

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

September 17, 2014

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:17 p.m. by President Hoffman.

President Hoffman 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 Maloni was absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Clerk Deborah J. Tuttle; Town Attorney Gordon Quinn; Retirement Board member Marilyn Matysiewicz; Director of Human Resources Dennis Helmus; Assistant to the Mayor for Economic Development Robert Pyers; Town Accountant Elizabeth Braccia; Registrar David Lewis; School Department Union President Tom Bevacqua; Fire Department Union President Peter McIver; Register of Probate John Merrigan; Opioid Task Force Marisa Hebble; GCTV-15 staff; and members of the public.

ACCEPTANCE OF MINUTES: On a motion by Councilor Allis, second by Councilor Ricketts, it was unanimously,

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF AUGUST 20, 2014.

PUBLIC COMMENT: The following members of the public spoke:

- Susan Worgaftik, 45 Forest Ave. - spoke in favor of renaming "Brookie Park" and the acceptance of the deed in lieu of taxes for Lunt property.
- David Lewis, 54 High Street - expressed displeasure with the picture on the front page of the Recorder of the tires dumped by the river.
- Peter McIver, Fire Department Union President – asked the Town Council to oppose the Mayor's proposal to accept Chapter 32B. He requested the Town Council look into Chapter 32 § 19 regarding the formation of a Public Employee Committee.
- Ginger Carson, Chairwoman of the New Senior Center Committee - spoke in support of the lease for Wells Street.
- Hazel Dawkins, Council on Aging Member - spoke in support of the lease for Wells Street.
- Mary Williford, Vice Chairman, Council on Aging - support the lease for Wells Street.

PUBLIC HEARINGS: Councilor Allis read the following Public Hearing notice:

In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wed., Sept., 17, 2014, at 7:00 p.m. at GCTV-15, 393 Main St. to receive public input on the following:

- Appropriates \$25,000 from Sale of Town Owned land to pay the final installment in non-federal matching funds to Just Roots as provided in the pledge agreement.

The Town Council will consider the same on Wed., Sept., 17, 2014, at 7:00 p.m. at GCTV-15 Studio, 393 Main St. 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.

President Hoffman opened the Public Hearing at 7:33 pm. She asked if anyone from the public wished to speak. Seeing none she noted the hearing would remain open.

Councilor Allis held the following second reading:

The sum of \$25,000 be appropriated from Sale of Town Owned land, fund 1610, to pay the third and final installment of \$25,000 in non-federal matching funds to Just Roots as provided in the pledge agreement dated August 3, 2012.

COMMUNICATIONS:

MAYOR: Mayor Martin read the attached regarding:

1. Unrestricted Funds/ Free Cash
2. Wiley-Russell Dam Repair
3. Leyden Woods fight video

Ms. Braccia and Ms. Kelly made a PowerPoint presentation, as attached, and responded to Councilor's questions regarding Unrestricted Funds.

Ms. Hebble made a PowerPoint presentation, as attached. She and Mr. Merrigan answered questions from Councilor's regarding the causes and effects of opioid problems within Greenfield and Franklin County.

MOTION: On a motion by Councilor Mass, second by Councilor Renaud, it was unanimously,

VOTED: TO ADJOURN FOR A RECESS AT 8:39 PM.

President Hoffman called the Public Hearing to order at 8:54 PM. She asked if anyone would like to speak regarding the Public Hearing items. Seeing none, President Hoffman closed the Public Hearing at 8:55 pm.

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: None.

TOWN OFFICERS: None.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 15-036

MOTION: On a motion by Councilor Siano, second by Councilor Mass, it was,

MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL AMEND THE CODE OF THE TOWN OF GREENFIELD CHAPTER 158, STIPEND FOR SCHOOL BOARD MEMBERS AND TOWN COUNCILORS, SECTIONS 158-1, AS INDICATED IN THE STRIKETHROUGH DRAFT ATTACHED HERETO AND FURTHER AMENDS THE INDEX OF THE CODE, AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE TOWN OF GREENFIELD.

Chapter 158

STIPEND FOR SCHOOL BOARD MEMBERS AND TOWN COUNCILORS

General References

See Charter SECTION 4-4(a)

See Charter SECTION 2-4

§158-1. Stipend for School Board Members and Town Councilors

The Town of Greenfield shall appropriate funds to compensate members of the Greenfield School Committee and the Town Council with an annual stipend in the amount of \$2,000 to be paid annually at the completion of each year of service. This section shall become effective three years from the date of final passage.

The Town of Greenfield shall appropriate funds each fiscal year beginning in Fiscal Year 2015 for trainings, continuing education and/or professional development including registration fees, mileage and travel expenses not to exceed \$500/per person/fiscal year. This shall not entitle recipients to any other benefits from the Town.

~~A. One year following the date of implementation of compensation described in this ordinance, the Town Council or a subcommittee of the Town Council shall annually review the Federal Cost of Living Adjustment of the current year. Compensation of School Committee members and Town Councilors may be adjusted by the same percentage equal to the Federal Cost of Living Adjustment of the current year, effective beginning the following fiscal year.~~

~~B. Increases to this amount exceeding the Federal Cost of Living Adjustment require a 2/3 majority vote.~~

~~C. Any Board Member or Councilor missing more than 3 2 regular meetings and 4 committee meetings in a fiscal year will have their stipend reduced at a percentage commensurate **with** their number of absences.~~

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -036.

