GREENFIELD TOWN COUNCIL Regular Meeting Minutes June 16, 2010

GCTV-15 7:00 pm

CALL TO ORDER: Meeting was called to order at 7:06 p.m. by President Farrell.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilors Joseph, Canteen and Wood were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Accountant Michael Kociela; Town Clerk Maureen Winseck; Department of Public Works Superintendant Sandra Shields; Police Chief David Guilbault; Recreation Director Christy Moore; Assistant to the Mayor for Economic Development and Marketing Robert Pyers; Councilor-Elect Patrick Develin; Management Assistant to the Mayor Audrey LaBonte; Planning Board Chairman Roxanne Wedegartner; GCTV-15 staff; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Maloney, second by Councilor Allis, it was unanimously **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF MAY 12, 2010.

PUBLIC HEARINGS: Councilor Maloney read the following Public Hearing notices. President Farrell opened the Public Hearing at 7:07 pm.

In accordance with the Home Rule Charter the Greenfield Town Council will hold a public hearing on Wednesday, June 16, 2010, beginning at 7:00 p.m. at GCTV-15, 393 Main Street to receive public comment regarding the following:

FY 2011 CAPITAL IMPROVEMENT PROGRAM

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Conduct Interim Property Revaluation	\$12,500
Accrued Time Buyback	\$33,300
Upgrade Swimming & Recreation Area	\$12,000
Upgrades to Beacon Field	\$23,000
Purchase Computer Hardware/Software	\$29,500
Purchase Parking Collection Hardware/Software	\$57,500
Purchase Defibrillators	\$24,300
Purchase Police Equipment	\$18,500
Purchase Fire Personal Protection Equipment	\$24,500
Repair Fire Station	\$10,000
Purchase Fire Fighting Equipment	\$18,000
Replace Elementary School Flooring	\$85,000
Paint Elementary School Trim	\$100,000
Upgrade School Technology	\$185,000
Repair Middle School Roof	\$150,000
Repair Federal Street Roofs	\$350,000
Purchase DPW Roller	\$17,000
Purchase DPW Trailer	\$72,000
Replace Town Guardrails	\$24,000
Authorize Chapter 90 Paving Program	\$510,025
Replace Town Sidewalks	\$120,000
Install Ventilation System at Town Yard	\$50,000
Improve Sewer Inflow/Infiltration	\$150,000
Repair Davis Street Tennis Courts	\$180,000
Upgrade Parking Lots	\$425,000
Rehabilitate Millbrook Water Wells	\$25,000
Replace Oak Hill Water Plant Filter Sand	\$120,000
Replace Oakland Street 8" Water Main	\$71,000
ESCO energy conservation projects	\$4,100,000
Total	\$6,997,125
The Town Council will consider the same at their	masting on W

The Town Council will consider the same at their meeting on Wednesday, June 16, 2010 which begins at 7:00 p.m. at the GCTV-15 Studio, 393 Main Street. Copies of the proposals are available for review in the Greenfield Town Clerk's Office, 14 Court Square, Greenfield, MA, from 8:30 a.m. - 5:00 p.m., Mon - Fri.

At 7:10 pm Councilor Maloney read the following Public Hearing notice.

PUBLIC HEARING - In accordance with Home Rule Charter the Greenfield Town Council will hold a public hearing on Wednesday, June 16, 2010, beginning at 7:10 p.m. at GCTV-15, 393 Main Street to consider the following:

• That \$4,100,000 be appropriated for the costs of energy savings improvements to various municipal building and for the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$4,100,000.under G.L.c. 44 §7 (3B).

The Town Council will consider the same at their meeting on Wednesday, June 16, 2010 which begins at 7:00 p.m. at the GCTV-15 Studio, 393 Main Street. A full copy of the proposals is available for review in the Greenfield Town Clerk's Office, 14 Court Square, Greenfield, MA, between the hours of 8:30 a.m. - 5:00 p.m., Mon. - Fri.

President Farrell asked if any members of the public wished to speak. Seeing none, he closed the Public Hearings at 7:12 pm.

