City Council shall be recognized by the Chairperson or presiding officer, shall state their name and address in an audible tone for the record, and shall limit their remarks to matters of City business.*

*(1) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.*

*(2) Upon the request of the presiding officer all persons shall be silent.*

*(3) Public members may be recognized to speak to the Council at the pleasure of the presiding officer or a majority of the Council present.*

*B.*

*Nonresidents. Members of the public who are not residents of Greenfield may speak when all residents who wish to do so have spoken.*

**New Draft:**

**Rule 12, Public Participation at Council and Council Committee meetings.**

**A. General**

(1) Upon the request of the presiding officer all persons shall be silent.

(2) Any member of the public may be recognized to speak at the discretion of the presiding officer or a majority of the members present.

(3) When recognized, members of the public shall state their name and town of residence in an audible tone for the record.

**B. Public Comment Agenda Item**

(1) All Council meetings and Council Committee meetings shall provide for a period of public comment.

(2) Members of the public shall limit their remarks to matters generally under the purview of the City at full Council meetings or of the Committee at Council Committee meetings.

(3) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.

(4) Members of the public who are not residents of Greenfield may speak after all residents who wish to do so have spoken.

## **An Order to Update the Composition of the Capital Improvement Planning Committee**

The City Council  
Move that it be Ordered,

That the City Council approve the following changes to the Greenfield MA City Code, Chapter 110: Capital Improvement Planning Committee.

### **Chapter 110: Capital Improvement Planning Committee**

#### **§ 110-1: Appointment; membership.**

~~The Mayor shall establish and appoint~~ A committee to be known as the "Capital Improvement Planning Committee," (will be established for one-year terms by February 1 of each year), composed of one member of the Planning and Construction Committee, ~~one member of the Ways and Means (Chair or their designee), Committee of the Town Council, and the School (Committee Chair) Superintendent or his/her~~ (or their) designee, (an appointee of the City Council, and an appointee of the mayor).

The Town Accountant and/or the Director of Municipal Finance and Administration shall be an ex-officio staff member without the right to vote. The Committee shall choose its own officers.

#### **§ 110-2: Duties; information on proposed capital projects.**

A. The Committee shall study proposed capital projects and improvements involving major nonrecurring tangible assets and projects which:

- (1) Are purchased or undertaken at intervals of not less than five years;
- (2) Have a useful life of at least five years; and
- (3) Cost over \$10,000.

B. All officers, boards and committees, including the Mayor and the School Committee, shall, by February 1 of each year, give to the Committee, on forms prepared by it, information concerning all anticipated projects requiring Town Council attention during the ensuing six years.

The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the Town. No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's report or the Committee shall first have submitted a report to the Mayor explaining the omission.

#### **§ 110-3: Capital improvement budget and program.**

The Committee shall prepare an annual report recommending a capital improvement budget for the next fiscal year, and a capital improvement program, including recommended capital improvements for the following five fiscal years. The report shall be submitted to the Mayor for consideration and approval. The Board shall submit its approved capital budget to the Town Council for adoption.

**§ 110-4: Permitted expenditures.**

Such capital improvement program, after its adoption, shall permit the expenditure on projects included therein of sums from departmental budgets for surveys, architectural or engineering advice, options or appraisals; but no such expenditure shall be incurred on projects which have not been so approved by the Town through the appropriation of sums in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future.

**§ 110-5: Publication and availability of reports.**

The Committee's report and the Mayor's recommended capital budget shall be published and made available in a manner consistent with the distribution of the Ways and Means Committee report. The Committee shall deposit its original report with the Town Clerk.

Majority vote required.

## **An Order to Update the City Charter Provisions Related to Finances & Fiscal Procedures**

The City Council

Move that it be Ordered,

Pursuant to MGL 43B Section 10 (a,b), that the City Council approve the following changes to the Greenfield MA City Charter, Article 5: Finance and Fiscal Procedures.

SECTION 5-3: Submission of budget and budget message.

Not later than **April 22 annually** ~~60 days before the start of the City's fiscal year~~, the Mayor shall submit to the City Council a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The Mayor shall simultaneously provide for the publication in a local newspaper of a notice and a general summary of the proposed budget. The summary shall specifically indicate any major variations from the current operating budget and the reason for such changes. The notice shall further indicate the times and places at which complete copies of the proposed operating budget for the City are available for examination by the public.

SECTION 5-6: Action on the budget.

(c) Action by City Council. The City Council shall adopt the budget, with or without amendments **by June 30** ; ~~within 60 days after it receives the proposed budget~~. In amending the budget, the City Council may increase or decrease amounts and expenditures as allowed under Section 32 of Chapter 44 of the General Laws. If the City Council fails to take any action with respect to any item in the proposed budget within 60 days after it receives the proposed budget, such amount shall, without any action by the City Council, become a part of the appropriations for the ensuing fiscal year and shall be available for the purposes specified.