Order no. FY 15-037

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

MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 116 PARKING PERMIT/CITY COUNCIL AS ATTACHED HERETO AND FURTHER AMENDS THE CONTENTS OF THE CODE AND THAT NONSUBSTANTIVE CHANGES TO THE INDEX, THE TABLE OF CONTENTS, AND NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE TOWN OF GREENFIELD.

Chapter 116

PARKING PERMIT/ CITY COUNCIL

[HISTORY: Adopted by the Town Council of the Town of Greenfield (DATE). Amendments noted where applicable.]

§ 116-1. Purpose

§ 116-2. Definitions

§ 116-3. Administration

§ 116-4. Revocation

§ 116-5. Removal of City Council parking space

§ 116-1. - Purpose:

This ordinance shall govern the issuance and use of City Council parking permits.

§ 116-2. - Definitions:

PARKING PERMIT – A placard, mirror hanger or the like, issued for the purpose of identifying a vehicle parked in a parking space whose driver is engaged in official city business.

PARKING SPACE – Any designated parking spot that owned or controlled by the City, and is:

- a. Not otherwise specifically marked handicapped. Or;
- b. Otherwise reserved for use by any city department or department head during said departments' operating hours. **Or;**
- c. **Is not in violation of municipal parking prohibitions, including but not limited to the winter parking ban.**

OFFICIAL BUSINESS – ~~Any c~~City business being conducted by a City Councilor. ~~In instances where there is any question, the City Councilor shall make the determination as to whether they are on official business.~~

ISSUEE – The City Councilor to whom the permit is issued.

CITY COUNCILOR – A duly elected or appointed (pursuant to charter section 2-11) sitting precinct or at-large City Councilor.

COUNCIL PRESIDENT – The duly elected sitting City Council President.

AUTHORITY HAVING JURISDICTION – The Mayor or his/her designee who administers the parking program within the City of Greenfield.

VEHICLE – Any vehicle driven by a City Councilor for use while on official business.

§ 116-3. - Administration:

Upon election by the inhabitants of the City of Greenfield and swearing in by the City Clerk, the authority having jurisdiction shall issue or cause to be issued a parking permit in accordance with this ordinance.

- A. All permits issued under this section shall be valid through the last ~~business~~ day of the respective councilor’s elected term with the expiration date conspicuously marked on the front side of said permit.
- B. While on official business the permit shall be used only by the issue and may not be used by, or transferred to, any other person(s).
- C. The permit shall be displayed conspicuously and in an unobstructed manner either on the driver side front dashboard or hanging from the rear view mirror while the vehicle is in a parking space and the council member is on official business.
- D. If in the event a parking ticket is issued on a vehicle covered by this ordinance the City Councilor shall notify the Town Clerk ~~Council President~~ forth with, and the Town Clerk ~~Council President~~ shall forward the ticket to the authority having jurisdiction to be voided.

§ 116-4. - Revocation

Any permit issued under this ordinance cannot be revoked unless:

- A. The City Councilor resigns from office prior to the expiration of his/her term on the City Council.
- B. The City Councilor is recalled from office pursuant to charter section 7-12. Or;
- C. The Council President upon a majority vote of the City Council deems it necessary to revoke the permit due to use inconsistent with this ordinance.

§ 116-5. - Removal of City Council parking space:

Upon passage by the City Council, and either;

- A. Signature by the Mayor, or;
- B. A veto override,

~~No parking space shall be designated for the exclusive use of town councilors. the dedicated City Council parking spot shall be converted into a parking space.~~

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -037.

Order no. FY 15-053

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

MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN CHARTER ARTICLE 6, SECTION 6-11 PUBLIC SAFETY COMMISSION; SUBSECTION (B) BE AMENDED BY DELETING THE WORD “CALENDAR” AND INSERTING THE WORD “**FISCAL**” AND THAT THE TOWN COUNCIL FURTHER INSTRUCTS THE TOWN CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE TOWN CHARTER. SECTION 6-11: PUBLIC SAFETY COMMISSION

(b) The commission shall elect annually at the first meeting in each ~~fiscal calendar~~ year a chairperson, vice chairperson and a secretary who shall keep a record of its meetings.

DISCUSSION: Councilor Siano stated the Appointment and Ordinance Committee forwarded a unanimous positive recommendation for approval. President Hoffman noted the State Legislature requests Charter Amendments be “batched” together. This proposal will be forwarded to the State when additional amendments are considered.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -053.

Order no. FY 15-039

Financial Order 15-01

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

MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, THAT THE SUM OF \$25,000 BE APPROPRIATED FROM SALE OF TOWN OWNED LAND, FUND 1610, TO PAY THE THIRD AND FINAL INSTALLMENT OF \$25,000 IN NON-FEDERAL MATCHING FUNDS TO JUST ROOTS AS PROVIDED IN THE PLEDGE AGREEMENT DATED AUGUST 3, 2012.

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

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -039, Financial Order 15-01.