Councilor Maloney held the second reading:

FY 2011 CAPITAL IMPROVEMENT PROGRAM Conduct Interim Property Revaluation \$12,500 Accrued Time Buyback \$33,300 Upgrade Swimming & Recreation Area \$12,000 Upgrades to Beacon Field \$23,000 Purchase Computer Hardware/Software \$29,500 Purchase Parking Collection Hardware/Software \$57,500 Purchase Defibrillators \$24,300 Purchase Police Equipment \$18,500 Purchase Fire Personal Protection Equipment \$24,500 Repair Fire Station \$10,000 Purchase Fire Fighting Equipment \$18,000 Replace Elementary School Flooring \$85,000 Paint Elementary School Trim \$100,000 Upgrade School Technology \$185,000 Repair Middle School Roof \$150,000 Repair Federal Street Roofs \$350,000 Purchase DPW Roller \$17,000 Purchase DPW Trailer \$72,000 Replace Town Guardrails \$24,000 Authorize Chapter 90 Paving Program \$510,025 Replace Town Sidewalks \$120,000 \$50,000 Install Ventilation System at Town Yard Improve Sewer Inflow/Infiltration \$150,000 Repair Davis Street Tennis Courts \$180,000 **Upgrade Parking Lots** \$425,000 \$25,000 Rehabilitate Millbrook Water Wells Replace Oak Hill Water Plant Filter Sand \$120,000 Replace Oakland Street 8" Water Main \$71,000 ESCO energy conservation projects \$4,100,000 \$6,997,125 **Total**

• That \$4,100,000 be appropriated for the costs of energy savings improvements to various municipal building and for the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$4,100,000.under G.L.c. 44 §7 (3B).

COMMUNICATIONS:

MAYOR: Mayor Martin emphasized that the memorandum of understanding he and department heads presented to the Town Council regarding the Fiscal Year 2011 Operating Budget, was solely to show the budget had been a team effort.

Mayor Martin and Ms. Shields introduced Axio Green Senior Executive Vice-President Paul Curran and Project Manager Bill Jordan, who would give a power point presentation regarding the Solar Farm proposal for the Landfill on Wisdom Way. A question and answer session followed.

SCHOOL COMMITTEE CHAIRMAN: None.

TOWN OFFICERS: Police Chief Guilbault discussed the Mayor's memorandum of understanding signed by Department Heads regarding the Town of Greenfield Fiscal Year 2011 Operating budget. In summary he emphasized that he signed the memo voluntarily and of his own free will.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 10-080

Financial Order FY11-06

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

VOTED: THAT THE SUM OF \$510,025 IS APPROPRIATED IN FISCAL YEAR 2011 FOR THE COMMONWEALTH OF MASSACHUSETTS' CHAPTER 90 HIGHWAY CONSTRUCTION PROGRAM AND TO MEET SAID APPROPRIATION, THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE FUNDS OR GRANTS AVAILABLE FOR THESE PROJECTS TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-081

Financial Order FY11-07

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

VOTED: THAT THE SUM OF \$33,300 BE APPROPRIATED FOR EMPLOYEE ACCRUED LEAVE BUYBACK FOR THE FISCAL YEAR 2011, AND TO MEET SAID APPROPRIATION, \$33,300 SHALL BE RAISED AND APPROPRIATED.

Order no. FY 10-082

Financial Order FY11-08

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

MOVED: THAT THE SUM OF \$745,000 BE APPROPRIATED FOR THE FOLLOWING PURPOSES AND AMOUNTS:

DESCRIPTION	<u>AMOUNT</u>
REPAIR FIRE STATION	\$ 10,000
REPLACE ELEMENTARY SCHOOL FLOORING	85,000
PAINT ELEMENTARY SCHOOL TRIM	100,000
REPAIR MIDDLE SCHOOL ROOF	150,000
REPAIR FEDERAL ST SCHOOL ROOFS	350,000
INSTALL DPW YARD VENTILATION SYSTEM	<u>50,000</u>
TOTALS	\$745,000

AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$745,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3A) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation. He described the school repairs which would be completed with these funds.

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10-082, FINANCIAL ORDER FY11-08.

Order no. FY 10-083

Financial Order FY11-09

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

MOVED: THAT THE SUM OF \$4,100,000 BE APPROPRIATED TO UPGRADE TOWN BUILDINGS AND EQUIPMENT TO IMPROVE ENERGY CONSERVATION IN CONJUNCTION WITH THE ESCO PROGRAM, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY

AUTHORIZED TO BORROW SAID SUM OF \$4,100,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3A&B) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated the Ways and Means Committee forwarded a unanimous positive recommendation.