SECTION 5-10: Capital improvement program.

(a) The Mayor shall submit a capital improvement program to the City Council **no later than March 1 annually** at ~~least 120 days before the start of each fiscal year~~. The capital improvement program shall be based on material prepared by the Capital Improvement Program Committee established by ordinance. [1]

It shall include:

1. A clear and concise general summary of its contents;
2. A list of all capital improvements proposed to be undertaken during the next ensuing five years, with supporting information as to the need for each capital improvement; cost estimates, methods of financing and recommended time schedules for each improvement; and,
3. The estimated annual cost of operating and maintaining each facility and piece of major equipment involved.

[1] Editor's Note: See Ch. 110, Capital Improvements Planning Committee.

(b) This information is to be annually revised by the Mayor with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

Two-thirds Vote Required (9).

SECTION 2-10 Council review of certain appointments.

(a) The Mayor shall submit to the City Council the name of each person the Mayor desires to appoint as a member of a multiple-member body. The City Council shall refer each such name as is submitted to it to a standing committee of the City Council which shall investigate each such candidate for appointment and shall make a report, with recommendations, to the full City Council not less than seven nor more than 30 days following such referral.

(b) Appointments made by the Mayor shall become effective on the 35th day following the date on which notice of the proposed appointment was filed with the Clerk of the Council, unless the City Council shall within the said 30 days vote to reject such appointment. The votes of at least nine members shall be necessary to reject an appointment proposed by the Mayor.

***To be added:* If the Council meets within the 30 days and fails to reject as provided by this Section, those unrejected appointments shall be considered affirmed by the Council, the 35-day presumptive approval process considered satisfied, and those appointees will thereby be allowed to be immediately administered the oath of office without having to wait for the 35-day period to expire.**

The question on rejection of any appointment made by the Mayor shall not be subject to the procedure of Charter objection provided in Section 2-9(b) of this Charter.



# Title: Ordinance to Address Dog Bites and Dangerous Dogs in Greenfield, MA

WHEREAS, dog bites and attacks are a serious public safety concern in Greenfield, MA; and

WHEREAS, the City Council recognizes the importance of responsible dog ownership and the need to protect residents and visitors from aggressive or dangerous dogs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENFIELD, MASSACHUSETTS AS FOLLOWS:

## SECTION 1. DEFINITIONS

For the purposes of this ordinance, the following definitions apply:

(a) "Dog" means any domesticated canine.

(b) "Owner" means any person who owns, keeps, or harbors a dog.

(c) "Dangerous dog" means any dog that has inflicted severe injury on a human being without provocation on public or private property, or any dog that has been previously designated as a dangerous dog by the City of Greenfield.

(d) "Potentially dangerous dog" means any dog that has bitten or attacked a person or animal, or has demonstrated aggressive behavior that would indicate a propensity to attack.

## SECTION 2. RESPONSIBLE DOG OWNERSHIP

(a) All dogs within the City of Greenfield must be licensed and vaccinated against rabies.

(b) Dog owners must ensure that their dogs are under control at all times and not allowed to run loose or be a nuisance to others.

(c) Dog owners are responsible for cleaning up after their dogs and properly disposing of their waste.

## SECTION 3. DANGEROUS DOGS

(a) Any dog that has been designated as a dangerous dog by the City of Greenfield shall be muzzled and restrained at all times when off the owner's property.

(b) The owner of a dangerous dog must obtain liability insurance in the amount of at least \$100,000 to cover any injuries or damages caused by the dog.

(c) The owner of a dangerous dog shall post a "Dangerous Dog" sign on their property to alert visitors and passersby of the presence of a potentially dangerous animal.

(d) If a dangerous dog is found to be off the owner's property without a muzzle and restraint, the owner shall be subject to a fine of \$500 for each violation.

#### SECTION 4. POTENTIALLY DANGEROUS DOGS

(a) Any dog that has bitten or attacked a person or animal, or has demonstrated aggressive behavior that would indicate a propensity to attack, shall be considered a potentially dangerous dog.

(b) The owner of a potentially dangerous dog must take measures to prevent future attacks, such as obedience training, spaying or neutering, and muzzling and restraint when off the owner's property.

(c) If a potentially dangerous dog is found to be off the owner's property without a muzzle and restraint, the owner shall be subject to a fine of \$250 for each violation.

#### SECTION 5. ENFORCEMENT

(a) This ordinance shall be enforced by the Greenfield Police Department and any other municipal official or employee designated by the Mayor.

(b) Any person found in violation of this ordinance shall be subject to a fine of not more than \$500 for each offense.

#### SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

#### SECTION 7. REPEALER

All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed to the extent of such conflict.

#### SECTION 8. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days from the date of its passage and approval by the Mayor.