Order no. FY 15-048

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

MOVED: THAT IT BE ORDERED, ON THE RECOMMENDATION OF THE MAYOR, ELECTS THAT THE TOWN OF GREENFIELD ENGAGES IN THE PROCESS TO CHANGE HEALTH INSURANCE BENEFITS UNDER M.G.L. CH. 32B §21-23.

DISCUSSION: Councilor Mass recused himself from the discussion, stating he receives Town Health Insurance through his wife who is a town employee. Councilor Allis stated the Ways and Means Committee forwarded a majority negative recommendation for approval. Mayor Martin, Ms. Kelly and Mr. Helmus discussed:

- Acceptance of Chapter 32 B, § 19, 21-23.
- § 19 would require the formation of a Public Employee Committee.
- Town Council could not accept § 19 tonight because the town unions would have to vote in favor of the acceptance prior to the Mayor forwarding a recommendation to the Town Council for approval.
- § 19 would give each union a percentage for voting approval. The larger the union the larger the percentage. The School unions would outweigh the Town unions 2 to 1.
- The GIC would allow the greatest savings to the Town of Greenfield.

Council discussion included:

- What, if any, assurances were there that the Town would save money?
- Savings could be achieved without accepting Chapter 32 B.
- Clarify sections 19, 21-23 of Chapter 32 B.
- Currently employees who subscribe to the HMO pay 20% and the Town pays 80%. Employees who subscribe to the PPO pay 40% and the Town pays 60%.
- Last year the Town offered a Health Care option to all Town unions. All but two unions agreed to the option; however it did not go into effect because it required a unanimous vote of all of the unions to agree.

Union representatives stated:

- The unions as well as the Town Council did not know enough about Chapter 32 B to make an informed decision.
- Table or reject the order.
- Not many complaints about the current Health Insurance.
- The unions who voted down the proposal made last year are the lowest paid employees in the town, and would not have monetarily benefited from the proposal. In fact some would have lost money.

The Mayor requested the Town Council table the order to allow the town to meet and discuss options with the unions. President Hoffman requested the Mayor keep the Council informed.

MOTION: On a motion by Councilor Allis, second by Councilor Ricketts, it was unanimously,
TABLED: ORDER NO. FY 15-048: THAT IT BE ORDERED, ON THE RECOMMENDATION OF THE MAYOR, ELECTS THAT THE TOWN OF GREENFIELD ENGAGES IN THE PROCESS TO CHANGE HEALTH INSURANCE BENEFITS UNDER M.G.L. CH. 32B §21-23.

Order no. FY 15-046

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was,
MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, IN ACCORDANCE WITH M.G.L. LAW CHAPTER 30B, §12B, THE GREENFIELD TOWN COUNCIL APPROVES AN EXTENDED GROUND LEASE OF UP TO 99 YEARS BETWEEN THE TOWN OF GREENFIELD AND BEACON PROPERTIES FOR A PARCEL OF LAND ON WELLS STREET IDENTIFIED ON ASSESSORS' MAP 058, BLOCK 15 CONTINGENT ON ACCEPTABLE TERMS BEING REACHED.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. The cost of the rent would depend on the assessment of the building. The Mayor would come back to the Council when the assessment was final.

MOTION: On a motion by Councilor Mass, second by Councilor Allis, it was unanimously,
VOTED: TO AMEND THE CONTRACT BY INSERTING "AND/OR" IN BETWEEN THE WORDS "SENIOR COMMUNITY" IN SECTION TENANT IMPROVEMENTS. WHICH WOULD READ AS FOLLOWS "SENIOR AND/OR COMMUNITY"

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 15 -046 AS AMENDED.

Order no. FY 15-049

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was,
MOVED: THAT IT BE ORDERED, ON THE RECOMMENDATION OF THE MAYOR, ACCEPTS TITLE TO 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, IN LIEU OF FORECLOSURE AS PROVIDED IN M.G.L. CHAPTER 60, §77C, CONTINGENT UPON THE RELEASE OF ANY EXISTING LIENS AND ENCUMBRANCES.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Discussion was held regarding the timeline for accepting the title and the unknown savings to the town.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 15 -049.

Order no. FY 15-045

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was unanimously,
MOVED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL APPROVES THE ATTACHED RESERVE FUND TRANSFER FOR A FISCAL YEAR 2014 BILL TO BE TRANSFERED INTO ACCOUNT NUMBER 0100-212-5247 IN THE AMOUNT OF \$1,591.25.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. This order required a 9/10 vote because it was a Fiscal Year 2014 bill.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 15 -045.

Order no. FY 15-047

MOTION: On a motion by Councilor Allis, second by Councilor Ronhave, it was,
MOVED: THAT IT BE ORDERED, UPON RECOMMENDATION OF THE MAYOR, IN ACCORDANCE WITH M.G.L. LAW CHAPTER 30B, §12B, THE GREENFIELD TOWN COUNCIL APPROVES A SEVEN (7) YEAR CONTRACT BETWEEN THE TOWN OF GREENFIELD AND TYLER TECHNOLOGIES FOR CLOUD HOSTED SOFTWARE SERVICES.

DISCUSSION: Councilor Allis stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval. Ms. Kelly discussed the efficiency of a cloud hosted centralized database system; this was one part of the technologies upgrade; the cost associated with this was part of the first reading this evening.

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 15 -047.

