

GREENFIELD TOWN COUNCIL
Regular Meeting Minutes
February 20, 2013

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:14 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 Ronhave was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Maureen Winseck; Retirement Board member Marilyn Matysiewicz; DPW Director Art Baker; Planning Board Chairwoman Roxann Wedegartner; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Wisnewski, second by Councilor Allis, it was unanimously, **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF DECEMBER 19, 2012.

ACCEPTANCE OF MINUTES: On a motion by Councilor Wisnewski, second by Councilor Devlin, it was unanimously, **VOTED:** TO ACCEPT THE TOWN COUNCIL MINUTES OF JANUARY 16, 2013.

PUBLIC COMMENT: Gary Shaefer, owner of M&S Café, LLC Brick Wall Bistro requested the Town Council petition the legislature to authorize an annual Wine and Malt License for his business. President Singer stated Mr. Shaefer would talk to the Town Council when the item was brought up under new business.

PUBLIC HEARINGS: Councilor Allis read the following: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., Feb. 20, 2013, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following: Appropriate \$1,500,000 to purchase property owned by S & W Realty located at 298 Federal St., Unit A, and property owned by Greenfield Silver, Inc., f/k/a Lunt Silversmith, Inc. located at 298 Federal St., Unit B. The Town Council will consider the same on Wed., Feb. 20, 2013, at 7:00 p.m. at GCTV-15 Studio, 393 Main Street. Materials can be obtained from the Town Clerk's Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, xt. 113.

Councilor Allis held the following second reading: THE SUM OF \$1,500,000 BE APPROPRIATED TO PURCHASE PROPERTY OWNED BY S & W REALTY LOCATED AT 298 FEDERAL ST., UNIT A, GREENFIELD, MA, DESCRIBED IN THE FRANKLIN COUNTY REGISTRY OF DEEDS, BOOK 3812, PAGE 40, AS AMENDED (THE "CONDOMINIUM") AND PROPERTY OWNED BY GREENFIELD SILVER, INC., f/k/a LUNT SILVERSMITH, INC. LOCATED AT 298 FEDERAL ST., UNIT B, GREENFIELD, MA, DESCRIBED IN THE FRANKLIN COUNTY REGISTRY OF DEEDS, BOOK 3894, PAGE 34, AS AMENDED AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$1,500,000 PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3) 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 THIS PROJECT.

President Singer opened the Public Hearing. He asked if anyone from the public wished to speak. The following people spoke in favor of approval of the appropriation for the purchase of the Lunt Properties:

- Bobby Campbell, 75 Oakman Street, Montague, President of the Greenfield Minor League.
- Roxann Wedegartner, 85 Hastings Street, spoke as a citizen, the Planning Board Chairwoman, and Chairwoman of the Master Plan Economic Development Committee.

President Singer stated the hearing would remain open.

COMMUNICATIONS:

MAYOR: Mayor Martin offered the following:

- Support for the approval of the appropriation for the purchase of Lunt Properties.

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- Announced the resignation of DPW Director Sandra Shields and introduced the incoming Director of Art Baker.
- Overview of post employment benefits and Health Insurance.
- State aid information.
- Proposition 2 ½ income would not be included in the operating expenses for Fiscal Year 2014.
- Actuarial study relating to unfunded liability would be done in March 2013.
- Create a line item to fund aspects of retirement costs.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: None.

TOWN OFFICERS: None.

