

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
September 21, 2011

GCTV-15

7:00 pm

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

President Singer stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council was audio recording and GCTV-15 was video recording the meeting for future broadcast.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilor Allis was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Maureen Winseck; Mayor's Office Management Assistant Audrey LaBonte; Retirement Board members Betty Rice and Marilyn Matysiewicz; Director of Planning Eric Twarog; Energy and Sustainability coordinator Carol Collins; Grants Administrator Alice Connelley; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

MOTION: On a motion by Councilor Sutphin, second by Councilor Devlin, it was unanimously,
VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS.

President Singer reviewed the process he followed to make a recommendation to Committee Chairs for the appointment of Karen Renaud to be Precinct 7 Town Councilor. He noted the following were a few of the reasons he chose to recommend her for appointment: she had run in the recent town preliminary election as a candidate; and, during the preliminary was the largest vote getter in Precinct 7. He stated the term would expire on June 30, 2012.

Order no. FY 12 -027

MOTION: On a motion by Councilor Devlin, second by Councilor Hoffman, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE APPOINTMENT OF KAREN T. RENAUD TO FILL THE VACANT PRECINCT 7 TOWN COUNCIL SEAT, UNTIL JUNE 30, 2012, PURSUANT TO CHARTER SECTION 2-11.

DISCUSSION: Councilor Farrell was sure Ms. Renaud was fully qualified to serve as Precinct 7 Councilor. He expressed concerns with "talk" surrounding the resignation of former Precinct 7 Councilor Shenandoah Sluter and the proposed appointment of Karen Renaud. Councilor Farrell would vote in favor of the appointment. President Singer discussed the resignation, application and appointment process. He stated the other two applicants were not, in his opinion, the applicant the community needed at this time.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -027.

Town Clerk Winseck administered the oath of office to Karen Renaud.

ACCEPTANCE OF MINUTES: On a motion by Councilor Sutphin, second by Councilor Wisniewski, it was unanimously,
VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF JULY 20, 2011 AND AUGUST 17, 2011.

PUBLIC HEARINGS: None.

COMMUNICATIONS:

MAYOR: Mayor Martin spoke of the following:

- Police Chief David Guilbault had submitted a letter of retirement effective September 25, 2011. An Acting Chief would be appointed and the process for hiring a new full time Police Chief would begin.
- Process and procedure for receiving FEMA reimbursement.
- Health Insurance Municipal Relief Bill.

SCHOOL COMMITTEE CHAIRMAN: None.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS**Order no. FY 12 -029**

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE GREENFIELD LOCAL CULTURAL COUNCIL: RICHARD ROTH - 3-YEAR TERM, JUNE 30, 2014 (REPLACING LINDEL HART); CAITLIN VON SCHMIDT - 3-YEAR TERM, JUNE 30, 2014 (REPLACING DREW HUTCHISON); FRANCESCA PASSIGLIA - 1-YEAR TERM, JUNE 30, 2012 (FILLING A VACANCY LEFT BY TIFFANY HILTON)

DISCUSSION: Councilor McLellan stated the Appointments and Ordinance Committee forwarded a unanimous positive recommendation on all of the proposed appointments this evening.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -029.

Order no. FY 12 -030

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE GREENFIELD COUNCIL ON AGING: MARSHA STONE - 3-YEAR TERM, JUNE 30, 2014 (REPLACING AVERY PLOTKIN).

DISCUSSION: Councilor Hirschfeld would recuse himself from the vote due to the fact that the proposed appointee was his wife.

It was unanimously, Councilor Hirschfeld abstained,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -030.

Order no. FY 12 -031

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE GREENFIELD COMMISSION ON DISABILITY ACCESS: SARA CAMPBELL - 1-YEAR TERM, JUNE 30, 2012 (TO COMPLETE THE TERM LEFT VACANT BY THE RETIREMENT OF LAURENCE PETRIN).

Order no. FY 12 -032

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

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 ACCEPTS THE FOLLOWING APPOINTMENTS BY THE MAYOR TO THE GREENFIELD PARKING AND TRAFFIC COMMISSION: SCOTT WILLIS 3-YEAR TERM, JUNE 30, 2014.

Order no. FY 12-034

MOTION: On a motion by Councilor Vicencio-Rasku, second by Councilor Farrell, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESOLUTION RELATING TO THE VERMONT YANKEE NUCLEAR POWER PLANT TITLED "VERMONT YANKEE".