Order no. FY 15-040

MOTION: On a motion by Councilor Kelner, second by Councilor Allis, it was,
 AMENDED:
MOVED: THAT IT BE ORDERED, THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PROCLAIMS SEPTEMBER 2014 TO BE “CHILDHOOD CANCER AWARENESS MONTH” AND APPROVES THE ATTACHED RESOLUTION TITLED “CHILDHOOD CANCER AWARENESS MONTH”.

Childhood Cancer Awareness Month

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in more than 15,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Boston Children’s Hospital, UMass Memorial Medical Center in Worcester, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also Courageous Kid Recognition Award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY OF GREENFIELD KNOWN AS THE TOWN OF GREENFIELD, AS EVIDENCED BY THE SIGNATURE OF ITS PRESIDENT, DO HEREBY PROCLAIM SEPTEMBER 2014 TO BE CHILDHOOD CANCER AWARENESS MONTH WITHIN THE TOWN OF GREENFIELD.

Hillary Hoffman, Town Council
President

DISCUSSION: Councilor Kelner stated the Community Relations and Education Committee forwarded a unanimous negative recommendation for approval of the resolution as proposed. The committee did not agree with some of the language in the resolution.

MOTION: On a motion by Councilor Kelner, second by Councilor Mass, it was unanimously,
VOTED: TO AMEND THE ORDER TO READ AS FOLLOWS “THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL PROCLAIMS SEPTEMBER 2014 TO BE “CHILDHOOD CANCER AWARENESS MONTH.”

It was unanimously,
VOTED: TO APPROVE ORDER NO. FY 15 -040 AS AMENDED.

Councilor Devlin stated the EDC and Planning Board would hold a joint meeting on October 2, 2014 regarding the following two zoning amendments. The meeting would be held at the Planning Department, 1147 Main Street and begin at 7:00 pm.

Order no. FY 15-043

MOTION: On a motion by Councilor Devlin, second by Councilor Mass, it was unanimously,
VOTED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL HEREBY INITIATES THE ZONE CHANGE AS FOLLOWS: AMEND CHAPTER 200-4.14, WATER SUPPLY PROTECTION DISTRICT, SECTION A. (1) AS INDICATED IN THE ATTACHED STRIKE DRAFT AND MAP MARKED “EXHIBITS A AND B” AND IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.

Exhibit A

Exhibit A



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE
July 28, 2014

Note: Text with a ~~strikethrough~~ is text to be deleted, *black bold italic* text is newly proposed text.

~ 200-4.14. Water Supply Protection District (WP).

Amended 200-4.14 - deleted section and replaced in its entirety - March 3, 2004 by Town Council vote.

A. Purpose. The purpose of the Water Supply Protection District is to protect, preserve and maintain existing and potential sources of groundwater supply, groundwater recharge and watershed areas within the Town for the public, health, safety and general welfare of the community.

(1) The general boundaries of the Water Supply Protection District include Zones 1, 2, and 3 as shown on the ~~Official Zoning Map dated July 28, 2014~~ *map titled "Aquifer Zone Delineations" dated March 1988 and the "Aquifer Zone Delineations Leary Well Site" dated February 1989.* The Water Supply Protection District includes the Mill Brook well field and the recharge and watershed areas as determined by the hydrologic study titled "Aquifer Land Acquisition Study" prepared for the Town of Greenfield, Department of Public Works by Tighe & Bond, Inc. of Easthampton, MA, August 1988. The District ~~also~~ *also includes the Leary Well Site Zone 1 and the one-half-mile interim Zone 2 required by the Department of Environmental Protection (DEP). **The District also includes the Caisson Well Site Zone 1 and Zone 2 recharge areas.*** The maps as well as the accompanying report are incorporated herein by reference and are on file with the Town Clerk, Inspector of Buildings and Planning Board.

(2) Zones 1, 2, and 3 are defined as follows:

(a) Zone 1 is the four-hundred-foot radius, or other designated area, surrounding a water supply well which must be in compliance with the DEP Drinking Water Regulations.

(b) Zone 2 is that area of an aquifer which contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated. It is bounded by the groundwater divides which result from pumping the well and by the contact of the edge of the aquifer with less permeable materials such as till and bedrock. At some locations, streams and lakes may form recharge boundaries.

(c) Zone 3 is that land area beyond the area of Zone 2 from which surface water and groundwater drain into Zone 2. The surface drainage area as determined by topography is commonly coincident with the groundwater drainage area and will be used to delineate Zone 3. In some locations, where surface and groundwater drainage are not coincident, Zone 3 shall consist of both the surface drainage and the groundwater drainage areas.



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



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

(3) Where the bounds of the Water Supply Protection District as delineated are in doubt or dispute, the burden of proof shall be upon the owner(s) of the land in question to show where the bounds should be properly located. At the request of the owner(s), the Town may engage a professional hydrogeologist, geologist, engineer or other competent professional to determine the accuracy of the location and extent of Zones 1, 2, and 3 and charge the owner(s) for the cost of the investigation. The investigation shall conform to the specifications for delineating Zones 1, 2, and 3 as described in 310 Code of Massachusetts Regulations 24.06. The Inspector of Buildings based on a recommendation from the Department of Public Works retains the authority to make a final determination on an exemption from the boundaries of the Water Supply Protection District.