It was unanimously

VOTED: TO APPROVE ORDER NO. FY 10-083, FINANCIAL ORDER FY11-09.

Order no. FY 10-084

Financial Order FY11-10

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

MOVED: THAT THE SUM OF \$545,000 BE APPROPRIATED FOR THE FOLLOWING PURPOSES AND AMOUNTS:

DESCRIPTIONAMOUNTREPLACE TOWN SIDEWALKS\$120,000UPGRADE TOWN PARKING LOTS425,000TOTALS\$545,000

AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$545,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (6) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated the \$425,000 was to purchase and install Parking Kiosk equipment for parking lots specified by the Mayor. Councilor Letourneau noted during the public discussion with the Mayor, the public requested the funds generated from the parking Kiosks be put into specific funds to be used for parking lots only. Mr. Pyers stated at 27% utilization rate of parking kiosks, this project would pay for itself within 3 years. He further explained how the kiosk system worked and how funds would be generated with the more efficient system.

It was unanimously (Councilor Siano abstained),

VOTED: TO APPROVE ORDER NO. FY 10-084, FINANCIAL ORDER FY11-010.

Order no. FY 10-085

Financial Order FY11-11

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

VOTED: THAT THE SUM OF \$24,000 BE APPROPRIATED TO INSTALL AND REPAIR TOWN GUARDRAILS, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$24,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (7) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-086

Financial Order FY11-12

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

MOVED: THAT THE SUM OF \$231,800 BE APPROPRIATED FOR THE FOLLOWING PURPOSES AND AMOUNTS:

<u>DESCRIPTION</u> <u>AMOUNT</u>

PURCHASE PARKING ENFORCEMENT EQUIPMENT

Greenfield Town Council	July 16, 2010
PURCHASE POLICE TASERS	18,500
PURCHASE DEPARTMENTAL DEFIBRILLATORS	24,300
PURCHASE FIRE PERSONAL PROTECTION EQUIPMENT	24,500
PURCHASE FIRE FIGHTING EQUIPMENT	18,000
PURCHASE PUBLIC WORKS CONSTRUCTION ROLLER	17,000
PURCHASE PUBLIC WORKS TRAILER	<u>72,000</u>
TOTALS	\$231,800

AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$231,800, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (9) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated the request for the Public Works Trailer was for the Transfer Station, not associated with the request approved for Fiscal Year 2010 Capital Budget.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-086, FINANCIAL ORDER FY11-012.

Order no. FY 10-087

Financial Order FY11-13

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

VOTED: THAT THE SUM OF \$12,500 BE APPROPRIATED FOR THE APPRAISAL OF TAXABLE PROPERTY, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$12,500, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (18) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-088

Financial Order FY11-14

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

MOVED: THAT THE SUM OF \$180,000 BE APPROPRIATED FOR THE RECONSTRUCTION OF THE DAVIS STREET TENNIS COURTS, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$180,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (23) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated this would be used to rectify a dangerous situation where the tennis court has heaved. This request had been made for the past few years. This project would bring the court into compliance with USTA Standards and allow the town to apply for a 20% grant for the project.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-088, FINANCIAL ORDER FY11-014.

Order no. FY 10-089

Financial Order FY11-15

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

MOVED: THAT THE SUM OF \$35,000 BE APPROPRIATED FOR THE RECONSTRUCTION OF TOWN OUTDOOR RECREATION FACILITIES, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$35,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (25) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated these funds would be used to upgrade structures at the Swimming Pool and purchase new structures at Beacon Field.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-089, FINANCIAL ORDER FY11-015.

