

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
February 15, 2012

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 Wisnewski was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Assistant Town Clerk Deborah Tuttle; DPW Director Sandra Shields; Franklin County Chamber of Commerce (FCCC) Director Ann Hamilton; Chairman of the Chamber of Commerce Board, Doug Clark; Human Resources Director Dennis Helmus; MassGREEN Tier Training Coordinator Greenfield Community College, Alexandra Floratos; GCTV-15 staff; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Allis, second by Councilor Farrell, it was unanimously, **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF JANUARY 18, 2012.

PUBLIC HEARINGS: Councilor Sutphin read the following Public Hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wednesday, February 15, 2012, beginning at 7:00 p.m. at GCTV-15, 393 Main Street to receive public input on the following:

- Transfer \$27,500 from the Transfer Station Revolving Fund to capital purchase account 4012.499.5870 to purchase a rubbish truck.
- Appropriate \$240,000 for a feasibility study for the renovation of the Greenfield High School.
- Appropriate \$20,000 from Additional State Aid for the Franklin County Chamber of Commerce.

The Town Council will consider the same at their meeting on Wednesday, February 15, 2012 at 7:00 p.m. at the GCTV-15 Studio, 393 Main Street. Materials in alternative format and copies can be obtained from the Town Clerk's Office with advance notice at 413-772-1555, from 8:30 a.m.-5:00 p.m., Mon. - Fri.

President Singer opened the Public Hearing at 7:16 pm. He asked if anyone from the public wished to speak. Seeing none, Councilor Sutphin held the following second reading:

- \$27,500 be transferred from the Transfer Station Revolving Fund to capital purchase account 4012.499.5870 for the purchase of a rubbish truck.
- That the Town of Greenfield appropriates the sum of Two Hundred Forty Thousand Dollars (\$240,000) for a feasibility study relating to the renovation of the Greenfield High School located at 1 Lenox Avenue, Greenfield, Massachusetts, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town of Greenfield recognizes that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town of Greenfield incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Greenfield, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town of Greenfield and the MSBA.
- That \$20,000 be appropriated from Additional State Aid for the Franklin County Chamber of Commerce.

President Singer stated the Public Hearing would be left open.

COMMUNICATIONS:

MAYOR: Mayor Martin updated the Town Council regarding the following:

- Telecommunications Study and Business Plan should be ready for review in March.
- Technology review plan should be ready for review in April.
- Public Safety Analyst and Complex review was expected in March.
- Revenues were holding as expected in the Fiscal Year 2012 budget.
- The Fiscal Year 2013 Capital Budget Plan would be presented to the Town Council in March.
- Fiscal Year 2013 Operating Budget has been submitted by most of the town departments and review has begun.
- The Sheriff's Office was working with the Town to bring back street sweeping along the main streets in Greenfield.

- The Solar Farm would be “on the grid” around April.
- Downtown business owners have expressed pleasure in having an officer downtown on a regular basis.

Ms. Floratos, from GCC, spoke of a grant funded program offered by GCC which trains individuals as Weatherization Installers (attached). She asked Councilors to spread the word of the program and spoke of the benefits to a properly weatherized home. Training for the program would take place at the Franklin County Technical School. Ms. Flonatos can be contacted at the GCC Downtown center at 775-1660.

President Singer closed the Public Hearing at 7:30 pm.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 12-080

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PURSUANT TO CHARTER SECTION 2-10 ACCEPTS THE FOLLOWING APPOINTMENT BY THE MAYOR TO THE COUNCIL ON AGING: THOMAS R. GOODWIN – 3 YEAR TERM –JUNE 30, 2014 (TO FILL THE UNEXPIRED TERM OF LUCI ADAMS)

DISCUSSION: Councilor Allis stated the committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -080.

Order no. FY 12-081

Financial Order 12-018

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT \$27,500 BE TRANSFERRED FROM THE TRANSFER STATION REVOLVING FUND TO CAPITAL PURCHASE ACCOUNT 4012.499.5870 FOR THE PURCHASE OF A RUBBISH TRUCK.