B. Use Regulations. The Water Supply Protection District is established as an overlay district. Land in the Water Supply Protection District shall be subject to the requirements of this section as well as to all other requirements of this Zoning Ordinance which apply to the underlying zoning district(s). Uses that are not permitted in the underlying district shall not be permitted in the Water Supply Protection District. Where the requirements of the underlying district differ, the requirements of the Water Supply Protection District shall govern.

C. Uses Permitted in all Water Supply Protection District Zones. The following uses are permitted in all Water Supply Protection District Zones provided that all other provisions of this section and this ordinance are complied with:

- (1) Conservation, parks, wildlife areas;
- (2) Outdoor recreation including nature study, boating, fishing, foot, bicycle and horse paths, boardwalks, and bridges;
- (3) Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- (4) Farming, gardening, nursery, conservation, forestry, harvesting and grazing provided that fertilizers, herbicides, pesticides, and other leachable materials are stored within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
- (5) Customary accessory uses to a permitted use and maintenance and repair of existing structures provided that there is no increase in impervious surfaces in excess of fifteen percent 15% of lot area.
- (6) Municipal facilities related to the provision of water supply.

D. Uses Permitted. in Zones 2 and 3. In addition to the uses listed in § 200-4.14C, the following uses are permitted in Zone 2 and 3 provided they are permitted in the underlying district and comply with all other



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



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

provisions of this section and this ordinance:

- (1) Detached single-family dwelling with a minimum lot size of sixty thousand (60,000) square feet;
- (2) Detached two-family dwelling with a minimum lot size of eighty thousand (80,000) square feet;
- (3) Municipal administration, fire, police, library buildings.

E. Uses Allowed by Special Permit in Zones 2 and 3.

- (1) Commercial and industrial uses permitted in the underlying district not otherwise restricted in § 200-4.14F.
- (2) Public and private utilities and substations.
- (3) Other municipal or governmental uses not listed in § 200-4.14D(3).

F. Prohibited Uses in all Water Supply Protection Zones.

- (1) Solid waste landfills, dumps, junk, salvage, brush and stump dumps, recycling yards and all other disposal of materials except normal agricultural practices.
- (2) Sewage treatment facilities.
- (3) Car and truck washes.
- (4) Motor vehicle sales or leasing establishments.
- (5) Trucking or bus terminals.
- (6) Dry-cleaning establishments.
- (7) Earth removal.
- (8) Golf courses.
- (9) Industrial or commercial uses which involve the disposal or storage of process wastewater from other than personal hygiene and food including any use which requires a permit from the Department of Environmental Protection under the Massachusetts Groundwater Discharge Regulations, 314 Code of Massachusetts Regulations, 5.00.



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



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

- (10) Any use which involves the manufacture, use, processing, storage, transportation, or disposal of hazardous materials or wastes including but not limited to:
 - (a) Metal plating or metal finishing;
 - (b) Wood preserving and furniture stripping;
 - (c) Motor vehicle service and repair shops;
 - (d) Printing;
 - (e) Electronic assembly;
 - (f) Chemical and bacteriological laboratory.

- (11) The disposal of liquid or leachable wastes except sewage disposal systems and normal agricultural operations.

- (12) The storage of liquid hazardous materials and/or liquid petroleum products unless such storage is:
 - (a) above ground level, and
 - (b) on an impervious surface
 - (c) and either:
 - (i) in container(s) or above ground tank(s) within a building; or
 - (ii) outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers, or 110% of the largest container's storage capacity, whichever is greater. [See 310 Code of Massachusetts Regulations 22.21(2)(b)(5)]

- (13) Outdoor storage of salt, deicing chemicals, pesticides, or herbicides.

- (14) The use of septic system cleaners which contain toxic chemicals.

- (15) Dumping of snow which is brought in from outside the district.

- (16) Land uses that result in the rendering impervious any lot or parcel more than fifteen (15%) of lot area



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



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

- (17) Multifamily dwellings.
- (18) Open space/cluster developments.
- (19) The storage of sludge and septage; unless such storage is in compliance with 310 Code of Massachusetts Regulations 32.30 and 310 Code of Massachusetts Regulations 32.31. [See 310 Code of Massachusetts Regulations 22.21(2)(b)(1)]
- (20) The storage of chemical fertilizers; unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff and leachate. [See 310 Code of Massachusetts Regulations 22.21(2)(b)(3)]
- (21) The storage of animal manures, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate. [See 310 Code of Massachusetts Regulations 22.21(2)(b)(4)]

G. Special Permits.

- (1) Special Permit Granting Authority. For purposes of the Water Supply Protection District, the Planning Board shall be the Special Permit Granting Authority.
- (2) Procedures. Special permit procedures and submittal requirements shall be in accordance with § 200-8.3, Special permits, and § 200-8.4, Site plan review and approval. In addition, the applicant shall submit a complete list of chemicals, pesticides, fuels and other potentially hazardous materials to be used, generated, or stored on the premises and proposed structures and measures to prevent leaks and control of spills.
- (3) Special permit criteria. Special permits shall be granted only if:
 - (a) The proposed use shall comply in all respects with the provisions of the underlying district, and will promote the purposes of the Water Supply Protection District;
 - (b) The proposed use is appropriate to the natural topography, soils, and other characteristics of the site to be developed;
 - (c) The proposed use shall not have any adverse environmental impact on the aquifer or recharge areas;