Order no. FY 10-090

Financial Order FY11-16

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

VOTED: THAT THE SUM OF \$214,500 BE APPROPRIATED FOR THE FOLLOWING PURPOSES AND AMOUNTS:

DESCRIPTIONAMOUNTPURCHASE & INSTALL TOWN COMPUTER TECHNOLOGY\$ 29,500PURCHASE SCHOOL COMPUTER TECHNOLOGY185,000TOTALS\$214,500

AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$214,500, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (28 & 29) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-091

Financial Order FY11-17

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

VOTED: THAT THE SUM OF \$145,000 BE APPROPRIATED FOR THE FOLLOWING PURPOSES AND AMOUNTS:

DESCRIPTIONAMOUNTREHABILITATE MILLBROOK WATER WELLS\$ 25,000RECONSTRUCT OAK HILL WATER PLANT SAND FILTERS120,000TOTALS\$145,000

AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$145,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 8 (4) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-092

Financial Order FY11-18

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

VOTED: THAT THE SUM OF \$71,000 BE APPROPRIATED TO REPAIR AND REPLACE THE OAKLAND STREET EIGHT INCH WATER MAIN, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$71,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 8 (5) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN

APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-093

Financial Order FY11-19

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

VOTED: THAT THE SUM OF \$150,000 BE APPROPRIATED TO IMPROVE AND RECONSTRUCT SEWER INFLOW AND INFILTRATION FACILITIES, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$150,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 8 (15) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

Order no. FY 10-083

Financial Order FY11-09

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

MOVED: TO RESCIND THE FOLLOWING ORDER PREVIOUSLY VOTED: THE SUM OF \$4,100,000 BE APPROPRIATED TO UPGRADE TOWN BUILDINGS AND EQUIPMENT TO IMPROVE ENERGY CONSERVATION IN CONJUNCTION WITH THE ESCO PROGRAM, AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$4,100,000, PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3A&B) OR ANY OTHER ENABLING STATUTE, AND THE MAYOR IS HEREBY AUTHORIZED TO APPLY FOR, CONTRACT FOR, ACCEPT AND EXPEND ANY FEDERAL AND/OR STATE GRANTS AVAILABLE FOR THIS PROJECT TO BE USED TO REDUCE THE WITHIN APPROPRIATION, AND FURTHER, THE MAYOR IS AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THE INTENT AND PURPOSE OF THESE PROJECTS.

DISCUSSION: Councilor Maloney stated Order no. 10-083 Financial Order FY11-09 language was incorrect.

It was unanimously,

VOTED: TO RECIND ORDER NO. FY 10-083. FINANCIAL ORDER FY11-009.

Order no. FY 10-094

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

VOTED:THAT \$4,100,000 BE APPROPRIATED FOR THE COSTS OF ENERGY SAVINGS IMPROVEMENTS TO VARIOUS MUNICIPAL BUILDING AND FOR THE PAYMENT OF ALL COSTS INCIDENTAL AND RELATED THERETO; THAT TO MEET THIS APPROPRIATION THE TREASURER WITH THE APPROVAL OF THE MAYOR IS AUTHORIZED TO BORROW \$4,100,000.UNDER G.L.C. 44 §7 (3B) OR ANY OTHER ENABLING AUTHORITY; THAT THE MAYOR IS AUTHORIZED TO ENTER INTO ANY NECESSARY CONTRACTS FOR ENERGY PERFORMANCE OR SAVINGS, ENERGY MANAGEMENT SERVICES, ENERGY AUDITS, OR ANY OTHER CONTRACT ASSOCIATED WITH SUCH IMPROVEMENTS; THAT THE MAYOR IS AUTHORIZED TO CONTRACT FOR ANY FEDERAL OR STATE AID AVAILABLE FOR THE PROJECT; AND THAT THE MAYOR IS AUTHORIZED TO TAKE ANY OTHER ACTION NECESSARY TO CARRY OUT THIS PROJECT.

Order no. FY 10-095

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

MOVED: THAT THE GREENFIELD TOWN COUNCIL APPROVES A LEASE TO AXIO GREEN, LLC FOR A PERIOD OF TWENTY (20) YEARS UNDER THE TERMS AND CONDITIONS AS WRITTEN IN THE ATTACHED PROPOSED LEASE AND AUTHORIZE THE MAYOR TO EXECUTE SAID LEASE.

DISCUSSION: Councilors Guin, Singer, and Siano would vote in favor of the proposal.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-095.

Order no. FY 10-096

MOTION: On a motion by Councilor Maloney, second by Councilor Sutphin, it was unanimously,

VOTED: THAT THE GREENFIELD TOWN COUNCIL APPROVES A POWER PURCHASE AND SALE CONTRACT WITH AXIO GREEN, LLC FOR A PERIOD OF TWENTY (20) YEARS UNDER THE TERMS AND CONDITIONS AS WRITTEN IN THE ATTACHED PROPOSED CONTRACT AND AUTHORIZE THE MAYOR TO EXECUTE SAID CONTRACT.