See attached current ordinance Chapter 213 Animals along with the latest amended language

*On December 21, 2022, the Greenfield City Council, on a motion by Councilor Golub, second by Councilor Desorgher, it was unanimously,*

**VOTED:** THAT IT BE ORDERED AMENDS THE CODE OF THE CITY OF GREENFIELD BY AMENDING CHAPTER 213 – ANIMALS, SECTION 3, LICENSE FEES, SUBSECTION: D. BY DELETING THE WORD “BY” AND REPLACING WITH “BEFORE” ; AND REPLACING THE WORD “AFTER” WITH “FOLLOWING”, AS FOLLOWS:

Chapter 213 – Animals, Section 3: License Fees

D. Should any owner or keeper fail to license a dog ~~by~~ **before** June 1, the owner or keeper shall pay a late charge of \$25 before obtaining said license, excepting:

- (1) A dog brought into the ~~Town~~ **City** as provided in MGL c. 140, § 138.
- (2) When a State of Emergency has been declared by the State of Massachusetts.

This late fee shall be applicable after the 45th day ~~after~~ **following** the arrival of such dog.

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 CITY OF GREENFIELD.

The motion was passed and so declared by the City Council President.

## Chapter 213

### ANIMALS

§ 213-1.	Scope; violations and penalties.	§ 213-9.	Dogs at large.
§ 213-2.	License required.	§ 213-10.	Animal abuse and neglect.
§ 213-3.	License fees.	§ 213-11.	Dog waste.
§ 213-4.	Kennel licenses.	§ 213-12.	Motor vehicle operator responsibilities for striking domestic animals.
§ 213-5.	Rabies vaccine.		
§ 213-6.	Enforcement.		
§ 213-7.	Control of dogs in estrus cycle.	§ 213-13.	Violations and penalties.
§ 213-8.	Disturbing the peace.		

[HISTORY: Adopted by the Town of Greenfield as amended 6-15-2011 by Order No. FY 11-104 (Ch. 17 of the 2002 Bylaws). Subsequent amendments noted where applicable.]

#### GENERAL REFERENCES

Noise — See Ch. 311.

Parks and recreation facilities — See Ch. 322.

#### § 213-1. Scope; violations and penalties.

- A. This chapter is not intended to derogate or limit any powers, rights, or obligations set forth in MGL c. 140, but is in addition thereto.
- B. The penalty fee imposed upon an owner or keeper of a dog which has violated this chapter shall be \$25 for the first offense, \$50 for the second offense, and \$75 for each subsequent offense.

#### § 213-2. License required.

Any owner or keeper of a dog six months of age or older shall cause that dog to be licensed as required by MGL c. 140, § 137, commencing on April 1 of each year.

#### § 213-3. License fees.

- A. The fee for licensing of dogs and kennel licenses shall be set by the Town Clerk in accordance with MGL c. 40, § 22F. The license fee for neutered/spayed dogs shall be less than the license fee charged for dogs that are not neutered or spayed. The owner or keeper must present a spay/neuter certificate or written statement from a veterinarian. [Amended 2-20-2013 by Order No. FY 13-076 ]
- B. No license fee will be charged for specially trained service dogs as defined in Section 11.<sup>1</sup>
- C. No license fee or part thereof shall be refunded because of subsequent death, loss, spaying, neutering, removal from the Town of Greenfield, or other disposal.

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1. Editor's Note: See MGL c. 140, § 139.

- D. Should any owner or keeper fail to license a dog by June 1, the owner or keeper shall pay a late charge of \$25 before obtaining said license, excepting: [Amended 2-20-2013 by Order No. FY 13-076 ; 4-15-2020 by Order No. FY 20-163 ]
- (1) A dog brought into the Town as provided in MGL c. 140, § 138. This late fee shall be applicable after the 45th day after the arrival of such dog.
  - (2) When a state of emergency has been declared by the Commonwealth of Massachusetts.
- E. Any owner or keeper who, during any licensing period, moves into the Town of Greenfield shall register his/her dog forthwith. Failure to do so by the 45th day after the arrival of such dog shall result in a late fee as stated in this section.

**§ 213-4. Kennel licenses.**

- A. Anyone maintaining or keeping a pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes, including any shop where dogs are on sale, which are not covered under MGL c. 129, § 39A, and also including every pack or collection of more than three dogs, three months old or over, owned or kept by a person on a single premises, irrespective of the purpose for which they are maintained, shall be required to obtain a kennel license in compliance with the Town Zoning Ordinance.
- B. Inspection of kennels. Upon application for a kennel license, the Animal Control Officer may inspect the facility prior to the issuance of any kennel license. The Animal Control Officer may deny the application if the facility is not in compliance with any or all sections of this chapter, state law, and state regulation. The Greenfield Animal Control Officer may at any time inspect or cause to be inspected any kennel and if, in her/his judgment, the same is not being maintained in a sanitary and humane manner, or if records are not properly kept as required by law, the Animal Control Officer, with approval of the hearings officer, shall revoke or suspend, and in case of suspension, may reinstate such license.