DISCUSSION: Councilor Sutphin stated the committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -081, Financial Order 12-018.

Order no. FY 12-082

Financial Order 12-019

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE TOWN OF GREENFIELD APPROPRIATES THE SUM OF TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000) FOR A FEASIBILITY STUDY RELATING TO THE RENOVATION OF THE GREENFIELD HIGH SCHOOL LOCATED AT 1 LENOX AVENUE, GREENFIELD, MASSACHUSETTS, SAID SUM TO BE EXPENDED UNDER THE DIRECTION OF THE SCHOOL BUILDING COMMITTEE, AND TO MEET SAID APPROPRIATION THE TREASURER, WITH THE APPROVAL OF THE MAYOR IS AUTHORIZED TO BORROW SAID SUM UNDER M.G.L. CHAPTER 44, OR ANY OTHER ENABLING AUTHORITY; THAT THE TOWN OF GREENFIELD RECOGNIZES THAT THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY’S (“MSBA”) GRANT PROGRAM IS A NON-ENTITLEMENT, DISCRETIONARY PROGRAM BASED ON NEED, AS DETERMINED BY THE MSBA, AND ANY COSTS THE TOWN OF GREENFIELD INCURS IN EXCESS OF ANY GRANT APPROVED BY AND RECEIVED FROM THE MSBA SHALL BE THE SOLE RESPONSIBILITY OF THE TOWN OF GREENFIELD, AND THAT THE AMOUNT OF BORROWING AUTHORIZED PURSUANT TO THIS VOTE SHALL BE REDUCED BY ANY GRANT AMOUNT SET FORTH IN THE FEASIBILITY STUDY AGREEMENT THAT MAY BE EXECUTED BETWEEN THE TOWN OF GREENFIELD AND THE MSBA.

DISCUSSION: Councilor Sutphin stated the committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -082, Financial Order 12-019.

Order no. FY 12-083

Financial Order 12-020

MOTION: On a motion by Councilor Sutphin, second by Councilor Allis, it was,**MOVED:** THAT IT BE ORDERED THAT \$20,000 BE APPROPRIATED FROM ADDITIONAL STATE AID FOR THE FRANKLIN COUNTY CHAMBER OF COMMERCE.

DISCUSSION: Councilor Sutphin stated the committee forwarded a unanimous positive recommendation to table the issue until further financial information from the Chamber was received. Councilor Farrell stated he voted to table the order at the Ways and Means Committee however; he was in support of the order. He further stated if a town department had requested funds, their budget would be scrutinized. Councilor Sutphin stated she supports the Chamber and the Visitor's Center. Also noted several town positions had been eliminated and not reinstated and she didn't take giving town funds to outside sources lightly. Councilor Sutphin noted the Ways and Means Committee asked for a detailed expenditure outlining the Chambers budget. Councilor Sutphin noted this was expected to be a yearly request from the Chamber. Councilor Allis spoke of loses to all departments throughout the town and he was against giving town money to a private business. Councilor Renaud stated she had researched this proposal and would vote in favor. President Singer stated the Chamber helped bring money into town and this was a sharing of funds for which the Chamber helped generate. He requested the Ways and Means Committee meet and have a discussion with the Chamber.

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was by majority, 1 no,**TABLED:** THAT IT BE ORDERED THAT \$20,000 BE APPROPRIATED FROM ADDITIONAL STATE AID FOR THE FRANKLIN COUNTY CHAMBER OF COMMERCE.**Order no. FY12-087**