Order no. FY 10-097

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

MOVED: THAT THE GREENFIELD TOWN COUNCIL GRANTS THE MAYOR OF GREENFIELD PERMISSION TO PETITION THE STATE LEGISLATURE TO EXTEND THE TERM OF THE SOLAR FARM LEASE AND POWER PURCHASE AND SALE CONTRACT WITH AXIO GREEN, LLC TO A TERM OF UP TO AND INCLUDING THIRTY (30) YEARS.

DISCUSSION: Ms. Shields stated there would be a small amount of Legal expenses associated with this petition.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-097.

Order no. FY 10-096 A

MOTION: On a motion by Councilor Maloney, second by Councilor Sutphin, it was,

MOVED: THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH GLC 268A 20 (b), HEREBY APPROVES THE DISCLOSURE OF FINANCIAL INTEREST BY MUNICIPAL EMPLOYEE, EXECUTIVE ASSISTANT TO THE MAYOR AMANDA MAJEWSKI SO THAT SHE MAY BE PAID A STIPEND BY THE SCHOOL DEPARTMENT IN THE AMOUNT OF \$1,000 TO COACH THE MIDDLE SCHOOL SOFTBALL TEAM, AND FURTHER AUTHORIZE THE TOWN COUNCIL PRESIDENT TO SIGN ON BEHALF OF THE TOWN COUNCIL.

DISCUSSION: Councilor Maloney stated Ways and Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-096A.

Order no. FY 10-097 A

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

MOVED: THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH GLC 268A 20 (b), HEREBY APPROVES THE DISCLOSURE OF FINANCIAL INTEREST BY MUNICIPAL EMPLOYEE, MANAGEMENT ASSISTANT AUDREY LABONTE SO THAT SHE MAY BE PAID A STIPEND BY THE SCHOOL DEPARTMENT IN THE AMOUNT OF \$100 PER SCHOOL COMMITTEE MEETING TO BE RECORDING SECRETARY FOR THE SCHOOL COMMITTEE, AND FURTHER AUTHORIZE THE TOWN COUNCIL PRESIDENT TO SIGN ON BEHALF OF THE TOWN COUNCIL, AS AMENDED.

DISCUSSION: Councilor Maloney stated Ways and Means Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-097A.

Order no. FY 10 -098

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

MOVED: THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 59 DESIGNER SELECTION ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE.

DISCUSSION: Councilor Singer and Ms. Kelly stated State Law required a designer selection process for any construction project over \$100,000 in value and if designer services were warranted, over \$10,000. Councilor Singer reported the

Appointments and Ordinance Committee held a Public Hearing and forwarded a positive unanimous recommendation for approval. He noted an amendment to Section 59-6 B. to insert "if possible" at the end of the first sentence.

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

VOTED: TO AMEND TO SECTION 59-6 B. TO INSERT "IF POSSIBLE" AT THE END OF THE FIRST SENTENCE TO READ AS FOLLOWS "THE COMMITTEE SHALL SELECT AT LEAST THREE FINALISTS IF POSSIBLE".

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 10-098, THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 59 DESIGNER SELECTION ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE, AS AMENDED.

Chapter 59

DESIGNER SELECTION ORDINANCE

§ 59-1. Purpose.	§ 59-7. Contract Specification.
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§ 59-2. Authority. § 59-8. Emergency Provisions.

§ 59-3. Designer Review Committee. § 59-9. Award Publication.

§ 59-4. Qualification and Publication. § 59-10. Documents - Records.

§ 59-5. Application Requirements. § 59-11. Performance.

§ 59-6. Evaluation Process. § 59-12. Other Applicable Provisions

§ 59-13. Funding by the Commonwealth - Provision.

[History: adopted by the Town Council of the Town of Greenfield on 06-16-2010]

GENERAL REFERENCES

§ 59-1. Purpose

This Ordinance governs the selection of designers for any municipal or local public agency building project subject to the state designer selection law, M.G.L. c. 7, §§38A½-O. Any other local law governing the procurement of services will be inapplicable to these procurements.