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



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

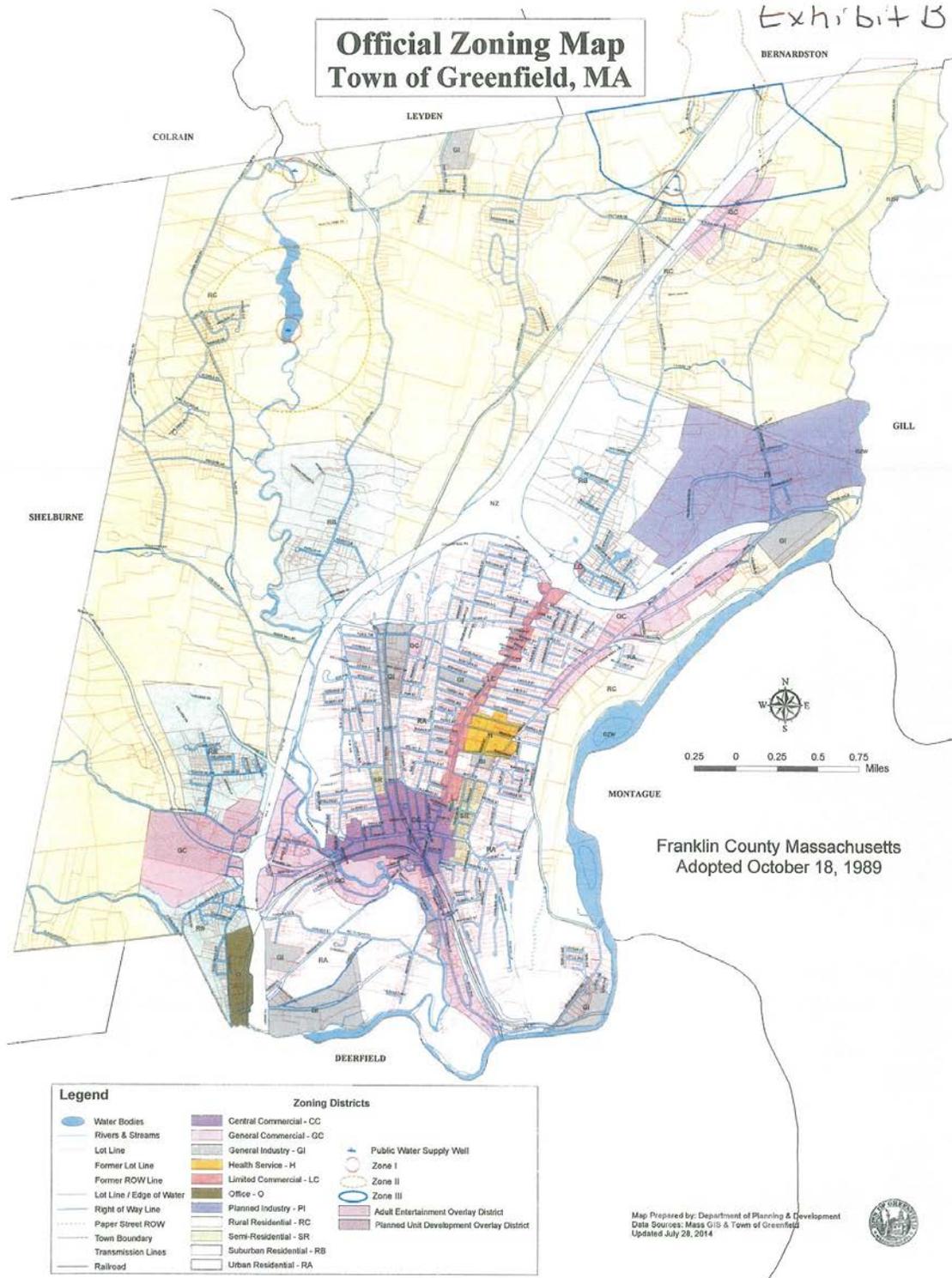
Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

- (d) The proposed use shall not result in a reduction of groundwater recharge on the premises or a deterioration of existing groundwater or surface water quality whether or not such water meets established state or federal standards;
 - (e) The Planning Board may impose any reasonable requirements, conditions, standards, or limitations to ensure that the proposed use meets the purpose and requirements of this section;
 - (f) The Planning Board may require, as a condition of the special permit, groundwater monitoring wells or sampling of the discharge to on-site septic systems or dry wells. Reports shall be submitted to the Planning Board, Board of Health, Department of Public Works, and the Inspector of Buildings;
 - (g) Uses allowed by special permit in the underlying district which are not specifically listed in this section shall also comply with the requirements for a special permit under this section.
- H. Dimensional Requirements. The minimum lot area in the Water Supply Protection District shall be sixty thousand (60,000) square feet with two hundred (200) feet of frontage.
- I. Limitations Upon Uses. All uses within the Water Supply Protection District shall be subject to the following limitations:
- (1) Provision shall be made to protect against toxic or hazardous materials discharged or lost through corrosion, accidental damage, spillage or vandalism through such measures as spill control in the vicinity of chemical or fuel delivery points, secure storage areas for toxic or hazardous materials, and indoor storage of corrodible or dissolvable materials;
 - (2) Where the premises are partially outside of the Water Supply Protection District, such potential pollution sources as on-site waste disposal systems shall, to the degree feasible, be located outside the district;
 - (3) All runoff from impervious surfaces shall be recharged on the site, diverted towards areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are infeasible, and shall be preceded by oil, grease, and sediment traps to facilitate removal of contamination.