President Singer closed the Public Hearing at 8:00 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 13-080

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THE SUM OF \$1,500,000 BE APPROPRIATED TO PURCHASE PROPERTY OWNED BY S & W REALTY LOCATED AT 298 FEDERAL ST., UNIT A, GREENFIELD, MA, DESCRIBED IN THE FRANKLIN COUNTY REGISTRY OF DEEDS, BOOK 3812, PAGE 40, AS AMENDED (THE "CONDOMINIUM") AND PROPERTY OWNED BY GREENFIELD SILVER, INC., f/k/a LUNT SILVERSMITH, INC. LOCATED AT 298 FEDERAL ST., UNIT B, GREENFIELD, MA, DESCRIBED IN THE FRANKLIN COUNTY REGISTRY OF DEEDS, BOOK 3894, PAGE 34, AS AMENDED AND TO MEET SAID APPROPRIATION, THE TREASURER WITH THE APPROVAL OF THE MAYOR, IS HEREBY AUTHORIZED TO BORROW SAID SUM OF \$1,500,000 PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 7 (3) 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 THIS PROJECT.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation to table this issue because of questions relating to the "covenant not to sue." President Singer discussed conditions within the purchase and sale contract related to the covenant. The Mayor requested the Council to waive the covenant. The Ways and Means Committee requested further information prior to consideration of the appropriation. Councilor Devlin questioned the potential cost of cleaning up the Lunt site. Mayor Martin referenced discussion with State entities for the use of grants to cover a portion of the cleanup. He further stated the purchase of the property was a "choice." Either the town purchases the property or "choose" to let someone else take care of it. History shows us that if the Town doesn't do something, nothing will happen. Mayor Martin would not use the revenue received from Proposition 2 ½ override in the Fiscal Year 2014 Budget. Employee layoffs were possible in Fiscal Year 2014. Councilor Devlin stated the perception of the public was that the town would purchase properties and then lay off employees, which doesn't make sense to them. The Mayor and Ms. Kelly explained that the funding for the purchase of property and employees were completely separate. Vice-President Wisnewski supported the plan for the property including the covenant not to sue. He suggested tabling the issue for further information.

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

TABLED: ORDER NO. FY 13 -080.

Order no. FY 13-076

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD AS WRITTEN IN THE STRIKETHROUGH ATTACHED SECTION OF CHAPTER 17, ANIMAL CONTROL, SECTIONS 17-3, A AND D.

**Chapter 17
ANIMALS**

[HISTORY: Adopted by the Town Council of the Town of Greenfield 10-16-1985, approved by AG 2-20-1986 (Sec. 4.19 of the 1985 Bylaws, replacing Sec. 4.9); amended in its entirety 6-21-2000, approved by AG 9-18-2000 (Sec. 4.7 of the 1985 Bylaws, replacing 4.19)1. Subsequent amendments noted where applicable.]

STATUTORY AUTHORITY

MGL c. 40, § 21
MGL c. 140, § 173

GENERAL REFERENCES

Vehicular regulations — See Ch. 180 and Ch. 485.

§ 17-3. License fee.

- 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 ~~one-half (1/2)-less than of~~ 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.
- B. No license fee will be charged for specially trained service dogs as defined in section 11.²
- 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.
- D. Should any owner or keeper fail to license a dog by June 1, the owner or keeper shall pay a late-fee charge of twenty-five dollars (\$25) before obtaining said license, excepting 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.
- E. Any owner or keeper who during any licensing period moves into the Town of Greenfield shall register their 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.

DISCUSSION: Vice-President Wisnewski stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -076.

Order no. FY 13-079

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

MOVED: THAT IT BE ORDERED THAT IN ACCORDANCE WITH MGLC 40, SECTION 22F, THE GREENFIELD TOWN COUNCIL APPROVES THE DOG LICENSE FEE SCHEDULE AS SUBMITTED BY THE TOWN CLERK:

- FEES FOR DOG LICENSES SHALL, EXCEPT AS OTHERWISE PROVIDED, BE AS FOLLOWS:
 - TEN DOLLARS (\$10.00) FOR EVERY SPAYED OR NEUTERED DOG.
 - FIFTEEN DOLLARS (\$15.00) FOR EVERY INTACT (UNSPAYED OR UNNEUTERED) DOG.
- FEES FOR KENNEL LICENSE SHALL BE AS FOLLOWS:
 - FORTY DOLLARS (\$40.00) FOR KENNELS WITH 4 DOGS OR LESS;
 - SEVENTY-FIVE DOLLARS (\$75.00) FOR KENNELS WITH 5 – 10 DOGS;
 - ONE HUNDRED DOLLARS (\$100.00) FOR KENNELS WITH 11 DOGS OR MORE
- THE CHARGE FOR REPLACING LOST DOG TAGS SHALL BE \$3.
- THERE SHALL BE NO LICENSING FEE FOR “SERVICE DOGS.”