§ 59-2. Authority

The Mayor has the authority to conduct the designer selection process for the Town of Greenfield. The Mayor may delegate any duties described herein to the extent such delegation is permissible by law.

§ 59-3. Designer Review Committee

- A. The Mayor, with the approval of the Town Council, shall designate the group of individuals (hereinafter referred to as "the Committee) who will conduct the designer selection process. Appointees to the Designer Selection Committee shall serve for 2 years and may be considered for reappointment for one (1) additional term. The Committee shall consist of 5 members: 2 Mayoral appointees, 1 Council appointee, and 2 members of the Planning & Construction Committee. The Chief Procurement Officer shall serve as an ex-officio member of the Committee.
- B. No member of the Committee shall participate in the selection of a designer for any project if the member, or any of the member's immediate family:
 - (1) has a direct or indirect financial interest in the award of the design contract to any applicant;

- (2) is currently employed by, or is a consultant to or under contract to, any applicant;
- (3) is negotiating or has an arrangement concerning future employment or contracting with any applicant; or
- (4) has an ownership interest in, or is an officer or director of, any applicant.

§ 59-4. Request for Qualification and Publication

- A. A Request for Qualifications (RFQ) for each contract subject to this Ordinance shall be advertised in a newspaper of general circulation in the locality of the building project, in the *Central Register* published by the Secretary of the Commonwealth, and in any other place required, at least two weeks before the deadline for filing applications.
- B. The advertisement shall contain the following information:
 - (1) a description of the project, including the specific designer services sought, the time period within which the project is to be completed, and, if available, the estimated construction cost;
 - (2) if there is a program for the building project, a statement of when and where the program will be available for inspection by applicants;
 - (3) when and where a briefing session (if any) will be held;
 - (4) the qualifications required of applicants;
 - (5) the categories of designers' consultants, if any, for which applicants must list names of consultants they may use;
 - (6) whether the fee has been set or will be negotiated; if the fee has been set, the amount of the fee must be listed in the advertisement;
 - (7) when and where the RFQ can be obtained and the applications must be delivered.

§ 59-5. Request for Qualification Requirements

The RFQ shall include the current "Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction," which is available for download from the Massachusetts Designer Selection Board website at Designer Selection Board (DSB) Procedures for Municipalities. The Application Form may be amended to include additional information on a project-specific basis.

§ 59-6. Evaluation Process

- A. The Committee shall evaluate applicants based on the following criteria:
 - (1) prior similar experience;
 - (2) past performance on public and private projects;
 - (3) financial stability;
 - (4) identity and qualifications of the consultants who will work with the applicants on the project; and
 - (5) any other criteria that the Committee considers relevant to the project.
- B. The Committee shall select at least three finalists if possible. Finalists may be required to appear for an interview or provide additional information to the Committee, provided that all finalists are afforded an equal opportunity to do so.
- C. The Committee shall rank the finalists in order of qualification, select the designer, negotiate the fee, and transmit its recommendation to the Mayor. No person or firm, including applicants' listed consultants, debarred pursuant to M.G.L. c. 149, §44C shall be included as a finalist on the list.
 - (1) The list must be accompanied by a written explanation of the reasons for selection including the recorded vote, if any. The written explanation and recorded vote, if any, shall be public records and shall be maintained in the contract file.

D. If the fee was set prior to the selection process, the Mayor shall select a designer from the list of finalists. If the Mayor selects a designer other than the one ranked first by the Committee, the Mayor shall file a written justification for the selection with the Committee and maintain a copy in the contract file.

- E. If the fee is to be negotiated, the Mayor shall review the list of finalists and may exclude any designer from the list if a written explanation of the exclusion is filed with the Committee and maintained in the contract file. The Committee shall request a fee proposal from the first ranked designer remaining on the list and begin contract negotiations. If the Committee is unable to negotiate a satisfactory fee with the first ranked designer, negotiations shall be terminated and undertaken with the remaining designers, one at a time, in the order in which they were ranked by the Committee until agreement is reached. In no event may a fee be negotiated which is higher than the maximum fee set prior to selection of finalists.
- F. If the Committee is unable to negotiate a satisfactory fee with any of the finalists, the Committee shall recommend that the Committee select additional finalists.
- G. The Mayor may allow a designer who conducted a feasibility study to continue with the design of a project. However, the Mayor may commission, at his discretion, an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility of the designer's work to insure its reasonableness and its adequacy before allowing the designer to continue on the project, provided Mayor otherwise complies with the statutory requirements for selecting a designer under Chapter 7 of the General Laws, including those set forth in M.G.L. c. 7, §38K (a) (1).