VERMONT YANKEE

WHEREAS as of February 24, 2010, when the Vermont Senate voted 26-4 in opposition to the extended operation of Vermont Yankee's original 40-year license on March 21, 2012, the plant is now scheduled to cease operation on or before that date; and,

WHEREAS this scheduled closure is likely to affect nearby towns and cities in the tri-state area, including the town of Greenfield, MA, in a number of ways; and,

WHEREAS it is the responsibility of local Municipalities to protect and enhance the safety and well-being of our Towns and Cities and to minimize any negative impacts that Vermont Yankee's closure may have on its workers, local residents, and the environment.

NOW, THEREFORE, BE IT RESOLVED that the Greenfield City Council recommend that:

1. Current Vermont Yankee workers should have the opportunity of continued employment throughout the process of closing the plant and cleaning up the site, and they must receive the maximum protection from

- radiation exposure provided by current technology;
2. Workers whose jobs end if the plant closes and those who choose not to work on the decommissioning of the plant should receive generous severance packages and benefits, as well as retraining for jobs appropriate to their skills and pay grades;
 3. Extraordinary measures must be taken to insure the safety of people and the environment should the plant be closed and decommissioned, and the appropriate authorities must be scrupulous in overseeing the process and be prepared to impose rigorous measures should there be any sign of delay or laxity in maintenance prior to or during any possible closure of the plant;
 4. Local authorities must be forewarned of the transportation through the various towns of any radioactive materials from the plant. Greenfield voters in an ordinance approved by referendum on April 1, 1986, mandated such action when they declared the town to be a Nuclear Free Zone.
 5. Establishing a citizen's advisory board appointed by Municipalities would help ensure free and open communication between cities and towns in the vicinity of Vermont Yankee and with the owners of the Vermont Yankee power plant and those governmental authorities with oversight authority over Vermont Yankee.

DISCUSSION: Councilor Vicencio-Rasku reviewed discussion held with Wilson Roberts regarding the topic of Vermont Yankee Nuclear Power Plant. They requested communities around the power plant to support workers, open communication, safety of people, and the environment via letters of support or in this case, a resolution created by the Community Relations and Education Committee. Councilor Vicencio-Rasku forwarded a unanimous positive recommendation for the approval of the proposed resolution. Councilor Hoffman noted this was not a vote in favor or opposing Nuclear Power. Councilor Wisnewski stated he had been contacted by a constituent who suggested the Town Council not vote on numbers 1 and 2 of the resolution unless there were Greenfield citizens who worked in the power plant, however he did strongly support numbers 3, 4, and 5. He would support the proposed resolution. Councilor McLellan would vote in opposition of the proposal because he believed the Town Council should refrain from political statements which apply to communities other than Greenfield.

It was by majority,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -034.

Order no. FY 12-035

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE DEPARTMENT OF PLANNING & DEVELOPMENT TO PROCEED WITH A FEASIBILITY STUDY ON MUNICIPAL AGGREGATION USING THE APPROVED \$34,850 FROM THE TOWN'S GREEN COMMUNITIES GRANT AWARD OF \$202,066 AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

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

MOVED: TO INSERT THE WORDS "UP TO" AFTER THE WORD "USING" IN THE ORDER.

DISCUSSION: Councilors Sutphin and Wisnewski stated the Ways and Means and Economic Development Committee forwarded unanimous positive recommendations for approval. Mr. Twarog stated the feasibility study would include a recommendation as to whether the town should proceed with Municipal Aggregation. A second vote of the Town Council would be needed to move forward with a Municipal Aggregation Plan to be submitted to the State. He reviewed the public participation requirements set forth in the process after the feasibility study was completed. Councilor Sutphin introduced Carol Collins, Town of Greenfield Energy and Sustainability Coordinator.

It was unanimously,

VOTED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AUTHORIZES THE DEPARTMENT OF PLANNING & DEVELOPMENT TO PROCEED WITH A FEASIBILITY STUDY ON MUNICIPAL AGGREGATION USING UP TO THE APPROVED \$34,850 FROM THE TOWN'S GREEN COMMUNITIES GRANT AWARD OF \$202,066 AND AUTHORIZES THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

Order no. FY 12-033

MOTION: On a motion by Councilor Vicencio-Rasku, second by Councilor Farrell, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL DELETE THE CURRENT TOWN COUNCIL RULES OF PROCEDURE § 1261-9. RULE 9, COMMITTEES. B. COMPOSITION – CHARGE (4)

COMMUNITY RELATIONS AND EDUCATION COMMITTEE AND REPLACE IT WITH THE FOLLOWING, SHOWN IN STRIKE DRAFT FORMAT:

Community Relations and Education Committee

To consist of five (5) members of the Council to act as liaisons between town departments, commissions, and boards with a focus on quality of life issues in Greenfield. The Community Relations and Education Committee will also provide a regular venue during meetings for communications with the School Department on cultural and social aspects within the schools. The Community Relations and Education Committee shall ~~hold all public hearing on the above matters unless otherwise provided for.~~ **promote on-going communication between residents and town government, encourage resident participation in town meetings, and provide forums, both in-person and electronic, for interaction between Council members and the public.**

DISCUSSION: Councilor Vicencio-Rasku stated the committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -033.