**§ 213-5. Rabies vaccine.**

All dogs six months or older shall be licensed and have a current rabies inoculation as required by MGL c. 140, § 137, and MGL c. 140, § 145B, and any subsequent amendments thereto. When applying for a license, the applicant must show proof of rabies vaccination by presenting a current rabies certificate from a veterinarian.

**§ 213-6. Enforcement.**

The provisions of this chapter shall be enforced by the Animal Control Officer and any police officer of the Town.

**§ 213-7. Control of dogs in estrus cycle.**

If an Animal Control Officer determines that a dog in her estrus cycle is attracting other dogs to the area, which conditions cause disturbances on or damage to neighboring property or public areas, he/she may impound the dog for the duration of the estrus cycle, releasing it thereafter to the owner or keeper upon payment of penalty fees, if applicable, pickup fees, confinement fees, and/or other expenses incurred during the impoundment, in order to provide for the health and well-being of the dog. As an alternative, an Animal Control Officer may require the owner, or keeper, to place and keep such a dog, while in the estrus cycle, in a kennel or remove it from the area. Failure to comply with the removal order of the Animal

Control Officer shall be a violation of this chapter, and the dog will then be impounded as prescribed in this chapter.

**§ 213-8. Disturbing the peace.**

No person shall keep any dog which by biting, barking, howling or in any other manner disturbs the peace and quiet of the neighborhood or endangers the safety of any person.

**§ 213-9. Dogs at large.**

**A. Unrestrained dogs.**

- (1) No dog shall be permitted to be unrestrained while in or near any schoolyard, public park, public playground, public building, retail store, public highway or street, or public or school recreational field or facility.
- (2) No person shall permit a dog under that person's control to defecate on any schoolyard, public park, public playground, or public school or recreational field or facility.
- (3) Exceptions.
  - (a) Further, no dog shall be permitted to be at large in any other public area not designated within this section except if:
    - [1] The dog is attached to a leash held by a person who is capable of controlling the dog or puppy.
    - [2] The dog is in a vehicle from which it cannot escape while the vehicle is driven, parked, or stopped.
    - [3] The dog is within 100 feet or within calling or whistling distance, mechanical or otherwise, for the purposes of hunting in an area where hunting is allowed and dogs are legally allowed for hunting purposes.
    - [4] The dog is in a public area where dogs or puppies are allowed.
  - (b) These exceptions shall apply to public parks and recreational fields designated by the Town of Greenfield allowing dogs to be off leash.

**B.** Any dog found to be at large within the grounds of any school property, public park, public playground, public building, public highway or street, or public or recreational field or facility, retail store, apartment or commercial building of the Town of Greenfield, except as allowed in Subsection A, shall be apprehended and confined by the Animal Control Officer and/or police officers, who shall notify forthwith the licensed owner or keeper of said dog, giving the owner or keeper a period of seven days within which to recover the dog.

**C.** The Animal Control Officer or his/her agent having custody of a dog confined under this chapter shall be allowed the sum of \$15 per day of confinement for the care of such dog, payable by the owner or keeper to the Animal Control Officer or his/her agent before retrieval of such dog shall be allowed.

**D.** For each and every dog picked up, the Animal Control Officer or his/her agent shall be entitled to a pickup fee of \$15 for the first occurrence, \$20 for the second, \$30 for the third and \$50 for the fourth occurrence in any one calendar year.

## E. Restraining; exceptions.

- (1) No person owning or keeping a dog shall permit such dog to be at large elsewhere than on the premises of the owner or keeper, except if it be on the premises of another person with the permission of such other person. Such owner or keeper of a dog, which is not on the premises of the owner, or upon the premises of another person with the permission of such other person, shall restrain such dog with a chain or leash not exceeding eight feet in length. No dog or puppy may be restrained by a fixed-point chain or tether for more than eight hours in a twenty-four-hour period. Any tethering employed shall not allow the dog or puppy to leave the owner's or keeper's property. No chain or tether shall weigh more than 1/8 of the dog's or puppy's body weight. Any chain or tether used must be attached to a properly fitting collar or harness worn by the animal.
- (2) Exceptions:
  - (a) The dog is attached to a leash held by a person who is capable of controlling the dog or puppy.
  - (b) The dog is in a vehicle from which it cannot escape while the vehicle is driven, parked, or stopped.
  - (c) The dog is within 100 feet or within calling or whistling distance, mechanical or otherwise, for the purposes of hunting in an area where hunting is allowed and dogs are legally allowed for hunting purposes.
  - (d) The dog is in a public area where dogs or puppies are allowed.
- (3) These exceptions shall apply to public parks and recreational fields designated by the Town of Greenfield allowing dogs to be off leash.