Financial Order 12-017

MOTION: On a motion by Councilor Sutphin, second by Councilor Allis, it was,**MOVED:** THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 44, §53E ½, THE SPENDING LIMIT FOR THE TRANSFER STATION REVOLVING FUND FOR FISCAL YEAR 2012 BE INCREASED TO \$197,000.**DISCUSSION:** Councilor Sutphin stated the committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -087, Financial Order 12-017.**Order no. FY 12-088****MOTION:** On a motion by Councilor Sutphin, second by Councilor Allis, it was,**MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR GREENFIELD ACCOUNTING DEPARTMENT TO BE TRANSFERED INTO ACCOUNT NUMBER 0101-135-5345 IN THE AMOUNT OF \$97.37.**DISCUSSION:** Councilor Sutphin stated the committee forwarded a unanimous positive recommendation. This was a Fiscal Year 2011 bill and a 9/10 vote of the Town Council was required.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -088.**Order no. FY 12-084****MOTION:** On a motion by Councilor Devlin, second by Councilor Sutphin, it was,**MOVED:** THAT IT BE ORDERED THE TOWN COUNCIL VOTES THEIR INTENTION TO CONSIDER LAYING OUT EAST WAYLAND DRIVE AS A PUBLIC WAY AND REFERS THE PETITION TO THE PLANNING BOARD FOR A REPORT AND RECOMMENDATION.**DISCUSSION:** President Singer explained the process for accepting a private way as a public way. It would be forwarded to EDC for recommendation.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -084.**Order no. FY 12-085**

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL RESCIND THE FOLLOWING ORDER VOTED DURING THE TOWN COUNCIL MEETING HELD ON JANUARY 18, 2012:

Order no. FY 12 -069

On January 18, 2012 the Greenfield Town Council, on a motion by Councilor Allis, second by Councilor McClellan, it was unanimously,

Voted that it be ordered,

THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD AS WRITTEN IN THE STRIKETHROUGH AND UNDERLINED BOLD DOCUMENT ATTACHED HERETO, CHAPTER 376, VEHICLE FOR HIRE, SECTIONS 376-2-1, 376-3-2, 376-3-8, 376-4-5, 376-4-6, 376-5-3, 376-5-9, AND 376-5-10 AND FURTHER AMENDS THE INDEX OF THE CODE.

Chapter 376

VEHICLE-FOR-HIRE REGULATIONS

§ 376-1. Definitions

§ 376-2. Vehicle-for-hire business license

§ 376-3. Vehicle-for-hire license

§ 376-4. Vehicle-for-hire operator's license

[HISTORY: Adopted by the Board of Selectmen of the Town of Greenfield effective 3-14-1993; printed as amended 1-16-1997. (Formerly known as Taxicab) Amended by the Board of License Commissioners 1-1-2007 and 9-1-08. Subsequent amendments noted where applicable.]

§ 376-5. Operation of vehicles for hire

§ 376-6. Fares

§ 376-7. Miscellaneous

STATUTORY AUTHORITY

MGL c. 40 § 22

GENERAL REFERENCES

Vehicles and traffic – See Ch. 180.

Traffic regulations – see Ch. 485

376 §2-1 License required

Prior to operating a vehicle-for-hire business in the Town of Greenfield, an applicant must secure a vehicle-for-hire business license from the Board of License Commissioners and any other licenses and permits required by the Town of Greenfield or Commonwealth of Massachusetts.

No taxi or taxi service shall accept a fare within the Town of Greenfield without conforming **with to** all of these regulations.

376 §3-2 Application

Application for a vehicle-for-hire license shall be made to the Chief of Police by the holder of a vehicle-for-hire business license. Such application shall set forth under oath all information that the Chief of Police may require, including:

- a) The make, model, vehicle identification number, and age of the vehicle
- b) A copy of the certificate of insurance coverage page for the vehicle indicating vehicle insurance covering at a minimum of \$100,000/\$300,000 **P.L., personal liability** and \$100,000 **P.D., property damage**.
- c) Vehicle registration
- d) The place at which the vehicle-for-hire will be stored when not in use within the Town of Greenfield

376 §3-8 Vehicle markings

Taxi:

No taxi shall be made so closely to resemble the taxi of another as to mislead the public as to its identity. All taxis will conform **with to** M.G.L. Ch40 §22 to wit.

Every taxi shall be identifiable with the word "Taxi", "Cab", or "Taxicab", the name of the vehicle-for-hire business, and the name "Town of Greenfield". Markings shall appear on both sides of the vehicle with letters not less than four inches high and one-half inch wide. All wording must be in contrasting colors to the vehicle and legible.