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

It was unanimously,

1. The Preamble to this bylaw read as follows: The animal control regulations are herein established for the purpose of promoting the health, safety, morals, and general welfare of the Town of Greenfield. This bylaw contains standards relating to use, maintenance, confinement and keeping of dogs and puppies. The intent of this bylaw is to protect values within the Town of Greenfield, to enhance the quality of life of citizens, their dogs or puppies, and to protect the general public from damage, which may be caused by unregulated animals. The Animal Control Bylaw was originally adopted by Town Meeting 3-4-1889 and 4-1-1889.

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

VOTED: TO APPROVE ORDER NO. FY 13 -079.

Order no. FY 13-078

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

MOVED: THAT IT BE ORDERED THAT PURSUANT TO SECTION 2 OF CHAPTER 2 OF THE ACTS OF 2013, AND AFTER CONSULTATION WITH THE TOWN CLERK, TO CHANGE THE DATE OF THE ANNUAL TOWN PRELIMINARY ELECTION TO COINCIDE WITH THE DATE OF SPECIAL STATE PRIMARY ELECTION ON APRIL 30, 2013 AND CHANGE THE DATE OF THE ANNUAL TOWN ELECTION TO COINCIDE WITH THE DATE OF THE SPECIAL STATE ELECTION ON JUNE 25, 2013 , AND FURTHER, PURSUANT TO THE AUTHORITY OF SAID CHAPTER 2, THE LAST DAY FOR FILING NOMINATION PAPERS WITH THE BOARD OF REGISTRARS FOR SAID LOCAL PRELIMINARY ELECTION WILL BE MARCH 12, 2013, THAT THE REMAINDER OF THE ELECTION CALENDAR FOR SAID ANNUAL TOWN PRELIMINARY AND TOWN ELECTIONS SHALL BE SET AS REQUIRED BY STATUTE.

DISCUSSION: Vice-President Wisnewski reported the Appointment and Ordinance Committee forwarded a unanimous positive recommendation.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -078.

Order no. FY13-050

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

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL TAKE FROM THE TABLE ORDER NO. FY 13-050 “THAT THE GREENFIELD TOWN COUNCIL ACCEPTS THE ATTACHED RESOLUTION, SUBMITTED BY COUNCILOR ATHEY AT THE SEPTEMBER 19, 2012 TOWN COUNCIL MEETING, RELATING TO THE TOWN EXPENDITURE FOR SCHOOL CHOICE/CHARTER” WHICH WAS TABLED AT THE NOVEMBER 29, 2012 TOWN COUNCIL MEETING.

Submitted by Councilor Athey at the September 19, 2012 Town Council meeting

Proposed resolution for the Greenfield Town Council:

Whereas: The expenditure of Greenfield Taxpayer funds for School Choice/Charter in Fiscal Year 2013 is currently budgeted at \$3.5 Million Dollars, and;

Whereas: The taxpayers of Greenfield have funded similar amounts of money in each of the last several years, and;

Whereas: By comparison, the amounts expended on School Choice/Charter is considerably larger than annual expenditures for the Greenfield Police Department, and;

Whereas: Continued annual expenditures of this magnitude will have a destabilizing effect on the finances of the Town of Greenfield, it is,

Resolved: That it is a primary financial objective of the Town of Greenfield, that the total town expenditure for School Choice/Charter shall not exceed the amount received by the Greenfield School District for students Choosing into District schools. Or in other words “revenue neutrality.”