## F. In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such permission was not obtained.

**§ 213-10. Animal abuse and neglect.**

- A. It is unlawful for any person to own, keep, or use, or be in any manner connected with, or financially interested in, the management of, or to receive money or other thing of value for the admission of any person to, a house, apartment, pit or place procured or permitted to be used or occupied for baiting or fighting of animals; or to instigate, promote, arrange, or carry on a fight between animals, or in aid of or calculated to encourage or further any fight between animals.
- B. Except where indicated for the health or welfare of a dog or puppy, the owner or keeper of such dog or puppy shall provide it with adequate, clean, fresh, and wholesome food and water supplied at least once every 24 hours. Food and water containers shall be kept clean. Outside shelter shall be provided and shall be constructed so as to give full protection from the elements of weather and from the extremes of heat or cold.
- C. Animals left in motor vehicles.
  - (1) The owner of an animal left unattended in a motor vehicle shall ensure:
    - (a) The animal is restrained in a manner that prevents contact between the animal and any

member of the public; and

- (b) The animal has suitable ventilation.
- (2) The owner of an animal shall not leave an animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an animal. This includes weather extremes of excessive hot or cold conditions that may cause suffering or the potential for death.

**§ 213-11. Dog waste.**

It shall be unlawful for the owner or person having care, custody or control of a dog or puppy to permit, either willfully or through failure to exercise due care or control of such animal, any animal to excrete any solid waste upon any sidewalk, any public street or public park, or to excrete any solid waste upon any real property under the control or in the possession of any other person, or upon any place to which the public has normal access or right of ingress or egress; provided, further, that no violation of this section shall occur if the owner of the offending animal promptly and voluntarily removes the animal waste.

**§ 213-12. Motor vehicle operator responsibilities for striking domestic animals.**

Any motor vehicle operator who knowingly strikes a domesticated animal must immediately stop and make an attempt to make him-/herself known to animal's owner. If unable to locate the owner, the motor vehicle operator shall notify the Animal Control Officer and/or the Police Department within 24 hours.

**§ 213-13. Violations and penalties.**

Whoever shall offend against or fail to comply with any of the provisions of this chapter shall, unless some other penalty is provided by law or by an ordinance of the Town, for each and every offense forfeit and pay a penalty of not less than \$25 and not more than \$300, all pursuant to MGL c. 40, § 21D. All fines recovered under this section shall inure to the benefit of the Town.



# Fwd: Ride for Hire Ordinance - Edits and Comments Requested

Jun 27, 2023, 2:51 PM (1 day ago)

**Dani Letourneau**

to Dan, Councilor, Roxann, Lori, me

Council President Guin - This is **not** for the 5-day deadline, just passing some unfinished work on, as we discussed in person.

This is the work I did with licensing clerk Lori K on making changes to the vehicle-for-hire ordinance.

It needs to be commented on by the PD since procedurally it has much more to do with their process than it does licensing. I am happy to assist as a private citizen when and if it comes to A&O.

Best, Dani

**Dani Letourneau**

Chief of Staff

Office of the Mayor

City of Greenfield

14 Court Square

Greenfield, MA 01301

413-772-1581

413-824-1740

[dani.letourneau@greenfield-ma.gov](mailto:dani.letourneau@greenfield-ma.gov)

----- Forwarded message -----

From: **Dani Letourneau** <[dani.letourneau@greenfield-ma.gov](mailto:dani.letourneau@greenfield-ma.gov)>

Date: Mon, Nov 14, 2022 at 5:05 PM

Subject: Ride for Hire Ordinance - Edits and Comments Requested

To: Roxann Wedegartner <[roxann.wedegartner@greenfield-ma.gov](mailto:roxann.wedegartner@greenfield-ma.gov)>, Robert Haigh <[robert.haigh@greenfield-ma.gov](mailto:robert.haigh@greenfield-ma.gov)>

Cc: Daniel McCarthy <[daniel.mccarthy@greenfield-ma.gov](mailto:daniel.mccarthy@greenfield-ma.gov)>

Hello, Mayor, Chief, and Lieutenant,

As you all know, over the past few years we have had issues with a certain Taxi service. One thing that I agree with the owner on was that the City's ordinance on Rides-For\_hire needed to be updated. City Code 538.

Attached is the latest draft of changes, worked on by me and Lori Krikorian. We aimed to clarify a few things:

\* This one ordinance applies for all ride-for-hire services, except TNCs (TNCs are Ubers and Lyfts, etc, which are covered under MGL and CANNOT be regulated locally).

\* This ordinance makes it clear when you need a license from Greenfield, and when you do not (the old one did not make that), and how we can accept services licensed in other communities, to a certain extent.

\* In a few spots we repurposed language from either the state law on TNCs <https://www.mass.gov/regulations/220-CMR-27400-transportation-network-companies>

\* OR from the Massachusetts Ride for Hire Task Force final report from February 2018 <https://www.cityofmethuen.net/sites/g/files/vyhlf886/f/uploads/to2117detail.pdf>

For reference here is the current ordinance: <https://ecode360.com/30792821?highlight=taxi&searchId=28521059920920479#30792821>

What I would like to do is have you all comment on this, and the Mayor gets final approval, then I would submit it to the council for them to send to A&O. At that time I may want the Chief or Lt McCarthy, who dealt with the AN Taxi situation, accompany me to A&O, but at this point, it may be January before we get there.