§ 59-7. Contract Specification

- A. Design Services Every contract for design services shall include the following:
 - (1) Certification that the designer or construction manager has not given, offered, or agreed to give any person, corporation, or other entity any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of the contract for design services;
 - (2) Certification that no consultant to, or subcontractor for, the designer or construction manager has given, offered, or agreed to give any gift, contribution, or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;
 - (3) Certification that no person, corporation, or other entity, other than a bona fide full-time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation, or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and
 - (4) Certification that the designer has internal accounting controls as required by M.G.L. c. 30, §39R(c) and that the designer has filed and will continue to file an audited financial statement as required by M.G.L. c. 30, §39R(d).
- B. Fees All fees shall be stated in design contracts and in any subsequent amendments thereto, as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services.
- C. Liability Insurance Requirements for Designer The Town of Greenfield shall not enter into a contract for design services unless the designer has obtained professional liability insurance covering negligent errors, omissions, and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of the contract. The total amount of such insurance shall at a minimum equal the lesser of one million dollars or ten percent of the project's estimated cost of construction, or such larger amounts as the Town of Greenfield may require, for the applicable period of limitations. A designer required by the Town of Greenfield to obtain all or a portion of such insurance coverage at its own expense shall furnish a certificate or certificates of insurance coverage to the Town of Greenfield prior to the award of the contract.
- D. Contract Provisions for Designer Every contract for design services shall include a provision that the designer or its consultants shall not be compensated for any services involved in preparing changes that are required for additional work that should have been anticipated by the designer in the preparation of the bid documents, as

reasonably determined by the individual responsible for administering the design contract.

§ 59-8. Emergency Provisions

A. In the event of an emergency that precludes the normal use of these designer selection procedures, the Committee with the approval of the Mayor may elect to authorize expedited procedures to address the emergency. The Committee shall document in writing the reasons for the emergency declaration, the proposed scope of work, the estimated cost of construction, the established fee for the needed design services, and any other relevant information.

B. The Committee may select three finalists from any standing list of designers who have applied for projects of a similar nature, or may otherwise select three designers to be considered as finalists for the project. The Committee shall rank the finalists in order of qualification and select the designer for the emergency work.

§ 59-9. Award Publication

The Town of Greenfield shall publish the name of any designer awarded a contract in the Central Register.

§ 59-11. Documents - Records

- A. The following records shall be kept by the Town of Greenfield:
 - (1) all information supplied by or obtained about each applicant;
 - (2) all actions taken relating to the project; and
 - (3) any other records related to designer selection.
- B. All records shall be available for inspection by the state Designer Selection Board and other authorized agencies.

§ 59-11. Performance Evaluation

The Town of Greenfield shall evaluate designers' performance on contracts using the Designer Selection Board evaluation form(s) in accordance with M.G.L. c. 7, §38E(g), and file completed evaluations with the Board and any other agency named in M.G.L. c. 7, Section 38E(g).

§ 59-12. Other Applicable Provisions

Nothing in this Ordinance shall be interpreted to require the establishment of a board or waive or reduce the requirements of any other applicable law or regulation.

§ 59-13. Funding by the Commonwealth

For any municipal design or construction project that includes funding provided by the Commonwealth, in whole or in part (such as reimbursements, grants and the like), cities and towns must incorporate minority-owned business enterprise and women-owned business enterprise participation goals. If applicable, the Town of Greenfield shall take steps to assure that it complies with all State Office of Minority and Women Business Assistance requirements.