We further recommend that the Mayor of Greenfield, Greenfield Town Council, and the Greenfield School Committee jointly establish a working committee that is charged with understanding the underlying causes that are resulting in Greenfield parents choosing their children out of Greenfield Schools, and to recommend a course of action sufficient to achieve “revenue neutrality” in School choice by Fiscal Year 2017.

We anticipate that the working committee will utilize outside professional advisors to complete its charge, the cost of which shall be in addition to the existing Greenfield School budget.

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We further anticipate the inclusion in the next Greenfield School Department budget of the financial requirements in support of the recommended action necessary to achieve “revenue neutrality” by Fiscal Year 2017.

DISCUSSION: Councilor Hoffman stated the Community Relations Committee forwarded a 2 no and 1 abstention negative recommendation. CRE members explained the reasons for the unfavorable vote. Councilor Kelner favored a resolution which was framed in a more cooperative light. Councilor Allis stated the Ways and Means Committee forwarded a 2 yes and 3 no negative recommendation. He had voted in favor of the resolution to take a look at an issue that could be addressed in an alternate manner. Vice-President Wisniewski spoke of the former Education Task Force which was a collaborative method to discuss issues between the Town Council and the Schools. Councilor Renaud suggested a committee be formed consisting of non-elected people. Councilor Zaltzberg would vote in favor of the resolution. Councilor Shapiro Miller was concerned that the resolution was too specific and would not be helpful. However she supported the idea of “revenue neutrality.” Councilor Kelner supported the establishment of a working committee however did not support hiring outside professionals which would be costly. Councilor Hirschfeld did not believe the timeline of 2014 was attainable. He does support working with the School Administration and Committee which would review findings. President Singer was not in favor of the Town Council considering resolutions as specific as this. Councilor Athey believed the only way the school choice issue would be corrected was if all branches of government worked together. The only role of this resolution was financial and the only role of the Town Council with the Schools was financial. Councilor Athey’s goal was to bring this important topic to the forefront so that something could be done to get more funding for our schools by reducing choice-out funds.

It was by majority roll call, 6 yes and 6 no,

DEFEATED: ORDER NO. FY 13 -050.

Order no. FY 13-081

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

MOVED: THAT IT BE ORDERED THE SNOW & ICE REMOVAL BUDGET FOR FISCAL YEAR 2013 MAY MAKE EXPENDITURES IN EXCESS OF APPROPRIATION IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, CHAPTER 44, SECTION 31D.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -081.

Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for the following three orders.

Order no. FY 13-082

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

VOTED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH THE CHARTER, BYLAWS, AND ORDINANCES, ORDERED THAT, THE SUPERINTENDENT IS AUTHORIZED TO SUBMIT TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY THE STATEMENT OF INTEREST FOR 2013, FOR **THE GREEN RIVER SCHOOL**, LOCATED AT **62 MERIDIAN STREET**, WHICH DESCRIBES AND EXPLAINS THE FOLLOWING DEFICIENCIES AND THE PRIORITY CATEGORIES FOR WHICH THE TOWN OF GREENFIELD MAY BE INVITED TO APPLY TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN THE FUTURE. THE PRIORITY IDENTIFIED BY THE DISTRICT IN THIS APPLICATION IS FOR THE REPAIR OR REPLACEMENT OF ROOFS, WINDOWS, AND BOILERS, WITH THE POTENTIAL TO INCLUDE ADDITIONAL SYSTEMS AS MAY BE DETERMINED BY THE MSBA CONTINGENT UPON AVAILABLE FUNDING AND CAPACITY IN THE CAPITAL PIPELINE; AND HEREBY FURTHER SPECIFICALLY ACKNOWLEDGES THAT BY SUBMITTING THIS STATEMENT OF INTEREST, THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN NO WAY GUARANTEES THE ACCEPTANCE OR THE APPROVAL OF THE APPLICATION, THE AWARDED OF A GRANT OR ANY OTHER FUNDING COMMITMENT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY OR COMMITS THE GREENFIELD SCHOOL DISTRICT TO FILING AN APPLICATION FOR FUNDING WITH THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY.”