Thank you,

**Dani Letourneau**

Chief of Staff

Office of the Mayor

City of Greenfield

14 Court Square

Greenfield, MA 01301

413-772-1581

413-824-1740

[dani.letourneau@greenfield-ma.gov](mailto:dani.letourneau@greenfield-ma.gov)

## **Ride for Hire**

### **§1 Definitions**

Ride for Hire – Transportation of a passenger in a vehicle for a fee, including but not limited to any vehicle used as a livery, limousine, taxicab, hackney, rickshaw, or TNC vehicles.

Ride for Hire driver/operator – Those individuals who provide transportation of a passenger in a vehicle for a fee, including but not limited to any vehicle used as a livery, limousine, taxicab, hackney, rickshaw, or TNC vehicle.

Regularly – For the purposes of this ordinance a Ride for Hire driver/operator is considered to be regularly picking up passengers within the City of Greenfield if they pick up passengers in Greenfield two or more times in a month.

Transportation Network Company (TNC) - A corporation, partnership, sole proprietorship or other entity that uses a Digital Network to connect Transportation Network Riders to Transportation Network Drivers to pre-arrange and provide transportation.

Transportation Network Driver - An individual certified by a TNC to provide Transportation Network Services.

### **§2 Applicability**

This ordinance applies to all Rides for Hire who regularly pick up passengers within the City of Greenfield (two or more times in a month). For the purposes of this ordinance there is no distinction of the type of Ride for Hire (i.e. livery, taxi, etc).

This ordinance does not apply to Transportation Network Companies (TNCs) or Transportation Network drivers, which are regulated by the Department of Public Utilities TNC Division.

This ordinance does not apply to vehicles engaged exclusively to provide services to funeral homes, hospitals or other medical assistance/special needs vehicles, nor to any mass transit authority vehicles.

### **§3 License required**

#### Business license

All livery, taxi, or other Ride for Hire businesses (whether an individual driver/operator or collection of drivers/operators) seeking to conduct business in Greenfield must obtain a Ride for Hire business license from the Board of License Commissioners prior to operating a Ride for Hire business in the City of Greenfield.

A Ride for Hire business license is valid until December 31<sup>st</sup> and must be renewed annually. Unless otherwise set by the Board of License Commissioners, the annual fee for a Ride for Hire business license is \$50.

#### Driver/operator Ride for Hire license

All drivers of liveries, taxis, or other Ride for Hire vehicles employed by a Ride for Hire business operating in Greenfield, must obtain a Ride for Hire driver/operator license from the Greenfield Chief of Police.

All livery, taxi, or other Ride for Hire drivers who regularly pick up passengers in Greenfield (two or more times in a month) ~~and who do not have a Ride for Hire driver/operator license issued by another Town or City in Massachusetts~~, must obtain a Ride for Hire driver/operator license from the Greenfield Chief of Police.

Ride for Hire driver/operator licenses expire on December 31<sup>st</sup> and must be renewed annually. The fee for a Ride for Hire driver/operator license will be set by the Chief of Police.

~~If a Ride for Hire driver has a Ride for Hire driver/operator license issued by another Massachusetts municipality, the driver must submit a copy to the Greenfield Chief of Police and to the owner of the Greenfield Ride for Hire business by whom they are employed before picking up passengers in Greenfield.~~

#### **§4 Driver/operator Ride for Hire applications**

##### Application

Written application for a Ride for Hire driver/operator license shall be made to the Greenfield Chief of Police. All applications shall set forth under the penalties of perjury such information as the Chief of Police may require.

The Chief of Police shall conduct a nationwide background check for each Ride for Hire driver/operator which shall at a minimum include a review of multi-state criminal history database, multi-state motor vehicle driving history database, and U.S. Department of Justice National Sex Offender Public website.

The Chief of Police shall conduct the nationwide background check for each Ride for Hire driver/operator not less than once annually.

##### Driver/operator requirements

Ride for Hire driver/operators must be at least 21 years old. If the driver is under 23 years old, they must have held a valid United States driver's license for not less than three years; if they are 23 years of age or older, they must have held a valid United States driver's license for not less than one year.

##### Grant or denial

The Chief of Police may deny issuing a Ride for Hire driver/operator license if the background information demonstrates a risk to public safety or if there is a disqualifying condition.

If an application for a Ride for Hire driver/operator license is disapproved by the Chief of Police, the applicant shall be informed in writing of the specific reasons for the disapproval and of the opportunity for a hearing before the Board of License Commissioners to review the decision. Any person aggrieved by the refusal of the Chief of Police to grant a license may file a written appeal to the Board of License Commissioners containing a complete statement of the reasons why said refusal is unreasonable within 10 calendar days of the denial. If the Board of License Commissioners finds that said refusal is unreasonable it may request the Chief of Police to grant the license.