Order no. FY 10 -099

MOTION: On a motion by Councilor Singer, second by Councilor McLellan, it was unanimously; Councilors Maloney and McLellan abstained,

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

REAPPOINTMENT

Carolyn Doerpholz	Agricultural Commission	3-year term (2013)
Denise Leonard	Agricultural Commission	3-year term (2013)
Deborah Fortin	Council on Aging	3-year term (2013)
Dorothy Gagnon	Council on Aging	3-year term (2013)
Norman Matthews	Council on Aging	3-year term (2013)
Cynthia Dodge	Commission on Disability Access	3-year term (2013)
Thomas DeHoyos	Conservation Commission	3-year term (2013)

Sam Pettengil	Greenfield Local Cultural Council	3-year term (2013)
Peter Miller	Historical Commission	3-year term (2013)
Lindley Wilson	Historical Commission	3-year term (2013)
Dr. David Taylor	Board of Health	3-year term (2013)
Dianna Roberts	Human Rights Commission	3-year term (2013)
Doris Cowdrey	Greenfield Public Library Trustees	3-year term (2013)
Audrey LaBonte	Greenfield Public Library Trustees	3-year term (2013)
Scott Conti	Board of License Commissioners	3-year term (2013)
James Allen	Planning Board	3-year term (2013)
Joshua Parker	Planning Board – 1 st Alternate	3-year term (2013)
Linda Smith	Planning Board	3-year term (2013)
Mark Leonard	Planning and Construction Committee	3-year term (2013)
Jean Martin	Public Safety Commission	3-year term (2013)
Michael Bryne	Recreation Commission	3-year term (2013)
Barbara Zaccheo	Recreation Commission	3-year term (2013)
Thomas McLellan	Zoning Board	3-year term (2013)
Mark Maloney	Zoning Board	3-year term (2013)
Scott Conti	Zoning Board – 2 nd Alternate	1-year term (2013)
Marilyn Lee	Board of Registrars	3-year term (2013)
Joseph LaChance	Constables	3-year term (2013)
F. Peter Clarke	Constables	3-year term (2013)

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

OLD BUSINESS: None.

NEW BUSINESS: Vice President Allis invited his fellow Town Councilors to collect Fire Works funds with him on Federal and Main Streets through July 1, 2010. He also thanked all Town Departments for their response to the recent storm.

Councilor Sutphin urged the town to consider a study in the Fiscal Year 2012 Capital budget for the old storage tanks in various locations throughout the town.

Councilor Maloney thanked outgoing Councilors Sullivan, Canteen, Joseph and Siano for all contributions made to the Town of Greenfield. He also thanked President Farrell for all of his service as the President. Councilor Siano urged the Town Council to continue to listen to the Citizens. Councilor Sullivan thanked the Town Council membership and hoped the citizens realized how much time Councilors put into doing this job.

President Farrell listed his top 12 items the Town Council did this year, they were:

- 1. Petitioned the State for 3 liquor licenses.
- 2. Designated Bendix as a Priority Development Site.
- 3. M.G.L.c 43 D Urban Renewal District.
- 4. Tax Incentive Finance Agreement for Real Pickles.
- 5. The Green Communities Act.
- 6. Massachusetts State Building Code aka the Stretch Code.
- 7. 8 parcels of town land for Sale of Town Land.
- 8. Established the 2010 Charter Commission.
- 9. Established the Domestic Violence Ordinance.
- 10. \$225,000 for a High School feasibility study and Building Committee.
- 11. Made a financial dedication to the Greenfield Public Schools.
- 12. Appropriated \$103,000 to reopen Four Corners School.

President Farrell thanked all of the Town Councilors for there work. He thanked Maureen Winseck, Deborah Tuttle and Kathryn Scott for "keeping the Council in line." He reminded Councilors that July 1, 2010 was inauguration day. The organizational meeting would be held on July 7, 2010, 5:30 pm in the Town Hall Meeting Room. He requested all Councilors return the Committee Sign up sheets to the office.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: None.

ADJOURNMENT: On a motion by Councilor Maloney, second by Councilor Allis, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:30 P.M.

A true copy,

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GREENFIELD TOWN COUNCIL MEMBERS

Maureen T. Winseck, Town Clerk

GCTV-15 Regular Meeting June 16, 2010

1. Wood, Peter	A			
2. McLellan, Thomas	P			
3. Allis, Brickett	P			
4. Maloney, Mark	P			
5. Singer, David	P			
6. Letourneau, Danielle	P			
7. Canteen, Jeanne	A			
8. Joseph, Christopher	A			
9. Sullivan, Mary-Catherine	P			
10. Farrell, Timothy	P			
11. Guin, Daniel	P			
12. Siano, Alfred	P	 	 	
13. Sutphin, Tracey	P			