All taxis in the Town shall display an "identity light" on top of the taxi vehicle, which must be visible from the front and rear and be illuminated at night.

If the license holder operates more than one taxi, each taxi shall have an identification number, not less than four inches high and one-half inch wide, painted in two conspicuous places on the taxi in contrasting colors and also displayed within the interior of the vehicle.

The above provisions do not apply to Livery vehicles.

Limousine or other Livery vehicle:

Limousines or other livery vehicles may place upon the rear quarter panel, on either or both sides of the vehicle, with letters no bigger than two inches high and one inch wide, the vehicle-for-hire's business name, address, and telephone number, provided it does not violate any provision including but not limited to MGL90 §§7, 9, or 13, or any applicable section of the Code of Massachusetts Regulations. No livery vehicle shall be equipped with any distinguishing lights or other externally mounted instrument.

Tour Vehicle:

Vehicles used exclusively for tours may place the vehicle-for-hire's business name, address, and telephone number upon the vehicle provided it does not violate any provision including but not limited to MGL90 §§7, 9, or 13 or any applicable section of the Code of Massachusetts Regulations.

376 §3-9 License to be displayed

No vehicle-for-hire shall be operated without a valid vehicle-for-hire license displayed in clear view of the passengers.

376 §4-6 Display of license

No vehicle-for-hire shall be operated unless the vehicle-for-hire operator's license is conspicuously posted within the vehicle. Vehicle-for-hire operators shall have in their possession a copy of these regulations, which shall be exhibited to a passenger or Police Officer on demand.

376 §5-3 Trip record

The operator of a vehicle-for-hire shall maintain a legible written record of all trips during all shifts worked. This record must contain the name and address of the vehicle-for-hire operator, time of the beginning and termination of each trip, location of the first and last stop on each trip, and the total fare charged for each trip.

The written record of trips must be available for inspection upon demand by a Police Officer and must also be turned in to the vehicle-for-hire business owner for record keeping purposes at the end of the operator's shift. Upon demand of the Examiner, the owner of a licensed vehicle-for-hire must produce a record of all trips made by such vehicle for a period of 180 days prior to the date of demand.

376 §5-9 Taxi stands

The Board of License Commissioners, in coordination with the Department of Public Works, may designate taxi stands, the number and location of which may be ~~within~~ at their discretion. No taxi shall occupy any part of the public highway for the purpose of soliciting business except ~~in~~ at designated taxi stands. No operator of a taxi shall pick up a fare ~~on~~ at a taxi stand designated for another licensed taxi business without their permission, nor shall a taxi pick up a fare who has called another licensed taxi. The license fee for each taxi stand shall be \$100.00 annually and shall be collected by the Chief of Police and turned over to the Town Treasurer.

376 §5-10 Required acceptance of passengers

It shall be the duty of the operator of any taxi to accept as passengers any person who seeks to use the taxi, provided such person ~~is not intoxicated and~~ conducts themselves in an orderly manner. No person shall be admitted to a taxi occupied by a passenger without consent of the passenger.

DISCUSSION: Councilor Allis noted this was a regulation not under the purview of the Town Council. Councilor Farrell suggested changing the regulation to an ordinance which would make it the purview of the Town Council. President Singer would be meeting to discuss such issues with the Licensing Commission in the near future.

It was unanimously,

VOTED: TO APPROVE MOTION ORDER NO. FY 12 -085.

Order no. FY 12-086

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

MOVED: THAT IT BE ORDERED, THE GREENFIELD TOWN COUNCIL HEREBY APPROVES THE ATTACHED PRESIDENTIAL PRIMARY ELECTION WARRANT FOR MARCH 6, 2012 AND FURTHER AUTHORIZES THE TOWN COUNCIL PRESIDENT TO SIGN SAID WARRANT ON BEHALF OF THE TOWN COUNCIL.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Allis stated the committee intended to complete the Ordinance review by the end of February. He estimated the Town Council would consider the final amendments by April.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Vicencio-Rasku noted the committee held the third and final Public Forum which included a presentation on the proposed new Greenfield High School.