#### **§5 Requirements**

##### Business

The Ride for Hire business owner must provide the Chief of Police with a continuously updated list of those persons driving vehicles for the Ride for Hire business. Failure to submit updated lists is a violation of this ordinance.

It is the responsibility of the Ride for Hire business owner to ensure that all drivers have a valid Ride for Hire driver/operator license issued by the Greenfield Chief of Police ~~or issued by another Massachusetts municipality~~. It is a violation of this ordinance if any of the driver/operators employed by the business are not duly licensed.

##### Drivers

The Ride for Hire driver/operator license issued by the Greenfield Chief of Police ~~or another Massachusetts municipality~~ must be displayed within the vehicle in clear view of the passengers at all times when the vehicle is being operated. The license must be displayed on both sides of a hang tag so that it is visible from both the inside and outside of the vehicle. The license must contain a recent photo of the driver and the driver's legal name.

##### Vehicles

All liverys, taxis, and other Ride for Hire vehicles must maintain vehicle insurance as required by the Commonwealth. The minimum amount of insurance liability coverage may be adjusted at the discretion of the

Mayor or the Mayor's designee. The policy shall state that if it is revoked or amended the insurance company will notify the Board of License Commissioners no later than 30 days prior to the effective date of the revocation or amendment. Evidence of such insurance shall be carried in the Ride for Hire vehicle at all times. A copy of the insurance certificates for all Ride for Hire vehicles must be provided to the City annually by December 31<sup>st</sup>.

All Ride for Hire vehicles must receive an annual inspection pursuant to M.G.L. c.90 §7A. Vehicles registered in another state shall comply with the inspection requirements of that state.

## **§6 Regulations**

For the purposes of this ordinance there is no distinction of the type of Ride for Hire (i.e. livery, taxi, etc).

### Picking up passengers

All licensed Ride for Hires may pick up passengers at dedicated curbside taxi stands. All licensed Ride for Hires may also be hailed by a passenger on the street in addition to picking up passengers for trips that are prearranged.

Ride for Hire drivers may not take up or carry any passenger after the vehicle has been occupied or engaged by a prior passenger without the permission of the first passenger.

### Transportation of alcohol

No Ride for Hire shall be used as a transportation for hire for the delivery of any alcoholic beverages without a license issued by the Alcoholic Beverage Control Commission as required by M.G.L. c.138. This section is not intended to prohibit passengers from purchasing and transporting alcoholic beverages.

### Found property

The driver of a Ride for Hire shall search the interior of the vehicle, and the trunk if used by a passenger, at the end of each shift. Found property shall be brought to the Ride for Hire business office. If any dangerous or illegal item is found in the vehicle, then the Ride for Hire driver/operator shall notify the Police Department immediately. The Ride for Hire business owner shall be responsible for bringing any found items to the Police Department within 24 hours of discovery.

### Fares

All Ride for Hire businesses may set their own fare.

All Rides for Hire must display the current fare rates in the vehicle. The fare rates notice must be displayed in such a way that passengers can clearly view it.

### Receipts

Ride for Hire drivers/operators must give the customer a receipt when requested. The receipt should contain the date, pick-up and drop-off locations, starting and ending time, fare, Ride for Hire driver/operator name and license number, and the phone number of the Ride for Hire business.

### Vehicle Markings

Ride for Hire vehicles must be identifiable with the word "taxi", "cab", "livery", "ride service", or other similar identification; should display the name of the business; and the name "City of Greenfield" if the business is located in Greenfield. Markings should appear on both sides of the vehicle with letters not less than four inches high and ½ inch wide. All wording must be in contrasting colors to the vehicle and be legible. The requirements of this section for vehicle markings may be waived by the City.

### Records

Ride for Hire drivers/operators must maintain true and correct legible records of all trips during all shifts worked. This record must contain the name and address of the Ride for Hire driver/operator; the Ride for Hire vehicle license plate number; the date, time, and location of the origination; the date, time, and location of the drop-off; the number of passengers; the total fare charged; and method of payment. These records must be maintained for a minimum of seven years. These trip records must be available for inspection upon demand by a Police Officer. Trip records must also be submitted to the Ride for Hire business owner for record keeping purposes at the end of the driver/operator's shift.

In addition to the trip records, Ride for Hire businesses must also maintain the following records for a minimum of seven years: a roster of drivers for each calendar year; records pertaining to the price of rides; any suspension or revocation of a Ride for Hire driver/operator, or any disciplinary actions taken against a driver, and the reason(s) therefore; incidents reported, from any source, to a Ride for Hire business owner relative to a driver or rider, and any actions that the Ride for Hire business owner has taken, if any, to resolve said incidents. These records must be available for inspection upon demand by a Police Officer.