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

Exhibit B



Order no. FY 15-042

MOTION: On a motion by Councilor Devlin, second by Councilor Allis, it was unanimously,
VOTED: THAT IT BE ORDERED, THAT THE TOWN COUNCIL OF GREENFIELD HEREBY INITIATES THE ZONE MAP CHANGE AS FOLLOWS “AMEND THE GREENFIELD ZONING MAP BY RE-ZONING PARCEL 95-1 (298 FEDERAL STREET – FORMER LUNT SILVERSMITHS) FROM GENERAL INDUSTRY (GI) INTO TWO SEPARATE ZONING DISTRICTS, URBAN RESIDENTIAL (RA) AND LIMITED COMMERCIAL (LC)” AS INDICATED ON THE ATTACHED MAP MARKED “EXHIBIT A” AND IN ACCORDANCE WITH M.G.L.C 40A SECTION 5.

EXHIBIT

A



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.org • www.greenfield-ma.gov

**PROPOSED ZONING MAP AMENDMENT TO THE GREENFIELD ZONING MAP
July 9, 2014**

Map Amendment #1

Amend the Greenfield Zoning Map by re-zoning Parcel 95-1 (298 Federal Street – former Lunt Silversmiths) which is currently zoned General Industry (GI) into two separate zoning districts, Urban Residential (RA) and Limited Commercial (LC). See attached map of the proposed re-zoning.

Limited Commercial shall extend from the northeast corner of the property line, continuing along the southern edge of the public right-of-way of Norwood Street approximately 695 feet to the northwest corner of existing parking lot, continuing southwesterly approximately 380 feet along the existing parking lot to the southern edge of the public right-of-way of Kenwood Street, continuing along the southern edge of the public right-of-way of Kenwood Street approximately 570 feet to the northeast corner of Parcel 91-61, and continuing approximately 399 feet along the western edge of the public right-of-way of Federal Street to the Point of Beginning.

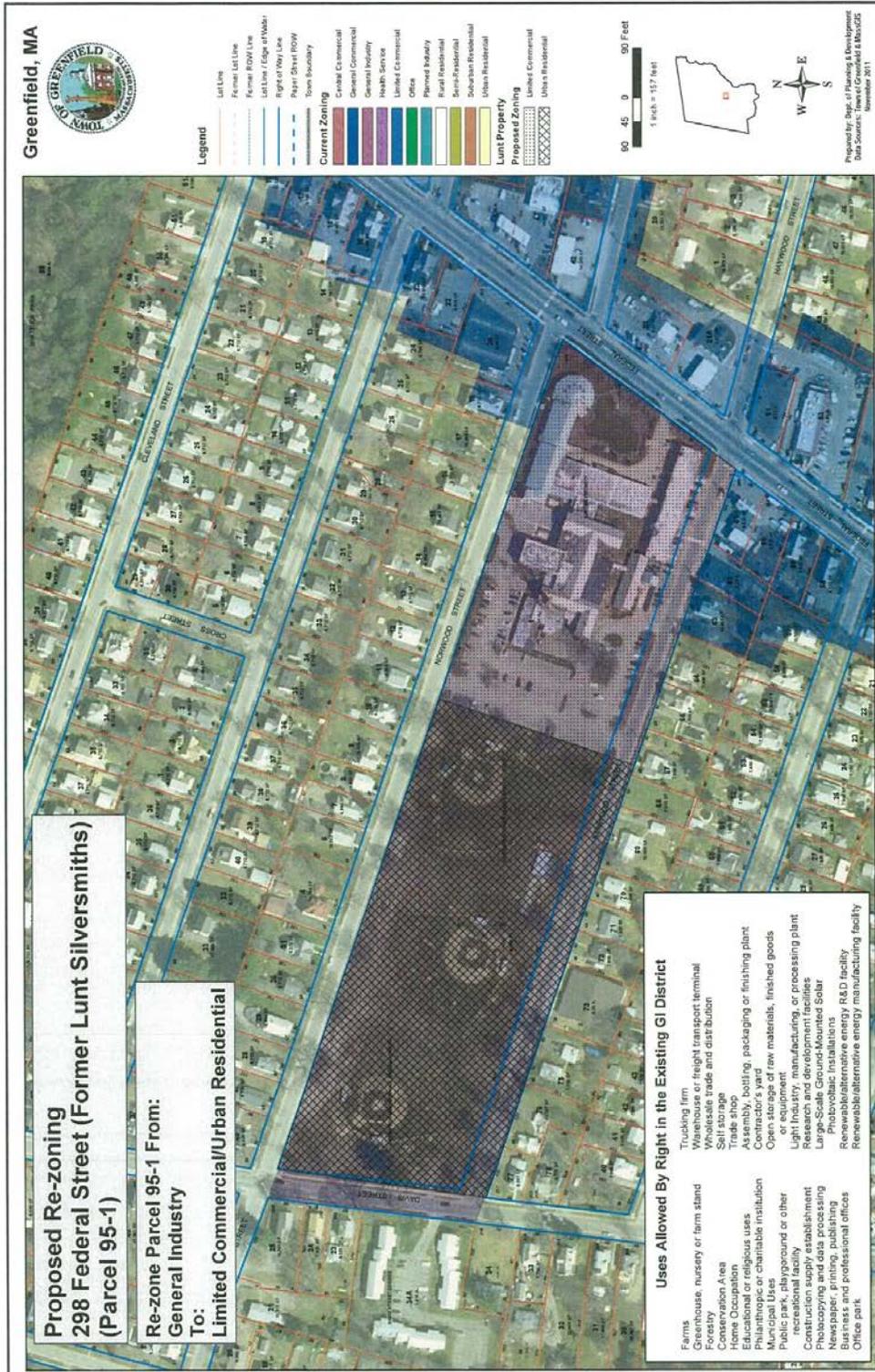
Urban Residential shall extend from the northeast corner of Parcel 95-25, continuing along the southern edge of the public right-of-way of Norwood Street approximately 970 feet to the northwest corner of the existing parking lot, continuing southwesterly approximately 380 feet along the existing parking lot to the southern edge of the public right-of-way of Kenwood Street, continuing along the southern edge of the public right-of-way of Kenwood Street approximately 892 feet to the southwest corner of Parcel 95-34A, and continuing northerly approximately 384 feet to the Point of Beginning.