Order no. FY 12-037

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL THAT IN ACCORDANCE WITH MGL CH. 44 §31, THE GREENFIELD TOWN COUNCIL CONFIRMS THE MAYOR'S DECLARATION OF A LOCAL EMERGENCY TO HEALTH AND SAFETY AND REQUESTS APPROVAL FROM THE DIRECTOR OF ACCOUNTS TO PAY THE LIABILITIES THE MUNICIPALITY INCURS FOR EMERGENCY OPERATING PURPOSES FROM AVAILABLE FUNDS.

Emergency Declaration

Whereas, a sudden, generally unexpected occurrence or set of circumstances demanding immediate public action has arisen within the City/Town of Greenfield which incident it generally describes as follows; and

Whereas, the Head of State upon advice of the Director of the City/Town's Office of Emergency Management has determined that the aforesaid incident poses a present and reasonable imminent danger to public health, safety or general welfare of the people or their property so that it has become necessary for the Director to utilize and coordinate the services, equipment, and supplies and facilities of existing departments, offices and agencies of the City/Town for the purposes of civil defense/emergency management and emergency functions; and

Whereas, the Head of State has determined that the immediate public action is needed to prevent, minimize, or mitigate damage to the public health, safety or general welfare of the people of Greenfield or their property which may otherwise result from the above described incident and that taking the time required to comply with the various state and local procurement laws would endanger the health or safety of the people or their property; and

Whereas, the Head of State has recommended that the state of emergency be declared in the City/Town of Greenfield; and

Whereas, the people of the City/Town of Greenfield should be able to depend upon guidance from their chief executive officer,

Now Therefore, I, MARJORIE L. KELLY ~~ACTING~~ Mayor/~~Board of Selectmen~~ Chair of the City/Town of Greenfield, Massachusetts, hereby declare that as of 0800 on Aug 27 2011, 2011 a state of emergency shall remain in effect until further notice is given, pursuant to my judgment that the state of emergency no longer exists.

Date: 8-27-11

Marjorie L. Kelly
Title of City/Town ACTING MAYOR, GREENFIELD

DISCUSSION: Councilor Sutphin noted this was a follow-up vote to last week's vote to allow the town to spend due to Hurricane Irene.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -037.

Order no. FY 12-036

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ELECTS TO ENGAGE IN THE PROCESS TO CHANGE HEALTH INSURANCE BENEFITS UNDER M.G.L. C. 32B, §§ 21-23.

DISCUSSION: Councilor Sutphin stated the Ways and Means Committee forwarded a 3 yes and 1 no, positive recommendation for approval. President Singer urged Councilors to express opinions and ask questions. This was a very important subject which may have some unseen consequences. The statute provides the negotiating around the type of plans and deductibles for municipal employee health insurance would be taken out of collective bargaining. President Singer reviewed the 30 day process outlined in the law for committees and the town to agree upon a health insurance plan.

The following are comments and questions by the Town Council:

- Objections to the law were: 30 Day negotiation period seemed short; the law undermines or weakens collective bargaining; what happens to the employees utilizing the mitigation period of one year after the one year was over.
- Overall concerns were: the town would save money but the cost were being carried by the workers who make the town run; this was not a solution to the dysfunctional health care system; there were other options for the town; single payer health care should be strongly considered.
- If this were accepted it would place a burden on the employee; as Councilors we are responsible to make decisions which were in the best interest of the citizens and employee; the majority of the municipal budget was spent on salaries, health insurance and debt; if changes were not made, employees would shoulder the budget problems with layoffs; citizens would be impacted because there would be less employees to do all of the jobs; the retirees would be impacted no matter what decision the Town Council made; the 30 day clock was not as restrictive as originally thought, extensions could be requested; one way or another a balanced Fiscal Year 2012 will be voted next year and would be balanced on the backs of the employees.
- Did not believe the 30 day deadline in the law could be extended; seems to be presented that if we do not pass this we do not want to save the town money; Coalition bargaining should be utilized by the town; there were town's that did not bring this forward, they negotiated with the unions and saved money.
- Why put the burden on the town workers; the State should have begun to enact a single payer health care program; when you chip away with a unions right to bargain over health care you begin to "lower the bar" so private employers will lower their health options; there was too much at stake if this were approved.
- Concerned with what would happen to employees after the first year when there was no mitigation funding; impressed with a solution from a town who pledged to set aside funding to keep the mitigation funding available.
- Single payer health care was the best way to go, however, the Mayor had problems to solve now and this law was a step in the right direction; the Town Council has to look at the overall benefit to the citizens of Greenfield.
- The law attempts to address an issue communities have; both the Town of Greenfield and the employees have to step up and come forward with a new process to address this issue; very concerned if this process was adopted; citizens were concerned with the town's finances; other municipalities have created solutions rather than adopting the new law.
- This legislation was not really a bargaining process, there would be discussion, however whatever the health insurance was it would be in line with the Tufts plan or GIC, because this was the base; if the Town were able it would eliminate health care just to save the money; the legislation was deceptively vague; doesn't support the legislation because there were so many questions; feel rushed to make a decision.
- Laws and health care impact some of the most vulnerable people in our society; feel the weight of this proposal; if this were adopted the retirees would be the only segment of the population that would not be able to be compensated for the increase in some manner and these are the people who would be using the health care the most; completely understand that this gives municipalities a chance to impact one of the highest ticket items in the budget to save money, but, you have to look at the impact of that decision.
- Health insurance costs were a "run away train" even with the best of intentions; if something was not done the community would be worse off at some point; the cost have gotten so out of hand they do not line up with collective bargaining laws; Councilors have the responsibility to the Town; perhaps the Mayor and the unions could negotiate a fair agreement and the town would not have to accept this law.

- o Fiscal Year 2013 was looking more challenging than Fiscal Year 2012; if the Town did not do something about the 6.2 million dollars paid to health care there would be layoffs or program cuts; encouraged the unions and town to look at the whole picture for a solution.

President Singer suggested the Town Council table the order for a period of time to allow the unions and the town to negotiate an agreement. If an agreement was not reached, the Town Council would step in, in a month or so. Councilor Wisnewski would vote to table the order. Councilor Farrell would favor tabling the issue rather than seeing the proposal fail. Possible procedures were discussed. President Singer suggested tabling the issue indefinitely. Councilors urged all unions and the town to be expedient in their endeavor to come to an agreement.

MOTION: On a motion by Councilor Wisnewski, second by Councilor McLellan, it was unanimously, **VOTED:** TO TABLE THE MOTION “THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ELECTS TO ENGAGE IN THE PROCESS TO CHANGE HEALTH INSURANCE BENEFITS UNDER M.G.L. C. 32B, §§ 21-23.”

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Vicencio-Rasku announced the committee would be facilitating precinct meetings. The schedule was as follows Precincts 1-3, Tuesday, October 25th, Precincts 4-6 on Monday, November 28th and Precincts 7-9 on Tuesday, January 24th. The meetings start at 6:30 pm at GCC down town campus. The committee also started a Facebook page titled “Greenfield Community Forum” for citizens to interface with the CRE. Councilors were reminded they could not debate or enter into discussion between each other because of open meeting law.

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Wisnewski noted the next meeting would be held on October 11, 2011.

APPOINTMENTS AND ORDINANCE COMMITTEE- Councilor McLellan stated there would be a special meeting of the committee on Wednesday, September 28, 2011 to continue the review of general ordinances.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Councilor Farrell noted the First Annual Riverside Blues & Barbeque Festival would be held on October 7 & 8 at Beacon Field.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: Rebecca King, Greening of Greenfield Energy Committee, spoke of an all day conference at GCC regarding “Creating Greenfield’s Future” to be held on November 5, 2011 as part of the Master Plan process.

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

VOTED: TO ADJOURN THE MEETING AT 9:08 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15

Regular Meeting

September 21, 2011

1. Kelner, Marian	P						
2. McLellan, Thomas	P						
3. Allis, Brickett	A						
4. Ronhave, Steven	P						
5. Singer, David	P						
6. Hoffman, Hillary	P						
7. Renaud, Karen	P						
8. Vicencio-Rasku, Iris	P						
9. Hirschfeld, Norman	P						
10. Farrell, Timothy	P						
11. Wisnewski, Mark	P						
12. Devlin, Patrick	P						
13. Sutphin, Tracey	P						