ECONOMIC DEVELOPMENT COMMITTEE - Councilor Devlin stated the committee had begun review of the proposed zoning amendments.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: President Singer requested these minutes and a page of the minutes be dedicated to John Zon who recently passed away.

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

MOVED: TO DEDICATE A PAGE IN THE MINUTES TO JOHN ZON WHO RECENTLY PASSED AWAY.

President Singer and Councilor Farrell spoke fondly of John both personally and as a Greenfield representative to the Council on Aging and board member of the Franklin County Technical School.

It was unanimously,

VOTED: TO APPROVE MOTION.

Mayor Martin spoke regarding the rehabilitation of Leyden Woods by the Community Builders Inc. The Town Council had sent a letter of support previously, however, the project was not awarded any grant funding at that time. The Council was once again being asked to send a letter of support for the project. The scope of the project had changed to bring current tenants at Leyden Woods closer to downtown to be in conformance with the outlines in the grant. Councilor Kelner spoke of several different components associated with the project. Mayor Martin noted this was one of the best opportunities for the housing stock in Greenfield. Councilor Vicencio-Rasku questioned the importance of having representatives attend a Town Council meeting. Councilor McLellan indicated this would also bring jobs to the town. Councilor Farrell supported sending a letter of support.

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

MOVED: TO SEND A LETTER OF SUPPORT ON BEHALF OF THE COMMUNITY BUILDERS INC. FOR THE REHABILITATION PROJECT AT LEYDEN WOODS AND PROPERTIES IN GREENFIELD.

DISCUSSION: Councilor Kelner noted approximately half of the current apartments at Leyden Woods would end up off site as housing.

It was unanimously,

VOTED: TO APPROVE THE MOTION.

Councilor Farrell noted the Greenfield Country Club submitted information for the permitting process to rebuild the Country Club field house. He anticipated construction to begin in March 2012 or as soon as the permits were approved.

Councilor Sutphin held the following first reading:

- o Ordered that \$125,000 be appropriated from the Contractual Agreement Stabilization Fund to fund partial mitigation for health insurance changes as agreed by the Town of Greenfield and the Insurance Advisory Committee on February 6, 2012.
- o Ordered that \$74,000 be appropriated from Stabilization to the Legal Labor Relations account.
- o Ordered that \$46,000 be appropriated from Additional State Aid to the Legal Labor Relations Account.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: None.

President Singer explained that the Town Council would be convening to Executive Session and stated the Town Council would not reconvene to regular session.

ADJOURNMENT: On a motion by Councilor Sutphin, second by Councilor Allis, it was unanimously, **VOTED:** AT 8:27 PM, BY ROLL CALL TO ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH MGL CH. 30A, §21(3) TO DISCUSS STRATEGY WITH RESPECT TO IMMINENT LITIGATION, AND §21(4) TO DISCUSS THE DEPLOYMENT OF SECURITY PERSONNEL OR STRATEGIES WITH RESPECT THERETO.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
February 15, 2012

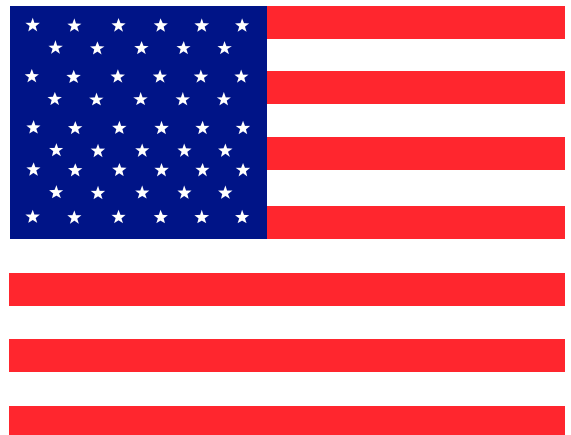
Roll Call
Into
Ex. Ses.

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

In loving memory of

JOHN A. ZON, JR.

AUGUST 2, 1922 - FEBRUARY 11, 2012



"Honorary Mayor of Greenfield"