REASON: The former Lunt Silversmiths site (Parcel 95-1) is currently zoned General Industry. Properties to the north, south, and west are currently zoned Urban Residential, and properties to the east are currently zoned Limited Commercial. The Town made major changes to the Zoning Map in 1989 but kept this parcel zoned as General Industry because of Lunt Silversmiths (a commercial condominium) which was actively operating at that time. Lunt Silversmiths has since ceased operations and is considering selling the property which is currently in bankruptcy court. Given the current zoning as General Industry, the potential for offensive-type uses on this property that is located in a large residential area is a concern of the Town. The proposed rezoning will allow this entire parcel to be compatible and consistent with current zoning of the area. Currently, the town owns the portion of the site that will be rezoned to Urban Residential. All parties and owners of the entire parcel to be rezoned are in agreement.



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

EXHIBIT A”



Order no. FY 15-044

MOTION: On a motion by Councilor Kelner, second by Councilor Devlin, it was unanimously, **VOTED:** THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL HEREBY INITIATES A NAME CHANGE OF A PUBLIC PLACE AS FOLLOWS: RENAME “BROOKIE PARK” TO “RIVER WORKS PARK” IN ACCORDANCE WITH TOWN ORDINANCE, CHAPTER 104 - NAMING OF MUNICIPAL BUILDINGS, FACILITIES AND PUBLIC PLACES.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.**REPORTS OF COMMITTEES**

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Devlin noted the next regular meeting would be held on October 14, 2014 at which time a Public Hearing would be held regarding a proposed ordinance relating to vacant and foreclosed property.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Kelner announced there would be a public forum on September 22, 2014, 6:30 pm, 114 Main Street to discuss Hillside Park safety and the splash pad. The committee will participate in a forum on October 7, 2014, 6:00 pm, Robbins Memorial Church, 55 Munson Street to discuss the pedestrian and auto traffic in the area since the relocation of the Courthouse.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairman Siano stated the committee had met with several department heads and continues to discuss a noise ordinance.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: President Hoffman urged Councilor’s to notify the Town Clerks office if they were going to attend the FCSA Quarterly Meeting.

Councilor Allis held the following first reading:

- Ordered that \$720,000 be transferred from Free Cash to the General Stabilization Account.
- Ordered that \$350,000 be transferred from Free Cash to the Contractual Stabilization Account
- Ordered that \$425,000 be transferred from Free Cash to the Capital Stabilization Account
- Ordered that \$350,000 be appropriated from Free Cash to the OPEB Liability Trust
- Ordered that \$150,000 be appropriated from Free Cash to the Compensated Absences Account
- Ordered that \$250,000 be appropriated from Free Cash to the Building Maintenance Stabilization Account
- Ordered that \$120,000 be appropriated from Free Cash to purchase two (2) vehicles for Central Maintenance and upgrade the Emergency Dispatch Center

Fiscal Year 2015 Supplemental Budget:

- Ordered that \$610,000 be appropriated from Free Cash to the following FY15 operating budgets:
 - \$245,000 to the Greenfield Police Department
 - \$200,000 to the Department of Public Works
 - \$60,000 to the Accounting Department
 - \$50,000 to the Reserve Fund
 - \$30,000 to the Energy Department
 - \$15,000 for Medicare Match
 - \$10,000 for Temporary Interest

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: James Hutchinson, 136 Main Street spoke regarding incorrect Motor Excise Tax Bills sent to his residence for years.

ADJOURNMENT: On a motion by Councilor Mass, second by Councilor Allis, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 10:34 P.M.

A true copy,

Attest: _____
Deborah J. Tuttle, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
September 17, 2014

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