#### Liaison

A Greenfield Police Officer designated by the Chief of Police shall be a liaison between the City of Greenfield, passengers, and Ride for Hire businesses and drivers/operators. This Officer shall be responsible for initiating any investigation into complaints related to violations of this ordinance.

### **§7 Suspensions & Revocations**

#### Ride for Hire business license

The Board of License Commissioners may suspend or revoke a Ride for Hire business license for a violation of the law or of this ordinance or if the public health and safety so requires. The Board of License Commissioners shall, as soon as is practicable, provide the licensee with written notice of the suspension or revocation and inform the license holder of the right to a hearing before the Board.

A request for a hearing must be made in writing within 10 days of receipt of the notice. At the hearing, the licensee will have the opportunity to present testimony and other evidence and to be represented. Upon suspension or revocation, the license shall be immediately surrendered to the Board of License Commissioners. A request for a hearing shall not delay any suspension or revocation.

#### Ride for Hire driver/operator license

The Chief of Police may suspend or revoke a livery, taxi, or other Ride for Hire driver/operator license at any time for a violation of the law or this ordinance or as the public health and safety so require. ~~If the Ride for Hire driver's license was issued by another municipality, the Chief of Police may suspend or revoke that driver's right to operate a Ride for Hire in Greenfield.~~

The Chief of Police shall as soon as is practicable provide the Ride for Hire driver/operator licensee with written notice of the suspension or revocation and inform the driver/operator licensee of the opportunity for a hearing before the Board of License Commissioners to review the decision. Upon suspension or revocation said license shall be immediately surrendered to the Chief of Police. A request for a hearing shall not delay any suspension or revocation. If the driver/operator is employed by a Ride for Hire business the Police Chief will also notify the Ride for Hire business owner.

If the Ride for Hire driver/operator is aggrieved by the decision of the Chief of Police in suspending or revoking their license, they may file a written appeal to the Board of License Commissioners containing a complete statement of the reasons why said suspension or revocation is unreasonable within 10 calendar days of the suspension or revocation. If the Board of License Commissioners finds that the suspension or revocation is unreasonable it may request the Chief of Police to reinstate or reissue the license.

A suspended or revoked license shall not be reinstated or reissued until the licensee has reapplied for a license.

### **§8 Enforcement Provisions**

#### Operation of a Ride for Hire vehicle without a Ride for Hire driver/operator license

The Police may order any driver operating a Ride for Hire vehicle in Greenfield without a valid taxi, livery, or other Ride for Hire driver/operator license to immediately discontinue the ride. Additionally, the Ride for Hire driver/operator may be fined or penalized as outlined below.

#### Operation of a Ride for Hire business without a Ride for Hire business license

The Police may order any Ride for Hire business operating in Greenfield without a valid Ride for Hire business license to cease the business until duly licensed by the City of Greenfield. All drivers employed by the unlicensed Ride for Hire business will be ordered to immediately discontinue any rides. Additionally, the Ride for Hire business owner may be fined or penalized as outlined below.

#### Violations of this ordinance and penalties

The provisions of this ordinance may be enforced by any Police Officer of the City of Greenfield.

In addition to the enforcement provisions for operation of a Ride for Hire vehicle without a Ride for Hire driver/operator license or of operation of a Ride for Hire business without a Ride for Hire business license, violations of this ordinance may be enforced by any available means in law or equity, including but not limited to enforcement by noncriminal disposition pursuant to M.G.L. c.40 §21D. Each day a violation exists shall constitute a separate violation. When enforced through noncriminal disposition the penalties shall be \$100 for a first violation, \$200 for a second violation, and \$300 for a third and subsequent violations.

**Current Language:**

§ 565-12 Rule 12, Public participation. [Amended 8-17-2022 by Order No. FY 23-023]

*A. Conduct. Any member of the public desiring to address the City Council shall be recognized by the Chairperson or presiding officer, shall state their name and address in an audible tone for the record, and shall limit their remarks to matters of City business.*

*(1) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.*

*(2) Upon the request of the presiding officer all persons shall be silent.*

*(3) Public members may be recognized to speak to the Council at the pleasure of the presiding officer or a majority of the Council present.*

*B.*

*Nonresidents. Members of the public who are not residents of Greenfield may speak when all residents who wish to do so have spoken.*

**New Draft:**

**Rule 12, Public Participation at Council and Council Committee meetings.**

(1) All Council meetings and Council Committee meetings shall provide for a period of public comment.

(2) Greenfield residents will be called upon to speak first. Members of the public who are not residents of Greenfield may be called upon to speak after all residents who wish to do so have spoken.

(3) When recognized, members of the public shall state their name and town of residence in an audible tone for the record.

(4) Members of the public shall limit their remarks to matters generally under the purview of the City at full Council meetings or of the Committee at Council Committee meetings.

(5) Any citizen or petitioner shall be limited to three minutes or another amount of time at the discretion of the presiding officer.

(6) Upon the request of the presiding officer all persons shall be silent.