Order no. FY 13-083

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

VOTED: THAT IT BE ORDERED THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH THE CHARTER, BYLAWS, AND ORDINANCES, ORDERED THAT, THE SUPERINTENDENT IS AUTHORIZED TO SUBMIT TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY THE STATEMENT OF INTEREST FOR 2013 FOR **THE FEDERAL STREET SCHOOL**, LOCATED AT **125 FEDERAL STREET**, WHICH DESCRIBES AND EXPLAINS THE FOLLOWING DEFICIENCIES AND THE PRIORITY CATEGORIES FOR WHICH THE TOWN OF GREENFIELD MAY BE INVITED TO APPLY TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN THE FUTURE. THE PRIORITY IDENTIFIED BY THE DISTRICT IN THIS APPLICATION IS FOR THE REPAIR OR REPLACEMENT OF ROOFS, WINDOWS, AND BOILERS, WITH THE POTENTIAL TO INCLUDE ADDITIONAL SYSTEMS AS MAY BE DETERMINED BY THE MSBA CONTINGENT UPON AVAILABLE FUNDING AND CAPACITY IN THE CAPITAL PIPELINE; AND HEREBY FURTHER SPECIFICALLY ACKNOWLEDGES THAT BY SUBMITTING THIS STATEMENT OF INTEREST, THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN NO WAY GUARANTEES THE ACCEPTANCE OR THE APPROVAL OF THE APPLICATION, THE AWARDED OF A GRANT OR ANY OTHER FUNDING COMMITMENT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY OR COMMITS THE GREENFIELD SCHOOL DISTRICT TO FILING AN APPLICATION FOR FUNDING WITH THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY.”

Order no. FY 13-084

Financial Order 13-007

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

VOTED: THAT IT BE ORDERED THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR AND IN ACCORDANCE WITH THE CHARTER, BYLAWS, AND ORDINANCES, ORDERED THAT, THE SUPERINTENDENT IS AUTHORIZED TO SUBMIT TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY THE STATEMENT OF INTEREST FOR 2013 FOR THE **NEWTON SCHOOL**, LOCATED AT **70 SHELburne Rd.**, WHICH DESCRIBES AND EXPLAINS THE FOLLOWING DEFICIENCIES AND THE PRIORITY CATEGORIES FOR WHICH THE TOWN OF GREENFIELD MAY BE INVITED TO APPLY TO THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN THE FUTURE. THE PRIORITY IDENTIFIED BY THE DISTRICT IN THIS APPLICATION IS FOR THE REPAIR OR REPLACEMENT OF ROOFS, WINDOWS, AND BOILERS, WITH THE POTENTIAL TO INCLUDE ADDITIONAL SYSTEMS AS MAY BE DETERMINED BY THE MSBA CONTINGENT UPON AVAILABLE FUNDING AND CAPACITY IN THE CAPITAL PIPELINE; AND HEREBY FURTHER SPECIFICALLY ACKNOWLEDGES THAT BY SUBMITTING THIS STATEMENT OF INTEREST, THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY IN NO WAY GUARANTEES THE ACCEPTANCE OR THE APPROVAL OF THE APPLICATION, THE AWARDED OF A GRANT OR ANY OTHER FUNDING COMMITMENT FROM THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY OR COMMITS THE GREENFIELD SCHOOL DISTRICT TO FILING AN APPLICATION FOR FUNDING WITH THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY.”

President Singer requested the rules of procedure be waived to discuss the issue of the Brick Wall Bistro liquor license request.

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

VOTED: THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS, TO MOVE ITEM 13. NEW BUSINESS UP ON THE AGENDA.

NEW BUSINESS: Mr. Shaefer and Mr. Cameron Ward spoke of the request for special legislation to issue a yearly wine and malt license for the Brick Wall Bistro, 286 Main Street. President Singer described the Council process to date. The License Commission forwarded a positive recommendation for approval.

Order no. FY 13-077

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

MOVED: THAT IT BE ORDERED, THAT THE TOWN OF GREENFIELD HEREBY PETITIONS THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS TO PASS SPECIAL LEGISLATION AS FOLLOWS:

AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES.

NOT WITHSTANDING SECTION 17 OF CHAPTER 138 OF THE GENERAL LAWS OR ANY OTHER GENERAL OR SPECIAL LAW TO THE CONTRARY, THE LICENSING AUTHORITY OF THE TOWN OF GREENFIELD MAY GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES UNDER SECTION 12 OF SAID CHAPTER 138 TO M AND S CAFE, LLC OR THE PENDING TRANSFEREE BISTRO MUZZY LLC, LOCATED AT 286 MAIN STREET WITHIN THE TOWN OF GREENFIELD.

THE ACT SHALL TAKE EFFECT UPON ITS PASSAGE.

DISCUSSION: Councilors Devlin, Allis, Wisnewski, Maloney, Hoffman, and Hirschfeld would vote in favor of this order. Councilor Allis questioned the arbitrary decision as to what licenses were approved or disapproved.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -077.

President Singer spoke of the Citizens petition received in January titled Biomass Energy and Waste-to-Energy Moratorium. He had forwarded the petition to the Planning Board and the Economic Development Committee for review and recommendation. Unless the Town Council felt the need to confirm receipt by voting to initiate the petition, no action was necessary until a vote was required. Councilor Devlin stated there was a joint Public Hearing scheduled between the EDC and Planning Board on Thursday, March 7, 2013. He described the intention of the petition. If this were to pass Greenfield would be the first community in the State to have a moratorium.

Councilor Allis held the following first readings:

1. THE SUM OF \$44,500 BE APPROPRIATED FROM THE CAPITAL PURCHASE STABILIZATION FUND TO PURCHASE THE FOLLOWING VEHICLES AUTHORIZED BY THE TOWN COUNCIL FOR THE FY13 CAPITAL IMPROVEMENT PLAN ON JUNE 13, 2012.
 - Engineering Department Vehicle \$15,000
 - Health Department Vehicle \$15,000
 - Building Department Vehicle \$14,500
2. \$10,000 BE APPROPRIATED FROM FUND 1610, SALE OF TOWN OWNED LAND, TO PURCHASE A PROPERTY ON DEERFIELD STREET AS IDENTIFIED ON ASSESSOR'S MAP 24, BLOCK 38, LOT 0.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

WAYS AND MEANS COMMITTEE – Chairman Allis stated the Capital Improvement Committee has been meeting diligently. Free Cash was certified today in the amount of \$1,131,094.00; retained earnings from the Water Fund were \$587,016.00 and retained earnings from the Sewer Fund were \$606,787.00.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: None.

President Singer thanked the DPW, Police, and Fire for the work done during the storm Nemo. He commended and thanked Sandra Shields for her service to the Town and citizens of Greenfield.

Councilor Zaltzberg invited citizens to attend a Master Plan Committee forum on Saturday, March 9, 2013, this meeting was originally scheduled for the date storm Nemo hit.

ADJOURNMENT: On a motion by Councilor Wisnewski, second by Councilor Allis, it was unanimously

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VOTED: TO ADJOURN THE MEETING AT 9:52 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
February 20, 2013

Resolution

1. Kelner, Marian	P	N					
2. Zaltzberg, Keith	P	Y					
3. Allis, Brickett	P	Y					
4. Ronhave, Steven	A	---					
5. Singer, David	P	N					
6. Hoffman, Hillary	P	Y					
7. Renaud, Karen	P	Y					
8. Shapiro Miller, Karen	P	N					
9. Hirschfeld, Norman	P	N					
10. Athey, Dalton	P	Y					
11. Wisnewski, Mark	P	Y					
12. Devlin, Patrick	P	N					
13. Maloni, Mark	P	N					

6 yes

6 no